

Back to Square One of Repression

Report on the State of the Right to Peaceful Assembly and
Freedom of Association in the Self-Administration Areas of
North and East Syria

Fraternity Foundation for Human Rights

August 2024

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The report team primarily relied on field interviews, research, and opinion surveys about the reality of the right to protest and the establishment and exercise of the right to form associations in the North-East Syria region.

The legal support unit, comprising researchers and documentarians, conducted 89 interviews with associations, civil society organizations, activists, and human rights defenders in four major cities: Raqqa, Deir ez-Zor, Hasakah, and Qamishli.

The focus was on violations of the right to form associations and practice their activities, which the unit's researchers managed to document. It was found that associations faced varying levels of violations, the most severe of which were the revocation of licenses, threats of deregistration, the prevention of association members from obtaining jobs outside their organizations, and the coercion of associations to work in service and relief sectors outside their specialization in a systematic manner.

One of the challenges faced by our observers was the significant fear among organizations that the informants reporting these violations might be identified, leading to retaliatory actions by the Office of Non-Governmental Organizations (NGO Office), including arrest, job bans, and the prohibition of associations. This report covers the period of 2023 within the areas controlled by the Autonomous Administration of North and East Syria, led by Syrian Kurds in partnership with Arab and Assyrian parties.

Preamble

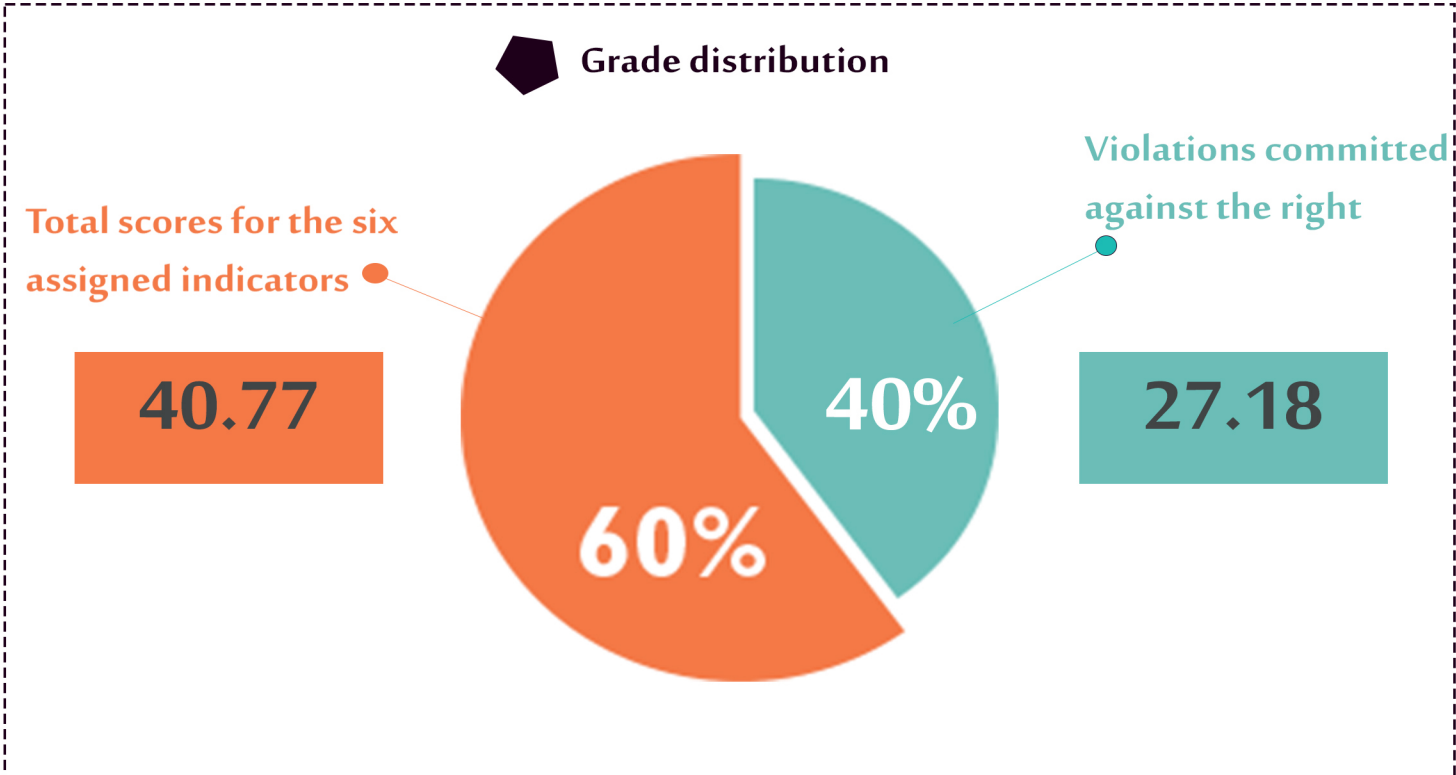
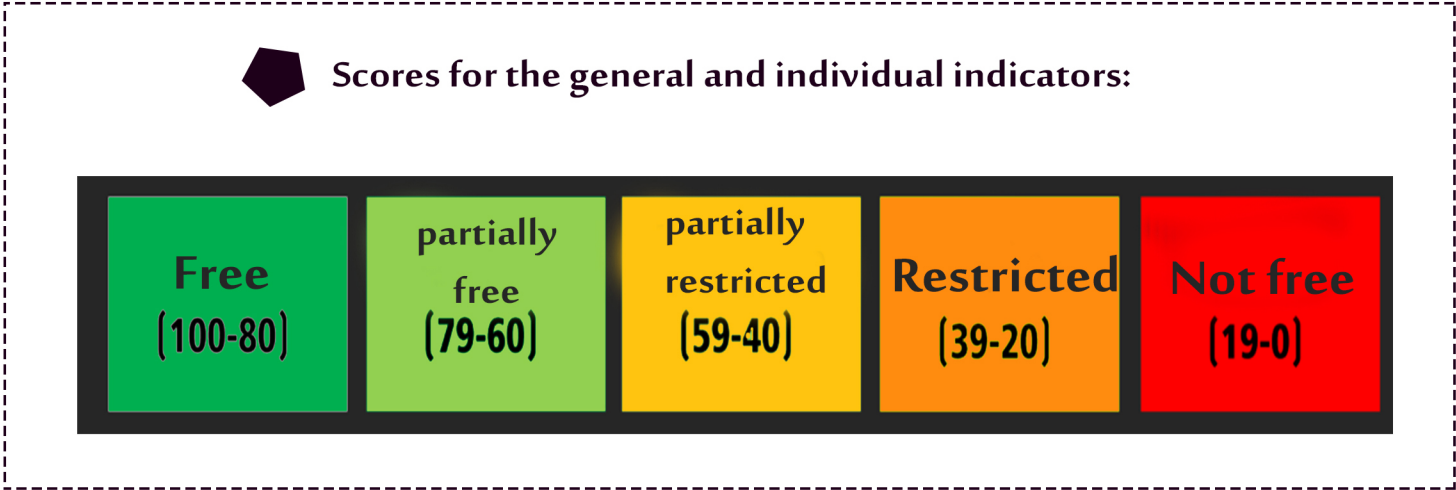
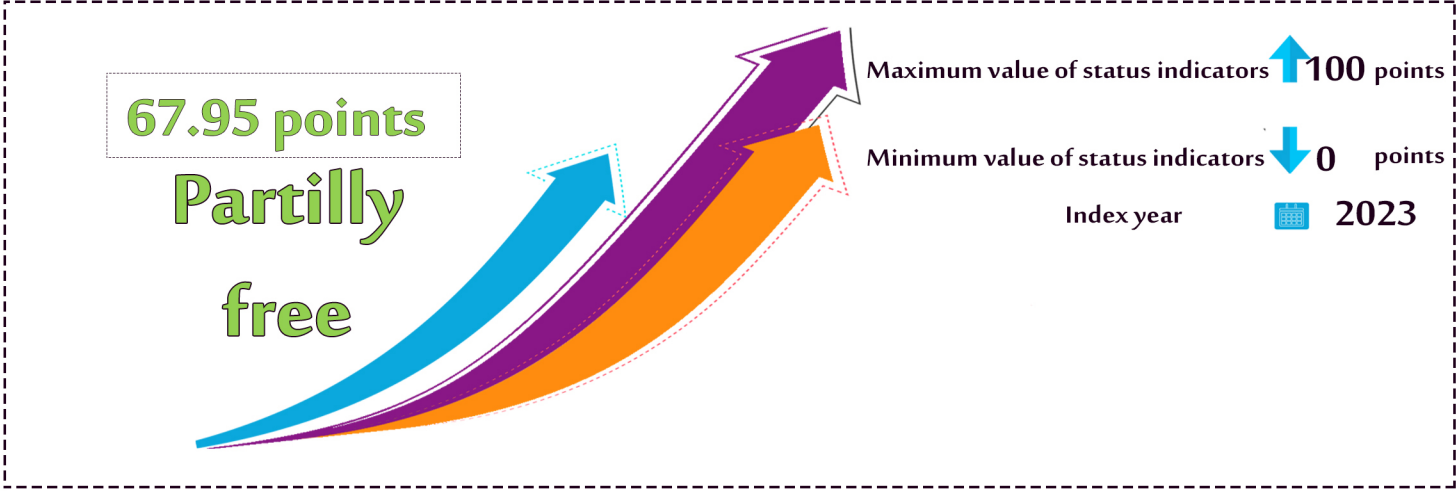
Despite the Autonomous Administration's control of the region for nearly ten years and their serious attempts, both internally and externally, to establish a new social contract in late 2023, which is considered better compared to what exists in Syria, the Administration has not been able to provide laws that prioritize human rights agreements over domestic laws. This situation has led to difficulties that affected its performance later on.

Despite the issuance of numerous laws, the Autonomous Administration has not developed its own specific law on protest but rather relies on executive procedures based on submitting a request to protest to the Interior Authority or civil police stations. These requests are often procedural when the protest concerns issues not directed against the Administration and its policies.

However, spontaneous protests against living or service decisions, which have been met with various forms of resistance from the authorities, have also occurred. Regarding the law regulating the association sector, the Autonomous Administration has attempted to draft a law that allows it to impose control over the civil work sector rather than merely organizing it.

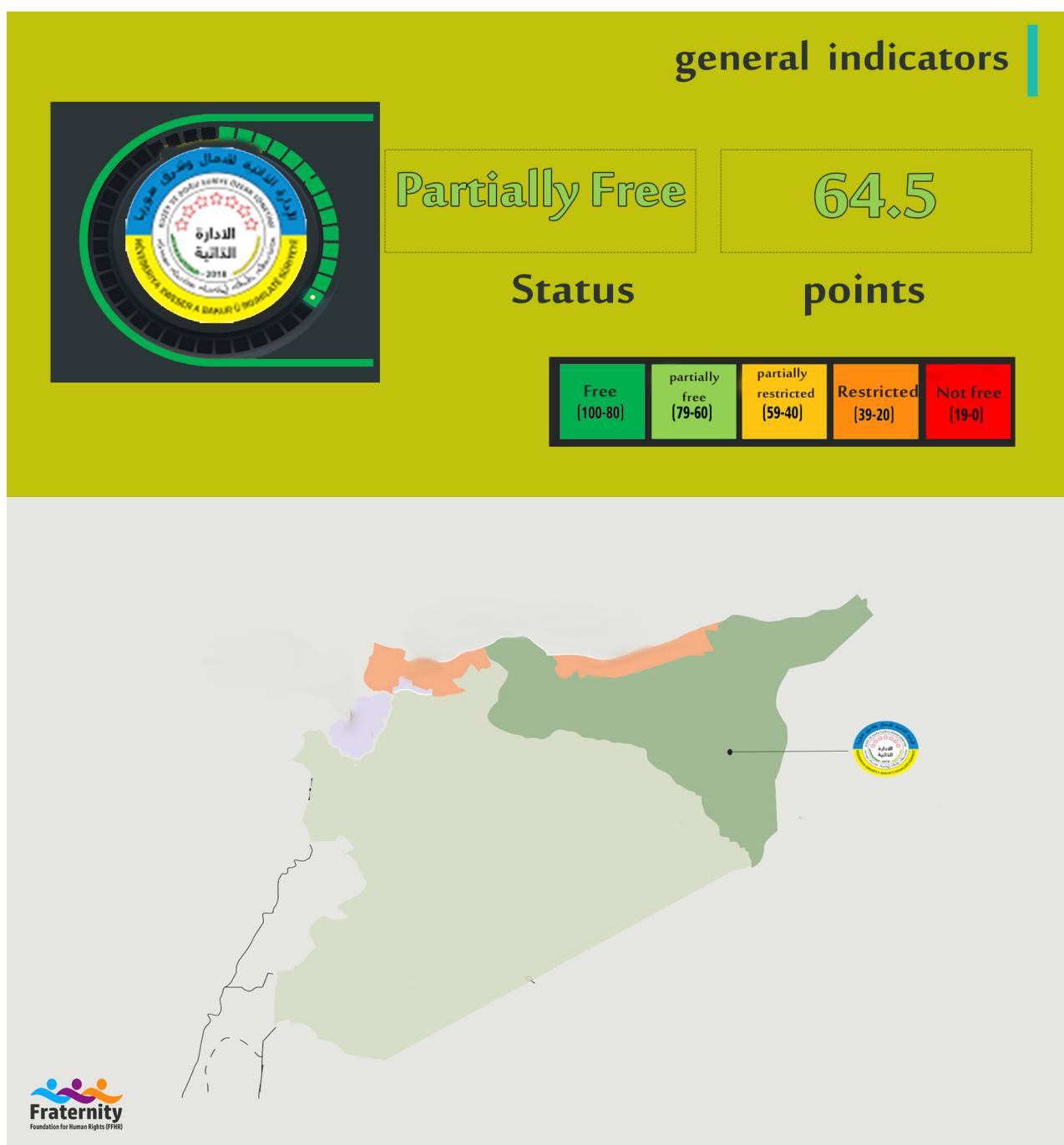
Fraternity Foundation for Human Rights FFHR had issued a legal critique of the law on associations and demanded several amendments. Despite the most recent amendment in 2023, no substantial changes were made to the law. Instead, it was developed in some executive aspects for further imposed control. The process of applying for and waiting for registration and licensing remains prevalent in the region, requiring annual renewal through cumbersome procedures that burden associations and hinder their ability to continue operating

General Information on the Indicators for the Right



First: The Right to Freedom of Association

Based on the analysis of indicators regarding the state of the right to freedom of association, which are adopted by the Fraternity Foundation for Human Rights and documented through 89 field interviews with organizations and associations operating in the region, the area was evaluated by comparing these indicators with global standards for the right to form associations and conduct their activities. Under the procedures followed by the Autonomous Administration of North and East Syria through the NGO Office, this right was classified as “Partially Free.” The report’s results indicated a general score of 64.5 points for the region on the scale of the right to form associations and practice it. Of these, 38.7 points were attributed to specific indicators, while violations against the right to form associations in the region scored 25.8 points on the scale of the right to form



1-1 Violations:

-1-1 The Threat of License Revocation and Prevention of Organizational Work:

“You are being given the final warning, and those who have been warned are excused.”

This phrase was used by the co-chair of the NGO Office in Al-Jazira region during an investigation session with the executive director of a human rights organization operating in Northeast Syria for more than 10 years, which obtained a license through an administrative order in 2014 and renewed its license annually until 2022. However, it faced the impossibility of licensing in 2022 by the NGO Office in Raqqa. The organization’s director stated that she was summoned by phone to the NGO Office in the city of Amuda, more than half an hour away from her residence under difficult security conditions that did not warrant travel except in emergencies, with temperatures exceeding 40°C and high transportation costs. The director explained,

“They made me wait outside their office for more than half an hour after the appointment they set for me during the summons. They then thoroughly inspected our organization’s Facebook page, asking about our sources of funding and accusing us of conducting activities without a work permit. I responded that these activities were old, and we had obtained a work permit from them.”

Our team reviewed the certificate issued by the Autonomous Administration, allowing the organization to operate.

1-1-2 The Threat of Arrest and Forced Recruitment:

The Revolutionary Youth Organization, a youth and student organization affiliated with the ruling party (Democratic Union Party) and adhering to the leftist revolutionary ideology of the Kurdistan Workers’ Party (PKK), is seen as an informal security group attached to the authorities. It engages in acts of vandalism and wide-ranging assaults against opponents of the ruling party, targeting activists and participants in demonstrations against the authorities and their procedures. In its intervention beyond the law, the organization issues threats to opposition youth and student organizations or those not affiliated with the ruling party, such as burning the offices of opposition political parties or intimidating their youth organizations. In a statement to our report team, an administrator in one of these youth organizations in Hasakah, which was established in 2013, said they are constantly under pressure from security agencies and the Revolutionary Youth Organization to stop their work and face continuous obstructions to their peaceful activities under the pretext of public safety and security. **“They always threaten us to leave the work with our organization and assault our male members, threatening them with forced recruitment.”**

1-1-3 Unjustified Interference

The NGO Office requires all organizations that register officially with them, without which they cannot operate, even though they are registered according to formal procedures and have received permission to operate. The NGO Office obliges these organizations to obtain approvals for each activity, internal meeting, or event the organization or association may conduct, except for civil bodies affiliated with the ruling party. An envoy from the NGO Office often attends the event, records all details, and frequently interrogates the organization or association after the event, warning them not to repeat certain details, such as criticizing the authorities.

“Work in the relief field; what do you gain from civil and political rights?” This was the response of the co-chair of the NGO Office in Al-Jazira province to a request to conduct a training course on civil and political rights by a human rights organization. This occurred in other cases, as mentioned by some organizations we met. A representative of one human rights organization in Hasakah reported that the NGO Office asked a human rights organization not to continue its work in the rights field and to shift to the relief field, which they considered better. The organization’s representative said, **“When I submitted a request to obtain approval to hold an activity on civil and political freedoms, the co-chair of the NGO Office ridiculed the organization’s work and demanded that I stop these activities and focus on the relief field, considering it better.”**

1-1-4 Restricting Freedom of Movement and Lack of Coordination Between Government Agencies to Facilitate Movement

The security situation imposed significant difficulties on the movement of Syrian citizens, exacerbated by military operations in Northeast Syria.

Warring parties focused on targeting major roads and launching random attacks against travelers and users of the M4 international highway, which is the main artery between eastern, western, and southern Syria.

During the travel of the director of an international relief organization from Hasakah to Qamishli in Northeast Syria, they were forced to use a military service road based on instructions from the NGO Office. However, the traffic police, known as “Traffic,” obstructed their travel despite presenting the required documents.

The director and his colleague were insulted and prevented from continuing their journey, forcing them to return to Hasakah. The organization director we met in Qamishli said, **“When I saw that my colleague was insulted, I asked for the papers back so we could return. However, the policeman confiscated our travel documents and shouted at me, reprimanding me, which forced us to return to Hasakah.”**

1-1-5 Hindrance of Work Based on Incorrect Information:

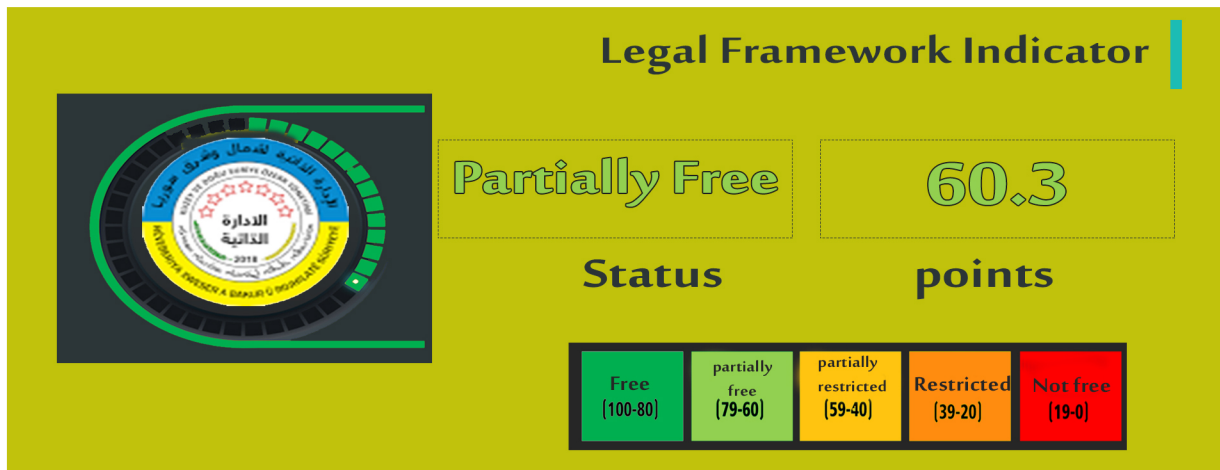
Despite having official licenses or submitting the necessary documents, which should be sufficient for an organization to begin its work, the NGO Office did not allow a registered organization in Raqqa to operate until it received additional approval, alongside its existing license from Al-Jazira province. Moreover, the NGO Office accused the organization of being a member of a civil society network in Switzerland, which was not welcomed by the NGO Office in Raqqa.

Although the organization’s director denied this affiliation, the NGO Office insisted. In an interview with our team, the organization’s director said that the NGO Office told him:

“We know you are members of the Basel Process; you think we don’t know anything, which I denied because I didn’t know what the Basel Process was and had never heard of it before.”

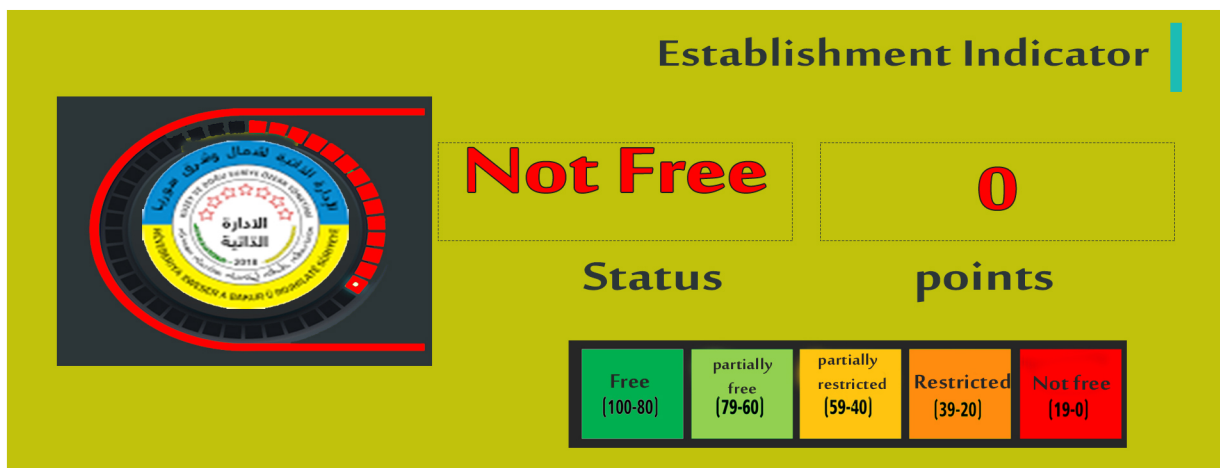
2-1-1 Legal Framework Indicator: Partially Free:

Despite the significant violations of the standards for the right to form associations in the Civil Society Organization Law, it is considered the best legislation in Syria. According to interviews conducted by our report team with civil society organizations and legal studies and administrative procedures regulating the association sector, most organizations expressed satisfaction with the law but still doubted its application by the NGO Office, which deals with licensing procedures with excessive bureaucracy. The indicator scored 60.3 points out of 100 on the Freedom of Association scale.



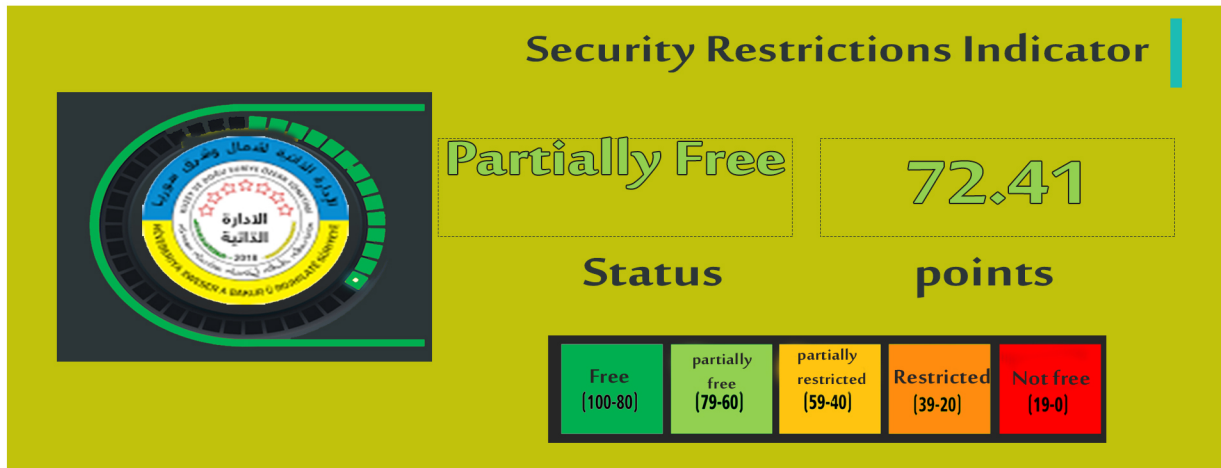
2-1-2 Establishment Indicator: Not Free

There are no notification registration procedures available throughout Syria. Instead, the de facto authorities exercise a method of registration by submitting an application and waiting for periods that often exceed 60 days. According to legal measurement, the indicator scored 0 points out of 100 on the scale



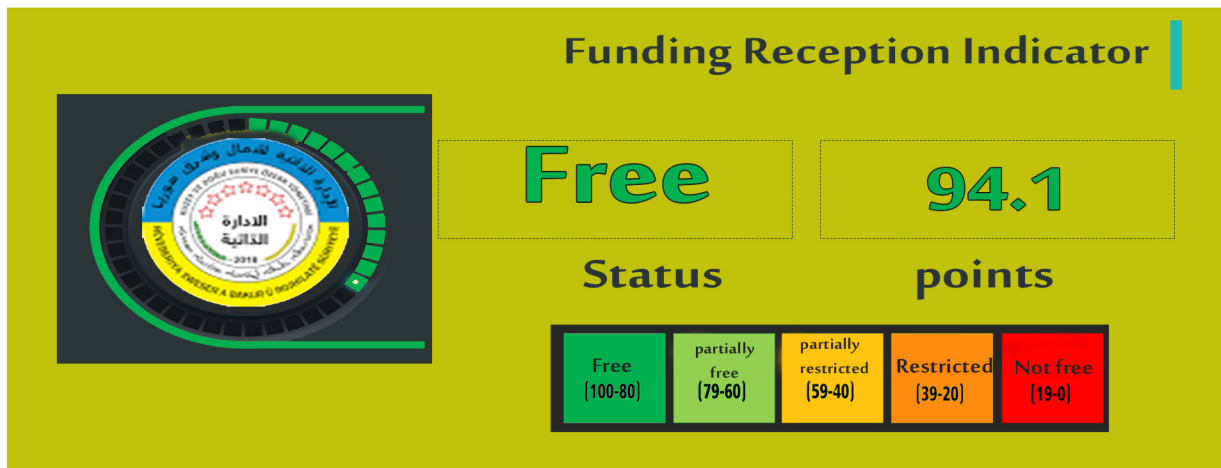
2-1-3 Security Restrictions Indicator: Partially Free

The de facto authorities impose security interventions against practitioners of this right in the region regarding the establishment process and the acceptance or rejection of association management members. However, the practice of associations' work is not subject to security intervention or surveillance, and media outlets and the public are not prevented from engaging with associations. According to the legal measurement, the indicator scored 72.41 points out of 100 on the Freedom of Association scale.



2-1-4 Funding Reception Indicator: Free:

There is freedom for local and international funding, and organizations and associations operating in the region are free to interact with international agencies and organizations. According to the legal measurement, this indicator scored 94.1



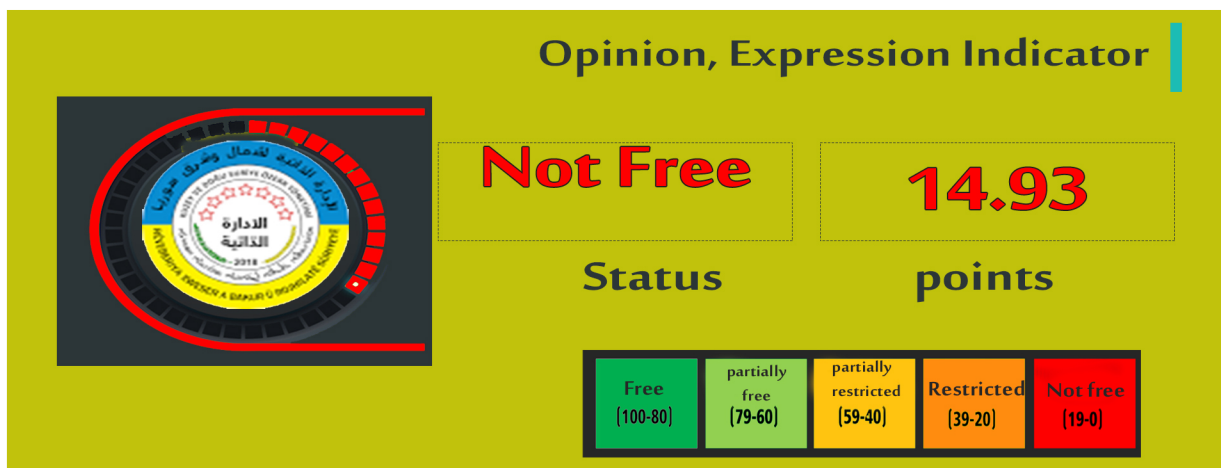
2-1-5 Freedom of Movement and Work Indicator: Partially Free

There is clear permission for associations and civil society organizations to interact with political organizations in the region, including those opposed to the ruling authority, and to engage with the target audience. This indicator scored 72.9 points on the freedom of association scal



2-1-6 Freedom of Opinion and Expression Indicator: Not Free:

Freedom of opinion and expression is entirely absent in the region. Organizations and associations reported that they are unable to express their opinions or criticisms of the ruling authority’s policies, nor do they participate in policy-making or decision-making. This indicator scored 14.93 points on the scale of the right.



Second: The Right to Peaceful Assembly:

Based on the analysis of indicators concerning the state of the right to peaceful assembly, which are adopted by the Fraternity Foundation for Human Rights and documented through 45 interviews with organizations, civil society actors, human rights defenders, and independent journalists operating in the Autonomous Administration’s control area, primarily in Hasakah, Qamishli, Deir ez-Zor, and Raqqa. By comparing these indicators with global standards for the right to peaceful assembly, this right was classified as “Partially Free” under the procedures followed. The report indicated that the region achieved a score of 71.41 points on the scale of the right to peaceful assembly and practice, with 42.84 points attributed to specialized indicators and 28.56 points to the violations indicator.



2-1 Violations:

2-1-1 Tribal Influence

In Deir ez-Zor, tribal leaders and elders played a significant role in calming clashes between authorities and protesters. Most of the public protests in the region were in response to poor living and service conditions, given that the area was recently liberated from the control of the Islamic State (ISIS). The region remains divided between the control of the Syrian government and the U.S.-backed local forces (Syrian Democratic Forces), which later established a local administration under the Autonomous Administration. Our team met with a human rights defender in the Azba area, part of a district known as Al-Ma'amel in Deir ez-Zor, which witnessed a protest on April 1, 2023. The defender said: "The protesters demanded improved living conditions and better services. There was no attack on property or any vandalism, but the discussion between the protesters and a military patrol from the Syrian Democratic Forces (SDF) became heated. Tribal elders intervened, and the protest was dispersed without injuries or arrests."

2-1-2 Violence by Protesters as a Violation of Their Right to Peaceful Assembly:

Following the arrest of two motorbike users, who had been banned several times in the Autonomous Administration's control area due to their use by ISIS to target military and security checkpoints, one of the checkpoints in the Ali area, part of the town of Al-Kasra, detained two motorbike users after a verbal altercation. A military patrol was called for support, which angered the locals, who protested against the checkpoint's actions. The protesters used violence and blocked roads. The protest ended with the intervention of the local Mukhtar (village leader), and the authorities agreed to replace the checkpoint personnel.

2-1-3 Arrests for Inciting Protests:

On April 11, 2023, a protest took place at the Muhaimida roundabout in response to poor services and living conditions. The Syrian Democratic Forces (SDF) responded with violence, including firing shots to disperse the protesters, followed by assaults on four protesters, resulting in some bruises and minor injuries.

Two protesters, activists A.S. and A.H.M., were arrested and detained for a week before being released following the intervention of tribal elders. In another protest on June 11, 2023, near the Hossan roundabout, demonstrators protested against living and service conditions, setting tires on fire and blocking roads. The security forces tried to disperse them by firing shots in the air and attempting to arrest the protesters, who fled the scene.

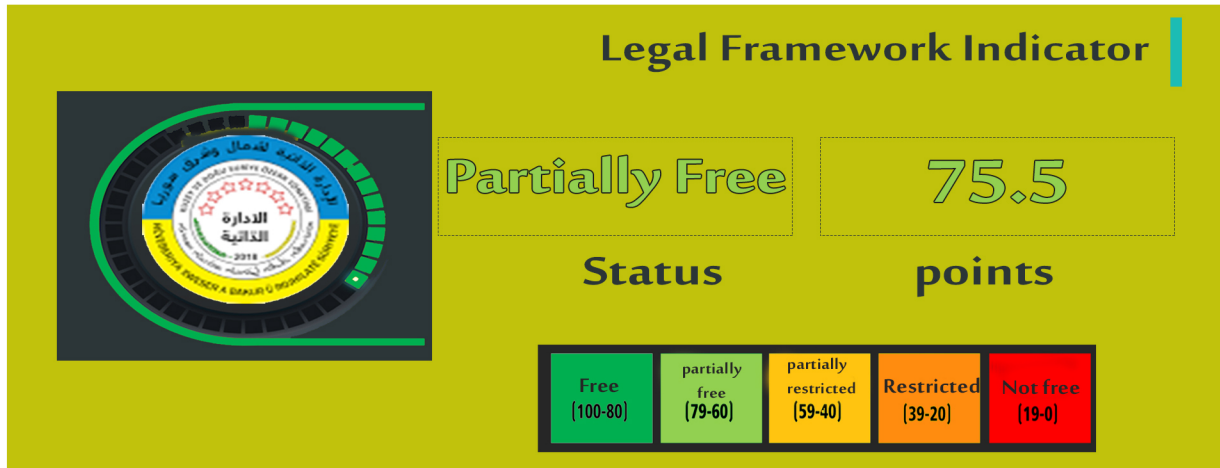
A few days later, the security apparatus of the Syrian Democratic Forces arrested three individuals who were organizing the protest but released them after warning them against further protests.

Overall, 2023 saw a decline in the suppression of protests organized by the Kurdish National Council in Syria, one of the main political factions opposed to the Autonomous Administration. Previous years saw more violations and repression of the Kurdish National Council's protests.

2-2 Indicators of the State of the Right to Peaceful Assembly:

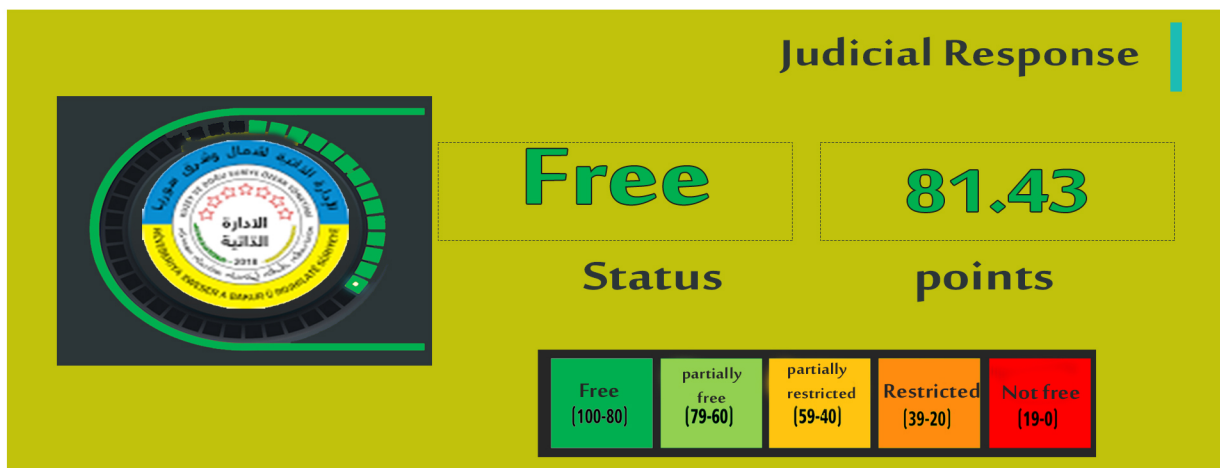
2-2-1 Legal Framework Indicator: Partially Free

Although there is no law regulating protests in the Autonomous Administration areas, the procedures for allowing protests were relatively straightforward. Spontaneous gatherings organized by citizens without the use of violence were not suppressed. This indicator scored 75.5 points on the adopted scale



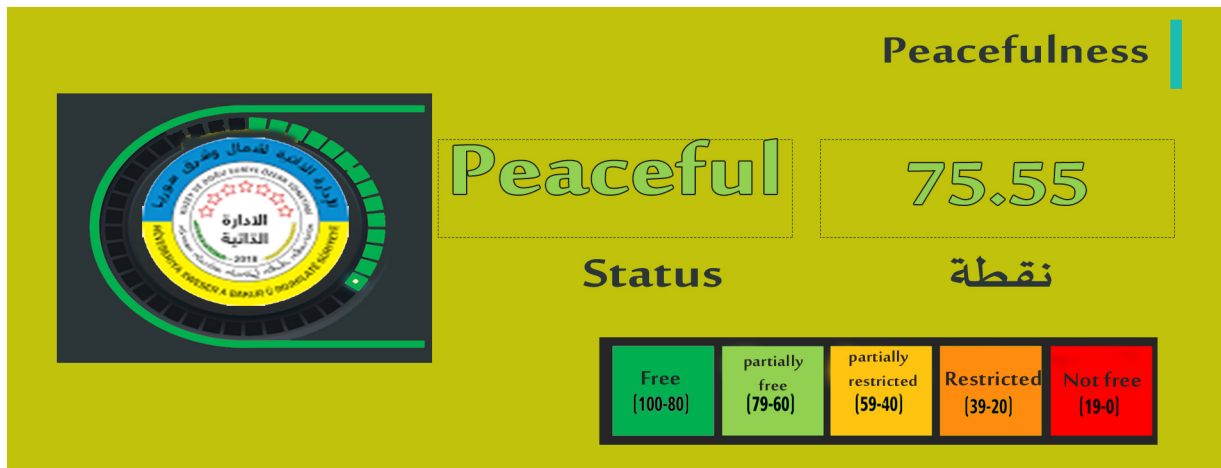
2-2-2 Judicial Response to the Right to Peaceful Assembly Indicator: Free:

In general, the region has a competent judiciary, and the judicial authorities, in cooperation with the ruling authority, implement amnesty policies alongside tribal roles. According to the testimonies of those we interviewed, the judiciary provides fair trials and balanced legal procedures for exercising the right. This indicator scored 81.43 points out of 100 on the scale of the right to peaceful assembly.



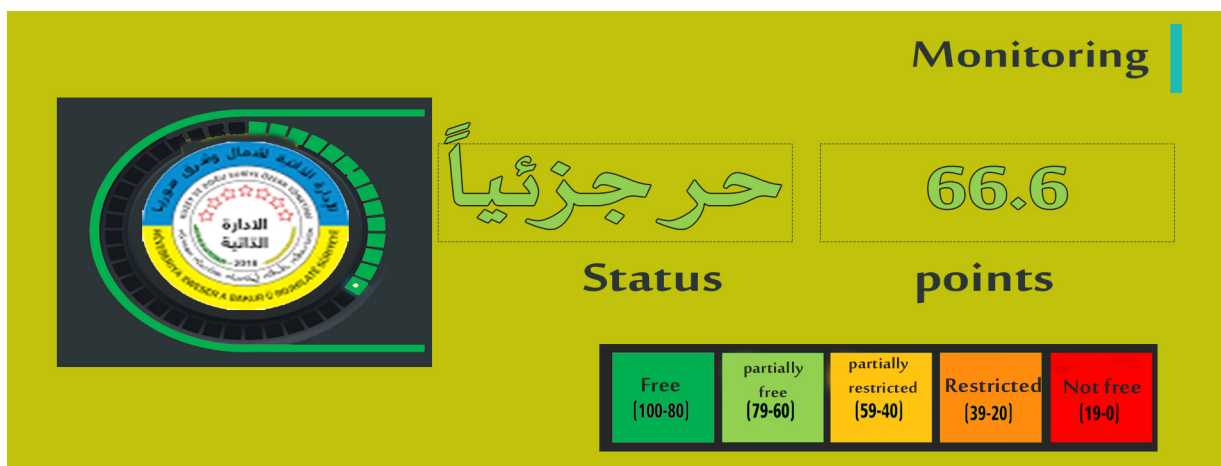
2-2-3 Peacefulness of Assemblies Indicator: Peaceful

Participants in peaceful assemblies rarely resort to violence or attacks on public and private property, reflecting the peaceful nature of the protesters despite the government and administrative measures taken against them. This indicator scored 75.55 points out of 100 on the scale of the right to peaceful assembly.



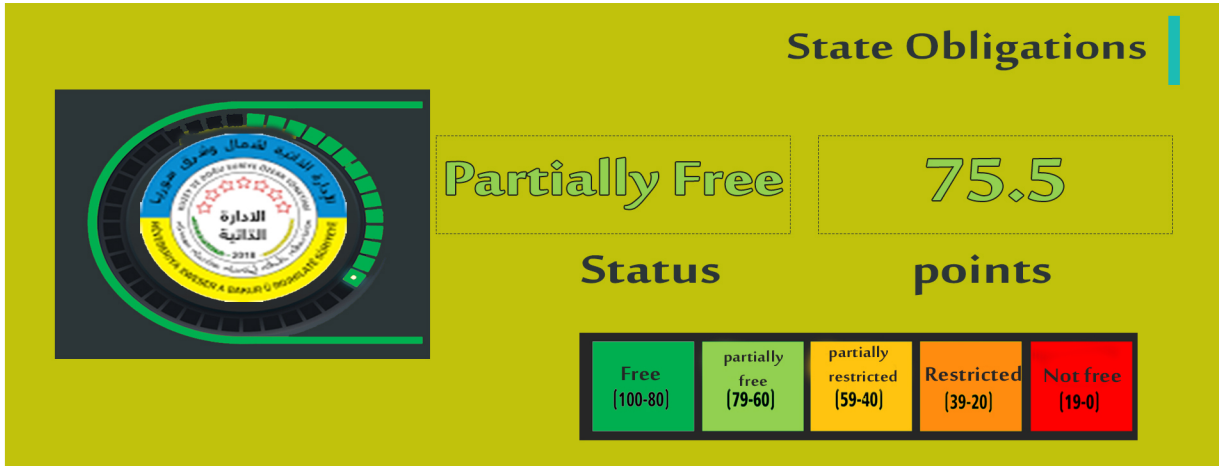
2-2-4 Monitoring of the Right to Peaceful Assembly Indicator Partially Free

In general, local authorities allow the monitoring of demonstrations and peaceful assemblies. This indicator scored 66.6 points out of 100 on the scale of the right.



2-2-5 State Obligations to Facilitate and Protect Assemblies Indicator: Partially Free:

Local authorities generally make it easy to obtain approval for peaceful assemblies. In 2023, they provided protection for spontaneous gatherings unless the protesters used violence or attacked public property. According to the opinions of those we interviewed, this indicator scored 75.5 points out of 100 on the scale of the right to peaceful assembly.



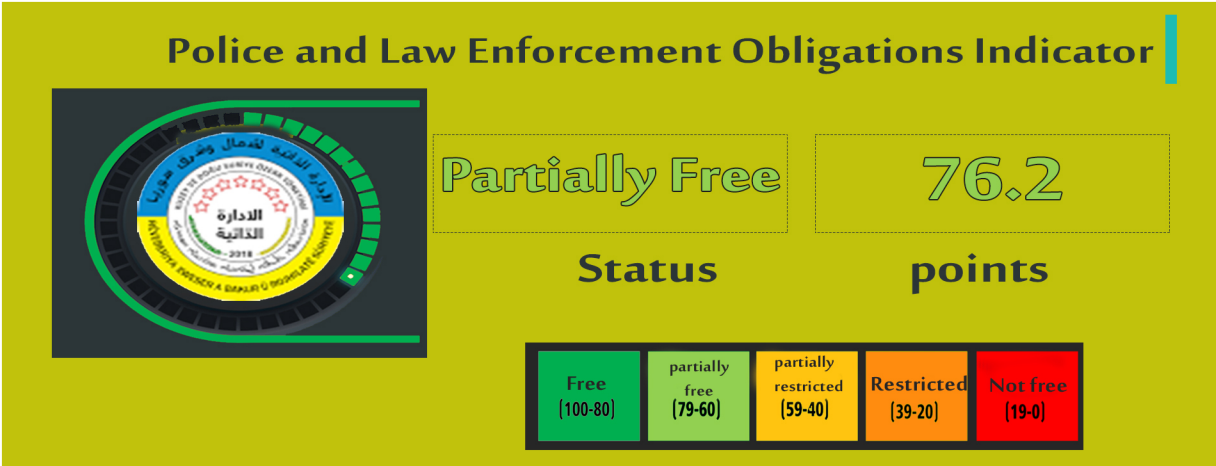
2-2-6 Freedom of Opinion and Expression Indicator: Partially Free

Freedom of opinion and expression is exercised in demonstrations within the Autonomous Administration’s control areas, with criticism of living, service, and political conditions during 2023. This indicator scored 69.5 points out of 100 on the scale of the right.



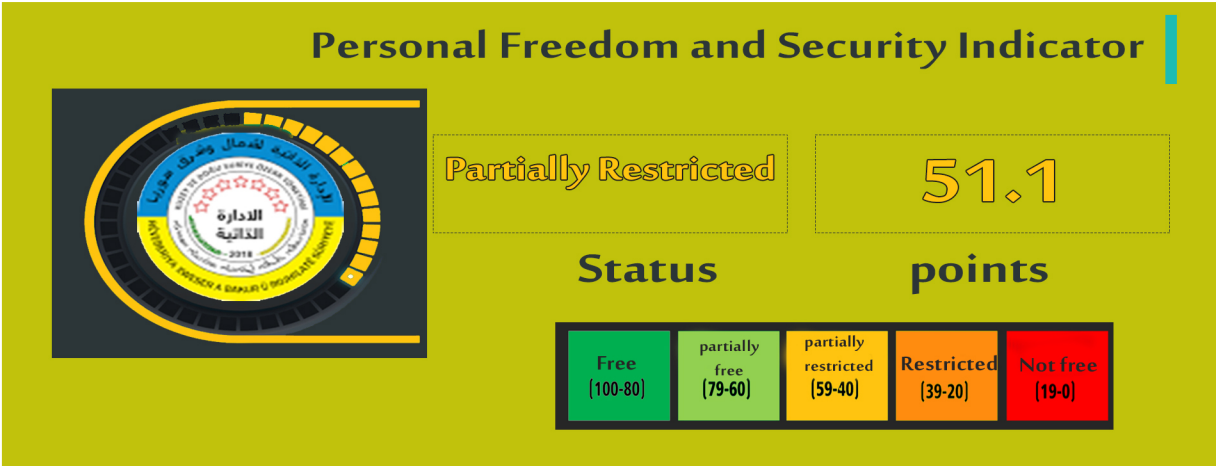
2-2-7 Police and Law Enforcement Obligations Indicator: Partially Free

Police and law enforcement agencies rarely use force against assemblies, including less-lethal weapons and firearms. They exercise restraint in using force against protesters, particularly after protesters use violence against them. According to the opinions of those we interviewed, this indicator scored 76.2 points out of 100 on the scale of the right.



2-2-8 Right to Personal Freedom and Security Indicator: Partially Restricted:

Participants in peaceful assemblies generally feel anxious about their safety and the risk of arrest, detention, or imprisonment due to their participation in protests against local authorities.



Recommendations

1. Amend the law regulating the work of civil society organizations with the participation of civil society organizations and based on international standards for the right to freedom of association.
2. Stop all forms of unjustified interference in the work of civil society organizations in North-East Syria and refrain from applying any pressures similar to those mentioned in this report or any other from the NGO Office.
3. Allow women's organizations to operate without linking them to any government entities for women or children.
4. Civil society organizations in the region should develop their structures, strategies, and plans in line with their basic regulations, aiming for specialization in specific fields, which would enable them to network and achieve synergy among themselves.
5. International donors and organizations working in North-East Syria must closely monitor the provision of grant and funding opportunities to all civil society organizations in the region without discrimination.
6. Increase local awareness of the importance of peaceful protest, its standards, and the rejection of violence committed by protesters.
7. Increase awareness among law enforcement agencies of the regulations and standards that must be followed to protect peaceful protests.
8. Draft a modern law on the right to peaceful assembly and protest in the region and promote awareness of its content.
9. Provide legal and judicial protection for protesters and enable citizens to exercise their right to peaceful assembly.