

# Back to the Square One of Repression

**Report on the State of the Right to Peaceful Assembly and  
Association in the Area Controlled by the Turkish-Backed**

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August 2024

This report, prepared by the Fraternity Foundation for Human Rights FFHR, discusses the state of the right to peaceful assembly and association in the area controlled by the Turkish-backed Syrian opposition for the year 2023.

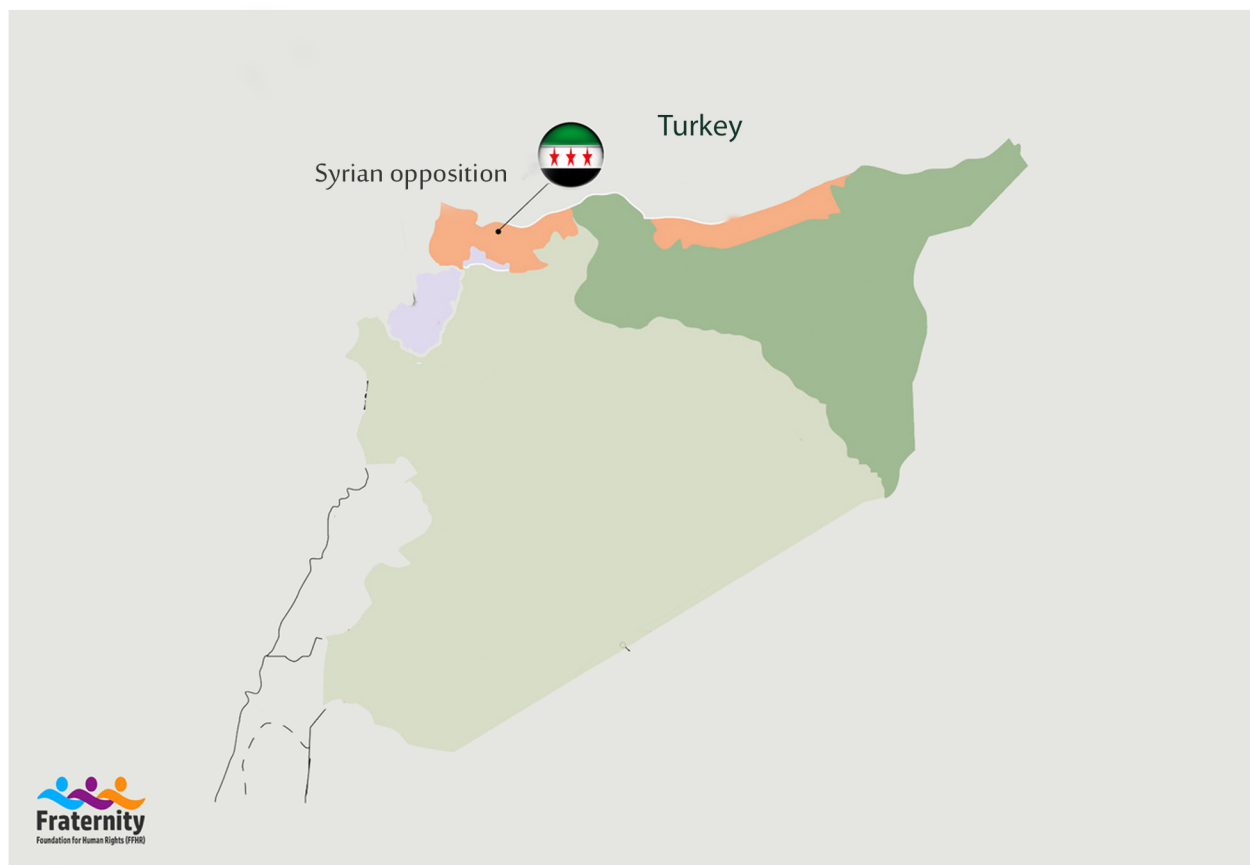
It covers the specific timeframe within 2023 and is divided into two main sections according to the rights focused on. The report preparation team followed the methodology of the Fraternity Foundation for Human Rights, which has been used since the foundation's inception, by conducting direct interviews with stakeholders affected by violations of their rights to peaceful assembly and association.

Accordingly, the team divided the state of the right into two main parts as follows:

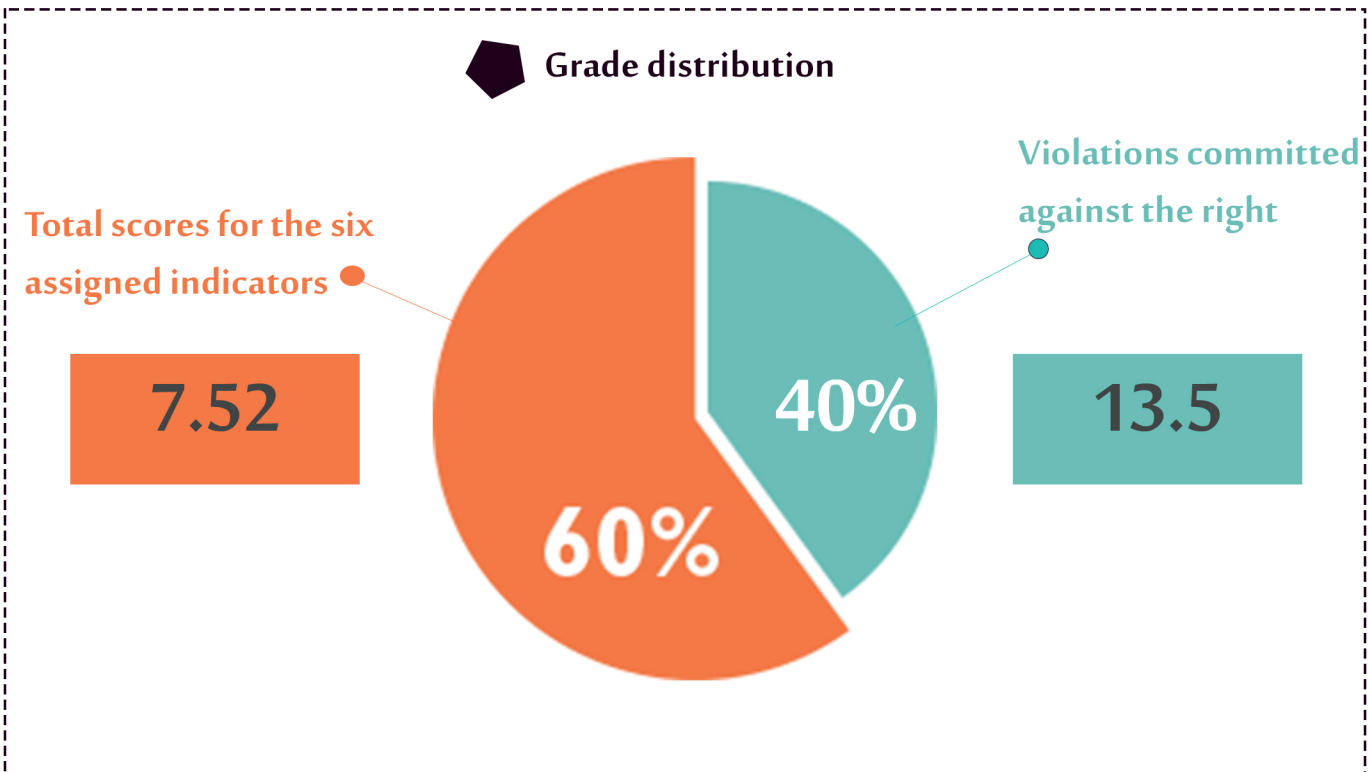
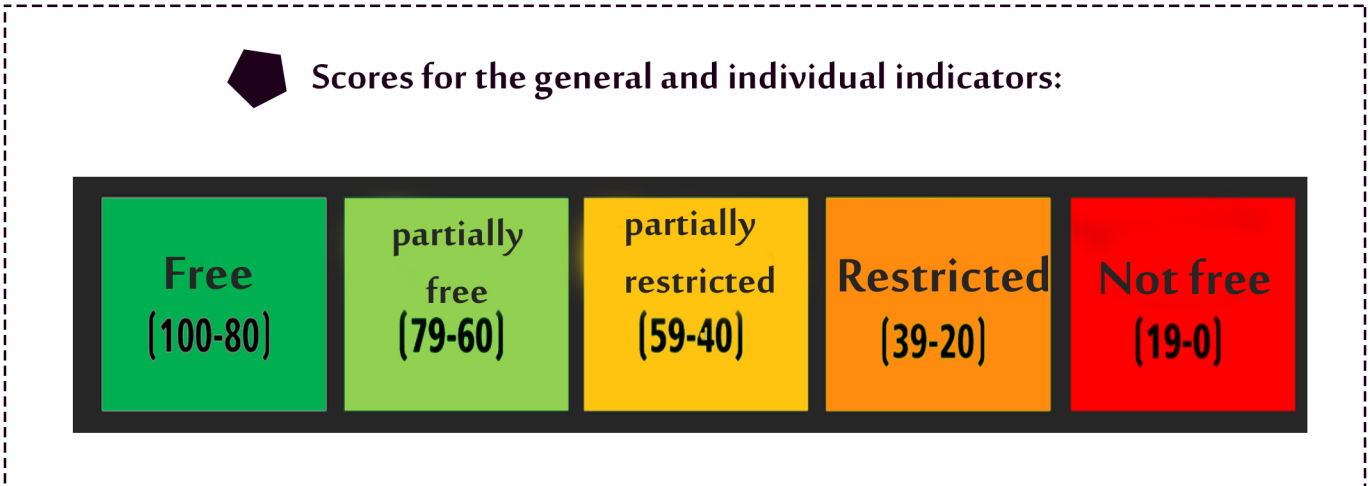
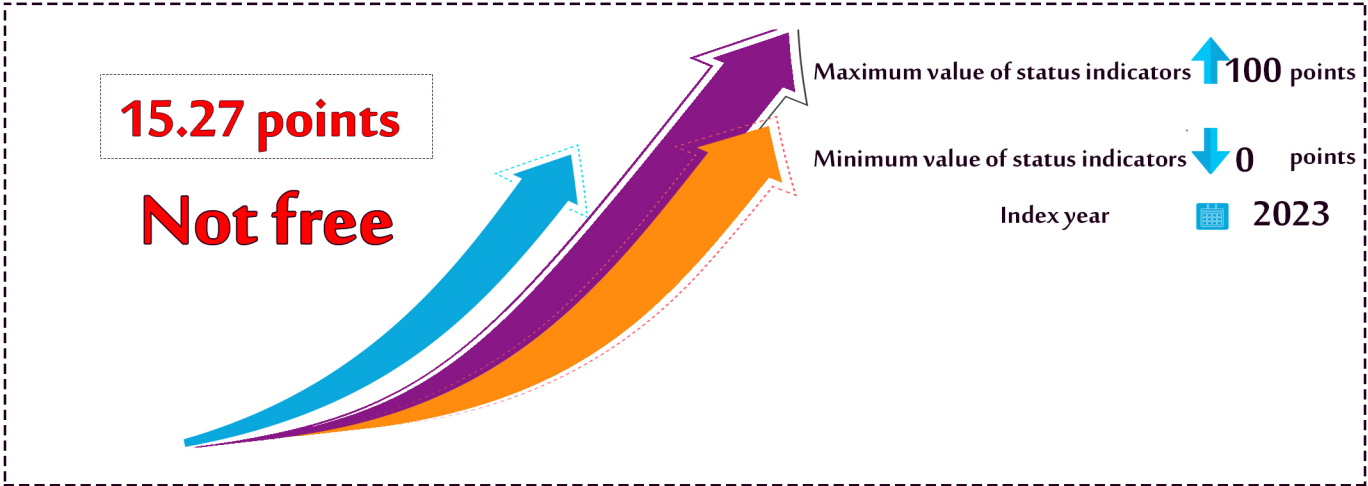
- Part dedicated to violations of the right.
- Another part dedicated to the indicators of the right.

The FFHR has designed and issued a guide on the right to peaceful assembly and its international standards. It was distributed to civil society organizations and active individuals, and a subsequent awareness campaign was launched on social media platforms to ensure it reached as many Syrians as possible.

The legal support unit designed indicators for the right to peaceful assembly and explained them publicly. The research team focused their interviews in three main areas: Azaz, Al-Bab, and Afrin in northern rural Aleppo, conducting 33 interviews with civil society organizations operating in these areas, human rights defenders, and individual activists between May and June 2024.



# General Information on the Indicators for the Right



The area covered by the report fell out of Syrian government control following the popular protests that erupted in Syria in 2011, leading to clashes between Syrian opposition fighters and the Syrian government, which lost control of the area by mid-2012. The new reality required civil actors, then known as “coordinators,” and military actors, represented by the “Free Syrian Army” and some smaller Salafi jihadist factions, to fill the void left by the cessation of governmental institutions. This led to the formation of what became known as “local councils,” with varying mechanisms and considerations for their formation and functioning from one place to another.

Over time, the mechanisms for the formation and functioning of the local councils, which began to perform state functions, evolved to focus mainly on service provision within the administrative framework. In 2013, the structure and affiliation of these councils were subordinated to the “Syrian Interim Government,” formed by the “National Coalition for Syrian Revolutionary and Opposition Forces,” making the coalition the legislative authority and the interim government the executive authority.

Since March 2020, the region has witnessed the longest military truce since the outbreak of the conflict in 2011, due to understandings between Russia, Turkey, and Iran. Turkey intervened militarily to expel ISIS and later supported the Syrian opposition in managing the region under the supervision of Turkish intelligence and its military, which established its headquarters and military and intelligence points, imposing administrative procedures according to the Turkish model on local councils in the absence of clear legislation to regulate life in the region. The absence of a constitutional framework in the region, despite the presence of the Syrian National Coalition and the Syrian Interim Government as mentioned, led to the deferral of most of these administrative procedures to Turkish provinces and Turkey’s legal and constitutional legislation while maintaining a state of emergency imposed on the region similar to that in Turkey, considering Turkey as an occupying force. While the judiciary’s role was effectively absent despite its existence during the period between 2012 and 2016, where the prevailing pattern was the presence of non-independent courts or Sharia bodies, following the major military factions, composed of the factions’ clerics and jurists who resolved disputes, managed civil status, and administered some prisons. Special courts for major disputes were established by a group of jurists.

Additionally, initiatives led to the formation of real judicial systems that operate under the Unified Arab Law, then the Syrian Arab Law, with the 1950 Constitution as a reference, existing in specific areas under the control of Free Syrian Army factions during that period. Currently, there are mainly two courts in the region: a civil court and a military court, controlled by factions and military groups supported by Turkey. According to testimonies from observers of the right to peaceful demonstration in the area, protesters against the ruling authorities’ policies are referred to the military court, which lacks fairness and justice.

Regarding the emergency system and medical treatment for those injured during demonstrations, Syrians are afraid of seeking treatment in public hospitals due to the risk of arrest, so they turn to private hospitals or those supported by humanitarian and charitable organizations. The ambulance system affiliated with the Syrian Civil Defense primarily provides first aid to the injured.

## 1-1 Violations:

**1-1-1 Violations of the Legal Environment:** Due to the absence of legislation and laws, the lack of an effective government in the region, the weakness of local councils' abilities to succeed in providing governance and good governance, Turkey's military control, and the linking of life to Turkish authority as an occupying force with all procedures referred to a state of emergency imposed by the Turkish presence in the region, the legal environment regulating various aspects of public life in the region, including any laws governing peaceful assembly, is absent.

This right is implemented through security procedures related to obtaining approval and a license to demonstrate. In violation of international standards and principles of the right to peaceful assembly, which stipulate non-discrimination, the security and administrative authorities controlling the region allow demonstrations only when they are related to opposing the Syrian regime or commemorating the Syrian government's massacres against Syrians during the years of the Syrian conflict.

However, demonstrations against local authorities or the Turkish military, which is the de facto ruler of the region, are not allowed. According to witness testimonies, local authorities prevent demonstrations against them, as happened on December 18, 2023, in one of the major demonstrations in Al-Rai, a town in the Azaz area in northern Aleppo, following the demand by a trade union group affiliated with an independent trade union to stop the Syrian Interim Government's prime minister's domination over the union's work and administration, considering it a civil organization supposedly independent of the government.

Due to government and security interventions in the local judiciary process, one of the demonstration observers stated that local authorities do not allow this type of organized demonstration against their practices or decisions, especially if they are political. Regarding complaints and the judiciary, a demonstration observer stated that the complaint against the Syrian Interim Government's prime minister was torn up by the police in a show of disregard and contempt for the rights of the harmed protesters. In interviews with civil society organizations and human rights defenders, the majority confirmed that the legal environment for protecting and practicing the right to peaceful protest does not exist in the region due to the absence of a law regulating it.

**2-1-1 Violations by Law Enforcement Agencies:** The majority of activists we interviewed expressed that the security forces in the area attack protesters in spontaneous gatherings and demonstrations organized against the ruling authorities' policies. According to demonstration observers, local security forces, in a manner similar to that of the Syrian regime, use their personnel in civilian clothing to infiltrate the protesters to incite chaos and provide a pretext for the security forces to intervene, a method used by the Syrian regime during the popular demonstrations against it in 2011 to justify the use of excessive force against unarmed protesters.

**Arrest of Protesters:** A monitor reported that during the security forces' attack on a peaceful demonstration, five protesters, including some of the organizers, were arrested, beaten, humiliated, and intimidated. Images of painful physical injuries were provided to us from one of the detainees who was released after a few hours.

**Use of Force by Police Without Justification:** During one of the demonstrations we documented, the civil police attacked and beat about six protesters, according to a witness and demonstration observer, who stated that the security forces attacked the demonstration and assaulted the participants, causing various bruises to five of them, while breaking one of the ribs of the sixth protester according to the observer. After the injured protester with a broken rib was transferred to Azaz National Hospital, a group of lawyers and civil activists organized a peaceful gathering to read a condemnation statement regarding the assault. They were met by hospital police using force to disperse the gathering without any gradual or legal justification for the dispersal. Among the injured, the observer reported that a 17-year-old boy with previous injuries and health problems was beaten by the police.

**3-1-1 Violation of the Right to Monitor Peaceful Assembly:** In clear violation of the right of independent journalists to monitor the conduct of this demonstration, a group of security forces assaulted the journalists present to cover the demonstration, attacked one journalist, broke his camera, and intimidated and threatened them, according to the monitor's testimony. The assault was confirmed by the monitor and by **Reporters Without Borders** in its report published on December 22, 2023, on its official website in French.

## 2-1 Nowruz Massacre:

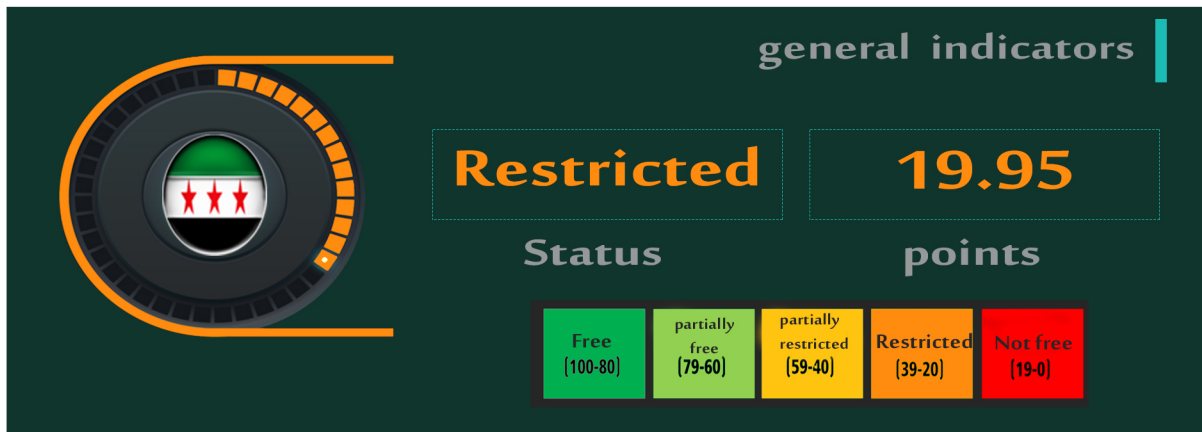
On the evening of March 20, 2023, during a peaceful celebratory gathering for Nowruz, the Kurdish national holiday in the town of Jindires in the Afrin region controlled by Turkish-backed Syrian opposition forces, members of the faction known as “Jaish al-Sharqiya” (Eastern Army), part of the Turkish-supported Syrian National Army, attacked a Kurdish family named “Pishmirk,” killing three of the Farhan Othman brothers and one of their sons with gunfire, and injuring three others from their relatives.

According to reports from monitors of the peaceful gathering, at around 7 PM on March 20, 2023, while celebrating Nowruz, one of the fighters from “Jaish al-Sharqiya” confronted a citizen named “Farhan Othman,” who was celebrating in front of his home by lighting a ceremonial fire, a traditional Kurdish celebration. The fighter ordered Othman to extinguish the fire, and after the victim refused, the fighter assaulted one of Othman’s sons. The fighter then left the scene, heading to a nearby “Jaish al-Sharqiya” base, returning with several armed men from the same faction.

They began shooting randomly at Farhan Othman and other family members who had come outside after hearing gunfire, resulting in the deaths of Farhan Othman, three of his brothers, and his nephew. Two other brothers and another person present were injured but survived the attack. In the aftermath, protests erupted in the region, leading to the arrest and subsequent prosecution of the attackers.

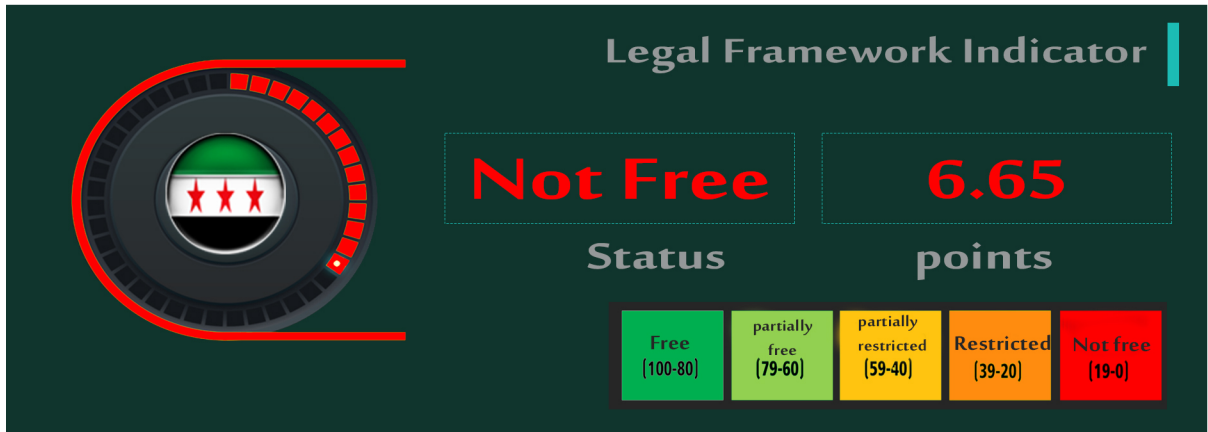


Based on the analysis of the indicators of the state of the right to peaceful assembly adopted by the Fraternity Foundation for Human Rights, as included in the report's methodology, and conducted through 19 interviews with organizations, associations, human rights defenders, and independent journalists in the Azaz, Afrin, and Al-Bab areas and their surrounding rural regions, and by comparing these indicators with global standards for the right to peaceful assembly and its practice, and relying on the legal analytical report of the administrative procedures imposed by the Syrian opposition military and local councils under Turkish oversight, this right under the current procedures has been classified as "Restricted." The region covered by the report scored 19.95 points on the scale of the right to peaceful assembly and its practice, with 11.97 points for the specific indicators and 7.98 points for the violation indicator.



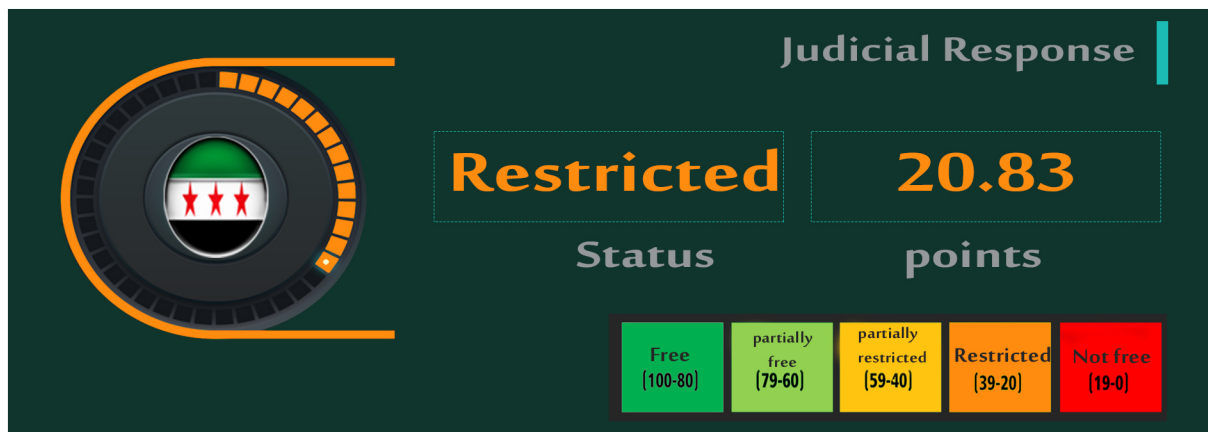
# 1. Legal Framework Indicator: Status: Not Free

The criteria for the right to peaceful assembly are not met in the region due to the absence of a legal framework governing the right to peaceful assembly, which is exercised through administrative procedures that depend primarily on the content and subject of the planned peaceful assembly. These procedures use a discriminatory mechanism for granting permits to organizers of assemblies in the region. If the assembly is against the authorities, it is prohibited, but if it is against entities considered enemies by the authority, it is permitted according to legal assessment. The indicator scored 6.65 points out of 100 on the scale measuring the degree of freedom of the right to peaceful assembly.



# 2. Judicial Response to the Right to Peaceful Assembly: Status: Restricted

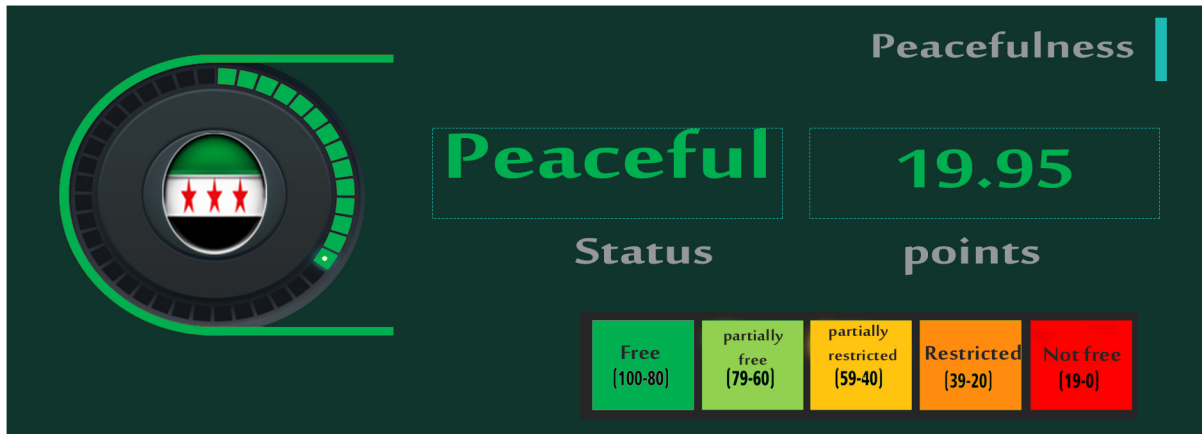
In general, the judiciary in the region does not have the capability to align with global and national judicial standards, as mentioned in the report’s introduction. According to the testimonies of those interviewed in the region, the judiciary does not provide fair trials or balanced judicial procedures for exercising this right. The indicator scored only 20.83 points out of 100 on the scale measuring the degree of freedom of the right to peaceful assembly.





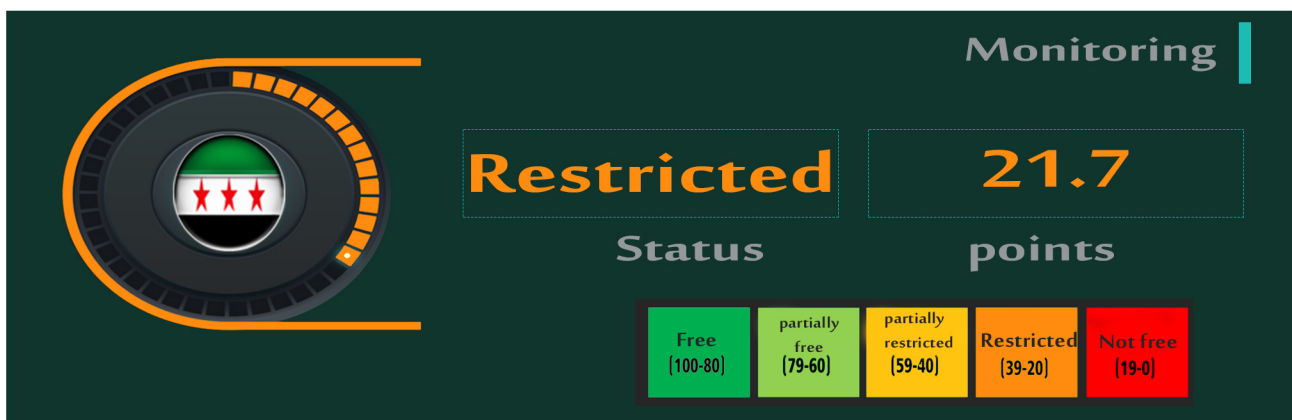
### 3. Peacefulness of Assemblies Indicator: Status: Peaceful

Participants in peaceful assemblies rarely resort to violence or assaulting public and private property, which demonstrates the peaceful nature of the protesters despite the governmental and administrative measures taken against them. The indicator scored 68.7 points out of 100 on the scale measuring the degree of freedom of the right to peaceful assembly.



### 4-Monitoring of Peaceful Assembly Indicator: Status: Restricted

Overall, local authorities do not provide the freedom to monitor demonstrations and peaceful assemblies. Several cases of assaults on journalists and independent monitors, including the destruction of their equipment, have been documented. The indicator scored 21.7 points out of 100 on the scale measuring the degree of the right.



## 5. State Commitments to Facilitate and Protect Assemblies: Status: Not Free

Not Free Local authorities do not easily grant permits for peaceful assemblies unless they align with their policies. Regarding protection, it is clear that they do not provide security for the assemblies. The indicator scored only 18.75 points out of 100 on the scale measuring the degree of freedom of the right to peaceful assembly.



## 6. Freedom of Opinion and Expression Indicator: Status: Not Free

Freedom of opinion and expression is absent in areas controlled by the Syrian opposition due to the widespread presence of undisciplined armed groups and the complete chaos of weapons. These authorities absolutely repress peaceful assemblies in the area when expressing opinions or criticisms of military factions' policies, local administration, or Turkish control over life. The indicator scored 7.42 points out of 100 on the scale measuring the degree of the right.



## 7. Police and Law Enforcement Commitments Indicator: Status: Not Free

Police and law enforcement agencies use force against assemblies, including less lethal weapons and firearms, without considering the principle of proportionality in the use of force against protesters. The indicator scored 4.56 points out of 100 on the scale measuring the degree of the right.



## 8. Personal Security and Freedom Indicator: Status: Not Free

Participants in peaceful assemblies do not enjoy the right to live in safety and without fear of arrest, detention, or imprisonment due to their participation in demonstrations against local authorities. The indicator scored 12.5 points out of 100 on the scale measuring the degree of the right.

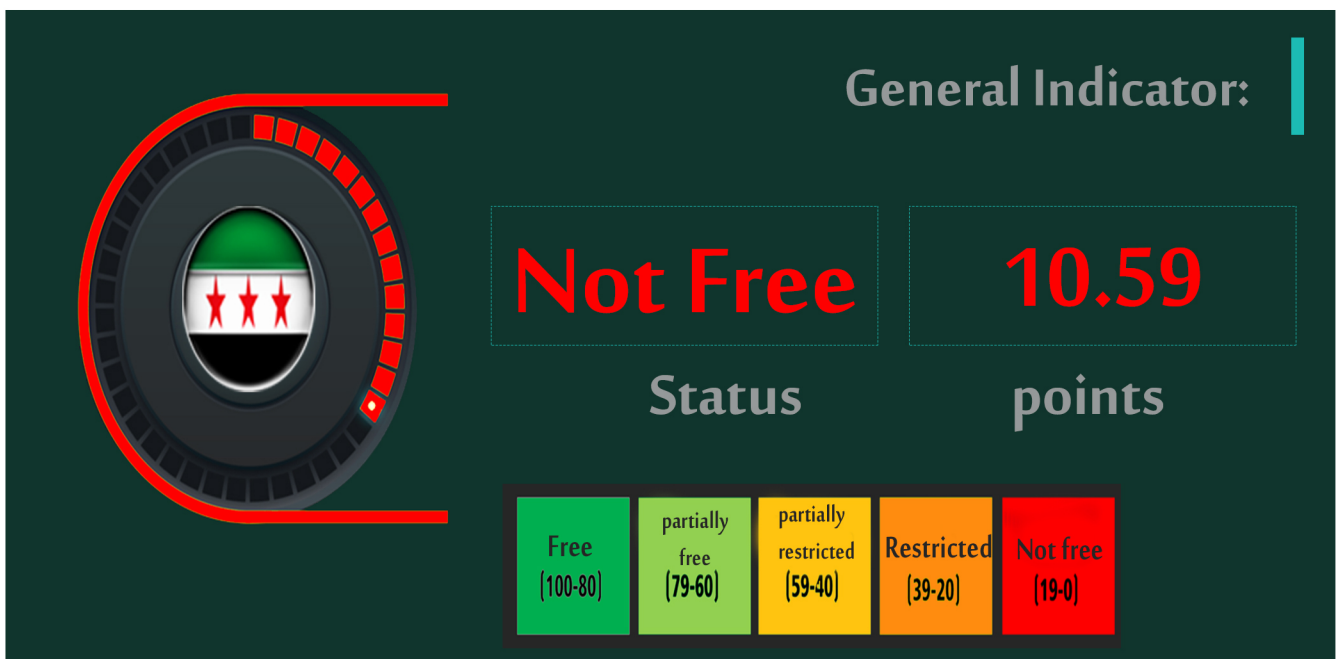


## Second: The State of the Right to Freedom of Association Introduction

Turkey primarily controls humanitarian work in the region, and to manage international financial support and secure Syrian aid funds, Syrian organizations must obtain Turkish licenses, open offices in Turkey, and employ Turkish nationals after receiving approval from Turkish provinces and coordinating with AFAD (the Turkish Disaster and Emergency Management Authority) to begin operations. The region is divided according to the following Turkish provinces: • Afrin region falls under Hatay Province, with the governor's office authorized to approve the license for the Syrian association before it can operate inside Syria. • The Azaz region falls under Kilis Province, with similar procedures. • The Al-Bab region falls under Gaziantep Province. Organizations must obtain a bank account in Turkey to manage their funds and provide services in Syria, and all financial transfers are handled through the Turkish postal service (PTT), which has offices in the region. However, whether the transfers are in euros or dollars, they are converted into Turkish lira, with the exchange rate and transfer fees deducted, resulting in losses for Syrians from the international aid funds provided.

### General Indicator:

Based on the analysis of the indicators of the state of the right to freedom of association adopted by the Fraternity Foundation for Human Rights as included in the report's methodology, conducted through 14 field interviews with organizations and associations operating in the region, and by comparing these indicators with global standards for the right to freedom of association and its practice, this right under the current procedures imposed by local authorities and primarily directed by Turkey has been classified as "Not Free." The civil space is generally unfree. The results in the report showed a value of 10.59 points on the scale of the right to freedom of association and its practice, while the violations committed against the right to form associations in Syria scored 7.06 points out of 100.



## 1-1-2 Violations Related to the Legal Framework:

The associations and organizations we interviewed in the region confirmed the burdens of licensing and registration imposed by the Turkish government and the Syrian local authorities connected to it, through restrictive and bureaucratic procedures that are costly for Syrian organizations, along with the difficulties associated with opening offices in Turkey to operate inside Syria. The need to apply for licensing in Turkish provinces outside Syria imposes burdens on Syrian organizations striving to meet the growing needs of Syrians. Turkey's requirement for prior coordination with the AFAD organization hinders the establishment of Syrian organizations and their exercise of the right to operate independently as non-governmental organizations in another country. The procedures described by the organizations we interviewed confirmed that establishing and licensing an organization takes up to 90 days. Additionally, the backgrounds of the founders and members of the associations are scrutinized, given Turkey's concerns about Kurdish ethnic affiliations.

## 2-1-2 Violations Related to Security Interventions and Freedom of Association:

Local authorities require Syrian civil society organizations to obtain prior approvals to conduct activities, which violates the right to freedom of association. Security agencies interfere in the implementation of associations' activities. Stopping Association Work Due to Opposition to Child Marriage: The director of an organization that held an event to raise awareness about the dangers of child marriage reported that members of an armed faction in the Afrin region attacked the event and destroyed its materials and tools, claiming that it contradicted Islamic teachings and societal standards. The military personnel also fired shots to intimidate and physically assaulted some attendees. Turkish Intelligence Directly Intervenes in the Work of Organizations: The director of an organization whose work was halted for organizing a community activity on the pretext of preventing Kurdish gatherings in Afrin stated that Turkish intelligence summoned him to its headquarters in Afrin, ordered him to stop the activity, and instructed the military police to seal the organization's headquarters. The director was also prohibited from leaving the city, but later, the authorities settled for suspending the organization's work for two weeks as a punitive measure and canceled the planned activity.

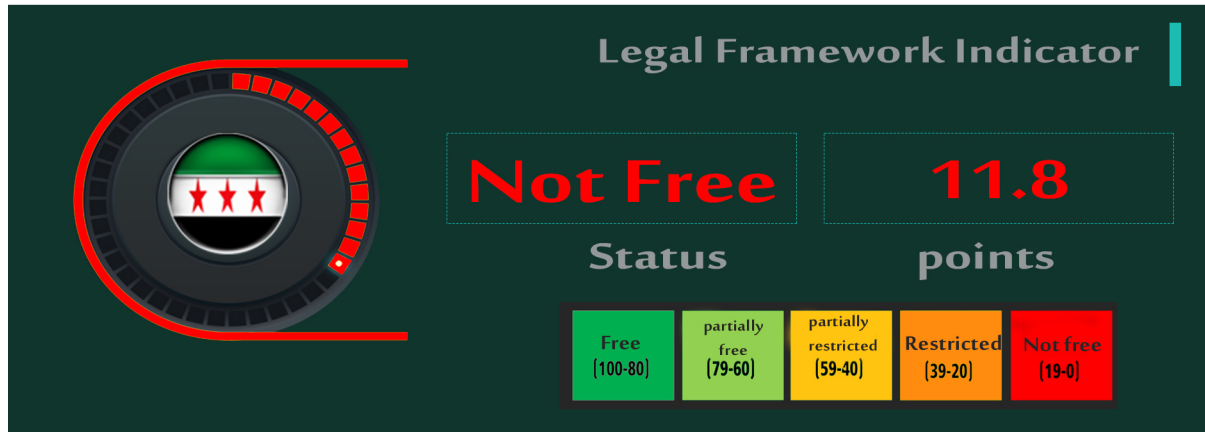
## 3-1-2 Violations Related to Interaction with International Organizations:

The Turkish government, due to the financial transactions carried out by civil society organizations, monitors the sources of funding for these organizations. Syrian organizations are prohibited from communicating with organizations associated with countries that oppose Turkey's occupation of the region or its military operations, such as the United Kingdom, some European Union organizations, human rights organizations, Doctors Without Borders, and some church-based organizations. Privacy Violations and Security and Financial Surveillance: Civil society organizations in northern Syria undergo financial audits and inspections conducted annually by Turkish officials, lasting approximately two weeks. The organization under inspection is required to cover all the expenses and costs associated with the Turkish official's stay during the inspection.

# Indicators: State of Specific Indicators:

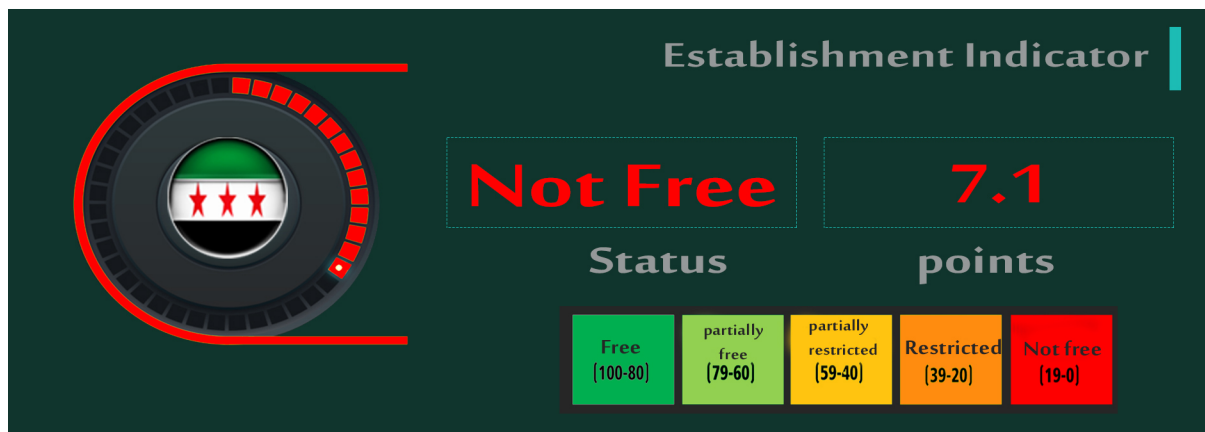
## 1. Legal Framework Indicator: Status: Not Free

The full criteria for the right to freedom of association are absent in the laws and administrative procedures implemented by the de facto authorities in the region. This right is neither provided nor protected according to legal standards. The indicator, based on legal studies and the administrative procedures governing the associations sector, alongside opinions from associations regarding their registration and licensing mechanisms, scored only 11.8 points out of 100 on the scale measuring the degree of freedom of the right to form associations.



## 2. Establishment Indicator: Status: Not Free

There are no notification-based registration procedures in Syria generally; instead, de facto authorities practice registration through application submission, with waiting periods often exceeding 90 days, and in regions like the Syrian government-controlled areas, up to over a year. The indicator scored only 7.1 points out of 100 on the scale measuring the degree of freedom of the right.



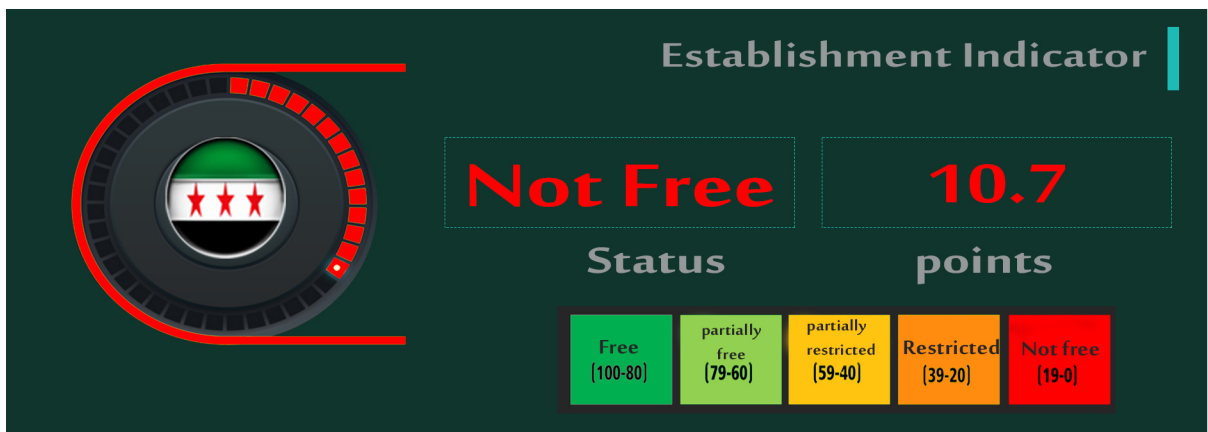
### 3. Security Restrictions Indicator: Status: Not Free

De facto authorities exercise blatant security interventions against those practicing this right in the region. This includes interference in the establishment process, rejection or acceptance of association board members, and the monitoring and security oversight of association activities. The media and the public are prevented from freely interacting with associations. The indicator scored only 17.37 points out of 100 on the scale measuring the degree of freedom of association.



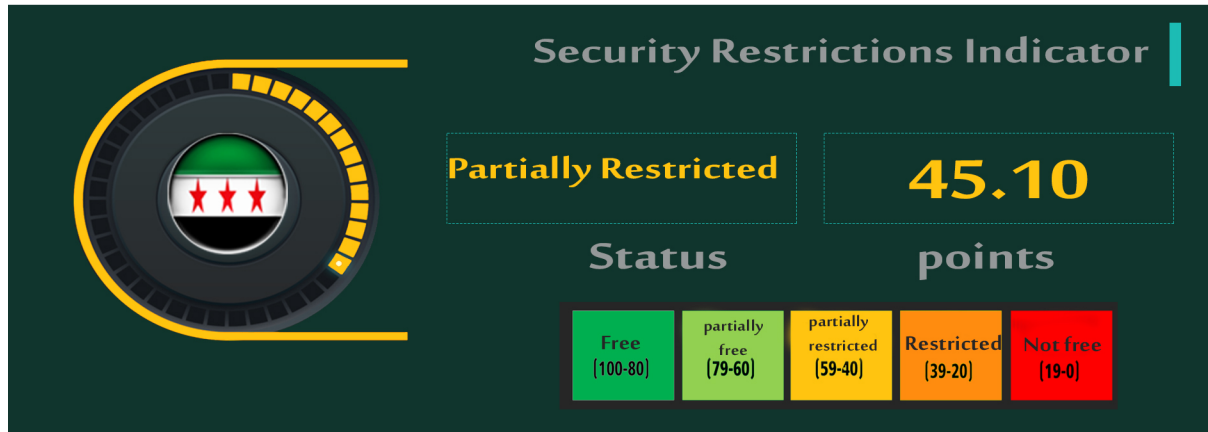
### 4. Funding Reception Indicator: Status: Not Free

Freedom of local and international funding is not available, and organizations and associations operating in the region exercise freedom in dealing with international agencies and organizations, with the stipulation that entities and bodies affiliated with the de facto authorities each benefit from the support provided to Syrians. The indicator scored 10.7 points on the scale measuring the degree of freedom of association.



## 5. Freedom of Movement and Operation Indicator: Status: Partially Restricted

There is a systematic prohibition on active civil participation in Syria, and the de facto authorities impose a clear ban on the freedom of interaction between civil society organizations and political organizations in the region, including those opposing the ruling authorities. There is strict control over the interaction between local associations and the target public. The indicator scored only 45.10 points on the scale measuring the degree of freedom of association.



## 6. Freedom of Opinion and Expression Indicator: Status: Not Free

Free Freedom of opinion and expression is completely absent in the four control areas. These authorities repress organizations and associations in the region when expressing opinions or criticisms of the ruling authorities' policies. These organizations and associations do not participate in policy-making and decision-making, which is monopolized by each ruling authority in its region, making civil participation merely symbolic. The indicator scored 14.2 points on the scale measuring the degree of freedom of association.





## **A. To the De Facto Authorities and Their Legislative and Executive Bodies:**

1. The laws regulating the establishment, registration, and operation of civil society organizations must meet the minimum requirements to promote the right to freedom of association.
2. Clear, consistent, and simple registration criteria should be established, recognizing organizations as legal entities.
3. Non-governmental organizations that meet all the specified administrative criteria should be able to register immediately as legal entities.
4. We urge you to abolish the Turkish laws and procedures that do not align with the standards of the right to freedom of association, refrain from intervening in the establishment process, and adopt a notification-based system or, if the registration process remains, it should be submitted to civil entities like the local council and be based solely on the association's internal regulations. Approvals should be granted as quickly as possible through simple and compatible procedures with international standards for the right to freedom of association, particularly Article 22 of the International Covenant on Civil and Political Rights.
5. All non-governmental organizations previously registered should be considered as legally operating, with reasonable deadlines provided for them to regularize their status without administrative complications.
6. We call on the de facto authorities to cease interference and discrimination against associations, their members, and their interacting public.
7. We call on the de facto authorities to ensure a safe environment and protect humanitarian relief associations from attacks by their armed elements or any armed groups within their control.
8. Authorities should refrain from interfering in the affairs of active associations and provide freedom to female activists in all fields of civil work.
9. Training programs should be provided to enhance the capacities of law enforcement personnel on handling public assemblies and peaceful protests according to international standards and the United Nations Principles on the Use of Weapons.
10. Those law enforcement officials involved in crimes related to assaults on peaceful protesters must be prosecuted and held accountable.
11. The laws, regulations, and administrative decisions governing public assemblies and peaceful demonstrations should be made public to ensure the community's right to knowledge and information.

## **B. To the Civil Society Support Room in the Office of the UN Special Envoy for Syria:**

1. The Support Room and the Office of the UN Special Envoy should intervene with the Turkish government, as the main occupying force in the region, to ensure that Syrian civil society organizations operating in the area under its control are not subjected to harassment and that the right to establish and operate associations is respected without interference.
2. Hold open meetings with representatives of Syrian civil society to understand the challenges and harassment they face.
3. Apply pressure to protect the right to peaceful assembly and ensure the necessary protection for demonstrators.

## **C. To Syrian Civil Society Organizations:**

1. Continue the struggle to pressure the Syrian Interim Government and the Syrian Opposition Coalition to find more suitable mechanisms for regulating the work of Syrian civil society institutions.
2. Emphasize networking and forming alliances to ensure that Syrian civil society organizations can fully enjoy their freedom in humanitarian and civil work.
3. Bridge the gap between Syrian civil society institutions and citizens.
4. Adopt advocacy and lobbying mechanisms to enhance protection and enjoyment of the right to peaceful assembly and association.
5. Adopt more dynamic and modern mechanisms for monitoring violations of the right to peaceful assembly and association.
6. Enhance the capacities of actors in providing legal support to assist associations in their establishment or to regularize the status of those already in existence.

## **D. To the Human Rights Council and Special Rapporteurs on the Right to Freedom of Association and Peaceful Assembly and the Right to Freedom of Opinion and Expression:**

1. We urge the Council to pressure the parties to the Syrian conflict, the de facto authorities, and relevant regional and international governments to stop the violations committed against associations and to demand that Syria fulfill its obligations under international law. This should be included in resolutions concerning the human rights situation in Syria.
2. We call on the Special Rapporteur on the right to peaceful assembly and association to monitor violations committed by the parties to the conflict against civil and political associations in Syria and to dedicate one of their periodic reports to reporting on any violations observed.