



## **Presidential Amnesty Concerning Certain Categories of Detainees Issued on the Occasion of Eid al-Fitr Festivities**

Violations Documentation Center in Syria - VDC  
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On 16 July 2015, [media outlets](#)<sup>1</sup> announced a presidential amnesty set to cover detainees charged of «terrorism», namely those «without blood on their hands». Quoting Syria’s Minister of Justice Najm Hamad al-Ahmad, news sources reported that the Syrian government had promised amnesty for approximately 430 Syrian detainees, including women, to commemorate the event of Eid al-Fitr. However, local Syrian newspapers and most government-affiliated websites did not made any official reference to the amnesty.

**A lawyer, who refused to reveal his identity for security reasons, told the Violations Documentation Centre (VDC):**

«Procedural matters have a major role in delaying the release of dozens of detainees in several central prisons. Usually, release orders are sent to the prisons’ administration by fax. However, after the security situation deteriorated, the government started using regular mail instead. As a rule, when an amnesty is decreed, it includes certain articles that refer to certain specific crimes. This time was different and no formal newspaper or a governmental website, like the Ministry of Justice or the Parliament websites, mentioned anything about an amnesty. What happened was the release of a number of detainees on the basis of some “security opinions” [NDLR: by officials] and in cooperation with the so-called Commission for National Reconciliation and some individuals working on local truces and compromises. Some websites, though, mentioned a number of releases from Sednaya Prison, but we haven’t seen any of the released detainees. It seems that all those who were released had been subject to the same charge and the same case. Still, some of them were released; others were not. Thus, this «amnesty» does not live up to its name as it was subject to many considerations regarding the ‘moods’ of the security apparatus, including favoritism and bribes.»

On the same day, Adra Central Prison radio announced the names of more than 215 male detainees to be released, most of whom had been detained under the procedures of [the Counter-Terrorism Court](#). Sources inside Adra Central Prison confirmed to the VDC that a significant number of those names had been referred to the Counter-Terrorism Criminal Chamber<sup>2</sup>. Furthermore, the VDC learned through corroborating sources that 21 female detainees were also released on 17 July 2015 from Adra Central Prison, eight detainees from Tartous Central Prison and 20 from Homs Central Prison, in addition to a number of detainees from Sweida and Hama prisons. Towards the end of June, authorities looked to increase the number of counter-terrorism judges as the Syrian government planned to establish a second Criminal Chamber inside the Counter-Terrorism Court. This second chamber would aim to alleviate the strain of single-handedly reviewing enormous numbers of cases of detention, estimated at thousands every month, according to governmental sources. However, verified news sources stated that the Ministry of Justice had already formed a committee to amend some laws of the Counter-Terrorism Court, especially those pertaining to the role of the Public Prosecution. It is likely that a new similar law will be issued in the coming months.

Last April, the VDC issued a report on the Counter-Terrorism Court stressing that dozens of thousands of arbitrarily arrested Syrian citizens had been referred to the that court since its establishment, pursuant to a legislative decree issued in July 2012. The report said that such procedures

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1- Russia Today (2015) Syria...A Special Presidential Amnesty on a Burning Map (Arabic) <http://arabic.rt.com/features/788801-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7-%D8%B9%D9%81%D9%88-%D8%B1%D8%A6%D8%A7%D8%B3%D9%8A-%D8%AE%D8%B1%D9%8A%D8%B7%D8%A9-%D9%85%D8%B4%D8%AA%D8%B9%D9%84%D8%A9/>

2- The Criminal Court in the Counter-Terrorism Court; composed of three judges (including a military judge) headed by Judge Rida Moussa, who has three counsels – Judge Rodwan Barakat, Judge Muhammad Sobhi, and a third military judge.

had no legal value under in accordance with international humanitarian law. For instance, the Syrian government's official descriptions of the decrees as «law» and «legislative decree», cannot legalize any subsequent practices in accordance with the international humanitarian law. The report concluded that on the basis of customary international humanitarian law, issuing verdicts and executing death sentences without verdicts, pronounced by a regularly constituted court that provides all the judicial guarantees, is a serious violation of international humanitarian law and a war crime for which the involved judges and prosecutors can be held accountable.

The VDC believes that this releasing process should be followed by an immediate revealing of the fate of thousands of arbitrarily arrested and forcibly disappeared people inside the prisons of the various Syrian security bodies, to be followed by the release of dozens of thousands more who were referred to the Counter-Terrorism Court and other military courts – on top of which is the Field Military Court, known for its harsh verdicts in issuing dozens of death sentences to civilians. The VDC requests the United Nations Security Council, Secretary-General Ban Ki-moon and Special Envoy for Syria Staffan de Mistura to intervene to guarantee the release of all aforementioned detainees.

**Below is a short list of some of the detainees that were released following the presidential amnesty, and that have been verified by the VDC:**

- 1- [Hussain Ghureir](#), detained since 16 February 2012, released from Arda prison.
- 2- [Hani al-Zetani](#), detained since 16 February 2012, released from Sweidaa prison.
- 3- A man from Shihadah family, Daraya, Damascus Suburbs, released from Arda prison.
- 4- [Basima Asfour](#), Kafarsouseh, Damascus. Detained for over two years and tried in front of the Counter-Terrorism Criminal Chamber. Basima was released from Adra Prison
- 5- [Husn Eidan](#), detained for over two years. Husn was released from Adra Prison
- 6- [Suad Abdo Hilal](#), Mseifra, Daraa. Suad was detained for more than eight months, released from Arda prison.
- 7- [Yaser al-Hussein](#), Deir Ezzor. Yaser was detained for more than two years, released from Arda prison.
- 8- [Ahmad Daher](#) (Syrian-Palestinian) who lives in Sheikh Camp, Damascus Suburbs. Ahmad was detained for over two and a half years, released from Arda prison.
- 9- [Ali al-Sharba](#), Salamiya city, Hama. Ali was detained for over three years, released from Arda prison.
- 10- [Ammar Yaser Abu Zeid](#), Halfaya, Hama, released from Arda prison.
- 11- [Yasin Yasin](#), Halfaya, Hama, released from Arda prison.
- 12- [Suad Abdulrahman al-Zoabi](#), released from Arda prison.



## Violations Documentation Center in Syria

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