

HUMAN RIGHTS COUNCIL
Forum on Minority Issues
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Madame Chair, I thank you for this opportunity.

My name is Fawzi Dilber. I represent, along with my colleagues Ms. Mona Mustafa and Mr. Mohammad Husnayani, the Kurdish Centre for Legal Studies & Consultancy (YASA e.V.). Our organization works in defending Kurdish rights in Syria, through local, regional and international legal means in cooperation with governmental organizations and NGOs that are concerned with Kurdish minority rights in the Middle East and defending them.

In spite of Syria becoming one of the signatory states on the 28th of March 2003 to the Convention on the Elimination of All Forms of Discrimination, the plight of Kurdish women has still not changed, which they have been living through since the Baath Party came into power in Syria in 1963.

Syria has placed reservations on Clause 2, Paragraph 2 of Clause 9, Paragraph 4 of Clause 15 and Paragraphs 1 and 2 of Clause 16, which concern Kurdish women more than their Arab companions, where all the customary, emergency, and political laws reflect the lack of development in the Kurdish regions. They are being barred from naturalizing their children if they "marry in secret", and these cases are familiar in the island region, whereby the nationalities of hundreds of thousands of Kurdish citizens have been withdrawn, in an exceptional "racist census" in 1961, or from non-Syrians but under the weight of the contemporary revolutionary situation. Thus nationalities were granted to denaturalized Kurds, but no procedures are being undertaken, nor is there any intention of compensating them for their plight, which they have been suffering from for approximately the past four and a half decades.

In light of the Personal Status Law, which is considered to be "male-oriented", its contents are "blatantly" discriminatory when it comes to custodianship, guardianship, testimony and equality rights in marriage, divorce, and inheritance, in addition to the fact that a woman's inheritance right is half of a man's. This is obtained, noting that she is often denied her right of inheritance.

Even the Penal Code does not give women justice in what it calls honour crimes and adultery, where lighter punishments are issued for men who commit similar crimes, noting that there are laws and constitutional rights protecting women with lower limits, except that the executive authorities discard the law's contents and follow the prevailing customs, thereby causing Kurdish and Yazidi women to suffer more and more. Here there is a large percentage of Kurds from the Yazidi religion who are forced to implement Islamic Shariah law despite not belonging to it.

As for the political participation of Kurdish women, it is worth noting that the Syrian constitution does not recognize the existence of Kurdish minorities. Kurdish women suffer the same hardships as men in relation to the government's position, which prevents the establishment or organization of any foundation or group for Kurdish women. Instead of encouraging them to actively participate in political life, we see them, for political reasons, being completely deprived of many of the advantages enjoyed by their fellow female Arab compatriots, beginning with studying their mother tongue through the non-acceptance of the state and its institutional forms, and ending with

exposing her to beatings, insults, and arrests for the most trivial of reasons, as it occurred and continues to occur through protests, gatherings and sit-ins organized by Kurds. Kurdish women participate in them, particularly since the beginning of the Syrian revolution.

Whereas from a social, educational and health perspective, Kurdish women as a minority group suffer from many impediments rendering them inactive in society. Hence the majority of Kurds dwelling in villages and rural areas, do not find schools in them except for primary schools, and schools are often unprepared in terms of health. So if young girls want to complete their studies they have move to the city where they are required to overcome many obstacles, which prevent them from completing their studies most of the time, not to mention society's lack of acceptance of it. This, in addition to the non-provision of health services in regions where Kurds reside, meaning that no dispensaries or medically-equipped clinics are to be found to ensure that necessary care is not given to Kurdish women in cases of birth. Thus giving birth, for Kurdish women, is still done in a primitive way which is what frequently causes health problems for mother and child; and in other cases, transportation challenges often result in the patient's death because of not having access to help when needed.

We might say, that what governs Kurdish women is a set of social customs; and here is where the state's role comes in, which is supposed to issue laws that make men and women equal so that society may interact with women eliminating such customs. The government's greatest sin is in not raising awareness in society, especially in rural areas where there is a large awareness gap of women's rights, between the city centres and needy rural areas.

Finally, I would like to say that women's rights cannot be separated from the fundamental rights of the people, which is the freedom to express one's own opinions, live with dignity, social justice and equality, recognizing minority rights and eliminating tyranny. We hope that this will be achieved soon, with the spring of revolutions we are living in.

Thank you very much for listening.

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