

Joint Position Paper on the Directive from the Minister of Social Affairs and Labor

TYPE

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31 Syrian civil society organisations call on the transitional government to suspend enforcement of the 1958 Associations Law (No. 93), warning that the Minister of Social Affairs and Labor's October 1 directive contradicts the Constitutional Declaration's guarantees of freedom of association and Syria's obligations under the ICCPR.

Restrictions on NGOs Must Be Suspended and Civic Space Expanded

On October 1st, 2025, the Minister of Social Affairs and Labor, Ms. Hind Kabawat, issued a directive to the Directors of the Directorates of Social Affairs and Labor in the provinces, warning them that NGOs operating in various provinces have been accepting funding and donations from external sources without obtaining the required prior approvals.

In her directive, the Minister instructed the Directors of the Directorates of Social Affairs and Labor to circulate a directive to all NGOs operating in their respective provinces, emphasizing compliance with the provisions of Law No. 93 of 1958, particularly Articles 21, 66, and 69, which require associations to obtain prior approval before joining any

association, union, or body outside Syria. These articles also prohibit associations from receiving or sending funds to individuals or associations outside Syria without prior administrative approval.

The Minister's directive does not only target NGOs, but also imposes the same conditions on **private institutions**, relying on Article 69, which explicitly states that laws regulating associations (NGOs) also apply to institutions of all kinds.

The organizations signing this paper express their **deep concerns** about the impact of the Minister's directive and the restrictive approach it adopts, based on a repressive Associations Law that was long used by the previous regime to curb NGO activities, prosecute their members, and imprison them. The Minister's directive contradicts **Article 14 of the Constitutional Declaration**, which guarantees freedom of association and unionization, and **Article 12**, which affirms Syria's commitment to international treaties and conventions it had previously ratified—most notably, the International Covenant on Civil and Political Rights (ICCPR). Article 22 of the ICCPR affirms the right to freedom of association, stating that “any restrictions must be legally grounded, necessary in a democratic society, and aimed solely at legitimate purposes.”

Law No. 93 was enacted during the union between Egypt and Syria under the United Arab Republic (1958–1961) and was primarily shaped by the military government's vision at the time, favoring state control over society. Later, the Ba'ath regime amended parts of the law in 1969 via Legislative Decree No. 224, increasing government control over associations. This included granting authorities the power to merge associations offering similar services, **dissolve associations without judicial process** for reasons such as deviating from stated objectives or failing to hold meetings, and gave the Ministry of Social Affairs and Labor full authority to manage and enforce the law.

This law and its executive regulations are **highly restrictive**, drafted in a context entirely disconnected from the present challenges and opportunities Syria faces. Enforcing this law now would **undermine the role of NGOs** in Syria's transitional recovery efforts.

The undersigned organizations recognize and value the crucial role of NGOs and civil society organizations in providing essential services to marginalized and affected populations, as well as survivors and victims.

They also acknowledge the NGOs' contributions to rebuilding health, education, and service systems in multiple provinces, especially at a time when the Syrian government is unable to fulfill these roles alone.

It is well known that the network of NGOs currently targeted by the Minister's directive has provided these services for years with support from international donors or Syrians in the diaspora, the most financially capable segment of supporters.

While the undersigned NGOs understand the need for a legal framework to regulate NGO operations, they view reliance on **Law No. 93** as a **major setback** and a **serious blow** to Syrian NGOs, many of which had previously operated with considerable freedom in northern Syria and in exile, and have only recently started to return to Syria. They express concern that reactivating this law will create a **hostile working environment**, making it harder for NGOs to respond to the needs of Syrians during this critical transitional period. It will also hinder the efforts of donors, both Syrian and international, eager to support the transition, especially at a time when NGOs are awaiting the lifting of economic sanctions to expand their operations, which the Minister's recent directive threatens to obstruct.

According to international standards and the recommendations of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association, requiring associations to notify the government of their funding sources and expenditures constitutes a **direct threat to their functional independence** and may be used as a pretext to silence critical or opposing voices. The Special Rapporteur's report clearly states that "both registered and unregistered associations must be allowed to seek, receive, and use funds and resources from individuals or entities, local or international, without prior authorization."

Imposing requirements like channeling funds through the state, detailed reporting of all foreign funding, or obtaining prior approval to receive it, constitutes a **violation of the right to freedom of association**. Moreover, citing national sovereignty as a justification to restrict foreign funding **does not constitute a legitimate interest under the ICCPR**. On the contrary, Article 2 of the International Covenant on Economic, Social and Cultural Rights obligates states to facilitate access for associations to international resources.

Therefore, any legal or administrative system in Syria that imposes mandatory, detailed reporting on foreign funding, especially if burdensome or designed to interfere with or monitor activities, **contradicts international standards** and the spirit of the UN report, which explicitly calls for easing NGO access to funding without unjustified barriers.

Recommendations

The undersigned organizations present the following recommendations to the Syrian transitional government, represented by the Minister of Social Affairs and Labor:

Suspend the restrictive provisions of Law No. 93 of 1958 until a new Associations Law is issued in line with international standards, particularly those provisions requiring **prior governmental approval** before launching activities and those granting the Ministry of Social Affairs and Labor the authority to dissolve or shut down NGOs without judicial process, as such practices severely restrict civic space and bring Syrians back to an era of repression and security dominance.

Collaborate with civil society to draft and enact a new Associations Law that provides a supportive legal and bureaucratic environment, encourages NGO operations, ensures their access to Syria, removes operational barriers, facilitates registration and public recognition, and upholds legal obligations for transparency and accountability.

Regulate the relationship between Syrian authorities and NGOs through the Ministry of Social Affairs and Labor, acting as a civil coordination body, without infringing on NGO independence or subjecting them to security oversight.

End the pre-approval system and adopt financial transparency mechanisms, where associations are required to submit tax declarations and annual financial statements, ensuring accountability in case of violations, without restricting their activities.

Allow associations to engage with other NGOs locally, nationally, and internationally that work in related fields, in order to promote knowledge-sharing and capacity building between Syrian and international organizations.

Ease funding restrictions and allow associations to collect funds and receive national and international support.

Facilitate registration and recognition procedures for NGOs before the issuance of the new Associations Law.

Signatories

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