



A DISTORTION OF DEMOCRACY

Local Elections in the Occupied Syrian Golan



Al-Marsad
ARAB HUMAN RIGHTS CENTRE
IN GOLAN HEIGHTS
est 2003

A Distortion of Democracy

Local Elections in the Occupied Syrian Golan

By Brónagh Carvill

The first ever local elections in the Syrian villages in the occupied Golan are due to take place in October 2018. Whilst holding elections would - and should - be celebrated in a normal context, the situation in the Golan is different. Many people are considering a boycott of the elections, because they view them as a manifestation of Israel's desire to impose its sovereignty over the Golan in violation of international law. People also object to the undemocratic nature of the elections. Only the minority of the Syrian population in the Golan who have accepted Israeli citizenship (the majority hold permanent or temporary residency status) may stand as a candidate, seriously restricting the collective power of the Syrian population to freely choose its own representatives. Yet there are also some who welcome elections after years of Israeli military rule and the direct appointment of local officials by the Israeli occupying authorities.

I. Background

Following the 1967 occupation of the Golan, 130,000 people (95% of the native population)^[1] were forcibly transferred or displaced, and 340 villages and farms were destroyed by the Israeli military. Within one month of the occupation, Israel established its first settlement. Today, over 26,000 Israelis

settlers live in 34 illegal settlements^[2], with approximately the same number^[3] of Syrians living in five villages and controlling just 5% of the land.^[4]

Israeli military commanders created local councils in the mid 1970s and appointed mayors to govern the five remaining Syrian villages. On 14 December 1981, Israel ended military rule with the enactment of the 'Golan Heights Law', which purported to annex the occupied territory to Israel. This was rejected by the international community,^[5] which considered it a clear violation of Article 2(4) of the UN Charter and the principle of customary international law prohibiting the acquisition of territory by force.^[6] Since the annexation, the Israeli Interior Minister has appointed the mayors of the councils in the Syrian villages. However, Israeli Interior Minister Arye Dery announced last year that this practice will cease with the holding of local elections in October 2018.^[7]

II. An attempt to legitimise the occupation

Many Syrians see this development as a ploy to accelerate the "Israelization"^[8] of the Golan. Israel has been taking advantage of the conflict in Syria and a distracted international community to increase settlement expansion and natural resource exploitation, while at the

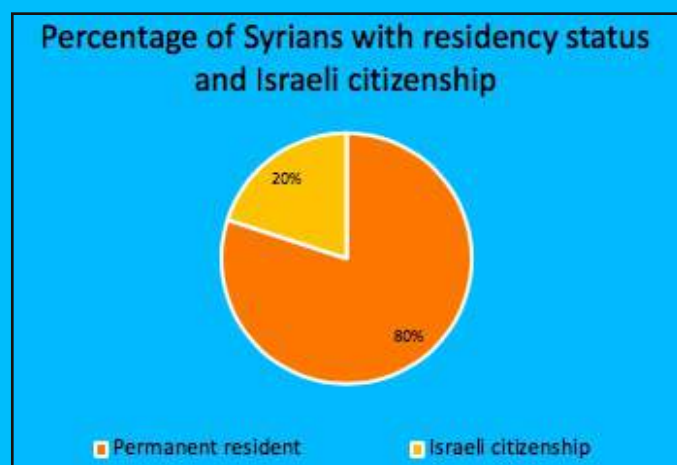
same time calling for recognition of Israeli 'sovereignty' over the region. In 2015, Education Minister Naftali Bennet declared that Israel should increase the number of settlers in the Golan by 100,000.^[9] This announcement was followed by Israeli government approval in 2016 to build 1,600 new settlement units in the Golan.^[10]

In 2017, arguing that Syria is no longer a legitimate state to which the Golan could be returned, Prime Minister Netanyahu asked US President Donald Trump to 'recognise Israeli sovereignty over the Golan Heights' (a similar request was previously rejected by the Obama administration).^[11] In February 2018, Prime Minister Netanyahu told the UN Secretary General Antonio Guterres that 'the Golan Heights would remain in Israel's hands forever'.^[12] And, most recently, following President Trump's approval to move the US embassy to Jerusalem, both Israeli government and opposition politicians have been calling for 'US acknowledgement of Israeli sovereignty over the Golan Heights', although their calls were reportedly rejected by the US ambassador.^[13]

Historically, such efforts to legitimise the occupation have come up against strong local opposition, with many people taking inspiration from the prominent role of the Golan villages in the 1925 Syrian revolt against French rule. Following the annexation of the Golan in 1981, the Israeli government tried to impose Israeli citizenship on the remaining Syrian population as part of efforts to legitimise this action. Despite direct pressure, threats of violence and communal suppression, Syrians refused to accept Israeli citizenship.^[14] Israeli issued

identity cards were burned^[15] or discarded in the village squares.^[16] Protests against the annexation of the Golan and attempts to impose Israeli citizenship on its Syrian population culminated in a six month strike.

Those that chose to accept Israeli citizenship were "boycotted by society and excommunicated",^[17] leading to division in the community. Today, however, it has become more accepted among some younger people to exchange permanent residency status for the perceived advantages of Israeli citizenship (such as ease of international travel, access to educational opportunities, tax benefits, protection from risks of residency revocation).



Since the occupation of the Golan, Israel has gone to great lengths to diminish the Syrian and Arab identity of the remaining villages, focusing on young people in particular. For example, the Israeli-imposed curriculum in schools emphasises students' religious Druze identity (over their Syrian or Arab identity) while teaching that Druze have historically been persecuted by other Arabs. History classes omit any reference to the occupation and geography books contain maps showing the Golan as part of Israel.

A more recent strategy has been efforts to dominate cultural and artistic activities in the Syrian villages. The Israeli authorities have established a well-funded cultural centre, which has employed local artists and organised numerous arts and cultural projects. However, rather than focusing on content and

in the Syrian villages of the Golan merely create an illusion of democracy. One only has to scrape the surface to expose the fundamentally undemocratic nature of the electoral laws that will be applied. Under Israeli law, eligible candidates for local elections must hold Israeli citizenship.



quality, projects have been used to generated positive media attention on investment by the Israeli authorities in the villages and the apparent integration of the 'Druze' population into Israeli society. Some activities are also coordinated with Israeli youth groups that have strong ties to the Israeli military. At the same time, independent civil society groups and initiatives that previously organised cultural activities simply cannot compete financially and have been marginalised. As such, the Israeli authorities monopolise the cultural space and the means to influence identity and political opinion.

However, the vast majority (80%^[18]) of Syrians in Golan refuse to accept Israeli citizenship, with only 6.5% of the population applying for it since the start of the occupation.^[19] They instead hold permanent residency (similar to Palestinians in East Jerusalem) with their nationality categorised by Israel as 'undefined'. This status means that while they can elect local officials, they cannot themselves be elected. Thus the pool of potential candidates for local elections has been limited to a small group of people who hold Israeli nationality and are therefore more likely to support Israeli government policies.

III. The undemocratic nature of the proposed elections

The first of their kind, the upcoming elections

Permanent residents exist in many countries, but usually they are immigrants. In the Golan, this status acts as a licence for Israel to treat

Abovee (left): A demonstration against the Israeli annexation law in the town square of Majdal Shams in 1982. Photograph sourced from daliluk.com.
(Right): Ceasefire line and fortified fences.

the native population as foreign nationals in their own country. For example, permanent residency can be revoked if people spend a number of years abroad or obtain permanent residency or citizenship of another country. Israel has revoked the residency of roughly 100 Syrians after travel abroad.^[20] The procedure to regain permanent residency is onerous and requests for residency are often denied. This policy towards Syrian Arabs stands in stark contrast to the inalienable right afforded by the Israeli government to Jewish people, who may 'return to Israel and acquire citizenship at any time'.^[21] Denying Syrians the right to stand for local election is merely the most recent injustice inflicted on them as a result of their permanent residency status.

IV. The illegality of the proposed elections

As well as being undemocratic, the holding of local elections in the occupied Golan will violate international law. First, article 43 of the Hague Convention 1907 (respecting the Laws and Customs of War on Land) states that an occupying force must 'take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country'. In 1981, the UN Security Council categorically rejected Israel's passage of the 'Golan Heights Law' in UN Resolution 497, stating that 'the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect'.^[22] It is therefore undisputed that the annexation of the Golan and the imposition of Israeli law governing local elections are illegal under international and humanitarian law.

The undemocratic nature of the elections also violates international law principles. Article 21 of the Universal Declaration of Human Rights, states that everyone has the right to take part in the government of his/her country, directly or through freely chosen representatives. Further, article 25 of the International Covenant on Civil and Political Rights adds that every citizen shall have the right and opportunity to vote and be elected at genuine periodic elections.

V. Difference of opinion

It is the older generation who most strongly condemn the elections, and the fact that they represent another Israeli incursion on the Syrian identity of the native population. Thaer Abu-Saleh, Director of the organisation 'Golan for Development', argues that the holding of local elections is merely another method used by Israel to "impose its sovereignty on the area" and "convince the younger generation that they have to be part of Israeli society".^[23]

Religious leaders and village elders are calling for people to reject the elections and religious leaders in Buqata village have already announced that anyone who participates in the elections will be boycotted.

The position of younger people is less clear. Some youth organisations have said they will publicly state their position on the elections in the coming weeks.

However, at this stage, it seems that many young people are simply not interested in the elections. They do not have the same connection to Syria as their parents or

grandparents, yet cannot bring themselves to identify as a citizen of a state which persecutes its own Arab minority and occupies Arab territories.

The undemocratic nature of the elections seems to be a contributing factor. Nadine Safedi, a 32 year-old resident of Majdal Shams thinks it “doesn’t matter” if she votes in these elections, as Israel will only allow its preferred candidate ascend to a position of influence in the community.^[24] Having never voted or been represented at a political level, Mazyad Abu-Saleh thinks that “all politics here is ugly and is not fair”.^[25]

The root causes of the political indifference of some young Syrians in the Golan are all too clear. The only politics they see is the Assad regime across the ceasefire line or Israel’s distorted version of democracy. With no representation at a national or international level, Syrians in the Golan have no legitimate and representative voice to advocate for their rights in Israel and the occupied territories. Further, they are also impeded internationally

to tackle the hypocrisy of states who claim to safeguard human rights and the rule of law, yet have failed to ensure Israel complies with its legal obligations to the Syrian population.

Finally, there is another group of young people - a minority, to be sure - who are cautiously optimistic about the elections. 23-year-old Kais Awidat sees them as a “step forward” enabling local people to effect change in their communities, instead of simply complaining about the situation in which they find themselves. For Kais, Israel is “playing a game-so let’s play in it and be the winner.”^[26]

While some young Syrians are willing to play this ‘game’ in order to exercise their fundamental rights, others recognise that exercising such a right could come at a high price: the legitimisation of Israel’s occupation and the loss of their Syrian identity.

Number of Syrians with residency status and Israeli citizenship per village



Above (right): A banner used during demonstrations against the Israeli annexation law. Photograph sourced from jawlan.org.

Endnotes

- [1] Pages 8, 15-18; 'Forgotten Occupation – Life in the Syrian Golan after 50 Years of Israeli Occupation', Al-Marsad Arab Human Rights Centre in the Golan Heights.<http://golan-marsad.org/wp-content/uploads/Al-Marsad-Forgotten-Occupation.pdf>
- [2] Id
- [3] Page 15; 'Forgotten Occupation – Life in the Syrian Golan after 50 Years of Israeli Occupation', Al-Marsad Arab Human Rights Centre in the Golan Heights.<http://golan-marsad.org/wp-content/uploads/Al-Marsad-Forgotten-Occupation.pdf>
- [4] <http://golan-marsad.org/publication-of-a-new-map-of-syrian-villages-and-farms-destroyed-by-israel/>
- [5] <http://unscr.com/en/resolutions/doc/497>
- [6] The customary status of this principle was recently confirmed by the international court of justice in its Advisory Opinion on the legal consequences of the construction of a wall in occupied Palestinian territory; International Court of Justice, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, ICJ (2004), para. 87
- [7] <https://www.haaretz.com/israel-news/.premium-in-first-since-1967-israeli-druze-to-hold-democratic-elections-1.5492306>
- [8] Interview with Thaer Abu-Saleh (29 March 2018).
- [9] <https://www.nytimes.com/2015/10/03/world/middleeast/syria-civil-war-israel-golan-heights.html>. This was followed by a similar announcement by Transportation and Intelligence Minister Yisrael Katz in April 2017: <https://www.israelnationalnews.com/News/News.aspx/227936>.
- [10] <https://undocs.org/A/72/539>
- [11] <https://www.reuters.com/article/us-usa-trump-israel-golan/netanyahu-asks-trump-to-recognize-israeli-sovereignty-over-golan-heights-idUSKBN15U2XX>
- [12] <https://www.haaretz.com/israel-news/netanyahu-tells-un-chief-golan-will-remain-israel-s-forever-1.5825066>
- [13] <https://www.timesofisrael.com/us-envoy-scolds-israeli-mks-for-demanding-us-recognition-of-golan-report/>
- [14] R. Scott Kennedy. The Druze of the Golan: A case of non-violent resistance, 13 J. Palestine Stud. 48 (1984).
- [15] <http://www.washingtonpost.com/wp-dyn/content/article/2007/06/03/AR2007060300475.html>
- [16] Id.
- [17] Interview with Thaer Abu-Saleh (29 March 2018).
- [18] <http://golan-marsad.org/majority-of-syrians-continue-to-refuse-israeli-citizenship/>
- [19] Ghajar village alone represents 47% of the overall number of Syrians who hold Israeli citizenship in the Golan. In 1981, its population was effectively forced to undergo mass naturalisation. If Ghajar is excluded from the statistics the average number of people who hold Israeli citizenship is 12%.
- [20] Based on Al-Marsad's records, Israel has revoked the residency rights of dozens of Syrians since its annexation of the Golan in 1981.
- [21] <http://golan-marsad.org/wp-content/uploads/Al-Marsad-List-of-Issues-UNHRC-submission-for-Israel-April-2018.pdf> (pg 17).
- [22] United Nations Security Council Resolution 497 (1981), S/Res/497 (17 December 1981).
- [23] Interview with Thaer Abu-Saleh (29 March 2018).
- [24] Interview with Nadine Safedi (28 March 2018).
- [25] Interview with Mazyad Abu-Saleh (12 March 2018).
- [26] Interview with Kais Awidat (24 April 2018)