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Breaking Down the Amnesty Decrees Issued by the Syrian Regime Between March 2011 and October 2022

Under the decrees, 7,531 arbitrarily arrested detainees have been released, yet roughly 135,253 are still detained and/or forcibly disappeared

Wednesday 16 November 2022

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 analyses in Syria.

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I. The Syrian Regime Has Arrested Thousands of Citizens With NO Legal Justification, Then Released Some Under Legislative Decrees Created to Give a Misleading Appearance of Kindness by the President

Arbitrary arrests have been among the earliest and most prominent and widespread violations perpetrated by the Syrian regime against participants in the popular uprising that began in March 2011, in the form of calls for political reforms, freedom, and dignity. As the days passed, these protests grew larger and larger, covering wider areas of Syria, with the regime's brutal arbitrary arrests growing and expanding rapidly in response to keep pace. In that sense, arbitrary arrests were used to terrorize protesters and scare the rest of the Syrian people away from joining the popular protests. Although we use the term 'arbitrary arrest' here, this is a rather charitable description of these 'arrests', which are, in reality, closer to abductions in the overwhelming majority of cases (as high as ninety percent). Additionally, these arrests, which are carried out by security forces affiliated with one of the regime's four major intelligence agencies or security committees, and to a lesser degree by the military, are made with no legal warrant being presented (it should be noted here that the judiciary is under the auspices of the executive authority, since, in the structure of the Syrian state, the President of the Republic also holds the position of head of the Supreme Judicial Council).¹

Since the very first moment of his or her arrest, the detainee is subjected to torture, and denied any chance of contacting their family or lawyer. In the overwhelming majority of cases, Syrian authorities deny having arrested the detainee, who goes on to be classified as a forcibly disappeared person.

Hundreds of thousands of Syrians have fallen victim to the Syrian regime's arrest machine, with their cases devoid of any clear charges or evidence. They have been arrested for political reasons, grounded in the Syrian regime's battle to survive without making any meaningful political changes. Therefore, those are unlawful arbitrary arrests that violate international human rights law, as well as the Syrian constitution and domestic laws. We have detailed the parameters for detention/arrest and investigations established by the local laws in our [periodic reports](#). As the number of forcibly disappeared Syrians mounted, prompting the publication of numerous local and international human rights reports demanding their release and describing enforced disappearance in Syria as amounting to a crime against humanity, based on a central policy by the ruling authority, the Syrian regime felt the need to issue more and more presidential pardons for a small number of the detainees. We believe those amnesty decrees serve solely to ease some of the pressure on the Syrian regime, which depicts such decrees as acts of kindness and generosity through its state media channels. The narrative presented by the regime here is that even though those being pardoned are convicted criminals (which they are not), the regime is generously pardoning them and affording them a second chance.

¹ People's Assembly of Syria, Decree No. 94 (2012), Syrian Arab Republic Constitution;

Since March 2011, SNHR has documented no fewer than 21 legislative amnesty decrees as of this writing. We have commented on some of these releases, as well as issuing a number of reports on others in which we [highlight who really stand to gain from such decisions](#), particularly when compared to the number of dissidents who are still under arrest or forcibly disappeared. However, there still remains a need for a comprehensive report that sheds light on all the amnesty decrees, examining their effects and overarching contexts, and more importantly their effects on the issue of arbitrary arrest and enforced disappearance in the wider context of how many are still under arrest and forcibly disappeared at the hands of the Syrian regime. In this report, which is an effort to fill this gap, we conclude that while an extremely limited number of political detainees have been released, tens of thousands more are still being detained or forcibly disappeared by the Syrian regime.

Fadel Abdul Ghany, Director of the Syrian Network for Human Rights, says:

We have worked tirelessly for months to provide a comprehensive picture of the amnesty decrees issued by the Syrian regime. We have explained the context and effect for each decree by monitoring the subsequent releases. We present this report as a document before decision-makers and UN organs to prove that the cases of arbitrary arrest or enforced disappearance for which the Syrian regime is responsible are infinitely greater in numbers than the cases in which detainees were released. This report also proves that the Syrian regime uses detainees as hostages, as our databases show a harrowing number of nearly 136,000 Syrian citizen who are either under arrest or disappeared, all of whom must be released.

Methodology:

On studying the laws and decrees issued by the Syrian regime, a pattern emerges: the Syrian regime issues one or two amnesty decrees every year. This observation is further supported by the fact that 21 amnesty decrees were issued between March 2011 and October 2022. Thanks to its team of Syrian lawyers, SNHR reviews the texts of those decrees as part of its work on the issue of detainees and forcibly disappeared persons. More importantly, we diligently monitor the implementation of those decrees on the ground by recording releases from the various Syrian regime's detention centers. It is impossible, needless to say, to fully understand the texts of those amnesty decrees and their implementation without understanding their context and their source, namely the Syrian regime's security machine, which has limited and minimized the meaningfulness of any amnesty decree in a calculated and deliberate fashion.

This report draws upon SNHR's archive of detainees, forcibly disappeared persons, and victims who died due to torture. We have built this archive by monitoring and documenting arbitrary arrests, forcible disappearances, and torture on a daily basis since 2011. Furthermore, we take great care to constantly update any cases whenever new evidence becomes available. All the cases documented in our archives are recorded by name, date, place, circumstances of arrest, the party responsible for the arrest or enforced disappearance, the latest available developments and documents, and other relevant details. Our IT team has developed a special program to store our database that provides the option to filter the data on each case by parties to the conflict, governorates, date, sex, social status, academic status, age group, or place of arrests. As each case is entered, the data is sorted automatically. Moreover, we have ensured that any new data about any new incidents is entered into SNHR's database in a secure manner, not to mention that we keep multiple backup copies in different locations.

Relying on SNHR's database, we have sorted the details of individuals who are still under arrest or forcibly disappeared, or who have been released from the Syrian regime's detention centers, according to the dates on which the arrests were made, and coinciding with the amnesty decree. No other parameters were taken into account.

The detainees team at SNHR strives constantly to establish and maintain contact with those who were released from the Syrian regime's detention centers, as well as with the families of detainees and forcibly disappeared persons, in order to collect as much information as possible about the cases of arrest and enforced disappearance, including the context and background of each case, in order to keep our data up to date. This report is the culmination of extensive analysis and cross-checking of the legislative amnesty decrees relating to pardoning detainees previously held in the Syrian regime's detention centers with our archive on arbitrary arrests, enforced disappearance, and torture that extends from March 2011 to October 2022. As noted above, we take great care to regularly update our archives. Finally, it is important to note that this report is concerned solely with arrests we documented that coincided with amnesty decrees and the releases relating to said arrests, and is not concerned with any of the other releases unrelated to amnesty decrees.

The report draws upon interviews we have conducted with former detainees who were released as a result of the amnesty decrees, and with detainees who are still incarcerated in civilian prisons across Syria, most notably Hama Central Prison, Homs Central Prison, and Suwayda Central Prison, as well as with the families of the detainees and forcibly disappeared persons who fell prey to fraud operations related to the amnesty decrees. In this report, we have included eight first-hand accounts that we collected from individuals from different Syrian governorates. These accounts were collected directly, rather than from second-hand sources. We spoke with the eyewitnesses either by phone, through an online communication program, or by meeting them in person in Syria. In some cases, we have used aliases in order to maintain the eyewitnesses' confidentiality, and more importantly to protect them from harassment or persecution.

The interviewees did not receive any financial compensation for the interview, nor were they promised any such compensation. We informed all of the individuals interviewed of the purpose of the report beforehand, and they gave us permission to use the information they revealed in the service of the goals of the report and our documentation efforts. Such procedures are part of our rigorous internal protocols, which we have maintained for years. We always strive to improve our protocols, so as to better take into account the mental and emotional anguish of the victims. This report is the culmination of a year-long work that involved analyzing data and information and conducting interviews.

Due to the extraordinary difficulties and the vast magnitude of the violations, it should be noted that this report only reflects the bare minimum of the violations that we have been able to document. The actual figures are far higher.

II. The Syrian Regime Restricted the Power to Issue Decrees to the President of the Republic and Disregarded the Legal Procedures Put in Place for Adopting Such Decrees By the Syrian Legislature

An amnesty², according to Syrian laws, is defined as cause to consider the sentence in question as served in full. Amnesties are achieved either by nullifying the criminal act or nullifying the sentence, either fully or partially. Syrian legislatures have addressed amnesties in the Syrian Penal Code,³ with Syrian law dividing amnesties into two categories: general amnesties and special amnesties. There are a number of major differences between the two categories: for instance, general amnesties, issued through laws promulgated by the legislative authorities,⁴ can be concerned with one or multiple crimes, which are considered to be nullified on this occasion by the amnesty. Special amnesties, meanwhile, are granted by the President of the Republic,⁵ and pardon a sentence in a particular case, either in full or in part, in some cases replacing it with a lighter one. According to the Syrian Penal Code, special amnesties must meet a number of conditions; they should be granted through a decree issued by the President of the Republic that specifies the name of the pardonee, the sentence being pardoned, the remaining sentence if the amnesty is partial, and the new sentence, should there be one. Amnesties cannot be granted unless the defendants affected have been tried and received a final, irrevocable, judgement. In this sense, amnesties are considered a last resort. The President of the Republic cannot issue a pardon until it has first been studied by an amnesty committee consisting of five judges, which is appointed by the president. This committee must study the amnesty request and give its assessment, although this assessment is purely of a consultancy nature, with the president having the final say in granting or withdrawing the amnesty.

² Hūmad, A. (1989). *al-Mufaṣṣal fī sharḥ Qānūn al-'uqūbāt* [The Detailed Book on the Penal Code]. al-Maṭba'ah al-Jadīdah.

³ People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended in accordance with Legislative Decree No. 1/2011, [Articles 150, 151, 152, 153, 154, 155](#).

⁴ People's Assembly of Syria, Decree No. 94 (2012), Syrian Arab Republic Constitution, [Article 75, Paragraph 7](#).

⁵ People's Assembly of Syria, Decree No. 94 (2012), Syrian Arab Republic Constitution, [Article 108](#).

Since March 2011, the Syrian regime has issued no fewer than 21 amnesty decrees. The majority of those decrees nullified the entirety, half, or quarter of the pardonees' sentence for the various crimes and criminal misdemeanors in question.⁶ These amnesties were concerned with particular articles and sentences related to individuals who had been detained for expressing political views or taking part in the popular uprising. The pardonees also included military servicemen who defected and were pardoned on condition that they surrender themselves within a certain period specified by each decree, which usually lasted for several months from the time the decree was issued. Some decrees were extensions of previous decrees, especially those concerning military servicemen or civilians who took up arms, so as to enable them to surrender themselves.

As can be seen from the aforementioned information, all decrees are issued or approved by the President of the Republic, head of the executive authority, in breach of the Syrian Penal Code. The People's Assembly; i.e., the legislative branch with the authority to study and issue general amnesties, has never issued an amnesty decree. The Syrian Constitution of 2012, which was written and adopted solely by the Syrian regime, states explicitly that **"The People's Assembly undertakes the following functions:... Approval of a general amnesty"**⁷ This constitutional role is based on Article 71, Paragraph 6 of the former 1973 constitution.⁸ The president, Bashar Assad, like his father Hafez Assad, has completely monopolized the authority to issue general amnesties, with the president issuing legislative decrees whenever it may please him. This is just one of the many manifestations of the executive authority in Syria co-opting the legislative authority, which we have thoroughly detailed previously [in a report on the People's Assembly elections](#) and its non-existent role under the autocratic, dictatorial ruling regime.

In effect, general amnesties suspend the 'criminal' nature of an act that is normally considered criminal in accordance with the rule of law. In some cases, this implies suspending the texts of the law itself. Therefore, one of the main rules of penal legislations is to enact general amnesties through laws, which, by effect, enshrine the authority to issue a general amnesty solely in the legislative authority. As such, amnesties are issued, under Syrian law, through a legislative decree which must be passed by the People's Assembly which has sole authority to amend it or repeal it. Moreover, if one to examine the philosophy behind laws in general, and amnesty laws, in a more specific sense, laws are approved by the people through the delegates they select to represent them, which is why, ipso facto, **amnesties cannot be a matter of personal choice for the President of the Republic to be issued according to his whim on any given occasion.**⁹ Bashar Assad's amnesty decrees create a state of legal disarray since they are to be implemented immediately with no discussion or amendment.

⁶ Ordinary crimes committed by ordinary criminals such as theft, forgery, etc...

⁷ People's Assembly of Syria, Decree No. 94 (2012), Syrian Arab Republic Constitution, [Article 75, Paragraph 7](#).

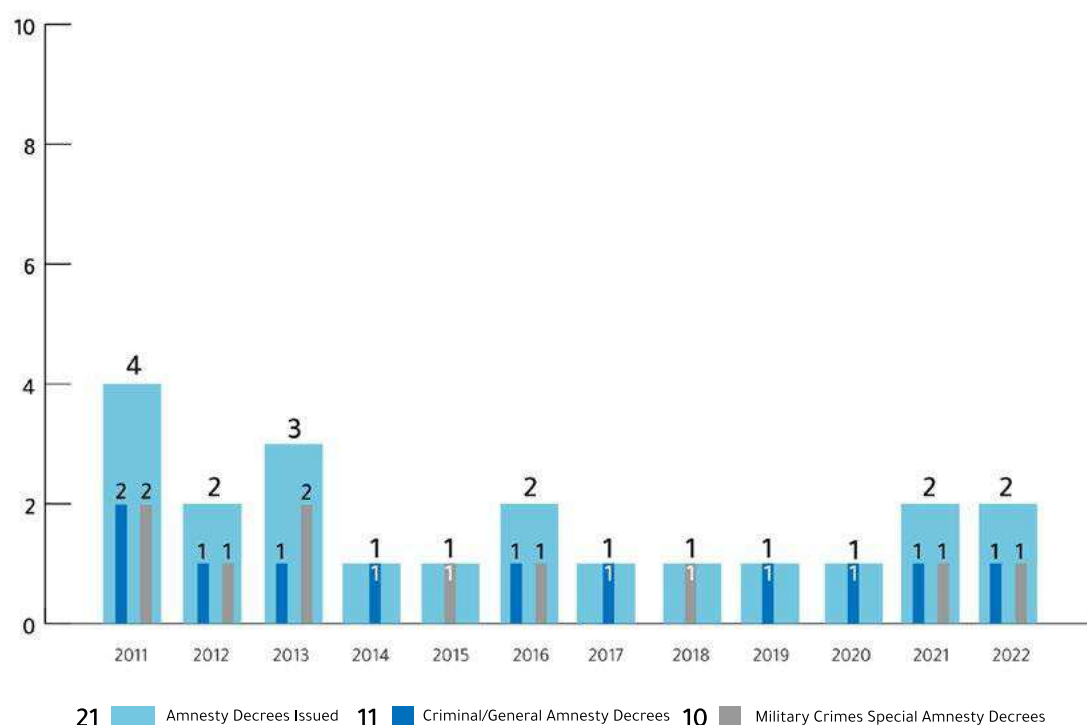
⁸ "The People's Assembly assumes the following powers:... 6. Approval of general amnesty." Syrian Arab Republic Constitution of 1973, Article 71.

⁹ Amr, H. H. (2013). *Ta'ziz al-adā' al-tashrī'i li-Majlis al-Sha'b al-Sūri-dīrāsah muqāranah* [Promoting the Legislative Performance of the Syrian People's Assembly - A Comparative Study] [PhD dissertation]. Damascus University.

Further, general amnesties include cases that have not been subject to any scrutiny, unlike special amnesties, whose purpose is to ease the severity of a certain sentence or to save the life of an individual who was only forced to commit the criminal act in question by extraordinary circumstances beyond their control.¹⁰ This is why issuing general amnesties is a rarity, as they undermine the state's penal policies and capacity to combat crimes. Indeed, Bashar Assad's wide-ranging amnesty decrees are a case in point, having already led to the release of thousands of individuals who had committed criminal acts. It would appear this was a deliberate policy by the Syrian regime which released some criminal detainees to accept many of them into the local militias founded by the regime to defend itself.

Lastly, we believe that Bashar Assad has issued such a large number of amnesties to depict himself as a dictator strongman who controls the lives of the Syrian people. He, and only he, gets to dictate who is pardoned whenever he pleases, however he pleases. Those decrees are simply an assertion of the despotic rule that gives him absolute power to dismiss the constitution, and disregard constitutional law, and the very spirit of law to do as he pleases.

Between March 2011 and October 2022, the amnesty decrees issued by the Syrian regime are distributed by year as follows;



As the chart illustrates, the first three years of the popular uprising saw nine amnesty decrees, or 43% of all the decrees issued to date. In 2011 alone, the Syrian regime issued four decrees, followed by two decrees and three decrees in 2012 and 2013 respectively. Even with the high number of decrees, those early years saw the highest numbers of enforced disappearance crimes by the Syrian regime according to SNHR's database. We have examined the issue of enforced-disappearance in our annual reports which are released on the [International Day of the Disappeared every year](#).

¹⁰ Hūmad, A. (1989). al-Mufaṣṣal fī sharḥ Qānūn al-'uqūbāt [The Detailed Book on the Penal Code]. al-Maṭba'ah al-Jadīdah, p. 1067.

Meanwhile, the amnesty decrees issued by the Syrian regime between March 2011 and October 2022 are distributed by type as follows:



As can be seen, all amnesty decrees are issued and approved by the President of the Republic. Furthermore, about half of those issued to date have been aimed at military servicemen, enabling the regime to retain as much military manpower as possible, to be utilized in military operations, instead of pursuing or detaining them.

III. Most Notable Amnesty Decrees Issued by the Syrian Regime Between March 2011 and October 2022

In this section, we will be summarizing the majority of the legislative decrees issued by the Syrian regime including documents and rulings that explicitly address detainees. We have divided the decrees by the cases they address into general and partial amnesty decrees, and decrees concerned with military crimes that were primarily aimed at military servicemen. It should be noted, however, that some general decrees also include paragraphs on military detainees.

A. General and partial amnesty decrees

1. [Legislative Decree No. 61 \(2011\), granting general amnesty for crimes committed before March 31, 2011](#)

Legislative decree No. 61/2011 was the second decree to be issued after March 2011, only predated by [Decree No. 34 \(2011\)](#), which was issued on March 7, 2011. The decree granted a general pardon for all individuals facing charges of being absent without leave, both domestically and abroad, on condition that those pardoned surrender themselves. The decree excluded those in hiding.

Decree No. 61/100 was issued on May 31, 2011, two months after the popular uprising first began, prompting Syrian regime forces to arrest hundreds during the protests. The decree also provided for pardoning a number of political protests. Article I, Paragraph E states, “[Lifting] fully the sentence for the crime referred to in Law No. 49 (1980).” This law details special sentences for affiliates of the Muslim Brotherhood political movement ¹¹.

Other rulings were concerned with economic crimes. Those include fraud and smuggling. The decree excluded acts stated in the following articles of the Military Penal Code¹² (112, 113, 120, 133, 135, 140, 149), which are concerned with insubordination, disobedience, losing weapons, or infringing military property, as well as those related to civilians who steal military property, or those who joined international associations, or associations whose headquarters are abroad and unlicensed, and individuals receiving funds from such associations. Individuals who incite military servicemen to join the enemy or the insurgents, or facilitate such acts were also excluded from this amnesty. Additionally, the decree excluded many crimes stated in a number of articles of the Public Penal Code. These articles are related to acts such as taking up arms for the enemy, as well as anyone who was involved in or assisted in any shape or form in acts of aggression against Syria, leaked information to the enemy; or stole objects, documents, or intelligence concerning the state or which might be potentially harmful to the state. The criminal acts excluded also pertain to instigating a civil war or sectarian fighting, as well as forming armed groups and taking up arms, and finally to any association that was founded for the purpose of altering the entity of the state, whether economically, socially, or otherwise.

By analyzing the articles and texts of Decree No. 61/2011, we have noticed that the Syrian regime issued this with the objective of securing the release of a broad range of criminals who committed crimes such as theft, murder, and fraud, in what was its largest mass release of criminals. This also included Islamists, including extremists, some of whom then joined or found their way to involvement in the popular uprising. It’s also apparent that the Syrian regime was keen to pursue defecting military servicemen at a time when defections were rapidly rising. Naturally, the Syrian regime was trying to curb the defections and insubordination that grew rampant among its military forces after they were ordered to kill protesters and use excessive violence against the demonstrations.

[2. Legislative Decree No. 72 \(2011\), granting general amnesty for crimes committed before June 20, 2011](#)

Legislative Decree No. 72/2011 was issued on June 20, 2011, less than a month after Decree No. 61. This decree was notable for granting a full pardon for various crimes, most notably smuggling, but excluding the smuggling of weapons and drugs. The decree also granted a full pardon for crimes related to substance abuse, and all misdemeanor offences related to the laws on drugs, theft, and fraud.

This decree, we noticed, complemented Decree No. 61, Those who were not included in the previous decree were included in this one.

Additionally, this decree further pardoned extremist Islamists. We noticed that some of the criminally convicted and extremist Islamists joined the popular uprising following this decree. It would seem that this was one of the Syrian regime’s primary goals ever since the first two decrees.

¹¹ People’s Assembly of Syria, [Law No. 49](#) of 1980 Regarding the Muslim Brotherhood.

¹² People’s Assembly of Syria, [Legislative Decree No. 61/1950](#), Penal Code and the Principles of Military Trials

[3. Legislative Decree No. 10 \(2012\), granting general amnesty for crimes committed in the wake of the events taking place since March 15, 2011](#)

Legislative Decree No. 10/2012, issued on January 10, 2012, provided for a full pardon for sentences imposed for a number of crimes specified in the Public Penal Code. These included undermining nationalist sentiments, provoking sectarian grudges in wartime, or transmitting news known to be falsified or exaggerated in a manner that would dishearten the spirit of the nation also in wartime. The decree also provided for pardoning crimes detailed in [Decree No. 54, issued on April 21, 2011](#), which contained the text of the law on peaceful protests,¹³ criminalized in Articles 335, 336, 337, 338, 339 of the Public Penal Code,¹⁴ such as participating in unlicensed protests. Additionally, a full pardon was granted to those sentenced for the crimes of possessing and taking up unlicensed arms and ammunition by Syrian citizens, as specified in the Public Penal Code and Legislative Decree No. 51 (2001), together with its amendments.¹⁵ The decree applied to anyone who possessed an unlicensed article of weaponry, provided that he surrendered this to the authorities no later than January 31, 2012. Furthermore, the decree pardoned military personnel charged with the offence of being absent without leave, both domestically and abroad, as detailed in Articles 100 and 101 of the Military Penal Code.¹⁶

Individuals in hiding were excluded from the pardon unless they surrendered themselves before the end of January 2012. The Syrian regime promulgated the [Counterterrorism Law and established the Counterterrorism Court](#) in July 2012, about six months after issuing Decree No. 10 (2012). Most of the detainees, in accordance with the new law, were referred to the Counterterrorism Court. Further, this decree was a conditioned decree, in the sense that it specified that wanted individuals had to surrender themselves to be included in the pardon. Lastly, this decree did not include detainees held in detention centers operated by the Syrian regime's security branches. Rather, it was only concerned with detainees imprisoned in central prisons who were waiting to appear before a court of law.

¹³ People's Assembly of Syria, Legislative [Decree No. 54/2011](#) Regarding Regulating the Right to Peaceful Demonstration for Citizens

¹⁴ People's Assembly of Syria, [Public Penal Law No. 148](#) of 1949, amended in accordance with Legislative Decree No. 1/2011, Articles 335, 336, 337, 338, 339.

¹⁵ People's Assembly of Syria, [Legislative Decree No. 51/2001](#) Regarding Arms Possession.

¹⁶ [1- Shall be deemed a fugitive at peacetime: A. Any military person or equivalent person who is absent from his squad or detachment without permission and six days have passed from the date of his illegal absence. However, the military person who has not completed three months in service shall not be deemed a fugitive unless after one full month of absence; B. Any military person who travelled alone from one place to another or from point-to-point and his vacation has ended and he has not returned within fifteen days from the date fixed for his arrival or return.

2- The fugitive military person or military-equivalent person inside the country at peacetime shall be punished by imprisonment from one to five years. If the fugitive is an officer or a non-commissioned professional officer, he may be punished, in addition to the above, with dismissal.

3- Punishment shall be no less of two-years imprisonment in any of the following circumstances: A. In case the fugitive took a weapon, equipment, an animal, mechanism or any other devices belonging to the army or uniforms other than the ones he usually wears; B. If fled while on service or in front of rebels; C. If it is not his first escape.

4- The deadlines set forth in this Article shall be decreased to one-third in wartime and the punishment may be also doubled.] People's Assembly of Syria, Legislative Decree No. 61/1950 Regarding Military Penal Code and Principle of Military Trials, Article 100.

[1- Any military person who passes the Syrian border without permission at wartime, leaving his squad and enrolling in foreign states, shall be deemed a fugitive three days after his illegal absence; this period decreased to one day at wartime.

2- The fugitive military person who escaped out of the state shall be punished by imprisonment from five to ten years.

3- The temporary detention punishment shall be increased to fifteen years if the military person had fled out of the country in one of the following circumstances: A. In case the fugitive took a weapon, equipment, an animal, mechanism or any other devices belonging to the army or uniforms other than the ones he usually wears; B. If fled while on service or in front of rebels; C. If it is not his first escape; D. If fled at wartime or from a region in the state of war or in a region where martial laws are declared.

4- If the fugitive is an officer, he shall be punishable by the maximum penalty entailed

by the martial laws.] People's Assembly of Syria, Legislative Decree No. 61/1950 Regarding Military Penal Code and Principle of Military Trials, Article 100.

[4. Legislative Decree No. 23 \(2013\), granting a general amnesty for crimes committed before April 16, 2013](#)

This decree provided a full pardon for the crimes specified in Articles 285 and 286; Article 293, Paragraph 1; and Article 295 of the Public Penal Code,¹⁷ which concerns the crimes of undermining nationalist sentiments, provoking sectarian grudges, and instigating an armed insurgency, as well as pardoning one-quarter of the sentence handed down for the crimes specified in Article 305, Paragraph 1; and Article 306 Paragraph 1 of the Public Penal Code, provided that the criminal act was committed by a Syrian national.¹⁸ These articles are concerned with spreading false news that would dishearten the spirit of the nation, and conspiracy, which alludes to committing acts of terror and founding associations for the purpose of altering the entity of the state. The decree was also concerned with a wide range of crimes such as embezzlement, smuggling, and bribery, and other crimes and misdemeanors, both internal and external. **This decree excluded the majority of the crimes specified in Law No. 19, promulgated on July 2, 2012, namely the Counterterrorism Law,¹⁹ except for pardoning the full sentence handed down for the crimes specified in Article 10;²⁰ one-quarter of the sentence for the crimes specified in Article 2;²¹ and one-quarter of the sentence for the crimes specified in Article 3, Paragraph 2.²² In addition, the decree excluded the broader laws and articles of the Penal Code that apply to most detainees.**

[5. Legislative Decree No. 22 \(2014\), granting genral amnesty for crimes committed before June 9, 2014](#)

This was one of a number of decrees that pardoned a wide array of crimes ranging from those listed in the penal code and the Counterterrorism Law to crimes specified in the laws on drugs, smuggling, arms, and economic penal laws. The decree included:

Crimes specified in Article 305, Paragraph 1; and Article 306, Paragraph 1 of the Public Penal Code, provided that the individual who committed the criminal act is a Syrian national. The decree also provided a full pardon for the crimes specified in Article 2 of the Counterterrorism Law, provided that the individual who committed the act is a Syrian national, as well as a full pardon for the crimes specified in Article 3, Paragraph 2 of the same law, which is concerned with individuals who joined a terror group, provided that the individual who committed the act is a Syrian national. Furthermore, one-quarter of the sentence handed down for the crimes specified in Article 5, Paragraph 1 of the same law was pardoned,²³ while a full pardon was granted for the crimes specified in Article 7, Paragraph 2 of the same law,²⁴ and the crimes specified in Article 8, provided that the individual who committed the act is a Syrian national.²⁵

¹⁷ [In times of war, or in anticipation of war, whoever disseminates propaganda that aims to undermine nationalist sentiments or provoke sectarian grudges shall be punished by timed incarceration.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 1/2011, Article 285.

[Same punishment is applicable to whomever, under the same conditions, transmits news with the knowledge of it being false or exaggerated that would dishearten the spirit of the nation. 2. If the actor believed that news to be true, they would be imprisoned for no less than three months.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 1/2011, Article 286.

[Every act intended to instigate an armed insurgency against the ruling authorities in accordance with the constitution is punishable by timed incarceration.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 1/2011, Article 293, Paragraph 1.

[Conspiracy with the intention to commit the acts mentioned above is punishable by criminal house arrest.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 1/2011, Article 295.

¹⁸ [Conspiracy with the intention to commit terrorist act(s) is punishable by hard labor for ten to twenty years.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 1/2011, Article 305, Paragraph 1. [Any association founded for the purpose of affecting or altering the entity of the state, whether economically or socially, or the principal conditions of the society using one of the methods mentioned in Article 304 shall be disbanded, and its affiliates shall be sentenced to timed hard labor.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 1/2011, Article 306, Paragraph 1.

¹⁹ People's Assembly of Syria, [Counterterrorism Law No. 19](#) of 2012.

²⁰ [Duty to report: Any Syrian or foreigner who gained knowledge of the crimes stated in this law and failed to notify the authorities shall be punished by one to three years in prison.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 10.

²¹ [Conspiracy: conspiracy that aims to commit any of the crimes stated in this law is punishable by timed hard labor.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 2.

²² [Punishment is timed hard labor for a minimum of seven years for anyone who joins a terrorist association or coerces another individual to join a terrorist association under coercion of violence or threat.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 3, Paragraph 2.

²³ [Anyone who smuggles, manufactures, possesses, steals or embezzles arms, ammunition, or explosives, irrespective of their type, for the purpose of carrying out a terrorist act shall be punished by a sentence of fifteen to twenty years of hard labor and a fine of value double the value of the confiscated items.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 5, Paragraph 1.

²⁴ [In the event that methods used in the terrorist act only cause a sound blast, the punishment shall be a minimum of five years of hard labor.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 7, Paragraph 2.

²⁵ [Promoting terrorist acts: disseminating brochures or stored information, irrespective of their format, with the intention of promoting terrorist means or terrorist acts is punishable by timed hard labor. The same punishment is applicable to anyone who operates or uses a website for the same purpose.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 8.

Moreover, the decree granted a full pardon for the crimes specified in Article 10 of the same law, which is concerned with charges of “conspiring, joining terror groups, perpetrating terror acts, promoting terrorism, and failing to inform authorities of crimes committed.”, and a partial pardon for charges of “smuggling and manufacturing weapons, ammunitions, and explosives,” although this was limited to “individuals who were referred to the Counterterrorism Court.”²⁶

While the decree was one of the most inclusive decrees yet at the time, it should be noted that only a few detainees under trial benefited from it. This is because confessions extracted under torture, which are used to refer a detainee to the Counterterrorism Court or the Military Field Court, result in a wide range of charges being imposed upon political detainees who are convicted of those charges automatically the moment they are arrested. Furthermore, these ‘confessions’ incur sentences that are more severe than those included in amnesty decrees. Therefore, even if an amnesty decree pardoned certain crimes, it will not pardon others, and, ipso facto, it does not include the majority of political detainees. Another important point to add is that detainees who are being tried or have been tried by the field court are denied the right to present a defense or have a counselor, which complies with the law founding this court that itself contradicts all human rights conventions and texts, and even the Syrian constitution itself. To include these detainees is a matter of whim for the court and the security apparatus that controls the field court. In general, amnesty decrees are nothing more than a deceitful, superficial façade.

[6. Legislative Decree No. 15 \(2016\), granting a general amnesty for individuals who took up arms and escaped justice, and kidnappers who released their victims](#)

This decree includes “individuals who took up arms, no matter the reason, and escaped justice or went into hiding.” The decree grants a full pardon for such crimes, “provided that the individual surrender themselves and their arms to the relevant judicial authorities or any officers of the law within three months of the date of the issue.”

“Whether or not judicial procedures against the defendant have been initiated is irrelevant,” the decree stated. It also granted a full pardon for “kidnappers who securely released their hostages without receiving any ransom money.” “Should the kidnappers meet those requirements within one month of the date of the [decree’s] issue,” they are pardoned from the “sentence detailed in [Legislative Decree No. 20, issued on April 2, 2013.](#)”

It is worth noting that this decree was concerned with individuals wanted by the Syrian regime who were not under arrest at that time. As detailed above, the decree specified a window of time in which individuals could surrender themselves. Even though it is conventional wisdom among Syrians that the Syrian regime does not honor such statements and decrees, we have documented dozens of cases of people surrendering themselves to the Syrian regime. These individuals, as we documented, were arrested and never released, and have gone on to become forcibly disappeared persons. Furthermore, we have documented that some of these individuals died due to torture. All this proves once again that the Syrian regime did not uphold its promises in the amnesty decree.

²⁶ People’s Assembly of Syria, [Law No. 22](#) of 2012, court established to handle terrorism cases, to be headquartered in Damascus

Another important point to note is that ‘taking up arms’ charges were filed against protestors with no proof. This was the Syrian regime’s preferred go-to charge, which was used to persecute political dissidents.

[7. Legislative Decree No. 11 \(2017\), extending the mandate of Legislative Decree No. 15 \(issued on July 28, 2016\) until June 30, 2017](#)

This decree was issued to extend the window of time available for individuals included in Decree No. 15 of 2016 to surrender themselves. No other crimes were addressed in this decree.

[8. Legislative Decree No. 20 \(2019\)](#)

This decree, issued on September 15, 2019, granted a general amnesty for all crimes committed before September 14, 2019. The decree, which consisted of 20 articles, shared significant similarities with Decree No. 22/2014. It was aimed at acts criminalized by certain laws, such as granting restricted pardons for crimes specified in the Counterterrorism Law, and specific texts of the Public Penal Code. We noticed that most of those who were pardoned were responsible for crimes and misdemeanors such as theft, abduction, and bribery among other crimes. It also granted full pardons for the crimes of drug possession, drug transportation, and drug consumption, and a pardon for one-quarter of the sentence handed down to those involved in drug dealing cases.

Some parts of this decree are related to special articles²⁷ in the Counterterrorism Law and the Public Penal Code. We, at SNHR, noticed that this decree restricted amnesties for the crimes (acts of terrorism in this case) to articles used to charge a limited number of detainees, while excluding the charges filed against the majority of detainees, especially activists. Therefore, the decree did not actually include the individuals detained in the wake of the popular uprising. The decree only pardoned, or in some cases eased, the sentences for crimes specified in two articles and one paragraph of a third article in the Counterterrorism Law, excluding the others. Even further, the articles addressed by the decree are concerned with charges filed in a few cases, and thus only applied to an extremely limited number of individuals being tried by the Counterterrorism Court.

As for the Public Penal Code, the decree, in Article 3, granted a full pardon for the crimes specified in Articles 285 and 286; Article 293, Paragraph 1; Article 295, and Article 303, as well as for the crimes specified in Article 305, Paragraph 1, and Article 306, Paragraph 1, provided that the individual who committed the crime is a Syrian national.

Articles 285 and 286 of the Public Penal Code refer to the crimes of undermined nationalist sentiments, provoking sectarian grudges in wartime and transmitting news that would dishearten the spirit of the nation in wartime. Meanwhile, Paragraph 1 of Article 293 refers to acts whose aim is to instigate an armed insurgency against the ruling authorities, and Article 295 refers to conspiring to commit crimes against the constitution.

²⁷ Article 4 of the decree, as well as other articles in this legislative decree, provides that this decree is applicable regarding the following crimes specified in Counterterrorism Law No. 19 of 2012: A. a full pardon for the sentence specified in Article 2 if the offender was a Syrian national. B. a pardon for half the sentence for crimes specified in Article 7, Paragraph 2. C. Full pardon for crimes specified in Article 10.

Furthermore, Paragraph 1 of Article 305 and Paragraph 1 of Article 306 refer to founding any association for the purpose of affecting or altering the entity of the state, whether economically or socially, using terrorist means, and conspiring to commit an act of terror, provided the individual committing the crime is a Syrian national. Those articles still applied to individuals who have been tried on the legal grounds of those articles and individuals in hiding, given that they were superseded by the Counterterrorism Law.

The decree's Article 13²⁸ also granted a full pardon for the crime of being absent without leave²⁹ for military servicemen, as specified by the Military Penal Code. However, those who were in hiding were excluded unless they surrendered themselves within three months of the date of issue for individuals who were still in the country and six months for individuals who were abroad.

Rulings completely excluded from Amnesty Decree No. 20/2019

In addition to excluding the majority of detainees referred to the Counterterrorism Court, this decree also excluded a number of crimes and misdemeanors specified in different laws, crimes against the security of the state, and various Counterterrorism Laws.

According to Article 14 of the decree, the following were excluded:

- A. Crimes specified in the following articles of the Public Penal Code: 263, 264, 265, 266, 268;³⁰ Articles 271, 272, 273, 274, 275, 276, 277;³¹ Article 305, Paragraph 3;³² Article 326, Paragraph 3;³³ Articles 397, 398;³⁴ Articles 402, 403, 405;³⁵ Articles 473, 474; Articles 476, 477, 478, 479;³⁶ Articles 489, 490, 491, 492, 493, 494, 495, 496, 499, 502, 504;³⁷ Articles 511, 512, 513, 514, 515, 516, 517, 518, 519, 520;³⁸ and Articles 577³⁹ -730.⁴⁰
- B. Crimes specified in the following articles of the Military Penal Code: 154, 155, 156, 157, 158, 159, 160.⁴¹
- C. Crimes specified in Law No. 10 (1961).⁴²
- D. Crimes specified in Legislative Decree No. 68 (1953).⁴³
- E. Crimes specified in Law No. 286 (1956).⁴⁴
- F. Crimes specified in Article 5, Paragraph 2, and Article 6, Paragraph 3 of the Counterterrorism Law.⁴⁵

²⁸ [A. Full pardon for offenders of internal absence, as specified in Article 100; B. Full pardon for offenders of external absence, as specified in Article 101; C. Full pardon for crimes of absence as specified in Article 103, Paragraph 4; D. The rulings of this article are not applicable to those in hiding or fugitives, unless they surrender themselves within no more than three months for internal absence, and six months for external absence; E. full pardon for the misdemeanor specified in Article 133, Paragraph A, and pardon for half the sentence of other crimes specified in Article; F. Half the misdemeanor specified in Articles 134 and 135]

²⁹ People's Assembly of Syria, [Legislative Decree No. 61/1950](#), Regarding Military Penal Code and Principle of Military Trials, Articles 98, 99, 100, 101, 102, 103, 104.

³⁰ Articles 263, 264, 265, 266, 268. Those articles are concerned with crimes against the security of the state - treason (taking up arms for the enemy and the Syrian who agrees to be recruited in an adversary's army, intriguing a foreign state to engage in aggression against Syria, or providing residence to a soldier or a spy of the enemy).

³¹ Articles 271, 272, 273, 274, 275, 276, 277, which establish punishment for the crimes of espionage through obtaining, stealing, or divulging items, documents, or intelligence that should remain secret in order to preserve, the safety of the state, as well as establishing unlawful ties with the enemy.

³² Article 305, Paragraph 3, terrorist acts that result in the death of a human being.

³³ Article 326, Paragraph 3, crimes carried out by armed groups in the form of gangs that roam through public roads and residential areas and carry out theft practices while perpetrating or attempting murder or torture against the victim as part of their crime.

³⁴ Articles 397 and 398 on crimes of perjury.

³⁵ Articles 402, 403, and 405 on crimes of false news and false oaths.

³⁶ Article 473, 474, 476, 477, 478, 479 on misdemeanors that threaten the fabric of the family (fornication and incest 'Zina & Sefah')

³⁷ Crimes involving violation of honor: rape, obscenity (Fahsha), abduction using violence, and deception with the intention of carrying out acts of sexual nature or marriage

³⁸ Articles 511 and 520 on public morals and intercourse of an unnatural character

³⁹ Article 577 of the Public Penal Code "Fires resulting in the death of a human being."

⁴⁰ Article 730 of the Public Penal Code "Crimes carried out by groups of evildoers of five or more individuals who loot crops and livestock, or destroy it as an expression of power and capability."

⁴¹ Articles 154, 155, 156, 157, 158, 159, 159 were excluded by the amnesty decree. Those articles are concerned with cases where military servicemen betray their unit or country, such as fighting in the ranks of the enemy or taking up arms against Syria, or delivering soldiers under serviceman's command, or facilitating the acts of the enemy, or leading the enemy to military stations, or engaging in espionage.

⁴² Law No. 10 of 1961 is the Counter-Prostitution Law.

⁴³ Legislative Decree No. 68/1953 is the law that prohibits transferring goods to an enemy state.

⁴⁴ Crimes specified in Law No. 286 of 1956: Prohibition of Dealing with Israel.

⁴⁵ [Punishment shall be death in the event that those acts were accompanied with the killing or disabling of a human being.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 5, Paragraph 2.

[Punishment shall be death if the act in question resulted in the death of a human being.] People's Assembly of Syria, Law No. 19 of 2012, Counterterrorism Law, Article 6, Paragraph 3.

[9. Legislative Decree No. 6 \(2020\), granting a general amnesty for crimes committed before March 22, 2022](#)

As the new variant of the coronavirus swept the globe, the Syrian regime faced some pressure from a number of international actors to reveal the fate of thousands of detainees and release them in fear of the virus potentially spreading among them, in line with many other states around the world which released large numbers of detainees. The Syrian regime, however, found a way to alleviate this pressure, issuing Legislative Decree No. 6 (2020) on March 22, 2020. The regime pointed to its promulgation of this decree as evidence that it was taking action, but needed time to implement it. In reality, the decree's purpose was to alleviate the temporary international pressure. We released [a report](#) examining the decree in question two months after it was issued, in light of the arbitrary arrests that took place immediately after its publication.

It is worth noting that this decree is almost identical to the September 2019 one, which was issued six months before. As such, the number of detainees who were included in the pardon was extremely limited.

[10. Legislative Decree No. 13 \(2021\), granting a general amnesty for crimes committed before May 2, 2021](#)

al-Bashar Assad issued Legislative Decree No. 13 on Sunday, May 2, 2021, granting a general amnesty for all offenders charged with misdemeanors, violations, and crimes committed before the date of the decree. The decree included a wide range of misdemeanor and criminal offenses. The decree granted a full pardon of the sentence for misdemeanors, violations, reform measurements, offenses by minors, and charges such as 'absence without leave', both domestically and abroad. The pardon also included temporary criminal sentences, offenses by minors, and other crimes. As Article 5 of the decree states, "A full pardon shall be granted for the sentences for the crimes stipulated in Article 285; Article 286; Article 293, Paragraph 1; Article 295; Article 305, Paragraph 1; and Article 306, Paragraph 1; provided that the offender is a Syrian national." Article 6 of the decree grants a "full pardon for the sentences to the crimes stipulated in Article 2, provided that the offender is a Syrian national" as well as Article 7, Paragraph 2, Article 8, and Article 10 of the Counterterrorism Law.

The crimes specified in the Public Penal Code include undermining nationalist sentiments, or spreading news that would dishearten the spirit of the nation, as specified in Articles 285 and 286. In addition, Article 293, Paragraph 1 identifies instigating an armed insurgency against the ruling authorities as a crime, while Articles 295 and 305 identify conspiracy. On the other hand, Article 306, Paragraph 1 stipulates the crime of founding associations for the purpose of altering the entity of the state, whether economically or socially. With regard to the Counterterrorism Law, the amnesty also applied to charges of conspiracy as stated in Article 2, and terrorist acts as stated in Article 7, Paragraph 2, to promoting terrorism as stated in Article 8, and to failing to uphold the duty of notifying the offenses specified in the Counterterrorism Law as stated in Article 10.

Naturally, such charges can be leveled against anyone, considering the vague phrasing used to define them and the lack of any concrete definition. It has been a habit of the Syrian regime to rely on accusing dissidents of so-called crimes against state security, according to the 1949 Penal Code, or the Counterterrorism Law, which is used to try detainees, and then level those charges against anyone who opposes the regime in any political sense. Contrary to what a legal text of this nature should be, these criminal texts lack precision, clarity, and the use of clear, explicit words to refer to specific meanings.

We have released [a report](#) on this decree in particular, in which we analyzed the articles that are relevant to prisoners of conscience, and how it reflected their legal situation. Moreover, we monitored the implementation of the decree by recording cases of release, specifically in accordance with said decree. We noticed, as a result, that Bashar Assad issued this decree on May 2, a few weeks before the presidential elections on May 26, unlike his father who used to issue such amnesties following elections. Apparently, Bashar Assad felt the need to give something to his supporters, following years of abject failure of all his political and economic policies, especially since 2011. The decree also came amid a suffocating economic crisis caused by the rampant theft and corruption, and the most heinous human rights violations that resulted in the displacement of half of the Syrian people, not to mention international sanctions.

[11. Legislative Decree No. 7 \(2022\), granting a general amnesty for crimes committed before April 30, 2022](#)

On April 30, 2022, Legislative Decree No. 7 (2022) was issued. According to the text, the amnesty applied to those charged with **“terrorist crimes committed before April 30, 2022, excluding crimes that resulted in the death of a human being, and those stipulated in the Counterterrorism Law and the Public Penal Code.”** Unless the crime led to the death of a human being, the amnesty was limited to the crimes specified in the Counterterrorism Law, including funding terrorism and promoting terrorist acts. The decree also included the terrorist crimes specified in Articles 304, 305, and 306 of the Public Penal Code, even though those articles were repealed by the laws of the Counterterrorism Law. In this, the amnesty’s terms included criminals convicted on the grounds of those articles before they were repealed in July 2012.

On examining the text of the decree, slight differences emerge since this decree had no preconditions. Individuals did not have to surrender themselves within a specified time window, nor did it specify that the wronged or victimized party had to forgive the wrongdoer, or that the fines specified had to be paid for the decree or be invoked (SNHR notes concerning this particular exception that we have reiterated continuously that extraordinary courts, i.e., the Counterterrorism Court and the Field Military Court, do not inform persons of interest that a case has been submitted against them, at least not in an official capacity. As such, a Syrian citizen would not aware they are required to appear before the court, or if a judgment in abstentia has been issued against them. The same applies to the security branches that issue arrest warrants without any official judicial notes. Rather, individuals are arrested based supposedly on security considerations established in security reports, away from law and the judicial authorities).

SNHR believes that while this amnesty was theoretically broader than the decrees that predated it, in reality it was no different to all the previous decrees issued by the Syrian regime since 2011. Neither that decree, nor the ones before, led to the release of any detainee arrested because of the popular uprising.

Here are seven points that highlight how Decree 7/2022 was problematic:

First: The overwhelming majority of the prisoners of conscience and those detained for being dissidents opposing the Syrian regime since March 2011 have faced charges of terror. Under the coercion of torture and threats, detainees have been forced to confess to acts they did not commit. Again, the phrasing used to define the crimes against state security in the Public Penal Code, and the Counterterrorism Law, is obscure and vague enough to allow these charges to be levelled against anyone, especially political dissidents opposing the Syrian regime. These are woefully vague laws with no accurate definition, the polar opposite of what any law of this nature should be, namely having accurate phrases, clarity, and explicit words that allude to specific meanings.

Second: the decree excludes crimes that “resulted in the death of a human being.” The issue is that thousands of detainees were charged with committing terrorist acts that led to the death of a human being in a widespread and indiscriminate manner, including even peaceful activists. Those charges were leveled by security branches based on no evidence, but the security records from ‘confessions’ extracted under torture. Consequently, these detainees were tried based on such charges in recent years by the Counterterrorism Court and the Field Military Court. Some faced sentences as severe as capital punishment or life sentences with hard labour.

We have spoken with dozens of detainees who are being held at central prisons and who have faced charges of terrorist acts that resulted in the death of a human being. All of them have told us that they do not know who supposedly died as a result of their actions, or how these events came about. Not even their lawyers were able to find out that information from the Counterterrorism Court. This is because these cases are referred directly from the security branch without specifying the identity of the individual/s supposedly killed in the incident.

Usually, the Counterterrorism Court contacts the Military Operation Administration to obtain the names of the people who died in the incident in question, but receives no response. As such, the detainees remain imprisoned in detention centers for long years, awaiting a response to enquiries about the crimes they’ve supposedly committed, with all of them excluded from the amnesty decrees issued by the Syrian regime, with dozens having received death sentences that were, in some cases, reduced on appeal to life with hard labor. Meanwhile, detainees appearing before the Field Military Court have no way of reading their own files, knowing the details of their cases, or appointing an attorney to represent them due to the court’s secretive nature.

Therefore, a large number of the detainees who face groundless terror charges are excluded from amnesty decrees, and have no way to appoint an attorney as part of a due process, which is impossible at the Counterterrorism Court and the Field Military Court.

Third: The amnesty decree does not include fugitives/detainees facing charges of other crimes against state security, as specified in the Public Penal Code. Those include desecrating the constitution, undermining the stature of the state, stripping away part of the state's lands, or any other crimes that can be levelled against a detainee or a dissident. Usually, detainees face charges on the grounds of both the Counterterrorism Law and the Public Penal Code, where, even if the pardon decree grants amnesty in one charge/crime, it will not excuse the other.

Fourth: Regime security branches, rather than extraordinary courts, have the power to determine who is to be released. According to our monitoring of release cases, we have noticed that some detainees are released from several detention centers, while others with identical cases facing the exact same charges and cases are not. We have acquired photocopies of 'sentencing documents' for individuals who were released, and for others who were not included in the amnesty. This leads us to believe that the Syrian regime agrees to release a detainee only after their file is vetted by the security branches, which explains why some are released and others are not. This has been the case with all previous amnesty decrees.

Fifth: Considering that the overwhelming majority of detention cases go on to become enforced disappearances, we recorded no occurrences, whether as a result of this decree or the ones before, in which forcibly-disappeared persons were helped or their fates were revealed, save for a handful of limited cases. This report draws a comparison between releases pursuant to decree 7/2022 and the toll of enforced-disappearance cases across Syrian governorates in later sections.

Sixth: On May 5, 2022, the [Syrian regime's Ministry of Justice issued statement no. 6547](#) clarifying some details about the pardon. The statement stated that all reports and procedures (searches, suspensions, checks) pertaining to the crimes specified in the Counterterrorism Law have been canceled for all citizens, in Syria and abroad, unless their acts resulted in the death of human being, or it was proven they still have ties to terrorist associations or other countries, without clarifying what from those ties might take. Indeed, the Syrian regime views meetings with state ambassadors, envoys, or ministers of foreign affairs, as well as participation in international seminars and conferences and sessions held by the Human Rights Council and the Security Council as creating ties or communication, meaning that tens of thousands of activists from the popular uprising face such specious charges. The same applies to associating with 'terrorist organizations', with the regime classifying many civil society organizations as terrorist organizations, solely because they are calling for a democratic change or practicing community activities in the public sphere, or even providing relief aids in areas outside the regime's control.

Seventh: One cannot understand the implementation of any amnesty decree or the amendments to the criminal laws outside the context of the unrestrained powers and legal impunity enjoyed by the President of Republic and the security branches. The President of the Republic controls the judicial, legislative, and executive authorities. In reality, calling the bodies that put detainees on trial 'courts' is inaccurate, since these entities are, in reality, another apparatus of the regime's security apparatus. Those so-called courts lack even the slightest consideration for due and just process, which makes them extraordinarily unusual courts. We have highlighted all of this in [past reports](#).

We have analyzed the criminal articles in the Counterterrorism Law, the Public Penal Code, and the Military Penal Code, which were excluded from the general and partial amnesty decrees issued between March 2011 and October 2022. The table below illustrates those exclusions.

Excluded Offenses	Decree No. 34/2011	Decree No. 61/2011		Decree No. 71/2012		Decree No. 23/2013		Decree No. 22/2014	Decree No. 20/2019	Decree No. 6/2020	Decree No. 13/2021	Decree No. 7/2022
Military Penal Code	Dismeanores	Dis-	Crimes	Dis-	Crimes	Dis-	Crimes	154	154	154	102	All crimes by this law were excluded
	112	mean-	136	mean-	136	mean-	136	155	155	155	103/5	
	113	ors	137	ores	137	ores	137	156	156	156	154	
	120	112	138	112	138	113	138	157	157	157	155	
	129	113	139	113	139	120	139	158	158	158	156	
	133	120	141	120	141	133	141	159	159	159	157	
	135	129	154	129	155	135	155	160	160	160	158	
	140	133	155	133	156	140	156				159	
	149	135	156	135	158	149	158				160	
		140	158	140	159		159					
		149	159	149	160		160					
			160									
Couter-terrorism Law		Counterterrorism Law had not been promulgated yet		Counterterrorism Law had not been promulgated yet		All crimes by this law were excluded, except for Article 10 (pardon for the full sentence) and Article 2 exclusively for Syrian nationals (pardon for one-quarter of the sentence) and Article 2, Paragraph 3 (pardon for one-quarter of the sentence)		Crimes specified in Article 5, Paragraph 2; and Article 6, Paragraph 3	Article 2, Paragraph 5; and Article 3, Paragraph 6 from the Counterterrorism Law, while Articles 10 and 2 were limited to Syrian nationals (full pardon) and Article 2, Paragraph 7 (pardon for half of the sentence)	Crimes specified in Article 5, Paragraph 5, and Article 6, Paragraph 3	Crimes specified in Article 5, Paragraph 2, and Article 6, Paragraph 3	All crimes that resulted in the death of a human being were excluded
Public Penal Code		Articles 263, 265, 266, 268, 271, 272, 273, 274, 275, 276, 277, 293, 294, 296, 297, 298, 299, 300, 301, 302, 303, 305, 306, 325, 326		Articles 263, 264, 265, 266, 267, 268, 271, 272, 273, 274, 275, 276, 277, Article 293, Paragraph 2, Articles 294, 296, 297, 298, 299, 300, 301, 302, 300, 301, 302, 303, Article 305, Paragraph 2 & 3, Article 306, Paragraph 2, Article 326		Articles 263, 264, 265, 266, 267, 268, 271, 272, 273, 274, 275, 276, 277, Article 305, Paragraph 3 if the act resulted in the death of a human being, Article 326, Paragraph 3		Articles 263, 264, 265, 266, 268, 271, 272, 273, 274, 275, 276, 277, Article 305, Paragraph 3 if the act resulted in the death of a human being, Article 326, Paragraph 3	Articles 263, 264, 265, 266, 268, 271, 272, 273, 274, 275, 276, 277, Article 305, Paragraph 3 if the act resulted in the death of a human being, Article 326, Paragraph 3	Articles 263, 264, 265, 266, 268, 271, 272, 273, 274, 275, 276, 277, Article 305, Paragraph 3 if the act resulted in the death of a human being, Article 326, Paragraph 3	All crimes by this law were excluded	

⁴⁶ The table does not contain Legislative Decree No. 15 (2016) that grants amnesty for individuals who picked arms as a fugitive, and those who released abductees. The table does not also contain Legislative Decree No. 11 (2017) that extends the mandate of Legislative Decree No. 15, issued on July 15, 2016, until June 30, 2017. The reason being is that both decrees were not applicable to dissident detainees.

As shown in the table, numerous articles were excluded from all the amnesty decrees, including serious crimes punishable by death. In crimes handled by the Field Military Court, for instance, all amnesty decrees excluded the crimes specified in Articles 154, 155, 156, 157, 158, 159, 160 of the Military Penal Code⁴⁷, except for the two crimes named in Articles 154 and 157, with two amnesties granted for the former and three for the latter. However, this was only the case before 2014, and these were later excluded from all amnesty decrees.

Meanwhile, all amnesty decrees have excluded the crimes specified in Article 2, Paragraph 5; and Article 3, Paragraph 6 of the Counterterrorism Law, even though those are the only articles that punish acts by death in the law. And regarding the crimes handled by the Criminal Court or the Field Military Court, if one of the parties was of a military nature; whether it was the perpetrator, intervenors, or an anonymous party; or if the act took place on a military site, then they are excluded by all amnesty decrees. Those crimes are specified in Articles 263-266; Article 268; Articles 271-277; Article 305, Paragraph 3 if the act resulted in the death of a human being; and Article 326, Paragraph 3 of the Public Penal Code⁴⁸. Most of the crimes in question are punishable by death.

⁴⁷ [-1 Punishment shall be death for any military serviceman, whether he was of a Syrian nationality or who was serving Syria, who took up arms against Syria

-2 Punishment shall be death for any war prisoner who was captured again after he broke his covenant and took up arms.

-3 Punishment shall be timed incarceration for a maximum of five years for any military serviceman of a Syrian nationality or who was serving Syria and was captured by the enemy, then they were set free on the condition they will not carry arms against said enemy army. In the event the offender was an officer, an extra punishment shall be dischargement.] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 154.

[The punishment for the following crimes shall be death:

-1 Every military serviceman who delivers to, or in the interest of the enemy the soldiers under their command or in the site assigned to them; or an army's weaponry, ammunition, supplies, maps for war operations, factories, or ports, or passwords, or secrets of military acts, or campaigns, or talks

-2 Every military serviceman who contacts the enemy to facilitate their operations

-3 Every military serviceman who takes part in conspiracies intended to apply pressure on the decisions of the military officer in charge] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 155.

[Punishment shall be death for anyone who committed the following crimes in times of war or in area where martial law was declared, provided that the intention was to assist the enemy, harm the army, or the forces of the allied governments.

A. Everyone who divulges the password, special signals, alerts, or special secret mediums for guards and stations.

B. Distorting news or commands when confronting the enemy.

C. Leading the enemy to the locations of the army forces of allied states, or leading said forces to follow incorrect routes.

D. Cause panic within one of the Syrian forces or cause wrong acts or operations, or attempt to obstruct the assembly of scattered soldiers.] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 156.

[Punishment shall be timed incarceration for anyone who fails to report the aforementioned crimes, or fails to report them before they occur with knowledge of such potential crimes.] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 157.

[-1 Anyone who carries out the following acts shall be declared a spy and shall be executed: A. Any military serviceman who enters a war site, or a military point, or a military institution, or a military workshop, or a camp, or any of the army's sites to acquire documents or intelligence that would benefit the enemy or is deemed beneficial to the enemy.

B. Any military serviceman who gives the enemy documents or intelligence that would harm the military operations or the safety of the sites and points and all other military institutions or deemed so.

C. Any military serviceman who hides spies or enemies, whether by themselves or through others or has knowledge of such occurrence.] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 158.

[Punishment shall be death for any enemy who enters the locations detailed above in disguise.] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 159.

[Anyone who incites military servicemen to join the enemy or rebels or facilitate the means to do so while fully aware, or recruits themselves or others for another country that is in a state of war with Syria shall be considered a recruit for the enemy and shall be punished with death.] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 160.

⁴⁸ Anyone who entered or attempted to enter a forbidden place with the intention of acquiring items, documents, or intelligence that should remain secret in order to preserve the safety of the state shall be sentenced to a minimum of one year in prison, and if they intended to carry out such acts for the purpose of espionage, they shall be also sentenced to timed hard labor.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 271.

[Who steals items, documents, or intelligence as described in the previous Article, or sought to acquire it shall be sentenced to life imprisonment with hard labor.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 272.

[Who was found in possession of documents or intelligence as described in Article 271, and divulged it with no valid reason shall be sentenced to imprisonment ranging from two months to two years.

They shall be sentenced to timed hard labor for a minimum of five years if they divulged it to the benefit of a foreign state.

If the offender stored the intelligence and items as a state employee, worker, or operator, then the sentence is timed incarceration in the first case detailed, and life imprisonment with hard labor in the second case detailed.

If the individual in question in the former case were only found to have committed an inadvertent mistake, the sentence shall be imprisonment ranging from two months to two years.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 273.

[If the crimes of espionage were committed in the interest of an enemy state, the punishment shall be more severe, in accordance with Article 247.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 274.

[Anyone who engages in or attempts to engage in business deal, or to buy, sell, or barter in transactions with a citizen of an enemy state or a person residing in an enemy state shall be sentenced to a minimum of one year and a fine of no less than 100 Syrian Pounds. The Punishment applies to Syrians and every individual residing in Syria.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 275.

[The punishment detailed in the previous paragraph shall be applicable in the event they contributed to a loan or subscription in the benefit of an enemy state or facilitated an enemy state's financial work in whatever mean.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 276.

[Who hid or embezzled guarded funds from an enemy state or one of its residents shall be sentenced to imprisonment ranging from one month to two years and a fine of no less than 100 Syrian Pounds.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 277.

[Conspiracy intended to commit terrorist act(s) shall be punishable by hard labor from ten to twenty years.

Every terrorist act shall be punishable by hard labor from fifteen to twenty years.

It shall be punishable by death if it results in damage, even partial, to a public building, industrial institution, ship, or other facilities, or a breakdown in the means of communication, transportation, or resulted in the death of a human being.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 303.

[Any group of three or more individuals who roams through public roads and suburbs in the form of an armed gang with the intention of mugging pedestrians and assaulting individuals or properties, or committing any other acts of theft shall be sentenced to timed hard labor for a minimum of seven years.

They shall be sentenced to life imprisonment with hard labor if they committed one of the acts detailed above.

Any one of them who commits murder or attempted murder or subjects the victim to torture and barbaric acts in their commission of the crime detailed above shall be sentenced to death.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 326.

B. Special amnesty decrees concerning military crimes that were mainly aimed at military servicemen

Most of the Syrian regime's military amnesty decrees, which were concerned with absence without leave, were textually similar. For the most part, they contained the same rules and conditions, while some extended the mandate of a previous pardon. We have noticed that the Syrian regime issued a military amnesty decree once every year (except for 2014 and 2019). The following is a brief of the 10 amnesty decrees concerning military crimes issued by the Syrian regime:

[1. Lesgislative Decree No. 34 \(2011\), granting a general amnesty for crimes committed before March 7, 2011](#)

This decree was issued on March 7, 2011, as the anniversary of the beginning of popular uprising was about to kick off. It was primarily intended to grant a full pardon for the crime of internal absence without leave, as specified in Article 100 of the Military Penal Code, and a full pardon for the crime of external absence without leave, as specified in Article 101 of the Military Penal Code.

We believe that the Syrian regime issued this particular decree at this particular time to raise its popularity and boast its military manpower.

[2. Lesgislative Decree No. 124 \(2011\), granting a general amnesty for perpetrators of certain crimes specified in Lesgislative Decree No. 30 \(2007\) on draftees who failed to enter the the preparation test ahead of their deployment](#)

This decree granted a full pardon for the sentence specified in Articles 95 and 96 of the Military Service Law⁴⁹ that was promulgated pursuant to Legislative Decree No. 30, issued on May 3, 2007. The pardon was for the offense of failing to enter the preparation test for deployment and failing to present themselves for deployment with no valid excuse before November 2, 2011, provided that offenders check with their recruitment centers within 60 days of the date on which the decree was publicized in the official newspaper.

This decree came at a time when most and more people were unwilling to perform their mandatory military service, with this refusal becoming commonplace in Syria. The aversion was the result of the army being used to confront the demonstration and crush the popular uprising. As such, the army was implicated in heinous violations under the command of the Commander-in-Chief who is the President of the Republic.

⁴⁹[Anyone who falls behind on performing his preparation test with no valid excuse shall be deemed a fugitive, and shall be fined a sum equivalent to two -months' salary for a first-rank soldier.] People's Assembly of Syria, Legislative Decree No. 2007/30, Military Service Law, Article 95.

[Anyone who is absent with no valid excuse shall be captured whenever they may be found until they reach forty-two years of age. He shall be treated as follows:

A. Anyone who has been a fugitive for no more than a month from the end of the preparation test period shall be fined a sum equivalent to two -months' salary for a first-rank soldier; and two months shall be added to his mandatory service.

B. Anyone who has been a fugitive for no more than three months from the end of the preparation test period shall be fined a sum equivalent to three -months' salary for a first-rank soldier; and three months shall be added to his mandatory service.

C. Anyone who has been fugitive for no more than six months from the end of the preparation test shall be fined a sum equivalent to four -months' salary for a first-rank soldier; and four months shall be added to his mandatory service.

D. In the event that the absence offense with no valid excuse is repeated, the recruit shall appear before military judge. They shall receive the punishment of absence as stated in the Military Penal Code, and six months shall be added to their mandatory service.] People's Assembly of Syria, Legislative Decree No. 2007/30, Military Service Law, Article 96.

[3. Lesgislative Decree No. 30 \(2012\), granting a full pardon for sentences specified in certain articles of the Military Service Law and the Military Penal Code](#)

As Syrian regime forces were grappling with widesoread defections, this decree was introduced as an attempt to contain this issue. The general amnesty was contingent on defectors surrendering themselves. The decree granted a general amnesty for crimes committed before May 2, 2012, for the crimes specified in Articles 95, 96, 99, 100, and 107 of the Military Service Law as promulgated by Legislative Decree No. 30 (2007) and its subsequent amendements⁵⁰, and a full pardon for the crimes specified in Articles 100 and 101 of the Military Penal Code, as well as Article 146, Paragraphs 1 and 5⁵¹ of the same Military Penal Code.

However, the decree excluded those categorized as being absent without leave, both internally and externally, unless they surrendered themselves within 90 days for internal absence, and within 120 days for external absence from the date on which the decree was issued.

[4. Lesgislative Decree No. 70 \(2013\), granting a general amnesty for crimes committed before October 29, 2013](#)

This decree included a full pardon for a host of crimes specified in the 2007's Military Service Law, such as failure to appear for deployment, tardiness in renewing postponement cause, and failure to present oneself for reserve military service, among other rules on deployment and failure to enlist, provided that offenders addressed their recruitment status and joined the regime military service within 30 days of the issuance of the decree. The decree also included a full pardon for the crimes of internal and external absence as specified in the Military Penal Code, provided that offenders surrendered themselves within 30 days for internal absence and 90 days for external absence.

This decree was mainly aimed at fugitives which were given a window of time to rectify their situation at recruitment centers and points, as well as fleeing military recruits and a small number of detained military servicemen, who are facing crimes of absence.

[5. Lesgislative Decree No. 71 \(2013\), extending the window of time for offenders wishing to be included in the public amnesty for crimes related to military service and internal absence](#)

In accordance with this decree, the window of time for the general amnesty on crimes related to military service and internal absence specified in Articles 2 and 3, and Article 4, Paragraph C of the Lesgislative Decree No. 70, issued on October 29, 2013, was extended by 30 days, effective on November 30, 2013.

⁵⁰ [Any conscript who changed their place of residence as registered at their recruitment center after finishing their tests, and who failed to inform their recruitment center of said change within two months of the date of change shall be fined a sum equivalent to two -months' salary for a first-rank soldier.] People's Assembly of Syria, Lesgislative Decree No. 2007/30, Military Service Law, Article 99.

[Any conscript who fails to appear for his summons, in order to ensure their postponement reasons are still valid, or to perform the necessary tests shall be fined a sum equivalent to one -month's salary for a first-rank soldier.] People's Assembly of Syria, Lesgislative Decree No. 2007/30, Military Service Law, Article 100.

[Anyone who is discharged from military service and has not checked with their recruitment center within one month since their discharge date shall be fined a sum equivalent to one -month's salary for a first-rank soldier.] People's Assembly of Syria, Lesgislative Decree No. 2007/30, Military Service Law, Article 107.

⁵¹ [Any military servicemen who deliberately renders themselves, temporarily or perpetually, unfit for military service to avoid their legal military duties shall be sentenced to imprisonment of from one year to three years.] People's Assembly of Syria, Lesgislative Decree No. 1950/61, Penal Code and Principles of Military Trials, Article 146, Paragraph 1.

[5 Any military servicemen who harmed themselves in whatever way or attempted suicide because of, or during their service, or in protest at the conduct of a commander or a senior officer shall be sentenced to imprisonment from six months to three years. In the event that their act has rendered them completely unfit for military service, or caused them to be transferred to other services, they shall be sentenced to the punishment detailed in the previous paragraphs.] People's Assembly of Syria, Lesgislative Decree No. 1950/61, Penal Code and Principles of Military Trials, Article 146, Paragraph 5.

[6. Lesgislative Decree No. 32 \(2015\), granting a general and full amnesty for internal and extrenal absence crimes and crimes specified in the Military Serviec Law that were committed before July 25, 2015](#)

This decree included a full pardon for offenders charged with internal absence, as specified in Article 100 of the Military Penal Code, as well as a full pardon for those charged with external absence, as specified in Article 101 of the same law. Also, a full pardon was granted for those charged with the crimes specified in the Military Service Law No. 30 of 2007 and its subsequent amendements. The decree excluded individuals in hiding and fugitive unless they surrendered themselves within 30 days for internal absence and 60 days for external absence.

In our view, **this pardon highlighted the Syrian regime's desperate need for manpower to reinforce its military that was waging a vicious war against the Syrian people, which why it pardoned absen-tees and those viewed as breaching the Military Service Law. It should be noted that some of the fugitives and offenders who did in fact join the army in hopes of being included in the amnesty were arrested by the intelligence division (Military Security) and went on to become forcibly-dis-appeared persons.**

[7. Lesgislative Decree No. 8 \(2016\), granting a general and full amnesty for internal and extrenal absence crimes and crimes specified in the Military Serviec Law that were committed before Feb-ruary 17, 2016](#)

Decree No. 8/2016 was identical to the previous decree (32/2015), as it had the same stipulations, and also the same motive in the regime's dire need for extra manpower as noted earlier.

[8. Lesgislative Decree No. 18 \(2018\), granting a general and full amnesty for internal and extrenal absence crimes and crimes specified in the Military Serviec Law that were committed before Oc-tober 9, 2018](#)

Decree No. 18/2018 was identical to the previous two decrees (8/2016 & 32/2015), having the same stipu-lations, and also the same motive in the regime's dire need for extra manpower as noted above.

[9. Legislative Decree No. 1 \(2021\), granting a general and full amnesty for crimes committed by individuals called for mandatory military service before March 12, 2021](#)

This decree granted a general and full amnesty for crimes committed by individuals called up for mandatory military service before March 12, 2021, for the purpose of avoiding their military service, whether temporarily or permanently. Those crimes include forgery and using forged documents, as specified in Articles 444, 448, 452, 454, 455, and 460 of the Public Penal Code, and the crime of manipulation in order to avoid military service, as specified in Article 109 of the Military Penal Code. This decree included individuals called up for mandatory military service if they had already joined, or offenders who had yet to join, provided they begin their military service within three months from the date on which the decree was issued.

[10. Legislative Decree No. 3 \(2022\), granting a general amnesty for crimes committed before January 25, 2022](#)

This decree is identical to Legislative Decree 8/2016, Legislative Decree 32/2015, and Legislative Decree 18/2018 and had the same stipulations. The decree included a full pardon for the crimes of internal absence, as specified in Article 100 of the Military Penal Code, and a full pardon for the crimes of external absence, as specified in Article 101. The decree excluded individuals in hiding and fugitive unless they surrendered themselves within three months for internal absence and four months for external absence.

IV. Roughly 7,531 Arbitrarily Arrested Individuals Have Been Released in Accordance With 21 Amnesty Decrees

A. Toll of releases pursuant to the amnesty decrees

In its work, SNHR focuses on how amnesty decrees are implemented. Our database dedicated to documentation of arbitrary arrests and enforced disappearances by the Syrian regime enables us to calculate how many releases resulted from any specific amnesty decree. In this context, we do not focus on the textuality of the amnesty decree itself, but on how it was implemented on the ground, by comparing the numbers of detainees and forcibly disappeared persons who have yet to be released. We have recorded high rates of arbitrary arrests in the period before the issuance of amnesty decree, to give the appearance of a large wave of releases following the decree's publication.

⁵² [Anyone who knowingly uses forged documents shall receive the same punishment as who committed the crime of forgery.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 444.

[All individuals who forge an official document using one of the methods detailed in previous articles shall be also sentenced to hard labor in the cases where the law does not state otherwise.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 448.

[1. Anyone who acquires a passport, traveling documents, or a public transport ticket using a false identification, and anyone who acquires a hunting license, weapon license, identification document, voter card, transportation document, or a copy of the criminal record of another individual while impersonating another individual shall be sentenced to imprisonment for one month to two years.
2. The same punishment is applicable to anyone who uses any of the aforementioned documents that were given in a name or identity different than theirs.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 452.

[Anyone who commits forgery using fabrication or alteration of one of the documents detailed in Article 452 shall be sentenced to imprisonment for two months to two years.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 454.

[1. Anyone whom, while performing a public job, public service, medical or health profession, falsified a certificate that was prepared to be submitted to the public authority or that would yield unlawful benefit or harm the interests of any persons, and whoever forged such certificate by impersonating the name of another person or altering it shall be sentenced to imprisonment from one month to two years.
2. If the false certificate was prepared to be submitted to the judiciary or to justify relief from a public service, the offender shall be sentenced to a minimum of six months.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 455.

[Anyone who commits forgery of private papers using the methods specified in Articles 445 and 446 shall be sentenced to imprisonment of from one year to three years and a fine of no less than 100 Syrian Pounds.] People's Assembly of Syria, Public Penal Law No. 148 of 1949, amended by Legislative Decree No. 2011/1, Article 460.

⁵³ [Shall be imprisoned for one year to three years any person who manipulates in any way to avoid, for himself or others, the military service, wholly or partly, in some cases not stipulated for in any law. If that occurred during wartime, he shall be temporarily detained for a period not exceeding seven years. If the doer is an officer, he shall be dismissed.] People's Assembly of Syria, Legislative Decree No. 1950/61, Penal Code and the Principles of Military Trials, Article 109.

We have carefully monitored releases from civilian and military prisons, as well as security branches after every decree. It should be reiterated that our focus was detainees who were arbitrarily arrested in the wake of the popular uprising, or in other words political detainees. We do not record releases for prisoners who were sentenced on grounds of criminal offenses such as theft or fraud.

According to our monitoring, a total of 7,351 individuals (6,086 civilians and 1,265 military servicemen) have been released, from the Syrian regime's various civilian and military prisons as well as security branches across Syria, in accordance with 21 amnesty decrees issued between March 2011 and October 2022. Of the 6,086 civilians released, 349 were women and 159 were children at the time of their arrest.

The following is a breakdown of those releases according to the year in which the amnesty decrees were issued. It should be noted that one detainee's name might be included in more than one amnesty decree, with their sentence being lightened with each decree, but still not resulting in their release since they are simultaneously serving other sentences based on other charges. In such cases, we have included those detainees only in the last decree that included them and resulted in their releases. To put it in another way, the breakdown does not look at the year in which the detainees were released, but at the year in which the decree was issued⁵⁴.

Amnesty decrees issued in 2011

In 2011, four amnesty decrees were issued by the Syrian regime. SNHR documented the release of 482 arbitrarily arrested detainees in accordance with those decrees as follows:

- 326 civilians released from Syrian regime detention centers, most of whom had been arrested on grounds of associating themselves with various Islamist groups before the popular uprising broke out in March 2011
- 153 military servicemen, most of whom had been arrested on charges of attempting to escape their mandatory military service or failing to return to their military camps after their vacation had ended.

We recorded no releases in 2011 of civilians arrested for their involvement in the popular uprising in accordance with the amnesty decrees issued in the same year. The releases were of military servicemen or related to various crimes that bore no relation to the popular uprising.

As of this writing, no fewer than 22,677 individuals who were arrested and/or forcibly disappeared in 2011 remain imprisoned or forcibly disappeared, and have yet to be released.

⁵⁴ For example, if an amnesty decree issued in 2020 included a detainee that still has a one-year imprisonment to serve and they were released in 2021 after the decree. The detainee falls under the year 2020 since it was the year in which the amnesty decree was issued.

Amnesty decrees issued in 2012

In 2012, two amnesty decrees were issued by the Syrian regime. SNHR recorded the release of 2,008 arbitrarily arrested detainees and/or forcibly disappeared persons in accordance with those decrees as follows:

- 1,771 civilians, including 77 women and 85 children, released in accordance with Decree No. 10/2012.
- 237 military servicemen, released in accordance with Decree No. 30/2012.

As of this writing, no fewer than 27,174 individuals who were arrested and/or forcibly disappeared in 2012 remain imprisoned or forcibly disappeared, and have yet to be released.

As of this writing, no fewer than 27,174 individuals who were arrested and/or forcibly disappeared in 2012 remain imprisoned or forcibly disappeared, and have yet to be released.

Amnesty decrees issued in 2013

In 2013, three amnesty decrees were issued by the Syrian regime; two of these were amnesties for military crimes, with the second being an extension of the first. The two military amnesty decrees mainly targeted fugitives. SNHR recorded the release of no fewer than 1,378 arbitrarily arrested detainees and/or forcibly disappeared persons in accordance with those decrees as follows:

- 1,137 civilians, including 143 women and 48 children, released in accordance with Decree No. 23/2013.
- 241 military servicemen, released in accordance with Decree No. 70/2013.

As of this writing, no fewer than 24,936 individuals who were arrested and/or forcibly disappeared in 2013 remain imprisoned or forcibly disappeared, and have yet to be released.

Amnesty decrees issued in 2014

In 2014, one amnesty decree was issued by the Syrian regime. SNHR recorded the release of no fewer than 1,539 arbitrarily arrested detainees and/or forcibly disappeared persons, including 49 women, in accordance with those decrees.

As of this writing, no fewer than 19,831 individuals who were arrested and/or forcibly disappeared in 2014 remain imprisoned or forcibly disappeared, and have yet to be released.

Amnesty decrees issued in 2015, 2016, 2017, 2018

In this four-year period, five amnesty decrees were issued by the Syrian regime. Of these, three were for military crimes and were identical in their rulings, including two that concerned fugitives who took up arms, with the second being an extension of the first. SNHR documented the release of 618 military servicemen, distributed by year:

2015: 293 military servicemen, released in accordance with Decree No. 32/2015

2016: 171 military servicemen, released in accordance with Decree No. 8/2016

2017: saw no amnesty decree for detainees. Decree No. 11/2017 was issued to extend the window of time designated by Decree 15/2016, which was aimed at fugitives.

2018: 154 military servicemen, released in accordance with Decree No. 18/2018

As of this writing, no fewer than 11,783 individuals who were arrested and/or forcibly disappeared in 2015 remain imprisoned or forcibly disappeared, and have yet to be released.

As of this writing, no fewer than 7,976 individuals who were arrested and/or forcibly disappeared in 2016 remain imprisoned or forcibly disappeared, and have yet to be released.

As of this writing, no fewer than 8,728 individuals who were arrested and/or forcibly disappeared in 2017 remain imprisoned or forcibly disappeared, and have yet to be released.

As of this writing, no fewer than 6,807 individuals who were arrested and/or forcibly disappeared in 2018 remain imprisoned or forcibly disappeared, and have yet to be released.

Amnesty decrees issued in 2019

In 2019, one amnesty decree was issued by the Syrian regime. SNHR recorded the release of no fewer than 356 civilians, including seven women and two children, in accordance with Decree No. 20/2019

As of this writing, no fewer than 2,783 individuals who were arrested and/or forcibly disappeared in 2019 remain imprisoned or forcibly disappeared, and have yet to be released.

Amnesty decrees issued in 2020

In 2020, one amnesty decree was issued by the Syrian regime. SNHR recorded the release of no fewer than 302 civilians, including 17 women and six children, in accordance with Decree No. 6/2020

As of this writing, no fewer than 1,496 individuals who were arrested and/or forcibly disappeared in 2020 remain imprisoned or forcibly disappeared, and have yet to be released.

Amnesty decrees issued in 2021

In 2021, two amnesty decrees were issued by the Syrian regime, one of which was on crimes related to avoiding military service. SNHR recorded the release of no fewer than 82 civilians, including two women and one child, in accordance with Decree No. 13/2020. Meanwhile, we recorded no releases in accordance with Decree No. 1/2021.

As of this writing, no fewer than 659 individuals who were arrested and/or forcibly disappeared in 2021 remain imprisoned or forcibly disappeared, and have yet to be released.

Amnesty decrees issued in 2022

We recorded no releases in accordance with Legislative Decree No. 3/2022 even though nearly nine months have passed since it was issued.

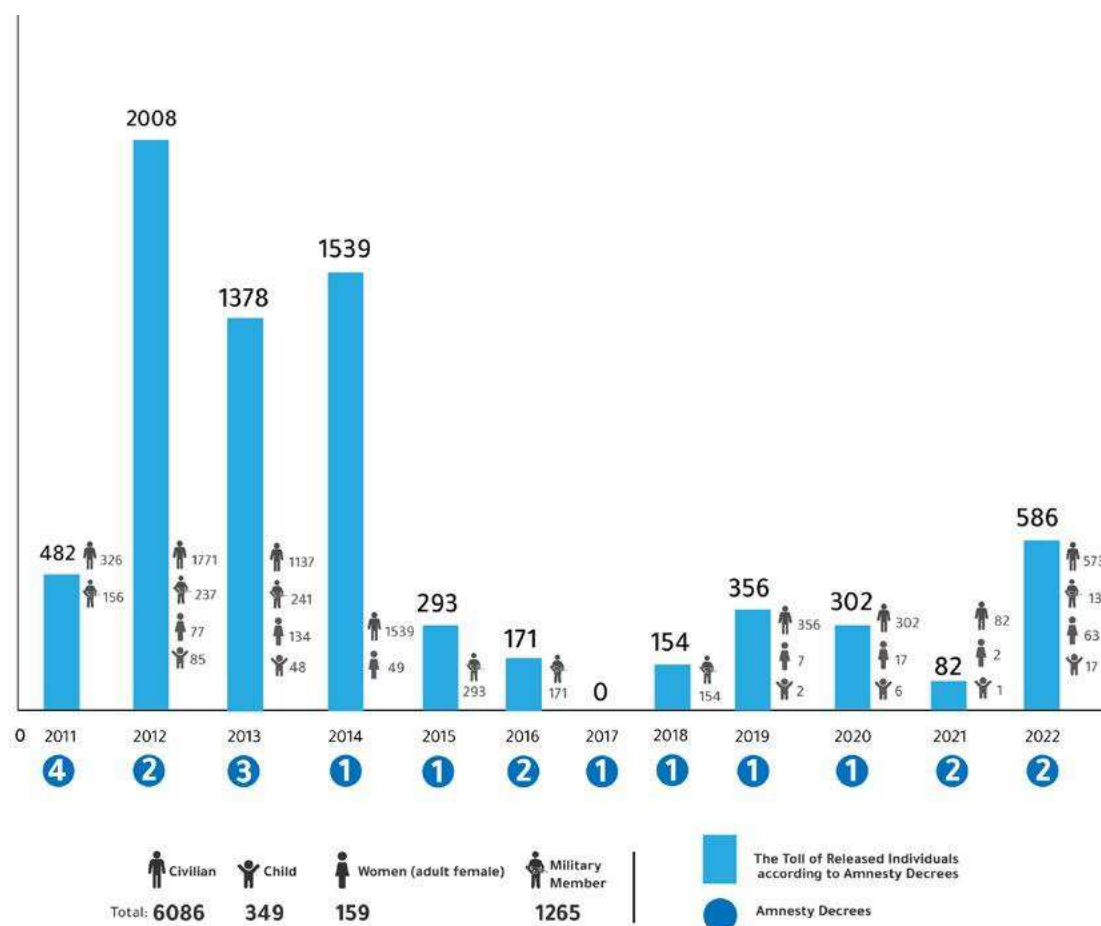
SNHR recorded the release of no fewer than 586 arbitrarily arrested detainees and/or forcibly disappeared persons in accordance with those decrees, as follows:

- 573 civilians, including 63 women and 17 individuals who were children at the time of their arrest.
- 13 military servicemen between May 1, 2022, and October 2022 in accordance with Decree No. 7/2022.

In the years prior to 2022, the Syrian regime struck security settlements with many civilians in the areas that saw forced displacement agreements. We have noticed that those who agreed to these settlements were targeted for arbitrary arrest, despite the civilians who signed the security settlements receiving pledges in return that they would not be arrested or pursued by security branches. Nevertheless, they were arbitrarily arrested, although the Syrian regime has released some of those detained in accordance with amnesty decrees. SNHR recorded the release of 162 individuals who signed security settlements. Of those released, 28 individuals, including four women, had been arrested after returning to Syria from asylum countries or from living abroad.

As of this writing, no fewer than 403 individuals who were arrested and/or forcibly disappeared between January 2022 and October 2022 remain imprisoned or forcibly disappeared, and have yet to be released.

Table showing the distribution of releases in accordance with amnesty decrees issued between March 2011 and October 2022



As the table shows, 2012 saw the highest number of civilians released in accordance with the amnesty decrees issued by the Syrian regime, particularly Decree No. 10/2012; this was followed by 2014 with Decree No. 22/2014, then by 2013 with Decree No. 23/2013. As for military servicemen, 2015 saw the largest number of releases with Decree No. 32/2015, followed by 2013 with Decree No. 70/2013, then 2012 with Decree No. 30/2012.

B. Toll of arrests/detention that followed or were in tandem with amnesty decrees

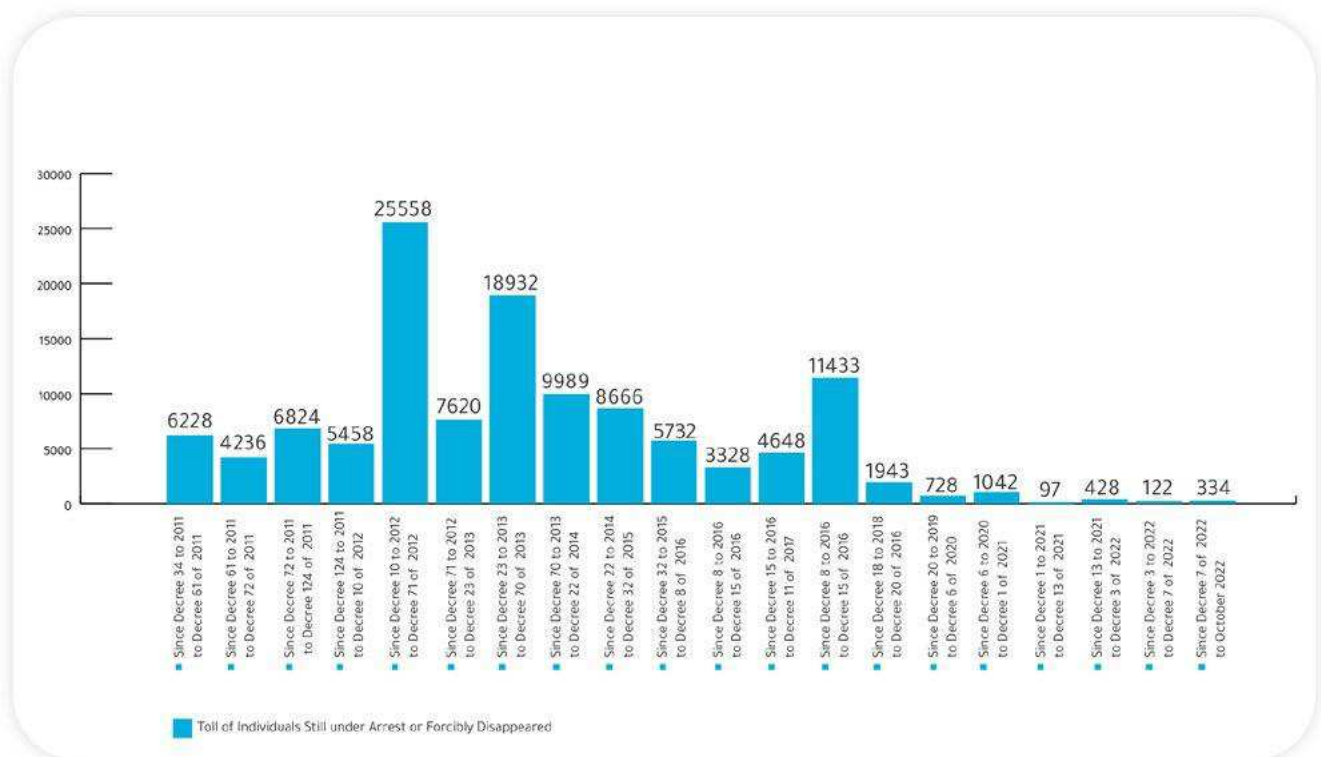
Regardless of the amnesty decrees, the Syrian regime has continued carrying out arbitrary arrests and enforced disappearance. Indeed, amnesty decrees only result in a very limited number of releases, while arbitrary arrests continue in a widespread manner. Our database enables us to show the numbers of arbitrary arrest cases documented following each amnesty decree. The following is an outline of the cases of arbitrary arrests and enforced disappearance between every two amnesty decrees, which illustrates how arbitrary arrests have continued after every amnesty decree, rendering them ineffectual.

- Between Legislative Decree No. 34, issued on March 7, 2011, and Legislative Decree No. 61, issued on May 31, 2011, SNHR documented the arrest of no fewer than 6,228 individuals, including 5,506 civilians, who were imprisoned in Syrian regime detention centers. The remaining 722 were military servicemen.
- Between Legislative Decree No. 61, issued on May 31, 2011, and Legislative Decree No. 72, issued on June 20, 2011, SNHR documented the arrest of no fewer than 4,236 individuals, including 3,214 civilians, who were imprisoned in Syrian regime detention centers. The remaining 1,022 were military servicemen.
- Between Legislative Decree No. 72, issued on June 20, 2011, and Legislative Decree No. 124, issued on November 5, 2011, SNHR documented the arrest of no fewer than 6,824 individuals, including 6,792 civilians, who were imprisoned in Syrian regime detention centers. The remaining 32 were military servicemen.
- Between Legislative Decree No. 124, issued on November 5, 2011, and Legislative Decree No. 10, issued on January 15, 2012, SNHR documented the arrest of no fewer than 5,458 individuals, including 5,004 civilians, who were imprisoned in Syrian regime detention centers. The remaining 454 were military servicemen.
- Between Legislative Decree No. 10, issued on January 15, 2012, and Legislative Decree No. 71, issued on October 23, 2012, SNHR documented the arrest of no fewer than 25,558 individuals, including 24,611 civilians, who were imprisoned in Syrian regime detention centers. The remaining 947 were military servicemen.
- Between Legislative Decree No. 71, issued on October 23, 2012, and Legislative Decree No. 23, issued on April 16, 2013, SNHR documented the arrest of no fewer than 7,620 individuals, including 6,524 civilians, who were imprisoned in Syrian regime detention centers. The remaining 1,096 were military servicemen.
- Between Legislative Decree No. 23, issued on April 16, 2013, and Legislative Decree No. 70, issued on October 29, 2013, SNHR documented the arrest of no fewer than 18,932 individuals, including 18,068 civilians, who were imprisoned in Syrian regime detention centers. The remaining 864 were military servicemen.

- Between Legislative Decree No. 70, issued on October 29, 2013, and Legislative Decree No. 22, issued on June 9, 2014, SNHR documented the arrest of no fewer than 9,989 individuals, including 9,928 civilians, who were imprisoned in Syrian regime detention centers. The remaining 61 were military servicemen.
- Between Legislative Decree No. 22, issued on June 9, 2014, and Legislative Decree No. 32, issued on July 25, 2015, SNHR documented the arrest of no fewer than 8,666 individuals, including 8,573 civilians, who were imprisoned in Syrian regime detention centers. The remaining 93 were military servicemen.
- Between Legislative Decree No. 32, issued on July 25, 2015, and Legislative Decree No. 8, issued on February 17, 2016, SNHR documented the arrest of no fewer than 5,732 individuals, including 5,696 civilians, who were imprisoned in Syrian regime detention centers. The remaining 36 were military servicemen.
- Between Legislative Decree No. 8, issued on February 17, 2016, and Legislative Decree No. 15, issued on July 28, 2016, SNHR documented the arrest of no fewer than 3,328 individuals, including 3,299 civilians, who were imprisoned in Syrian regime detention centers. The remaining 29 were military servicemen.
- Between Legislative Decree No. 15, issued on July 28, 2016, and Legislative Decree No. 11, issued on February 4, 2017, SNHR documented the arrest of no fewer than 4,648 individuals, including 4,536 civilians, who were imprisoned in Syrian regime detention centers. The remaining 112 were military servicemen.
- Between Legislative Decree No. 11, issued on February 4, 2017, and Legislative Decree No. 18, issued on October 9, 2018, SNHR documented the arrest of no fewer than 11,433 individuals, including 11,396 civilians, who were imprisoned in Syrian regime detention centers. The remaining 37 were military servicemen.
- Between Legislative Decree No. 18, issued on October 9, 2018, and Legislative Decree No. 20, issued on September 14, 2019, SNHR documented the arrest of no fewer than 1,943 individuals, including 1,936 civilians, who were imprisoned in Syrian regime detention centers. The remaining seven were military servicemen.
- Between Legislative Decree No. 20, issued on September 14, 2018, and Legislative Decree No. 6, issued on March 22, 2020, SNHR documented the arrest of no fewer than 728 civilians, who were imprisoned in Syrian regime detention centers.
- Between Legislative Decree No. 6, issued on March 22, 2020, and Legislative Decree No. 1, issued on March 12, 2021, SNHR documented the arrest of no fewer than 1,042 individuals, including 1,039 civilians, who were imprisoned in Syrian regime detention centers. The remaining three were military servicemen.
- Between Legislative Decree No. 1, issued on March 12, 2021 and Legislative Decree No. 13, issued on March 2, 2021, SNHR documented the arrest of no fewer than 97 civilians, who were imprisoned in Syrian regime detention centers.

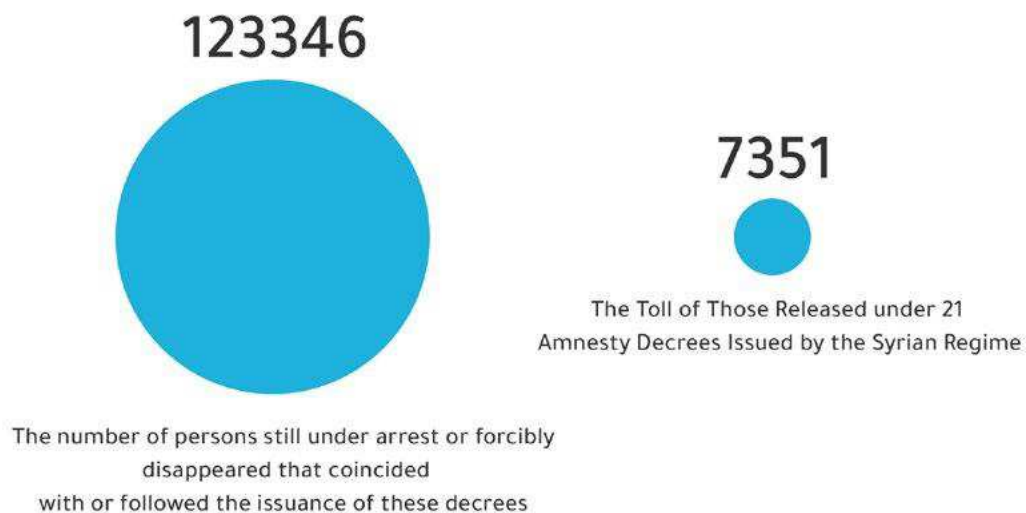
- Between Legislative Decree No. 13, issued on May 2, 2021, and Legislative Decree No. 3, issued on September 25, 2022, SNHR documented the arrest of no fewer than 428 civilians, who were imprisoned in Syrian regime detention centers.
- Between Legislative Decree No. 3, issued on February 25, 2022 and Legislative Decree No. 7, issued on April 30, 2022, SNHR documented the arrest of no fewer than 122 civilians, who were imprisoned in Syrian regime detention centers.
- Between Legislative Decree No. 7, issued on April 30, 2022, and October 2022, SNHR documented the arrest of no fewer than 334 civilians, who were imprisoned in Syrian regime detention centers.

Chart breaking down the numbers of arrests and/or enforced disappearances that followed or took place in tandem with the issuance of amnesty decrees by the Syrian regime between March 2011 and October 2022



As the chart shows, the period between Legislative Decree No. 10, issued on January 15, 2012, and Legislative Decree No. 71, issued on October 23, 2012, recorded the highest toll of arbitrary arrests and/or enforced disappearances.

Comparison between the number of releases in accordance with the 21 amnesty decrees issued by the Syrian regime and the numbers of individuals who were and still are arbitrarily arrested and/or forcibly disappeared at the hands of Syrian regime forces following or in tandem with the issuance of those decrees between March 2011 and October 2022

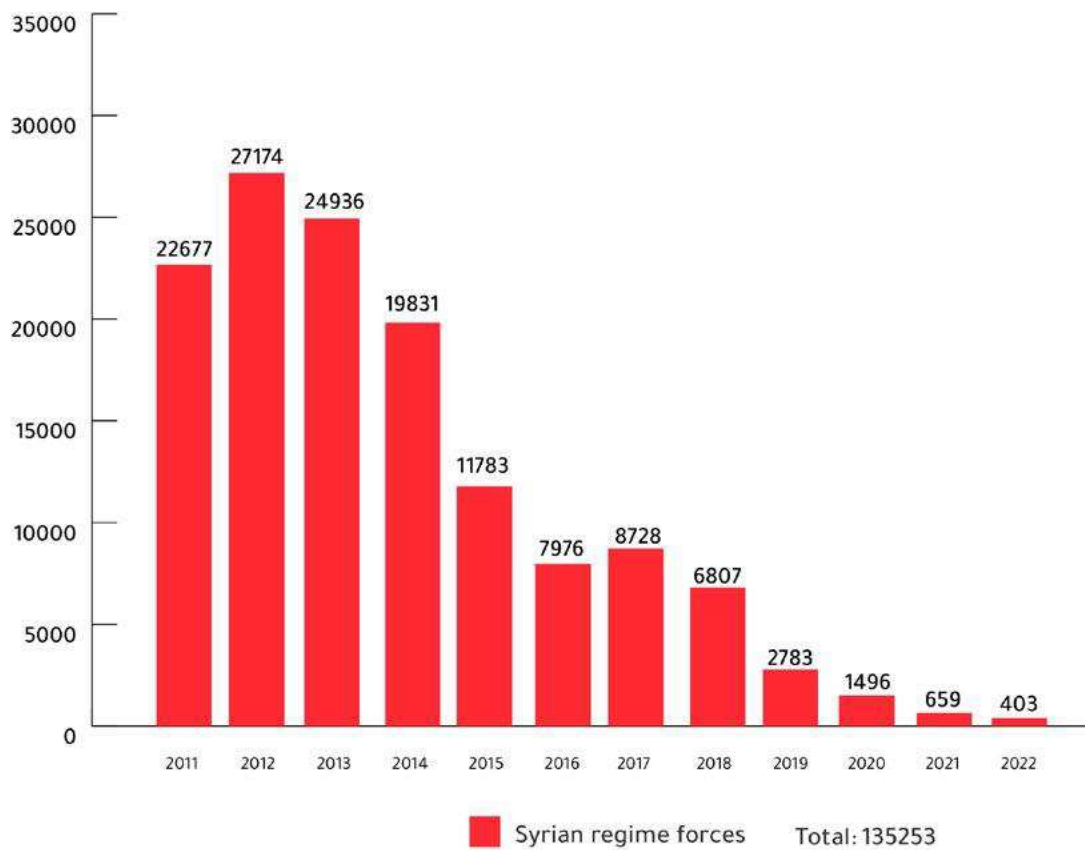


The comparison illustrates that the number of individuals who were arrested and/or forcibly disappeared by Syrian regime forces following the issuance of amnesty decrees is 17 times greater than the number released in accordance with the 21 decrees.

V. Despite 21 Amnesty Decrees, 135,000 detainees and/or forcibly disappeared persons still remain imprisoned or disappeared at the hands of the Syrian regime

The data shown above underlines that amnesty decrees have only resulted in the release of extremely limited numbers of political detainees, while the Syrian regime has never stopped persecuting and pursuing political detainees and their families. The number of arbitrarily arrested detainees is massively higher than the number of those released by a vastly greater margin. Despite all the amnesty decrees, no fewer than 135,253 individuals, including 3,684 children and 8,469 women (adult female) are still under arrest or enforced disappearance according to SNHR's database. Of those, 95,696, including 2,316 children and 5,734 women (adult female), are still forcibly disappeared at the hands of Syrian regime forces between March 2011 and August 2022.

The number of individuals who are still under arrest/enforced disappearance at Syrian regime detention centers between March 2011 and August 2022 can be broken down by year as follows:



As the table above shows, the year 2012 saw the highest number of individuals detained and/or forcibly disappeared in Syrian regime detention centers, followed by 2013, 2011, and then 2014. Those were years that also saw the highest number of amnesty decrees, with a total of 10 amnesty decrees, or almost half of all the amnesty decrees issued by the Syrian regime. Indeed, amnesty decrees are usually issued in parallel with rising arbitrary arrest campaigns.

VI. Roughly 1,867 of Those Who Surrendered Themselves to the Syrian Regime in Light of Amnesty Decrees Were Subjected to Torture and Enforced Disappearance

Most amnesty decrees insisted that any wanted/fugitive individuals must surrender themselves as a pre-condition for being included in the amnesty, especially in the case of special amnesty decrees for military crimes. Still, some special decrees were issued for fugitives such as Decree No. 15/2016 that granted a pardon to anyone who had escaped 'justice' for taking up arms. We at SNHR noticed that lists of wanted people are not issued by the public prosecution service, or through legal notices, but are dictated by the regime's security services, with no way for anyone, including the lawyers or the individuals themselves, to know which names are wanted and why, or even on what charges any prosecution is based. The security apparatus in Syria remains the highest authority because in reality it reports to the head of the Syrian regime, Bashar al-Assad, regardless of their nominal subordination to the Minister of Interior. Amid the dire living conditions facing Syrians in light of displacement, persecution, inability to work or travel and other problems, hundreds chose to surrender themselves in the hope of being pardoned. We documented this phenomenon particularly in the areas that saw security settlements (we have shed light on the so-called security settlements in many past reports and how they are coercively imposed following siege and bombing). However, many of the people who surrendered themselves were detained for months or years, and a large proportion were subjected to torture and enforced disappearance, with the majority being referred to extraordinary courts, effectively breaching the amnesty decrees issued by the Syrian regime itself. SNHR has recorded that of the 1,867 individuals (1,013 military servicemen and 854 civilians) who surrendered themselves to the regime in line with the amnesty decrees issued between March 2011 and October 2022, a total of 1,833 went on to be classified as forcibly disappeared, while no fewer than 34 died due to torture or medical negligence, or received death sentences at the regime's Field Military Court. Most of those individuals had surrendered themselves following the issuance of Legislative Decree No. 15/2016; Legislative Decree No. 22, issued on June 9, 2014; Legislative Decree No. 18, issued on October 9, 2018; and Legislative Decree No. 20, issued on September 14, 2019, and after the majority of them had rectified their security situation with security apparatuses.

No fewer than 1,867 individuals who surrendered themselves in line with the amnesty decrees between March 2011 and October 2022 can be categorized by their subsequent fate:



1833
Forcibly
disappeared



34
Died due to torture
or executed

In addition, many of those released in accordance with amnesty decrees find themselves pursued by regime authorities and rearrested after their release. We have recorded many arrests carried out during home raids or at checkpoints by security services since the individuals' names are still classified as being wanted by security branches, even after a judicial decision was made to release them by yet another branch of the amnesty decrees issued by the Syrian regime itself, providing further proof of these amnesty decrees' absolute ineffectuality. We have shed light on these practices in one of [our periodic reports](#) on arrest.

Furthermore, we documented a number of cases where regime security services regularly summons those who were released to present a so-called 'security study', which is largely similar to an interrogation, in which a released individual must provide private information about themselves and their family, their whereabouts, and all those with whom they are in contact, to remain under observation, so they can be arrested again at any time.

Examples of victims who died due to torture or as a result of death sentences against them after surrendering themselves in line with amnesty decrees

Ahmad Hamdi Kashkoush, born in 1992, was a military serviceman from Dael city, northern suburbs of Daraa governorate, who defected from the Syrian regime's force. He was arrested by the Syrian regime's Military Security forces on surrendering himself in early-October 2018 shortly after Decree No. 18/2018 was issued on October 9, 2018, granting a pardon for military crimes. He had rectified his security situation at an earlier date. He has been forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him and refusing to allow anyone to visit him, even a lawyer. On June 8, 2019, his family received information indicating that he had died in regime custody. SNHR can confirm that he was in good health at the time of his arrest, which makes it highly likely that he died in a Syrian regime detention center in Damascus city. We can also confirm that Syrian regime forces have yet to return his body to his family.



Ahmad Hamdi Kashkoush

Maher Sulaiman al-Dalli, born in 1989, was a media activist and policeman from Ghabagheb town in northern Daraa governorate, who defected from the Syrian regime's forces. He was arrested by Syrian regime forces when he surrendered himself in his hometown of Ghabagheb in January 2019 after Decree No. 18/2018 was issued on October 9, 2018, granting a pardon for military crimes. He was taken to the Military Security's Branch 293 in Damascus city, and has been classified as forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him, and refusing to allow anyone to visit him, even a lawyer. On Wednesday, February 26, 2020, his family received information indicating his death in regime custody. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he had died due to torture in a Syrian regime detention center in Damascus city. We can also confirm that Syrian regime forces have yet to return his body to his family.

Mohammad Ali al-Shukr, born in 1979, was a policeman from Ghabagheb town in northern Daraa governorate, who defected from Syrian regime forces. He was arrested by Syrian regime forces when he surrendered himself in his hometown of Ghabagheb in January 2019 after Decree No. 18/2018 was issued on October 9, 2018, granting a pardon for military crimes. He was taken to a Syrian regime detention center in Damascus city, and has been classified as forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him, and refusing to allow anyone to visit him, even a lawyer. On Wednesday, February 26, 2020, his family received information indicating that he died in regime custody. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he had died due to torture in a Syrian regime detention center in Damascus city. We can also confirm that Syrian regime forces have yet to return his body to his family.

SNHR got in touch with Mr. Ghadi⁵⁵, a friend of Maher Sulaiman al-Dalli and Mohammad Ali al-Shukr. He told us:

“Maher and Mohammad were in the ranks of the civilian police before defecting. Maher is a father of one girl, while Mohammad is a father of five children. They signed a settlement with the Syrian regime and joined al-Failaq al-Khames [the 5th Division], which is affiliated with Russian forces, in Bosra al-Sham, suburbs of Daraa governorate after the amnesty decree was issued in October 2018. They returned to Ghabagheb town and decided to surrender themselves to the Political Security branch in Daraa, hoping to be included in the amnesty. We later learnt that Maher was referred to the Counterterrorism Court in Damascus, while Mohammad was transferred to Damascus city, but we were unable to find to which apparatus. We received no information about them ever since.” Ghadi adds, **“We learnt of their death due to torture from a former prisoner from Saydnaya Military Prison. Their families were not informed officially by Syrian regime forces, nor were their bodies returned [to their families].”**

Bashar Khali al-Halqi, from Jasim city, northern suburbs of Daraa governorate, had defected from Syrian regime forces, and was arrested by regime forces when he surrendered himself in October 2018 after Decree No. 18/2018 was issued, granting a pardon for military crimes. He had rectified his security situation at an earlier date. He has been classified as forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him, and refusing to allow anyone to visit him, even a lawyer. On Tuesday, May 4, 2021, his family received information indicating he had died in regime custody. SNHR can confirm that he was in good health at the time of his arrest, which makes it highly likely that he died due to torture in a Syrian regime detention center. We can also confirm that Syrian regime forces have yet to return his body to his family.



Bashar Khalil al-Halqi

⁵⁵ Via the phone, June 2022.

Ali Nour al-Din al-Asmi, from Dael city in the northern suburbs of Daraa governorate, a military serviceman who defected from Syrian regime forces, was arrested by regime forces when he surrendered himself on Saturday, December 8, 2018, following the issuance of Decree No. 18/2018, which granted a pardon for military crimes. He had rectified his security situation at an earlier date. He has been classified as forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him, and not allowing anyone to visit him, even a lawyer. On Monday, April 26, 2021, his family received information indicating he had died in regime custody. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he had died due to torture in a Syrian regime detention center. We can also confirm that Syrian regime forces have yet to return his body to his family.



Ali Nour al-Din al-Asmi

Yassin Ghazi Abu Rukba, a 34-year-old military serviceman from Nawa city, western suburbs of Daraa governorate, who had defected from Syrian regime forces, was arrested by regime forces in 2018 when he surrendered himself to rectify his security situation, following the issuance of Decree No. 18/2018, which granted a pardon for military crimes. He has been classified as forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him and refusing to allow anyone to visit him, even a lawyer. On Tuesday, April 19, 2022, Syrian regime forces informed his family that he had died in Saydnaya Military Prison in Damsacus suburbs governorate. His body was returned to his family bearing clear signs of torture. We can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in regime custody.



Yasin Ghazi Abu Rukba

Said Ali al-Yateem al-Meqdad, from Bosra al Sham in eastern Daraa governorate, was a recruit who defected from Syrian regime forces and a former football player with Busra al-Sham Football Club. He was arrested by Syrian regime forces in 2018 when he surrendered himself to rectify his security situation in 2018 following the issuance of Decree No. 18/2018, which granted a pardon for military crimes. He has been classified as forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him, and not allowing anyone to visit him, even a lawyer. On Tuesday, October 24, 2019, his family learnt that he had been registered at the civil registry office as having died in Saydnaya Military Prison on September 19, 2019. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence. We can also confirm that Syrian regime forces have yet to return his body to his family.



Said Ali al-Yateem al-Meqdad

Shaker Rajab Jouriya, from Talado city, northwestern Homs governorate, a former policeman who had defected from Syrian regime forces, was arrested by regime forces in 2018 when he surrendered himself to rectify his security situation, following the issuance of Decree No. 18/2018, which granted a pardon for military crimes. He has been classified as forcibly disappeared ever since he surrendered himself, with the Syrian regime denying holding him, and not allowing anyone to visit him, even a lawyer. On Thursday, September 26, 2019, his family learnt that he had been registered at the civil registry office as having died in regime custody on July 15, 2019. SNHR suspects he died due to torture in Saydnaya Military Prison, Damascus suburbs governorate. We can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence. We can also confirm that Syrian regime forces have yet to return his body to his family.



Shaker Rajab Jouriya

Examples of individuals forcibly disappeared after surrendering themselves in line with amnesty decrees:

Mohammad Ahmad Sahbouni, a computer store owner from Banyas city in northern Tartus governorate, was arrested by Syrian regime forces when he surrendered himself on Saturday, September 24, 2011, following the issuance of amnesty decree No. 72, dated June 20, 2011. The furniture in his home was confiscated after his arrest. His fate remains unknown.

Bashar Ahmad Sahbouni, a 35-year-old, from Banyas city, northern Tartus governorate, was arrested by Syrian regime forces when he surrendered himself on Saturday, September 24, 2011, following the issuance of amnesty decree No. 72, dated June 20, 2011. His fate remains unknown.

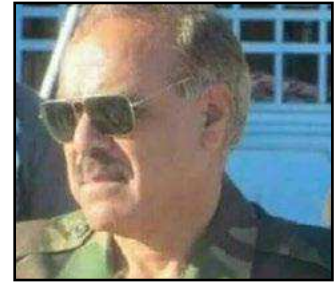
Hosam al-Sabsabi from al-Shajara town, western suburbs of Daraa governorate, a former colonel who defected from Syrian regime forces, and who had been a member of an armed opposition faction, was arrested by Syrian regime forces when he surrendered himself on Thursday, February 7, 2019, in his hometown of al-Shajara following the issuance of Decree No. 18, dated October 9, 2018, which granted a pardon for military crimes. His fate remains unknown.

Aysar al-Khatba, from al Tayba town in the suburbs of Daraa governorate, an air force brigadier-general who defected from Syrian regime forces, was arrested by Syrian regime forces when he surrendered himself along with a group of other officers on Friday, February 8, 2019, following the issuance of Decree No. 18, dated October 9, 2018, which granted a pardon for military crimes. His fate remains unknown.



Aysar al-Khatba

Mousa al-Zu'bi, from al-Tayba town in the suburbs of Daraa governorate, an air force brigadier-general who had defected from Syrian regime forces, was arrested by Syrian regime forces when he surrendered himself along with a group of fellow officers on Friday, February 8, 2019, following the issuance of Decree No. 18, dated October 9, 2018, which granted a pardon for military crimes. His fate remains unknown.



Mousa al-Zu'bi

VII. Amnesty Decrees: A Mean to Exploit and Profit from Detainees and Their Families

With the release of each of the 21 amnesty decrees, we noticed significantly increased activity among networks of fraudsters and corrupt regime officials exploiting the detainees' and families' suffering for personal financial gain; these criminal networks are primarily sponsored by regime security services, while some are run by professional swindlers and conmen, also with ties to the regime's security services. We have shed light on those practices in numerous past reports, particularly in reports that examined some of the amnesty decrees, as part of our efforts to warn people against falling victim to these criminal networks.

These charlatans rely on a corrupt system and the desperation of detainees' families. Whenever a handful of detainees are released, the families of tens of thousands of others, driven by their agonizing longing to save their loved ones, feel ready to resort to any strategy, no matter how risky, or to pay any price, no matter how extreme, to obtain any information they can about their detained relatives, while some are misled into believing that these well-connected charlatans can secure their family members'. These networks of cynical predators and scammers which capitalize on exploiting the desperation and vulnerability of detainees' families, are most active in the wake of each amnesty decree being announced. The operators of those networks use a wide range of means, but most notably gain access to information about detained or forcibly disappeared individuals thanks to their connections with security agencies, or through accessing data available via open sources, before using this information to lure, deceive, and extort detainees' families. Those networks include regime security officers, lawyers, judges, and influential civilians who have gained great experience over the past 12 years in detecting and gauging the reactions of the families who increasingly fall into their trap. Some families, meanwhile, choose to deal with those networks, despite being fully aware they are part of a fraudulent scam operation, out of sheer desperation, in the faint hope of obtaining some information about their loved ones.

To this day, families still, regrettably, fall victims to these criminal networks, despite numerous warnings and cautionary posts on social media. Following the most recent amnesty decree (No. 7/2022), which was released a few months ago, dozens of families have fallen victims to those networks. Some of those families told us they were aware they were dealing with a scam, but nurtured some faint hope that they might not be victimized.

Since the issuance of Decree No. 7/2022 (between the start of May 2022, and October 2022) we have documented no fewer than 1,574 incidents of extortion and fraud. We were told about those incidents by detainees' families via the communication channels we made available. These cases include families who had previously received information about the death of their relatives and even extracted official death certificates from the relevant authorities, but who were still deceived and cheated simply due to their massive burden of desperate grief and uncertainty. It is always of the utmost importance to remind families to remain vigilant and not fall into the cynical trap of these criminal exploitative networks of extortionists who are extremely adept at capitalizing on others' worry, suffering and grief in numerous ways. If any family has suspicions someone is trying to scam them, we urge those families to contact SNHR via any of our communication channels, where our team of experts can provide the appropriate advice.

Accounts by some of the families who fell victim to extortion and scams in the wake of amnesty decrees

Hussein Farah al-Ali, from the village of Rasm Abed, which is administratively affiliated with Abu al-Thohour town in eastern suburbs of Idlib governorate, was arrested by Syrian regime forces on Tuesday, May 29, 2018, when he crossed into the Syrian regime-run areas via the Abu al-Thohour crossing to work on his agricultural land. On Saturday, May 29, 2021, his family received information through an intermediary lawyer indicating that he had died, although his dead body was not returned to them. On May 12, 2022, he was released by Syrian regime forces in accordance with Amnesty Decree No. 7/2022.



Hussein Faraj al-Ali

SNHR spoke with Mr. Khaled,⁵⁶ a relative of Hussein Faraj al-Ali, who told us about the scam his family suffered when Hussein was forcibly disappeared by Syrian regime forces:

“After Hussein al-Ali was arrested by Syrian regime forces when he was trying to reach his agricultural land in the Syrian regime’s territories, we had no way of knowing anything about him. Some time later, we came across a lawyer living in Damascus city, and he told us he could ensure Hussein’s release and inclusion in the amnesty decrees, so we kept paying whatever he asked us to pay, but we did not get any results or information in return. With time, and as we kept calling the lawyer, he eventually told us Hussein has died, without receiving his dead body, or knowing where and how he died. We arranged his funeral and settled our account with the lawyer. When Legislative Decree No. 7/20122 was issued, we were shocked to discover that Hussein was alive and he was released in accordance with the decree.”

Mr. Khaled added that they found out later that the lawyer had deceived them for money, and told them Hussein is dead to stop the family from following his case and asking about him again.

⁵⁶ Via the phone, May 12, 2022.

Brothers Yousef and Samer Mohammad Eidan, from Ariha city in the southern suburbs of idlib governorate, were born in 1974 and 1984 respectively. Yousef was arrested on Saturday, December 29, 2012, by Syrian regime forces who raided his place of work in al-Noor Street in al-Zaher al-Jadeeda area, Damascus city. He was taken to an undisclosed location. Two days later, on Tuesday, January 1, 2013, Samer was arrested by Syrian regime forces at a checkpoint for the patrol division of the Military Security, while he was aboard a small passenger bus. The arrest took place in al-Zahera al-Jadeeda area in Damascus city. He was taken to an undisclosed location. Yousef and Samer have been forcibly disappeared ever since. Their fate remains unknown to SNHR as well as their family.

We spoke with Mr. Maher,⁵⁷ a relative of Yousef and Samer Mohammad Eidan, who told us:

“Yousef worked as a real estate contractor, while Samer was a worker who worked on a day-by-day basis. After their arrest, their family hired a lawyer to find out what happened to them or even whether or not they were still alive. The lawyer gave the family many promises. After getting money, however, the family tried to contact him to ask him what he was able to find out, but he never returned their calls. They hired another lawyer, but it was no use.”

Mr. Maher added that after Legislative Decree No. 7/2022 was issued, many people with connections to Syrian regime officials offered to help him find out about the fate of the two brothers Yousef and Samer, or to ensure their inclusion in the amnesty decrees for money, but the family refused in fear of another scam.

Walid Omar al-Droubi, from Homs city, born in 1980, used to work as an accountant for a food depistory in Homs city. On June 14, 2012, he was arrested at a regime Military Security checkpoint in Homs city, and taken to an undisclosed location. He has been forcibly disappeared ever since. His fate remains unknown to SNHR, as well as his family.

We got in touch with Mr. Omar,⁵⁸ Walid’s father, and he told us about the many scams they suffered in their attempts to find out the fate of his son, Walid:

“A few days after Walid was arrested, an officer from the Military Security branch in Homs contacted us and promised to help us release Walid if we paid the equivalent of approximately \$2,000 at that time. We paid the officer immediately. Afterwards, he told us to stop contacting him and threatened that we would never see Walid again if we ever tried to contact him ever again. Three years after our first attempt, we found a lawyer with good connections with security branches, and he demanded an initial payment for information about where Walid is being held, and a second payment to transfer him to a civilian prison, and a third payment for his release and inclusion in any amnesty decree. The total amount was around \$8,000, but we could not secure the entire sum, so we only paid the first payment to obtain information about his whereabouts. The lawyer told us he is located in al-Mazza Prison in early-2016, but we received no proof of that, and of course the lawyer refused to give any further details. After the most recent amnesty decree No. 7, an anonymous person I did not know called me and claimed he can have access to my son and get him released for money. I terminated my contact with that person after he refused to reveal his identity.”

⁵⁷ Via the phone, May 2022.

⁵⁸ Via the phone, June 20, 2022.

Omar added that he tried to ask about his son Omar via the official channels, the Military Police and the Couterterrorism Court, but received no information, which is why he resorted to intermediaries.

Even detainees in detention centers have been extorted due to amnesty decrees

Extortion and scams have not been limited to the family of the forcibly disappeared, with the extortionists and scammerseven finding a way to exploit detainees held in civilian prisons and security branches across Syria, including those who were included in the amnesty decrees, due to the Ministry of Justice's failure to publish lists of the names included in amnesty decrees. Instead, the ministry implements the decrees in an unclear, misleading, and painfully slow manner, with the uncertainty further increased by the fact that release decisions ultimately rest in the hands of the security services, rather than being based on considerations of the detainees' legal status. Because of these points, detainees held in central prisons often choose to deal with fraudsters and corrupt networks, and with individuals with ties to judges in the hopes that this can ensure a review of their cases, get them included in an amnesty, or accelerate the process of their release. We have shed light on this increasingly prevalent practice in two separate reports on the last two amnesty decrees.

Indeed, these networks work to extend their activities to detention centers, giving detainees the impression that their connections with judges and regime security services enables them to add the detainees' names to amnesty lists. Many detainees have fallen victim to these networks, since the judges at Counterterrorism and Field Courts (in constant coordination with regime security services) are responsible for determining which detainees are to be included in the amnesty decrees. Therefore, extortion and fraud networks operate in the presence of the regime's security services which actively supervise and monitor the operations at these courts. For instance, the regime's Political Security apparatus directly supervises the Couterterrorism Court, having an office in the court headquarters, with officers present in the court to monitor the work of judges and court employees. The regime's corrupt involvement means that Counterterrorism Court defendants and their families are among the most prominent victims of extortion and fraud. We have detailed the operations of the Counterterrorism Court in a [past report](#).

We spoke with Mr. Mohammad al-Faisal,⁵⁹ a detainee held in Homs Central Prison who was arrested by Syrian regime forces while he was attempting to leave the country for Lebanon on July 13, 2014. He was sentenced by the Couterterrorism Court on April 21, 2015, to 10 years in prison under charges of committing a terrorist act that caused a panic, along with three others who were tried in the same case. Mohammad told us about his case: **"I was tried with three of my friends, and the judge did not base his rulings on any evidence or eyewitnesses. We were arrested together while we were trying to leave for Lebaonn. Our sentence was reduced by half in the amnesty that was issued in 2019, yet we were not released under the pretext that there are large numbers of cases being reviewed right now. How detainees are selected is very unpredictable. Only a handful of detainees were released from Homs Central Prison. There are over one hundred detainees who were supposedly included in the amnesty, but they still do not know their fate because the Counterterrorism Court has not decided yet to include them. We believe this is because of the disobedience and protests that took place in the prison in the past. The security reports written about those who were involved play a role in which detainees the judge decides to set free."**

⁵⁹ Via the phone, February 3, 2022.

We also spoke with Mr. Abdul Rahim al-Stouf,⁶⁰ from al-Bara village in the southern suburbs of Idlib governorate, who was released in accordance with Amnesty Decree 20 of 2019, having been arrested in Idlib city by Syrian regime forces on March 14, 2012. Mr. Abdul Rahim told us: **“I was sentenced by the Counterterrorism Court to 15 years in prison on charges of carrying out an assault on army points, even though this charge had no grounds except for my confession under extreme torture when I was being interrogated at al-Mazza Branch in Damascus. I wanted the torture to stop, so I told them I will sign whatever you want me to sign. I was shocked when I was transferred to Adra Prison that this was my charge. After multiple amnesty decrees were issued, my sentence was pardoned, but with each time, the lawyer would ask for more sums of money ranging from two to five million Syrian Pounds to convince the judge to include me. When the last amnesty decree was issued, the lawyer took 1 million SP from my family to reduce my sentence to one-quarter. I was released subsequently.”** Mr. Abdul Rahim says that all the detainees he knew that were released with him paid money to buy approvals for the same request for sentence reduction to one-quarter from the Counterterrorism Court.

Mohammad Ibrahim Najjar, born in 1994, from Marea city, Aleppo suburbs governorate, was arrested on Thursday, July 5, 2012, by Syrian regime forces while he was working. He spent the term of his imprisonment in different detention centers, including Sednaya Military Prison in Damascus suburbs governorate. On Tuesday, May 21, 2013, the Counterterrorism Court sentenced him to life imprisonment. In 2020, his sentence was reduced to six and a half years. On Friday, June 19, 2020, regime forces released him in accordance with Amnesty Decree No. 6/2020.



Mohammad Ibrahim Najjar

We got in touch with Mr. Mohammad Najjar⁶¹ who told us about the extortion he experienced in the wake of the amnesty decree:

“I worked in painting and home decoration in Aleppo city. I was arrested by regime forces servicemen while I was working in the middle of the city, in Saad Allah al-Jabri square following an explosion that happened nearby. I was transferred and held in several security branches in Aleppo city, and then I was taken to the State Security Directorate branch in Kafrsusa, Damascus with other detainees. I was subjected to all forms of torture during my interrogation there. It was too much to bear for me, so I confessed to whatever they wanted, such as being responsible for the bombing, joining the Free Army, going out in protests, attacking regime checkpoints. I was then transferred to Adra Central Prison in Damascus suburbs governorate, and I stayed there until the end of 2015. During that time, I attended 12 sessions for the Counterterrorism Court in al-Mazza area, Damascus. I received a life sentence. In 2014, an amnesty decree included my case and my sentence was reduced from a life sentence to 20 years. Another amnesty decree was issued in 2019 as I was being held in Suwayda Central Prison that saw my sentence go down to 13 years. I paid 500,000 S.P. for the amnesty to include me. On good behavior, my sentence was reduced from 13 to 10 years, of which I had spent eight at that point. During the coronavirus outbreak, a general amnesty was issued and my sentence was reduced from 13 years to six years. I had spent eight years at the time. I remained for a month and a half in prison, before I was released in accordance with the amnesty.” Mohammad adds: **“With every amnesty decree, my family paid large sums of money for intermediaries and lawyers so they’d ensure my inclusion in the amnesty. I was not the only one who did that, everyone in prison did that.”**

⁶⁰ Via the phone, November 15, 2019.

⁶¹ A recorded interview conducted by SNHR in early-2021.

VIII. Amnesty Decrees Did Not Lift the Seizure of Pardoned Detainees' Properties, and Their Civil Rights Were Not Restored

The overwhelming majority of the sentences issued in the Counterterrorism Court and the Field Military Court included seizure of detainees' movable and immovable properties and deprivation of civil rights⁶² as an additional punishment to imprisonment. According to hundreds of those released due to amnesty decrees, they were unable to retrieve their seized properties. On one hand, the amnesty laws were ambiguous regarding this issue and did not clarify seizure or asset-freezing decisions, while on the other, released individuals opted to avoid any attempts to retrieve their properties in fear of again being persecuted by the security branches.

Article 42 of the Public Penal Code states that seizure is a supplementary punishment that shall be enforced with the main punishment. Notably, Article 150 of the same text states that general amnesties lift every sentence, be it primary, supplementary, or additional, while paid fines and seized belongings are not retrievable. According to Article 69, seized items are not returnable should they be obtained as the result of a crime, be an item used as an accessory in a crime, or have been intended for use in a crime. As for seizure, Law No. 19 of the Counterterrorism Law defines seizure in Article 1: "Seizure: The permanent deprivation of movable and immovable properties, where their ownership is hereby transferred to the state in accordance with a judicial ruling." Article 12 states, "In all crimes specified in this law, the court moves, as part of the conviction, to seize movable and immovable properties, their returns, and objects that were used or were intended to be used in the commission of the crimes."

Therefore, a contradiction emerges in the definition of seizure between the Counterterrorism Law and the Public Penal Code. In the Counterterrorism Law, seizure is established in two parts - the first part agrees with Article 69 of the Public Penal Code, namely a partial seizure, while the second part of the Counterterrorism Law provides for the seizure of all the defendant's movable and immovable properties, even though general seizure is prohibited by the laws of the current Syrian constitution. The Counterterrorism Law directly contradicts the constitution in this regard.

Based on the above, theoretically at least, the defendant's movable and immovable properties and their revenues, or more particularly the properties owned by the defendant prior to their committing the crime they're charged with that were not used in the commission of the crime, were not prepared to be used in the commission of the crime, and which were unrelated to the crime, should not be seized and must be restored to the individuals included in the amnesty. In reality, despite this, the executive authorities (government, ministry of finance and other regime bodies) delay any restoration of properties and funds, with a released individual needing to resort to the civilian or administrative court to lift the seizure, which is a process that comes with its own exhausting procedures, delays, and costs in litigation and lawyer fees.

Mohannad al-Haj Yousef, born in 1982, from Damascus city, was an employee in the Ma'amel al-Defa' (Defense Factories), which is affiliated with the Syrian regime's Ministry of Defense when he was arrested on Monday, February 27, 2012, by Syrian regime forces from his place of work. Mohammad was transferred between and held at several detention centers, including Saydnaya Military Prison in Damascus suburbs governorate. He was released by Syrian regime forces from Adra Central Prison in Damascus suburbs governorate in accordance with Legislative Decree No. 22, issued on June 9, 2014.

We spoke with Mr. Mohammad al-Haj Yousef:

"I was arrested by security officers from my place of work in al-Hama area of Damascus city. This is when I started a 'journey' between different security branches in Damascus governorate, where I was subjected to all forms of torture. I was accused of killing Brigadier General Dr. Eissa al-Khouli, a doctor at Hamesh Hospital, in addition to other terrorist acts. I appeared before a field court, where I denied my confessions. After the trial, I was transferred to Saydnaya Military Prison, where I was held for four months. I was transferred to Adra Central Prison, where I was able to see my family for the first time. After that, they did not know where I was being held for 10 months. During my time in Adra Prison, I learned that I was sentenced to 10 years with no right to appeal or without appearing before the court. Later after that, a general amnesty was issued, and I was released in June 2014."

Mr. Mohammad added that he was summoned by several security branches after being released and was deprived of all his civil and military rights, as his movable and immovable properties were seized, and was banned from taking part in "any activity that would pose a threat to his life."

IX. Conclusions and Recommendations

Conclusions

- Most of the Syrian regime's major amnesty decrees did not include political detainees, as is clear from the 136,000 people who are still under arbitrary arrest and/or enforced disappearance at the regime's hands. Instead, these decrees were primarily aimed at criminal and military detainees.
- The year 2011 saw the issuance of four consecutive amnesty decrees that mainly led to the release of large numbers of criminals and extremists.
- Legislative Decree No. 10/2012, which granted a general amnesty for crimes committed in the wake of the crisis that began on March 15, 2011, was the first decree to mention the cases of detainees after the popular uprising broke out in March 2011. While it may be true that it included a number of the detainees tried under the Penal Code, the Syrian regime in reality restricted and voided the decree by promulgating the Counterterrorism Law which saw the majority of those detained referred to the Counterterrorism Court to be tried under this new legislation. In other cases, the Syrian regime criminalized detainees under two laws, so that, if an amnesty included one of these charges, it would definitely not include the other.

- No legal grounds exist for criminalizing political detainees and leveling criminal charges against them. Neither does the Counterterrorism Law provide any such grounds, especially considering its vague phrasing which completely contradicts what a sound legislative criminal text should be, and nor does the Public Penal Code. Those charges are usually based on ‘confessions’ extracted under torture and coercion, especially in the cases of the Field Military Courts. These ‘courts’ are not actual courts in any recognized legal and judicial sense, but are military entities affiliated with the regime’s security apparatus, as is clear from their denying defendants the most basic guarantees of a due and just legal process, such as the right to a lawyer, to public trial, and to appeal.
- The majority of those released have been civilians that had been arbitrarily arrested and faced charges like terrorism. They were tried under those charges by extraordinary courts that lack the most basic guarantees of a just and due trial and litigation, and then were “granted” an amnesty.

Recommendations

Security Council and United Nations

- Issue a resolution to condemn the continuing arbitrary detention of nearly 136,000 Syrian citizens and the enforced disappearance of 96,000 at the hands of the Syrian regime, call for ending their subjection to torture, and demand their immediate release.
- We warn the Security Council and United Nations against being duped by the Syrian regime’s amnesty decrees, which, lack any sense of credibility or plausibility, both in structure and in implementation. The Security Council and United Nations should demand that detainees are released since they were arrested based on no evidence, solely because they demanded their rights to political change and freedom of expression.
- Work faster towards bringing about a political resolution in Syria on the basis of the Geneva I statement and Security Council Resolutions 2118 and 2554, which would be a potent step towards releasing political detainees, and putting an end to torture and extraordinary security courts.

Office of the United Nations High Commissioner for Human Rights

- Issue a statement condemning the Syrian regime’s toying with the issue of political detainees and its continued detention of tens of thousands of Syrian citizens without a fair trial or actual evidence.
- Call on the Syrian regime to release political detainees and end extraordinary courts.
- Portray a clear and honest picture of the pointlessness of the amnesty decrees issued by the Syrian regime to the Security Council and the world states.

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

- We must commend the last report for addressing the releases in accordance with the last amnesty decree. However, we call for an investigation into the continued arbitrary arrests by the Syrian regime with no regard for its own amnesty decrees

The Syrian regime

- Dissolve the two extraordinary criminal courts, namely the 'Field Court' and 'Counterterrorism Court', and revoke the rulings issued by those courts due to their lacking any sense of the fundamentals of justice and fairness.
- Strip the security services of their authority to act as a commissioner that can take the place of the police and interrogate and arrest people.
- Dissolve the Air Force Intelligence apparatus and reintegrate its scope and responsibilities into the intelligence service's apparatus.
- Reduce the scope of the intelligence service's apparatus and limit it to the military
- Repeal all exceptional legislations, especially:
 - A. Legislative Decree No. 55/2011 that amended Article 17 of the Principles of Criminal Trials
 - B. Military Discharge Law, promulgated in accordance with Legislative Decree No. 92/2011
 - C. Counterterrorism Law No. 19 of 2012
 - D. Military Discharge Law, promulgated in accordance with Legislative Decree No. 47/2012
 - E. The law that grants law officers the power to request a pre-trial detention as promulgated in accordance with Legislative Decree No. 63/2012
 - F. The law to discharge terrorists and terrorist supporters No. 20/2012
- We call for the unconditional release of prisoners of conscience, for revealing the fate of those who are disappeared, for compensating those affected, and for putting an end to the careless treatment of their lives and to the extortion of their families
- Cease the terrorization of the Syrian people through enforced disappearance, torture, and death under torture.
- Cease the exploitation of and toying with the constitution and laws to the ends of the ruling family.
- Shoulder responsibility for all legal and material consequences, hold those responsible for violations accountable, and compensate the victims and their families from the resources of the Syrian state.

Acknowledgment and Solidarity

We would like to thank everyone who helped in the making of this report, including the families, eyewitnesses, survivors, lawyers, and researchers. We stand in solidarity with the families and friends of victims in their quest for accountability and justice.



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