



Organizing in Syria

Legislative Fact Sheet

This fact sheet highlights some of the key pieces of legislation that have been passed in regime-controlled areas of Syria since the March 2011 uprising that implicate, affect, and punish the exercise of key rights at the heart of organizing on the ground and online, including the rights to freedom of expression, association, assembly, political participation, and access to information.

2011

APR

Decree Law No. 54/2011 on the Regulation of the Right to Peaceful Protest

This [legislation](#) includes several restrictions on the ability of Syrians to organize and participate in demonstrations, impeding on the right to **freedom of assembly** as a result. Under this law, organizers are required to seek the approval of the Interior Ministry at least five days prior to a scheduled protest. The law grants the Ministry of Interior the right to change the date or location of a protest if it conflicts with “state interests,” threatens “public safety,” or risks damage to public property. Provisions of the law give the Ministry the authority to cancel a demonstration altogether and authorize its dispersal if the gathering “exceeds the limits set by the license,” disturbs public order, or prevents authorities from carrying out their duties. The law also labels any protest organized outside this legal framework as a “riot.”

AUG

Decree Law No. 108/2011 The Media Law

The [Media Law](#) replaced Decree Law No. 50/2001 and ostensibly outlawed the imprisonment of journalists for their work. According to the Committee to Protect Journalists (CPJ) however, the Syrian regime has [continued](#) to detain journalists in practice. The law lays out restrictions impacting **access to information and freedom of expression**. Under this law, media outlets are prohibited from publishing any content related to the armed forces unless they are official statements or have received approval for publication. It also bars outlets from publishing any information that harms “national unity,” “national security,” or “state symbols”; “incites sectarian strife”; “insults” religious beliefs; or incites others to commit crimes, acts of violence, or terrorism. The law empowers Syrian authorities to temporarily suspend, and in some contexts, entirely cancel the license of a media outlet for violating these provisions.

Decree Law No. 110/2011 Amendments to the Penal Code Promulgated by Decree Law No. 148/1949 on the Offense of Demonstrating

These [amendments](#) increase the punishment for unlicensed demonstrations, impeding on the right to **freedom of assembly** as a result. They raise the fine outlined in the Penal Code concerning unlicensed demonstrations from 100 Syrian pounds to 20,000 Syrian pounds. The original law set forth a punishment of up to one year in prison for participation in “processions and crowds of people gathered on public roads or in places open to the public,” which are considered to be riots by the law. The amendments now add a fine of 50,000 Syrian pounds as well.

Continued on next page.

2012
FEB

Decree Law No. 100/2011 on Political Parties

This [legislation](#) allows for the formation of political parties outside of the ruling Baath Party. The law governs the establishment and activities of political parties and affects the right to **political participation**. It prohibits the formation of parties on the basis of religion, sect, tribe, race, gender, region, or profession. The law requires party founders to have held Syrian nationality for at least 10 years, be at least 25 years old, and be currently residing in Syria; it also requires a minimum of 1,000 members drawn from at least half of Syria's governorates for the formation of a political party. Many observers questioned the timing of and intent behind the law as it was passed amid escalating violence and repression by the regime.

The Constitution

Syria's [Constitution](#) was approved in a 2012 referendum; this version notably [omitted](#) the line in the 1973 Constitution referring to the Baath Party as the "leader of the nation and society." The document's text theoretically protects **freedom of expression** and **belief, freedom of the press, and freedom of assembly and association**; however, it does caveat the protection of these rights with language including "in accordance with the law" allowing for [restrictions](#) through other constitutional provisions and legislation. The Constitution also contains several [problematic clauses](#), among them Article 84, which stipulates that candidates for president must not have been convicted of a "dishonorable felony" and must have lived in Syria continuously for 10 years. This [excludes](#) a significant portion of the population, many of whom have either been imprisoned on politically-motivated charges or forced into exile, impeding on the right to **political participation** as a result.

Decree Law No. 17/2012 on the Implementation of the Provisions of the Law on Network Communication and Combating Cybercrimes

This [legislation](#) affects **freedom of expression**, the **right to privacy**, and **access to information**. It requires service providers to save a copy of their content and traffic data to allow Syria's National Agency for Network Services (established by [Law No. 4/2009](#)) to verify the identity of users contributing content on the network. Under the law, service providers who fail to do so could face fines of up to 500,000 Syrian pounds; those who are found to have "intentionally" failed to save the data to disrupt a criminal investigation face up to two years in prison and/or a fine of one million Syrian pounds. The law also punishes individuals who "incite or promote crime" online with up to three years in prison and/or fines of up to 500,000 Syrian pounds. In March 2018, the Syrian Parliament approved Law No. 9/2018, which [established](#) specialized courts to hear cybercrime-related cases.

JUNE

Law No. 19/2012 The Counterterrorism Law

The [Counterterrorism Law](#) lays out an "all-encompassing" definition of terrorism, with any activity "intended to create panic among people, disturb public security, (or) damage the infrastructural or institutional foundations of the state" considered a terrorist act. This "broad language" has [empowered](#) Syrian authorities to prosecute and convict journalists, activists, and lawyers on terrorism-related charges for nonviolent activities like documenting rights abuses or taking part in peaceful demonstrations, severely impacting the exercise of a number of rights, including **freedom of expression, assembly, and association**. In light of its impact and application, observers argue that the Counterterrorism Law "effectively [replaced](#)" the state of emergency that governed Syria between 1963 and April 2011.

JULY

Law No. 22/2012 on the Creation of a Court Headquartered in Damascus to Hear Terrorism Cases

This [legislation](#) effectively [replaced](#) the Supreme State Security Court with the Counterterrorism Court (CTC), which is charged with hearing terrorism-related cases under the Counterterrorism Law. The Violations Documentation Center in Syria (VDC) has [observed](#) that persons brought before the CTC are often denied the right to counsel, confessions through the use of torture are common, and trials are not made public, raising serious concerns about **due process**. As of 2015, over 30,000 cases had been [referred](#) to the CTC, and by 2020, the court had [heard](#) over 90,000 cases, many of which involved prosecuting individuals for exercising their **fundamental freedoms**. For example, human rights defender and lawyer Mazen Darwish and several of his colleagues [faced](#) charges of “publicizing terrorist acts” under the Counterterrorism Law before the CTC in 2013 because of their human rights work at the Syrian Center for Media and Freedom of Expression.

SEPT

Decree Law No. 63/2012 on Judicial Police Authorities

This [legislation](#) empowers Syria’s Finance Ministry to [seize](#) the assets of individuals “pending investigation of their crimes as suspected terrorists,” under the Counterterrorism Law. In practice, Syrian authorities have [used](#) this law to punish the families of individuals added arbitrarily to a list of alleged terrorists, many of whom were targeted for engaging in [nonviolent](#) activities like distributing humanitarian aid, demonstrating, or criticizing the government on Facebook. The law thus implicates **freedom of expression, assembly, and association** among others.

Decree Law No. 66/2012 on the Creation of Two Organizational Zones in the Governorate of Damascus

This [law](#) designates two areas in the Damascus Governorate, where illegally-constructed residential buildings and informal settlements are located, for “redevelopment.” In practice, it has been used by Syrian authorities as a [punitive measure](#) to disproportionately target residents in former opposition-held strongholds, providing legal cover for the state to punish them for their exercise of **fundamental freedoms**; to forcibly [dispossess](#) and displace them, often without providing sufficient notice, compensation, or alternative housing; and to further a policy of forced demographic change.

2014

MAR

Law No. 5/2014 General Elections Law

This [legislation](#) replaces Decree Law No. 101/2011 and lays out the rules governing presidential, parliamentary, and local council elections. Some observers have [pointed out](#) that the residency requirement imposed on those running for the presidency excludes individuals based in diaspora and exile, impeding on the right to **political participation**. In practice, elections governed by this law—including the June 2014 presidential election—have largely been [dismissed](#) by observers as illegitimate given other overarching factors, including widespread repression and mass atrocity (the vast majority of which has been committed by the ruling regime); displacement; and fighting across the country.

2018

APR

Law No. 10/2018 The Urban Renewal Law

The Urban Renewal Law [empowers](#) the Syrian regime to designate areas across the country as “redevelopment zones,” forcing people out of those areas in exchange for compensation for registered properties within the zone. Law No. 10 effectively [widened](#) the scope of Decree Law No. 66/2012 to be applicable to all governorates across Syria. Under the law, individuals must provide proof of ownership of property within 30 days (later amended to one year by Law No. 42/2018) or risk seizure by the government. Similar to Decree Law No. 66/2012, the law has been [used](#) as a punitive measure to target Syrians from former opposition-held areas particularly, punishing the exercise of **fundamental freedoms** as a result. The law provides the regime with legal cover to seize the properties of displaced and exiled civilians—many for whom it may be next to impossible to file a claim—without due process or compensation. It additionally normalizes and seeks to make permanent the impacts of forced displacement and demographic change.

2019

DEC

Law No. 39/2019 Amending the Military Conscription Law Promulgated by Decree Law No. 30/2007

This [legislation](#) amended Syria's Military Conscription Law to [allow](#) the Ministry of Finance to immediately seize and sell the assets of men who fail to serve in the military or pay the \$8,000 exemption fee, without any prior notice or recourse to challenge the decision. Under [a 2017 amendment to the same law](#), individuals who exceed the age of military service and have yet to complete it are required to pay a fine of \$8,000. If not paid within three months, the individual would face imprisonment for up to one year and/or a conditional assets seizure pending a court judgment. HRW has [identified](#) the 2019 amendment as part of a series of laws used to "punish" Syrians who flee the conflict and those "perceived (to be) political dissidents," thus implicating their exercise of **fundamental freedoms**. More broadly, the Syrian regime has continued to apply the Military Conscription Law, which makes military service compulsory and fails to recognize the right to **conscientious objection**, [derived](#) from the right to **freedom of thought, conscience, and religion**. Though the regime has issued a [number of amnesties](#) for deserters and draft dodgers under the Military Conscription Law over the past decade, individuals who have turned themselves in have still been required to serve in the military, and those who have [opposed](#) the Syrian regime have not been eligible for amnesty.

2020

JAN

Decree Law No. 4/2020 Amending Article 309 of the Penal Code Promulgated by Decree Law No. 148/1949 and its Amendments

This [legislation](#) amends the Penal Code and affects **freedom of expression** and **access to information** by [increasing](#) the penalty for publishing "false facts" or "fake allegations" about fluctuations in the value of the Syrian pound. The Penal Code previously prohibited the publication of false news or "claims that undermine confidence in the 'state currency,'" stipulating punishments from six months to three years in prison and a fine of up to 1,000 Syrian pounds. These acts are now punishable under the amended law with imprisonment and/or a fine of up to five million Syrian pounds.

In addition to the above, Syria has also continued to enforce legislation passed prior to the uprising that restrict, implicate, and punish organizing on the ground and online. Among these are [articles](#) of the **Penal Code** that are [used](#) to arrest journalists and internet users on overly-broad charges like "threatening national unity" and "publishing false news that may weaken national sentiment." Syrian authorities have also used the **1958 Law on Associations and Private Societies** (Law No. 93), which grants security services the authority to [deny](#) licenses to civil society groups critical of the regime. 🇸🇾



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