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# Article 15(a) QD/QR: death penalty or execution

COMMON ANALYSIS

Last update: June 2025

For general guidance on the country guidance approach to Article 15(a) QD/QR, see 'EUAA, '[Article 15\(a\) QD/QR: death penalty or execution](#)' in *Country Guidance: Explained*, February 2025'.

The analysis below is primarily based on the following EUAA COI reports: [Country Focus 2025](#), [1.2.2](#), [1.3.1](#), [4.1.2](#); [Actors 2019](#), 2.2.3, 3.1.4, 4.1.4, 6.4. Country Guidance should not be referred to as a source of COI. The section below should be read in conjunction with most recent COI available at the time of the examination.

Before the fall of the Assad regime, death penalty and executions had been widely carried out in Syria by the Assad regime itself and extremist groups such as HTS and ISIL. In Kurdish-controlled areas, a legal code based on the 'Social Contract' was applied by the Kurdish authorities. According to Article 26 of the Social Contract, the death penalty had been abolished.

For further information about this topic, please refer to 'EUAA, '[5.1. Article 15\(a\) QD: death penalty or execution](#)' in *Country Guidance: Syria*, April 2024'.

After the fall of the Assad regime, the Transitional Administration has outlined a multi-year roadmap that includes the drafting of a new constitution within three years and the holding of subsequent elections. Additionally, a National Dialogue Conference to foster reconciliation and inclusivity was held February 2025 and resulted in the adoption of a temporary constitutional declaration, the formation of an interim legislative council, and the preparation of a draft permanent constitution emphasising human rights and freedom.

The new administration has granted amnesty to some high-level figures associated with the Assad regime. However, the new authorities have simultaneously launched extensive campaigns to apprehend others, claiming these campaigns targeted individuals who committed crimes on behalf of the Assad regime. Nearly 300 individuals were detained in one week alone across Damascus, Latakia, Tartous, Homs, Hama, and Deir Ez-Zor, including former regime informants,

pro-Iranian fighters, and lower-ranking military officers. Some detainees accused of having provided intelligence to the Assad regime were reportedly executed immediately after their arrest. In late January 2025, fighters affiliated to the Transitional Administration reportedly carried out 35 summary executions, primarily targeting Assad-era officers. Extrajudicial and revenge killings reportedly resulted in the death of 287 individuals between the start of 2025 and mid-February 2025. Unrelated civilians have also been affected and killed.

At the time of writing, the impact of the transition of power on the use of the death penalty in Syria remains unclear, as there is no information regarding the implementation of the death penalty by the Transitional Administration. Assad-era legal structures, including the terrorism law, remained intact. Furthermore, multiple actors who had been engaging in extrajudicial executions before the fall of the Assad regime are still present and operating. Summary executions have been reported in the recent months. Therefore, it is evident that some profiles of applicants from Syria may be at risk of death penalty or execution. Sometimes, this risk would be connected to a reason for persecution and therefore, refugee status would be applicable.

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In cases where there is no nexus to a Convention ground, the need for subsidiary protection under Article 15(a) QD/QR should be examined.



In some cases, the death penalty would have been imposed for a serious crime committed by the applicant, or for other acts falling within the exclusion grounds (Article 17 QD/QR). Therefore, although the criteria of Article 15(a) QD/QR would be met, exclusion considerations should be examined (see [Exclusion](#)).