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# SYRIA

## *Update on Military Service, Mandatory Self-Defence Duty and Recruitment to the YPG*

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## **Overview of Danish fact finding reports published in 2014 and 2015**

Situation of LGBT persons in Uganda, Joint report from the Danish Immigration Service's and the Danish Refugee Council's fact finding mission to Kampala, Uganda from 16 to 25 June 2013 (Published January 2014)

Update on the Situation for Christian Converts in Iran, report from the Danish Immigration Service's fact-finding mission to Istanbul and Ankara, Turkey and London, United Kingdom 25 March to 2 April 2014 and 10 April to 11 April 2014 (Published June 2014)

Stateless Palestinian Refugees in Lebanon, Country of Origin Information for Use in the Asylum Determination Process, Report from Danish Immigration Service's fact finding mission to Beirut, Lebanon, 25 May to 6 June 2014 (Published October 2014)

Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return, Appendix edition, Country of Origin Information for Use in the Asylum Determination Process. Report from the Danish Immigration Service's fact finding missions to Ethiopia and Eritrea, August and October 2014 (Published November 2014)

Security and human rights in Chechnya and the situation of Chechens in the Russian Federation – residence registration, racism and false accusations, Report from the Danish Immigration Service's fact finding mission to Moscow, Grozny and Volgograd, the Russian Federation, From 23 April to 13 May 2014 and Paris, France 3 June 2014 (Published January 2015)

South Central Somalia, Country of Origin Information for Use in the Asylum Determination Process Report from the Danish Immigration Service's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia, 2-12 May 2015

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## Disclaimer

This report was written according to the EASO COI Report Methodology.<sup>1</sup> The report is based on approved notes from meetings with carefully selected interlocutors. Statements from all interlocutors are used in the report and all statements are referenced.

This report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed in the report and should be weighed against other available country of origin information on military service in Syria and the mandatory self-defence duty in the PYD-controlled areas.

The information contained in this report has been gathered and presented with utmost care. However, this document does not claim to be exhaustive.

The report at hand does not include any policy recommendations or analysis. The information in the report does not necessarily reflect the opinion of the Danish Immigration Service or the Danish Refugee Council.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

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<sup>1</sup> European Union: European Asylum Support Office (EASO), EASO Country of Origin Information report methodology, 10 July 2012. <http://www.refworld.org/docid/4ffc33d32.html>

## Abbreviations

<b>CRO</b>	Civil Rights Organisations
<b>DIS</b>	Danish Immigration Service
<b>DRC</b>	Danish Refugee Council
<b>HBS</b>	Heinrich Böll Stiftung
<b>HRW</b>	Human Rights Watch
<b>IDP</b>	Internally Displaced Person
<b>IS</b>	The organisation of the Islamic State
<b>NDF</b>	The National Defence Forces
<b>PYD</b>	Partiya Yekîtiya Demokrat (Democratic Union Party)
<b>SJCHR</b>	Syrian Justice Center for Human Rights
<b>TEV DEM</b>	Rojava Democratic Society Movement (known by its Kurdish acronym, TEV DEM)
<b>UNHCR</b>	The United Nations High Commissioner for Refugees
<b>VDC</b>	Violations Documentation Centre in Syria
<b>YPG</b>	Yekîneyên Parastina Gel (the People's Protection Units)
<b>YPJ</b>	Yekîneyên Parastina Jinê (the Women's Protection Units)

## Introduction

The report at hand is a follow-up to a previous DIS paper “*SYRIA, Military Service, Mandatory Self-Defence Duty and Recruitment to the YPG*” published in February 2015<sup>2</sup>. The report focuses on military service in Syria, including information on areas where the government recruits, procedure for military conscription and procedure for calling up reservists, consequences of draft evasion and desertion, and information on pro-regime militias as an alternative to military service.

Furthermore, the report provides information on the situation in the areas under the Kurdish Self-administration (the three autonomous Kurdish cantons of al-Jazeera, Kobane (*Ayn al-Arab*) and Afrin) with regard to implementation of the law on mandatory self-defence duty and information about recruitment to the People’s Protection Units (YPG).

The report is the product of a joint mission conducted by the Danish Refugee Council (DRC) and the Country of Origin Information Division, Danish Immigration Service (DIS) to Beirut, Lebanon and Istanbul and Gaziantep, Turkey from 24 May to 5 June 2015. The purpose of the mission was to collect updated information on issues recurring in cases regarding Syrian asylum seekers in Denmark. The terms of reference for the mission were drawn up by DIS in consultation with DRC, the Danish Refugee Appeals Board as well as an advisory group on COI (“*Referencegruppen*”)<sup>3</sup>. The terms of reference are included at the end of the report.

In the scope of compiling this report, the delegation consulted 17 interlocutors during the mission, comprising representatives from international organizations, a think tank, academics, NGO’s, a western embassy and journalists. One of the interlocutors (Carnegie) was consulted via Skype as travel plans made it impossible to meet the interlocutor in Beirut or Istanbul. Another interlocutor (an international organization) was consulted in a meeting at the end of May followed by written communication in June and August 2015. A group of six civil rights organizations working together were consulted in a joint meeting in Gaziantep, Turkey. In the report, these organizations are referenced as one source as the notes from the meeting was jointly approved as one note by all organizations.

The situation in Syria is unstable and access to the government controlled areas as well as the area under the Kurdish Self-administration is difficult. Some of the sources have a presence inside government controlled areas in Syria and travel regularly between Syria and Lebanon or Syria and Turkey, while others have their information from second-hand sources. As regards the information about the areas under the Kurdish Self-administration, it should be noted that one of the Kurdish sources (TEV DEM) is politically affiliated with the PYD while some of the other Kurdish sources are in opposition to the PYD. Regarding information about the mandatory self-defence duty, some of

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<sup>2</sup> <http://www.nyidanmark.dk/NR/rdonlyres/991BA1A7-84C6-42A2-BC16-23CE6B5D862C/0/Syriennotat26feb2015.pdf>. The paper, which was produced on the basis of interviews with five interlocutors in Beirut, was a preliminary to this report aiming at providing an overall picture of the situation regarding military service in Syria and the situation in the PYD controlled areas.

<sup>3</sup> The group consists of Danish Refugee Council, Amnesty International in Denmark, Danish Institute for Human Rights, Dignity, representatives of two Christian organizations (“Europa-missionen” and “Åbne Døre”), the National Commissioner of Police and the Danish Bar and Law Society (representing asylum lawyers).

the sources pointed out that the law is still new and thus only limited information is available on certain aspects of its implementation.

The interlocutors interviewed were selected by the delegation based on the expertise, merit and role of each interlocutor relevant to the mission.

The interlocutors were asked how reference might be made to them in the report and all interlocutors are referred to according to their own request. Seven interlocutors requested varying degrees of anonymity for the sake of discretion and upholding tolerable working conditions, as well as for personal safety. Ten interlocutors are referred to in the report by their name and/or the name of their organization in accordance with their own request on this matter. In order to make the consulted sources as transparent as possible, a brief description of the sources which is approved by the sources themselves is included in the meeting notes.

The sources consulted were informed about the purpose of the mission and that their statements would be included in a public report. The notes from the meetings with the sources were forwarded to them for approval, giving the source a chance to amend, comment or correct his or her statements. Two notes were translated to and approved in Arabic as requested by the sources in question. In the Appendix to the report, the English version of these two notes has been included. All the 17 interlocutors have approved their statements. The report is a summary of these statements, and does thus not include all details and nuances of each statement. In the report, care has been taken to present the views of the interlocutors as accurately and transparently as possible. In this regard, all interlocutors' statements are found in their full extent in Appendix C of this report.

Few places in the report, information from consulted sources have been supplemented by updated information from written sources.

Attention should be called to the unstable and changeable situation in Syria and the fact that the Information provided may quickly become outdated. Therefore, the issues addressed in this report should be monitored periodically and be brought up to date accordingly. The research and editing of this report was finalized at the end of August 2015.



## 1. Military service in the Syrian army

The Syrian army is increasingly under pressure due to lack of manpower.<sup>4</sup> By losing control over parts of territories under the government's control, the area for recruitment has become severely limited, while fatalities, evasions and defections have increased the need for manpower in the Syrian army.<sup>5</sup>

Watan mentioned rumours about general mobilization [*'Nafir 'Amm'*], however, they added that so far no general mobilization had taken place. CRO referred to an increasing fear among people of a general mobilization.

The international organization referred to reports describing an intensified campaign of conscription and reservist mobilization by the government as of October 2014 as it seeks to beef up its strained military capacity and prevent Syrian men from evading (compulsory or reservist) military service.

Nadim Houry (HRW) mentioned that mobilization has increasingly become decentralized, and in certain areas the mobilization has been intensified. The source mentioned that the supply lines to these isolated areas are cut which is also a reason for the army to recruit locally.

Prof. Bassel Alhassan found that in some areas, one finds a large number of young men from religious minorities such as Alawites, Druze and Christians who have voluntarily joined the army for two reasons: they want to protect their own areas and they are under the influence of pro-regime political parties in these areas. The source elaborated that especially Alawites are defending their own existence by joining the army and recently even Alawite women have started participating in fighting at the frontline and you find women who drive tanks or are snipers.<sup>6</sup>

According to news reports, President Bashar al-Assad acknowledged in a televised speech on Sunday 26 July 2015 that the Syrian army is facing shortage of manpower and it has therefore to give up control over some areas in Syria.<sup>7</sup>

Prof. Abbas Vali emphasized that it is important not only to focus on the Syrian army and its recruitment of manpower but also look at the pro-regime militias since these have played an increasingly important role in the Syrian conflict in recent years.

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<sup>4</sup> An international organization, a Western embassy, Watan.

<sup>5</sup> An international organization.

<sup>6</sup> See also: The Syrian Observer, *National Defence Militias Arm Girls Amid Recruitment Shortfall*, 21 May 2015 [http://syrianobserver.com/EN/News/29211/National\\_Defence\\_Militias\\_Arm\\_Girls\\_Amid\\_Recruitment\\_Shortfall](http://syrianobserver.com/EN/News/29211/National_Defence_Militias_Arm_Girls_Amid_Recruitment_Shortfall)

<sup>7</sup> BBC News, *Syria: President Assad admits army strained by war*, 26 July 2015 <http://www.bbc.com/news/world-middle-east-33669069>

### 1.1. Areas in Syria where the government recruits for military service.

The government only recruits people in the areas under its control.<sup>8</sup> Some sources underlined that the government recruits more intensively from areas inhabited by groups considered more loyal to the regime, i.e. Alawites, Ismaelites, Druze and Christians.<sup>9</sup> CRO mentioned that in the coastal area, people are more motivated to serve in the military than people in other government controlled areas. Several sources pointed out that the government recruits among all ethnic and religious groups including Sunnis.<sup>10</sup>

Nadim Houry (HRW) emphasized that one should however remember that although the Syrian army is losing territories to the opposition groups, they are still in control of the areas where the majority of the population lives.

Some sources explained that people living in the opposition controlled areas risk being conscripted by the Syrian army if they approach a government checkpoint or are caught by the Syrian authorities in other ways.<sup>11</sup>

Some sources stated that IDPs are not conscripted or called to reserve service through the normal procedure. The procedure for recruitment to the Syrian army requires that the regime has access to the person's place of origin in order to call him up.<sup>12</sup> CRO and Rami Sweid (journalist from Aleppo) emphasized though that the lists at checkpoints of persons wanted for military service also include the names of IDPs and if they approach a checkpoint, they would risk being sent to military service. An international organization stated that if a person resides in an area under control of the government, but originates from an area outside of government control (for instance Raqqa), he would be assigned to a conscription office in the area of residence.

### 1.2. Procedure for military conscription

Sources consulted about the military service in Syria expressed the view that rules and regulations regarding military service in Syria are generally still enforced.<sup>13</sup> Only one source stated that the military service law is no longer working in Syria.<sup>14</sup> However, several sources pointed out that the widespread corruption, the unstable situation in the country and the increasing need for manpower have caused some uncertainties, irregularities and arbitrariness with regard to enforcement of the law.<sup>15</sup>

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<sup>8</sup> Kheder Khaddour (Carnegie), Haid Haid (HBS), Nadim Houry (HRW), Watan, an international organization.

<sup>9</sup> Haid Haid (HBS), Prof. Bassel Alhassan.

<sup>10</sup> Nadim Houry (HRW), Kheder Khaddour (Carnegie), Prof. Bassel Alhassan, Prof. Abbas Vali.

<sup>11</sup> An international organization, CRO, Rami Sweid (journalist from Aleppo).

<sup>12</sup> Kheder Khaddour (Carnegie), CRO, Rami Sweid (journalist from Aleppo).

<sup>13</sup> HRW, an international organization, Kheder Khaddour (Carnegie), Haid Haid (HBS), Prof. Bassel Alhassan, Rami Sweid (journalist from Aleppo), CRO, a Western embassy, a Syrian lawyer.

<sup>14</sup> Prof. Abbas Vali.

<sup>15</sup> An international organization, Watan, a Syrian lawyer, a Western embassy.

### 1.2.1. The procedure

Twice a year – in March/April and October – conscripts are called up to military service. When a young man turns 18 years, he knows that he will be notified in the next call for conscripts.<sup>16</sup>

An international organization pointed out that under the “Service of the Flag Law” [*Khedmet al-Alam*] (Legislative Decree No. 30 of 2007, as amended), all Syrian males, with the exception of Jews, must serve in the military. Military service age is 18. The international organization further described that it was its understanding from various sources consulted by the organization that Syrian males are required to register for military service at their local conscription office (*Maktab al-Tajneed*) when reaching conscription age. A notification from the conscription office is usually delivered through a policeman (called *muballigh*) from the nearest police station on behalf of the *mukhtar* [mayor] to the individual concerned. The policeman has no authority to arrest but only to deliver the notification issued by the local conscription office. There is no need to receive the notification in person or to formally acknowledge its receipt. The notification specifies the period of time within which the future conscript must present himself to the local conscription office (commonly in the place where his civil record is). This means that if a person’s civil record is in Lattakia, and he is now living in Damascus, he has to go to Lattakia to report to the conscription office there.

According to information available to the international organization, under the current circumstances and when a personal notification is not possible, males reaching conscription age (as well as reservists) are instead called through announcement on public TV, radio or newspapers and/or their names are given to checkpoints. Conscripts who are unable to approach their local conscription office or in areas where the local conscription offices are no longer operational, should approach the General Administration Office [*Idarat al-Tajneed al-‘amma*] in central Damascus (which holds the central database of all military-age men) or the closest local conscription office in their place of displacement.

The international organization referred to reports indicating conscription of males under the age of 18 into the Syrian army due to the lack of manpower in the army. A Western embassy had not heard of cases of minors being recruited to the Syrian army, however, the source pointed out that young men between 16 and 18 can join the army on a voluntary basis.

### 1.2.2. Enforcement of exemption rules in practice

A majority of sources stated that exemption rules are still by and large enforced in Syria.<sup>17</sup> A person can still be exempted from the military service for medical reasons or disability or if he is the only male child of the family, and students can obtain deferral and have their military service

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<sup>16</sup> Haid Haid (HBS), Watan.

<sup>17</sup> An international organization, Prof. Bassel Alhassan, Kheder Khaddour (Carnegie), Haid Haid (HBS), Rami Sweid (journalist from Aleppo), CRO, Watan, a Syrian lawyer, a Western embassy.

postponed while studying. An international organization mentioned that according to the Decree 33 of 2014, conscripts can postpone their military service if they have brothers already serving.

Prof. Bassel Alhassan referred to the Decree 33 of August 2014 by which it is possible to be exempted by paying a certain amount of money. This applies to people who have left Syria legally to work or study abroad for a minimum of four years and also to sons of diplomats.

However, some sources emphasized that it has become increasingly difficult to obtain exemption or deferral.<sup>18</sup> Among the measure, mentioned by these sources, which have been taken by the government to restrict exemption and deferral from military service are strict control over students and their education and extended medical examinations. In addition, CRO said that due to the conflict it is sometimes impossible for university students to reach their university and obtain the papers they need to apply for an exemption from military service.

A Syrian lawyer added that the legal system is flawed and that people are sometimes treated in an arbitrary way at checkpoints and may risk being conscripted even if they are exempted. Watan mentioned a student who was threatened by security forces, that his documents could be destroyed and he could be taken. Both sources emphasized that sometimes the purpose of holding exempted persons back at checkpoints or threatening them is to force them pay a bribe.

Two sources considered that students not carrying their exemptions papers risk being held back and conscripted at checkpoints.<sup>19</sup>

The international organization referred to a report saying that the government has reportedly been cracking down on those granted exemptions and deferrals in return for bribes. Cracking down on those granted exemptions and deferrals in return for bribes was also stated by other sources.<sup>20</sup>

### **1.3. Possibility to serve in the National Defence Forces (NDF) as an alternative to military service.**

According to Rami Sweid (journalist from Aleppo), in the summer of 2013, the Syrian regime issued an order by which conscripts who were recently called up to the army could serve in their own area by joining one of the militia groups supporting the regime. The source added that the militia groups under the NDF are present in most of the government controlled areas.

An international organization pointed out that the government promotes voluntary service in pro-government militias such as the NDF as an alternative to regular conscription or reserve duty in the army. Several other sources confirmed that it is possible to serve military service in the NDF

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<sup>18</sup> An international organization, Prof. Abbas Vali, CRO.

<sup>19</sup> CRO, an International organization.

<sup>20</sup> A Syrian lawyer, CRO, Watan.

instead of the Syrian army.<sup>21</sup> In order to be able to perform military service in the NDF, a person has to join the NDF prior to being conscripted into the compulsory military service.<sup>22</sup>

According to several sources, people who join the NDF can usually stay in and defend their own home areas.<sup>23</sup> This is one of the reasons why many young men prefer to join the NDF rather than the Syrian army to do their military service.<sup>24</sup> The international organization mentioned a higher monthly salary as an additional motivating factor for people to join the NDF instead of the Syrian army. A number of sources considered that although people joining the NDF can serve in their own areas, there have been a number of occasions where the NDF have been sent to the frontline in other areas.<sup>25</sup>

The NDF consists of people from all ethnic groups. The NDF were initially small militia groups which later became an umbrella for many different militia groups loyal to the Syrian regime, including militia groups organized by minority groups such as Christians, Druze as well as pro-regime Sunnis.<sup>26</sup> Some sources considered the NDF to be a parallel army/a secondary force to the Syrian army.<sup>27</sup>

Some sources pointed out that people joining the NDF are loyal to the Syrian regime.<sup>28</sup> Haid Haid (HBS) explained that the NDF in each area comprise people from the same area who know each other. They know who is loyal to the regime in the area and who is not, and a person who is not loyal to the regime will therefore never be allowed to join the NDF.

Two sources mentioned that there have been cases of forced recruitment to the NDF, but they emphasized at the same time that the vast majority join on a voluntary basis.<sup>29</sup> There are no laws or regulations regarding recruitment to or exemption from pro-regime militia groups such as the NDF.<sup>30</sup>

Kheder Khaddour (Carnegie) pointed out that young men who join the local pro-regime militia groups can obtain documents which make it possible for them to move around through checkpoints.

The international organization similarly explained that persons recruited to the NDF are issued their own ID cards, which they can use to pass through government checkpoints. It is not written in the military booklet that a person is serving with the NDF.

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<sup>21</sup> Nadim Houry (HRW), Prof. Bassel Alhassan, Haid Haid (HBS), Rami Sweid (journalist from Aleppo), Watan, Prof. Abbas Vali, a Western embassy.

<sup>22</sup> An international organization.

<sup>23</sup> An international organization, Nadim Houry (HRW), Haid Haid (HBS), Rami Sweid (journalist from Aleppo), CRO, Prof. Abbas Vali, a Western embassy.

<sup>24</sup> An international organization, Nadim Houry (HRW), Haid Haid (HBS), Prof. Abbas Vali.

<sup>25</sup> An international organization, Nadim Houry (HRW), Haid Haid (HBS), Prof. Bassel Alhassan, CRO, a Western embassy.

<sup>26</sup> Nadim Houry (HRW).

<sup>27</sup> Prof. Abbas Vali, Prof. Bassel Alhassan.

<sup>28</sup> Haid Haid (HBS), Nadim Houry (HRW), Prof. Abbas Vali.

<sup>29</sup> Rami Sweid (journalist from Aleppo), a Syrian lawyer.

<sup>30</sup> Rami Sweid (Journalist from Aleppo).

#### 1.4. Possibility of Ajanib Kurds being called up to military service

Some sources stated that only naturalised Ajanib Kurds would be called up to military service.<sup>31</sup> Two of the sources added that only those born after a certain year (1993 and 1990 mentioned by the two sources) would be called up<sup>32</sup>. Few sources stated that Ajanib Kurds could be called up regardless of citizenship.<sup>33</sup>

An international organization referred to the applicable law, according to which all Syrian men are obliged to undertake compulsory military service; that would also include men who become naturalized under Syrian law. According to the source, there appears to be considerable uncertainty around the question whether Kurds who have obtained nationality under Decree 49 of 2011 have to comply with the compulsory military service requirement or whether they could, under certain circumstances, be exempted from it. The international organization noted that according to reports, this has resulted in some Kurds not applying for naturalization under Decree 49/2011, or leaving the country altogether.

The international organization referred to the report “The Stateless Syrians”<sup>34</sup>, according to which an unpublished government decree in December 2011 provided that naturalized Kurds born before 1993 would be exempted from being conscripted into military service. Nevertheless, the report notes that there have been (unverified) reports of men born before 1993 who were obliged to undertake military service after acquiring citizenship. Contacts consulted by the international organization expressed widely differing views on whether such decree existed.

Some sources stated that most Ajanib Kurds have already left the government controlled areas and the Syrian government is therefore not able to conscript them.<sup>35</sup>

#### 1.5. Procedure for calling up reservists for military service

Rami Sweid (journalist from Aleppo) and an international organization mentioned that the Syrian army has intensified its recruitment of reservists recently.

The international organization pointed out that according to reports there has not been a countrywide mobilization of reservists, but reservists have reportedly been called up in certain cities or governorates.

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<sup>31</sup> Kheder Khaddour (Carnegie), the Kurdish journalist (1), a Kurdish activist.

<sup>32</sup> Kheder Khaddour (Carnegie), the Kurdish journalist (1), a Kurdish activist.

<sup>33</sup> Haid Haid (HBS), the Kurdish journalist (2).

<sup>34</sup> Tilburg University - Statelessness Programme, *The Stateless Syrians*, May 2013, <http://bit.ly/1f7hkOJ>

<sup>35</sup> Haid Haid (HBS), the Kurdish journalist (1), the Kurdish journalist (2).

Several sources mentioned that reservists are called up on the basis of their age and/or qualifications.<sup>36</sup> Regarding qualifications needed by the army, sources mentioned examples such as doctors, people with qualifications from the air force, tank drivers, persons with knowledge about production of ammunition or logistics, artillery, engineers etc.

Watan explained that qualifications are noted in the military booklet, but that there are cases where a person does not actually have the qualifications stated in his military book.

Reservists are called up according to the same procedure as conscripts.<sup>37</sup> The international organization explained that as with conscripts, reservists are called for duty either through a notification letter or through public announcement on public TV, radio or newspapers, upon which they have to present themselves to the local conscription office.

Kheder Khaddour (Carnegie) explained that calling up takes place by for instance a division in the army sending a request to Military Registration Office (*'Idarat al-Sajalat al-Askariya'*) in Damascus asking them for a certain number of people or a number of people with certain qualifications. The Military Registration Office will then send a list of the names of reservists living in a certain area to the local military recruitment office [*'Sho'bat al-Tajneed'*]. The local recruitment office will then ask the local police to contact the person at his address asking him to report to the local military recruitment office. If the person is not home, a family member will be requested to sign. No copy of the letter will be given to the person himself (nor to the family member who signs if the person is not at home).

Some sources pointed out that due to the current situation and the army's increasing need for manpower, everybody in the reserve can be called up regardless of their qualifications. Sometimes it is just a matter of a number of soldiers needed.<sup>38</sup> The international organization referred to reports according to which reservists have reportedly been called up in certain cities or governorates as part of a general mobilization.

As regards the age of those being called up, the international organization referred to Article 15 of Legislative Law No. 30 of 2007 according to which upon completing military service, a Syrian man remains in the reserves and can be called up for active duty until the age of 42. Other sources confirmed that the upper age limit is still 42.<sup>39</sup> However, Prof. Bassel Alhassan added that there are cases in which technicians over the age of 42 are called up to join the security services. Khedar Khaddour (Carnegie) stated that reservists could be called up until the age of 52 or even 54. According to several sources, reservists called up are usually between 30 and 40.<sup>40</sup>

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<sup>36</sup> An international organization, Prof. Bassel Alhassan, Watan, Kheder Khaddour (Carnegie), Haid Haid (HBS), CRO.

<sup>37</sup> An international organization, Prof. Bassel Alhassan.

<sup>38</sup> Kheder Khaddour (Carnegie), Watan, a Syrian lawyer, Haid Haid (HBS).

<sup>39</sup> Prof. Bassel Alhassan, Haid Haid (HBS).

<sup>40</sup> Kheder Khaddour (Carnegie), Rami Sweid (journalist from Aleppo), CRO, Watan.

CRO mentioned that the age of reservists had tended to increase in the course of the conflict. In the beginning of the conflict, persons who were recently discharged from military service were most likely to be called up for the reserve. Now, the government is calling up mainly those discharged 10 years ago, i.e. men in the age group 30-35 years. CRO expected that the group of 35-40 years would be the next target for recruitment of reservist. The source stated that people could be called up for reserve up to the age of 45.

According to the international organization, there are strong indications that in light of the increasing need for manpower since the beginning of the conflict, legal age limits and periods of service are no longer strictly adhered to. Similarly the Syrian lawyer stated that in general, one cannot rule out that people over 40 may be taken since the rule of law has been deteriorating due to the conflict. Haid Haid (HBS) stated that a person over 42 would usually not be called up, but emphasized that the present situation is neither stable nor predictable.

## **1.6. Final dischargement of a person serving in the Syrian army**

An international organization referred to reports that indicate that those serving compulsory military service are no longer discharged after completing the mandatory service time.

Several sources confirmed that since the beginning of the conflict in 2011, no one has been discharged from military service in the Syrian army after termination of the period of the service.<sup>41</sup>

## **1.7. Evasion and desertion**

### **1.7.1. Evasion**

An international organization explained that if a person liable for conscription does not report to the conscription office, his name will be put on a list of people wanted to serve in the military. This list is issued by the recruitment office, and is distributed to all army checkpoints all over Syria as well as to the borders. The international organization referred to reports according to which young men must show their military booklet whenever they approach a government checkpoint.

All sources consulted about evasion and desertion confirmed the existence of such a list. They also confirmed that the list is distributed to checkpoints, although some sources stated that the list of persons wanted for military service is not available at all checkpoints.<sup>42</sup> According to Kheder Khaddour (Carnegie) and Haid Haid (HBS) the system is centralized and the guards of the checkpoint will call up to the central checkpoint in the region which will be directly connected to

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<sup>41</sup> An international organization, Prof. Bassel Alhassan, Rami Sweid (journalist from Aleppo), Watan, a Syrian lawyer.

<sup>42</sup> Nadim Houry (HRW), Kheder Khaddour (Carnegie), Haid Haid (HBS).



Damascus. Haid Haid (HBS) assumed that it could take weeks before all the lists at the border or at other checkpoints are updated.

According to Nadim Houry (HRW) checkpoints are different, and the authorities are not looking for evaders and deserters at all checkpoints. CRO stated that the authorities at most checkpoints are first and foremost looking for persons wanted for political reasons. CRO further said that the list of persons wanted for military service at checkpoints only contains the names of persons living in that particular area, unless it is a checkpoint provided with a computer and network facility.

All the sources consulted considered that a person whose name is on the list of persons wanted for military service may succeed in bribing his way through checkpoints.

Two sources commented that Syria is in the middle of a war and bribing is a wide-spread phenomenon at all levels.<sup>43</sup>

Succeeding in avoiding military service by bribing depends on a number of factors: the person's financial resources, his contacts and connections, the officer in charge and the area the person is living in, i.e. number of checkpoints or the extent to which the bribery is prevalent in the particular area.<sup>44</sup> Several sources considered that bribery is not a long-term solution for evading draft and the person cannot once and for all have his name deleted from the list of persons wanted for military service by paying bribe; he has therefore to pay bribe each time he comes across an authority (checkpoint, government office etc.).<sup>45</sup> Haid Haid (HBS) and Nadim Houry (HRW) did not completely rule out the possibility of having ones name deleted from the list, but Haid Haid (HBS) stated that this would be extremely difficult. Prof. Bassel Alhassan found it impossible to succeed in bribing officials every time you are caught if your name is on the list of wanted conscripts because one out of ten officers may not take the bribe.

Several sources considered it quite difficult or impossible for a draft evader to stay in a government controlled area as he risks being arrested by the Syrian authorities. As the evaders can hardly avoid contact with the authorities and bribing is not a viable solution, many evaders are forced to leave the government controlled areas for abroad or move to an area controlled by the opposition.<sup>46</sup> According to CRO, it will to a certain extend be possible for a person living in the cities in the coastal area to avoid military service by hiding in his local area. Passing through the local checkpoints is often possible for Alawites as well as Sunnis, depending on personal relations to the officer in charge or their possibility to pay bribe.

An international organization referred to reports about house searches and raids towards men liable to conscription. Watan referred to incidents in 2014 and in the beginning of 2015 where the

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<sup>43</sup> Nadime Houry (HRW), Prof. Bassel Alhassan.

<sup>44</sup> An international organization, Prof. Bassel Alhassan, Haid Haid (HBS), Nadim Houry (HRW), a Syrian lawyer, a Western embassy.

<sup>45</sup> An international organization, Prof. Bassel Alhassan, Haid Haid (HBS), Rami Sweid (journalist from Aleppo).

<sup>46</sup> An international organization, Haid Haid (HBS), Prof. Bassel Alhassan, a Western embassy.

military had driven busses into crowded places in Damascus and forced all men in the nearby area onto the busses and taken them to serve in the military.

### *Consequences of evasion*

The sources mentioned a number of possible consequences if an evader is caught by the authorities: immediate conscription upon arrest; deployment to the frontline, investigation and torture, and/or imprisonment.<sup>47</sup> Which one or a combination of these consequences the person may risk being subjected to, may depend on the profile of the person, his connections and the area. If the authorities suspect the person to be in connection and cooperate with the opposition groups, the person would be subjected to investigation and ill-treatment including torture.<sup>48</sup> Nadim Houry (HRW) mentioned that while an Alawite from the coastal area might just get a 'slap on the wrist', a working class Sunni from an area known to be supportive of the opposition might be investigated and be subjected to ill treatment, accused of having supported the opposition.

### **1.7.2. Desertion**

According to Rami Sweid (journalist from Aleppo), the number of defections from the army fell dramatically during 2012-2013, but since September-October 2014 when the government started calling up reservists in a massive way, the number of deserters started to rise again.

According to the Syrian Observer, 21.000 have defected from the Syrian army since March 2011.<sup>49</sup>

Most of the sources explained that desertion from the army usually takes place in the following situations: either the deserter obtains a leave and he will then not come back or he deserts from the battlefield or during a siege.<sup>50</sup> Several sources stated that deserters usually establish contact to and coordinate their desertion with opposition groups who can assist them.<sup>51</sup> CRO emphasized that it is becoming increasingly difficult to receive assistance from opposition groups with regard to desertion since the opposition groups are getting more and more skeptical towards people who have waited to desert until this late into the conflict.

Rami Sweid (journalist from Aleppo) commented that soldiers have sometimes defected from bases which are completely isolated and whose location is far away from inhabited areas, however the source underlined that this is immensely difficult and dangerous. Lack of access to food and water to survive and frequent careful monitoring of the surrounding area by the army who is

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<sup>47</sup> An international organization, Prof. Bassel Alhassan, Haid Haid (HBS), Kheder Khaddour (Carnegie), Nadim Houry (HRW), Rami Sweid (journalist from Aleppo), a Syrian lawyer.

<sup>48</sup> An international organization, Haid Haid (HBS), Rami Sweid (journalist from Aleppo).

<sup>49</sup> The Syrian Observer, *Report: 21,000 Syrian Soldiers Defected Since 2011*, 30 July 2015, [http://syrianobserver.com/EN/News/29579/Report\\_Syrian\\_Soldiers\\_Defected\\_Since\\_11](http://syrianobserver.com/EN/News/29579/Report_Syrian_Soldiers_Defected_Since_11)

<sup>50</sup> Prof. Bassel Alhassan, Haid Haid (HBS), Nadim Houry (HRW), Rami Sweid (journalist from Aleppo), CRO, a Syrian lawyer, a Western embassy.

<sup>51</sup> Prof. Bassel Alhassan, Haid Haid (HBS), CRO, a Syrian lawyer, a Western embassy.

afraid of possible attacks by the opposition groups were mentioned by the source as some of the key factors making it difficult or even impossible to survive a desertion from such bases.

A Syrian lawyer mentioned that nowadays, it is quite difficult to get leave from military service due to the ongoing conflict and obtaining leave would depend on connections and money. Some other sources similarly stated that having connections and/or bribing one's superiors is used to obtain leave.<sup>52</sup>

### **Consequences of desertion**

Several sources stated that desertion may have a number of serious consequences; arrest, detention, *incommunicado* detention, military trial, torture, life-time prison, execution and death sentence were mentioned as possible consequences.<sup>53</sup> The international organization referred to reports according to which during government ground operations, homes, farms and shops belonging to deserters had reportedly been deliberately targeted for pillaging, burning and destruction.

According to Kheder Khaddour (Carnegie) a deserter caught at a checkpoint may be arrested and sent to military service. Nadim Houry (HRW) stated that a deserter may be sent to the frontline.

Due to the risk of being caught by the authorities, deserters often flee to opposition controlled areas or leave the country upon desertion.<sup>54</sup> Nadim Houry (HRW) stated that in certain areas a deserter might be able to stay in his home area and that in a rebel held area, a deserter can probably stay for years.

The international organization pointed out that since the outbreak of the conflict, President al-Assad has granted a series of amnesties (either general amnesties or amnesties specifically covering military penalties) that exempted draft evaders and/or deserters from punishment if they reported to duty within a specified period of time. The International organization had no information on the implementation of these decrees.

According to news reports, most recently, President Bashar al-Assad in July 2015 issued legislative degree no. 32 of 2015 granting amnesty to deserters and the crimes included in the Military Service Law committed before July 25th, 2015.<sup>55</sup>

### **1.7.3. Possible consequences of evasion or desertion for one's family members**

Several sources considered that it would not have any consequences for his family if a young man has evaded his military service. The Military Police may search the house and ask questions about the person's whereabouts.<sup>56</sup>

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<sup>52</sup> Prof. Bassel Alhassan, Haid Haid (HBS), Nadim Houry (HRW).

<sup>53</sup> An international organization, Nadim Houry (HRW), Haid Haid (HBS), Rami Sweid (journalist from Aleppo), a Syrian lawyer.

<sup>54</sup> An international organization, Haid Haid (HBS), Nadim Houry (HRW), a Syrian lawyer.

<sup>55</sup> SANA, Decree granting amnesty on deserters, 25. July 2015, <http://sana.sy/en/?p=49411>

<sup>56</sup> Rami Sweid (journalist from Aleppo), Haid Haid (HBS), Watan, a Syrian lawyer, a Western embassy.

Rami Sweid (journalist from Aleppo) mentioned that in very rare cases, a family member, for instance the evader's brother, may be arrested for a couple of days and beaten up to make him inform about the evader's whereabouts. However, it was emphasized that these are very rare cases. The international organization mentioned that the government reportedly also targets family members for arrest to pressure military-age men to join the army.

According to Watan, the family may be harassed or be forced to pay a bribe, but apart from that nothing would happen to them if there are no other outstanding issues with authorities than evasion. Haid Haid (HBS) added that if the evader is considered to be affiliated with opposition groups, it could have consequences for the family.

As regards deserters, Rami Sweid (journalist from Aleppo) mentioned that the consequences of desertion for family members would be the same as families of evaders while CRO pointed out that there is no general rule regarding consequences of desertion for family members; sometimes nothing will happen to them and on other occasions the father or the brother of the deserter might be arrested. The Syrian lawyer said that the authorities may detain a close family member (brother, father, mother or wife) as a hostage in order to put pressure on the deserter to show up.

According to some sources the consequences of desertion for family members depends on factors such as the deserter's rank in the army, his political record with the authorities, suspicions about his affiliation to opposition groups or media attention on his desertion.<sup>57</sup>

According to a Syrian lawyer, because of consequences which desertion may have for one's family, people ask their family to move to a safe area before they desert. This was confirmed by Rami Sweid (journalist from Aleppo) who similarly stated that usually families of deserters live in opposition controlled areas.

### **1.8. Extent to which conscripts are being deployed in offensives.**

Several sources considered that conscripts are being deployed to the frontline.<sup>58</sup> However, Nadim Houry (HRW) mentioned that at certain strategic frontlines it would probably be Special Forces which are used in fighting, and Prof. Abbas Vali mentioned that frontline operations are always organized by the Special Forces which constitute the hard core of the Syrian military. Prof. Bassel Alhassan pointed out that since the beginning of the Syrian conflict, 70% of the Syrian army has not been deployed to the frontline, as it is mostly the Fourth Division and the Special Forces who together with pro-regime militias participate in fighting at the frontline, and recruits are usually not used in fighting.

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<sup>57</sup> Haid Haid (HBS), CRO, a Syrian lawyer.

<sup>58</sup> Haid Haid (HBS), a Syrian lawyer, Nadim Houry (HRW), Prof. Abbas Vali.

## 2. The Situation in the Kurdish controlled areas

### 2.1. The Mandatory Self-defence Duty

The Kurdish administration passed the Law on Mandatory Self-defence Duty in the Democratic Autonomous Areas (“*Ghanoon Ada’ Wajib al-Difaa’ al-Zati aan Manatiq al-Idara al-Zatia al-Dimoqratiya*”) on 14 July 2014<sup>59</sup>.

According to TEV DEM, in mid May 2015, the mandatory self-defence duty was announced in Afrin for the first time.<sup>60</sup> TEM DEM added that the duty has already been implemented in ten towns in al-Jazeera. The duty has not been implemented in Kobane yet as the situation in Kobane is quite different due to the war against the IS in the area.

Several sources considered the mandatory duty as a way of recruiting people to the YPG.<sup>61</sup> These sources considered therefore that recruitment to the YPG/YPJ and recruitment for the mandatory self-defence duty are not two separate things.

Two sources pointed out that the law has not been implemented very strict so far, and that the law is vague and several issues remain unclear.<sup>62</sup>

### 2.2. Procedure for conscription to the mandatory self-defence

Several sources found that the conscription system in the Kurdish controlled area is similar to the system on the government side, including the issuing of lists with the names of persons wanted for the mandatory self-defence duty.<sup>63</sup>

Several sources explained that people are called up based on information from the civil records in the Kurdish Self-administration which to some degree is based on information provided by local informants living in the villages as well as the knowledge of the local Assyrians.<sup>64</sup> The Kurdish journalist (3)] elaborated that new names are added to the list whenever there is a new report from the local sources, for instance when neighbors report on each other.

CRO explained that the recruitment for the mandatory self-defence duty usually starts by a general announcement in the area, where the families will be informed that a son must participate in the service. People will then be contacted individually and given a notification to report to the local conscription office, and if they do not show up for the mandatory service, they will be given a second notification. If they still do not come on their own, they will be arrested.

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<sup>59</sup> For details of this law, see Appendix B

<sup>60</sup> TEV DEM, the Kurdish journalist (2).

<sup>61</sup> Prof. Abbas Vali, CRO, Prof. Bassel Alhassan, the Kurdish journalist (1), SJCHR, a Kurdish activist.

<sup>62</sup> A Kurdish activist, the Kurdish journalist (1).

<sup>63</sup> Prof. Bassel Alhassan, Haid Haid (HBS), Watan, a Western embassy.

<sup>64</sup> A Kurdish activist, the Kurdish journalist (1), the Kurdish journalist (2), the Kurdish journalist (3).

According to the Kurdish journalist (1), recruitment also happens through checkpoints where the age will be checked on the basis of ID documents. A person of the conscription age can be taken directly from the checkpoint to the closest training camp.

Upon passing the law on mandatory self-defence duty, the PYD arrested a large number of men in al-Jazeera. They were issued a recruitment card/mandatory service booklet, released and requested to report to the local recruitment offices.<sup>65</sup> The Kurdish journalist (1) stated that on a few cases, there had been raids at internet cafes in Amuda and al-Qamishli in the beginning of May 2015. Most of the young men present at the cafes had been taken directly to training camps.

According to TEV DEM, the length of mandatory self-defence duty is six months in all cantons (al-Jazeera, Afrin, Kobane). The six months are composed of one month pure training and the remaining five months is service and on-service training.

The Kurdish administration is issuing military service booklets.<sup>66</sup> TEV DEM elaborated that upon completing mandatory self-defence duty, a green booklet is issued in which the person's name, his father's and mother's name and the date of ending the duty is registered. The booklet is stamped by the Defence Committee of the Kurdish Self-administration. Each canton has its own specific booklet.

### 2.2.1. Exemption rules

It is not mandatory for an only child of a family to perform the mandatory duty.<sup>67</sup>

All sons in a family have to perform the mandatory self-defence duty, but only one son is obliged to perform the duty at a time. It means that as long as one of the sons is performing his mandatory duty, others in the mandatory duty age are exempted from the duty. It is the family who decides which son should perform his duty first.<sup>68</sup>

If one son in a family has joined the YPG, his brothers are exempted from the mandatory duty as long as he serves with the YPG.<sup>69</sup> If there is a YPG martyr in a family - that is a YPG member who has lost his life on the battlefield - it is not mandatory for other male persons in the family to carry out the mandatory duty.<sup>70</sup>

One can be exempted from the mandatory self-defence duty for medical reasons if it is documented by a medical report. Students may also obtain deferral.<sup>71</sup>

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<sup>65</sup> SJCHR, the Kurdish journalist (3).

<sup>66</sup> The Kurdish journalist (1), SJCHR.

<sup>67</sup> TEV DEM, SJCHR, the Kurdish journalist (1), the Kurdish journalist (2).

<sup>68</sup> TEV DEM, CRO.

<sup>69</sup> TEV DEM, SJCHR.

<sup>70</sup> TEV DEM, CRO.

<sup>71</sup> TEV DEM, SJCHR, the Kurdish journalist (1).

However, the Kurdish journalist (1) mentioned that if a student is not carrying his student card, he could be taken at the checkpoint and sent to a training camp. The same could happen to an only son of a family, depending on who is in charge at the checkpoint. Such mistake will usually be sorted out on arrival to the training camp and the person will then most likely be released.

Two sources mentioned that it is possible to be exempted from the mandatory service by paying a certain amount of money, however, it is not clear for whom such exemption may apply.<sup>72</sup>

A Kurdish activist commented that in practice, so far, the law is not enforced as it should be, and if someone is the only child or the sole provider for the family, he will not be exempted from the mandatory self-defence duty.

The Kurdish journalist (2) mentioned that a political or personal conflict with the PYD could result in conscription for mandatory self-defence duty of an only son.

### **2.3. Profile of those being called up for mandatory self-defence duty**

Several sources stated that it is a duty of the Kurds to participate in the mandatory self defence, and that all young men in the age between 18-30 years in the areas under the Kurdish Self-administration are obliged to perform this duty.<sup>73</sup>

According to TEV DEM it is mandatory for members of religious and ethnic minorities, for instance Assyrians and Arabs living in al-Jazeera, to perform the mandatory duty. However, most of the sources stated that so far the Kurdish Self-administration has not enforced the law on non-Kurdish people, however, these people can volunteer to do the service.<sup>74</sup>

TEV DEM stated that the conscription age for mandatory self-defence duty is to be the same (18-30) in all cantons, and that the self-defence duty is mandatory for men while it is voluntary for women and people older than 30 years.

The Kurdish journalist (3) stated that the law on mandatory self-defence duty stipulates that the duty is voluntary for women but in practice women are also forced to perform the self-defence duty.

CRO elaborated that if one son has fled, another son or a daughter would be obliged to join the service. Women from families in opposition to the PYD will be recruited for the mandatory service if there are no sons in the family. This is a political tactic applied to break the opposition.

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<sup>72</sup> A Kurdish activist, the Kurdish journalist (2).

<sup>73</sup> TEV DEM, Prof. Bassel Alhassan, CRO, SJCHR, the Kurdish journalist (1), a Kurdish activist.

<sup>74</sup> Prof. Bassel Alhassan, CRO, SJCHR, the Kurdish journalist (1), Watan.

## 2.4. Evasion and Desertion

### 2.4.1 Evasion

Two sources mentioned that the law on mandatory self-defence duty is very new, and it remains to be seen how the Kurdish administration will deal with evaders.<sup>75</sup>

Haid Haid (HBS) pointed out that the Kurdish recruitment system is less strict than that of the government, and stated that a person can avoid the military service by staying in a remote village.

Some sources stated that if people do not show up for the mandatory service, the Kurdish authorities (the Assayish) will go to their houses searching for them.<sup>76</sup> A Western embassy explained that if the person is not available, the Kurdish authorities will continue to search for him and they have the capability to find him. SJCHR similarly stated that the Kurdish Self-administration uses its intelligence services, informants and checkpoints to catch evaders.

According to TEV DEM, if someone does not show up for the mandatory service, the Assayish will not go to his house to search for him. If a person approaches an Assayish checkpoint or a public office of the Kurdish Self-administration and he does not carry his mandatory self-defence duty booklet, his case will be investigated, and the family may be asked to bring his booklet. In general, it is difficult for an evader to hide as people working for the Assayish are usually from the local area and know the people.

According to TEV DEM, most of the young men in al-Jazeera eligible for the mandatory self-defence duty have already joined on a voluntary basis. There are only few evaders. Evaders have mostly fled the area and are abroad. Names of evaders and deserters will be forwarded to checkpoints controlled by the Assayish, and if an evader approaches a checkpoint, he will be caught and immediately sent to the mandatory duty.

Watan similarly stated that the percentage of people volunteering to serve is high and estimated to be around 70%. CRO pointed out that the mandatory service is considered by the PYD and its loyalists to be a "sacrifice" which each family should make.

Some sources were of the opinion that evaders who are caught will not be punished, but they will be sent to the training camps where newly recruited persons are trained and they will have to start performing their mandatory duty immediately.<sup>77</sup>

SJCHR found that persons, who do not want to perform their mandatory self-defence duty, have no choice but to hide or flee to neighbouring countries. There have been evaders who have avoided the mandatory duty by hiding, but the source assumed that they would not be able to continue their lives in that way. There is also a great number of young men who have left for

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<sup>75</sup> SJCHR, the Kurdish journalist (2).

<sup>76</sup> A Western embassy, SJCHR, Prof. Bassel Alhassan, Watan.

<sup>77</sup> SJCHR, the Kurdish journalist (2), a Kurdish activist.



Turkey or the Kurdish region of Iraq in order to work and support their families, because of the difficult economic situation in the Kurdish area of Syria.

Kheder Khaddour (Carnegie) confirmed that a large number of young men leave the area and go to Turkey or other places. The source explained that their departure is not necessarily related to recruitment but also the fact that there is no work in the area and they try to get a job outside the Kurdish area. Some of the young men leave the area because they in general are in opposition to the Kurdish political parties.

Some sources referred to an exodus of many young men in order to avoid the mandatory duty.<sup>78</sup> A Western embassy assessed that more young people have left the area due to the pressure of the PYD/YPG compared to the number of people who left when the Syrian regime controlled the area.

According to Prof. Basel Alhassan, young Kurds have reportedly been forced by weapon to do the mandatory service and if they refused, they would be jailed.

A Kurdish activist stated that until now, it has not had any consequences for the family if their son does not turn up for the mandatory duty. Two sources mentioned that families could be punished economically if their sons or daughters were not available for the service or refused to do their mandatory duty.<sup>79</sup>

### *Use of bribe*

According to some sources, bribing the Kurdish authorities to avoid the mandatory duty is generally not an option.<sup>80</sup> CRO and the Kurdish journalist (2) elaborated that most officers are strong believers in the PYD ideology.

However, Watan did not rule out the possibility that a young man could pay the person responsible for the registration of conscripts in the area to report him as non-available. The source added that the extent of using bribe to avoid recruitment is limited in the Kurdish areas compared to the government controlled areas.

### **2.4.2 Desertion**

TEV DEM stated that if a deserter from mandatory self-defence duty is caught, his case will be sent to the court that will investigate the case and decide about the punishment. The source emphasized that no law or regulation has been passed by the Kurdish Self-administration regarding punishment of deserters. However, no violence is inflicted on deserters when they are caught. According to the source, desertion from mandatory service might happen in one out of 1000 cases. The person would either do his service or leave the area.

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<sup>78</sup> CRO, the Kurdish journalist (3), a Western embassy.

<sup>79</sup> The Kurdish journalist (2), CRO.

<sup>80</sup> CRO, Prof. Bassel Alhassan, the Kurdish journalist (2).

Prof. Bassel Alhassan similarly stated that there have been very few cases of desertion from mandatory self-defence duty. According to his information deserters will be jailed.

SJCHR assumed that deserters from mandatory self-defence duty who are caught would be jailed and punished and possibly tortured, especially deserters considered being in opposition to the PYD. However, he emphasized that there is not much information about how deserters are punished as the law is very new and information about deserters in general is also difficult to access.

## **2.5. Possible obligation to serve in the YPG units upon completing the mandatory self-defence duty**

TEV DEM explained that upon completing the duty, the person can choose to join the YPG or leave. The first group of conscripts who started their mandatory self-defence duty in al-Jazeera last year have ended their duty. Some of them have left upon completing their service while others have voluntarily stayed and joined the YPG. People who complete their duty are not to be called up again to serve in the YPG as reservists even if the YPG needs soldiers.

Two sources believed that people are discharged upon completing their duty and they are free to go.<sup>81</sup> Prof. Bassel Alhassan stated that this is not the case in practice: people cannot leave and they have to continue serving in the YPG.

Some sources stated that the law is still very new, and so far no one has been discharged from the mandatory self-defence duty. It remains to be seen whether it will be possible to leave the service after the training.<sup>82</sup>

KURDWATCH reported on 28 August 2015 that 156 recruits finished six months of compulsory military service in the village of Tal Baydar 25 kilometers from Tall Tamr on 22 August and were released from the service.<sup>83</sup>

## **2.6. Possible obligation to serve in the YPG units at the frontline as part of one's mandatory self-defence duty**

Most sources agreed that persons who are doing their mandatory self-defence duty can be sent to the frontline to participate in fighting.<sup>84</sup> Whether they are sent to the frontline or not depends on the situation in the area and the need for manpower at the front. If there is an urgent need for

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<sup>81</sup> SJCHR, the Kurdish journalist (1).

<sup>82</sup> A Kurdish activist, Watan, the Kurdish journalist (3).

<sup>83</sup> KURDWATCH, *Tall Baydar: Recruits finish six months of compulsory service*, 28 August 2015, <http://www.kurdwatch.org/newsletter/newsletter.php?z=en>

<sup>84</sup> CRO, SJCHR, Watan, the Kurdish journalist (1), the Kurdish journalist (3), a Kurdish activist.

soldiers, for instance in villages close to the frontline with the IS, everybody will have to participate in self defence. Watan elaborated, however, that the self-defence duty is a new obligation and it is too early to know how it will be used.

According to TEV DEM, people will not be sent to the frontline by force to take part in fighting during their mandatory self-defence duty. People sent to the frontline must be motivated and well-prepared by the YPG. The Kurdish Self-administration does not force people who have not completed their service to go to the frontline.

An international organization mentioned that although the Defence Law in Article 8 stipulated that joining the YPG in a combat role is voluntary, there have been reports suggesting that conscripts serving the mandatory self-defence duty have been sent to the front to fight IS.

## **2.7. Recruitment to the YPG**

Most of the sources agreed that recruitment to the YPG predominantly takes place on a voluntary basis.<sup>85</sup>

CRO assessed that presently 80% of the members of the YPG are recruited on a voluntary basis while 20% are forcefully recruited. The 20% who are forced to join are mainly from the border areas.

Few sources mentioned that just before IS entered Kobane, the PYD made a general call.<sup>86</sup>

Kheder Khaddour (Carnegie) noted that since the YPG is a non-state actor, there is not as much specific information about it as is the case for the Syrian army. Similarly, the Kurdish journalist (1) stated that obtaining exact information about how the YPG works is difficult as they often work in secret ways.

TEV DEM explained that there is a recruitment centre where people can apply to join the YPG. The applicants will then be sent to a training camp if they are above 18 years. The YPG will then, through the training and based on a medical, physical and mental assessment, decide whether the person can join the YPG, and where in the YPG he is to serve. The source assumed that most families living in areas under the Kurdish Self-administration will send at least one person to join the YPG/YPJ.

Some sources stated that the PYD tries to win the sympathy of the people and convince them to join the YPG/YPJ and that the recruitment is often induced by ideological commitment and the

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<sup>85</sup> Prof. Abbas Vali, Kheder Khaddour (Carnegie), a Kurdish activist, the Kurdish journalist (2), SJCHR, the Kurdish journalist (1), TEV DEM.

<sup>86</sup> The Kurdish journalist (1), the Kurdish journalist (3).

duty to defend the “motherland”.<sup>87</sup> The PYD is promoting the idea that every big family should have a martyr and one person from every family should join, especially in Afrin.<sup>88</sup>

Prof. Abbas Vali commented that the YPG has boosted its position as a result of the defence of Kobane against the IS, which gave it a lot of clout. Accordingly, the YPG is not in need of manpower at present, and he found it hard to believe that the YPG recruits people by force. A Kurdish activist found that it has become a sort of “fashion” in the area to fight against the IS which is one of the reasons why people join voluntarily.

Some sources also mentioned the poor economic situation and the possibility of receiving an income as a reason to join the YPG/YPJ.<sup>89</sup>

Some sources found that the mandatory self-defence duty is the new way through which the YPG recruit people. (see 2.1)

### **2.7.1. Recruitment of women**

Some sources found that young women are very vulnerable targets for recruitment.<sup>90</sup> A Kurdish activist pointed at recruitment networks comprising friends and neighbors who will try to convince the young women to join the YPJ. Due to cultural tradition, women do not leave the Kurdish areas, whereas a large number of young men have left the Kurdish area in recent years.<sup>91</sup> (see also 2.3)

There are also families who, due to their strong belief in the Kurdish cause, are pressuring their daughters to join the YPJ.<sup>92</sup> The Kurdish activist commented that some young women also join to avoid marriage.

### **2.7.2. Recruitment of minors**

On the subject of recruitment to the YPG/YPJ, several sources mentioned recruitment of minors and explained that minors might join voluntarily but without the consent of their parents.<sup>93</sup>

Several sources referred to cases, where minors, especially girls, had been “kidnapped”/ “brainwashed” to join the YPG/YPJ.<sup>94</sup> Two of the sources specified that the minors were not taken by force as such.<sup>95</sup> The Kurdish journalist (2) found that there were hundreds of such cases, whereas SJCHR mentioned that there were tens of such cases. However, when asked for documentation, most of the sources referred to two cases, which have been reported in the

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<sup>87</sup> Prof. Abbas Vali, the Kurdish journalist (1), the Kurdish journalist (2).

<sup>88</sup> The Kurdish journalist (2).

<sup>89</sup> SJCHR, a Kurdish activist, the Kurdish journalist (1).

<sup>90</sup> The Kurdish journalist (2), a Kurdish activist.

<sup>91</sup> The Kurdish journalist (2).

<sup>92</sup> Watan, a Kurdish activist.

<sup>93</sup> CRO, the Kurdish journalist (1), SJCHR, a Kurdish activist, the Kurdish journalist (2).

<sup>94</sup> CRO, the Kurdish journalist (2), a Kurdish activist, SJCHR.

<sup>95</sup> SJCHR, a Kurdish activist.

media: the case of Hamrin Abdulhamid Husayn (known by the family name “Idi”) from Amudah<sup>96</sup> and the case of Nurman Ibrahim Khalifah from al-Hasakah<sup>97</sup>.

CRO said that it is difficult to collect documentation on such cases from inside the region, because people in the area are afraid to report such cases, and most documentation comes from outside the region.

A Kurdish activist, referring to the case of Nurman Ibrahim Khalifah reported in the media, found that this might be a fake testimony, as some families/groups who are in opposition to the PYD would fake such testimonies, and hence such accusations should be well investigated.

TEV DEM mentioned that reports about minors being recruited to the YPG are often based on stories made for political purposes by the political parties who are in opposition to and want to damage the reputation of the Kurdish Self-administration.

Regarding prevalence of recruitment of minors to the YPG, TEV DEM stated that the YPG does not recruit minors. However, there are special schools/camps for minors at 16-17 years of age who voluntarily want to partake in training. TEV DEM emphasized that from about the age of 14, most minors learn at home how they can handle small types of weapons.

## **2.8. Ranks of the YPG being deployed in offensives**

According to TEV DEM the fighters in the frontline are from the anti-terror forces which are elite forces and consist of specially trained persons who are physically fit to carry heavy weapons. However, it is not only special forces that are sent to the frontline. Whether a YPG member will be sent to the frontline also depends on his condition and his experience. Some of the YPG members are staying in their camps without being sent to the frontline. The YPJ members participate in training and fighting at the frontline together with the YPG, but they also have their own operations at the frontline independently of the YPG.

Prof. Abbas Vali estimated that there is a group of hard core fighters trained by the Kurdistan Workers Party, the PKK, which would constitute 25 % of the YPG’s fighting force. This group is deployed to the frontline operations. Since the battle for Kobane in which a number of fighters with minimal training lost their lives, the YPG has been training and consolidating their force in order to reduce the number of losses in future battles.

Other sources found that all members of the YPG/YPJ and recruits from the mandatory self-defence duty will participate in frontline attacks, if needed<sup>98</sup> (see also to 2.5 and 2.6). The Kurdish

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<sup>96</sup> KURDWATCH, ‘Amudah: Hamrin Husain accidentally admits she is underage, 6 January 2015, <http://kurdwatch.org/?aid=3317&z=en&cure=1029>

<sup>97</sup> KURDWATCH, »They told her: ›This PKK bullet is too good for you!‹ and shot her in the head«, 30 May 2015, [http://www.kurdwatch.com/syria\\_article.php?aid=3428&z=en&cure=240](http://www.kurdwatch.com/syria_article.php?aid=3428&z=en&cure=240)

journalist (2) stated that there have been cases of minors killed at the frontline, emphasizing that it is an army and nobody can be exempted from participating in attacks.

## **2.9. Prevalence of YPG attacks against civilians**

Most of the sources agreed that there is no documentation of the YPG attacking civilians systematically or deliberately.<sup>99</sup> Prof. Abbas Vali added that it is highly unlikely that the YPG had been involved in attacks against civilians. Prof. Bassel Alhassan added that neither is there any proof of cases of ill-treatment of war prisoners by the YPG.

A Kurdish activist stated that so far there has not been any documentation to confirm that the YPG has carried out attacks on civilian residential areas on a systematic basis. However, there have been attacks by the Assayish and the YPG on civilians in al-Jazeera, Afrin and Kobane on a number of occasions. CRO similarly said that attacks have happened but there is no evidence to suggest that it has been carried out systematically or deliberately.

Two sources mentioned that there were stories and rumors about atrocities committed by the PYD/the YPG, but these rumors have not been verified or documented. The sources emphasized that there is a lot of political propaganda in Syria among Kurdish groups.<sup>100</sup>

SJCHR commented that some villages had been damaged during the war against the IS. SJCHR emphasized that the area was a war zone, and these damages were rather the result of fighting. However, the YPG forces - in cooperation with the Syrian regime forces, Shiite sectarian militias, and the Iraqi forces and commandos - took advantage of the war circumstances (especially in the western countryside of the province of Hasaka) to deport entire villages indirectly, by attacking the villages, looting and burning houses and crops under the pretext that the owners or their relatives advocate in favour of the IS.

The Kurdish activist noted that there had been reports about ethnic cleansing of Arabs in the Kurdish areas but so far there has been no evidence to support this neither by Amnesty International, HRW or VDC which according to the source would be the most reliable sources to investigate such allegations.

## **2.10. Agreement between the Syrian authorities and the Kurdish administration regarding recruitment to their respective forces**

All the sources agreed that the Syrian authorities do not recruit people to the Syrian army in the area controlled by the Kurdish Self-administration.

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<sup>98</sup> The Kurdish journalist (2), SJCHR.

<sup>99</sup> Prof. Bassel Alhassan, Kheder Khaddour (Carnegie), CRO, Watan, the Kurdish journalist (3), a Western embassy, Prof. Abbas Vali.

<sup>100</sup> Prof. Bassel Alhassan, Nadim Houry (HRW).

The sources were not certain if there is any formal agreement between the Syrian authorities and the Kurdish Self-administration about recruitment. Some sources mentioned that the agreement seem to be “informal” or “tacit”.<sup>101</sup>

TEV DEM stated that there is no agreement between the Kurdish Self-administration and the Syrian government regarding recruitment of people in the Kurdish or the government controlled areas. Although the Syrian government is present in a certain area in al-Jazeera, it does not interfere with the Kurdish Self-administration’s affairs, and it does not recruit people to the Syrian army in there.

However, if a Kurd leaves the Kurdish area and enters the government-controlled area, he can be recruited by the Syrian army.<sup>102</sup>

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<sup>101</sup> Nadim Houry (HRW), a Western embassy.

<sup>102</sup> The Kurdish journalist (2), the Kurdish journalist (3).

## Terms of reference

### 1. Military service in the Syrian army

- 1.1. Areas in Syria where the government recruits for military service.
- 1.2. Procedure for military conscription
  - 1.2.1. Enforcement of the rules and regulations regarding age limit for being called up for conscription
  - 1.2.2. Enforcement of exemption rules in practice.
- 1.3. Possibility to serve in the National Defence Forces (NDF) as an alternative to military service.
- 1.4. Possibility of Ajanib Kurds being called up to military service.
- 1.5. Procedure for calling up reservists for military service
  - 1.5.1. Enforcement of the rules and regulations regarding age limit for being called up as reservists, including significance of individual qualifications such as military background, e.g. position and rank, and/or division/unit affiliated.
  - 1.5.2. Prevalence of different types/categories of reservists, including calling up of certain groups of reservists in particular situations.
  - 1.5.3. Prevalence of exemptions with regard to who is called up as reservist.
- 1.6. Procedure for final dischargement of a person serving in the Syrian army as reservist, including documentation of discharge.
- 1.7. Evasion and desertion
  - 1.7.1. Extent to which conscripts have evaded or deserted military service since the beginning of 2015.
  - 1.7.2. The authorities' ways of controlling whether men in the target age group for military service in an area have deserted or evaded military service (checkpoints, raids etc.).
  - 1.7.3. Possible consequences of evasion or desertion if caught by the authorities.
  - 1.7.4. Possible consequences of evasion or desertion for one's family members, including consequences for women in the family.
- 1.8. Extent to which conscripts are being deployed in offensives.



## **2. Situation in the Kurdish controlled areas**

- 2.1. Procedure for the PYD's conscription for mandatory self-defence duty.
- 2.2. Profile of those being called up for mandatory self-defence duty (age, religion, ethnicity).
- 2.3. Evasion or desertion from mandatory self-defence duty.
  - 2.3.1. The Kurdish authorities' ways of controlling whether men in the target age group for mandatory self-defence duty in an area have deserted or evaded the duty (checkpoints, raids etc.).
  - 2.3.2. Possible consequences of evasion or desertion if caught by the Kurdish authorities.
- 2.4. Possible differences among different areas/enclaves (Afrin, Kobane og Jazeera) regarding enforcement of mandatory self-defence duty, for instance differences regarding age limit of those being called up etc.
- 2.5. Possible obligation to serve in the YPG units at the frontline upon completing mandatory self-defence duty.
- 2.6. Possible obligation to serve in the YPG units at the frontline as a part of one's mandatory self-defence duty.
- 2.7. The PYD's way of recruiting foot soldiers to the YPG, including prevalence of forced recruitment to the YPG.
- 2.8. Ranks of the YPG being deployed in offensives.
- 2.9. Prevalence of the YPG's attacks against civilians, e.g. bombing a civilian area, or atrocities against prisoners of war
- 2.10. Whether the Syrian authorities and the Kurdish administration has an agreement and/or understanding regarding recruitment to their respective forces, including an agreement on which geographical areas to recruit in.

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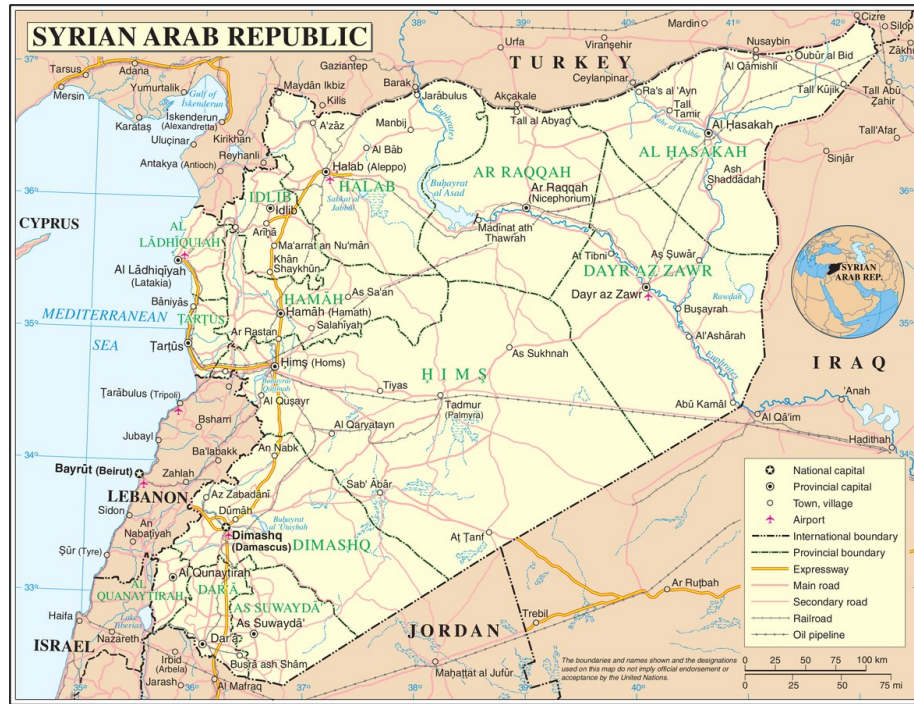
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- A Kurdish activist
- A Kurdish journalist (referred to as *the Kurdish journalist (1)* in the report)
- A Kurdish journalist from Afrin (referred to as *the Kurdish journalist (2)* in the report)
- A Kurdish journalist from Kobane (referred to as *the Kurdish journalist (3)* in the report)
- A Syrian lawyer
- A Western embassy in Beirut
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- Prof. Abbas Vali, Department of Sociology, Faculty of Arts and Sciences, Bogazici University, Istanbul
- Prof. Bassel Alhassan, Lebanese University, Political science Faculty, Beirut
- Rami Sweid, a Syrian journalist from Aleppo
- Rojava Democratic Society Movement (known by its Kurdish acronym, TEV DEM), TEV DEM's representative in Lebanon.
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## Appendix A: Maps of Syria



Source: UN Cartographic Section, *Map of the Syrian Arab Republic*, May 2008, No. 4204 Rev. 2, available at: <http://www.refworld.org/docid/4937c7cb0.html>



Map courtesy of [www.polgeonow.com](http://www.polgeonow.com), by Evan Centanni and NordNordWest (CC BY-SA)

## Appendix B: The Law on self-defence duty in the Democratic Autonomous Areas

Published on 14<sup>th</sup> July 2014<sup>103</sup>

(Unofficial translation from Arabic by Country of Origin Information – Danish Immigration Service)

### Article 1:

Name: Self-defence duty

Definition: Male residents of the Democratic Self-Administration Areas shall be recruited to People's Protection Units (YPG) under the name of self-defence duty.

### Article 2:

Self-defence duty shall be considered a social and moral duty which comprises all social components. On this basis, it is an obligation for each household in the province to offer one of its members to perform self-defence duty.

### Article 3:

The provisions contained in this law apply to all males aged between 18 and 30, but women can commit themselves voluntarily.

### Article 4:

Length of self-defence duty

1. The length of self-defence duty is precisely six months.
2. The conscript has the right to carry out the duty continuously or intermittently.
3. If the duty is to be carried out intermittently, it must be completed within one year.
4. Students of schools, institutes and universities have the right to perform their duty within two consecutive years.

### Article 5:

Exemption from self-defence duty

1. Family members of martyrs from the YPG, Assayish or the Kurdish National Liberation Movement (*"Harikat al-Taharror al-Watani al-Kurdistani"*).
2. Single male child of a mother or parents.
3. Disabled persons and those with special needs as well as chronically ill patients are exempted from self-defence duty based on a certified medical report from the Military Health Council in the province.

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<sup>103</sup> The law in Arabic is available at: <http://d-parastin.com/ar/index.php/2014-05-25-17-58-10/68-2014-07-14-08-15-31>

**Article 6:**

Persons with maintenance obligation are given a cash assistance during the period of performance of self-defence duty.

**Article 7:**

1. Persons who remain absent from self-defence duty, will be taken to the nearest recruitment point.
2. The provisions contained in the Military Penal Code apply to offenses and crimes committed during performance of self-defence duty.

**Article 8:**

Those who have completed their self-defence duty can serve in People's Protection Units (YPG) if they wish to do so.

**Article 9:**

This law is effective as of the date of its publication in the official gazette.

Amuda, 14 July 2014

The Information Office of the Legislative Council of the Jazeera province

## Appendix C: Notes from meetings with sources

### Meeting and Written Communication with an International Organization

June/August 2015

The international organization informed the delegation that its information about Syria comes from a variety of sources, including open sources (reports, media) as well as through information collected (and verified to the extent possible) by the source.

#### *Military Service in the Syrian Army*

##### Areas in Syria in which the Government Recruits

According to the international organization, the government has increasingly been facing difficulties with regard to recruitment to the Syrian army. Due to the fact that the government has lost control over parts of the territory the area for recruitment has become severely limited, while at the same time the government has a continued need for manpower in light of fatalities and defections/draft evasion. The government continues its recruitment efforts in areas under its control.

The international organization referred to reports describing an intensified campaign of conscription and reservist mobilization by the government as of October 2014 as it seeks to beef up its strained military capacity<sup>104</sup> and prevent Syrian men from evading (compulsory or reservist) military service.<sup>105</sup> Among the measures reported are calls of general mobilization of all reservists in several major urban centres,<sup>106</sup> with names of called reservists reportedly automatically being sent to checkpoints by the recruitment office,<sup>107</sup> accompanied by raids and arrest campaigns targeting both draft dodgers and reservists (and at times their family members in order to exert pressure).<sup>108</sup> On 16 December 2014, a circular was reportedly shared with all immigration and border personnel, informing them that all Syrian men who have finished their

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- <sup>104</sup> IB Times, *Syrian Men Conscripted In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>; Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>. See also Institute for the Study of War, *Middle East Security Report 26 'An Army In All Corners'*, April 2015, p. 12, <http://www.understandingwar.org/sites/default/files/An%20Army%20in%20All%20Corners%20by%20Chris%20Kozak%201.pdf>.
- <sup>105</sup> Washington Post, *Lacking Soldiers, Assad's Government Imposes Harsh Measures to Boost Numbers*, 28 December 2014, <http://wapo.st/1wv5Upf>.
- <sup>106</sup> Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>; Zaman al-Wasl, *Syria Conscription Fears Cause Hassakeh Males to Flee*, 19 January 2015, <http://bit.ly/1NI5egX>.
- <sup>107</sup> "Instead of going through the police, the recruitment office had begun automatically giving the names of draftees to the checkpoints"; IB Times, *Syrian Men Conscripted In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>.
- <sup>108</sup> Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>; Middle East Eye, *Syria's Assad depending on Iran financial aid*, last updated 19 January 2015, <http://shar.es/1bCWYV>; Business Insider, *The Assad Regime Is Running Low On Soldiers*, 30 December 2014, <http://bit.ly/1TegPVZ>; Washington Post, *Lacking Soldiers, Assad's Government Imposes Harsh Measures to Boost Numbers*, 28 December 2014, <http://wapo.st/1wv5Upf>; Al-monitor, *Syrian regime pursues draft dodgers*, 22 December 2014, <http://almon.co/2bnc>; Al-monitor, *Syrian Youth Worry about Draft*, 27 October 2014, <http://bit.ly/1tf4fHL>; Institute for the Study of War, *Syria Update: October 17 - October 29, 2014*, <https://www.understandingwar.org/sites/default/files/Syria%20SITREP%202014-10-29.pdf>; Syria Deeply, *Government Cracks Down As Young Men Duck Mandatory Army Service*, 23 May 2014, <http://nwsdp.ly/wa420>.



compulsory military service and who are eligible for call-up as reservists, are banned from exiting Syria, unless they obtain the approval from their concerned recruitment office.<sup>109</sup>

#### Procedure for Military Conscription

The international organization explained that under the “Service of the Flag Law” (Legislative Decree No. 30 of 2007, as amended),<sup>110</sup> all Syrian males, with the exception of Jews, must serve in the military. Military service age is 18.<sup>111</sup> The international organization further described that it was its understanding from various sources consulted that Syrian males are required to register for military service at their local conscription office (*Maktab al-Tajneed*) when reaching conscription age. A notification from the conscription office is usually delivered through a policeman from the nearest police station on behalf of the *mukhtar* to the individual concerned. The policeman (called *muballigh*) has no authority to arrest but only to deliver the notification issued by the local conscription office. There is no need to receive the notification in person or to formally acknowledge its receipt. The notification specifies the period of time within which the future conscript must present himself to the local conscription office (commonly in the place where his civil record is). This means that if a person’s civil record is in Lattakia, and he is now living in Damascus, he has to go to Lattakia to report to the conscription office there. If a person resides in an area under control of the government, but originates from an area outside of government control (for instance Raqqa), he would be assigned to a conscription office in the area of residence. If someone who is liable to conscription fails to present himself to the local conscription office in due time, he is liable to arrest by the Military Police, which has the authority to check on men of military age and, for example, conducts patrols at high schools and universities, and punishment for draft evasion under the 1950 Military Penal Code, as amended in 1973. Men who are liable to conscription have reportedly been arrested and conscripted when caught during house searches, raids or at checkpoints and border crossings.<sup>112</sup> Others are reportedly arrested when they approach government offices, for example in order to apply for documentation or to register a marriage.<sup>113</sup>

According to information available to the international organization, under the current circumstances and when a personal notification is not possible, males reaching conscription age (as well as reservists) are instead called through announcement on public TV, radio or newspapers and/or their names are given to checkpoints.<sup>114</sup> Conscripts who are unable to approach their local conscription office or in areas where the local conscription offices are no longer operational, should approach the General Administration Office

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<sup>109</sup> The Daily Star, *Travel Limits on Military-Age Syrian Males*, 22 December 2014, <http://bit.ly/15lpsr2>.

<sup>110</sup> Legislative Decree No. 30 of 2007, as amended; available (in Arabic) at: <http://www.damascusbar.org/AlMuntada/showthread.php?p=96165>.

<sup>111</sup> Under the Service of the Flag Law, the minimum age for conscription is the first day of January of the year in which the Syrian citizen reaches 18 years of age; see article 4(b) of Legislative Decree No. 30 of 2007. See also CIA, *World Factbook - Syria*, last updated 6 August 2015, <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html>.

<sup>112</sup> See for example, The National, *With Army Ranks Halved, Syria Urges People to Enlist with Billboards*, 3 July 2015, <http://bit.ly/1JTCAVc>; Wall Street Journal, *Draft Dodgers Cut into Syria Army’s Dwindling Size*, 5 June 2015, <http://on.wsj.com/1HR7bgK>; Syria Direct, *‘No Point in Fighting’: Damascus Youth under the Shadow of Conscription*, 1 June 2015, <http://bit.ly/1J5Lm3z>; Syrian Observer, *Assad Loyalists Evade Military Service*, 3 June 2015, <http://sobsrvr.com/BT5vznKF>; AFP, *Pro-Regime Syrians Support Army but Dodge Draft*, 19 April 2015, <https://shar.es/1thVQN>; Al-monitor, *Syrian Regime Pursues Draft Dodgers*, 22 December 2014, <http://almon.co/2bnc>; Al-Akhbar, *Syrian Men of Military Age on Edge as Army Steps up Reserve Measures*, 20 November 2014, <http://bit.ly/1BRov3F>.

<sup>113</sup> Syrian Observer, *Assad Loyalists Evade Military Service*, 3 June 2015, <http://sobsrvr.com/BT5vznKF>.

<sup>114</sup> See for example IB Times, *Syrian Men Conscripted In Bashar Assad’s Army Choose Escape Over ‘Kill Or Be Killed’*, 13 May 2015, <http://bit.ly/1IB2pYo>.

['*Idaret at-Tajneed al-'Amma*'] in central Damascus (which holds the central database of all military-age men) or the closest local conscription office in their place of displacement.

From sources consulted by the international organization, it is understood that upon presenting himself to the local conscription office, the conscript has to undergo medical examinations and, depending on the outcome, he will be considered able to serve or be exempted from certain functions or from the military service altogether for medical reasons. If the individual is considered physically able to serve and no exemptions/deferrals apply, his civil ID card will be retained in exchange for a military ID document ("*Flag Service Card*", commonly known as military booklet or *Daftar al-Tajneed*), issued by the Ministry of Defence, which records all events and duties of the bearer throughout his military service, including whether he is entitled to exemption or deferral of service as well as location(s) of deployment. Syrian males must carry this booklet with them at all times, so that the authorities can at any time check their details and see if any violation has been committed.

The international organization, referring to publicly available reports, explained that starting in 2005, the duration of obligatory military service was gradually reduced from 30 months to 18 months as of 1 June 2011.<sup>115</sup> Prior to the conflict, after completion of the compulsory period of duty, the conscript would have been issued a certificate of military service and regain civilian status and exchange the military ID card for his civilian ID card. A conscript could also choose to enlist for five years in the regular service; if he choose not to enlist, he remained in the reserves and could be called up for active duty until the age of 42.<sup>116</sup> If he enlisted and became a non-commissioned officer during his five-year service, he could become a professional non-commissioned officer thereafter. A volunteer who did not attain non-commissioned officer status could re-enlist but was automatically discharged after fifteen years of service or upon reaching the age of 40. A professional non-commissioned officer was retired at age 45 or, at his own request, after twenty years of service.<sup>117</sup> According to the international organization, there are strong indications that in light of the increased manpower needed since the beginning of the conflict, legal age limits and periods of service are no longer strictly adhered to. As an example, the international organization referred to reports that indicate that those serving compulsory military service are no longer discharged after completing the mandatory service time.<sup>118</sup>

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<sup>115</sup> In 2005, it was reduced from 30 to 24 months; Child Soldiers International, *Child Soldiers Global Report 2008 - Syria*, 20 May 2008, [http://www.child-soldiers.org/user\\_uploads/pdf/syria8891297.pdf](http://www.child-soldiers.org/user_uploads/pdf/syria8891297.pdf). In 2008 it was further reduced to 21 months and with effect on 1 June 2011, military service is now obligatory for 18 months for those that passed the 5<sup>th</sup> grade of their primary school; Presidential Decree No. 35 (2011); DP News/SANA, *Legislative Decree Reducing Mandatory Syrian Military Service*, 20 March 2011, <http://www.dp-news.com/en/detail.aspx?articleid=78445>; Agencies, *Syria Reduces Compulsory Military Service by Three Months*, 19 March 2011, <http://archive.is/x9Qfj>; Committee on the Rights of the Child, *Consideration of Reports Submitted by States Parties under Article 44 of the Convention - Third and Fourth Periodic Reports of States Parties due in 2009 - Syrian Arab Republic*, CRC/C/SYR/3-4, 2 June 2010, para 254, <http://www.refworld.org/pdfid/4ef339272.pdf>.

<sup>116</sup> Article 15 of Legislative Law No. 30 of 2007. See also See also CIA, *World Factbook - Syria*, last updated 6 August 2015, <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html>.

<sup>117</sup> See also CIA, *World Factbook - Syria*, last updated 6 August 2015, <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html>; Global Security, *Syrian Arab Army – Manpower*, last modified 26 March 2012, <http://www.globalsecurity.org/military/world/syria/army-manpower.htm>.

<sup>118</sup> Arab Weekly, *Syrian Regime is Running Out*, 12 June 2015, <http://www.theArabweekly.com/pdf/2015/06/12-06/p04.pdf>; Wall Street Journal, *Draft Dodgers Cut into Syria Army's Dwindling Size*, 5 June 2015, <http://on.wsj.com/1HR7bgk>; Syrian Observer, *Assad Loyalists Evade Military Service*, 3 June 2015, <http://sobsrvr.com/BT5vznKF>; Business Insider, *Here Are All of the Problems with the Reeling Syrian Army*, 1 May 2015, <http://read.bi/1JDWHXE>; Syria Deeply, *Government Cracks Down As Young Men Duck Mandatory Army Service*, 23 May 2014, <http://nwsdp.ly/wa420>; UN Human Rights Council, *Report of the Independent International*

The international organization said that prior to the conflict, there were no indications that children were recruited into the armed forces.<sup>119</sup> Since 2011, there are reports relating to under-age recruitment by pro-government armed groups, including the National Defence Forces (NDF).<sup>120</sup> Reports also indicate that in light of the Syrian army's increasing lack of manpower, the conscription of males under the age of 18 into the Syrian army.<sup>121</sup>

According to information available to the international organization, a person is usually assigned to perform his military service at a place other than his place of origin. Because recruits into the NDF have an opportunity to serve in their own hometowns (and also receive a higher monthly salary), this reportedly resulted in many young men seeking to join the NDF rather than be conscripted into the Syrian Army.<sup>122</sup> The international organization also referred to reports indicating that in light of the high numbers of Druze men avoiding mandatory military service, the government recently agreed to let members of the Druze community in Suwaida governorate serve their mandatory military service in their home province.<sup>123</sup> The international organization added that people with good connections sometimes manage to serve in their area of origin.

According to information available to the international organization, a man who is liable to conscription has the choice to serve in the police or in the Fire Brigade for the same period as serving in the army. But to do that, the person has to apply in advance.

The international organization referred to reports saying that men and boys of fighting-age who were evacuated from besieged areas following local truce agreements have been subjected to detention and enforced disappearance by the state security apparatus.<sup>124</sup> The organization referred to statements made

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Commission of Inquiry on the Syrian Arab Republic, 16 August 2012, A/HRC/21/50, Annex III, para 7, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50.doc>. See also al-Quds al-Arabi, *Syria Recruitment Puts Syrians Between Hard Choices*, 26 August 2014, <http://bit.ly/1lylOZr>.

<sup>119</sup> Child Protection Working Group, *Child Protection Assessment 2013*, 19 September 2013, p. 13, [http://www.crin.org/docs/SCPA-FULL\\_Report-LIGHT.pdf](http://www.crin.org/docs/SCPA-FULL_Report-LIGHT.pdf).

<sup>120</sup> UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 13 August 2014, A/HRC/27/60, para 85, [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A\\_HRC\\_27\\_60\\_ENG.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A_HRC_27_60_ENG.doc).

<sup>121</sup> "Government forces, ISIS, and the YPG have all pursued a concerted effort to conscript young men into their ranks. Minors have been recruited and used by all parties to the conflict, at times systematically"; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 5 February 2015, A/HRC/28/69, para 57, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/019/37/PDF/G1501937.pdf?OpenElement>. See also IB Times, *Syrian Men Conscribed In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>; Syria Deeply, *Underage Teens Face Conscription in Assad's Syrian Army*, 10 November 2014, <http://nwsdp.ly/ao3>.

<sup>122</sup> Financial Times, *Men in Assad's Syria Eschew Army for Iran-Backed Militias*, 22 July 2015, <http://on.ft.com/1gNWy8x>; IB Times, *Syrian Men Conscribed In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>; Al-monitor, *Pro-Regime Sunni Fighters in Aleppo Defy Sectarian Narrative*, 14 March 2014, <http://almon.co/2162>; International Crisis Group, *Syria's Metastasising Conflicts*, 27 June 2013, p. 20 footnote 96 and p. 30, <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Syria/143-syrias-metastasising-conflicts.pdf>; Reuters, *Insight: Battered by War, Syrian Army Creates its Own Replacement*, 21 April 2013, <http://reut.rs/XOqW5w>.

<sup>123</sup> Washington Post, *In a New Sign of Assad's Troubles, Syria's Druze Turn Away from the President*, 20 July 2015, <https://shar.es/1tXKvc>.

<sup>124</sup> "When they [government forces] allowed civilian evacuations from besieged areas, government forces detained men and boys among those evacuated, subjecting many to long-term detention for 'screening'"; Amnesty International, *Amnesty International Report 2014/2015 - Syria*, 25 February 2015, <https://www.amnesty.org/download/Documents/POL1000012015ENGLISH.PDF>. "As part of its strategy for controlling the population, it has combined long-lasting sieges with heavy aerial and artillery bombardment, leading to dozens of forced truces in Homs and Damascus and the surrounding countryside. Forced truces, a mark of the

by Nadim Houry of Human Rights Watch, according to which a number of these men were later forced to serve in the Syrian military.<sup>125</sup>

#### Procedure for Calling up Reservists

The international organization referred to the applicable law which stipulates that after completion of the compulsory period of duty and if he chooses not to enlist, a Syrian man remains in the reserves and can be called up for active duty until the age of 42.<sup>126</sup> The international organization pointed out that according to reports there has not been a countrywide mobilization of reservists, but reservists have reportedly been called up in certain cities or governorates, either as part of a general mobilization and/or based on their age and their military qualifications.<sup>127</sup>

According to information available to the international organization, as with conscripts, reservists are called for duty either through a notification letter or through public announcement on public TV, radio or newspapers, upon which they have to present themselves to the local conscription office.

The international organization also referred to a government decree which provides for the punishment of government employees who fail to fulfil their military obligations.<sup>128</sup>

The international organization also mentioned that despite the government's traditional reliance on support from religious minority groups such as Alawites, Ismailis, Druze and Christians, reports indicate

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*Government's strategy of siege and bombardment, are often followed by mass arrests of men of fighting age, many of whom disappear"; Independent International Commission of Inquiry, 13 August 2014, para 11. See also Foreign Policy, Rewriting Syria's War, 18 December 2014, <http://atfp.co/1r3naWY>; Open Democracy, Making Local Ceasefires Work in Syria, 13 December 2014, <http://bit.ly/1GK9IOw>; Wall Street Journal, Fate of Hundreds of Men Evacuated from Homs and Detained Uncertain, 11 February 2014, <http://on.wsj.com/1w3FDTr>.*

<sup>125</sup> Open Democracy, *Making local Ceasefires Work in Syria*, 13 December 2014, <http://bit.ly/1GK9IOw>.

<sup>126</sup> Article 15 of Legislative Law No. 30 of 2007.

<sup>127</sup> Syria Direct, *Regime Resorts to Conscription as Options Narrow in Deir E-Zor*, 21 May 2015, <http://bit.ly/1KZ7sSO>; Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>; Zaman al-Wasl, *Syria Conscription Fears Cause Hassakeh Males to Flee*, 19 January 2015, <http://bit.ly/1NI5egX>.

<sup>128</sup> Decree No. 33 of 6 August 2014, as reported by SANA, provides for the termination of the employment of government employees who fail to fulfill their compulsory or reserve service; SANA, *President al-Assad issues legislative decree amending mandatory military service law*, 6 August 2014, <http://www.sana.sy/en/?p=9155>. "Another new recruitment pool is drawn from state employees. New regulations threaten government employees with five-year prison sentences, fines, and immediate dismissal if they refuse to enroll in compulsory military service. Civil servants, teachers, and even employees of state-run bakeries must present proof of enrollment in the army reserves in order to collect their salaries, with their eligibility cross-checked against lists compiled by their agencies"; Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>. See also Washington Post, *Lacking soldiers, Assad's Government Imposes Harsh Measures to Boost Numbers*, 28 December 2014, <http://wapo.st/1wv5Upf>.

increasing discontent and reluctance among these communities to be drafted for compulsory or reserve military service.<sup>129</sup>

### Enforcement of Exemption Rules

According to information available to the international organization, in principle, it is still possible to be exempted from the military service. The international organization however pointed out that according to reports it has become more difficult to obtain an exemption or deferral and potential conscripts are often worried as to whether they would be able to obtain an exemption or deferral.<sup>130</sup> The international organization referred to reports saying that students can still apply for the postponement of their military service, but are reportedly conscripted immediately after their graduation.<sup>131</sup> The Institute for the Studies of War reported that as part of its intensified military recruitment campaign, the government started to tap “previously protected populations”, including students, and erected checkpoints near universities in Damascus, Dera’a, Homs, and Latakia governorates to detain young men for military service.<sup>132</sup> Those not holding their military booklet proving the postponement of their military service are said to be at risk of arrest and conscription.<sup>133</sup> According to a report, the government has reportedly been cracking down on those granting exemptions and deferrals in return for bribes.<sup>134</sup>

The international organization explained that a legislative decree was issued by the Syrian President in August 2014 (Decree No. 33 for 2014), which amended a number of articles of the mandatory military service law (Decree No. 30 of 2007) in relation to exemptions. Under the amendment, conscripts can postpone their military service if they have brothers already serving.<sup>135</sup> The exemption granted to only sons reportedly continues to be applied.

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<sup>129</sup> “The Syrian Army has suffered a string of defeats from re-energized insurgents and is struggling to replenish its ranks as even pro-government families increasingly refuse to send sons to poorly defended units on the frontlines. (...) Even in areas populated by minority sects that fear hard-line Islamist groups like Nusra and the Islamic State — such as Druse in the south, Assyrian Christians in the north, and Ismailis in Hama — numerous residents say they are sending their sons abroad to avoid the draft, or keeping them home to protect villages”; New York Times, *An Eroding Syrian Army Points to Strain*, 28 April 2015, <http://nyti.ms/1P4qE1s>. “Young Syrian men in regime-controlled areas are using any means necessary, including violent protests, to avoid military conscription -- even if they support the government. (...) As the territory that has fallen out of regime control is predominantly Sunni Muslim, the government is heavily recruiting from among the Druze, Christian, Alawite, and Ismaili minorities. (...) Now these communities feel they have paid a heavy price to defend President Bashar al-Assad's rule against deadly opponents including al-Qaeda-linked militants and the Islamic State jihadist group”; AFP, *Pro-Regime Syrians Support Army but Dodge Draft*, 19 April 2015, <https://shar.es/1thVQN>. See also Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>; IB Times, *The Syrian Army Is Shrinking, And Assad Is Running Out Of Soldiers*, 17 December 2014, <http://bit.ly/1IE5uEt>.

<sup>130</sup> “Because the policies keep changing and are often applied arbitrarily, many Syrian men express fear and hesitation about remaining within Syria and about trying to navigate the system legally”; Forced Migration Review, *Gender, Conscription and Protection, and the War in Syria*, FMR 47, September 2014, <http://www.fmreview.org/syria/davis-taylor-murphy#sthash.bl3aBZH.z.dpuf>.

<sup>131</sup> IB Times, *Syrian Men Conscripted In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>.

<sup>132</sup> Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2015, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>.

<sup>133</sup> Syrian Observer, *Assad Loyalists Evade Military Service*, 3 June 2015, <http://sobsrvr.com/BT5vznKF>; Syria Direct, *'No Point in Fighting': Damascus Youth Under the Shadow of Conscription*, 1 June 2015, <http://bit.ly/1J5Lm3z>; Al-monitor, *Syrian Youth Worry about Draft*, 27 October 2014, <http://almon.co/2977>.

<sup>134</sup> Wall Street Journal, *Draft Dodgers Cut into Syria Army's Dwindling Size*, 5 June 2015, <http://on.wsj.com/1HR7bgK>.

<sup>135</sup> The amendments also altered the number of sons per family who may postpone military service, with the numbers becoming as follows: 1 may postpone if 2-4 brothers were performing mandatory, voluntary or reserve military service, 2 if there were 5-8 brothers in the service, and 3 if there were 9 or more brothers in the service. Before the amendments, only one son could postpone”; SANA, *President al-Assad Issues Legislative Decree Amending Mandatory Military Service Law*, 6 August 2014, [www.sana.sy/en/?p=9155](http://www.sana.sy/en/?p=9155).

According to information obtained by the international organization, prior to 2011, disabled persons tended to be exempted from compulsory military service. Persons living with disabilities are usually issued with a disability card in Syria. However, more recently, a number of persons holding disability cards who are living with minor disabilities are said to be conscripted and assigned to administrative duties as part of their military service.

The international organization further explained that whether or not a person living outside Syria could obtain an exemption from military service would depend on the availability of consular services in the country of residence as well as the financial resources to pay the exemption fee of US\$ 8,000.<sup>136</sup>

The international organization stressed that the situation in Syria is not static, and due to lack of manpower, the government started to do things not seen before. The international organization said that it could therefore not be excluded that the implementation of regulations relating to the exemption/deferral of military service might be subject to sudden changes.

#### Possibility to Serve in the National Defence Forces (NDF) as an Alternative to Military Service

The international organization referred to reports describing that the government also promotes voluntary service in pro-government militias such as the National Defence Forces (NDF) as an alternative to regular conscription or reserve duty in the army. Initially, NDF formations were reportedly mainly operating in their own neighbourhoods.<sup>137</sup> The opportunity to serve in their own hometowns coupled with the incentive of receiving a higher monthly salary is reportedly considered favourable by recruits.<sup>138</sup> However, NDF members are reported to have increasingly been deployed to active fronts.<sup>139</sup>

According to information available to the international organization, in order to be able to perform military service in the NDF, a person has to join the NDF prior to being conscripted into the compulsory military service.

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<sup>136</sup> The fees were reduced from US\$ 15,000 to US\$ 8,000 by Decree 33 (2014). This exemption is applicable to those that have had residency in a foreign country of no less than 4 years (previously 5 years); SANA, *President al-Assad Issues Legislative Decree Amending Mandatory Military Service Law*, 6 August 2014, [www.sana.sy/en/?p=9155](http://www.sana.sy/en/?p=9155).

<sup>137</sup> IB Times, *Syrian Men Conscripted In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>; The Carter Center, *Syria - Pro-Government Paramilitary Forces*, 5 November 2013, pp. 5, 9, 10, [https://www.cartercenter.org/resources/pdfs/peace/conflict\\_resolution/syria-conflict/Pro-GovernmentParamilitaryForces.pdf](https://www.cartercenter.org/resources/pdfs/peace/conflict_resolution/syria-conflict/Pro-GovernmentParamilitaryForces.pdf).

<sup>138</sup> Financial Times, *Men in Assad's Syria eschew army for Iran-backed militias*, 22 July 2015, <http://on.ft.com/1gNWy8x>; Al-monitor, *Pro-regime Sunni fighters in Aleppo defy sectarian narrative*, 14 March 2014, <http://almon.co/2162>; International Crisis Group, *Syria's Metastasising Conflicts*, 27 June 2013, p. 20 Footnote 96 and p. 30, [http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Syria/143-syrias-metastasising-conflicts.pdf](http://www.crisisgroup.org/~/media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Syria/143-syrias-metastasising-conflicts.pdf); Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>; The Carter Center, *Syria - Pro-Government Paramilitary Forces*, 5 November 2013, p. 8, [https://www.cartercenter.org/resources/pdfs/peace/conflict\\_resolution/syria-conflict/Pro-GovernmentParamilitaryForces.pdf](https://www.cartercenter.org/resources/pdfs/peace/conflict_resolution/syria-conflict/Pro-GovernmentParamilitaryForces.pdf).

<sup>139</sup> IB Times, *The Syrian Army Is Shrinking, And Assad Is Running Out Of Soldiers*, 17 December 2014, <http://bit.ly/1IE5uEt>; Institute for the Study of War, *The Assad Regime Under Stress: Conscription and Protest among Alawite and Minority Populations in Syria*, 15 December 2014, <http://iswsyria.blogspot.com/2014/12/the-assad-regime-under-stress.html>; The Carter Center, *Syria - Pro-Government Paramilitary Forces*, 5 November 2013, p. 9, [https://www.cartercenter.org/resources/pdfs/peace/conflict\\_resolution/syria-conflict/Pro-GovernmentParamilitaryForces.pdf](https://www.cartercenter.org/resources/pdfs/peace/conflict_resolution/syria-conflict/Pro-GovernmentParamilitaryForces.pdf); Reuters, *Insight: Battered by War, Syrian Army Creates its Own Replacement*, 21 April 2013, <http://reut.rs/XOqW5w>.

According to information obtained by the international organization, persons recruited to the NDF are issued their own ID cards, which they can use to pass through government checkpoints. It is not written in the military booklet that a person is serving with the NDF.

#### Procedure for final discharge of a person serving in the Syrian Army as a reservist, including documentation of discharge

The international organization said that it had no information with regards to the discharging of persons recalled for reserve service.

#### Desertion and Evasion

The international organization explained that if a person liable for conscription does not report to the conscription office, his name will be put on a list of people wanted to serve in the military. This list is issued by the recruitment office, and is distributed to all army checkpoints all over Syria as well as to the borders. The international organization referred to reports showing young men must show their military booklet whenever they approach a government checkpoint.<sup>140</sup>

Asked about the possibility to evade military service through bribery, the international organization stated that according to reports, this may be possible depending on the person's financial resources and his contacts. It elaborated, as also described in public reports, that this would often require the person to leave the country, go into hiding, or escape to areas no longer under the control of the government (where he may be at risk of conscription by other actors).<sup>141</sup> The international organization mentioned, as an example, a man who had bribed someone at the passport office to issue him a passport with a photo of himself but in the name of a dead person. Since the dead person was not on the list of persons wanted for military service, this man had been able to pass through checkpoints and leave Syria. Another man told the international organization that he paid a taxi driver with good connections at the checkpoints and at the Lebanese border control. By bribing these connections, the taxi driver managed to have the evader's papers stamped and drive him out of the country. The international organization noted that even if a person, whose name is on the list of persons wanted for military service, succeeds in bribing his way through a checkpoint, his name will still remain on the list. The international organization stated that presently, as entry to Lebanon via official border crossings for Syrians has been severely restricted, the possibility of using the services of taxi drivers to leave Syria in an irregular manner has become almost impossible. In the past, according to information obtained by international organization, a draft evader or any individual with his/her name published at the checkpoints could cross the borders by taxi for around USD200.

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<sup>140</sup> See for example Al-monitor, *Syrian Youth Worry about Draft*, 27 October 2014, <http://almon.co/2977>.

<sup>141</sup> However, according to reports, it has become far more difficult to bribe one's way out: "(...) the bribery system had become so widespread that the regime had caught on and changed its procedures. (...) Last October, the regime prohibited all males born between 1985 and 1991 from leaving the country"; IB Times, *Syrian Men Conscripted In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>. See also Syrian Observer, *Assad Loyalists Evade Military Service*, 3 June 2015, <http://sobsrvr.com/BT5vznKF>; Al-monitor, *Syrian Regime Pursues Draft Dodgers*, 22 December 2014, <http://almon.co/2bnc>; Washington Post, *Lacking Soldiers, Assad's Government Imposes Harsh Measures to Boost Numbers*, 28 December 2014, <http://wpo.st/Cf1U0>; Al-monitor, *Syrian Youth Worry about Draft*, 27 October 2014, <http://almon.co/2977>; Forced Migration Review, *Gender, Conscription and Protection, and the War in Syria*, FMR 47, September 2014, <http://www.fmreview.org/syria/davis-taylor-murphy#sthash.bl3aBZH.z.dpuf>; Syria Deeply, *Government Cracks Down As Young Men Duck Mandatory Army Service*, 23 May 2014, <http://nwsdp.ly/wa420>.

The international organization explained that in government-held areas, persons evading draft are at high risk of being arrested and forcibly conscripted and deployed to the frontlines, if caught.<sup>142</sup> The international organization also mentioned that the government reportedly also targets family members for arrest to pressure military-age men to join the army.<sup>143</sup> The international organization referred to reports describing that fighting-age men in areas under opposition control are likely singled out for arrest and enforced disappearance, torture and extra-judicial execution on account of their perceived participation in hostilities against the government or aid to armed groups, if and when government forces get hold of them (e.g. after recapturing an area that was previously held by armed opposition forces, or when a man of fighting age travels from opposition-held areas into government-controlled areas).<sup>144</sup> It is the understanding of the international organization that the fact that the person may have also evaded draft or deserted from the army would likely compound the risk of persecution.

The international organization explained that according to reports, individuals who deserted or were suspected to plan their desertion or refused orders to shoot, have been executed at the time of desertion or when caught,<sup>145</sup> or they (and/or their families) were subjected to arrest, *incommunicado* detention and torture,<sup>146</sup> as well as extra-judicial execution.<sup>147</sup> During government ground operations, homes, farms and

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- <sup>142</sup> "Reservists are almost always sent to the frontlines, and new conscripts are thrown into battle with barely any training", according to Christopher Kozak, a Syria analyst at the Institute for the Study of War; IB Times, *Syrian Men Conscripted In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>. "For all of these men, to stay in Syria means either taking up arms to fight or trying to avoid military service – and being caught trying to avoid military service could mean prolonged detention, torture or death"; Forced Migration Review, *Gender, Conscription and Protection, and the War in Syria*, FMR 47, September 2014, <http://www.fmreview.org/syria/davis-taylor-murphy#sthash.bl3aBZH.z.dpuf>. See also Syria Direct, 'No point in fighting': Damascus youth under the shadow of conscription, 1 June 2015, <http://bit.ly/1J5Lm3z>; Al-monitor, *Syrian Regime Pursues Draft Dodgers*, 22 December 2014, <http://almon.co/2bnc>; Syria Deeply, *Underage Teens Face Conscription in Assad's Syrian Army*, 10 November 2014, <http://nwsdp.ly/ao3>; Al-monitor, *Syrian Youth Worry about Draft*, 27 October 2014, <http://almon.co/2977>.
- <sup>143</sup> "It [the government] has also begun to crack down on draft dodgers, threatening families in order to pressure their sons to don the uniform of the Syrian army. Last summer, in the Tartous town of Qadmous, residents say security forces detained 11 children so that their older brothers would surrender themselves as conscripts in exchange for their release"; Syria Deeply, *Government Cracks Down As Young Men Duck Mandatory Army Service*, 23 May 2014, <http://nwsdp.ly/wa420>.
- <sup>144</sup> "Government forces have engaged in mass arrest campaigns leading to the enforced disappearance of fighting-age men in areas that have fallen under their control, and men residing in or travelling to government-held areas; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 5 February 2015, A/HRC/28/69, paras 55, 106, 174, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G15/019/37/PDF/G1501937.pdf?OpenElement>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 13 August 2014, A/HRC/27/60, paras 11, 46, [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A\\_HRC\\_27\\_60\\_ENG.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A_HRC_27_60_ENG.doc).
- <sup>145</sup> For example, in late September 2013, pro-government forces raided a house in Jalmeh (Hama), killing a defector; UN Human Rights Council, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, 12 February 2014, A/HRC/25/65, para 24, [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-65\\_en.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-65_en.doc). See also Gulf News, *Syrian Forces Kill 30 Army Deserters*, 12 March 2013, <http://bit.ly/P8V0lk>.
- <sup>146</sup> UPI, *Syria's Depleted Military Ramps Up Conscription*, 29 December 2014, <http://mil-com.me/1MfvVF2>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 13 August 2014, A/HRC/27/60, para 56, [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A\\_HRC\\_27\\_60\\_ENG.doc](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A_HRC_27_60_ENG.doc); Human Rights Watch, "By All Means Necessary!" *Individual and Command Responsibility for Crimes against Humanity in Syria*, ISBN 1-56432-842-2, 15 December 2011, p. 67, <https://www.hrw.org/report/2011/12/15/all-means-necessary/individual-and-command-responsibility-crimes-against-humanity>; Radio Netherlands Worldwide, *On the run: the story of a Syrian defector*, 29 September 2012, <http://rnw.eu/XWqB>; UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/S-17/2/Add.1, 23 November 2011, paras 64-65, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/170/97/PDF/G1117097.pdf?OpenElement>.
- <sup>147</sup> IB Times, *Syrian Men Conscripted In Bashar Assad's Army Choose Escape Over 'Kill Or Be Killed'*, 13 May 2015, <http://bit.ly/1IB2pYo>; *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, A/HRC/19/69, 22 February 2012, paras 40, 42, <http://daccess-ods.un.org/TMP/2400759.45854187.html>; Human Rights Watch, "By All Means Necessary!" *Individual and Command Responsibility for Crimes against Humanity in Syria*, ISBN 1-56432-842-2, 15 December 2011, p. 68, <https://www.hrw.org/report/2011/12/15/all-means-necessary/individual-and-command-responsibility-crimes-against-humanity>;



shops belonging to deserters have reportedly been deliberately targeted for pillaging, burning and destruction.<sup>148</sup>

The international organization pointed out that since the outbreak of the conflict, President al-Assad has granted a series of amnesties (either general amnesties or amnesties specifically covering military penalties) that exempted draft evaders and/or deserters from punishment if they reported to duty within a specified period of time.<sup>149</sup> The international organization said that it had no figures as to how many draft evaders may have benefited from amnesty decrees since 2011 nor did it have any information on the implementation of these decrees.

#### *Situation in the Kurdish-Controlled Areas*

##### Possible obligation to serve in a YPG unit upon completing the mandatory self-defence duty

The international organization had no information on this issue.

##### Possible obligation to serve in the YPG units at the frontline as a part of one's mandatory self-defence duty

Asked whether those performing their mandatory self-defence duty are sent to the frontline during their service, the international organization replied that although the Defence Law at Article 8 stipulated that joining the YPG in a combat role is voluntary, there have been reports suggesting that conscripts serving the mandatory self-defence duty have been sent to the front to fight ISIS.<sup>150</sup>

##### Prevalence of the YPG's attacks against civilians, e.g. bombing a civilian area, or atrocities against prisoners of war

The international organization had no information on this issue.

##### Possible agreement between the Syrian authorities and the Kurdish Self-administration regarding recruitment

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- UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 16 August 2012, A/HRC/21/50, para 52, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50.doc>.
- <sup>148</sup> US Department of State, *Country Reports on Human Rights Practices for 2013 – Syria*, 27 February 2014, p. 22, <http://www.state.gov/documents/organization/220588.pdf>; United Nations High Commissioner for Human Rights, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 16 August 2013, A/HRC/24/46, para 161, [http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Documents/A\\_HRC\\_24\\_46\\_en.DOC](http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session24/Documents/A_HRC_24_46_en.DOC); UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 5 February 2013, A/HRC/22/59, Annex XIII, para 1, [http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A.HRC.22.59\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A.HRC.22.59_en.pdf); UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 16 August 2012, A/HRC/21/50, paras 127-128, Annex XI, paras 2 and 6, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50.doc>; Reuters, *Fear of Retribution Hangs over Syria's Defectors*, 6 August 2012, <http://reut.rs/QFle4f>.
- <sup>149</sup> BBC, *Syrian President Announces Army Deserter Amnesty*, 25 July 2015, <http://bbc.in/1loZjrd>; SANA, *President al-Assad Grants General Amnesty for All Penalties Provided in Some Articles of Military Service Law*, 2 May 2012, <http://sana.sy/eng/361/2012/05/02/416332.htm>; SANA, *President al-Assad Issues General Amnesty Decree for Crimes Related to Current Events*, 16 January 2012, <http://sana.sy/eng/361/2012/01/16/394326.htm>; Aljazeera and agencies, *Assad Offers 'Amnesty' for Opposition*, 16 January 2012, <http://aje.me/xHPyeD>; SANA, *Presidential Decree Grants Amnesty to Conscripts Defaulted from Compulsory Military Service*, 5 November 2011, <http://sana.sy/eng/361/2011/11/05/380134.htm>.
- <sup>150</sup> Syria Direct, *'I Was Scared they Would Take My Sister for Recruitment'*, 21 January 2015, <http://bit.ly/1zwB872>. "Several Assayish-held security checkpoints were erected across the city's streets, where dozens of young men were arrested and taken to the main detention center in Sere Kaniye, awaiting transfer to the fighting fronts, official sources said"; ARA News, *Syrian Kurds Enforce Conscription Law to Combat ISIS*, 1 April 2015, <http://bit.ly/1WhKblf>. See also ARA News, *PYD-linked Assayish Enforces conscription Law in Northern Syria*, 12 October 2014, <http://bit.ly/1NpGZOE>.

The international organization does not have information whether such an agreement exists.

#### Recruitment of Ajanib Kurds

The international organization referred to the applicable law, according to which all Syrian men are obliged to undertake compulsory military service; that would also include men who become naturalized under Syrian law.

The international organization noted that there appears to be considerable uncertainty around the question whether Kurds who have obtained nationality under Decree 49 of 2011 have to comply with the compulsory military service requirement or whether they could, under certain circumstances, be exempted from it. The international organization noted that according to reports, this has resulted in some Kurds not applying for naturalization under Decree 49/2011, or leaving the country altogether.

The international organization referred to the report "The Stateless Syrians",<sup>151</sup> which describes that naturalized *ajanib* were initially required to comply with the compulsory military service in line with the law, and that this obligation created a deterrent for many to apply for naturalization. The report notes that this requirement was removed through an unpublished government decree in December 2011, which provided that naturalized Kurds born before 1993 would be exempted from being conscripted into military service. Nevertheless, the report notes that there have been (unverified) reports of men born before 1993 who were obliged to undertake military service after acquiring citizenship due to the *"governments increasing need to expand its army for the armed struggle."*<sup>152</sup>

The international organization added that contacts consulted by it on the issue in March/April 2015 expressed widely differing views, ranging from sources saying that no decree relating to the exemption from the military service has ever been issued (and thus all naturalized Kurds must serve their military service) to others confirming the existence of such a decree but with different views as to its application. One source told the international organization that the exemption from military service required an additional security clearance, which could serve as a deterrent.

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## Skype meeting with Kheder Khaddour, Carnegie Middle East Center

31 May and 29 June 2015

Kheder Khaddour from Carnegie Middle East Center stated that his information about military service in Syria is about the situation after 2014.

#### Areas of recruitment and groups recruited

In the beginning of the Syrian conflict, the Syrian government recruited people in all areas of Syria, but due to the conflict, the government have lost access to and is therefore not able to recruit in a number of areas which are now under the control of oppositions groups as well as the PYD. The source added that the government within these areas conscripts people from all ethnic and religious groups and no groups are exempted.

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<sup>151</sup> Tilburg University - Statelessness Programme, *The Stateless Syrians*, May 2013, <http://bit.ly/1f7hkOJ>.

<sup>152</sup> Tilburg University - Statelessness Programme, *The Stateless Syrians*, May 2013, p. 21, <http://bit.ly/1f7hkOJ>.

Kheder Khaddour (Carnegie) pointed out that the Syrian regime is facing a big challenge with regard to making people join the army. Most people ignore the service. Young men in military service age would rather join the local pro-regime militia groups. By doing so they can avoid military service in the Syrian army, stay in their own area, and they can obtain documents which make it possible for them to move around through checkpoints.

#### Procedure of recruitment of reservists and profile of the recruited

All young men who have completed their military service before 2011 are a target for being called up as a reservist irrespective of their ethnicity or area of origin in the government controlled areas. Normally the regime will call men in a certain age group, i.e. young men born 1985-88. Usually it will be men in their thirties or in their forties. According to Kheder Khaddour (Carnegie), calling up reservists to military service takes place for example on the basis of a request from a particular division in the Syrian army. The request (fx. "we need 100 persons" or "we need persons with those qualifications") is forwarded to the Military Registration Office (*'Idarat al-Sajalat al-Askariya'*) in Damascus who will then send a list of the names of reservists living in a certain area to the local military recruitment office [*'sho'bat al-tajneed'*]. The local recruitment office will then ask the local police to contact the person at his address asking him to report to the local military recruitment office. If the person is not home a family member will be requested to sign. No copy of the letter will be given to the person himself (nor to the family member who signs if the person is not at home).

Kheder Khaddour (Carnegie) explained that three factors determine who will be recruited as reservist: one's age, one's qualifications and the area one is residing in, i.e. whether it is a government controlled area or not.

As regards the area, Kheder Khaddour (Carnegie) stated that if a person is originating from an area which is not controlled by the government and the government therefore no longer has a local recruitment office or police station, they are not able to call up this person. Due to this situation internally displaced Syrians who have moved from areas controlled by the opposition groups cannot be called up as a reservist even if they move to areas controlled by the government. The source further explained that this has given rise to tension in the coastal area around Latakia and Tartous where Sunnis displaced from Aleppo and Idlib are staying. Since Latakia and Tartous are not registered as their place of birth these Sunnis are not called up as reservists whereas local Alawites living and registered in the area are called up. The source further explained that if such a displaced person approaches a government checkpoint, he should be able to pass through the checkpoint if he has the proper ID documents, as he has not been called up for military service.

However, since elections in June 2014, the regime has set up a new local joint force called *Mushtarka* comprising persons from the Military Police (*al-Shurta al-Askariya*) and the Military Intelligence (*al-Amn al-Askari*). This joint force is in charge of forced recruitment of all young people regardless of their place of registration, in all government controlled areas. One of the main purposes of creating such joint force is, according to the source, to eliminate the possibility of using bribe to avoid military service as it would be difficult to bribe persons from the Military Police or the Military Intelligence in each other's presence. It was added that the *Mushtaraka* operates randomly and they catch people by establishing temporary checkpoints which can change the location from one day to another. However, as the force is still new, there is not much information on how it is organized and how it is functioning, according to the source.

The source emphasized that although the *Mushtaraka* has succeeded in catching and recruiting some of the IDPs from the Northern Syria, in Latakia and Tartus, the general rule is still that people from opposition controlled areas are not being called up for military service since calling up people takes place on the basis of place of registration as mentioned above.

#### Profile of reservists

The source explained that reservists are often called up on the basis of their qualifications. For instance, the army may call up reservists who are able to operate tanks. However, sometimes it is just a matter of a number of soldiers needed, and that for instance a Sunni without any special qualifications could also be called up as a reservist.

Concerning the age of those recruited as reservists, Kheder Khaddour (Carnegie) stated that most of those recruited are below the age of 40. However, the source had been informed by a current officer in the Syrian army that anyone who has finished his military service as a soldier can be called up to service until he is 52 years old. If the person has completed his military service as a sergeant, he can, according to the same source, be called up to service until the age of 54. Eventually, anyone who has not done his military service until the age of 42, cannot be called up to military service.

#### Evaders and deserters

The source said that if a person whose name is on the list of evaders and deserters approaches a checkpoint, he may be arrested and sent to military service.

Checkpoints do not have lists with names. The system is centralized and the guards of the checkpoint will call up to the central checkpoint in the region which will be directly connected to Damascus. Persons will be investigated based on their ID documents/cards.

#### Exemption rules

According to Kheder Khaddour (Carnegie), all exemption rules are still fully implemented in Syria.

#### The Syrian government's recruitment in the Kurdish area

According to the source, the Syrian government does not recruit people to the Syrian army in the PYD-controlled areas.

Kheder Khaddour (Carnegie) mentioned though that there are some Sunni Arabs living in the Kurdish controlled areas in al-Hassakah and al-Jazeera who do not want to join the Syrian army, but who can according to an agreement with the Syrian government serve in a regime-loyal militia group called '*Maghawir*' in their own area.

#### Recruitment of Ajanib

Kheder Khaddour (Carnegie) did not believe that Ajanib Kurds without citizenship are called up for conscription in the government controlled areas, as they are not registered in the system.

#### The YPG and recruitment to the YPG

Kheder Khaddour (Carnegie) stated that recruitment to the YPG takes place on a voluntary basis. The recruited are both men and women who go through the same training, however women are usually not

sent to the frontline. According to the source, women are usually recruited to the Assayish, and not the YPG.

Those who are sent to the frontline have usually been through a training of at least one month's duration.

Those who join the YPG (or the YPJ) receive a monthly salary depending on their qualifications, their participation in fighting at the frontline etc. The minimum salary is around 30.000 Syrian pounds per month.

The source emphasized that since the YPG is a non-state actor, there is not as much specific information about it as it is the case for the Syrian army.

#### Mandatory self-defence duty

According to Kheder Khaddour (Carnegie), the implementation of the mandatory self-defence duty shall be seen as a response by the Kurdish administration to increasing pressure on them with regard to keeping control over the Kurdish area against threats from for instance IS.

The mandatory self-defence duty lasts six months, including the training, according to the source.

The source confirmed that a large number of young men leave the area and go to Turkey or other places. The source explained that their departure is not necessarily related to recruitment but also the fact that there is no work in the area and they try to get a job outside the Kurdish area. According to the source, some of the young men leave the area because they in general are in opposition to the Kurdish political parties – the PYD as well as those parties who are in opposition to the PYD – and their strategies on how to fight for the Kurdish case.

#### Prevalence of YPG attacks on civilian areas

The source had no information about YPG attacking civilian areas systematically and/or deliberately.

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## **Meeting with Haid Haid, Program Manager, Heinrich Böll Stiftung (HBS), Middle East**

Beirut, 26 May 2015

About the source: The organization is dealing with capacity building for civil society groups, including democracy, women's empowerment and citizen journalism for Syrians based in Syria, Lebanon and Turkey. The organization also has a research centre focusing on developments in Syria. The source is a Syrian citizen who travels on and off to areas in Syria which are not controlled by the government (incl. Idlib and Aleppo). He is in contact with people still living in Syria, in government controlled areas as well as areas held by the opposition (Please refer to: <http://lb.boell.org/>)

*Military service in the Syrian army*

### Areas in Syria where the government recruits

According to Haid Haid (HBS), the government recruits more intensively from areas as Damascus and the coastal belt where people are considered more loyal and the government has the full control.

The government only recruits from areas under its control.

### Procedure for military conscription

Haid Haid (HBS) explained that conscripts are called up twice a year, usually around April and October. When a young man turns 18 years, he knows that he will be notified in the next call for conscripts.

As far as the source was informed, the Syrian recruitment system is still functioning reasonably well.

### Exemption rules

According to Haid Haid (HBS), the exemption rules seem to be still in force, i.e. only sons are not serving and persons with medical problems and students are also exempted. The source has not heard of cases where exemption rules are not being implemented.

To postpone one's military service due to study, one has to submit an application with a reason for postponement once a year, usually before February or March. If a new application is not submitted each year, the person's name will appear on the list of persons wanted for military service, by next call.

### Evasion

If somebody is wanted by the regime for military service, his name will appear on a list. These lists are forwarded by the military intelligence to borders and checkpoints. Not all checkpoints have computers. Instead they can enquire to the headquarters via radio whether a person is on the list. There can be a number of reasons for enquiring about a specific person, for instance if his area of origin is in the opposition held areas. Sometimes the intention of enquiring is simply to pressure the person to pay a bribe.

Asked if the regime is actively searching for persons wanted for military service, Haid Haid (HBS) explained that this would depend on the area and available resources. In Damascus and the coastal area where people are considered more loyal to the regime, the police will go to the house, hand over a piece of paper notifying the person to report at a particular time and place. Only if the person still does not report, the police might come back and search the house. If the police on the other hand are suspicious of the person, they will not notify first, but just break into the house and search for the person.

It is possible to bribe an officer to have one's name put on hold for a short period of time, for instance two-three hours, but it is extremely difficult to have one's name deleted from the list. Every now and then, the authorities go through the lists and if a name is deleted, it will appear who has deleted the name. Thus it will be dangerous for a military officer to delete a person's name from the list.

According to the source, it could take weeks before all the lists at the border or at other checkpoints are updated.

The source explained that the possibility of avoiding military service by continuously bribing officials would depend on the connections somebody has, the amount of money he can pay and where the person lives.

Different areas are controlled differently: while in some areas there are many checkpoints, there are only few in others.

According to the source it is extremely difficult for draft evaders to move around in government controlled areas. There are plenty of checkpoints and many different groups are controlling the checkpoints. You can never know which group will be in charge when you need to pass a checkpoint, especially if you are entering a new area or travelling.

The source explained that it is risky to stay in Syria if you are a draft evader but it is not impossible. The possibility for an evader to remain in a regime controlled area by keeping a low profile and using bribes will very much depend on the profile of the person and the place in question. It is generally difficult to avoid contact with Syrian authorities and the authorities will know where someone who is wanted for military service live. If a young man is called up for military service, he may manage to stay in his area for a month or two or maybe even six months, but he would be at risk of being caught or reported by his neighbour. As long as someone is on the list of people wanted for service, he will be at risk.

#### Possible consequences of evasion

If an evader is caught by the authorities, the consequences would be an arrest. The person would be put in jail while being investigated. Afterwards, the person may be sent to serve in the army. However, the consequences also depend on the profile of the person and his connections. If there is any political affiliation with opposition groups, the charges would be more serious.

#### Possible consequences of evasion for family members

The source emphasized that if a young man has evaded his military service, it would not have any consequences for his family. If the person is wanted for political reasons or if he is considered to be affiliated with opposition groups, it would be a different situation.

#### Calling up reservists

Young men from areas known to be loyal to the regime are more targeted for being called up as a reservist than men from areas known to be with the opposition. There are many displaced people coming from opposition held areas in Syria who have moved to the government controlled areas. These people are not considered loyal to the regime, especially not if they are Sunnis. However, the regime needs manpower for the army and these people could still be recruited and sent to serve under a commander who is loyal. They would often be sent to risky areas.

According to the source, the regime would also target people with qualifications, people from loyal areas, and people with high ranks. However, this does not mean that others are not called up. The army needs people to send to the dangerous areas. The source referred to reports estimating that the government at present controls only 25% of the area in Syria, which is the reason why people living in the government controlled areas are under pressure to join the Syrian army due to the needs for more manpower.

The source assumed that men who are called up are between 18 and 42 years old. A person older than 42 would usually not be called up, but the source emphasized that the present situation in Syria is not stable and unpredictable.

Regarding the procedure for calling up reservists, the source stated that depending on the need reservists would either be notified or simply taken by force.

### Desertion

According to the source, there are many people who are not joining the army, and there are also people who are deserting.

The extent of desertion is difficult to assess as there is no statistics. Desertion will depend on how people have joined the army, that is whether they have been recruited on a voluntary basis or by force.

There are still a number of scenarios for desertion according to the source.

The circumstances under which desertion takes place, is often connected to a situation where the army is under siege. The opposition groups would approach the soldiers with the option to surrender or escape. If someone managed to escape, he would most likely leave the country.

If the soldiers are in a situation where they cannot leave their bases, they may be able to bribe their officers to be granted a leave or be discharged for medical reasons. If there is a contact to the opposition groups, the soldier may surrender to the opposition. If one's unit comes under attack and many soldiers die, one may be assumed dead. Normally, the authorities would not search for someone who was participating in an attack with only few survivors.

### Possible consequences of desertion

If a deserter is caught by the authorities, it would have serious consequences. The person would be arrested, tortured and be charged at a military court. If a soldier deserts from a battle in time of war, it is considered an act of treason which carries the ultimate punishment, i.e. a death sentence.

Asked what the consequences of desertion would be for the deserter's family members, the source replied that most likely the family members would not be affected.

### Extent to which conscripts are being deployed in offensives

According to the source, everyone could be sent to the frontline.

### Possibility to serve in the NDF as an alternative to military service

According to the source, it is an option for the young men to join the NDF instead of performing military service in the Syrian army. If a young man in the military service age joins the NDF, this will be listed with the authorities. It is considered easier to serve in the NDF than in the Syrian army because the conscripts will stay in their own areas. If joining the NDF, the conscript can often serve at a checkpoint, and he will rarely be deployed to the frontline. The Syrian authorities do not care which force people join as long as they are serving.

However, some families will not accept that their sons join the NDF, as the NDF have a very bad reputation of being involved with illegal activities, including looting and harassing people particularly women, at checkpoints.

According to the source, a person who is not loyal to the regime, will not join the NDF, as the NDF are considered hard-core regime loyalists. In addition, as the NDF in each area comprise people from the same



area who know each other, they know who is loyal to the regime in the area and who is not. A person who is not loyal to the regime will therefore never be allowed to join the NDF.

There are different branches of the NDF and each branch may comprise a certain ethnic group. There are also Sunni groups who are considered loyal to the regime and join the NDF.

Some minors are serving in various militia groups, but there is no reports that they were forced to join. They have instead been motivated to join.

#### *Situation in the Kurdish areas*

According to the source, people living in the Kurdish areas are expected to serve their Mandatory self-defence duty and if they do not join voluntarily, they will be forced to join. The source found that the recruitment system in the Kurdish areas is similar to the system on the government side. However, the Kurdish recruitment system is less strict than that of the government. For instance, you can avoid military service if you are staying in remote villages. The main drive for recruitment will be the cities and the most populated areas.

#### Prevalence of the YPG's attacks against civilians

The source could neither deny nor confirm whether there have been cases of the YPG attacking civilian residential areas.

#### Possible agreement between the Syrian authorities and the Kurdish administration regarding recruitment

The source would assume that there is an agreement between the government and the Kurdish administration as the government does not recruit in the Kurdish areas.

#### Ajanib Kurds

Most Ajanib Kurds are staying in the Kurdish areas at present.

However, according to the source, if Ajanib Kurds stay in the government controlled areas, they would have to serve in the Syrian army even if they are not Syrian citizens.

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## **Meeting with Nadim Houry, Dep. Director, Middle East and North Africa, Human Rights Watch (HRW)**

Beirut on 27 May 2015

Nadim Houry (HRW) emphasized that at present, he did not have updated information on the situation in the Kurdish area. He further emphasized that access to the government controlled areas is very difficult and that information from these areas is difficult to verify.

#### *Military service in the Syrian army*

#### Areas in Syria where the government recruits for military service

The government is recruiting in all areas under its control. According to Nadim Houry (HRW), mobilization has increasingly become decentralized, and in certain areas the mobilization has been

intensified. The source mentioned that the supply lines to these isolated areas are cut which is also a reason for the army to recruit locally. Local mobilization often depends on the demographic structure of an area. The source referred to reports that the government is now paying conscripts from minorities living in certain areas (as for instance Druze). By and large, all ethnic groups are being recruited by the government. Regarding recruitment of the Sunnis Nadim Houry (HRW) emphasized that they are both serving in the regular army and in the NDF.

There have been complaints in the Alawite community in Latakia about calling up people for the reserve.

#### Procedure for military Conscription

The source considered that generally the recruitment system is still functioning in Syria. There have been some changes, but all in all the recruitment system is still in place.

Nadim Houry (HRW) assumed that today the regime uses the same database over conscripts as they did before. He further assumed that it was not difficult for the government to find the conscripts. The source added that people still move around and cross from e.g. rebel controlled areas to areas controlled by the government for all sorts of reasons. For instance, it is necessary to go to the government controlled area in order to have newborns registered or to go to Damascus for medical treatment or to pass an exam. Nadim Houry (HRW) explained that if a person crosses into a government controlled area he would risk being arrested and recruited to the Syrian army if he is on the list of people wanted for military service.

Nadim Houry (HRW) had heard rumors that the regime is recruiting conscripts more aggressively now, but he was not sure whether it is actually the case.

The source also emphasized that one should remember that although the Syrian army is losing territories to the opposition groups, they are still in control of the areas where the majority of the population lives.

Nadim Houry (HRW) mentioned that for those recruited it has become difficult to obtain leave. At least those in positions which are hard to fill, such as doctors, are not allowed to leave the country. He further mentioned that large bribes are often paid by soldiers wishing to avoid being deployed to certain areas.

#### Exemption rules

Nadim Houry did not have any information on whether rules on exemption from military service are still in place.

#### Possibility to serve in the NDF as an alternative to military service

According to the source, the security situation varies much from area to area in Syria today. While the coastal area is a relatively safe area, the southern part of the country is a war zone. In general,

due to the ongoing conflict, all communities have become increasingly militarized and most communities have organized their own militias.

Regarding the NDF, Nadim Houry (HRW) explained that these are paramilitary groups which have been trained as guerilla forces. They were created about two and half years ago with the assistance from Iran.

The NDF consists of people from all ethnic groups. The NDF were initially small militia groups which later became an umbrella for many different militia groups loyal to the Syrian regime, including militia groups organized by minority groups such as Christians, Druze as well as pro-regime Sunnis.

It is possible to join the NDF as an alternative to military service in the Syrian army and many join the NDF to avoid military service and to stay in their own areas. However, the NDF have also been deployed to the frontline. Referring to the increased number of people serving in the NDF, the source considered it less difficult to recruit a person to defend his own area.

#### Extend to which conscripts are being deployed in offensives

Nadim Houry (HRW) considered it likely that conscripts could be taken to fight at the frontlines. However, according to the source, there are many different kinds of frontlines. At certain strategic frontlines it would probably be Special Forces which are used in fighting.

#### Procedure for calling up Reservists

Nadim Houry (HRW) did not have accurate information on how reservists are called up. Asked about the age for reservists being called up, Nadim Houry (HRW) considered this to be around 30. The source was not aware of an upper age limit, adding however that it would not just be young men.

#### Evasion

Asked about the possibility of evading by using bribery, Nadim Houry (HRW) answered that bribery is overwhelming in Syria as the country is in the middle of a war. The source said however that bribery is more prevalent in some areas than others and that not everybody can be bribed. The source stated that he would not be surprised if evaders succeeded in getting their names off the list of persons wanted for military service by using bribe. It could also be that a bribed officer would turn the blind eye or simply say 'we cannot find him'.

#### Desertion

Typical ways of deserting mentioned by Nadim Houry (HRW) were either to pay bribe to obtain a leave from service and then not to show up again, or to escape in the chaos of battle or during a siege where rebels would often offer soldiers safety if they deserted.

Nadim Houry did not have information on the prevalence of desertion in recent months.

Nadim Houry (HRW) mentioned that deserters could either leave the country, live as internally displaced or change allegiance and fight for the opposition. In certain areas it might even be possible for the deserter to stay in his home area, but it would depend on the area. In a rebel held area, a deserter can probably stay for years.

It is becoming increasingly difficult to cross the border to neighboring countries particularly for young men. The difficulties are both related to the fact that at the Syrian side they are likely to have information about persons wanted by the military, and to the increased restrictions imposed by the neighboring countries to enter.

Regarding the possibility of crossing a checkpoint for an evader or a deserter, Nadim Houry (HRW) explained that checkpoints are different, and that the authorities are not looking for evaders and deserters at all checkpoints. In addition, the list of persons wanted for military service is not available at all checkpoints. Military checkpoints are found both in the cities and in the country side, and sometimes in case of a ceasefire, joint government-opposition checkpoints are even established.

Asked about possible consequences for an evader or deserter caught by the regime, Nadim Houry (HRW) answered that it would depend on a number of factors. The evader/deserter may be sent to the front or he can also be jailed, in which case ill-treatment can be expected. But while an Alawite from the coastal area might just get a 'slap on the wrist', a working class Sunni from an area known to be supportive of the opposition might be investigated and be subject to harsh treatment, accused of having supported the opposition.

#### Consequences of desertion and evasion for family members

Nadim Houry did not have information on possible consequences of evasion or desertion for the family of a deserter or evader.

#### *Situation in the Kurdish controlled areas*

#### Prevalence of attacks by the YPG against civilian

Asked whether the YPG have carried out organized attacks against civilians or civilian residential areas, Nadim Houry (HRW) replied that he had heard rumors about YPG attacks against civilian areas in connection with the YPG's recapture of villages from the IS, but these rumors had not been verified or documented. The source emphasized that there is a lot of propaganda in Syria and between Kurdish groups.

#### Possible agreement between the Syrian authorities and the Kurdish Self-administration

Asked whether the Syrian authorities and the Kurdish Self-administration has an agreement regarding recruitment to their respective forces, the source replied that there is apparently some form of informal agreement between the PYD and the Syrian regime on not to interfere in each other's affairs. The Syrian government is thus not recruiting people in the area controlled by the Kurdish Self-administration.

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## Meeting with Prof. Bassel Alhassan, Faculty of Political Science, Lebanese University

Beirut, 25 May 2015

About the source: The source is a Prof. in political science at a Lebanese University. The Prof. is directly linked with people inside and outside Syria on both sides of the Syrian conflict, i.e. Syrian opposition and activist groups as well as Syrian authorities, and he is also in contact with international organizations. He has been following the situation in Syria closely since the early uprising in 2011.

### *Military service in the Syrian army*

#### Areas in Syria where the government recruits

The Prof. informed the delegation that the government recruits basically in the areas inhabited by ethnic groups loyal to the regime such as Alawites, Ismaelis, Druze and Christians, including the coastal line and the areas close to the Northern border with Lebanon.

In some areas, one finds a large number of young men in the age group 18-30 years from religious minorities such as Alawites, Druze and Christians who have voluntarily joined the army for two reasons: they want to protect their own areas and they are under the influence of pro-regime political parties in these areas. This does not mean that there are not Alawites, Druze or Christians who are conscripted against their will, but these are few in numbers.

Sunnis from the government controlled areas are called up for military service, but they serve in specific units dealing with simple tasks such as logistics, and they do not take part in fighting as the government does not trust them and is afraid that they would defect. Rural areas inhabited by Sunnis are mostly under the control of the opposition groups such as IS, al-Nusra and the FSA and the government therefore does not have access to them. However, the Prof. emphasized that even in these areas, the armed opposition groups have made their own systems of mandatory military service for recruiting people living there.

#### Procedure for calling up conscripts and reservists

The Prof. found that those who are conscripted today are mainly people supporting the regime, either because they are under the influence of the regime's nationalist ideology or because they belong to minorities who believe that the regime protects them against Sunni groups. Therefore, these conscripts are ready to fight to the end for the regime. The source mentioned that there are also secular Sunnis supporting the regime which they consider as a secular regime, and there are also Sunnis who support the regime because of the regime's Arab nationalist ideology, but they are few and should rather be considered as exceptions. The source further mentioned that especially Alawites are defending their own existence by joining the army and recently even Alawite women have started participating in fighting at the frontline and you find women who drive tanks or are snipers.<sup>153</sup>

The Prof. explained that the names of persons wanted for service appear on a list of all persons turning 18 which is issued by the Ministry of Social Affairs. The list contains name of the person, name of the father

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<sup>153</sup> See also Syrian Observer May 21st 2015

and the mother, and the person's address. The lists are forwarded to high officials in the Syrian army who will forward them to the recruitment centres, to the police departments, the security service and municipality administrations ("Mukhtars"/mayors), and to the borders. The authorities will then decide to call up a certain age group, for instance all young men born between 1985 and 1987 in certain districts. Every year more names are added to the list.

The lists are also forwarded to Syrian embassies abroad. The Prof. explained that if someone who has left Syria legally wants to renew his passport at an embassy abroad, the authorities will know if he is wanted for military service.

#### Calling up reservists for military service

The Prof. stated that in principle everybody can be called up for military service as a reservist. However, since 2011 only certain age groups or people with certain qualifications are called up as reservists, depending on what is needed, e.g. people who have worked with logistics or production of ammunition. This is because the Syrian government knows that if they call up all reservists, it will lead to resistance to military service.

When calling up certain age groups as reservists, the authorities use the same procedures as for calling up conscripts.

Regarding reservists, the upper age limit is still 42, but there are cases in which technicians over the age of 42 are called up to join the security services.

#### Possibility to serve in the NDF as an alternative to military service

There are today three options for doing your military service: you can either join the army, the NDF or the self defence groups ('Amn al-Zati').

The NDF is considered a parallel army with regard to the Syrian army, and it may participate in several battles. While the NDF may fight in other areas than their own, the self-defence people only fight in their own area.

Since 2014, for the purpose of reducing the number of desertions, the government has made it possible for young men from the religious minorities (Christians, Druze, etc.) who reach the military service age to serve in so-called self-defence groups ('Amn al-Zati') instead of joining the army or the NDF. Unlike the army or the NDF, people joining self-defence groups are not deployed to other areas to participate in fighting as their sole duty is to defend their own area. Due to this new possibility, the number of desertion has decreased within the last year.

#### Evasion

The Prof. considered it possible that a person whose name is on the list can avoid drafting by bribing responsible officers. The Prof. emphasized that Syria is in a chaotic situation and bribing is a wide-spread phenomenon at all levels, from low level officers to high ranking officials. It could even be that the officer at the checkpoint is sympathetic towards the person and let him pass. However, you will not be able to have your name deleted from the list by bribing. Even if you succeed in passing through a checkpoint by bribing, you will have to bribe again next time you need to pass through a checkpoint.

#### Exemption rules

The Prof. referred to the Decree 33 from August 2014 by which it is possible to be exempted by paying a certain amount. This applies to people who have left Syria legally to work or study abroad for a minimum of four years and to sons of diplomats. The Prof. mentioned that many urban Sunnis who belong to the middle or upper classes and who have been outside Syria have benefited from this Decree 33.

Students are still exempted but the Decree also stipulates that students can perform certain periods of their service during holidays which will later be deducted from their military service.

Handicapped people and only sons are also still exempted.

#### Discharge

The Prof. stated that since 2011 nobody has been discharged from military service. Only people who are injured while performing their service have been discharged. However, the Prof. mentioned that if you have the right connections, you may succeed in being discharged from the army.

#### Desertion

As regards the circumstances under which desertion take place, the Prof. explained that in order to obtain leave, a soldier has to have connections and he will then not return. It is also possible to bribe higher officials in the military to turn the blind eye and let you go. In order to leave government controlled areas, deserters establish contact to opposition groups who can assist them.

#### Consequences of evasion

The Prof. informed that if somebody whose name is on the list of persons wanted for military service is caught by the military he will be sentenced to jail. He will then spend one year in jail after which he will be sent to perform his military service. The length of his prison sentence and his return to service may depend on the area and the branch he will have to serve in.

According to the Prof. it is impossible to succeed in bribing officials every time you are caught if your name is on the list of wanted conscripts. This is because one out of ten officers may not take the bribe. In addition, there may be people who are on bad terms with the evader or the deserter and will report about him to the authorities. According to the Prof., this is the reason why draft evaders and deserters have no choice but to either leave Syria (through Lebanon or Turkey) or move to the opposition areas.

#### Extent to which conscripts are being deployed in offensives

The Prof. pointed out that since the beginning of the Syrian conflict, 70% of the Syrian army has not been deployed to the frontline. The reason behind this is that the government knows that the more they send people to the frontline, the more people will defect. It is mostly the Fourth Division and the Special Forces who together with pro-regime militias participate in fighting at the frontline and recruits are usually not used in fighting. The strategy of the army is to take an area with the Special Forces who will then be moved to other areas while other parts of the military will come in to control the area. The Syrian forces are supported by the air bombing by the foreign allies and also Hizbollah fighters, which is easing the pressure on the Syrian army.

#### *Situationen in the Kurdish controlled areas*

#### Procedure for conscription to the mandatory self-defence

It is a duty of the Kurds to participate in the mandatory self defence. All young men in the age between 18-30 years in the areas under the Kurdish Self-administration have to perform this duty.

The Kurdish Self-administration has more or less adopted the Syrian conscription system and issues lists with the names of persons wanted for the mandatory self defence service. According to the Prof., the corruption in the Kurdish area is very limited and it is not possible for someone on the list to bribe his name off the list.

All ethnic groups in the area are called up to join the mandatory self defence duty, but the Kurdish authorities have different ways of approaching different groups. While the Kurds are forced to perform their mandatory self-defence duty, the minorities are rather encouraged to perform the duty. The non-Kurdish men are sometimes better paid (250 or 300 USD instead of 200) when they serve. However, the Prof. emphasized that the Kurdish Self-administration does not trust Arab Sunnis who according to the administration do not share the Kurdish national ideals and whose identity is rather based on religion.

When people have completed their mandatory self defence duty, they should in principle be free to go. However, this is not the case in practice and people cannot leave and they have to continue serving in the YPG.

#### Consequences of desertion and evasion

According to the Prof., there have been very few cases of desertion from mandatory self-defence duty. According to his information deserters will be jailed. There is also unconfirmed information about deserters being shot when trying to desert. The source had read about three young men from the same family who had been shot when trying to desert from the Kurdish forces. Asked whether these young men were members of the YPG or they were performing their mandatory self-defence duty, the source replied that he was not sure whether they were mandatory self-defence recruits or YPG members.

According to the Prof. there is resistance to mandatory self-defence duty from young Kurds. Some of these Kurds have reported that they have been forced by weapon to join the mandatory service, and if they refuse, they will be sent to jail.

Groups of recruiters go from house to house and arrest people who do not join the service. The Kurdish authorities are also using social media to search for draft evaders, for instance "Whatsup" where they post a photo of the evader.

#### Recruitment to the YPG

According to the Prof., the mandatory self-defence duty is the new way through which the YPG recruit people. The people serving their mandatory self defence duty may therefore also be sent to the frontline to fight for the YPG.

There are also examples of 15-16 years old boys who have joined the YPG, but according to the Prof. these young boys are not recruited by force.

#### Prevalence of attacks by YPG against civilians

Asked if there have been cases of the YPG systematically attacking civilians or civilian residential areas which have led to loss of civilian lives, the Prof. said that there is no documentation that such attacks have taken place. Neither is there any proof of cases of ill-treatment of war prisoners by the YPG. The Prof.



emphasized that one always finds stories or rumors about atrocities committed by the PYD/the YPG, but such stories are often made for political purposes by the parties opposed to the PYD.

#### Agreement between Government and Kurdish Self-administration

According to the Prof. the Syrian authorities and the Kurdish administration have made an agreement about not recruiting to their respective forces in each others' areas. When the Syrian army withdrew from the Kurdish area in 2012, they left weapons in the area according to an agreement with the PYD. The Syrian regime has recognized the Kurdish Self-administration and does not recruit in the Kurdish controlled areas.

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### **Meeting with Prof. Abbas Vali, Dept. Sociology, Faculty of Arts and Sciences, Bogazici University**

Istanbul, 1 June 2015

#### Recruitment to the Syrian Army

The military service law is no longer working in Syria. The recruitment is far from the established procedures stipulated in Syrian law.

In the previous structure, it was mainly Alawites and associated interest groups such as Christians who due to their loyalty to the regime were recruited to the army to serve in the officer corps. The persistence of this structure has made it possible for other groups to be exempted from military service by paying a bribe at present. Now the regime is using coercive means and methods to force rather than recruit people into the army. It cannot, however, be ruled out that some of the conscripts join the army, by their motivation to defend a secular regime against a largely fundamentalist Islamist opposition. But many young men have left Syria to avoid recruitment since the onset of the crisis.

The majority of Sunnis who previously would have been able to avoid military service by paying a bribe can no longer do so and they will also be taken in though by various coercive means and methods. If they refuse, they will be sent to prison and they will no longer be able to work in a government office. There may still be some young men in the business community in Syria who could manage to avoid the service by paying a bribe. But, it is said, it has now become terribly expensive to avoid military service by paying bribes.

The Prof. emphasized that it is important not only to focus on the formal military structures and their organizational rules and procedures such as the Syrian army. One should also look at the pro-regime militias since these have played an increasingly important role in the Syrian conflict in recent years. In addition to the local militias organized and maintained by the state, there has been an influx of Shia Islamist foreign fighters, trained and supported mainly by Iran and the Hizbollah, who are fighting alongside the Syrian army. Abbas Vali pointed out that there is a considerable number of Iranians in Syria training the local militias, and there are also Afghan fighters recruited as mercenaries by the Iranian government from the sizable Afghan refugee community in Iran. They are a salaried force actively involved in the war.

#### Exemptions

Given the situation of crisis and war, it is safe to assume that exemption from military service is very limited, according to Abbas Vali. People may still be exempted for serious medical reasons, but the medical

problems should be serious enough to warrant exemption which has to be approved by the medical authorities in the military.

#### The National Defence Forces (NDF)

It is possible to join the NDF as an alternative to military service. Some of those who join NDF are motivated by a desire to protect their own locality in the area. In many areas, the eligible men are either to join the military or the local militia in order to defend their neighborhood. Most of the people who join the NDF would remain and serve in their own areas, but as the security situation has been deteriorating by the day in many areas and there is an urgent need for manpower, Abbas Vali did not rule out the possibility that these local forces could also operate in other areas, in the town or outside it, to support the Syrian army. The NDF is, according to the source, a secondary force to the Syrian army, and evidence of the war in the past four years suggests that there is a strong loyalty and commitment to the regime among those joining this organisation.

Displaced people may also be a target for recruitment to the NDF.

#### Extend to which conscripts are deployed to the frontline

According to Abbas Vali, frontline operations are always organised by the Special Forces which constitute the hard core of the Syrian military. These forces do not seem to have lost their moral. However, as there is still need for active participation of the army at large at the frontline, one cannot rule out the possibility that men conscripted into the army would be deployed to the frontline. The deployed conscripts are sometimes not trained properly or not trained at all.

#### *The situation in the Kurdish areas*

#### Recruitment to the YPG

The recruitment to the YPG is voluntary, often induced by ideological commitment and the duty to defend the “motherland” . The YPG has boosted its position as a result of the defence of Kobane against the ISIL, which gave it a lot of clout. According to the source, presently the YPG is not in need of manpower. The source found it hard to believe that the YPG recruits people by force.

In the YPG, there is a group of hard core fighters trained by the Kurdistan Workers Party, the PKK. This group is deployed to the frontline operations. Abbas Vali estimated that this group would constitute 25 % of the YPG’s fighting force. Since the battle for Kobane in which a number of fighters with a minimal training lost their lives, the YPG has been training and consolidating their force in order to reduce the number of losses in future battles.

#### Mandatory self defence duty

Abbas Vali did not have any information on how the new law on mandatory self defence is being implemented. The source considered the mandatory duty as a way of recruiting people to the YPG and as an attempt to institutionalize the YPG in order to sustain their supremacy.

#### Possible attacks by the YPG against civilian residential areas

Abbas Vali considered it highly unlikely that the YPG had been involved in attacks against civilians .

#### Possible agreement between the Syrian authorities and the Kurdish Self-administration

According to the source, there is an agreement between the Syrian regime and the PYD administration according to which the regime would not recruit to the Syrian army in the area under the Kurdish Self-administration.

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## Meeting with Rami Sweid, a Syrian journalist from Aleppo

Gaziantep, 2 June 2015

About the source: Rami Sweid, a Syrian journalist living in the opposition controlled part of Aleppo. Rami is an editor in chief of a Syrian magazine, *Algherbal*<sup>154</sup> and has reported on the situation of the Syrian army for *al-Arabi al-Jidia*<sup>155</sup>. He has reported for instance on the army's losses, on how parts of the Syrian army have turned into militia groups and on the situation of deserters and evaders.

### Calling up Reservists

The Syrian army has, for a number of reasons, intensified its recruitment of reservists recently. Firstly, due to the ongoing conflict, the regime is not able to train new soldiers properly which makes the government more dependent on people who have already been trained before the conflict started in 2011. The people who finished their military service before 2011 have all obtained a number of qualifications during their service depending on their ranks, duties and place of service, but not everybody is called up to join the army as reservist. The regime is particularly calling up reservists with specific qualifications as for instance people with expertise from the air force, tank drivers, and artilleryists. At the moment, new recruits receive a very limited training of 60 days duration during which they only learn how to handle simple rifles while before the conflict, the training took nine months. Secondly, the regime has lost control over entire military bases in Aleppo and Idlib which were previously the biggest bases used for training of new recruits, and which are now captured by opposition groups. The military base in Aleppo (*Madrisat al-mushat*) which is a big base (three kilometres wide and seven kilometres long) has been under the control of opposition groups since December 2012. Furthermore, the government has lost control over vast areas of the country which means that the regime has less territory left for recruiting new soldiers, and is more dependent on calling up former soldiers in the regime held areas.

There is a department in the Syrian army called the Military Security, which is a military intelligence responsible for detaining former soldiers and making them join the army. This is done through checkpoints in government controlled areas.

Rami mentioned that in December 2012, there was a huge campaign in the regime controlled area of Aleppo city where the Military Police through a raiding of people's houses detained about 600 persons between the age of 24 and 32, who had finished their military service, and sent them to military service. All these 600 persons had specific qualifications which made them wanted by the regime. During a similar campaign on December 13<sup>th</sup> 2013 in the city of Jabla in the province of Lattakia, the military police detained 37 people at their homes and sent them to military service. The majority of inhabitants in Jabla are Sunnis and all the 37 detainees were also Sunnis, which indicates that the government recruits among all ethnic groups.

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<sup>154</sup> <http://www.algherbal.com>

<sup>155</sup> <http://www.alaraby.co.uk/portal>

According to Rami Sweid (journalist from Aleppo), it is reservists between the age of 35 and 40 who are the target group for the government's effort with regard to recruiting reservists. There are reservists in the Syrian army who are over 40 years old, but they have joined the army on a voluntary basis.

The Syrian regime calls up people from all parts of Syria regardless of whether they are living in a government controlled or opposition controlled areas. Although the government does not have access to people living in opposition controlled areas and thus are not able to notify them about military service, their names will be put on the list at checkpoints.

Reservists in the regime held areas are notified about their military service by a letter which is brought to them at their homes by the military police. In the letter, they are asked to report to the local recruitment office within a certain period of time, for instance a week. If a person does not show up, his name will be put on a list which is available at checkpoints.

At some checkpoints, there is a lap top with access to the list of people wanted for military service. Checkpoints which do not have such computer would call by walkie-talkie other checkpoints with access to the list asking them to check people's identities and whether they are wanted for military service.

#### Evasion

In addition to those whose names are on the list of persons wanted for military service, there are two groups of people who are particularly targeted at checkpoints and who risk being dragged out and sent to military service: those who are from the areas controlled by opposition groups and those between 18 and 35 years old.

Also IDPs from opposition controlled areas, who have moved to areas controlled by the government such as Latakia and Tartus will be dragged out when approaching a government checkpoint. Even though the government does not know about these IDP's whereabouts, and thereby cannot notify them about their service, their names will nevertheless be put on the list of persons wanted for military service at checkpoints based on their age/date of birth. As an example, the source mentioned that about 300.000 regime-loyal people have moved from opposition controlled areas to Latakia in recent years due to the bombardments of their areas of origin. These IDPs are not called up for military service, but their names are on the list.

By checking people's ID cards which contain information about the card holder's place of origin and birthday, it is possible to identify such persons. Rami emphasized that it does not mean that people from government controlled areas are not at risk of being dragged out at checkpoints and sent to military service, but that the risk is much higher for persons from opposition controlled areas.

Asked whether the identity of each and every person approaching a government checkpoint would be checked based on the list of persons wanted for military service considering the fact that the list might be long, Rami replied affirmatively. He explained that it does not take much time to check people's IDs on a computer, and additionally people in charge of checkpoints would not mind even if it took long time. If a bus with for example 50 passengers approaches a checkpoint, a soldier comes up and collects all passengers' ID cards and it can sometimes even take one-two hours before the identities of all passengers are checked.

It is not possible for a wanted person to bribe his way through a checkpoint unless it is arranged ahead of time. It means that an evader should make a deal with and pay the head officer at the checkpoint in question in advance. Bribing in such cases is presently quite costly (4,000-5,000 USD) and it is mostly used by people who intend to leave the country.

Asked whether the source could confirm that people sometimes can bribe their way through a checkpoint by paying very small amounts of money, for instance a couple of US dollars, the journalist replied that it had been the case long time ago, that is in the beginning of the Syrian uprising in 2011 and 2012, but now it is quite expensive to bribe checkpoint officers. Rami explained it by saying that the Syrian army has become more organized and its security control measures have become stricter as a result of its heavy losses in recent years. Therefore, it has become more difficult to make one's way through the control at checkpoints.

It is not possible, through bribing, to have one's name deleted from the list of persons wanted for military service as the list has also been sent to other checkpoints as well as other organizations and offices such as intelligence services, borders, airports, Ministry of Interior etc. Even if someone was able to have his name deleted from the list at a checkpoint, his name would appear on the list in other places. In light of this, an evader would have to bribe his way through each time he passes a checkpoint.

The journalist did not rule out the possibility that people wanted for military service would be able to obtain a passport through bribery, but it would be quite expensive to do so.

#### Consequences of evasion

A list containing names of evaders are sent to checkpoints. If an evader approaches a checkpoint, he would therefore be arrested and they might also torture him to find out whether he has connections to opposition groups since he has not performed his military service. If the person is found not to have any connection to the opposition, he will be sent to a military training camp immediately. The torture used against evaders is usually not as harsh as torture used against political activists, however an evader could be beaten up, deprived of food or put in a confinement cell (1m x 2 m.) where he would be pestered with high noises from speakers installed in the cell for that purpose.

#### Desertion

According to the journalist, the number of defections from the army fell dramatically during 2012-2013, but since September-October 2014 when the government started calling up reservists in a massive way, the number of deserters started to rise again. This is because most of these reservists have been taken to military service against their will, and some of them may even be opposed to the regime.

#### Consequences of desertion

Deserters have two options: either to move to an area controlled by opposition groups or to leave the country. If a deserter stays in a regime controlled area, he will risk being caught and tortured to death. There are a large number of cases, documented by human rights organizations, of defectors being buried by their families with a bullet in their head. These defectors have been tortured upon their arrest and they have most probably been executed. Rami mentioned that according to the Syrian law, a person who flees the battlefield should be brought before the court and sentenced to death.

Regarding typical situations in which people defect from the Syrian army, the journalist mentioned that most defections (about 90%) take place when the Syrian army stationed in an area is attacked by opposition groups. In these situations, in early hours of the morning, opposition groups usually use speakers to encourage soldiers in the Syrian army to defect and come to their side. If a soldier lays down his weapon and approaches the other side, the opposition fighters will not shoot at him and they will protect him by shooting at the rest of the army in order to prevent them from shooting the defector.

Soldiers have sometimes defected from bases which are completely isolated and whose location is far away from inhabited areas, even though this is immensely difficult and dangerous. This would be for example the case for a person who wants to defect from T4 and Al-Seen airports as he might not be able to survive walking through the surrounding desert due to thirst, dangerous animals and last but not least the regime's air patrols who regularly monitor the area with regard to possible attacks from opposition groups. The air patrols would immediately shoot anyone walking in the area. Rami mentioned another example of such dangerous desertion situation by saying that when some deserters escaped to the Eastern part of the Qalamoon Mountain, they found bones from soldiers who in 2011 had defected to the mountain for hiding there but who could not survive most probably due to lack of food and water.

#### Consequences of evasion and desertion for family members

Regarding consequences of evasion for the family members, Rami mentioned that the Military Police would come to the evader's house to search for him, but nothing would happen to the family. In very rare cases, a family member, for instance the evader's brother, may be arrested for a couple of days and beaten up to make him inform about the evader's whereabouts. However, it was emphasized that these are very rare cases. Otherwise the family members would not be bothered if the person is searched for military reasons only.

Asked about consequences of desertion for one's family members, Rami said that the consequences would be the same as for the families of evaders, which means that nothing would happen to one's family. Rami had not heard about families being threatened, but nevertheless stated that in very rare cases this happened.

The Syrian journalist underlined though that usually families of deserters live in opposition controlled areas, and the Military Police does not have access to them. There are cases of people defecting to opposition controlled areas while their families still live in areas controlled by the government, but these are rare cases.

#### Enforcement of exemption rules

The exemption rules are fully enforced and respected by the Syrian regime as well as the military intelligence, according to the journalist.

#### Possibility to serve in the NDF as an alternative to military service

In the summer of 2013, the Syrian regime issued an order by which conscripts who were recently called to the army can serve in their own area by joining one of the militia groups supporting the regime. The militia groups under the NDF are present in most of the government controlled areas. Rami mentioned that some of the IDPs in Latakia have joined militia groups under the NDF.

There is no law or regulations regarding recruitment to pro-regime militia groups such as the NDF, which means that they can behave as they want and they can force whoever they want to join them, for example they can force an only son of a family, who is otherwise exempted from military service according to the law, to join them.

Asked about the extent to which recruitment of new members to pro-regime militia groups takes place forcefully, the journalist replied that there are very few cases of forced recruitment of new members to these groups. As an example of a case where new members have been recruited by force, Rami mentioned that if a person who has a joint business with another person wants to get rid of his partner, he can go to militia groups and bribe them to come and recruit his partner by force.

The source emphasized that the vast majority (95%) of those who have been recruited to militia groups, have joined these groups on a voluntary basis. However, the severe losses and the increasing pressure which pro-regime militia groups have been facing lately, have made some of their members to leave, and in such cases, the militia groups try to force former members to join the group again by putting pressure on their families, by for instance kidnapping close family members (brothers etc.).

#### Discharge

Usually people should be discharged after their military service period in the Syrian army has ended, but no one has been discharged since May 2011.

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## Meeting with Ibrahim Jum'a, the representative of TEV DEM<sup>156</sup>

Beirut, 26 May 2015

### *Situation in the Kurdish controlled areas*

#### Procedure for PYD's conscription for the mandatory self defence duty

The aim of mandatory self-defence duty is to train people in defending themselves, according to TEV DEM.

One week ago (mid May 2015), the mandatory self-defence duty was announced in Afrin for the first time. The Kurdish Self-administration has started registering names of those who are to be called up for the mandatory service in Afrin, and it is expected that the first group will be called up within one month. In al-

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<sup>156</sup> "Rojava Democratic Society Movement (known by its Kurdish acronym, TEV DEM) comprises political parties, civil organizations, women's organisations, youth organizations etc. Among the parties which are members of TEV DEM, the source mentioned the Democratic Union Party ("*Hizb a-Ittihad al-Dimoqrati*") known as PYD, the Liberal Union Party ("*Hizb al-Ittihad al-Liberali*"), the Kurdish Democratic Peace Party ("*Hizb al-Salam al-Dimoqrati al-Kurdi*"), the Democratic Party of Kurdistan, Syria ("*al-Barti al-Dimoqrati al-Kurdistani, Suria*"), the Kurdish Communist Party ("*al-Hizb al-Shiu'i al-Kurdistani*"), the Kurdish National Unionist Party ("*Hizb al-Tajamo' al-Watani al-Kurdistani*"), the Kurdish Democratic Party for Change ("*Hizb al-Taqir al-Dimoqrati al-Kurdistani*"), the Democratic Leftist Party ("*Hizb al-Yasar al-Dimoqrati*") etc. According to the source, these parties together with other leftist parties, the Green Party ("*Hizb al-Khazr*") and Arabic and Syriac parties are represented in the autonomous Kurdish administration. PYD is the biggest party in TEV DEM. The source is the representative of TEV DEM in Libanon. TEV DEM was established in the Kurdish area in Syria in 2011. The movement has three headquarters in the three Kurdish administrative units/cantons: one in Jazeera, one in Afrin and one in Kobane." (Danish Immigration Service, SYRIA, *Military Service, Mandatory Self-Defence Duty and Recruitment to the YPG, Copenhagen*, 26 February 2015, p.29)

<http://www.nyidanmark.dk/NR/rdonlyres/991BA1A7-84C6-42A2-BC16-23CE6B5D862C/0/Syriennotat26feb2015.pdf>

Jazeera, the duty has already been implemented in ten towns. The duty has not been implemented in Kobane yet as the situation in Kobane is quite different due to the war against the IS in the area. During the clashes with IS, people from Kobane moved to Turkey and 90 percents of houses and buildings were destroyed.

The length of mandatory self-defence duty is, according to the law, six months in all cantons (al-Jazeera, Afrin, Kobane). The six months (mandatory self-defence duty) is composed of one month pure training and the remaining five months is service and on-service training. Those who complete their training and their mandatory service go home with their weapons in order to protect their villages. The conscription age for mandatory self-defence duty is also to be the same (18-30) in all cantons.

The self-defence duty is mandatory for men while it is voluntary for women and people older than 30 years.

It is also mandatory for members of religious and ethnic minorities, for instance Assyrians and Arabs living in al-Jazeera, to perform the mandatory duty.

While conscripts are performing their mandatory duty, they are part of a unit called Self-Defence Forces (*'qwat al-difa' al-zati'*). Upon completing the duty, the person can choose to join the YPG or leave.

The six months of mandatory duty may be served within one year. Students can perform their six months mandatory duty within two years, for instance over two consecutive summer vacations.

Upon completing mandatory self-defence duty, a green booklet is issued in which the person's name, his father's and mother's name and the date of ending the duty is registered. The booklet is stamped by the Defence Committee of the Kurdish Self-administration. Each canton has its own specific booklet.

People who complete their duty are not to be called up again to serve in the YPG as reservists even if the YPG needs soldiers.

The first group of conscripts who started their mandatory self-defence duty in al-Jazeera last year have ended their duty. Some of them have left upon completing their service while others have voluntarily stayed and joined the YPG.

Possible obligation to serve in the YPG units at the frontline as a part of one's mandatory self-defence duty  
People will not be sent to the frontline by force to take part in fighting during their mandatory self-defence duty. People sent to the frontline must be motivated and well-prepared by the YPG. The Kurdish Self-administration does not force people who have not completed their service to go to the frontline.

#### Exemption from the duty

One can be exempted from mandatory self-defence duty for medical reasons if it is documented by a medical report. Disabled people are also exempted from the duty.

It is not mandatory for an only child of a family to perform the mandatory duty.

All sons in a family have to perform the mandatory self-defence duty, but only one son is obliged to perform the duty at a time. It means that as long as one of the sons is performing his mandatory duty, others in the mandatory duty age are exempted from the duty. It is the family who decides which son should perform his duty first.



If one son in a family has joined the YPG, his brothers are exempted from the mandatory duty as long as he serves with the YPG. In addition, if there is a YPG martyr in a family - that is a YPG member who has lost his life in the battlefield - it is not mandatory for other male persons in the family to carry out the mandatory duty.

Those who joined the Assayish before the law on mandatory self-defence duty was implemented will not be called up for the duty. Those who want to join the Assayish after the implementation of the law have to perform their mandatory duty before they can join the Assayish.

#### Evation and desertion from mandatory self-defence duty

Most of the young men in al-Jazeera eligible for the mandatory self-defence duty have already joined on a voluntary basis. There are only few evaders. Evaders have mostly fled the area and are abroad. Names of evaders and deserters will be forwarded to checkpoints controlled by the Assayish, and if an evader approaches a checkpoint, he will be caught and immediately sent to the mandatory duty. These Assayish-checkpoints are not specifically set up for catching evaders or deserters from mandatory self-defence duty. They are permanent checkpoints set up primarily for the purpose of catching terrorists and car bombs and ensuring the security of the area. Evaders are wanted until they turn 30.

If someone does not show up for the mandatory service, the Assayish will not go to his house to search for him. If a person approaches an Assayish checkpoint or a public office of the Kurdish Self-administration and he does not carry his mandatory self-defence duty booklet, his case will be investigated, and the family may be asked to bring his booklet .

In general, it is difficult for an evader to hide as people working for the Assayish are usually from the local area and know the people.

If a deserter from mandatory self-defence duty is caught, his case will be sent to the court that will investigate the case and decide about the punishment. TEV DEM emphasized that no law or regulation has been passed by the Kurdish Self-administration regarding punishment of deserters. However, no violence is inflicted on deserters when they are caught. According to the source desertion from mandatory service might happen in one out of 1000 cases. The person would either do his service or leave the area.

#### Recruitment to the YPG

Recruitment to the YPG and YPJ takes place on a voluntary basis.

There is a recruitment centre where people can apply for joining the YPG. The applicants will then be sent to a training camp if they are above 18 years. The YPG will then, through the training and based on a medical, physical and mental assessment, decide whether the person can join the YPG, and where in the YPG he is to serve. The source assumed that most families living in areas under the Kurdish Self-administration will send at least one person to join the YPG/YPJ. If a family sends their son, it will also motivate the son of their neighbour to join according to the source.

The YPG soldiers do usually not receive salary. Only families in need are paid a salary, for instance if there are health problems in the family.

Regarding prevalence of recruitment of minors to the YPG, TEV DEM stated that the YPG does not recruit minors. However, there are special schools/camps for minors at 16-17 years of age who voluntarily want to

partake in training. They can reside in these schools/camps during their education or they can go home at the end of the day. For those who stay in the camp, their families can come and visit them. Minors are taught different subjects in these camps, for instance culture and languages, and they also do physical training. No military training of minors takes place in these camps, however they receive training in carrying simple types of weapons. The mentioned camps for minors do not belong to the YPG, and they are administered by the Kurdish Self-administration. TEM DEM emphasized that since the age of 14, most minors learn at home how they can handle small types of weapons.

TEM DEM mentioned that reports about minors being recruited to the YPG are often based on stories made for political purposes by the political parties who are in opposition to and want to damage the reputation of the Kurdish Self-administration. The source referred to a case of a young girl from Amuda who was reported to be a minor abducted and forcefully recruited to the YPJ. She had appeared on TV to confirm she was not a minor but 19 years old and she joined the force voluntarily.

#### Ranks of the YPG being deployed in offensives

The fighters in the frontline are from the anti-terror forces which are elite forces and consist of special trained persons who are physically fit to carry heavy weapons. However, it is not only special forces that are sent to the frontline.

Whether a YPG member will be sent to the frontline also depends on his condition and his experience. Some of the YPG members are staying in their camps without being sent to the frontline.

The YPJ members participate in training and fighting at the frontline together with men, but they also have their own operations at the frontline independently of the YPG.

#### Agreement between the Kurdish Self-administration and the Syrian government

According to TEM DEM, there is no agreement between the Kurdish Self-administration and the Syrian government regarding recruitment of people in the Kurdish or the government controlled areas. Although the Syrian government is present in a certain area in al-Jazeera, it does not interfere with the Kurdish Self-administration's affairs, and it does not recruit people to the Syrian army in there. The Kurdish Self-administration does not try either to recruit people in the areas controlled by the government.

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## **Meeting with a group of civil rights organizations (CRO)**

Gaziantep, 4 June 2015

About the sources: six civil rights organizations with links to the Syrian opposition;

1. Baytna Syria – an organization established in 2013 funded by Denmark. Baytna Syria is a platform for Syrian civil society both inside and outside of Syria. Baytna Syria presently works with capacity building of civil society organizations in Dara, Latakia, Aleppo, Idlib, al-Hasakah and Northern Hamaa in Syria. (<http://baytnasyria.org/>)
2. The Day After (TDA). In 2012 a comprehensive transitional plan was developed for the future of Syria. TDA was established with the aim of putting this plan into practice. TDA works with

communication projects, public opinion, documentation, human rights and protection of national heritage in all opposition held areas in Syria (<http://thedayafter-sy.org/> )

3. The Kurdish Al-Taakhi committee in Aleppo, Afrin, Kobane. Established in September 2011, Al Ta'akhi committee is one of the local communities that sprung across Syria as the uprising developed to organize and document popular protests and relay the demands of the Syrian people to the world. It is made of Kurds and Arabs from Aleppo hence the name Ta'akhi which means brotherhood in Arabic.
4. The Center for Civil Society and Democracy in Syria (CCSD) was established in 2011. It is an independent Syrian center that seeks to support and strengthen civil society and democracy and promote the values of freedom, justice and coexistence through the analysis of the current situation and developing and implementing solutions, (<http://ccsdsyria.org/> ). CCSD is active in nine areas in Syria. It is also active in Lebanon, Jordan, Turkey and Iraq.
5. Kesh Malek - Kesh Malek is a Syrian Civil Society Organization that works on advocacy campaigns on issues such as elections, constitution, human rights and transitional justice, National Identity and Education,( <http://www.keshmalek.org/> )
6. SHAML (Syrian Hope Alliance for Modernity and Liberty) – This is an alliance among 7 of the leading civil society organizations today in Syria, namely: Kesh Malek, Bameh and Zeitouneh, Women Now for Development, Emissa, Local Development and Small Projects support office, Ghosn Zaitoun and Public Civil Defence Committee in Daraa. It endeavors to coordinate among its members, build their capacities and enhance their presence at the local, national and international level.

#### *Military service in the Syrian army*

##### Areas in Syria where the government recruits for military service

According to the sources, in the coastal area people are more motivated to serve in the military than people in other government controlled areas. Evaders are not picked up at their houses or called up for the reserve. However, at checkpoints they may be stopped and they may have to pay a bribe to avoid being taken to serve in the army.

Persons from opposition controlled areas are also targeted at checkpoints in the regime controlled areas. According to the sources a person from for instance Idlib is likely to be arrested and taken to serve in the military or he may be put in jail if he approaches a government checkpoint. Men from Idlib seem to be particularly targeted for recruitment at the moment.

The internally displaced persons (IDPs) from Aleppo staying in the coastal area are very vulnerable to forced recruitment since they are poor and they are Sunnis and thus have no connections to protect them. The IDPs can be picked up from the camps where they are living. Recruitment among IDPs can also be voluntary since it can be a way of earning a living. Most of these people are recruited to the Baath Battalions and to a lesser degree to the Syrian army.

##### Evasion

When people receive a notification calling them for military service they very often ignore it, but by doing so, they risk being held back at checkpoints.

The purpose of holding people back at checkpoints may sometimes be merely to make them pay bribe rather than sending them to serve in the army. An amount of between 5,000 (26 USD) and 10,000 (52 USD)

Syrian pounds was mentioned as the bribe paid at checkpoints or police stations to be able to pass if you are a target for recruitment. However, once a person is taken to the military recruitment office, the price to avoid serving may rise dramatically to about two million Syrian pounds (10,600 USD). According to the sources Christians are not more targeted for military service than other groups, but since Christians are often considered to be wealthier, they are probably more targeted for being held back in order to pay a bribe.

According to the sources it will to a certain extent be possible for a person living in the cities in the coastal area to avoid military service by hiding in his local area. Passing through the local checkpoints is often possible for Alawites as well as Sunnis, depending on personal relations to the officer in charge or their possibility to pay bribe.

The sources confirmed that the check points have a list of persons wanted for military service. The list contains the names of both draft evaders and deserters. A person on the list can however manage to pass through checkpoints, since the authorities at most checkpoints are first and foremost looking for persons wanted for political reasons. The list of persons wanted for political reasons is made and updated centrally and all checkpoints in the regime controlled areas have access to this list, which also includes names of family members of wanted persons.

The list of persons wanted for military service at each checkpoint only contains the names of persons living in that particular area, unless it is a checkpoint provided with a computer and network facility.

The sources knew of people who had been taken at checkpoints, trained for one week and sent off to the frontline.

#### Desertion

There are very few deserters from the coastal area.

As an example of how a soldier can desert from the military, the sources referred to a soldier who took the ID card of a dead soldier at the battlefield and escaped with that.

It was explained that in order for someone to desert, he often needs to have personal contacts within the opposition who can help him. However, it is becoming increasingly difficult to receive assistance from opposition groups since the opposition groups are getting more and more skeptic towards people who have waited to desert until this late into the conflict. Sometimes soldiers have been encouraged by the opposition to desert immediately before a battle. And sometimes the opposition is paid to set up a fake kidnapping of a soldier at a checkpoint as a cover up for desertion or a fake battle in which a group of soldiers can desert. Such operations cost a lot of money (for instance 2.000 USD). Part of the purpose of such cover up operations is to protect family members of the deserter who are still living in a government controlled areas. Otherwise the authorities may harass the family members due to the desertion.

#### Consequences of desertion for family members

Regarding possible consequences of desertion for family members there is no general rule. Sometimes nothing will happen to them and on other occasions the father or the brother of the deserter might be arrested. Particularly if there is media attention on a deserter, the family can expect problems.

#### Procedure for calling up reservists to military service

In the beginning of the conflict, persons who were recently discharged from military service were most likely to be called up for the reserve. Now, the government is calling up mainly those discharged 10 years ago, i.e. men in the age group 30-35 years.

Generally, persons in their 30's are the ones who are most at risk of being called up as reservists. The sources considered it to be persons with certain qualifications (for instance doctors) needed by the military that are mostly at risk of being called up as reservists. Reservists could be called up until the age of 45. It was further mentioned that the age of reservists has tended to increase in the course of conflict. The sources expected that the group of 35-40 years would be the next target for recruitment of reservist.

There is an increasing fear among people of a general mobilization of all men under 45. This could be in the form of a general mobilization of men from a certain area. According to the sources, even though such mobilization would not be publicly announced, it could be the message to the checkpoints.

According to the sources political prisoners could also be taken to serve as reservists in the military if they have certain qualifications. This could be doctors or other professionals needed in the military.

People in the coastal area are often informed that they are on the reserve list, but they have not been called up yet. Once a person is on this list he cannot get a passport, which is the reason why people are trying to leave the country before their names appear on the list.

#### Enforcement of exemption rules

Only sons and students are among those exempted from military service. Exemption is granted for one year at a time for students, and they have to renew their papers each year. An only son will be granted exemption for one year at the time until his mother turns 50, after which the exemption becomes indefinite.

The exemption rules still apply, but since the beginning of the conflict things have become more complicated. For instance, for security reasons it is sometimes impossible for university students to reach their university and obtain the papers they need to apply for an exemption from military service. The military has also become stricter than before when it comes to students who fail their exams. Such students will not always be allowed to wait for the next exam and they will instead be conscripted. Particularly medical students and students whose field of study and qualifications are needed in the military are likely to experience such strict practices. Students, who are not carrying their exemption papers when approaching a checkpoint, also risk being taken to serve in the army.

It has become increasingly difficult to be exempted from military service for medical reasons. Chronically ill persons are still exempted. However, persons with health problems have to go through an extended number of medical exams with military doctors. Usually a huge file will be made, before a medical condition is approved as the basis for an exemption.

One person among the sources, who is an only son, had repeatedly been threatened to be taken to serve in the army when passing through checkpoints. He explained that the threats were also an excuse for demanding a bribe.

#### Possibility to serve in the NDF as an alternative to military service

If a person joins one of the local pro-regime militias such as the NDF, it is easier to get leave and to remain in one's home area. Many young people prefer this rather than to join the Syrian army.

People serving in a pro-regime militia can pass through checkpoints with a phone call to someone who can confirm his relation to the militia. They are issued specific papers confirming their link to the militia. People who are not serving in the militias are sometimes able to buy such papers and in this way can have easier passage through checkpoints.

Some of the local militias have come under the umbrella of the NDF. The NDF are often sent to fight with the army in the difficult battles. Sometimes it is NDF fighting in the frontline instead of the army. It was emphasized that the NDF has a bad reputation, even among Assad's supporters, for stealing and harassing people.

### *The situation in the Kurdish area*

#### Procedure for the conscription for mandatory self-defence duty

The new law on mandatory self defence has given legitimacy to the Kurdish administration to recruit people. The recruitment is now also more organized. Previously, the recruitment was based on more acute needs but now it is based on planning. The sources considered that recruitment to the YPG/YPJ and recruitment for the mandatory self-defence duty are not two separate things. Before the law was implemented, people were forced to join the YPG/YPJ and picked directly from the villages. Now the administration recruits people for mandatory service, train them, and send them to join the YPG/YPJ when needed.

According to the new law, people will be trained for six months before they are sent to participate in battles. The Kurdish administration has recognized that many of the people participating in the battle for Kobane were not well trained. The Kurdish administration has announced that this will not happen again, as people are now being trained.

Many young men have left the area to avoid the mandatory duty. The source assessed that approximately 10% of the young men who left did it for economic reasons, but most of them left to avoid mandatory service. The source emphasized that the situation in the Kurdish administered areas are better than in the surrounding areas. Except for Kobane, there have been no major battles in the area and the economic situation is also better, and therefore it is also easier to find a job in the Kurdish area than in other areas.

The mandatory self defence duty supplies according to the law only applies to men between 18 and 30 years old. Young people below 18 years also join on a voluntary basis. According to the source, the mandatory service is considered by the PYD and its loyalists to be a "sacrifice" which each family should make. Each family can decide which member is to participate in the service. Families with martyrs – even from 20 years back – are exempted. The law on mandatory self-defence duty includes every one living in the areas under the Kurdish Self-administration, Kurds as well as non-Kurds. However, so far the Kurdish Self-administration has not enforced the law on non-Kurdish people.

The recruitment for the mandatory self-defence duty usually starts by a general announcement in the area, where the families will be informed that a son must participate in the mandatory service. People will then be contacted individually and given a notification to report to the local conscription office, and if they do

not show up for the mandatory service, they will be given a second notification. If they still do not come on their own, they will be arrested.

If one son has fled, another son or a daughter would be obliged to join the service. There may also be threats about taking the land and the house of the family if their sons and daughters do not join the service. Bribing the authorities to avoid the mandatory duty is not an option since most officers are strong believers in the PYD ideology.

Women from families in opposition to the PYD will be recruited for the mandatory service if there are no sons in the family. This is a political tactic applied to break the opposition.

#### Recruitment to the YPG/YPJ

Generally everyone knows someone in the YPG, since most families and tribes are represented in the YPG. To join the YPG is therefore not difficult.

The source assessed that presently 80% of the members of the YPG are recruited on a voluntary basis while 20% are forcefully recruited. The 20% who are forced to join are mainly from the border areas.

If young men or women do not want to participate in fighting at the frontline, they only have the option of fleeing the area, but it has also become harder to flee.

If a member of the YPG manages to desert, the YPG will take another member from his family to join the force. If the deserter is caught, he will be taken to court and most likely sent back to the service.

There are cases of minors, especially girls but also boys, who have been kidnapped and recruited for the YPG/YPJ. The source was aware of 30-40 kidnapped girls and boys but could not refer to documentation on the cases, except one case of a girl from al-Qamishli. At end of May 2015, the girl appeared in the media in a foreign country after having deserted from the YPJ. Her name was Nurman Ibrahim Khalifah and she was apparently thirteen years old and a ninth-grader when she was kidnapped by the PYD. She was brought to a PKK military camp in Iraqi Kurdistan where she was to be trained as a guerilla fighter. After a month and a half, she was able to escape.<sup>157</sup> The source mentioned that it is difficult to collect documentation on such cases from inside the region, because people in the area are afraid to report such cases, and most documentation comes from outside the region.

Regarding recruitment of minors, the sources had personally noticed minors (both boys and girls) guarding checkpoints in the area under the Kurdish Self-administration.

#### Prevalence of attacks by the YPG' against civilians

Asked about prevalence of the YPG attacking civilians or civilian residential areas, the sources said that this has happened but there is no evidence to suggest that it has been carried out systematically or deliberately.

#### Possible obligation to serve in the YPG units at the frontline as a part of one's mandatory self-defence duty

Whether someone who is doing his mandatory service will be forced to serve at the frontline will depend on the situation in the area and the current risk of being attacked by the IS. In villages close to the frontline

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<sup>157</sup> <http://www.kurdwatch.org/newsletter/newsletter.php?z=en&aid=3428>

with the IS, everybody will have to participate in self defence according to the sources. This includes also women and fathers if no sons are available. This was the case in the battle for Kobane.

#### Possible agreement regarding recruitment to the Syrian army in the Kurdish area

The Syrian authorities would not recruit for the Syrian army in the Kurdish controlled areas. The source explained that there is a kind of ceasefire agreement between the Syrian regime and the PYD according to which people can move around in the Kurdish controlled areas for instance in al- Hasakah without any risk of being recruited to the Syrian army.

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## Meeting with a Western embassy

Beirut on 27 May 2015

### *Military Service in the Syrian army*

The Syrian army is increasingly under pressure to recruit conscripts. The source had heard from a Syrian businessman in Lebanon that in Damascus people join the army voluntarily in order to get an income. According to the businessman, a voluntary conscript is paid up to 50,000 Syrian Pounds per month (approx. 400 USD). The source mentioned a case of a Christian conscript who was promised to be able to perform his military service in his home area (Damascus) doing administrative work. He signed up voluntarily but a few days later he was sent to the frontline in Aleppo. Similar stories are heard in the Syrian community in Beirut. The source had not heard of cases of young men being caught at checkpoints and sent to military service.

The Syrian regime has been trying to recruit among ethnic minorities such as the Druze but was not successful. Instead the regime has established a self-defence force in their area of origin, i.e. in Suwayda.

Recruitment to the Syrian army also takes place outside Syria. The source referred to an article in Der Spiegel from May 2015<sup>158</sup> informing about the recruitment of Afghans and Pakistanis from prisons in Iran.

The source had not heard of cases of minors being recruited to the Syrian army, however the source pointed out that young men between 16-18 can join the army on a voluntary basis.

### Possibility to serve in the NDF as an alternative to military service

It is possible to serve one's military service in the NDF instead of the Syrian army. The source was not sure whether it is coordinated with the authorities in Damascus if someone is doing his military service in the NDF. People who join the NDF usually stay in and defend their own areas. The NDF are allied with the army and are often sent to the frontline to fight alongside or even ahead of the regular army.

### Evasion and desertion

There are stories about young men who have been able to avoid being drafted by bribing responsible officers in the army. Apparently, it is more a question of paying enough money to avoid conscription. When the army officials enter the house of someone eligible for conscription in order to take and send him to

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<sup>158</sup> <http://www.spiegel.de/international/world/afghan-mercenaries-fighting-for-assad-and-stuck-in-syria-a-1032869.html>



military service, the young man may avoid being drafted by paying a bribe. The army officials may return after some time (for instance six months) and ask for more money. The situation in the government controlled areas and the PYD-administered areas are similar in the sense that young men are escaping to avoid conscription by the army/the YPG.

Deserters and draft evaders often flee to areas controlled by the opposition since the regime will search for them and they risk being arrested by staying in government controlled areas.

According to the source, it is not difficult to desert from the Syrian army: “you just take off your uniform and run away”. At the frontline, deserters would simply surrender themselves to the other side. Deserters are often assisted by the opposition groups as most people personally know someone who has now joined these groups.

#### Exemption rules

Students are still exempted from military service while studying, however, there is no guarantee that the law is respected in the current situation. Students may also have to pay a bribe to avoid being drafted although they by law are exempted. The source explained that the situation in Syria today is highly changeable and what is happening on the ground depends on individuals rather than the law.

The embassy believed that only sons are still exempted.

#### Consequences of evasion for family members

Regarding possible consequences of evasion for family members, the source considered that family members might be subject to questioning by the authorities. The source had not heard of arrests in this connection.

#### Procedure for calling up of reservists

Regarding the procedure for calling up reservists, there is no uniform pattern. However, young men who have recently completed their military service are considered to be most targeted.

#### *The situation in the Kurdish area*

#### Procedure for conscription for the mandatory self-defence duty in the Kurdish areas

The procedure of recruitment for the mandatory self-defence duty in the areas under the Kurdish Self-administration is not well-documented. The Kurdish Self-administration has registered people in the area and apparently established lists with names of conscripts similar to the lists used by the Syrian army for military service.

If people do not show up for the mandatory service, the Kurdish authorities (the Assayish) will go to their houses searching for them. If the person is not available, the Kurdish authorities will continue to search for him and they have the capability to find him. However, the source did not know what the possible punishment would be if the person is caught.

The recruitment to the mandatory self defence has led to a massive exodus of young Kurdish men. According to the source, more young people have left the area due to the pressure of the PYD/YPG compared to the number of people who left when the Syrian regime controlled the area.

#### Possible attacks by the YPG against civilians

The source had not heard about the YPG systematically attacking civilians or civilian residential areas.

#### Recruitment to the YPG/YPJ

The source had heard rumors of young people under 18 who had been forced to fight for the YPG/YPJ in Kobane.

If women do not join the YPJ, the authorities will not issue their family book which means that they will not be able to marry (legally).

#### Possible agreement between the Syrian authorities and the Kurdish Self-administration

The Syrian authorities and the Kurdish administration apparently have a tacit agreement about not recruiting people in each others' areas.

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## **Meeting with Hassan Meshkini, director of Syrian Justice Centre for Human Rights (SJCHR)**

Gaziantep, 2 June 2015

About the source: Hassan Meshkini fled to Turkey in July 2011 due to threats from the PYD as well as the Syrian government because he was in opposition to them. He is originally from the border city of Ra's al-Ayn in al-Hassakah province in Syria. He has studied law in Syria.

Hassan Meshkini founded Syrian Center for Human Rights (SJCHR) in 2013 together with a group of Syrian and Turkish lawyers and judges.

SJCHR (<https://www.facebook.com/sjcf2011>) is a human rights NGO whose aim is to promote and defend human rights in Syria by documenting violations of human rights in Syria. SJCHR works with sources in different places inside Syria. At the moment (June 2015), the organisation is documenting violation of human rights committed by the PYD, the IS, the Syrian opposition groups and the Syrian Regime.

#### *The situation in the Kurdish areas*

#### Procedure for the conscription for mandatory self-defence duty

According to the source, the mandatory self-defence law was implemented in order to put pressure on the Kurdish opposition in the area and make them leave if they do not want to perform the mandatory service. In July 2014, the Kurdish Self-administration started issuing mandatory service booklets (daftar al-Khidma al-ilzamiya) to adult males.

Hassan Meshkini (SCHR) confirmed that people called up for mandatory self-defence duty are between 18 and 30 years of age.

Upon passing the law on mandatory self-defence duty, the PYD arrested a large number of men in al-Jazeera. They were issued a recruitment card/mandatory service booklet, released and requested to report to the local recruitment offices. Those who could prove that they were students, only sons and people who had medical reasons were exempted. Many fled however to neighbouring countries to avoid the service.

Although more than ten different religious and ethnic groups (Assyrians, Sunni Arabs, etc.) live in the PYD-controlled areas, the law on mandatory self-defence duty is only enforced with regard to Kurds. Other minorities are not called up for the duty.

Upon completing six months mandatory self-defence duty, people are discharged and they are free to go.

#### Exemptions from mandatory self-defence duty

Students, only children and people with health problems are exempted from the mandatory self-defence duty, and those who have a member of their family joining the YPG voluntarily.

#### Consequences of evasion from mandatory self-defence duty

Persons who do not want to perform their mandatory self-defence duty have no choice but to hide or flee to neighbouring countries. There have been evaders who have avoided the mandatory duty by hiding, but the source assumed that they would not be able to continue their lives in that way. There is also a great number of young men who have left for Turkey or the Kurdish region of Iraq in order to work and support their families, because of the difficult economic situation in the Kurdish area of Syria.

The Kurdish Self-administration uses its intelligence services, informants and checkpoints to catch evaders. If the informants report that an evader is hiding at his home, the Assayish would come to the person's house searching for him. Evaders who are caught will not be punished, but they will be sent to the training camps where newly recruited persons are trained and they will have to start performing their mandatory duty immediately.

#### Consequences of desertion from mandatory self-defence duty

Hassan Meshkini (SJCHR) assumed that deserters from mandatory self-defence duty who are caught would be jailed and punished and possibly tortured, especially deserters considered being in opposition to the PYD. However he emphasized that there is not much information about how deserters are punished as the law is very new and information about deserters in general is also difficult to access. The source underlined that the legal system of the Kurdish Self-administration is politically biased in favour of the PYD, and imposed by it in accordance with its ideological point of view without including clear and definite regulations and legal terms. Judges are not well-educated and are appointed by the party and there is no fair trial.

#### Deployment to the frontline under mandatory self-defence duty

Whether persons who are doing their mandatory self-defence duty will be sent to the frontline to participate in fighting depends on the need for manpower at the front. If there is an urgent need for soldiers, they would be sent to the frontline after three months of training, otherwise not.

The source stated that the Kurdish forces under the control of the Kurdish Self-administration comprise three groups: former PKK members who were previously residing in the PKK camp in Qandil Mountains but who came to the Kurdish areas of Syria later on to support the Kurdish Self-administration; the YPG and the YPJ who are composed of voluntary Kurdish fighters from Syria; and conscripts doing their mandatory self-defence duty. According to the source all three groups would fight at the frontline, if needed.

#### Recruitment to the YPG/YPJ

Instead of performing mandatory self-defence duty, people can join the YPG on a voluntary basis and receive a salary. Usually the people who join the YPG voluntarily are those who ideologically support the PYD.

The PYD has also recruited male as well as female minors between the age 11 and 17 from schools. They justify these recruitments by saying that it is necessary to defend the Kurdish areas and the PYD's beliefs.

Asked whether these minors were taken from their schools against their will, Hassan Meshkini (SJCHR) replied that they were not taken by force, however the PYD took advantage of their age and brainwashed them so they voluntarily joined the YPG and the YPJ. When parents in these cases tried to get their children back, the YPG refused to cooperate even for disclosing their fate.

Asked whether these minors were taken in connection to mandatory self-defence duty or it was part of a general recruitment to the YPG, the source replied that one cannot distinguish between recruitment to the YPG/the YPJ and mandatory self-defence duty as they both are organized under the umbrella of the Kurdish Self-administration.

Regarding the number of minors being recruited by the PYD, Hassan Meshkini (SJCHR) mentioned that there have been tens of such cases, and some of these minors have been taken to the PKK's training camp in the Qandil Mountain. As an example of a minor being recruited by the PYD, the source referred to demonstrations in the city of Amuda in January 2015 where people protested against the recruitment of a minor girl by the YPG. The source mentioned that although the demonstrations were about only one case, it was a general protest against recruitment of minors.

#### Possible attacks by the YPG against civilian residential areas

The source confirmed that some villages had been damaged during the war against the IS. The source emphasized that the area was a war zone, and these damages were rather the result of fighting. However, the YPG forces - in cooperation with the Syrian regime forces, Shiite sectarian militias, and the Iraqi forces and commandos - took advantage of the war circumstances (especially in the western countryside of the province of Hasaka) to deport entire villages indirectly, by attacking the villages, looting and burning houses, as well as looting of crops and burning some of them under the pretext of that relatives of the victims (owners of these houses and fields ) advocate the IS.

The source considered the PYD a terrorist organization and said that it is the Syrian branch of the PKK Turkish terrorist party, and that the forces of this (Turkish) party is integrated with the YPJ and the YPG and lead them practically.

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## **Meeting with the Kurdish journalist (1)**

Gaziantep, 2 June 2015

About the source: The source is a Kurdish journalist. Since 2006 he worked as a journalist with focus on human rights in Syria. In 2012 he was forced to leave the country. The source returned to the area under the Kurdish administration in 2013 but left again because as an independent journalist it was difficult to work in a militarized reality which dominated the area. When the source left the area, there were different

military groups in the area, including Jabhat al-Nusra. He is currently working for a radio station in Turkey and as a freelance journalist. The radio station broadcasts in Syria about the situation in Syria, and has reporters in most Syrian provinces. The majority of the listeners are Kurds. The source is himself an Ajanib Kurd.

#### *Military service in the Syrian army*

##### Ajanib Kurds

The source explained that in 2011 most Ajanib Kurds were granted Syrian citizenship. Ajanib Kurds born before 1993 are not obliged to serve in the military and will not be conscripted, while those born after 1993 can be called for military service. Those Ajanib Kurds who have not obtained citizenship, will according to the source not be called for military service. The source added though that since the exit of the Syrian government from the Kurdish area, the government has not had the authority to enforce the military service law and recruit any person to military service in this area. In this light, the decision about calling up Ajanib Kurds born after 1993 for military service has consisted without being effective.

#### *Situation in the Kurdish controlled areas*

##### The Mandatory self-defence duty

When the law was first introduced, the age limit for those obliged to serve was 18 to 38. However the law was shortly after amended and the age limit is now 18 to 30. According to the source, the law is vague and several issues remain unclear. Initially it was only one son in each family who would have to serve, but the source was not certain if this is still the case.

The rules on mandatory self-defence are for all three cantons. While it is primarily Kurds who are living in Kobane and Afrin, al-Jazeera has a mixed population. In al-Jazeera the implementation of the mandatory self-defence duty mainly applies to the Kurdish population. Other ethnic groups can volunteer but they will not be forced. Some of these groups have their own militia who are supporting the PYD/YPG.

According to the source the mandatory self-defence duty in reality is forced recruitment to the YPG. Many families have sent their sons abroad to avoid the service.

##### Procedure for conscription for the mandatory self-defence duty

Asked how the Kurdish administration has information about the people who must be called up for the self-defence duty, the source stated that the Kurdish administration has prepared their own records, which to some degree is to be based on information provided by local informants living in the villages. The Kurdish administration is also issuing military service booklets.

Recruitment also happens through checkpoints where the age will be checked on the basis of ID documents. A person of the right age can be taken directly from the checkpoint to the closest training camp.

If a student is not carrying his student card he could be taken at the checkpoint and sent to a training camp. The source's own brother who is a student had been stopped at a checkpoint in al-Hasakah without his student card and sent to a training camp. However, when his case was investigated, he was released. The same could happen to a single child of a family, depending on who is serving at the checkpoint. Such

mistake will usually be sorted out on arrival to the training camp and the person will then most likely be released.

The source stated that on a few occasions there had been raids at internet cafes. This had happened about one month before the interview [beginning of May 2015] in Amuda and al-Qamishli. Most of the young men who had been present at the internet cafes had been taken directly to training camps. According to the source these raids should be seen as a test from the Kurdish authorities to see how people would react to this form of recruitment. This way of recruiting has not been well-received by the general population.

The mandatory self-defence training lasts for six months and takes place in training camps. Each area has its own training camps. Recruits receive a salary of 20,000 Syrian pounds during the six months. After the six months the person can leave. However, according to the source the six months can be extended, for instance if the situation in an area is not stable. The source referred to the situation of his own cousin who had completed his mandatory service but was held for another one and a half month before he was released.

#### Exemptions

Only son of a family and students are exempted from the mandatory self-defence duty. Regarding exemption for medical reasons, the source explained that a special committee will have to examine the person and issue a report stating that the person cannot perform the self-defence duty.

#### Obligation to serve at the frontline as part of one's mandatory self-defence duty

Asked about the risk of being sent to the frontline while performing the mandatory self-defence duty, the source explained that it would depend on the situation in the specific area. For some recruits the six months self-defence duty would be purely training, for others it could be two weeks of training before being sent to the frontline to fight.

#### Recruitment to the YPG

The source initially stated that obtaining exact information about how the YPG works is difficult as they often work in secret ways. The source explained that the PYD tries to win the sympathy of the people and convince them to join the YPG/YPJ. Only rarely will the PYD issue general calls as they did in Kobane, carry out raids or take people against their will. People voluntarily join the YPG. The poor economic situation also leads people to volunteer since this is a way to earn a salary. The salary for a YPG member is according to the source about 20.000 Syrian pound (App. 80 USD) per month.

#### Recruitment of minors to the YPG

Minors sometimes join the YPG, not least due to campaigns about heroic YPG fighters. According to the source, the recruited minors can be as young as 14 to 16 years old. They might join voluntarily but without the consent of their parents. In such situations, the YPG does not cooperate with the parents, but keep the minor in the YPG against the will of the parents. Although a majority of those joining the YPG are volunteers, it is not a YPG practice to return anyone on demand of their families.

#### Desertion from the YPG

Deserting from the YPG is basically difficult, according to the source. A person who deserts from the YPG is treated as a traitor.

Regarding whether deserters are killed by the YPG, the source stated that there is no evidence to support that killings happen. The sources added that there are YPG fighters who in practice defect and, and they leave the country upon desertion. However, the source underlined that most people join the YPG on a voluntary basis.

#### Possible consequences of desertion for one's family members

According to the source, the YPG does not bother the family of a deserter, who might never be informed about the circumstances under which their child died, if caught and killed during a desertion. On the contrary, the deserter may be presented as a martyr to the family.

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## Meeting with the Kurdish journalist (2)

Istanbul, 30 May 2015

About the source: The source is a journalist working on human rights in Syria. He has been involved in opposition activities in Syria since the uprising began in 2011, and has continuously participated in opposition activities. He has been interviewed by a number of Kurdish and Arabic media, including al-Jazeera, about the situation in Syria. He is not member of any political party today but declared during the meeting that he is in opposition to the PYD. He has been based in Turkey since 2011, and has not been travelling to Syria in the last one and a half to two years. He is in contact with many different sources living in the areas under the Kurdish administration, particularly in Afrin.

#### *The situation in the Kurdish area*

#### Mandatory self defence duty

In Afrin, it was announced ten days ago [i.e. mid May 2015] that all young people at the age of 18-30 years old are wanted for the mandatory self-defence duty. This was announced by the PYD officials in the villages. It was announced earlier in other cantons.

Older people are not recruited but can join on voluntary basis

The people who are performing their self defence duty are trained in the YPG camps, initially in a camp with ideological/political training (one and half to two months) and after that weapon training.

#### Procedure for recruitment

The source explained that in every village there is a "spy"/an informant, who is a PYD loyalist and who makes a list of all young men in the village. If a young man is an only child the informant will know this, and his name will not be put on the list, but if his family is known to be in opposition to the PYD, he might not be exempted from the mandatory self-defence duty.

Asked if the informant can be bribed not to put a name on the list, the source explained that bribery as such is rarely possible since the informant will most often be politically loyal to the PYD, but if for instance a family has a quarrel with the informant he might put the name of their son on the list even if it is the only child.

The list of names is forwarded to district offices and the district offices forward them to the center in Afrin canton. After this an order from the center will be awaited before action is taken and this order is also dependent on the political situation according to the source. It is the Assayish in the district who is responsible for calling up the young people when the order is given.

The brother-in-law of the source, who is 28 years old paid 50,000 Syrian pounds to avoid his service. By paying that amount of money, the brother in-law was exempted from the mandatory service permanently.

The law on self-defence duty also applies to other ethnic groups than the Kurds. At least this is the case for Afrin, the source was not sure about the situation in the other cantons.

#### Evasion

If the sons and daughters in a family are not available for the duty, the family will have to pay 200,000 Syrian pounds. This was not according to the law but a statement made in public in Afrin.

The consequence of not showing up for service is arrest. The source assumed that if someone has evaded and is not present in the area, he will have to perform his duty, even if he comes back after ten years. The law is new in Afrin, and it remains to be seen how the Kurdish administration will deal with evaders.

#### Recruitment to the YPG/YPJ

According to the source, PYD is particularly targeting young people as they are easy targets due to their lack of knowledge and experience. The source pointed at schools as a place where the basis for recruitment to the YPG/YPJ is laid. New schools have been established where the children learn Kurdish and the teachers are people who were trained in the Quandil Mountains. Both boys and recently mostly girls living in the Kurdish controlled areas are recruited by promoting the idea of defending "a free Kurdistan". The PYD is promoting the idea that every big family should have a martyr and one person from every family should join, especially in Afrin.

Loyalists of PYD will also go to people's homes to present this ideology, especially in Afrin. In Kobane and al-Qamishli the situation is different because these areas are dominated by clans. In these areas, the PYD authorities will use local female sympathizers to contact young girls in their neighborhood and convince them to join the YPJ. These female sympathizers will invite the young girls to watch movies about training camps in the Quandil mountains presented in a very positive light to convince them to join the YPJ. At the end the girls who have been targeted for recruitment might end up running away from home to join the YPJ. The source emphasized that young people are not taken by force.

Young women are more vulnerable targets for recruitment than young men, first of all because they due to cultural tradition do not leave the Kurdish areas. A large number of young men have left the Kurdish area in recent years which is partly due to the bad economic situation in the Kurdish area which makes families to send their sons to Turkey or Europe to work, and partly because they want to avoid recruitment to the YPG. Most of the young men who are still in the area are loyal to the PYD and have voluntarily joined the YPG.

According to the source, an intensive recruitment is taking place in Afrin. He referred to a secret camp of the YPJ near the village of Jinderess. Asked about the way young girls are recruited, the source explained that loyalists to the PYD in the village are paid between 5.000-10.000 Syrian pounds for recruiting young



girls from families who are known to be in opposition to the PYD. Families who are loyal to the PYD offer their girls to the YPJ on their own initiative, so there is no need to pay someone to encourage them to join.

The source had, however, received reports from 7-8 families about abduction of minors to the YPG/YPJ. These cases were mostly related to girls. The source assumed that there are hundreds of such cases, and it happens every day in Afrin, but people are afraid to talk in public about them. The Kurdish journalist referred to the well-known case<sup>159</sup> of a 15-16 year old girl who was abducted about two months ago from her family (Eidi). When the case was reported in the media, the girl appeared on PYD's TV channel telling that she was 19 years old and joined voluntarily.

### Training

When recruited, the young people will receive weapons training either in the (PKK) training camps in the Quandil mountains (in the border areas between Iraq, Iran and Turkey), or locally. According to the source, there are seven camps in Afrin. The training will last for one and half to two months before the recruits are sent to the frontline. If there is any doubt about a recruit's loyalty, he or she will be sent for training in the camp in the Quandil Mountains.

### Desertion from the YPG/YPJ

If someone desert from the YPG/YPJ his family will be threatened. The families of deserters will be scandalized in the Kurdish areas and be regarded as traitors.

Regarding the extent of desertion, the source referred to the new law on self defence duty and explained that the reason for implementing this law, was due to a high number of deserters from the YPG. The source referred to a case of a girl he knew who had recently deserted YPJ. According to her, there were 200 others who deserted from June to December 2014.

Deserting girls would normally not return to their families according to the source. They would fear reprisals from their fathers and social stigma.

If deserters return to their village nothing will happen. If they are caught while deserting, they will be sent to a special camp with a prison for deserters. The source did not have any information on the treatment in the prison for deserters, but mentioned that deserters would not stay long in the prison before they are returned to their units. The family of the deserter may risk reprisals in the form of extortion or beatings.

If a high ranking officer (as for instance the director of Assayish) or a person who possesses important information desert, it would not be accepted and the person could be killed.

### Possible obligation to serve at the frontline as part of one's mandatory self-defence duty

All members of the YPG/YPJ regardless of age, and recruits from the mandatory self-defence duty will participate in frontline attacks. There have been cases of minors killed at the frontline. It is an army and nobody can be exempted from participating in attacks. Usually, strong supporters of the PYD and the YPG will encourage other to join. These people will enjoy certain privileges and in this way they will encourage others to participate.

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<sup>159</sup> KURDWATCH, 'Amudah: Hamrin Husain accidentally admits she is underage, 6 January 2015, <http://kurdwatch.org/?aid=3317&z=en&cure=1029>

### *Military service in the Syrian army*

#### Agreement between the Syrian government and the Kurdish administration

If a Kurd leaves the Kurdish area he can be recruited by the Syrian army. To illustrate that the Kurdish administration and the Syrian regime cooperate, the source referred to a situation a few years ago, where Kurdish deserters from the Syrian army were extradited from the Kurdish area to Syrian regime. The source had no information on the current situation of possible recruitment to the Syrian army in the Kurdish area.

#### Possibility of Ajanib Kurds being called up to military service

According to the source, Ajanib Kurds who did not obtain citizenship will also be recruited for military service if they are registered in the government controlled areas. Most of them have left the area, but some have not been able to leave for economic reasons and are still living in Damascus. The source referred to an Ajanib known to him as a friend's brother and who had been recruited by the Syrian army even though, he did not have citizenship.

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## **Meeting with the Kurdish journalist (3)**

Istanbul, 29 May 2015

About the source: The Source is a Kurdish Journalist originally from Kobane. He lived in Aleppo until July 2012 and wrote for a website on both Kurdish and Syrian issues. Due to his work for the website, the authorities searched for the source and arrested two of his colleagues, which forced him to flee to Kobane, where he continued his writing until November 2012. After having published an article, which was critical of the PYD, he was met with accusations of working with "the enemy" and fled to Turkey. He has been living in Turkey since then, but is in daily contact with people in all three Kurdish cantons. He has secretly entered the Kurdish area in the last years. His last visit to Kobane was in September 2014.

### *Situation in the Kurdish controlled areas*

#### Procedure for conscription to mandatory self-defence duty

When the PYD took control of the Kurdish areas, they took a number of decisions, among others the law on mandatory self-defence duty. The YPG fighters used to be closely allied with the PYD, and the force only comprised PYD loyalists. In the first six months after the law was passed, it was still only the people loyal to the PYD who volunteered for the mandatory self-defence duty. The situation however changed afterwards and people started to be taken for the mandatory self-defence duty by force. During the fall of 2014, about 1000 persons were arrested. These persons were released after their data were recorded and they were given a deadline of one day to come back and serve their self defence duty. Also a number of Arabs living in the Kurdish areas were arrested. The KNC demanded their release but the PYD refused. This incident was reported by the source for the Qods al-Arabi newspaper.

The source emphasized that there are significant differences between the three Kurdish cantons. In Kobane the pressure from the Assayish with regard to recruiting people is much less than the other two cantons, due to the power of the many clans in that area. The clans can also influence the recruitment, so for instance the son from a powerful clan could be replaced by another recruit.

The biggest pressure for recruitment is in al-Jazeera canton. In al-Jazeera, all ethnic groups – Arabs, Turkmen etc. - are called up for the mandatory self-defence duty.

#### Procedure for recruitment to the mandatory self-defence duty

The source explained that the Assayish sometimes comes to the house and notify a person about the self-defence duty.

Persons who are to perform their mandatory duty must report to the Democratic Civil Self-administration in Syria (Idarat al-Zatiya al-Madaniya al-Dimoqratiya fi Suriya), which is the Kurdish equivalent to the recruitment offices in Syria. There is such an office in every canton. The recruitment office is run by the Assaiysh.

Asked if the Kurdish authorities have a list of persons eligible for the mandatory self-defence duty, the source explained that there is such a list. The list is made on the basis of reports from people loyal to the PYD as well as the knowledge of the local Assayish. New names are thus added to the list whenever there is a new report from the local sources, for instance when neighbors report on each other.

The source emphasized that young Kurdish men are leaving the country in large numbers now, especially from the cities. He estimated that at least half of the families in the area now have their sons in Turkey.

So far no one has been discharged from the mandatory self-defence duty, according to the source.

According to the source the law on mandatory self-defence duty stipulates that the duty is voluntary for women but in practice the women are also forced to perform the self-defence duty.

For the past six months, many families have been very concerned about their daughters and often keep them in the house, fearing that they will be kidnapped and forced to fight.

#### Possible obligation to serve at the frontline as a part of one's mandatory self-defence duty

According to the law on mandatory self-defence duty, recruits are supposed to be trained for six months. According to the source, the reality is 10 days training before they are send to the front.

#### Recruitment to the YPG/YPJ

According to the source, the YPG/YPJ signed an agreement with the organization Geneva Calling, according to which the YPY/YPJ must end child recruitment, but the YPG/YPJ have not been abiding to the agreement.

People are recruited to the YPG/YPJ from 15 years old and up to their 30's. People in their 40's are normally not recruited. However, the source knew of a group of 50 years old recruits who had been forced to serve as guards without any prior training, during the conflict in Kobane. They were all killed. The source referred to cases of only sons over 50 being recruited by the YPG.

The source referred to a story from the media of a 14 years old girl from Amuda. In December 2014, she was abducted, recruited and trained by the YPJ. According to the source, her family is pro KNC and against the PYD, which was the reason for the abduction. She appeared on a PKK TV channel dressed in military uniform saying that she was not forced to join the YPJ. However she appeared to be under pressure. This led to a number of protests both in the Syrian Kurdish areas and abroad.

On a few occasions, the Assayish has also made calls for general mobilizations; just before the IS entered Kobane, they made a call on everybody capable of taking up arms.

#### The YPG recruits being deployed in offensives

Persons who are kidnapped to serve in the YPG are sent to the frontline while the recruits with powerful relatives perform more protected tasks. PYD high officials can even get their relatives out if they are recruited.

#### Desertion from the YPG/YPJ

Regarding desertion from the YPG/YPJ, the source emphasized that the YPG/YPJ loyalists are free to move around, but persons who have been abducted do not have the freedom of movement. If a person deserts from the YPG, the family will according to the source suffer: the father of the deserter might get arrested, or the family can be kicked out and their house may be confiscated.

Asked if the Assayish is in charge of desertion cases, the source explained that there is no formal procedure in place for how these cases are to be tackled, but that the YPG will rely on their informants on the ground to find the deserter. The Assayish will however approach the family of the deserter and ask for him, and they may even fabricate accusations against him, for instance that he has been in contact with the IS to legitimate their search for him.

If a deserter is caught he will disappear. No one would know what happens to him.

#### Prevalence of attacks by the YPG against civilians

The source did not know of any documentation for the YPG systematically attacking civilians. The source mentioned that there had been reports on Arab media referring to YPG attacks against civilian areas, but these reports were not documented.

#### Whether the Syrian authorities and the Kurdish administration has an agreement/or understanding regarding recruitment

According to the source there is no agreement between the PYD and the Syrian regime, but there is some form of coordination, which means that the regime does not arrest and recruit people to the Syrian army inside the Kurdish areas. However, if a person enters the non-Kurdish government controlled areas in other parts of the country, he may risk being recruited.

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## Meeting with a Syrian lawyer

Beirut, 28 May 2015

About the source: The source worked as a lawyer in Syria, before he came to Lebanon in October 2014. He has cooperated with a number of organizations, including UNHCR, OHCHR and HRW. He has written a number of reports about the situation in Syria, including the human rights situation. While staying in Syria, the Syrian lawyer worked as a defence-lawyer where he among others defended clients who were brought before the court in relation to military service.

#### *Military service in the Syrian army*

### Procedure for calling up reservists to the Syrian army

A large number of reservists have been called up for military service and the government tries to catch them either at checkpoints or through raiding their houses.

The usual maximum age of those being called up as reservists is 40. In general one cannot rule out the possibility that some people over 40 may be taken since the rule of law has been deteriorating in recent years due to the conflict, but those who are called up are usually not more than 40 years old. Reservists who refuse to join the army will be imprisoned.

Reservists are called up by a letter which is sent to their address, and if they do not show up, the police and the intelligence will come and search for the person at his home. If the person is not found, his name will be sent to different public offices, for instance the passport office, and if the person turns to a public office to ask for services, the authorities will catch him. Names of reservists are also put on a list which is available at all checkpoints.

Regarding profile of reservists, the Syrian lawyer mentioned that there is no specific profile. The government recruits all people regardless of their ethnic and religious background or their qualifications as the Syrian army is in urgent need of manpower. Sunnis are also recruited as reservists. Druze were promised by that president that they could serve their military service in the area where they live, that is Suwayda. However, the government has not kept the promise and sent Druze recruits to serve their service in other areas, which has led to Druze refusing to serve in the army now. .

### Exemption rules

The exemption rules are generally enforced by the government, but there are no guaranties as the legal system is flawed. Due to the present situation and the regime's need of manpower, people are sometimes treated in an arbitrary way at checkpoints and even those who according to the law are exempted from military service (i.e. an only child of a family, students, people with health problems) may risk being dragged away at checkpoints and sent to military service. Sometimes, the purpose of holding people back at checkpoints is to make them pay a bribe for being released, but the lawyer knew of cases of students or young men who were the only child of their families and who were taken to military service even though they could prove that they were exempted from military service. According to the lawyer, nobody really knows what happens to people arrested at checkpoints as people are often not allowed to call their families to inform them about their situation.

### Evasion

Asked whether it is possible for a reservist to bribe his way through a checkpoint if his name is on the list of people wanted for military service, the Syrian lawyer replied that it is possible to bribe officers at some checkpoints provided that there is a tacit internal agreement among the soldiers and officers at the checkpoint about receiving bribes. Officers are poorly paid and bribing is possible. The amount of bribe varies from checkpoint to checkpoint. At some checkpoints, one does not need to pay more than two USD to pass, while at others one has to pay a large amount of money.

It is also possible to evade military service by bribing. The source knew of two cases of reservists in Damascus and Aleppo who had postponed their military service and stayed at home by paying a bribe of about 200 USD each month in order to avoid joining the army.

### Desertion

Nowadays, it is quite difficult to get leave from military service due to the ongoing conflict and it would depend on connections and money. However, people manage to desert in different ways, for instance by bribing their superior or with the help from the opposition groups. It is usually difficult and dangerous to desert from the frontline, and it would therefore be necessary to have coordinated one's desertion with opposition groups in advance in order to minimize the risk.

The source also mentioned that in Homs in 2013, an officer in the Syrian army was paid 2.000 USD to hand over 151 soldiers to the opposition.

In 2013, the source heard from a person working at the military court that around 120.000 people had defected from the army, the intelligence services and the police. A vast majority of these defectors have fled the country, according to the source.

### Consequences of evasion

Evaders who are caught at checkpoints will be sent to military service without anyone knowing where they are sent, as the authorities do not let the person contact his family at all. Sometimes people caught at checkpoints are sent directly to the front without any training. People caught at checkpoints are usually men between 18-40 years of age. The lawyer had not seen any cases at courts regarding people who had been taken at checkpoints.

If an evader gets arrested by the authorities, he would be sent to the security branches and then brought before the military field court. He may then be killed under torture or at best be sent to the frontline without any training.

### Consequences of evasion for family members

Regarding consequences of evasion for evaders' families, the Syrian lawyer said that if someone does not show up for his military service, the police and the intelligence would come to his house searching for him and if they cannot find the person, they would come again later, but nothing would happen to his family. However, if a family member protests against the search or disturbs the police's work, they may take the person and put him/her in prison.

### Consequences of desertion

Cases related to desertion from military service are brought before the military court in Saydnaya prison. This applies to ordinary recruits as well as high ranking officers. Nobody knows what happens to people taken there: you do not know whether or when they are brought before the court, if they have been through a fair trial, if they are killed without any judgement etc. There are very few people who come out of the Saydnaya prison, for which reason there is not much information about what is happening there.

Deserters who are taken to Saydnaya would not be sent to military service from there as the authorities do not trust them, and they would be kept in the prison until their death.

### Consequences of desertion for family members

If a person deserts from his service in the army, the police and the intelligence will come to his home and search for him, and if they do not find him, they may detain one of his close family members (brother, father, mother or wife) as a hostage in order to put a pressure on the deserter to show up. Sometimes they will even set fire to the house. The source had personally met persons at Adra prison in Syria who were

detained due to desertion of one of their family members. The higher rank the deserter has in the military, the higher price his family would pay for his desertion. Usually, because of consequences which desertion may have for one's family, people ask their family to move to a safe area before they desert.

The source mentioned that once he was in Syria, he was lawyer for a person who had been arrested together with his father by the Air Force intelligence because the father, a colonel in the Air Force, had defected. Both the father and the son were brought before the Anti-Terror Court where the source defended the son. While the son was released, nobody knows about the fate of the father. Upon being released, the son fled to Turkey and the rest of the family are also living abroad now as they were afraid of being arrested due to the father's defection.

#### Discharge

Nobody has been discharged from the Syrian army since 2011.

#### Extent to which conscripts are being deployed in offensives

The lawyer emphasized that it is not only Special Forces that are fighting at the front; also recruits take part in fighting in Syria. At best, new recruits receive a two months training before partaking in fighting, but there are cases where people have been sent to the frontline after a few days training or no training at all. A large number of such untrained or poorly trained soldiers have died in the battlefield shortly after their deployment to the frontline.

#### The National Defence Forces (NDF)

A majority of those recruited to the NDF are people who have joined on a voluntary basis. Among NDF soldiers, one finds minors who are as young as 13 years old.

There are a limited number of people who are recruited to the NDF by force. But unlike the Syrian army, the NDF may recruit people by force regardless of whether they are exempted from military service according to the law.

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## **Meeting with a Kurdish activist**

Gaziantep, 3 June 2015

About the source: The source is a Kurdish activist from the Kurdish area of Syria. He left Syria more than two years ago and is now living in Turkey. He works for an NGO, whose activities also cover the Kurdish region of Syria. The organization works on community development.

#### *Situation in the Kurdish controlled areas*

#### Procedure for conscription to mandatory self-defence duty

According to the new law on mandatory self-defence duty, all young men between 18 and 30 years living in the Kurdish area are obliged to perform mandatory self-defence duty. The service lasts for six months that can be split on different periods within one year. People are called up based on information from the civil records in the Kurdish Self-administration. If people do not show up, the Assayish will arrest them, according to the law, and send them to the training camps.

The law has not been implemented very strict so far, and many families have already sent their sons and daughters to join the YPG/YPJ on a voluntary basis.

According to the source, the mandatory service does not apply to non-Kurds living in the area. In the beginning, it was done on a small scale, but then stopped including non-Kurds. Some of the Arabs and Syrians have joined their own militia groups who are allied with the YPG (Arabs join al-Sanadid army and Assyrian-Syriacs join Sutoro and the Syriac Military Council (in Syriac '*Mawtbo Fulhoyo Suryoyo*' (MFS)).

According to the law on mandatory self defence duty, the service includes six months of training after which the person should be able to leave the service. As the law is still very new (adopted on July 13<sup>th</sup> 2014), it remains to be seen whether this will be possible to leave the service after the training. The source did not trust that this would actually happen.

The sources added that in Article 5 of the law it states that "anyone who comes from a family who have lost one of its members in the YPG, the Asayish or within the ranks of Kurdish liberation movement, or who is the only son of his mother or father", is exempted from the mandatory self-defence duty. In addition, people with special needs and ill persons with severe illness will be exempted if it can be certified by a doctor. Article 6 of the mandatory service states that "people, who have a family to support, will receive a financial contribution while they are fulfilling their military service." In addition, not two persons from the same family should be serving at the same time.

But in practice, so far, the law is not enforced as it should be. If someone is the only child or the sole provider for the family, he will not be exempted from the mandatory self-defence duty.

The source mentioned that there are some young men who are working with NGOs in the Kurdish area and who have had their mandatory self-defence duty delayed. They do this by getting a registration paper from a university in the region e.g Hassakeh university or universities in Aleppo or Lattakia or Damascus. However, the source assumed that this option would not last, especially not if the pressure from IS keeps up.

The source referred to an announcement of a similar legislation made in Afrin last month [7 May 2015]. The source had heard from many activists who are currently in Afrin that according to this legislation, one could pay 500,000 Syrian pounds to avoid performing the duty. It was, however, not well documented whether this was possible for everyone.

Since the mandatory service has been implemented by law this year [2015], many young Kurdish men have left the area, according to the source.

#### Obligation to serve at the frontline as part of one's mandatory self-defence duty

The source assumed that people serving their mandatory self defence duty might be sent to the frontline to fight after more or less six months of training. If a young man has done his military service in the Syrian army, he would already be trained and could be sent to the frontline immediately. This would, however, depend on the area and the need for manpower with qualifications acquired in the Syrian army. The source mentioned that some of the people who had been fighting in Kobane would not receive any training at all.



## Evasion

If someone does not show up for the mandatory service, the Assayish may search the house of his family. If they find him, he will be sent for training in a camp. Until now, according to the source's knowledge, it has not had any consequences for the family if their son does not turn up for the mandatory duty.

## Recruitment to the YPG/YPJ

Apart from those recruited to the YPG through the mandatory self-defence duty, most recruitment to the YPG/YPJ is on a voluntary basis. Forced recruitments are less frequent and they are often related to conflicts between the KNC and the TEV DEM<sup>160</sup>. According to the source, it has become a sort of "fashion" in the area to fight against the IS which is one of the reasons why people join voluntarily. Some young women also join to avoid marriage. It is also a source of income to join the YPG/YPJ.

If someone has joined the YPG/YPJ on a voluntary basis, he or she should also be able to leave the force again and this has also happened according to the source.

The source referred to cases of minor girls being recruited to the YPJ. The source also referred to the agreement made between the YPG/YPJ and Geneva Call in June 2014 according to which the YPG/YPJ must comply with international law and stop recruitment of minors.<sup>161</sup> Since this agreement was made, there had been three cases of recruitment of minor girls reported which the source personally knew of. These minor girls were not recruited by force - they joined voluntarily, but the families could not get the girls back from the YPJ. One of these cases was the case of a 15 year old girl whose name was Hamrin Husayn.<sup>162</sup> The family of Hamrin organized demonstrations in Amudah in January 2015 to protest against the recruitment after which the daughter appeared on a YPG youtube channel<sup>163</sup> stating that she had joined the force voluntarily and that she was 18 years old. The source knew of two other recent cases with girls of 16 and 17 years old age, one from Afrin and the other one from Kobane. According to the source, such teenagers are "brainwashed" and ideologically convinced and they join the YPJ on a voluntary basis.

The source referred to a recent case in the media<sup>164</sup> according to which a fourteen years old girl, Nurman Ibrahim Khalifah, born in 2001 in al-Hassakah, had been able to desert the YPJ. According to the media, the girl was 13 years old and a ninth-grader when she was kidnapped by the PYD and brought to a PKK military camp in Iraqi-Kurdistan, where she was to be trained as a guerrilla fighter. The source found that this might be a fake testimony, as some families/groups who are in opposition to the PYD would fake such testimonies, and hence such accusations shall be well investigated.

There are recruitment networks which mostly target young women. These recruitment networks comprising friends and neighbors will try to convince the young women to join the YPJ. The families in the area may also push their daughters to join the YPJ for a number of reasons including ideological reasons or because of the nearness of ISIS attacks on the region where these families live.

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<sup>160</sup> According to the source, TEV-DEM is an umbrella composed of many organizations that includes PYD

<sup>161</sup> <http://www.genevacall.org/syrian-kurdish-armed-non-state-actor-commits-ban-anti-personnel-mines-sexual-violence-child-recruitment/>

<sup>162</sup> <http://www.kurdwatch.org/index.php?aid=3311&z=en&cure=1016>

<sup>163</sup> <https://www.youtube.com/watch?v=tZflll-VVcE>

<sup>164</sup> [http://www.kurdwatch.org/syria\\_article.php?aid=3428&z=en&cure=240](http://www.kurdwatch.org/syria_article.php?aid=3428&z=en&cure=240)

### Prevalence of attacks by the YPG against civilians

There has so far not been any documentation to confirm that the YPG has carried out attacks on civilian residential areas on a systematic basis, however, there have been attacks by the Asayish and the YPG on civilians in Jazeera, Kobane and Afrin on a number of occasions. The source mentioned that there had also been reports about ethnic cleansing of Arabs in the Kurdish areas but so far there has been no evidence to support this neither by Amnesty, HRW or VDC which according to the source would be the most reliable sources to investigate such allegations.

### Agreement between the Syrian army and the Kurdish Self-administration

There seems to be an agreement between the Syrian authorities and the Kurdish Self-administration that the parties must not recruit people to their respective forces in each other's areas.

### Ajanibs

Ajanibs were granted their nationality back, and as for their situation in regard of the military service in the Syrian army the following procedures has applied: male Ajanib Kurds born before 1990 are not obliged to do military service in the Syrian army. Those who are born after that year have to do military service provided that they have obtained the Syrian citizenship.

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## **Meeting with Iyad Agha and Muhannad Kanawati, Watan**

Gaziantep, 3 June 2015

About the sources: Iyad Agha and Muhannad Kanawati are activists and members of the organization Watan. Watan is an umbrella organization founded in 2012. Organizations under Watan are involved in capacity building, development and relief work in Syria and the neighboring countries. About 90% of their work is in areas outside government controlled areas in Syria. Iyad Agha and Muhannad Kanawati left Damascus about one year and two months ago. Muhannad Kanawati works for *Khayr*, one of the institutions under Watan, which has initiated several projects within IDP camps inside Syria. For the last six months Khayr has worked with livelihood and shelter programmes in al-Hassakah. The organization has an office in al-Qamishli. The sources mentioned that their information about the Kurdish controlled areas was basically hearsay and not from direct reliable sources. They received information through connections and work in some areas there. (For further information see <http://www.watansyria.org/en/> and <http://www.watansyria.org/en/category/khayr/> )

### *Military service in the Syrian army*

#### Areas in which the government recruits for military service

The government recruits in areas under its control. The recruitment has intensified in the late 2013 and in the beginning of 2014 there have been incidents of people being arrested forcefully in public. On a few occasions, the military has driven busses into crowded places in Damascus, forced all men in the nearby area onto the buses and taken them to serve in the military. According to the sources, this had happened more than one year ago, and again three months ago. These actions have caused rumors about a general mobilization, but so far it has not happened.

People from opposition controlled areas risk being taken for military service once they enter the government controlled area. The sources referred to an example where some students were conscripted when they went into the government controlled area to complete their exams.

Internally displaced persons are not registered and thus not called up for military service. But they can nevertheless be taken at a checkpoint and forced to serve in the military.

#### Procedure for military conscription

Twice a year – in March and October – there are calls for conscription of young men.

#### Possibility to serve in the NDF as an alternative to military service

People who serve in the NDF are not taken to serve in the Syrian army, but the sources did not consider this to be according to any formal rule. The sources were not sure whether people would have to join the army if they left the NDF.

Different age groups are joining the NDF, according to the sources. Persons above the age of 40 as well as young recruits at the age of 15 join the NDF on a voluntary basis. The sources were familiar with cases of recruitment of young boys of 15 years in Damascus who were recruited in the schools.

#### Procedure for calling up reservists for military service

According to the sources anyone under the age of 40 can be called up for the reserve, and reservists can be called up even more than once. The sources had not heard of anyone over 40 being called up for the reserve. Most of the people called up presently are in their 30s.

Reservists are called up according to their qualifications. Qualifications depend on the kind of training the person has received during the first six months of training in the military, and which is noted in the military booklet. After the first six months of training, the person might do something completely different during the remaining of his time in the military, such as driving a truck or doing administrative work. The sources emphasized that training is often very poor, and a person who has been trained as a tank mechanic might not be able to repair a tank. It was further emphasized that it was not unusual that a person has actually never carried out this special training and instead have paid a bribe to stay at home, but this qualification has nevertheless been stated in his military book.

The types of qualifications needed by the army changes from time to time and the reservists called up change accordingly. Sometimes, it is infantry or engineers that are needed, while at other times they just need people at the front and anybody can be called since focus will be on numbers rather than qualifications. Recruits from before 2010 are considered to be better trained and the sources considered these to be more likely to be called up as reservists.

#### Exemption rules

The laws on exemption still apply. But they are applied less systematically.

Students fail courses deliberately and register for masters without attending courses just to prolong their studies and thereby extend their exemptions from military service. A BA-student may be exempted from military service up to the age of 26, a MA-student may be exempted up to 28 years and a PhD-student up to the age of 30.

An exemption from military service for students has to be renewed every year. If a student has not renewed his papers, he may be taken right away to do military service. If a student is not carrying his student card with him, he risks being taken at checkpoints unless he pays a bribe.

The sources further mentioned that students living in areas where demonstrations and riots had taken place in the beginning of the conflict were often harassed and had to prove their student status more often than others.

A student, who had applied for a delay due to his master studies, was visited by the security forces at his house. The security forces threatened to destroy his documents and informed that his student documents could be destroyed and he could be taken. This was mainly done to obtain a bribe. For those who do not have means to bribe the authorities, it could mean that they would be sent to jail and directly to the frontline without training.

In the past, many people paid bribes to obtain medical papers or bought false medical papers at the bazaar in order to be exempted from military service for medical reasons. According to the sources, this caused an escalation of exemptions based on medical reasons and therefore lately attracted a lot of attention. There have been rumors that the authorities are investigating this and they will revisit cases on exemption for medical reasons.

Only son of a family would also have to apply for an exemption each year, as long as his mother is below 50 years. Once she turns 50, he will be exempted for life time.

#### Consequences of evasion for family members

Recently, the risk of family members being harassed due to evasion has increased. If there are no other outstanding issues with authorities than evasion, the family will usually not face other problems than harassment. If a person from the Military Police who is searching for an evader has had a bad day, he might decide to search the house of the evader's family and may break things in the house.

Evasion can also lead to the family being forced to pay bribe to a military person or another authority continuously (e.g. every week) not to face more serious problems.

#### Discharge

Those who are recruited to the Syrian army are not discharged. Last time anyone was discharged from the Syrian army was in January 2012.

#### *Situation in the Kurdish controlled areas*

##### The procedure for conscription to mandatory self-defence duty

At present, there is a large scale recruitment of young men to the mandatory self-defence duty in the Kurdish areas. Ethnic minorities such as Christians and Arabs living in the Kurdish area are not forced to join. The sources considered the procedure for conscription in the Kurdish controlled areas to be similar to the procedures the Syrian government used for conscription. However the structures are less developed in the Kurdish areas. It was added that the percentage of people volunteering to serve is high. It was estimated that 70% of the young men in the area had joined on a voluntarily basis. 30% of the young Kurdish men have left the area, not necessarily because they are in opposition to the PYD/YPG, but because they are looking for better opportunities abroad.

Information on who is to be conscripted is provided by small local councils called communes. These local councils collect information on residents in each area.

According to the sources, a person obliged to perform the self-defence duty will be searched for at his house if he has not shown up for the duty, and he will eventually be taken to serve by force. The sources emphasized though that they did not have detailed information about this procedure, including specific information on what would happen to evaders if they are caught.

The extent of using bribe to avoid recruitment is limited in the Kurdish areas compared to the government controlled areas, but the sources did not rule out the possibility that a young man could pay the person responsible for the registration of conscripts in the area to report him as non-available.

The sources stressed that the mandatory self-defence duty is a new measure, and that they did not have information on how the self-defence duty and recruitment to the YPG are connected.

#### Recruitment to the YPG

According to the sources, the YPG is trying to convince people to join them. People are registered with the Kurdish authorities, and the YPG therefore knows where the young men live. If the YPG needs fighters, they will go to the houses of young men and tell their families that their sons are needed. If persons searched for do not appear, the YPG will come back for a second or third visit and the family will be questioned. If the person searched for is caught, he will usually be taken to the frontline and not to prison. An only child will usually not be forcefully recruited.

Women are joining the YPJ voluntarily. However, sometimes families are, due to their strong belief in the Kurdish cause, pressuring their daughters to join the YPJ. Although the pressure on a woman is less compared to the pressure on a man, women sometimes run away from their family for this reason.

#### Possible obligation to fight for the YPG in the frontline while serving the mandatory self-defence duty

The self-defence duty is a new obligation and it is too early to know how it will be used. Usually, a person will be trained before being sent to fight for the YPG at the frontline. However, if a battle is going on and there is no time for training, it could not be ruled out that a person would be sent to the frontline with no or very limited training.

Minors are not recruited by force, and many of them join the YPG voluntarily. The minors will even be used at the frontline if they wish to fight. The sources emphasized that the number of minors fighting at the front is very limited.

#### Prevalence of attacks by the YPG against civilian areas

The sources had not heard of any such attacks.