Syria Dialogue Session Examines the State of Syrian Civil Society Between Reality and the Draft Law on Non-Governmental Organizations

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On 5 November 2026, the International Center for Not-for-Profit Law (ICNL) and the Syrian Initiative for Fundamental Rights (SIFR)[1], organised an online dialogue session entitled **"Syrian Civil Society Between Reality and the Draft Law on Non-Governmental Organizations".**

The session took place amid discussions within Syria's human rights and civil society communities about a new draft law on non-governmental organisations, prepared by the Ministry of Social Affairs and Labour to replace Law No. 93 of 1958. In April 2026, the Ministry had organised a workshop to discuss reforming the law, with the participation of civil society representatives.

The session aimed to examine the draft and its implications for the work of organisations, present the findings of ICNL's legal analysis, assess the draft's compatibility with international standards, and explore ways to advocate for amendments and ensure meaningful, inclusive consultations with Syrian civil society.

The session was moderated by Mariana Karkoutly, Co-Director and Head of Investigations at Huquqyat. Speakers included Riad Ali, Senior Legal Adviser at Syrians for Truth and Justice (STJ); Haneen Bitar, Senior Legal Advisor in ICNL's Middle East Department; and Obai Kurdali, Legal Unit Manager at the Tahrir Institute for Middle East Policy.

At the outset, Kurdali observed that the draft, comprising 205 articles, uses "more mature human rights language" than the 1958 law. It recognises the right to form associations without discrimination, affirms the independence of organisations (Article 34), requires dissolution by judicial rather than administrative decision, and provides for graduated corrective measures, from a notice to a formal warning.

According to Kurdali, however, these advances are offset by the draft's retention of an authorisation system rather than a notification system, with a period of up to 50 days during which an organisation may neither raise nor use resources. The draft also provides for "vague technical oversight" that allows activities to be suspended without clear criteria, and requires prior approval for foreign funding, with penalties for non-compliance. More severe penalties under other laws may also apply, including Article 288 of the Penal Code, which provides for imprisonment ranging from three months to three years.

Turning to international standards, Bitar identified Article 22 of the International Covenant on Civil and Political Rights as the starting point, explaining that any restriction on associations must be prescribed by law, pursue a legitimate aim, and be necessary and proportionate. She described restrictions on the activities of

[1] Access Center for Human Rights - Badael - Caesar Files for Justice - Dawlaty - Huquqyat - Justice for Life - PÊL — Civil Waves - Syrian Center for Policy Research - Syria Justice and Accountability Centre - Syrians for Truth and Justice

unregistered initiatives as "a major barrier to the exercise of the right to freedom of association", noting that registration "may be necessary to acquire legal personality, but should not be a prerequisite for individuals to exercise their right to organise". She acknowledged the State's right to impose requirements concerning transparency, accountability, and the traceability of funding, but argued that these objectives could be achieved through annual reporting and risk assessments, and that the State "should not make access to funding subject to a broad prior-approval requirement".

Reviewing regional experiences, Bitar described Tunisia's Decree-Law No. 88 as "one of the best laws in the region", noting that it had led to a substantial increase in the number of associations, despite the current difficulties in its implementation. She also highlighted the freezing of associations' assets and refusals to open bank accounts for them in Iraq, as well as delays in granting approvals in Jordan. She concluded that "a progressive law alone is not enough", and that oversight bodies should introduce capacity-building programmes to improve their understanding of how associations operate. On the prohibition of political activity, she explained that advocacy, election monitoring, and proposing legislation are legitimate activities, while using an association's premises for election campaigns is prohibited.

Riad Ali noted that the draft introduces new organisational forms, such as volunteer teams and community initiatives, and allows some to operate under a "notification and acknowledgement" system rather than requiring authorisation. However, he described the accreditation system as "a mechanism for cultivating loyalties and reinforcing patronage". Drawing on his experience as a former judge, he argued that judicial oversight is insufficient as long as the judiciary remains "wholly subordinate to the executive". He also warned that the ambiguous definition of a "Syrian organisation" could exclude most organisations established abroad, and that the provisions governing inspections and the retention of paper records pose risks to organisations documenting violations.

In the closing round, speakers were asked to identify one provision that must be changed before the draft is referred to the People's Assembly. Ali chose the accreditation system; Kurdali chose the requirement for prior approval of funding; and Bitar called for notification to replace registration. Kurdali urged participants to put pressure on the Ministry and publish legal analyses, stating that "the law in its current form should not pass" and adding that "what matters is quality, not quantity". He warned that treating civil society as "a threat to be contained" rather than a partner in reconstruction would mean losing "resources and expertise", and that a "crippled" law adopted today would not withstand the pressures it would face ten years from now. Bitar called on donors to engage in dialogue with the authorities and provide technical expertise and financial support to smaller organisations.

At the close of the session, Ali stressed the need to sustain advocacy, media engagement, and engagement with international mechanisms, because the problem "is not confined to this draft". Syria, he said, needs "extensive legislative and institutional reform, beginning with the judiciary". He observed that most master's theses and doctoral dissertations on Syria bear titles such as "[A particular law]: Between Text and Practice", indicating that the country has "a problem with the implementation of legal provisions".

The session attracted substantial participation and a large audience, reflecting keen interest in the work of civil society and the draft law presented by the Ministry of Social Affairs and Labour. Contributions to the discussion also reflected deep concern that the draft might be adopted in its current form.