



# Syria

## *Military service*



This report is not, and does not purport to be, a detailed or comprehensive survey of all aspects of the issues addressed. It should thus be weighed against other country of origin information available on the topic.

The report at hand does not include any policy recommendations. The information does not necessarily reflect the opinion of the Danish Immigration Service.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

© 2024 The Danish Immigration Service

The Danish Immigration Service  
Farimagvej 51A  
4700 Næstved  
Denmark

Phone: +45 35 36 66 00  
us.dk

**January 2024**

All rights reserved to the Danish Immigration Service.

The publication can be downloaded for free at [us.dk](http://us.dk)

The Danish Immigration Service's publications can be quoted with clear source reference.

## Executive summary

---

The need for manpower in the Syrian Arab Army (SAA) is less today than previously, with the frontlines being frozen by and large since 2020. Nevertheless, the SAA continues recruiting men between 18 and 42 for military service, including for reserve duty. Draft evaders are mainly recruited at checkpoints and when they come into contact with the authorities.

Conscripts are subjected to humiliating treatment during their military service and they serve under poor conditions, which drives them into corruption.

Public employees are being called up for reserve duty. As regards stateless Palestinians, information is contradictory as to whether they have been called up for reserve duty. Palestinians have participated in active fighting and have been sent to the frontlines, although not to the same extent as Syrians.

In general, the military service law has been implemented. During the last two years, administrative orders to discharge and end the recall of reservists or conscripts have been implemented.

In general, the Government of Syria (GoS) respects exemption and deferral rules and Syrians make use of the available opportunities in the law regarding military service exemptions and deferrals. The criteria for medical exemptions are not always clear though and it has become increasingly difficult to obtain an exemption for medical reasons. However, obvious disabilities still lead to an exemption or to the assessment 'unfit for field operations'. Furthermore, persons who have obtained an exemption or a deferral may nevertheless face problems for reasons of pending security issues, lack of documents or simply because of the authorities' practices of extortion and blackmail.

The consequences of desertion are harsher than the consequences of draft evasion. Draft evaders who are caught tend to be taken directly to military service while deserters will get a prison sentence and then be taken to military service. In practice, the consequences also depend on the individual case, including place of origin, outstanding security issues with the GoS etc. Draft evaders or deserters above 42 have to pay the fee for missed service and they also risk being imprisoned. Draft evaders and deserters who have no security issues with the GoS make use of the amnesties. In general, the amnesties have been implemented.

Although draft evasion and desertion in itself may not lead to repercussions for the draft evader's or deserter's family, family members of evaders and deserters, mostly first-degree relatives, may face various problems such as harassment, extortion, pressure and threats. The potential problems depend on a number of factors, e.g. the profile of the draft evader/deserter, the area in which the family lives, the military branch or person in charge. Family members of deserters may face more serious problems than family members of evaders.

# Table of contents

---

<b>Executive summary .....</b>	<b>1</b>
<b>Introduction.....</b>	<b>4</b>
<b>1. Current pattern of recruitment to the SAA .....</b>	<b>5</b>
1.1. Recruitment of reservists .....	5
1.2. Recruitment through raids .....	6
1.3. Conditions for conscripts serving in the SAA.....	6
1.4. Public employees and reserve duty.....	7
1.5. Palestinians .....	8
1.5.1. Reserve duty for Palestinians.....	8
1.5.2. Palestinians’ participation in active fighting.....	9
<b>2. Implementation of the Military Service Law .....</b>	<b>10</b>
2.1. Prevalence of recruitment of males under 18 and over 42.....	10
2.2. Exemption from military service.....	11
2.2.1. Exemption of only sons.....	12
2.2.2. Exemption for medical reasons .....	12
2.2.3. Men unfit for field operations .....	14
2.2.4. Exemption of men living abroad.....	15
2.2.5. Exemption fee for men inside Syria above 40 .....	17
2.3. Deferrals .....	18
2.3.1. Deferral due to studies .....	18
2.3.2. Deferral to travel outside Syria.....	20
2.3.3. Deferral due to residence abroad.....	20
2.4. Discharge .....	22
<b>3. Draft evasion and desertion.....</b>	<b>24</b>
3.1. Consequences of draft evasion and desertion .....	24
3.1.1. Consequences of draft evasion.....	24
3.1.2. Consequences of desertion .....	25
3.1.3. Statute of limitations .....	25

## SYRIA – MILITARY SERVICE

3.1.4. Sorting out ones issues or reconciling .....	25
3.1.6. Amnesties .....	28
3.2. Possible consequences for family members .....	29
<b>Bibliography .....</b>	<b>31</b>
<b>Annex 1: Interview minutes.....</b>	<b>34</b>
Online meeting with Suhail al-Ghazi, Syrian researcher who focuses on conflict, security and governance in Syria, 5 October 2023.....	34
Online meeting with Ali Aljaseem, Syrian PhD student of paramilitary groups in Syria, based in the Netherlands, 13 October 2023.....	42
Online meeting with Syrians for Truth and Justice (STJ), a human rights ngo based in Strasbourg, 27 October 2023.....	49
Online meeting with Ammar Hamou, Arabic editor at Syria Direct, an independent media organisation, 30 October 2023 .....	55
Online meeting with Jana Alissa and Khaled Aljeratly from the media organisation Enab Baladi, based in Istanbul, 31 October 2023.....	61
Online meeting with the Syrian Network for Human Rights (SNHR), based in Paris, 16 November 2023 .....	67
Written interview with the Syrian Observatory for Human Rights (SOHR), based in the United Kingdom, 23 November 2023.....	71
Written interview with Muhsen Al-Mustafa, research assistant at Omran Center for Strategic Studies, based in Istanbul, 27 November 2023 .....	74
<b>Annex 2: Terms of Reference (ToR).....</b>	<b>79</b>

## Introduction

---

The report at hand looks into military service in the Syrian Arab Army (SAA) with a focus on: the current pattern of recruitment to the SAA, specifically the recruitment of reservists, public employees and Palestinians; the implementation of the Military Service Law; the consequences of draft evasion and desertion, including potential consequences for family members.

The report is an update of some of the topics addressed in the fact-finding report [Syria – Military service](#), published by the Danish Immigration Service (DIS) in 2020, as well as the brief report [Syria - Military service: Recruitment procedure, conscripts' duties and military service for naturalised Ajanibs](#), published by DIS in August 2023.

This report is based on online and written interviews with eight sources, supplemented with information from written sources. The eight sources are: 1) Syrian researcher Suhail al-Ghazi; 2) PhD student of paramilitary groups in Syria Ali Aljaseem; 3) the ngo Syrians for Truth and Justice (STJ); 4) the media organisation Syria Direct; 5) the media organisation Enab Baladi; 6) the Syrian Network for Human Rights (SNHR); 7) the Syrian Observatory for Human Rights (SOHR); and 8) Omran Center for Strategic Studies.

The sources were briefed about the purpose of the interviews and that their statements would be included in a public report. Minutes were written for each interview. These were forwarded to the sources for approval, giving them the opportunity to amend, comment or correct their statements. All eight sources approved their statements, which can be found in Annex 1. The sources were referenced in this report according to their own request.

For the sake of transparency and accuracy, paragraphs in the interview minutes have been given consecutive numbers, which are used in the report when referring to the statements of the sources in the footnotes. The Terms of Reference (ToR) are included in Annex 2.

The report does not include all details and nuances provided by the sources. During the interview, the sources may have highlighted issues not addressed in the ToR. Since these issues could be relevant to refugee status determination, they are included in Annex 1 but not addressed in the report itself.

The research and editing of this report was finalised on 25 January 2024.

The report has been externally peer-reviewed by the Swedish Migration Agency's Country of Origin Information (COI) unit in accordance with the European Union Agency for Asylum (EUAA) COI Report Methodology.<sup>1</sup>

The report is available on the website of the Danish Immigration Service (DIS) [us.dk](#) and is thus available to all stakeholders in the refugee status determination process as well as to the general public.

---

<sup>1</sup> EUAA, *Country of Origin Information (COI) Report Methodology*, 22 February 2023, [url](#)

# 1. Current pattern of recruitment to the SAA

---

The need for manpower in the Syrian Arab Army (SAA) is less today because the Syrian frontlines have by and large been frozen since 2020; however, the SAA continues conscripting young men, as the law stipulates that every man who reaches the age of 18 must do his obligatory military service.<sup>2</sup>

## 1.1. Recruitment of reservists

Syrian men are automatically registered as reservists after completing the mandatory service period. Anyone who has completed his mandatory military service can thus be called up for reserve duty. Men who have completed their mandatory military service within the past five years will be the first to be called up (or retained if there is a need while they are still in service). Subsequently, those who have completed their mandatory military service five to ten years earlier would be called up. If the demand for manpower is not covered by these men, those who completed mandatory military service ten to fifteen years earlier can be called up. In wartime, anyone in these categories can be called up; however, persons in the two last categories will serve a limited period of time.<sup>3</sup>

When army units are in need of manpower, they turn to the military command in the SAA with a request for reinforcements. The military command will start calling up reservists who served within the last five years who have previously served at these specific units where manpower is needed (e.g. armoured or artillery units etc.). Therefore, in practice, not everyone who has completed his military service will necessarily be called up for reserve duty.<sup>4</sup>

The current demand for reservists is low but the recruitment of reservists is continuing.<sup>5</sup> The SAA is still calling up men for reserve duty although not to the same extent as previously during the conflict, e.g. before 2018.<sup>6</sup> In addition, the majority of conscripts who have completed their mandatory service period are retained under the reserve category and are not discharged.<sup>7</sup>

As regards the profile of the recruited reservists, Syria Direct and the Syrian Observatory for Human Rights (SOHR) informed DIS that in practice, the GoS recruits reservists regardless of their military qualifications.<sup>8</sup> Omran Center for Strategic Studies stated, however, that the call-up of a reservist is often related to the military specialisation that he acquired during his military service as well as the army's need for human resources.<sup>9</sup> Syrian researcher Suhail al-Ghazi stated that the recruitment for reserve duty is a mix of random and targeted recruitment but more and more a targeted practice, e.g. a person may be recruited based on his profession

---

<sup>2</sup> Al-Ghazi: 1; Enab Baladi: 1; Aljasem: 1

<sup>3</sup> Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, [url](#), p. 14

<sup>4</sup> Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, [url](#), p. 15

<sup>5</sup> Syria Direct: 2; Omran: 1; STJ: 2; EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 22

<sup>6</sup> Aljasem: 3; STJ: 1-3; Al-Ghazi: 5-6; Syria Direct: 1; SOHR: 1

<sup>7</sup> Omran: 2; SNHR: 1

<sup>8</sup> Syria Direct: 3; SOHR: 1

<sup>9</sup> Omran: 3

(such as being an engineer, for example) rather than simply being recruited due to him being enlisted a specific year.<sup>10</sup>

A few sources reported though that there had been no call for reservists in 2023, as there were less armed confrontations between the warring parties.<sup>11</sup>

## 1.2. Recruitment through raids

In general, recruitment no longer or rarely takes place through raids (e.g. into people's homes or in public places such as cafes).<sup>12</sup> Men wanted for military service are rather recruited when they pass by a checkpoint or they are called up through the local police station in each area.<sup>13</sup> Moreover, they are recruited when they come into contact with the authorities for various reasons, e.g. the issuing/renewal of documents, registration of new information in the population register or when contacting government healthcare providers.<sup>14</sup>

Some sources mentioned, however, that recruitment through raids still take place,<sup>15</sup> although not to the same extent as before 2018, and that they are usually conducted for the purpose of extortion rather than recruitment.<sup>16</sup> Whether the authorities recruit through raids depends, according to SOHR, on the extent to which the GoS has control over an area, a village or a town. For example, raids on people's houses take place in residential areas within a city, while this phenomenon is not widespread in rural areas where GoS' control is less firm.<sup>17</sup>

## 1.3. Conditions for conscripts serving in the SAA

Conscripts serve under very bad conditions; the food provided to conscripts is limited and of poor quality, and the salary is very low.<sup>18</sup> The monthly salary is so low that conscripts cannot afford to go home to see their family during their military service.<sup>19</sup> The salary is reportedly between 3 and 8 USD per month.<sup>20</sup> There are even cases of conscripts who do not receive their

---

<sup>10</sup> Al-Ghazi: 16

<sup>11</sup> Netherlands, MFA, *General Country of Origin Information Report on Syria*, August 2023, [url](#), pp. 51, 57; Enab Baladi: 2

<sup>12</sup> Syria Direct: 5; Enab Baladi: 3; Al-Ghazi: 8; Aljasem: 5; STJ: 6; Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, [url](#)

<sup>13</sup> Syria Direct: 5; Omran: 6; Enab Baladi: 4; Aljasem: 5; STJ: 7; Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, [url](#), pp. 9-10

<sup>14</sup> Syria Direct: 5; EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 33; Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, [url](#), p. 10

<sup>15</sup> SOHR: 2-3; Omran: 5; SNHR: 2; EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 33

<sup>16</sup> SNHR: 2-3

<sup>17</sup> SOHR: 3

<sup>18</sup> Syria Direct: 6; Al-Ghazi: 11-12; Aljasem: 6; Enab Baladi: 5-6; STJ: 9; SNHR: 4-5; SOHR: 4; ISPI, *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#)

<sup>19</sup> Syria Direct: 6; SNHR: 5; STJ: 9

<sup>20</sup> Enab Baladi: 6; SNHR: 5; ISPI, *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#)



salary at all.<sup>21</sup> The low salary drives conscripts into corruption, such as extorting money from civilians at checkpoints, selling drugs, and committing theft and robbery.<sup>22</sup>

Moreover, conscripts are subjected to humiliating treatment during their military service and are treated harshly by their superiors.<sup>23</sup> Conscripts who have good connections with officers or other authorities in the army, however, are treated better than other conscripts.<sup>24</sup> Some also pay a bribe to their superiors to be treated well or to improve the conditions under which they serve.<sup>25</sup> Some conscripts even bribe their officers to be allowed to return home instead of serving their military service; in the system, it will appear as if they were serving. This act, which was very common even before 2011, is known as *tafyeesh* (Arabic: *تفيعيش*).<sup>26</sup>

According to the ngo Syrians for Truth and Justice (STJ), men in military service from former opposition-controlled areas usually face more challenges during their service than those who originate from pro-government areas, as their superiors will take revenge and send them to serve in areas that are prone to attacks from opposition groups or Turkey (e.g. Manbij or Idlib). Even bribery does not change their conditions, as the resentment against them remains, according to STJ.<sup>27</sup>

## 1.4. Public employees and reserve duty

Public employees are being called up for reserve duty like all other men between 18 and 42 who have completed their military service.<sup>28</sup> Public employees are granted leave before joining the reserve.<sup>29</sup> They will receive both the salary from their place of employment and the salary paid to the recruits in the SAA.<sup>30</sup> Their duties will depend on their skills, e.g. doctors and nurses will serve their reserve duty by working at military hospitals.<sup>31</sup>

However, Syria Direct and SNHR stated that public employees are currently not - or are most likely not - called up for reserve duty.<sup>32</sup> The situation has thus changed compared to before 2018, when there was a general mobilisation because the country was at war, and all men, including men working in the public sector, were called up for reserve duty.<sup>33</sup> Al-Ghazi noted that, due to lack of workforce, some of the main ministries decided to keep their own employees, which is why the call for them to reserve duty has been reduced. These ministries

---

<sup>21</sup> SNHR: 5

<sup>22</sup> Aljasem: 7; Enab Baladi: 6; SNHR: 5; Syria Direct: 7; ISPI, *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#)

<sup>23</sup> Al-Ghazi: 11; SOHR: 4

<sup>24</sup> SOHR: 4

<sup>25</sup> SOHR: 4; Omran: 8; STJ: 9

<sup>26</sup> ISPI, *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#)

<sup>27</sup> STJ: 9-10

<sup>28</sup> SOHR: 5; Enab Baladi: 7; STJ: 11; Aljasem: 8; Al-Ghazi: 13

<sup>29</sup> STJ: 12

<sup>30</sup> SOHR: 5

<sup>31</sup> Enab Baladi: 7

<sup>32</sup> Syria Direct: 9-10; SNHR: 6

<sup>33</sup> Syria Direct: 8

sent lists of important employees to the Ministry of Defence and requested that they do not call up these individuals for reserve service.<sup>34</sup> According to Omran Center for Strategic Studies, whether a public employee is called up for reserve duty depends on the individual's military skills acquired during his compulsory military service.<sup>35</sup>

Public employees can be referred to serve in the military; they will not be called up for reserve duty but be moved from one public position to another.<sup>36</sup> This is called *al-nadib* (Arabic: *الندب*), which means delegation.<sup>37</sup> Syria Direct explained that, according to the law, men who work in the public sector are already serving the state and if there is a need for public employees in the SAA, e.g. employees with specific skills may be transferred to the SAA where they will work within their professional field (e.g. medicine, economy). A public employee is allowed though on a voluntary basis, to join the reserve or alternatively a pro-government militia; some may choose to do so in order to earn a higher salary than what they used to earn in their public position.<sup>38</sup>

## 1.5. Palestinians

Stateless Palestinians in Syria do not serve in the regular SAA but in the Palestinian Liberation Army (PLA), which is a part of the SAA under the Ministry of Defence.<sup>39</sup> The SAA recruits most conscripts and reservists to the PLA and only few Palestinians serve in other units in the SAA.<sup>40</sup>

### 1.5.1. Reserve duty for Palestinians

By law, Palestinians like Syrians can be called up for reserve duty.<sup>41</sup>

According to sources interviewed by the Swedish Migration Agency in 2021, however, Palestinians have not been called up for the reserve duty, except for some Palestinian men born between 1976-80 who have been kept in the PLA for a prolonged service duty (so called active reserve) earlier during the conflict; the regular PLA has not demanded any reserves during the Syrian conflict.<sup>42</sup> SOHR and Al-Ghazi likewise stated that Palestinians have not been called up for reserve duty.<sup>43</sup>

In addition, Al-Ghazi mentioned that although there is no law stipulating that Palestinians should not be called up for reserve duty, none of the few Palestinians he knew had been called up.<sup>44</sup>

---

<sup>34</sup> Al-Ghazi: 13-15

<sup>35</sup> Omran: 10

<sup>36</sup> Aljasem: 8-9; Syria Direct: 10

<sup>37</sup> Aljasem: 8-9

<sup>38</sup> Syria Direct: 10-12

<sup>39</sup> Al-Ghazi: 17; Aljasem: 11; Syria Direct: 13; SNHR: 7

<sup>40</sup> SNHR: 7

<sup>41</sup> Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, [url](#), p. 16; Al-Ghazi: 18; Enab Baladi: 8

<sup>42</sup> Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, [url](#), pp. 16-17

<sup>43</sup> SOHR: 8; Al-Ghazi: 18

<sup>44</sup> Al-Ghazi: 18

Other sources interviewed by DIS stated, however, that stateless Palestinians who have Syrian documents are/have been called up for reserve duty like Syrian citizens.<sup>45</sup> One of these sources mentioned though that it would typically be Palestinians (and Syrians) with specific skills who would be called up as reservists, as the SAA's need for manpower dropped drastically in June 2018. In the last three years, the SAA has been calling up Palestinian reservists who are air defence specialists and technicians with expertise in tanks, artillery, and aircraft.<sup>46</sup>

Enab Baladi reported a difference, however, in the length of the military service period for Palestinians and Syrian citizens. According to the law, Syrians can be kept in reserve duty for an unlimited period of time, while Palestinians can be kept for a maximum of four and a half years in case of retention (compulsory military service plus reserve duty through retention). Palestinians will thus not be required to do reserve service if they have already completed the reserve duty period through retention. However, they may be called up for reserve duty if they have only completed their compulsory military service (in case they did their military service before 2011). The reserve duty period would then be four and a half years minus their compulsory service period.<sup>47</sup>

### *1.5.2. Palestinians' participation in active fighting*

Palestinians in the PLA have been sent to the frontlines and have participated in active fighting.<sup>48</sup> Al-Ghazi noted, however, that Palestinians have not been deployed to the frontlines as much as Syrian conscripts. There have been incidents though where the PLA were used in fighting, e.g. around Latakia and Damascus countryside, but not many.<sup>49</sup>

---

<sup>45</sup> Syria Direct: 13; SNHR: 7; STJ: 13; Enab Baladi: 8

<sup>46</sup> STJ: 13

<sup>47</sup> Enab Baladi: 8, 10

<sup>48</sup> STJ: 14-15; Aljasem: 12-13; Enab Baladi: 11; SNHR: 8; Syria Direct: 14

<sup>49</sup> Al-Ghazi: 19

## 2. Implementation of the Military Service Law

The Syrian Military Service Law, Legislative Decree No. 30 of 2007, regulates mandatory and reserve military service in Syria and has since its issuance in 2007 undergone multiple amendments, with the most recent in December 2023.<sup>50</sup>

This section looks into the implementation of the Syrian Military Service Law, including the prevalence of recruitment of males under the age of 18 and over 42, the implementation of the rules regarding exemptions and deferrals on military service as well as discharge.

### 2.1. Prevalence of recruitment of males under 18 and over 42

The Syrian Military Service Law stipulates that all Syrian men, including registered Palestinians from Syria, between the age of 18 and 42 are obliged to serve compulsory military service and reserve duty.<sup>51</sup>

Sources stated that the SAA does not recruit males under the age of 18. It is rather pro-government militias, such as Iranian-backed militias and militias associated with the Wagner group, who recruit males under 18 on a voluntary basis.<sup>52</sup> According to Al-Ghazi, it is militias affiliated with e.g. military security, which falls under the Ministry of Defence, or militias under e.g. the 4<sup>th</sup> division that may recruit minors but this will not go through the SAA. Recruitment to the army is very bureaucratic and follows a very specific set of rules and it is almost impossible to bypass them.<sup>53</sup>

Omran Center for Strategic Studies referred DIS to a UN report<sup>54</sup> published in June 2023, which stated that 15 children were reportedly recruited by what the report categorized as 'Syrian government forces' in the period from January to December 2022.<sup>55</sup> However, it does not appear from the report what constitutes 'Syrian government forces' or whether these children were conscripted for military service in the SAA. Moreover, the report also included recruitment by 'pro-government forces' and 'pro-government militias' as two separate categories in addition to 'Syrian government forces'. Omran Center for Strategic Studies commented on the UN report by saying that there is no additional information indicating recruitment of minors by the SAA. It is certain though, according to the source, that minors are

<sup>50</sup> ISPI, Al-Mustafa, M., *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#); SANA, الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل المادة 26 من قانون خدمة العلم [President al-Assad issues legislative decree amending Article 26 of the Military Service Law], 1 December 2023, [url](#)

<sup>51</sup> ISPI, Al-Mustafa, M., *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#)

<sup>52</sup> Enab Baladi: 12; Syria Direct: 15; STJ: 16; SNHR: 9; Al-Ghazi: 21-22; Aljasem: 14; Omran: 13; SOHR: 7

<sup>53</sup> Al-Ghazi: 21-22

<sup>54</sup> UN Secretary General, *Report of the Secretary-General, Promotion and protection of the rights of children: Children and armed conflict*, 5 June 2023, [url](#)

<sup>55</sup> Omran: 13

being recruited to militias affiliated with the SAA and that the Syrian government does not prevent the militias from recruiting males under 18.<sup>56</sup>

Previously, few cases of recruitment of men over 42 were reported.<sup>57</sup> In the last few years, however, the SAA has not recruited men over the age of 42.<sup>58</sup> The SAA does not recruit men over 42 because the GoS is not in need of soldiers, as it relies on militias, which outnumber the official military.<sup>59</sup>

Some sources stated that the GoS has not called up men over the age of 42 for military service since 2018, following a presidential decree where men serving in the SAA over the age of 42 were discharged and those above this age were not called up for reserve duty.<sup>60</sup> Syria Direct stated that the last case of recruitment of men over 42 they had heard of was in 2021. It was a 45-year-old man who was called up for reserve duty and was deployed to the front in Deir ez-Zor.<sup>61</sup>

Militias affiliated with the SAA do recruit men over the age of 42 who choose to join the militias.<sup>62</sup> People sign up voluntarily for the militias; people in the militias are thus more loyal to the GoS.<sup>63</sup>

## 2.2. Exemption from military service

The Recruitment Directorate of the Syrian Ministry of Defence states on its website that the following categories of people will be exempted from military service: only sons; men who suffer from permanent severe medical conditions (medical exemption); men who pay the fee to be exempted from ‘fixed services’ (Arabic: *بدل الخدمة الثابتة*, *badal alkhidma althabiteh*); and persons who live abroad and pay the exemption fee (Arabic: *البدل النقدي*).<sup>64</sup>

In addition, exemptions will also be granted to the following: a son or sons of one or both parents who have at least two sons who have died as a result of fighting on the side of the GoS in the Syrian war, or as a result of military actions; persons who are employed by the SAA and have completed a period of no less than five years of work in the army; persons who have completed ten years of active service in the Internal Security Forces; and foundlings.<sup>65</sup> This report does not cover the enforcement in practice with regard to these last-mentioned groups.

<sup>56</sup> Omran: 13

<sup>57</sup> Al-Ghazi: 23; Syria Direct: 16; Enab Baladi: 13; SOHR: 9

<sup>58</sup> Enab Baladi: 13; Al-Ghazi: 23; STJ: 17; Omran: 14; SOHR: 8; Aljasem: 15; Syria Direct: 16

<sup>59</sup> Aljasem: 15

<sup>60</sup> Al-Ghazi: 23; Enab Baladi: 13; SOHR: 9

<sup>61</sup> Syria Direct: 16

<sup>62</sup> Omran: 15

<sup>63</sup> Aljasem: 16

<sup>64</sup> Syria, Ministry of Defence, General Recruitment Directorate, *الحالات العامة للإعفاء* [General reasons for exemption], [url](#).

<sup>65</sup> Syria, Ministry of Defence, General Recruitment Directorate, *الحالات العامة للإعفاء* [General reasons for exemption], [url](#)

### 2.2.1. Exemption of only sons

The Syrian Military Service Law exempts a man in the military service age who is the only son of his parents or one of them, whether the parents are alive or not.<sup>66</sup> In addition, a person is considered an only son if his brother/brothers suffer from disabilities or diseases that prevent them from supporting themselves.<sup>67</sup> The only son must renew his exemption every year either until his mother reaches the age of 50, his father reaches the age of 60, one or both of his parents can no longer have children, or one or both of his parents are dead.<sup>68</sup>

In practice, only sons are being exempted from compulsory military service. There are no cases of only sons who have been recruited by the SAA.<sup>69</sup> According to Omran Center for Strategic Studies, it is recommended, however, that only sons carry the necessary documents pertaining to their exemption at all times. This will ensure that if questioned by the authorities, they can provide proof of their exemption. Otherwise, they might face the risk of being mistakenly enlisted and it can be time-consuming to prove that they are not on the list of men wanted for military service.<sup>70</sup>

### 2.2.2. Exemption for medical reasons

By law, a person who suffers from a permanent medical issue would, depending on his condition and upon a medical examination, either be exempted, referred to undertake a non-field position or recruited to do the regular military service.<sup>71</sup>

Before 2011, medical examinations were a routine procedure that everyone called up for conscription had to go through. After 2011, corruption of the medical examination process became widespread, as men called up for conscription used this process as an opportunity to avoid conscription by bribing the doctors who conducted the examinations.<sup>72</sup>

<sup>66</sup> Syria, Ministry of Defence, General Recruitment Directorate, *تعريف الوحيد* [Definition of the only son], [url](#)

<sup>67</sup> Syria, Ministry of Defence, General Recruitment Directorate, *السليم المعافى لأخ أو لأخوة مصابين بعاهاات أو أمراض تمنعهم من إعالة أنفسهم* [A healthy person to a brother or brothers who suffer from disabilities or diseases that prevent them from supporting themselves], [url](#)

<sup>68</sup> Syria, Ministry of Defence, General Recruitment Directorate, *متى يعتبر إعفاء الوحيد نهائياً ولا حاجة لتجديد المعذرة؟* [When is the exemption of an only son considered final and there is no need to renew the exemption?], [url](#); Enab Baladi: 14; Al-Ghazi: 24; Aljasem: 17

<sup>69</sup> Omran: 16; Syria Direct: 17; STJ: 18; Enab Baladi: 14; Al-Ghazi: 24; Aljasem: 17; SOHR: 10; SNHR: 10

<sup>70</sup> Omran: 17

<sup>71</sup> Syria, Ministry of Defence, General Recruitment Directorate, *غير اللائق صحياً* [Medically unfit for compulsory service (medical exemption)], [url](#). Men who have temporary medical conditions can apply to defer their military service (Syria, Ministry of Defence, General Recruitment Directorate, *التأجيل الصحي* [Deferral for medical conditions], [url](#))

<sup>72</sup> STJ: 19; DIS, *Syria - Military service: recruitment procedure, conscripts' duties and military service for naturalised Ajanibs*, 7 July 2023, [url](#), pp. 8-9

In 2013, when the SAA had a huge demand for soldiers, the GoS started monitoring the medical examination process to prevent conscripts from bribing the authorities to avoid military service. As a result, the criteria for health exemptions were tightened.<sup>73</sup>

Anyone who is called up for military service will undergo an initial basic medical examination (i.e. checking the height, weight and eyesight etc. of the person) to determine whether he is fit for military service or whether he must be referred to the medical committee in a military hospital for further medical examination. People who are referred to medical committees will have health problems for which the committee either grants an exemption or determines the person as 'unfit for field operations'. The committee will write a medical report based on the medical examination and the person will then report to the Ministry of Defence. Individuals who are declared unfit for field operations will normally be assigned to a non-field position (see more about this in [2.2.3. Men unfit for field operations](#)).<sup>74</sup>

### 2.2.2.1. Medical reasons for exemption

In order to decide whether a person's medical problems make him eligible for exemption or unfit for field operations, the authorities will assess the percentage or degree of disability caused by a person's medical problems at the time of the medical examination.<sup>75</sup>

In practice, it is unclear which medical conditions make a person eligible for exemption or unfit for field operations.<sup>76</sup> However, there are obvious disabilities that will make a person exempted from military service.<sup>77</sup> Men are exempted if, for example, they are blind or completely paralysed.<sup>78</sup> In addition, men are generally exempted from military service for medical reasons such as obesity, poor eyesight, cancer, loss of a limb and mental illnesses.<sup>79</sup>

Sometimes, it takes a long time for the authorities to make a medical assessment of a person even when it is clear from his medical condition that he should be exempted. STJ knows of a case where it took four months to obtain an exemption for an individual with Down's syndrome. During these four months, the person had to undergo many examinations in different hospitals before the medical assessment was issued.<sup>80</sup>

According to a DIS report from July 2023, it has become increasingly difficult to obtain an exemption for medical reasons.<sup>81</sup> STJ informed DIS that at present, even people with obvious physical disabilities are being recruited. STJ knew of a person from East Ghouta who had a

---

<sup>73</sup> STJ: 20

<sup>74</sup> Syria Direct: 22; SNHR: 11; Aljasem: 18; DIS, *Syria - Military service: recruitment procedure, conscripts' duties and military service for naturalised Ajanibs*, 7 July 2023, [url](#), p. 8

<sup>75</sup> STJ: 21; Enab Baladi: 15; SNHR: 12

<sup>76</sup> Omran: 18; Syria Direct: 18; Enab Baladi: 15; Aljasem: 19; STJ: 22

<sup>77</sup> Al-Ghazi: 25

<sup>78</sup> SNHR: 12; Enab Baladi: 15

<sup>79</sup> SNHR: 12; SOHR: 11; Aljasem: 19; Syria Direct: 18

<sup>80</sup> STJ: 23

<sup>81</sup> DIS, *Syria - Military service: recruitment procedure, conscripts' duties and military service for naturalised Ajanibs*, 7 July 2023, [url](#), p. 8

disability of more than 60 % due to a previous leg injury, which he sustained while fighting on the opposition side against the GoS; this individual was nonetheless recruited to the SAA, even though he had difficulties walking. He served for one year and two months and was only discharged after paying a bribe of 3 500 USD.<sup>82</sup>

### 2.2.3. Men unfit for field operations

#### 2.2.3.1. Criteria for being assessed unfit for field operations

Apart from being exempted for medical reasons, it is possible to be assigned to fixed services/fixed positions (Arabic: *خدمات ثابتة*, *khadamat thabiteh*) and do one's military service e.g. in an office, in logistics, in a kitchen or in guarding. Men will be considered unfit for field operations if they have medical issues that make them not eligible for deployment in field operations and at the same time not eligible for exemption for medical reasons.<sup>83</sup>

Before 2013, people had to have a 40 % disability to be considered unfit for field operations. At that time, people with impaired vision or other eye problems would be deemed unfit for field operations and therefore assigned to fixed services. Currently, a person with a visual impairment or other eye problems will be recruited unless the eye problem is severe.<sup>84</sup>

Consequently, it is unclear which medical conditions make a person unfit for field operations as it depends on the assessment of the medical committee at the military hospital.<sup>85</sup> However, some sources mentioned that there are certain medical conditions that will make an individual considered unfit for field operations. These include diabetes, poor vision to varying degrees, heart diseases, high blood pressure issues, hearing impairment, hand or foot defects, asthma or some other chronic diseases.<sup>86</sup>

The assignment of an individual to fixed services also depends on the assessment conducted by the officer in charge.<sup>87</sup> Syria Direct mentioned a case of a person who was deaf-mute but was nonetheless assigned to serve in a fixed position until recently when he was finally exempted from military service because of his medical condition.<sup>88</sup>

#### 2.2.3.2. Exemption of men unfit for field operations by paying a fee

Men who are assessed unfit for field operations due to suffering from specific health conditions can pay a fee of 3 000 USD to be exempted from serving in a fixed position.<sup>89</sup> In general, this exemption is being enforced in practice and is respected by the GoS.<sup>90</sup> According to Aljasem, the GoS implements and respects this exemption because the number of recruits is no longer

---

<sup>82</sup> STJ: 24

<sup>83</sup> Syria Direct: 19; Aljasem: 20; Enab Baladi: 15

<sup>84</sup> STJ: 25

<sup>85</sup> Omran: 18; Syria Direct: 18; Enab Baladi: 15; Aljasem: 19; STJ: 22

<sup>86</sup> SOHR: 12; SNHR: 13; Aljasem: 19

<sup>87</sup> Syria Direct: 20

<sup>88</sup> Syria Direct: 21

<sup>89</sup> Syria, *Legislative Decree No. 31 of 2020*, 4 January 2021, [url](#)

<sup>90</sup> Enab Baladi: 17; SNHR: 15; Syria Direct: 23-24; Omran: 20; Aljasem: 21



as important for the GoS as it was when the GoS was in an existential battle; what is important today is the quality of the soldiers and the revenues, e.g. from the exemption fees.<sup>91</sup>

With regard to whether people use this possibility of paying a fee to be exempted from fixed services, Enab Baladi noted that there are only few people in Syria who can afford to pay such a large amount of money for this exemption.<sup>92</sup> Enab Baladi and SNHR knew of persons who were granted exemptions after paying this fee.<sup>93</sup> Al-Ghazi assessed that if someone had the slightest chance not to serve, he would pay.<sup>94</sup> Syria Direct concluded that the fact that many pay bribes to be assigned to fixed services in order to be eligible to pay this exemption fee indicates that the rules regarding this exemption are being implemented.<sup>95</sup>

### 2.2.3.3. Bribery and extortion

Bribery and extortion are common with regard to obtaining an exemption for medical reasons due to the fact that the law does not include the possibility to pay an exemption fee for men inside Syria (except for those assigned to fixed positions and for men over the age of 40).<sup>96</sup> However, not everybody who pays a bribe to be exempted from military service for medical reasons succeed. In some cases, the authorities suspect that the medical exemption has been issued for illegitimate reasons; consequently, the authorities will demand that the suspected person undergoes a new medical assessment.<sup>97</sup>

A lot of men attempt to be assessed unfit for field operations and to be assigned to fixed services, including by using connections (*wasta*) and/or by paying a bribe, in order to be eligible for paying the fee of 3 000 USD and be exempted.<sup>98</sup> According to Aljasem, it is especially siblings of warlords, businessmen and those with connections in the military circles who make use of this process.<sup>99</sup> However, there are also cases where people who do suffer from health issues have to pay a bribe to obtain the assessment that they are unfit for field operations.<sup>100</sup>

### 2.2.4. Exemption of men living abroad

Syrian men in the military service age who live abroad have the possibility of paying a fee to be exempted from military service. The amount of the fee is based on the duration of one's residence outside Syria. Legislative Decree No. 31 of 2020 stipulates that the longer a person has lived abroad, the less he will have to pay to be exempted, e.g. a person who has lived

---

<sup>91</sup> Aljasem: 21

<sup>92</sup> Enab Baladi: 18

<sup>93</sup> SNHR: 15; Enab Baladi: 17

<sup>94</sup> Al-Ghazi: 28

<sup>95</sup> Syria Direct: 23

<sup>96</sup> ISPI, Al-Mustafa, M., *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#); EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 30; SANA, الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل المادة 26 من قانون خدمة العلم [President Al-Assad issues a legislative decree amending Article 26 of the Military Service Law], 1 December 2023, [url](#)

<sup>97</sup> EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 30

<sup>98</sup> SOHR: 14; Aljasem: 22; SNHR: 16; Syria Direct: 23

<sup>99</sup> Aljasem: 22

<sup>100</sup> Enab Baladi: 16

abroad for one, two, or three years must pay 10 000, 9 000 or 8 000 USD respectively.<sup>101</sup> Men who have left the country illegally are also allowed to pay the fee to obtain the exemption.<sup>102</sup>

Legislative Decree No. 31 of 2020 also made it possible for men who live abroad to be exempted from reserve duty if they pay an exemption fee of 5 000 USD.<sup>103</sup> According to Omran Center for Strategic Studies, the GoS has extended the possibility of paying the exemption fee to reservists and to men who have only lived abroad for a short period because the GoS is in urgent need of foreign currency.<sup>104</sup>

#### 2.2.4.1. Use of the possibility to pay the exemption fee

In general, Syrians abroad are still using this possibility of paying the exemption fee in order to be exempted from compulsory military service or reserve duty.<sup>105</sup> However, compared to the number of men in the military service age who live abroad, only few have used this possibility.<sup>106</sup>

In 2020, a new law was issued stipulating that a person above 42 who is outside the country and who has not served his military service nor paid an exemption fee will have his property seized. Since then, more people have paid the exemption fee to prevent their properties from being seized.<sup>107</sup>

It is mainly Syrian men who live in the Gulf states, Lebanon, Jordan, Egypt and Iraq, as well as a smaller number of men from European countries and Turkey, who make use of the possibility of paying the exemption fee.<sup>108</sup> One reason for paying the exemption fee for some of these men is that they do not have permanent residency in the country in which they live; hence, they know that they will have to return to Syria in the future.<sup>109</sup> Another reason to pay the exemption fee is to be able to have documents issued, which is not possible for people wanted for military service.<sup>110</sup>

#### 2.2.4.2. Implementation of the exemption rules for men living abroad

In general, the GoS respects the rules regarding the exemption fee and does not call up men for military service who have paid the exemption fee.<sup>111</sup> The exemption fee is a good source of

<sup>101</sup> Syria, *Legislative Decree No. 31 of 2020*, 4 January 2021, [url](#)

<sup>102</sup> Syria, *Legislative Decree No. 31 of 2020*, 4 January 2021, [url](#); Netherlands, MFA, *General Country of Origin Information Report Syria*, August 2023, [url](#), p. 52. A confidential source informed the Dutch Ministry of Foreign Affairs in a report issued in 2023 that the names of men who have paid the exemption fee are posted on some of the Syrian embassies, including the Syrian Embassy in Sweden

<sup>103</sup> Syria, *Legislative Decree No. 31 of 2020*, 4 January 2021, [url](#)

<sup>104</sup> ISPI, Al-Mustafa, M., *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, [url](#)

<sup>105</sup> Enab Baladi: 22-23; Al-Ghazi: 40; Omran: 24, 26; SOHR: 17; SNHR: 21; Aljasem: 31

<sup>106</sup> Syria Direct: 38; Aljasem: 29

<sup>107</sup> Al-Ghazi: 41

<sup>108</sup> STJ: 31; Enab Baladi: 24; Syria Direct: 38; Aljasem: 31

<sup>109</sup> Enab Baladi: 24

<sup>110</sup> Al-Ghazi: 42

<sup>111</sup> Omran: 25; Enab Baladi: 25; Al-Ghazi: 43-44; SNHR: 22; SOHR: 17, 19; STJ: 32; Aljasem: 31-32; Syria Direct: 32, 37

revenue for the GoS, which is in need of money, and the GoS wants to encourage people to use the possibility of paying the fee.<sup>112</sup> For this reason, if a person has not participated in anti-GoS activities, the authorities do not object to him returning to or visiting the country, according to Aljasem.<sup>113</sup>

### 2.2.4.3. Possible problems that persons may face in spite of being exempted

Persons who have been exempted may nonetheless face problems due to different reasons.

Firstly, men who have security issues with the GoS risk facing problems despite having settled these issues with the GoS.<sup>114</sup> STJ and Syria Direct knew cases of men who had paid the exemption fee and had been exempted but who were nonetheless arrested because they were wanted by the security branches for security reasons. These individuals had settled their situation prior to travelling to Syria.<sup>115</sup>

Secondly, persons may face problems if they are not able to document that they are exempted. Some sources interviewed by DIS knew of individuals who were arrested or referred to do their military service because they had difficulties documenting that they had paid the exemption fee.<sup>116</sup>

Thirdly, men who have paid the exemption fee may, according to STJ, risk problems for reasons of revenge and blackmail like other Syrian citizens. STJ explained that if a person is from a former opposition-controlled area, the authorities may arrest him at checkpoints as a way of taking revenge. Many people are also detained at checkpoints because the authorities want to blackmail them.<sup>117</sup>

Syria Direct informed DIS that the GoS has informants among the population who report their fellow citizens to the authorities, especially people who left the country, as these are perceived as having left them behind in the conflict. They thus report these persons to the GoS as a sort of revenge. Hence, Syrians who have left the country and returned are especially vulnerable to this kind of reprisal.<sup>118</sup>

### 2.2.5. Exemption fee for men inside Syria above 40

As of 1 December 2023, when Legislative Decree 37 of 2023 was issued, it became possible for men inside Syria who have reached the age of 40 to pay the exemption fee. According to this new decree, these men can pay a fee of 4 800 USD and be exempted from military service if

---

<sup>112</sup> Enab Baladi: 25; Al-Ghazi: 43

<sup>113</sup> Aljasem: 32. Enab Baladi does not exclude that there may be cases of people who have been arrested and required to do military service despite having paid the exemption fee. However, the source had not heard of any specific cases (Enab Baladi: 26)

<sup>114</sup> STJ: 33; Syria Direct: 32, 37

<sup>115</sup> STJ: 33; Syria Direct: 32

<sup>116</sup> Enab Baladi: 27; Omran: 25; Al-Ghazi: 45

<sup>117</sup> STJ: 32

<sup>118</sup> Syria Direct: 33-35

they have been called up for reserve duty. If a person of 40 years or above is already serving in the reserve and wants to pay the exemption fee, he will have to pay 4 800 USD minus 200 USD for each month that he has served.<sup>119</sup>

With the exception of men who have reached the age of 40, it is not possible for men inside Syria to pay a fee to be exempted from military service, unless they are unfit for field operations (see section [2.2.3.2. Exemption of men unfit for field operations by paying a fee](#)).<sup>120</sup> However, STJ informed DIS of cases where men who resided within Syria had managed to bribe the authorities and were thus able to pay the exemption fee as if they resided outside of Syria.<sup>121</sup>

## 2.3. Deferrals

The website of the Recruitment Directorate of the Syrian Ministry of Defence provides a list of reasons for which Syrian men in the military service age can defer their military services. Some of these reasons include deferral due to studies, medical conditions, residence abroad, and if all the other brothers are serving in the military.<sup>122</sup> In the following, some of these deferrals will be covered in detail.

### 2.3.1. Deferral due to studies

There has not been any recent change in the rules regarding deferral due to studies.<sup>123</sup> The last amendment regarding deferral due to studies was Legislative Decree 12 of 2019.<sup>124</sup> According to Syria Direct, there may be times, however, where the authorities are stricter in the implementation of the rules than at other times but the law remains the same.<sup>125</sup>

Currently and historically, men have been using this possibility of deferring their military service if they are studying in high school and up to the completion of their university studies.<sup>126</sup> It is usually not a problem to get this type of postponement. In general, the authorities give this kind of deferral both to people studying in public and in private universities. However, there are cases where the recruitment officer tells a person eligible for deferral that he cannot get an extra year's deferral (e.g. if he has failed an exam) unless he pays a bribe to get an extra year.<sup>127</sup>

<sup>119</sup> SANA, الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل المادة 26 من قانون خدمة العلم, [President Al-Assad issues a legislative decree amending Article 26 of the Military Service Law], 1 December 2023, [url](#)

<sup>120</sup> Omran: 27; Syria Direct: 39; STJ: 34; SNHR: 24

<sup>121</sup> STJ: 35

<sup>122</sup> Syria, Ministry of Defence, General Recruitment Directorate, أنواع التأجيل [Types of deferrals], [url](#)

<sup>123</sup> Syria Direct: 26

<sup>124</sup> SANA, الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل مواد من قانون خدمة العلم, [President al-Assad issues a legislative decree amending articles of the Military Service Law], 14 July 2019, [url](#); Omran: 22

<sup>125</sup> Syria Direct: 26

<sup>126</sup> STJ: 27; SOHR: 15; Omran: 21; Enab Baladi: 19; Syria Direct: 25, 27; SNHR: 17; Aljasem: 23

<sup>127</sup> Al-Ghazi: 29, 31

Students who have obtained a deferral on military service due to their studies have to renew the deferral every year by documenting that they are enrolled in an education.<sup>128</sup> There is a military conscription detachment inside the universities in Syria. The university communicates with this detachment and gives them the exam status of students.<sup>129</sup>

In order to avoid being conscripted, students must at all times carry the necessary documents pertaining to their deferral.<sup>130</sup> However, SNHR stated that during raids or at checkpoints, students may be arrested and taken to the military police station for extortion despite the deferral; the student's parents will be asked to pay a bribe before the student is released. If the parents have no money, they will have to give the military police officer something else, such as a mobile phone. And if the parents do not have so much to offer the officer in charge, a pack of cigarettes will also be accepted as a bribe. According to SNHR, extortion of persons who have a deferral on the grounds of studying is a systematic practice by the GoS. However, under no circumstances will the student be conscripted.<sup>131</sup>

### 2.3.1.1. Limits to study deferrals

Most male students deliberately fail their exams in order to be able to defer their military service for the maximum number of years allowed.<sup>132</sup> Some even register for studies without any intention to study and only show up for exams and fail them in order to postpone their military service.<sup>133</sup>

A student cannot keep failing his exams in order to avoid military service, however, as he can only get a deferral for a certain amount of years depending on the specific study.<sup>134</sup> For example, a two-year study can be completed in a maximum of five years and a four-year study in a maximum of nine years.<sup>135</sup> If an individual is enrolled in a four-year university program, which is the typical duration of most studies, he is granted a maximum of six or seven years to complete his studies, including the postponement years.<sup>136</sup>

Additionally, a person cannot get a deferral for the same one-year class three times. This means that one can only fail a class twice. If a man fails the same class for the third time, he will not get another deferral but will have to serve in the military.<sup>137</sup>

---

<sup>128</sup> SOHR: 15; Al-Ghazi: 32

<sup>129</sup> Aljasem: 25

<sup>130</sup> Omran: 21

<sup>131</sup> SNHR: 17-18

<sup>132</sup> STJ: 28

<sup>133</sup> Syria Direct: 28

<sup>134</sup> Al-Ghazi: 30; STJ: 29

<sup>135</sup> STJ: 29

<sup>136</sup> SANA, *الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل مواد من قانون خدمة العلم*, [President al-Assad issues a legislative decree amending articles of the Military Service Law], 14 July 2019, [url](#); Al-Ghazi: 30

<sup>137</sup> Aljasem: 23

It is only possible to defer one's military service due to studies up to a certain age.<sup>138</sup> For example, a person studying in Syria must be below the age of 26 if he is enrolled in a four-year university program.<sup>139</sup>

In a report issued by the Dutch Ministry of Foreign Affairs in August 2023, a confidential source stated that a student who has a deferral can apply to have an official document from the regional military headquarters permitting him to travel outside Syria.<sup>140</sup>

### 2.3.2. *Deferral to travel outside Syria*

There is a procedure allowing men in Syria to defer their conscription by six months in order for them to be able to travel outside Syria. Many men make use of this option. If the person does not travel outside Syria within the six months, he will be conscripted.<sup>141</sup>

Men who have been part of the opposition have the possibility of settling/sorting out their situation (*taswiya*) through reconciliation agreements and are then able to get this kind of deferral. In Deraa in southern Syria, many settled their situation in order to obtain a deferral on military service for six months, which could be extended. In addition to getting a deferral, the settlement also makes it possible for these men to get official documents issued, e.g. a passport.<sup>142</sup>

Some people criticized the GoS for these reconciliation agreements because it gave young people the opportunity to leave the country. According to Syria Direct, the GoS had an interest in anti-GoS individuals leaving the country and at the same time, it served as a source of revenue, as people paid to enter into reconciliation agreements with the GoS.<sup>143</sup>

### 2.3.3. *Deferral due to residence abroad*

Legislative Decree No. 31 of 2020 stipulates that every Syrian man in the military service age has the possibility of obtaining a deferral on military service for 90 days (each year) during which he can visit Syria without being recruited by paying a fee at a Syrian embassy/diplomatic representation. The person will have the possibility of staying in Syria for an additional period of 60 days in exchange for paying 200 USD.<sup>144</sup> The General Recruitment Directorate of the Ministry of Defence has information about the requirements for such a deferral on its website.<sup>145</sup>

<sup>138</sup> Aljaseem: 23; SANA, *الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل مواد من قانون خدمة العلم*, 14 July 2019, [url](#)

<sup>139</sup> SANA, *الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل مواد من قانون خدمة العلم*, 14 July 2019, [url](#)

<sup>140</sup> Netherlands, MFA, *General Country of Origin Information Report Syria*, August 2023, [url](#), p. 53

<sup>141</sup> Enab Baladi: 20

<sup>142</sup> Syria Direct: 30

<sup>143</sup> Syria Direct: 31

<sup>144</sup> Syria, *Legislative Decree No. 31 of 2020*, 4 January 2021, [url](#); Syria, Ministry of Defence, General Recruitment Directorate, *أسس التأجيل بالإقامة* [*Basis for deferral due to residence*], [url](#)

<sup>145</sup> Syria, Ministry of Defence, General Recruitment Directorate, *التأجيل بالإقامة* [*Deferral due to residence*], [url](#)

It is also possible for people abroad who have evaded or deserted military service to sort out their affairs (Arabic: *تسوية وضع*, *taswiyet wadaa*) and get this deferral on military service. In this case, they need to go to the embassy and do the necessary paper work.<sup>146</sup>

According to Al-Ghazi, in order to avoid problems with the authorities upon arrival in Syria, a person who has obtained this deferral abroad has to make sure that his name has in fact been removed from the list of men wanted for military service before he travels to Syria because it can take time to have one's name removed from the wanted list. Additionally, one should make sure that he is not wanted for any other reason. The authorities will usually not tell him if he is wanted for other issues than military service, either because they do not want to inform him about it, or because they do not have access to the wanted lists of the security services.<sup>147</sup>

### 2.3.3.1. Implementation of deferral due to residence abroad

In general, the rules regarding deferral of military service due to residence abroad, including the possibility of visiting Syria for up to three months without being recruited for military service, are being implemented and the GoS respects this deferral.<sup>148</sup> According to Aljasem, the fee that is paid for this kind of deferral has become a great revenue source for the GoS. It would not be in the interest of the GoS if the word spread that someone paid the deferral fee to visit Syria for up to three months and subsequently faced blackmail. The GoS wants people to visit and bring revenue to the state.<sup>149</sup>

According to SOHR and SNHR, many men who live abroad use this three-months deferral to travel to Syria.<sup>150</sup> Al-Ghazi and Aljasem stated that it is mostly people who come from loyalist areas and who do not have problems with the GoS who use the opportunity to defer their military service for three months and travel to Syria.<sup>151</sup> They often go back for a couple of weeks, see their family, do some business, spend some money, and then they return to their country of residence.<sup>152</sup>

Enab Baladi stated, however, that not many people use this possibility because they fear that the Syrian authorities will fabricate charges against them when they visit Syria.<sup>153</sup>

### 2.3.3.2. Possible problems that persons may face in spite of having a deferral due to residence abroad

STJ believed that extortion is a widespread practice of many military, security and intelligence units; therefore, the authorities at checkpoints cannot be trusted to follow the rules and they may arrest people in order to extort them.<sup>154</sup> Syria Direct similarly stated that people who have

---

<sup>146</sup> Al-Ghazi: 36

<sup>147</sup> Al-Ghazi: 33-35, 39

<sup>148</sup> Aljasem: 26; SNHR: 19; Al-Ghazi: 33; STJ: 30; Syria Direct: 29; SOHR: 16

<sup>149</sup> Aljasem: 27

<sup>150</sup> SOHR: 16; SNHR: 19

<sup>151</sup> Al-Ghazi: 38; Aljasem: 28

<sup>152</sup> Aljasem: 28

<sup>153</sup> Enab Baladi: 21

<sup>154</sup> STJ: 30

a deferral might face extortion, and especially businessmen or Syrians visiting from Europe are vulnerable to this kind of blackmail.<sup>155</sup> According to Al-Ghazi, people may also fear facing problems upon return if they are from previously opposition-held areas and have family members who may have been involved in activities against the GoS.<sup>156</sup>

## 2.4. Discharge

Since May 2018, when the GoS took control over East Ghouta, it has been discharging and ending recall of specific categories of conscripts and reservists born in a particular year or who have served for a specific number of years.<sup>157</sup>

In August 2022, two administrative orders were issued stating the discharge of, among others: medical specialists upon completion of their mandatory or reserve service; reserve ranks and personnel who have completed six and a half years or more of reserve duty; reserve ranks and personnel who were born in 1983 and have completed two years or more of reserve service by 31 August 2022; retained conscripted officers; retained conscripted officer cadets from all specialised fields who have completed at least one year of actual reserve service by 31 August 2022; and officers and conscripted officer cadets who have completed their mandatory military service.<sup>158</sup>

In July 2023, an administrative order was issued ending the retention and recall of non-commissioned officers and reservist soldiers who had completed six and a half years of military service by 31 July 2023.<sup>159</sup> On 4 December 2023, an administrative order was issued to end the call-up of reserve officers who will have completed one year or more of actual military service by 31 January 2024. The order also ends the retention and call-up of non-commissioned officers and reserve soldiers who will have completed six years or more of actual military service by 31 January 2024. The order will be effective from 1 February 2024.<sup>160</sup>

With the exception of the last issued order, which was not in force while drafting this report, the administrative orders issued the last two years regarding discharge and the ending of recall of reservists or conscripts who are born in a specific year or who have served for a specific number of years have been implemented.<sup>161</sup>

The GoS has not provided information regarding the exact number of individuals who have been discharged from military service due to the implementation of administrative orders.<sup>162</sup> SOHR mentioned that, for example, reservists born in 1983 and who had served for two years

<sup>155</sup> Syria Direct: 29

<sup>156</sup> Al-Ghazi: 38

<sup>157</sup> Netherlands, MFA, *General Country of Origin Information Report Syria*, August 2023, [url](#), pp. 56-57

<sup>158</sup> EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 28

<sup>159</sup> SANA, *President al-Assad issues administrative order to end military personnel retention of some soldiers*, 17 July 2023, [url](#)

<sup>160</sup> SANA, *President al-Assad issues administrative order terminating call-up and retention of some military personnel*, 4 December 2023, [url](#)

<sup>161</sup> Omran: 29; Aljasem: 33; SNHR: 25; Enab Baladi: 28; Syria Direct: 40; STJ: 4; SOHR: 20

<sup>162</sup> Enab Baladi: 28



were discharged.<sup>163</sup> STJ informed DIS that reservists in Training Course 102 (Arabic: *dawra*, *dawra*) were also discharged. However, this training course had lost most of its soldiers during the conflict and most of those who survived were severely injured or disabled.<sup>164</sup>

---

<sup>163</sup> SOHR: 20

<sup>164</sup> STJ: 4-5

### 3. Draft evasion and desertion

---

Men above the age of 18 who have avoided being drafted into the Syrian Arab Army (SAA), either by hiding from the Syrian authorities in Syria or by fleeing Syria, are considered draft evaders. SAA soldiers, including conscripts, reservists, non-commissioned officers and officers, who have left their military post or unit in the SAA and are thus no longer in active military service are considered deserters.<sup>165</sup>

#### 3.1. Consequences of draft evasion and desertion

##### 3.1.1. Consequences of draft evasion

In peacetime, the penalty for draft evasion ranges from one to six months imprisonment, whereas in wartime, the punishment is a maximum of five years imprisonment; subsequently, the draft evader will have to perform his full military service.<sup>166</sup>

In practice, however, several sources reported that draft evaders are taken directly to military service rather than being prosecuted.<sup>167</sup> When a draft evader is caught at a checkpoint, he will be taken to an intelligence branch; if it appears that he has no pending security issues with the authorities, he will be handed over to the army to commence his military service.<sup>168</sup> Some sources furthermore added that draft evaders are sent directly to the front/areas with confrontations.<sup>169</sup> Other sources mentioned the risk of being imprisoned (according to the law and/or in practice) before being sent to military service.<sup>170</sup> The prison sentence is, according to SOHR, nine months at most.<sup>171</sup>

Finally, it was reported that the consequences of draft evasion in practice depends on the circumstances of each case.<sup>172</sup> Draft evaders who are caught and taken to military service are reportedly treated more harshly than conscripts who have reported themselves for service. Furthermore, draft evaders from former opposition-controlled areas are treated with suspicion and are more likely to be imprisoned or deployed to the front.<sup>173</sup>

Another consequence for draft evaders – as well as deserters – is that they are not allowed to obtain official documents.<sup>174</sup>

---

<sup>165</sup> Denmark, DIS, *Syria - Military Service*, May 2020, [url](#), p. 7

<sup>166</sup> Netherlands, MFA, *General Country of Origin Information Report on Syria*, August 2023, [url](#), pp. 54-55

<sup>167</sup> Enab Baladi: 30; Syria Direct: 41; SNHR: 27; Omran: 31; STJ: 36; Netherlands, MFA, *General Country of Origin Information Report on Syria*, August 2023, [url](#), pp. 54-55

<sup>168</sup> STJ: 36

<sup>169</sup> Syria Direct 41; SNHR: 27

<sup>170</sup> Aljasem: 35; Al-Ghazi: 50; SOHR: 21

<sup>171</sup> SOHR: 21

<sup>172</sup> Omran: 30; Netherlands, MFA, *General Country of Origin Information Report on Syria*, August 2023, [url](#), p. 55; EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 34

<sup>173</sup> Netherlands, MFA, *General Country of Origin Information Report on Syria*, August 2023, [url](#), p. 55

<sup>174</sup> SNHR: 32

### 3.1.2. Consequences of desertion

In practice, men who have deserted from their military service will face prosecution, receive a prison sentence and subsequently be taken to serve in the military.<sup>175</sup> SNHR noted in this regard that when a person deserts, he has a time limit of e.g. one year within which he can turn himself in to authorities and avoid prosecution. If he turns himself in within the time limit, he will only have to do his military service. If he does not come forward before the deadline, he will be tried in absentia.<sup>176</sup>

Conscripts and reservists who have deserted can receive up to nine months' imprisonment.<sup>177</sup> If they desert for a second time, they can be sentenced to up to two years' imprisonment. And if they desert for a third time, they can be imprisoned for up to five years, after which they will have to perform their military service.<sup>178</sup>

Omran Center for Strategic Studies informed DIS that if a deserter is caught, he will be punished according to the Penal Code and the principles of the military trials law and the law does not differentiate between desertion and defection [i.e. deserting and joining the enemy/opposition forces]; the deserter may thus be treated as a defector.<sup>179</sup>

According to Al-Ghazi and Omran Center for Strategic Studies, the consequences for desertion will also depend on the individual case.<sup>180</sup> Al-Ghazi noted that if a deserter is from a previously opposition-controlled area, the GoS might not just look at it as a minor desertion but consider it as treason; hence, this person might face the death sentence. Similarly, if a person deserted and engaged in anti-GoS activities, it would lead to the death sentence.<sup>181</sup>

### 3.1.3. Statute of limitations

The legal consequences of evasion and desertion are subject to the statute of limitations after ten years from filing a criminal lawsuit against the person for his evasion or desertion. This means that an evader or deserter who has had a criminal lawsuit filed against him when he was 25 years old, for example, would not face any consequences for his evasion if he were caught when he was 35. Despite the implementation of the law of the statute of limitations, an evader or deserter, like any other citizen, may still face problems at checkpoints, however, as officers may arbitrarily harass, blackmail and/or arrest people.<sup>182</sup>

### 3.1.4. Sorting out ones issues or reconciling

To avoid a prison sentence for evasion and desertion, a person can sort out his affairs (Arabic: *تسوية وضع*, *taswiyet wadaa*) or go through reconciliation (Arabic: *مصالحة*, *musalaha*) to be

<sup>175</sup> Syria Direct: 44; Enab Baladi: 32-33; SNHR: 30; Omran: 33; SOHR: 23

<sup>176</sup> SNHR: 29

<sup>177</sup> Enab Baladi: 32; SOHR: 23

<sup>178</sup> Enab Baladi: 32-33

<sup>179</sup> Omran: 33-34

<sup>180</sup> Al-Ghazi: 53; Omran: 34

<sup>181</sup> Al-Ghazi: 53-54

<sup>182</sup> STJ: 41-42



above 42 would have to pay a fine depending on the number of months he has evaded military service.<sup>190</sup>

In practice, if a draft evader above the age of 42 fails to pay the fee for missed service, he will face a seizure of his financial assets. Additionally, provisional seizure of capital held by his wife/wives and children may take place without warning.<sup>191</sup> Enab Baladi and Al-Ghazi stated that also deserters above 42 who fail to pay the fee will face these consequences.<sup>192</sup> The seizure of assets has not been implemented in practice, however, according to a source interviewed by EUAA in connection with a report issued in October 2023.<sup>193</sup>

Two sources interviewed by DIS stated that both draft evaders and deserters above the age of 42 will get a prison sentence if caught.<sup>194</sup> According to STJ, an evader or deserter above 42 will be sentenced to a period of imprisonment ranging from three to seven years by the military court. The imprisonment period will not exceed three years if the person has only evaded or deserted once.<sup>195</sup> SNHR noted that a deserter above the age of 42 who has been sentenced to imprisonment in absentia when he was below the age of 42 will have to serve his sentence.<sup>196</sup>

Moreover, SNHR and Aljasem stated that draft evaders above the age of 42 will probably not be prosecuted for the offence of having evaded military service.<sup>197</sup> Aljasem noted that although desertion is a crime according to the law, it would be possible for a deserter above 42 to sort out his outstanding affairs and be pardoned for his act of desertion.<sup>198</sup> At the same time, however, he assumed that the GoS may come up with other accusations than draft evasion against a draft evader above 42, such as treason or supporting terrorist groups, to punish him for his evasion, as the GoS has a practice of coming up with false accusations against perceived opponents.<sup>199</sup>

As regards persons who have already served (whether compulsory military service or reserve duty), according to the law, their names will disappear from the list of people wanted for military service when they turn 42. According to Syria Direct, there have been cases, however, where deserters above the age of 42 were caught and taken to serve their reserve duty.<sup>200</sup>

---

<sup>190</sup> Aljasem: 36; Omran: 32

<sup>191</sup> SNHR: 28; Omran: 32; Syria Direct: 42; Enab Baladi: 41; Al-Ghazi: 55; STJ: 40; Aljasem: 36; EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 31

<sup>192</sup> Enab Baladi: 41; Al-Ghazi: 55

<sup>193</sup> EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 31

<sup>194</sup> STJ: 37; SOHR: 22, 24

<sup>195</sup> STJ: 37

<sup>196</sup> SNHR: 31

<sup>197</sup> Aljasem: 36; SNHR: 28

<sup>198</sup> Aljasem: 44

<sup>199</sup> Aljasem: 37

<sup>200</sup> Syria Direct: 45

### 3.1.6. Amnesties

Apart from the procedures of sorting out one's issues or reconciling, draft evaders and deserters can avoid punishment by making use of an amnesty decree. Almost every year, the GoS issues decrees giving amnesty to draft evaders and deserters.<sup>201</sup>

The amnesties for draft evaders and deserters only pardon a person for his act of evasion or desertion in the sense that he will not be prosecuted for the crime. The person will still have to report for military service within a specific deadline, e.g. six months.<sup>202</sup>

The most recent amnesty decree was issued on 16 November 2023, pardoning, among other crimes, desertion from military service on the condition that the deserter turn himself in to the authorities within three months if he is inside Syria or six months if he is outside Syria.<sup>203</sup>

It is unclear whether these amnesties also include reserve duty. On the one hand, two sources stated that the amnesties do include men who have deserted from reserve duty.<sup>204</sup> However, another source interviewed by EUAA reported that the amnesties do not cover individuals who evaded reserve duty.<sup>205</sup> The only information DIS could find in this regard is an amnesty issued in 2018 when the Director of the General Recruitment Directorate publicly explained that the amnesty pardoned deserters, including those called up for the reserve so that they were no longer wanted for the reserve duty and the penalty for the crime of desertion was dropped.<sup>206</sup>

Evaders and deserters who have security issues with the GoS are not encompassed by the amnesties.<sup>207</sup> They have the possibility to undergo a status settlement (Arabic: *تسوية وضع*, *taswiyet wadaa*) and then make use of the amnesty. However, evaders and deserters who do have pending security issues choose not to make use of the amnesties because they do not trust the Syrian government.<sup>208</sup>

#### 3.1.6.1. Use of the amnesties

Men in the military service age who have no security issues with the GoS have made use of and do make use of the amnesties, including in previously opposition-controlled areas.<sup>209</sup> An individual makes use of the amnesties if he wants to stay in Syria and does not want to hide

<sup>201</sup> Al-Ghazi: 50, 52; Aljasem: 46; SNHR: 26, 34; EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 32

<sup>202</sup> Syria Direct: 46; Enab Baladi: 34; STJ: 43; SNHR: 34;

<sup>203</sup> Aljasem: 46; Enab Baladi, *Decree 36: A sham amnesty ignores 135,000 detainees and forcibly disappeared persons*, 29 November 2023, [url](#)

<sup>204</sup> Aljasem: 47; SOHR: 25

<sup>205</sup> EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 33

<sup>206</sup> Elnashara, *مدير إدارة التجنيد العام بسوريا: مرسوم العفو الرئاسي شمل المدعوين للإحتياط [Director of the General Recruitment Directorate in Syria: The presidential amnesty decree included those called for reserve duty]*, 30 October 2018, [url](#)

<sup>207</sup> Enab Baladi: 35

<sup>208</sup> STJ: 46

<sup>209</sup> SOHR: 25; Enab Baladi: 37; STJ: 44; Syria Direct: 47

forever or go to military prison.<sup>210</sup> According to Enab Baladi, an evader who makes use of an amnesty will have his military service extended by six months as a penalty for having evaded.<sup>211</sup>

IDPs have made use of the amnesties; most of them have used the amnesties in order to be able to return to their home areas. Syrians abroad, i.e. refugees, on the other hand, have rarely used the amnesties; it has mainly been used by Syrians in Lebanon and Turkey who wanted to return to Syria because of the rise of anti-refugee sentiment in those countries.<sup>212</sup>

It is unclear whether draft evaders and deserters above 42 can make use of the amnesties to be pardoned from the act of evasion or desertion.<sup>213</sup>

### 3.1.6.2. Implementation of the amnesties

In general, the amnesties have been implemented; the Syrian authorities do respect the amnesties and do not prosecute men who have been pardoned for draft evasion and desertion.<sup>214</sup> This is on the condition that they have not participated in combats against the GoS.<sup>215</sup> It is not clear, however, whether the amnesties apply to persons who have been politically active against the GoS, according to SNHR.<sup>216</sup>

Omran Center for Strategic Studies knew of cases where deserters who have trusted and made use of this kind of amnesties have been arrested. Some individuals have even lost their lives in detention facilities under the GoS after returning based on an amnesty.<sup>217</sup>

## 3.2. Possible consequences for family members

As regards possible consequences for family members, some sources reported that draft evasion and desertion *in itself* currently do not lead to repercussions for the draft evader's or deserter's family.<sup>218</sup>

On the other hand, sources mentioned different problems that family members of draft evaders and deserters may face, including harassment, extortion, pressure, threats, interrogation and arrest.<sup>219</sup> One source added that they may even face torture.<sup>220</sup> Family members who might face consequences are mostly first-degree relatives.<sup>221</sup> According to Al-Ghazi, consequences of evasion and desertion for family members depends on the individual case, i.e. whether the family has paid a bribe to the security officer to end the harassment,

---

<sup>210</sup> Al-Ghazi: 51

<sup>211</sup> Enab Baladi: 36

<sup>212</sup> Aljasem: 46

<sup>213</sup> Enab Baladi: 42; STJ: 37

<sup>214</sup> SOHR: 26; Enab Baladi: 38; STJ: 43; Aljasem: 49; SNHR: 35

<sup>215</sup> Enab Baladi: 38

<sup>216</sup> SNHR: 35

<sup>217</sup> Omran: 36

<sup>218</sup> SOHR: 27-28; Aljasem: 50-51; EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 35

<sup>219</sup> Syria Direct: 49-50; Enab Baladi: 43-45; SNHR: 36; STJ: 47, 51; Omran: 37-38; Al-Ghazi: 57, 63

<sup>220</sup> Al-Ghazi: 57, 63

<sup>221</sup> SNHR: 36; STJ: 52; Omran: 37; Al-Ghazi: 62

whether the draft evader actually turned himself in and whether the GoS considers the family to be against the GoS or not.<sup>222</sup>

It depends on a number of factors whether the family members of a draft evader or deserter might face consequences due to their family member's evasion or desertion:

Firstly, it depends on the profile of the draft evader/deserter.<sup>223</sup> In cases where the draft evader or deserter is high-profile (politically or militarily active against the GoS), his family would be at risk.<sup>224</sup> Moreover, if the evasion of military service is seen as a sign that the person is an opponent to the GoS, the family might face consequences because of their family member's evasion.<sup>225</sup> A person's political opinion likewise has consequences for his family members, as the authorities do punish family members of political activists.<sup>226</sup> Additionally, if a draft evader or deserter has pending security issues with the GoS, there will be a higher risk that his family will be harassed or extorted or that his family members will be arrested at checkpoints.<sup>227</sup>

Desertion could cause more serious problems for a deserter's family compared to an evader's family, depending on whether the GoS considers the desertion as defection (i.e. deserting in order to join the opposition) or whether he deserted just to go home to see his family for a short period of time.<sup>228</sup>

Secondly, the potential consequences for family members of evaders and deserters depend on the area in which the family lives. For example, if the family of an evader is from an area known to be pro-opposition, they may face extortion, interrogation or arrest to force the evader to come back, or they may have to pay money to local militias and the security apparatus.<sup>229</sup> Conversely, families of draft evaders from loyalist communities, such as Tartous and Damascus, most often do not face any consequences.<sup>230</sup>

Thirdly, family members of evaders and deserters might face problems simply because the authorities use draft evasion and desertion as an excuse to extort the family to extract money.<sup>231</sup> The consequences may thus depend on the military branch or person in charge.<sup>232</sup>

Finally, Enab Baladi stated that in practice, family members of deserters and evaders are disgraced and therefore face harassment and even threats from both the authorities and pro-government citizens.<sup>233</sup>

---

<sup>222</sup> Al-Ghazi: 60

<sup>223</sup> Omran: 40; Al-Ghazi: 56, 61, 65; Aljasem: 50-51; STJ: 50; SNHR: 37

<sup>224</sup> Al-Ghazi: 58; Aljasem in EUAA, *Syria - Country Focus*, October 2023, [url](#), p. 35

<sup>225</sup> Al-Ghazi: 58

<sup>226</sup> Aljasem: 50-51

<sup>227</sup> STJ: 50; SNHR: 37

<sup>228</sup> Al-Ghazi: 67-68; Omran: 40

<sup>229</sup> Al-Ghazi: 61; STJ: 47

<sup>230</sup> Al-Ghazi: 56; STJ: 47

<sup>231</sup> Al-Ghazi: 63; SNHR: 36; Omran: 38

<sup>232</sup> SNHR: 36

<sup>233</sup> Enab Baladi: 44



## Bibliography

---

DIS (Danish Immigration Service), *Syria - Military service, Report based on a fact-finding mission to Istanbul and Beirut (17-25 February 2020)*, 9 June 2020, <https://us.dk/publikationer/2020/juni/syria-military-service/>, accessed 5 January 2024

DIS (Danish Immigration Service), *Syria - Military service: recruitment procedure, conscripts' duties and military service for naturalised Ajanibs*, 7 July 2023, <https://us.dk/media/10607/coi-brief-report-on-syria-military-service-2023.pdf>, accessed 7 December 2023

Enab Baladi, *Decree 36: A sham amnesty ignores 135,000 detainees and forcibly disappeared persons*, 29 November 2023, <https://english.enabbaladi.net/archives/2023/11/decree-36-a-sham-amnesty-ignores-135000-detainees-and-forcibly-disappeared-persons/>, accessed 8 January 2024

EUAA (European Union Agency for Asylum), *Syria - Country Focus*, October 2023, [https://www.ecoi.net/en/file/local/2098437/2023\\_10\\_EUAA\\_COI\\_Report\\_Syria\\_Country\\_focus.pdf](https://www.ecoi.net/en/file/local/2098437/2023_10_EUAA_COI_Report_Syria_Country_focus.pdf), accessed 7 December 2023

EUAA (European Union Agency for Asylum), *Country of Origin Information (COI) Report Methodology*, February 2023, [https://coi.euaa.europa.eu/administration/easo/PLib/2023\\_02\\_EUAA\\_COI\\_Report\\_methodology.pdf](https://coi.euaa.europa.eu/administration/easo/PLib/2023_02_EUAA_COI_Report_methodology.pdf), accessed 7 December 2023

ISPI (Italian Institute for International Political Studies), *Fight or Flight: The Syrian Conscription Nightmare*, 5 June 2023, <https://www.ispionline.it/en/publication/fight-or-flight-the-syrian-conscription-nightmare-130593>, accessed 20 December 2023

Netherlands (The), MFA (Ministry of Foreign Affairs), *General Country of Origin Information Report on Syria*, August 2023, <https://www.government.nl/documents/reports/2023/08/07/general-country-of-origin-information-report-syria-august-2023>, accessed 20 December 2023

SANA (Syrian Arab News Agency), *President al-Assad issues administrative order to end military personnel retention of some soldiers*, 17 July 2023, <https://sana.sy/en/?p=313231>, accessed 20 December 2023

SANA (Syrian Arab News Agency), *الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل المادة 26 من قانون خدمة العلم*, [President al-Assad issues legislative decree amending Article 26 of the Military Service Law], 1 December 2023, <https://sana.sy/?p=2009474>, accessed 20 December 2023

SANA (Syrian Arab News Agency), *الرئيس الأسد يصدر مرسوماً تشريعياً بتعديل مواد من قانون خدمة العلم*, [President al-Assad issues a legislative decree amending articles of the Military Service Law], 14 July 2019, <https://sana.sy/?p=979072>, accessed 20 December 2023

SANA (Syrian Arab News Agency), *President al-Assad issues administrative order terminating call-up and retention of some military personnel*, 4 December 2023, <https://sana.sy/en/?p=321357>, accessed 20 December 2023

Sweden, Migrationsverket, *Syrisk militärtjänst [Syrian military service]*, 22 April 2022, <https://lifos.migrationsverket.se/dokument?documentAttachmentId=49046>, accessed 16 January 2024

Syria, *Legislative Decree No. 31 of 2020*, 4 January 2021, <https://www.refworld.org/docid/5ff34b124.html>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *السليم المعافى لأخ أو لأخوة مصابين بعاهاات أو أمراض تمنعهم من إعالة أنفسهم [A healthy person to a brother or brothers who suffer from disabilities or diseases that prevent them from supporting themselves]*, <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=15102&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *أسس التأجيل بالإقامة [Basis for deferral due to residence]*, <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=15135&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *التأجيل بالإقامة [Deferral due to residence]*, <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=14850&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *التأجيل الصحي [Deferral for medical conditions]*, <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=14859&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *تعريف الوحيد [Definition of the only son]*, <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=15103&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *الحالات العامة للإعفاء [General reasons for exemption]*, <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55162&nid=15121&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *غير اللائق صحياً للخدمة الإلزامية (الإعفاء الصحي) [Medically unfit for compulsory service (medical exemption)]*, <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55162&cat=15124&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, *بدل فوات خدمة (لمن تجاوز سن الـ42 ولم يؤدّ الخدمة الإلزامية أو يعفّ منها) [Missed service fee (for those over the age of 42 who have not performed compulsory service or been exempted from it)]*,

<http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=14869&>, accessed 8 January 2023

Syria, Ministry of Defence, General Recruitment Directorate, أنواع التأجيل [Types of deferrals], <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=14744&>, accessed 20 December 2023

Syria, Ministry of Defence, General Recruitment Directorate, متى يعتبر إعفاء الوحيد نهائياً ولا حاجة لتجديد المعذرة؟ [When is the exemption of an only son considered final and there is no need to renew the exemption?], <http://mod.gov.sy/mSERVICE/site/arabic/index.php?node=55148&cat=15098&>, accessed 20 December 2023

UN (United Nations) Secretary-General, *Report of the Secretary-General, Promotion and protection of the rights of children: Children and armed conflict*, 5 June 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/144/96/PDF/N2314496.pdf?OpenElement>, accessed 20 December 2023

## Annex 1: Interview minutes

---

### Online meeting with Suhail al-Ghazi, Syrian researcher who focuses on conflict, security and governance in Syria, 5 October 2023

#### Current demand for conscripts and reservists in the SAA

1. There is not much need for manpower in the Syrian Arab Army (SAA) compared to previously, as the conflict is frozen. Nonetheless, the SAA continues conscripting young men because conscription not only serves the purpose of securing manpower but also serves the state itself, the state ideology, the narrative of the state.
2. Conscription has happened since the 1940s, since the independence, and will always continue.
3. The Government of Syria (GoS) also uses conscription as a way to control society. It can see whether a family is pro-government or against the government from whether the son of the family enlists in the SAA or leaves the country.
4. At present, there are few militias where Syrian men can choose to do their compulsory service. For the militias affiliated with the 4<sup>th</sup> division or military security, who do most of the contracting now, it says in their contracts that service in these militias equals military service.
5. In general, the number of people called up for reserve duty is much less now than what it was before, for example between 2014 and 2018 when the fighting was more intense; the source estimated that recruitment for reserve duty has been reduced by 60-70 % of what it was between 2013 and 2018.
6. Also the GoS does not call up for reservist as much as before because it focuses on the economy and thus wants people to work and produce, which helps the GoS more than if these men were in the army doing nothing.
7. In general, even the loyalist communities do not easily accept the call for reservists.

#### Recruitment through raids

8. Raids in cafeterias, mobile checkpoints etc. do no longer take place, as far as the source knows from the people he knows inside Syria. Previously, the SAA sent many text messages to people encouraging them to join the SAA.

9. In each area in Syria, there is a bulk of pro-GoS forces, either security forces or local militia, that serve the security forces; so if the security forces really want people from a specific area to join the SAA, they will go to people's homes and search from house to house. They will go to evaders and force them to come. This is what happened in eastern Ghouta, for example. This also happened in 2023, according to pro-opposition media and local sources.
10. In other places, however, such as Deraa, for example, or other areas that were under opposition-control until the reconciliation agreements of 2018, the security forces remained outside the city, the town or the village and checked the military booklets of people to know their military service status.

### Conditions for conscripts serving in the SAA

11. The conditions are very bad for men doing their military service. The conditions for conscripts have become worse after 2011. Conscripts are subjected to humiliating treatment during their military service in the SAA; this was even the case before 2011. The first six months of military training are the worst.
12. Social media are filled with posts of soldiers complaining about inadequate and/or mouldy food, or that their corrupt officer get everything for himself or sells the food to restaurants. During winter, they do not get anything for heating. Finally, the salaries are very low and even lower now with the inflation.

### Public employees and reserve duty

13. Public employees are being called up for reserve duty. After 2011, all HR departments in public institutions were ordered to not sign contracts with anyone wanted for conscription or reserve service. Recently, however, a lot of this has changed due to lack of workforce and when there is a lack of workforce, the call for reservists is reduced. Some of the main ministries decided to keep their own workforce. For example, ministries responsible for construction-related work have kept their employees. These ministries sent lists of important employees to the Ministry of Defence and told them not to call these up for reserve service.
14. There is also a lack of teachers and medical staff such as doctors and nurses. Recently, due to the lack of teachers in many GoS-held areas, the Ministry of Education has stated that teachers serving in the army now will soon be demobilised and go back to their work.
15. Sometimes, specific government directorates state to the Ministry of Defence that they need their employees. In other cases, the Ministry of Defence announces that

they are not going to take certain public employees because they are doing an important job for the government.

16. Recruitment for reserve duty is a mix of random and targeted recruitment but more and more a targeted practice, e.g. an engineer, rather than it just being a specific year of recruits being called up.

### Palestinians

17. Palestinians do not serve in the regular SAA but in the Palestinian Liberation Army (PLA), which is under the Ministry of Defence. The PLA have their own military bases.
18. Palestinians, who are also obliged to do military service, are still not being called up for reserve duty. The source has not seen any law stating that Palestinians are not called up for reserve duty but the three Palestinians he knows have not been called up for reserve duty. According to the organisation [Action Group For Palestinians of Syria](#), however, the possibility of paying a fee to be exempted from reserve duty also includes service in the PLA, which indicate that Palestinians are being called up for reserve duty.
19. Palestinians have not been sent to the frontlines as much as other conscripts doing their military service. There have been incidents where the PLA were used in fighting, e.g. around Latakia and Damascus countryside, but not many; the PLA did not even participate in, for example, the fighting in the Palestinian refugee camps Yarmouk in Damascus or the one in Aleppo.
20. The tasks of Palestinian conscripts is to go to the PLA bases and do their military training there.

### Possible recruitment of males under 18 and over 42

21. The SAA does not conscript males under 18. Recruitment to the army is very bureaucratic and follows a very specific set of rules and it is almost impossible to bypass them.
22. However, there are some militias affiliated with e.g. military security, which falls under the Ministry of Defence, or militias under e.g. the 4<sup>th</sup> division that may recruit minors but this will not go through the SAA but through a contract.
23. Previously, there have been cases where men over 42 have been recruited, especially in opposition-controlled areas, such as eastern Ghouta and the northern countryside of

## SYRIA – MILITARY SERVICE

Homs when the GoS took control of these areas in 2018. Since 2018, the source has not seen cases where men over 42 have been recruited.

### Exemption of only sons

24. Only sons do not get recruited for military service. An only son is getting an exemption every year until his mother can no longer bear children.

### Exemption for medical reasons

25. There are obvious disabilities that will make a person exempted from military service, as soon as he has presented himself in front of the medical committee.
26. To be exempted for other medical conditions, such as heart diseases or lung diseases, it will require that the person pays a bribe to have the medical committee state that he is not fit for military service.

### Exemption fee for men in Syria unfit for field operations

27. People who have been assessed 'unfit for field operations' and who would be allocated to do office work can pay 3 000 USD and be exempted from this non-field service.
28. The source had not heard of people allocated for office work using this possibility of paying 3 000 USD to be exempted completely. The source assessed, however, that if someone had the slightest chance not to serve, he would pay.

### Deferrals

29. People are still getting a deferral on military service if they are studying; it is usually not a problem to get this kind of postponement. In general, the authorities give this kind of deferral both to people studying in public and in private universities.
30. The person in question gets a postponement for a certain amount of years depending on the specific study. If the person is studying four years, which is the amount of years of most university studies, the person is given at most six or seven years to complete his studies, including the postponement years.
31. Sometimes, the recruitment officers tell a person that he cannot get an extra year's deferral (e.g. if he has failed an exam) unless he pays a bribe to get an extra year.
32. Students who have obtained a deferral on military service due to their studies have to go every year to the university and then to the recruitment office to get the deferral renewed.

## SYRIA – MILITARY SERVICE

33. The GoS does give permission to men living outside Syria to defer their military service and go back to Syria for three months. And the GoS usually respects this deferral allowing men living outside Syria to visit Syria without being recruited for military service. This is unless this person is wanted for security reasons.
34. A person who has obtained this deferral abroad has to make sure that his name has in fact been removed from the list of men wanted for military service, however, before he returns to Syria because it can take time to have one's name removed from the wanted list.
35. The authorities do not tell people if they are wanted for other issues than military service, either because they do not want to tell them, or because they do not have access to the wanted lists of the security services.
36. In practice, people abroad who have evaded or deserted military service are allowed to sort out their affairs (Arabic: تسوية ودعة *taswiyet wadaa*) and get a deferral on military service. They need to go to the embassy and do the paper work. The embassies have the information and the requirements on their website.
37. The source knows of cases where people have returned and faced problems, i.e. they were detained and not released until their family had paid a bribe. They were not detained because of something they had done but because of corruption. This happens a lot also to refugees who have been forcibly returned from e.g. Lebanon. Human Rights Watch reported on how people who had been told that nothing would happen to them and then after their return by force, they were arrested and extorted.
38. It is mostly people from loyalist areas who use the opportunity to defer their military service for three months and travel to Syria, as they do not fear facing problems. Contrarily, people from previously opposition-held areas whose family members may have been involved in activities against the GoS may fear facing problems upon return. If a person fears going back, he would usually use his connections inside Syria, who would be a person affiliated with the security services, to check whether his name is on a wanted list.
39. There have been cases where people have faced problems upon return even though they themselves or their family members have not been involved in any opposition activities such as cases where people have faced problems just for having a similar name to someone on a wanted list.



### Exemption fee for Syrians abroad

40. Syrians abroad are still using this possibility of paying a fee in order to be exempted from conscription and the Syrian government still respects this exemption rule. This has been going on since 2011.
41. What may have pushed more people to do this recently is that a new law came out in 2020 that stated that a person above 42 who is outside the country and who has not served his military service nor paid an exemption fee will have his property seized.
42. A person wanted for military service cannot have documents issued. Therefore, some men also use this possibility of paying an exemption fee in order to be allowed to get a passport, for example.
43. The GoS respects the rules regarding the exemption fee and does not call up people for military service who have paid the exemption fee. The exemption fee is a good source of revenue for the GoS who prefers receiving the fee rather than paying the person to be a foot soldier.
44. The source does not know of cases where people who had paid the exemption fee were arrested for military service.
45. An individual could risk end up in the military in spite of having paid the exemption fee in case he used a middle man to do the procedure for him (if he did not know anyone inside Syria) and this middle man did not do things right (e.g. presented fake documents). But those are individual cases.
46. The GoS does not call up people who have left the country legally, only people who have left illegally, as these are still considered as living in Syria.
47. According to an amendment from December 2020, it is also possible for men abroad called up for reserve duty to pay an exemption fee of 5 000 USD in order to be exempted from reserve duty.

### Discharge

48. The administrative orders regarding discharge of conscripts and reservists who are born in a specific year or who have served a certain number of years are being implemented. Every year or every nine months, President Assad issues decrees regarding discharge and they are followed by the Ministry of Defence.

### Possible consequences of draft evasion and desertion

49. If a draft evader passes by a checkpoint, he will be asked to show his military booklet. If he cannot show a military booklet and his ID says he is in the military service age, he will be in trouble. Either he will have to bribe his way out or show documentation of deferral or exemption. Otherwise, he will be arrested. If he does not pass by a checkpoint, he will most likely not be arrested.
50. By law, he is to be punished for the crime of draft evasion. The source is not certain of whether the punishment is prison or an extension of the military service period. However, the GoS regularly, more or less every year, issues decrees giving amnesty to draft evaders who can avoid punishment if they join the army within for example two months. The GoS has been issuing such amnesties since 2018.
51. The amnesty decrees are being implemented. An individual makes use of the amnesties if he wants to stay in Syria and does not want to hide forever or go to military prison.
52. The amnesties issued for draft evaders sometimes include deserters.
53. According to the law, the penalty for desertion is death; however, in practice what will happen to a deserter if he is caught depends on the individual case. For example, if a person deserted because he was not given permission by his commanding officer to get a couple of days off to go home to see his family (probably because the officer wants a higher bribe), this desertion will not be punished by execution but by military prison. In other cases where a person deserts and engage in anti-GoS activities, it will lead to the death sentence.
54. The source has recently seen Facebook posts where deserters from loyalist communities post that they have been given a prison sentence for deserting because their military officer did not give them permission to go home see their family. This is common. This person from a loyalist community knows that he will not be punished by death if he deserts just to go home to see his family. If a person from a previously opposition-controlled area deserted, however, the GoS might not just look at it as a minor desertion; it may be considered treason and the person may face the death sentence.
55. A decree was issued in February 2021 stipulating that evaders and deserter over 42 who have not served their military service and who have not paid an exemption fee will have their property seized as well as the property of their family.

### Possible consequences for family members

56. Whether the family of a draft evader might face problems as a consequence of their family member's evasion depends on whether the family is from an area that is regarded as anti-GoS or from an area that the GoS thinks is pro-GoS. Families from loyalist communities most often do not face any consequences.
57. Draft evaders' families from anti-GoS areas may face consequences, e.g. the father and other family members may be arrested. The family may also face harassment from the security services.
58. Also evading military service is sometimes seen as a sign that the person is an opponent to the GoS. In this case, the families might face consequences because of their family member's evasion.
59. The source had heard of four cases in recent years, including cases from South Syria and Damascus countryside and East Aleppo, where family members of a draft evader had faced harassment and detention until their family member showed up for military service.
60. It depends on the individual case whether the family of a draft evader risk facing consequences only in the immediate aftermath of the evasion or also after a couple of years. It depends on whether the family has paid a bribe to the security officer to end the harassment or the draft evader actually showed up. It also depends on whether the GoS considers the family to be against the GoS or not.
61. The GoS would not harass the family if the evader has left the country legally. If the person left illegally, however, the family may face some problems. If the family is from an area known to be pro-opposition, they may face extortion, interrogation or arrest to force the evader to come back to serve or they may have to pay money to local militias and the security apparatus. To avoid that his family will face problems, the evader may have to get an exemption by paying the exemption fee.
62. Mostly, draft evasion could only have consequences for first-degree family members. Additionally, it would usually only have consequences for male relatives, only sometimes for female relatives, i.e. wives, mothers. It depends on the individual case.
63. Most of the time, harassment of family members of draft evaders happens because the GoS wants to scare society and to control society. At other times, it happens for reasons of money and corruption. This kind of harassment usually has one of two

purposes: 1) either to get this person by force to be an informant; or 2) to extract money. Most of the time, the family members would be detained in a nearby, local prison or detention center where they will be investigated and tortured into giving information about the local community or their family members or extended family members (e.g. ‘tell us about your cousin who lives in Europe or in Egypt’, for example). That has been happening in Syria even since 2011. This happens in some cases but not all families of draft evaders faced this.

64. The source knows of three cases that has taken place also in 2023 where family members of draft evaders have faced extortion.
65. What will happen to the evader’s family members also depends on the profile of the person, whether they come from an area that was under opposition-control for a long time, whether the family is seen as an anti-GoS family, whether the family is related to high-profiled opposition figures or whether the family is wealthy enough to be extorted etc.
66. The source did not have information on whether a family member (of an evader) who left Syria illegally would face problems with the GoS upon return to Syria without the evading family member.
67. Family members of deserters would face much worse problems, even if they were not from an anti-GoS area. Deserters are not looked upon easily by the GoS, as they perceive deserters as defectors – as someone who defected to the opposition. It has been like this throughout the civil war and the source knows of two cases in 2023.
68. Desertion could cause serious problems for the deserter’s family but it depends on whether the GoS thinks that a person deserted in order to defect to the opposition or just to go home to see his family for a short time.

### Online meeting with Ali Aljasem, Syrian PhD student of paramilitary groups in Syria, based in the Netherlands, 13 October 2023

Current demand for conscripts and reservists in the SAA

1. The conscription law still applies. All men who reach the age of 18 are being called up to serve in the military. By law, the Government of Syria (GoS) has the right to also call up those who have finished their military conscription until they reach the age of 42.

2. Practices on the ground are not different from before 2018. However, there is indeed noticeably less risk of being deployed into actual fighting today due to the current arrangements between the guarantors, which are Iran, Turkey and Russia. The last actual fighting occurred in February 2020.
3. The GoS is not calling up as many reservists as it did before 2018 because it has become a burden; calling up reservists involves a lot of operational costs. For potential reservists, the alternative to the SAA has become the militias. Militia members have contracts and in these contracts, they mostly have no salaries or very low ones; however, they are free to extract revenues, for instance at checkpoints. Additionally, militia members are not recognised as ‘martyrs’, which saves large compensation expenses, which ‘martyrs’ families usually receives from the military budget.
4. The key difference between being officially conscripted and being a part of a militia is your military number. Militias do not have military numbers; they have IDs. These IDs are issued by the national security bureau, which is headed by Ali Mamlouk who is the right-hand man of Bashar al-Assad when it comes to intelligence and security.

### Recruitment through raids

5. The GoS does not need to use raids or campaigns to recruit conscripts and reservists, as there are so many checkpoints; any man wanted for military service will be caught if he crosses any of them. Prior to 2018, there were not as many checkpoints as today. However, the security services in collaboration with the Military Police occasionally organise what they call ‘military conscription campaigns’ in the big cities as for example in Aleppo in June-July 2023.

### Conditions for conscripts serving in the SAA

6. The living conditions for soldiers doing military service are very bad and inhuman: when they are deployed, they are transported in cattle trucks; the food rations are terrible (one potato and one egg in the best scenario); and their salaries are the lowest compared to other state institutions.
7. To compensate for their low salary, people in military service are driven into corruption and blackmailing of civilians, mainly at checkpoints and in areas adjacent to other non-state actor-controlled zones. The conditions have always been bad, even before 2011, but today they are even worse.

### Public employees and reserve duty

8. There is no law or norm that gives a person an exemption from military service due to his status as a public employee. Unless a public employee is exempted due to reasons in the exemption rules, he will potentially be called up for reserve duty like any other Syrian citizen. However, a public employee who is doing his military service might be designated to work in another public institution (Arabic: *الندب*, *al-nadib*; *delegation*) in

## SYRIA – MILITARY SERVICE

accordance with the law, such as the Ministry of Economy or the Ministry of Health, instead of serving in the military, and vice versa.

9. Additionally, sometimes there is a need to move public employees in civilian positions to military or intelligence positions. In Arabic, they call it *mandub madani* (مندوب مدني), which means 'civilian delegate'.
10. It is mostly Alawite public employees who are designated to other non-field positions (mainly intelligence) instead of regular military service, as it is a matter of loyalty rather than specific skills. Public employees who have connections to the elites may also be placed in positions that differ from regular military service.

### Palestinians

11. Palestinians serve in the Palestinian Liberation Army (PLA).
12. Palestinians, who serve in Palestinian groups, have been used in active fighting on the side of the GoS, in policing and in oppressing protesters and other military groups. Palestinians have been used to police their surroundings, for example in the Yarmouk refugee camp in Damascus and in al-Nayrab and Handarat in Aleppo.
13. By 'Palestinian groups', the source refers to the Palestinian Liberation Army (PLA), the Galilee Fighting Groups (mainly in Damascus) and the al-Quds Forces (Liwa' al-Quds – not to be confused with the IRGC's affiliated group of al-Quds Corps) in Aleppo. Palestinian conscripts in the PLA have been used in active fighting, mainly in the Yarmouk Refugee Camp.

### Possible recruitment of males under 18 and over 42

14. The GoS does not recruit minors to the SAA.
15. The SAA does not recruit men over 42 because the GoS is not in need of soldiers, as it relies on militias, which outnumber the official military.
16. People sign up voluntarily for the militias; people in the militias are thus more loyal to the GoS. There are men over 42 who join the militias more or less voluntarily.

### Exemption of only sons

17. The exemption rules regarding only sons are being implemented. Only sons have to show up every year and pay an official fee to get their exemption renewed until their mother is 50 years old and thus can no longer bear children.

### Exemption for medical reasons

18. Medical committees headed by a medical officer decide whether a person is to be exempted for medical reasons or not.

19. There are no clear guidelines to get an exemption for medical issues. The fact that a person had his fingers cut (and thus cannot shoot) is a legitimate reason to be exempted. Such a person will not be assigned to do office work but will be exempted completely. However, if someone has asthma or some other chronic disease, he will not be exempted from military service. He will probably not be deployed in battle, but he will serve in an office. Such people fall under the 'stationary services' or 'non-field posts.'

### Exemption fee for men in Syria unfit for field operations

20. There is a category within the military that is called 'non-deployed positions' or 'fixed positions' (Arabic: *خدمات ثابتة*, *khadamat thabiteh*), i.e. an office position, for example in the archive.
21. Rules regarding the exemption of men in Syria unfit for field operations, who are otherwise assigned to a non-deployed position and who pay a fee of 3 000 USD to be exempted, are being implemented in practice. The number of recruits is no longer so important for the GoS as it was when the GoS was in an existential battle; what is important today is the quality of the soldiers and to get revenues, e.g. from the exemption fees.
22. Some men without health issues bribe the medical examination committee, through a broker, to get registered in the military booklet as unfit for field operations. After getting this status, the persons get the possibility of paying the official fee of 3 000 USD to be exempted from military service. It is especially siblings of warlords, businessmen and those who have connections within the military circles who make use of this process.

### Deferrals

23. Men are in practice allowed to postpone their military service if they are studying up to a certain age.
24. A person cannot get a deferral for the same class (which lasts a year) three times, however. This means that one can only fail a class twice. If a man fails the same class for the third time, he will not get another deferral but will have to serve in the military.
25. There is a military conscription detachment inside the universities in Syria. The university communicate with this detachment and give them the exam status of students.
26. The rules regarding deferral of military service due to residence abroad, including the possibility of visiting Syria for up to three months without being recruited for military

service, are being implemented. The GoS has been very careful in respecting this deferral.

27. The fee that is paid for this kind of deferral has become a great revenue source for the GoS. It is not in the interest of the GoS if the word spreads that someone has paid the deferral fee to visit Syria for up to three months and then got blackmailed. The GoS wants people to visit and bring revenue to the state.
28. Large numbers of men are in fact using the possibility of paying the deferral fee and go back to visit Syria for up to three months without being recruited. Especially men who claim not having problems with the GoS go back on a visit. They often go back for a couple of weeks, see their family, do some business, spend some money, and then they return.

### Exemption fee for Syrians abroad

29. Very few Syrians abroad would pay the exemption fee. Syrians who oppose the GoS will not pay the exemption fee because it is an ethical issue. They do not want to contribute to what they consider to be the GoS' war against other Syrians.
30. There are Syrians abroad who do pay the exemption fee. Those people are not in opposition to the GoS. They would pay the exemption fee in accordance with the official procedure and they would make sure to follow the instructions and rules communicated to them via the media or their families and relatives in Syria.
31. Syrian men abroad are likewise using the possibility of paying a fee in order to be exempted from reserve duty. Most of the men in the reserve service age in the neighbouring countries, like Lebanon, Turkey and Jordan, have made use of this possibility because of the difficulty to obtain an official residence permit (refugee or work) in these countries. The fee for being exempted from reserve duty is less than the fee for being exempted from mandatory conscription.
32. The GoS does respect the rules regarding the exemption fee for Syrians abroad. When people have paid the exemption fee, their status as exempted from military service is respected, including exemption from reserve duty. If the person has not participated in anti-GoS activities, the authorities do not object their return or visit to the country.

### Discharge

33. The administrative orders that have been issued the past two years regarding discharge are being implemented.
34. The last presidential decree regarding discharge was issued in mid-July 2023 and became effective on 1 September 2023. This decree concerns men who have served



for more than six years or who were born before 1984, as well as commissioned officers who served for a couple of years.

Possible consequences of draft evasion and desertion

35. Draft evasion is a military crime; a draft evader will be prosecuted under the military law. If a draft evader is caught, he would firstly be imprisoned and then go to military service.
36. A draft evader above the age of 42 will probably not be prosecuted for having evaded the military service. He would have to pay the fee for missed military service to avoid prosecution. He also has to pay a fine depending on the number of months he has evaded.
37. The GoS has a practice to come up with false accusations against perceived opponents; therefore, the source assumes that the GoS will come up with other accusations, such as treason or financing and supporting 'terrorist' groups, against the evader who is above 42 in order to punish the person for his evasion.
38. If a person has deserted, he can go through reconciliation (Arabic: *مصالحة*, *musalaha*) to be pardoned for his act of desertion and then rejoin the army. The source knows many people who deserted previously, e.g. in 2012, 2013, 2015, 2016. They went through reconciliation and then they rejoined the army.
39. The reconciliation procedure (Arabic: *مصالحة*, *musalaha*) is a Russian-engineered mechanism. The guarantors are the Russian authorities. People who have defected/deserted and want to reconcile present their documents to a reconciliation committee. The head of the committee is an officer from one of the intelligence branches. Members of the committee are notables from the city or the town, e.g. one of the imams, the mukhtar, and some of the tribal leaders who have connections to the community and to the intelligence. The committee studies the file of the deserter/defector and they assess whether this person will pose a threat to the GoS.
40. If the deserter is cleared, the committee will tell the deserter that he has six months to join the military. After six months, the reconciliation expires and the person is considered a normal citizen and no longer has the reconciliation status; hence, the GoS could arrest him at any moment, including as retaliation.
41. If he has any intelligence file because of an outstanding security issue with the authorities, he will have to settle his situation (Arabic: *تنسوية وضع*, *taswiyet wadaa*) and thereafter serve in the military.

42. There are cases where the committee will tell the deserter that he has no place in the community. And the guarantee from the Russians is that this person will not be prosecuted on the spot.
43. Therefore, the reconciliation procedure results either in the deserter rejoining the SAA after having solved any outstanding issue with the GoS, or with the reconciliation committee telling the person that he cannot be reconciled and will have to leave GoS-controlled areas or Syria as he will be prosecuted if caught by the GoS. This is the normal process for people who do not have any network or support.
44. The source does not have information about what the consequences for a deserter above the age of 42 would be if he were caught. Desertion is a crime according to the law but the source is not certain about how the GoS implements it in practice. However, a deserter above 42 can sort out his outstanding affairs and be pardoned for his act of desertion. Deserters in all ages can sort out their outstanding issues.
45. Generally, at present, the GoS is not concerned about whether a person has evaded or deserted from military service but rather whether a person is part of the political opposition. In case a person is politically opposed to the GoS, the GoS will prosecute this person for inciting against the unity of the community.
46. The GoS is trying to recruit draft evaders and deserters through amnesties and reconciliation agreements. Almost every year, the GoS issues a new amnesty decree in addition to the reconciliation campaigns, which are meant to recruit evaders and deserters. The most recent amnesty was on 16 November 2023.
47. The amnesties also include men who have evaded reserve duty and men who have deserted from reserve duty.
48. IDPs have used the amnesties; most of the IDPs have used the amnesties in order to be able to return. Syrians abroad, i.e. refugees, on the other hand, have rarely used the amnesties. It has mainly been used by Syrians in Lebanon and Turkey who wanted to return to Syria because of the rise of anti-refugee sentiment in those countries.
49. The GoS respects the amnesties, as they need people to go back both because there is a demand for workforce and because of the vast lands that need to be cultivated.

### Possible consequences for family members

50. To the source's knowledge, draft evasion in itself does not have consequences for the draft evader's family members; a person's political opinion, on the other hand, does have consequences for his family members.

51. It has not been a practice by the GoS to punish family members of draft evaders and deserters, as it has often been the case that members of the same family have been on different sides in the conflict. The GoS does punish family members of political activists, on the other hand.

## Online meeting with Syrians for Truth and Justice (STJ), a human rights ngo based in Strasbourg, 27 October 2023

### Current demand for conscripts and reservists in the SAA

1. The SAA still calls up men for reserve duty but not to the same extent as before 2018 when the GoS regained control of eastern rural Homs, Deraa and Ghouta in rural Damascus.
2. The GoS has no need for reservists, as the frontlines are frozen but the GoS continues to call up reservists for financial reasons. By calling up reservists, the GoS wants to send a message that it is still possible for men to be called up and that the only way for men living abroad to avoid the consequences of being called up is to pay the exemption fee for the reserve. The GoS also wants to pressure men from former opposition-controlled areas living in Syria to leave Syria and for example go to Egypt and thereby raise money by having these persons pay the exemption fee to the GoS.
3. Corrupt people in the SAA will eventually call up people for reserve duty as a means of blackmail.
4. The administrative orders issued in the last two years regarding discharge or non-call-up of reservists born in a specific year or who have served for a specific number of years have been implemented. Reservists who were discharged had served for six and a half years. One example is Training Course 102 (Arabic: *دورة*, *daura*), which lost most of its soldiers during the conflict and with most of those who survived being severely injured or disabled.
5. Reservists who had served for six and a half years were demobilised in August 2023.

### Recruitment through raids

6. Recruitment is rarely done through raids. It is only in cases where a person is wanted for both security/criminal reasons and for military service that the authorities initiate raids.
7. Men wanted only for conscription or reserve duty are called up through the local police station in each area and their names are put on lists distributed at checkpoints set up between villages and towns.

8. Men of military service age are still recruited through recruitment campaigns.

### Conditions for conscripts serving in the SAA

9. Unless they originate from pro-government areas and bribe their superiors, men in military service face various challenges during their years of service. The quality of food and water and the conditions of the barracks are very poor. They will serve in areas far from their residence, which is why it will be difficult to visit their families during their military service because of the low allowance they receive in the military.
10. Men in military service who are from former opposition-controlled areas usually face more challenges, as their superiors will take revenge and send them to serve in areas (such as Manbij and Idlib) that are prone to attacks from opposition groups or Turkey. Even bribery does not change their conditions, as the resentment against them remains.

### Public employees and reserve duty

11. Most men of military service age have completed their compulsory military service before they are recruited as public employees and they are being called up for reserve duty in the same way as non-public employees.
12. Public employees are given leave before joining the reserve.

### Palestinians

13. Depending on the Syrian Ministry of Defence's need for reservists, the Palestinian Liberation Army (PLA) will call up Palestinians for reserve duty. As the SAA's need for reservists dropped drastically in June 2018, it would typically be Palestinians (and Syrians) with specific skills who would be called up as reservists. In the last three years, the SAA has been calling up Palestinian reservists who are air defence specialists and technicians with expertise in tanks, artillery, and aircraft.
14. Since the beginning of the conflict, the PLA has participated in active fighting. Currently, PLA has an artillery battalion and infantry battalions at the frontline in Idlib. The artillery battalion shells areas in the governorate.
15. The PLA battalions at the frontline in Idlib contain both reservists and conscripts.

### Possible recruitment of males under 18 and over 42

16. The Syrian Arab Army (SAA) does not recruit males under 18. However, the source has recorded cases of recruitment of males under 18 by the Iranian-backed militias and militias associated with the Wagner group.
17. The SAA does not recruit men over the age of 42.

#### Exemption of only sons

18. The source does not know of cases where only sons have been recruited.

#### Exemption for medical reasons

19. Before 2011, medical examinations were a routine procedure that everyone called up for conscription had to go through. Since 2011, corruption of the medical examination process became widespread, as men called up for conscription used this process as an opportunity to avoid conscription by bribing the doctors who conducted the examinations.
20. Since 2013, when the SAA had a huge demand for soldiers, the GoS monitored the medical examination process to prevent conscripts from bribing the authorities to avoid military service. As a result, the criteria for health exemptions have been tightened.
21. In order to decide whether a person's medical problems make him eligible for exemption or unfit for field operations, the authorities will assess the percentage of disability caused by a person's medical problems at the time of the medical examination.
22. The source assumes that in order to be exempted, a person should be assessed as suffering from a 75 % to 80 % disability. There are no clear rules on what percentages should be given to specific diseases or disabilities.
23. Sometimes, it takes a long time for the authorities to make a medical assessment of a person when it is clear that he should be exempted. The source knows of one case where it took four months to get an exemption for a person with Down's syndrome. During these four months, the person had to undergo many examinations in different hospitals before the medical assessment was issued.
24. At present, even people with obvious physical disabilities are being recruited. For example, the source knows of a case of a person from East Ghouta who was conscripted to the SAA after reconciling with the GoS in 2018. When he underwent the medical examination, he was found to be more than 60 % disabled due to a previous injury to his leg, which he sustained while fighting on the opposition side against the GoS. The individual had difficulties walking but was not exempted and served for one year and two months. He was discharged after paying 3 500 USD.

#### Exemption fee for men in Syria unfit for field operations

25. At present, it is not clear when the authorities consider a person unfit to serve in the field. Before 2013, people had to have a 40 % disability to be unfit for field operations. At that time, people with impaired vision or other eye problems would be deemed

## SYRIA – MILITARY SERVICE

unfit for field operations and therefore assigned to 'fixed services', which are non-field positions. Currently, a person with a visual impairment or other eye problem will be recruited unless the eye problem is severe.

26. The source does not know of any cases in which men unfit for field service have taken advantage of the possibility of paying the exemption fee of 3 000 USD and be exempted from military service.

### Deferrals

27. In practice, men are allowed to defer their military service if they are studying.
28. Most male students deliberately fail their exams in order to be able to defer their military service for the maximum number of years allowed.
29. A student cannot keep failing his exams in order to avoid military service. There are rules about the maximum number of years a student can defer military service. For example, a two-year course can be completed in a maximum of five years and a four-year course in a maximum of nine years.
30. The source is aware of cases of men who have used the possibility of deferral based on residence outside Syria to travel to Syria for three months without being conscripted. However, the source believes that it is risky to use this option, as the authorities at the checkpoints cannot be trusted to follow the rules and might arrest people in order to extort them. If people do not pay, they are not released. Extortion is a widespread practice of many military, security and intelligence units.

### Exemption fee for Syrians abroad

31. There are many men, especially from the Gulf States and Egypt, and a smaller number of men from European countries and Turkey, who pay the exemption fee. The source has no figures on how many have used the option of paying the exemption fee.
32. Some people who pay the exemption fee travel to Syria without experiencing any issue with the authorities. However, many people are detained at checkpoints because the authorities want to blackmail them. If the person is from a former opposition area, the authorities may arrest him at checkpoints as a way of taking revenge.
33. In most cases known to the source, men who were arrested upon return in spite of having paid the exemption fee were arrested because they were wanted by the security branches. These individuals had settled their situation prior to travelling to Syria.
34. There is no law that allows men who reside within Syria to pay the exemption fee.

35. The source knows of cases where men who resided within Syria managed to bribe the authorities and were thus able to pay the exemption fee as if they resided outside of Syria.

Possible consequences of draft evasion and desertion

36. In practice, the consequences of draft evasion or desertion from compulsory military service or reserve duty are the same. If caught at a checkpoint, a draft evader or deserter would be taken to an intelligence service branch. If it appears that the person has no pending security issues with the authorities, he will be handed over to the army to commence his military service.
37. By law, the consequences of evasion or desertion (from either compulsory military service or reserve duty) for persons above 42 are nearly the same. If an evader or deserter above 42 is not included in any amnesty and thus has not been pardoned for his act of evasion or desertion, he would, according to the law, be sentenced to three to seven years' imprisonment by the military court. The imprisonment period will not exceed three years if the person has only evaded or deserted once.
38. When a person over 42 has completed his prison term, he will have to pay a fee for missed military service (Arabic: *بدل فوات الخدمة*, *badal fawat alkhidma*).
39. The source does not know of cases of evaders or deserters over 42 who have been caught by the authorities.
40. The Syrian authorities announced a few years ago that people who fail to pay the fee for missed military service will have their property confiscated. In the event that the person does not have property, the authorities will have the right to confiscate the property of their first- and second-degree relatives. The source is not aware of whether the GoS is actually implementing the law regarding confiscation of the evader's or his family's property.
41. The legal consequences of evasion and desertion are subject to the statute of limitations after ten years from filing a criminal lawsuit against the person for his evasion or desertion. This means that an evader or deserter who has had a criminal lawsuit filed against him when he was, for example, 30 years old, would not face any consequences for his evasion if he were caught at least 10 years later.
42. Despite the implementation of the law of the statute of limitations, an evader or deserter, like any other citizen, may still face problems at checkpoints, however, as officers may arbitrarily harass, blackmail and/or arrest people.

43. Amnesties regarding evasion and desertion are implemented. However, the amnesties only pardon the person for his act of evasion or desertion. The person will still need to do his military service or reserve duty.
44. Many evaders and deserters who have no security issues with the GoS have made use of the amnesties regarding evasion and desertion.
45. The source is not familiar with cases where evaders or deserters above the age of 42 have made use of the amnesties. According to law, they have to pay a fee for missed compulsory military service or reserve duty.
46. Evaders and deserters who do have pending security issues have the possibility to undergo a status settlement (Arabic: تسوية وضع *taswiyet wadaa*) and then make use of the amnesty. However, evaders and deserters who do have pending security issues choose not to make use of the amnesties because they do not trust the Syrian government. Most of these evaders and deserters are from former opposition-controlled areas. To avoid being caught at checkpoints, these evaders and deserters stay in their villages and cities.

### Possible consequences for family members

47. Family members of draft evaders or deserters may face problems as a consequence of the person's evasion. Depending on the area in which they live, evasion or desertion is used as a pretext to extort the family members at checkpoints or at their houses. This includes, for example, areas in Homs that are considered anti-government areas. If an evader and his family are from a pro-government area such as Tartous or Damascus, they are not harassed or extorted. They are not even questioned about the evader, neither at home or at checkpoints.
48. The source mentions a case about a person who evaded in 2018. His family was subsequently harassed because of his evasion. They were twice threatened with arrest if they did not pay to the officers. The evader had a brother who was arrested in 2020 when he was at the passport office in Damascus by the Intelligence Branch of the Security Service. During his one and a half month's detention, he was only asked questions about his brother's evasion.
49. The source has not heard of cases in 2023 where family members of a draft evader faced problems as a consequence of their family member's evasion.
50. If the draft evader has pending security issues with the GoS, there will be a higher risk that his family will be harassed or extorted.



51. Family members of a person who evaded in 2015, for example, may still be at risk of harassment or extortion as a consequence of the person's evasion if the person is from a former opposition-controlled area. Even if the person is from a pro-government area, the family may face extortion if the authorities know that the evader and/or his family has money.
52. The family members who may be affected by the person's evasion are first-degree relatives.

## Online meeting with Ammar Hamou, Arabic editor at Syria Direct, an independent media organisation, 30 October 2023

### Current demand for conscripts and reservists in the SAA

1. There is a difference between regular call-up for the reserve and general mobilisation in times of war. There has not been general mobilisation since 2018. The authorities have returned to regular call-up for the reserve.
2. Reservists are being called up for reserve duty currently, usually up to the age of 40 but some are also called up for reserve duty above the age of 40.
3. The Syrian authorities do not recruit reservists according to specific qualifications. They call up men from former opposition-controlled areas for example from East Ghouta and Douma and try to send them to the front. The authorities have lost many men loyal to the GoS, including in pro-government militias, and thus have to recruit conscripts and reservists from former opposition-controlled areas to compensate.
4. Conscripts and reservists from previous opposition-controlled areas are sent to the front such as in rural Latakia and southern Idlib, e.g. Jisr al-Shughour, to fight Hay'at Tahrir al-Sham (HTS), and to areas in Deir ez-Zour where the Islamic State (IS) is present. They send them to the front without fighting experience. Men from former opposition-controlled areas constitute the majority of men killed on the GoS' side.

### Recruitment through raids

5. Recruitment no longer takes place through raids. In addition to the regular recruitment procedure where men report for duty after having been called up, men wanted for military service are recruited when they pass by checkpoints or when they are in contact with the authorities, e.g. at a hospital.

### Conditions for conscripts serving in the SAA

6. The living conditions for conscripts doing their military service are very bad, also because of the economic crisis in the country. Firstly, the salary is very low, especially

after the Syrian pound lost much of its value in 2021-2022; conscripts cannot afford to go home to see their family during their military service. Secondly, the quality and quantity of food and water given to conscripts is very bad.

7. Another problem is that many conscripts, who are allowed to go out from the military barracks, commit both theft and robbery when they go out on the pretext of being hungry. When all comes to all, these problems affect civilians.

### Public employees and reserve duty

8. As mentioned, before 2018 there was general mobilisation because the country was at war. All men, including men working in the public sector, were called up for the reserve duty.
9. Since 2018, the authorities have returned to regular call-up for the reserve. Men working in the public sector are most likely not called up for reserve duty. Public employees, who have not served their conscription, and those are few, will be conscripted.
10. There is a need for reservists; however, it is not a time of war anymore, which is why men who work in the public sector are not called up for reserve duty. According to the law, they are already serving the state and if there is a need for public employees in the SAA, e.g. if they have specific skills, they may be transferred to the SAA where they will work within their professional field (e.g. medicine, economy). In this case, they will be working for the Ministry of Defence. This has been implemented in practice since 2018.
11. A public employee is allowed, on a voluntary basis, to join the reserve service or alternatively join a pro-government militia. Some public employees would choose to do so to earn a higher salary than he used to earn in his public position.
12. Public employees who have been dismissed from their positions can be recruited for reserve duty if they still are in the military service age.

### Palestinians

13. Palestinians who have Syrian documents are called up for military service on equal terms with Syrian citizens. They serve in the Palestinian Liberation Army (PLA). The source knows that there are Palestinians from certain areas, such as East Ghouta, who have been called up for reserve duty after 2018.
14. All men called up for conscription or reserve duty, including Palestinians, risk being sent to the frontlines, e.g. to fight the Islamic State (IS). Palestinians are sent to places

where there are confrontations on equal terms with Syrians, e.g. Idlib, Deraa, Quneitra, rural Damascus, Deir ez-Zor.

### Possible recruitment of males under 18 and over 42

15. The SAA does not recruit minors. Only pro-GoS militias recruit minors but this is not official recruitment by the Ministry of Defence.
16. In 2021, a 45-year-old man was sent to the front in Deir ez-Zor. He was called up for reserve duty in 2020. He came from an area that had been under opposition-control, East Ghouta, and did not have fighting experience, he could not run and he did not know how to use a weapon. Some considered the recruitment and deployment to the front as a form of revenge. The source does not know of any other cases where men over 42 have been recruited to the SAA.

### Exemption of only sons

17. The authorities do implement the rules exempting only sons from military service.

### Exemption for medical reasons

18. One has to suffer from very serious health issues, such as cancer, to be exempted from military service. It is difficult to say exactly what medical issues will make a person eligible for exemption for medical reasons.
19. Apart from being exempted for medical reasons, it is possible to be assigned to fixed positions (Arabic: *خدمات ثابتة*, *khadamat thabiteh*) and do one's military service e.g. in an office, in logistics or in a kitchen. To be assigned to *khadamat thabiteh*, one has to get an assessment that he is unfit for field operations.
20. Whether an individual gets assigned to *khadamat thabiteh* depends on the individual assessment of the officer in charge.
21. The source knows of a case where a person was deaf-mute but was nonetheless assigned to serve in a fixed position until recently where he was finally exempted from military service because of his medical condition.
22. A man in the conscription age called up for military service will report to the recruitment office where he will be examined by a doctor. If the person suffers from a medical condition, he will be transferred to a military hospital where he will be examined. The doctors at the military hospital will write a medical report based on the medical examination and the person will then – with the medical report from the military hospital – report to the Ministry of Defence who will decide whether he is to be exempted or assigned to a fixed position (if he is assessed unfit for field operations).

### Exemption fee for men in Syria unfit for field operations

23. The rules regarding fixed services (*khadamat thabiteh*) are being implemented. Many men try to get assigned to fixed services, including by using connections (*wasta*) and paying a bribe, in order to be eligible for paying the fee of 3 000 USD and be exempted from military service. This implies that the rules regarding exemption for men assigned to fixed services who pay 3 000 USD are being implemented.
24. The source does not know any persons who have made use of paying this exemption fee in the past two or three years. However, he knows that the practice of exempting men who have paid the exemption fee after being assigned to fixed services is continuing.

### Deferrals

25. In practice, it is possible to defer your military service for at certain amount of years if you are studying. A person can keep deferring his military service until he finishes his master's degree.
26. There has not been any recent change in the rules regarding deferral due to studies, the laws are the same. There may be times where the authorities are more strict in the implementation of the rules than at other times but the law is the same.
27. Currently and historically, men have been using this possibility of postponing their military service by studying. The source mentions himself as an example. He spent seven instead of four years studying only in order to postpone his military service.
28. Many men are trying to get the postponement of military service by studying and then leave the country. Some even register for studies, without any intention to study, and only show up for exams to fail them in order to postpone their military service.
29. The rules regarding deferral for the reason of residence abroad, according to which it is possible to visit Syria for up to three months without being recruited, are generally implemented. However, violations occur in individual cases, as for example when a person returns to Syria from abroad, the authorities might call him up for reserve duty – in spite of this person having a deferral – not in order to recruit him for reserve duty but to extract money from him. Especially businessmen or Syrians visiting from Europe are vulnerable to this kind of blackmailing.
30. Men who have been with the opposition have the possibility of settling/sorting out their situation (*taswiya*) through reconciliation agreements to get a deferral. In southern Syria in Deraa, many settled their situation in order to obtain a deferral on military service for six months, which could be extended. In addition to getting a

deferral, the settlement also makes it possible for these men to get official documents issued, e.g. a passport.

31. Some people criticised the GoS for these settlement/reconciliation agreements because it gave young people the opportunity to leave the country within these six months. The GoS was interested in having these people leave the country, however. The purpose for the GoS of these settlements was two-fold. Firstly, the settlements served as a source of revenue, as people paid to enter into settlement agreements with the GoS. Secondly, the settlements served to empty the country of young anti-GoS people who left the country after having settled their situation.

#### Exemption fee for Syrians abroad

32. Men who have paid the exemption fee will not face any problems upon return to Syria related to recruitment but they nonetheless risk facing problems with the GoS, as every young man is at risk of arrest, even if he has obtained a settlement from the embassies. The source cannot personally encourage young people to return to Syria. Sometimes, depending on the person, including whether he has been with the opposition or participated in a civil movement whether inside or outside Syria, he might be called up by one of the security branches. Even in cases where the person has gone through a security clearance (Arabic: موافقة أمنية, *muwafaqa amniya*), in addition to having paid the exemption fee, he might risk being called up by the security services. The security clearance only makes it possible for the person to cross the border to Syria. Once inside Syria, it happens that the security services reopen a person's security file; this may even happen one year after a person has returned to Syria.
33. The fact that a person's security file might be reopened even one year after he has returned to Syria is related to the problem of informants. These persons are in fact more than informants; they work as right-hand men of the GoS among the population. This is very well organised so that these informants or right-hand men of the GoS can easily report their fellow citizens to the authorities.
34. The economic crisis in the country, which continues to deteriorate, has led to a state of law of the jungle. People are willing to report persons who have done nothing against the GoS to the authorities in order to get money. And they report especially people who left the country, as they perceive these persons as someone who left them behind in the conflict. They thus report these persons to the GoS as a sort of revenge. Hence Syrians who have left and then returned to the country are especially vulnerable to this kind of reprisal of being reported to the GoS.
35. The source mentions himself as an example; he left for Jordan in 2011, and in 2018, someone reported him to the authorities. The authorities then reopened his file as a form of revenge in spite of him not having been in the country since 2011.

36. It is not just those who pay the exemption fee and return to Syria who risk having their security file reopened. Anyone who returns to Syria is likely to face this risk.
37. Persons who have paid the exemption fee for the compulsory military service or reserve duty do not risk being arrested and recruited for military service upon return but they risk being arrested for security reasons.
38. There are only few, compared to the number of men in the military service age who live abroad who have used the possibility of paying an exemption fee. In 2021, the source monitored that dozens of Syrians in Germany, Lebanon and Jordan paid the exemption fee.
39. It is still not possible for men inside Syria to pay an exemption fee and be exempted from military service.

### Discharge

40. The source has no information on whether the latest decrees regarding discharge and the non-call-up of reservists issued the past two years are being implemented.

### Possible consequences of draft evasion and desertion

41. Currently, if a draft evader is caught, he will be sent directly to military service and to the front/areas with confrontations. The authorities do not want people in prison but at the front.
42. According to the law, draft evaders above the military service age will have their assets seized. The source is not familiar with cases where draft evaders above 42 have had their assets seized, however. Draft evaders are considered criminals, including those above the age of 42.
43. The source knows of cases where people had their property seized because they had security issues with the GoS (such as terrorism charges). An example of a person with a security issue that resulted in the seizure of his property was a person who had worked as doctor in opposition-controlled areas.
44. Deserters who are caught will be tried before the military court where he might get a sentence of imprisonment. Afterwards, he will have to perform his military service.
45. As regards persons who have already served (whether compulsory military service or also reserve duty), according to the law, their names will disappear from the list of people wanted for military service when they turn 42. However, the source knows of

cases where deserters who exceeded the age of 42 were caught and taken to serve their reserve duty.

46. The amnesties only provide amnesty for the crimes of draft evasion and desertion in the sense that one is not prosecuted for this crime, but one will still have to report for military service within a specific deadline, e.g. six months.
47. Many made use of the amnesties in previous opposition-controlled areas.
48. The source has no information on the implementation of the amnesties (Arabic: عفو, 'afu).

#### Possible consequences for family members

49. By law, there are no consequences or punishment for family members or draft evaders and deserters but in practice, the consequences for family members of draft evaders and the consequences for family members of deserters are more or less the same. They will likely face extortion, pressure and sometimes threats from the security services; they will not be arrested, however.
50. Sometimes, there may be consequences related to security but these will not be direct but indirect. For example, the authorities might tell a family member: 'If you do not make sure that your brother reports for military service, you will be called in for interrogation.'
51. The family members who might face consequences due to their family member's evasion or desertion are first-degree relatives, e.g. parents and sons. It may also have consequences for second-degree relatives, i.e. siblings, primarily brothers more than sisters. Sometimes, third or fourth-degree family members might also be affected, such as cousins or uncles, but this rarely happens and it will mostly be limited to extortion or harassment.

## Online meeting with Jana Alissa and Khaled Aljeratly from the media organisation Enab Baladi, based in Istanbul, 31 October 2023

### Current demand for conscripts and reservists in the SAA

1. The SAA still calls up conscripts, as the law requires that every man who reaches the age of 18 must to do his obligatory military service.

2. There has been no call for reservists in 2023. There are many people who have been called up for reserve duty since 2018 who are still on the list of men wanted for reserve duty.

### Recruitment through raids

3. In general, since 2018, recruitment has not taken place through raids. However, the authorities conduct raids in cases where the person is also wanted for security issues in addition to military service. This occurs in areas that were under GoS-control during the war. The authorities do not carry out raids in areas that were involved in the reconciliation agreements in 2018.
4. Since 2018, men wanted for military service are have mainly been arrested at checkpoints.

### Conditions for conscripts serving in the SAA

5. Conscripts live under miserable conditions during their military service period. For example, they receive a one-month supply of petrol for heating of the barracks in the winter months that is only enough to heat the barracks for two days; the main meal for conscripts is usually composed of a small quantity of potatoes; and the monthly salary is about 3 USD.
6. The miserable conditions in the army force conscripts and reservists to engage in corruption, such as extorting money from citizens at checkpoints, selling drugs and stealing furniture and other belongings from houses whose owners have left.

### Public employees and reserve duty

7. Public employees are being called up for reserve duty. Their duties will depend on their skills. For example, doctors and nurses will be recruited for military hospitals.

### Palestinians

8. The same regulations that apply to Syrian citizens regarding military service apply to Palestinian refugees in Syria. Palestinians, like Syrians, have thus been called up for reserve duty. However, the only difference is the length of the service period; according to the law, Syrians can be kept in reserve duty for an unlimited period of time, while Palestinians can be kept for a maximum of four and a half years (obligatory plus reserve duty through retention service).
9. The total duration of the compulsory military service is 24 months, according to Legislative Decree no. 30 of 2007, which appears on the official website of the Syrian government's Ministry of Defense. Some military personnel in the Syrian army say that this law has been amended, however, and that the service period is now 18 months. This amendment is not applied in practice though because the soldiers serving are subject to retention in wartime. This means that the military service period in wartime



in unlimited as appears from the article in the military service law regarding retention of conscripts in times of war.

10. Once again, the difference is the fact that Palestinians serve a period of maximum four and a half years in case of retention, meaning they will not be required to do the reserve duty if they have already completed the reserve duty period through retention. However, they might be called up for reserve duty if they have only completed their compulsory military service (in case they did their military service before 2011). The reserve duty period would then be four and a half years minus their compulsory service period.
11. Palestinian reservists and conscripts have been sent to the frontlines and have participated in active combat during their military service. Since 2018, the frontlines have largely been frozen, which is why neither Syrians nor Palestinians have participated in active fighting in general.

### Possible recruitment of males under 18 and over 42

12. The GoS does not recruit males under 18 but pro-government militias do recruit males under 18 on a voluntary basis.
13. The GoS has not recruited men over the age of 42 since 2018.

### Exemption of only sons

14. Only sons are being exempted from military service. An only son must renew his exemption every year until his mother reaches the age of 52.

### Exemption for medical reasons

15. In practice, men are rarely exempted from military service for medical reasons. Generally, men are exempted if, for example, they are blind or completely paralysed. People with less severe health problems (with at least a 60 % disability, however) are considered unfit for field operations and are recruited for 'fixed services' in roles such as administrative employees and guards. However, it is very unclear which criteria would make a person eligible for exemption for medical reasons or unfit for field operations.
16. Many bribe the medical committee to be assessed as unfit for field operations. Even people who suffer from health issues that make them unfit for field operations sometimes have to pay a bribe to get a medical assessment that they are unfit.

### Exemption fee for men in Syria unfit for field operations

17. In practice, men unfit for field operations are allowed to pay the exemption fee of 3 000 USD to be exempted from military service. The source knows a person who paid this fee two months ago and received the exemption 40 days after the payment.

18. There are only few people in Syria who have such a large amount of money to pay for an exemption.

### Deferrals

19. In practice, men are allowed to postpone their military service if they are studying.
20. There is a procedure where men inside Syria can use the possibility of deferring their conscription by six months in order to be allowed to travel outside Syria without being conscripted. Many men make use of this option. If the person does not travel outside Syria within the six months, he will be conscripted.
21. It is possible to obtain a deferral on the basis of residence outside Syria, in order to be allowed to visit Syria for a limited period without being recruited to military service. However, many people do not use this possibility because they fear that the Syrian authorities will fabricate charges against them when they visit Syria.

### Exemption fee for Syrians abroad

22. Men of conscription age abroad make use of the possibility to pay an exemption fee.
23. The source gave an example of a person who chose to pay the exemption fee in order to return to live in Syria and another example of a person who chose to pay the fee in order to be able to visit Syria regularly without being conscripted.
24. It has been observed that it is mainly Syrian men who live in the Gulf States, Lebanon, Jordan and Iraq who make use the possibility of paying the exemption fee. The reason is that they do not have permanent residency in these countries; hence, they know that they will have to return to Syria in the future.
25. In general, the GoS respects this exemption. The GoS is not in need of recruits but in need of money and wants to encourage people to use the possibility of paying the exemption fee.
26. The source does not exclude that there may be cases of people who have been arrested and required to do military service despite having paid the exemption fee. However, the source has not heard of any specific cases.
27. The source knows of a person who had paid the exemption fee but was nonetheless arrested because he was not carrying the exemption documentation with him at a checkpoint. He was released ten days later when he proved that he was exempted from military service.

### Discharge

28. Administrative orders regarding discharge are only applicable to certain groups of people, such as those who have served for a certain number of years or were born in a certain year. There is no information from the GoS on the exact number of people who have been discharged or not called up as a result of the administrative orders.
29. Administrative orders, which include ending service and recall of persons born in or before a particular year, such as 1983, also state that these persons should have reached the age of 40 before a particular month, such as 1 December. No one born after December 1983 is eligible for discharge.

### Possible consequences of draft evasion and desertion

30. Prior to 2014, draft evaders were first imprisoned for six months and then required to do their military service. Since 2014, draft evaders have been taken directly to serve in the military.
31. As a penalty for the evasion, the evader's military service period will be extended by six months.
32. Deserted conscripts and reservists can receive up to nine months' imprisonment in Saydnaya prison, after which they will have to perform their military service.
33. If the person deserts for the second time, he can be sentenced to up to two years' imprisonment. If he deserts for the third time, he will receive up to five years' imprisonment. After completing his prison sentence, he will be required to do his military service.
34. Amnesties that have been issued regarding draft evasion and desertion only pardon an evader or deserter for his act of evading or deserting and therefore, he will not be prosecuted or receive a sentence of imprisonment. However, the person will still have to do his military service (whether conscription or reserve duty).
35. Evaders and deserters who have security issues with the GoS are not included in the amnesties.
36. An evader who makes use of an amnesty will have his military service extended by six months as a penalty for having evaded.
37. There are men of military service age who have made use of the amnesties regarding draft evasion and desertion.

38. The Syrian authorities respect those amnesties and do not prosecute men who have made use of the amnesties for draft evasion or desertion on the condition that they have not participated in combats against the GoS.
39. To avoid a prison sentence for evasion and desertion, a person can also sort out his affairs (Arabic: تسوية وضع, taswiyet wadaa), unless he has a pending security issue with the GoS. Status settlement centers are open in many villages and areas in the government-controlled areas in Syria. Evaders and deserters go to these centers and sort out their affairs. They will still have to do their military service after having completed this procedure.
40. The source knows of a deserter who did not have any security issues with the GoS but was falsely accused of having participated in combats against the GoS when he went to sort out his affairs in 2018. The person originated from a former opposition-controlled area and worked in the media industry. He received a four-year prison sentence.
41. Draft evaders and deserters above the age of 42 will have to pay a fee for missed military service (Arabic: بدل فوات الخدمة, badal fawat alkhidma), which is 8 000 USD. If the person cannot pay this fee, his movable and immovable property will be confiscated. In case he does not have any property, his first-grade family's property will be confiscated.
42. Draft evaders and deserters above 42 cannot make use of the amnesties or the status settlement option.

### Possible consequences for family members

43. There are no laws stating that the family members of a deserter or an evader should suffer any consequences because of the evasion or desertion of the person concerned.
44. In practice, family members of deserters and evaders are disgraced and face harassment and even threats from both the authorities and pro-government citizens.
45. The source mentions the case of a person who deserted and travelled to Germany whose mother was demoted from her public position as headmistress to a schoolteacher as a consequence of her son's desertion.

## Online meeting with the Syrian Network for Human Rights (SNHR), based in Paris, 16 November 2023

### Current demand for conscripts and reservists in the SAA

1. The SAA is currently recruiting men for reserve duty but not under the reserve service laws, which was frozen in 2021. At present, reservists are recruited among conscripts who have completed their mandatory service period; after completing their mandatory military service, these men are retained under the reserve category and not discharged, in accordance with the General Mobilisation Law.

### Recruitment through raids

2. Recruitment through raids on people's homes and in public places is still taking place but to a lesser extent than before 2018. These raids tend to target people wanted for conscription and men who have entered into reconciliation agreements (but who are being arrested before the reconciliation period of six or eight months deadline has expired). The men who have entered settlement agreements or reconciliation agreements with the GoS are typically either defectors or individuals who have reached the military service age but who have not joined the SAA.
3. The authorities also use raids to arrest men in order to extort them for money in exchange for their release. The source knows of the case about a paralyzed man in a wheelchair in the military service age who was arrested at a hospital where he was being treated. His family was extorted and the person was released only after the parents paid a bribe. Extortions do not only take place during raids but also occur more extensively and on a larger scale at checkpoints.

### Conditions for conscripts serving in the SAA

4. The food provided to conscripts is limited and of bad quality.
5. The conscripts' salary is so low that it is not even enough to pay for transport when a conscript wants to visit his family. The monthly salary given to conscripts does not exceed 8 USD and often, conscripts do not receive their salary. This drives the conscripts into corruption, e.g. extorting money from civilians at checkpoints to improve their conditions.

### Public employees and reserve duty

6. Public employees have not been called up for reserve duty since the beginning of the conflict. However, wide segments of public employees who were recruited on a non-permanent basis (contractual) were called up from the start of the conflict until around 2021. It primarily targeted teachers. This was linked to specific birth years, such as individuals born in 1977. Currently, non-permanent government employees are not being called up for reserve duty.

### Palestinians

7. Like Syrian citizens, Palestinians have been called up for reserve duty by the SAA. The SAA recruits most Palestinian reservists (and conscripts) to the Palestinian Liberation Army (PLA). Few Palestinians serve in other units in the SAA.
8. Like Syrian citizens, Palestinians have been sent to the frontline or have participated in active combat during their military service. For example, the PLA took part in the fighting in Damascus and was responsible for the killing of civilians in al-Tadamoun, among other incidents.

### Possible recruitment of males under 18 and over 42

9. The GoS does not recruit minors or men over the age of 42.

### Exemption of only sons

10. Only sons are being exempted from military service. If a young man is the sole male child of his parents, he will be exempted from military service.

### Exemption for medical reasons

11. Anyone who is called up for military service will undergo an initial medical examination to determine whether he is fit for military service or whether he must to be referred to a medical committee in a military hospital for further medical examination. People who are referred to medical committees would have health problems for which the committee either grants an exemption or determines the person as 'unfit for field operations'. Individuals who are declared unfit for field operations will normally be required to serve in a non-field position.
12. Men are exempted if they suffer from "a defect of eight degrees" e.g. mental illnesses, chronic illnesses, vision impairment of more than five degrees, heart diseases, severe physical disabilities or if they are paralysed.
13. Men will be considered unfit for field operations if they suffer from "a defect of three degrees". e.g. a visual impairment of two to five degrees, hearing impairment, hand or foot defects.

### Exemption fee for men in Syria unfit for field operations

14. Men who are determined unfit for field operations have the option of paying 3 000 USD to be exempted from service in the non-field position.
15. The GoS implements and respects this exemption. The source knows of many persons who have paid this fee and received an exemption.

16. In order to be able to pay the exemption fee, people who are fit to serve in the field bribe the medical committee to obtain an assessment that they are not fit for field operations.

### Deferrals

17. Men can defer their military service if they are studying. However, during raids or at checkpoints, students may be arrested and taken to the military police station for extortion despite the deferral. The student's parents will be asked to pay a bribe before the student is released. If the parents have no money, they will have to give the military police officer in charge something else, such as a mobile phone. And if the parents do not have so much to offer the officer in charge, a pack of cigarettes will also be accepted as a bribe. Under no circumstances will the student be conscripted.
18. Extortion of persons who have a deferral on the grounds of studying is a systematic practice by the GoS.
19. Many men living abroad use of the three-month deferral to travel to Syria. The GoS respects this law.
20. The intention of allowing men living abroad to defer their military service for three months, during which they can visit Syria, is actually to give deserters and evaders an opportunity to go to Syria to sort out their evasion and desertion issues in order to pay the exemption fee.

### Exemption fee for Syrians abroad

21. There are men who pay the exemption fee (Arabic: بدل نقدي, *badal naqdi*) to avoid conscription; however, the source does not have information on how many have used the option of paying the exemption fee.
22. The GoS respects the exemption fee law.
23. The source has no information on whether men called up for reserve duty use the possibility of paying the exemption fee.
24. Recently, the Syrian president issued a legislative decree allowing those called up for reserve service to pay 4 800 USD and be exempted from reserve service.

### Discharge

25. The administrative orders regarding discharge and non-call-up of reservists of a certain age or who have served for a certain number of years have been implemented.

### Possible consequences of draft evasion and desertion

26. Draft evaders do not face trials if they surrender during a specified period regulated by periodic amnesty laws. However, these draft evaders do not trust this process, as they fear retaliatory operations by the security branches, in addition to their fear of being sent to active frontlines.
27. Although most evaders are thus not prosecuted, they are taken directly to serve in the military and are likely to be deployed to conflict areas, such as areas with Islamic State (IS) fighters. In addition, evaders do not trust that they will not be prosecuted if they surrender.
28. Evaders over the age of 42 will not be prosecuted but will have to pay a fee for missed service. If the person does not pay, his property will be confiscated. These individuals are notified by a conscription department of the obligation to pay the missed service fee, and a grace period of three months is given. If the payment is not made within this period, the individual is referred for prosecution. According to a recent decree issued days ago, the age limit has been reduced to 40 years and the fee for missed service is 4 800 USD.
29. When a person deserts, he has a time limit of e.g. one year, in which he can surrender and avoid prosecution. If he surrenders within the time limit, he will only have to do his military service. A deserter who does not surrender before the deadline will be tried in absentia.
30. Deserters who are prosecuted will be tried by the military court and, after serving their sentence, they will be taken to serve in the military.
31. A deserter over the age of 42 who has been sentenced to imprisonment in absentia when he was under the age of 42 will have to serve his sentence. He will also have to pay the fee for missed military service.
32. Deserters and evaders are not allowed by law to obtain official documents; for example, if an evader or deserter wants a copy of his university certificate and sends a family member to get it issued, the authorities will refuse to give it to them.
33. Reconciled evaders and deserters who had outstanding security issues with the GoS have been interrogated, some have also died under torture because they had some connection with the opposition.
34. The amnesties state that evaders and deserters can be pardoned for the act of evasion or desertion if they surrender within a deadline and if they have not been



involved in fighting against the GoS. Persons who make use of the amnesties will still have to do their military service.

35. The amnesties have been implemented; however, it is not clear whether persons who have been active against the GoS are considered to have been fighting against the GoS.

### Possible consequences for family members

36. First-degree family members of evaders and deserters may be harassed, threatened and even beaten at checkpoints, depending on the military branch/person in charge. Some family members will also be harassed and extorted at home.
37. If an evader or deserter also have security issues with the GoS, his family members may also be prone to be arrested at checkpoints.
38. The fact that a family member of a deserter or evader left Syria illegally does not necessarily exacerbate the consequences of their family member's evasion or desertion.

## Written interview with the Syrian Observatory for Human Rights (SOHR), based in the United Kingdom, 23 November 2023

### Current demand for conscripts and reservists in the SAA

1. Although the war has ended in most Syrian governorates, the Syrian Ministry of Defense continues to call up a large number of reservists who live in the areas under its control, regardless of their military qualifications.

### Recruitment through raids

2. Whether the authorities recruit through raids depends on the extent to which the Government of Syria (GoS) has control over an area, village or town. For example, raids on people's houses take place in residential areas within a city, while this phenomenon is not widespread in rural areas where GoS' control is considered less firm.
3. However, patrols of security branches continuously carry out raids in public parks where young men gather in order to search for men wanted by the GoS. During these raids, the authorities check the names of these men against lists of men wanted for security issues or military service.

### Conditions for conscripts serving in the SAA

4. In general, conscripts in the military are treated harshly by the officers responsible for them. However, conscripts who have good connections with officers or other

## SYRIA – MILITARY SERVICE

authorities in the army are treated better than other conscripts. Some conscripts also pay a bribe to those responsible for them to be treated well.

### Public employees and reserve duty

5. Public employees like other men living in GoS-controlled areas are being called up for reserve duty. Public employees on reserve duty will receive both the salary from their place of employment and the salary paid to recruits in the SAA.

### Palestinians

6. Palestinians have not been called up for reserve duty. However, invitation have been issued encouraging Palestinians to join the ranks of the Palestinian Liberation Army (PLA) on a voluntary basis.

### Possible recruitment of males under 18 and over 42

7. Males under the age of 18 have not been called up for military service.
8. The SAA does not recruit men over the age of 42.
9. Following a presidential decree that was issued in 2018, regardless military qualifications, men serving in the SAA over the age of 42 were discharged and those above this age were not called up for reserve duty.

### Exemption of only sons

10. Only sons are exempted from military service. An only son will have to renew his exemption every year until his father reaches the age of 55 years.

### Exemption for medical reasons

11. Men are exempted from military service for medical reasons such as obesity, poor eyesight, cancer or loss of a limb.

### Exemption fee for men in Syria unfit for field operations

12. Men are assessed unfit for field operations when they suffer from medical issues such as diabetes, poor vision to varying degrees, heart diseases or high blood pressure issues.
13. Men unfit for field operations will be required to serve one and a half years in a non-field position, unless they pay an exemption fee of 3 000 USD.
14. In order to be allowed to pay the exemption fee of 3 000 USD, some men who are fit for military service bribe the medical committee who examines them in order to obtain a medical assessment that they are unfit for field operations.

### Deferrals

15. In practice, men of military service age have the possibility of obtaining a deferral for studies in high school and up to the completion of their university studies. They must defer their military service each year by documenting that they are enrolled in education.
16. In practice, men take advantage of obtaining a deferral based on residence outside Syria to travel to the country for three months without being recruited to military service.

### Exemption fee for Syrians abroad

17. A large number of men of conscription age abroad who wish to return to live in Syria choose to pay the exemption fee (Arabic: بدل نقدي, *badal naqdi*) and the GoS respects this exemption.
18. A large number of men abroad who are called up for reserve duty only use the possibility of paying the exemption fee if they intend to return to reside in Syria.
19. The GoS respects the exemption from reserve duty and does thus not call up a person for reserve duty if he has obtained this exemption.

### Discharge

20. The administrative orders issued in the last two years regarding the discharge/non-call-up of reservists who are born in a certain year or who have served for a certain number of years have been implemented. For example, reservists born in 1984 and who had served for two years were discharged.

### Possible consequences of draft evasion and desertion

21. In practice, the consequence of draft evasion is at most nine months' imprisonment in Saydnaya prison. After serving his sentence, the evader he will have to do his military service.
22. If an evader over the age of 42 is caught by the authorities, he will be detained in a military security branch until he is sentenced to Saydnaya prison by the military court.
23. In practice, the consequence of desertion is nine months imprisonment in Saydnaya prison. After serving his sentence, the deserter will have to do his military service.
24. If a deserter over the age of 42 is caught by the authorities, he will be detained in a military security branch until he is sentenced to Saydnaya prison by the military court.

25. Men in the military service age make use of the amnesties regarding draft evasion and desertion (from conscription or reserve duty).
26. The Syrian authorities respect these amnesties and do not prosecute men who have been pardoned for draft evasion or desertion.

### Possible consequences for family members

27. Family members of a draft evader will not suffer any consequences as a result of their family member's draft evasion.
28. Family members of a deserter will not suffer any consequences either as a result of their family member's desertion.

## Written interview with Muhsen Al-Mustafa, research assistant at Omran Center for Strategic Studies, based in Istanbul, 27 November 2023

### Current demand for conscripts and reservists in the SAA

1. Reserve service is still in effect. It is true that there is no active fighting on a large scale but some military operations are continuing and civilians are killed occasionally (especially in North-west Syria). The fighting could resume at any moment.
2. The Government of Syria (GoS) transfers the majority of conscripts after the end of their mandatory service period of 18 months to reserve service, with some exceptions (such as doctors and engineers).
3. Reserve soldiers are not called up according to the year they completed compulsory service. The call-up is often related to military specialisation while performing military service as well as the army's need for human resources. For example, armor and infantry specialisations are in high demand.
4. The GoS is planning to make changes in the laws regarding reserve service.

### Recruitment through raids

5. The Military Police Administration still undertake raids and recruitment campaigns, especially in the cities. In rural areas, both the police and Military Security undertake this task.

6. Additionally, recruitment takes place at checkpoints where men's ID's are checked against lists of men wanted for military service. If the person was called up to compulsory service or reserve duty, he will be arrested immediately.

### Conditions for conscripts serving in the SAA

7. The conditions for men doing the compulsory military service are very bad. Their food allocations are poor and not enough to meet their basic needs. Therefore, some people engage in robbery, including at military checkpoints, or from the civilian areas in which they are deployed.
8. In some cases, the conscript pays a bribe to improve the conditions under which he serves; as for example, he would be allowed to serve in second line instead of being sent to the frontline. In other cases, the conscript pays a bribe to be allowed to return home instead of serving his military service. In the system, it will appear that he is serving. This act was very common even before 2011 and is known as *tafyeesh* (Arabic: *تفيعيش*).
9. If it is not possible for him to pay this bribe, the soldier's family will send him monthly sums of money to compensate for the low salaries that conscripts receive.

### Public employees and reserve duty

10. Public employees can be called up for reserve service but not to the same degree as men who are not public employees. Whether a man is called up for reserve duty depends on the person's military specialisation that he acquired in compulsory service.

### Palestinians

11. The source has no information on Palestinians' military service, including whether specific rules apply to Palestinians with regard to being called up for reserve duty or being sent to the frontlines.

### Possible recruitment of males under 18 and over 42

12. By law, men from the age of 18 must perform military service.
13. The source sent a [UN report](#) published in June 2023, which verified the recruitment and use of 15 children by Syrian government forces in the period from January to December 2022. However, according to the source, there is no information about the recruitment of minors under the age of 18 directly by the army. What is certain though is that minors are being recruited to militias affiliated with the SAA and that the Syrian government does not prevent the militias from recruiting minors. The

source referred DIS to UN for clarification on the recruitment of minors by Syrian government forces.

14. The source does not know of cases of men over the age of 42 who have been recruited to the SAA.
15. Militias affiliated with the SAA recruit men over the age of 42 who choose to join the militias.

### Exemption of only sons

16. Only sons are in practice being exempted from compulsory military service. The source does not know of cases of only sons who have been recruited by the SAA.
17. It is recommended, however, that only sons carry the necessary documents pertaining to their exemption at all times. This will ensure that if questioned by the authorities, they would be ready to prove their exemption. Otherwise, they might face the risk of being mistakenly enlisted and it can be time-consuming to rectify and to prove that they are not on the list of men wanted for military service.

### Exemption for medical reasons

18. It is not clear for what medical conditions a person can be exempted or assessed 'unfit for field operations'.
19. The source referred to Decree 174 of 2006 on rules regarding physical conditions for men serving in the military but stated that the decree was cancelled in December 2022.

### Exemption fee for men in Syria unfit for field operations

20. Men unfit for field operations are allowed to pay the exemption fee of 3 000 USD and are exempted from military service. The source does not know of persons who have paid this exemption fee, however.

### Deferrals

21. The rules regarding deferral due to studies are being implemented in practice; the authorities do respect this deferral. However, individuals who have obtained a deferral due to studies must carry the necessary documents pertaining to their deferral at all times.
22. The last amendment regarding deferral due to studies was Legislative [Decree 12 of 2019](#).

23. The source does not know of men who have used the possibility of getting a deferral due to residence outside Syria in order to be allowed to travel to Syria for three months without being recruited for military service.

### Exemption fee for Syrians abroad

24. Some men of conscription age abroad have used the possibility of paying an exemption fee.
25. In general, the authorities have respected the law about paying a fee to be exempted from compulsory military service. However, the source has heard of some cases where persons who had paid the exemption fee were referred to do their military service because they had difficulties documenting that they had paid the fee.
26. Some men abroad use the possibility of paying a fee in order to be exempted from reserve duty. In general, the authorities have respected the law about paying a fee to be exempted from reserve duty.
27. With the exception of men who have reached the age of 40, it is not possible for men inside Syria who are fit for field operations to pay a fee to be exempted from military service.
28. On 1 December 2023, president Bashar al-Assad issued a new decree, [Legislative Decree 37 of 2023](#), regarding an exemption fee for men in Syria who have reached the age of 40. According to this new decree, these men can pay a fee of 4 800 USD and be exempted from military service if they have been called up for reserve duty. If a person of 40 years or above is already serving in the reserve and wants to pay the exemption fee, he will have to pay 4 800 USD minus 200 USD for each month that he has served.

### Discharge

29. The administrative orders issued the last two years regarding discharge/non-call up of reservists who are born in a specific year or who have served for a specific number of years have been implemented.

### Possible consequences of draft evasion and desertion

30. The consequences of draft evasion in practice depends on the circumstances of each case. Each case should be treated separately, particularly considering the distinct legal references applicable to the different cases.

31. In general, when an evader is apprehended, he will be demanded to serve. If the person evades or deserts several times, his case will be referred to the military judiciary where he will be prosecuted according to [the Penal Code and the principles of military trials](#) (Articles 98-99). Additionally, chapter seven of [Legislative Decree 30 of 2007](#) provides further information on these matters. It is important to note that some of these articles may have been amended subsequently.
32. The evader will also have to pay a fine depending on the period he have been evading. If an evader exceeds the age limit of 42 for military service and fails to pay the fee for missed service (amounting to 8 000 USD), the person will face an seizure of his financial assets and the provisional seizure of capital held by his wife/wives and children without warning. The procedure will begin three months after the person has turned 42.
33. If a deserter is apprehended, he will be sent to the military police. In some cases, he will be put in a military police prison and then sent to the military unit he escaped from; here he will also be locked up for a period of time before returning to do military service. If the person deserts once more, he will be punished according to the [Penal Code and the principles of military trials](#) law. This law does not differentiate between desertion and defection; therefore, the deserter may be treated as a defector.
34. If a person was in the reserve duty when he deserted, the consequences depend on the nature of his escape. This is in accordance with [the Penal Code and the principles of military trials](#). Please refer to Articles 100 to 104 for more details. The law is applicable to all deserters no matter their age.
35. Amnesty decrees, such as [Legislative Decree 24 of 2022](#), generally provide pardons for crimes outlined in Articles 100 and 101. However, it is important to note that these decrees do not extend to all offenses listed in subsequent articles, such as Articles 102, 103, and 104. Consequently, defectors may find themselves ensnared in a legal trap set up by the Government of Syria (GoS), as they can be charged with additional crimes that fall outside the scope of the amnesty decrees.
36. In some cases, deserters who have trusted and made use of this kind of amnesties have been arrested. Some individuals have even lost their lives in detention facilities under the GoS after returning based on an amnesty. These incidents highlight that the GoS cannot be trusted.



Possible consequences for family members

37. Family members, as for example siblings, may face consequences associated with evasion and desertion/defection situations.
38. Sometimes, family members may be detained to blackmail the evader or deserter or to extort money from his family members. The source knows of a case, which took place previously during the Syrian conflict, where a defector's brother was arrested when the authorities searched for the defector at his house and could not find him.
39. The source also knows other cases where the entire family faced consequences; however, the source does not know of cases that have taken place in recent years where family members of draft evaders, deserters or defectors faced repercussions from the GoS.
40. The consequences that an evader's or a deserter's family members may face depend on the profile of the evader or deserter. If the evader or deserter is in opposition to or have fought against the GoS, the consequences that the family may face may be harsh.
41. A family member (of an evader) who left Syria illegally and who is returning to Syria would not necessarily face any consequences due to his/her family member's evasion.

## Annex 2: Terms of Reference (ToR)

---

### *Military service in the Syrian Arab Army (SAA) in 2023*

## SYRIA – MILITARY SERVICE

1. Current pattern of recruitment of conscripts and reservists to the SAA
  - 1.1. Demand for conscripts and reservists in the ranks of the SAA
  - 1.2. Prevalence of recruitment through raids and campaigns
  
2. Implementation of the military service law
  - 2.1. Prevalence of recruitment of men under 18 and over 42
  - 2.2. Implementation of deferrals and exemptions from military service
  - 2.3. Implementation of the military service law for Palestinian Refugees from Syria (PRS)
  - 2.4. Discharge of conscripts and reservists serving in the SAA
  
3. Draft evasion and desertion
  - 3.1. Possible consequences of draft evasion and desertion
  - 3.2. Implementation of amnesties regarding evaders and deserters
  - 3.3. Possible consequences of draft evasion and desertion for family members