



**Australian Government
Refugee Review Tribunal**

Country Advice

Syria

Syria – SYR39963 – reservist recall –
punishment for evasion

21 February 2012

Questions

1. **Country Advice SYR39739 of 20 January 2012, states that the Syrian government had recalled reservists in the wake of the Syrian uprising. However, this 2011 recall reportedly had mixed success with ‘credible evidence’ suggesting that the regime was ‘unable to call back more than 60 per cent of its reserves’, according to a December 2011 report by Michael Weiss titled *Safe Area for Syria: An Assessment of Legality, Logistics and Hazards*.¹ What were the reasons behind the government’s inability to call back 60 per cent of its reserves? For example, were the reservists inaccessible or had they intentionally evaded the recall?**

Available information suggests that reservists have been intentionally inaccessible in order to evade recall. The most frequently reported reason given for deserting or defecting from the Syrian army is a refusal to perpetrate violence against the civilian population.² Sectarian divisions in Syria are also a key reason why reservists have evaded recall – Syria is a Sunni majority country and STRATFOR reports that Sunni conscripts, faced with fighting against their ‘coreligionists’, have been deserting or defecting to the Free Syrian Army’.³

2. **Is there any information to suggest that reservists have faced punishment or ill-treatment for failing to respond to the government’s recall of its reservists?**

Although no specific reports were found where reservists faced punishment or ill-treatment for failing to respond to the government’s recall, Weiss states that an ‘unpleasant’ jail sentence faces

¹ Weiss, Michael 2011, *Safe Area for Syria: An Assessment of Legality, Logistics and Hazards*, Foreign Policy website, 24 December
http://www.foreignpolicy.com/files/fp_uploaded_documents/111228_intervention_Syria_paper_.pdf – Accessed 11 January 2012

² Bilefsky, Dan 2012, ‘Soldier Says Syrians Atrocities Forced Him to Defect’, *The New York Times*, 1 February
http://www.nytimes.com/2012/02/02/world/europe/soldier-says-atrocities-made-him-a-syrian-defector.html?_r=1&pagewanted=all – Accessed 21 February 2012; Fordham, Alice 2012, ‘Syrian defectors call for international help’, *The Washington Post*, 8 January http://www.washingtonpost.com/world/middle_east/syrian-defectors-call-for-international-help/2012/01/05/gIQA0ikfP_story.html – Accessed 21 February 2012; Human Rights Watch 2011, *By All Means Necessary*, December, pp.8-9
http://www.hrw.org/sites/default/files/reports/syria1211webwcover_0.pdf – Accessed 21 February 2012

³ ‘Despite cohesion, Syria regime could fall’ 2011, *AFP*, 19 June
http://www.google.com/hostednews/afp/article/ALeqM5jrD6bDpifjp9_bYAhpVGsnn2Tv8g?docId=CNG.3c87464718e1d06029b507a4b825c92c.811 – Accessed 21 February 2012; STRATFOR 2012, *The Use of Mercenaries in Syria’s Crackdown*, 12 January <http://www.stratfor.com/analysis/use-mercenaries-syrias-crackdown> – Accessed 21 February 2012

any soldier who is 'absent without leave'.⁴ Human Rights Watch reports that 'the consequences for disobeying orders (in the army)...have been severe', with defectors claiming that they witnessed officers or intelligence agents killing military personnel who refused to follow orders and were themselves detained and tortured for disobedience.⁵ The Syrian government has also reportedly sought to keep soldiers' families in Syria and threatened to 'punish' such family members should soldiers defect.⁶ Yet despite the threat of such punishments, on 9 February 2012, Weiss reported that an estimated two-thirds of army reservists had failed to report for call-up duty.⁷ Of note, Sarah Leah Whitson, Director of the Human Rights Watch Middle East team, reported the following to *The Washington Post*:

"What we hear from soldiers is fear, fear of retribution," she said, citing an incident in Jabal Zawiyah in Idlib province on Dec. 20 in which more than 100 soldiers were reportedly killed after attempting to defect.

"I hear — not just from soldiers, but also from diplomats — that we're not seeing defections because the Assad regime has made sure that their family members always remain in the country," and people fear their families will be harmed if they desert their posts, Whitson said.⁸

A January 2012 *Reuters* interview with General Mostafa Ahmad al-Sheikh, 'the most senior commander to abandon the Syrian military', provides some information on the possible whereabouts of reservists who have failed to report for the recall.⁹ According to Sheikh, 'most deserting soldiers have not taken up arms against pro-Assad forces' because 'their primary concern has been to evade capture by secret police units in charge of stifling dissent within the military'.¹⁰ No further information could be found to validate this claim.

⁴ Weiss, Michael 2012, 'The Syrian rebels' war of attrition', *The Telegraph* news blog, 30 January <http://blogs.telegraph.co.uk/news/michaelweiss/100133520/the-syrian-rebels-war-of-attrition/> – Accessed 21 February 2012

⁵ Human Rights Watch 2011, *By All Means Necessary*, December, p.8 http://www.hrw.org/sites/default/files/reports/syria1211webwcover_0.pdf – Accessed 21 February 2012

⁶ Weiss, Michael 2012, 'Break the Stalemate! A Blueprint For a Military Intervention in Syria', The New Republic website, 9 February <http://www.tnr.com/article/world/100599/syrian-intervention-humanitarian-alawite-assad-crisis> – Accessed 21 February 2012; Fordham, Alice 2012, 'Syrian defectors call for international help', *The Washington Post*, 8 January http://www.washingtonpost.com/world/middle_east/syrian-defectors-call-for-international-help/2012/01/05/gIQA0ikfP_story.html – Accessed 21 February 2012

⁷ Weiss, Michael 2012, 'Break the Stalemate! A Blueprint For a Military Intervention in Syria', The New Republic website, 9 February <http://www.tnr.com/article/world/100599/syrian-intervention-humanitarian-alawite-assad-crisis> – Accessed 21 February 2012

⁸ Fordham, Alice 2012, 'Syrian defectors call for international help', *The Washington Post*, 8 January http://www.washingtonpost.com/world/middle_east/syrian-defectors-call-for-international-help/2012/01/05/gIQA0ikfP_story.html – Accessed 21 February 2012

⁹ Oweis, Khaled Yacoub 2012, 'Syria's army weakened by growing desertions', *Reuters*, 13 January <http://www.reuters.com/article/2012/01/13/us-syria-defections-idUSTRE80C2IV20120113> – Accessed 21 February 2012

¹⁰ Oweis, Khaled Yacoub 2012, 'Syria's army weakened by growing desertions', *Reuters*, 13 January <http://www.reuters.com/article/2012/01/13/us-syria-defections-idUSTRE80C2IV20120113> – Accessed 21 February 2012

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