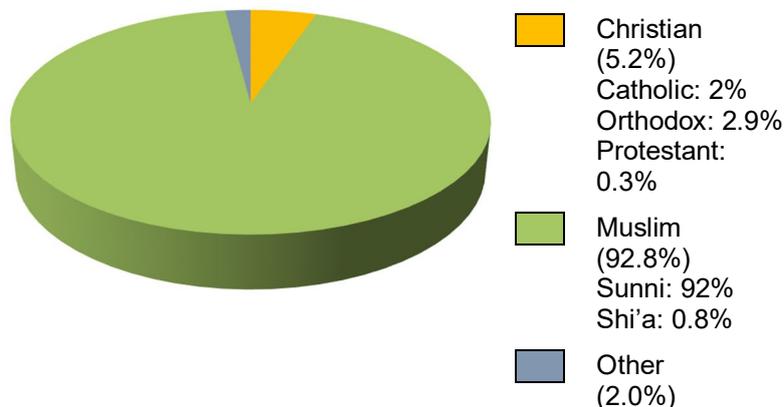
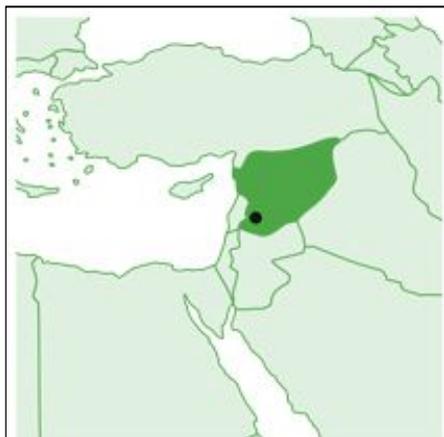


# SYRIA



Area:	Population <sup>1</sup> :	Political system:	Major Language(s):
185,180 km <sup>2</sup>	18.5 million	Autocracy	Arabic

## Legal framework on freedom of religion and actual application

Syria was established as a state by the French Mandate for Syria and the Lebanon after the collapse of the Ottoman Empire. It gained independence in 1946. Multi-ethnic and multi-religious in its demographic composition, the country struggled to find a national consensus. In 1970 army officer Hafez Al Assad from the Alawite community, an off-shoot from Shi'a Islam, staged a coup against the government of the time. He became president remaining in that post until he died in 2000 and was succeeded by his son Bashar. In March 2011, following demonstrations against the Government, demonstrators and government forces clashed. The violence spiralled into a full civil war after summer 2011 when the opposition started to become militarised. With the intervention of regional (Iran, Saudi Arabia) and international powers (USA, Russia) the conflict is considered by many as a proxy war. According to the most conservative estimate, at least 150,000 people have died, but some suggest the figure has exceeded 400,000. Most of the country's infrastructure has been destroyed. As a result of the war, half the population has fled their homes either to safe places inside the country or as refugees abroad. In its global overview for 2015, the Internal Displacement Monitoring Centre stated that Syria had "the largest number of IDPs [internally displaced people] in the world."<sup>2</sup> In June 2016 the United Nations High Commission for Refugees (UNHCR) revealed that by the end of 2015, a world-beating 4.9 million refugees were from Syria, more than two million above second-placed Afghanistan.<sup>3</sup> With Syrian refugee numbers increasing by almost one million within 12 months, the crisis highlighted repeated failed attempts by the United Nations to bring government and opposition together to find a political solution to the conflict.

The majority of Syria's citizens are Sunni Muslims. Alawites, Christians and Druze add to the traditional religious mosaic of the country. Since 2011 the situation of religious freedom has sharply declined. Before the war began, Christians comprised a significant minority of the population, thought to be about 10 percent. Most of these are eastern-rite Churches, such as the Melkite Greek Catholic Church. The Churches of the country praised the atmosphere of tolerance before the war. Because the Christians were concentrated in strategically important zones affected by war, they have fled their homes in large numbers, becoming displaced within Syria or seeking refuge outside of the country. Among non-Arab ethnic groups, Kurds are the most important. They adhere to Sunni Islam.

According to the constitution of the Republic (which only applies to government held areas): article 3 of Syria's constitution,<sup>4</sup> approved by a referendum in 2012, "The religion of the President of the Republic is Islam; Islamic jurisprudence shall be a major source of legislation; The State shall respect all religions, and ensure the freedom to perform all the rituals that do not prejudice public order; The personal status of religious communities shall be protected and respected." Article 8 forbids "carrying out any political activity or forming any political parties or groupings on the basis of religious, sectarian, tribal, regional, class-based, professional, or on discrimination based on gender, origin, race or colour". Article 33 (3) declares: "Citizens shall be equal in rights and duties without discrimination among them on grounds of sex, origin, language, religion or creed." Article 42 protects "Freedom of belief in accordance with the law".

The government restricts proselytising and conversion. The government prohibits the conversion of Muslims to other religions, since this is deemed contrary to *Shari'a*. The government does not permit conversion from Islam to Christianity, but does recognise Christian converts to Islam. The penal code prohibits "causing tension between religious communities".<sup>5</sup> Syria's Penal Code provides in article 462 that individuals who publicly defame religious proceedings are punishable with two years' imprisonment.<sup>6</sup>

Personal status affairs such as marriage and inheritance are being regulated in accordance with the religious law of the community a citizen belongs to. Muslims are subjected to *Shari'a*, Christians and other religious minorities to their respective community laws. There is no civil marriage. Muslim women cannot marry non-Muslim men, but it is possible for Muslim men to marry partners from outside the religion.

## Incidents

In September 2014 Daesh (ISIS) destroyed an Armenian church in Deir el Zor, a city with a Kurdish majority, which they had seized. The remains of victims of the Armenian Genocide were kept there. Armenian Foreign Minister Edward Nalbandian condemned the destruction of the church as "horrific barbarity".<sup>7</sup>

In October 2014 militants linked to Al-Nusra Front kidnapped Roman Catholic parish priest Father Hanna Jallouf, OFM and up to 20 people from Knayeh, a Christian village in north-west Syria.<sup>8</sup> The Franciscan Custody of the Holy Land, which oversees Roman Catholic activities in the country, later announced that Father Jallouf has been released but put under house arrest.<sup>9</sup>

In November 2014 the remaining Christian families in Raqqa were forced to pay the *jizya*, the Islamic tax imposed on non-Muslims. Raqqa, the city of northern Syria which has become a stronghold of Daesh since 2014, has only 23 Christian families out of the 1,500 who lived there before the beginning of the Syrian conflict.<sup>10</sup>

In January 2015 university students in a predominantly Alawite area of Homs were the target of a terror attack that left 15 people dead and at least 50 injured, according to a priest based in the city when the blast took place. Jesuit priest Father Ziad Hilal told Aid to the Church in Need that Christians were among the victims even though al-Hadara Street is an Alawite Muslim area.<sup>11</sup>

In February 2015 Daesh attacked the Assyrian Christian villages on the Khabur river, in the north-eastern province of Jazira, causing thousands to flee. Around 220 Christians were taken hostages. Daesh fighters were driven out of the area in May 2015.<sup>12</sup> In February 2016, the remaining 43 Assyrian hostages were released. According to the Assyrian Church of the East, there are no more Assyrians from Khabur being held by Daesh.<sup>13</sup>

In March 2015 Daesh released a video documenting the alleged "conversion" to Islam of one of the Assyrian Christian hostages they captured from the Assyrian villages near the river Khabour in February. In the video, a man purporting to be an Assyrian Christian of the village of Tel Temit and identified with the name of Sargon David, pronounces the formula of "Shahada" to certify his conversion to Islam. In the video, the man says he converted "voluntarily", and calls on the Christians of Syria to do the same.<sup>14</sup>

In May 2015 Jesuit Father Jacques Mourad was kidnapped with a co-worker. The two men were travelling in Qaryatayn when two motorcycles drew up alongside their car. The kidnappers seized the vehicle and abducted the Jesuit priest. He was later freed in October 2015.<sup>15</sup>

In June 2015 it was reported that jihadist militiamen linked to Al-Nusra Front had massacred dozens of Druze civilians in Qalb Loza village, in the Mount Simmaq area, near the town of Idlib. Eyewitnesses told Kurdish Ara News Agency that the mass execution took place when the fighters raided the village, overcoming the fragile resistance offered by the Druze. The mass execution took place on the outskirts of the village. According to witnesses, it was carried out with the intention of spreading terror throughout the rest of the civilian population. For jihadi militias who control large part of the Syrian territory, the Druze are an apostate sect.<sup>16</sup> Waleed Jumblatt, a Druze leader in Lebanon, was able to mediate between the two groups, and Al-Nusra attributed the killings to individual soldiers and punished the perpetrators.<sup>17</sup>

In July 2015 it was confirmed that Melkite priest Antoine Boutros and his collaborator Said Al-Abdun had been seized by one of the several armed rebel groups that are in the area of the province of al-Suwayda. The two were traveling by car from the city of Shahba to Sama Hinadat, where Father Boutros was intending to celebrate the Divine Liturgy for Sunday.<sup>18</sup>

In August 2015 fighters from Daesh demolished the Mar Elian Monastery in al-Qaryatayn, near Homs. The Syriac Catholic monastery was founded in the fifth century. Daesh posted a series of images showing the destruction of the church, the exhumation of the relics of St Elian – martyred in 285 by the Romans – and the destruction of the historic complex. The monastery, considered one of Syria's most important Catholic centres, had been extended in various stages over the centuries.<sup>19</sup>

In October 2015 a video was published that showed three Assyrian Christians seized by Daesh from the villages near the Khabur river in Februray being subjected to capital punishment. The video of the execution was released on a jihadi website. In the video, the three Assyrian Christians appear on their knees, dressed in orange jumpsuits in a desert area. They were killed with gunshot wounds to the neck from three hooded executioners. Each of the three Assyrians, before being killed, identified themselves by repeating their names and village of origin. The execution took place on the morning of 23<sup>rd</sup> September, the day when Muslims commemorate Eid al-Adha (the Feast of Sacrifice).<sup>20</sup>

In December 2015 Syrian President Bashar al-Assad visited the Melkite parish of Our Lady of Damascus, in the Damascene district of al Qussur, with his wife Asma. The area is situated a few kilometres from the district of al-Jobar, which is in the hands of rebel militias, and is regularly targeted by grenades and missiles launched by the anti-regime forces.<sup>21</sup>

In December 2015 two Christian villages were bombarded by Jihadists. At least two civilians were killed and another twenty injured by grenades by anti-regime jihadist fighters against the villages of Maharda and Sqelbyia, in the province of Hama. The two towns, at the time controlled by the government army, are inhabited by Orthodox Christians. According to reports from local sources to Kurdish Ara News Agency, the bombings hit residential neighbourhoods spreading panic among the local population, that was preparing their celebration of the holiday season.<sup>22</sup>

Also in December 2015 Maronite Archbishop Samir Nassar of Damascus announced the inauguration of a new Maronite church in the capital. The Church in the district of Kachkoul, on the eastern outskirts of Damascus, is dedicated the Blessed Massabki Brothers, martyrs of Damascus, who were killed in 1860.<sup>23</sup>

In January 2016 the Custody of the Holy Land announced that Father Dhiya Azziz had been liberated. Conflicting news had led people to believe that he had been taken by jihadists affiliated to Al-Nusra Front, which administers the emirate in the sector. This group has denied any involvement in his kidnapping and allegedly led the police investigation in neighbouring villages which led to his liberation. Father Azziz was allegedly abducted by another group of jihadists

wanting to profit by his kidnapping. In the region, there are a number of groups that operate with different interests. He was allegedly treated well during his kidnapping.<sup>24</sup>

In January 2016 Daesh claimed responsibility for bombings near an important Shi'a shrine outside the Syrian capital Damascus that killed at least 60 people, including 25 Shi'a fighters. In a statement circulated on social media, the militant group said two of its members had detonated suicide bombs near the Sayyida Zeinab shrine. Syrian state media earlier reported 45 people had been killed and 110 injured in the attacks, which it said involved a car bomb and two suicide bombers. The shrine of Sayyida Zeinab is a significant pilgrimage destination for Shi'a Muslims.<sup>25</sup>

In April 2016 Syriac Orthodox Patriarch Ignatius Ephrem II said that some 21 Christians in Qaryatayn were murdered. Almost 300 Christians remained in the city after Daesh captured it in August 2015. He said some had died while trying to escape while the others were killed for breaking the terms of their "dhimmi contracts", which required them to submit to certain principles of Islamic law.<sup>26</sup> In early April Syrian forces and their allies retook the town of Qaryatayn from Daesh.<sup>27</sup> Father Jihad Yousef, of the Syriac-Catholic Order of Mar Musa, told Aid to the Church in Need: "The residents who have fled – both Christians and Muslims – are afraid. They fear that IS may come back again." Fr Yousef said it was unlikely life would return to normal soon.<sup>28</sup>

In April 2016 a predominantly Christian city was bombed by Islamist rebel militias. The groups linked to Al-Nusra Front group launched an attack with mortars on the predominantly Christian city of Sqelbiya, in the central province of Hama on Sunday, 24<sup>th</sup> April killing at least four civilians.<sup>29</sup>

In April 2016 the Christian areas of government held Aleppo were attacked from the rebel held side of the city with rockets and mortars causing numerous casualties.<sup>30</sup>

In May 2016 the Britain-based Syrian Observatory for Human Rights said insurgents killed at least 19 civilians after capturing an Alawite village from government control in western Syria, but insurgents denied targeting civilians. Residents from the village of al-Zara interviewed by state media said rebels had killed women, children and livestock. Dozens of people are still missing, believed to have been abducted from the village, which lies close to a main highway linking the western cities of Homs and Hama. The Observatory said the attackers included Islamist rebel group Ahrar al-Sham and Al-Nusra Front. An Ahrar al-Sham spokesman said: "Civilians were not targeted. On the contrary, factions made great efforts to spare civilians and deal with prisoners humanely." The Observatory cited sources saying the 19 dead, who included six women, were from families of fighters loyal to President Bashar al-Assad and were killed as rebels stormed houses during their attack on al-Zara.<sup>31</sup>

Also in May 2016 a terrorist attack carried out in a district of Qamishli inhabited mostly by Christians, left at least three dead and an undetermined number wounded. According to what some survivors reported, at least three bombers sowed shot guns and threw bombs in the street. Official government media attributed the attack to jihadist groups such as Daesh, but local independent sources point out that recently tensions in the Qamishli area have led to armed clashes between government forces and Kurdish militias, which aim to control the area. In the same area of Qamishli, on 20<sup>th</sup> December 2015, attacks against two restaurants belonging to Christian owners claimed the lives of 13 Christians and six Muslims. Another attack in the area on 24<sup>th</sup> January 2016 left three dead and 10 wounded.<sup>32</sup>

## **Prospects for Religious Freedom**

In general in a situation of a sectarian war it not always clear whether infringements on religious freedom of individuals and collectives are solely or mainly motivated by the perpetrator's hatred for a specific religion. Ethno-religious dividing lines have existed for centuries. Political motivations might be as important as religious ones. Mostly they go together since religion and political affiliation do in most cases, as well.

There are two main groups who commit acts against religious freedom in Syria. Firstly: The Assad government and its military allies such as Shi'a militia Hezbollah from Lebanon or Shi'a volunteers

from Iraq and Iran. They fight together what they see as a terrorist threat and Sunni Jihadist insurgency against the government and the Syrian State. There are reports about them intentionally targeting Sunni populated areas.

Secondly, non-state actors who have de facto established state-like zones of control. They have to be divided into Sunni jihadist militias including Daesh or Al-Nusra. The militias of the so called moderate opposition are in many cases also driven by Sunni ideology and pursue a religious vision for the country's future – usually less extremist though than that of Daesh or Al-Nusra. Often they tactically cooperate with jihadist groups. Daesh and Al-Nusra have committed grave acts against the religious freedom of Christians, Druze, Sunnis in the areas they control. They also attack Shi'as and Alawites through terrorist attacks.

Another group of concern is the mainly Kurdish militias in northern Syria. They control areas like the Khabur river region in Northern Syria that are inhabited by Christians. There are reports of fighting between Kurdish and Christians militias motivated by the Kurd's policy of establishing complete control over their areas.

As the conflict is entering its sixth year and no political solution is in sight, the humanitarian and the situation of religious freedom will not get better any time soon. Given the atrocities committed by all sides it could be difficult to bring the groups together again to live side by side once the fighting has stopped.

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<sup>1</sup> <http://www.worldometers.info/world-population/syria-population/>

<sup>2</sup> Ibid

<sup>3</sup> OCHA, 31<sup>st</sup> December 2015 <http://www.internal-displacement.org/middle-east-and-north-africa/syria/figures-analysis>

<sup>4</sup> [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_125885.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_125885.pdf)

<sup>5</sup> <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

<sup>6</sup> <http://www.loc.gov/law/help/apostasy/#syria>

<sup>7</sup> <http://fides.org/en/news/36386->

ASIA\_SYRIA\_The\_jihadists\_of\_the\_Islamic\_State\_destroy\_the\_memorial\_church\_of\_the\_Armenian\_Genocide\_in\_Deir\_el\_Zor#.V01ZEPMLSM8

<sup>8</sup> <http://www.catholicnewsagency.com/news/franciscan-priest-christian-villagers-abducted-by-syrian-militants-26394/>

<sup>9</sup> [http://fr.custodia.org/default.asp?id=1019&id\\_n=27845](http://fr.custodia.org/default.asp?id=1019&id_n=27845)

<sup>10</sup> <http://fides.org/en/news/36768->

ASIA\_SYRIA\_25\_Christian\_families\_still\_in\_Raqqa\_Obligation\_to\_pay\_a\_protection\_tax#.V01CQfmLSM8

<sup>11</sup> <http://www.acnuk.org/news.php/542/syria-young-people-quotdeliberately-targetedquot-in-homs-bomb-blast#sthash.Um4qPtXO.dpuf>

<sup>12</sup> <http://fides.org/en/news/37885->

ASIA\_SYRIA\_The\_jihadists\_retreat\_from\_the\_villages\_on\_the\_river\_Khabur\_leaving\_destroyed\_crosses\_and\_vandalized\_churches#.V001gvmLSM8

<sup>13</sup> <http://www.aina.org/news/20160222125248.htm>

<sup>14</sup> <http://fides.org/en/news/37507->

ASIA\_SYRIA\_The\_Islamic\_State\_shows\_a\_video\_of\_an\_Assyrian\_Christian\_who\_convert\_to\_Islam#.V007ZvmLSM8

<sup>15</sup> <http://www.acnuk.org/news.php/567/syria-jesuit-priest-abducted/326>

<sup>16</sup> <http://www.news.va/en/news/asiasyria-jihadist-militants-of-al-nusra-front-mas>

<sup>17</sup> [http://www.uscirf.gov/sites/default/files/USCIRF\\_AR\\_2016\\_Tier1\\_2\\_Syria.pdf](http://www.uscirf.gov/sites/default/files/USCIRF_AR_2016_Tier1_2_Syria.pdf)

<sup>18</sup> <http://fides.org/en/news/38203->

ASIA\_SYRIA\_Archbishop\_Antiba\_confirms\_the\_kidnapping\_of\_Father\_Antoine\_Boutros\_and\_his\_collaborator#.V0x9OfmLSM8

<sup>19</sup> <http://www.news.va/en/news/iconoclastic-ferocity-syrian-catholic-monastery-de>

<sup>20</sup> <http://fides.org/en/news/58534->

ASIA\_SYRIA\_The\_jihadists\_release\_the\_video\_of\_the\_execution\_of\_three\_Assyrian\_hostages#.V0x7qvmLSM8

<sup>21</sup> <http://fides.org/en/news/59058->

ASIA\_SYRIA\_President\_Assad\_s\_visit\_to\_a\_Catholic\_church\_on\_the\_outskirts\_of\_Damascus#.V0x46\_mLSM8

<sup>22</sup> [http://fides.org/en/news/59076-ASIA\\_SYRIA\\_Two\\_Christian\\_villages\\_bombarded\\_by\\_jihadists#.V0x4YPmLSM8](http://fides.org/en/news/59076-ASIA_SYRIA_Two_Christian_villages_bombarded_by_jihadists#.V0x4YPmLSM8)

<sup>23</sup> <http://fides.org/en/news/59071->

ASIA\_SYRIA\_New\_church\_among\_the\_ruins\_in\_Damascus\_a\_Christmas\_of\_Resurrection#.V0x30fmLSM8

<sup>24</sup> [http://www.custodia.org/default.asp?id=779&id\\_n=28930](http://www.custodia.org/default.asp?id=779&id_n=28930)

<sup>25</sup> <http://english.alarabiya.net/en/News/middle-east/2016/01/31/Several-killed-in-blasts-near-Syria-Shiite-shrine.html>

<sup>26</sup> <http://www.bbc.com/news/world-middle-east-36011663>

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<sup>27</sup> <http://www.bbc.com/news/world-middle-east-35957942>

<sup>28</sup> <http://www.acnuk.org/news.php/639/syria-the-people-are-afraid-that-daesh-will-return>

<sup>29</sup> <http://www.news.va/en/news/asiasyria-a-predominantly-christian-city-bombed-by>

<sup>30</sup> ACN news published in: <http://www.catholicherald.co.uk/news/2016/05/05/priest-in-aleppo-never-has-the-war-been-as-terrible-as-it-is-now/>

<sup>31</sup> <http://uk.reuters.com/article/uk-mideast-crisis-syria-village-idUKKCN0Y41MJ>

<sup>32</sup> <http://www.news.va/en/news/asiasyria-yet-another-attack-with-three-victims-in>