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**Syria: 38 of Hama Prison
Detainees Released following
Special Presidential Pardon**

Syria: 38 of Hama Prison Detainees Released following “Special Presidential Pardon”

The number of inmates covered by the pardon amounted to 106 detainees, in the aftermath of the amendments applied to previous sentences issued by the Military Field Court and the Court of Terrorism

Based on a special presidential pardon, carrying the number 82 and March 7, 2019 as a date, the Syrian Government/Damascus released 38 prisoners/detainees of the Hama Central Prison in three batches, in the period from the 10th to the 14th of March, 2019. This took place in the wake of the amendments that the First and the Second Military Field Courts and the Anti-Terrorism Court applied to sentences they issued earlier on against 106 prisoners/detainees, who have all been arrested for political reasons. The amendments also cover lessening the death sentence against 7 prisoners to rigorous imprisonment; other sentences, however, were lessened in terms of duration.

The field researcher of Syrians for Truth and Justice/STJ in Hama city communicated with several of Hama Central Prison inmates, who have been included by the sentences' amendments. They elucidated that the decision to undertake these amendments was made after the negotiations they conducted during the previous months¹ with numerous Syrian government delegations and, through which, they were made promises that "their case will be resolved."

According to the arrestees, whom STJ has contacted, the decision is based on a special pardon, with the number 82, on March 7, 2019, grounded on the decisions of the Anti-Terrorism Court and the First and Second Military Field Courts, which both courts reached in February 2019, as the commander of Hama Police has informed them on a meeting.

The interviewed inmates reported that the release process followed the visit of a delegation consisting of the secretariat of the Ba'ath Party's branch in Hama, the advocate general, the Bâtonnier, the endowments director and members of the Hama City Reconciliation Committee on March 10, 2019. While the delegation met the arrestees, the commander of the Hama Police read the names of to be released arrestees in one of the prison's halls. The commander, back then, declared that the release process was "an honorary gift from the Syrian president," based on the guidance of the Minister of Interior and the committees responsible for monitoring the conditions of arrestees in Hama Prison.

The commander said:

"The release process will be implemented over three consecutive stages within a month. The process also depends on the arrestees' cooperation with the prison's administration and their willingness to fully terminate the riot they embarked on in 2016, as well as adhering to the security code, which provides for the inmates' return to the wards they are assigned and locking their doors at times defined by the prison's administration."

¹ "Serious Concerns of Executing 'Suspended' Death Sentences in Hama Central Prison," STJ. November 9, 2018. Last visited: July 7, 2017. <https://stj-sy.org/en/948/>.

"Inmates in Hama Prison Embark on a Hunger Strike to Protest their Unfair Trial," STJ. November 13, 2018. Last visited: July 7, 2019. <https://stj-sy.org/en/958/>.

The witnesses explained that the arrestees, whose release has been decided under the 106 list of names, do not know when they will be released specifically and are notified only on the day of release. On the decided day, the manager of the prison announces their names through the speakers placed in the wards to be prepared for their release within two hours.

The three batches, consisting of 38 arrestees, were released as follows:

- 1) On March 14, 2019, **two detainees** were released – Fadel al-Jaber and Mustafa al-Gharib. It is important to mention that the latter arrestee obtained a release order earlier on, but his status was not legalized by the security services and, thus, did not leave the prison. On the mentioned day, he was released, for his status was legalized.
- 2) On March 13, 2019, the release process covered **17 detainees**, who are Abdulmunem Soutal, Ihab Diyab, Khalid al-Qasoum, Mohammad Rhaimo, Abdulrahman al-Ali, Ahmad al-Qadour, Abdunnasser Shallaf, Omar Garib al-Ahmad, Hayan al-Omar, Ammar al-Hazie, Khalid A'alayan, Maher Shoukeh, Mohammad Juha, Radwan al-Hamshou, Abdulrahman al-Ahmad, Sami al-Khalid, Abdulghani Shwairtany and Abdulqader al-Msahari.
- 3) On March 10, 2019, the release process included **19 detainees**: Hassan Sulaiman al-Shaikh, Mahmoud Habib Ahmad, Abdulmouen Ahmad Qasoum, Aurwa Haytham Nasser, Ammar Amer al-Hamdi, Ali Hussain al-Ashqar, Youness Walid Mu'alabawi, Huthayfa Mahmoud Qutaimish, Samer Mohammad Natheer Mayasah, Bader Ali al-Mohammad, Mahmoud Mohammad Kana'an, Ausama Abdulrahman Namoura, Faris Walid Kaferjourni, Ibrahim Ahmad Bawabeh, Abdulrahman Ibrahim al-Hallawi, Abdulwareth Abdullah al-Ta'an, Zaher Youness al-Mawass and Qasem Mohammad al-Ahmad.

On the condition of anonymity, arrestee 1, held in the Hama Central Prison, told STJ's field researcher the following:

"During his visit, the police commander told us that the pardon will cover all the arrestees in the prison within a month, and that several sentences were lessened under decisions made by the Terrorism Court and the military field courts. However, if these decisions were to be realized and 106 arrestees were released, only 70 arrestees will remain in the prison, who are sentenced to a life of imprisonment and others whose cases are yet awaiting decisions."

Asking not to be named, arrestee 2, one of the detainees covered by the release order, recounted the following to STJ's field researcher:

"The prison's administration, upon meeting it in the prison hall, demanded that we provide proof that we are by the government's side; that we are to open a new page; that all the released are newborns. Of course they have legalized our status at all the security branches, but those required to perform mandatory or reserve military service should join [army] within a month from their release at the most."

Arrestee 3 recounted to STJ's field researcher the following:

"The past three months bore witness to the formation of a committee consisting of the dignitaries and the merchants of Hama city, following a strike we embarked on. It pledged to follow up our conditions, along with the former committee, formed following the riot, which included officers and judges of the Terrorism Court and the military field courts. It seems that the meetings of the committees and the pressure we created to get our demands were fruitful. We are still waiting for the implementation of the latest decisions."

STJ managed to obtain a list with the names of the arrestees whose sentences were lessened from death to a 12-year sentence of perpetual forced labor – 3 arrestees, and to a 15-year sentence of perpetual forced labor – 3 arrestees, whose sentences have all been issued by the Terrorism Court. The death sentences, issued by the military field courts, were, however, replaced by a life of imprisonment, covering 7 arrestees.²

² STJ refrained from publishing the names for reasons relating to the safety of the detainees.



History

Syrians for Truth and Justice was conceived during the participation of its co-founder in the Middle-East Partnership Initiative (MEPI) Leaders for Democracy Fellowship program, who was driven by a will to contribute to Syria's future. Starting as a humble project to tell the stories of Syrians experiencing enforced disappearances and torture, it grew into an established organisation committed to unveiling human rights violations of all sorts.

Convinced that the diversity that has historically defined Syria is a wealth, our team of researchers and volunteers works with dedication at uncovering human rights violations committed in Syria, in order to promote inclusiveness and ensure that all Syrians are represented, and their rights fulfilled.

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