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COI QUERY

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Main subject	<u>Apostasy/Blasphemy</u>
Question(s)	<u>1. Legislation on apostasy/blasphemy and its implementation in Damascus</u> <u>1.1. Treatment by the government of people perceived as apostate/blaspheme (including people who publicly criticise the Quran) in Damascus between 2019-2021</u> <u>2. Treatment by ISIL and HTS towards people perceived as apostate/blaspheme (including people who publicly criticise the Quran) in Damascus between 2019-2021</u> <u>3. Treatment by society towards people towards perceived people perceived as apostate/blaspheme (including people who publicly criticise the Quran) in Damascus between 2019-2021</u>
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This response to a COI query has been elaborated according to the [EASO COI Report Methodology](#) and [EASO Writing and Referencing Guide](#).

The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 17 December 2021. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE - SYRIA

Apostasy/Blasphemy

1. Legislation on apostasy/blasphemy and its implementation in Damascus

Article 3 of the Constitution of the Syrian Arab Republic prescribes the following:

‘The religion of the President of the Republic is Islam; Islamic jurisprudence shall be a major source of legislation; The State shall respect all religions, and ensure the freedom to perform all the rituals that do not prejudice public order; The personal status of religious communities shall be protected and respected’.¹

According to a 2020 report of the United States Department of State (USDOS), ‘there is no official state religion’ in Syria. The same source noted that, although the law recognises conversion to Islam, it ‘prohibits the conversion of Muslims to other religions as contrary to sharia’.² Some sources reported that apostasy of Muslims is not forbidden by the law, however, conversion from Islam to another religion is socially unacceptable.³

Specific reference to sanctioning insult, blasphemy, or defamation of religion in Syria are contained in the Penal Code of the Syrian Arab Republic (i.e Articles 208, 462, 463, 464).⁴ In particular, Article 208 of the Penal Code stipulates that:

‘Public venues are considered:

- (1) Activities and movements if they occur in a public place or in an area available to the public or an exhibition for viewing or which are seen because a person who had nothing to do with them saw them by mistake.
- (2) Talking or shouting, whether publicly or transmitted mechanically, so that in both cases they are actually heard by those who have nothing to do with them.
- (3) Writing, drawings, paintings, photographs, films, symbols, and illustrations of various kinds if they are exhibited in a public place or in an area available to the public or an exhibit for viewing, or if they are sold or displayed for sale or are distributed to one or more people.’⁵

Article 462 of the Penal Code of the Syrian Arab Republic requires that:

‘Anyone who engages in one of the ways specified in Article 208 to disparage the religious rituals that are practiced publicly or who incites to showing contempt for these rituals shall be punished by imprisonment from two months to two years.’⁶

Information on the implementation of legislation on apostasy/blasphemy in Damascus between 2019 and 2021, could not be found among the sources consulted by EASO within time constraints.

¹ Syrian Arab Republic, Constitution of the Syrian Arab Republic, as amended on 26 February 2012, [url](#)

² USDOS, 2020 Report on International Religious Freedom: Syria, 12 May 2021, [url](#)

³ Humanists International, Syria, last updated 25 September 2020, [url](#); ACIHL, Religion and the law in Syria, n.d., [url](#)

⁴ USCIRF, Violating Rights: Enforcing the World’s Blasphemy Laws, 2020, [url](#), p. 82

⁵ Syrian Arab Republic, Penal Code of the Syrian Arabic Republic, as amended on 30 June 2018, available at USCIRF, Violating Rights: Enforcing the World’s Blasphemy Laws, 2020, [url](#), p. 82

⁶ Syrian Arab Republic, Penal Code of the Syrian Arabic Republic, as amended on 30 June 2018, available at USCIRF, Violating Rights: Enforcing the World’s Blasphemy Laws, 2020, [url](#), p. 83

Although outside the scope of the reference period of this COI query Response, it could be worth noting that, according to a research study by the US Commission on International Religious Freedom (USCIRF) on state implementation and enforcement of criminal laws prohibiting blasphemy worldwide between January 2014 and December 2018, no cases of criminal blasphemy law enforcement could be found in Syria.⁷

1.1. Treatment by the government of people perceived as apostate/blaspheme (including people who publicly criticise the Quran) in Damascus between 2019-2021

Information on the treatment by the government of Syria of people perceived as apostate/blaspheme was scarce among the sources consulted by EASO within time constraints. However, the following information may be relevant.

The government of Syria has regained and maintained full control of Damascus and Rural Damascus governorate since May 2018.⁸ USCIRF noted that ‘there was less evidence in 2019 of explicit religious freedom violations in areas under regime control’.⁹

For background information regarding the situation in the recaptured areas, it is possible to consult the [Syria EASO COI Information Report on Exercise of authority in recaptured areas](#), published in January 2020.¹⁰

An April 2021 report by USCIRF noted the following:

‘In areas over which retained or regained control, the government continued to solidify its hold on all aspects of political, economic, and religious life. President Assad, for example, persisted in framing his rule in Islamic terms—alongside his standard Ba’athist-Arab Nationalist approach—and he has progressively shifted religious authority away from the traditional, marginally independent cadre of Sunni Muslim scholars (ulama’) in favour of the regime-controlled Ministry of Endowments’.

The same source reported that the Syrian government did not interact with members of religious minorities in the regime-controlled areas, if they ‘had no specific record of opposition participation’.¹¹

2. Treatment by ISIL and HTS towards people perceived as apostate/blaspheme (including people who publicly criticise the Quran) in Damascus between 2019-2021

Since May 2018, the Syrian authorities have had full control over the governorates of Damascus and

⁷ USCIRF, Violating Rights: Enforcing the World’s Blasphemy Laws, 2020, [url](#), pp. 7,33

⁸ Ezzi, M., Post-Reconciliation Rural Damascus: Are Local Communities Still Represented?, EIU (European University Institute), [url](#), p. 15, and based on reading of the following maps: Carter Center (The), Syria Weekly Conflict Summary 22-28 March 2021, 31 March 2021, [url](#), Fig. 1; Liveuamap, Syria, 31 March 2021, [url](#)

⁹ USCIRF, Recommended for Countries of Particular Concern (CPC): Syria, April 2020, [url](#), p. 1

¹⁰ EASO, COI Information Report, Exercise of authority in recaptured areas, January 2020, [url](#)

¹¹ USCIRF, Recommended for Countries of Particular Concern (CPC): Syria, April 2021, [url](#), p. 1

Rural Damascus.¹² According to sources interviewed by the DIS in August 2020, ISIL and other opposition groups no longer had any presence in Damascus or Rural Damascus¹³. Therefore, among the sources consulted by EASO within time constraints, no information could be found on the treatment by ISIL and HTS towards people perceived as apostate/blaspheme (including people who publicly criticise the Quran in Damascus) between 2019 and 2021.

3. Treatment by society towards people perceived as apostate/blaspheme (including people who publicly criticise the Quran in Damascus) between 2019-2021

Information on the treatment by society towards people perceived as apostate/blaspheme (including people who publicly criticise the Quran in Damascus) between 2019-2021, could not be found among the sources consulted by EASO within time constraints. However, the following information may be relevant.

Citing advocacy groups' representatives, USDOS reported that 'social conventions and religious proscriptions continued to make conversion relatively rare – especially Muslim-to-Christian conversions, which remained banned by law.' Furthermore, the same source noted that societal pressure had reportedly resulted in the relocation of converts within the country or leave or outside it in order to practice their new religion openly.¹⁴

¹² Norway, Landinfo, Syria, Konflikten i Damaskus – En tidslinje [Syria, the conflict in Damascus – a timeline], 8 September 2020, [url](#), pp. 9, 15

¹³ Denmark, DIS, Security and socio-economic situation in the governorates of Damascus and Rural Damascus, [Sources: Syria Direct; Syrian Network for Human Rights (SNHR)], [url](#), pp. 35, 52

¹⁴ USDOS, 2020 Report on International Religious Freedom: Syria, 12 May 2021, [url](#)

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