



Status indicator
of the right to
Freedom of
in

ASSOCIATION

SYRIA 2022

Status indicator of the right to freedom of association in Syria 2022



Bibliographic information

Title:

A report published by the Fraternity Foundation for Human Rights-FFHR. This report, published for the first time in Syria, measures the status of the right to form associations and its exercise in the different areas of control in Syria for the year 2022 according to the six indicators adapted by the FHR, which adhere to international standards for this right.

Intellectual Property:

Fraternity Foundation for Human Rights-FFHR

Publisher, preparation and Issue:

Fraternity Foundation for Human Rights-FFHR

Date of publication:

4 September 2023

Languages:

Arabic and English

Design:

Team Network for Media and Art-Production

About FFHR:

Fraternity Foundation for Human Rights-FFHR, a non-governmental, non-profit human rights organization, established on the first of January 2013 in Syria and its permanent headquarters is in Germany. led by Syrian human rights defenders

FFHR seeks to promote and protect the right to freedom of peaceful assembly and of association for all Syrians. And advocating the Syrian individuals and groups to ensure that they have this right and can implement it. and support their role in effective civic engagement in political decision-making

Fraternity Foundation for Human Rights thanks everyone who contributed to the completion of this work, especially our researchers inside Syria, our legal support unit, our colleagues, our legal advisors, and human rights lawyers from Egypt and elsewhere

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1-1. Methodology of the Report

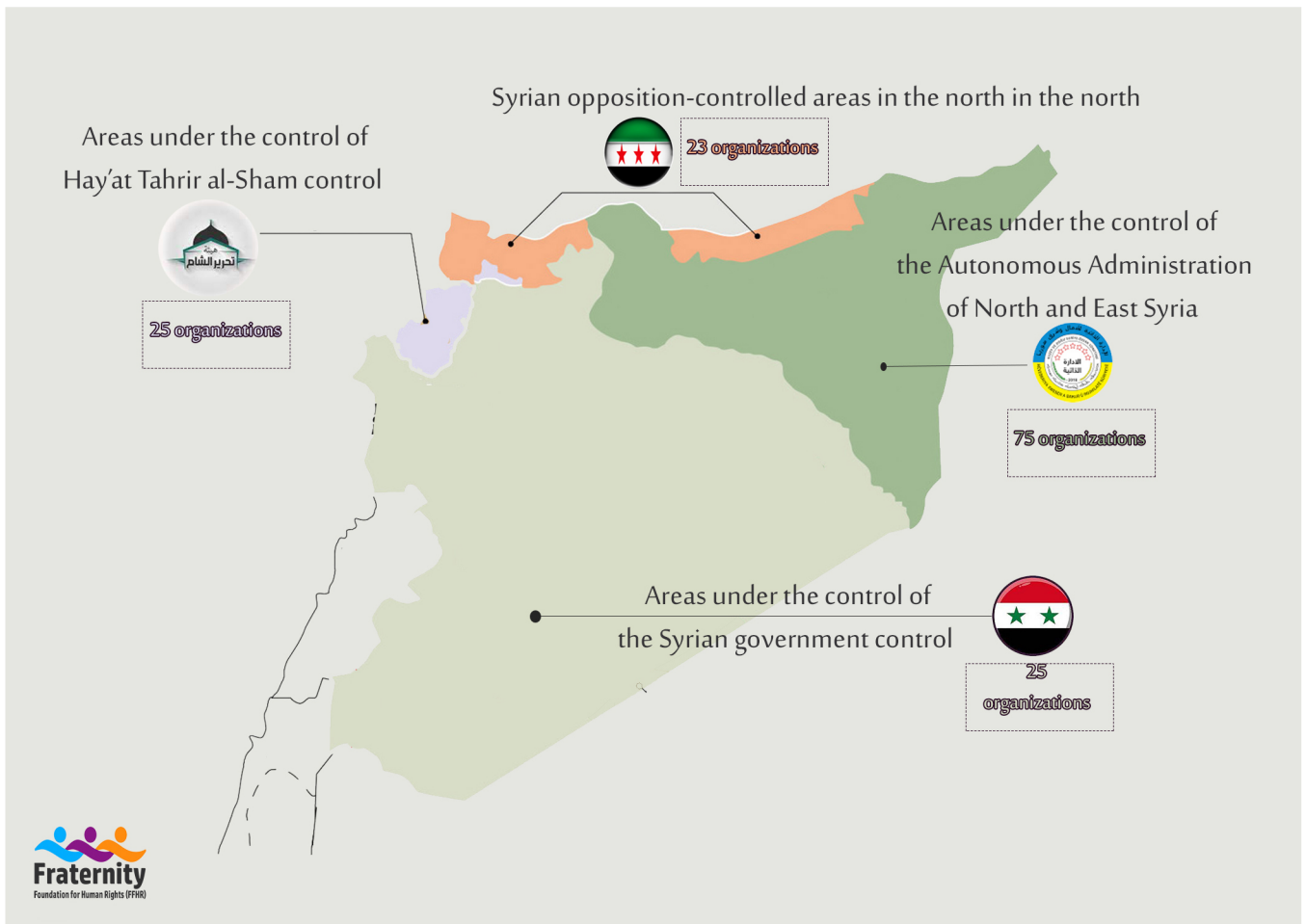
This report is based on the accumulated experience of the Fraternity Foundation for Human Rights since its establishment in 2013. The Fraternity Foundation for Human Rights started to develop a Syrian National Index in 2022 to measure the state of the right to associate in Syria, after having focused since 2018 on a specialised field in the promotion and protection of the right to peaceful assembly and association, where the "Awareness Unit of the Fraternity Foundation for Human Rights" organized training workshops on international standards on the right to association for more than 200 civil society organisations in Syria.

During the period 2018-2022, the Legal Support Unit of the Fraternity Foundation for Human Rights conducted opinion polls among nearly 300 civil society organisations in Syria and documented a number of violations committed by the parties to the Syrian conflict against civil society organizations, culminating in four reports. These reports were published during the year 2022, successively for each area of control.

Our organization conducted a legal analysis of the legislative and legal environment regulating the association sector in Syria through specialized legal studies supervised by a human rights lawyer from the Republic of Egypt.

Our foundation continued its close communication with Syrian civil society organizations in all four areas of control. During this communication, it collected documented information about the obstacles to their work and its recommendations for developing their capabilities to enjoy and exercise the right to form associations. At the end of the year 2022, the Fraternity Foundation issued its six basic indicators to measure the state of the right to form associations in Syria. .

In order to ensure more accurate results, the Legal Support Unit of the Fraternity Foundation for Human Rights developed indicator forms based on international standards on the right to freedom of association and the recommendations of the Special Rapporteurs on this right. To complete these forms, we relied mainly on field interviews with 148 Syrian civil society organizations, distributed as follows across the four monitoring areas:



1. **Legal framework index:** to measure the extent to which the law and administrative procedures meet global standards of the right.
2. **Establishment index:** to measure the effectiveness of the registration procedures and their duration.
3. **Security restrictions index:** to measure the extent of interference by security services affiliated with the ruling authority in establishing and exercising the right to form associations.
4. **Receipt of funding index:** to measure the extent to which the ruling authorities of the region allow local associations to receive funding from international donors, whether organizations or international bodies.
5. **Freedom of movement and work index:** to measure the mutual interaction between the ruling authority and local associations, and the extent of freedom to interact and deal with political organizations in the region, including opposition to the ruling authority and target groups.
6. **Freedom of opinion and expression Index:** to measure the extent to which associations are able to express their views on the performance and policies of the governing authority in the region, and the extent to which this authority accepts the criticisms and views of these associations, and thus the effectiveness of civil association participation in policy-making and decision-making.

Following a systematic and scientific review of the six indicator questions, the Legal Support Unit approved 20 questions on these indicators.

1. Legal Framework Index:

- Does the law in force meet your needs for the establishment of your association?
- Does the law allow individuals and legal persons to establish?
- Does the law impose large financial fees for your (small) association?

2. Establishment Index

- Has your association been set up by notification or by submitting a dossier and procedures for which you are awaiting approval from the administration?
- How long did it take to set up your association (from the date of application - from the date of submission of the file: to the date of receipt of the license/declaration)?

3. Security Restrictions Index

- Do the security services interfere in approving the establishment of the association?
- Do the security services interfere in the acceptance or rejection of founding members?
- Are there security and administrative restrictions on holding public and private meetings and seminars?
- Are the bans on civil work in general limited to flexibility and bending of the text?
- Have your association's members and activists faced, or are they facing, security restrictions or persecution?
- Have the authorities intimidated or threatened the media reporting on your activities?
- Has any member of the organisation or its public ever been arrested or tried for their activities with you?

4. Funding index

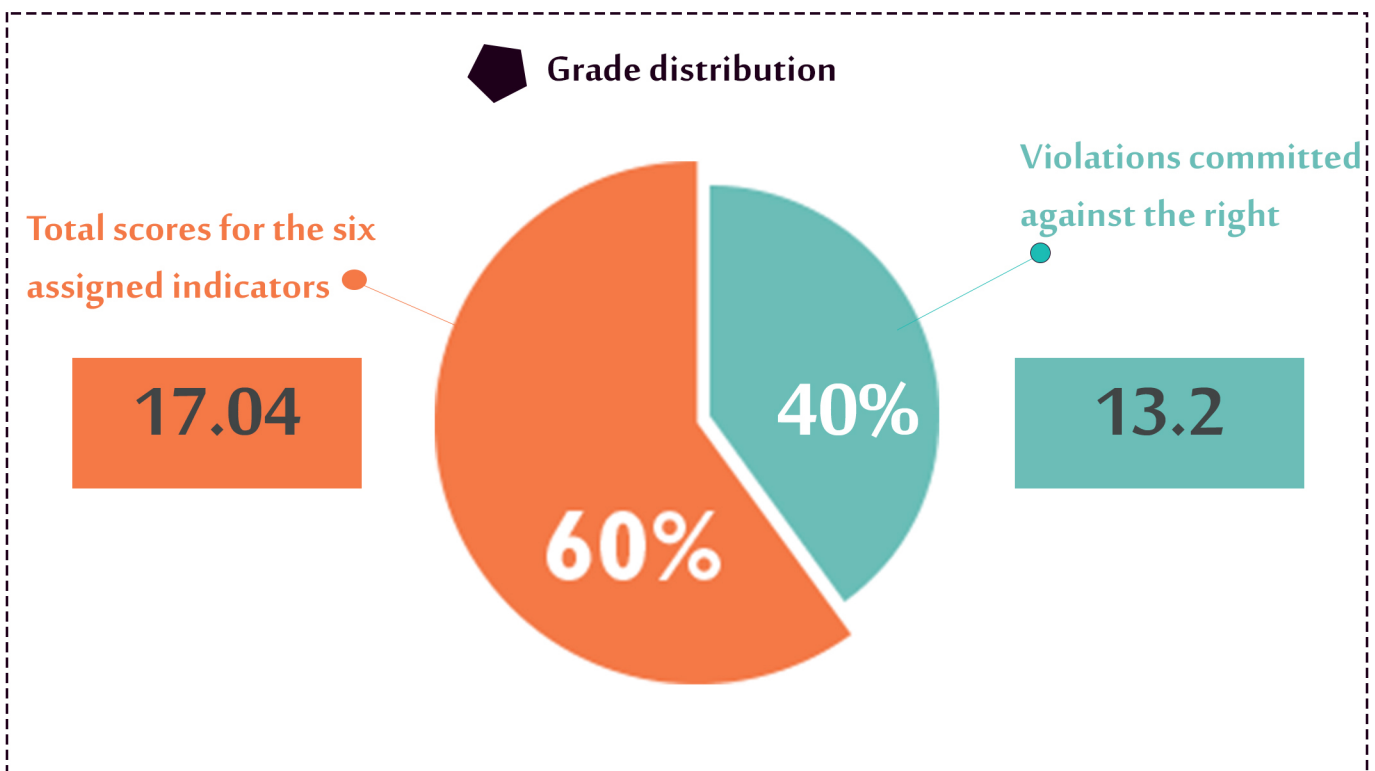
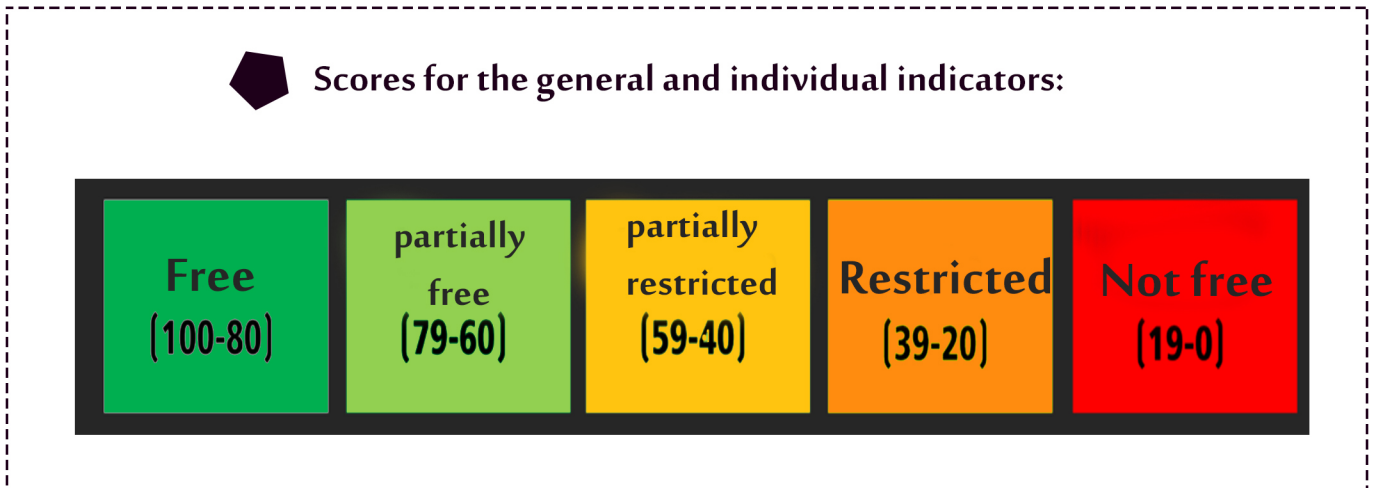
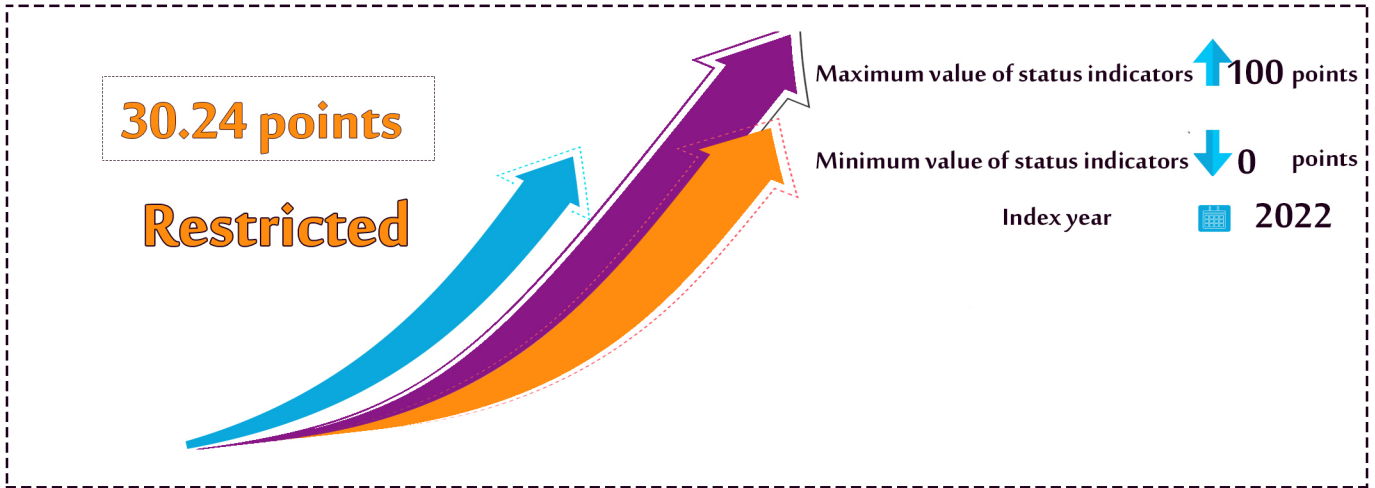
- Do you face restrictions in obtaining local and international funding?
- Do you face restrictions or opposition from local authorities in cooperation and working with international counterparts?

5. Freedom of movement and work index

- Do the authorities and the administration discuss your proposals seriously?
- Do you freely receive visits to your association's headquarters from representatives of political parties, trade unions or opposition to local authorities?
- Do you face restrictions in introducing the association's activities to your social environment?

6. Freedom of Opinion and Expression Index

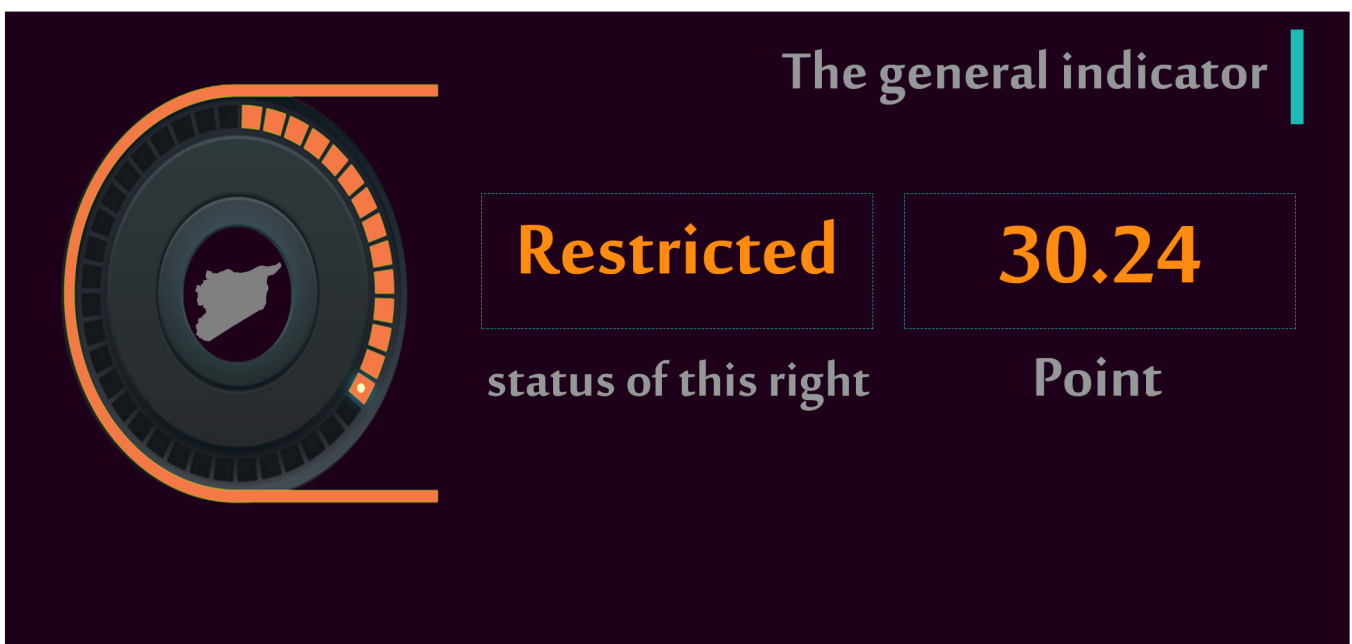
- Can your organization engage in activities that conflict with the policies and direction of the governing authority?
- Is your organization free to express its views and criticize the local authority without being questioned or retaliated against?
- Is your organization able to participate in the policy and decision making of the authority that governs your region?



2-1. General Results

Based on the analysis of indicators on the status of the right to freedom of association, approved by the Fraternity Foundation for Human Rights and included in the methodology of the report, and which was carried out through 148 field interviews with organizations and associations operating in the region, and by comparing the analysis of these indicators with international standards on the right to freedom of association and the practice of their activities.

The status of this right has been classified as 'restricted' in light of the procedures followed by the parties to the Syrian conflict. Civic space is generally not free. The report's findings highlight a score of 30.24 on the scale of freedom of association and its exercise.

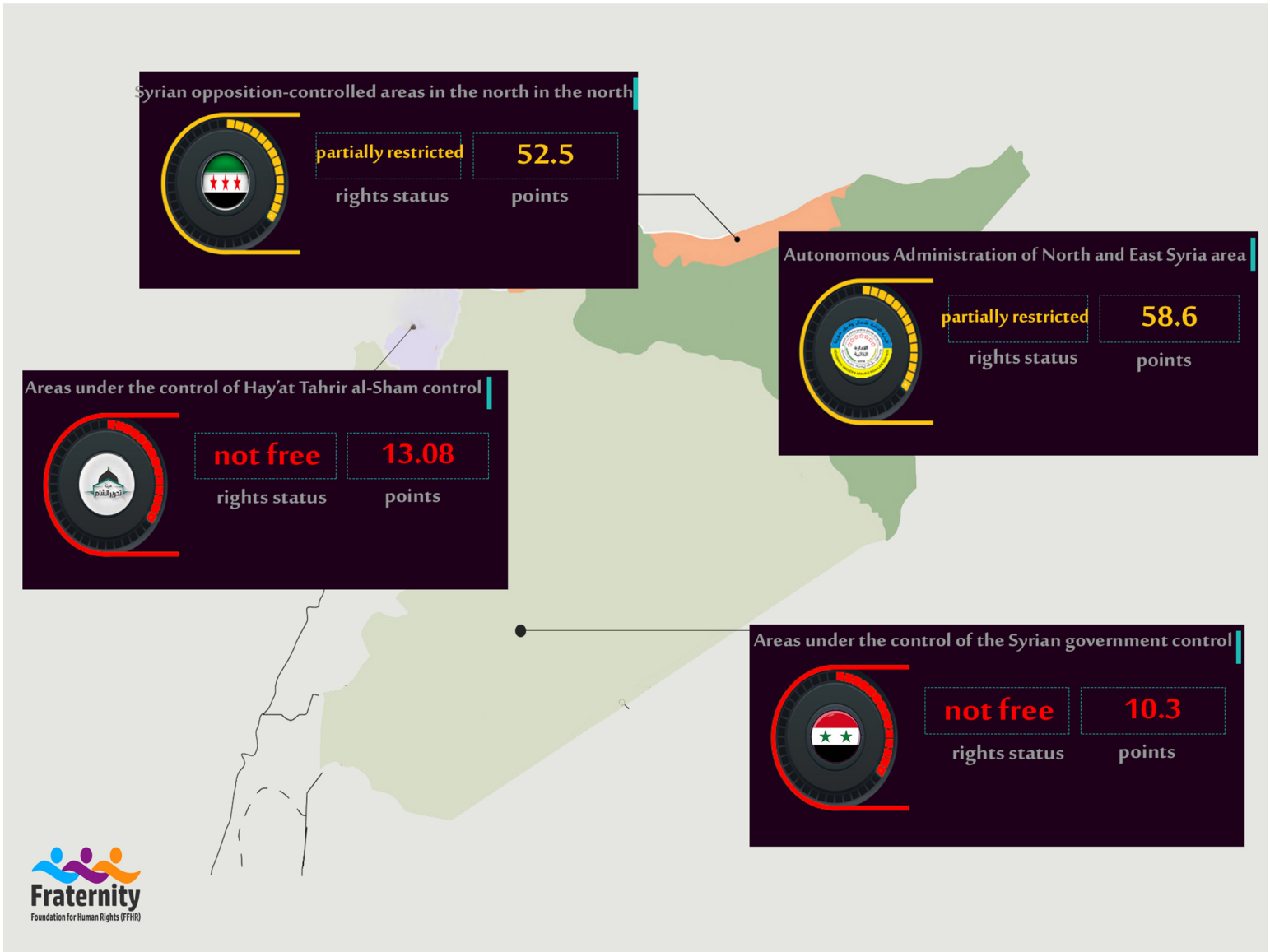


While the violations committed against the right to form associations in Syria were

74% negative point



The Syrian government topped the list of systematic repression of the right to freedom of association with a score of 10.3 on the general scale, and the situation of the right to form associations in the area under the control of the Syrian government was rated "not free", followed by Hay'at Tahrir al-Sham, which controls the northwestern region of Syria, mainly the Idlib region and its countryside, with 13.08 points, also classified as "not free", followed by the area controlled by the Syrian opposition, which is essentially under the control of the Turkish government, with 52.5 points, where the state of rights was classified as "partially restricted". The best area was the area of control of the Autonomous Administration of North and East Syria, where the state of rights was classified as "partially restricted". The best area was the area of control of the Autonomous Administration of North and East Syria, where the state of rights was classified as "partially restricted".



2-2-1. Legal framework indicator: Status is restricted

All standards for the right to form associations are absent from the laws and administrative procedures used by the de facto authorities in the four regions to provide and protect this right, according to the legal metrology. We have relied on the legal studies that regulate the association sector in each region, as well as on the opinions of the associations themselves regarding their registration and licensing mechanisms.

The index scored only 27.25 out of 100 points on the freedom of association scale.

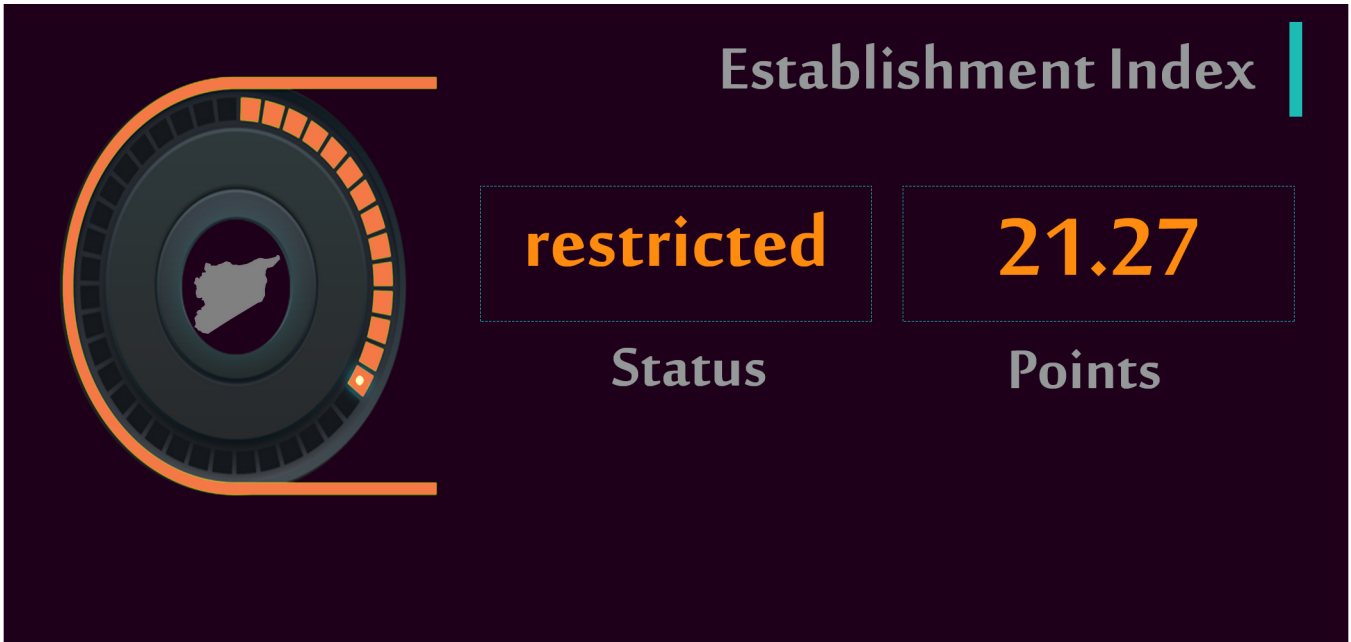


Legal framework index: to measure the extent to which the law and administrative procedures meet global standards of the right.

2-2-2. Establishment Index: Status is restricted

In Syria, there are generally no registration procedures by notification. Rather, the de facto authorities practice the method of registration by application and waiting periods that often exceed 90 days and, in areas such as the Syrian government-controlled areas, can reach more than a year, and according to the legal measurement:

the index scored only 21.27 points out of 100 points on the scale of legal freedom



Establishment index:

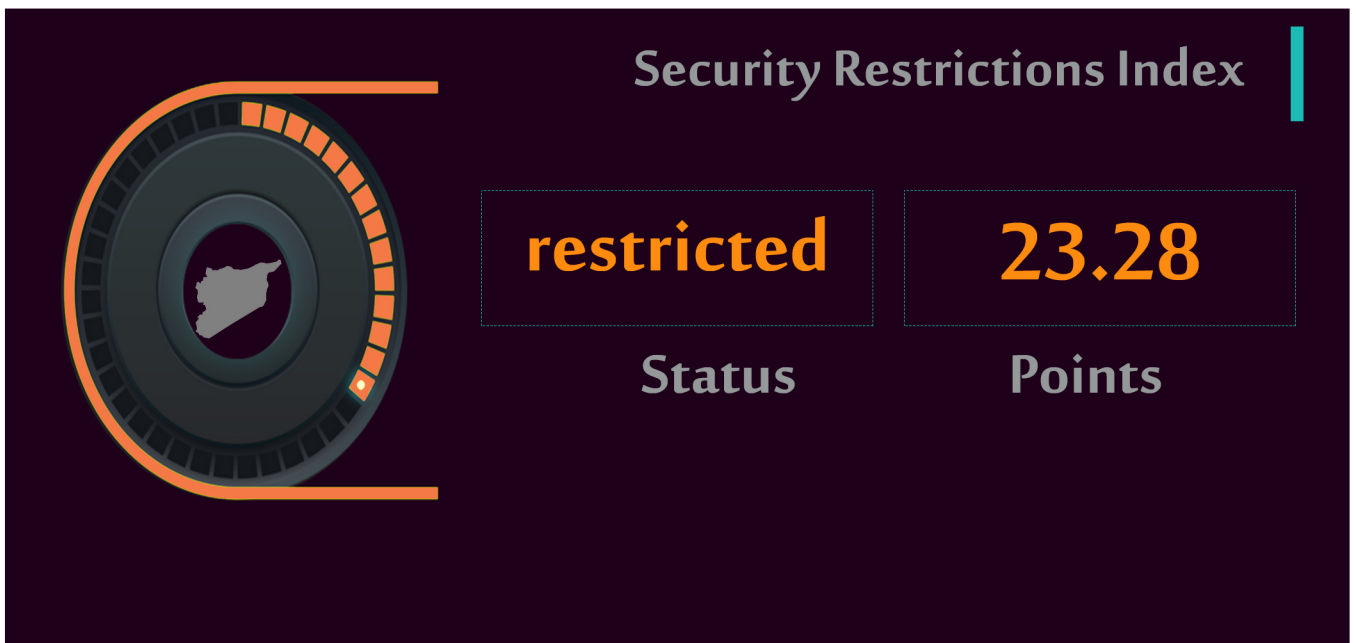
to measure the effectiveness of the registration procedures and their duration



2-2-3. Security Restrictions Index: Status is restricted.

The de facto authorities practice blatant security interventions against those who exercise this right in the region, with regard to the process of establishing, rejecting and accepting members of the management of associations, and the practice of the work of associations is subject to security interventions and security surveillance, preventing the media and the public from dealing with associations freely and according to legal standards

The index scored only 23.28 points out of 100 on the scale of the degree of freedom of association

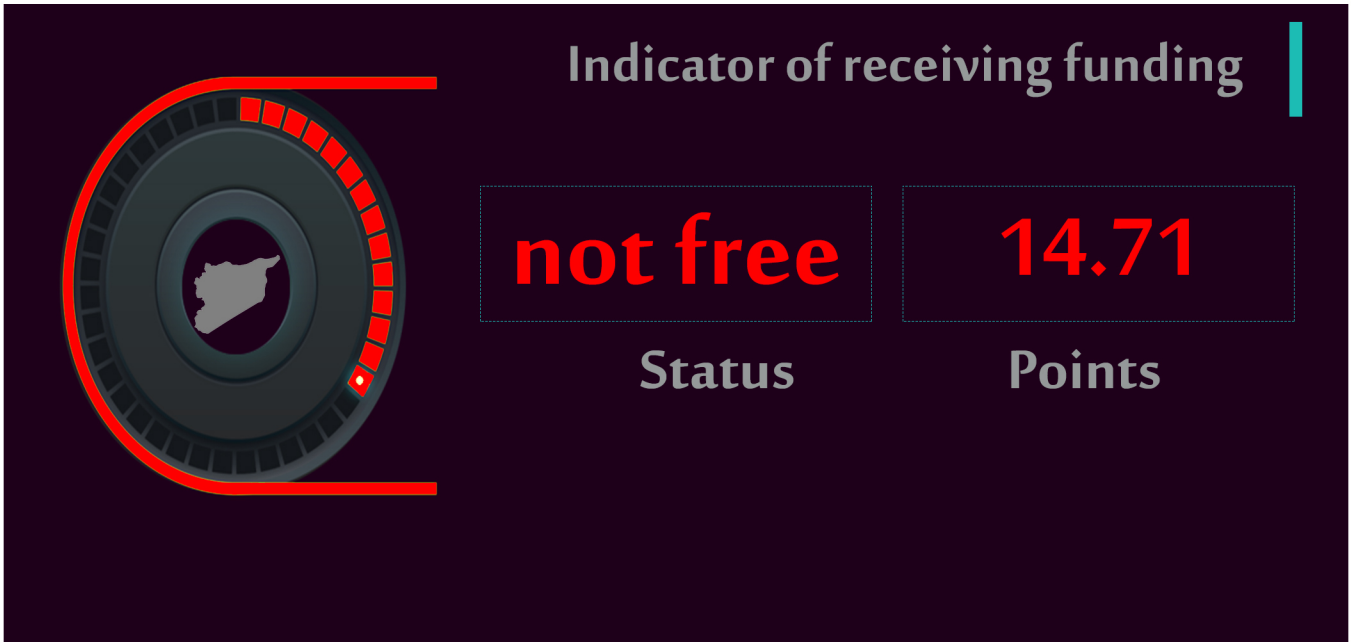


Security Restrictions Index
to measure the extent of interference by security services affiliated with the ruling authority in establishing and exercising the right to form associations.

2-2-4.Indicator of receiving funding: Status is not free.

There is no freedom of local and international funding, and the organizations and associations operating in the region exercise their freedom to deal with international agencies and organizations, according to the legal metrology, with the requirement that entities and bodies linked to the de facto authorities participate individually in benefiting from the support provided to the Syrians

The index scored 14.71 points on the scale of the degree of freedom of association.



Indicator of receiving funding

to measure the extent to which the ruling authorities of the region allow local associations to receive funding from international donors, whether organizations or international bodies.



2-2-5. Freedom of movement and work index: Status is not free

There is a systematic prevention of effective civic participation in Syria, and the de facto authorities exercise a clear ban on freedom of interaction and contact by associations and civil society organisations with political organisations in the region, including opposition to the ruling authority, and harsh censorship in allowing interaction between local associations and target audiences.

The index scored only 18.75 points on the freedom of association scale.



Freedom of movement and work index

to measure the mutual interaction between the ruling authority and local associations, and the extent of freedom to interact and deal with political organizations in the region, including opposition to the ruling authority and target groups.

2-2-6. Freedom of opinion and expression index: Status is not free.

Freedom of opinion and expression is completely absent in the four areas of control. These authorities absolutely suppress the organisations and associations of the region in expressing their opinions and criticizing the policies of the ruling authority. These organizations and associations do not take part in the political and decision-making process, which is the prerogative of each authority in its region, and which considers civic participation to be merely a formality

The index scores 4.02 points on the freedom of association scale.



Freedom of opinion and expression Index

to measure the extent to which associations are able to express their views on the performance and policies of the governing authority in the region, and the extent to which this authority accepts the criticisms and views of these associations, and thus the effectiveness of civil association participation in policy-making and decision-making



Thirdly: Recommendations

The right to freedom of peaceful assembly
الحق في حرية التجمع السلمي وتكوين الجمعيات
Mafê Komcivîna aştyane û Azadî ya avakirina Komeleyan

2013



a) To the de facto authorities and their legislative and executive bodies:

While the laws governing the establishment, registration and operation of civil society organisations should be the minimum necessary to promote the right to freedom of association, they should also:

1. They should establish clear, consistent and simple criteria for registration as a legal entity;
2. Non-governmental organisations that meet all established administrative criteria should be able to register as legal entities immediately;
3. We call on you to abolish laws that are incompatible with the standards of the right to form associations, to refrain from interfering in the formation process, to be satisfied with the notification and publicity system or, if the registration process continues by submitting the application and waiting, to be satisfied with the internal rules of the association and the application for registration, and to grant approvals in the shortest possible time through smooth and procedures that are compatible with the international standards on the right to freedom of association, in particular Article 22 of the International Covenant on Civil and Political Rights;
4. All previously registered non-governmental organisations should be considered as legally continuing their work and be given reasonable time to adjust their situation without administrative complications;
5. We call on the de facto authorities to stop interfering and discriminating on different grounds against associations, their members and their clients;
6. We call on the de facto authorities to provide an environment of public security and to protect humanitarian organisations from attacks by their armed members or any armed groups in their area of control;
7. Stop interfering in the affairs of associations working in the region and allow freedom to women activists working in all areas of civil work;
8. We call on the Syrian government to repeal Law 93 of 1958 and adopt a new law that is consistent with international standards on the right to freedom of association, in particular Article 22 of the International Covenant on Civil and Political Rights, which the Syrian government has signed and ratified;
9. The need for a law regulating the right to exchange information. The right to freedom of expression and information is the cornerstone of all free and democratic societies. Without a law regulating the right to exchange information, the right to freedom of association is indirectly restricted.

b) To the civil society room in the office of the UN Special Envoy for Syria

1. The Chamber and the Office of the UN Envoy should intervene with the Turkish government as the guarantor of the agreements to reduce the escalation in the area controlled by Hay'at Tahrir al-Sham, and it has the influence and ability to put pressure on the salvation government and Hay'at Tahrir al-Sham to ensure that Syrian associations and civil society organisations operating in their area of control are stopped, and that interference in the establishment processes and the exercise of the right to form associations is stopped.
2. Hold open meetings with representatives of Syrian civil society in order to ascertain the reality of the harassment they are subjected to

c) Syrian civil society organisations:

1. Continue to fight for a fair and legal law to regulate the work of Syrian civil society organisations;
2. Networking and building alliances to ensure that Syrian civil society institutions enjoy their full freedom in civil and humanitarian work;
3. Bridging the gap between Syrian civil society institutions and citizens;
4. Adopt defense and advocacy mechanisms to enhance the protection and enjoyment of the right to form associations;
5. Adopt more dynamic and modern mechanisms to monitor violations of the right to association;
6. Strengthening the capacity of actors in the field of legal assistance to assist associations in establishing or adjusting the status of existing associations.

d) The Human Rights Council and the Special Rapporteurs on the right to freedom of association and peaceful assembly and the right to freedom of opinion and expression

1. We call on the Council to exert pressure on the parties to the Syrian conflict, the de facto authorities and the relevant regional and international governments to stop the violations against associations and to demand that Syria fulfil its obligations, and to include this in its resolutions on the situation of human rights in Syria;
2. We call on the Special Rapporteur on the rights to freedom of peaceful assembly and of association to monitor the violations committed by the parties to the conflict against Syrian civil and political associations, and to devote one of his regular reports to reporting on any violations that he monitors.



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2022

