

They Took Everything:

Confiscation of detainees' assets and funds in Syria



The Association of Detainees and the Missing in Sednaya Prison (ADMSP) seeks to reveal the truth about, and bring justice to, those detained on the basis of political opinions or activities. It strives to uncover the fates of missing and forcibly disappeared persons in Syria in general, and those in the infamous Sednaya Prison in particular. The Association addresses the people detained or missing in Sednaya Prison by documenting their numbers, the locations and dates of their disappearance, as well as the entities responsible for their arrest. It also strives to contact the families of the missing, and to provide them with moral support and convey their voices and express their suffering in all possible and available means. The Association also works to delineate the issue of detainees and missing persons to local and international public opinion, and to cooperate with local and international human rights organizations in conducting investigations on the issues of detainees and missing persons in Sednaya Prison.



Kamil Ocak Cd., İncili Pınar Mahallesi, 27090
Şehitkamil/Gaziantep
Türkiye
info@admisp.org

They Took Everything:

Confiscation of detainees' assets and funds in Syria

March 2022

All rights reserved ©

There will be no true process of accountability and justice without the victims and their relatives at its core, because only a victim-centred justice that takes their needs, vision, and priorities into account will ensure a lasting peace. Moreover, the demands of the victims and their relatives, including the immediate release of prisoners; revealing the fate of the missing and disappeared; the immediate halt of torture; and the abolition of exceptional courts; must be considered nonnegotiable humanitarian demands; a sine qua non for the holding of any talks or negotiations.

Truth and Justice Charter: A common vision on the question of enforced disappearance and arbitrary detention in Syria by Syrian victims' and family members' organisations.

Table of Contents

Executive Summary.....	7
Procedures and Consequences of Detention.....	7
Confiscation of the Property of Detainees.....	8
Introduction.....	9
Report Parts.....	9
Methodology and Aample.....	9
The Road to Sednaya.....	13
Social and Demographic Backgrounds of Detainees.....	13
Procedures Followed at the Moment of Arrest.....	16
Security Agencies and Branches Responsible for Arrests.....	17
Charges and Sentences.....	18
Release from Detention.....	24
Confiscation of the Fixed and Movable Property of Detainees.....	27
Property Confiscated by Judgment Decision or other Official Decisions: its Type and Value.....	29
Conclusion and Recommendations.....	36

“When I got out [of prison] I found out I’d lost even more than I realised. The regime had confiscated everything we owned: our properties, our businesses - we owned a shop for laptops and computer maintenance, they’d taken all of that. My father had sold the cars to pay bribes to get my brothers out of prison. Before the revolution we had 10,000 square metres of land and our house was 750 square metres. Half of our land has been given to the Iranian military and the other half will be taken to auction. Of course, we will get nothing. They have taken everything from us, and we can’t do anything about it. My brothers and I have been stripped of all our rights so we can’t make any claim to get back what is rightfully and legally ours”.

Tarek Ibrahim, an activist whose name has been changed to protect his identity, was arrested in 2012 in connection with his work documenting human rights violations by the Syrian regime and helping to provide emergency supplies to families displaced by the conflict. He was severely tortured in Sednaya and after eight years in various prisons he was finally released in April 2020. His family paid a huge amount of money to get him released from prison. After his arrest the regime seized all his family’s property and assets, His wife who was also threatened with arrest fled to Saudi Arabia with their daughter whom he has never met. Upon his release, he fled to Turkey but has no ID, no means of working and no rights.

Executive Summary

This research aims to provide a comprehensive overview of detention in Syria to deepen our knowledge about what happened and what continues to happen to Syrian detainees and their families, and in particular detainees at Sednaya military prison. The report highlights the ongoing scale of abuses in detention based on information gathered from a survey of 801 former detainees. It also reveals how the Syrian regime uses the confiscation of assets as a source of revenue and a tool to punish detainees, with consequences often lasting long after their release.

The Association of Detainees and the Missing of Sednaya Prison (ADMSP) estimates that more than \$1.5 billion worth of assets including land, property and material goods have been confiscated by the regime since 2011. This information is based on information from an in-depth survey of a sample of 105 detainees whose assets were confiscated after their arrest. The true figure is likely to be even higher because this estimate is based on confiscations made through official decisions such as court rulings, whereas the findings of the survey indicate that the majority of assets are seized unofficially. The estimate is also based on a conservative estimate of at least 250,000 detainees arrested since 2011. The true number of people detained and disappeared by the regime during that period is believed to be closer to one million.

The report has two main focuses:

1. Providing an overview of detainees' experiences from arrest to release
2. Revealing the scale and value of assets confiscated from detainees by the Syrian regime.

Overview of detention in Syria:

The report provides a comprehensive picture of detention in Syria based on information gathered from 801 former detainees. It publishes statistical data on the social and demographic profiles of detainees, the place and date of arrest, the agencies responsible for carrying out the arrests, abuse in detention, charges and sentences and the means by which detainees were released.

98% of detainees interviewed said they were subjected to torture and this abuse was not found to be confined to specific branches or prisons, highlighting the widespread and systematic nature of this abuse.

One of the most alarming new trends that has emerged in this report is in relation to the detention of children - the percentage of children detained (4%) is double that which was recorded in ADMSP's 2019 report on detention in Syria.

Overall, the report indicates that the vast majority of detainees were arrested from their place of work. In most cases the arrest resembled more of an abduction. Only 17% of respondents said the party that arrested them identified themselves at the time of arrest. The majority of detainees surveyed (62%) were arrested by the Military Intelligence Division with just a quarter arrested by the General Intelligence Department. 65% of respondents were tried in military field courts - these proceedings fall far short of international fair trial standards and cannot be considered legitimate trials. For those tried in judicial courts according to the Syrian Penal Code the majority were charged with offences were most frequently prosecuted for offences such as belonging to banned parties or associations (30.85%), weakening national sentiment or stirring racial or sectarian strife (14.93%) or propagating fake news (8.96%). More than a third of detainees remained in detention for longer than their prison sentence they had been given.

The report also reveals that those detained in Sednaya prison are mostly young, educated or professional people from specific geographical areas (namely Idlib, Homs and Aleppo).

Confiscation of detainees' assets:

Based on a survey of 105 former detainees, this section of the report discloses the full scale of the regime's practice of confiscating detainees' assets as well as highlighting the often longlasting impact this has on detainees and their families.

Residential homes, land and property were frequently confiscated. The material goods confiscated primarily consisted of cars, home furnishings, and cash or bank balances, electronic devices, jewelry, agricultural equipment and commercial merchandise.

In total, the report estimates that the Syrian regime has seized at least \$1,538,000,000 US dollars worth of detainees' assets. More than \$32 million US dollars in assets is estimated to have been confiscated from Sednaya prison alone in one year (assuming there were 5219 detainees held there in 2015 and the confiscation took place once for each detainee).

The report highlights a notable increase in the confiscation of detainees' assets with the percentage of detainees who had their assets seized rising from 18.66% before 2011 to 38.14% for those arrested after March 2011.

In recent years Syria has faced a crippling economic crisis which has seen a sharp rise in poverty compounded by economic sanctions. The seizure of assets has provided the regime with valuable income but it also has been used as a tactic to punish survivors of detention even after their release. Many who were freed found themselves homeless, impoverished or facing serious financial hardship. Of the detainees who had assets confiscated, more than half had \$50,000 or more worth of assets seized from them.

One of the detainees interviewed for the report, Muhammad, who was detained for eight years said the regime had taken everything from him confiscating his family's home and factory: "This is the policy of the regime: they will destroy everything you have if you dare to oppose it," he said.

Conclusions

These findings must serve as a wake up call to the international community about the ongoing scale of unlawful detention and the inhumane treatment of detainees in Syria. Members of the international community must push for the immediate release of all those unlawfully detained in Syria and for an end to torture and other cruel and inhumane treatment in detention. The Syrian regime must be held accountable for unlawfully confiscating the assets of detainees for its own gain. Any steps towards justice must be based on the aspirations and needs of victims and their family members.

The international community must also recognise that the confiscation of detainee assets is one way the regime is circumventing sanctions and consider the impact of this on the efficacy of such measures.

The report concludes with a set of key recommendations to families of detainees, those forcibly disappeared or missing to take action to protect their property and inheritance. This can be done by taking steps to guarantee inheritance by dividing financial assets among family members and registering property in children's names in advance to minimize risk of assets being seized. Obtaining copies of real estate registration documents for property and other official documents is also advisable. For agricultural land, in addition to real estate registration documents, a survey plan of the property and copies of the decision to offer the plot for investment must also be obtained to determine the profitability of the property.

Introduction

This new report comes as part of a series of research carried out by the Association of Detainees and the Missing in Sednaya Prison to understand what happened and what is happening with Syrian detainees and their families in general and the Sednaya detainees in particular. Recently, there have been many news and reports about the Syrian regime's control over the property of detainees, missing persons and their families from homes to agricultural lands and others¹. Most are based on a limited number of interviews with former detainees and lack details on the value of the property seized by the regime. Therefore, this is the first time that estimates have been built according to field data collected with a strict and precisely defined methodology on the nature and value of movable and immovable property seized by the Syrian regime after the revolution through arrests. In addition, accurate figures will be provided regarding the social and demographic backgrounds of detainees, the place and date of arrest, the procedures followed at the moment of arrest, the agencies responsible for arrests, trials and ways out of prison.

Report parts:

The first reviews the procedures for the arrest process. This section re-analyses the data released in the first report of the Association of Sednaya Detainees and the Missing Persons (401 respondents), but based on a sample consisting of twice the previous number (801 respondents) in order to obtain more accurate numbers regarding what happened to them from the moment of arrest until their release from prison. The second section deals in detail with the issue of property. It focuses on estimating the amounts collected by the regime through the seizure of properties by official decisions. The calculation of estimates is based on interviews with 105 former detainees whose property was confiscated by official decisions: either through the referee's decision or other decisions. These 105 detainees were contacted to fill out an additional survey specifically aiming to calculate the money seized by the regime.

Methodology and sample

This report mainly adopts the same methodology as the first report, "Detention in Sednaya Report on the Procedures and Consequences of Political Imprisonment" (2019)². The main difference lies in the sample size: In the first report, it was the result of 401 interviews with survivors of Sednaya prison. As for this report, it is based on 801 interviews with detainees of Sednaya prison (of which 504 were detained after the revolution in March 2011 and 297 detained before). Following that, we chose two new samples as we found that the properties of 246 detainees were seized (about a third of the sample). Of those 246, 72 of them had their property confiscated by court rulings against them. But there is a big difference between those who were detained before the revolution and those who were detained after. The percentage of those whose property was confiscated before the revolution did not exceed 19%, but it exceeded the 38% of those arrested after the revolution (193 detainee). Of these 193 persons, 59 had their property confiscated (29,06%) through to a court

1 See for example: "Through the "terrorism" court, the regime confiscates the property of dozens of detainees and opponents, south of Damascus", Zaman al-Wasl, June 6, 2021. Saleh Malas and Zainab al-Masry, "A legal weapon for collective punishment. Syrian laws violate the property of the disappeared", Enab Baladi, January 31, 2021. Rafia Salameh, Property Confiscation. Post-Prison Tomb Dissension, Untold Story, July 17, 2018. A leaked official decision to confiscate the property of opponents of the regime and transfer it to the ownership of the "Syrian Arab Republic," Al-Quds Al-Arabi, August 20, 2017.

2 For more details on the methodology, see pages 16-17 of the report. This report entitled "Detention in Sednaya: Report on the Procedures and Consequences of Political Imprisonment" (2019) is available online through the following link: <https://bit.ly/2WRd4Pp>

ruling issued against them. Therefore, in order to obtain more information to estimate the value of the detainees' properties that the regime seized control of after the revolution and by official decisions, we conducted a survey with 105 survivors who had been arrested after the revolution and said that their property had been confiscated according to the court ruling issued against them or had been seized according to other official decisions.

The survey was conducted online after communicating with survivors via email, phone or WhatsApp. The property form included questions about the nature of the property (car, house, workshop, land ... etc.) and its value.

After that, we calculated the value of the money that the regime officially laid hands on from the post-revolution detainees (through court order or other decisions), assuming 250,000 people were arrested. This is a very conservative estimate of the number of detainees who entered prison in Syria after the start of the revolution in 2011. This is a very conservative estimate as³, more than one million Syrian citizens were exposed to the experience of detention.

³ Syrian Networks for Human Rights, The Ninth Annual Report about Torture in Syria at the International Day of Support for the Victims of Torture. June 2020. <https://bit.ly/3k2NJs4>

"There was nothing for me to go back to. When the regime took control over our village, they demolished everything. They tore down our house, they cut down all our olive trees and sold them. They've kept hold of our land and used it to farm to make money for themselves... The regime said there were terrorists living there, they wanted to wipe us out. They wanted to make sure we would never come back... When I found out we'd lost all of this as well I felt like my whole future had been wiped out, Today I'm working but I'm still recovering from tuberculosis so it's quite limited what I can do. We need so much help. I've had to borrow money to pay for our children to go to school".

Hassan from Aleppo was arrested in 2012 and imprisoned for seven years after being accused of participating in protests. He spent four years in Sednaya prison where he was tortured and became extremely ill with tuberculosis. Upon his release in 2019 he discovered his family had lost everything. He is now living in Turkey, but life is hard. The regime seized more than \$40,000 worth of property and land and \$10,000 in bribes from his family.

The road to Sednaya



Social and Demographic Backgrounds of Detainees

As appears in Table 1, more than 85% of detainees were between 18-37 years of age at the time of arrest. More than half of the detainees are young people under the age of 27. About a third of them are between 28-37 years old. This result reflects the youthful nature of the revolutionary movement in Syria. Interestingly, there are children under 18 (about 4%). This percentage is greater than the one that appeared in the first report by 2%. As for those over 48, their percentage was about 3%.

The majority of them were married (56.3%) and 83.77% of them were engaged in some work. That is, the effects of the arrest do not affect the prisoner alone, but his wife, and often there are children who are exposed to all kinds of psychological damage that result from the loss of their father at a young age.

More than half of them (about 56%) were working in civilian (non-military) professions. About half of them are college students. This reflects the great impact on the Syrian society, which is in dire need of these competencies. Their fields of study are diverse, but about half of them studied military sciences. About a quarter of them studied natural sciences, and the remaining quarter studied social sciences and humanities.

Although the overwhelming majority of detainees were Sunni Arab Syrians, there were detainees of different nationalities (there were Turkish, Iraqi, Lebanese and Palestinian), and of multiple ethnicities or nationalities and sects (there were Kurdish, Turkmen, Dagestan, Circassian, Chaldean, Armenian, Ismaili, Alevi, Christian, and Yazidi).

As for the governorates, Idlib (about a quarter), Homs and Aleppo (about 14% each), come in the forefront and in similar proportions, then Hama (about 10%). Then Rif Dimashq, Deir ez-Zor and Damascus (up to 5%), and it declines to less than 4% in the rest of the governorates.

In short, detention in Sednaya targets young people, educated people, married people, professionals and some geographical areas more than others (Idlib, Homs and Aleppo). This will have an important detrimental impact on the future of Syria and its future generations, as it reduces the human capital available for reconstruction, once the war is over. These findings support our findings in the first report.

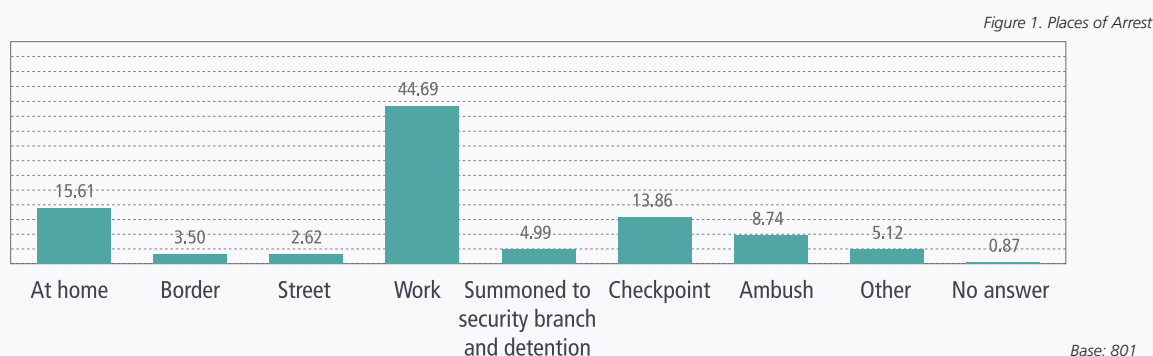
The most prominent difference between the two reports is the case of children detainees: they are about twice as many as compared to the first report.

Table 1. Social Backgrounds and Demographics of Sednaya Detainees

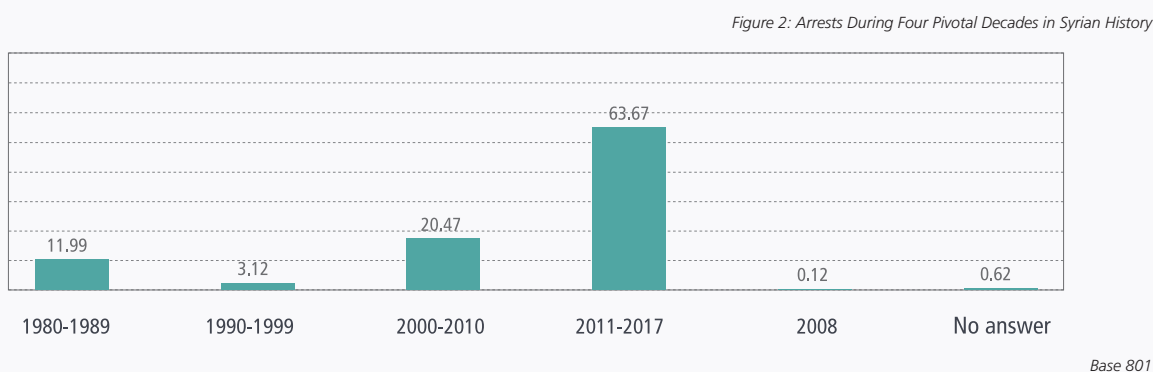
Nationality	Number	Percentage	Educational level at arrest	Number	Percentage	Age at arrest	Number	Percentage
Syrian	782	97,63	Illiterate	19	2,37	Less than 18 years old	34	4,24
Turkish	4	0,50	Literate	10	1,25	Years 18 - 27	397	49,56
Iraqi	4	0,50	Elementary education	76	9,49	Years 28 - 37	276	34,46
Lebanese	1	0,12	Middle school	110	13,73	Years 38 - 47	69	8,61
Palestinian-Syrian	7	0,87	High school	138	17,23	48 years and above	17	2,12
No answer	3	0,37	Higher Institute	53	6,62	No answer	8	1,00
Total	801	100.00	University	373	46,57	Total	801	100.00
Ethnicity	Number	Percentage	Post-Graduate education	6	0,75	Governorate	Number	Percentage
Arabic	762	95,13	No answer	16	2,00	Idlib	182	22,72
Kurdish	18	2,25	Total	801	100.00	Aleppo	114	14,23
Turkmen	6	0,75	Academic Specialization	Number	Percentage	Homs	110	13,73
Dagestani	1	0,12	Philosophy, social sciences and humanities	87	26,09	Hama	76	9,49
Circassian	2	0,25	Natural sciences	108	21,01	Rural Damascus	55	6,87
Chaldean	1	0,12	Military science	219	52,90	Deir ez-Zor	52	6,49
Armenian	1	0,12	Total	414	100.00	Damascus	42	5,24
No answer	10	1,25	Civil Status at Arrest	Number	Percentage	Raqqqa	25	3,12
Total	801	100.00	Single	312	38,95	Daraa	26	3,25
Religion-Belief	Number	Percentage	Engaged	19	2,37	Hasakah	70	8,74
Muslim	763	95,26	Married	451	56,30	Latakia	19	2,37
Non-religious	20	2,50	Divorced	2	0,25	As Suwayda	3	0,37
Yazidi	1	0,12	No answer	17	2,12	Quneitra	10	1,25
Christian	3	0,37	Total	801	100.00	Tartous	3	0,37
No answer	14	1,75	Occupation at Time of Arrest	Number	Percentage	No answer	14	1,75
Total	801	100.00	Working	671	83,77	Total	801	100.00
Sect	Number	Percentage	Unemployed	6	0,75	Nature of Work at Time of Arrest	Number	Percentage
Sunni	757	94,51	Student	83	10,36	Work in civilian entity (civilian)	380	56,63
Ismaili	2	0,25	Officer Cadet	28	3,50	Working in military or security (military)	291	43,37
Druze	2	0,25	No answer	13	1,62	Total	671	100.00
Alawite	6	0,75	Total	801	100.00			
Catholic	1	0,12						
Orthodox	1	0,12						
No answer	32	4,00						
Total	801	100.00						

The analysis of the results shows that the largest percentage of those wanted by the security services are arrested from their workplace (about 44%). Arrest at home comes next with an important difference (at 16%), and after it at the checkpoints (14%), then by ambushes for wanted persons (9%). This is followed by arrest at the border or summons to one of the security branches and arrest therein (Fig. 1). In most cases, the workplace of the arrested individuals was either within the military or the security sector. Military individuals were employed by one of the state institutions in Syria.

Compared to the first report, the most important difference appears in the case of arrest at checkpoints. The percentage is about 3% more than that in the first report.



If we look at the data according to four detailed decades in the history of Syria since the time when Hafez El Assad seized power until the present time (Fig. 2), we note that the arrival of Bashar El Assad into power time period witnessed a significant increase in arrests even before the Syrian revolution: about 20% of arrests took place between 1980-2017. But the number of arrests reached its peak after the start of the Syrian revolution in 2011. About 6 out of 10 arrests (64% of cases in the same period - between 1980 and 2017⁴). This number is significantly higher than the one reported in our previous report, of around 52%.

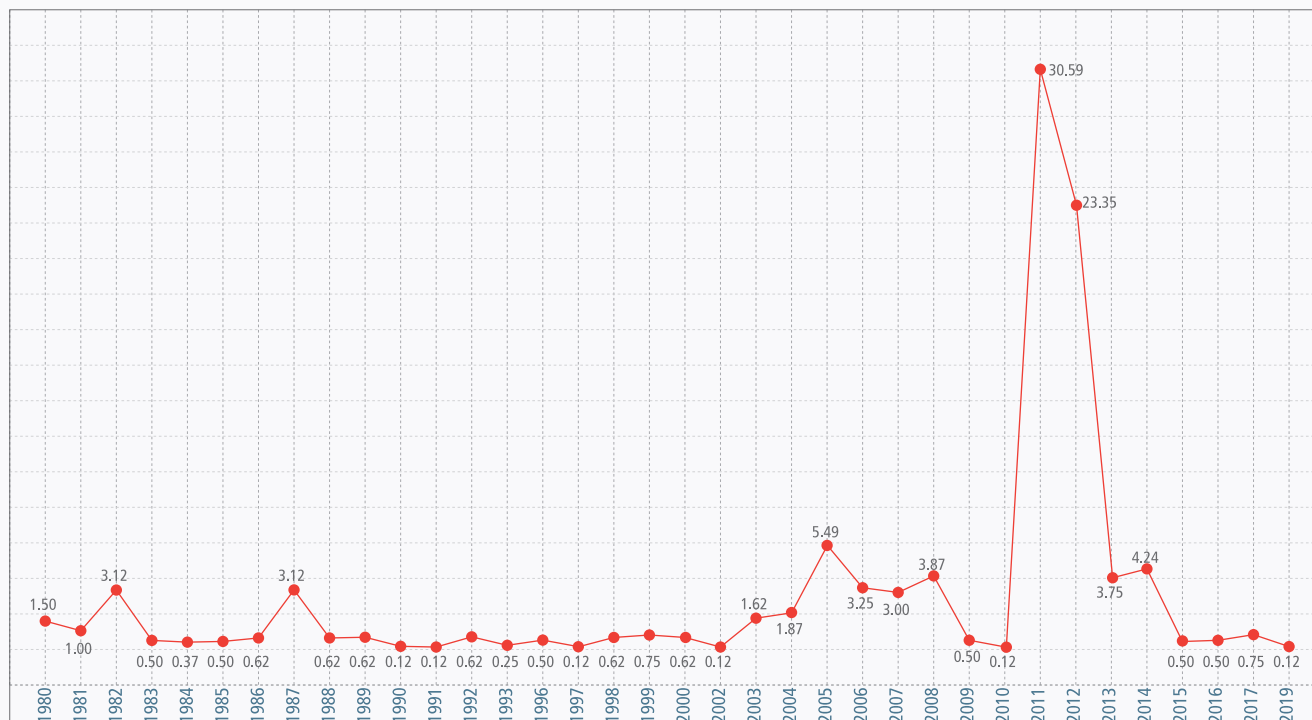


If we look in more detail at the years of detention, we can see the key dates which witnessed the highest number of arrests at the time of Hafez El Assad, in 1982 and 1987 (what is known as the events of the 80s). As for the era of Bashar El Assad, it was in 2003 and 2005. (The period following what was known at the time as the Damascus Declaration and the American occupation of Iraq and the subsequent activity of Salafi and jihadist tendencies in Syria)

It gradually declines and then reaches its climax by a very large difference from all previous dates in 2011, the date of the start of the Syrian revolution and the official declaration of war on Syrian society by the regime and its allies (Fig.3).

⁴ We refer to arrests that took place since 1980. Although the detainees in our sample are Sednaya prisoners, many of them were detained before the establishment of the prison and were transferred to it later after 1987. This data depends on the year of detention.

Figure 3. Years of Arrests



Procedures Followed at the Moment of Arrest

Table 2 demonstrates that what happens in practice does not resemble what is typically referred to as an arrest, but is closer to an abduction. Only about 17% said that the party that arrested them introduced itself at the time of arrest. In rare cases (less than 1%), these authorities showed an arrest warrant issued by a legally authorized authority, or informed the detainee/abductee of the reasons for his arrest (less than 2%). The most prominent difference from what we found in our previous report lies in the high percentage of those who said that the detaining party introduced themselves at the time of arrest (it was about 10% in the first report).

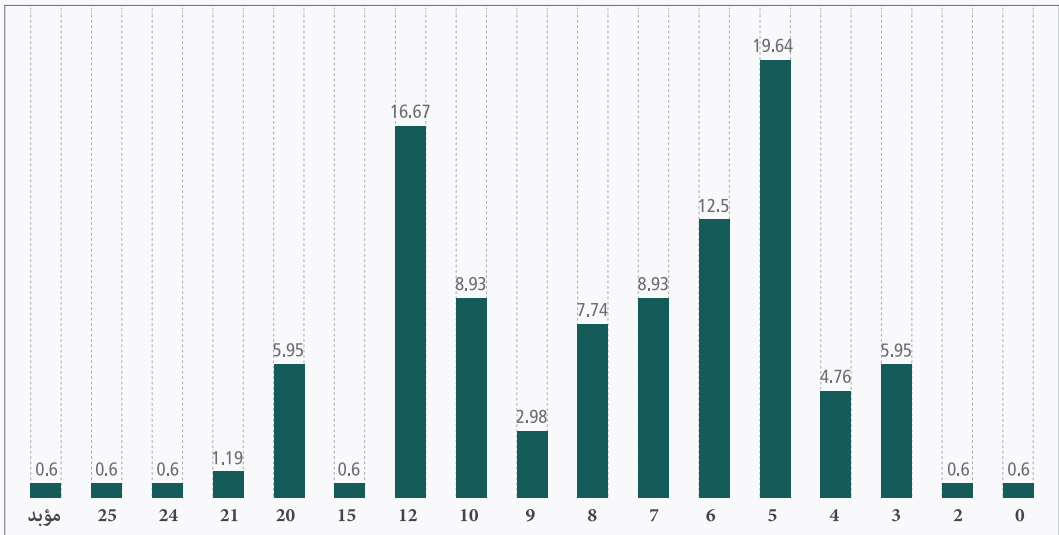
Table 2. Arrest Procedures

	Yes	No	No answer
Did the people carrying out the arrest make themselves and the entity they represent known at the moment of your arrest?	17,35	81,15	1,50
Was an arrest warrant or order issued by a legally recognized authority produced?	0,87	98,25	0,87
Were you informed of the grounds for your detention at the moment of arrest?	1,62	95,51	2,87

Security Agencies and Branches Responsible for Arrests

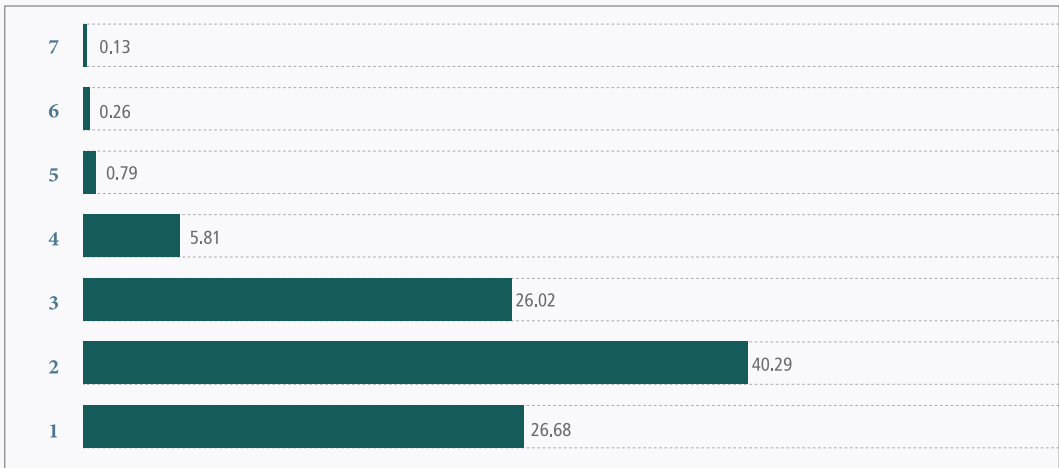
The Military Intelligence Division comes first as responsible for arresting the majority of detainees in Sednaya (about 62%), then comes the General Intelligence Department (about a quarter of the detainees). These results differ from what we found in our first report. It seems that the Intelligence Department plays a greater role than what appeared in that report. The vast majority of detainees pass through more than one branch. Only about a quarter said that they passed through one security branch (Figures 4 and 5).

Figure 4. The Security Branch Conducting the Arrest*



* A significant proportion of the detainees reported more than one security apparatus responsible for their arrest, with the agency carrying out the arrest directly transferring them to another one.

Figure 5. Number of Security Branches the Detainees Passed Through



Almost no one among the respondents escaped torture, and it is not confined to specific branches or prisons (Figures 6 and 7). Almost all of those we interviewed said they had been tortured. All kinds of torture accompany the detainee from the moment of his arrest until his arrival at Sednaya. As shown in Figure (7), about 87% said that they were tortured in prison and in the security branches they passed through before arriving to Sednaya (or after leaving it).

Figure 6. Subjection to Torture

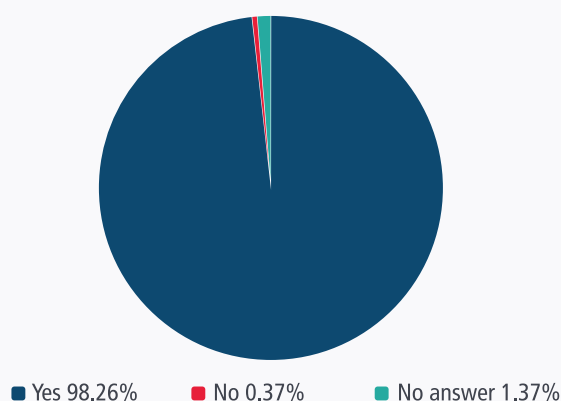
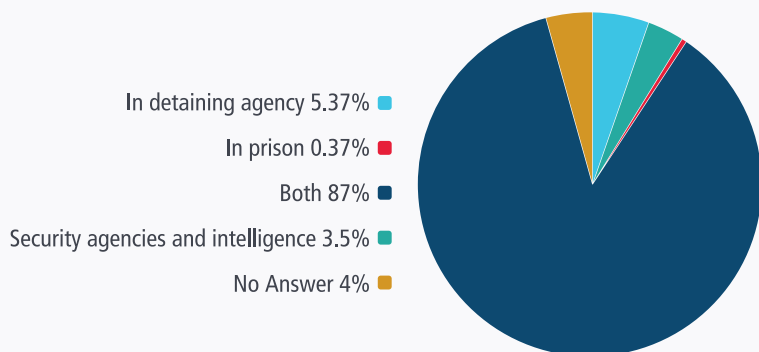
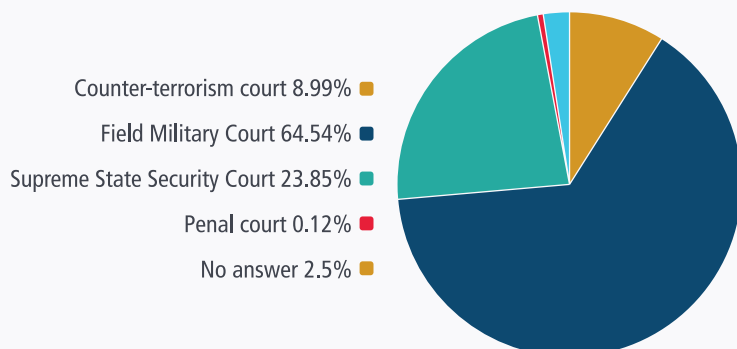


Figure 7. Location of Torture



Base: 801

Figure 8. The Court to which Detainees Were Brought Before



Base: 801

More than 90% are brought in front of a court, but which court?

Most get tried by the **Field Military Court** (around 64%) (Figure 8). This percentage is greater than the one in the previous report (57%). These courts⁵ are nothing more than a mere tool to liquidate opponents and terrorize society. **The majority of detainees do not know whether they were tried according to the Syrian Penal Code or not (Table 4). This is greater than the percentage reported previously, where it reached about one third.**

Only about 19% said that they were tried according to this law (less than the previous report, where it was about a quarter), while about a quarter answered negatively (less than the previous report, where it was about 36%) (Table 3).

The question then is ‘what is the nature of the charges and judgments issued by these courts?’.

This is what we will learn in the following lines. From the answers of those who said that they were prosecuted according to the Syrian Penal Code, the most frequently used articles were those related to belonging to banned parties or associations (30.85%), weakening national sentiment or awakening racial or sectarian strife (14.93%), propagation of fake news outside (8.96%).

In short, they are articles that benefit the liquidation of any activity of any political opposition inside or outside the country. All opposition societies are prohibited, and any writings or speeches about the Syrian reality can be classified as awakening racial or sectarian strife. As for broadcasting false news abroad, it is most likely directed primarily at censoring the Internet, whether the accused is inside or outside the country (Table 4). There are no significant differences from what we found in the previous report.

Table 3. Trial Proceedings

	Yes	No	I Don't Know
Were you brought before a court?	94,38	4,12	1,50
Were you tried according to legal provisions of the Syrian Penal Code?	19,48	24,84	55,68
Did the judge notify you of the term of your sentence?	21,60	72,66	5,74

Base: 801

⁵ Refer to previous report “Detention in Sednaya Report on the Procedures and Consequences of Political Imprisonment” (2019) for detailed explanation on each of these courts.

Table 4. Articles of the Syrian Penal Code Under Which the Detainees Were Tried

Article	Number	Percentage	Article Provisions
Article 267	4	1,99	<ol style="list-style-type: none"> 1. Any Syrian who attempts to engage in acts, speech, and writing or anything else aimed at partitioning a part of Syrian territory and its annexation to a foreign state, or to impart on it a privilege that is reserved for the Syrian state, shall be liable to a term of imprisonment of at least five years. 2. If the perpetrator, at the time of committing the act, was a member of one of the associations or organizations referred to in Articles 288 and 308, they shall receive life imprisonment.
Article 271	1	0,50	Any person who has entered or attempted to enter a restricted place in order to obtain materials, documents, or information that must remain concealed for the security of the State shall be punished by at least one year's imprisonment, and if they committed the act with the purpose of espionage, they shall receive a term of hard labor imprisonment.
Article 272	1	0,50	<ol style="list-style-type: none"> 1. Whoever steals or obtains materials, documents, or information as mentioned in the preceding Article shall be punished by a term of hard labor imprisonment. 2. If the crime was committed for the benefit of a foreign state, the penalty is life imprisonment with hard labor.
Article 273	1	0,50	<ol style="list-style-type: none"> 1. Whoever possesses documents or information mentioned in Article 271, and publicizes or discloses them without a legitimate reason, shall receive a term of imprisonment of between two months and two years. 2. If they disclose them for the benefit of a foreign state, they shall receive a prison term of five years with hard labor. 3. If the offender retains such information and materials as a state employee, worker, or agent, they shall be liable to a term of imprisonment provided for in paragraph 1, and life imprisonment with hard labor in the case provided for in paragraph 2. 4. If one of the above-mentioned persons is guilty only of an inadvertent mistake, the penalty shall be a term of imprisonment of between two months and two years.
Article 278	10	4,98	<p>The following shall be punished by a term of imprisonment:</p> <ol style="list-style-type: none"> a) Whoever breaches measures taken by the state to maintain its neutrality in war. b) Whoever attempts acts, writing, or speech unauthorized by the government and by doing so places Syria at risk of hostile action, disturbs its relations with a foreign state, or subjects Syrians to acts of revenge befalling them or their property.
Article 285	30	14,93	Whoever, in Syria during wartime or when war is anticipated, makes claims aimed at weakening national sentiment, or inciting ethnic or sectarian strife, shall be punished with a term of imprisonment.
Article 286	7	3,48	<ol style="list-style-type: none"> 1. The same punishment shall befall whoever broadcasts, in Syria in the same circumstances, news that is known to be false or exaggerated and could weaken the spirit of the nation. 2. If the perpetrator considers these reports to be valid, they shall receive a term of imprisonment of at least three months.

Article 287	18	8,96	<ol style="list-style-type: none"> 1. Any Syrian abroad who knowingly broadcasts false or exaggerated news that would undermine the prestige of the state or its financial status shall be punished by a term of imprisonment of at least six months, and a fine of between one hundred and five hundred pounds. 2. The court can order the judgment to be published.
Article 288	2	1,00	<ol style="list-style-type: none"> 1. Whoever attempts, in Syria without the permission of the government, to engage in a political or social association of an international nature, or in an organization of this kind, shall be punished by a term of imprisonment or house arrest of between three months and three years, and a fine of between one hundred and two hundred and fifty pounds. 2. The term of imprisonment for whoever assumes a functional role in said association or organization shall not be less than one year of imprisonment or house arrest and a 100-pound fine.
Article 297	1	0,50	Whoever attempts, without the consent of the authority, to form armed factions, or to recruit, equip, or supply them with weapons or ammunition, shall be liable to a term of imprisonment.
Article 304	6	2,99	Terrorist acts are all acts aimed at creating a state of terror, and are committed by means such as explosive devices, "weapons of war," inflammable substances, toxic or incendiary products, and epidemiological or microbial agents that pose a public risk.
Article 305	21	10,45	<ol style="list-style-type: none"> 1. Conspiracy intended to commit an act or acts of terrorism shall be punishable by hard labor from ten to twenty years. 2. Any act of terrorism shall be punishable by hard labor for between fifteen and twenty years. 3. The act of terrorism shall be punishable by death if it results in sabotage, even partial, of a public building, an industrial establishment, a ship or other installations, or the disruption of the means of intelligence, transport, and communication, or if it leads to the death of a person.
Article 306	62	30,85	<ol style="list-style-type: none"> 1. Any association established with the aim of changing the economic or social structure of the state, or the basic conditions of society by one of the means mentioned in Article 304, shall be dissolved, and those who belong to it shall be subject to a term of hard labor. 2. The penalty for its founders and managers shall not be less than seven years. 3. The excuse or mitigation given to the conspirators under Article 262 covers the perpetrators of the crime specified above.
Article 307	9	4,48	<ol style="list-style-type: none"> 1. Every act, writing, or speech intended to incite sectarian or ethnic strife or to encourage conflict between sects and the various elements of the nation shall be punishable by a term of imprisonment ranging from six months to two years, and with a fine of one hundred to two hundred pounds, in addition to deprivation of the exercise of the rights mentioned in paragraphs 2 and 4 of Article 65. 2. The court can order the sentence to be published.
Un-known	13,93	28	
Total	132	100,00	

Charges and Sentences

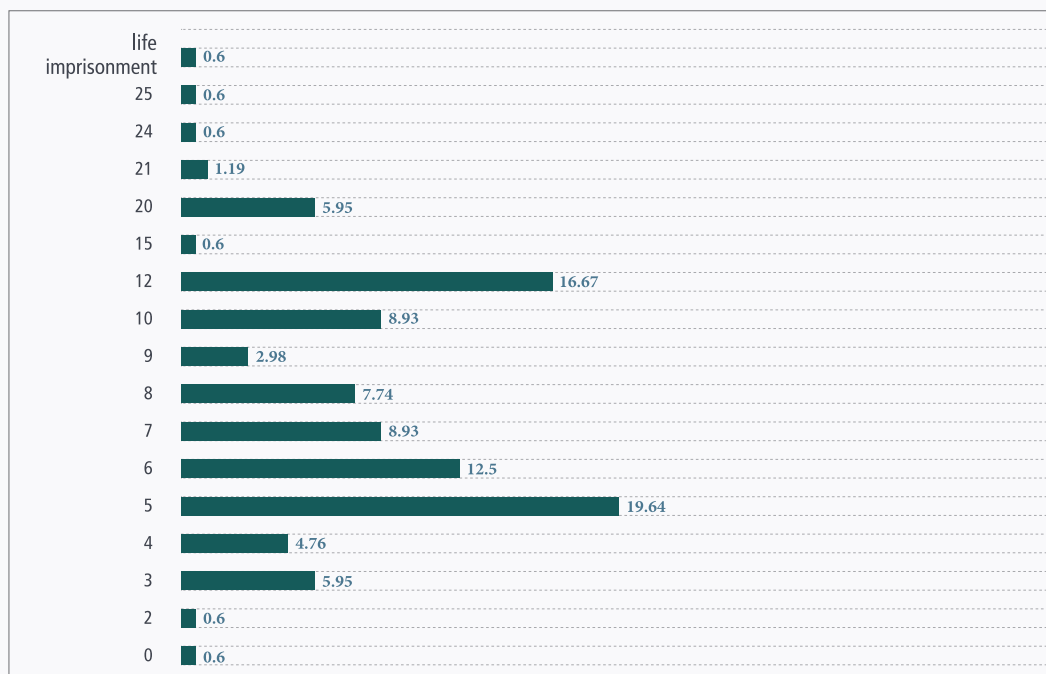
The charges against detainees in Sednaya are varied: opposing the revolution's goals of unity, freedom and socialism, affiliation to a secret society with the aim of changing the state's economic and social entity and the basic conditions of society, spreading false or exaggerated news that weakens national sentiment in times of war or when it is expected to erupt, provoking sectarian strife, undermining the prestige of the State, affiliation with a secret society that aims to overthrow the regime, an attempt to carve out part of the Syrian territory to annex it to a foreign country, belonging to a group planning terrorist acts, carrying out terrorist acts that led to the death of people. In addition, there are charges of dissent, demonstrating, dealing with "enemy" parties, and insulting the head of state.

The term of sentence, in general, ranged from 2 years to life imprisonment. About a third of detainees received sentences between 5-7 years, and approximately the same percentage were sentenced to 10 years or more (Figure 9).⁶

More than a third of detainees have spent more time in prison than their sentence (Figure 10).

By comparing the two reports, we find that the proportion of those who served a longer sentence than we thought. In the first report, the percentage was 31%. In the current report, we find that it is 37%.

Figure 9. Sentences by Years



⁶ Most of the respondents in the sample were detainees after the revolution that began in March 2011. Therefore, it should be noted that those who were released from prison are those whose sentences do not exceed nine years. This necessarily increases the proportion of sentences of less than nine years in our sample.

Figure 10. Relationship Between Sentence and Actual Detention Period. Base: 168

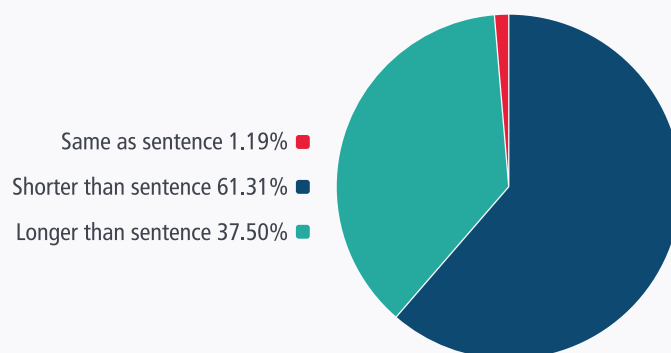
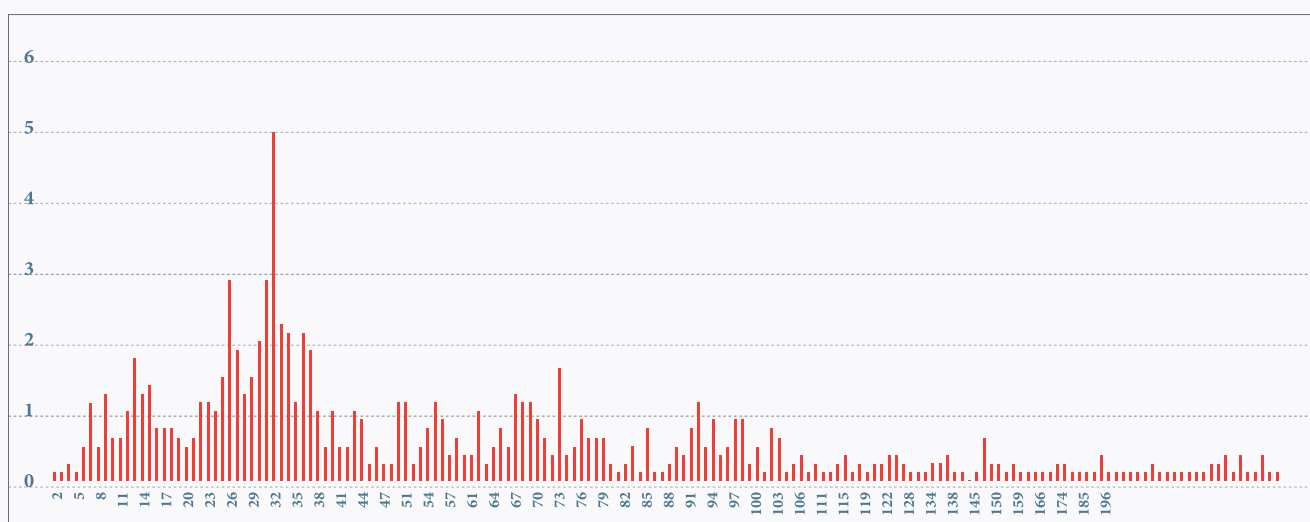


Figure 11. Actual Detention Missing months at the end



The overwhelming proportion of detainees have been stripped of their civil and military rights (68.91%).

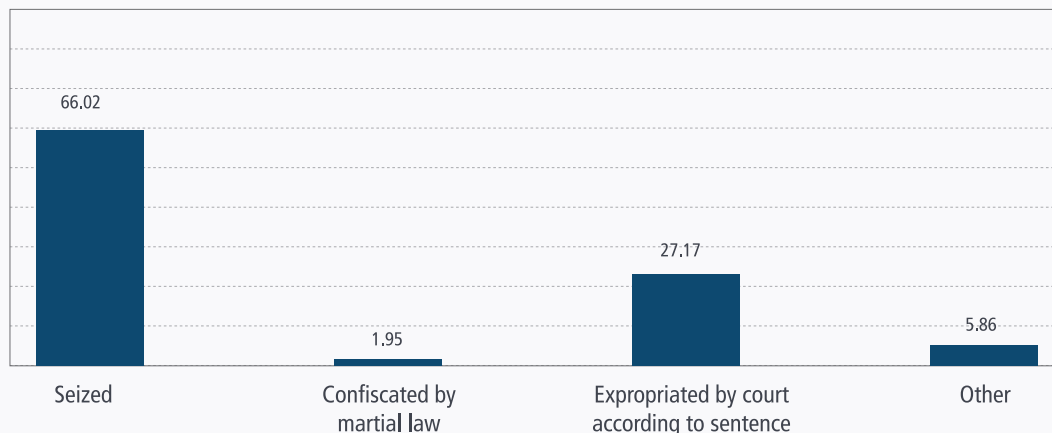
More than a third of fixed and movable assets were confiscated (Table 5). However, only about a quarter of the confiscation procedures were decided by these courts. Most of them (66.02%) were made through the appropriation of property without any ruling (Figure 12).

The main difference between the two reports lies in the fact that the percentage of those whose property was confiscated according to the ruling (26%) is lower than what was mentioned in the first report (about 32%).

Table 5. Confiscation of Property and Deprivation of Rights

	Yes	No	I Don't Know
Have you been stripped of your civil rights?	68,91	6,99	24,1
Have you been stripped of your military rights?	67,54	8,36	24,09
Has your fixed and movable property been confiscated?	30,71	52,56	16,73

Figure 12. Who Confiscated Your Fixed and Movable Property?

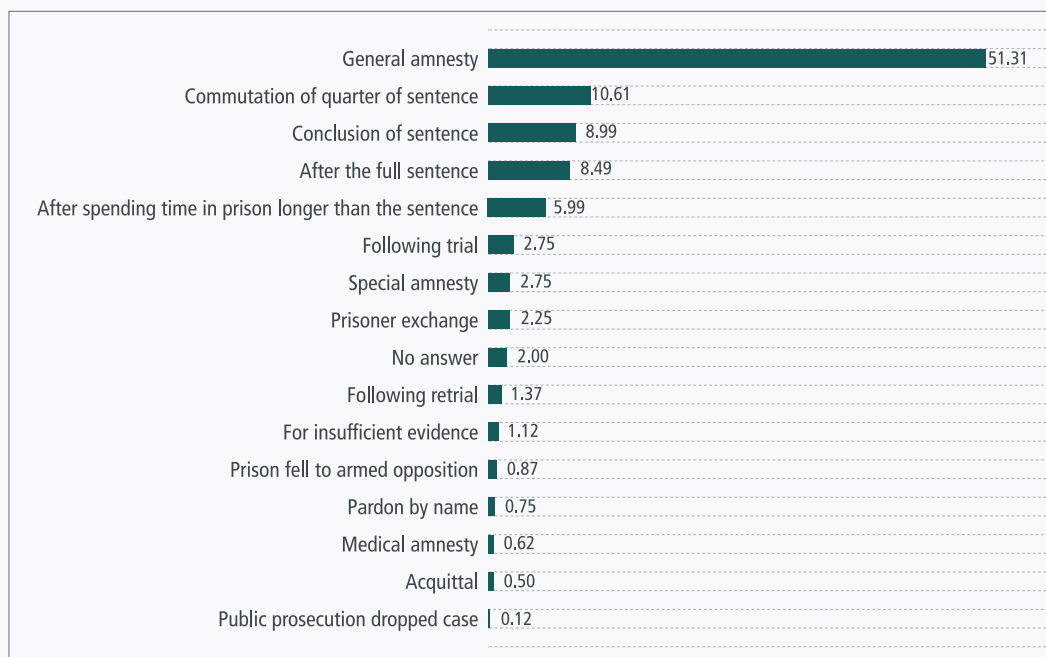


Base: 256

Release from Detention

About half of the Sednaya detainees were released under general amnesty (Fig. 13). For a better understanding of the amnesty and its effects on Sednaya detainees, we discussed: the occupation at the time of arrest (civilian/military), and the duration of sentences for those released according to the amnesty. About three quarters of the military were released under a general amnesty⁷, while only about 38% of civilians were released this way (Figure 14). But if we look at the data according to the period of detention (Table 6), we note that, unlike what we found in the previous report, there are no significant differences except for the case of release, where it is within the limits of 11% among those who spent between 1-6 years while not exceeding 6 % for others.

Figure 13. Methods of Release



⁷ Refer to previous report "Detention in Sednaya Report on the Procedures and Consequences of Political Imprisonment" (2019) for detailed explanation on each of these courts.

Figure 14. Methods of Release by Status (Civilian/Military). Base: 801 incl. Military (321) /Civilian (462)

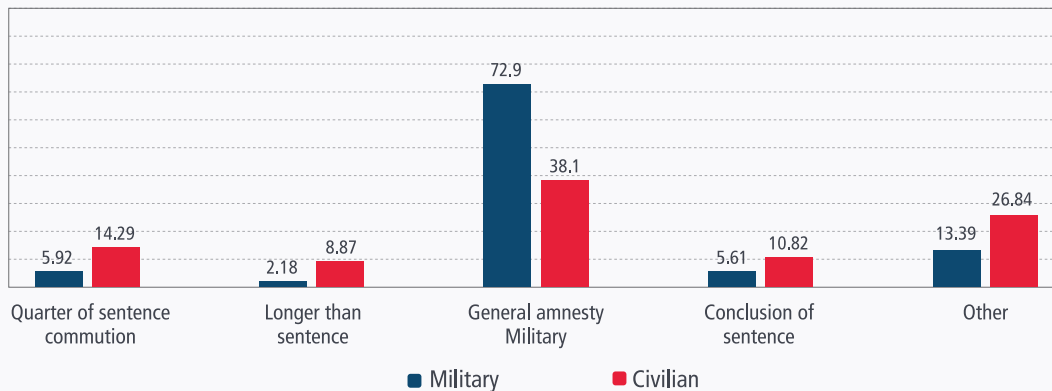


Table 6. Methods of Release by Term of Imprisonment

	Less than a year (By number)	1 to 3 years	3 to 6 years	More than 6 years
Quarter of sentence commuted	3,51	9,93	14,84	10,17
Imprisonment longer than sentence	8,77	4,30	7,14	7,20
Under a general amnesty	52,63	53,31	47,25	55,08
Upon conclusion of sentence	10,53	7,95	7,69	9,75
Release	5,26	11,92	9,89	5,93
Other	19,30	12,58	13,19	11,86
Total	100,00	100,00	100,00	100,00

Base: 797

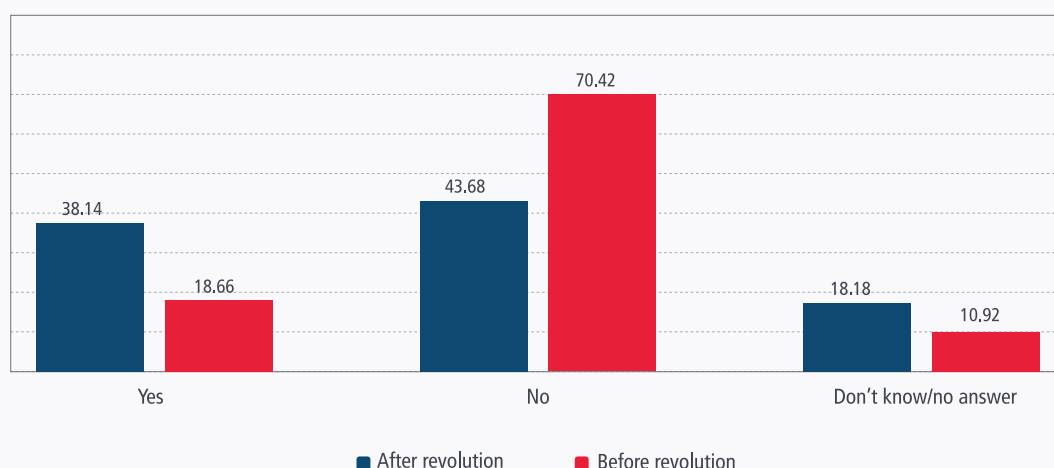
“My family paid everything they had to get me released... I never dreamed I would be free again. When I got out, the happiness I felt is indescribable... But very soon I learnt how much of my life the regime had stolen from me. My family said don't go home, there is nothing left for you. I never went back. Everything I had worked my whole life for - my house, furniture, our cars and shops, our land, everything was gone. There are no words for that. And my family had been crippled by the amount of money they'd had to pay to get me released, tens of thousands of dollars. So afterwards we had nothing. So many other families had everything taken from them too. Any communities that dared to stand up to the oppression were just wiped out. It is the punishment for all dissidents...They've taken everything we've had».

Osama al-Sheikh Hamed, from Hama, was previously a high-ranking officer in the Syrian military. He was arrested in June 2011 for refusing to order his troops to open fire against civilians in Jisr al-Shughour. He spent three years in Sednaya where he was brutally tortured and witnessed military officers who disobeyed orders being executed in front of him. He only escaped death because his family paid large sums of money to secure his release. His father died while he was in prison and his wife who had also grown sick died less than a year after he was released.

Confiscation of the Fixed and Movable Property of Detainees

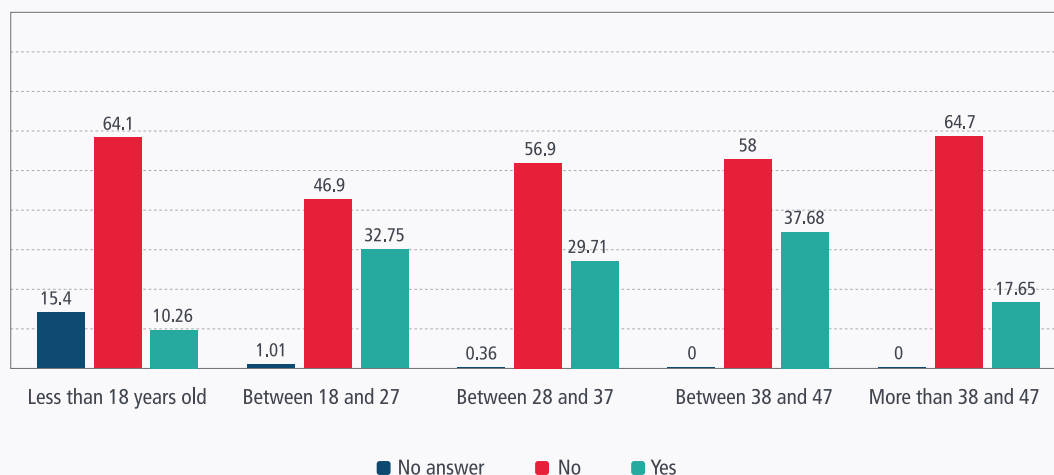
About a third of respondents said that their fixed and movable property had been confiscated. However, it is noted that this process of appropriating property did not take place at the same pace before and after the revolution. There is a big difference: 18.66% of those arrested before the revolution had their property confiscated, but the percentage rises to 38.14% among those arrested after it (Figure 15).

Figure 15: Confiscation of fixed and movable property



These confiscations differ if we look at the results by age variable. The percentage of those whose property was confiscated drops a lot among those who are in the age group of less than 18 years (around 10%). This is to be expected as individuals in this age group are less likely to own property. This age group does not constitute an important source that can be used financially for the state's security services. But it rises to reach about 38% in the age group 38-47 years (Fig.16).

Fig. 16: Property confiscation by age group. Base: 798



One of the prominent differences appears between civilian and military detainees: 23.24% of civilians have had their property seized, while the figure reaches 42.15% in the case of the military. It is noted that the percentage of those whose property was confiscated by a court decision was much higher among the military (34.51%) than among the civilians (15.79%) (Figures 17 and 18).

Figure 17. The difference in property confiscation between civilians and military. Base: 794

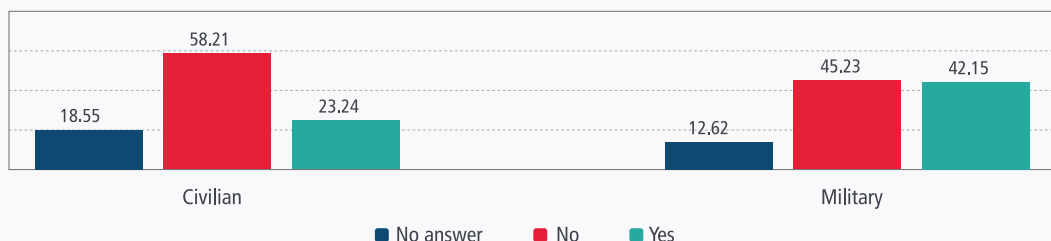
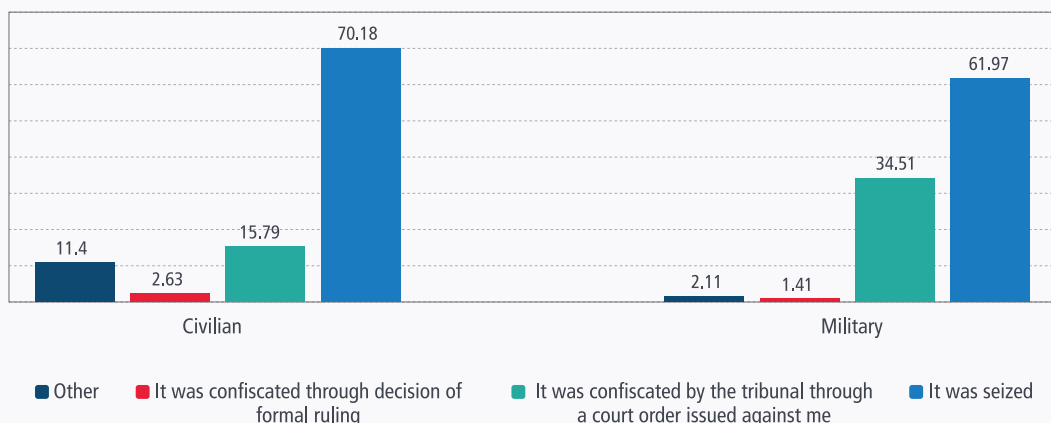


Figure 18. The method of property confiscation. Base: 512



The most prominent difference appears when comparing the results on the basis of governorate, where we find that half of Homs detainees have had their property seized. Next comes Idlib, Hama and Damascus, with a percentage of approximately 40%. It seems that in Homs, the percentage of those whose property was confiscated according to a court decision reached its highest (36.84%), and came far behind the rest of the provinces. The situation in Hasakah seems completely different, as the large percentage did not answer this question (fig. 19 and 20).

Figure 19. Confiscation of property by governorate

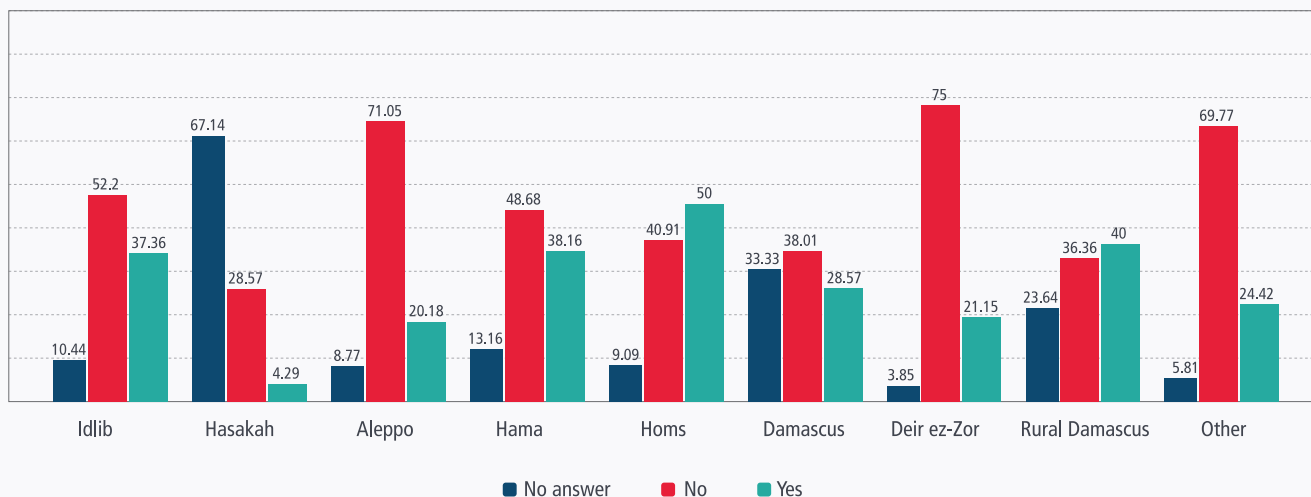
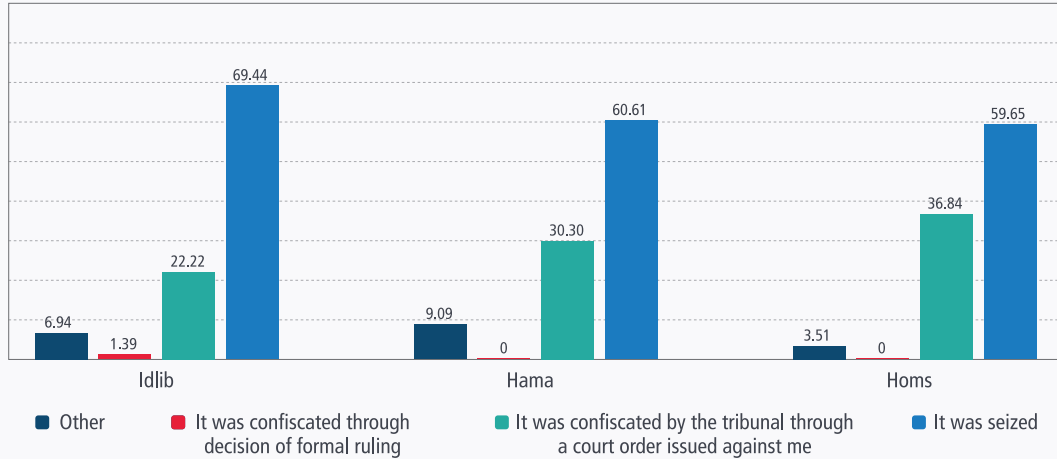


Figure 20. Method of confiscation of property by governorate. Base: 244

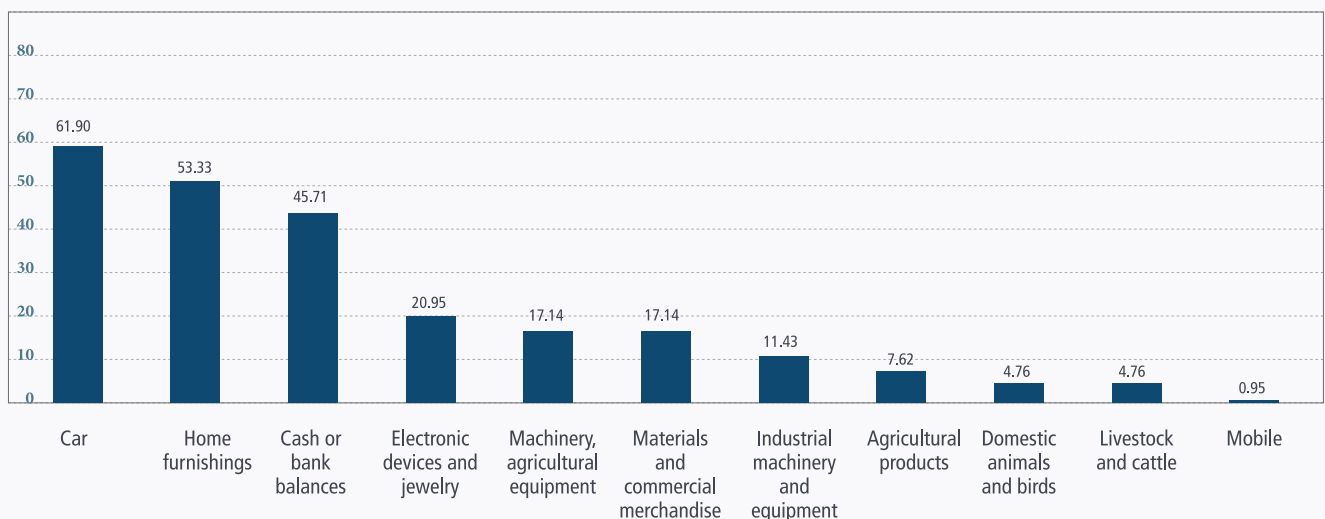


Property confiscated by judgment decision or other official decisions: its type and value

What property has been officially confiscated by the state and what is its value?

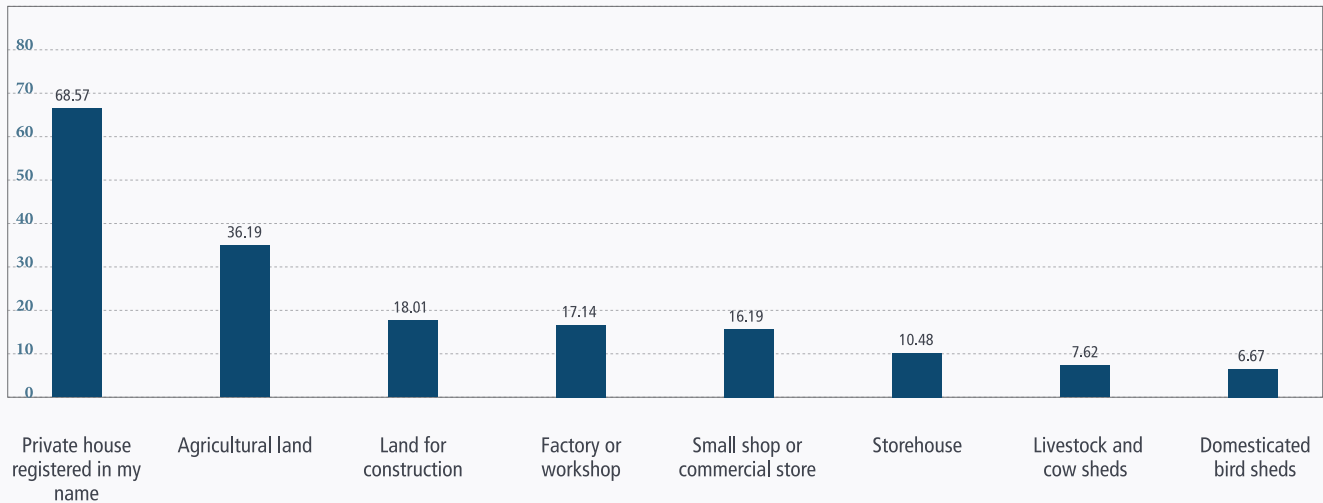
Primarily cars, home furnishings and cash or bank balances were confiscated. Next comes electronic devices and jewelry. Then, machinery, agricultural equipment, materials and commercial merchandise come next. The confiscation even includes that of livestock and birds (Fig. 21). As for fixed property, the scale of house confiscations is striking. Of the 105 people who said they were dispossessed of their fixed and movable property, 70 (more than two thirds) had their homes taken over. About a third said they had been stripped of their farmland. Others mentioned shops, factories, workshops, etc. (Fig. 22).

Figure 21. Movable property confiscated by court decision



Base: 105 respondents (multiple answers allowed)

Figure 22. Fixed property confiscated by court decision



Base: 105 respondents (multiple answers allowed)

There appears to be a difference in the nature of confiscated property between civilians and military personnel. In the case of movable funds, it is noted that it is generally greater for civilians compared to the military (Fig. 23). But with regard to fixed property, we find that the proportion of houses and agricultural lands and those designated for construction is greater in the case of the military compared to the civilians (Figure 24).

Figure 23. Movable property confiscated by court decision by profession (civilian-military)

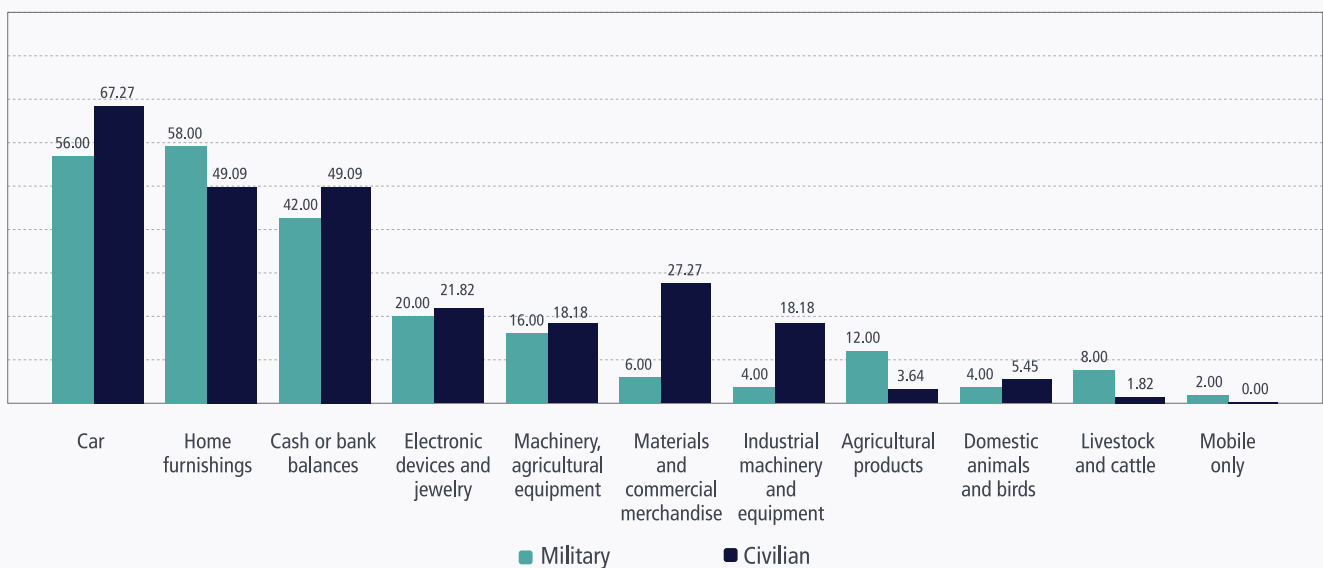


Figure 24. Fixed property confiscated by court decision by profession (civilian - military)

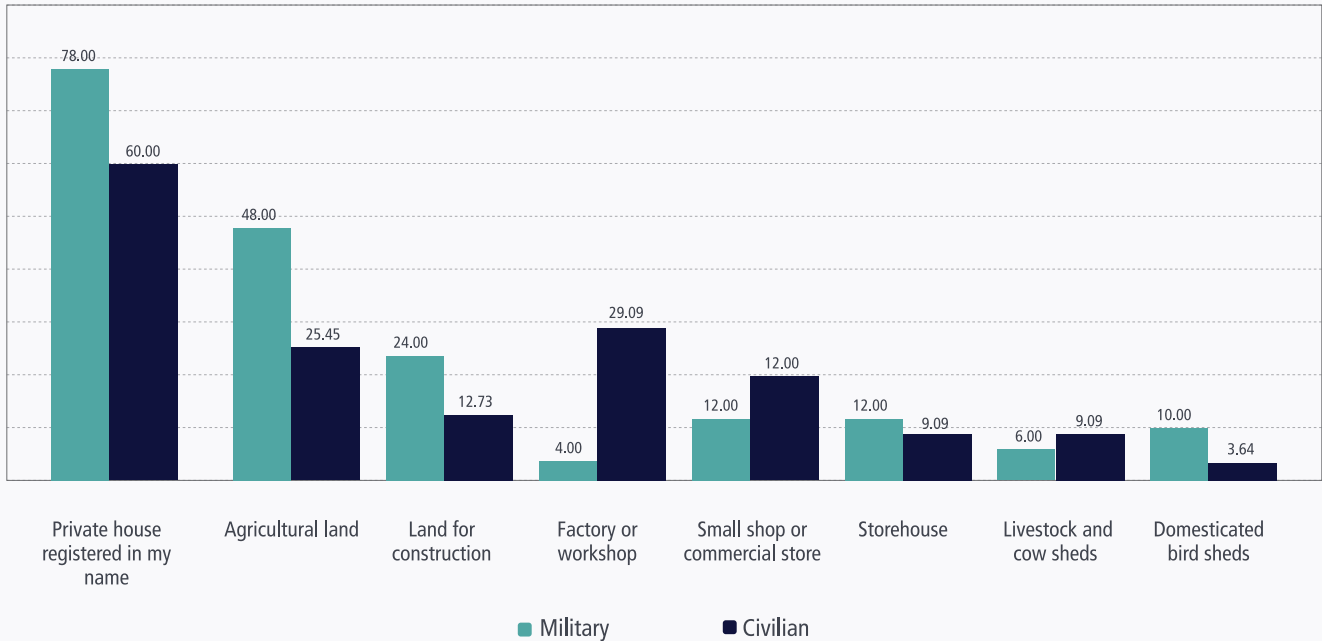
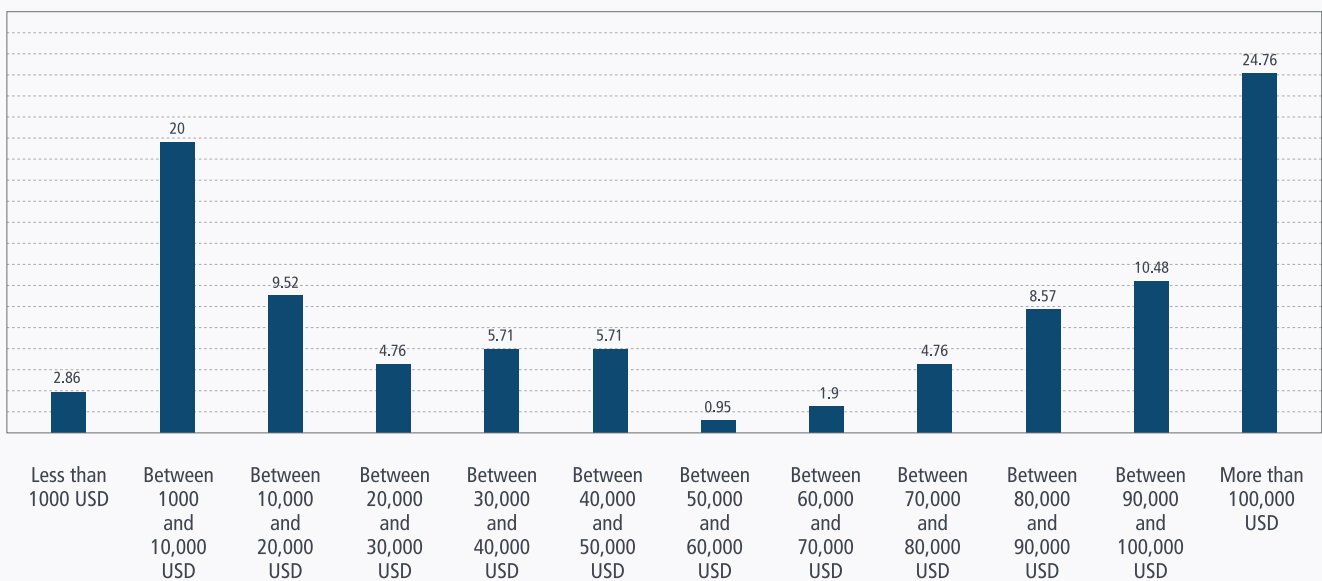


Figure 25 shows the value of the fixed and movable property that was confiscated. About half of those whose property was confiscated lost more than \$70,000.

Figure 25. Estimated value of fixed and movable property confiscated by court decision



Base: 105

Below we look into these numbers to understand the situation of detainees after the revolu-

tion in Syria in general, assuming that there are 250,000 detainees between those who entered and left or are still in detention (a very conservative estimate of the number of survivors, missing persons and detainees in the detention centers of the Syrian state).

The property of 38.14% of the total number of 250,000 prisoners was confiscated. This is equivalent to 95,356 prisoners. Of those, 29% were confiscated by court order, which means 27,653 people. Of our sample of 105 people who said that their property was confiscated by an official decision, 72 homes were confiscated (about 69% of the sample). Therefore, the number of people whose homes were confiscated can be estimated as follows: 69% x 27,563 and the result is 18,962 people. It is a very low estimated number of post-revolution detainees who were stripped of their homes by an official decision. Similarly, the rest of the property types and the numbers of those affected can be calculated (Table 7) ⁸.

We also find that the total value of confiscations, according to an official decision, amounts to \$1,538,964,309.24 (Table 8 shows the method of calculation we followed). In short, we can say that the Syrian regime has officially seized at least One billion five hundred thirty-eight million US dollars by confiscating the property of detainees.

In the same way, and assuming that there were 5,219 detainees in Sednaya prison in 2015, we can say that the confiscated property was worth 32,127,418,92 (around thirty-two million, one hundred twenty-seven thousand US dollars) from the detainees of this prison alone (assuming that the confiscation takes place once for each detainee) (Table 9) ⁹.

Table 7. Fixed and movable property confiscations by type

Movable properties				Fixed properties			
Type	Count	Percentage	Number assuming 27,653 detainees	Type	Count	Percentage	Number assuming 27,653 detainees
Car	65	61.9	17,119	Private house registered in my name	72	68,57	18,962
Home furnishings	55	52.38	14,485	Agricultural land	38	36,19	10,008
Cash or bank balances	48	45.71	12,641	Land for construction	19	18,10	5,004
Electronic devices and jewelry	22	20.95	5,794	Factory or workshop	18	17,14	4,741
Machinery, agricultural equipment	18	17.14	4,741	Small shop or commercial store	17	16,19	4,477
Materials and commercial merchandise	18	17.14	4,741	Storehouse	11	10,48	2,897
Industrial machinery and equipment	12	11.43	3,160	Livestock and cow sheds	8	7,62	2,107

⁸ We assume that about 29% of their properties were confiscated by an official decision (by ruling or other decisions), as confirmed by our data. Our estimates of the value of the confiscations are very low.

⁹ Based on a current study that the association is working on to estimate the number of detainees in Sednaya, which will be issued soon, we estimate the number of detainees in prison in 2015 at 5,219.

Agricultural products	10	9.52	2,634	Domesticated bird sheds	7	6,67	1,844
Livestock and cattle	9	8.57	2,370				
Domestic animals and birds	5	4,76	1,317				
Mobile only	1	0,95	263				
Total	263			Total	190		

Table 8. Value of confiscations of fixed and movable property for 250,000 detainees

Count out of 105 detainees	Percentage out of 105 detainees	Number out of 250,000 detainees	Average of the value of confiscations according to each category	Total amount of confiscations from 250,000 detainees (the mean of the value of the confiscations multiplied by the estimated number)	Total value of confiscations (movable or fixed) by categories
3	2.86	790.09	1000	790,090.34	Less than 1000 USD
21	20.00	5,530.63	5500	30,418,478.26	Between 1000 and 10,000 USD
10	9.52	2,633.63	15000	39,504,517.22	Between 10,000 and 20,000 USD
5	4.76	1,316.82	25000	32,920,431.02	Between 20,000 and 30,000 USD
6	5.71	1,580.18	35000	55,306,324.11	Between 30,000 and 40,000 USD
6	5.71	1,580.18	45000	71,108,131.00	Between 40,000 and 50,000 USD
1	0.95	263.36	55000	14,484,989.65	Between 50,000 and 60,000 USD
2	1.90	526.73	65000	34,237,248.26	Between 60,000 and 70,000 USD
5	4.76	1,316.82	75000	98,761,293.05	Between 70,000 and 80,000 USD
9	8.57	2,370.27	85000	201,473,037.83	Between 80,000 and 90,000 USD
11	10.48	2,897.00	95000	275,214,803.31	Between 90,000 and 100,000 USD
26	24.76	6,847.45	100000	684,744,965.18	More than 100,000 USD
105	100.00			1,538,964,309.24	Grand Total

Table 9. Value of confiscated fixed and movable properties from Sednaya prison detainees in one year (2015)

Count out of 105 detainees	Percentage out of 105 detainees	Number out of 5219 detainees	Average of the value of confiscations according to each category	Total amount of confiscations from 5219 detainees in Sednaya prison in 2015 (the mean of the value of the confiscations multiplied by the estimated number)	Total value of confiscations (movable or fixed) by categories
3	2,86	16,49	1000	16.493,93	Less than 1000 USD
21	20,00	115,46	5500	635.016,15	Between 1000 and 10,000 USD
10	9,52	54,98	15000	824.696,30	Between 10,000 and 20,000 USD
5	4,76	27,49	25000	687.246,92	Between 20,000 and 30,000 USD
6	5,71	32,99	35000	1.154.574,82	Between 30,000 and 40,000 USD
6	5,71	32,99	45000	1.484.453,34	Between 40,000 and 50,000 USD
1	0,95	5,50	55000	302.388,64	Between 50,000 and 60,000 USD
2	1,90	11,00	65000	714.736,79	Between 60,000 and 70,000 USD
5	4,76	27,49	75000	2.061.740,75	Between 70,000 and 80,000 USD
9	8,57	49,48	85000	4.205.951,14	Between 80,000 and 90,000 USD
11	10,48	60,48	95000	5.745.384,23	Between 90,000 and 100,000 USD
26	24,76	142,95	100000	14.294.735,89	More than 100,000 USD
105	100,00			32.127.418,92	Grand Total

“What was there for me to go back to? They’ve taken everything from me. I spent nine days in hospital in Damascus and when I finally made it home, I found they’d taken my factory and they’d hit my family with unbelievable taxes we would never be able to pay. So they took my apartments, they took the business, all our machinery. I can’t describe that feeling. My whole life’s work was gone. I’m not even surprised they took everything from me. This is the policy of the regime: they will destroy everything you have if you dare to oppose it. They will take everything from you. They will destroy your lives and your families».

Muhammad Kafr-Joumi, from Idlib, was arrested in 2011 due to his political activity and spent eight years detained after being falsely accused of being involved in an attack on a military checkpoint. He was tortured in custody and subjected to sexual violence. The torture left him largely disabled - his back was operated on three times, and he is unable to work. Upon his release, he discovered that the regime had taken his factory and taxed his family so much that they were forced to give up their house. His hometown was bombed soon after he returned so he and his family are now living in a camp for internally displaced people in Syria.

Conclusion and recommendations

This research is a result of the efforts of the Sednaya Detainees and Missing Persons Association to reveal what happened and is happening behind the walls of the Sednaya prison and its effects on the survivors, their families, the families of the victims, and the Syrian community outside it. By relying on the analysis of the results of a sample that includes twice the number of the previous sample in the first report, we were able to arrive at figures that we claim are very accurate regarding the arrest procedures from the moment of arrest until leaving prison.

Relying on a questionnaire, with 105 survivors, which aims to understand the processes of confiscation of property based on official decisions (the ruling decision or otherwise), we find that the Syrian regime has seized more than one billion five hundred thirty-eight million US dollars by confiscating the detainees' money. **This indicates that the state is directly involved in these procedures.** This is in addition to confiscations that occur without official decisions, which is the most common method (it is the case of about two thirds of detainees who lost property or money). We can say that only through confiscations that are carried out in accordance with official decisions, the regime puts its hands on funds that exceed half of Syria's budget for the year 2021¹⁰. As we mentioned earlier, these are very low estimates, as it is likely that the number of detainees in Syria has exceeded 250,000 by far, and those whose property was confiscated by more formal decisions. Based on that, we find it necessary to emphasize the following points:

1. These numbers raise serious doubts about the effectiveness of the sanctions imposed on the Syrian regime, as it seems that one of the ways the regime relies on arrest campaigns to finance itself is through confiscating the detainees' property. In addition to allowing its forces to blackmail the families of detainees and forcibly missing persons and loot their property.¹¹
2. More studies are needed about the operations of the Syrian regime to circumvent the sanctions by seizing the property of not only detainees, but also the forcibly displaced and even those who have failed to serve in the army, as indicated by several reports. Such studies are necessary in order to provide a more complete picture of the amounts that the regime derives from these operations. Indeed, so far there are no accurate estimates except for those that are mentioned in this report as well as the report issued by the Association of Sednaya Detainees and Missing Persons on the forcibly missing persons and their families¹².
3. Based on the above, it is clear that sanctions alone, without being accompanied by a serious political transition process, will have effects that increase the suffering of victims of detention and forced displacement. Therefore, it must be accompanied by real progress on the path of justice and accountability, and must ensure that there is no impunity. This cannot be achieved without working on an approach based on the vision, aspirations and needs of the victims "by giving them a central role in the transitional justice and accountability processes. It must also challenge the pressures and the elitist and external agenda that may conflict with the victims' vision in terms of justice, accountability and negotiation processes and political transition¹³.

10 The general budget for the Syrian year 2020 amounted to 8,500 billion Syrian pounds. According to the official exchange rate (one dollar is equivalent to 2,512) \$3.4 billion, and according to the unofficial market rate, \$2.6 billion.

11 See also: Forcibly Disappeared in Syrian Detention Centers, Association of Sednaya Detainees and Missing Persons, 2021.

12 See: Omar Youssef, The Syrian regime intends to confiscate the properties of those left behind by the army and their families, Al-Jazeera, February 10, 2021. Muhammad Hardan. The regime continues to seize the properties of the displaced through forged documents, March 29, 2021. Al-Assad confiscates the properties of Ghouta. Demographic change and the settlement of officers, Al-Arabiya Net, February 18, 2021. Lunt Touq and Adham Kako, The Syrian regime confiscates the property of the displaced. Blocking the way back (report), Anadolu Agency, November 22, 2018. Syria: Confiscation of property of those who have left the military service. Intimidation and blackmailing Al-Modon, February 28 2021.

13 Pact of Truth and Justice.

As for the victims themselves, there are some recommendations that may help in dealing with these confiscation problems:

1. We advise the families of the detainee, the forcibly disappeared, the absent or the missing, (if they want to ensure that the children and the wife of their son of unknown fate obtain what will be inherited from one or both of his parents after they die or either one of them dies and he is the bequeather), to take the initiative while they are alive to divide their money among their future heirs and register them in their names for buying and selling. If the children of the person whose fate is unknown are of minor age, then we advise families to register the disappeared person's share in the name of one of their siblings temporarily until his fate is revealed or his children reach the age of majority, in order to avoid the complications and consequences of the authority's seizure of the inheritance of the arrested or missing person, immediately after the death of its legator.
2. In the event that you have a real estate and you find that it has already been seized and you can no longer dispose of it, extract a copy of the real estate registration statement for the property and a copy of the cadastral plan of the real estate and maintain it in your records because you will need it in the future for response or compensation operations. If it has been seized and then sold, you can extract a statement of ownership of the property, where your name will appear as a previous owner, and keep that statement as well.
3. In the event that you own an agricultural land and this land has been seized and offered for investment (as happened in many real estates in northern Hama, southern Idlib and other areas), try to obtain an addition to the real estate registration statement (which shows the nature of the property and whether it is arable or wooded land and whether it is rainfed or irrigated) on a survey plan of the property. This is so that experts can determine the profitability of the property as well as a copy of the decision to offer the property for investment in the auction because it indicates the date of the start of its investment by others, and this is important and useful in the scope of future response and compensation operations.



March 2022
All rights reserved ©