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Law No. 20 of 2022 Promulgated by the Syrian Regime Further Perpetuates the Oppression of Freedom of Opinion and Expression, and Has Been Used as Grounds for Dozens of Cases of Arbitrary Arrest and Torture

Approximately **146** Arbitrary Arrests and One Death due to Torture Documented in Connection to Law No. 20 Since it Was Promulgated



Friday 18 August 2023

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyzes in Syria.

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I. The Syrian Regime Passed Law No, 20 to Further Violate Freedom of Opinion and Expression

As with all dictatorial oppressive regimes, the Syrian regime operates through only one branch of authority, namely the executive. In the Syrian case, this comes in the form of the regime's security apparatus which exercises power with no judicial or legislative checks, balances or oversight due to the fact that no genuine independent judicial or legislative authority can truthfully be said to exist. As such, since the era of Hafez Assad, the Syrian regime has enacted whatever laws the leader pleases, with Bashar Assad following in his father's footsteps. In fact, Bashar Assad's reign has seen him passing laws even worse and more draconian than those passed in his father's time; one such article of legislation is [Law No. 20 of 2022](#), which is the main focus of this report. To this end, this report attempts to analyze the texts of Law No. 20 and the extent to which it violates international human rights law, and more crucially its implementations on the ground in Syria, how it affects the lives of the Syrian people, and how it restricts their freedom of opinion, expression, and other basic human rights.

In dozens of reports, the Syrian Network for Human Rights (SNHR) has shed light on the Syrian regime's method of passing and implementing laws that violate human rights for the purpose of further bolstering its vice-like security grip, further extending its extortion of citizens to steal more of their properties and assets, and to wholly eliminate its political opponents. Some of the most notable laws used in this way include [legislative articles designed to legitimize the pillage and seizure of properties](#), [Laws No. 15 & 16 of 2022](#), [the Counterterrorism Law \(Law No. 19 of 2012\)](#), [laws guaranteeing impunity](#), and [similar items of legislation, decisions, decrees and motions](#), all of which underline one painfully obvious truth, namely that the Syrian regime is politically unreformable. On the contrary, Bashar Assad is rapidly moving in the opposite direction, sparing no means or effort to avoid any reforms, to maintain him in autocratic, unchallenged power for the rest of his life and to pass the leadership to his descendants after him.

Report Methodology

1- On April 18, 2022, 'Law No. 20 of 2022 on [Regulating Communication on the Web and Countering Cybercrime](#)' (hereafter referred to as the Counter-Cybercrime Law or Law No. 20 of 2022). This report attempts to analyze the most significant legal implications of this law, its executive directives, and its interconnectedness with other local laws. To this end, we have focused on the articles that violate international human rights law and are used as grounds to hunt down and persecute civilians.

2- When examining the implications of the Counter-Cybercrime Law on civilians in the regime-held areas from a practical sense, the reality or risks involved in their using or accessing the web, and their right to access information, we relied on consultations with cooperating Syrian lawyers, which were further supported by technical insights from SNHR's IT team. Furthermore, SNHR's detainees team worked diligently to reach eyewitnesses, civilian victims, and their families and lawyers to get an idea of the conditions of their detention and the process put in place to refer such detainees to the courts. All this

information was assembled in order to acquire the largest amount of information and data, so as to monitor the cases of arrest and enforced disappearance, and the contexts of the processes of arrest/detention and release. This report draws upon the information provided by the eyewitnesses, as well as analyzing and cross-checking this new data with our existing data and information in the hopes of making this report as accurate and informative as possible. It should be noted that, given that we received similar data from different eyewitnesses and taking into account the risky security reality in regime-held areas, we have opted to not publish many of the accounts we have collected, which are stored in our archives. We've included four of these accounts in this report after altering any information that could be used to identify the eyewitnesses. We have informed the eyewitnesses and victims of the objective of the information we are collecting, and they agreed to cooperate with us.

We make every effort to protect and ensure the safety and security of the eyewitnesses and their families. This report and the information which we have been able to document only represents the bare minimum of the vast magnitude and severity of the violations that have taken and are still taking place. It also does not cover the social, economic, and psychological ramifications.

3- This report also summarizes the toll of arrests/detention and deaths due to torture that took place as a result of the Counter-Cybercrime Law which SNHR's team has been able to record and verify. This report covers the 15-month period between May 18, 2022, the date when Law No. 20 [was promulgated](#) one month after it was passed, and August 18, 2023. We waited this long so as to closely and diligently monitor and identify the applied procedures adopted by the regime in its implementation of this law.

The cases covered in this report are solely of individuals who were arrested/detained in connection with the Counter-Cybercrime Law and faced charges on the grounds of that legislation, only in relation to restricting freedom of opinion and expression. That is to say we excluded cases in connection to the Counter-Cybercrime Law that are of criminal nature, such as fraud, violation of privacy, using the web to deal in narcotics, use of malware, and other similar charges.

Fadel Abdul Ghany, Executive Director of SNHR, says:

“The Syrian regime has passed many laws that serve its mission of oppressing any movement, activism, or criticism against it. We have detailed this policy in our report on the laws employed to seize properties. We have noticed that Law No. 20 of 2022, which aims to further restrict freedom of opinion and expression, was issued in tandem with a rising wave of popular criticism against government institutions and popular discontent with the poor conditions or lack of provision of basic services such as water and electricity. We believe the main reason was the fact that some of this criticism was directed against Bashar Assad himself, and was not limited to his puppet governments.”

II. SNHR's Legal & Technical Analysis of Law No. 20 of 2022 (Counter-Cybercrime Law)

A. Legal analysis

On April 18, 2022, the Syrian regime passed Law No. 20 of 2022 that reshapes the punitive legal rules on cybercrimes first introduced in [Legislative Decree 17/2012](#). This included repealing the original legislative decree,¹ and having any crimes that were specified in Legislative Decree 17/2012 and committed before the promulgation of the Counter-Cybercrime Law governed retrospectively by the new law. The Counter-Cybercrime Law comprises 50 articles including definitions and regulating online communication² (Articles 1-5), crimes committed by web service providers³ (Articles 6-10), and cybercrimes⁴ (Articles 11-31), while the remaining articles addressed the particulars of punitive action in relation to cybercrimes (Articles 32-37), procedural rules (Articles 38-44), and concluding rules (45-50).

When comparing the new laws, Law No. 20 and 2022, and the now-repealed Legislative Decree 17/2012 on 'on Regulating Communication on the Web and Countering Cybercrime', there are three crucial new characteristics one notices that are not found in the old law, which are: **a much wider scope, new additions, and greater severity**. We believe that the introduction of these three characteristics was the goal of the amendments introduced by the Syrian regime in the new law. These characteristics can be highlighted by outlining the most notable differences between the two legal texts:

- **Definitions:** particularly the definition of a cybercrime. According to the new law, a cybercrime is "any incriminating behavior as specified by the rules of this law that was committed using means of information technology, and which targets information, information systems, or involves adding digital content to the web." Under the old law, a cybercrime was "a crime committed using computer devices or the web, or taking place on information systems or the web." As such, according to the new law, adding content to the web can in itself be incriminating. Moreover, on the grounds of the criminal acts specified in the law, adding content related to freedom of opinion and expression, and even publishing true information such as the actual value of the national currency, the Syrian Pound, against foreign currencies, can be criminalized, as will be detailed later.
- **Adding new crimes:** The new law introduces new types and ranges of crimes that were not specified in its older counterpart. A total of 21 criminal acts are specified in the Counter-Cybercrime Law in comparison to nine criminal acts specified in the repealed law. ⁵Some of the most significant additions include crimes against the constitution, undermining the integrity of the state's image, undermining the financial integrity of the state, and the fact that it classifies republishing as a crime. We will detail these crimes in later sections of this report.
- **Greater severity:** The new laws introduces more severe penalties, including longer terms of imprisonment and higher fines, for all related crimes. Furthermore, some acts that were viewed as misdemeanors in the older laws are now categorized as felonies.

1. Article 49 of Law No. 20 of 2022.

2. "Communication on the web: Providing or exchanging information or services on the web, which are available to the public or a segment thereof, and [which] can be accessed through specific protocols." Chapter 1, Article 1 of Law No. 20 of 2022.

3. "Web service provider: A natural or legal person that provides services such as access, hosting, or applications, whether singular or in bulk, and who has a license to provide such services." Chapter 1, Article 1 of Law No. 20 of 2022."

4. "Cybercrime: Any incriminating behavior as specified by the rules of this law that was committed using means of information technology, and which targets information, information systems, or involves adding digital content to the web." Chapter 1, Article 1 of Law No. 20 of 2022.

5. The nine criminal acts are specified in Chapter 3, Articles 15 through 23 of Legislative Decree No. 17 of 2012.

Based on the above and upon reviewing the texts of the Counter-Cybercrime Law, the most crucial fact to know about this legislation is that it identifies and criminalizes some acts in a way that limits and restricts freedom of opinion and expression. It seems that these acts are identified in an especially broad, vague and non-specific way, with no precise criteria, definitions, or elements of a crime present in a material or moral sense. This applies to the texts of the Counter-Cybercrime Law, or the same acts when identified in the Syrian Penal Code (Law No. 148 of 1949) and its most recent amendments introduced in Law No. 15 of 2022. As such, those texts can be used as grounds to level charges against anyone detained by the police or security forces over their activities in cyberspace. The executive directives issued on May 10, 2022, by the Ministry of Communication and Technology in [resolution no. 207](#)⁶ only affirms these conclusions.



Copy of resolution no. 207 which contains executive directives regarding Law No. 20 of 2022, issued by the Syrian regime's Ministry of Communication and Technology

• Crimes against the constitution

Article 27 of the Counter-Cybercrime Law stipulates that it is a crime against Syria's constitution to "establish or manage a website or a webpage or publish any item of content on the web with the intention of instigating acts that aim to change or call for changing the constitution unlawfully; to strip any part of the Syrian territory away from the state's sovereignty; to instigate an insurrection against the authorities established in accordance with the constitution, preventing said authorities from discharging their duties as stipulated by the constitution, or to attempt to topple the ruling regime in the state." The Counter-Cybercrime Law states that this crime shall be punished by provisional detention of between seven and 15 years and a fine of 10-15 million Syrian Pounds.

This dangerous legal text can be used as grounds by the Syrian regime to punish any call for changing the existing constitution, or even supporting the work of the constitutional committee under the UN-sponsored Geneva path, or issuing any call for federalism, for demonstrations, or calling for any changes at all to the current system or ruling regime. It is worth noting that this article had no executive directives related to it in resolution 207 of the Syrian regime's Ministry of Communication and Technology.

Besides the dual heightened punishment, the same crime is also already punishable according to Article 291 of the Syrian Penal Code of 1949 which states, "Any infringement that aims to change the constitution of the state in unlawful ways shall be punishable by a provisional detention of five years at least, which can be increased to a life sentence in the event that the perpetrator had resorted to violence."

6. According to Article 48 of Law No. 20 of 2022, the Ministry of Communication and Technology is the one who has the power to issue executive directives on this law.

- **Undermining the integrity of the state's image**

Meanwhile, the crime of 'undermining the integrity of the state's image' is punishable by provisional detention of three to five years and a fine of five to ten million Syrian Pounds. The Counter-Cybercrime Law defines a person guilty of committing this crime as "anyone who uses any information technology mean to transmit false news that would undermine the integrity of the state or national unity."

Although this offence bears the same name as the crime named in Article 287⁷ of the Syrian Penal Code, it has been expanded greatly, with the original legislation only applying to Syrian nationals accused of transmitting 'false news from abroad that undermines the state's image', while the updated Counter-Cybercrime Law version applies to Syrian citizens and non-Syrians in the country. Also, in the original Syrian Penal Code, this crime is classified as a misdemeanor that warrants a jail sentence of no more than six months.

The executive directives associated with this law state that this article also applies to transmitting false and untruthful news the goal of which is to undermine the integrity of the state and its political, economic, social, historical, symbolic, etc... foundations, meaning that the executive directives further expand the scope of the term, 'integrity of the state' which was already defined in a broad and vague way to begin with.

Not only have the Syrian regime's lawmakers expanded the scope of this crime to include non-Syrians, as well as Syrians, in the country; they have also omitted a crucial requirement, without which there are serious concerns that the authority can abuse this law, namely the requirement that the individual being charged has full knowledge and awareness, meaning that they are aware they have been transmitting false news, which excludes non-deliberate acts of this nature. Since this requirement is not found in the new Counter-Cybercrime Law, it could be used against innocent individuals who have unknowingly published false news with no malign intentions; as such, this legislation could be abused as a pretext to restrict freedoms and to target anyone publishing anything to which a regime official takes exception, no matter how innocuous.

Furthermore, the Counter-Cybercrime Law assigns a more severe punishment to this crime. While Article 287 of the Syrian Penal Code of 1949 and its most recent amendments in Law No. 15 of 2022 state that this crime is punishable by a six-month jail sentence at least with no fine, the Counter-Cybercrime Law raises the provisional detention sentence to three to five years with a fine of five to ten million Syrian Pounds.

- **Undermining the financial integrity of the state**

Article 29 of the Counter-Cybercrime Law states that the crime of undermining the financial integrity of the state is punishable by a provisional detention from four to fifteen years and a fine of five to ten million Syrian Pounds; this is used against "anyone who establishes or manages a website or a webpage or who has published a piece of content on the web with the intention of lowering, destabilizing, or undermining the trust in the national currency and its exchange rates as specified by official sources."

7. Article 287 of the Syrian Penal Code of 1949 was amended by Law **No. 15 of 2022**. In its current form, Article 287 refers to:

- Any Syrian national who, with full knowledge and awareness, transmits false or exaggerated news that would undermine the integrity or stature of the state. This crime is punishable by a jail sentence of six months at least.
- Any Syrian who transmit news that would better the image of an enemy state, in order to undermine the integrity of the Syrian state.
- The court has the power to reveal the sentence to the public.

As such, the authority can punish anyone who publishes the actual value of the Syrian pound on the markets of neighboring countries which differ wildly from the official exchange rate of the Syrian pound approved by Syria's Central Bank.

The executive directives associated with this law interprets this article to apply to anyone who uses a mean of information technology to build a digital platform on the web, an application, manages a page on social media, or transmitted rumors on the web the goal of which is to disturb or lower the value of the Syrian Pound and increase the value of imports in order to cause a price rises and push citizens to hoard foreign currencies or precious metals. Again, the executive directives expand the scope of criminalization and its purposes.

As with the articles mentioned above, Law No. 20 of 2022 also increases the severity of the punishment for this crime. The Syrian Penal Code of 1949 and its most recent amendments in Law No. 15 of 2022 stipulate a sentence of six months in jail with no fine for any Syrian national who transmits, with full knowledge and awareness, any information that would undermine the integrity or stature of the state (while the term 'financial integrity' was mentioned in the Syrian Penal Code of 1949, the word 'financial' was omitted in the amendment in Law No. 15 of 2022). However, the Counter-Cybercrime Law classifies this act as a felony and raises the provisional detention penalty to four to fifteen years with a fine of five to ten million Syrian Pounds.

- **Instigating social or sectarian resentments/desecrating the sacred:**

Article 31 of Counter-Cybercrime Law states that "anyone who establishes or manages a website or a webpage or who has published a piece of content on the web with the intention of offending one of the religions, sanctities, or religious rituals; inciting hate, or instigating violence shall be punished by provisional detention for three to five years and a fine of three to ten million Syrian Pounds."

The executive directives fail to provide any details on the meaning of those phrases. In other words, they leave the door wide open for interpreting them in any number of ways in order to punish any individual who voices an opinion on the phenomenon of foreign interlopers found in today's Syria, such as the religious parades by Shiite militias that have now become commonplace across the country.

Meanwhile, Article 10 of Law No. 15 of 2022, which amends Article 285 of the Syrian Penal Code of 1949, stipulates that anyone who, in times of war or in anticipation of the outbreak of war, has made calls that would undermine national identity or instigate social or sectarian resentments shall be punished by provisional detention for at least six months without imposing a fine.

In addition to the four main crimes mentioned above, Law No. 20 of 2022 increases the range of groups included, whether in terms of penalties or the acts criminalized, by also indirectly targeting more groups or by invoking the Syrian Penal Code, as follows:

- **Republishing**

Article 35 of the Counter-Cybercrime Law stipulates that republication is treated the same way as publication in terms of criminalization and penalties.

The executive directives on the Counter-Cybercrime Law state that republication or “sharing” online means necessarily that the person republishing the item in question has adopted the same ideas and views expressed by the original writer or publisher thus incurring the same criminalization and penalties upon themselves. For instance, if a person shares a post that incurs those criminal penalties on their personal page on social media, then they are liable to the same punishment incurred on the original publisher.

The article does not specify whether or not other acts of engagement, such as likes or positive comments, entail a crime in and of themselves.

Furthermore, in the concluding rules section, Article 45 of the Counter-Cybercrime Law states:

- A. “For any matters that have not been addressed in the substantive and procedural rules of this law, the Penal Code and the Law on Criminal Procedures shall be applicable.
- B. In the implementation of the rules of this law and the Law on Criminal Procedures, information and software are treated the same way as transmitted items.”

As such, the Syrian Penal Code has been invoked for any matter that was not addressed in Law No. 20, in order to ensure that as many cases and acts as possible are criminalized in a way that gives the authorities grounds to hunt down civilians whether in connection with items they have directly published or by levelling other charges against them. Many of the eyewitnesses who were referred to court told us that after they had been released, they were summoned again over new charges.

B. Technical analysis

The legal analysis above shows how the Counter-Cybercrime Law violates both the freedom of opinion and freedom of expression. Also, **it violates Paragraph 2 of Article 42 of the [enforced Syrian Constitution of 2012](#), which states that freedom of expression is protected by the constitution: “Every citizen shall have the right to freely and openly express his views whether in writing or orally or by all other means of expression.”** Moreover, Law No. 20 of 2022 affords the Syrian regime the legal grounds to persecute, monitor, and hunt down large groups of civilians, effectively removing the already-miniscule margin of freedom. From a technical standpoint also, this law violates the right to access the internet and information. In doing so, it aims to restrict access to and block any and all websites accused of expressing views different to those of the Syrian regime’s or publishing anti-regime discourse. The Syrian regime is actively seeking to enforce its control over what civilians can access and talk about. This is not by any means a new policy; this new law only aims to update and legalize the existing policy in a more contemporary way that keeps pace with technological developments, and at the same time to punish and incriminate more civilians, while giving authorities more power to inspect and monitor people with no need for judicial permission, as part of this overarching policy that seeks to place more restrictions on information access and information transmission, and on taking part in any online discourse.

Article 37 of the Counter-Cybercrime Law states: “A court is within its powers to block a website or any information system [for periods ranging] from three months to three years, or permanently in the event that it was found that said website or system is being used to commit one of the crimes named in this law with the knowledge of their owner.”

Moreover, Article 43 restricts accessing a website in two cases:

- A. In accordance with a decision by the specialist judiciary in case there was sufficient evidence to confirm that a website is publishing digital content which constitutes a crime.
- B. In accordance with a decision by the Council of Commissioners of the Syrian Communication and Postal Regulatory Authority.

It is worth noting that the blocking and restriction of websites in Syria, especially independent news or human rights websites, as well as websites known for its dissident rhetoric, is carried out in a systematic way by the regime’s security apparatus through its technical divisions without going through the judiciary.

III. The Context of the Applied Procedures Adopted by the Syrian Regime to Implement the Counter-Cybercrime Law

Following the promulgation of any legislation that conflicts with international human rights law and violates the rights of Syrians, we, at SNHR, do not limit ourselves to refuting the legitimacy of this law and detailing which texts violate the peremptory norms of international law; in addition to this, SNHR also places a great emphasis on demonstrating how the regime’s security apparatus uses this law to violate human rights in Syria.

In a broad sense, as we detailed previously in our reports on arrests in Syria, the Syrian regime’s security agencies do not abide by the requirements of arrest and detention identified in the law. Furthermore, the Syrian regime passes law that conflicts with the fundamentals of the law and violates the requirements⁸ of arrest and investigation found in local legislations. The Counterterrorism Law, the General Penal Code, and the Military Penal Code are among the most prominent laws under which detainees are tried. In most cases, the exceptional courts at which the detainees are tried use a range of main charges which are particularized according to the detainees’ cases; this means the detainee is not charged with a single offence, but rather faces a variety of charges, none of which are based on evidence or facts. The 2012 constitution affirms that the rule of law is the basis of governance in the state, that every accused person is presumed innocent until convicted by a court ruling in a fair trial, and that the punishment is limited to that individual, so it is not permissible for family members of a perpetrator of criminal acts such as their spouse, forebears and descendants to be detained for the perpetrator’s crime, or held as hostages until the arrest of said perpetrator, with the constitution forbidding searching or arresting a person except in accordance with an order or decision issued by the competent judiciary. Moreover, Article

8. For a detailed breakdown of those requirements, see SNHR’s periodic reports on arrests: <https://snhr.org/blog/category/report/monthly-reports/detainees-and-enforced-disappearances-monthly-reports/>

17. Paragraph 1 of the Criminal Procedures Law requires that the Public Prosecutor is the only party tasked with investigating crimes and pursuing their perpetrators, and that this right does not extend to the security apparatus. Another legal text of note is Legislative Decree No. 55, issued on April 21, 2011, which allowed the judicial police or their delegates (the security services) to detain suspects for seven days, subject to renewal by the Public Prosecutor, provided that this period does not exceed sixty days. Obviously, the regime security agencies have not adhered to this decree in the slightest. All of these violations demonstrate that the principle of rule of law remains a formality for Syria's regime with no actual value. In reality, it has been completely eroded by the actions of official government institutions and an ineffectual judiciary that is unable to monitor and hold violators accountable, which is not surprising when the country's judiciary lacks any autonomy and is thoroughly encroached upon by the executive and legislative branches.

As over a year has now gone by since Law No. 20 of 2022 was passed, SNHR has been monitoring the cases of arrest/detention in connection with this law. We have also noticed that Syrian regime forces have failed to follow the associated procedural rules, whether from the standpoint of the police forces charged with investigating cybercrimes, or jurisdiction and filing a public interest lawsuit. SNHR has pinpointed three types of applied procedures adopted by the Syrian regime in relation to this law:

First: The Criminal Security Directorate's Counter-Cybercrime Division⁹ usually starts investigating potential cybercrimes after a personal complaint/request is filed with the public prosecution service, which is the authority that refers cases to the Counter-Cybercrime division at the Criminal Security branch of each governorate. All of this so far is standard procedure commonly followed by the judiciary. We don't generally document any violations related to this process, since it has no political character or any details related to the freedom of opinion and expression, as we explained in the report's methodology. Article 38 of the Counter-Cybercrime Law requires that a division affiliated with the Ministry of Interior shall be established to replace the division established in accordance with Legislative Decree No. 17 of 2012, with the mandate of investigating cybercrimes.

Second: More commonly, the Counter-Cybercrime Division investigates any act deemed to be of a criminal character as soon as it has come to the division's attention. This process involves monitoring social media, websites, and any content published by posters, commentators, and followers in relation to the 'crimes against the security of the state' as specified in the Counter-Cybercrime Law or Articles 285, 286, 287, of the General Penal Code. Thereafter, the purported offenders are detained, and judicial authorities are notified in order to obtain official permission to launch an investigation, after which suspects are referred to the criminal or extraordinary courts depending on the nature of the alleged crime.

9. Established in 2012 in accordance with Legislative Decree No. 17 of 2012.

On Monday, August 15, 2022, the Syrian regime's Ministry of Interior [announced](#) on its Facebook page that personnel from the Syrian regime's criminal security directorate had arrested four individuals, including one woman, residing in Homs over allegations of working with suspicious webpages and websites operated from abroad to serve nefarious purposes and offend state institutions. The four accused individuals were taken to a regime detention center in Homs.



Copy of the Syrian regime's Ministry of Interior's statement on detaining four civilians, including a woman on August 15, 2022

On Sunday, April 30, 2023, the Syrian regime's Ministry of Interior [announced](#) on its Facebook page that personnel from the Syrian regime's Criminal Security Directorate had arrested a woman born in 1987, identified as S.K., over allegations of working with suspicious webpages and websites.



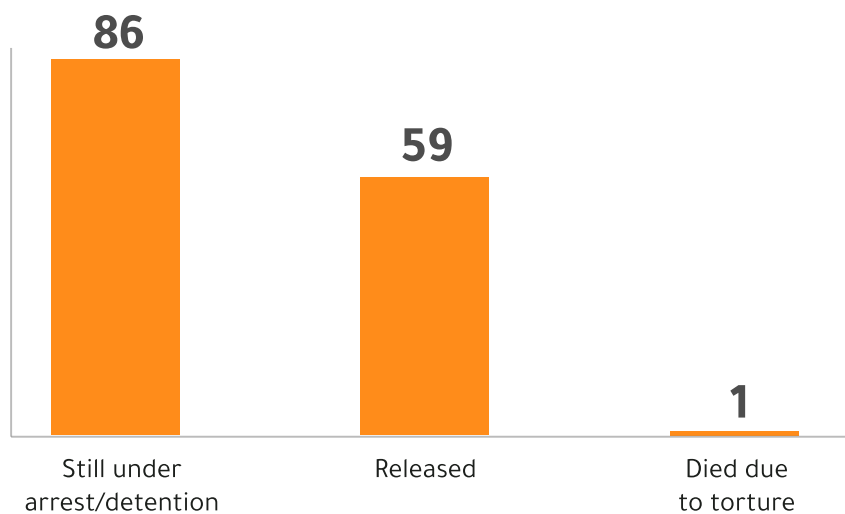
Copy of the Syrian regime's Ministry of Interior's statement on detaining a woman on April 30, 2023

Third: The most relevant and crucial procedures are carried out in regime security branches across Syrian governorates, especially the Political Security Intelligence and Military Security Intelligence Directorates, to which civilians, media workers, government employees, and well-known content creators on social media in regime-held areas are summoned for interrogation over their voicing criticism of living conditions there or of the performance of government institutions. In some cases, those summons target people who explicitly mention the presidency, the work of the security and military apparatuses, or the violations they are committing, and in other cases these individuals are summoned because of alleged contact with foreign media or human rights groups. Those summoned are subjected to torture, and are often not referred to the judiciary. Instead, they are forcibly disappeared for months as the summoning security agency sees fit, although some are released after being threatened or forced to end their social media activities and ordered to never speak about public affairs again, whether positively or negatively. Those who are referred to the judiciary are usually referred to extraordinary courts such as the Counterterrorism Court and face multiple charges related to the Counter-Cybercrime Law, Counterterrorism Law, or the General Penal Code.

IV. 146 Cases of Arrest/Detention and Death due to Torture in Connection to the Counter-Cybercrime Law

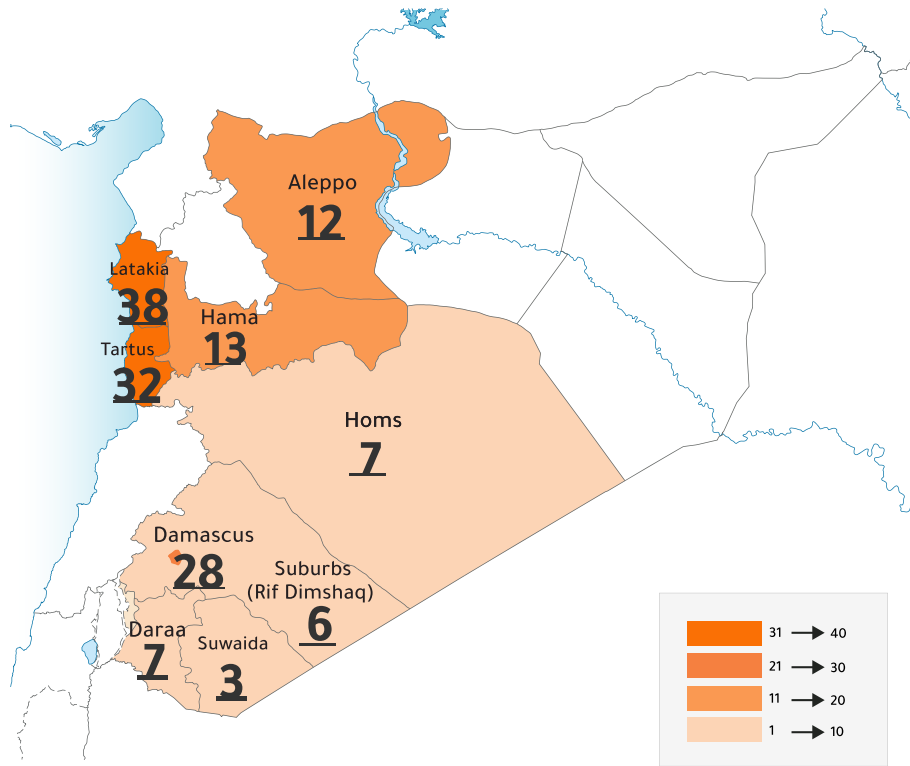
In many of our previous periodic reports on arrests and detention in Syria, we have indicated that the rising rates of arrests documented at the hands of Syrian regime forces in [many recent months](#) were due to these forces carrying out arrests targeting civilians and media workers across Syria for expressing criticism of the corruption and poor living conditions in regime-held areas. Those arrested in these cases face charges related to the Counter-Cybercrime Law, which the Syrian regime uses as grounds to justify the detention of citizens and workers in its institutions for expressing their own critical opinions on corruption and poor living conditions in regime-controlled areas.

SNHR has documented that no fewer than **146** individuals, including **19** women, who have been arrested/detained on the grounds of the Counter-Cybercrime Law, since the legislation was promulgated by the Syrian regime on May 18, 2022, up until August 18, 2023. Of these, the Syrian regime has released 59, and one died due to torture, while the remaining 86 are still under arrest/detention in regime detention centers.



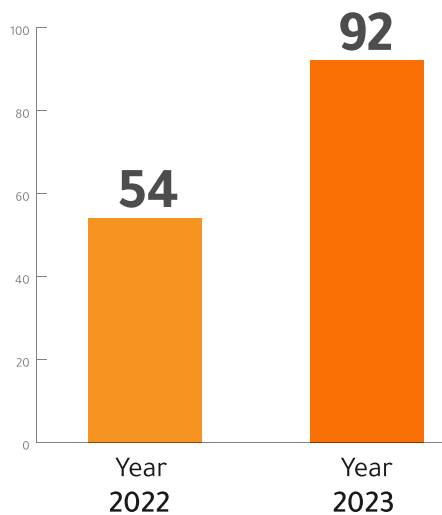
The graph above shows that the Syrian regime is still detaining no less than 58 percent, or well over half, of those arrested in connection with the Counter-Cybercrime Law.

Those are distributed by their governorate of origin as follows:



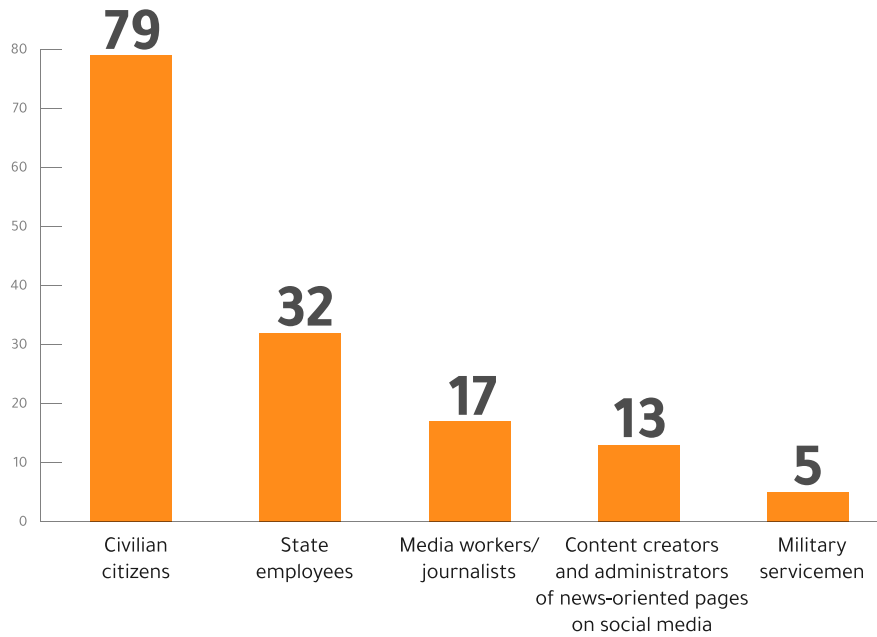
The map above shows that Latakia governorate saw the most arrests, followed by Tartus, then Damascus, and then Aleppo.

The arrests are distributed by the year in which the arrest/detention took place as follows:



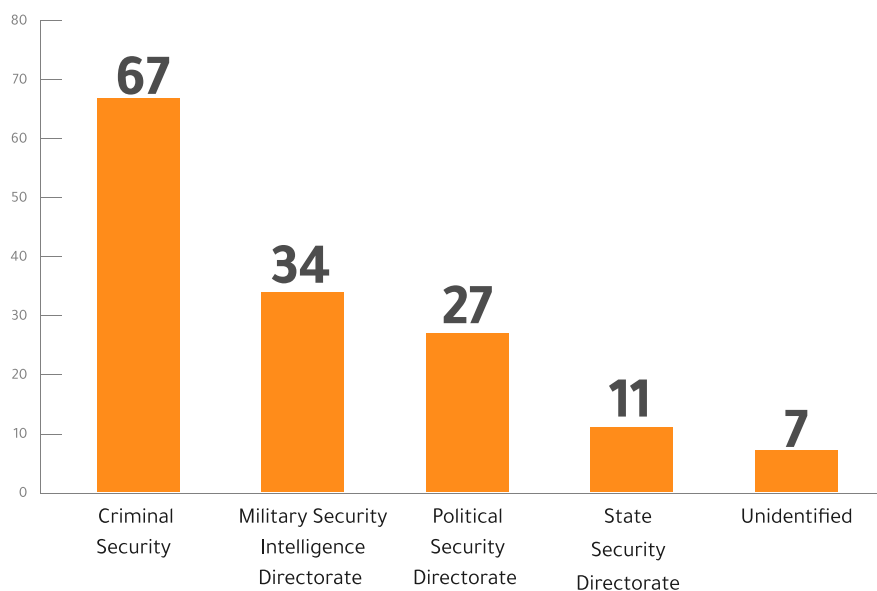
The graphs above shows that 2023 saw the highest percentage of arrests in connection with the Counter-Cybercrime Law documented to date, which suggests that Syrian regime forces have been hunting down civilians on a wider scale since the law went into effect.

These detainees are also distributed by their occupation or civilian status as follows:



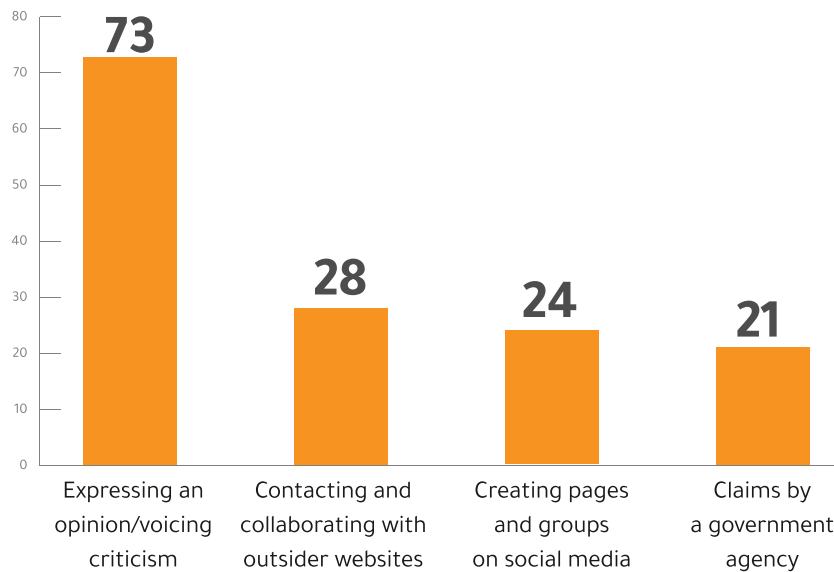
As shown on the graph, most of the civilians arrested on the grounds of the Counter-Cybercrime Law were lawyers, engineers, and university students, followed by state employees, media workers, and content creators on social media. This confirms that the Counter-Cybercrime Law was established by the Syrian regime to target all groups of people, especially those with no influence, such as ordinary civilians.

Moreover, the arrests are distributed by the agency making the arrest as follows:



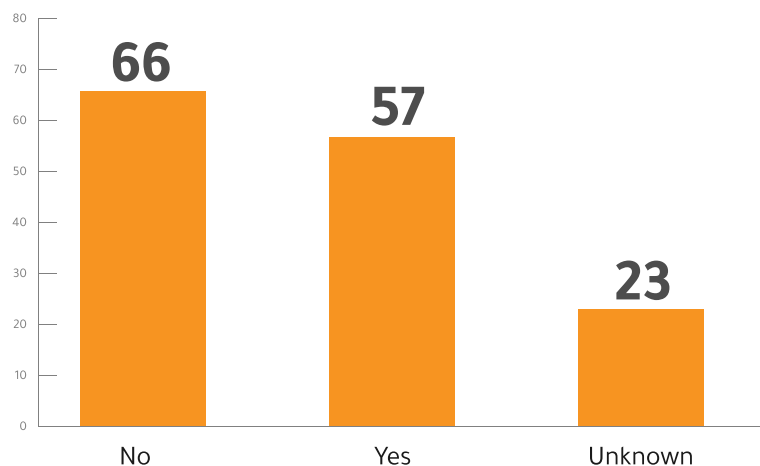
As shown on the graph, the Criminal Security Directorate branches, spread across Syria, have been responsible for most arrests in connection with the Counter-Cybercrime Law, with 67 arrests carried out by this agency as the entity legally authorized to make arrests according to the Counter-Cybercrime Law. While the Criminal Security Directorate carried out the most arrests of any single state security agency, the other security directorates have collectively carried out more arrests with 72 arrests in total.

Additionally, arrests are distributed by cause of arrest as follows:



As shown on the graph above, most of the arrests were carried out over the detainee in question expressing an opinion or voicing criticism of the work of government institutions and of regime policies. Other reasons came in the context of silencing freedom of opinion and expression, or government institutions making claims against their critics under the pretext of defamation, contempt, or other crimes named in the Counter-Cybercrime Law.

Lastly, the detainees are distributed according to whether or not they were referred to a court as follows:



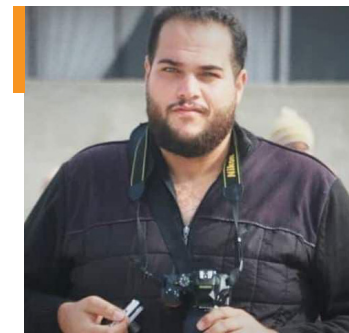
The graph above shows that most of the detainees have not been referred to a court. These detainees were either released from security branches after being threatened and intimidated, or are still under detention.

Accounts of detention and torture cases in connection with the Counter-Cybercrime Law

Torture

Khalil Ibrahim Mousa

Khalil Ibrahim Mousa from Izra city in northern rural Daraa governorate, a media activist and Syrian regime serviceman, was arrested, aged 32, by Syrian regime forces in 2022 from his workplace at a regime military facility in Hama governorate for voicing criticism on his Facebook page of the living conditions in regime-controlled areas and calling for reforms. He has been classified as forcibly disappeared ever since, with the Syrian regime denying any knowledge of his whereabouts and refusing to allow anyone, even a lawyer, to visit him. On August 10, 2023, Syrian regime forces informed his family that he had died and returned his body to them. We can confirm he was in good health at the time of his arrest, indicating a strong probability that he died due to torture and medical negligence in a regime detention center.



Khalil Ibrahim Mousa

Detention cases

Jawad al-Nabulsi

Jawad al-Nabulsi, from Latakia city, born in 1989, was arrested on Monday, February 27, 2023, by Syrian regime forces in Latakia city over his voicing criticism on his Facebook page of the mechanism employed to distribute aid following the February 6 earthquake. He was taken to the Syrian regime's criminal security branch in Latakia city. He was released on March 1, 2023.

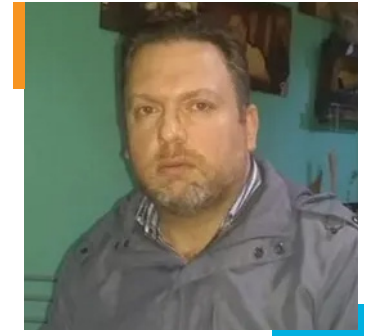
SNHR spoke with Jawad al-Nabulsi,¹⁰ who told us:

“I published a post on my Facebook page in which I talked about the degrading way humanitarian aid is being given out to those affected by the earthquake, and I talked about how some people with ties to the state are stealing the aid and distributing it amongst themselves. My post garnered quite some traction on social media. Two days later, Military Security personnel raided my home in a brutal way. They arrested me and searched my house. Then, they took me to the Military Security branch in Latakia, while severely beating me all over my body and spouting insults against me. They also seized my phone. A relative of mine who knows people inside the branch intervened and paid some money to set me free, under the condition I delete my post. I deleted my post and pledged to never post anything about the government.”

10. Via the phone on July 25, 2023.

Rami Raul Fetali

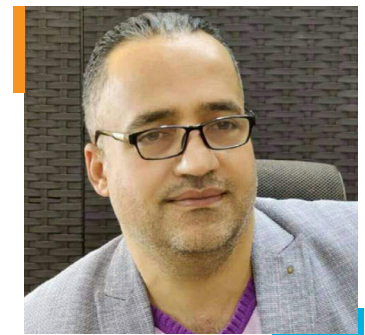
Rami Raul Fetali, a blogger and social activist born in 1977 from Latakia city, was arrested on Monday, March 13, 2023, by members of the Syrian regime's Criminal Security after he surrendered himself to their branch in Latakia city in connection with a case against him over accusations of "offending the internal security apparatus", which was opened because he demanded on his Facebook page back in 2021 that an investigation should be launched over a person accused of theft getting beaten in a police station (even though the post predated the promulgation of the Counter-Cybercrime Law). On March 27, 2023, a judge sentenced him to prison as he was convicted of undermining the state's integrity, offending the state administration, and dealing in illegal international money transfers. He was released on August 1, 2023.



Rami Raul Fetali

Omar Abdullah

Omar Abdullah, known as 'Omar Deir Mama', the head of the Misyaf News Network, from Deir Mama village (administratively a part of Misyaf city) in western rural Hama governorate, was arrested on Thursday, April 27, 2023, by Syrian regime forces over voicing criticism of the living conditions and corruption in the areas under the Syrian regime's control on the Misyaf News Facebook page. He was released on May 23, 2023.



Omar Abdullah

Mohannad Hassan

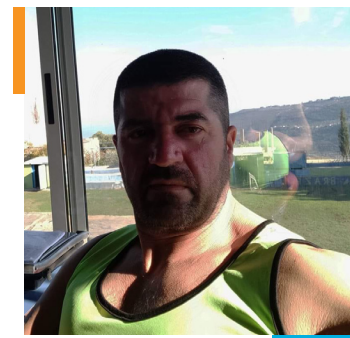
Mohannad Hassan, administrator of the Facebook page 'Al-Lathakia Ein Ala al-Hakika' (Latakia: An Eye on the Truth), from Latakia city, was arrested on Monday, May 1, 2023, by Syrian regime forces over publishing posts critical of the practices of the regime's 'General Institution for Electricity Generation' in regime-held areas. He was released on May 7, 2023.



Mohannad Hassan

Firas Ghanem

Firas Ghanem from al-Annaza town, administratively a part of Banyas city in northern Tartus governorate, was arrested by personnel from the Syrian regime's Political Security Intelligence directorate after being summoned to a regime detention center in Tartus city on Monday, July 3, 2023. Firas was arrested for voicing criticism on his Facebook page of the dire living conditions and corruption in regime-held areas. He was taken to Tartus Central Prison.



Firas Ghanem

Abdul Rahim Mustafa

Abdul Rahim Mustafa, from Aleppo city, was arrested on Monday, July 4, 2022, by Syrian regime forces after being summoned to the Criminal Security branch in Aleppo city over voicing criticism on his Facebook page of the living conditions and electricity power cuts in Aleppo city. He was taken to Aleppo Central Prison. He was released on January 5, 2023.

SNHR spoke with [Abdul Rahim Mustafa¹¹](#) who told us:

“I published a number of posts on my Facebook page protesting the cutting off of electricity and the worsening living conditions in Aleppo city. On the next day, I was summoned to the al-Azizia Criminal Security branch in Aleppo. I went there and identified myself, at which point they handcuffed me and started insulting me, as they were enraged about my posts. They seized my phone and went through all my personal accounts and messages, and interrogated me. On July 14, 2022, a judge sentenced me to six months in prison for offending the state administration. I was released after serving my sentence in Aleppo Central Prison.”

Jamil Masoud al-Bunni

Jamil Masoud al-Bunni, born in 1979, an employee at the Electricity Company in Hama city, from al-Salamiya city in rural Hama governorate, was arrested on June 12, 2022, by personnel from the Syrian regime's Criminal Security Directorate over voicing criticism on his Facebook page of the Electricity Company in Hama governorate. He was taken to the Criminal Security branch in Hama city. He was released on June 16, 2022.

11. Via the phone on June 21, 2023.

SNHR spoke to Jamil Masoud al-Bunni¹² who told us:

“In my work at the Electricity Company in Hama city, I noticed that some people are stealing electric cables and also the excessive cutting off of power. I published some posts on my Facebook page hinting at those thefts without openly accusing anyone because I know that would make me legally liable. One day while I was at work, police officers raided my office and arrested me. At the police station, I learned that I'd been arrested over a complaint by an official in the Electricity Company who accused me of attacking him and accusing him of theft. I was held for a few days at the police station until a relative of mine intervened and meditated with the complainant, and convinced him to dismiss the case. I was then released.”

Ahmad al-Eisa

Ahmad al-Eisa, born in 1997, from Tartus city, was arrested on Wednesday, August 3, 2022, by Syrian regime forces in Tartus city over filming an ad hoc public opinion poll in which he asked people about their opinion of the living conditions in Tartus city, that he was planning to publish on a Facebook page which he manages. He was released on December 4, 2022

SNHR spoke to Ahmad¹³ who told us:

“I filmed a video asking people in the street about the rising prices and the economic situation. One of those people was a friend of mine that I accidentally ran into. On the next day, the Criminal Security branch in the city called me and asked me to come. They interrogated me about the goal of my filming people and polling their opinions, and who I am working for. They told me I cannot film and poll opinions without getting security clearance or being an official journalist who works for an official channel. I never published the video, but they deleted it and threatened me in case I had other copies or I ended up publishing the video. They referred me to Tartus Central Prison, where I stayed for a few months. I was released under trial, and my case is still open.”

12. Via the phone on September 14, 2022.

13. Via the phone on July 21, 2023.

V. Conclusions and Recommendations

Legal conclusions

- Law No. 20 of 2022 violates many peremptory norms and justifies the silencing of freedom of opinion and expression, and the dozens of cases of arbitrary arrest and torture at the hands of the Syrian regime. As a law that violates human rights, Law No. of 2022 is wholly illegitimate.
- Law No. 20 of 2022, which violates the right to opinion and expression, is unconstitutional since it violates Article 42 of the Syrian Constitution of 2012. It also threatens digital rights, online privacy, the right to access and trade information, and the right to access the web. The articles of this law, especially the texts on the crimes against the security of the state, demonstrates how it aims to perpetuate the Syrian regime's policy of restricting freedom of opinion and expression, curbing those freedoms on social media, legalizing arrests and detentions, and giving its security apparatus free rein.
- Not only did the Syrian regime level charges and try detainees under the General Penal Code, particularly the articles on crimes against the security of the state, the Military Penal Code, and the Field Military Court, which was established in 1968, but it also introduced the Counterterrorism Law which includes broad articles and open and general definitions of acts of terror and conspiracy, and established another extraordinary criminal court for cases of terror, in order to refer as many detainees as possible to this court. The regime has continued to introduce laws that violate fundamental rights and affect the lives of civilians such as Law No. 20 of 2022.
- Law No. 20 of 2022 is another opportunity for the regime's security apparatus to extort and gain more money at the expense of citizens. This is achieved through submitting malicious security reports, the aim of which is to intimidate and hunt down citizens, and which also gives government officials a pretext to hunt down and prosecute anyone who voices criticism or expresses their opinion and indicates discontent with the policies pursued by the state institutions, describing such criticism as defamation, contempt, slander, etc...

Recommendations

UN Security Council and United Nations

- Find ways and mechanisms to implement Security Council resolutions 2041, 2042, 2139, and paragraph 12 of resolution 2254 on detainees and forcibly disappeared persons in Syria.
- The Security Council must take actions to put an end to the arbitrary arrest, enforced disappearance, torture, and death due to torture taking place inside regime detention centers. The Security Council must act quickly to save the lives of the remaining detainees.
- Act under Chapter VII of the Charter of the United Nations to protect detainees from death inside detention centers.

Independent International Commission of Inquiry on the Syrian Arab Republic (COI)

- Shed light on the unlawfulness of Law No. 20 of 2022, and document the cases of arbitrary arrest and torture, and the silencing of freedom of opinion and expression which relied on said law.

Office of the UN High Commissioner for Human Rights (OHCHR)

- Condemn the laws adopted by the Syrian regime that violates the rights of the Syrian people, and condemn the violations, including cases of arbitrary arrests that are being carried out and justified using said laws.
- Read this report and issue a statement taking a public position on Law No. 20 similar to the [expressions of concern](#) issued over the Jordanian Law on Cybercrimes. We are fully prepared to provide all the necessary information and data.

Syrian regime and its allies

- Abolish all extraordinary courts and all rulings and sentences issued by those courts.
- Abolish Legislative Decree No. 55 of 2022 which authorizes security agencies to arrest and interrogate citizens for over two months.
- Abolish the Counterterrorism Law (Law No. 19 of 2012).
- Abolish Law No. 15 of 2022 (which amends the General Penal Code).
- Abolish the crimes against the security of the state, and stop the introduction and addition of broad and vague incriminating legal texts in an effort to confer legitimacy with no legal justification.
- Abolish Law No. 20 of 2022 due to its violation of many fundamental human rights.
- Abolish all texts that require the approval of the state executive authority for the judiciary's prosecution of officers and security and police personnel.
- Release prisoners detained for the expression of opinions without any preconditions, disclose the fate of those missing, compensate those affected, and end the cruel toying with their fates and the extortion of their families.
- Allow international organizations to visit prisons and detention centers and examine the conditions of the detainees.

- Stop tampering with the constitution and laws, in order to harness these to serve the ends of the ruling dynasty, as well as to enact misguided legislation.
- Take full responsibility for all legal and material ramifications, and compensate the victims and their families from the resources of the Syrian state.

Acknowledgment

We wish to extend our most heartfelt gratitude to the eyewitnesses, victims, activists, lawyers, and technical experts for their invaluable contribution to this report.



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No justice without accountability

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