

## General Penal Code

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**Digest:**

Crime is an age-old phenomenon long known in all human societies. With the development of ruling powers in communities, starting with the authority of the head of the family to that of the leader of the tribe, these powers started to set rules of behaviour for their communities and criminalise acts that threaten the group's security and order, or form an attack on the individual's life, property or personal safety. They imposed criminal sanctions for such acts.

Protection of the person, his property and his liberty are the most important rights guaranteed by the Syrian Constitution ever since it was formed. The Criminal Code was enacted in order to provide this protection and form a deterrent for any offender of the rights of the state or the person.

The Syrian Criminal Code came into effect under Legislative Decree No. 148, depending on article 1 of Legislative decree No. 1 on 2/4/1949, Legislative Decree No. 21 on 16/4/1949, the finance minister's recommendation and Council decision No. 283 on 22/6/1949. It is still the applicable law today. The Ottoman penal law and all its amendments were annulled as well as the amended penal code of 1920 and all provisions inconsistent with the current law. It comprises 756 articles divided into two chapters. The first chapter consists of 8 parts and the second 13 parts.

**General Penal Code No. 148 of 1949**  
**Amended by Legislative Decree No. 1 of 2011**

## **Book I- General Provisions**

### **Section I- Criminal law**

#### **Chapter One- The application of the penal code in terms of time/ The legality of offences**

##### **Article 1**

- 1- No penalty or preventive or corrective measure may be imposed with regard to an offence that was not defined by law at the time of its commission.
- 2- A defendant shall not be charged for acts that constitute an offence or acts of principal or accessory participation committed before the offence in question has been defined by law.

##### **Article 2**

- 1- An offence shall not give rise to a penalty or a preventive or corrective measure if it is abolished by a new law, and all criminal sentences imposed thereon shall cease to have effect.
- 2- Conversely, an offence committed in violation of a temporary law during the period of applicability thereof shall continue to be prosecuted and punishable on expiry of said period.

##### **Article 3**

Any law that amends the conditions of criminalization in a manner that benefits the defendant shall apply to the acts committed prior to its entry into force unless an irrevocable judgement has been rendered on their subject.

##### **Article 4**

- 1- Any law that amends the right to prosecute shall apply to offences committed prior to its entry into force if it is more favourable to the defendant.
- 2- If the new law specifies a time limit for the exercise of the right to prosecute, said time limit shall not take effect until the date on which the law enters into force. If the law amends an existing time limit, the time limit shall take effect in accordance with the previous law without exceeding the time limit specified by the new law as calculated with effect from the date of its entry into force.

##### **Article 5**

If a law amends the prescription period applicable to a specific offence, said period shall take effect in accordance with the previous law; however, its duration shall not exceed the period specified in the new law as calculated with effect from the date of its entry into force.

##### **Article 7**

Any new law, even if containing more stringent provisions, shall apply to persistent, continuous, serial or habitual offences that continue to be committed after its entry into force.

##### **Article 8**

Any new law that abolishes a penalty or provides for a more lenient penalty shall apply to offences committed prior to its entry into force unless an irrevocable judgement has been rendered on their subject.

##### **Article 9**

- 1- Any new law that provides for harsher penalties shall not apply to offences committed prior to its entry into force.
- 2- Conversely, if the new law amends the procedure governing multiple offences or recidivism, account shall be taken, when prosecuting an act committed after its entry into force, of offences committed and penalties imposed prior to the date of its entry into force.

**Article 10**

- 1- Any new law that amends the enforcement modality of a penalty by changing its nature shall not apply to acts committed prior to its entry into force unless it is more favourable to the defendant or convicted person.
- 2- The nature of a penalty is deemed to have been changed if the new law amends the legal provisions applicable thereto under the section of this Code concerning penalties.

**Article 11**

Any new law that amends the prescription period applicable to a penalty shall apply in accordance with the provisions of Article 5.

**Article 12**

No preventive or corrective measure may be imposed except in accordance with the terms and conditions provided for by law.

**Article 13**

- 1- Any new law providing for a preventive or corrective measure shall apply to offences on the subject of which no judgement has been rendered by the last judicial authority having jurisdiction over matters of fact.
- 2- Penalties imposed prior to the entry into force of the new law shall be taken into account, when an act committed under said law is prosecuted in the application of provisions concerning habitual criminal conduct.

**Article 14**

Any preventive or corrective measure that is abolished by law or replaced by another measure shall cease to have effect. If an irrevocable judgement has been rendered, the case shall be retried in order to apply the new preventive or corrective measure.

**Article 15**

- 1- Syrian law applies to all offences committed on Syrian territory.
- 2- An offence shall be deemed to have been committed on Syrian territory:
  - a. If one of the constituent elements of the offence, an act that is part of an indivisible offence or an act of principal or accessory participation is committed on Syrian territory;
  - b. If the result occurs or was expected to occur on Syrian territory.

**Article 16**

Airspace located above Syrian territory shall constitute part of Syrian territory.

**Article 17**

For the purposes of application of the Penal Code, the following are considered part of Syrian territory:

- 1- The territorial sea extending over a distance of twenty kilometres from the shore, starting from the low-water mark;

- 2- The airspace above the territorial sea;
- 3- Syrian ships and aircraft;
- 4- Foreign territory occupied by a Syrian army, if the offences committed compromise the security or interests of said army.

#### **Article 18**

Syrian law shall not apply to:

- 1- Offences committed on board a foreign airplane in Syrian aerial space, if the offence does not extend beyond the interior of the airplane.  
However, offences that do not extend beyond the interior of the airplane are subject to Syrian law if the perpetrator or the victim is a Syrian national, or if the airplane lands in Syria after the commission of the offence.
- 2- Offences committed on board a foreign ship or airplane in the Syrian territorial sea or the airspace above the territorial sea, if the offence does not extend beyond the interior of the ship or airplane.

#### **Article 19**

- 1- Syrian law applies to any Syrian national or foreigner who acts as a principal, instigator or accessory in the commission of offences, outside Syrian territory or on board a foreign airplane or ship, against state security, or offences involving the counterfeiting of the state seal, the counterfeiting or forgery of Syrian or foreign banknotes or securities traded by law or custom in Syria.
- 2- However, these provisions shall not apply to a non-Syrian whose act does not constitute a violation of the rules of international law.

#### **Article 20**

Syrian law applies to any Syrian national who acts outside Syrian territory as a principal, instigator or accessory in the commission of a felony or misdemeanour that is punishable under Syrian law. This shall apply even if the defendant loses or obtains Syrian nationality after committing the felony or misdemeanour.

#### **Article 21**

Outside Syrian territory, Syrian law shall apply:

- 1- To offences committed by Syrian officials during or in connection with the performance of their functions;
- 2- To offences committed by Syrian diplomatic officials or consuls if they enjoy immunity under public international law.

#### **Article 22**

Syrian law shall not apply on Syrian territory to offences committed by foreign diplomatic officials and consuls if they enjoy immunity under public international law.

#### **Article 23**

Syrian law also applies to any non-Syrian who resides in Syria and acts outside Syrian territory as a principal, instigator or accessory in the commission of a felony or misdemeanour other than those specified in Articles 19, 20 and 21, if his or her extradition has not been requested or granted.

#### **Article 24**

Syrian law shall not apply to the misdemeanours specified in Article 20 and punishable with a term of imprisonment of less than three years, nor shall it apply to any of the offences specified in Article 23 if they are not punishable under the law of the state on whose territory they were committed.

#### **Article 25**

- 1- In case of discrepancy between Syrian law and the law in force in the place where the offence was committed, the judge may take such discrepancy into account for the benefit of the defendant when applying Syrian law as stipulated in Articles 20 and 23.
- 2- Preventive or corrective measures as well as incapacity and deprivation of civic rights under Syrian law shall apply regardless of the law of the state on whose territory the offence was committed.

#### **Article 26**

With regard to offences committed in Syria or abroad, the personal law of the defendant shall be taken into account for the purposes of incrimination:

- 1- Where one of the elements constituting the offence is subject to legal provisions regulating personal status or capacity;
- 2- Where an aggravating circumstance or a ground of excuse other than minority under criminal law arises from the provisions regulating personal status or capacity.

#### **Article 27**

With the exception of the felonies referred to in Article 19 and offences committed on Syrian territory, a non-Syrian shall not be prosecuted in Syria if an irrevocable judgement on his subject was rendered abroad, and in the event of a conviction, if the sentence was enforced or lapsed on grounds of negative prescription or amnesty.

#### **Article 28**

- 1- Judgements rendered abroad shall not preclude the prosecution in Syria of any offence referred to in Article 19 or committed on Syrian territory, unless the judgement of the foreign court was rendered following an official notice from the Syrian authorities.
- 2- However, the sentence imposed by the judge shall take into account the penalty and pre-trial detention imposed and enforced abroad.

#### **Article 29**

Criminal sentences rendered by foreign courts on the subject of acts defined by Syrian law as felonies or misdemeanours may be invoked:

- 1- For the enforcement of preventive measures, incapacity and deprivation of civic rights, provided that they are consistent with Syrian law, as well as the enforcement of awards of restitution, damages and other civil awards;
- 2- For the rendering of judgements pursuant to Syrian law on the subject of preventive measures, incapacity and deprivation of civic rights, and concerning awards of restitution, damages and other civil awards;
- 3- For the application of the provisions of Syrian law concerning recidivism, habitual criminal conduct, multiple offences, stay of execution and rehabilitation.

The Syrian judge may assess the conformity of the foreign sentence with the law both in procedural and substantive terms, based on the case documents.

#### **Article 30**

Extradition to a foreign state is only possible in the cases provided for in this Code, unless in implementation of a treaty having the force of law.

### **Article 31**

Extradition is possible in the following cases:

- 1- Offences committed on the territory of the state requesting extradition;
- 2- Offences that compromise its security or financial status;
- 3- Offences committed by one of its nationals.

### **Article 32**

Offences within the territorial jurisdiction or the jurisdiction *ratione materiae or ratione personae* of Syrian law as specified in Articles 15 to 17, the end of paragraph (1) of Article 18, and Articles 19 to 21, may not entail extradition.

### **Article 33**

Extradition is denied:

- 1- If the offence is not punishable as a felony or misdemeanour under Syrian law, unless the circumstances of the act constituting the offence cannot exist in Syria because of its geographical situation;
- 2- If the penalty applicable under the law of the state requesting extradition or the law of the state on whose territory the acts were committed is a term of imprisonment of less than one year for all the offences covered by the request;  
If the defendant is convicted, the penalty cannot be less than two months' imprisonment;
- 3- If an irrevocable sentence concerning the offence has been rendered in Syria, or if the public prosecution or the sentence has lapsed under Syrian law, the law of the state requesting extradition, or the law of the state on whose territory the offence was committed.

### **Article 34**

Furthermore, extradition is denied:

- 1- If the request for extradition is related to a political offence, or if it appears to be politically motivated;
- 2- If the defendant was enslaved on the territory of the state requesting extradition;
- 3- If the penalty prescribed under the law of the state requesting extradition is considered socially unacceptable.

### **Article 35**

- 1- Where the judge sees that the requisite legal conditions have not been fulfilled, or that the charge is not well founded, the Government shall deny the request for extradition.
- 2- Otherwise, or where the defendant consents in open court to be extradited, without examination of the legality of such request, the Government may, at its discretion, accept or deny the request for extradition.

### **Article 36**

An extradited defendant can neither be prosecuted adversarially, nor penalised, nor extradited to a third state for any offence committed prior to his extradition, other than the offence that had caused his extradition, unless the Government of the state requesting extradition authorizes such measure in accordance with the conditions set forth in the previous article. Said authorization shall not be subject to the provisions of paragraph 2 of Article 33.

### **Article 37**

The ordinary penalties applicable to felonies are:

- 1- Death penalty;
- 2- Hard labour for life;
- 3- Life imprisonment;
- 4- Fixed-term hard labour;
- 5- Fixed-term extended imprisonment.

In felonies, the imposed fine is an additional penalty which is covered, along with the primary penalty, by general amnesty, unless it is exempted by an explicit provision) (Syrian Court of Cassation - Felony 483, Decision 476 of 20/6/1963)

#### **Article 38**

The penalties applicable to political felonies are:

- 1- Life imprisonment;
- 2- Fixed-term extended imprisonment;
- 3- House arrest;
- 4- Loss of civil rights.

#### **Article 39**

The ordinary penalties applicable to misdemeanours are:

- 1- Imprisonment with labour;
- 2- Ordinary imprisonment;
- 3- A fine.

#### **Article 40**

The penalties applicable to political misdemeanours are:

- 1- Ordinary imprisonment;
- 2- House arrest;
- 3- A fine.

#### **Article 41**

The penalties applicable to contraventions are:

- 1- Imprisonment;
- 2- A fine.

#### **Article 42**

The accessory or additional penalties are:

- 1- Loss of civil rights;
- 2- Imprisonment combined with loss of civil rights imposed as the primary penalty;
- 3- A criminal fine;
- 4- Deprivation of civil rights;
- 5- Publication of the judgement;
- 6- Posting of the judgement;
- 7- Confiscation of personal property

#### **Article 43**

- 1- The enforcement of a death penalty is subject to the opinion of the Amnesty Commission and the consent of the President of the Republic.
- 2- Persons sentenced to death shall be hanged within the prison building or in any other location designated in the decree ordering the enforcement of the penalty.

- 3- A death penalty shall not be enforced on Fridays or Sundays, or on public or religious holidays.
- 4- The enforcement of the death penalty against a pregnant woman shall be deferred until after she has given birth.

#### **Article 44**

Where the law makes no special provision, sentences that involve fixed-term hard labour, fixed-term imprisonment, banishment, house arrest and loss of civil rights shall be imposed for a minimum of 3 years and a maximum of 15 years.

#### **Article 45**

Persons sentenced to hard labour shall be obliged to perform arduous work that takes into consideration their gender and age, either inside or outside the prison.

#### **Article 46**

Persons sentenced to imprisonment shall join one of the workshops organised by the prison administration, on the basis of the choice they made at the beginning of their sentence. They may not be employed outside the prison except with their consent and they shall not be required to wear prison uniform.

#### **Article 47**

(Repealed by Legislative Decree 85 of 28/9/1953).

#### **Article 48**

- 1- House arrest involves obliging the convicted person to stay in a designated location chosen by the Judge from a list established by decree. The designated location may under no circumstances be where the convicted person had a domicile or residence, where the offence was committed or where the victim, his blood relatives or his relatives by marriage up to the fourth degree live.
- 2- If the convicted person leaves the designated location for any time, the penalty of house arrest shall be replaced with a penalty of imprisonment for a period not exceeding the remaining term of the sentence.

#### **Article 49**

The loss of civil rights shall *ipso jure* entail:

- 1- Dismissal and removal from all public functions and services and the loss of any pension paid by the state;
- 2- Dismissal and removal from all functions and services in the administration of the religious community or trade union to which the convicted person belongs and the loss of any pension or salary paid by the religious community or trade union;
- 3- Forfeiture of the right to hold a state concession or franchise;
- 4- Forfeiture of the right to vote or be elected and of all civil, political, confessional and trade union rights;
- 5- Disqualification from owning, publishing or editing a newspaper or any other periodical;
- 6- Forfeiture of the right to manage a school or assume any function in public and private education;
- 7- Forfeiture of the right to bear Syrian and foreign insignia and honorary titles.

In addition, the loss of civil rights can be imposed together with ordinary imprisonment for three months to three years. Where the convict is non-Syrian, the sentence of imprisonment shall be imposed.

#### **Article 50**

- 1- Any person who is sentenced to hard labour or extended imprisonment is considered legally incompetent during his sentence; and the exercise of rights over his property, save for strictly personal rights, shall be transferred to a trustee, in accordance with the provisions of the Personal Status Law regulating the appointment of trustees for legally incompetent persons. Any act or administrative procedure or arrangement effected by the convicted person shall be considered null and void, without prejudice to the rights of bona fide third parties. No amount of a convicted person's income may be handed over to him, except for the amounts permitted by law or by prison regulations.
- 2- The property of the convicted person shall be returned to him upon his release, and the trustee shall submit to the convicted person a statement of account covering the period of trusteeship.

#### **Article 51**

- 1- The term of imprisonment shall range from 10 days to 3 years, unless otherwise provided by law.
- 2- Persons sentenced to imprisonment with labour shall be subject to the procedure provided for in Article 46 concerning persons sentenced to extended imprisonment.
- 3- Persons sentenced to ordinary imprisonment shall not be required to work; however, they may choose and request to be employed in one of the workshops organized by the prison. If they choose such employment, they will be required to pursue it until the end of their sentence.

#### **Article 52**

- 1- The period of house arrest for misdemeanours shall range from three months to three years. It shall be enforced under the same conditions as house arrest for felonies.
- 2- If the convicted person leaves his designated location for any length of time, the house arrest shall be replaced with ordinary imprisonment for a period not exceeding the remaining term of the sentence.

#### **Article 53**

- 1- The period of house arrest for misdemeanours shall range from three months to three years. It shall be enforced under the same conditions as house arrest for felonies.
- 2- If the convicted person leaves his designated location for any length of time, the house arrest shall be replaced with ordinary imprisonment for a period not exceeding the remaining term of the sentence.

#### **Article 54**

- 1- A fine shall be replaced with ordinary imprisonment, without prior notice and in accordance with the applicable rules and regulations, if it is not paid within 30 days of the date on which the judgement becomes irrevocable.
- 2- The period of imprisonment shall be specified in the sentence or in a special decision, considering that one day of said penalty is equivalent to a fine ranging from 5 to 10 Syrian pounds. However, the imprisonment may not exceed one year or the maximum limit of the original imprisonment penalty entailed by the offence. If the convicted person is known to have a garnishable income, mandatory enforcement of the fine may apply prior to imprisonment.

- 3- Any partial payment made before or during imprisonment and any amount collected shall be deducted from the amount of the penalty on the basis of the percentage determined in the court decision, as set forth in the second paragraph of this article.

#### **Article 55**

- 1- An imprisonment sentence shall not be enforced against a pregnant woman who is not in detention until six weeks after she has given birth.
- 2- A couple who are detained and sentenced to imprisonment for less than one year shall serve the sentence consecutively if they have a child under 18 years of age and if they prove to have a known domicile.

#### **Article 56**

The following persons shall be imprisoned in separate locations:

- 1- Persons sentenced to hard labour whether for life or a lesser term;
- 2- Persons sentenced to life imprisonment and to fixed-term extended imprisonment;
- 3- Persons sentenced to imprisonment with labour;
- 4- Persons sentenced to ordinary imprisonment.

#### **Article 57**

- 1- All proceeds from the labour of a convicted person shall be divided, under the supervision of the Public Prosecution office responsible for the enforcement of sentences, among the convicted person, his dependants, the plaintiff, and the State (in payment of fines, court fees and prison costs) on the basis of percentages to be determined in accordance with the nature of the sentence, provided that the percentage allocated to each of the family of the convicted person and the plaintiff is not less than one third of the monthly proceeds.
- 2- When the plaintiff has received the full amount of compensation, the percentages allotted to the convicted person and his dependants shall increase steadily commensurate with the convicted person's good conduct.

#### **Article 58**

- 1- Any person serving a custodial penalty of at least three months shall be entitled to improved prison treatment commensurate with good conduct.
- 2- Improved treatment shall include meals, type of labour, number of working hours, the silence rule, recreation, visits and correspondence, all in accordance with the provisions of the Penalty Enforcement Code.

#### **Article 59**

If a convicted person absconds, any irrevocable fixed-term penalty imposed on the subject of a felony or misdemeanour shall be increased by one third to one half, unless otherwise provided by law.

#### **Article 60**

- 1- The term of imprisonment for a contravention shall range from 1 to 10 days.
- 2- Persons sentenced for a contravention shall serve their imprisonment in locations other than those reserved for persons serving sentences for felonies or misdemeanours.
- 3- Persons serving a custodial sentence shall not be required to work.

#### **Article 61**

The fine imposed on the subject of a contravention shall range from 25 to 100 Syrian pounds.

**Article 62**

- 1- A fine shall be replaced with ordinary imprisonment, without prior notice, if it is not paid within 30 days of the date on which the judgement becomes irrevocable.
- 4- The period of imprisonment shall be specified in the sentence or in a special decision, considering that one day of said penalty is equivalent to a fine ranging from 2 to 5 Syrian pounds. However, the imprisonment may not exceed ten days or the maximum limit of the original imprisonment penalty entailed by the offence.
- 5- Any partial payment made before or during imprisonment shall be deducted from the amount of the penalty on the basis of the percentage determined in the court decision, as set forth in the second paragraph of this article.

**Article 63**

- 1- A sentence of hard labour for life or life imprisonment entails a lifelong loss of civil rights.
- 2- A sentence of fixed-term hard labour, fixed-term imprisonment, banishment or house arrest for felonies entails the loss of civil rights from the day on which the sentence becomes irrevocable until the end of the tenth year of enforcement of the primary penalty.

**Article 64**

- 1- A criminal fine shall range from 50 to 3000 Syrian pounds and be subject to the provisions of Articles 53 and 54 pertaining to fines for misdemeanours.
- 2- An unpaid fine shall be replaced either with hard labour or imprisonment, depending on whether the primary penalty served by the convicted person was hard labour or any another penalty applicable to felonies.

**Article 65**

Any person sentenced to imprisonment or house arrest in misdemeanour cases shall be prohibited throughout his sentence from exercising any of the following civil rights:

- a. The right to hold public office and provide public services;
- b. The right to hold office and provide services in the management of the civil affairs of the religious community or the trade union to which he belongs;
- c. The right to vote in or be elected to any state council;
- d. The right to vote in or be elected to any religious organisation or trade union;
- e. The right to bear Syrian or foreign insignia.

**Article 66**

- 1- In special cases determined by law, a prohibition of the exercise of one or more of the rights mentioned in Article 65 above may be imposed concurrently with a penalty for a misdemeanour.
- 2- The prohibition shall be imposed for a period ranging from 1 to 10 years.

**Article 67**

- 1- Any court decision involving a penalty for a felony shall be posted for one month at the entrance of the Criminal Court building, in the locality closest to the scene of the felony, and in the locality where the convicted person had a domicile or residence.
- 2- In cases specially authorized by law, a court decision involving a penalty for a misdemeanour may be posted for 15 days in locations to be designated by the judge.
- 3- Summaries of court decisions shall be posted at the expense of the convicted person. The judge may determine the size of the post and font.

**Article 68**

- 1- The Criminal Court may order the publication of any criminal decision in one or two newspapers that it designates.
- 2- Any decision ordering a penalty for a misdemeanour may as well be published in one or two newspapers designated by the judge, if the law contains an explicit provision to that effect.
- 3- If a felony or misdemeanour is perpetrated through a newspaper or any other periodical, an additional notice may be published in said newspaper or periodical.
- 4- If the law does not provide for the publication of the entire court decision, a summary thereof shall be published.
- 5- The convicted person shall be liable to pay all costs incurred in relation to said publication.
- 6- The publisher of the newspaper selected for the publication of the notice shall be liable to pay a fine of between 25 and 100 Syrian pounds if he refuses or defers said publication.

#### **Article 69**

- 1- Without prejudice to the rights of bona fide third parties, all objects that result from an intentional felony or misdemeanour or that are used in or intended for the commission thereof, may be confiscated.
- 2- Such objects may be confiscated in the cases of unintentional misdemeanours or contraventions if the law contains an explicit provision to that effect.
- 3- If the item to be confiscated is not seized, the convicted person shall be given a time limit to surrender it or pay its value as assessed by the judge.
- 4- The court may, as necessary, secure the assistance of an expert to assess the amount payable, and shall collect said amount by the method adopted for the collection of fines.

#### **Article 70**

Preventive measures that entail a deprivation of liberty are:

- 1- Confinement in a secure facility;
- 2- Confinement in isolation;
- 3- Confinement in a work centre.

#### **Article 71**

Preventive measures that entail restrictions on liberty are:

- 1- Prohibition on frequenting bars;
- 2- Residence ban;
- 3- Probation;
- 4- Supervision;
- 5- Deportation.

#### **Article 72**

Preventive measures that involve a deprivation of rights are:

- 1- Forfeiture of paternal authority or guardianship;
- 2- Prohibition on performing an activity;
- 3- Prohibition on carrying a weapon.

#### **Article 73**

Preventive measures involving restrictions on property are:

- 1- Confiscation of property;
- 2- Payment of a surety bond;
- 3- Closure of business;
- 4- Suspension of operation or dissolution of a legal person.

**Article 74**

A person subject to confinement in a secure facility shall be placed in a hospital designated by virtue of a decree, where he shall receive the care required for his condition.

**Article 75**

The physician at the facility shall prepare a report on the condition of the convicted person every six months. A physician designated by the court that ordered the confinement shall as well see the convicted person at least once a year.

**Article 76**

- 1- A person who is sentenced to deprivation or restriction of liberty, confinement in isolation, probation, residence ban or payment of a surety bond and who, while serving his sentence, is found to be suffering from insanity, shall be transferred to a secure facility where he is provided with the care required by his condition.
- 2- The period of confinement in the secure facility may not exceed the remaining term of the sentence or preventive measure of which enforcement has been suspended unless the convicted person poses a risk to public safety.
- 3- When the judge orders his release, he shall decide whether all or part of the period of confinement should be deducted from the term of the penalty or preventive measure.

**Article 77**

- 1- The period of isolation shall range from 3 to 15 years.
- 2- A sentence of confinement in isolation shall be served in a work centre or in an agricultural settlement designated by decree.
- 3- The judge shall order the placement of the convicted person in one of these two confinement settings, taking into consideration the qualifications of the convicted person, and whether he had an urban or rural upbringing.
- 4- Articles 57 and 58 apply to persons sentenced to confinement in isolation.

**Article 78**

If the convicted person leaves the institution in which he is confined for any length of time, he shall be liable to imprisonment with labour for one to three years.

**Article 79**

- 1- The period of confinement in a work centre shall range from three months as a minimum to three years as a maximum.
- 2- The convicted person shall be subject to the procedure specified in Articles 57 and 58.
- 3- If the convicted person leaves the work centre for any length of time, he shall be sentenced to imprisonment with labour for a term of three months to one year.

**Article 80**

- 1- If a felony or misdemeanour was committed under the influence of alcohol, the judge may prohibit the convicted person from frequenting bars where alcoholic beverages are sold for a period ranging from one to three years under pain of imprisonment for a term of ten days to three months.
- 2- The same penalty shall apply to the vendor and his employees who serve alcoholic beverages to the convicted person despite being aware of the prohibition.

**Article 81**

- 1- A residence ban prohibits the convicted person from being present, after his release, in specific locations indicated in the court decision.
- 2- Residence shall be banned *ipso jure* in the district where the felony or misdemeanour was committed, as well as in the district of residence of the victim or his relatives up to the fourth degree, unless the judge decides otherwise.

**Article 82**

- 1- The term of the residence ban shall range from 1 to 15 years.
- 2- Persons sentenced to a criminal penalty that involves deprivation or restriction of liberty shall be subject *ipso jure* to a residence ban for a term equivalent to that of the penalty imposed.
- 3- Persons sentenced to death, to hard labour for life, or to life imprisonment and whose sentence is revoked under a general amnesty, time-barred, commuted or replaced with a fixed-term sentence shall be subject *ipso jure* to a residence ban for a period of 15 years.
- 4- Persons sentenced for having committed a misdemeanour shall not be subject to a residence ban unless the law explicitly provides for or authorizes the imposition of such ban.
- 5- All of the foregoing shall apply unless the judge decides to increase or reduce the period of the ban within the time limit set forth in the first paragraph or exempt the convicted person from it.

**Article 83**

- 1- Any violation of the residence ban shall be punishable by imprisonment for three months to three years.
- 2- The judge may decide to replace the residence ban with probation for a period not less than that remaining of the residence ban.

**Article 84**

- 1- The purpose of probation is to ensure the good conduct of the convicted person and facilitate his reintegration into society.
- 2- A person on probation shall be subject to the prohibition on frequenting bars and to the residence ban. He shall refrain from frequenting places that are forbidden by laws and regulations and shall comply with the orders imposed by the judge to deter recidivism, although said orders may be modified during the enforcement of the measures.

**Article 85**

- 1- The period of probation shall range from one to five years, unless the law provides otherwise.
- 2- In the absence of institutions providing probation supervision services, the police shall be in charge of probation.
- 3- A report on the conduct of the convicted person shall be submitted to the judge at least once every three months.

**Article 86**

A person on probation who breaches the rules imposed by law or the judge, or who repeatedly evades probation, shall be sentenced to imprisonment with labour for a period ranging from three months to three years, unless the law provides for another penalty.

**Article 87**

- 1- Supervision shall be entrusted to special institutions recognized by the State.

- 2- The institution shall provide work for the convicted person. Its representatives shall monitor his lifestyle cautiously and guide him with advice and assistance. The savings of a released inmate may be handed over to the institution for use in his best interest.
- 3- A report on the condition and conduct of the convicted person shall be submitted to the judicial authority that ordered the probation at least once every three months.

**Article 88**

- 1- Any non-Syrian sentenced to a criminal penalty may be expelled from Syrian territory under a special clause of the court decision.
- 2- If a non-Syrian is sentenced for a misdemeanour, he may only be expelled in the cases specified by law.
- 3- The deportation penalty shall be permanent or for a period ranging from 3 to 15 years.

**Article 89**

- 1- A non-Syrian against whom a deportation order has been issued must leave Syrian territory at his own expense within 15 days.
- 2- Any breach of a judicial or administrative deportation shall be punishable by imprisonment for a term ranging from one to six months.

**Article 90**

- 1- Forfeiture of parental authority or guardianship entails the loss of all rights over the child or orphan and the property thereof.
- 2- Forfeiture shall be either total or partial and it shall either be general or restricted to one or several children or orphans.
- 3- The right to exercise paternal authority or guardianship shall be transferred to a guardian in accordance with the rules regulating personal status.

**Article 91**

A father, mother or guardian may be denied parental authority or guardianship if he or she is sentenced to a criminal penalty and found unfit to exercise authority over the child or orphan.

**Article 92**

The above mentioned persons shall be liable to the same measure:

- 1- If they are sentenced to a penalty on the subject of a felony or misdemeanour committed against a child, descendant or orphan or in complicity therewith;
- 2- If a minor under their care commits a felony or misdemeanour as a result of their complacent upbringing or habitual neglectful supervision.

**Article 93**

- 1- Forfeiture of parental authority or guardianship shall be for life or for a period ranging from 3 to 15 years.
- 2- Under no circumstances may a period of forfeiture of parental authority or guardianship be prescribed that is shorter than the custodial penalty or preventive measure to which the father, mother or guardian is sentenced.

**Article 94**

- 1- Any person may be prohibited from pursuing an art or occupation that requires licensing or certification if he is sentenced on the subject of a felony or misdemeanour committed in violation of professional obligations or duties associated with the activity in question.
- 2- If the activity can be pursued without any requirements or licence, its exercise may not be prohibited unless in the cases prescribed by law.

- 3- In cases involving publications, the publisher shall be subject to a prohibition even if the exercise of his activity does not require a licence. The prohibition imposed on him or the owner shall entail suspension of the newspaper during the entire prohibition period.

#### **Article 95**

- 1- The period of the prohibition shall range from one month to two years.
- 2- It may be imposed for life if a temporary prohibition order was imposed on the offender by an irrevocable decision issued less than five years previously, or if the law contains an explicit provision to that effect.
- 3- The exercise of the prohibited activity, even through or on behalf of third parties, shall be punishable by imprisonment of up to three months and the payment of a fine of up to 100 Syrian pounds.

#### **Article 96**

- 1- The prohibition on carrying a weapon may be imposed for life or for a specific period ranging from 3 to 15 years.
- 2- No person subject to such a prohibition may obtain a permit to acquire or carry a weapon, and any permit already in his possession shall be revoked without reimbursement of any fees paid for that purpose.

#### **Article 97**

Any penalty imposed on the subject of a felony or misdemeanour committed by means of a weapon or involving violence shall entail a prohibition on carrying a weapon for a period of three years, unless the court decision states otherwise.

#### **Article 98**

- 1- Objects that are illegally manufactured, acquired, sold or used by the defendant or convicted person shall be confiscated, even if they are not his property or if the prosecution does not lead to a conviction.
- 2- If the object to be confiscated is not seized, the convicted or defendant shall be given a deadline to surrender it under pain of paying twice its value, as assessed by the judge.
- 3- The court may, as necessary, secure the assistance of an expert to assess the amount payable, and shall collect said amount by the method adopted for the collection of fines.

#### **Article 99**

- 1- A surety bond is a sum of money, government securities, security bond or insurance contract deposited to guarantee the good conduct of the convicted person or to deter another offence.
- 2- The surety bond requirement may be imposed for a minimum of one year and a maximum of five years unless the law provides otherwise.
- 3- In his decision, the judge shall determine the sum to be deposited or the sum to be covered by the insurance contract or security bond. It may not be less than 25 or more than 2000 Syrian pounds.

#### **Article 100**

- 1- The surety requirement shall be replaced *ipso jure* with probation for the same period if said surety is not paid by the date set by the judge or within 10 days at the latest.

- 2- If the surety requirement is imposed on a legal person, it may be settled by distraint. If the assets of the legal person are insufficient to cover the specified amount of surety unless it ceases its legitimate activity, the court decision may order its dissolution.

#### **Article 101**

A surety requirement may be imposed:

- a. Where the offence involved threats or blackmail;
- b. Where the offence involved incitement to a felony that produced no effect;
- c. Where there is cause to fear that the convicted person will return to harm the victim or members of his family, or damage their property;
- d. Where a stay of enforcement or suspension of an enforceable judgement is ordered;
- e. Where a legal person is sentenced for an offence entailing probation.

#### **Article 102**

- 1- The security shall be returned, the bond cancelled and the guarantor acquitted if the act requiring preclusion is not committed during the test period.
- 2- Otherwise, the surety shall be collected and allocated, in order of priority, for personal compensation, fees and fines. Any remaining amount shall be confiscated for the benefit of the State.

#### **Article 103**

- 1- The closure of a business where an offence was committed by or with the consent of the owner may be ordered for a minimum of one month and a maximum of two years if the law contains an explicit provision to that effect.
- 2- Closure of business for any reason shall entail *ipso jure* a prohibition on the exercise of the same activity by the convicted person, as provided for in Article 94.

#### **Article 104**

- 1- The closure of business ordered in consequence of criminal or immoral acts shall entail a prohibition on the exercise of the same activity therein by the convicted person, a member of his family, or any person who owns or leases the premises despite being aware of the matter.
- 2- Said prohibition shall not apply to the owner of the property and to all those who hold a right of lien, a mortgage right or a claim on the premises if they had no connection with the offence committed.

#### **Article 105**

If the closure of business is ordered because the investor commenced his investment in his place of residence without obtaining the required licence, he shall be compelled to vacate the business premises, without prejudice to the right of the bona fide lessor to revoke the lease agreement and claim damages.

#### **Article 106**

If this measure is ordered for the reason that the investor is legally incompetent, its effects shall be limited to said investor.

#### **Article 107**

The penalties set out in Article 95 shall apply to the convicted person and any third party if they breach the provisions of the preceding Articles.

### **Article 108**

A labour union, company or association and any legal person, except for public administrations, may be ordered to suspend its operations if its directors, board members, representatives or employees commit on its behalf, or using one of the means at its disposal, an intentional felony or misdemeanour punishable by imprisonment for a at least two years.

### **Article 109**

The abovementioned legal persons may be dissolved in the cases referred to in the preceding Article:

- a. If they fail to comply with the legal incorporation requirements;
- b. If their purpose is unlawful or if they are aimed at serving such purposes;
- c. If they breach the legal provisions under pain of dissolution;
- d. If their operations were suspended under an irrevocable decision issued less than five years previously.

### **Article 110**

- 1- Suspension shall be ordered for a minimum of one month and a maximum of two years. It shall entail the cessation of all activity by the legal person, even if its name has been changed and its directors or management staff have been replaced. Suspension shall as well preclude transfer of ownership of the premises, without prejudice to the rights of bona fide third parties.
- 2- Dissolution shall entail the liquidation of the assets of the legal person, and the directors or board members, and anyone personally responsible for the offence shall be legally disqualified from establishing or managing any similar legal person.

### **Article 111**

Any violation of the provisions above shall be punishable by imprisonment for a term ranging from one to six months and the payment of a fine of between 100 and 1000 Syrian pounds.

### **Article 112**

- 1- One day of a penalty or preventive measure is 24 hours and one month is 30 days. Where the penalty or measure exceed one month, they shall be calculated from date to date, in accordance with the Western calendar.
- 2- Detainees shall be released before noon on the last day, except in cases where they are detained for 24 hours.

### **Article 113**

- 1- A penalty involving a deprivation or restriction of liberty shall be calculated from the first day of enforcement thereof pursuant to an irrevocable court decision.
- 2- Where multiple custodial penalties are imposed, the heaviest penalty shall be enforced first.
- 3- Where multiple penalties involving deprivation and restriction of liberty are imposed, the former shall be enforced first.

### **Article 114**

- 1- The period of forfeiture of civil rights shall take effect on the day on which the court decision became irrevocable. Where the court decision is rendered in absentia, said period shall be calculated from the date on which the most recent posting made in accordance with Article 67 was recorded.

- 2- The forfeiture of specific civil rights imposed as an additional penalty in accordance with Article 66 shall be enforced as soon as the term of the primary penalty involving deprivation or restriction of liberty expires.

#### **Article 115**

- 1- A court decision ordering confinement in a secure facility shall take immediate effect, regardless of any other penalty or preventive measure involving deprivation or restriction of liberty.
- 2- Preventive measures involving deprivation or restriction of liberty, save for confinement in a secure facility, shall be enforced after custodial penalties.
- 3- Penalties involving restriction of liberty shall be enforced after preventive measures involving deprivation of liberty.
- 4- Where multiple preventive measures involving deprivation of liberty and restriction of liberty are imposed, the former shall be enforced first in the following order: confinement in a secure facility; confinement in isolation; confinement in a work centre.
- 5- Deportation shall take effect regardless of any other preventive measure or penalty entailing loss of rights.

#### **Article 116**

- 1- The prohibition on the exercise of an activity, the prohibition on carrying a weapon and the surety bond requirement shall be enforced upon expiry of the term of custodial penalties and preventive measures.
- 2- All other preventive measures, including those that involve property and loss of rights shall take effect from the day on which the court decision becomes irrevocable.

#### **Article 117**

- 1- Pre-trial detention shall be taken into account when calculating the term of penalties involving deprivation and restriction of liberty.
- 2- It shall be deducted from fines as determined by the judge in accordance with the provisions of Articles 54, 62 and 64, and deducted from the term of preventive measures involving deprivation of liberty if the judge makes an explicit provision to that effect in his decision.

#### **Article 118**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

The Juvenile Delinquents Act issued under Legislative Decree No. 58 of 1953 and the corrective measures contained therein, was repealed, in turn, by virtue of the Juvenile Act No. 18 of 30/3/1974.

#### **Article 119**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

The Juvenile Delinquents Act issued under Legislative Decree No. 58 of 1953 and the corrective measures contained therein, was repealed, in turn, by virtue of the Juvenile Act No. 18 of 30/3/1974.

#### **Article 120**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

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**Article 121**

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**Article 124**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

The Juvenile Delinquents Act issued under Legislative Decree No. 58 of 1953 and the corrective measures contained therein, was repealed, in turn, by virtue of the Juvenile Act No. 18 of 30/3/1974.

**Article 125**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

The Juvenile Delinquents Act issued under Legislative Decree No. 58 of 1953 and the corrective measures contained therein, was repealed, in turn, by virtue of the Juvenile Act No. 18 of 30/3/1974.

**Article 126**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

The Juvenile Delinquents Act issued under Legislative Decree No. 58 of 1953 and the corrective measures contained therein, was repealed, in turn, by virtue of the Juvenile Act No. 18 of 30/3/1974.

**Article 127**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

The Juvenile Delinquents Act issued under Legislative Decree No. 58 of 1953 and the corrective measures contained therein, was repealed, in turn, by virtue of the Juvenile Act No. 18 of 30/3/1974.

#### **Article 128**

The corrective measures set forth in Articles 118-128 were repealed by Legislative Decree No. 58 of 17/9/1953 containing the Juvenile Delinquents Act.

The Juvenile Delinquents Act issued under Legislative Decree No. 58 of 1953 and the corrective measures contained therein, was repealed, in turn, by virtue of the Juvenile Act No. 18 of 30/3/1974.

#### **Article 129**

The civil obligations that the criminal court judge may impose are:

- a. Restitution;
- b. Damages;
- c. Confiscation;
- d. Publication of the court decision;
- e. Cost.

#### **Article 130**

- 1- Restitution is the act of restoring the situation to what it was before the offence.
- 2- Wherever restitution is possible, it must be ordered automatically.
- 3- The provisions of the Civil Code shall apply to the restitution of what was in the possession of third parties.

#### **Article 131**

Even in cases of exoneration, the criminal court adjudicating any of the crimes stipulated in Articles (675, 678, and 681 to 683) shall automatically order the restitution of all misappropriated funds, rights, or shares to the body of creditors.

#### **Article 132**

- 1- The provisions of Articles 170, 171 and 172 of the Civil Code apply to the payment of damages.
- 2- The payment of damages is ordered at the request of the plaintiff.
- 3- In cases of exoneration, the payment of damages may be ordered at the request of the defendant or the party summoned for being civilly responsible for damage, if the plaintiff is proved to have abused process.

#### **Article 133**

In cases of felonies or misdemeanours that lead to death or permanent loss of function, the judge shall estimate the value of damages to be paid as a lifetime income to the plaintiff or his heirs if they so request.

#### **Article 134**

- 1- Items that can be confiscated under Article 69 may be confiscated at the request of the plaintiff in payment of the damages owed thereto and in the same value as said damages.
- 2- If the item on the subject of which an order of confiscation had been issued was not seized, the judge may, at the request of the plaintiff, order the payment of the item value under pain of the fine prescribed in Article 214 of the Civil Code, or order the offender to pay the equivalent cost of the item.

**Article 135**

- 1- The judge can, if the plaintiff and his interest so require, order the publication of the court decision in its entirety or a summary thereof in one or several newspapers at the expense of the convicted person.
- 2- He may, if the accused person and his interest so require, order the publication of the court decision exonerating the accused person, under the same conditions, at the expense of the plaintiff, if it becomes evident that he abused process.

**Article 136**

The losing party shall bear the expenses:

- 1- If there are multiple convicts, the fees shall be imposed on them in equal parts, unless the judge decides otherwise.
- 2- All expenses that do not serve the lawsuit shall remain the responsibility of the party who caused them even if he is not the losing party.
- 3- The foregoing shall not prejudice the provisions of the Code of Commerce on bankruptcy.
- 4- The Public Prosecution Office shall apply the instalment plan mentioned in Article 53 for the payment of judicial fees and charges.
- 5- The complainant or the plaintiff shall be relieved of the judicial fees and expenses if the offence that called for investigation was actually committed but the investigation was unable to identify the perpetrator.
- 6- In the event of the death, absence or default of the convicted person, the judicial fees and expenses shall be collected by the Ministry of Finance in accordance with the regulation governing the collection of state funds.

**Article 137**

- 1- The plaintiff whose claim is dropped in mistrial within forty-eight hours of acquiring the capacity of plaintiff shall not be legally obligated to pay the expenses that have been incurred since the Public Prosecution Office and the defendant were notified of said mistrial.
- 2- In personal claims that the court decides not to accept, the Plaintiff shall be liable to pay the expenses that have not served the case.

**Article 138**

- 1- Any person who commits a felony that causes moral or material injury to others shall be obligated to pay compensation.
- 2- Civil obligations shall apply to the offender if he benefited from any of the grounds for exemption.

**Article 139**

An insane person or a minor who commits an offense unaware of what they are doing shall not be obligated to pay damages unless there is no other person to be held accountable for his act or if such person is insolvent. In such case, the judge shall determine the damages taking into account the condition of both parties on the basis of the second paragraph of Article 165 of the Civil Code.

**Article 140**

Where offenses are committed in a state of emergency, the party that benefited from the offence shall incur civil obligations to the extent of the damage he has prevented.

#### **Article 141**

- 1- Restitution is indivisible.
- 2- Other civil obligations are jointly borne by all persons convicted for the same offence.
- 3- Joint liability does not include syndicated crimes unless they are committed for a common purpose.
- 4- Joint liability does not include the expenses unless those convicted for the same offense were tried in the same lawsuit. And the judge may, in any case, exempt those ordered to pay expenses from joint liability.

#### **Article 142**

- 1- Civilly liable persons and “insurance companies” are called to trial and are jointly bound with the perpetrator to settle all restitutions and expenses due to the State. They are ordered to incur all civil obligations if the plaintiff so requests.
- 2- Hospitalization fees including emergency treatment, medication, surgical operations and hospital stay incurred by the victim in public hospitals shall be counted with the expenses that must in any case be ordered in the interest of the State.  
The health services shall send a list of expenses, if none of the two parties had already sent such list, to the Public Prosecution. The Public Prosecution shall undertake the necessary claims and prosecutorial functions and enforce the decision rendered on the subject thereof. It shall also enforce the decisions pertaining to the expenses of the offence and trial fees.

#### **Article 143**

In the event of prosecution before the court of misdemeanours and the court of criminal appeals for any of the misdemeanours stipulated in the chapter on counterfeiting or the chapter on bankruptcy, or before the criminal court for any offense, the court may order the suspect or the accused person, upon rendering its decision of acquittal, to assume all civil obligations required by the injured party if the act prosecuted constitutes an unlawful act.

#### **Article 144**

In cases where a fine is imposed together with the civil sanctions and the assets of the condemned person are insufficient, the proceeds of the execution shall be distributed in the following order:

- 1- The civil sanctions ordered for the benefit of the injured party;
- 2- The costs due to the State;
- 3- The fine.

#### **Article 145**

Damages may be paid in instalments in accordance with the provisions of the second paragraph of Article 344 of the Civil Code.

#### **Article 146**

Executive detention may be ordered under the Code of Civil Procedure for the execution of civil obligations except for restitution and publication of the court decision.

In the event of joint liability, the convicted person may not be detained except for the part for which he is liable.

Executive detention may not be resorted to for the duration of the probation during a stay of execution or suspension of sentence.

Persons subject to executive detention shall be detained in places designated for this purpose.

**Article 147**

The grounds on which criminal sentences shall be revoked or their enforcement precluded or suspended are:

- 1- Death of the convicted person;
- 2- A general amnesty;
- 3- A special pardon;
- 4- Pardon from the injured party;
- 5- Rehabilitation;
- 6- Prescription;
- 7- A stay of execution;
- 8- A suspension of sentence.

**Article 148**

The grounds on which criminal sentences are revoked or their enforcement precluded or suspended shall have no effect on civil sanctions, which remain subject to the provisions of the Civil Code.

**Article 149**

- 1- All consequences of a criminal sentence shall lapse upon the death of the convicted person.
- 2- However, death shall have no effect on the confiscation of personal items if such items have been awarded to the plaintiff, nor on the confiscation of property, nor on the closure of business premises in accordance with Article 104.
- 3- Death shall preclude the payment of fines as well as the publication and posting of the court decision in accordance with Articles 67 and 68.

**Article 150**

- 1- The general amnesty decision shall be issued by the legislative authority.
- 2- The general amnesty decision shall revoke any primary, accessory or additional penalty.
- 3- Preventive and correctional measures shall not be covered by the amnesty decision unless the Amnesty Act contains an explicit provision to that effect.
- 4- Fines that have been paid and items that have been confiscated under Article 69 shall not be returned.

**Article 151**

- 1- The President of the Republic shall grant the special pardon following consultations with the Pardons Commission.
- 2- The convicted person may not refuse the pardon.
- 3- The pardon may be conditional and subject to one or several of the requirements specified in Article 169.
- 4- If the act committed was a felony, the plaintiff shall be compensated in accordance with Article 169, paragraph 3, within a period not exceeding three years.

**Article 152**

- 1- A special pardon is personal.
- 2- It may be granted through a substitute penalty, the revocation of the penalty or preventive measure, or the full or partial commutation thereof.
- 3- The pardon shall not cover accessory or additional penalties or preventive measures ordered in addition to the primary penalty, unless the decree under which the pardon is granted contains an explicit provision to that effect.

### **Article 153**

- 1- A person against whom an irrevocable court decision has not been rendered shall not be granted a pardon.
- 2- A stay of execution or the suspension of an enforceable court decision shall not preclude the granting of a pardon.

### **Article 154**

- 1- The revocation of a penalty or preventive measure shall be equivalent to the enforcement thereof.
- 2- Accordingly, the effect of a revoked or substituted penalty shall continue to apply to provisions relating to the stay of execution, suspension of an enforceable court decision, rehabilitation, recidivism and habitual criminal conduct.

### **Article 155**

A convicted person who commits a new offence that renders him subject to punishment for recidivism, or who is found, pursuant to a court order, to have breached any of the obligations imposed under Article 151 shall lose the benefit of a pardon.

### **Article 156**

- 1- In cases where the institution of a public lawsuit requires, according to the law, the filing of a complaint or a civil lawsuit, a pardon granted by the victim shall lead to a drop of prosecution and suspension of the execution of penalties unless the law stipulates otherwise.
- 2- However, the penalties imposed under a *res judicata* prior to the pardon shall continue to apply to provisions related to the stay of execution, suspension of an enforceable court decision, rehabilitation, recidivism, and habitual criminal conduct.
- 3- A pardon shall have no effect on preventive and correctional measures.

### **Article 157**

- 1- A pardon may be inferred from every act that is indicative of such pardon granted by the victim or the reconciliation of the parties to the lawsuit.
- 2- A pardon can be neither revoked nor subject to a condition.
- 3- A pardon granted to any of the persons convicted in the same case shall cover all others.
- 4- Where multiple plaintiffs are involved, their pardon shall only apply if granted jointly by all of them.

### **Article 158**

Any person convicted of a felony or misdemeanour may be rehabilitated under a judicial decision if the following conditions are met:

- a. Seven years must have elapsed in the case of a felony and three years in the case of a misdemeanour since the convicted person served the sentence and any related preventive custodial measure, or since such sentence or measure was time-barred.  
If a loss of civil rights is ordered, the abovementioned time period shall take effect from the day on which the court decision became irrevocable and, in the case an additional penalty of imprisonment was ordered, from the day on which the sentence expired.  
If a fine is ordered, the time period shall take effect from the day of payment or of expiry of the substitute term of imprisonment. If the convicted person is a recidivist or has previously benefited from rehabilitation, the time period shall be doubled.

- b. He must not have been subsequently sentenced for a felony or a misdemeanour. Any subsequent sentence for either offence shall interrupt the abovementioned time period.
- c. Civil obligations imposed in the sentence must have been executed, dropped or time-barred, or the convicted person must prove that he was in a state that rendered him incapable of discharging said obligations.  
A person declared bankrupt must prove that he has duly settled the debt with interest and costs, or that he has been relieved from payment.
- d. The prison records and the investigation of the convicted person's conduct after his release must show that he has truly been rehabilitated.

#### **Article 159**

- 1- Any person who commits a misdemeanour and is sentenced to a penalty that involves deprivation or restriction of liberty shall be rehabilitated *ipso jure* if, during the seven years since the end of his sentence, he has not been sentenced again to imprisonment or subject to a residence ban or any heavier penalty.
- 2- Any person who commits a misdemeanour and is sentenced to the payment of a fine shall be rehabilitated *ipso jure* if, during the five years since the payment or end of the period of substitute imprisonment, he has not been sentenced again to a fine for a misdemeanour or any heavier penalty.

#### **Article 160**

- 1- Rehabilitation shall annul the effects in the future of all court decisions rendered. It shall revoke accessory or additional penalties and preventive measures and any ensuing loss of legal capacity.
- 2- The court decisions may neither be invoked subsequently with regard to recidivism or habitual criminal conduct nor preclude a stay of execution.

#### **Article 161**

- 1- Prescription precludes the enforcement of penalties and preventive measures.
- 2- However, prescription shall not apply to penalties and preventive measures involving loss of rights, a residence ban or confiscation of property.

#### **Article 162**

- 1- The prescription period applicable to the death penalty and life sentences in felonies shall be 25 years.
- 2- The prescription period applicable to fixed-term penalties in felonies shall be double the sentence ordered by the court and may not be more than 20 years or less than 10 years.
- 3- The prescription period applicable to any other penalty in a felony shall be 10 years.
- 4- The prescription period shall take effect from the date of the court decision if it was rendered *in absentia* and from the day on which the convicted person evaded enforcement if it was delivered in adversary procedures.  
If the convicted person evades enforcement of a penalty involving deprivation or restriction of liberty, half of the sentence served shall be deducted from the prescription period.

#### **Article 163**

- 1- The prescription period applicable to penalties in misdemeanours shall be double the term of the sentence ordered by the court. It may not be more than 10 years or less than 5 years.
- 2- The prescription period applicable to any other penalties in misdemeanours shall be five years.
- 3- The prescription period shall take effect:

- In the case of a court decision delivered in adversary procedures, from the date of delivery of a last-instance decision and from the date on which a first-instance decision becomes irrevocable;
- In the case of a court decision delivered *in absentia*, from the date on which notice was served to the convicted person himself or to his domicile, and if the convicted person is in custody, from the date of his evasion from enforcement, in which case half of the sentence served shall be deducted from the prescription period.

**Article 164**

The prescription period applicable to penalties in contraventions shall be two years and shall take effect in accordance with the provisions of the preceding article.

**Article 165**

- 1- The prescription period applicable to preventive measures shall be three years.
- 2- The prescription period shall take effect only from the day on which the preventive measure became enforceable in accordance with Articles 115 and 116 or after the prescription of the penalty with which it is associated, unless the Judge issues a decision, before seven years have elapsed as previously established, stating that the convicted person remains a threat to public safety, in which case he shall order the enforcement of the preventive measure.

**Article 166**

A correctional measure, the enforcement of which has been disregarded for a whole year, shall not be enforced without a decision issued by the Juvenile Court at the request of the Public Prosecution.

**Article 167**

- 1- The prescription period shall be calculated from date to date without including the first day.
- 2- The prescription period is interrupted by any legal or material factor that obstructs the enforcement of the penalty or measure and does not arise from the will of the convicted person.
- 3- The prescription period is also interrupted by:
  - a. The appearance of the convicted person or any action undertaken by the authorities for the purpose of enforcement;
  - b. The commission of another offence by the convicted person that is equivalent to or more serious than the offence on the subject of which the penalty or measure was ordered.

In no case may the prescription period be more than double its initial length.

**Article 168**

- 1- When a sentence is imposed for a misdemeanour or contravention, the Judge may order a stay of execution if the convicted person has not previously been sentenced to a similar or heavier penalty.
- 2- The convicted person shall not benefit from a stay of execution if he has no actual domicile in Syria or if the judicial or administrative authorities have ordered his expulsion.
- 3- A stay of execution shall not suspend the execution of additional or accessory penalties or preventive measures.

**Article 169**

The Judge may make the stay of execution conditional on the discharge of one or several of the following obligations:

- 1- The provision of a surety bond by the convicted person;
- 2- The placement of the convicted person under supervision;
- 3- The provision of full or partial compensation to the plaintiff within a period not exceeding two years in the case of a misdemeanour and six months in the case of a contravention.

#### **Article 170**

Any person who, within a period of five years or two years, depending on whether he was sentenced for a misdemeanour or a contravention, commits another offence for which he is subject to a similar or heavier sentence, or who is found by a court to have breached the obligations imposed by the Judge under the preceding Article shall lose the benefit of a stay of execution.

#### **Article 171**

- 1- If the stay of execution has not been revoked, the court decision shall be deemed null and void on expiry of the test period, and additional penalties and preventive measures other than confinement in a secure facility, confiscation of property and the closure of business premises under Article 104 shall cease to have effect.
- 2- However, the stay of execution may be revoked, even after the test period has expired, if an action for annulment is instituted or if a new offence is prosecuted prior to the expiry of said period.

#### **Article 172**

- 1- The judge may release any person sentenced to a penalty of deprivation or restriction of liberty, whether for a felony or misdemeanour, after he serves three quarters of his sentence, if it is proven to the Judge that this person has truly been rehabilitated.
- 2- However, the sentence imposed cannot be less than nine months.
- 3- If the convict is serving a life sentence, he can be released after twenty years of imprisonment.

#### **Article 173**

- 1- The suspension of an enforceable court decision cannot be granted if a custodial preventive measure is enforced against the convicted person after the expiry of the term of his sentence. It shall have no effect when accessory or additional penalties are imposed.
- 2- A person sentenced to hard labour and imprisonment shall continue to be deprived of legal capacity until the expiry of the term of his sentence, unless the Judge decides otherwise.

#### **Article 174**

If the convict shows solid evidence of his ability to live in harmony with the community, the Judge may order a suspension of isolation and place the convict in a workshop, under residence ban and probation, after a test period equivalent to half the length of the measure imposed, provided that said period does not fall short of the minimum measure prescribed by law.

#### **Article 175**

- 1- The suspension of the ruling in force or preventive measure preventing liberty may be conditional on subjecting the convicted person to probation throughout the test period, if the court decision issued on his subject did not provide for such measure.
- 2- The convicted person may be required to fulfil one or several of the obligations stipulated in Article 169. The maximum period within which the plaintiff must be compensated is three years in felonies. In any case, the period must not exceed the remaining period of the suspended penalty or preventive measure.

#### **Article 176**

The penalty or preventive measure shall resume if the convicted person commits another crime before the term of said penalty or measure expires, and is thus sentenced to a penalty for a felony or a misdemeanour, or if he is found by a court decision to have violated the probation terms or any of the obligations imposed under the previous article.

**Article 177**

- 1- If the stay of enforcement has not been revoked, the penalty or preventive measure shall be deemed executed when their term expires.
- 2- However, the stay of enforcement may be revoked, even after the term of the penalty or preventive measure has expired, if the new offence is prosecuted or an action to set aside is instituted before the expiry of said period.

**Article 178**

- 1- An offence is qualified as a felony, a misdemeanour or a contravention according to whether it is punishable as a felony, a misdemeanour or a contravention.
- 2- The legal qualification of an offence is determined by the maximum level of the heaviest penalty prescribed by law.

**Article 179**

The legal qualification shall not change if the penalty prescribed by law is replaced with a lighter penalty attributable to extenuating grounds.

**Article 180**

- 1- If an act holds several qualifications, all of them shall be mentioned in the court decision and the Judge shall impose the heaviest penalty.
- 2- However, if the act is subject to both a general provision of criminal law and a special provision, the special provision shall apply.

**Article 181**

- 1- The same act shall be prosecuted only once.
- 2- However, if the consequences of a criminal act aggravate after the initial prosecution and the act holds a more serious qualification, it shall be prosecuted accordingly and the heavier penalty shall be imposed. If the previously imposed sentence has been served, it shall be deducted from the new sentence.

**Article 182**

An act carried out in the exercise of a right without leading to an abuse of such right shall not be considered as an offence.

**Article 183**

- 1- The exercise of a right is any act dictated by a compelling need to oppose an unlawful and unprovoked attack on one's person or property or on the person or property of others.
- 2- Both natural and legal persons shall have equal protection.
- 3- If an abuse occurs in the course of defence against an attack, the perpetrator of the offence may be exempted from penalty, subject to the conditions set out in Article 227.

**Article 184**

- 1- An act carried out in enforcement of a legal provision or a lawful order issued by an authority shall not be regarded as an offence.
- 2- If the order issued is unlawful, the person who executes it may be acquitted if the law does not allow him to verify the legality of said order.

**Article 185**

- 1- An act permitted by law shall not be regarded as an offence.
- 2- The law permits:
  - a. Disciplinary measures that are inflicted by parents and teachers on children in accordance with the accepted general norms.
  - b. Surgery or medical treatment that complies with scientific rules, provided that it is conducted with the consent of the patient or his legal representatives, or in cases of emergency;
  - c. Acts of violence that occur during sports if the rules of the game are observed.

**Article 186**

An act that is punishable because it is contrary to the will of a third party shall not be regarded as an offence if it was carried out with the latter's prior or concurrent consent.

**Article 187**

Intent is the will to commit an offence as described by law.

**Article 188**

An offence is regarded as intentional even if the criminal consequence of the act or omission exceeded the intent of the perpetrator, if he had foreseen its occurrence and accepted the risk.

**Article 189**

Fault occurs where an injurious act results from negligence, lack of vigilance or failure to comply with laws and regulations.

**Article 190**

An offence is regarded as unintentional if the perpetrator did not foresee the consequence of his unlawful act or omission while he could or should have foreseen it, or if he foresaw it but believed that he could prevent it.

**Article 191**

- 1- Motive is the reason that motivates the perpetrator to act, or the ultimate goal that he seeks to achieve.
- 2- Motive shall not constitute an element of an offence except in the cases specified by law.

**Article 192**

If the Judge finds that the motive was honourable, he shall impose the following penalties:

- Life imprisonment or fixed-term imprisonment for 15 years instead of hard labour for life;
- Fixed-term imprisonment instead of fixed-term hard labour;
- Ordinary imprisonment instead of imprisonment with labour.

In addition, the Judge may exempt the convicted person from the penalty under which the court decision is posted and published.

**Article 193**

If the Judge finds that the offence that is punishable by life imprisonment, fixed-term imprisonment or ordinary imprisonment was prompted by a dishonourable motive, he shall replace:

Life imprisonment with hard labour for life;  
Fixed-term imprisonment with fixed-term hard labour;  
Ordinary imprisonment with imprisonment with labour.

**Article 194**

If an offence that is not punishable by a fine is committed with the motive of gain, a fine shall be imposed in addition to the penalty prescribed by law.

#### **Article 195**

- 1- Political offences are intentional offences committed for a political motive.
- 2- Political offences are also offences committed against collective and individual political rights, unless the perpetrator was prompted by a self-interested and base motive.

#### **Article 196**

- 1- Complex offences or offences closely associated with political offences are regarded as political offences, unless they constitute the most serious felonies in terms of morals and ordinary law, including homicide, serious physical injury, attacks on property by arson, explosives or flooding, and major theft, especially when it involves the use of weapons and violence, as well as attempts to commit said felonies.
- 2- At times of civil war or insurrection, complex or closely associated offences shall not be regarded as political unless the customs of war do not prohibit them and they do not amount to barbaric acts or acts of vandalism.

#### **Article 197**

- 1- If the Judge ascertains that the offence is of a political character, he shall impose the following penalties:  
Life imprisonment instead of the death penalty or hard labour for life;  
Fixed-term imprisonment, banishment, house arrest for a felony or loss of civil rights instead of fixed-term hard labour;  
Ordinary imprisonment or house arrest for a misdemeanour instead of imprisonment with labour.
- 2- However, these provisions shall not apply to crimes committed against the external security of the State.

#### **Article 198**

If the Judge ascertains that the act punishable as a political offence was committed with a self-interested and base motive, he shall replace the penalty prescribed by law with the penalty corresponding thereto in the previous article.

However, life imprisonment can only be replaced with hard labour for life.

#### **Article 199**

- 1- Any attempt to commit a felony that started with acts aimed directly at its commission shall be deemed to constitute the felony itself if its accomplishment was prevented only by circumstances beyond the control of the perpetrator.
- 2- However, the penalties prescribed by law may be commuted as follows: The death penalty may be replaced with hard labour for life or fixed-term hard labour for ten to twenty years; Hard labour for life may be replaced with fixed-term hard labour for at least seven years; life imprisonment may be replaced with fixed-term imprisonment for at least seven years; Any other penalty may be commuted by one half to two-thirds.
- 3- Any person who commences an act and desists therefrom voluntarily shall be punished only for those acts that he committed and which in themselves constitute offences.

#### **Article 200**

If all acts aimed at the commission of a felony were completed but produced no effect due to circumstances beyond the control of the perpetrator, the penalties may be commuted as follows:

The death penalty may be replaced with hard labour for life or by fixed-term hard labour for twelve to twenty years;

Hard labour for life may be replaced with fixed-term hard labour for ten to twenty years.

Life imprisonment may be replaced with fixed-term imprisonment for ten to twenty years. Any other penalty may be commuted by up to one half.

The penalties mentioned in this Article may be commuted by up to two-thirds if the perpetrator voluntarily prevented his act from producing its consequence.

#### **Article 201**

- 1- Attempted and abortive misdemeanours shall not be punished except in the cases explicitly provided for by law.
- 2- The penalty imposed for a completed misdemeanour may be commuted by up to one-half in the case of an attempted misdemeanour and by up to one-third in the case of an abortive misdemeanour.

#### **Article 202**

- 1- An attempted offence shall be punished, even if its aim was not attained due to circumstances unknown to the perpetrator.
- 2- However, the perpetrator shall not be punished if his act stemmed from inadequate understanding.
- 3- A person who commits an act in the mistaken belief that it amounts to an offence shall not be punished.

#### **Article 203**

- 1- A causal link existing between an act and omission on the one hand, and the criminal consequence on the other, shall not be precluded by the concurrent existence of other previous, simultaneous or subsequent causes, even if they were unknown to the perpetrator or independent of his act.
- 2- However, if the subsequent cause is independent and sufficient in itself to produce the criminal consequence, the perpetrator shall incur the penalty strictly for the act that he committed.

#### **Article 204**

- 1- If multiple felonies or misdemeanours are found to have been committed, a penalty shall be imposed for each offence and only the most severe penalty shall be enforced.
- 2- The penalties imposed may, however, be enforced consecutively without the sum of fixed-term penalties exceeding the maximum penalty prescribed for the most serious offence by more than one half.
- 3- If no court decision has been issued on whether the penalties imposed should be enforced concurrently or consecutively, the matter shall be referred to the Judge for a decision.

#### **Article 205**

- 1- If the offence caused harm to someone other than the intended person, the perpetrator shall be punished as if his act had been committed against the intended person.
- 2- If both persons incur harm, the penalty mentioned in paragraph (1) above may be increased by one half.

#### **Article 206**

Penalties for contraventions shall be enforced consecutively in all cases.

**Article 207**

- 1- Additional penalties and preventive measures shall be enforced consecutively, even if the primary penalties are enforced concurrently, unless the Judge rules otherwise.
- 2- If the primary penalties are enforced consecutively, the accessory penalties shall as well be enforced consecutively *ipso jure*.

**Article 208**

Public crimes are crimes perpetrated by any of the following means:

- 1- Actions and gestures that are made in a public place or a place that is accessible to the public or open to public view, or that are witnessed by someone who has nothing to do with the act because of an error on the part of the perpetrator;
- 2- Speech or cries that can be heard or are broadcast by mechanical means and heard by someone who has nothing to do with the act.
- 3- Writing, images, drawings, photographs, films, badges and footage displayed in a public place or a place that is accessible to the public or open to public view or that are offered for sale or distributed to one or more persons.

**Article 209**

- 1- No one shall be sentenced to a penalty unless he committed the act consciously and willingly.
- 2- Legal persons shall be criminally responsible for the actions of their directors, members of administration, representatives and employees when such actions are undertaken on behalf of or using the means provided by such legal persons.
- 3- However, a legal person may be sentenced only to the payment of a fine, confiscation and publication of the court decision.  
If the law provides for a primary penalty other than a fine, that penalty shall be replaced by the fine and imposed on the legal person within the limits specified in Articles 53, 60 and 63.

**Article 210**

- 1- No preventive measure shall be imposed unless public safety is threatened. Preventive measures shall be imposed only after the existence of a threat is ascertained, except where there is a presumption in law that a threat exists.
- 2- A natural or legal person who has committed an offence shall be deemed to constitute a threat to society if it is feared that the person will commit other acts that are punishable by law.
- 3- Legal persons shall not be subject to preventive measures other than those pertaining to property.

**Article 211**

The perpetrator of an offence is any person who brings into being the constituent elements of an offence or participates directly in its commission.

**Article 212**

- 1- Every person who takes part in the perpetration of an offence shall be liable to the penalty prescribed for it by law.
- 2- A heavier penalty shall apply, in accordance with the provisions of Article 247 of the Criminal Code, to any person who organises the participation in the offence or directs the action of the persons taking part in it.

**Article 213**

Both the author and the publisher of the words or writing subject of the offence defined under Article 208, paragraph 2, or of the offence committed by one of the means set out in paragraph 3 of the same Article, shall be deemed to be co-perpetrators of that offence, unless the author proves that publication took place without his consent.

**Article 214**

When an offence is committed through the press, the manager of the publication, or the editor or editor-in-chief of the newspaper if there is no manager, shall be deemed to be the publisher.

**Article 215**

- 1- The effects of material circumstances that entail the aggravation or mitigation of or exemption from the penalty shall apply to all co-perpetrators and accomplices.
- 2- The effects of personal or mixed aggravating circumstances that facilitated the commission of the offence shall also apply to them.
- 3- The effect of any other circumstance shall apply only to the person involved.

**Article 216**

- 1- Any person who incites or attempts to incite another person, by whatever means, to commit an offence, shall be regarded as an instigator.
- 2- The liability of the instigator shall be separate from that of the person incited to commit the offence.

**Article 217**

- 1- The instigator shall be liable to the penalty for the offence he intended to commit, whether said offence was completed, attempted or abortive.
- 2- If the incitement to commit a felony or misdemeanour remains without consequence, the penalty shall be commuted in accordance with paragraphs 2, 3 and 4 of Article 219.
- 3- Incitement to commit a contravention shall not be punishable if said incitement was not accepted.
- 4- Preventive measures shall be imposed on the instigator as though he were the perpetrator of the offence.

**Article 218**

The persons listed below shall be deemed as accomplices to a felony or misdemeanour:

- a. Every person who gives instructions for the commission of an offence, even where such instructions do not facilitate the act;
- b. Every person who bolsters the perpetrator's resolve by any means;
- c. Every person who, for motives of material or moral advantage, accepts the perpetrator's plan to commit an offence;
- d. Every person who aids or abets the perpetrator with acts that prepare or facilitate an offence, or acts that constitute the offence;
- e. Anyone who, having agreed with the perpetrator or an accomplice before commission of the offence, helps to remove the traces, to conceal or dispose of objects resulting therefrom, or to shield one or more of the participants from justice;
- f. Anyone who, having knowledge of the criminal conduct of offenders engage in highway robbery or acts of violence against state security, public safety, persons or property, provides them with food, shelter, a refuge or a meeting place.

#### **Article 219**

- 1- An accomplice without whose assistance the offence would not have been committed shall be punished as though he were the perpetrator.
- 2- Other accomplices shall be punishable by hard labour for life or fixed-term hard labour for twelve to twenty years if the perpetrator is sentenced to death. If the perpetrator is sentenced to hard labour for life or life imprisonment, accomplices shall be sentenced to the same penalty for ten years as a minimum.  
In other cases, accomplices shall incur the same penalty as the perpetrator, with a reduction in its duration by up to one half. Preventive measures may be imposed on accomplices as though they were the perpetrators of the offence.

#### **Article 220**

- 1- Anyone who, outside the case provided for in Article 218, paragraph 5, knowingly conceals, sells, buys or disposes of items belonging to a third party that were taken away, embezzled or obtained through a felony or misdemeanour shall be punishable by a term of imprisonment of three months to two years and by a fine of between 100 and 200 Syrian pounds.
- 2- However, if the items mentioned in paragraph (1) were obtained through a misdemeanour, the penalty may not exceed two thirds of the heaviest penalty applicable to said misdemeanour.

#### **Article 221**

- 1- Anyone who, outside the cases set out in Article 219, paragraphs 5 and 6, knowingly hides a person who has committed a felony or helps such person evade justice shall be punishable by a term of imprisonment of three months to two years.
- 2- The ascendants and descendants of evading perpetrators, including their husbands, wives, divorcees, brothers, sisters and relatives by marriage of the same degree, shall be exempt from penalty.

#### **Article 222**

- 1- No one may plead ignorance of criminal law or misinterpretation of its provisions.
- 2- However, the following shall be deemed as an impediment to conviction:
  - a. Unawareness of a new law if the offence is committed within three days of its publication;
  - b. Unawareness on the part of a foreigner who has been in Syria for three days or less of a positive-law offence that is not punishable under the laws of his country or the laws of the country in which he resides.

#### **Article 223**

- 1- A person who acted by an error of fact pertaining to one of the elements of an offence shall not be punishable as a perpetrator or instigator of, or accomplice to, an intentional offence.
- 2- If the error pertains to an aggravating circumstance, the perpetrator shall not be held responsible for it. On the contrary, he shall benefit from the excuse that he was unaware of its existence.
- 3- These provisions apply where the error of fact pertains to the identity of the victim.

#### **Article 224**

An error pertaining to an act that amounts to an unintentional offence shall not preclude punishment unless it did not result from a fault on the part of the perpetrator.

#### **Article 225**

A civil servant or a government agent or employee who ordered or executed an act that amounts to an offence shall not be liable to punishment if he believed on account of an error of fact that he was obeying a lawful order from his superiors concerning matters within their competence that require his compliance.

**Article 226**

- 1- Any person who acts under compelling physical or moral force shall be exempt from penalty.
- 2- Any person who finds himself in such circumstances as a result of his own fault shall be prosecuted, where necessary, in the same way as the perpetrator of an unintentional offence.

**Article 227**

- 1- Reverential awe and states of emotion or passion shall not preclude conviction.
- 2- However, if the perpetrator of the offence exceeds acceptable limits in his exercise of the right of self-defence, he shall not be liable to punishment if he acted under the influence of intense emotion that resulted in loss of judgement or self-control.

**Article 228**

The person who commits an act to defend himself or others, or his own property or the property of others against an imminent serious danger that he did not deliberately cause shall not be liable to punishment, provided that the act was proportionate to the danger.

**Article 229**

Any person who is required by law to expose himself to danger shall not be considered as being in a state of necessity.

**Article 230**

Any person in a state of insanity shall be exempt from punishment.

**Article 231**

- 1- Any person who is found to have committed an intentional felony or misdemeanour punishable by a term of imprisonment of two years and who is found not guilty due to mental incapacity shall be confined in a secure facility pursuant to a special clause in the acquittal decision.
- 2- If the misdemeanour was unintentional or if the penalty incurred was less than two years of imprisonment, the perpetrator shall be placed in confinement in a secure facility if it is established that he is a threat to public safety.
- 3- The confinement shall continue until it is established by a decision of the court that ordered the confinement that the person has recovered his sanity. On his release from confinement, the person may be placed under probation.

**Article 232**

Any person who, at the time of the commission of an act, was suffering from a genetic or acquired mental disorder resulting in weakened awareness or discretion shall be legally entitled to a substitute penalty or commutation of the applicable penalty in accordance with the provisions of Article 241.

**Article 233**

- 1- Any person sentenced to a penalty of deprivation or restriction of liberty for a felony or misdemeanour and who, in view of a mental disorder, benefited from a substitute penalty

- or commutation of the penalty, and any person sentenced to such a penalty and who is found to be a psychopath, drug addict or alcoholic who constitutes a threat to public safety, shall be placed in confinement in a secure facility for treatment during the term of his sentence.
- 2- A convicted person who is released from a secure facility after his recovery has been ascertained by the court that ordered his confinement shall serve the remaining of his sentence in the facility.
  - 3- If, after having served his sentence, the convicted person remains a threat to public safety, he shall be retained in the secure facility by virtue of a decision issued by the same court, for a period not exceeding five years if he was convicted of a felony and two years if he was convicted of a misdemeanour. However, if a subsequent court decision finds that he no longer presents a threat, he shall be released before the end of the term specified above. A confined person may be placed under probation on release.

#### **Article 234**

- 1- Any person who commits an act accidentally or under force majeure while in a state of intoxication from alcohol or drugs that caused him to lose awareness or willpower shall be exempt from punishment.
- 2- If the state of intoxication was due to a fault on the part of the perpetrator, he shall be held responsible for any unintentional offence committed.
- 3- If when he found himself in a state of intoxication due to his own fault the perpetrator was aware of the possibility that he would commit an offence, he shall be held responsible for an intentional offence.
- 4- If the perpetrator deliberately fell into the state of intoxication with the intention of committing the offence, his penalty shall be increased in accordance with Article 247.

#### **Article 235**

If a state of intoxication resulting from force majeure or sudden accident weakens the awareness or self-control of the perpetrator to a great extent, a substitute or commuted penalty may be imposed pursuant to Article 241.

#### **Article 236**

- Articles 236-237-238 were repealed by the Juvenile Offenders Law issued under Legislative Decree No. 58 of 17/9/1953.
- The Juvenile Offenders Law was repealed, in turn, and replaced by the Juvenile Law No. 18 of 30/3/1974 amended by Law 51 of 1979.

#### **Article 237**

- Articles 236-237-238 were repealed by the Juvenile Offenders Law issued under Legislative Decree No. 58 of 17/9/1953.
- The Juvenile Offenders Law was repealed, in turn, and replaced by the Juvenile Law No. 18 of 30/3/1974 amended by Law 51 of 1979.

#### **Article 238**

- Articles 236-237-238 were repealed by the Juvenile Offenders Law issued under Legislative Decree No. 58 of 17/9/1953.
- The Juvenile Offenders Law was repealed, in turn, and replaced by the Juvenile Law No. 18 of 30/3/1974 amended by Law 51 of 1979.

**Article 239**

An offence may be excused only in the cases specified by law.

**Article 240**

- 1- Where grounds for extenuating circumstances exist, an offender shall be exempt from all punishment.
- 2- However, rehabilitative and preventive measures other than isolation may be imposed where necessary.

**Article 241**

- 1- Where the law provides for extenuating grounds:  
The death penalty, hard labour for life, or life imprisonment imposed in felonies shall be replaced with imprisonment for at least one year.  
In other felonies, imprisonment is imposed from six months to two years.  
In misdemeanours, the penalty shall not exceed six months and may be replaced with disciplinary punishment.  
In contraventions, the judge may reduce the penalty to one half of the disciplinary fine.
- 2- An offender who benefits from extenuating grounds may remain subject to the preventive measures imposed thereon, except for isolation, even if he has been already sentenced to the penalty prescribed by law.

**Article 242**

An offender benefits from extenuating grounds if his offence was committed in an outburst of intense anger resulting from an unjustified act of the victim that contained an element of risk.

**Article 243**

- 1- If the court finds extenuating grounds apply to a case, it shall decide:  
To replace the death penalty with hard labour for life or fixed-term hard labour for 12 to 20 years;  
To replace hard labour for life with fixed-term hard labour for not less than ten years;  
To replace life imprisonment with fixed-term imprisonment for not less than ten years.  
It may as well decide to reduce by one half any penalty imposed on a felony.  
And it may replace by a reasoned decision any other penalty, the minimum level of which does not exceed three years, with imprisonment for at least one year, except in cases of recidivism.
- 2- Whenever a penalty imposed on a felony is commuted to imprisonment, the perpetrator can be sentenced to a loss of civil rights, a residence ban, and deportation in accordance with the provisions of Articles 65, 82 and 88.

**Article 244**

- 1- Where a court considers extenuating grounds in favour of a person who committed a misdemeanour, it may reduce the penalty to the minimum specified in Articles 51, 52 and 53.
- 2- It may replace imprisonment and house arrest with a fine and may, except in cases of recidivism, replace a penalty for a misdemeanour with a penalty for a contravention by a reasoned decision.

**Article 245**

A person who committed a contravention in respect of which extenuating grounds have been found to exist may be sentenced to the minimum penalty specified in Articles 60 and 61, or a fine.

#### **Article 246**

In cases of recidivism, the decision granting extenuating grounds must be reasoned, regardless of whether the offence is a felony, a misdemeanour or a contravention.

#### **Article 247**

If the law does not specify the effect of an aggravating ground, the said ground shall entail the following aggravation of penalties:

The death penalty shall replace hard labour for life, and a fixed-term penalty shall be increased by one-third to one-half; and a fine shall be doubled.

#### **Article 248**

- 1- Any person who is sentenced to hard labour for life by an irrevocable court decision and commits another felony entailing the same penalty shall be sentenced to death.
- 2- Any person who is sentenced to fixed-term hard labour or fixed-term imprisonment by an irrevocable court decision and who, within 15 years of his sentence being served or prescribed, commits another felony entailing the same penalty, shall be liable to up to double the maximum term of the fixed-term hard labor penalty, if the second offence entails the penalty of fixed-term hard labor.
- 3- He shall be sentenced to the maximum term of the fixed-term imprisonment penalty up to double the length thereof, if the second offence entails the penalty of fixed-term imprisonment.
- 4- If the sentence imposed for the second offence is banishment, house arrest or loss of civil rights, the perpetrator shall be sentenced to the penalty that is one level higher in the order indicated in Article 38.

#### **Article 249**

- 1- Any person sentenced to a penalty for a felony or misdemeanour by an irrevocable court decision and who, within seven years of his sentence being served or prescribed, commits a felony or misdemeanour punishable by imprisonment shall be liable to up to double the maximum penalty prescribed by law.
- 2- The same shall apply if the first sentence imposed was at least one year of imprisonment for a misdemeanour of the same category as the second.
- 3- If the previously imposed penalty was for less than one year, the recidivist shall be sentenced to a term of imprisonment equivalent to at least double the previous penalty, provided that it does not exceed double the penalty prescribed by law.
- 4- Ordinary imprisonment shall be replaced by house arrest if the first sentence ordered the imposition of a penalty for a felony or a misdemeanour other than a fine.
- 5- A fine shall be doubled if it was preceded by any sentence for a misdemeanour. If the recidivism recurs, imprisonment for up to three months may be imposed together with the fine.

#### **Article 250**

In the application of the penalties set out for recidivism in the preceding Article, the misdemeanours specified in each of the following paragraphs shall be deemed to fall under a single category, whether the person who committed them is a perpetrator, an instigator or an accomplice:

- a. Intentional misdemeanours provided for within one chapter of this Code;
- b. Misdemeanours against morals (Chapter Seven);
- c. Intentional misdemeanours against persons (Chapter Eight);

- d. Acts of physical violence and verbal abuse against individuals, persons exercising public authority or law enforcement agencies;
- e. Manslaughter or unintentional injuries;
- f. Misdemeanours mentioned in the Chapter relating to dangerous persons;
- g. Intentional misdemeanours against property;
- h. Concealment of items resulting from a misdemeanour or concealment of the persons who committed the misdemeanour, as well as the misdemeanour itself;
- i. Political misdemeanours or misdemeanours deemed to be political pursuant to Articles 195 and 196;
- j. Misdemeanours committed with a single dishonourable motive.

#### **Article 251**

- 1- The perpetrator of a contravention who is sentenced again under an irrevocable court decision within less than one year for the same contravention or any other contravention of the provisions of a single statute shall be punishable by double the penalty prescribed by law.
- 2- If such recidivism recurs within the same period, detention may be ordered together with the imposition of a fine in all cases for which the law provides only for a fine.

#### **Article 252**

A habitual offender is a person whose criminal activity reflects an innate or acquired chronic psychological disposition to commit felonies or misdemeanours.

#### **Article 253**

Any person sentenced to a penalty other than a fine for an intentional felony or misdemeanour and who, within five years of his sentence being served or prescribed, is subject to a custodial sentence of at least one year for another intentional felony or misdemeanour shall be sentenced to confinement in isolation if it is established that he is a habitual offender and a threat to public safety.

#### **Article 254**

- 1- Any habitual offender sentenced to a penalty other than a fine pursuant to Articles 248 and 249 shall *ipso jure* be deemed to constitute a threat to public safety and shall be confined in isolation if he incurs a custodial sentence for another case of recidivism.
- 2- The same shall apply to any habitual offender who, within a period of 15 years, excluding time spent serving penalties and preventive measures, incurs:
  - Either four sentences of imprisonment for felonies committed with a ground for excuse, or for intentional misdemeanours, provided that each of the last three offences was committed after the court decision for the previous offence became irrevocable;
  - Or two sentences of those specified in the preceding paragraph and a sentence for a felony, irrespective of whether the felony occurred before or after the misdemeanour.

#### **Article 255**

Any person sentenced to confinement in isolation who, during his stay in prison or within five years of his release, commits an intentional felony or misdemeanour for which he incurs imprisonment of one year or a heavier penalty shall be punishable by at least seven years of confinement in isolation.

#### **Article 256**

Any person labelled as a habitual offender or sentenced as a recidivist to a custodial penalty for a misdemeanour may incur a sentence entailing the loss of civil rights, a residence ban and deportation.

#### **Article 257**

- 1- Habitual offenders and recidivists sentenced to house arrest, imprisonment or a heavier penalty shall be placed under probation on release for a period of five years, unless the Judge decides to extend or shorten the period, or replace it with house arrest, or to exempt the convicted person from probation.
- 2- A residence ban imposed under paragraphs 2 and 3 of Article 82 shall be enforced concurrently with probation for the same term imposed with respect to the latter.

#### **Article 258**

The provisions regarding grounds for aggravating or extenuating the penalty shall apply in the following order:

Material aggravating grounds;  
Grounds of excuse;  
Personal aggravating grounds;  
Extenuating grounds.

#### **Article 259**

The Judge shall determine in the court decision the effect of each aggravating or extenuating ground on the penalty imposed.

#### **Article 260**

A conspiracy is any agreement concluded between two or more persons to commit a felony by specific means.

#### **Article 261**

An attack on state security shall be deemed as committed regardless of whether the act constituting the offence was complete, abortive or attempted.

#### **Article 262**

- 1- Anyone who takes part in a conspiracy against state security and reports it to the authorities before any act of execution is initiated shall be exempt from punishment.
- 2- If such an act was committed or initiated, the ground for excuse shall only have an extenuating effect.
- 3- An offender who reports a conspiracy or another felony against state security to the authorities before its completion, or who allows the arrest of other offenders or persons whose hiding place is known to him – even after proceedings have been initiated – shall also be entitled to extenuation.
- 4- The provisions of this Article shall not apply to an instigator

#### **Article 263**

- 1- Any Syrian who bears arms against Syria in the ranks of the enemy shall be sentenced to death.
- 2- Any Syrian who engages in acts of aggression against Syria in time of war shall be sentenced to hard labour for life, even if he does not join the ranks of the enemy.

- 3- Any Syrian enlisted in any capacity in the ranks of the enemy and fails to leave it before any act of aggression is initiated against Syria shall be sentenced to fixed-term hard labour, even if he had acquired foreign citizenship through said enlistment.

#### **Article 264**

- 1- Any Syrian who conspires or enters into contact with a foreign State with a view to inciting it to commit aggression against Syria or providing it with the means to do so shall be sentenced to hard labour for life.
- 2- If his act produces the intended effect, he shall be sentenced to death.

#### **Article 265**

Any Syrian who conspires or enters into contact with the enemy with a view to helping, in any manner whatsoever, to ensure the triumph of its forces shall be sentenced to death.

#### **Article 266**

- 1- Any Syrian who, with a view to paralysing the country's national defence, damages by whatever means any installations, facilities, ships, aircraft, equipment, supplies, provisions, communications or anything of a military nature or intended for use by the armed forces shall be sentenced to hard labour for life.
- 2- If such acts take place in time of war or the expected outbreak thereof, or if they lead to the death of any person, he shall be sentenced to death.

#### **Article 267**

- 1- Any Syrian who attempts through acts, speeches, writings, or otherwise, to annex a part of Syrian territory to another state, or to give such foreign state a preferential right in the Syrian state shall be sentenced to fixed-term imprisonment for a minimum of five years.
- 2- If at the time of commission of the act the perpetrator was member of any of the associations or organizations referred to in Articles 288 and 308, he shall be sentenced to life imprisonment.

#### **Article 268**

- 1- Any Syrian who knowingly provides shelter, food, or clothing to a spy or an enemy reconnaissance soldier or helps him escape shall be sentenced to fixed-term hard labour.
- 2- Any Syrian who facilitates the escape of a prisoner of war or any of the enemy's detained nationals shall be sentenced to fixed-term imprisonment.

#### **Article 269**

The penalties stipulated in the previous articles shall also be imposed if the act is committed against a country with which Syria has a treaty of alliance or any equivalent international instrument.

#### **Article 270**

The word "Syrians" in Article 264 and 268 shall include, in addition to Syrian nationals, all foreigners who have legal domicile or actual residence in Syria.

#### **Article 271**

Whoever enters or attempts to enter a prohibited place in order to obtain things, documents, or information that must be kept confidential in the interest of the integrity of the State shall be sentenced to imprisonment for at least a year; and if such act is committed with the intent of spying, the perpetrator shall be sentenced to fixed-term hard labour.

#### **Article 272**

- 1- Whoever steals items, documents, or information such as those mentioned in the previous article or obtains them, shall be sentenced to fixed-term hard labor.
- 2- If the felony is committed for the benefit of a foreign country, the penalty shall be hard labour for life.

#### **Article 273**

- 1- Any person who possesses documents or information such as those mentioned in Article 271 and shares or discloses them without a legitimate reason shall be sentenced to imprisonment for a term of two months to two years.
- 2- He shall be sentenced to fixed-term hard labor for at least five years if he shares said material for the benefit of a foreign country.
- 3- If the offender retains said information and documents in his capacity as civil servant, worker, or employee in the government, he shall be sentenced to fixed-term imprisonment in the case stipulated in the first paragraph and hard labour for life in the case stipulated in the second paragraph.
- 4- If it is established that the act of the aforementioned persons was an inadvertent error, the penalty shall be sentenced to imprisonment for a term of two months to two years.

#### **Article 274**

Where the aforementioned crimes of espionage are committed for the benefit of an enemy state, heavier penalties shall apply in accordance with the provisions of Article 274.

#### **Article 275**

Every Syrian citizen or person living in Syria who concludes or attempts to conclude, whether directly or through a third party, a commercial deal or any purchase, sale, or exchange with a national of an enemy state or a person residing in the enemy state shall be sentenced to imprisonment for at least one year and a fine not less than one hundred Syrian pounds.

#### **Article 276**

The punishment prescribed in the previous article shall apply to the persons mentioned in it if they contributed in a loan or subscription for the benefit of an enemy state or facilitated its financial activities by any means.

#### **Article 277**

Whoever conceals or misappropriates the funds of an enemy state, or a national thereof, entrusted to a receiver shall be sentenced to imprisonment for a term of one month to two years and the payment of a fine of at least one hundred pounds.

#### **Article 278**

A fixed-term imprisonment penalty shall be imposed on:

- a- Whoever contravenes measures taken by the State to preserve its neutrality in time of war;
- b- Anyone who, by engaging in acts or making written or spoken statements not authorized by the Government, exposes Syria to the risk of belligerent actions, disrupts its relations with foreign States or exposes Syrians to retaliations against their person or property.

#### **Article 279**

- 1- Any aggression that takes place on Syrian soil or is committed by a Syrian national with the intention of changing through violence the constitution or government of a foreign country or removing a part of its territory, is punishable by fixed-term imprisonment.
- 2- A conspiracy aimed at committing any of the aforementioned offences shall be punishable with imprisonment for at least one year.

#### **Article 280**

Anyone who without the government's consent recruits soldiers on Syrian territory to fight for a foreign country shall be liable to fixed-term imprisonment.

#### **Article 281**

Any act of incitement that takes place in Syria or is carried out by a Syrian through any of the means mentioned in Article 278 to compel soldiers of a foreign country, including ground, naval and air forces, to flee or disobey shall be sentenced to imprisonment for a term of six months to two years and a fine not exceeding two hundred pounds.

#### **Article 282**

The same penalties shall apply to the complaint of the injured party in the following offences:

- The insult of a foreign country, its army, flag, or national emblem in public.
- The insult of the head of state or ministers of a foreign country, or its political representative in Syria.
- The public defamation and slander of the head of state or ministers of a foreign country, or its political representative in Syria.

A slanderous allegation shall not be evidenced.

#### **Article 283**

If the offence committed on Syrian soil or by a Syrian against a foreign head of state or one of his ministers or political representative in Syria does not fall under a specific penalty, the legal penalty shall be aggravated as provided for in Article 247.

#### **Article 284**

The provisions of Articles 279 to 283 shall not apply unless similar provisions exist in the laws of the country concerned or the agreement concluded therewith.

#### **Article 285**

Anyone who, in times of war or anticipation of war, makes propaganda with the intention of weakening the national feeling or inciting racial or sectarian strife, shall be sentenced to fixed-term imprisonment.

#### **Article 286**

- 1- The same penalty shall apply to anyone who, under the same circumstances, disseminates inside Syria news that is known to be false or exaggerated in order to weaken the spirits of the nation.
- 2- If the perpetrator had thought that the news was true, he shall be sentenced to imprisonment for at least three months.

**Article 287**

- 1- Every Syrian who knowingly disseminates false or exaggerated news outside Syria that undermine the prestige or financial position of the State shall be liable to imprisonment for at least six months and a fine ranging between one hundred and five hundred pounds.
- 2- The court may order the publication of its ruling.

**Article 288**

- 1- Whoever engages in Syria, without the government's permission, in a political or social association or organization of an international character shall be sentenced to imprisonment or house arrest for three months to three years and the payment of a fine ranging between one hundred and two hundred and fifty pounds.
- 2- Those who assume operational functions in the aforementioned associations or organizations shall be sentenced to imprisonment or house arrest for at least one year, and a minimum fine of 100 pounds.

**Article 289**

Anyone who fails in times of war or anticipation of war to satisfy his obligations under a legally binding contract, an *Istisna'* contract, a contract for the provision of services related to national defence and the public interests of the state, or a contract for the provision of supplies, shall be sentenced to fixed-term imprisonment and the payment of a fine ranging between the value of the pending obligation and double the value thereof, provided that it is less than five hundred pounds.

If the non-performance of the obligation is due to an unintended error, the perpetrator shall be sentenced to imprisonment, in addition to paying the fine specified in the previous paragraph. The penalties stipulated in this Article shall be reduced by half if the performance was only late. These penalties shall be imposed as differentiated earlier on any person who causes the non-performance or delayed performance of the contract.

**Article 290**

Any fraud committed in the same circumstances mentioned above with regard to the contracts referred to in the previous article shall be punishable by fixed-term hard labour and a fine ranging between twice the illegal profit made by the criminal and three times the value thereof, provided that it is not less than five hundred pounds.

**Article 291**

- 1- An aggression that seeks to change the national constitution in illegal ways shall be punishable by fixed-term imprisonment for at least five years.
- 2- Where the perpetrator resorts to violence, the punishment shall be life imprisonment.

**Article 292**

- 1- Anyone who tries to take a part of Syrian land away from the State's sovereignty shall be punished with fixed-term imprisonment.
- 2- Where the perpetrator resorts to violence, the punishment shall be life imprisonment.

**Article 293**

- 1- Any act committed with the intent to provoke an armed insurgency against the authorities established under the Constitution shall be punishable with fixed-term imprisonment.

- 2- If such insurgency occurs, the instigator shall be sentenced to life imprisonment and those who took part in the insurgency to fixed-term imprisonment for at least five years.

**Article 294**

An act of aggression intended to prevent established authorities from exercising their functions derived from the Constitution shall be punishable by fixed-term imprisonment.

**Article 295**

A conspiracy aimed at the commission of any of the aforementioned offences shall be punishable by house arrest for a felony.

**Article 296**

The following shall be punished with fixed-term imprisonment for at least seven years:

- a- Whoever usurps a political or civil authority or a military command.
- b- Whoever, contrary to the government's order, retains civilian authority or military command.
- c- Every military commander who keeps his troops mobilized after having been ordered to demobilize or disperse them.

**Article 297**

Fixed-term imprisonment shall apply to those who, without the consent of the State, establish armed factions of soldiers or register, recruit, or equip them, or provide them with weapons and ammunition.

**Article 298**

Any act of aggression intended to provoke civil war or intercommunal strife by arming Syrians, encouraging them to bear arms against each other, or instigating mass murder or the looting of commercial businesses shall be punishable by hard labour for life; and if such act is committed, a death penalty shall be imposed.

**Article 299**

Whoever heads armed gangs, or occupies any kind of position or leadership in them, either with the intention of invading a city or locality, a state property, or the property of a group of people, or with the aim of attacking or resisting the public force operating against the perpetrators of such crimes shall be sentenced to hard labour for life.

**Article 300**

- 1- Whoever participates in armed gangs that are formed with the intention of committing any of the felonies stipulated in Articles 298 and 299 shall be sentenced to hard labour for life.
- 2- However, those who did not assume a position or function in the gang, were not arrested in places of sedition, and surrendered their arms without resistance and before any court decision was issued, shall be exempt from punishment.

**Article 301**

Whoever commits any of the crimes stipulated in Articles 299 and 300 shall have his sentence aggravated in accordance with Article 247:

- a- If he was carrying a visible or hidden weapon.
- b- If he was wearing any kind of civilian or military uniform or symbol.
- c- If he engaged in sabotage or acts of vandalism aimed at public buildings or for the sake of intelligence, transport and communication.

**Article 302**

Whoever manufactures, acquires or possesses explosive or inflammatory substances, or toxic or incendiary products, or parts that are used in the composition or manufacture thereof, with a view to commit or facilitate any of the aforementioned seditious felonies or any other felony against the State to manufacture shall be sentenced to fixed-term hard labour in addition to the heavier penalties that normally apply to those involved in such felonies, whether committed, attempted, or abortive.

**Article 303**

A conspiracy aimed at the commission of any of the felonies mentioned in Articles 298 to 302 shall be punished with fixed-term hard labour.

**Article 304**

Terrorist acts are all acts intended to cause a state of terror and committed by means that would result in a public danger such as explosive devices, “weapons of war”, inflammable materials, toxic or corrosive products and infectious or microbial agents.

**Article 305**

- 1- A conspiracy aimed at the commission of one or several acts of terrorism shall be punishable by fixed-term hard labour for ten to twenty years.
- 2- Any terrorist act shall be punishable by a penalty of fixed-term hard labour for fifteen to twenty years.
- 3- However, it shall be punishable by death penalty if the act results in the destruction, even if partial, of a public building, industrial establishment, vessel or any other facility, or the disruption of telecommunications, communications and transport means, or leads to the death of a person.

**Article 306**

- 1- Any association established with the intention of altering the economic or social structure of the State or the basic conditions of society by any of the means referred to in Article 304 shall be dissolved and its members sentenced to fixed-term hard labour.
- 2- The penalty imposed on founders and directors shall not be less than seven years.
- 3- Statutory grounds for exemption or extenuating grounds granted to conspirators in accordance with Article 262 shall as well include the perpetrators of the above-mentioned felony.

**Article 307**

- 1- Any act or written or oral communication that is intended to instigate sectarian or racist prejudice or provoke conflict among the various communities and components of the nation shall be punishable by detention for six months to two years, together with a fine and prohibition from exercising the rights referred to in paragraphs 2 and 4 of Article 65”.
- 2- The court may order the publication of its ruling.

**Article 308**

- 1- The same penalties shall apply to every person who is a member of an association that is established for the purposes mentioned in the previous article.
- 2- Imprisonment shall not be less than one year and the fine shall not be less than one hundred pounds if the member performs practical functions in the association.
- 3- All of the above, in addition to a court decision ordering the dissolution of the association and the confiscation of its property, in accordance with Articles 109 and 69.

### **Article 309**

- 1- Whoever uses any of the means mentioned in paragraphs 2 and 3 of Article 208 to disseminate fabricated facts or false allegations to cause a decline in national banknotes or to undermine confidence in the durability of the state's cash and bonds and all bonds that relate to public financial confidence, shall be sentenced to imprisonment for six months to three years and the payment of a fine ranging between two hundred and fifty pounds and one thousand pounds.
- 2- In addition, the court may order the publication of the ruling.

### **Article 310**

The same penalties shall apply to whoever uses the same means to incite the public:

- a- Either to withdraw funds deposited in banks and public funds, or
- b- To sell state bonds and other public bonds or to refrain from buying them.

### **Article 311**

When ruling on any of the misdemeanours stipulated in this section, the court may impose an extinguishment of civil rights, a residence ban, or deportation, in accordance with Articles 65, 82 and 88.

### **Article 312**

- 1- Gangs, gatherings, and assemblies are considered armed in the sense of this law if one or more of the persons who compose them carry visible, hidden or concealed weapons.
- 2- However, if some of them carry arms that are not visible, others who are not aware of such carrying of arms shall not be held liable.

### **Article 313**

- 1- In the implementation of the previous article, the term "weapon" covers every tool or machine that can be used to incise, puncture or contuse and every tool that is a threat to public safety.
- 2- Regular pocket knives and light sticks that are not carried to be used when needed are not covered by this definition unless they are used in the commission of a felony or misdemeanour.
- 3- Carrying and possessing weapons and ammunition without a license.

### **Article 314**

- 1- A penalty of imprisonment for a period not exceeding six months and a fine not exceeding one hundred pounds shall be imposed on whoever carries or possesses without license:
  - a- A weapon or ammunition which according to the law may only be carried or possessed with the permission of the State.
  - b- One or several separate finished parts that can only be used to assemble or repair said weapons or replace parts thereof.
- 2- The same penalty shall apply to whoever trades in weapons and ammunition and parts mentioned in this Article without permission from the competent authority.

### **Article 315**

- 1- If the act involves weapons, ammunition, ordnance, or pieces separated from such weapons, the penalty shall be imprisonment for one to three years and a fine ranging between two hundred and one thousand Syrian pounds.  
If the weapon is a pistol, the penalty shall be for six months to two years.  
The minimum penalty shall be doubled against whoever trades in weapons, ammunition and parts stipulated in this article without permission from the competent authority.

- 2- Weapons of war include all weapons designed and prepared especially for land, sea and air warfare.
- 3- Weapons of war also include weapons that can be used in warfare and are categorized as such by law.

**Article 316**

- 1- If the purpose of carrying or possessing weapons or ammunition is the commission of a felony, the penalty shall be hard labour for three to ten years and a fine ranging between five hundred and two thousand Syrian pounds, except in cases where the law imposes a heavier penalty.

**Article 317**

- 1- No license shall be issued to authorize the carrying of a prohibited weapon.
- 2- The prohibited weapons are daggers, knives, bayonets, knife blades, brass knuckles, and, in general, all hidden or concealed weapons.

**Article 318**

Anyone who is found outside his home carrying a prohibited weapon without a legitimate reason shall be liable to the penalties stipulated in Article 314.

**Article 319**

- 1- Any act that is likely to prevent a Syrian from exercising his civil rights or fulfilling his civil obligations shall be punishable by imprisonment for one month to one year if it is committed through the use of threats, violence or any other means of physical or mental coercion.
- 2- If the offence is committed by an armed group composed of three or more persons, the penalty shall be sentenced to imprisonment for six months to three years. And if the offence is committed without the use of a weapon, the penalty shall be sentenced to imprisonment for two months to two years.

**Article 320**

If any of the acts mentioned in the preceding article are committed in implementation of a plan intended to be carried out throughout the territory of the State or in any part or parts thereof, each of the perpetrators shall be sentenced to fixed-term imprisonment.

**Article 321**

- 1- Anyone who attempts to influence the vote of a Syrian with the intention of influencing the results of a general election either by threatening harm to his person, his family, his status or his property, or by offering rewards, gifts or promises or by promising administrative grants to a legal person or a group of persons shall be liable to imprisonment for one month to one year and a fine ranging between one hundred and five hundred Syrian Pounds.
- 2- The same penalty shall apply to anyone who accepts or seeks such gifts or promises.

**Article 322**

Any public official or civil servant who uses his authority to influence the vote of any Syrian shall lose his civil rights.

**Article 323**

- 1- Anyone who fraudulently changes or attempts to change the result of an election shall be liable imprisonment for two months to two years.

- 2- If the offender was responsible for the collection, safekeeping or sorting of the votes or ballot papers, or any other task pertaining to a general election, he shall be sentenced to imprisonment for six months to three years.

#### **Article 324**

The invalidation of an election shall have no effect on the offences committed during or because of said election.

#### **Article 325**

- 1- If two or more persons form an association or enter into an agreement with the intention of committing felonies against persons or property, they shall be sentenced to fixed-term hard labour. The term of said sentence shall not be less than seven years if the acts of the offenders targeted the lives of other persons.
- 2- However, any person who reports the existence of such an association or agreement and discloses the information he has regarding the other offenders shall be exempt from punishment.

#### **Article 326**

- 1- Groups of three or more persons who roam the public roads and countryside as armed gangs with the intention of robbing passers-by, assaulting persons or property, or committing any other act of banditry, shall be sentenced to fixed-term hard labour for at least seven years.
- 2- They shall be sentenced to hard labour for life if they commit any of the abovementioned acts.
- 3- The death penalty shall be imposed on any member who, for the purpose of committing the felony, kills or attempts to kill or subjects the victims to torture or acts of barbarity.

#### **Article 327**

- 1- Every society, or group that has the characteristics of a society, shall be regarded as secret if its purpose is against the law and if it conducts all or part of its activities covertly.
- 2- The same societies and groups shall also be regarded as secret if their purpose has been found to be against the law, and if they fail to inform the authorities of their statutes, the names of their members and the offices they hold, the subjects discussed in their meetings, their assets and the origin of their resources, after having been requested to submit said information, or if they provide false or incomplete information on such matters.

#### **Article 328**

- 1- All secret societies shall be dissolved and their assets confiscated.
- 2- Any person who held an administrative or executive office in the society shall be sentenced to imprisonment for six months to two years and a fine ranging between one hundred and five hundred Syrian pounds, and all other members shall be sentenced to one-half of each of the two penalties.

#### **Article 329**

- 1- If a member of a secret society commits an offence in fulfilment of the purpose of the society, any member who attended the meeting during which the offence was decided shall be regarded as an instigator and thus incur the penalty prescribed in Article 217.
- 2- A member who was present in the crime scene when the crime was committed shall be treated as an accomplice and incur the corresponding penalty prescribed in Article 219.

**Article 330**

Loss of civil rights shall be imposed on groups of employees who have a public contract with the State and who agree among themselves to cease work, or agree to cease work or resign in conditions that impede the functioning of a public interest.

**Article 331**

If an employer or head of project, or employees or workers decide to initiate a cessation of work, either with the intent to pressure the public authorities or to protest against a decision or measure issued by the authority, they shall be sentenced to imprisonment or house arrest for at least three months.

**Article 332**

- 1- A penalty of imprisonment and a fine shall be imposed on every act of usurpation committed by more than twenty people and followed by the initiation or execution of the act with the intention of disrupting the work of:
  - a- Means of transportation operating internally or between Syria and other countries.
  - b- Postal, telegraphic and telephone communication.
  - c- Public utility services concerned with the distribution of water and electricity.
- 2- The same penalty shall apply to entrepreneurs in the aforementioned public utility services who interrupt the operation of services without a legitimate reason.
- 3- If the offense committed involves acts of violence against persons or things, or threats or other means of intimidation, fraud, or false allegations that may have an impact or cause public rallies in public avenues or squares, or the occupation of workplaces, the perpetrators shall be sentenced to imprisonment for a minimum of six months.

**Article 333**

Anyone who, using any of the means set out in the last paragraph of the previous article, causes or maintains, or attempts to cause or maintain a concerted cessation of work, shall be sentenced to imprisonment for a maximum of one year and a fine not exceeding one hundred pounds.

**Article 334**

Every employer or head of project and every employee or worker who refuses and postpones the implementation of the arbitration award or any other decision issued by a labour court shall be sentenced to imprisonment for two months to a year.

**Article 335**

Whoever, in a meeting that is not private in terms of purpose, object, the number of people convened thereto and participants, or venue, and

Whoever, in a public place, whether open or exposed to the public, utters seditious shouts or songs or exhibits any emblem in conditions such that public order may be disturbed, or engages in any other riotous manifestation shall be sentenced to imprisonment for one month to one year and the payment of a fine of one hundred pounds.

**Article 336**

Any gathering or procession taking place on a highway or in a place open to the public shall be regarded as a riotous assembly punishable by imprisonment for one month to one year:

If it consists of three or more persons seeking to commit a felony or a misdemeanour, or at least one of whom is armed;

If it consists of not less than seven persons demonstrating against a decision or a measure taken by the authorities with a view to exercising pressure on the latter; or

If it consists of more than 20 persons manifestly seeking to cause a disturbance of peace.

#### **Article 337**

- 1- Where people gather in the manners mentioned in the previous article, a representative of the administrative authority or an officer from the judicial police shall warn them to disperse.
- 2- Those who leave the gathering before the authority warns, or immediately comply with its warning without using their weapons or committing any other misdemeanour shall be exempt from the aforementioned penalty.

#### **Article 338**

- 1- If the gathering could not be dispersed without force, the penalty shall be sentenced to imprisonment for two months to two years.
- 2- Anyone who uses a weapon shall be sentenced to imprisonment for one to three years, in addition to any heavier penalty he may incur.

#### **Article 339**

The extinguishment of civil rights, the residence ban and deportation may be imposed in accordance with Articles 65, 82 and 88 on the misdemeanours referred to in Chapters 2 to 5 of this Section.

#### **Article 340**

In the sense of this Chapter, an official is every public official in the administrative or judicial staff and every officer or member of the civil or military authority, and every agent or employee working for the State or in a public administration.

#### **Article 341**

Any public servant, or person assigned to a public mandate either by election or by appointment, or any individual charged with an official function including arbitrators, experts or trustees who solicits or accepts a donation, a promise or any other benefit, whether for himself or for a third party, in return for carrying out a legitimate duty that falls within his job responsibilities shall be sentenced to imprisonment for three months to three years and the payment of a fine the minimum of which shall be double the value of the benefit received or accepted.

#### **Article 342**

- 1- If any of the aforementioned persons solicits or accepts, either for himself or for a third party, a gift, promise, or any other benefit, in return for carrying out an action that is incompatible with his job, or claiming that such action is part of his job, or neglecting or delaying his job duties, he shall be sentenced to fixed-term hard labour and a fine not less than three times the value of the benefit received or accepted.
- 2- A lawyer who commits such acts shall be subject to the same sentence.

#### **Article 343**

The penalties stipulated in Articles 341 and 342 shall also apply to the briber.

#### **Article 344**

The briber and the accomplice shall be exempt from the penalty if they inform the competent authorities of the matter or admit to it before the case is referred to the court.

**Article 345**

Anyone who offers or promises any of the persons mentioned in Article 341 a gift or any other benefit as an undue reward in return for performing or omitting or delaying any of his job duties, shall be sentenced to imprisonment for at least three months and a fine not less than double the value of the offered or promised benefit, if such offer or promise was not accepted.

**Article 346**

If any of the persons referred to in Article 341 accepts an undue reward for performing a job duty that has already been performed, he shall be sentenced to imprisonment for one month to one year and the payment of a fine of at least double the value of the reward he had accepted.

**Article 347**

Whoever accepts or seeks an undue reward or a promise of such reward, whether for himself or for third parties, in return for securing or attempting to secure a job or work or contracting or projects or other profits or grants from the State or any public administration to anyone, with the intention of influencing the conduct of the authorities in any way, shall be sentenced to imprisonment for two months to two years and the payment of a fine of at least double the value of the reward taken or accepted.

**Article 348**

If the act is committed by a lawyer on the pretext of gaining the sympathy of a judge, ruler, government official, or expert in a specific case, he shall be sentenced to imprisonment for one to three years and permanently banned from the exercise of his profession.

**Article 349**

An official who misappropriates what has been entrusted to him to manage, collect or maintain ex-officio, including money or other assets owned by the State or any person, shall be sentenced to imprisonment for one to three years and the payment of a fine the value of which shall be at least equal to the value of what must be refunded.

**Article 350**

If the misappropriation was committed by making incorrect entries in the invoices or accounting books, by misrepresenting or destroying accounts, papers or other instruments, or more generally by any trick aimed at preventing the detection of misappropriation, the penalty shall be fixed-term hard labor, in addition to the fine prescribed in the preceding article.

**Article 351**

Every official who coerces or compels a person to pay or promise to pay what he knows is not due or exceeds the taxes, fees and other duties owed, shall be sentenced to imprisonment for at least one year and the payment of a fine of at least double the value of what must be refunded.

**Article 352**

The same penalty shall apply to any official who grants exemption from taxes, fees, fines, or other duties without the law authorizing it.

**Article 353**

- 1- Whoever is entrusted with the sale, purchase, or management of movable or immovable property for the State or a public administration and commits fraud in any of these actions or violates the provisions that apply to them, either by winning personal gain or benefiting one party at the expense of the other or of the administration, shall be sentenced to

- imprisonment for a minimum of two years and the payment of a fine the value of which shall not be less than that of the damage caused.
- 2- This is in addition to the penalties prescribed for bribery.

#### **Article 354**

Any official who has, directly or through an intermediary, or by means of fictitious documents, taken a private interest in any procedure of the administration to which he is attached, shall be sentenced to imprisonment for six months to two years and the payment of a fine of at least one hundred pounds.

#### **Article 355**

The penalties of the previous article shall be imposed on judges, money collectors, representatives of the administration, officers of the gendarmerie or the police and other officials who are on public payroll who engage openly or through the use of fictitious documents, directly or through an intermediary, in the trade of cereals, foodstuffs and other essential products other than those of their properties in the area in which they exercise authority.

#### **Article 356**

- 1- The penalties stipulated in Articles 349 to 352 shall be reduced by half if the damage sustained and the benefit envisaged by the offender are negligible, or if the damage is compensated fully before the case is referred to the court.
- 2- If restitution or compensation occurred during the trial and before any ruling on the merits of the case, even if not irrevocable, the penalty shall be reduced by one-fourth.

#### **Article 357**

Any public official who arrests or detains a person in cases other than those provided for by law shall be sentenced to fixed-term hard labour.

#### **Article 358**

Any warden or guard of a prison or disciplinary or reform institution, and any official vested with their powers, who admits a person into the institution without a judicial decision or warrant, or who retains a person for a period longer than that ordered, shall be sentenced to imprisonment for one to three years.

#### **Article 359**

- 1- Any of the above-mentioned persons, and in general, any officer or member of the forces of law and order and any administrative official who refuses or fails to promptly bring a detainee or prisoner before the competent Judge who requires them to do so, shall be sentenced to imprisonment for one month to one year.
- 2- Any person who fails to immediately obey the order of the Judge to present any of the records of the prison or other places of detention to which they are attached shall be subject to the same penalty.

#### **Article 360**

- 1- Any public official who, in his capacity as such, enters the home of any person or its outbuildings in cases other than those provided for by law and without due process of law shall be sentenced to imprisonment for three months to three years.
- 2- The penalty shall not be less than six months if the offence is accompanied by a search of the premises or any other arbitrary act committed by the offender.

**Article 361**

- 1- Any official who uses his authority or influence, directly or indirectly, to obstruct or delay the application of the laws or regulations, collection of dues or taxes, or implementation of a judicial decision or warrant or any order issued by a competent authority shall be sentenced to imprisonment for three months to two years.
- 2- If the person abusing his authority or influence is not a civil servant, the penalty shall not exceed one year.

**Article 362**

- 1- Any official who incites disrespect for national customs or the laws of the State or who commends acts that are incompatible with those laws or customs shall be sentenced to imprisonment for one month to one year and the payment of a fine of 100 Syrian Pounds.
- 2- This provision shall also apply to religious leaders and members of the teaching staff in public or private educational institutions.

**Article 363**

- 1- Any official who, without valid reason, is negligent in the performance of his duty or fails to carry out legal orders issued by his superior shall be sentenced to the payment of a fine of twenty five to one hundred Syrian Pounds.
- 2- If such an act prejudices the interests of the State, the offender shall be sentenced to imprisonment for one month to one year.

**Article 364**

Any officer or member of the forces of law and order and any person in charge of a post or detachment who fails to comply with a lawful request issued by the judicial or administrative authorities shall be sentenced to imprisonment for a term of one month to one year.

**Article 365**

Any official, other than those referred to in Article 296, who is dismissed or relieved of his duty, and any person whose assignment to a public service by election or appointment has expired but continues to exercise his function unlawfully shall be sentenced to imprisonment for a term of three months to three years.

**Article 366**

Any official who, with a view to furthering his personal interests or the interests of others or harming others, commits an act incompatible with his professional duties but for which no penalty is prescribed in the law shall be sentenced to imprisonment for a term of one month to three years, and the payment of a fine of twenty five to one hundred Syrian pounds, if he continued to exercise his function unlawfully.

**Article 367**

With the exception of the cases in which the law prescribes special penalties for offences committed by officials, those who, acting in their said capacity or abusing the authority or influence derived from their official status, commit any offence whatsoever or aid and accomplice in the commission of an offence shall be liable to the heavier penalties prescribed in Article 247.

With the exception of cases in which the law imposes special penalties for offences committed by officials, those of them who commit any offence in their official capacity or by abusing the authority or influence derived from their posts, through incitement, collusion or involvement, merit the heavier penalties prescribed in article 247

**Article 368**

When issuing a ruling pertaining to any of the misdemeanours referred to in this section, the Judge may subject the perpetrator to an extinguishment of civil rights.

**Article 369**

- 1- Anyone who attacks or resists with violence an official while he is enforcing the law, collecting taxes and duties, executing a judicial decision or subpoena or any order issued by the competent authority shall be sentenced to imprisonment for a term of at least two years if he is armed, and for a term of six months to two years if he is unarmed.
- 2- The penalty shall be doubled if the number of perpetrators is two or more.

**Article 370**

Any active or passive resistance that impedes a legitimate act being done by any of the persons described in the preceding article shall be punishable by imprisonment for a term of one to six months and the payment of a fine of up to one hundred pounds.

**Article 371**

- 1- Anyone who has beaten or otherwise assaulted an official in and during the course of his duties shall be sentenced to imprisonment for a term of six months to two years.
- 2- If the act was committed against a Judge, the sentence shall be for a term of one to three years.

**Article 372**

- 1- If the acts of violence were committed intentionally or by more than one person or if they resulted in wounds or illness, the penalties imposed in the previous article shall be aggravated as provided for in Article 247.
- 2- If, because of their gravity, the acts of violence committed require a heavier penalty than those provided for in the preceding article, the penalty thus incurred shall be aggravated in accordance with Article 247.

**Article 373**

- 1- An insult addressed by words, gestures or direct threats to an official in and during the course of his duties, or conveyed thereto from the perpetrator; and an insult addressed through writings or drawings that are not made public, or communicated by telegram or telephone to an official in and during the course of his duties, shall be punished with imprisonment for a term of up to six months.
- 2- If the insult is addressed to an official of a public authority, the sentence shall be for a term of two months to one year.
- 3- If the insult is addressed by words, gestures or threats to a Judge during a hearing, the sentence shall be for a term of six months to two years.

**Article 374**

- 1- Any insult to the Head of State shall be punished with imprisonment for a term of six months to two years.

- 2- The same penalty shall apply to whoever denigrates the national flag or emblem publicly through any of the means mentioned in Article 208.

#### **Article 375**

- 1- Slander is making an allegation against someone, even if expressed in the form of a doubt or a question, which is prejudicial to the honour or dignity of the individual concerned.
- 2- Any derisory remark or insult and any utterance or image that vilifies a person shall be deemed a defamation if it does not involve an allegation. This shall be without prejudice to Article 373, which defines defamation.

#### **Article 376**

Slander by any of the means specified in Article 208 shall be punished by:

- Imprisonment for a term of one to three years, if the act is committed against the Head of State;
- Imprisonment for up to one year, if the act is directed against courts, regulatory institutions, the army or administrative authorities or against an official of a public authority in and during the course of his duties;
- Imprisonment for up to three months or a fine of one hundred Syrian Pounds, if the act is committed against any other official in and during the course of his duties.

#### **Article 377**

With the exception of slander committed against the Head of State, suspects shall be discharged if the slanderous allegation pertains to an act related to the job and is proven true.

#### **Article 378**

Defamation by any of the means specified in Article 208 shall be punished by:

- Imprisonment for a term of one month to one year, if the act is committed against the Head of State;
- Imprisonment for a maximum of six months, if the act is directed against courts, regulatory institutions, the army or administrative authorities or against an official of a public authority in and during the course of his duties;
- The payment of a fine ranging between twenty five and one hundred Syrian Pounds, if the act is committed against any other official in and during the course of his duties.

#### **Article 379**

Courts may order the publication of every ruling issued on the subject of a slander or defamation.

#### **Article 380**

- 1- Whoever tears, removes, or damages an official announcement, even if partially, shall be sentenced to the payment of a fine of twenty five to one hundred Syrian pounds.

- 2- If the act is committed in contempt of the authority or in protest against one of its actions, the penalty shall be sentenced to imprisonment for a term not exceeding three months.

#### **Article 381**

Whoever wears, publicly and without right, a costume, decoration or emblem of the Syrian state or a foreign country, or wears clothing which under Syrian law is assigned to a specific group of people shall be sentenced to imprisonment for a term of six months at most, or a fine not exceeding one hundred pounds.

#### **Article 382**

- 1- Whoever appears to be impersonating a public military or civilian position or exercising the powers of such position shall be sentenced to imprisonment for a term of two months to two years.
- 2- If the perpetrator was wearing a staff uniform or emblem while on duty, he shall be sentenced to imprisonment for a term not less than six months.
- 3- If said act was committed in conjunction with another crime, the sentence shall be aggravated in accordance with the provisions of Article 247.

#### **Article 383**

Whoever engages unlawfully in a profession that is regulated by a legal system, shall be sentenced to imprisonment for a term of six months at most, and the payment of a fine of one hundred to two hundred pounds.

#### **Article 384**

Court rulings on the subject of the misdemeanours stipulated in Articles 381, 382 and 383 may be published.

#### **Article 385**

- 1- Whoever intentionally breaks seals placed by order of the public authority shall be sentenced to imprisonment for a term of one month to one year.
- 2- If the perpetrator resorted to acts of violence against persons, the imprisonment shall be for a term of one to three years.

#### **Article 386**

- 1- Whoever takes, removes or damages, whether totally or partially, papers or documents deposited in the archives, court bureaus or public warehouses and handed over to a public depositary in his capacity as such, shall be sentenced to imprisonment for a term of one to three years.
- 2- If the committed act involved the removal of seals, breaking of locks, or climbing, or acts of violence against persons, the penalty shall be fixed-term hard labour.

#### **Article 387**

The penalties of the previous article, along with the corresponding differences, shall be imposed on those who burned or destroyed, even if partially, the records, or drafts or originals of the public authority's instruments.

#### **Article 388**

A Syrian citizen who was aware of a felony against state security and failed to report it immediately to the public authorities shall be sentenced to imprisonment for a term of one to three years and an extinguishment of civil rights.

### **Article 389**

- 1- Any public official assigned to carry out the investigation or prosecution of offences who fails to report or delays reporting an offence that comes to his knowledge shall be sentenced to imprisonment for a term of one month to three years and the payment of a fine of 100 Syrian Pounds.
- 2- Any public official who fails to inform or delays informing the competent authority of a felony or a misdemeanour that comes to his knowledge in or during the course of his duties shall be sentenced to the fine mentioned in paragraph 1 above.
- 3- The provisions of paragraphs 1 and 2 above shall apply unless prosecution of the unreported offence depends on the filing of an individual complaint.

### **Article 390**

Any person who, while exercising a healthcare profession, assists a person who appears to have been the victim of a felony or misdemeanour that may be prosecuted without the filing of a complaint, and who fails to report the incident to the authorities, shall be sentenced to the payment of the fine prescribed in the preceding Article.

### **Article 391**

- 1- Whoever inflicts illegal acts of violence on a person with a view to obtaining from him a confession to an offence or information pertaining thereto shall be sentenced to imprisonment for a term of three months to three years.
- 2- If such acts of violence cause sickness or wounds, the minimum penalty shall be one year's detention.
- 3- Fabrication of offences and false accusation

### **Article 392**

Anyone who, having fabricated material evidence of an offence that was not committed and reports said offence to the judicial authority or to an authority that is obliged to notify the judicial authority, thereby giving rise to a preliminary or judicial investigation, shall be sentenced to imprisonment for a term of up to six months and a fine of up to one hundred Syrian Pounds, or either penalty.

### **Article 393**

- 1- Anyone who submits to the judicial authority, or to an authority that is obliged to notify the judicial authority, a complaint or a report whereby he accuses a person of a misdemeanour or a contravention of which he knows the said person to be innocent, or fabricates material evidence on the occurrence thereof, shall be sentenced to imprisonment for a term of one month to three years.
- 2- If the act reported in the accusation amounts to a felony, the false accuser shall be sentenced to fixed-term hard labour for up to 10 years.
- 3- If the false accusation leads to a sentence of death or life imprisonment, the penalty shall be fixed-term hard labour for a minimum of 10 and a maximum of 15 years.

#### **Article 394**

If the false accuser withdraws his accusation prior to the initiation of any prosecution proceedings, the penalties prescribed in the two preceding articles shall be reduced in accordance with the provisions of Article 241.

#### **Article 395**

Anyone who, on being questioned by a judge or an officer or member of the criminal investigation department, assumes a false identity or a capacity that he does not have or makes a false statement about his address or domicile shall be sentenced to imprisonment for a term of up to six months and the payment of a fine of up to one hundred Syrian Pounds.

#### **Article 396**

Anyone who attributes to himself a false name during a judicial investigation or trial shall be sentenced to imprisonment for a term of three months to three years.

#### **Article 397**

A witness who presents a false excuse shall be sentenced to imprisonment for a term of up to three months, in addition to the fine he incurs for failure to appear.

#### **Article 398**

- 1- Anyone who, while testifying before a judicial authority or a military or administrative tribunal, gives false testimony, denies the truth or conceals all or part of his knowledge of the facts of the case on which he is being questioned shall be sentenced to imprisonment for a term of three months to three years.
- 2- If such false testimony is committed during a criminal investigation or trial, the penalty shall be fixed-term hard labour for up to 10 years.
- 3- If the false testimony leads to a sentence of death or life imprisonment, the penalty shall be fixed-term hard labour for a minimum of 10 and a maximum of 15 years.
- 4- If the offender testified without having taken the oath, the penalty shall be reduced by half.

#### **Article 399**

The following persons shall be exempt from the penalty:

- 1- A witness who testifies during the investigation of a criminal offence, if he withdraws his false statement before the investigation is closed and his false statement is reported.
- 2- A witness who testifies at a trial, if he withdraws his statement before any ruling, even if preliminary, has been issued on the merits of the case.

#### **Article 400**

- 1- The following persons shall also be exempt from the penalty:

- a- A witness who by speaking the truth would inevitably place his liberty or honour at serious risk or would expose his wife, even if divorced, or any of his ascendants, descendants, brothers or sisters or relatives by marriage within the same degrees of kinship to such a risk;
  - b- A person who states his name, surname and capacity before a judge and does not need to be heard as a witness or is informed of his right to refuse to testify if he so desired.
- 2- However, if the false testimony exposes another person to the risk of legal prosecution or conviction, the penalty shall be reduced by one half to two thirds.

#### **Article 401**

The penalty shall be reduced by half for the person who instigates a false testimony because the witness, by speaking the truth, would inevitably have exposed him or any of his relatives to a serious risk such as that referred to in the first paragraph of the preceding article.

#### **Article 402**

- 1- An expert appointed by the judicial authority who knowingly makes a false affirmation or misinterpretation shall be sentenced to imprisonment for a term of not less than three months and the payment of a fine of not less than one hundred Syrian Pounds and, in addition, shall be permanently banned from acting as an expert.
- 2- The hard labour penalty shall be imposed if the expert's assignment pertained to a criminal case.

#### **Article 403**

- 1- The penalties prescribed in the preceding article, along with the corresponding differences, shall apply to a translator who deliberately mistranslates in a suit at law.
- 2- In addition, the translator shall be permanently banned from acting as a translator.

#### **Article 404**

The provisions of Article 399 shall apply to the expert and translator.

#### **Article 405**

- 1- Anyone who makes a false statement under oath in a civil action shall be sentenced to imprisonment for a term of six months to three years and the payment of a fine of one hundred Syrian Pounds.
- 2- However, the offender shall be exempt from said penalty if he retracts his sworn statement before a ruling, even if preliminary, is issued on the case constituting the subject of the oath.

#### **Article 406**

- 1- Anyone who tampers with, conceals, destroys or alters the appearance of a document or other exhibit after having presented it to a judicial authority shall be sentenced to a fine of one hundred to three hundred Syrian Pounds.
- 2- This provision shall apply even if the document or exhibit was returned on the understanding that it would be presented on request.

#### **Article 407**

No action for slander or defamation shall be brought in respect of spoken or written statements made or presented to the courts in good faith and within the limits of the right of legal defence.

#### **Article 408**

Any person who, being present at a place in which a judicial investigation is being conducted, refuses to leave when ordered to do so by the presiding judge shall be arrested by order of the judge and sentenced to detention for twenty four hours, in addition to any heavier penalties that might be imposed on him, if necessary, by the competent court.

#### **Article 409**

Anyone who solicits a judge's favour, whether verbally or in writing, for or against a litigant shall be sentenced to imprisonment for a term of one week to one month and the payment of a fine of one hundred Syrian Pounds.

#### **Article 410**

- 1- A fine of twenty five to one hundred Syrian Pounds shall be imposed on anyone who publishes:
  - (a) Any document relating to the hearing of a felony or a misdemeanour before it is read out at a public session;
  - (b) Judicial writs;
  - (c) The proceedings of trials held in camera;
  - (d) Hearings of paternity cases;
  - (e) Hearings of divorce and desertion cases;
  - (f) Any proceedings the publication of which is prohibited by the courts.
- 2- The above provisions shall not apply to court rulings published in good faith by means other than advertisements or billboards.

#### **Article 411**

Anyone who publicly opens or announces subscriptions or contributions to compensate for fines, costs or damages imposed by a court shall be sentenced to imprisonment for a term of up to six months and a fine of up to one hundred Syrian Pounds, or either penalty.

#### **Article 412**

- 1- An official receiver who deliberately damages or tampers with all or part of any property entrusted to his care shall be sentenced to imprisonment for a term of two months to two years and the payment of a fine of one hundred Syrian Pounds.
- 2- He shall be sentenced only to the payment of a fine if the property was damaged as a result of his negligence.

- 3- Any other person owning or claiming ownership of property placed in judicial custody who intentionally takes or damages such property or knowingly conceals or tampers with what he has taken shall be sentenced to imprisonment for a term of one month to one year and the payment of a fine of one hundred Syrian Pounds.

**Article 413**

- 1- A penalty of imprisonment for a term of one month to one year and the payment of a fine of one hundred to five hundred Syrian Pounds shall be imposed on:
  - a- Anyone who reoccupies real property from which he was evicted;
  - b- Anyone who contravenes measures taken by a judge to safeguard or seize property.
- 2- If the act involved violence, the penalty shall be imprisonment for a term of six months to two years.

**Article 414**

- 1- Anyone who conceals or tears a notice, or part thereof, which has been posed pursuant to a legal conviction shall be liable to a fine of one hundred Syrian Pounds.
- 2- If the convicted person on whose subject the notice was posted committed or was an accomplice or instigator in the above-mentioned offence, he shall be sentenced to imprisonment for a term of six months in addition to the fine.

**Article 415**

- 1- Anyone who enables or facilitates the escape of a person who has been lawfully arrested or imprisoned for a misdemeanour or a contravention shall be sentenced to imprisonment for a term of up to six months.
- 2- If the fugitive was arrested or imprisoned for a felony punishable by fixed-term imprisonment, the offender shall be sentenced to imprisonment for a term of one to three years.
- 3- If the felony was punishable by a heavier penalty, the offender shall be sentenced to hard labour for a term of three to seven years.

**Article 416**

- 1- Anyone assigned to guard or escort a prisoner who enables or facilitates his escape shall be sentenced to imprisonment for a term of three months to three years in the first case referred to in the preceding article, hard labour for a term of three to seven years in the second case, and hard labour for a term of five to fifteen years in the third case.
- 2- If the escape is attributable to the negligence of the guard or escort, the penalty shall be imprisonment for a term of one month to one year in the first case, six months to two years in the second case and one to three years in the third case.

**Article 417**

- 1- Anyone assigned to guard or escort prisoners who provides them with weapons or other instruments in order to facilitate their escape through breaking or other violent means shall be sentenced, for this act alone, to hard labour for a term of not less than five years.
- 2- Any other person who commits said act shall be sentenced to fixed-term hard labour.

**Article 418**

The penalty shall be reduced by half if the offender secures the arrest of the fugitive or compels him to give himself up within three months from the date of his escape provided that, in the meantime, the latter has not committed any other felony or a misdemeanour.

**Article 419**

Anyone who, while able to have recourse to the competent authority, enforces his right in person by seizing property in the possession of others or damaging property with the use of violence shall be sentenced to the payment of a fine of up to one hundred Syrian Pounds.

**Article 420**

- 1- If the act referred to in the preceding article is committed through the use of violence against persons or through resort to mental coercion, the perpetrator shall be sentenced to imprisonment for a term of up to six months in addition to the fine specified above.
- 2- The penalty shall be imprisonment for a term of three months to two years if the act of violence or coercion is committed by an armed person or a group of three or more persons, even if they are unarmed.

**Article 421**

Prosecution shall be conditional on the filing of a complaint by the injured party if the misdemeanour is not accompanied by another offence that can be prosecuted without a complaint.

**Article 422**

The penalty for duelling shall be imprisonment for a term of one month to one year.

**Article 423**

Any invitation to a duel, even if refused, shall be punishable by a fine of one hundred to two hundred Syrian Pounds.

**Article 424**

The same penalty shall apply to any person who publicly insults another person or seeks to expose him to public mockery because he refused to challenge someone to a duel or did not respond to such a challenge.

**Article 425**

If the duel results in death or permanent incapacity, the penalty shall be imprisonment for a term of three to seven years in the first case and one to three years in the second case.

**Article 426**

The physician or surgeon who treats the duellists shall be exempt from penalty.

**Article 427**

- 1- Whoever forges the seal of the Syrian state, or the seal of a foreign country, or knowingly uses a forged seal shall be sentenced to fixed-hard labour for a minimum of seven years.
- 2- Whoever uses the seal of the Syrian state unlawfully, or forges the stamp of its seal, or the stamp of the seal of another foreign country, shall be sentenced to fixed-term hard labour.
- 3- In both cases, the offender shall be liable to a fine not less than two hundred and fifty pounds.

**Article 428**

- 1- A person who forges a seal, a branding iron, a mark, or a printing hammer that belongs to a public administration, whether Syrian or foreign, or forges the imprint of said tools, and
- 2- A person who uses any of the official marks mentioned in the previous paragraph, whether authentic or forged, for any unlawful purpose, shall be sentenced to imprisonment for a term of one to three years and the payment of a fine of one hundred to three hundred pounds.

**Article 429**

A person who commits the acts of forgery specified in the previous two articles shall be exempt from punishment if he discards the forged material before using it or before prosecution against him is initiated.

**Article 430**

Whoever forges a gold or silver currency circulated legally or customarily in Syria or in another country with the intention of promoting it, or whoever participates knowingly in the issuing of counterfeit currency or its promotion or entry into Syria or a foreign country, shall be sentenced to fixed-term hard labour for not less than five years and the payment of a fine of at least two hundred and fifty pounds.

**Article 431**

If any of the crimes stipulated in the previous article pertains to metallic currency other than gold and silver, the sentence shall be fixed-term hard labour and a fine ranging between one hundred and one thousand pounds.

**Article 432**

Any person who, with the intention of promoting a currency that is legally or customarily traded in Syria or in a foreign country, forges coins of a lesser weight, or plated coins, or participates knowingly in the issuing of such counterfeit currency, or its promotion and entry into Syria or another country shall be subject to the penalties prescribed in the preceding article.

**Article 433**

Any person who forges national or foreign banknotes or bank securities “or forges or misrepresents the value of these banknotes” with the intention of promoting them, or participates in their issuing or promotion, shall be sentenced to the penalties stipulated in Article 430.

**Article 434**

Whoever forges notes such as those mentioned above, or participates knowingly in the issuing or promotion of forged notes or their entry into Syria or another country shall be sentenced to the penalties stipulated in Article 421.

**Article 435**

Any person who makes, offers, or transports for the purpose of trafficking, or promotes forged coins of a currency that is legally or customarily traded in Syria or other countries, or printed papers that may be confused with national or foreign banknotes or bank securities shall be sentenced to imprisonment and a fine.

**Article 436**

Any person who accepts in good faith coins, banknotes, or securities that are imitated, counterfeit, or forged, and subsequently knowingly deals in them shall be sentenced to the payment of a fine not exceeding one hundred pounds.

**Article 437**

The same penalty shall be imposed on whoever deals knowingly in coins, banknotes, bank securities, or promissory notes that are no longer tradeable.

**Article 438**

- 1- Whoever makes machines or tools intended to imitate, counterfeit or forge coins, banknotes, bank securities, or acquires such machines and tools with the intention to use them illegally, shall be sentenced to fixed-term hard labour and the payment of a fine of at least one hundred pounds.
- 2- Whoever acquires such machines or tools despite knowing about their intended use shall be sentenced to imprisonment for a minimum of one year.

**Article 439**

Any person who is found in possession of machines or tools that are designed to forge coins, banknotes, or bank securities, and who used such machines or tools illegally shall be sentenced to the penalties stipulated in the preceding article.

**Article 440**

Any person who imitates or forges revenue stamps, tax stamps, receipt stamps, or postage stamps with the intention of using them illegally, or promotes them knowingly, shall be sentenced to fixed-term hard labour for up to five years and the payment of a fine of at least fifty pounds.

**Article 441**

Any person who knowingly uses a forged or counterfeit stamp or a used stamp shall be sentenced to imprisonment for three months to a year and the payment of a fine of one hundred pounds.

**Article 442**

- 1- Whoever participates in any of the felonies stipulated in Articles 430 to 441, and informs the authority of such felony prior to its completion shall be exempt from the penalty.
- 2- The defendant who allows the arrest, even after the start of the prosecutions, of other perpetrators or those of them whose hideout is known to him shall have his sentence reduced as stipulated in Article 241.

**Article 443**

Forgery is the deliberate counterfeiting of material facts and data proven by an instrument or any other written document, with the result that the person making the forgery may benefit or that material, moral or social injury may be caused to a third party.

**Article 444**

Any person who knowingly uses a forged item shall be sentenced to the same punishment as a person who commits forgery.

**Article 445**

- 1- An official shall be sentenced to fixed-term hard labour for at least five years if he commits a material forgery during the course of his duty either by misusing a signature, seal, or fingerprint, and in general, by forging a signature or fabricating an instrument or written document, or by deleting, adding or changing the content of an instrument or written document.
- 2- The sentence shall not be less than seven years in cases where the forged instrument remains effective until such time as their forgery is proven.
- 3- The provisions of this Article shall apply in cases where the instrument has been destroyed in whole or in part.

**Article 446**

The penalties stipulated in the previous article shall apply to the official who issues an instrument within his competence and distorts its subject or circumstances either by forging a blank signature

on a document entrusted to his care, or by writing down commitments or statements other than those expressed or intended by the contractors, or by representing false facts as true or facts that are not recognized as recognized, or by distorting any other fact by omitting a detail or misrepresenting it.

**Article 447**

In the application of the previous articles, any person who has been delegated to authenticate an instrument, signature or seal shall be regarded as a public official.

**Article 448**

Any person who forges an official document by any of the means mentioned in the previous articles shall be sentenced to fixed-term hard labour unless the law provides otherwise.

**Article 449**

In the application of the previous article, bearer bonds or registered bonds that may be legally issued in Syria or another country shall be regarded as official documents, as shall all cheques, whether bearer cheques or endorsed cheques.

**Article 450**

Any person who, while being legally required to keep records that are subject to the control of the authority, makes false entries or omits valid entries on such records, shall be sentenced to imprisonment for a term of one month to one year and the payment of a fine of at least one hundred pounds, if such act would mislead the authority into error of judgment.

**Article 451**

The same penalty shall apply to whoever knowingly uses a fake, distorted or fabricated document that is intended to be a basis for either calculating taxes, fees, or other revenues due to the State or a public administration, or for legal control over an offender's activities related to his profession.

**Article 452**

- 1- Any person who assumes a false identity to obtain a passport, road card, or pass, or uses the name of another person to obtain their hunting license, gun permit, identity card, voter card, transport document, or a copy of their criminal record shall be sentenced to imprisonment for a term of one to two years.
- 2- The same penalty shall apply to whoever uses any of these documents issued in the name and identity of another person.

**Article 453**

An official who knowingly delivers any of the abovementioned documents that involve the use of false names and identities shall be sentenced to imprisonment for a term of one to three years.

**Article 454**

Anyone who commits forgery through fabrication or misrepresentation of information in any of the documents referred to in Article 452 shall be sentenced to imprisonment for a term of two months to two years.

**Article 455**

- 1- Any person who, in the course of carrying out a public duty, a public service or a profession in the medical or health services, gives a false statement or certificate for submission to the official authorities where such is likely to lead to illegal benefit or damage the interests of a third party, and  
Any person who fabricates such certificates by assuming the identity of any of the persons mentioned therein or forges such certificates through misrepresentation of the information they contain,  
shall be sentenced to imprisonment for a term of two months to two years.
- 2- If such certificate is intended for use before the courts or to justify an exemption from a public service, the imprisonment shall be for a minimum of six months.

**Article 456**

In the application of the criminal law, notices issued by bailiffs and other workers of the state and public administrations, as well as the reports issued by the judicial police, shall be treated in the same manner as certificates.

**Article 457**

- 1- Any person who forges or uses an assumed name in a certificate of good conduct or a poverty affidavit shall be sentenced to imprisonment for up to six months.
- 2- The imprisonment shall be from one month to one year if the forged certificate was made in the name of an official or if the forgery involves a certificate issued by an official.

**Article 458**

Whoever deals with a public authority under an assumed identity with the intention of bringing benefit to himself or others or harm a person's rights shall be sentenced to imprisonment for a term of two months to two years, in addition to any criminal penalties he may be subjected to in the event of complicity with a public official.

**Article 459**

The same penalty shall be imposed on any person who in the aforementioned cases has knowledge of the false identity being assumed before the public authorities.

**Article 460**

Whoever forges private documents by any of the means specified in Articles 445 and 446 shall be sentenced to imprisonment for a term of one to three years and the payment of a fine of at least one hundred pounds.

**Article 461**

- 1- An offender who admits to his offense before using the forged material and before prosecution is initiated, shall be exempt from punishment.
- 2- However, if he admits to his offense after having used the forged material but before any claim or prosecution has been initiated, the penalty shall be reduced as stated in Article 241.

**Article 462**

Anyone who, by any of the means specified in Article 208, insults religious rites performed in public or encourages mockery of such rites shall be subject to imprisonment for a term of two months to two years.

**Article 463**

The following persons shall be sentenced to imprisonment for a term of one month to one year:

- a- Any person who disrupts or uses acts of violence or threats to impede the practice of any religious rites, celebrations or associated observances;
- b- Any person who destroys, damages, defaces, desecrates or defiles a place of religious worship, a religious symbol or any other object that is venerated by the members of a religious community or group of people.
- c- Any person who desecrates the sanctity of the dead, or violates the sanctity of the burial of the dead.

**Article 464**

Whoever disturbs or obstructs funerals or memorial services through acts of violence or threats shall be sentenced to imprisonment for a term of two months to a year.

**Article 465**

Whoever steals a corpse or inflicts full or partial damage thereto shall be sentenced to imprisonment for a term of one month to one year, and if the theft occurs with the intention of concealing a death or childbirth, the sentence shall be for a term of two months to two years.

**Article 466**

Any person who, without the consent of the entitled person, takes a corpse or dissects it or uses it in any other way for scientific or educational purposes shall be sentenced to the payment of a fine of one hundred to two hundred and fifty pounds.

**Article 467**

The following shall be sentenced to imprisonment for a term of two months to two years:

- a- Whoever desecrates or violates the sanctity of gravesites or monuments of the dead or intentionally destroys, damages, or mutilates them.
- b- Whoever desecrates, demolishes, smashes, or mutilates anything else that is related to the rituals of the dead, or the maintenance or decoration of gravesites.

**Article 468**

- 1- Whoever buries or cremates a dead body without observing the legal principles, or violates in any way the laws and regulations related to burial or cremation, shall be sentenced to disciplinary imprisonment and the payment of a fine ranging between twenty-five and one hundred pounds.
- 2- If the act was committed with the intention of concealing death or childbirth, the penalty shall be for a term of two months to two years.

**Article 469**

If a cleric concludes the marriage of a minor who has not completed eighteen years of age without stating in the contract the consent of the minor's guardian or the judge shall be sentenced to the payment of a fine of one hundred to two hundred and fifty pounds.

**Article 470**

The same penalty shall apply to the cleric who concludes a marriage before carrying out the necessary announcements and procedures set out in the Personal Status Law, or marries a woman before her *iddah* or waiting period observed after a divorce expires.

**Article 471**

- 1- Whoever marries legally while knowing that his marriage is invalid due to a previous marriage shall be sentenced to imprisonment for a term of one month to one year.

- 2- The same penalty shall apply to the cleric who concludes the aforementioned marriage despite his knowledge of the previous marriage.

**Article 472**

In the implementation of the preceding articles, the parties to the marriage contract as well as their witnesses who attended the wedding in such capacity shall be subject to the same penalty as the cleric.

**Article 473**

- 1- An adulterous woman shall be sentenced to imprisonment for a term of three months to two years.
- 2- The same penalty shall be imposed on the partner of the adulterous women if he is married, otherwise he shall be sentenced to imprisonment for a term of one month to one year.
- 3- In the absence of a legal confession and flagrante delicto, the only admissible evidence against the partner in the adultery shall be that which arises from correspondence and documents handwritten by that partner.

**Article 474**

- 1- The husband shall be sentenced to imprisonment for a term of one month to one year if he commits adultery in the marital home or openly takes a mistress in any place.
- 2- The same penalty shall be imposed on the woman partner.

**Article 475**

- 1- The act of adultery may not be prosecuted except on the basis of a complaint filed by one of the spouses, who must also act as a personal plaintiff. If the adulterous partners are not married, the complaint shall be filed by the guardian of the lineal consanguinity who shall also act as a personal plaintiff.
- 2- A person who incited, participated or intervened in the adultery shall be prosecuted only in conjunction with the adulterer.
- 3- A complaint filed by a husband or “guardian” with whose consent the adultery was committed shall be inadmissible.
- 4- A complaint filed after the passage of three months from the day on which the husband or guardian discovered the adultery shall be inadmissible.
- 5- If the claim against the husband or wife is dropped, the public claim and the personal case against all offenders shall consequently be dropped.
- 6- If the man consents to the resumption of shared life, the complaint shall be dropped.

**Article 476**

- 1- Incest between ascendants and descendants, whether legitimate or illegitimate, or between brothers and sisters, half-brothers and half-sisters or sons and daughters in law shall be punishable by imprisonment for a term of one to three years.
- 2- If any of the incestuous offenders enjoys legal or effective authority over the other “the penalty shall not be less than two years.”
- 3- The offender shall be denied the right of guardianship.

**Article 477**

- 1- The incestuous offender described in the previous article shall be prosecuted on the basis of a complaint filed by a relative or son-in-law of one of the offenders, up to the fourth degree.
- 2- Prosecution shall be initiated without complaint if the matter leads to a scandal.

**Article 478**

- 1- Anyone who abducts or conceals a child under seven years of age, replaces a child with another or affiliates a child to a woman other than the child's real mother shall be sentenced to imprisonment for a term of three months to three years.
- 2- The said term shall be not less than one year if the purpose or result of the offence was to destroy or falsify evidence concerning the parentage of the child or to register spurious details concerning the parent age of the child parentage in official records.

**Article 479**

Any person who takes a child who has been officially registered as a legitimate child or recognized illegitimate child and turns him over to a shelter for foundlings, concealing the identity of the child, shall be liable to a term of imprisonment of two months to two years.

**Article 480**

Except as provided in the preceding articles, every act aimed at eliminating or altering documentary evidence relating to the personal status of any individual shall be sentenced to imprisonment.

**Article 481**

- 1- Every person who abducts or takes away a minor under eighteen years of age, even with the latter's consent, with a view to removing him from the custody of his legal guardian shall be sentenced to imprisonment for a term of six months to three years and a fine of one hundred Syrian Pounds.
- 2- Where the minor is under twelve years of age or is abducted or taken away by deception or force, the penalty shall be fixed-term hard labour.

**Article 482**

The father, mother and everyone else who does not comply with the judge's order or refuses or delays the appearance of a minor who has not completed eighteen years of age shall be sentenced to imprisonment for a term of three months to two years and the payment of a fine of one hundred pounds.

**Article 483**

- 1- The penalties stipulated in the previous articles shall be reduced by the amount specified in Article 241 if the offender returns or hands the minor over before any court ruling is issued.
- 2- This provision shall not apply to repeat offenders.

**Article 484**

- 1- Anyone who leaves or abandons a child under seven years of age or any other person who is unable to protect himself due to a physical or psychological condition shall be sentenced to imprisonment for a term of three months to one year.
- 2- If a child or disabled person is left or abandoned in a deserted place, the sentence shall be from one to three years.

**Article 485**

If the offense caused the victim illness or injury, or led to his death, the offender shall be sentenced in accordance with the provisions of Article 190 in the event of leaving or abandoning the victim in a place that is not deserted if the offender did not expect the result or believed that he could avoid it; and he shall be sentenced in accordance with the provisions of Article 188 in the event of leaving or abandoning the victim in a deserted place if the offender expected the result and accepted the risk.

#### **Article 486**

- 1- If the criminal is one of the parents of the child or the disabled person, or one of the persons entrusted with guarding, supervising, treating or educating him, the penalty shall be aggravated as stipulated in Article 247.
- 2- This provision does not apply to the mother who acted as an instigator, perpetrator or accomplice in leaving or abandoning her child in order to save her honour.

#### **Article 487**

The father and mother who leave their legitimate or illegitimate or adopted child in need, whether by refusing to commit to the obligation of child maintenance or by neglecting the need to obtain the means that enable them to care for the child, shall be sentenced to imprisonment with labour for a maximum of three months and a fine not exceeding one hundred pounds.

#### **Article 488**

- 1- Any person who is required under res judicata to make instalment payments to his current or previous spouse, or to his ascendants or descendants, or to any person under his maintenance and upbringing, and fails to pay them in court for two months, shall be sentenced to imprisonment with labour for a term of one month to six months and a fine equivalent to the amounts owed.
- 2- In the implementation of the preceding paragraph, a ruling issued by a foreign court and executed in Syria shall be treated as a ruling issued by a Syrian judge.

#### **Article 489**

- 1- Whoever uses violence and intimidation to force someone other than his spouse to engage in sexual intercourse shall be sentenced to hard labour for at least five years.
- 2- The sentence shall be at least seven years, if the victim is under the age of fifteen.

#### **Article 490**

Whoever engages in sexual intercourse with a person other than his spouse, who is unable to resist due to physical or mental deficiency or because of the types of deception employed, shall be sentenced to hard labour for nine years.

#### **Article 491**

- 1- Whoever engages in sexual intercourse with a minor under the age of fifteen shall be sentenced to hard labour for nine years.
- 2- The sentence shall be not less than fifteen years, if the child is under twelve years of age.

#### **Article 492**

- 1- Any person who has sexual intercourse with a minor over 15 years but under 18 years of age and who is a legitimate or illegitimate ascendant of the minor or is related by marriage to an ascendant of the minor, or who is the minor's de jure or de facto guardian, or who is a servant of any of the said persons, shall be sentenced to hard labour for nine years.
- 2- The same penalty shall apply where the offender is a civil servant, cleric, or the director or a staff member of an employment office and commits the offence by abuse of his authority or the facilities at his disposal by virtue of his office.

**Article 493**

- 1- Any person who uses force or threats to compel a person to submit to or engage in an indecent act shall be sentenced to hard labour for a term of not less than twelve years.
- 2- The minimum term shall be eighteen years if the victim is under fifteen years of age.

**Article 494**

Whoever resorts to deceit or takes advantage of a person's physical or mental illness to commit an act that is indecent or compels such person to commit it, shall be sentenced to hard labor for up to fifteen years.

**Article 495**

Whoever commits an indecent act against a minor under fifteen years of age or compels the minor to commit such an act shall be sentenced to hard labour for a term of nine years. The said term shall be not less than twelve years where the child is under twelve years of age.

**Article 496**

Any person of those referred to in Article 492 who commits an indecent act against a minor between fifteen and eighteen years of age or who compels the minor to commit such an act shall be sentenced to hard labour for a term of up to 15 years.

**Article 497**

Where the offender is one of the persons referred to in Article 247, the penalties set out in Articles 489-491 and 493-495 shall be aggravated in accordance with Article 492.

**Article 498**

- 1- The penalties set out in this Chapter shall be aggravated in accordance with the provisions of Article 247:
  - Where the offence is committed by two or more persons who have joined forces to overcome the resistance of the victim or have assaulted him or her in succession;
  - Where the victim is infected with a venereal disease or any other disease, or sustains an injury preventing him from pursuing his usual activities for more than ten days, or where the victim was a virgin and suffers the loss of her virginity
  - Where the offence leads to the death of the victim without that outcome being the intent of the perpetrator, the imprisonment shall be for a minimum of fifteen years.

**Article 499**

- 1- Every public employee who seeks to seduce the wife of an inmate or detainee or person subject to his authority, or any female relative of such a person, shall be sentenced to imprisonment for a term of nine months to three years.
- 2- Every public employee who seeks to seduce the wife or a female relative of a petitioner whose case has been entrusted to him or to his superiors for a decision shall be subject to the same penalty.

- 3- Where the offender actually seduces any of the women referred to above, the penalty shall be doubled.

**Article 500**

- 1- Every person who abducts a girl or woman by deception or violence for the purpose of marriage shall be liable to a term of imprisonment of three to nine years.
- 2- The penalty shall also be applicable in the case of an attempt to commit the offence in question.

**Article 501**

Any person who abducts a man or woman, by deception or violence for the purpose of committing an indecent act shall be sentenced to hard labour for nine years. Where the indecent act is actually committed, the penalty shall be not less than twenty one years.

**Article 502**

The above penalties shall apply where the offence is committed without deception or violence if the victim is a minor under fifteen years of age.

**Article 503**

Any person who within forty eight hours returns the victim of his own accord to a safe place and releases him or her without having committed an indecent act or other offence, whether felony or misdemeanour, shall benefit from the mitigating circumstances set out in Article 241.

**Article 504**

- 1- Any person who seduces and deprives a young girl of her virginity after promising to marry her shall be sentenced to imprisonment for a term of up to five years and a fine not exceeding three hundred Syrian Pounds, or either penalty, unless the act warrants a heavier penalty.
- 2- In the absence of a confession of guilt, the only admissible evidence against the offender shall consist of letters and documents written by him.

**Article 505**

Any person who touches or fondles, in an indecent manner, a male or female minor under fifteen years of age, or a young girl or woman over fifteen years of age without her consent, shall be sentenced to imprisonment for a term of up to one and a half years.

**Article 506**

Any person who makes a shameful or indecent suggestion to a minor under fifteen years of age or to a young girl or woman over fifteen years of age shall be sentenced to disciplinary imprisonment for three days and a fine not exceeding seventy five Syrian Pounds, or either penalty.

**Article 507**

Any man who disguises himself as a woman and enters a place reserved for women, or which only women were permitted to enter at the time of the act, shall be punished by a term of up to one and a half years' imprisonment.

#### **Article 508**

- 1- If a valid marriage is contracted between the perpetrator of one of the offences set out in this section and the victim, prosecution shall cease; if a judgement has been delivered in the case, enforcement of the punishment imposed on the offender shall be suspended.
- 2- Prosecution or enforcement of the punishment shall be resumed if, within three years in case of a misdemeanour or five years of a felony, the marriage ends with divorce of the woman without legitimate cause or because a divorce is ordered in the interest of the victim.”

#### **Article 509**

- 1- Any person who habitually incites one or more male or female persons under twenty one years of age to engage in fornication or debauchery, or aids and abets in their commission of such acts, shall be sentenced to imprisonment for a term of three months to three years, together with a fine of seventy five to six hundred Syrian Pounds.
- 2- The same penalty shall apply to every person who engages in or facilitates clandestine prostitution.

#### **Article 510**

Any person who, with an intention to gratifying the desires of others, leads astray, entices or lures away a woman or young girl under twenty one years of age, even with her consent, or a woman or young girl over twenty one years of age through the use of deception, force, threats, abuse of authority or other means of coercion shall be sentenced to imprisonment for a term of not less than three years and a fine of up to three hundred Syrian Pounds.

#### **Article 511**

Any person who, using the means referred to in the preceding article, detains a person in a brothel or forces a person to engage in prostitution against his will or in consideration of a debt owed by the detained person shall be sentenced to imprisonment for a term of six months to six years together with a fine of seventy five to seven hundred and fifty Syrian pounds.

#### **Article 512**

Any person who habitually and for purposes of gain facilitates the enticement of persons to engage in debauchery with others or uses any of the means referred to in paragraphs 2 and 3 of Article 208 to provide persons for the purposes of prostitution shall be sentenced to imprisonment for a term of three months to three years and a fine of thirty to three hundred Syrian pounds.

#### **Article 513**

Any person who is not engaged in a specific profession and relies wholly or in part on the prostitution of others in order to earn a living, shall be sentenced to imprisonment for a term of six months to two years and a fine of one hundred Syrian pounds.

#### **Article 514**

Attempted misdemeanours set forth in Article 509 to 511 shall be punishable.

#### **Article 515**

In accordance with the provisions of Article 247, the penalties stipulated in the aforementioned articles shall be aggravated if the offenders fall among those described in Article 492.

#### **Article 516**

Where the Judge finds that there was incitement to fornication in a trial for misdemeanour, the offender may be sentenced to deportation or probation; in addition, the premises may be closed.

#### **Article 517**

Behaviour that violates public morals by any of the means set out in the first paragraph of Article 208 shall be sentenced by imprisonment for a term of three months to three years.

#### **Article 518**

Lewd behaviour by any of the means set out in paragraphs 2 and 3 of Article 208 shall be punishable by imprisonment for a term of three months to three years and a fine of thirty to three hundred Syrian Pounds.

#### **Article 519**

The same penalties shall apply to any person who produces, exports, imports or purchases pornographic books, illustrations, drawings, photographs, films or other materials for purposes of sale, distribution or public display, or advertises them or provides information on how they may be obtained.

#### **Article 520**

All forms of intercourse performed in a manner contrary to nature are punishable by imprisonment for three years.

#### **Article 521**

Repealed by Legislative Decree No. 85 dated 28/9/1953.

#### **Article 522**

Repealed by Legislative Decree No. 85 dated 28/9/1953.

#### **Article 523**

Any person who, by any of the means stipulated in paragraphs 2 and 3 of Article 208, recommends or disseminates methods of contraception or offers to disseminate them with the intention of preventing pregnancies in prostitution, shall be sentenced to imprisonment for a term of one month to one year and a fine of one hundred pounds.

#### **Article 524**

The same penalty shall apply to any person who sells, offers for sale, or acquires for the purpose of selling any of the substances intended for contraception or facilitates their use in any way.

#### **Article 525**

Any invitation made through one of the means stipulated in paragraphs 2 and 3 of Article 208 and intended to disseminate, promote or facilitate the use of abortion means is punishable by

imprisonment for a term of two months to two years and a fine of one hundred to two hundred and fifty pounds.

**Article 526**

The same penalty shall apply to any person who sells, offers for sale, or acquires for the purpose of sale, materials intended to induce abortion or facilitates the use of such materials in any way whatsoever.

**Article 527**

A woman who carries out a self-induced abortion by any means whatsoever, or gives her consent to undergo an abortion shall be sentenced to imprisonment for a minimum of six months and a maximum of three years.

**Article 528**

- 1- Any person who carries out or attempts to carry out an abortion by any means whatsoever with the woman's consent shall be sentenced to imprisonment for a term of one to three years.
- 2- If abortion or the means used to carry out the abortion leads to the death of the woman, the perpetrator shall be sentenced to hard labour for a term of four to seven years.
- 3- The penalty shall be for a term of five to ten years if the death resulted from the use of abortion techniques that are more dangerous than those the woman had agreed to.

**Article 529**

- 1- Any person who intentionally carries out an abortion for a woman without her consent shall be sentenced to hard labour for at least five years.
- 2- The penalty shall not be less than ten years if the abortion or the technique used therein leads to the death of the woman.

**Article 530**

Articles 528 and 529 shall apply even if the woman who underwent abortion was not pregnant.

**Article 531**

A woman who undergoes a consensual abortion to save her honour may benefit from an extenuating circumstance. The same shall apply to the person who commits any of the offenses stipulated in Articles 528 and 529 to save the honour of one of his descendants or female relatives up to the second degree.

**Article 532**

- 1- If any of the misdemeanours stipulated in this section was committed, instigated or assisted by a physician, surgeon, midwife, pharmacist, or one of their employees, the penalty shall be aggravated in accordance with Article 247.
- 2- The same shall apply in cases where the offender sells drugs and other substances intended for abortion.
- 3- The offender shall as well be banned from practicing his profession or work even if they do not require a license or degree.
- 4- The court may as well order the closing of premises.

**Article 533**

A person who commits an intentional homicide shall be sentenced to hard labour for a term of fifteen to twenty years.

**Article 534**

Intentional homicide shall be punished by hard labour for life if it was committed:

- 1- For a base motive;
- 2- To prepare for, facilitate or execute a misdemeanour, to facilitate the escape of instigators or perpetrators of, or accomplices to, such a misdemeanour or to preclude their punishment;
- 3- To obtain a benefit resulting from a misdemeanour;
- 4- Against a public official during or in connection with the performance of his duties;
- 5- Against a minor under fifteen years of age;
- 6- Against two or more persons;
- 7- If the offender committed acts of torture or cruelty against the victims.

**Article 535**

Intentional homicide shall be punishable by the death penalty if it was committed in the following circumstances:

- a- With premeditation;
- b- To prepare for, facilitate or execute a misdemeanour, to facilitate the escape of instigators or perpetrators of, or accomplices to, such a misdemeanour or to preclude their punishment;
- c- Against an ascendant or descendant of the offender.

**Article 536**

- 1- Anyone who causes the death of a person through beatings, violence, assault or any other intentional act without intending to kill him shall be sentenced to hard labour for a term of at least five years.
- 2- The penalty shall be not less than seven years if the act was associated with any of the circumstances mentioned in the preceding two Articles.

**Article 537**

- 1- A mother who kills her child born out of wedlock to save her honour shall be sentenced to fixed-term imprisonment.
- 2- The penalty shall not be less than five years if the act was committed intentionally.

**Article 538**

Any person who wilfully kills a person out of mercy, and by insistence from the victim, shall be sentenced to imprisonment for up to ten years.

**Article 539 (repealed)**

- 1- Any person who by any means incites another to commit suicide, or assists him in killing himself in any of the ways set out in Article 218 (paragraphs a, b and d) shall be sentenced to imprisonment for a term of up to ten years if said suicide resulted in death.
- 2- He shall be sentenced to imprisonment for a term of three months to two years if the attempted suicide results in permanent injury or disability.
- 3- If the person incited to commit suicide or the person assisting in such suicide is a minor under fifteen years of age, or suffers moral idiocy, the penalties for inciting murder or interfering therewith shall apply.

This article is repealed and replaced by Article 14 in Legislative Decree No. 1 of 2011 amending the Syrian Penal Code:

- 1- Any person who by any means incites another to commit suicide, or assists him in killing himself in any of the ways set out in Article 218 (paragraphs a, b and d) shall be sentenced to imprisonment for a term of five to twelve years if said suicide resulted in death.
- 2- He shall be sentenced to imprisonment for a term of six months to three years if the attempted suicide resulted in permanent injury or disability.
- 3- If the person incited to commit suicide or the person assisting in such suicide is a minor under fifteen years of age, or suffers moral idiocy, the penalties for inciting murder or interfering therewith shall apply.

#### **Article 540**

- 1- Anyone who deliberately strikes, wounds or otherwise injures a person who, as a consequence of such acts, suffers illness or incapacity for work for a period not exceeding ten days shall, on the basis of a complaint filed by the victim, be sentenced to imprisonment for a maximum term of six months, or by disciplinary imprisonment and the payment of a fine of between twenty five and one hundred Syrian pounds, or either penalty.
- 2- Renunciation by the party who filed the complaint shall extinguish the public prosecution and the effect on the penalty shall be the same as that of an extinguishment by the civil party.

#### **Article 541**

- 1- If the injury results in illness or incapacity for work for a period exceeding ten days, the offender shall be sentenced to imprisonment for a term not exceeding one year and by a maximum fine of one hundred Syrian pounds, or either penalty.
- 2- If the complainant retracts his claim, the penalty shall be reduced by half.

#### **Article 542**

If the illness or incapacity for work exceeds twenty days, a penalty of imprisonment for a term of three months to three years shall be imposed in addition to the above-mentioned fine.

#### **Article 543**

If the act leads to the rupture or removal of an organ or the amputation of a limb or the failure of either to function or to grave impairment of one of the senses, or if it causes a serious disfigurement or any other permanent disability or apparent permanent disability, the offender shall be sentenced to fixed-term hard labour for up to 10 years.

#### **Article 544**

Any person who, through any of the acts set out in Article 540, causes a pregnant woman whom he knows to be pregnant to abort shall be sentenced to the same penalty.

#### **Article 545**

The penalties prescribed in this subsection shall be aggravated in accordance with the provisions of Article 247 if the act is perpetrated under any of the circumstances mentioned in Articles 534 and 535.

#### **Article 546**

If a person is killed or injured during a quarrel in which a group participated and the perpetrator could not be identified, all those who tried to inflict harm upon the victim shall be sentenced to the penalty of the crime committed after reducing said penalty by one half.

“If the crime is punishable by the death penalty, hard labour for life, or life imprisonment, it shall be for a minimum of ten years.”

**Article 547**

The aforementioned penalties shall be aggravated in accordance with the provisions of Article 247 for those who caused the quarrel.

**Article 548**

Repealed by Legislative Decree No. 37 of 2009 and replaced by the following text:

- 1- “Whoever surprises his spouse, or any of his ascendants or descendants, or sister, in the act of adultery or fornication with another person and unintentionally kills or harms one or both of them shall be exempt from all punishment.”
- 2- The person who committed the killing or inflicted the harm shall benefit from an extenuating ground if he surprises his spouse, or any of his ascendants or descendants, or sister in a suspicious situation with another.

**Article 549**

- 1- The following acts shall be regarded as acts of legitimate defence:
  - a- The act committed by a person to defend himself or his property or another person or his property against a violent theft or pillage.
  - b- The act committed to ward off a person who breaks into or attempts to break into an inhabited dwelling or its adjacent outbuildings, at night, by climbing or breaking fences, walls, or entrances, or by using counterfeit keys or special tools.
  - c- If the act occurred during the day, the perpetrator shall benefit only from the extenuating ground pursuant to Article 241.
- 2- The presumption of legitimate defence becomes invalid if it is proven that the perpetrator did not believe that the assault on persons or property was the direct objective of the aggressor.

**Article 550**

Whoever causes someone to die from negligence, lack of prudence, or failure to observe laws and regulations, shall be sentenced to imprisonment for a term of six months to three years.

**Article 551**

- 1- If the offender’s mistake results only in harm such as that stipulated in Articles 542 to 544, the punishment shall be for a term of two months to a year.
- 2- Any other unintended injury shall be punished by imprisonment for a maximum term of six months or by a fine not exceeding one hundred pounds.
- 3- Prosecution on the victim’s complaint shall be dropped if the harm did not result in illness or incapacity for work for a period exceeding ten days, and the complainant’s renunciation of his claim shall have the same effects stated in Articles 540 and 541.

**Article 552**

Every driver of a vehicle who causes an accident, even if material, and does not stop immediately, or does not help the victim, or attempts to evade the responsibility by fleeing, shall be sentenced to disciplinary imprisonment and a fine not exceeding one hundred pounds.

**Article 553**

The penalties prescribed in Articles 550 and 551 shall be increased by half if the offender commits one of the acts mentioned in the preceding article.

**Article 554**

If the death and injury committed intentionally or unintentionally are the result of several reasons that the perpetrator was not aware of and occurred independently of his act, the penalty may be reduced by the amount specified in Article 199.

**Article 555**

- 1- Anyone who deprives another of his liberty by any means shall be sentenced to imprisonment for a term of six months to two years.
- 2- The penalty shall be reduced, in accordance with Article 241, paragraph 3, if, as an act of mercy, the perpetrator releases the abducted person within forty eight hours without any other serious crime or major offence being committed; the perpetrator shall be sentenced to fixed-term hard labour.

**Article 556**

- 1- If the period of deprivation of liberty exceeds one month.
- 2- If the person deprived of his liberty is subjected to physical or mental torture.
- 3- If the act is committed against an official during or in the course of his duties.

**Article 557**

- 1- Anyone who enters another person's house or home or annexes thereto without that person's consent, and anyone who remains on premises without the consent of the person entitled to evict him therefrom shall be sentenced to imprisonment for up to six months.
- 2- Imprisonment shall be for a term of three months to three years if the offence is committed at night, or by means of breaking and entering, physical violence, or the use of weapons, or if it is committed by several persons acting in concert.
- 3- In the case referred to in paragraph 1, prosecutions may only be initiated on the basis of a complaint filed by the aggrieved party.

**Article 558**

- 1- Anyone who, by breaking and entering or using violence against persons, gains access to another person's premises which are not open to the public or remains therein against the will of the person entitled to evict him therefrom shall be sentenced to disciplinary imprisonment or a fine of up to one hundred Syrian Pounds.
- 2- The offender can be prosecuted only on the basis of a complaint filed by the aggrieved party.

**Article 559**

- 1- Anyone who threatens another with a weapon shall be sentenced to imprisonment for a term not exceeding six months.
- 2- The imprisonment term shall be between two months and a year if the weapon is a firearm and the perpetrator uses it.

**Article 560**

Anyone who threatens another with a felony punishable by death, hard labour for life or for more than fifteen years, or life imprisonment, whether by writing, even if anonymous, or through a third party, shall be sentenced to imprisonment for a term of one to three years if the threat includes an order to carry out or refrain from carrying out an act, even if legitimate.

**Article 561**

If the threat with any of the aforementioned felonies did not include an order or included an order that was made verbally without the mediation of another party, the penalty shall be imprisonment for a term of three months to two years.

**Article 562**

Anyone who threatens with a felony that is lighter than those set out in Article 560 and commits it through one of the means mentioned in the same Article shall be sentenced to imprisonment for a term of one month to one year.

**Article 563**

Anyone who threatens with a misdemeanour and whose threat involves an order and is communicated in writing or through a third party shall be sentenced to imprisonment for up to six months.

**Article 564**

If any other threat to inflict unjustified harm occurs verbally or by any of the means mentioned in Article 208 and if affects the victim severely, it shall be punished upon filing of a complaint by a fine not exceeding one hundred pounds.

**Article 565**

Anyone who, by virtue of his status, functions, profession or expert knowledge, learns of a secret and then divulges it, for no legitimate reason, or uses it for his own benefit or the benefit of a third party, shall be sentenced to imprisonment for up to one year and a fine of up to two hundred Syrian Pounds, if the act was of a type that inflicts damage, including moral damage.

**Article 566**

- 1- Anyone attached to the Postal and Telegraph Administration who abuses his said capacity by opening, destroying or stealing a sealed letter or divulging its content to a person other than its addressee shall be sentenced to imprisonment for a term of two months to two years.
- 2- Anyone attached to the Telephone Administration who divulges the content of a telephone conversation which he heard in the course of his job or duty shall be sentenced to the same penalty.

**Article 567**

- 1- Any person who deliberately destroys or opens a letter or telegram not addressed to him or listens in on a telephone conversation shall be sentenced to the payment of a fine not exceeding one hundred Pounds.
- 2- The same penalty shall apply to anyone who opens a letter or telegram or listens in on a telephone conversation the divulgence of which causes harm to another person, and divulges its content to a person other than the addressee.

**Article 568**

- 1- Slander committed through any of the means set out in Article 208 shall be punished by imprisonment for three months and the payment of a fine of up to one hundred Pounds, or either penalty.
- 2- If such slander did not take place in public, only the fine shall be imposed.

**Article 569**

The perpetrator of slander shall not be allowed to justify himself by proving the truth of slanderous allegations.

**Article 570**

- 1- Defamation committed through any of the means set out in Article 208, and insult committed through any of the means set out in Article 373, shall be punished by imprisonment for a term of one week to three months, or a fine of one hundred to two hundred pounds.
- 2- If such defamation did not take place in public, only the fine shall be imposed.

**Article 571**

The judge may exempt one or both of the parties from the penalty if the injured party had provoked the defamation with an illegitimate act or if defamation was reciprocal.

**Article 572**

- 1- Prosecution shall be conditional on the filing of a complaint by the injured party.
- 2- If the slander or defamation is directed to a deceased person, only his relatives up to the fourth degree may use the right to sue, while preserving the right of every relative or heir who was personally injured by the offense.

**Article 573**

A deliberate act of arson in a building, factory, workshop or warehouse, in any inhabited or uninhabited property situated in a town or village, in a train, railway carriage or vehicle transporting one or more persons other than the offender, in a ship sailing or moored in any harbour or in an aircraft flying or parked at an airport, regardless of whether or not the offender owns them shall be punished by fixed-term hard labour for a term of not less than seven years.

**Article 574**

The same penalty shall apply to a deliberate act of arson in a building that is inhabited or ready for habitation outside populated areas, or in a forest, woodland, orchard or farmland before the crop has been harvested, regardless of whether or not the offender owns them.

**Article 575**

A deliberate act of arson in buildings that are neither inhabited nor used for housing and located outside populated areas, or in crops, straw stacks, a harvest left in place, or stacked or paved firewood left in place, regardless of whether or not the offender owns them, and as a result of which, fire spread or could have spread to the property of others, shall be punished with fixed-term hard labour.

**Article 576**

Any other act or attempted act of arson in which the perpetrator intends to cause material harm to others or obtain an illegitimate benefit or secure such benefit to others shall be punished with imprisonment and a fine.

**Article 577**

If the fire results in loss of life, the perpetrator shall be punished with death in the cases stipulated in Articles 573 and 574, and by hard labour for life in the case stipulated in Articles 575 and 576, and the penalties mentioned in these articles shall be increased by half if the injured party suffers a permanent disability.

**Article 578**

The preceding provisions shall apply in the same conditions to anyone who destroys or attempts to destroy, even partially, any of the items mentioned in them by the action of an explosive.

**Article 579**

- 1- Any person who, by his negligence, lack of caution, or failure to observe the laws and regulations, causes a fire burning on property owned by others shall be sentenced to imprisonment for a year at most.
- 2- If the offense is trivial, the punishment shall not exceed three months.

**Article 580**

- 1- Whoever removes a mounted fire extinguishing machine, changes its location, or makes it inoperable, shall be punished with imprisonment for a term of three months to two years.
- 2- The same penalty, in addition to a fine ranging from one hundred to five hundred pounds, shall be imposed on whoever was obliged by law or by regulations to acquire a fire extinguishing machine but disregarded its installation in due process or failed to keep it ready for use at all times.

**Article 581**

Whoever intentionally sabotages a public road or a public facility, or intentionally causes damage thereto, shall be sentenced to imprisonment for a term of six months to two years if the act results in a danger to traffic safety.

**Article 582**

Whoever disrupts a railway, or traffic lights or signs, or puts an obstacle that blocks traffic or uses any means to cause collision between trains or their deviation from the line, shall be sentenced to fixed-term hard labor for a term not less than five years.

**Article 583**

- 1- The same penalty shall apply to any person who destroys or disrupts the functioning of traffic lights or uses false signs or any other special means with the intent to sink a ship or bring down an air vehicle.
- 2- If the act results in the sinking of the ship or the fall of the air vehicle, the punishment shall be at least ten years.

**Article 584**

- 1- Whoever deliberately interrupts telephone or telegraphic communications or radio broadcasts, whether by damaging the machines or wires, or by any other manner, shall be sentenced to imprisonment for a term of up to six months.
- 2- If the action results in a danger to public safety, the imprisonment shall be for three months to two years.

**Article 585**

The penalties set out in the previous articles shall be increased by half if an injured person suffers a permanent disability, and the death penalty shall be imposed in the event of loss of life.

**Article 586**

Whoever wrongly causes ruin, demolition and all other acts mentioned in the previous articles, shall be sentenced to imprisonment for a term not exceeding six months.

**Article 587**

Every industrialist or head of a workshop who fails to put apparatuses or signs that prevent occupational accidents or fails to keep them ready for use, shall be sentenced to imprisonment for a term of three months to two years and the payment of a fine of one hundred to five hundred pounds.

**Article 588**

Any person who, due to a lack of precaution, negligence, or failure to observe the laws or regulations, causes the disruption of the aforementioned apparatuses and signs shall be sentenced to imprisonment for a term not exceeding six months.

**Article 589**

- 1- Whoever intentionally removes any of these tools or renders them ineffective shall be sentenced to imprisonment for a term of six months to three years.
- 2- Fixed-term hard labour shall be imposed if the act results in a severe accident and hard labour for life if it results in loss of life.

**Article 590**

- 1- Any person who, due to a lack of precaution, negligence, or failure to observe laws or regulations, causes the spread of a communicable human disease shall be sentenced to a fine of between one hundred and two hundred pounds.
- 2- If the perpetrator was aware of the matter without however intending to cause the death of a person, he shall be sentenced to imprisonment for a term of one to three years in addition to the fine.

**Article 591**

- 1- Any person who, due to negligence or lack of precaution or failure to observe laws and regulations, causes the spread of animal diseases in poultry or a dangerous virus in crops or forests shall be sentenced to a fine ranging from twenty five to one hundred Syrian pounds.
- 2- If the act was intentional, it shall be punished by imprisonment in addition to the fine.

**Article 592**

Whoever does not observe the regulations that control epidemics, animal diseases, plant diseases, locusts and other harmful animals, shall be sentenced to imprisonment for up to six months and a fine of up to one hundred pounds.

**Article 593**

- 1- A penalty of imprisonment for a term of three months to a year and a fine of one hundred to three hundred pounds, or either penalty shall be imposed on:
  - a- Whoever adulterates products related to human or animal nutrition, medicines, drinks, or industrial, agricultural, or natural products intended for sale.
  - b- Whoever knowingly displays or sells any of the aforementioned products.
  - c- Whoever knowingly displays, offers for sale, or sells products that could be used in adulteration.
  - d- Whoever incites, by any of the means stipulated in Article 208, paragraphs 2 and 3, the use of products or substances mentioned in the third paragraph.
- 2- In the event of repeated offense, the offender shall be prohibited from practicing the activity through which the offense was committed.

**Article 594**

If the adulterated or spoiled products or substances are harmful to human or animal health, the offender shall be sentenced to imprisonment for a term of three months to two years, and a fine of one hundred to five hundred pounds.

These penalties shall apply even if the buyer or consumer was aware of the harmful adulteration or spoilage.

**Article 595**

- 1- Whoever keeps any of the products or substances that are described in the previous article in his possession, in any place, without a legitimate reason, shall be sentenced to the payment of a fine of one hundred pounds and imprisonment for three months at most, or by either penalty.
- 2- The imprisonment term shall be of three months to a year and the fine of one hundred to three hundred pounds, if any of the substances or the spoiled or adulterated products is harmful to human or animal health.

**Article 596**

- 1- Any person who despite having a source of income or being capable of earning, begs for charity for his own benefit, in any place, either explicitly or under the guise of commercial business, shall be sentenced to imprisonment with labour for a term of at least one month and six months at most.
- 2- It is possible, in addition to the above, to place the offender in a workshop in accordance with Article 79. This measure shall however be imposed in the event of repeated offence.

**Article 597**

- 1- Anyone who, because of his laziness or addiction to alcohol or gambling, is obliged to beg for public aid or charity from people, shall be sentenced to imprisonment with labour for a term of one to six months.
- 2- In addition, the judge may order the placement of the offender in one of the workshops and impose a prohibition on frequenting bars where alcoholic beverages are sold, as stipulated in Articles 79 and 80.

**Article 598**

Any person who leaves a charitable institution and begs for charity shall be sentenced to imprisonment for the period mentioned above even if he is incapacitated.

**Article 599**

A beggar who begs in any of the following circumstances:

- a- Under threat or hardship
- b- With a fake poverty affidavit
- c- While pretending to be injured or incapacitated
- d- Under any disguise
- e- With a child who is neither his own child nor one of his descendants and who is under seven years of age
- f- While carrying weapons and tools used for committing felonies and misdemeanours
- g- With company, unless in the case of husband and wife or an incapacitated person and his attendant

shall be sentenced to imprisonment with labour for a term of six months to two years, in addition to being placed in a workshop, if he is not incapacitated, and to ordinary imprisonment for the same period if he is incapacitated. He may as well be released on probation.

**Article 600**

- 1- A person is considered homeless and shall be sentenced to imprisonment with labour for a term of one month to six months if he is healthy, has no housing and no means of subsistence, has been without employment for at least one month, and fails to prove having done enough job-seeking.
- 2- Homeless persons may as well be placed in a workshop.

This measure shall however be imposed in the event of repeated offence.

**Article 601**

The penalties and precautionary measures stipulated in Article 599 shall be imposed on every homeless person who carries a weapon or tool for committing felonies or misdemeanours, or threatens or engages in any act of violence against persons, disguises himself in any way, or roams the streets with other homeless people.

**Article 602**

A minor under the age of eighteen who, for no legitimate reason, leaves the house of his parents or guardian or the home in which he was placed by the authorities, for a week, and goes homeless without work shall be subject to the reform measures set out in Article 237.

**Article 603**

The father of a minor who is under fifteen years of age, or his family who is in charge of supporting and raising him shall be sentenced to imprisonment for a term of one to six months and the payment of a fine of one hundred pounds if they leave him in the state of homelessness and fail to support him despite having the means to do so shall be sentenced to imprisonment for a term of one month to six months and the payment of a fine of one hundred pounds.

**Article 604**

Any person who, for personal benefit, compels a minor under the age of eighteen to beg shall be sentenced to imprisonment for a term of six months to two years and the payment of a fine of one hundred pounds.

**Article 605**

In the application of the provisions of this chapter, nomads shall mean gypsies (*nawar*), whether Syrian or non-Syrian, who wander in Syria without a fixed location, even if they have sources of income and practice a trade.

**Article 606**

Every nomad person who has been wandering on Syrian land for at least a month without carrying an identity case or who fails to prove having requested such card from the authorities shall be sentenced to imprisonment for a term of three months to a year and a fine of one hundred pounds. He may as well be released on probation.

**Article 607**

A non-Syrian who has been convicted under the articles of this chapter may be sentenced to deportation from Syria.

**Article 608**

Whoever is found in a state of intoxication in a public place, or a place that is open to the public, shall be sentenced to a fine of twenty five to one hundred Pounds.

**Article 609**

- 1- In the event of repeated offense, the defendant shall be sentenced to disciplinary imprisonment and banned from frequenting bars under pain of incurring the penalty prescribed in Article 80.
- 2- If the offense is repeated again, he shall be sentenced to imprisonment for a term of one to six months, and he shall be subject to a cessation of custody or guardianship.

**Article 610**

- 1- If it is proven that the defendant is an alcoholic- and even if he repeated the offense only once- he shall be confined in a special ward of a secure facility to receive treatment.
- 2- The period of confinement shall be at least six months and shall end by a decision of the judicial authority that ruled in it proving that the convict has recovered. The confinement period shall not however exceed two years.
- 3- The penalty of deprivation of liberty shall run during the period of confinement.

**Article 611**

Whoever offers alcoholic beverages to a minor under eighteen years of age and incites him to consume it until intoxication shall be sentenced to a fine of twenty five to one hundred Pounds.

**Article 612**

The owner and employees of a pub or public place who offer alcoholic beverages to a customer until intoxication or offer such beverages to an apparently intoxicated customer or a minor under the age of eighteen shall be sentenced to disciplinary imprisonment and a fine of twenty five to one hundred Pounds.

**Article 613**

The same penalties shall apply to the bar owner who employs girls under twenty one years of age from outside his family to work in his bar.

**Article 614**

In the event that any of the misdemeanours referred to in Articles 612 and 613 is repeated, permanent closure may be imposed.

**Article 615**

The penalties prescribed in Articles 611 and 612 shall be doubled if the offender allows the intoxicated person to leave in such a state or fails to secure his return to his home or turn him over to the police.

**Article 616**

Articles 616 and 617 of the Penal Code were repealed under Article 55 of Decree-Law No. 182 of 5/6/1960 on Drug Control and the Regulation of the Use of Narcotic Drugs and the Prevention of Trafficking Therein.

**Article 617**

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**Article 618**

- 1- Gambling games are those where luck overcomes skill or intelligence.
- 2- Gambling games especially include the different types and versions of Roulette games, Baccarat, Faro, Petit Chevaux, and open poker, and other games that are generally similar.

**Article 619**

- 1- Whoever manages a gambling house or organizes gambling games that are banned in a public place or a place that is open to the public or in a private house used for this purpose, Money changers and their assistants, the managers, workers, and employees,

- Shall be sentenced to imprisonment for a term of three months to two years and a fine of one hundred thousand Pounds.
- 2- The offenders shall be subject to a residence ban, and deportation from Syria shall apply to non-Syrians.
  - 3- In addition to the objects that have resulted from the offense, were used, or intended to be used in the offense, all pieces of furniture and other movable objects with which the place was furnished and decorated shall be confiscated.  
A closure of premises may as well be imposed.

#### **Article 620**

Anyone who participates in playing in the places mentioned above or caught in the act of gambling shall be sentenced to a fine of one hundred to two hundred pounds.

#### **Article 621**

- 1- Theft is the appropriation of movable assets belonging to another person without their consent.
- 2- Appropriated energy shall be assimilated to movable assets when applying penal provisions.

#### **Article 622**

Theft, which takes place in the following circumstances, shall be punished by a penalty of hard labour for life or a fixed-term hard labour from fifteen to twenty years:

- a- Occurring at night.
- b- Committed by two or more people.
- c- Entering premises used as residence or extensions thereof by breaking in, using false keys or special tools, unlawfully assuming the capacity of a person holding public authority, wearing their uniform or badge, or invoking an authority order.
- d- Thieves are masked or carrying a visible or concealed weapon.
- e- One or more thieves resort to the threatened use of a weapon or acts of violence upon other persons, either to prepare or facilitate the commission of the felony or to secure the escape of the perpetrators or the seizure of the stolen goods.

#### **Article 623**

- 1- If theft occurred on a public road or on a railway, and is committed in two of the circumstances set out under the previous article, it shall be punished by a penalty of hard labour from fifteen to twenty years.
- 2- If theft is committed in only one of these circumstances, the penalty shall be fixed-term hard labour for at least seven years.
- 3- In other circumstances, the penalty shall be hard labour, from three to ten years.

#### **Article 624**

- 1- If theft is accompanied by acts of violence upon other persons, whether to prepare or facilitate the commission of the offence, or to secure the escape of the perpetrators or the seizure of the stolen goods, the perpetrator shall be punished by fixed-term hard labour.
- 2- The penalty shall not be less than five years if the acts of violence caused an injury or a lesion, or were accompanied by one of the first four circumstances set out under Article 622.

#### **Article 625**

Whoever commits theft within inhabited or uninhabited walled closed premises, whether by breaking in or climbing in, using false keys or special tools, or entering the aforementioned premises in a way other than the usual entry, shall be punished by fixed-term hard labour.

#### **Article 625 bis**

1-

- a- Whoever commits theft, in any way and from anywhere, of any of the vehicles defined in Article 1, paragraph 3 of Traffic Law No. 19 dated 30/3/1974 shall be punished by fixed-term hard labour for a period of no less than five years and a fine ranging from 2000 to 5000 Syrian pounds.
- b- Whoever commits one of the following acts shall be sentenced to imprisonment for a term of one to two years and a fine ranging from 2000 to 4000 Syrian pounds:
  1. Theft of a legal license plate of a car or motor vehicle of any kind and by any means
  2. Using by any means a stolen legal license plate on another car or vehicle originally having or not a legal license plate
  3. Using a number or plate on any car or vehicle, whether originally intended or not for another car or vehicle

2-

- a- Whoever unlawfully takes or uses the means of transportation set forth in the first clause of this article, without the intention to steal them, shall be punished by fixed-term hard labour and a fine ranging from 1500 to 3000 Syrian pounds.
- b- The penalty stipulated in Clause (2), Paragraph (a) of this Article shall be reduced to imprisonment with labour for at least one year and the fine from 500 to 1000 Syrian pounds if the perpetrator returns what he took or used to the owner or to the place he took it from within three days at most of the date of the act without causing damage to it.
- c- The provisions of Article 662 of the Penal Code shall not apply if the penalty is reduced in accordance with the provisions of Clause (2), Paragraph (b) of this Article.
- d- The extenuating and discretionary grounds shall not apply to offences punishable under this article, nor shall the stay of enforcement provisions stipulated in Article 168 et seq. of the Penal Code apply to the offences punishable in accordance with the provisions of Clause (2), Paragraph (b) of this Article.

This addition shall have no effect on the most severe penalties if the act or perpetrator have other descriptions.

#### **Article 626**

The same penalty shall be imposed if two or more masked persons committed theft at night, if one of them was carrying a visible or concealed weapon, or if it was committed by one armed person within (residential) premises.

#### **Article 627**

The following shall be punished by fixed-term hard labour:

- 1- Whoever commits theft in the event of disobedience, turmoil, war, shipwreck or any other disaster.
- 2- Whoever participates with others in conducting a raid on assets that do not belong to them, looting or destroying them.

#### **Article 628**

A penalty of imprisonment with labour for at least one year and a fine ranging from 100 to 300 Syrian pounds shall be imposed if theft is committed in one of the following circumstances:

- 1- At night and there are two or more thieves, or either case, in residential or religious premises.
- 2- The thief is masked or carrying a visible or concealed weapon.
- 3- The thief is a paid servant stealing the money of his employer or the money of a person in his employer's house or in another house where he accompanied him, or the thief is an employee, worker, or workman stealing in his employer's factory or store, or in the places they usually work at.
- 4- The thief is a member of the military or similar, stealing his host.

Refer to Legislative Decree No. 72 of 2011.

#### **Article 629**

The same penalty shall be imposed on anyone who commits pickpocketing or theft in trains, ships, aircraft, electric buses, or other public carriers, or in railway stations, airports, customs, or on sidewalks.

#### **Article 630**

Whoever steals horses or pack animals used for carrying, traction, or riding, and all other large or small livestock or agricultural machinery, shall be sentenced to imprisonment for a term of one to three years and the payment of a fine of one hundred to three hundred pounds. Whoever steals firewood or construction wood, stones from quarries, fish from nets, leeches from ponds, birds from coops, or bees from hives that are intended for sale, shall be sentenced to imprisonment for a term of one month to one year and the payment of a fine of one hundred to two hundred pounds.

#### **Article 631**

- 1- Whoever steals what was harvested or uprooted from harvests and other beneficial land crops or a pile of harvest shall be sentenced to imprisonment for a term of one month to one year and the payment of a fine of one hundred pounds.
- 2- In case of more than one thief, or if theft is committed by carriage or pack animals, imprisonment shall be from six months to two years and the fine shall be one hundred pounds.

#### **Article 632**

If harvests and other beneficial land crops were not uprooted and were stolen from the field using frails, bags, or similar containers, or transported on carts or pack animals, or stolen by a group of people, the penalty shall be sentenced to imprisonment for a term of two months to one year.

#### **Article 633**

Whoever steals any of the land crops or fruits that the owner did not eat or reap, and whose value is less than one pound, they shall be punished by a fine not exceeding one hundred pounds.

#### **Article 634**

- 1- Any other theft not specified in this Chapter shall be sentenced to imprisonment with labour from one month to one year and the payment of a fine of up to two hundred pounds.
- 2- The term of imprisonment with labour shall not be less than six months if theft is committed on electrical energy. The extenuating and discretionary grounds and the stay of enforcement provisions stipulated in Article 168 et seq. of the Penal Code shall not apply to offences punishable under this article.

#### **Article 635**

- 1- Whoever attempts, for an unlawful benefit for himself or others, to obtain a signature, a commitment or a renunciation by threat or coercion, or to force a person to perform or

- refrain from doing an act to the detriment of his wealth or the wealth of others, shall be sentenced to imprisonment with labour from three months to two years and a fine ranging from one hundred to five hundred pounds.
- 2- The penalty of hard labour shall be imposed if the perpetrator was carrying a weapon to threaten the victim.

**Article 636**

Whoever threatens a person to reveal or disclose facts that would undermine this person's reputation or honour or the reputation or honour of a group of persons to which this person belongs to obtain an unlawful benefit for himself or for others shall be sentenced to imprisonment for up to two years and the payment of a fine of up to five hundred pounds.  
Refer to Legislative Decree No. 72 of 2011.

**Article 637**

Whoever unlawfully uses something belonging to another person in a way that causes harm to that person and did not intend to embezzle that thing shall be sentenced to imprisonment for up to six months and the payment of a fine of one hundred pounds or one of these two penalties.

**Article 638**

The punishment shall include the attempt to commit misdemeanours provided for in this Chapter.

**Article 639**

Any person sentenced to deprivation of liberty for theft or attempted theft may be placed under probation or be subject to a residence ban.

**Article 640**

- 1- Any person who commits the offence of concealing stolen items or the offence of hiding people who participated in the theft as stipulated in Articles 220 and 221 shall be exempt from the penalty if he informs authorities of these partners before any prosecution, or allows the arrest of those whose hideout is known, even after prosecution begins.
- 2- The provisions of this article shall not apply to recidivists.

**Article 641**

- 1- Whoever causes others to transfer to him movable or immovable assets and documents that include a pledge or acquittal, then seizes them fraudulently:  
Either by conspiring.  
Or by fabricating a lie that a third person supported, even if in good faith.  
Or in circumstances that the offender prepared for or a circumstance that benefited him.  
Or by disposing of movable or immovable assets, knowing that he has no capacity to dispose of these assets.  
Or by using a pseudonym or a false capacity.  
Shall be sentenced to imprisonment for a term of three months to two years and the payment of a fine of one hundred to five hundred pounds.
- 2- The same punishment shall be applied to the attempt to commit this offence.

**Article 642**

The penalty shall be doubled if the offence is committed in one of the following circumstances:  
a- Under the pretext of securing a job or work in a public administration.  
b- By a person seeking money from the public to issue shares, bonds, or other documents to a company or project.  
Refer to Legislative Decree No. 72 of 2011.

**Article 643**

Whoever takes advantage of the needs, lack of experience, or whims of a minor under the age of eighteen, a lunatic or an insane person, and causes him to perform a legal act that would harm his interests or the interests of others shall be sentenced to imprisonment for a term of two months to two years and a fine equal to the value of the damage and not less than one hundred pounds.

Refer to Legislative Decree No. 72 of 2011.

**Article 644**

Anyone who causes others to deliver goods with the right of choice or on credit with the intention of not paying for them, or knowing that he cannot pay for them, shall be sentenced to imprisonment for up to six months and the payment of a fine of up to one hundred pounds if he does not return or does not pay for them after having been notified.

Refer to Legislative Decree No. 72 of 2011.

**Article 645**

Whoever provides himself with a place to sleep, food or drink in a public place and intends not to pay or knows that he cannot pay shall be sentenced to imprisonment for a contravention and a fine ranging from twenty five to one hundred pounds.

**Article 646**

The same penalty shall be imposed on any person who fraudulently uses land, sea or air transportation without paying the road fare.

**Article 647**

Every financial loan contract for a non-commercial purpose imposing on the borrower an apparent or hidden interest that exceeds the legal interest limit, shall be considered a usury offence.

**Article 648**

Whoever lends money at interest to a person in hardship shall be punished by a fine that can amount to half of the capital loaned and by imprisonment not exceeding one year or by one of these two penalties.

**Article 649**

Whoever lends money at interest two or more times in less than three years one to one or two different debtors shall be punished for the offence of habitual usury by the penalties specified in the previous article.

**Article 650**

The offence of habitual usury shall be derived from a single loan with interest if it is committed in less than five years after a judgment for one of the misdemeanours stipulated in the previous articles has been rendered.

**Article 651**

- 1- The following shall be sentenced to imprisonment for up to six months and a fine that can amount to a quarter of the capital loaned:
  - a- Any person who opens a pawnshop without permission, even if concluding one contract.
  - b- Any person who obtains permission to open a pawnshop and does not keep books that include the value of the loaned amounts, the name of the borrower, his capacity, the type of mortgage, and its true value.

- 2- The provisions of this Article shall not apply to loans – against a mortgage – held for the benefit of merchants in order to facilitate commercial operations.

#### **Article 652**

Any person who, in bad faith, withdraws an uncovered check ready to be paid or at an insufficient corresponding amount, recovers all or some of the corresponding amount after withdrawing the check, or issues a prohibition against payment to the drawee shall be punished by the penalty stipulated in Article 641.

Refer to Legislative Decree No. 72 of 2011.

#### **Article 653**

- 1- Whoever knowingly causes others to give him an uncovered check shall be punished by a penalty as a partner in the aforementioned offence.
- 2- These penalties shall be doubled if the offender obtains the check to cover a loan with interest.

Refer to Legislative Decree No. 72 of 2011.

#### **Article 654**

- 1- Any person who seeks a benefit for himself or for others, by creating or fabricating falsehoods, in order to compel a person to travel or to direct a traveller to a country other than the intended country, shall be punished by the penalty stipulated in Article 641.
- 2- The same penalty shall apply to the attempt to commit this offence.

#### **Article 655**

Judgment may be rendered on one of the misdemeanours stipulated in Articles 642 and 649, or when any of the offences specified in this Chapter are repeated.

#### **Article 656**

Any person who intentionally conceals, embezzles, damages, or tears up a document that includes a pledge or acquittal, or something else transferred to him in the form of a deposit, agency, license, loan or mortgage, or to perform work in return for a fee or without a fee, provided that he returns, presents or uses it in a specific matter shall be sentenced to imprisonment for a term of two months to two years and a fine ranging from one-fourth to half of the value of the restitutions and damages, and not less than one hundred pounds.

#### **Article 657**

Whoever disposes of an amount of money or similar delivered to him for a specific task while he knows or should have known that he cannot return the same and does not acquit himself despite being notified shall be sentenced to imprisonment for up to one year and the payment of a fine of up to one-fourth of the value of the restitutions and damages, and not less than one hundred pounds.

#### **Article 658**

- 1- According to the operative part of Article 247, the penalties stipulated in Articles 656 and 657 shall be increased if the offence is committed by one of the persons mentioned below with the money handed over and assigned to them:
  - a- The director of a charitable organization and anyone responsible for its funds.
  - b- The guardian of the minor and the incompetent person or his representative.
  - c- The executor of the will or marriage contract.
  - d- Any attorney, notary, or authorized business agent.
  - e- Any employee or paid servant.

- f- Any person mandated by authorities to administer or safeguard funds of the State or individuals.
- 2- The offender can be strictly prohibited from performing the work for which the offence was committed.

Refer to Legislative Decree No. 72 of 2011.

#### **Article 659**

- 1- Whoever possesses, misappropriates, or refuses to return or conceal a found object or a movable asset that got into his possession by mistake, emergency, or force majeure shall be sentenced to imprisonment of up to one year and the payment of a fine of up to one-fourth of the value of the restitutions and damages, and not less than one hundred pounds.
- 2- The provisions of this Article shall apply to the person who has found a treasure for the share that does not belong to him.

#### **Article 660**

- 1- The perpetrators of the offences stipulated in the previous chapters shall be punished by the penalty stipulated in the law, reduced by two thirds if the victims are their ascendants, descendants, spouses, or having legal or actual authority over them. They shall be exempt from punishment if they make reparation for the damage they caused.
- 2- If the offender re-commits his offence within five years, he shall be punished by the penalty stipulated in the law, reduced by a third.

#### **Article 661**

- 1- Misdemeanours stipulated in Articles 660, 636, 637, 644, 656, 657, and 659 shall only be prosecuted upon complaint of the injured party – unless it has remained unknown, or if the complaint is not admissible.
- 2- Breach of trust and embezzlement punishable under Articles 656 and 657 shall be prosecuted ex officio if they have been accompanied by one of the aggravating circumstances of article 658.

#### **Article 662**

- 1- Misdemeanour penalties specified in the articles comprising chapters one, two and three shall be reduced by half if the resulting damage or the benefit that the perpetrator intended to realize is insignificant, or if reparations for damage were made before referring the case to the court.
- 2- If the restitution or reparation took place during the proceedings but before any judgment not irrevocable on the merits, the penalty shall be reduced by a quarter.

#### **Article 663**

Whoever uses or acquires in his store, shop, carts or in other places intended for trade, calibres, measures or other weights different from calibres and measures specified in the law, or that are not marked, shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty five to one hundred pounds or one of these two penalties.

#### **Article 664**

Whoever possesses in the above-mentioned places unreliable or inaccurate calibres, measures or weights shall be sentenced to imprisonment for three months at most and the payment of a fine of one hundred to two hundred pounds.

#### **Article 665**

Whoever knowingly uses unreliable or inaccurate calibres, measures or weights to deceive the contractor on the quantity of the item delivered, shall be sentenced to imprisonment with labour from three months to two years and the payment of a fine of one hundred to three hundred pounds.

**Article 666**

Every other fraud, whether in the quantity or nature of the item delivered, if this nature is the driving cause of the deal, shall be punishable by imprisonment with labour from three months to one year and the payment of a fine of one hundred pounds to two hundred and fifty pounds, or one of these two penalties.

**Article 667**

In accordance with the provisions of Article 98, calibres, measures, and weights, which are unreliable or that differ from the calibres and measures specified in the law, shall be confiscated.

**Article 668**

Whoever deceives a contractor, as to the nature of the goods, their essential characteristics, their composition, the quantity of the beneficial elements they contain, their type or source when the designation of the type and source is considered in accordance with the agreement or customs the main reason for sale shall be punishable by imprisonment with labour from one month to one year and a fine ranging from one hundred to two hundred and fifty pounds or one of these two penalties.

**Article 669**

The penalty of imprisonment shall be increased to two years if the offence is committed:  
Either by conspiring or by means aimed at spoiling the processes of analysis, composition and measure, or at alteration with the intention of falsifying the composition, weight or size of the goods, even before such operations are carried out.  
Or with false data intended to convince of the existence of a correct previous operation.

**Article 670**

Whoever, in a public auction, has hindered the freedom of auctions or submissions by threats, violence or false allegations or has put aside the bidders or tenderers by gifts or promises, shall be sentenced to imprisonment for a term of one to six months and the payment of a fine of one hundred to five hundred pounds.

**Article 671**

Any person who fraudulently raises or reduces the prices of goods or public or private commercial shares traded on the stock exchange, shall be sentenced to imprisonment with labour from six months to two years and the payment of a fine of five hundred to three thousand pounds, in particular:  
By spreading false facts or false allegations.  
By making offers to buy or sell with the intention of disturbing prices.  
Or by taking any action that would distort the market's supply and demand base.

**Article 672**

The penalty shall be doubled if prices rise or fall:  
a- for grains, flour, sugar, oil, meat, carcasses or other foodstuffs.  
b- Or for materials that do not fit into the usual practice of the offender's profession.  
c- Or by a group of three or more people.

**Article 673**

Punishment shall be imposed on the attempts to commit the offences stipulated in Article 665 et seq.

#### **Article 674**

- 1- The court shall order, when ruling on a recidivist for one of the offences mentioned in this Chapter, to publish the judgment.
- 2- The recidivist shall be banned from practicing his profession or work, even if these are not subject to obtaining a diploma or permission from authorities.
- 3- Publication may be ordered, even if the perpetrator is judged for the first time, if the seriousness of the act requires that.

#### **Article 675**

Any bankrupt merchant who concealed his books, embezzled, wasted part of his assets, or admitted having undue debts, whether in official or regular books or instruments, or within his budget shall be considered a fraudulent bankrupt and shall be punished by fixed-term hard labour for up to seven years.

#### **Article 676**

Any trader who ceases payments shall be considered a negligent bankrupt and sentenced to imprisonment for a term of one month to one year:

- a- If he has consumed large sums either for pure chance operations or for fictitious stock exchange or commodity operations.
- b- If, after the time of the cessation of payments and with the intention of delaying his bankruptcy, he made purchases to resell below prices, or if, for the same purpose, he engaged in loans, circulation of effects or other ruinous means of obtaining funds.
- c- If, after cessation of his payments, he has paid a creditor to the prejudice of the mass.
- d- If his personal expenses or the expenses of his house are considered excessive.

#### **Article 677**

Any bankrupt trader may be declared a negligent bankrupt and punished by the imprisonment determined above:

- a- If he has contracted on behalf of others, without receiving values in exchange, commitments deemed too considerable in view of his situation when he contracted them.
- b- If he has not complied with the obligations relating to the commercial register.
- c- If, within twenty days of the cessation of his payments, he has not made the declaration required by the Commercial Code to the court office, or if this declaration does not contain the names of all the joint partners.
- d- If he did not keep books and make an exact inventory, or if these books or inventories are incomplete, assets and liabilities wise, without any fraud, however.
- e- If he is declared bankrupt again without having satisfied the obligations of a previous reconciliation contract.

#### **Article 678**

In the case of bankruptcy of a commercial company, in addition to the partners in the general partnership and the general partners in the limited partnership, the punishment stipulated in Article 675 shall be imposed on:

- a- The silent partners who will usually interfere in the affairs of the company.
- b- The managers of partnerships limited by shares and limited liability companies.
- c- Directors, board members, authorized agents, members of the supervisory boards, auditors and employees of the aforementioned companies, as well as shareholding partners.

- d- If they themselves committed, facilitated, or made it possible to commit an act of fraudulent bankruptcy, or if they published false statements or budgets or distributed fictitious dividends.

#### **Article 679**

- 1- If a commercial company goes bankrupt, the negligent bankruptcy penalty shall be imposed on any of the above-mentioned persons in managing the company or acting on its behalf who commit one of the offences stipulated in Article 676 (first, second and third paragraphs).
- 2- The said person may incur the same penalty if he commits, in managing the company or acting on its behalf, one of the offences mentioned in Article 677 (paragraphs 1 to 4).

#### **Article 680**

In the cases specified in Articles 678 and 679, the commercial company shall be liable to the provisions of Articles 209 and 210 regarding penalties and preventive measures other than fines.

#### **Article 681**

The following shall be subject to a penalty for fraudulent bankruptcy:

- a- Whoever, for the benefit of the bankrupt, misappropriates, hides or conceals all or part of his immovable or movable assets.
- b- Whoever has fraudulently presented in bankruptcy and asserted either in his name or by the interposition of people, supposed debts.
- c- Whoever, trading under the name of another person or under an assumed name, committed fraudulent bankruptcy.

All without prejudice to the liability incurred due to any act of instigation or complicity.

#### **Article 682**

The creditor who has stipulated either with the bankrupt or with any other person special advantages by reason of his vote in the bankruptcy deliberations or who has concluded a special agreement to receive an advantage from the bankrupt's assets shall be sentenced to imprisonment with labour from one month to one year and a fine not exceeding three hundred pounds. Imprisonment may be increased to two years if the creditor is a trustee in bankruptcy.

#### **Article 683**

The spouse, descendants, ascendants and in-laws to the same degrees of the bankrupt, who embezzle, steal or conceal effects belonging to the bankruptcy, without having acted in concert or as an accomplice with the bankrupt, shall be punished by the theft penalty stipulated in Article 634.

#### **Article 684**

- 1- In the event of conviction for one of the offences provided for in this Chapter, the publication and display of the sentence may be ordered.
- 2- Any person sentenced for fraudulent bankruptcy and any person convicted of repeat offences for negligent bankruptcy shall be liable to the temporary or permanent ban on carrying on business or performing in a company one of the functions listed in article 678 – paragraphs 2 and 3.

#### **Article 685**

The debtor who, with the intention of thwarting his creditors or preventing execution on his movable or immovable property, will have reduced his assets in any way whatsoever and in particular:

By purchasing fictitious securities, by falsely acknowledging the existence or total or partial termination of an obligation, or by concealing or smuggling some of his assets.

Or by selling, destroying or degrading it.

Shall be sentenced to imprisonment with labour from one to six months and the payment of a fine of one hundred to three hundred pounds.

#### **Article 686**

When the offence is committed in the name of or on behalf of a company, the latter will be liable to penalties and preventive measures as stated in Articles 209 and 210 without prejudice to the applicable penalties, according to the provisions of Article 678, to designated persons who have participated in the act or have intentionally facilitated or permitted it.

#### **Article 687**

The following shall be considered trademarks within the meaning of this Chapter, if they have been deposited and published in accordance with the laws in force: names in distinctive form, denominations, emblems, seals, stamps, letters, imprints, reliefs, vignettes, figures and generally all signs used to distinguish, in the interest of the consumer, as in that of the manufacturer or the trader, the individuality and the origin of a good, or an industrial, commercial, agricultural, forestry or mining product.

#### **Article 688**

Any person who knowingly:

Counterfeits a trademark belonging to another, even by adding terms such as: imitation, imitates, way, genre, recipe,

Affixes on his products or his commercial goods a trademark belonging to another or a counterfeit trademark.

Sold or offered for sale a product that is usurped or counterfeit.

If the act is likely to deceive the buyer, he shall be punished by a fine of one hundred to five hundred pounds and imprisonment with labour from three months to three years, or either of these penalties.

#### **Article 689**

Any person who makes a fraudulent imitation of a trademark without counterfeiting it.

Any person who knowingly makes use of a fraudulently imitated trademark, or sold or offered for sale a product bearing a fraudulently imitated trademark.

If the act is likely to deceive the buyer, he shall be punished by a fine of one hundred to two hundred and fifty pounds and imprisonment with labour from two months to two years, or either of these penalties.

#### **Article 690**

Persons who sell, offer for sale or use a counterfeit or fraudulently imitated trademark may alone plead their ignorance of the deposit if they have not acted in concert with the author of the counterfeit or fraudulent imitation.

#### **Article 691**

- 1- The penalty stipulated in Article 689 shall be imposed on any person who made appear on a trademark national or foreign decorations, words, images, signs or emblems seditious or contrary to the public order or good morals.
- 2- Even if the prosecution has not been followed by a conviction, the judge shall order the confiscation of the trademark by application of article 98.

#### **Article 692**

The same penalty shall be imposed on:

Any person who has not affixed on his products a trademark declared compulsory by law or regulations.

Or any person who has sold or offered for sale a product not bearing the trademark to which they are subject. The court shall order the application of the trademark on the product in execution of article 130.

#### **Article 693**

Whoever knowingly damages rights derived from a patent given and published in accordance with the applicable laws, shall be punished by a fine from one hundred to five hundred pounds.

#### **Article 694**

Whoever assists in any capacity whatsoever the patent holder, and during or after his assistance as a perpetrator, as an instigator or as an interferer commits the offence stipulated in the previous article, shall be sentenced to imprisonment with labour from three months to three years and the payment of a fine of two hundred and fifty to one thousand pounds or one of these two penalties.

#### **Article 695**

- 1- The perpetrator, instigator and accomplices cannot claim that they are ignorant of the patent.
- 2- As for people who commit the offence of selling, offering for sale, concealing or using counterfeit products, they may claim their error in accordance with the common law of article 223.

#### **Article 696**

Any person knowingly infringing the rights guaranteed by the laws in force on industrial designs and models duly registered and published shall be punished by a fine ranging from one hundred to two hundred and fifty pounds.

#### **Article 697**

If the offender is or has been the collaborator in any capacity whatsoever of the injured person, in addition to the fine, shall be sentenced to imprisonment with labour from two to six months.

#### **Article 698**

Any person who establishes that he was unaware of the deposit will be exempt from punishment.

#### **Article 699**

If the duly registered trademark, patent or industrial designs and models had not been published at the time the act was committed, the perpetrator shall be punished by a penalty if it is established that he was aware of the deposit.

#### **Article 700**

- 1- Anyone who, by means of fraud, false allegations, or implicit hints transfers the clients of others to him, shall be punished based on the complaint of the injured party by a fine from one hundred to five hundred pounds.
- 2- The punishment shall be imposed on attempts to commit this offence.

#### **Article 701**

The trade name shall apply to:

- a- Every name of a trader, factory owner, farmer or investor if he has not become the necessary and sole title of the product.

- b- Every commercial address that has no qualitative character.
- c- The nickname by which the merchant, owner of the factory, farmer, or investor is known.
- d- The distinguished name that was adopted by a group of people mentioned above even if it did not constitute a body with a legal entity.

#### **Article 702**

- 1- The penalty stipulated in Article 688 shall be imposed on any person who usurps the trade name of others.  
Either by affixing it or making it appear in any way on natural or manufactured products or on their accessories, envelopes or labels.  
Or by including it in announcements on prospectuses, invoices, letter papers and other similar documents.
- 2- These provisions shall apply, even if the name is distorted, even slightly, or is associated with a nickname other than the nickname of its owner, or in any other term, the distinctive letters of the name remain prone to confusion.
- 3- The punishment shall be imposed on attempts to commit this offence.

#### **Article 703**

Usurpation of trade name is presumed to have been made in bad faith, except where the defendant provides evidence to the contrary.

#### **Article 704**

The following shall be sentenced to the payment of a fine of one hundred to two hundred and fifty pounds, and by imprisonment for a term of three months to two years, or by either of these two penalties, provided that the fine shall not be less than one hundred pounds if not sentenced to a custodial penalty:

Whoever attributes to himself, with the intention of fraud, real or fake industrial or commercial awards, and uses them publicly, by placing them on commercial emblems, on the covers of goods or commercial papers, or by writing them on signs.

And whoever who tries to delude the public that he has commercial or industrial awards.

#### **Article 705**

The fine stipulated in the previous article shall be imposed on:

Whoever uses an industrial or commercial award without specifying the exact name of the exhibition or the authority that granted it and the full date on which it was granted.

Whoever uses a commercial or industrial award they obtained as a collaborator without indicating the name of the establishment which employed them.

#### **Article 706**

The courts will assess counterfeiting and fraudulent imitation by adopting the point of view of the consumer or buyer and taking into account the overall similarity more than partial differences.

#### **Article 707**

- 1- Deprivation of the rights specified in the third and fourth paragraphs of Article 65 shall be pronounced and the judgment published in accordance with the provisions of Articles 76 and 68 in the event of conviction for one of the misdemeanours mentioned in this chapter.
- 2- The prohibition to carry on business as well as any other industry on the occasion of which the offence has been committed may be pronounced in the event of a recurrence of the offences.

#### **Article 708**

Each intellectual production shall be considered a literary or artistic work within the meaning of this chapter, regardless of its value, and whether:

It is written such as books, booklets, and newspapers

Or oral, such as speeches and lectures.

Or phonetic such as music.

Or by movement such as rejection and mime.

Or industrial, such as building, sculpting, painting, engraving, cinema, and photography.

#### **Article 709**

The following shall be considered literary or artistic works when applying the provisions mentioned in this chapter:

- a- Translation, adaptation, arrangement, and reproduction, without prejudice to the rights of the author of the original work.
- b- Collections of selected pieces or works whose grouping in a single work presents an original character.
- c- Reproduction in writing or by means of speaking machines of speeches, lectures, or any oral manifestation of thought.
- d- Reproduction or publication of old texts or manuscripts, with the right of any person to publish or reproduce them directly

#### **Article 710**

- 1- Literary, political or scientific articles other than tales, short stories or soap operas, published by newspapers or periodicals, the reproduction, translation or adaptation of which has not been prohibited, may be reproduced, adapted or translated provided that the source and the author be mentioned.
- 2- News and current events presenting the character of simple information can be reproduced or translated without authorization and without indication of source.

#### **Article 711**

The provisions of this chapter shall not apply to:

- a- Quoting from literary, artistic or scientific works for the writing of school books, analyses and brief citations in the course of an article or a work of criticism, provided the source is indicated.
- b- Official documents of authority, court decisions, pleadings and speeches made in public meetings and official meetings.
- c- However, the right to group the speeches and pleadings of the same author in a single publication belongs to that author alone.

#### **Article 712**

The following shall be sentenced to imprisonment for a term of three months to two years and the payment of a fine of one hundred to five hundred pounds, or one of these two penalties:

- a- Any person who has fraudulently affixed a usurped name on a literary or artistic work.
- b- Any person who, to deceive the purchaser, or to obtain an illicit profit, imitates the signature or the sign adopted by an author.

#### **Article 713**

The same penalties shall be imposed on any person who has imitated a literary or artistic work, whether or not it has fallen into the public domain.

#### **Article 714**

Whoever commits any infringement of literary or artistic property rights guaranteed by law or treaties which may have been committed: either by edition or reproduction; either by translation, arrangement, abbreviation or amplification; either by adaptation or reproduction in a different art; either by public acting, performance, reading or reciting shall be punished by a fine of one hundred to two hundred and fifty pounds and imprisonment for up to one year.

**Article 715**

The provisions of Articles 706 and 707 shall apply to the offences described above.

**Article 716**

Any person who intentionally destroys or degrades buildings, monuments, statues or other constructions intended for public utility or decoration, shall be sentenced to imprisonment for a term of six months to three years and the payment of a fine of one hundred to three hundred pounds.

**Article 717**

The same penalties shall be imposed on any person who intentionally destroys or degrades a monument, immovable or movable object of historic value, or a listed monument or natural site, even if they belong to an individual or to oneself.

**Article 718**

Any person who intentionally destroys, in whole or in part, any construction which he knew belonged to another, shall be sentenced to imprisonment for a term of three months to two years, and the payment of a fine of one hundred to two hundred pounds.

In the event of destruction, even partial, of huts, stones without mortar or ordinary rubble walls without mortar, the penalty shall be sentenced to imprisonment for a term of one month to six months and the payment of a fine of one hundred pounds.

**Article 719**

- 1- Any intentional destruction or degradation of a thing belonging to another not specified in this section shall be liable to a fine equal to at most the value of the damage, without this fine being less than one hundred pounds.
- 2- Imprisonment of not more than six months shall also be pronounced if the thing destroyed or the damage caused is of a value greater than one hundred pounds.

**Article 720**

If one of the misdemeanours mentioned in Articles 716 to 719 leads to killing or wounding a person, the offender shall be punished for this act, subject to the provisions of Articles 188 and 190.

**Article 721**

- 1- Anyone who, in whole or in part, fills a pit, destroys a fence regardless of the materials it was made from, cuts or tears open green or dry hedges, destroys, degrades or moves a marker or other sign used to establish the limits between different properties, shall be sentenced to imprisonment not exceeding six months.
- 2- The same penalty shall apply to any person who destroys, degrades or moves geodetic or topographic signals, landmarks, boundary stakes or levelling marks.

**Article 722**

If the offence has been committed with a view to facilitating the usurpation of land or by means of threats or violence against persons, the penalty shall be sentenced to imprisonment for a term of two months to one year, in addition to a fine of one hundred to two hundred pounds.

**Article 723**

- 1- Whoever, without having an authentic title of property or disposition, seizes a building in possession of others, shall be punished for up to six months of imprisonment.
- 2- The penalty shall be two to six months if the act has been accompanied by threats or violence against persons or things, and six months to three years if it has been committed by an armed meeting of at least two people.
- 3- The attempt of the offences provided for in the second paragraph shall be punishable.
- 4- The claim, according to this article, shall lapse by prescription in the places where boundary marking and registration have not taken place after one year of seizure.

**Article 724**

A penalty of imprisonment for up to six months for the offence of usurping a portion of enclosed or not enclosed public property.

**Article 725**

- 1- Any person who has cut down, felled or destroyed standing crops, trees or shrubs that grew naturally or planted by humans, or any other plant that he knew belonged to others shall be sentenced to imprisonment for a term of three months to two years and the payment of a fine of one hundred to five hundred pounds.
- 2- Any person who lets their cattle graze and lets pack animals walk into land belonging to others, enclosed or planted with fruit trees, seeded or loaded with crops, and in general any person who brings animals that can cause damage to a land that does not belong to him or over which he does not exercise the right of way or pasture shall be sentenced to imprisonment for a term of one to six months and the payment of a fine of one hundred to two hundred pounds or one of these two penalties.

**Article 726**

If the act of destruction occurred on grafted trees, fruit trees or their seedlings, or on every other tree that is valuable from the agricultural, commercial or industrial point of view, the perpetrator shall be sentenced to the payment of a fine ranging from one hundred to three hundred pounds and imprisonment for a term of ten days to one month for each graft, tree or seedling, provided that the total of the three penalties does not exceed three years.

**Article 727**

If the offence is limited to pruning grafts, trees or seedlings, the penalty stipulated in the previous article shall be reduced by half.

**Article 728**

- 1- Anyone who intentionally kills draft animals, riding animals or pack animals, or cattle of any species belonging to others, shall be punished by:  
Imprisonment for a contravention if the offence was committed on land or in stables, paddocks, buildings and outbuildings of which the perpetrator was the owner, tenant or owner in any capacity.  
Imprisonment for up to six months if the offence was committed in a place where the owner of the killed animal was the owner, tenant or owner in any capacity.  
Imprisonment for fifteen days to two months if the offence was committed in any other place.
- 2- In the event of poisoning of one of the above-mentioned animals, the penalty shall be, in all cases, imprisonment for three months to two years.

**Article 729**

Any destruction, rupture or degradation of agricultural implements committed intentionally shall be sentenced to imprisonment for a term of one month to six months and the payment of a fine of one hundred pounds.

#### **Article 730**

If an armed gang, consisting of not less than five persons, plunders or destroys some of the properties described above by force, each of the perpetrators shall be punished by fixed-term hard labour and the payment of a fine of one hundred to two hundred pounds.

#### **Article 731**

Whoever carries out the following without permission shall be sentenced to imprisonment for up to one year and the payment of a fine of up to two hundred and fifty pounds:

- a- Performing research or collection of groundwater or gushing water, unless it involves drilling in private properties of non-gushing wells whose depth does not exceed one hundred and fifty meters.
- b- Carrying out excavations at a distance from the edge of the freeboards of rivers, aqueducts, irrigation, desiccation or drainage canals, less than the depth of said excavations and at least less than three meters.
- c- Removing stones, earth, sands, trees, shrubs or lawns from freeboards or from the bed of temporary or permanent watercourses, lakes, marshes, ponds or lagoons.
- d- Making any plantings, crops or deposits on the freeboards of lakes, marshes, ponds, or lagoons on the freeboards or in the bed of temporary or permanent watercourses, as well as between the right-of-way of irrigation, desiccation or drainage canals, or water pipes or aqueducts, the execution of which has been declared to be in the public interest.
- e- In any way encroaching on the freeboard of temporary or permanent springs or streams, marshes, lakes, ponds or lagoons, as well as on the right-of-way of irrigation, desiccation or drainage canals, or water pipes or aqueducts, the execution of which has been declared to be in the public interest.
- f- Preventing the free flow of public water.
- g- Undertaking any permanent or temporary work likely to have an influence on the regime or the flow of public water.

#### **Article 732**

Whoever, without permission, cleans, deepens, straightens, or regularizes temporary or permanent waterways, shall be punished by the fine stipulated in the previous article.

#### **Article 733**

A penalty of imprisonment of up to two years and the payment of a fine of up to two hundred and fifty pounds shall be imposed on any person who commits demolition or destruction of all or some structures constructed for the utilization or preservation of public water, or the means of protection from the strength of this water, especially bridges, dams, crossings, irrigation and drying or drainage channels and apparent or buried water pipes, whether or not he was granted water concession.

#### **Article 734**

The same penalty shall be imposed on:

- a- Any person who drains, spills or throws into public waters, conceded or not, liquids or substances likely to harm public health or prevent proper use of this water.
- b- Any person who spreads fertilizers of animal origin or deposits rubbish on the land included in the perimeter determined by authorities, to protect a source of public interest.

- c- Any person who committed any act of a nature to cause the pollution of the sources and waters being used for drinking water.

**Article 735**

Whoever intentionally pollutes a spring or water from which others drink, he shall be sentenced to imprisonment for a term of one to three years and the payment of a fine of one hundred to three hundred pounds.

**Article 736**

Whoever carries out the following shall be sentenced to imprisonment for a contravention and a fine ranging from twenty-five to one hundred pounds:

- a- Vandalism or damage to public squares and roads.
- b- Removing, vandalizing or damaging plates and numbers placed on street turns or on buildings, kilometer signs and beacons.

**Article 737**

Any person carrying out the following shall be punished by a fine ranging from twenty-five to one hundred pounds:

- a- Raising the spillway of their waters above the height determined by regulations, or by any other fault, flooding the public roads or the property of others.
- b- Without the need or permission of authorities, obstructing the public highway by depositing or leaving on it anything that impedes or diminishes the freedom or the cleanliness of the passage.
- c- Neglecting to signpost by day and to have lights at night in front of excavations and other works, or materials and other objects authorized to be deposited on squares and public roads.
- d- Putting out, removing or destroying lamps or lanterns used to illuminate the public highway.
- e- Throwing or depositing on the public highway filth, sweepings or other objects.
- f- Imprudently throwing or allowing filth or other harmful objects to fall on a person.
- g- Affixing posters on historic monuments, public buildings, cemeteries and buildings assigned to worship.

Materials blocking the public highway and posters affixed shall be removed at the expense or through the perpetrator.

**Article 738**

- 1- The punishment mentioned in the previous article shall be imposed on any person who commits the following in inhabited places:
  - a- Making or letting animals of draft, load or mount or large cattle run.
  - b- Unnecessary shooting or detonation of explosive substances.
  - c- Shooting fireworks in a manner that is likely to cause danger to persons or objects.
- 2- Seized weapons and fireworks are confiscated.
- 3- In the case stipulated in the second paragraph, the penalty of imprisonment for a contravention can be imposed.

**Article 739**

- 1- Managers of theatres and cinemas and their employees who have admitted to a play or film classified in the category “Children not admitted” a child or adolescent of either sex or a girl under the age of eighteen unaccompanied by her father, mother or guardian or a close relative of full age shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds.

- 2- In the event of recidivism, the closure of the establishment may be ordered for a period of three days to three months.

**Article 740**

Owners of hotels, inns, and furnished houses for rent who have neglected to register immediately in a register duly kept, the name, occupation, date and place of birth, dates of entry and exit of any person who has slept or spent the night in their house. Those who do not present this register at any request of the competent authorities shall be punished by a fine of twenty five to one hundred pounds.

**Article 741**

The same penalty shall be imposed on persons referred to in the previous article, as well as managers of theatres and cinemas and other public shops who are not concerned with cleaning their shops.

**Article 742**

Whoever neglects the maintenance, cleaning, and repairing of stoves, chimneys of furnaces, factories, and other shops where fire is used shall be punished by a fine ranging from twenty five to one hundred pounds.

**Article 743**

Whoever bathes in plain view of passers-by indecently, and who appears in a public place in such a situation, shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds.

**Article 744**

Any person carrying out the following shall be punished by a fine ranging from twenty-five to one hundred pounds:

- a- Those who are guilty of noises disturbing the peace of the inhabitants, as well as their instigators and accomplices.
- b- Those who intentionally throw stones or other hard bodies or refuse on cars, buildings, houses, or fences of others, or in gardens or enclosures.
- c- Those who let wander harmful animals or an insane in their care.
- d- Those who encourage their dogs to attack or chase passers-by, or have not retained them, even if it would result in no harm or damage.

**Article 745**

Whoever prints, sells, or offers for sale inscriptions, pictures, or drawings that give an incorrect idea of the Syrians that would undermine their dignity and honour, shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds, and such inscriptions, photos and drawings shall be confiscated.

**Article 746**

- 1- Whoever offers on public roads lottery or any other game without permission shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds.
- 2- The items that were used or intended to commit the act shall be confiscated.

**Article 747**

Within the meaning of this Chapter, all animals reared by humans and living under their supervision shall be considered domestic.

**Article 748**

- 1- Any person who unnecessarily abuses or overstrains a domestic animal shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds.
- 2- The same punishment shall be inflicted on whoever leaves a domestic animal that he owns or is entrusted with guarding him without food or neglects it.

**Article 749**

Whoever publicly and unnecessarily abuses a non-domestic animal shall be punished by the aforementioned penalty.

**Article 750**

Whoever extracts herbs, dirt, stones, or other materials from state property without permission shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds.

**Article 751**

Any person carrying out the following shall be punished by a fine ranging from twenty-five to one hundred pounds:

- a- Whoever enters the unfenced land of others that is cultivated or which contain crops without a right of passage.
- b- Whoever causes the death, wounding or harming of animals belonging to other persons due to his plan.

**Article 752**

Whoever sells a commodity or requests a wage in excess of the price specified in the published price list according to the law shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds.

**Article 753**

Whoever refuses to accept national money at the value determined for it shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds.

**Article 754**

- 1- The exercise of spiritualism, hypnotism, divination, palmistry, cartomancy, as well as all other practices relating to the occultism (with intent to profit) shall be sentenced to imprisonment for a contravention and the payment of a fine of twenty-five to one hundred pounds. The costumes and instruments used shall be confiscated.
- 2- In the event of recidivism, the recidivist shall be sentenced to imprisonment for up to six months and a fine up to one hundred pounds. The recidivist may also be expelled if he is a foreigner.

**Article 755**

- 1- Any person carrying out the following shall be punished by a fine ranging from twenty-five to one hundred pounds:
  - a- Whoever neglects or refuses to obey the orders of the administrative authority to repair or demolish dilapidated buildings.
  - b- All persons, whether professionals or not, who, without excuse, have refused or neglected to lend assistance, or to do the work or service they have been required to do by authority officials in cases of accidents, shipwreck, flood, fire or other calamities,

as well as in cases of robbery, pillage, flagrante delicto, public outcry or execution of court decisions.

- 2- In the case provided for in the first paragraph, the penalty of imprisonment for a contravention can be imposed.

**Article 756**

Whoever violates the regulations or decisions issued by the administrative or municipal authorities in accordance with the laws shall be sentenced to imprisonment for a contravention and the payment of a fine of up to one hundred pounds or one of these two penalties.

