

April 2013



Special Report

April 2013

Protecting and Promoting Religious Freedom in Syria

**THE U.S.
COMMISSION ON
INTERNATIONAL
RELIGIOUS
FREEDOM**

was created by the International Religious Freedom Act of 1998 to monitor the status of freedom of thought, conscience, and religion or belief abroad, as defined in the Universal Declaration of Human Rights and related international instruments, and to give independent policy recommendations to the President, Secretary of State, and Congress.

SYRIA

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EXECUTIVE SUMMARY

Due to the intensifying conflict between government forces and affiliates supporting Bashar al-Assad's regime and anti-government elements seeking his overthrow, the Syrian people have experienced egregious violations of human rights, including freedom of religion or belief. Government forces and affiliated militias have perpetrated religiously-motivated attacks against Sunni Muslim civilians and members of religious minority communities, and have increased sectarian divides through rhetoric and religiously-motivated violence. In this context, USCIRF has become increasingly concerned about religious freedom conditions in Syria, both during the current crisis and in its aftermath. This report provides USCIRF's preliminary findings and recommendations. Over the coming months, USCIRF will continue to monitor the situation, and expects to issue additional reports and recommendations.

The escalating violence and humanitarian crisis impacts members of all religious communities, including their religious freedom. Syria has historically been a religiously diverse country with a pre-conflict estimated population of 22 million, who traditionally lived together without religious or sectarian animosities. The largest religious community is Sunni Muslims, who constitute roughly 75% of the population. Alawites, who follow an offshoot of Shi'i Islam, are approximately 12%, and various Christian denominations are 10%. Other religious communities in the country include Druze (4%); Yezidis (1%), who the government categorizes as Muslims; and a very small Jewish community found in Damascus, Al Qamishli, and Aleppo.

The Syrian conflict, which began in March 2011, was declared by the International Committee of the Red Cross (ICRC) on July 15, 2012 as a "non-international armed conflict," the legal term for "civil war." The fighting has caused a humanitarian disaster, with over 70,000 people dead (February 2013 estimate), at least 3.6 million internally displaced, and approximately 1.3 million as refugees in neighboring countries. The international community, including the ICRC, the UN Human Rights Council's Independent International Commission of Inquiry on the Syrian Arab Republic, and numerous NGOs, agree that the al-Assad regime has violated its obligations under the 1949 Geneva Conventions and Additional Protocol I, including committing crimes against humanity, such as extrajudicial killings, rape and torture. They have also found that groups seeking the overthrow of the al-Assad regime have committed similar acts, but on a lesser scale. The increasingly sectarian nature of the conflict has created a climate where the human rights of all Syrians, including religious freedom, have been violated. The conflict also threatens Syria's religious diversity, as members of the smallest minority communities are either fleeing the country or face an uncertain future in a post al-Assad Syria.

Syria's transition from armed conflict to a representative democracy under rule of law will be difficult, arduous, and remains uncertain. U.S. leadership is vital, both to press the al-Assad government to cease its severe human rights violations and to ensure that any future government protects human rights and religious freedoms for all Syrians. The United States should, along with its other efforts during the conflict, highlight the importance of respecting religious freedom and the rights of minority religious communities. The United States and other donor nations should target assistance to civil society actors, opposition members, and religious groups that espouse the rule of law, human rights, including religious freedom, and a pluralistic Syria. Additionally, the United States and other donor countries should prioritize programs that promote minority rights, interfaith cooperation, peace-building, and legal and human rights education and

training, as well as a robust and transparent program that documents human right violations. If the United States concludes that particularly severe violations of religious freedom are engaged in or tolerated by the Syrian government, the Secretary of State should consider designating Syria a CPC and modify existing targeted sanctions to reference religious freedom violations. The United States should increase efforts to assist Syrians who are internally displaced or have sought refuge in neighboring countries. Additional recommendations for U.S. policy toward Syria can be found at the end of this report.

BACKGROUND

The al-Assad family's brutal authoritarian rule for over 40 years created the political conditions for the current conflict. Under both Hafez and Bashar al-Assad, no political opposition was allowed and Syrian security forces were permitted to perpetrate egregious human rights abuses to oppress anyone critical of the government. An adherent of the minority Alawite community, which is affiliated with Shi'i Islam, Hafez al-Assad named himself president in 1970. To maintain control over all aspects of Syrian society, he placed Alawites loyal to him in key positions of his government, army, and security forces and oppressed political opposition from the majority Sunni Muslim population.

Following Hafez's June 2000 death, he was succeeded by his son, Bashar. While there were hopes that Bashar al-Assad would usher in a new political openness, he maintained his father's status quo of strict political restrictions to oppress any opposition.

Prior to the current war, Syria offered a modicum of freedom of religion, including worship, particularly for Syria's smallest religious minority communities, including Christians. However, the government controlled the selection of Sunni Muslim imams and limited their religious freedoms. According to the 2012 constitution, while there is no official religion, Article 3 requires that the president be a Muslim and declares that "Islamic jurisprudence shall be a major source of legislation." Article 3 also states "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 33 states that Syrian citizens shall not be discriminated against based on religion or creed, among other grounds.

ESCALATING SECTARIANISM

The initial peaceful protests in March 2011 by disenfranchised, largely Sunni Muslim opponents of the al-Assad regime had no religious or sectarian undertones. Protestors called for the repeal of the abusive emergency law, space for political parties, and the resignation of President Bashar al-Assad. As the protests grew, President al-Assad ordered an increasingly violent crackdown and he and his regime played on sectarian fears, repeatedly stating it was fighting "extreme Islamist factions" that were acting to increase sectarian tensions. The use of sectarian and religiously-oriented language by al-Assad and his supporters has continued throughout the conflict. Most recently in March 2013, the government backed Supreme Iftaa Council issued a *fatwa* (religious edict) calling for "jihad" to defend al-Assad's government.

The regime's 40-plus years of repressing the Sunni majority and its policy to exacerbate sectarian tensions before and during the current conflict has deepened the hostilities among all of

Syria's diverse religious and ethnic communities. The government's language and violence have caused protesters and opposition forces to increasingly view the violence as an Alawite-led attack on Sunni Muslims. Many minority religious communities have tried to stay neutral in the conflict, but opposition forces increasingly see their non-alignment, or perceived non-alignment, as support for the al-Assad regime. Minority religious communities thus have been forced by circumstances to take a position either in favor of the al-Assad regime, which historically provided them some religious freedom protections, or in favor of the uncertainties of the opposition. As these sectarian fissures deepen, it is increasingly likely that religious communities will be targeted not for their political allegiances, but solely for their religious affiliation.

The December 2012 report of the UN Human Rights Council's Independent International Commission of Inquiry on the Syrian Arab Republic noted the increasingly sectarian nature of the conflict. It found that "[a]s battles between Government forces and anti-Government armed groups approach the end of their second year, the conflict has become overtly sectarian in nature." The Commission of Inquiry also found that regime forces and their militias have attacked civilians because they were Sunnis. One interviewee stated a pro-regime militia told her that "they would kill all Sunnis in the region and that the area belonged to them." The Commission of Inquiry also received "credible reports of anti-Government armed groups attacking Alawites and other pro-Government minority communities."

The Commission of Inquiry concluded that "[e]ntire [religious] communities are at risk of being forced out of the country or of being killed inside the country," adding that these communities believe "not without cause, that they face an existential threat." Because of this fear, minority communities are increasingly becoming parties to the conflict, forced to choose sides, which leads to armed clashes and exacerbates sectarian divisions. The Commission of Inquiry also noted that "[s]ome minority communities, notably the Alawites and Christians, have formed armed self-defense groups to protect their neighborhoods from anti-Government fighters."

Regime Supporters

The Syrian government has a large army and sophisticated security apparatus, although its size and strength has considerably decreased from deaths and defections. In addition, Syrian government forces are supported by various pro-regime militias, most of which are directly funded and armed by the regime or its foreign government allies, and have a sectarian character. In part because of the actions of these militias, minority communities increasingly believe they are targeted for their religious or ethnic affiliation.

The most notable domestic militias are the U.S. designated terrorist organizations, *Jaysh al-Sha'bi* and *Shabiha*. The *Jaysh al-Sha'bi* is a militia of Syrian civilian volunteers, the vast majority of whom are Alawite or Shi'a. While the group operates under the Syrian regime, it is also supported by Iran and Hezbollah. *Shabiha*, which loosely translates to "thugs," are smaller, regime-funded groups, with less organization and training. The *Shabiha* are primarily drawn from the Alawite and Shi'i communities, but Sunni Muslims loyal to the regime are also believed to participate.

In August 2012, the Independent International Commission of Inquiry on the Syrian Arab Republic found “reasonable grounds to believe that Government forces and the *Shabiha* had committed the crimes against humanity of murder and of torture, war crimes and gross violations of international human rights law and international humanitarian law, including unlawful killing, torture, arbitrary arrest and detention, sexual violence, indiscriminate attack, pillaging and destruction of property.”

Opposition Forces

Over the last two years millions of Syrians have risen up against the al-Assad regime. Dozens of groups, domestic and foreign, have emerged in opposition to the regime, varying widely in composition, where they are drawn from, and goals. Some of these groups, including the internationally-recognized Syrian Opposition Council, espouse democratic reform. Others, however, are motivated by religious ideologies espousing violence, such as the U.S.-designated terrorist organization al-Nusra Front. The varied nature of these groups affects their ability to find consensus and work together, further complicating the current and future situation for human rights and religious freedom in Syria.

The Syrian Opposition Coalition (SOC) is recognized by the United States and over a hundred other countries as the legitimate representative body of the Syrian people. According to the State Department, the SOC “includes opponents of the al-Assad regime from across the political and ethno-sectarian spectrum, has made real progress since its founding, and is stepping up its outreach to women, minorities, religious leaders and civil society.” The SOC is led by a president, a prime minister, two vice presidents and a secretary general. Elements of the Free Syrian Army report to this structure.

Additionally, localized councils and courts have been established in areas controlled by the opposition. NGOs report that several different anti-government opposition groups have established Shari’ah courts in different liberated areas of Syria. These generally operate in areas where civil law systems have not been reestablished, after the regime system of governance was removed.

In addition to the SOC, there are other movements and groups opposing the al-Assad regime. The most violent and well-armed militant opposition group is considered to be the al-Nusra Front, also known as *Jabhat al-Nusra*, which is responsible for the worst sectarian violence and religiously-motivated rhetoric. Al-Nusra has claimed responsibility for several high-profile opposition bombings since the start of the crisis. In February 2012 Aleppo bombings that killed over 25 people, both military and civilian, and injured 200 more, and the January 2012 al-Midan bombing that killed 26 and injured dozens more civilians.

In December 2012, the State Department included the al-Nusra Front as an alias to al-Qaeda in Iraq (AQI), in effect listing al-Nusra as a Foreign Terrorist Organization under Executive Order 13224. It has no history in Syria, and aims to overthrow the al-Assad regime and replace it with an Islamic state based on its understanding of the Qur’an and Shari’ah law. In April 2013, Abu Mohammad al-Golani, leader of al-Nusra, publicly pledged the group’s loyalty to al-Qaeda leader Ayman al-Zawahiri and acknowledged the group receives logistical support and training from AQI. In addition, AQI leader Abu Bakr al-Baghdadi announced that AQI and al-Nusra

were forming a new entity called “The Islamic State of Iraq and the Levant.” The declaration suggests that al-Qaeda and al-Nusra view areas of Syria they control as part of an Islamic “state” to be governed by their understanding of Islamic law. The SOC leadership rejected this announcement, and these recent developments deepen divides between moderate opposition forces and ideologically extremist groups that are infiltrating Syria. Efforts by Al-Nusra, al-Qaeda and other domestic and foreign groups to force their extremist political ideologies based on their interpretation of Islam onto the population threatens the future for human rights and religious freedom in a post-Assad Syria.

Various countries, including Saudi Arabia, Qatar and Turkey, reportedly are actively supporting various opposition groups, sometimes doing so in competition with each other. These nations provide funding, technical support or fighters, or are complicit by allowing their traffic routes to be used to get support to the opposition. Observers have accused these countries of interfering in the formation of the SOC and its elected leadership.

Al-Assad and his most loyal supporters, predominately Alawites associated with the Ba’athist political party, appear to see opposition forces, predominately Sunni Muslims, as a threat not only to their ability to remain in power, but also to the very existence of their religious community in Syria. However, the Alawite community is not monolithic. Some Alawite elites have abandoned the al-Assad regime for the opposition and denounced the violence perpetrated against civilians. In March 2013, a group of Alawites opposed to al-Assad and supporting a democratic alternative met in Cairo to discuss a declaration supporting a united Syria and preventing sectarian revenge attacks.

INCREASING RHETORIC AND VIOLENCE ALONG RELIGIOUS LINES

Over time, the Syrian conflict has become increasingly polarized and violent, not just between pro-Assad and opposition forces but also along sectarian religious and ethnic lines. Political rhetoric with religious and ethnic undertones has increased, as has the inflow of foreign elements with sectarian and extremist agendas. Given the current state of the civil war, it is often difficult to ascertain if violent attacks are due to a group’s particular religious or ethnic background or its allegiance to a specific side. Religious and ethnic identities are interwoven into the political aspects of the conflict, and city suburbs and neighborhoods tend to be dominated by specific religious or ethnic groups. Nevertheless, it is clear that sectarianism is increasing and religiously-motivated attacks are being perpetrated by the al-Assad regime and its proxies, as well as at times by opposition forces seeking his overthrow, resulting in severe violations of religious freedom. These violations also threaten Syria’s religious diversity by increasing the likelihood of religiously-motivated violence and retaliation continuing in a post-al-Assad Syria, where religious minorities will be particularly vulnerable.

Sectarian Rhetoric

Prior to and during the current conflict, the al-Assad regime continuously labeled the opposition as terrorists and Islamic fundamentalists intent on turning Syria into an Islamic state. In speeches before the Syrian parliament and in other settings, Bashar al-Assad stoked fears about sectarian differences in Syria and evoked the plight of Christians and other smaller religious communities in Egypt and Iraq as an example of what will happen to them if the opposition takes

control. In addition, anti-regime activists have reported that the al-Assad regime plants individuals within refugee camps and in key localities within Syria to play on sectarian fears. In late December 2012, Time Magazine reported allegations that the al-Assad regime and local government officials provide up to \$500 per month to individuals to pose as opposition supporters and graffiti buildings or chant slogans at protests including “The Christians to Beirut, the Alawites to the grave.”

While it is the policy of the al-Assad regime to use sectarian language, it is not the policy of the SOC. However, opposition elements have used rhetoric and extremist iconography to rouse Sunni Muslims in the country and abroad. Fighters describing themselves as part of the Free Syrian Army released several videos on YouTube claiming Alawites are “dogs” responsible for the “massacre of Sunni Imams.” Additionally, in late December 2012, a rebel force believed to be associated with the Muslim Brotherhood released a video titled “Warning mainly Christian cities in the province of Hama.” The video threatened attacks on the Christian towns of Mahrada and Sqaubiyeh if they continue to support and house pro-al-Assad forces.

Targeted religiously-motivated attacks

As previously discussed, the nature of the conflict in Syria makes it difficult to determine whether attacks are based on political, ethnic, or religious affiliation, or some combination thereof. Nevertheless, both pro- and anti-government forces have been accused of perpetrating religiously-motivated attacks. Religious communities have cited the large number of civilians killed in certain attacks as evidence that some violence is due to religion and not connected to a specific side of the conflict. In September 2012, the London-based Syrian Network for Human Rights reported that the al-Assad regime and its militia affiliates had destroyed more than 500,000 buildings—including homes, schools, mosques, churches, and hospitals—with thousands more severely damaged.

The al-Assad regime, including its army, security forces and related militias, allegedly has targeted Sunni Muslims in an attempt to quell the political opposition. On May 25, 2012, in what has become known as the Houla massacre, 108 Sunni Muslims, including 49 children, were killed in two opposition-controlled villages in the Houla region of Syria just north of Homs. In the aftermath, the United Nations Supervision Mission in Syria (UNSMIS) determined that most of the victims had been “summarily executed” and “entire families were shot in their houses,” and that regime-supported *Shabiha* were the most likely perpetrators. Reportedly some victims had pro Shi’a or regime slogans carved into their foreheads. In June 2012, in the al-Qubair massacre, regime supporters allegedly killed 78 Sunni Muslims, including many women and children. When UNSMIS tried to enter the village to confirm the incident, they were fired on by regime supporters and had to withdraw. In July 2012, more than 200 Syrians, mostly Sunni Muslim civilians, were killed in a village in the opposition-held Hama region. The Syrian army attacked the village with helicopters and tanks, followed by militia forces reportedly killing civilians including women and children “execution style.” In January 2012, in Karm al-Zeitoun, Homs, a *Shabiha* group either shot or hacked to death 14 members of the same Sunni Muslim family, including eight children.

In February 2012, the newspaper al-Arabiya reported that al-Assad security forces raided the historic Syriac Orthodox Um al-Zennar Church in Homs and confiscated property. In September

of 2012, a Sunni mosque was destroyed in Aleppo. In October 2012, a car bomb targeted civilians gathered outside the al-Zaitoona mosque in a Damascus suburb. Scores of individuals participating in a funeral procession and protesting the torturing to death of a civilian were killed.

Non-state actors, particularly the foreign elements that have flowed into Syria, also have perpetrated religiously-motivated attacks, although to a lesser degree than the regime. A December 2012 video released by Saudi-sponsored Takfiri Wahhabi, a Sunni opposition group, shows a Shi'i mosque that was burned down and dozens of individuals congratulating each other. Also in December, a suicide bomber detonated explosives in a Damascus suburb wounding 14 people and damaging one of Shi'i Islam's holiest shrines, a mausoleum of the Prophet's Muhammad's granddaughter. In January 2013, the NGO Human Rights Watch reported that opposition forces destroyed and looted minority religious sites in northern Syria. Human Rights Watch also reported that two churches were stormed and ransacked in the villages of Ghasaniyeh and Jdeideh, in the region of Lattakia, in November and December 2012. In January 2013 the NGO Shi'a Rights Watch reported that Saudi-supported opposition forces burned down the shrine of Lady Sakina, the daughter of Shi'i Islam's first Imam, Imam Ali, in Daraya.

There are also several alarming incidents where neither the opposition nor the regime claimed responsibility, and blamed the other side for the act. In late March 2013 a suicide bomber detonated a bomb inside Iman Mosque in Damascus where a senior pro-government Sunni Muslim cleric, Sheik Muhammad Bouti, was giving a lecture. Bouti and 42 other people were killed and over 80 individuals were seriously wounded. The Free Syrian Army denied that it or any of its affiliates were responsible for the attack. Some independent Syrian bloggers posited that the act was a covert action by the al-Assad regime to further portray opposition fighters as terrorists.

Also in late March, the 2,000-year-old Jobar Synagogue in Damascus was looted and damaged. According to press accounts, the Syrian army and opposition forces each blamed the other for destroying the ancient religious site.

Various reports indicate that the Christian population of the city of Homs—approximately 160,000—has almost entirely fled for safety, with reports suggesting that only 1,000 Christians remain. In late 2012, opposition forces reportedly attacked churches and occupied as safe houses an evangelical school and a home for the elderly in Homs.

There also have been attacks against Christian clergy, including murders and kidnappings, as well as attacks and desecrations of churches. However, neither the al-Assad regime nor the opposition took credit for these attacks and no clear motive is known. In September 2012, Greek Orthodox priest Fadi Jamil Haddad was found killed outside of Damascus, where he had been trying to secure the release of a kidnapping victim. In February 2013, Armenian Catholic priest Michel Kayyal and Greek Orthodox priest Maher Mahfouz were kidnapped by a group described as “armed rebels” when the bus they were riding from Aleppo to Damascus was stopped. They were the only two hostages taken. Also in February 2013, the historic church of Saint Maroun in Barad village, Aleppo was vandalized.

HUMANITARIAN CRISIS

The conflict in Syria has created a humanitarian crisis for the country and the region. UNHCR reports that there are at least 3.6 million internally displaced persons (IDPs) and almost 1.3 million registered and unregistered refugees in neighboring countries, including Turkey, Jordan and Lebanon. With the conflict breaking along religious and political lines, it is unclear how many of these displaced persons and refugees fled because they were targeted specifically because of their religious faith or perceived religious identity. With the numbers continuing to swell, Syria's religious diversity risks being lost. In addition, the possibility of inter-religious violence in refugee camps increases, as these communities increasingly intermingle in the overpopulated camps. In response to this fear, Turkey announced plans to build a refugee camp specifically for Syriac Christians and other Christians, and a second one for Kurds and other minorities.

Many of the IDPs have been forced to move multiple times. Some are living with family and friends, but most are seeking shelters in abandoned schools and other buildings in overcrowded and unsanitary conditions. These poor living conditions are compounded and worsened by increased poverty; infrastructure damage to housing, medical facilities, and water and power utilities; fuel shortages; telecommunication disruptions; closed or unsafe transportation routes; and shrinking private and informal sector employment opportunities. Food shortages abound. Reports of disease are rising due to lack of access to medical care and contaminated water. According to UN officials, more than half of all hospitals are damaged (a third are completely closed), 40 percent of ambulances are destroyed, many doctors have left the embattled cities, and medication is rarely available. The UN does not expect IDPs to return to their homes in the near future, even if their homes have not been destroyed.

Among the more than one million people estimated to have fled the conflict in Syria to neighboring countries are Iraqi refugees who fled religious and ethnic persecution in that country post-2003. At the peak of the Iraqi refugee crisis, 310,000 Iraqis were registered with UNHCR in Syria, many of whom were non-Muslim minorities. At the end of 2012, that number was only 63,000. At least 57,000 Iraqis are known to have returned to Iraq from Syria in 2012, although UNHCR believes the number to be much higher. The Iraqi government has organized several trips both by air and bus to repatriate their citizens from Syria. Because of the violence, the United States has stopped accepting resettlement cases from Syria.

U.S. POLICY

U.S. Government Relations with Syria

Since he came to power in 2000, Bashar al-Assad's foreign policy, like that of his father, has been oriented against the United States and its Arab and non-Arab allies. Syria's main international partners include Iran and Hezbollah. The Russian Federation also has been a steadfast supporter of the regime, and the Syrian government has worked with North Korea to attempt to acquire nuclear arms. Since the protests began and violence escalated, the U.S. government has worked through the UN Security Council to condemn the violence and seek increased sanctions against the regime. On August 18, 2011, President Obama stated that President al-Assad should "step aside" to make way for a Syria that is "democratic, just, and inclusive for all Syrians." In response to the increasing violence, the United States closed its

embassy in Damascus in February 2012, and withdrew all American diplomats, including Ambassador Robert Ford.

The U.S. government has implemented a range of sanctions against the Syrian government. Since 1979 the United States has designated Syria a state sponsor of terrorism for its longstanding support for Hezbollah and other terrorist groups. In addition, the U.S. government has levied sanctions against Syria via the Syria Accountability and Lebanese Sovereignty Restoration Act of 2004, has specifically sanctioned the Commercial Bank of Syria in 2006 as a result of the USA Patriot Act, and has denied, through many Executive Orders, specific Syrian citizens and entities access to the U.S. financial system due to for proliferating weapons of mass destruction, associating with al-Qaeda, the Taliban, or Osama bin Laden, or destabilizing activities in Iraq and Lebanon.

Through a series of Executive Orders, President Obama blocked all assets of persons responsible for, complicit in, or supporting the commission of human rights abuses in Syria. This included the freezing of assets of the Syrian government and regime officials, as well as any other individual found to be responsible for or complicit in human rights violations. In April 2012, the administration established new sanctions and related visa bans for persons who are found to commit or facilitate grave human rights abuses via information technology (GHRVITY sanctions), which allowed the U.S. government to penalize governments and companies that provide technology leading to serious human rights abuses. In December 2012, the State Department designated the pro-al-Assad militias *Jaysh al-Sha'bi* and *Shabiha* as terrorist organizations, as well as the al-Nusra Front as an extension of al-Qaeda in Iraq. The European Union has also imposed sanctions, including asset freezes and travel bans, and called on President al-Assad to step down.

U.S. Government Assistance

U.S. government assistance comes in various forms, including humanitarian assistance and support for local opposition councils and civil society. The Obama administration remains opposed to U.S. military intervention in Syria. Regarding humanitarian assistance, the U.S. government has provided approximately \$385 million to aid individuals negatively impacted by the conflict, including IDPs within Syria and refugees outside the country. This amount includes the \$155 million announced by President Obama on January 29, 2013. The State Department reports that the aid is not branded as coming from the U.S. government and is provided throughout the country via the UN, NGOs, and the SOC's Assistance Coordination Unit.

The United States also has provided more than \$54 million in non-lethal support to the Syrian opposition. In early March 2013, Secretary of State John Kerry announced an additional \$60 million in direct, non-lethal aid to the Syrian opposition during a "Friends of Syria" conference in Rome. The government of Syria receives no direct U.S. foreign aid, which is prohibited under the FY2012 foreign operations appropriation act. According to the Congressional Research Service, "notwithstanding" language under other provisions in that law could allow the provision of funds for non-proliferation, anti-terrorism, demining and related programs, foreign military financing as it applies to demining, contingency funds, and democracy promotion.

RECOMMENDATIONS

USCIRF is deeply concerned about the increasing sectarian nature of the conflict and mounting violations of freedom of religion or belief. While it is difficult to ascertain if individuals or groups are targeted for their religious affiliation or because of their allegiance or perceived allegiance to one side of the conflict, it is clear that religious freedom for all Syrians is threatened and will be in jeopardy in a post al-Assad Syria. The indiscriminate use of military force and sectarian tactics of the al-Assad regime, government proxies, and some non-state actors seeking the regime's overthrow are creating deep sectarian fissures among Syria's diverse religious communities. These cleavages will not be easily overcome, and the threat of religiously-motivated reprisal attacks in a post al-Assad Syria is real. The humanitarian disaster, including the vast number of IDPs and refugees, and the scarce resources available to Syrians will further exacerbate sectarian divides.

U.S. leadership is essential to ensuring the full transition to representative democratic rule, ending human rights violations, and advancing religious freedom and the rule of law in Syria. U.S. government efforts in coordinating diplomatic actions of regional allies—particularly Turkey, Saudi Arabia, and Qatar—will be critical to provide Syrian leaders with incentives to ensure that political reforms protect human rights and religious freedoms for all. The escalating conflict provides openings for terrorists to operate in Syria, and anti-government elements may splinter along religious and secular lines after al-Assad steps down or is removed. The United States should take steps to ensure that the post-al-Assad Syrian government does not harbor violent religious extremists, and supports religious freedoms and international human rights standards. To ensure an orderly transition of power, all perpetrators of human rights violations should be held accountable, whether Syrian forces, non-state actors affiliated with the regime, or anti-government elements.

I. Promoting Protection of Religious Freedom in Syria

The U.S. government should:

- prioritize human rights, including freedom of religion or belief, in any required dealings with the al-Assad regime, and increase U.S. government advocacy on the need for the regime to protect civilians affected by the armed conflict; and
- consider designating Syria a CPC, if the United States concludes that the Syrian government is engaged in or tolerating particularly severe violations of religious freedom, and modify existing targeted sanctions to reference religious freedom violations.

The U.S. government should urge, and where appropriate assist, the Syrian Opposition Coalition (SOC) and future post-al-Assad government to:

- provide security to protect likely targets of sectarian or religiously-motivated violence, including areas where religious or minority communities live or congregate, such as neighborhoods, religious sites, and places of worship;

- provide technical training and support to local councils, courts, lawyers and judges on domestic laws and international standards relating to human rights and religious freedom;
- undertake prompt, transparent, and effective investigations of all incidents of sectarian or religiously-motivated violence and bring the perpetrators to justice consistent with due process of law, regardless of whether they are former regime agents or members of the opposition;
- ensure that they neither directly nor indirectly support any militia, non-state actor, or other organization credibly charged with involvement in sectarian or religiously-motivated violence;
- work to see a future constitution that respects freedom of religion or belief in full, not just freedom of worship, as well as minority rights, women's rights, and freedom of expression;
- include religious minorities in key leadership positions and work to see religious minorities represented in parliament, either through their prominent inclusion on party lists and/or by establishing reserved seats in their parliament; and
- work with Syria's diverse religious communities, including the smallest minority communities and their political and civic representatives, to help them reach agreement on what measures are needed to ensure religious freedom and security for all communities in the country.

II. Prioritizing Human Rights, including Freedom of Religion or Belief, in U.S. Relations with the "Friends of Syria" Group

The U.S. government should:

- work with like-minded partners among the Friends of Syria to fund and develop efforts to promote intra- and inter-religious tolerance and respect for religious freedom and related rights, and ensure that all international cooperation with the SOC emphasizes the importance of ensuring the rights to freedom of religion or belief and freedom of opinion and expression, as well as protection of minority religious communities;
- create a working group among the Friends of Syria to focus on protecting religious and ethnic minorities in a post-Assad Syria and constructing a new constitution and legal system that protects freedom of religion or belief and associated human rights for all Syrians;
- engage regional partners, such as Saudi Arabia and Qatar, on their vision for a post-al-Assad Syria to reach and implement a mutually-agreed plan on how the international community will influence the direction of a new government and its system of law; and
- urge regional partners, such as Saudi Arabia and Qatar, not to support armed groups or proxies promoting a religious ideology and/or a form of government that would violate religious freedom and other internationally-guaranteed human rights.

III. Promoting Freedom of Religion or Belief through U.S. Programs

The U.S. government should:

- direct U.S. officials and recipients of U.S. grants to prioritize projects that promote multi-religious and multi-ethnic efforts to encourage religious tolerance and understanding, foster knowledge of and respect for universal human rights standards, and develop the political ability of religious minorities to organize themselves and convey their concerns effectively; and
- ensure that U.S. development assistance prioritizes areas where Syria's smallest religious minority communities are concentrated, and that the use of such funding is determined in consultation with these communities' political and civic leaders.

IV. Addressing the Situation of Internally Displaced Persons and Refugees

The U.S. government should:

- establish a refugee resettlement program for Syrian refugees fleeing targeted religious persecution from Syrian government forces, affiliated militias, or non-state actors opposed to the al-Assad regime;
- continue to provide significant funding to the UN, humanitarian organizations, host nations, and host communities to provide essential humanitarian aid to vulnerable Syrian internally displaced persons and refugees, and encourage other countries to do likewise;
- encourage UNHCR to make preparations for increased refugee flows of religious minorities, to develop a protection program to ensure their safety in refugee camps from reprisal attacks along sectarian lines, and to sponsor interfaith dialogues among the various refugee communities;
- increase its efforts to process Iraqi refugees deferred for resettlement to the United States, including by moving applicants to neighboring countries or interviewing applicants by videoconference in locations where in-person interviews cannot be conducted for security reasons; and
- ensure that Iraqi and Syrian refugees scheduled to be resettled to the United States are not delayed unnecessarily by providing adequate personnel to conduct background screening and enforcing proper application of the existing waiver of the material support bar to individuals forced to provide support to terrorists under duress.

**DISSENTING STATEMENT OF COMMISSIONERS AZIZAH AL-HIBRI, MARY ANN
GLENDON AND WILLIAM SHAW:**

We have strong and deep feelings for the sufferings currently being endured by the people of Syria. We dissent from the report, however, because the facts about and the relation between issues of religious freedom and the political dynamics of the armed struggle there are not sufficiently clear to enable us to draw conclusions or make recommendations regarding matters that lie outside USCIRF's mandate to monitor violations of religious freedom.

A broadening of the informational and interpretive bases regarding events in the country may help provide grounds for clearer and more accurate analysis and hence judgments.

Continued monitoring of Syria should be done. Report findings should stand on the strength of the facts uncovered and not be influenced by descriptive words/ phrases which can be interpreted as prejudicial.