

MESSAGES

Civil society organizations send messages to the Autonomous Administration about the elections and the development of the institutions' work

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Justice for Life

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INTRODUCTION

On May 10, 2022, JFL[1] published a field study titled "Citizen Participation in Local Administration"[2] that examined the growing demands for restructuring the Autonomous Administration institutions and the level of local satisfaction with these institutions' work, as well as the possibility of holding local elections.

Later on, JFL held (9) coordination dialogue sessions for civil society organizations in Deir Ezzor, Raqqa, and Al-Hasakah to discuss the study outcomes. (26) local organizations participated, and the sessions came up with letters to the Autonomous Administration in support of involving citizens in the local decision-making process.

The participating organizations varied in their specialty, including education, healthcare, and relief sectors, besides organizations specialized in supporting persons with disabilities, community peace, and peacebuilding. Also, the geographical activity scope of the organizations was diverse.

Participants developed a preliminary vision of the Autonomous Administration institutions' work and opportunities to build a form of management that meets local demands for participation. They then made detailed recommendations on the possibility of holding elections, the current form of Administration and the possibility of developing it, the rule of law, including holding those accused of violations accountable and ending the spread of corruption.

[1] Justice for Life organization
<https://jfl.ngo/>

[2] Citizen Participation in Local Administration, JFL, May 10, 2022.
<https://bit.ly/3sNidER>

Description of the Current Situation

The Autonomous Administration Institutions

Participants of the coordination sessions believe that the satisfaction of the local community with the Autonomous Administration institutions' work is diminishing. Although it is not the same in all regions; increasing in some areas and declining in others, however, it is obvious that despite the Administration's control of the area for years, it has not been able to gain the local community's trust. Participants attributed this to the Administration's inability to improve the conditions of areas under its control. The most prominent examples are poor services[1], education[2], Healthcare, and insecurity problems, in addition to widespread corruption in the various institutions of the Administration and absence of control over the Administration institutions' work.

The law enforcement is different from one region to another. It improves in cities and declines in the countryside. Many participants confirmed that the law is not enforced. The Administration uses the help of tribal leaders to resolve local issues in some areas without enforcing the law. Additionally, laws are not subject to discussion by representatives of local communities and civil and political powers, and therefore their rejection may be expected.

Some participants pointed out that the Administration has not achieved the required security and service aspects. However, the situation remains better than other Syrian areas. Participants in support of that view said that a large segment of the local population is trying to adapt, and this does not rely on full satisfaction with the Administration performance.

Participants believe that the unstable political and military state in northeastern Syria has slowed down the Administration institutions' response to local demands. Military threats put the region in a state of emergency. However, such threats do not justify the lack of improvement of the Autonomous Administration's work or committing human rights violations. Any emergency must not obstruct the process of holding those responsible for corruption or human rights violations accountable, as well as the need to enforce the rule of law in various circumstances.

Confronting the Administration's narrative on providing equal participation to the various groups in northeastern Syria, many representatives of organizations believe that this participation is a formality that has no role in making influential decisions at the political, military, or service levels, and that the Administration uses such the sham participation to have legitimacy more than the desire to involve the local community in the decision.

1] Water Crisis in Deir Ezzor: Serious Repercussions for Local Residents, JFL, September 12, 2022.

<https://bit.ly/3TiEghW>

[2] Teachers' Strike in Deir Ezzor.. Reasons and Recommendations, JFL, May 13, 2022.

<http://bit.ly/3bvJITm>

Governance in Northeast Syria

Staff selection in public institutions is based on loyalty and regional, tribal, and ethnic quotas. This practice is followed at various work levels in civil and military aspects.

Many experienced people have refrained from working in the Autonomous Administration institutions because loyalty to the political and military leadership is the condition to work and stay, in addition to the rampant corruption in the Administration institutions. The participants cited some examples: The appointment of judges without university degrees and the employment of people with false university degrees in the education sector.

The Administration's behavior and the PYD staff's control over the Administration's work indicate that the priorities are not the community's demands[1] for better services and security conditions, the need for equality and non-discrimination, or anti-corruption.

Those responsible for abuses and violations in the Autonomous Administration areas are not held accountable. The suspects of abuses and violations are protected by tribal and partisan forces that do not adhere to the law and judicial rulings[2]. The participants gave examples of violations include arbitrary arrests and enforced disappearances[3], restricting the right of mobility to a group of residents by enforcing the expat card[4], and violations against IDPs in camps[5].

Lack of accountability caused an increase in crime rates, including armed robberies, assassinations, and drug dealing. Some participants assured that accountability is relative as it is not applied the same across the Administration areas. They also confirmed that the state of freedom is better and demonstrated by the presence of civil society organizations.

Transparency is absent in the Administration institutions, according to the participants. One of the repeated examples in the coordination sessions was the bread crisis, which once settles comes back again. No one can see the bakeries' allocations, as the reason is lack of flour. The participants mentioned the fuel problem, the heavy rise in prices in some areas while cheaper in others, and the fuel allocations to agricultural associations. Some institutions share information about their activities, but intermittently, as well as everything related to the security and military aspects is blocked. All the above formed a gap between the community and the Autonomous Administration.

A participant asked why the Administration restored gardens at the expense of restoring destroyed schools and hospitals and said it was not easy to get answers.

[1] Deir Ezzor: Recommendations Local to Priority Issues, JFL, 25 April 2022.

<http://bit.ly/3UPyVjo>

[2] The Trial of the Islamic State's Members.. Fundamental Proceedings for Justice, JFL, June 2, 2020.

<http://bit.ly/3EmAVbR>

[3] "Even a Piece of Information, that is all I Demand", JFL, August 15, 2022.

<http://bit.ly/3AqqzGS>

[4] Expat Card in Northeastern Syria, JFL, February 14, 2022.

<http://bit.ly/3y8exzL>

[5] Informal Camps in Deir Ezzor: Interest by Civil Society with Official Neglect, JFL, June 3, 2022.

<http://bit.ly/3VcBgEV>

The Opportunities to Build a Good Governance Structure in Northeastern Syria

According to the participants in the coordination sessions, there are no indications of the possibility of holding elections in northern and eastern Syria in the foreseeable future. The previous elections in some areas of Al-Hasakah governorate did not give a positive indication to the local community about the possibility of organizing fair elections in the future. According to the participants, the Autonomous Administration has no final decision to enable the local communities manage their areas and choose competencies. Some participants referred to security and economic factors that prevent a stable environment required for elections.

According to the participants, elections are necessary to make a change, as long as the election date is known. And political and civil powers have enough space and regulations to encourage active participation in the elections, as reform must begin with elections. But the local community must be guaranteed freedom of expression. If sham elections were staged, that would widen the gap between the community and the Autonomous Administration.

In addition to regulating elections, laws must be in place to regulate the formation of parties, the work of civil society organizations and the media. Although some of those regulations are currently existing, they have not been subject to transparent discussion with political and civil powers. It is noted that they do not meet the aspirations of local communities to promote and protect fundamental freedoms. After adopting the necessary laws to organize fair elections, sufficient time must be given to political and civil powers to publish their programs and address their communities to guarantee locals' conscious and active participation in elections.

Oversight is a fundamental condition for organizing elections that provide active participation. Oversight must not be limited to local efforts but also to international actors who are directly involved in this and by training independent local actors to monitor the elections.

Participants in the sessions stated that security prosecutions of political activists weaken the possibility of broad participation in any future elections. Therefore, providing sufficient space for political parties to mobilize and expression is vital for future elections' success.

Organizations have a prominent role in contributing to the development of the Administration form. But opinions varied on the size and scope of this role and, consequently, the possibility of its contribution to the development of the Administration form. Some organizations representatives in the coordination sessions considered the role of civil organizations essential because of their human and material potential and access to local communities. The presence of civil society organizations during the collapse of the education and health systems and the weakness of services constituted great support for the local community and provided minimum services. Others argued that their role is limited to diagnosis and emergency intervention and that they are not yet qualified for larger roles.

MESSAGES OF CIVIL SOCIETY ORGANIZATIONS

The participants in the nine coordination sessions drafted messages to the Autonomous Administration in northern and eastern Syria, addressing the enhancement of community participation in decision-making.

The messages included specific demands on accountability, transparency, and a decent environment for elections.

The Optimal Form of the Autonomous Administration

- Developing the social contract for northern and eastern Syria to guarantee active participation of various groups and that the civilian Administrations of the Autonomous Administration have the ability and powers to carry out their tasks without interference from political and military powers.
- Restructuring the Autonomous Administration institutions according to a plan and timetable developed in collaboration with local civil and political powers. The restructuring must reinforce the Separation of Powers principle. It is noted that the executive authority is interfering in the processes of the Legislative Council and courthouses, which negatively influences the independence of their decisions. Meaning that the executive authority must fully implement what is issued by the judicial and legislative authorities.
- There is a need to promote and respect the freedom of peaceful speech in various forms, including freedom of assembly and formation of parties and associations, and freedom of the press. Besides, halting the prosecution of people for their opinions or shutting down civil institutes and parties' headquarters.
- Abandoning tribal and regional quotas when recruiting staff and raising the Autonomous Administration's staff competency in various sectors through: First: Appointing qualified candidates. Second: creating an institute to raise administrative competencies for staff in leading managerial positions.
- Every institution should have internal regulations, set by experts, that organize its work. Also, reinforce the accountability principle for those violating the regulations. The institutions' work must be based on periodic needs assessments guaranteeing equality among all beneficiaries.
- Holding the accused of human rights violations accountable by an independent judiciary and under laws that adhere to human rights principles, including the violations of arbitrary arrests, forced disappearances, and torture.
- Regulating arms possession and maintain security-control per security approach based on local community needs and embracing human rights.
- Improving education facilities, raise the number of educational staff, enhance healthcare, and establish more hospitals, besides improving the water, electricity, and road services in a fair manner that considers the needs of each region in the north and east of Syria.
- Improving the living conditions for residents by supporting small projects, ensuring equal opportunities, and holding the responsible for corruption in the Autonomous Administration institutions accountable.
- Facilitating community access to institutional information and publish the Administration institutions' projects in various regions on official websites so the local community can see them.

Recommendations on Enhancing Transparency and Accountability in the Autonomous Administration Institutions

- Activating the role of supervisory institutions in the Autonomous Administration, such as the control and inspection. And that regulatory laws guarantee no prosecution of complainants of the Administration's work.
- The legislative authority shall perform its duties, while the local community must directly elect the authority under elections that match the conditions of fairness and transparency.
- Activating an accessible complaints mechanism that effectively responds to complaints and provides sufficient information in response to the complaints within a clear timeframe.
- Publishing the budgets allocated to each Administrative institution, including security and military budgets, clarifying the reasons for disbursements.
- Publishing reports periodically for clarifying the Autonomous Administration institutions' work, including financial revenues, expenses, and achievements. And elaborating on not implementing or shortcomings in some projects, if there were any.
- Explaining the laws published by the Autonomous Administration to the local community in direct meetings and on social media so that the community is fully aware of the rights and duties indicated by the laws.
- Performing an evaluation of the Administration institutions' performance, involving independent specialized evaluation parties and local civil society organizations.
- The press must have full freedom to perform the censorship duty over the Autonomous Administration institutions' work while allowing more media to operate in the Autonomous Administration areas.
- Organizing dialogues regularly between those in charge of the Autonomous Administration institutions and the civil, partisan, and community powers. The officials must consider recommendations generated from those dialogues and not limit those discussions to specific influential groups based on loyalty.
- Facilitating the access of civil society organizations, political parties, and other political and civil assemblies to the necessary registrations to carry out their activities, and not set conditions and obstacles to granting those registrations.
- Engaging in attending activities of civil society organizations as they are the most capable of conveying the needs of the local community.

Activating Human Rights Principles in the Autonomous Administration Institutions

- The Autonomous Administration institutions should cooperate with local and international organizations that are documenting human rights violations, including allowing visits to all prisons, preparing a list of the names of all detainees, revealing the fate of the missing and forcibly disappeared, and that the Administration abide by all international conventions.
- Allowing specialized civil society organizations to hold periodic capacity-building workshops for the staff of the Autonomous Administration institutions to improve their knowledge about the international laws and principles for human rights.
- Prosecuting and hold perpetrators of abuses accountable regardless of their ethnic or religious background or job position. And that they are prosecuted by independent courts that adhere to fair trial conditions.
- Eliminating discriminatory measures, including the expat card, and find alternatives to achieve balance the protecting civilians and civilian areas on the one hand and the non-violation of human rights on the other side. The Civil Documentation Department can issue temporary identification documents for the expat card applicants. Those temporary documents are recognized by the Autonomous Administration to facilitate their mobility and allow the Administration authorities to identify them.
- Facilitating the mobility of residents and IDPs from northern and eastern Syria, abolishing the sponsorship requirement, and adopting the registration of identity documents in an electronic documentation system across the various areas of northeastern Syria that facilitates the identification of people on the move.
- Promoting human rights concepts in the community by granting civil organizations a key role, and such activity must not be restricted.
- Protecting the rights of all groups, especially religious and ethnic minorities, and protect the rights of marginalized groups, including women, children, persons with disabilities[1], war wounded[2] and the elderly.
- Raising the efficiency of the judicial authority in the north and east of Syria by providing expert staff and regulatory laws and allowing the authority to perform its duties independently.
- Taking human rights violations reports by local and international human rights organizations seriously, consider their recommendations, and investigate violations stated in those reports.
- Security instability must not justify violations in northern and eastern Syria. Therefore, the restriction of some rights is understandable. However, it must be for a specified period, explained by clear procedures, and not include some rights, such as the right to live and not to be subjected to torture or enforced disappearance.

1] Persons with Disabilities in Deir Ezzor Most Important Demands, JFL, September 9, 2022.

<https://bit.ly/3RNgDxy>

[2] Exorbitant Price of War, JFL, March 29, 2021.

<https://bit.ly/3qouApw>

The Possibility of Holding Elections in Northeastern Syria

Elections are considered a primary demand for organizations involved in coordination. However, the elections are conditional, based on the availability of factors that guarantee that the community can select their candidates, besides decent security circumstances and adequate financial and human resources. Some participants suggested that elections, if organized, should be held in phases; from electing the Comin post to the higher ranks. At the same time, others suggested elections for only high ranks of the Administration.

The participants agreed that the basis for holding any elections is the Administration's desire to hold fair elections and transform all powers to elected candidates.

- Before holding the elections, enough time before, there have to be consultation meetings with civil and political powers and social actors to discuss elections details, including the electoral law, elections date, and adequate guarantees for fair elections.
- Depending on the availability of time and law governing the process, civil and political powers should be able to carry out electoral campaigns and inform the local community of how the elections are important and how and why it is important to participate in the elections.
- Preparing specialized teams in all elections-related issues, including preparing the law, community discussions, and eventually conducting and monitoring them. Those teams must be independent and composed of experts, in addition to preparing the relevant institutions by providing training and funding.
- Forming an independent electoral commission in consultation with political and civil powers.
- Guarantee equitable representation of women and youth in any electoral process within the governing law of the electoral process.

The Work of Civil Society Organizations

The participants considered that organizations have important roles, including oversight, enhancing the local community's knowledge about their rights, and mitigating the effects of war on the population, especially marginalized groups.

- The Autonomous Administration must facilitate the civil society organizations' access to necessary registrations to carry out their activities, including necessary approvals for each activity. Despite obtaining the registration, acquiring official approvals for each activity leads to delays the work of civil society organizations besides, sometimes, blackmailing the organizations in exchange for the approval.
- It is necessary to increase coordination between the Autonomous Administration and civil society organizations on various issues in northern and eastern Syria, particularly improving the services, supporting the education and healthcare sectors, and improving the state of human rights.