



American-Arab Anti-Discrimination Committee

January 25, 2012

The Honorable Secretary Janet Napolitano
United States Department of Homeland Security (DHS)
Washington, DC 20528

Re: Syria TPS Request

Dear Secretary Napolitano:

In light of the recent severe escalation of violence in Syria, the American-Arab Anti-Discrimination Committee (ADC)¹ is writing you to request Temporary Protected Status (TPS) for Syrian nationals. This request has been endorsed and is supported by a diverse and broad coalition of community partners including – Refugee Council USA (RCUSA)², Syrian Americans for Democracy (SAD)³, US Committee for Refugees and Immigrants (USCRI)⁴, Hebrew Immigrant Aid Society (HIAS)⁵, Syrian

¹ The American-Arab Anti-Discrimination Committee (ADC) is the nation's largest Arab American civil rights organization headquartered in Washington, DC. Founded in 1980 by a former US Senator, ADC currently has members in every state and nearly 40 Chapters nationwide. The ADC membership base is comprised of a diverse array of individuals, encompassing the true diversity of the Arab community. Included in that membership base are Syrian nationals, and relatives of Syrian nationals, who face the possibility of being forced to return to Syria as a result of their immigration status. The ADC Legal Department offers pro bono legal services to these individuals in an attempt to protect their safety. www.adc.org.

² Refugee Council USA is a coalition of organizations committed to welcoming and protecting refugees. The mission of RCUSA is to -- Enhance the capacity, voice and effectiveness of member organizations to advance a mutually agreed upon common agenda of protection and meaningful welcome; advocate globally for the protection, integration and rights of refugees and other populations who are forcibly displaced and at risk; and build excellence in the U.S. refugee resettlement program through the collaboration of member organizations. www.rcusa.org.

³ Syrian Americans for Democracy is an educational, humanitarian, political, human rights group established to help the people in America understand and learn about the conflict in Syria and its implications on the region and the world. Also to support the Democracy Movement in Syria by peaceful means of protest, media reach out, lobbying, humanitarian efforts, financially, and to work with human rights group to bring relief to people of Syria. www.syrianamericansfordemocracy.org.

⁴ US Committee for Refugees and Immigrants (USCRI) is an organization committed to protect the rights and address the needs of persons in forced or voluntary migration worldwide by advancing fair and humane public policy, facilitating and providing direct professional services, and promoting the full participation of migrants in community life. www.refugees.org.

⁵ The Hebrew Immigrant Aid Society (HIAS) is the international migration agency of the American Jewish community. We provide rescue and refuge for persecuted and oppressed Jews around the world. In recent years, as the population of Jewish refugees has diminished, HIAS has directed their expertise to assist refugees and immigrants of all backgrounds. HIAS also advocates in Congress for fair and effective policies affecting refugees and immigrants. Since 1881, HIAS has assisted more than 4,500,000 people worldwide. HIAS provides protection

Emergency Task Force (SETF)⁶, United for Free Syria (UFS)⁷, South Asian Americans Leading Together (SAALT)⁸, and Syrian Expats⁹. This request is being made in light of the civil strife that has entrenched Syria for the past few months. Currently, there seems to be no immediate end to the violence- indeed reports indicate that violence across the country is increasing.

Since the early part of 2011, Syrian residents have seen a significant escalation in the ongoing armed civil conflict resulting in thousands of deaths. The situation in Syria is one of a dire humanitarian crisis. Consequently, Syria has become the focus of international organizations, such as the United Nations, the Arab League and other non-governmental relief entities due to the severity of the humanitarian emergency.

Under 8 U.S.C. § 1254a, the Department of Homeland Security may designate any foreign state or part of a foreign state for Temporary Protected Status if there is ongoing armed conflict within the state and, due to the conflict, requiring the return of nationals to that state or part of a state would pose a serious threat to their personal safety. In the context of escalating and “ongoing armed conflict,” requiring nationals to return to Syria “would pose a serious threat to their personal safety.” 8 U.S.C. §1254(b)(1)(A).

Timeline of Events Leading to Current Conditions

Initial Acts by Syrian Government

The violence against civilians in Syria began in the city of Daraa after the security forces headed by A'tef Najib, the cousin of President Bashar Al-Assad, jailed and tortured school children for writing on the walls anti-regime slogans. After Najib insulted the heads of the tribes that came to him to release the kids, protests broke out. The security forces shot and killed protesters which then resulted in the larger eruption. After the incident in Daraa, on the 16th of March, 2011, Syrian security forces dispersed about

and assistance to some of the most endangered populations around the world. Depending on location, these services can include trauma counseling, art therapy, legal advice, and humanitarian assistance. www.hias.org.

⁶ Syrian Emergency Task Force is a non-profit organization aimed at educating the American public about the Democratic aspirations of the Syrian people. www.syrianemergencytaskforce.org.

⁷ United for Free Syria is a non-profit organization formed with the purpose and mission of promoting freedom and democracy for the Syrian people, and ensuring that the people of Syria are treated with respect, dignity and ensured their universal human rights. www.unitedfreesyria.org.

⁸ South Asian Americans Leading Together (SAALT) is a national, nonpartisan, non-profit organization that elevates the voices and perspectives of South Asian individuals and organizations to build a more just and inclusive society in the United States. SAALT is the only national, staffed South Asian organization that advocates around issues affecting South Asian communities through a social justice framework. SAALT's strategies include conducting public policy analysis and advocacy; building partnerships with South Asian organizations and allies; mobilizing communities to take action; and developing leadership for social change. www.saalt.org.

⁹ Syrian Expats is an organization comprised of a diverse membership base \ who are concerned about the atrocities committed in their homeland of Syria. The objective of the group is to help Syria regain its peaceful and historical significance as the land where many civilizations prospered, many ethnicities lived, and the three Abrahamic religions spread. This group is open to all Syrians who are willing to support their people's aspirations. www.syrian-expatriates.com.

150 people who had been demanding the release of political prisoners in front of the Interior Ministry in Central Damascus.¹⁰ Reports from witnesses on the scene described the protest as being peaceful.¹¹ Scores of security forces charged the protestors with black batons. At least one demonstrator suffered a gash on his head and at least five protestors were detained by security forces.¹²

Within ten days of the original government crackdown, protests swelled into cities across Syria, including Baniyas, Homs, Deir Ezzor and Deraa in the south. Protestors in each of these cities reported violence and deaths.¹³ As the protests continued, the threat of sectarian violence also appeared evident,¹⁴ and indeed some of the violence is a result of sectarian divide. By the 23rd of March, Syrian authorities severely restricted reporters from entering the city of Deraa.¹⁵ After the death of six individuals at the Omari Mosque, internal and international pressure began mounting on the Syrian regime.

On the 29th of March, the entire Syrian cabinet resigned. President Bashar al-Assad “accepted” the cabinet’s resignation after meeting with officials.¹⁶ Although it is widely believed that President al-Assad forced the cabinet members to resign, failure to do so would have resulted in harm to themselves or their family members. President al-Assad pegged Mr. Adel Safar, a former agriculture minister to form a new government on April 3rd.¹⁷ Also on April 3rd, the United States Department of State reissued a travel warning to Syria (subsequent warnings have been issued on a regular basis), stating, in part:¹⁸

U.S. citizens currently in Syria are advised against all travel to the coastal city of Lattakia as well as the southern city of Dera’a and the surrounding towns and villages. Demonstrations in those areas have been violently suppressed by Syrian security forces and there are reports of curtailed telecommunications, ongoing disturbances and live gunfire in various neighborhoods in the region.

¹⁰ *Syrian security forces break up protest in Damascus*, Reuters News (March 16, 2011), <http://www.reuters.com/article/2011/03/16/syria-protest-idUSLDE72F0XO20110316> (last visited January 25, 2012).

¹¹ *Id.*

¹² *Id.*

¹³ *The Arab awakening reaches Syria*, The Economist (March 21, 2011), http://www.economist.com/blogs/newsbook/2011/03/protests_middle_east (last visited January 25, 2012).

¹⁴ Leila Fadel, *In Syria, many uneasy about where struggle for power might lead*, Washington Post (March 29, 2011), http://www.washingtonpost.com/world/syrian-president-accepts-cabinets-resignations/2011/03/29/AFVTAjuB_story.html (last visited January 25, 2012).

¹⁵ Jim Muir, *Syria: Setting the country alight?* BBC News (March 24, 2011), <http://www.bbc.co.uk/news/world-middle-east-12814530> (last visited January 25, 2012).

¹⁶ *Syrian cabinet resigns as regime seeks to calm protests* The Guardian (March 29, 2011), <http://www.guardian.co.uk/world/2011/mar/29/syrian-cabinet-resigns-bashar-assad> (last visited January 25, 2012).

¹⁷ *Syria’s Assad names new prime minister*, Reuters News (April 3, 2011), <http://uk.reuters.com/article/2011/04/03/uk-syria-idUKTRE7312MA20110403> (last visited January 25, 2012).

¹⁸ Travel Warning: Syria (April 3), US Department of State - Bureau of Diplomatic Security (April 3, 2011) <https://www.osac.gov/Pages/ContentReportDetails.aspx?cid=10766> (last visited January 25, 2012).

Demonstrations in other major population centers, including Damascus, Aleppo, Homs and Hama, have degenerated on several occasions into violent clashes between security forces and protesters, resulting in deaths, injuries, and property damage. We remind U.S. citizens that even demonstrations intended to be peaceful can turn confrontational and escalate into violence.

On April 19th, the Syrian government passed a bill lifting emergency rule.¹⁹ The concessions by the government came hours after the police, army, and other forces of the authoritarian state were marshaled to crush one of the biggest gatherings to date by protestors in Homs, which is Syria's third largest city.²⁰ The government failed to stand by its promise of reform and the violence continued to escalate across the country. The tipping point came on April 22nd when security forces and gunmen loyal to Assad killed at least 100 protestors.²¹ Shortly after the attacks, President Obama released a statement which read as follows:²²

The United States condemns in the strongest possible terms the use of force by the Syrian government against demonstrators. This outrageous use of violence to quell protests must come to an end now. We regret the loss of life and our thoughts are with the families and loved ones of the victims, and with the Syrian people in this challenging time.

The Syrian Government's moves yesterday to repeal Syria's decades-old Emergency Law and allow for peaceful demonstrations were not serious given the continued violent repression against protesters today. Over the course of two months since protests in Syria began, the United States has repeatedly encouraged President Assad and the Syrian Government to implement meaningful reforms, but they refuse to respect the rights of the Syrian people or be responsive to their aspirations. The Syrian people have called for the freedoms that all individuals around the world should enjoy: freedom of expression, association, peaceful assembly, and the ability to freely choose their leaders. President Assad and the Syrian authorities have repeatedly rejected their calls and chosen the path of repression. They have placed their personal interests ahead of the interests of the Syrian people, resorting to the use of force and outrageous human rights abuses to compound the already oppressive security measures in place before these demonstrations erupted. Instead of listening to their own people, President Assad is blaming outsiders while seeking Iranian assistance in repressing Syria's citizens through the same brutal tactics that have been

¹⁹ Anthony Shadid, *Syria Steps Up Its Crackdown While Promising Reform* NY Times (April 19, 2011) <http://www.nytimes.com/2011/04/20/world/middleeast/20syria.html?pagewanted=all> (last visited January 25, 2012).

²⁰ *Id.*

²¹ Anthony Shadid, *Security Forces Kill Dozens in Uprisings Around Syria* NY Times (April 22, 2011) <http://www.nytimes.com/2011/04/23/world/middleeast/23syria.html?pagewanted=all> (last visited January 25, 2012).

²² Statement by the President on Syria, The White House - Office of the Press Secretary (April 22, 2011) <http://www.whitehouse.gov/the-press-office/2011/04/22/statement-president-syria> (last visited January 25, 2012).

used by his Iranian allies. We call on President Assad to change course now, and heed the calls of his own people.

We strongly oppose the Syrian government's treatment of its citizens and we continue to oppose its continued destabilizing behavior more generally, including support for terrorism and terrorist groups. The United States will continue to stand up for democracy and the universal rights that all human beings deserve, in Syria and around the world.

Initial Response from the United States & International Community

In the weeks and months that followed, protests and demonstrations reached cities across Syria. Demonstrators were becoming more vocal and government actions were becoming more violent. This led to the first wave of international condemnations against the government of Syria. On April 29th, President Obama signed "Executive Order 13572 - Blocking Property of Certain Persons with Respect to Human Rights Abuses in Syria,"²³ which stated in part that "the Government of Syria's human rights abuses, including those related to the repression of the people of Syria, manifested most recently by the use of violence and torture against, and arbitrary arrests and detentions of, peaceful protestors by police, security forces, and other entities that have engaged in human rights abuses, constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States..."

As the violence continued and the Syrian government continued to crackdown on protestors, President Obama signed two more Executive Orders pertaining to the civil unrest in Syria. On May 18th, the President signed "Executive Order 13573 -- Blocking Property of Senior Officials of the Government of Syria."²⁴ This order was signed in order to take additional steps with respect to the Government of Syria's continuing escalation of violence against the people of Syria including through attacks on protestors, arrests and harassment of protestors and political activists, and repression of democratic change, overseen and executed by numerous elements of the Syrian government.²⁵

As a direct result of the continuing escalation of violence against the people of Syria, President Obama issued a third Executive Order addressing the matter -- "Executive Order 13582 ("EO 13582") -- Blocking Property of the Government of Syria and Prohibiting Certain Transactions with Respect to Syria."²⁶ Prior Executive Orders pertaining to Syria were aimed at selected individuals, EO 13582 is much broader than prior orders.²⁷ The Order strictly prohibits new investment in Syria and introduces

²³ Executive Order 13572 "EO 13572" -- *Blocking Property of Certain Persons with Respect to Human Rights Abuses in Syria*, (April 29, 2011) <http://www.whitehouse.gov/the-press-office/2011/04/29/executive-order-13572-blocking-property-certain-persons-respect-human-ri> (last visited January 25, 2012).

²⁴ Executive Order 13573 "EO 13573" -- *Blocking Property of Senior Officials of the Government of Syria* (May 18, 2011) <http://www.whitehouse.gov/the-press-office/2011/05/18/executive-order-13573-blocking-property-senior-officials-government-syri> (last visited January 25, 2012).

²⁵ *Id.*

²⁶ Executive Order 13582 "EO 13582" -- *Blocking Property of the Government of Syria and Prohibiting Certain Transactions with Respect to Syria* (August 18, 2011). <http://www.whitehouse.gov/the-press-office/2011/08/18/executive-order-13582-blocking-property-government-syria-and-prohibiting> (last visited January 25, 2012).

²⁷ *Id.*

measures to target Syria's oil exports.²⁸ Although the objective of EO 13582 is intended to deter the Syrian government from further aggression, it also has adversely impacted the Syrian people themselves. With stricter guidelines and sanctions imposed by other nations, the flow of aid and supplies into Syria has also diminished.

The European Union (EU) also imposed sanctions on Assad and other senior members of the government. The initial sanctions imposed by the EU came in May of 2011. Subsequent sanctions followed. In September, the EU implemented an oil embargo against Syria in response to the violent repression of the opposition.²⁹ The sanctions by the EU imposed visa bans and freezing of assets.

On August 23rd, (in?) Geneva, the United Nations Human Rights Council (UNHRC) held a special session on Syria, convened at the request of the EU and backed by a large number of other member and observer states. The UNHRC condemned the violence by Syrian authorities and decided to dispatch an international team to probe reported violations of human rights law in the country. Catherine Ashton, the EU High Representative for Foreign Affairs and Security Policy, warmly welcomed the outcome of the special session and the decision to launch an urgent investigation into human rights violations.³⁰

Updated Examples of Continued Violence and Instability

Despite mounting international pressure and isolation, the violence in Syria continues. Thousands have been killed and many more injured. A brief chronology of recent events provides greater insight into how unstable the country is at the moment and into the danger the people of Syria face on a daily basis. Compilation of the timeline is credited to Reuters News Service;³¹ direct citation to each example has been provided for reference purposes.

- April 22 - Security forces and gunmen loyal to Assad kill at least 100 protesters, a rights group says.³²
- May 23 - European Union imposes sanctions on Assad and nine other senior members of the government.³³
- June 27 - Syrian intellectuals call for sweeping political change at a rare conference allowed by the authorities.³⁴

²⁸ *Id.*

²⁹ Sarah Kent & Benoit Faucon, *EU Sanctions Put A Chokehold On Syrian Crude Oil Exports* Wall Street Journal (December 13, 2011) <http://online.wsj.com/article/BT-CO-20111213-711160.html> (last visited January 25, 2012).

³⁰ Council of The European Union, *Tougher sanctions against Syria* (August 23) <http://www.consilium.europa.eu/homepage/showfocus.aspx?lang=en&focusID=76287> (last visited January 25, 2012).

³¹ David Cutler, *Timeline: Crackdown on protests in Syria* Reuters News (December 28, 2011) <http://www.reuters.com/article/2011/12/28/us-syria-unrest-idUSTRE7BR0LH20111228> (last visited January 25, 2012).

³² Shadid, *Security Forces Kill Dozens in Uprisings Around Syria* NY Times.

³³ Justyna Pawlak & David Brunnstrom, *EU imposes sanctions on Syria's Assad* Reuters News (May 23, 2011) <http://www.reuters.com/article/2011/05/23/us-syria-idUSLDE73N02P20110523> (last visited January 25, 2012).

³⁴ *Syrian Activists Meet in Damascus, Seek to End Violence* Voice of America (June 27, 2011) <http://www.voanews.com/english/news/Syrian-Activists-Meet-in-Damascus-124590209.html> (last visited January 25, 2012).

- July 8 - Thousands rally in Hama calling for Assad to go; U.S. Ambassador Robert Ford and French Ambassador Eric Chevallier visit the city to show support for protesters.³⁵
- July 31 - Syrian tanks storm Hama, residents say, after besieging it for nearly a month. At least 80 people are killed.³⁶
- August 7 - Saudi Arabia's King Abdullah recalls his ambassador from Syria. Kuwait recalls its envoy the next day.³⁷
- September 2 - The European Union imposes a ban on purchases of Syrian oil and warns of further steps unless crackdown ends.³⁸
- September 15 - Syrian opposition activists announce members of a Syrian National Council to provide an alternative to government.³⁹
- October 4 - Russia and China veto a European-drafted U.N. Security Council resolution condemning Syria.⁴⁰
- November 2 - Syria agrees in principle to an Arab League plan to withdraw its army from cities and hold talks. The next day activists say security forces kill 11 people in Homs.⁴¹
- November 12 - The Arab League suspends Syria.⁴²
- November 16 - Army defectors attack an Air Force Intelligence complex on the edge of Damascus. The Free Syrian Army, set up by deserters, is led by Colonel Riad al-Asaad, based in Turkey.⁴³
- November 27 - Arab states vote to impose economic sanctions.⁴⁴

³⁵ David Gollust, State Department, *US, Syria Clash Over Ambassador's Hama Visit* Voice of America (July 8, 2011) <http://www.voanews.com/english/news/middle-east/US-Syria-Clash-Over-Ambassadors-Hama-Visit-125248124.html> (last visited January 25, 2012).

³⁶ Khaled Yacoub Oweis, *Syrians mark bleak Ramadan after 80 killed in Hama* Reuters News (July 31, 2011) <http://www.reuters.com/article/2011/07/31/us-syria-idUSTRE76T02020110731> (last visited January 25, 2012).

³⁷ Ariel Zirulnick, *Saudis condemn Syrian violence after bloody first week of Ramadan* Christian Science Monitor (August 8, 2011) <http://www.csmonitor.com/World/terrorism-security/2011/0808/Saudis-condemn-Syrian-violence-after-bloody-first-week-of-Ramadan> (last visited January 25, 2012).

³⁸ Nada Bakri & Steven Erlanger, *E.U. Bans Syrian Oil as Protests Continue* The New York Times (September 2, 2011) <http://www.nytimes.com/2011/09/03/world/middleeast/03syria.html> (last visited January 25, 2012).

³⁹ Steven Heydemann, *Syria's Opposition* United States Institute of Peace (September 20, 2011) <http://www.usip.org/publications/syrias-opposition> (last visited January 25, 2012).

⁴⁰ Brianna Lee, *UN resolution on Syria fails after double veto* PBS-DC (October 5, 2011) <http://www.pbs.org/wnet/need-to-know/the-daily-need/u-n-resolution-on-syria-fails-after-double-veto/11885/> (last visited January 25, 2012).

⁴¹ Khaled Yacoub Oweis, *Syrian forces kill 19, government officers amnesty* Reuters News (November 4, 2011) <http://www.reuters.com/article/2011/11/04/us-syria-idUSTRE7A13MA20111104> (last visited January 25, 2012).

⁴² Jack Shenker & Peter Beaumont, *Arab League votes to suspend Syria if it doesn't end violence against protesters* The Guardian (November 12, 2011) <http://www.guardian.co.uk/world/2011/nov/12/syria-arab-league-bashar-assad> (last visited January 25, 2012).

⁴³ *Syria: Arab League meets as defectors attack* The Guardian (November 16, 2011) <http://www.guardian.co.uk/world/middle-east-live/2011/nov/16/syria-arab-league-meets-as-defectors-attack-damascus-live-updates> (last visited January 25, 2012).

⁴⁴ *Syria unrest: Arab League adopts sanctions in Cairo* BBC News (November 27, 2011) <http://www.bbc.co.uk/news/world-middle-east-15901360> (last visited January 25, 2012).

- November 30 - Turkey says it has suspended all financial credit dealings with Syria and frozen Syrian government assets.⁴⁵
- December 5 - Syria says it has conditionally approved an Arab League peace plan. Syria demands the annulment of sanctions plus reinstatement in the regional bloc.⁴⁶
- December 7 - Assad denies ordering his troops to kill peaceful demonstrators, telling the U.S. television channel ABC that only a "crazy" leader kills his own people.⁴⁷
- December 12 - Syria holds local elections as part of what it says is a reform process. Critics say the vote is irrelevant.⁴⁸
- December 13 - U.N. High Commissioner for Human Rights Navi Pillay reports the death toll from nine months of unrest has risen to more than 5,000.⁴⁹
- December 15 - Russia offers the U.N. Security Council a new, stronger draft resolution on violence in Syria. Western envoys say the Russian text needs toughening up and can negotiate.⁵⁰
- December 19 - Syria signs the Arab League peace plan, agreeing to let observers into the country.⁵¹
- December 19 - The U.N. General Assembly condemns Syria for its crackdown and human rights abuses, in a vote that highlights Damascus' growing isolation at the world body.⁵²
- December 21 - The Syrian Observatory for Human Rights says 111 people are killed on December 20, as well as over 100 casualties among army deserters in Idlib province.⁵³

⁴⁵ Dan Bilefsky & Anthony Shadid, *Turkey Moves to Intensify Sanctions Against Syria* NY Times (November 30, 2011) <http://www.nytimes.com/2011/12/01/world/middleeast/turkey-intensifies-sanctions-against-syrian-regime.html?pagewanted=all> (last visited January 25, 2012).

⁴⁶ Haroon Siddique, *Syria agrees to admit observers but with conditions* The Guardian (December 5, 2011) <http://www.guardian.co.uk/world/middle-east-live/2011/dec/05/syria-egypt-middle-east-unrest-live> (last visited January 25, 2012).

⁴⁷ Neil MacFarquhar, *Syria, Under Siege Inside and Out, Does Not Budge* NY Times (December 7, 2011) <http://www.nytimes.com/2011/12/08/world/middleeast/syria-bashar-assad-officials-dismiss-protests.html?pagewanted=all> (last visited January 25, 2012).

⁴⁸ Ian Black, *Syrians go to the polls as unrest continues* The Guardian (December 12, 2011) <http://www.guardian.co.uk/world/2011/dec/12/syria-troops-battle-opposition-fighters> (last visited January 25, 2012).

⁴⁹ Khaled Yacoub Oweis, *Syria death toll hits 5,000 as insurgency spreads* Reuters News (December 13, 2011) <http://www.reuters.com/article/2011/12/13/us-syria-idUSTRE7B90F520111213> (last visited January 25, 2012).

⁵⁰ Nada Bakri, *Impatient Protesters Convulse Syria as Russia Offers New Resolution* NY Times (December 16, 2011) <http://www.nytimes.com/2011/12/17/world/middleeast/impatient-protesters-convulse-syria-as-russia-offers-new-resolution.html> (last visited January 25, 2012).

⁵¹ Edmund Blair, *Syria to sign Arab peace initiative - agency* MoneyControl.com (December 19, 2011) http://www.moneycontrol.com/news/wire-news/syria-to-sign-arab-peace-initiative-agency_635736.html (last visited January 25, 2012).

⁵² Lou Charbonneau, *U.N. condemns Syria crack down as its isolation grows* Reuters (December 19, 2011) <http://www.reuters.com/article/2011/12/19/us-syria-un-idUSTRE7BI1LB20111219> (last visited January 25, 2012).

⁵³ Dominic Evans, *Activists say 111 killed in Syria's bloodiest day* Reuters News (December 21, 2011) <http://www.reuters.com/article/2011/12/21/us-syria-arabs-idUSTRE7BI0H520111221> (last visited January 25, 2012).

- December 22 - The British-based Avaaz rights group says it has collected evidence of more than 6,237 deaths of civilians and security forces, 617 of them under torture. Syria announces that more than 2,000 of its security forces have been killed in the unrest.⁵⁴
- December 23 - Twin suicide bombs aimed at two security buildings strike Damascus, killing 44. Syria said al Qaeda terrorists were behind the attacks.⁵⁵
- Opposition members say they suspect the Assad government carried out the bombings itself, to prove to the world it is facing a ruthless insurgency by armed Islamic fundamentalists.⁵⁶
- December 27 - At least 20,000 protesters gather in Homs as Arab League peace monitors say they saw "nothing frightening" in an initial visit to Homs, but a long investigation is needed.⁵⁷
- December 28 - Syrians in the Baba Amr neighborhood of Homs refuse to meet Arab League monitors in the presence of a Syrian army officer, prompting the observers to leave, activists say.⁵⁸
- January 3 - Colonel Riad al-Asaad, head of rebel Free Syrian Army, made up of army defectors, says he is dissatisfied with Arab monitors' progress in halting the crackdown.⁵⁹
- January 6 - A suicide bomber kills 26 people and wounds 63 in Damascus, Syria's interior minister Ibrahim al-Shaar says. He vows an "iron fist" response to the carnage.⁶⁰
- January 10 - In a televised speech, Assad says he will not stand down and his priority is to restore order, something that can only be achieved by "hitting terrorists with an iron fist."⁶¹
- January 11 - Gilles Jacquier, a journalist at France 2 television, is killed in a mortar attack in Homs while reporting on unrest.⁶²

⁵⁴ *More than 6,200 killed so far in Syria revolt: human rights group* National Post (December 22, 2011) <http://news.nationalpost.com/2011/12/22/6200-killed-so-far-in-syria-revolt-human-rights-group/> (last visited January 25, 2012).

⁵⁵ Kareem Fahim, *Syria Blames Al Qaeda After Bombs Kill Dozens in Damascus* (December 23, 2011) <http://www.nytimes.com/2011/12/24/world/middleeast/syria-says-suicide-bombers-attack-in-damascus.html?hp> (last visited January 25, 2012).

⁵⁶ *Syria says twin sicide bombings in Damascus kill 44* BBC News (December 23, 2011) <http://www.bbc.co.uk/news/world-middle-east-16313879> (last visited January 25, 2012).

⁵⁷ Kareem Fahim, *Challenges Emerge as Arab League Observers Begin Work in a Syrian city* New York Times (December 27, 2011) <http://www.nytimes.com/2011/12/28/world/middleeast/syrian-tanks-leave-besieged-city-as-observers-arrive.html?ref=world> (last visited January 25, 2012).

⁵⁸ *Syria: Arab League mission angers residents of rebel city Homs* Telegraph UK (December 28, 2011) <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/8980340/Syria-Arab-League-mission-angers-residents-of-rebel-city-Homs.html> (last visited January 25, 2012).

⁵⁹ Erika Solomon, *Head of Syrian Rebels Plans to Escalate Attack* DAWN News (January 4, 2012) <http://www.dawn.com/2012/01/04/head-of-syrian-rebels-plans-to-escalate-attacks.html> (last visited January 25, 2012).

⁶⁰ Erika Solomon, *Suicide Bomb Kills 26 in Syria: interior minister* Reuters News (January 6, 2012) <http://www.reuters.com/article/2012/01/06/us-syria-idUSTRE8041A820120106> (last visited January 25, 2012).

⁶¹ Barney Henderson, *Syria: Bashar al-Assad 'vows' iron fist against 'terrorists'* The Telegraph (January 10, 2012) <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/9004285/Syria-Bashar-al-Assad-vows-iron-fist-against-terrorists.html> (last visited January 25, 2012).

⁶² John Irish, Leigh Thomas, *France urges inquiry into journalists death in Syria* (January 13, 2012) <http://www.reuters.com/article/2012/01/13/us-france-syria-journalist-idUSTRE80C10X20120113> (last visited January 25, 2012).

- January 11 - One of the League observers has left, accusing Syria of committing war crimes and turning the mission into a "farce."⁶³
- January 13 - Troops and tanks attack Zabadani, a town near the Lebanese border, an opposition leader says, the first big military assault since Arab League monitors arrived.⁶⁴
- January 14 - Qatar's Emir, Sheikh Hamad bin Khalifa al-Thani, says troops should go in to stop the bloodshed in Syria.⁶⁵
- January 22 - The Arab League urges Assad to step down over the crackdown and hand over power to a deputy who should set up a new unity government. The League says it will ask the U.N. Security Council to endorse its new plan.⁶⁶
- January 22 - Saudi Arabia quits the monitoring mission as Syria had not yet implemented the Arab peace plan.⁶⁷
- January 23 - Syria rejects Arab League call as "flagrant interference."⁶⁸
- January 23 - EU foreign ministers tighten sanctions against Syria.⁶⁹
- January 24 - The six-member GCC says it is withdrawing its 55 monitors from the 165-strong Arab League mission to Syria.⁷⁰

Immediate Dangers and Humanitarian Impact

As Syria emerges into the new year, the impact of the relentless violence that has plagued the country for nearly a year, with no apparent end to the unrest in sight, is evident.

According to a Human Rights Watch (HRW) report released on December 15, 2011, Syrian security forces have killed and injured thousands of protesters; tens of thousands of Syrians have endured arbitrary arrest, some of them also suffering torture while detained.⁷¹ HRW found that the assault on

⁶³ Michael Peel, *Arab League Mission to Syria branded 'farce'* Financial Times (January 11, 2012) <http://www.ft.com/cms/s/0/6d849bb6-3c56-11e1-8d38-00144feabdc0.html#axzz1kUCyGbgm> (last visited January 25, 2012).

⁶⁴ Khaled Y. Oweis, *Syrian tank attacks town amid civil war warning*, Reuters News (January 13, 2012) <http://www.reuters.com/article/2012/01/13/us-syria-idUSTRE8041A820120113> (last visited January 25, 2012).

⁶⁵ Khaled Y. Oweis, *Qatar emir suggests sending Arab troops to Syria* Reuters News (January 14, 2012) <http://www.reuters.com/article/2012/01/14/us-syria-idUSTRE8041A820120114> (last visited January 25, 2012).

⁶⁶ Nour Malas, Bill Spindle, *Arab League Urges Syria Transition* Wall Street Journal (January 23, 2012) <http://online.wsj.com/article/SB10001424052970204624204577177051172250444.html> (last visited January 25, 2012).

⁶⁷ Alistair Lyon, *Arab League turns to U.N. as Gulf observer quit Syria* Reuters News (January 24, 2012) <http://ca.reuters.com/article/topNews/idCATRE8041A820120124> (last visited January 25, 2012).

⁶⁸ Alistair Lyon, *Syria denounces Arab League for Telling Assad to Quit* Reuters News (January 23, 2012) <http://www.reuters.com/article/2012/01/23/us-syria-idUSTRE8041A820120123> (last visited January 25, 2012).

⁶⁹ Sebastian Moffett, *EU expands sanctions against Syria* Reuters News (January 23, 2012) <http://www.reuters.com/article/2012/01/23/us-eu-syria-sanctions-idUSTRE80M0ZO20120123> (last visited January 25, 2012).

⁷⁰ See *Supra* Note 68.

⁷¹ Human Rights Watch, "By All Means Necessary!" *Individual and Command Responsibility for Crimes against*

civilians was both “widespread and systematic,” and has therefore characterized the crackdown as “crimes against humanity.”⁷² Consequently, HRW argues that such crimes render the situation in Syria to be under universal jurisdiction. The report urges the United Nations Security Council to bring the matter before the International Criminal Court (ICC).⁷³

Defectors from the Syrian security forces that HRW interviewed recounted that they were told to oppose the protestors by “all means necessary,” and were given orders to fire not only at unarmed protestors, but at bystanders as well.⁷⁴

Defectors also recounted that “large-scale, arbitrary arrests during protests and at checkpoints, as well as ‘sweep’ operations in residential neighbourhoods across the country.”⁷⁵

Defectors further recounted the denial of medical assistance for injured individuals, in addition to the “mistreatment” of injured individuals in military- and intelligence agency- controlled hospitals.⁷⁶

On Friday, December 30th, 2011, the Guardian reported that, “Over the past four months the uprising has taken on the feel of a full blown insurgency, with daily battles between government troops and opposition forces, comprised of defectors from the military and citizens who have taken up arms.”⁷⁷

The current presence of Arab League monitors appears to have encouraged protestors to resume their vocal opposition to the government – with an estimated 500,000 protestors coming out on December 30, 2011 across the city of Damascus and several other cities and towns.⁷⁸ Nevertheless, even with monitors present in the country, dozens of Syrian protestors were killed.⁷⁹

The violent conflict persists between a government that will not back down and a people that will not rest until its demands for justice and democracy are fulfilled. Entire towns have been besieged by tanks⁸⁰ and endured shelling.⁸¹ Throughout this ordeal, the death toll continues to rise, as do the

Humanity in Syria, p. 3, (December 15, 2011) <http://www.hrw.org/reports/2011/12/15/all-means-necessary> (last visited January 25, 2012).

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ *Arab League presence gives cover to Syrian protestors* (January 25, 2012) <http://www.guardian.co.uk/world/2011/dec/30/syrian-forces-clash-with-protesters> (last visited January 25, 2012).

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ *Syrian army tanks patrol through Homs – video*, (December 27, 2011) <http://www.guardian.co.uk/world/video/2011/dec/27/syrian-army-tanks-homs-video> (last visited January 25, 2012).

⁸¹ *Syrian shelling 'kills 13 people in Homs'* (December 26, 2011) <http://www.france24.com/en/20111226-syrian-shelling-kills-13-people-homs> (last visited January 25, 2012).

numbers of those injured, detained and tortured. The situation in Syria is worsening by the day. United Nations Human Rights Chief Navi Pillay has described the situation as “intolerable.”⁸² By all credible accounts, many parts of Syria have been rendered unsafe as a result of the continued violence.

Since the start of the New Year, the situation in Syria has continued to deteriorate. In response to the continued violence and danger posed by the armed conflict, the US State Department issued an updated travel warning on the 11th of January, stating in part:

This Travel Warning replaces the Travel Warning dated December 21, 2011, and is being updated to reflect that on January 11, 2012, the Department of State has ordered a further reduction in staffing of the U.S. Embassy in Syria. Due to security concerns in Syria, in October 2011, the embassy was designated an unaccompanied post with restricted staffing. The Department has decided to further reduce the number of employees present in Damascus, and has ordered a number of employees to depart Syria as soon as possible. U.S. citizens should avoid all travel to Syria. The U.S. Department of State urges U.S. citizens currently in Syria to depart immediately while commercial transportation is available. The number of airlines serving Syria has decreased significantly since the summer months, and many of the remaining airlines have reduced their number of flights. U.S. citizens who must remain in Syria should limit nonessential travel within the country. Due to further reductions in U.S. Embassy staff and as a result of the deteriorating security situation, the Consular Section will no longer have hours during which it is open to the public. Effective immediately, all consular services are by prearranged appointment only. Our ability to assist U.S. citizens in an emergency is extremely limited and may be further constrained by the fluid security situation.⁸³

On the 20th of January the US State Department warned that it may soon close its Embassy in Syria, due to the worsening security situation.⁸⁴ The Administration has warned the Syrian Government that concrete steps must be taken to stop the violence, or else the Embassy will be shut down in the very near future.⁸⁵ On the same day as the warning nearly 10 civilians in Syria were killed, raising the United Nations estimate of civilians killed since March to over 5,000.⁸⁶

On the 19th of December Syria signed the Arab League peace plan, agreeing to let observers into the country.⁸⁷ The move of permitting observers into the country gave hope to millions of Syrians – sadly

⁸² *U.N. rights chief Pillay says Syria toll over 5,000* (December 13, 2011) http://www.msnbc.msn.com/id/45646563/ns/world_news-mideast_n_africa/t/un-rights-chief-pillay-says-syria-toll-over/#.Tv4LJq4pTZ0 (last visited January 25, 2012).

⁸³ *Travel Warning: Syria (January 11)*, US Department of State - Bureau of Consular Affairs (April 3, 2011) http://travel.state.gov/travel/cis_pa_tw/tw/tw_5633.html (last visited January 25, 2012).

⁸⁴ Andrew Quinn, *US Mulls Damascus Embassy as Security Worsens* (January 20, 2012) <http://www.reuters.com/article/2012/01/20/us-syria-usa-idUSTRE80J1YW20120120> (last visited January 25, 2012).

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ See *Supra* Note 42.

the role of the observers was marginalized. After one month in Syria the role of observers has been criticized by the international community for failing to stop the violence which has led to thousands of civilian casualties.⁸⁸ On the 24th of January the six-member GCC says it is withdrawing its 55 monitors from the 165-strong Arab League mission to Syria.⁸⁹ More than 700 people are believed to have been killed since the monitors arrived to Syria on December 26.⁹⁰

Killing of Children

The most troubling aspect of the violence is the deliberate targeting of children. More than 400 children in Syria have been killed since the start of the uprising last March, according to human rights activists.⁹¹ The UN has condemned what it has called "numerous and substantiated" reports of torture in detention - which includes that of children.⁹² The United Nations reported that in November Syrian forces killed 56 children.⁹³ The images of dead children have sparked international outrage. The use of modern technology and social networking sites have given families the ability to broadcast to the world the atrocities that the Syrian government has attempted to censor by imposing a ban on international journalists.

In November of 2011 the UN released Report of the independent international commission of inquiry on the Syrian Arab Republic.⁹⁴ The report found that some children in detention had been sexually tortured and a 2-year-old girl was shot to death "just to prevent her from growing up to be a demonstrator."⁹⁵ The document concludes that children in Syria have suffered serious violations and that security forces have shown "little or no recognition of the rights of children" in the actions taken to quell dissent.⁹⁶

⁸⁸ Mohamed Fadel Fahmy, *Head of Arab League Observers in Syria Rejects Criticism* CNN (January 23, 2012) http://articles.cnn.com/2012-01-23/middleeast/world_meast_syria-unrest_1_local-coordination-committees-syrian-observatory-syrian-people?_s=PM:MIDDLEEAST (last visited January 25, 2012).

⁸⁹ See *Supra* Note 68.

⁹⁰ Zoi Constantine, *Violence in Syria lingers as Arab League mission ends* The National (January 20, 2012) <http://www.thenational.ae/news/world/middle-east/violence-in-syria-lingers-as-arab-league-mission-ends> (last visited January 25, 2012)

⁹¹ Fergal Keane, *Over 400 children killed in Syrian uprising* BBC News (January 16, 2012) <http://www.bbc.co.uk/news/world-middle-east-16578889> (January 25, 2012).

⁹² *Id.*

⁹³ NewsCore, *UN says 56 children killed in Syria's deadliest month* Herald Sun (December 3, 2011) <http://www.heraldsun.com.au/news/breaking-news/un-says-56-children-killed-in-syrias-deadliest-month-as-rebels-hit-regime-base/story-e6frf7jx-1226212784182> (last visited January 25, 2012).

⁹⁴ United Nations Human Rights Council, *Report of the independent international commission of inquiry on the Syrian Arab Republic* (November 23, 2011) <http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/17/docs/A-HRC-S-17-2-Add1.pdf> (last visited January 25, 2012).

⁹⁵ *Syria: Children Victim of Regime Crackdown* Huffington Post (January 20, 2012) http://www.huffingtonpost.com/2012/01/20/syria-children-crackdown_n_1219296.html (last visited January 25, 2012)

⁹⁶ *Id.*

Chilling reports and videos of the torture inflicted on children in Syria have sadly become common. One such example is that of a 15 year old boy named Tamer Al-Sharee. The young man joined his family for a protest in the city of Daraa.⁹⁷ The next time Nawal saw 15-year-old Tamer, his body was grotesquely disfigured by what the family insists was torture.⁹⁸ His father found him in a hospital mortuary 40 days after he left home in April last year to attend a demonstration in the southern town of Deraa against his family's wishes.⁹⁹ Slowly piecing together the final days of their son's life, the Shari family learned that he had been taken to the notorious Air Force detention centre near Damascus.¹⁰⁰ His X-rays showed signs of bullet holes and broken bones. Most of his upper front teeth had been knocked out. A fellow detainee has told the BBC he saw Tamer being beaten in custody.¹⁰¹

Conclusion

TPS designation would allow nationals of Syria to remain in the United States on a temporary basis until the above conditions end or subside. Once conditions have improved, the nationals of Syria can return to their country without risking their safety or life. In addition, this temporary designation allows the Department of Homeland Security to terminate protected status if country conditions improve enough to allow the safe return of their nationals. Providing this temporary relief to nationals of Syria would ensure that they are not returned to an area rife with violence, with dwindling access to water, medical and food supplies.

The situation in Syria is dire. The brutal force used by the regime has made being in Syria a danger at all times. During the final preparation of this petition reports indicated that 33 lives were lost in a single afternoon on the 24th of January.¹⁰² The international community is calling for an immediate end to the violence and bloodshed. Many in the international community echo the sentiments of the French Foreign Minister Alain Juppe, who stated on the 24th of January that, "The most urgent is that the Syrian regime must end the crimes against humanity it is continuing to perpetrate against its people," Juppe stated.¹⁰³ "We will not let up the pressure and we will do everything with our European partners, the Arab League, our partners in the international community to help the Syrian people finally obtain the respect of its rights," the minister added.

As a final example to the extent of the violence in the country, reports released immediately prior to the filing of this petition on the 25th of January, indicate that a Syrian Red Crescent official was gunned

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² Violence in Syria claims 33 lives SkyNews (January 24, 2012)
<http://www.skynews.com.au/topstories/article.aspx?id=710786&vId=> (last visited January 25, 2012).

¹⁰³ Syria must end crimes against humanity – French FM Kuwait News Agency (January 24, 2012)
[http://www.kuna.net.kw/ArticleDetails.aspx?id=2217048&language=en&utm_source=SRCC+Loyal+Contacts&utm_campaign=f06c99a746-News_Roundup&utm_medium=email&ct=t\(Syrian_Revolution_News_Round_up8_30_2011\)](http://www.kuna.net.kw/ArticleDetails.aspx?id=2217048&language=en&utm_source=SRCC+Loyal+Contacts&utm_campaign=f06c99a746-News_Roundup&utm_medium=email&ct=t(Syrian_Revolution_News_Round_up8_30_2011)) (last visited January 25, 2012).

down and killed.¹⁰⁴ Abdulrazak Jabero Hisham, the head of the humanitarian organization's branch in Idlib province, was shot in the head on a road between Damascus and Idlib.¹⁰⁵ The targeting of humanitarian aid workers has made it nearly impossible to provide medical attention to those in urgent need of care.¹⁰⁶ The constant shelling of towns has made it extremely difficult for anyone to reach the wounded --- sadly many of these individuals succumb to death due to the lack of medical attention.¹⁰⁷

As the facts presented in this petition indicate, the ongoing civil strife has made Syria an unsafe country. Facts have shown that the country is unsafe even for its most innocent citizens – children, hundreds of whom have fallen victim to brutality and torture. The Syrian government has rejected the most recent proposed peace plan --- which is a clear indication that there is no end to the violence in sight.¹⁰⁸ Each day the death toll of innocent civilians rises, and the availability of basic medical needs decreases. The international community has collectively condemned the actions of al-Assad, including President Obama, who as recently as the 24th of January boldly stated in the State of the Union Address that, “ I have no doubt that the Assad regime will soon discover that the forces of change cannot be reversed, and that human dignity cannot be denied.”¹⁰⁹

It is in the spirit of human dignity and for the respect of universal human rights, that the American-Arab Anti-Discrimination Committee, along with Refugee Council USA (RCUSA), Syrian Americans for Democracy (SAD), US Committee for Refugees and Immigrants (USCRI), the Hebrew Immigrant Aid Society (HIAS), Syrian Emergency Task Force (SETF), United for Free Syria (UFS), South Asian Americans Leading Together (SAALT), and Syrian Expats, urge you, Secretary Napolitano, to designate Syria for Temporary Protected Status. Granting TPS will ensure the safe return of nationals and prevent any further civilian casualties as a result of the violence that has plagued Syria.

Respectfully Submitted,



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¹⁰⁴ CNN Wire Staff, Red Crescent Official Killed in Syria CNN (January 25, 2012) <http://www.cnn.com/2012/01/25/world/meast/syria-unrest/index.html> (last visited January 25, 2012).

¹⁰⁵ *Id.*

¹⁰⁶ *Id.*

¹⁰⁷ *Id.*

¹⁰⁸ Bassem Mroue, Syria rejects new Arab League Plan The AP (January 23, 2012) <http://www.google.com/hostednews/ap/article/ALeqM5jVRWhWtqv5gPOGHVdEMfiddtZA?docId=2511c336f7b242d3a217666e8235d4b3> (last visited January 25, 2012).

¹⁰⁹ President Barack Obama, State of the Union Address (January 24, 2012) <http://www.whitehouse.gov/the-press-office/2012/01/24/remarks-president-state-union-address> (last visited January 25, 2012)

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