



**HUMAN RIGHTS COUNCIL
Forum on Minority Issues
Geneva, 14 – 15 December 2010**

Thank you, Madam Chair, for giving me the floor. My name is Jian Badrakhan, I am from YASA, the Kurdish Centre for Legal Studies & Consultancy. Our organization advocates the rights of Kurdish people in Syria, whose population is estimated to be about 3 million.

Over the last decades, the Syrian government and the Al Bath party, the leader party in Syria since 1963, has excluded the Kurds from effective participation in economic life in the country. Even though the Kurdish region abounds in mineral resources and an excellent agricultural area, Kurds are the poorest people in Syria and the Kurdish region faces a big lack of public service.

Kurds in Syria are poorly represented in public and private sector employment. They face the most difficulties in the public sector, as there are always political examinations preventing the consideration of Kurdish applicant. The Political security can recognize the Kurds from their names or addresses and exclude them from the employment. For the public positions in the Kurdish region, the government and the political security department employs Arabs from other regions.

On the private sector if Kurds want to do small business or apply for a credit, they need to go like the other citizen of Syria through a bureaucratic and corrupted system, and in additional they have to face ethical discrimination.

The disaster for the Kurds in Syria is, that about 120 000 Kurds have lost their Syrian nationality in 1962 and their number has increased to 350 000 Kurds. Those persons have no permission to work and only have a chance to survive through daily work here and there.

On 10.09.2008 the president of Syria, Mr Bashar Al Assad has paralysed the economic life in the Kurdish region in Syria through the decree 49, in which he prohibited- transfer, modification or acquisition of any right to a property in the border region or its use for rent or other commercial purpose for a period of more than three years in the name of or for the benefit of an individual or legal entity. As exception the decree gives a prior permission, which practically doesn't exist. (The Kurdish region has been totally declared as border region).¹

¹ See the complete text in English under the following link:

http://www.kurdwatch.org/pdf/kurdwatch_dekret49_en.pdf

And the original in Arabic under the following link: http://www.kurdwatch.org/pdf/kurdwatch_dekret49_ar.pdf

YAŞA e.V.

Kurdish Centre for
Legal Studies &
Consultancy

Kurdisches Zentrum
für juristische
Studien und
Beratungen

Navenda kurdî
ji bo lêkolîn û
rawêjkarîya yasayî

المركز الكردي للدراسات
والاستشارات القانونية

YASA e.V.

Postfach 7624
53076 Bonn

www.yasa-online.org

The decree 49 is based on law 41 which was released by the Syrian parliament on 18.10.2004 and signed by the president on 26.10.2004.²

As result of law 41 and decree 49, more that 580 Kurdish villagers and their family lost their land, which they cultivated due to the right of use over the last decades. This land was declared by the Syrian government as public ownership and the right of use was cancelled and will be given soon to Arabs, which the government is going to bring from other regions. Referred to many resources, the government is planning to cancel the right of use for about 9000 Kurdish villagers.

Such racial measures threaten and damage the existence of the Kurdish minority in Syria. Our center and many other human right organizations register daily dismissal of Kurdish employees all over the Kurdish region and towards the Kurds living in the big cities. The Syrian government works actively to get the Kurds and Kurdish region lost in poverty and in consequence force them to leave their land and to emigrate to Europe.

Due to the above mentioned racial amount of discrimination against the Kurds in Syria, and the definition of the Kurdish issue in Syria as a security danger, the Syrian government has brought the public service and public investment in the Kurdish region to the absolutely minimum. Everybody who is visiting the Kurdish region and cities like Efrin, Kobani, Qamishlo and Aljazeera province, is able to see the poverty and notices the huge differences between the Kurdish region and the Arabic Cities in Syria. Even the Syrian government receives a great amount of financial support and credits from many countries and International GOs. The financial support doesn't reach the Kurdish area and if a minimum support goes to the Kurdish cities, it is used by the corrupted administrative officers who were brought from outside to the Kurdish region.

Thank you very much.

Jian Badrakhan
YASA e.V. – Kurdish Centre for Legal Studies & Consultancy

² See the complete text in English under the following link:

http://www.kurdwatch.org/pdf/kurdwatch_gesetz41_en.pdf

And the original in Arabic under the following link: http://www.kurdwatch.org/pdf/kurdwatch_gesetz41_ar.pdf