

SYRIA

TIER 1 | USCIRF-RECOMMENDED COUNTRIES OF PARTICULAR CONCERN (CPC)

KEY FINDINGS

Religious freedom conditions in Syria continued to deteriorate throughout 2016 as internal conflict worsened and the fight against the Islamic State of Iraq and Syria (ISIS) continued. Syria's religious communities have endured religious freedom violations from various actors, including President Bashar al-Assad's regime, the approximately 100 armed opposition groups, and U.S.-designated terrorist groups such as ISIS and the al-Qaeda-affiliated Jabhat Fateh al-Sham. The deliberate targeting and indiscriminate bombing of Sunni Arab-dominated areas by President al-Assad's regime and its Iranian and Russian allies have heightened tensions between Sunni Arabs and many other communities in Syria, including the Christian, Alawite, Shi'a, and Druze communities. The United Nations (UN) has also found al-Assad guilty of using chemical weapons at least 14 times in rebel-held areas, although the government claimed it had surrendered its stockpile of chemical weapons

in 2014. Meanwhile, the Syrian Democratic Forces (SDF), supported by the U.S.-led anti-ISIS coalition, and the Euphrates Shield, supported by the Turkish government, recaptured the northern Syrian cities of Manbij and Jarablus from ISIS, which continues to rule over its territories with brute force, targeting anyone who does not adopt its ideology. Armed opposition groups' fighters, while not adhering to any unified policy, have engaged in sectarian attacks. Due to the collective actions of the al-Assad regime, elements of the armed opposition, and U.S.-designated terrorist groups, USCIRF again finds in 2017 that Syria merits designation as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2014. In 2017, USCIRF also finds that ISIS merits designation as an "entity of particular concern" (EPC) for religious freedom violations under December 2016 amendments to IRFA.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate Syria as a CPC under IRFA;
- Designate ISIS as an "entity of particular concern" under December 2016 amendments to IRFA;
- Condemn the al-Assad regime's brutal persecution of and crimes of humanity against Sunni Muslims and others, and urge other nations to do the same;
- Urge the UN Security Council and its member states to rigorously implement and comply with ratified resolutions, including UN Security Council resolutions 2118 (calling for the elimination of Syrian chemical weapons), 2139 (calling for humanitarian access into besieged areas and an end to barrel bombs), 2165 (approving humanitarian access across conflict lines), 2209 (calling for an end to the use of chlorine bombs), and 2254 (ceasefire and roadmap for peace in Syria);
- Continue to call for an International Criminal Court (ICC) investigation into crimes committed by the al-Assad regime, following the models used in Sudan and Libya;
- Call for or support a referral by the UN Security Council to the ICC to investigate ISIS violations in Iraq and Syria against religious and ethnic minorities;
- Encourage the Global Coalition to Counter ISIS, in its ongoing international meetings, to work to develop measures to protect and assist the region's most vulnerable religious and ethnic minorities, including by increasing immediate humanitarian aid, prioritizing the resettlement of the most vulnerable to third countries, and providing longer-term support in host countries for those who hope to return to their homes post-conflict;
- Ensure U.S. government planning for a post-conflict Syria is a "whole-of-government" effort and includes consideration of issues concerning religious freedom and related human rights, and that USCIRF and other U.S. government experts on those issues are consulted as appropriate;
- Initiate an effort among relevant UN agencies, nongovernmental organizations, and like-minded partners among the Global Coalition to Combat ISIS to fund and develop programs that bolster intra- and interreligious tolerance, alleviate sectarian tensions, and promote respect for religious freedom and related rights, both in neighboring countries hosting refugees (especially Lebanon, Jordan, Egypt, and Turkey), and in preparing for a post-conflict Syria;
- Continue the resettlement of Syrian refugees to the United States—subject to proper vetting and a prioritization based on vulnerability—in order to aid those Syrians in the greatest peril, demonstrate U.S. leadership in efforts to address this extraordinary humanitarian crisis, and show support for governments in the Middle East and host communities that are supporting millions of Syrian refugees; and
- Allocate sufficient resources to the Department of Homeland Security and other agencies that conduct the rigorous individualized vetting of refugees being considered for resettlement to allow them to expeditiously process applications and thoroughly conduct background checks, in order to facilitate resettlement without compromising national security.

The U.S. Congress should:

- Include in the relevant U.S. appropriations law for the current and next fiscal years a provision that would permit the U.S. government to appropriate or allocate funds for in-kind assistance for investigating and prosecuting genocide, crimes against humanity, or war crimes cases at the ICC on a case-by-case basis and when in the national interest to provide such assistance.

BACKGROUND

The al-Assad family has ruled over Syria for more than 50 years, since the late Hafez al-Assad launched a coup with five other officers in 1963 and named himself as leader of Syria in 1971. After his death, his son, Bashar al-Assad, succeeded him in July 2000. Throughout this time, both father and son have disallowed any political opposition; any attempt to create political alternatives or democratic openings has been immediately halted, often with force. Prior to the civil uprising in March 2011, the most significant challenge to Hafez al-Assad's rule occurred in the city of Hama in February 1982. To prevent the revolt from spreading to other Syrian cities, Hafez al-Assad besieged and bombarded the city for 27 days until it surrendered; some 20,000–40,000 people, mostly civilians, were killed in what has since become known as the “Hama Massacre.” While many associate the events of Hama with the Muslim Brotherhood's attempt to challenge al-Assad's rule, others, including members of the Communist Party, labor unions, and various social groups, took part in the uprising. The Syrian government has used Hama as an example of how it would deal with any rebellion, and has blamed Sunni Arabs for the Hama revolt, creating fear among non-Sunnis of “Sunni Arab extremism” that has lasted until today.

The al-Assads are from the Alawite community, an offshoot of Shi'a Islam and a minority group that makes

up about 13 percent of Syria's population. Since Hafez al-Assad's ascent to power, loyal Alawites have been placed in the government, including in senior security, intelligence, and military positions. Although Hafez al-Assad forged necessary and strategic relationships with Syria's dominant Sunni Arab community, most religious groups lived alongside coreligionists. It was common to find solely Christian, Alawite, or Muslim neighborhoods, which contributed to some division and distrust between different religious groups. When civil uprising and antigovernment demonstrations in Syria began in March 2011, it did not take long for built-up his-

torical sectarian tensions to come to the forefront.

The Syrian government directly facilitated the “Islamization” of the armed opposition, drawing on the memory of the Hama Massacre to create an atmosphere of fear among Syria's non-Muslim commu-

nities. In mid-2011, the government released from the infamous Sadnaya Prison around 200 prisoners previously designated as “Islamic fundamentalists,” including prominent Sunnis who were fighting in the Iraq War after 2003. Some of those released became leaders in ISIS, Jabhat Fateh Al-Sham, and other armed opposition factions. President al-Assad and his regime played on sectarian fears, repeatedly stating it was fighting “extreme Islamist factions” that were acting to increase sectarian tensions. The result is that now, six years into the conflict, President al-Assad is perceived as

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the only entity shielding Syria's minorities from Sunni Arab extremists. Many of Syria's minority populations fear that without al-Assad in power, Sunni extremists will overtake them. Simultaneously, Sunni Arabs also have come to see many of Syria's Christians, Alawites, and Shi'a Muslims as aligned with the Syrian regime due to their lack of support for or neutral stance toward the Syrian revolution.

International actors have further increased sectarian tensions. While Russia has provided the al-Assad regime with airpower and military support, and to a limited extent ground troops, Iran has facilitated the participation of 5,000 troops from the U.S.-designated terrorist group Hezbollah, another 5,000 Iraqi Shi'a troops, and approximately 18,000 Afghan and Pakistani Shi'a troops to fight in Syria in support of the al-Assad regime. Meanwhile, the armed opposition, once supported by Saudi Arabia and Qatar, and currently supported by Turkey, lost significant territory and influence throughout 2016, although the Turkish government played a direct role in the liberation of territory from ISIS, sending in special forces and artillery to support the Euphrates Shield, an armed group that recaptured both Jarablus and al-Bab cities. The armed opposition's efficacy declined in the face of more extremist factions, such as Jabhat Fateh al-Sham, especially after Jabhat Fateh al-Sham played a major role in breaking the siege on Idleb Province. Jabhat Fateh al-Sham, as well as Ahrar al-Sham, have established Shari'ah courts and imposed Islamic regulations in areas under their control, such as prohibiting the sale and consumption of alcohol. Non-Muslim communities have kept a relatively low profile in opposition-controlled areas and have been subjected to less forced displacement from their homes than Sunni Muslims.

ISIS continues to maintain its stronghold in Syria, especially in the group's *de facto* capital of Raqqa, although it lost 28 percent of the territory it once maintained. While the anti-ISIS coalition and the Euphrates Shield forces recaptured the cities of Manbij and Jarablus, ISIS managed to recapture Palmyra, a United

Nations Educational, Scientific, and Cultural Organization (UNESCO) World Heritage Site, from the Syrian regime in December 2016. The group has terrorized and attacked anyone—including Muslims—who does not espouse ISIS's extremist beliefs. Credible reports of mass beheadings, rape, murder, torture of civilians and religious figures, and the destruction of mosques and churches have been well documented.

Syria continues to suffer from abominable humanitarian conditions. According to UN Envoy Staffan de Mistura, an estimated 400,000 people have been killed since 2011. As of January 2017, in neighboring countries there are almost 4.9 million Syrian refugees registered with the UN refugee agency, the UN High Commissioner for Refugees (UNHCR); 6.6 million are internally displaced, and at least 13.5 million out of Syria's population of 17 million are in need of humanitarian aid for survival.

Before 2011, Syria was home to various ethno-sectarian groups. The U.S. government, based on official Syrian government figures, estimates the country's religious demography before the conflict was as follows: 87 percent Muslim (comprising 74 percent Sunni and 13 percent Alawi, Ismaili, and Shi'a Muslim), 10 percent Christian, 3 percent Druze, and a very small number of Jews in Damascus and Aleppo. Other 2010 estimates include the following breakdown: 92.8 Muslim, 5.2 percent Christian, 2 percent unaffiliated, and all other groups less than 0.1 percent.

RELIGIOUS FREEDOM CONDITIONS 2016–2017

Violations by the al-Assad Regime and Affiliated Groups

Six years into the conflict, the al-Assad government continues indiscriminately targeting primarily Arab Sunni Muslim residential neighborhoods, marketplaces, schools, and hospitals. Human rights organizations, the UN, and the governments of the United States, France, and the United Kingdom have presented evidence of severe and methodical human rights abuses undertaken

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by the regime. In 2016, the Joint Investigative Unit of the UN and the Organization for the Prohibition of Chemical Weapons (OPCW) found the al-Assad regime, and specifically President al-Assad, culpable for ordering the use of chemical weapons after it publicly declared it had surrendered and destroyed its full stockpile of such weapons. Reports indicate that 14 out of the 15 chemical attacks in Syria were carried out by the Syrian regime (one was carried out by ISIS).

Shi'a and Alawite militias remain important military allies of the Syrian Arab Army, often contributing to decisive victories on the battlefield. The battle to retake eastern Aleppo City was one such battle. The shabiha militias, referred to as the National Defense Forces, also have been accused of extortion, blackmail, kidnapping, and extrajudicial killing. The National Defense Forces, which comprise mostly local Shi'a and Alawite fighters (including females), have been described as "mafia-like gangs" modeled after the Iranian Basij Resistance Force. Other Shi'a militias have grown exponentially over the last couple of years, as well. According to various sources, there are approximately 5,000 Lebanese Hezbollah fighters, 5,000 Iraqi Shi'a fighters, and 18,000 Shi'a Afghan and Pakistani fighters who have been recruited by the Iranian Revolutionary Guard Corp (IRGC) inside of Syria. According to multiple sources, hundreds of thousands of Shi'a volunteers have registered to fight in Syria to defend Shi'a shrines and also to support President al-Assad in his battles against the opposition. The large number of Shi'a foreign fighters in Syria also has increased sectarian tensions, especially in Lebanon and Turkey.

The regime continued to carry out its policy of forced displacement of Sunni Muslims. In 2016, the Syrian government forcibly displaced 125,000 civilians from the Damascus suburbs of Kisweh, Darraya, Wadi Barada, al-Tall, Khan al-Sheeh, Qudsaya, and al-Hameh, moving them to Idleb and other opposition-held areas. In December 2016, the regime forcibly displaced 240,000 civilians from eastern Aleppo, sending many to Idleb,

Turkey, or the western Aleppo countryside. While the displaced were overwhelmingly politically opposed to the al-Assad regime, they also were overwhelmingly Sunni Arabs. Several reports have confirmed the government is repopulating evacuated areas with Shi'a Lebanese and Iraqis. For example, approximately 300 Iraqi Shi'a families were moved to Darayya after local civilians were transferred to Idleb.

The Syrian Network for Human Rights reported that between 2011 and 2016, the Syrian regime was responsible for the killing of 183,827 civilians, including 19,594 children and 19,427 women. The group also reports that the government has tortured 12,486 civilians to death and has killed 479 journalists and social media activists and at least 553 medics. In 2016, there were approximately 128 attacks on places of worship.

Violations by ISIS

ISIS continues to severely deny freedom of religion or belief within its territory; the group regulates all religious activities in order to maintain its power. It categorizes all

individuals living within the so-called Islamic State as deviants, enemies, People of the Book, or believers. For example, ISIS deems Druze and Sufi Muslims as deviants, and requires them to abandon their beliefs and practice Salafi jihadi Islam; if they refuse, they

are ordered killed. Since 2014, ISIS has destroyed over 80 Sufi shrines in al-Hasakah, Raqqah, and Deir-ez-Zor, including a 1,000-year-old shrine of a revered Sufi saint. Earlier this year, ISIS also killed Sheikh Jumaa al-Habeeb, a prominent Sufi leader. ISIS considers Alawites and Shi'a Muslims to be nonbelieving enemies who are actively fighting Islam due to their perceived alliance with the al-Assad regime. Human rights organizations report that only nine Armenian families remain in Raqqah, and no Christians have remained in Deir-ez-Zor under ISIS control. The majority of Christians have fled to al-Assad-held areas, Lebanon, Armenia, or the West instead. Finally, for the category of people ISIS considers to be "believers"—Sunni Muslims—it mandates they adhere to a Salafi

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jihadi version of the faith. In 2016, the group required that all individuals, including children, living in ISIS territory must complete Shari'ah courses in line with the group's extremist beliefs.

Between 2011 and 2016, human rights organizations have documented that ISIS has killed at least 1,510 civilians, including 258 children and 213 women. The group also arrested at least 1,419 individuals, including 103 children and 50 women. ISIS has tortured at least eight people to death and killed 26 journalists. Moreover, the group killed 19 medics, and tried numerous attempts to kidnap doctors from opposition-held territories in order to force them to work in ISIS medical facilities. The group has made a business out of kidnapping individuals in exchange for high ransoms. According to human rights groups, at least 45 Christians remain captives of ISIS, being freed only in exchange for large sums of money. Well-known Christian leaders, including Italian Jesuit priest Paolo Dall'Oglio (if still alive), remain detained by ISIS.

Armed Opposition Groups

During 2016, the armed opposition suffered a series of losses to the Syrian regime and its allies, losing their former strongholds of the al-Waer neighborhood in Homs City, Darayya in Damascus, and eastern Aleppo City and its countryside. There are approximately 100 armed opposition groups in Syria, each of which follows its own norms of behavior. For this reason, when armed groups' members have been accused of committing various crimes against humanity, the particular group, as well as the armed opposition as a whole, often repudiate those crimes as not representative of the group or the armed opposition.

Areas under the control of the armed opposition do not have formal or consistent policies toward Christians or non-Sunni Muslims. For example, there are no laws that ban Christians from living in areas under armed opposition groups' control, but the reality is that very few Christians have remained living in opposition-held areas. Instead, many have fled to government-held areas or have left the country altogether because they do not feel comfortable remaining in such volatile areas. While there have been no large-scale attacks by armed opposition groups against Christian villages or neighborhoods in Syria, in July

2016 local armed opposition groups from Aleppo City heavily shelled several neighborhoods in government-held western Aleppo, including a Christian neighborhood, destroying many buildings but causing no human casualties.

The Druze live largely in the Swaida Province of southwestern Syria, and they have an informal agreement with the Syrian government to have only Druze soldiers protect their territory. It is reported that between 25 and 30 Druze men have been kidnapped by armed groups from Dar'a. Druze activists informed USCIRF that many of these kidnappings are motivated by tribal rivalries between Druze and Dar'a tribes, but that their identity as a distinct religious group in Syria has made them more vulnerable to kidnappings. In areas under opposition control, there are only two Druze villages, both located in Jabal Suma'a. Although clashes broke out in 2015 between some Druze members and armed opposition fighters over ownership of regime officers' property, in 2016 these villages were not targeted by opposition forces.

Armed opposition groups continue to besiege two Shi'a villages, Kafriya and Fu'a, in Idleb Province, as they have since 2015. These villages are home to approximately 40,000 people. During the forced evacuation of eastern Aleppo, the simultaneous negotiations aimed at breaking the siege of Kafriya and Fu'a were derailed when unknown soldiers from armed opposition groups burned buses meant to transfer injured Shi'a villagers to the suburbs of Damascus. Eventually, 1,200 Shi'a residents were allowed safe passage, but the siege of Kafriya and Fu'a continues.

While large-scale Alawite and Sunni Muslim clashes do not regularly occur across Syria, violent confrontations have taken place between the two groups in Homs and Hama, largely because Alawites in Homs participated in multiple mass killings of Sunni Muslims in 2011 and early 2012. As a result, sectarian tensions have resulted in long-term discord. For example, in May 2016, Salafi jihadi armed group Ahrar al-Sham killed 19 Alawites—among them civilians and armed militias supporting the Syrian regime, and including six women—in the village of Zara on the border between Hama and Homs provinces. Small-scale clashes between Sunni Muslims and Alawites constantly happen along this border area.

U.S. POLICY

On August 18, 2011, only five months after the conflict in Syria began, then President Barack Obama called on President al-Assad to step down, and issued an executive order immediately freezing all Syrian government assets subject to U.S. jurisdiction. The order also prohibited the United States from engaging in any transactions involving the Syrian government. In 2012, the United States closed its embassy in Damascus, and in March 2014 it ordered the Syrian Embassy and consulates to close in the United States. In December 2012, the U.S. government recognized the National Coalition for Syrian Revolutionary and Opposition Forces as the legitimate representative of the Syrian people, and in May 2014 it recognized their Washington, DC, and New York offices as diplomatic foreign missions. The High Negotiations Committee, the formal negotiations body for the Syrian opposition, participated in the Geneva negotiations in early 2016.

Since 2011, the U.S. government has provided over \$5.9 billion in humanitarian aid to Syrians and neighboring countries dealing with the Syrian crisis. The funding has supported activities of the U.S. State Department, U.S. Agency for International Development, International Organization for Migration, UN Children's Fund, UN Office for the Coordination of Humanitarian Affairs, UN Population Fund, UN World Health Organization, and UNHCR, among others. The efforts supported by the United States include civil society training, local council capacity building, health and medical support, education projects, food assistance, psychosocial support, shelter rehabilitation, and livelihood development.

In February 2016, the International Syria Support Group, of which the United States is a co-chair, supported a cessation of hostilities across the country. Unfortunately, the ceasefire did not hold well and had essentially fallen apart by April. In September, there was another push for cessation of hostilities by Russia and the United States, which also ultimately failed. In late 2016 and early 2017, another round of talks brokered by Russia and Turkey took place in Astana, Kazakhstan. The talks, which included both the armed opposition and the al-Assad regime, once again failed to bring about a country-wide ceasefire. As of the end of the reporting period, another round of talks is scheduled

to take place in Geneva in late February 2017, under the direction of UN Special Envoy Staffan de Mistura.

The anti-ISIS coalition, dubbed Operation Inherent Resolve, is led by the United States and includes 65 countries. Coalition nations conducting air strikes are Australia, Bahrain, Canada, France, Jordan, Saudi Arabia, Turkey, the United Arab Emirates, and the United Kingdom. The coalition has conducted over 10,000 strikes, at least 6,370 of which have been in Syria and most of which have been carried out by the United States. As of January 2016, the total cost of the anti-ISIS operations exceeded \$10 billion. In October 2015, then President Obama announced the deployment of almost 500 U.S. special operations forces to advise local forces fighting ISIS but not play a direct combat role. The coalition's successes in 2016 include the recapture of Manbij along the Turkish-Syrian border; its ongoing offensive against Raqqa, ISIS's "capital," continues.

On March 17, 2016, then Secretary of State John Kerry declared that ISIS is responsible "for genocide against groups in areas under its control, including Yezidis, Christians, and Shia Muslims" and "for crimes against humanity and ethnic cleansing directed at these same groups and in some cases also against Sunni Muslims, Kurds, and other minorities."

The United States admitted more than 12,500 Syrian refugees in 2016. Syrians could gain access to the U.S. resettlement program through a UNHCR referral if they crossed an international border. Moreover, a new direct access program, started in February 2016, allowed Syrians with family ties to the United States to apply directly to the U.S. government for resettlement without requiring a referral from UNHCR. In an executive order in January 2017, President Donald J. Trump suspended U.S. refugee resettlement for 120 days to review vetting procedures and lowered the Fiscal Year 2017 global refugee admissions ceiling from 110,000 to 50,000, but as of the end of the reporting period these changes were stayed by court orders.

The United States supported a UN Security Council referral of the situation in Syria to the ICC in May 2014, but Russia and China vetoed it. Even if there were such a referral, however, current U.S. law makes it difficult for the United States to use appropriated funds to support ICC investigations and prosecutions, even for cases that the U.S. government supports.