

The State of Media in Syria (2019)



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Introduction

The year 2019 was not much different from the previous years in Syria. The country has been witnessing a series of local, regional and international conflicts and wars (including struggles for influence and hegemony), through military and security means, which have demolished various economic and social structures. The parties to the conflict maintained their territorial control with certain changes¹. Prioritizing military solutions as well as the slouching approaches by the international community continued to be key features in the Syrian affair. The past year did not witness any breakthrough in terms of political solution and the country was struck by an economic disaster (the worst so far) as a result of the weak international humanitarian response and the impact of the protracted conflict.

The conflict, which culminated decades of suppression of freedoms, has had direct impact on the deterioration of human rights in general and media rights and freedoms in particular. All parties to the conflict practiced horrific press freedom violations including against the media professionals, which made Syria the world's deadliest country for journalists in 2019 according to a report issued by the International Committee to Protect Journalists on December 20. Failure to hold the perpetrators accountable would lead to the devastation of free media and elimination of the narrow margin of freedom of expression that Syrians have created over the past nine years.

The annual report of the Syrian Center for Media and Freedom of Expression (SCM) provides detailed documentation of violations against media professionals during 2019, including murders and deliberate targeting of journalists where excessive force was used regardless of the distinction and proportionality principles, and without any military or security justifications.

The report also documents 90 violations against the right to life and physical integrity of media professionals, including physical violence and other means of violence or humiliation and degrading treatment of human dignity, cases of arrest, enforced disappearances and torture, raiding and tampering with the property of the media offices and homes of media professionals and confiscating their equipment.

The fact that the report covers only the 2019 violations does not mean it is not current or relevant. Some people believe that a decline or stop in military operations would in the future reduce the severity of violations of human rights and media rights in particular, but the reality completely contradicts this belief. The warring parties often focus their efforts on pursuing opponents in their areas of control, including those thought to be potential opponents. This was confirmed by a New York Times investigation last May² that despite the decline in the intensity of battles in 2017, arrests in the regime-controlled areas increased by around 25% in 2018. This is also confirmed by the Syrian government behavior toward pro-regime media professionals, which is documented in this report.

The report is current and relevant also because the problem of freedom of expression and public freedoms in Syria is not just a temporary phenomenon or related to a specific regime. All parties to the Syrian conflict have practiced violations against the right to freedom of information and expression, which confirms that it is a problem rooted in the cultural, social and political structures of the Syrian society. The problem of freedom of expression is deeply rooted in social structures, even before the conflict, which raises challenges that must be addressed in the future by emphasizing that freedom of expression and information must be an absolute priority in any future legal system or constitution building processes.

The Syrian society's need to establish freedom of expression and free and independent media is as urgent as its need for an independent judiciary, especially because both of them act as an effective force to combat law violations, abuse and corruption³. This is extremely important in a society suffering from a "social and religious legacy" where the prolonged war and the domination of the military machine, as well as the previous decades of tyranny have pushed many people to return to the traditional societal structures (tribe, sect and family), and deepened the culture of violence and intolerance.

In addition to documenting various violations, the report tries to scan the media situations in Syria by reviewing the most important events and developments in the media field in the three areas of control, taking into account the essential differences among them and the nature of the controlling powers and their affiliated institutions. As for the rights and freedoms, and in particular the right to the media and freedom of expression, which have been the core of the SCM work since its establishment, the report presented only the **academic freedoms and their relationship with the freedom of expression, human rights and poverty, as a normative context for media teaching and the functional environment for the media mentioned in the report, while the media rights and freedoms were referred to previous SCM reports to avoid prolongation and repetition.**

Finally, despite the gloomy reality of the media and media freedoms during 2019, there were some positive signs in the rights area. The US District Court for the District of Columbia issued a decision condemning the Syrian government in the murder of the US journalist Marie Colvin in Homs in 2012 and asking it to pay compensation worth 300 million dollars to the victim's heirs. A series of indictments were also issued by European courts according to universal jurisdiction,

against human rights perpetrators and violators in Syria, and this would not have been possible without the efforts of Syrian human rights organizations and documentation teams, including the SCM.

Last March also witnessed the resumption of the Rising-For-Freedom magazine, two years after it had stopped and its offices closed by the Army of Islam faction in Douma. This is a very symbolic event regarding the ongoing battle of rights and freedoms that is impossible to stop.



Methodology

The report presents the state of the media in Syria in 2019 in light of the general policies of the ruling powers toward the right to freedom of expression and freedom of information. It also presents the violations documented in 2019 using descriptive statistics and quantitative analysis by collecting data and verifying their validity against various sources, and then drawing conclusions, analyzing and auditing them by the SCM monitoring team who documented cases of arbitrary arrest and enforced disappearance, physical assault, harassment, killing, and injuries against media professionals in 2019, depending on:

- Data collection and verification.
- Data tabulation and classification.
- Data analysis.

To ensure the collection of independent, safe and impartial testimonies and information, the team verified information from three different sources (or the “contact point” or “documenter” testimony) in addition to an additional source or a direct testimony from the witness. Many testimonies were kept anonymous to protect the witnesses’ safety. **The report information is not exhaustive; the SCM is still documenting various violations and following up on their trends and the fate of their victims.**

While using a geographic approach to classifying the violations (according to the areas of control of different parties to the conflict including the Turkish occupation), data were tabulated using qualitative classification in each type of violations with geographical distribution of the violations and perpetrators. This helps understand and analyze the data statistically to identify, describe and compare it with other data.

In line with the SCM methodology, the report used the definition of a journalist as established in Article 2 of the draft international convention on the protection of journalists engaged in dangerous professional missions in zones of armed conflict, which defines a journalist as **“any reporter, press correspondent or photographer and their technical assistants as well as radio and TV assistants who usually participate in any of these activities as their main occupation.**

Accordingly, media professionals, with direct or indirect involvement or association with military groups from any of the parties to the conflict, are not included in this definition. The SCM, after verifying the nature of engagement, classifies the media professionals into workers in the media offices of any military faction, and combatants.

The report consists of two parts. The first is theoretical and captures the media situations in 2019 by tracking the most prominent media incidents and developments in the three areas of control in Syria. The government-controlled areas are the largest because they have more stable institutions and legislative structures compared to the opposition-controlled areas or Autonomous Administration.

The second part reviews the patterns of violations against media professionals and the report ends by some conclusions and recommendations from the SCM to the parties to the conflict in Syria, and to the international community and local and regional actors in order to protect and promote freedom of expression and freedom of information and incorporate them in any future reconciliation or transitional justice mechanisms.



Part 1 **Rights and Freedoms**

Chapter one: **Freedom of opinion and expression and academic freedoms**

While closely related to the right to freedom of opinion and expression, the freedom of scientific research is different in that the International Covenant on Economic, Cultural and Social Rights has not subjected it to any restrictions contrary to the freedom of opinion and expression that may be restricted by legal measures in cases of national security concerns. Article 26 of the Universal Declaration of Human Rights and Articles 13-15 of the International Covenant on Economic and Social Rights emphasized the correlation between freedom of opinion and expression and academic freedoms.

According to the Committee on Economic, Social and Cultural Rights interpreting of Article 13(2) of the Covenant, three basic elements must be available in the educational process: access to enrollment, admissibility and ability to adapt. The Committee added that the right to education can only be guaranteed if combined with the academic freedom of both members of teaching staff and students.

According to the definition of the Committee on Economic, Social and Cultural Rights, academic freedom has two major elements. The first relates to the academic community

(teaching staff and students). The academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing. Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfill their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction". **The second element** relates to the independence of higher education institutions from the state, which is a precondition for the enjoyment of academic freedoms, so that the university turns into a forum where academics share knowledge and opinions freely and independently.

Based on the above definition, the state is the guarantor of academic freedoms, and members of the academic community must respect the academic freedom of others, ensure the proper discussion of opposing opinions, and treat everyone without discrimination, while the academic institution is obligated to provide an account of how it manages government funding, to ensure a balance between commitment and accountability.

Chapter Two: Poverty and Human Rights

The link between media and the economy is not limited to finance and the media industry only, as a strong relationship links press freedom and the power of independent media in a country and the success of the development process and the decline of poverty among its population, given that free media is a strong ally of social development and economic growth, in contrast, poverty is the enemy of freedoms. Journalism and it weakens the work environment for media professionals and detracts from other human rights.

From a human rights perspective, poverty can be described as the denial of a person's right to a range of basic capabilities including the ability to have adequate food, live in good health and participate in decision-making processes and in the social and cultural life of society.

In Syria, according to a United Nations report presented by Stephane Dujarric in March 2019, more than 80% of Syrians live below the poverty line. Following the sharp dip of the exchange rate of the Syrian pound, The Economist magazine issued a report stating that "Damascus remains at the foot of" the livable cities in the world. In a country that did not know famines in its modern history since independence until 2011, suicide attempts due to poverty which is nearing the point of famine are increasing in different Syrian regions due to the government siege blocking food, water and medicine, as well as humanitarian aid from reaching to the besieged.

In the absence of any effective mitigation plan, the deteriorating economic situations pose critical threats to basic human rights, because the right to an adequate standard of living that guarantees protection from want is an integral part of human rights, as stipulated in Article 25 of the Universal Declaration of Human Rights: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing,

housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

The two International Covenants on Human Rights also recognize that the ideal of free human beings enjoying ... freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights is not possible under poverty, which in itself constitutes a violation of these and other human rights, including the right to life, the right to participation, freedom of expression and assembly, and the principle of non-discrimination. Poverty is the main cause of human rights violations in the world. It prevents people from fulfilling their duties not only as individuals, but also as citizens, parents, workers and voters.

International covenants and charters clearly link poverty to human rights, and consider poverty reduction an ethical, social, political and economic duty. Poverty was on the agendas of Vienna Conference (1993), World Summit for Social Development (1995) and UN Millennium Declaration and UN Decade for the Eradication of Poverty (1997-2006). The link between poverty, human rights, the right to development and good democratic governance was also obvious in the practical document issued in mid-2003 by the United Nations Development Program.

Poverty is not only a shortage of material resources, it is a lack of capabilities, opportunities and safety. It destroys dignity and increases individual vulnerability. It is also a question of power; who owns and who assumes power in public life or within the family. All this simply means that no social phenomenon is as abusive of human rights as poverty. **Poverty erodes economic and social rights including the right to health, adequate housing, access to food and safe water, and the right to education.** The same applies to civil and political rights, such as the the right to expression, a fair trial, political participation, and personal security⁴.”



Part 2 State of Media in Syria in 2019

Chapter one: Media Situations in Government-controlled areas

Section 1 Media Education

Teaching media is paramount in our era as free media constitute the foundation of democracy. They perform a general social function within the existing system, contribute to expressing a common identity and prevent the spread of prejudice and intolerance. Therefore, media education programs and curricula aim to establish the freedom of expression and intellectual and media diversity and directly influence the political and social life.

According to the international criteria, teaching journalism integrates theoretical and practical aspects and maintains an education system that develops the journalism industry, shifts the focus from industry to community networks to enable linking journalism to democratic values and benefits from the advanced news collection, production and distribution forms and methods, which is extremely important especially in transition and conflict contexts⁵.

Teaching media in Syria cannot be separated from the poor situation of education all over the

country. A significant example of such a situation is a report by the Russian Life Channel that the Syrian President sent his son Hafez to study in Moscow although he had not finished his secondary education yet, based on Asma Al-Assad's speech before a group of university graduates who received scholarships from Russia. The report, also quoted by the Russian Sputnik News Agency, mentioned Al-Assad's son among these students and added that he would finish his secondary education there⁶.

Situation of Tertiary Education in Syria

The Webometrics Ranking of World Universities issued in July 2019 by the Consejo Superior de Investigaciones Científicas (CSIC) shows huge deterioration of Syrian universities. The University of Damascus (number one locally) ranked 3,785 globally, retreating 131 positions compared with the previous ranking issued in January 2019. The University of Aleppo ranked 4,806 and Tishreen University ranked 4,824.

In response to this deterioration, the Syrian President issued Law No. 27 of 2019 establishing a ministry called the Ministry of Higher Education and Scientific Research with a legal personality and financial and administrative autonomy to replace the Ministry of Higher Education including its rights and duties. Article 3 of this law states that the new ministry aims to "implement the state public policy and strategy in all higher education and scientific research areas in line with the development goals and comprehensive plans" in addition to many rhetorical phrases which do not provide solutions or mechanisms for tackling the crisis throughout the tertiary education sector.

Tertiary education suffers from a structural crisis related to the lack of academic freedom and autonomy since the Baath Party took power in 1963 and adopted the "democracy of education" motto, declaring the end of the university for the elite era according to the Baathists at the time. The leftists in the first Baath governments aimed to link universities with the society issues and education with the economic development plans. Therefore, the establishment of technology and engineering colleges was accelerated to "prepare for the industrial revolution" based on the Baath ideology at the time. This led to ignoring social sciences and humanitarian faculties and establishing new universities without sufficient planning⁷.

The most accurate description of the tertiary education situation in Syria might be what Dr. Constantine Zureiq, former head of the Syrian University, wrote: "In the countries governed by autocratic or single-party regimes, the external authorities control societies through administrative and academic appointments and terrorist intelligence. This leaves no room for opinions or stances opposing the authorities' views and debates and reasoning become forbidden. This subdues the voice of universities, making them like any other state institution manufacturing products, namely holders of degrees and higher certificates with weakening students' belief in the university and spreading corruption inside it⁸."

From a legislative point of view, Law on University Regulation of 1975 governed the work of universities until it was replaced by Law No. 6 of 2006. However, the latter did not come up with new regulations or grant universities any autonomy or privacy. It provides that the Higher

Education Council shall be in charge of higher education in Syria including the education policy and institutions and their budgets, setting the requirements for faculty appointment and promotion and student admission. Although the law considers universities public academic and administrative bodies with legal personalities and administrative and financial autonomy, it makes the minister, the executive power, their head and supervisor.

In addition, the law changed the selection mechanism applied before 1975 and provided that university heads are appointed through presidential decrees for three years renewable for once. The minister shall appoint the faculty members based on the decisions of the councils of universities and colleges after getting the required security approval that the candidate is a member or a friend of the Baath party and, most importantly, that their family does not include dissidents⁹.

The absence of public liberties or autonomy manifestations in the tertiary education in Syria was not limited to the laws regulating teaching staff but also included students through the "National Union Syrian Students", the legitimate son of the ruling Baath party. The NUSS held its first conference in 1950 in Latakia headed by President Hafez Assad. On April 23, 1963, the NUSS was announced as a popular syndicate organization which monopolizes the representation of students and directs their movements based on the ruling authority directions. It took part in cracking down on the students protests which reached universities in 2011 instead of comprehending and defending them. For example, Ayham Ghazzoul, an MSc student in dentistry, was beaten by a NUSS member within the university campus before he was arrested by the Military Security Branch 245 in Damascus. He died four days later due to the absence of healthcare. The image of his body was later found among the Caesar photos.

In addition, tertiary education lacks adequate resources. The education share of the state budget over the period 1983-2000 did not exceed 7% including 3% for the higher education. This is a very small percentage for a country with a population of more than 23 million, half of whom are qualified to study in all education stages, while spending on security services and branches exceeds 24% of the state budget¹⁰.

Media Faculties

Teaching media in Syria started at the Media Institute which was established in 1969 in Damascus before establishing the Department of Information as part of the Faculty of Arts and Humanities in 1987 to continue teaching students with limited capacities. **The Faculty of Information was established in the academic year 2010-2011 at the University of Damascus.** It includes four departments: Public Relations and Advertising, Television and Radio, Electronic Media and Journalism and Publishing. Upon graduation, students are granted a Degree in Media without identifying their majors.

As for the education process itself, the curricula, which can be described as backward and not specialized, have remained almost untouched. They are delivered in the form of dry theoretical lectures which only repeat the same old information. The practical aspect lacks the required tools, printing equipment, laboratories, television and radio studios or media libraries¹¹.

With the new faculty, a media training center was established to cover the practical aspect. However, it was not used, as in 2012 it was transformed into the headquarters of the Syria News Channel after its original headquarters were demolished during the military operations in Rural Damascus. In addition, the faculty lacks teaching staff which led to employing less qualified staff to bridge the gap including teaching assistants or MA students instead of PhD holders¹². In addition to the lack of academic competence, most faculty members lack any code of ethics and human rights culture. This is evident in their interviews and on social media pages. For example, Muhammad Al-Omar, the Dean of Media Faculty, uses a clear discourse of violence, hate and racism on his Facebook page. In spite of that, he was invited to Addis Ababa to participate in marking the World Press Freedom Day in a ceremony organized by UNESCO in 2019.

Journalism is also taught at the state Syrian Virtual University which, in 2012, opened a department for Media and Communications. The study period is four years and its curricula are the same of the Faculty of Information which are largely theoretical since the Syrian Virtual University uses the distance learning system. It is also taught in the **Open Education Program**, a parallel education pattern established under Decree No. 383 dated 29/7/2001. It allows the admission of additional numbers of students who could not join universities due to their low marks at the secondary education. The education process is delivered at the university campus on the weekends.

On October 5, 2019, the Ministry of Higher Education rejected the request of the Faculty of Information at Damascus University to suspend the Open Education System for one year due to its limited capacity as the number of teaching staff does not match the number of students admitted annually which reaches 1,200. The rejection came even after the University of Damascus' Council approved the aforementioned request.

Section 2

Regulatory "Legislative" Context

Since the Baath Party took power in 1963, the Syrian authorities adopted a set of laws which oppress the freedom of expression and drafted their articles using intentionally ambiguous concepts which are open to many interpretations although such laws should be clear and accurate. This made those working in the media sector impose self-censorship to avoid violating the freedom of expression margins which are initially nonexistent.

Examples of the laws which deepen the media freedom problem in Syria and have not seen any amendments include the Revolution Protection Law issued under Legislative Decree No.6 dated 7/1/1965, Law No.19 of 2012 on Combating Terrorism, Law No.22 of 2012 on the Establishment of Counter Terrorism Court, the General Penal Law, military penalties and others.

Law No. 108 of 2011 did not provide any real media freedom guarantees or immunity to media professionals from prosecution or arrest. On the contrary, it increased the state control over media and made media outlets the official mouthpiece of the state instead of being autonomous and working for the public interest.

Section 3

Electronic Media and Freedom of the Internet

According to the United Nations Human Rights Committee, the legal grounds for protecting the right to the freedom of expression also apply to journalism and electronic media, **obliging the member states to the International Covenant on Civil and Political Rights to adapt their laws on the freedom of expression on the internet and other electronic tools with the Article 19 of the Covenant and the committee's interpretation of it.** Based on a UNESCO Report issued in 2018, applying the freedom of expression principle should not be limited to the traditional media but should cover the internet and other new media forms which, in turn, will contribute to development, democracy and dialogue.

However, in Syria, which imposes extremely tough censorship on the internet, the authority has consistently violated the cyberspace through updating its laws and general policy in the information and communications field to tighten its grip on this public sphere enabled by the information era. Although Syria does not have a firewall which covers the entire country like China, the Syrians do not enjoy freedom on the internet at all. According to the Freedom House organization for human rights, the internet situation in Syria attests that it is an incredibly dangerous state. Iran, Cuba and Vietnam ranked at the bottom of its annual report for 2019 and China came as the worst in the world in the freedom of the internet¹⁴.

The authority uses a security approach in dealing with the cyberspace through prosecuting and harassing activists through enacting tight laws which serve its goals to remain in total control of the internet including Legislative Decree No. 17 of 2012 on the **Application of the Law of Communications on the Internet and Combating IT Crimes**¹⁵.

In 2019, the Syrian government continued its policy in tightening its grip on the freedom of virtual media. It re-banned independent media sites it allowed in 2017 including Radio Souriali and Enab Baladi and continued banning the human rights websites. The Syrian authorities continued censoring the web content of activists and journalists. In this context, the SCM documented two arrests related to the freedom of expression on social media in 2019. On April 10, Muhammad Harsho, the owner of hashtagsyria.com, was interrogated by the Information Crimes Branch after his website published news about the government plans to raise the gasoline prices. He was released the following day.

The fate of Journalist X (name obscured for security reasons) was different. "I was arrested at a security checkpoint," he states in his testimony. "I was inspected and then taken to the Military Security Branch 235 or the so-called Palestine Branch. I was interrogated for four months for creating anti-regime media webpages. During that period, I was exposed to all kinds of torture by various means including the "Green Pipe" or the so-called Al-Akhdar Al-IBrahimi, nail removal, front and back stretching, the German Chair over more than 25 interrogation and torture sessions. I was given a number instead of my name. In addition, during that period, I contracted tuberculosis. All the dorm inmates were infected and many of them died due to the total absence of medical care. I was threatened by the interrogators that if I did not admit that I was a journalist and a correspondent, I would not get out alive." He was referred to the Counter Terrorism Court under Article 8 of the Anti-Terrorism Law. He was released on bail on September 19 but he is still on trial.

In this context, the Russian intervention should be considered as an additional constraint on the freedom of the internet. Russia, which enacted the Sovereign Internet Law in 2019 (described by human rights organizations as an iron curtain isolating the Russian people from the world) and has a long history in violating the freedom of expression, imposed its full control over the security services tasked with monitoring the internet in Syria. At the end of July 2019, the Russian military leadership in Syria issued instructions, making hierarchical changes and high-level transfers in the security branches specialized in communications and affiliated with the Military Intelligence Department to strengthen the monitoring grip on internet and communications.

This leadership also issued orders to integrate branches 255, 211 and 237 specialized in monitoring the communications of civilians and social networking sites and tapping international communications and replaced the old equipment with advanced Russian technologies and appointed a group of new officers who received special training in Russia¹⁶.

The Iranian intervention should also be taken into account including the security agreements signed between the Syrian and Iranian governments which imposed more constraints on the freedom of the internet and strengthened surveillance of the cyberspace¹⁷.

Section 4 The Media Ecosystem

The media ecosystem refers to the circumstances governing the media activities at the institutional and individual levels, the ability of journalists to perform their work and report events, remuneration which should secure media professionals a decent living and any related legal and procedural changes. In comparison with other Arab countries even those suffering from economic crises, the salaries and wages paid to the Syrian journalists have always been too low even before the current economic crisis. Journalists are dealt with as “employees” receiving the same public sector wages whose purchasing power vanished due to the acute depreciation of the Syrian currency.

Despite Presidential Decree No. 23 issued on October 21, 2019 which increased the salaries of civil servants and military personnel by 20,000 Syrian Pounds (about \$ 20 at the time), an initial calculation shows that this pay rise cannot compensate for the salaries erosion due to the currency depreciation. According to the Syrian market price list published by the Russian Sputnik News Agency after the decree issuance, a formal suit costs SYP 20,000. On March 30, the Minister of Information issued a decision identifying the payment ceiling in the ministry and all its directorates and media outlets and the remuneration ceiling of writers, media contributors and those working in the ministry and its governorate directorates as specified in the following table:

Item Type	Wages in Syrian Pounds
News item	45-150
Correspondent news item	375-750
Field report	525-3,750
Field investigation	4,000-7,500

Item Type	Wages in Syrian Pounds
Press photograph	225-750
Studies and research	12,000-25,000
Interview	2,250-5,000

Position	Monthly Salary in Syrian Pounds
Writing Commissioner	40,000
Editor-in-Chief	75,000
Editing Director	55,000
Head of Department	45,000
Writing Committee Chairman	60,000-80,000
A Writing Committee Member	50,000-75,000
Website Director	50,000

This decision, which put the maximum salary of an editor-in-chief in any media institution (the highest category) at SYP 75,000 (about \$ 75) and was not published on the websites of the Ministry of Information or Syrian News Agency, puts Syrian journalists on the poverty line, defined by the International Monetary Fund as living with less than \$ 1.90 per day. Assuming that journalists have to provide living for their families, such an income level classifies them in the absolute poverty category which is defined by the World Bank as the level of poverty in which a subject lacks the means to meet his or her basic needs including food, clothing, healthcare and housing.

Section 5

Art and Film Production

TV Drama

TV drama production witnessed significant improvement last year with 30 series in comparison with 15 in 2015 and 18 in 2016. This can be explained by the fact that Arab channels have partially resumed buying Syrian series, in addition to the Emirati funding of some series and the return of the Sama Al-Fan and Souria Al-Dawliya to production after they were bought by Samer Al-Foz who took over all of the Hamsho Trade Company. Although all the produced series comply with the Syrian government narrative of the events, many pro-government producers were harassed while the Artists Union which is supposed to defend the rights of its members, remained totally silent because the government control all professional unions.

Trade Unionism

In protest of the oppression and arbitrary detention of Syrians by the Syrian authorities during the crackdown against the Muslim Brotherhood in 1980, an opposition movement started in the Association of Syrian Writers and Journalists and expanded to other unions. In March and April 1980, this culminated in the Lawyers Bar staging a nationwide strike. They were joined by doctors and engineers unions and called for lifting the state of emergency and ending the authority oppression.

This strike took a legal dimension when some lawyers appealed against the Bar's general assembly decision to announce the strike but the Court of Appeal endorsed it in terms of Bar calls for public freedoms, since defending human rights is one of its tasks. However, the court partly repealed in terms of forcing lawyers to stop working because theirs is a free profession¹⁸.

In response, a legislative decree was issued on 8/4/1980 allowing the prime minister to dissolve the unions of lawyers, doctors and engineers and on the same day, a decision was issued in this regard. Their leaders were arrested and new pro-government union boards were appointed. However, when the 14th Conference of Arab Lawyers was held in Rabat, Morocco on June 24-26, 1980, the Permanent Office of the Arab Lawyers Association rejected the Syrian representatives appointed by the government and the conference considered the decision to dissolve the Syrian Bar null and void. The government did not care and issued Law No. 39 which removed "defending human rights" from the lawyers' tasks and limited them to "defending the rights of clients", and the Bar mandate no longer referred to "defending the rights of the individuals, homeland, nation and humanity" as had been stipulated in the repealed law.

Artists Union

The aforementioned situation also applies to the Artists Union, which also lacks independence and is totally controlled by the government. The Union's regulation law entitles the Council of Ministers - through a final irreversible decision - to dissolve the general conference, the union board and branches councils in case they diverge from their tasks or goals.

The membership requirements include that applicants should have a good track record which "suggests trust and respect", not have incurable diseases which prevent them from practicing their work, should have clear criminal record and full civil capacity, should not be above 60 years' old and should not be dismissed from public or joint sector institutions for reasons related to state security. **The last requirement is the legal pretext used to dismiss artists opposing the Syrian government as it accuses dissidents of damaging the prestige of the state and terminates their membership immediately.**

On October 30, the People's Council of Syria enacted new laws making it harder for artists dismissed from the union because of their political views to re-join the union. The union now requires artists willing to work in Syria to be registered as members or interns. In other words, they should get work permits from the union. According to the amendments, those who lost their membership for not paying unionist fees can request to be registered again "after removing the reasons" within two years provided they appear in person. This means depriving scores of dissident Syrian artists of returning to work in Syria because they oppose the Syrian government and are unable to enter the country.

The absence of legal protection and autonomy put the Artists Union under the government control and established the security approach to deal with artists and art production entities in Syria. This increased when Zuhair Ramadan became the Director of the Artists Union at the end of 2014. He started his term by issuing unfair dismissals of a large number of dissident artists in 2015 under the pretext that they failed to pay the annual fees. These even included Samar Kokash who was serving her sentence of three years and eight months in prison based on the ruling of the Counter Terrorism Court in Damascus. He also referred some dissident artists to a disciplinary council for "targeting the national sovereignty symbols and tarnishing the reputation of the Syrian army" in foreign media.

Last year, it was also remarkable how bad the Syrian government treated some pro-government artists. That was an additional indicator of the oppression policy used against any opposing voice to regain control of the public life as was the case before 2011, while the artists union remains silent. For example, social media talked in June about a decision banning actress Amal Arafa from appearing on official media and preventing the show of her old series or hosting her in any programs because she apologized after an episode of the Kontak TV Series which included mockery of the chemical weapons victims in Syria. Although there was no official decision in this regard, the media at the time mentioned that such decisions were often issued orally. In June, local media leaked news that Abed Fahd was banned from appearing on the media along with other actors including Abbas Al-Nouri and Basel Khayyat. The official Youth Voice radio canceled its plan to broadcast an interview with Abed Fahd and stopped broadcasting the interview promotion one day before its airing date.

Another example is how the Syrian Ministry of Information dealt with the Dakikat Samt (a minute of silence) Series in response to the statements of its scenarist Samer Radwan about the corruption in Syria. On May 23, the Ministry accused the production company of stealing and fraud. According to its statement, the series only "got an initial approval to shooting and like any other work of art, such approval does not entitle the makers to show their work because they should first get clearance from the censorship department to ensure they meet the required modifications towards highlighting the leadership/government role in combating corruption, portraying official corruption as individual behavior that does not represent the state and that the series, in its final form, does not undermine the state prestige." The Ministry statement added that the company smuggled the produced work out of Syria and showed it on Arab channels which is considered as stealing, fraud and violation of the drama production and marketing regulations.

Film Production

Film production also has not escaped the state control which started in 1963 with the establishment of the General Establishment for Cinema as a central body which supervises all filmmaking affairs. It decides the film directors, approves the content and ensures all production stages are in line with the official view and government directions which confined film production for decades into such cliches as "Palestine", "the Arab Nationality" and "the Israeli Enemy" at the expense of artistic aspects, experimentation and approaching the daily concerns and living conditions and problems of citizens. After 2011, the cinema discourse focused on terrorism and combating it according to the Syrian government narrative.

Last year, the General Establishment for Cinema launched a long film called Al-Itiraf (Confession) directed by Basel Al-Khatib which completely reflects the Syrian government view, which sees the Syrian conflict as a battle between the legitimate government and terrorism. The Establishment also produced a number of short films as part of the Youth Cinema Support Project in 2012 to support the works of directors who did not receive academic education and are not members

of the Artists Union and all of these films echoed the official account of events. The number of movie theatres did not change in 2019. The whole country has only 20 movie theatres while Damascus alone had this number in the beginning of 1960s according the book "Story of Cinema in Syria" by Syrian director Rasheed Jalal.

Radio

The situation of radios in the government-controlled areas did not change in 2019, despite the ease of producing radio programs, their relatively low production cost and the ease of receiving radio waves. Radio stations could have benefited from repeated power and internet cuts and the country's economic crisis to regain and expand their audiences through expanding the freedom margin and getting close to the citizens' daily concerns.

Printing and Publication

The government control over the print media sector continued. The state continued to monopolize all media and deprive any entities of owning newspapers except for those, it deems, can comply with its positions and view of events. It also continued to control the points of selling and distributing newspapers, magazines and advertising institutions and to strictly monitor private publishing houses and presses.

The year of 2019 did not witness any change in the legal environment of the printing and publishing sector. Under **Legislative Decree No. 108 of 2011 on Media Law**, the Ministry of Information became the guardian and censor, rather than sponsor, of prints including imported books, newspapers or magazines, publishing houses and licenses through the directorate of journalism and publishing and directorate of publications.

The state monopoly of printing continued under **Legislative Decree No. 15 of 2008 which created the General Printing Establishment** that legitimizes the state control over printing and publishing through monopolizing printing and distribution of school books and all the publications of the ministry of education and ministry of information. The decree also provides that all public-sector entities should print all or part of their publications at the Establishment facilities and exempts its imported equipment and printing machines and materials from taxes, customs duties, municipal fees and other charges which gives it a relative advantage over other printing houses in Syria and allows it to monopolize the printing business completely.

The crisis of the three official newspapers continued. They lack any margin of freedom, and suffer from shortage of staff and almost zero readership. As part of the "Help Us to Be Better" Campaign launched by the official media in June 2019 to improve the media, the official Tishreen Newspaper published an opinion poll about the situation of official newspapers, which focused on the professors and students of the Faculty of Information. The results showed that nobody is reading the three official newspapers.

The three newspapers are almost identical copies of each other with a relative advantage for Tishreen Newspaper which gives a limited margin for criticizing ministers – but not the ministers of defense, foreign affairs and interior. These newspapers only take their news from the Syrian Arab News Agency (SANA) which was established in 1965 and is monitored by the Ministry of Information. The Syrian General Organization of Books remained the only official publishing

house which monopolizes the processes of writing, translation, publishing and printing through its various directorates (Writing, Translation, Prints, Arab Heritage Revival, Children Books, Planning, IT and other directorates) in addition to publishing magazines and periodicals distributed to public libraries free of charge. In 2019, the Organization published 282 books in literature, arts, translation, child literature and studies.

The crisis of private publishing houses deepened after 2012. Warehouses and printing presses, located mostly in Rural Damascus and Aleppo, were completely destroyed due to the military operations and shelling. The suffocating economic crisis prevented them from reprinting old books or writing or translating new ones, not to mention the state control and security intervention in content censorship. In 2019, the executive power's direct interference in censoring books and prints and making media statements about that was distasteful. During the 31th Session of the International Book Fair held at Al-Assad Library in Damascus in September 2019 and a press conference before opening the fair, Minister of Culture Muhammad Al-Ahmad threatened to withdraw any book which targets the Syrian government and punish its publishers. **He also accused dissident writers who were excluded from the fair of sectarianism and terrorism.**

The Ministry of Culture website reported the statements of Iyad Murshed, Director General of Al-Assad National Library: "In this session, we would like readers to play an active role through informing the bookfair administration about any book which, they feel, targets the Syrian society and its values and we will punish its publishers immediately."

The Ministry of Culture replaced the Book Fair Committee which included representatives from the ministries of culture and information with an oversight committee called the Higher Selection Committee which included representatives from a number of ministries, security services and the Baath Party's Central Leadership Office to perform the tasks of the previous committee. Justifying the creation of the committee, the Minister said that "The cultural work has many branches. Therefore, books should be assessed by relevant experts. For example, religious books are best assessed by religion scholars and so on. The committee shall select the best content for readers."

"There is no committee in the world that can read the thousands of books to be exhibited at the fair. Therefore, any book targeting our state and society will be withdrawn and its publishing house will be prevented from participating in the next year's fair," he added.

Suspension of Al-Ayyam Newspaper

The Syrian Al-Ayyam Newspaper announced in its final issue No. 115 dated 20/5/2019 that it would stop until further notice. Its final cover was titled "Media ... Whose Guilt Is It?". The issue editorial was written by the editor-in-chief and was titled: "A Warrior's Rest". He considered the current stage the harshest in the history of Syrian journalism due to the growing cracking down on journalism and because the authority of fear is controlling the journalists' pens."

The newspaper stopped a few days after its editor-in-chief Ali Hassoun announced quitting journalism altogether due to government pressures according to his statements on the social media. Its owner Muhammad Harsh, also owner of the Hashtag Syria Website, was arrested for a short period for publishing news about the government plans to raise the prices of gasoline, which later came true.

The newspaper, which was first issued in 2016, was named after the original Al-Ayyam Newspaper which was established by the former head of the Syrian Journalists Union Nasouh Babeel. In 1963, the coup government closed his newspaper and deprived him of his civil rights

and sacked him as the head of the journalists union. The issue of the final week of October 2019 was banned by the Ministry of Information for publishing an article titled "In Syria, Sectarianism is Sacred and Revealing It Is Treason" which talked about the roots of sectarianism in the Syrian constitution which considers the Islamic Sharia as the main source of legislation and discussed some provisions of the Personal Status Law. Its office was temporarily closed at the end of 2018 by the Damascus Governorate Council under the pretext that the property is not licensed for practicing intellectual professions.

Iranian Expansion in Syrian Media Landscape

The year 2019 witnessed launching Lana Plus Channel as the sister of Lana Channel launched in mid-2018. It broadcasts its programs from Beirut. It is part of the Emar Al-Sham for Art Production which is owned by Samer Al-Foz, a Syrian pro-government tatoon referred to in the media as Iran's economic arm in Syria. This highlights the Iranian expansion in Syria through culture and the media.

Iran has a long history in violating the press freedom and was ranked 170 out of 180 countries and regions in the Reporters Without Borders Report for 2019 which described it as one of the world's biggest jailers of journalists. Iran aims to violate the cultural and media scene in Syria using many tools **including political money**. This is one of the most dangerous indicators of the press freedom when the ownership of the media becomes a monopoly of a limited number of business people and when the media discourse is monopolized at the expense of diversity and plurality. Political money always aims to establish certain directions which, by necessity, oppose the values of the freedom of the press and flow of information and highlight certain political and ideological orientations.

Iran is also organizing free **training and rehabilitation courses for Syrian journalists in Arabic** (despite the suffocating economic crisis in Iran) at media centers and institutions in Iran such as the Futek Center which organized in February 2019 a TV Correspondent Preparation Course or at media centers in Lebanon, most of which are located in the Southern Suburb, the stronghold of the Iran-affiliated Hezbollah.

Another tool is the **cultural and media agreements**. At the end of 2019, the Syrian government and Iran signed 11 memorandums of understanding and executive programs in the economic, cultural and education fields in conclusion of the Higher Joint Syrian-Iranian Committee meetings in Damascus including the Cinema Agreement signed by the General Establishment for Cinema and the Iranian Audio-Visual Cinema Organization whose details were not disclosed. The two parties also signed the Executive Cultural Cooperation Program. In October 2017, they signed a media cooperation agreement which included media cooperation mechanisms, training courses, exchanging regular visits and producing joint media content after a meeting between the Iranian Radio Director Abdulali Askari and the Syrian Minister of Culture Muhammad Turjman. It focused on Iran's provision of technical and financial support to the TV production sector which is considered Iran's cultural arm for expansion in the Arab World because TV drama has been a major source of entertainment and sometimes knowledge for the majority of the Arab audience over the last few decades.

Iran also signed a memorandum to become a mobile communications operator in Syria which allows it to control a huge part of the advertising and media sector connected with the mobile communications services. The impact of Iranian interference on the freedom of expression in Syria is not limited to the media and cultural agreements but also expands to the security areas including the memorandum of understanding signed in 2015 with the Syrian government on

providing security assistants in combating terrorism which makes Iran involved in monitoring the Syrian citizens and violating their fundamental rights and freedoms.

Are the Iranian-Syrian agreements signed after 2011 binding?

Before speaking about whether the agreements signed after 2011 are binding and legitimate or not, it is worth mentioning that the direct opposite of these agreements from a practical perspective is the Caesar Act which was adopted by the US Congress. This Act imposes a wide range of sanctions on any individual or entity dealing with the Syrian government. It is added to the already applied sanctions by the international community on the Iranian government.

On the medium and long terms, the aforementioned agreements were considered confidential and were not deposited at the United Nations according to Article 80 of Vienna Convention and their terms were not officially disclosed. These agreements breach the current Syrian constitution and the entire Syrian legal system because they were not approved by the People's Assembly. Article 75 of the Constitution provides that "the People's Assembly undertakes the following functions: Approval of international treaties and conventions related to the safety of the state, including treaties of peace, alliance and all treaties related to the rights of sovereignty or conventions which grant privileges to foreign companies or institutions as well as treaties and conventions entailing additional expenses not included in its budget; or treaties and conventions related to loans' contract or that are contrary to the provisions of the laws in force and requires new legislation which should come into force."

With regard to the International Law, agreements among states are governed by the Vienna Convention on the Law of Treaties which entered into force in January 1980. Articles 46-53 detail the cases in which treaties become void which include the existence of errors or fraud, the corruption of a representative of a state, the coercion of a representative of a state, the coercion of a state by the threat or use of force or when they conflict with a peremptory norm of general international law. Accordingly, these agreements can be considered invalid because a key requirement of the Vienna Convention was breached, namely the contractual capacity since these agreements were signed with direct Iranian military presence on the ground and under economic pressures because Iran suspended the Iranian credit lines until these agreements had been concluded. This means that they were concluded under coercion from Iran and fraud by the Syrian government.

Chapter Two: Media Situation in the Areas Outside of the Syrian Government Control

Section 1 Media Situation in the Areas Controlled by the Autonomous Administration of North and East Syria

Overview

The areas controlled by the Autonomous Administration in northern Syria can be considered less hostile to the media work. Since the spring of 2011, scores of Kurdish media institutions were established including newspapers, magazines, radios and TV channels, contributing to the

Syrian media landscape with clear women presence. Noteworthy is the quality experience of Jin TV which broadcasts from Amuda in northern Syria and is completely operated by women staff including 30 media and technical staff members. It discusses the issues of women and defends their rights.

Practically, there are two main types of media: outlets with direct or indirect affiliation with political parties and independent outlets which are politically neutral and focus on social and cultural issues. The independent media in the Autonomous Administration areas generally address women issues and gender equality, dismisses ethnic journalism that favors specific races including the Kurdish nationality and identity and champions a more comprehensive and open democratic Syrian identity.

The journalism regulatory environment in this region enjoyed relative stability in comparison with the other parts of Syria and benefited from relative security throughout the Syrian conflict years. This has enabled some institutions to build experience, which gives it an advantage in terms of the international donors' funding programs.

In general, the media field and media outlets operating in the Autonomous Administration areas did not witness major changes except for the growing Turkish aggression and violations of journalists' rights including their right to life and physical safety. The Autonomous Administration's violations of the journalists' rights and freedoms continued. However, these were less hostile than those committed by the Syrian government or extremist groups especially Jabhat Al-Nusra which is labeled as a terrorist group. In most cases, the arbitrary detention would end within hours in comparison with years of imprisonment or even killing in other areas. However, these detention cases remain illegal and are part of the harassment against journalists in this area. In 2019, the issue of the Kurdistan 24 Channel attracted legal and media attention.

Kurdistan 24 Channel Issue

In September, the administration of the Kurdistan 24 Channel accused the Autonomous Administration of revoking its license, describing the decision as politicized and personal. The accusation also included the channel's decision to close its offices in the region one month after the work of its correspondents was suspended by the Autonomous Administration's Media Office for criticizing a leader in the Kurdistan Workers' Party in a show in late August and refusing to apologize. The Free Media Association revealed at the time its attempts to contain the situation through communicating with officials at the Autonomous Administration and received promises of re-granting the license. However, the Media Office denied the allegations of revoking the channel's license, stressing that the freedom of expression is guaranteed for all media and that it complies with all international standards and laws. This was taken to be a reversal of the decision if it had ever been issued in the first place.

Regulatory "Legislative" Context

The media work is regulated by the Media Law in Al-Jazira Province adopted by the Autonomous Administration's Legislative Council at the end of 2015. Although this law emphasizes media freedom and independence in many articles, its legal content is not different from the mainstream content in Syria and it is not more compliant with the international principles guaranteeing the freedom of expression and media. Although it limits the penalties of journalists to financial sanctions and work suspension and bans arresting journalists because of their media work, it does not provide guarantees or real immunity against authorities' abuses.

In addition to the deficiency of legislative content in terms of not fulfilling all the legal requirements for media protection, some articles were obstructed or ignored including Article 32 which provides for “punishing any person regardless of their position, based on the Penal Code of the Al-Jazira Province, who insult or attack journalists or media professionals because of or during their work.”

It is worth mentioning that the detention and enforced disappearance of journalists and media professionals and others is criminalized under the Charter of the Social Contract endorsed on January 6, 2014. Article 22 provide that “The Charter incorporates the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, as well as other internationally recognized human rights conventions.” In addition, Article 6 provides that “All persons and communities are equal in the eyes of the law and in rights and responsibilities.” Article 70 states that “No civilian shall stand trial before any military court or special or ad hoc tribunals.”

On the legislative level, a committee was established in 2019 to draft a unified media law for all the regions controlled by the Autonomous Administration in northern and eastern Syria. The committee included journalists and representatives from media outlets and institutions not affiliated with the Autonomous Administration to bridge the gaps in the current unified media law and provide better guarantees for the freedom of media work in the region. It was decided to present the new law at public dialogue sessions and forums for discussion before it is approved to get the largest number of proposals.

Section 2

Media Situations in the Opposition-controlled Areas

Overview

In the areas controlled by the armed opposition which have been diminishing over the last few years, there is no room for talking about the media situation in an exceptional environment with continuous changes in geography and in the controlling forces. It is under constant bombardment and displacement. The de facto authorities including Jabhat Al-Nusra and others did not show any acceptance of free media in their areas. They harassed and prosecuted journalists, banned the distribution of newspapers, raided media centers, confiscated their equipment and arrested their staff.

In addition, the media crisis in the opposition-controlled areas is driven by a structural weakness which characterize many of the new media institutions. They lacked long-term planning, financial strategies outside the international donors framework, oversight and transparency mechanisms and they suffered from the emigration of their staff. In 2019, many donors reduced their media support programs which led, in the absence of any institutional visions or independent funding policies, to the suspension of most of them. According to the Syrian Prints Archive, the number of active newspapers fell to 10 out of 304 documented in 2011.

Most of the other media, including newspapers, magazines, radios and TV channels which are mainly based in Turkey, faced in 2019 funding issues and licensing and legal obstacles after the

Turkish government changed its policy towards the Syrian refugees crisis in general. Most of them could not meet the Turkish government requirements for licensing foreign institutions. This forced some of them to circumvent the laws and get registration as civil society organizations to legally cover their media activity.

Media professionals suffered from the Turkish government crackdown on the Syrian refugees started in the Summer of 2019 which did not exclude media professionals. Some of them were arrested and deported arbitrarily which prompted Reporters Without Borders to demand Ankara to protect the Syrian journalists in Turkey from deportation in compliance with the non-refoulement principle which is mandatory for all states under international law. The government is also controlling the Syrian refugees in Istanbul in particular, forcing those with temporary residencies to return to the provinces they are registered in. Half of the Syrian journalists and media professionals in Istanbul were stuck between a rock and a hard place either to return to the provinces they are registered in and lose their jobs in Istanbul or breach the residency regulations which exposes them to deportation to Syria.

Electronic Media and Freedom of the Internet

The de facto authorities in the opposition controlled areas do not have the technical capacities to monitor communications or social media as all communications services and networks are provided by Turkey. However, they monitor content. The report indicated that an unknown group detained Dhiyaa Al-Din Jamal Al-Sa'eed for hours for publishing a post considered by his abductors as offensive to Abdul-Basit Al-Sarout on August 24. Jabhat Al-Nusra also arrested Ahmad Al-Rahhal, a media activist, on September 11-19 for publishing a post on Facebook criticizing the group and arrested Kinan Hindawi, another media activist, on October 21 for criticizing the group and its practices in a Whatsapp group. He was released three days later.

Teaching Media in the Opposition-controlled Areas

The tertiary education in the opposition-controlled areas faced many obstacles and challenges, mainly in the operating conditions and the lack of unified administrative, political and academic authorities, the absence of international support or any unified plans on the national level, chaos and randomness in establishing universities which do not meet the minimum academic and physical requirements for university accreditation. Most of these did not meet the licensing and academic accreditation requirements stipulated in the Ministry of Higher Education's Decision No. 31 dated 26/11/2007 which was adopted with slight amendments due to the lack of alternatives to regulate university work in the opposition-controlled areas.

A major challenge facing higher education in the opposition-controlled areas, despite the ongoing efforts, is the lack of international academic accreditation and recognition since most universities lack the minimum requirements including the ratio of faculty members holding PhD degrees, the number of classrooms, applied sciences laboratories, lack of advanced equipment and published academic research. Consequently, graduates are granted certificates which are often not recognized on the national and international levels.

As for media teaching, some academic centers and universities in the opposition-controlled areas opened media departments. In 2015, the private Oxford University in Idlib, a branch of the Yemeni Oxford University for Sciences and Technology, opened a media department and

in 2016, the universities of Aleppo and Idlib established the Media Technology Institute for teaching media disciplines including radio and TV production, montage, design and editing. Due to the lack of funding from the Interim Government for the tertiary education and the reliance on grants from international organizations such as Education Without Borders, Dutch SPARK and others, the two institutes suffer from shortage in training equipment including computers and cameras, making student training substandard. While Oxford University applies the syllabus used in the original university in Yemen, the two institutes use consolidated syllabuses from the universities of Damascus and Cairo or from Jordanian universities due to the lack of academic and financial capacities to produce their own curricula and syllabuses.

In addition to the above-mentioned issues, the University of Idlib breached the gender equality principle critical to the education process according to UNESCO. In its first year, the Media Technology Institute did not admit female students based on a decision issued by the University Presidency in 2016. However, this decision was canceled in 2018¹⁹.

The universities established by the Autonomous Administration in Afrin and Rojava face the same problems including the absence of recognition and shortage of teaching staff and infrastructure. No media departments were established so far.

However, it is worth mentioning that the CSOs have, since 2011, played a major role in the areas controlled by the Autonomous Administration and the armed opposition in organizing media training programs of different forms (writing or visual expression, human rights standards and journalism ethics). These efforts continued in 2019 in the form of local initiatives or as part of programs funded by the European Union. However, despite their benefits and the efforts of their organizers, they lacked consistency, clear curricula and international media standards.

Ecosystem of Media Work

The media professionals lack functional stability due to the complete absence of institutional work or labor laws. They also face funding shortages and closure of most media institutions due to the harsh economic crisis in the region which is already going through a humanitarian emergency. According to the UN Humanitarian Response Plan for 2019, 4.17 million Syrian people need help in Aleppo and Idlib including 1.92 million in need of urgent help. In addition to the deteriorating economic situations, media professionals suffer from the policies of Hay'at Tahrir Al-Sham which, last year, banned six journalists from working and beat them in light of the absence of protection laws.

Even those working with international agencies and newspapers were not safe from injustices and deprivation of financial rights. For example, the photographer journalist A. F. said in his testimony: "I started working with international agencies in February 2015 and a year and a half later I signed an exclusive contract with one of them. Until 2017 they kept publishing most of the items I sent. However, later, things changed. Sometimes, an entire month would pass without them requesting a single item which meant loss of income. Although the contract was exclusive, it requires the agency to pay only for the published items not for every thing I send, while it prevents me from publishing or cooperating with other media outlets."

Explaining why he accepted such unfair conditions, the witness said: "It is complicated. Under siege and lack of livelihoods, working with a media agency is a lifebuoy with the hope that the situations might improve. After all, those working with such agencies live better than those who could not have similar opportunities." As for the compensation in case of injury or displacement, he said: "Unfortunately, there is no real compensation in case of injuries and the journalists who were displaced to northern Syria were sacked and only some of them got their end of service indemnity. Their work contracts with these media institutions ended once they had left southern Syria."

Return of the Rising-for-Freedom Magazine

In light of the consecutive crises which faced the media work in the opposition-controlled areas in 2019, the return of the Rising-for-Freedom Magazine was a very symbolic event. It was like honoring the suspended alternative media experiences or those struggling to survive or fighting for human rights, liberties and freedom of expression. Two years after Jaish Al-Islam decision to close the magazine offices and prosecute its staff in March 2017, Issue 89 was out in March 2019.

The new issue was the result of a questionnaire by the editorial team targeting the journalists and writers who worked in the magazine since its establishment. The questionnaire was about the magazine suspension, the implications of this incident and the magazine future. The findings were published on the magazine website. Eighty percent said the magazine suspension is a public issue which affects the entire society not only journalism or the magazine. **Despite its uncertain future, the suspension decision repercussions and the government forces control of Douma which witnessed the launch of the magazine that embraced the principles of freedom, dignity and justice and wrote them on its cover, Issue 90 was out in November 2019.**



Part 3 Lists of Violations in 2019

Chapter one: Legal Description of Conflict in Syria

According to the International Committee of the Red Cross, the conflict in Syria originally started as a non-international armed conflict but it turned international after the US air forces stroke the Shayrat Military Airbase in April 2017. Accordingly, the violations committed by the parties to the conflict against journalists breach the International Humanitarian Law which has jurisdiction over international and non-international armed conflicts. Thus, these violations entail accountability and criminal prosecution.

The violations against journalists and freedom of media observed in this report are not only violations of the International Humanitarian Law, which has jurisdiction over Syria, but also violations by the Syrian government of the Syrian Constitution, the General Penal Code, Legislative Decree No. 20 of 2013 on Abduction and the terms of the Police and Prisons Administration laws. As for the Autonomous Administration, they include breaches of Articles 20-21 of the Charter of the Social Contract, endorsed on December 6, 2014. Article 20: "The Charter holds as inviolable the fundamental rights and freedoms set out in international human rights treaties, conventions and declarations." Article 21: "The Charter incorporates the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, as well as other internationally recognized human rights conventions."

International Conventions on Protection of Journalists during War

International Humanitarian Law

Article 79 of the Additional Protocol I of Geneva Conventions 1949 states that "Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50 and they shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians."

ICRC's Study of Customary International Humanitarian Law in 2005

Rule 34 of Chapter 10 states that "Civilian journalists engaged in professional missions in areas of armed conflict must be respected and protected as long as they are not taking a direct part in hostilities."

UNSCR 1738 of 2006

"It condemns intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict.

It requests the Secretary-General to include as a sub-item in his next

reports on the protection of civilians in armed conflict the issue of the safety and security of journalists, media professionals and associated personnel.

It recalls in this regard that journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such.

It recalls also that media equipment and installations constitute civilian objects, and in this respect, shall not be the object of attack or of reprisals, unless they are military objectives."

UNSCR No. 2222 of 2015

"It encourages the United Nations and regional and sub-regional organizations to share expertise on good practices and lessons learned on protection of journalists, media professionals and associated personnel in armed conflict.

It condemns all violations and abuses committed against journalists, media professionals and associated personnel in situations of armed conflict.

It urges all parties involved in situations of armed conflict to respect the professional independence and rights of journalists, media professionals and associated personnel.

It strongly condemns the prevailing impunity for violations and abuses committed against journalists, media professionals and associated personnel in situations of armed conflict, which in turn may contribute to the recurrence of these acts.

It urges Member States to take appropriate steps to ensure accountability for crimes committed against journalists, media professionals and associated personnel in situations of armed conflict and through the conduct of impartial, independent and effective investigations within their jurisdiction and to bring perpetrators of such crimes to justice."

Chapter Two: Arbitrary Detention

The International Law defines arbitrary detention as: "The arrest and deprivation of liberty of a person outside of the confines of nationally recognized laws²⁰" or "being detained for no legitimate reason or without legal process" according to the Amnesty International definition²¹. Detentions shall be considered arbitrary when they are used by authorities as sanctions for practicing any of the universally agreed on rights or freedoms including the freedom of opinion, expression, peaceful assembly and association. The arbitrary detention's concept shall be extended to include any court rulings issued by exceptional courts such as the Counter Terrorism Court and the Field Court in Syria and the Sharia courts in the regions controlled by the opposition armed forces. The detention shall also be considered arbitrary when the right to a fair trial, which is provided for in the International Declaration of Human Rights and other international instruments, is partly or completely violated.

The arbitrary detention is a clear violation of Article 9 of the Universal Declaration of Human Rights, Article 9 of the International Covenant on Civil and Political Rights, Rule No. 99 of the Customary International Humanitarian Law which provides that "arbitrary deprivation of liberty is prohibited", Rule No. 100 on the right to fair trial guarantees and Rule No. 102 which provides that "No one may be convicted of an offense except on the basis of individual criminal responsibility" and the Fourth Geneva Convention on the Protection of Civilian Persons in Time of War.

Detention of Wissam Al-Tayr

The arrest of Wissam Al-Tayr is an example of the aforementioned statements on the way the Syrian government deals with the media and the impossibility of granting immunity to journalists even those considered close to the government and its security institutions such as Al-Tayr, the founder of the "Damascus Now" website who was close to the Syrian Presidency and had more than 2.5 million followers on social media. On December 15, 2018, the Syrian security forces raided the office of "Damascus Now" website, confiscated its contents and arrested its director Wissam Al-Tayr and his colleague Sutil Ali, a program producer at a local radio who was released a few days later.

His detention remained unknown until he was released in August 2019 after a presidential amnesty according to his family statement. Over that period, there were many rumors about his death due to torture, especially after the silence that surrounded his case which raised doubts about his fate and the appeals made on social media.

Arbitrary Detention Cases in 2019

The report documented 39 cases of arbitrary detention: Eight cases were committed by the Syrian government forces, seven by the armed opposition forces, four by the Asayish forces, 17 by Jabhat Al-Nusra, two by the Turkish forces and one by an unknown group.

No	Name	Position	Status
1	Muhammad Harsho	Founder of the "Hashtag Syria" Website	He was arrested by the Information Branch in Damascus on April 19 and was released the next day.
2	Muhammad Nour Marroush	Independent correspondent	He was detained by the Salvation Government's security forces for taking photos without permission in Darat Izza on April 11. He was released on the same day.
3	Ahmad Al-Hammoud	Correspondent for Step News Agency	He was arrested by Hay'at Tahrir Al-Sham forces for working with the agency on April 19. He was released after signing a pledge to quit on April 21.
4	Mahmoud Soummaq	He works at Ahrar Al-Sham's media office	He was arrested by Hay'at Tahrir Al-Sham forces on April 21 for criticizing the group on his Facebook page. His fate is still unknown.
5	Taha Sino	Director of Arta FM	He was arrested on February 20 for interrogation. He then was moved to Al-Faihaa Branch in Damascus of the Political Security. He was released on May 19.
6	Muhammad Tawfiq Al-Saghir	Correspondent for Al-Ikhbariya Al-Souriya ((Syrian News Channel	He was arrested by the Asayish forces on June 4 in Al-Hasakah. He is still detained.
7	Rabi' Kullah Wandil	Correspondent for the Iranian Al-Alam Channel	He was arrested on July 6 by the Syrian Intelligence forces. The arrest reasons are still unknown. He was released on August 6.
8	Bassel Ezzeddin	Qasioun News Agency	He was arrested by a group affiliated with the "Al-Sharqia Army" faction on February 24 for shooting without taking prior permission. He was released on February 28.

No	Name	Position	Status
9	Malek Abou Obaidah	Correspondent for ""Aleppo today	He was detained by the Al-Bab City Police while covering the protests of the Syrian truck drivers on March 7. He was released on the same day.
10	Badr Taleb	Independent correspondent	He was detained by the Al-Bab City Police while shooting the protests of the Syrian truck drivers on March 7. He was released on the same day.
11	Abdulhadi Tatin	Correspondent for Syria TV	He was arrested by the Turkish forces in Afrin on March 26 while shooting a report for the channel. He was released on the same day.
12	Khaled Al-Hobal	Photographer for Syria TV	He was arrested by the Turkish forces in Afrin on March 26 while shooting a report for the channel. He was released on the same day.
13	George Ourfalian	Photographer for the Iranian Al-Alam Channel	He was arrested by the Syrian Intelligence personnel in Aleppo on July 6. The arrest reasons are still unknown. He is still detained.
14	Joma Hajj Hamdo	Correspondent for ""Zaman Al Wasl	He was arrested by a group affiliated with Jabhat Al-Nusra on July 24 in Rural Aleppo. He was released on July 30.
15	Muhammad Jamal Da'boul	Correspondent for Idlib Media Center	He was arrested by the Salvation Government's security forces on August 23 for working as a freelance journalist with Step News Agency. He was released on the next day after pledging to quit.
16	Fateh Ahmad Raslan	Correspondent for Step News Agency	He was arrested by the Salvation Government's security forces on August 23 for working with the Step News Agency. He was released on the next day.
17	Ahmad Rahhal	Correspondent for "El-Dorar Al-Shamia	He was arrested by Hay'at Tahrir Al-Sham forces on September 11 for criticizing it on his Facebook page. He was released on September 19.
18	Adnan Faisal Al-Imam	Correspondent for Bro-car Media Network	He was detained by the Interim Government's Military Police on October 15 and was referred to the Turkish Governor in Jarabulus for covering the Turkish military operation in north eastern Syria. He was released on the same day.
19	X	Media Activist	He has been arrested by the Air Force Intelligence Branch since September 2019. / We don't mention the name the name for safety reasons

No	Name	Position	Status
20	Aref Watad	Freelance correspondent for AFP	He was detained by the Interim Government's Military Police on October 15 and was referred to the Turkish Governor in Jarabulus for covering the Turkish military operation in north eastern Syria. He was released on the same day.
21	Bilal Biyoush	Correspondent for Smart News Agency	He was detained by the Interim Government's Military Police on October 15 and was referred to the Turkish Governor in Jarabulus for covering the Turkish military operation in north eastern Syria. He was released on the same day.
22	Ghaith Al-Sayed	Photographer for Sham Network	He was detained by the Interim Government's Military Police on October 15 and was referred to the Turkish Governor in Jarabulus for covering the Turkish military operation in north eastern Syria. He was released on the same day.
23	Yaser Abdulhadi Al-Tarraf	Director of a media office	He was arrested with two others who were with him by Hay'at Tahrir Al-Sham forces on October 25 when they passed through a checkpoint in Afrin. They were referred to the Turkish governor in Jarabulus for their media work. He was released on November 2.
24	Botan Shiekh Sulaiman	Independent correspondent for many agencies such as Ronahî TV	He was arrested by the Asayish forces in Kobani on October 26 for photographing without permission and cooperating with an unlicensed media agency. He was taken to an unknown place and is still detained.
25	Kinana Hindawi	Correspondent for Thiqa News Agency	He was summoned by Hay'at Tahrir Al-Sham in Jabal Al-Zawiya. Upon arrival, he was arrested on Al-Bayyada checkpoint on November 21 and imprisoned in the organization's Al-Ukab Prison for criticizing it in a Whatsapp group. He was released on November 24.
26	Alaa Sa'doun	Correspondent for Smart News Agency	He was arrested by the Asayish forces in Kobani on November 20 for working without a license. He was released on the same day.
27	Haitham Muslim	Freelance journalist	He was arrested by the Asayish forces in Kobani on November 20 for working without a license. He was released on the same day.

No	Name	Position	Status
28	Anas treesy	Correspondent for Orient Channel	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.
29	Hafez Taraman	Media activist	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.
30	Musafa Dahnoun	Media activist	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.
31	Muhammad Sa'eed Takko	Media activist	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.
32	Mustafa Al-Sweid	Media activist	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.
33	Adnan Faisal Al-Imam	Media activist	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.

No	Name	Position	Status
34	Aref Watad	Freelance journalist for AFP	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.
35	Ibrahim Trisi	Media activist	A local source, who spoke on condition of anonymity, said that Hay'at Tahrir Al-Sham security forces attacked a group of journalists who were covering a popular protest near Bab Al-Hawa Border Crossing on December 20 and began shooting in the air and using tear gas against the demonstrators. They were released the next day.
36	Ra'eef Salama	Journalist	He was arrested by the Criminal Security Branch in Damascus on February 13. He was imprisoned in the branch's cell for 23 days and then transferred to Adra Prison. He remained there for seven days before he was released.
37	Ra'eef Salama	Journalist	He was arrested again from Syrian Security forces on August 15 but we could not identify the date of his release and why he was released. He might have been arrested because he covered the regime battles in Hama or because of a dispute with Reem Mas'oud, a military correspondent who is close to a Tiger militia leader.
38	Dhiyaa Jamal Al-Eddin Al-Sa'eed	Correspondent for SANA	He was detained and beaten by unknown people. He was released on August 24.
39	X	Editorial	Syrian security forces arrested him for nearly seven months before releasing him. / We don't mention the name for safety reasons

Chapter Three: Enforced Disappearance

The International Criminal Court defined enforced disappearance as "The arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those

persons, with the intention of removing them from the protection of the law for a prolonged period of time." According to the Rome Statute of the International Criminal Court, the enforced disappearance can be considered a crime against humanity "when committed as part of a widespread or systematic attack directed against any civilian population."

Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance defined it as "the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."

This definition limits enforced disappearance to that practiced by the state or its affiliated groups. However, in the Syrian case, the de facto controlling forces act as the governing authorities. These include the terrorist ISIS and Al-Nusra, the Autonomous Administration forces and the opposition armed forces which all made various arrests, some of which can be classified as enforced disappearances. Enforced disappearance breaches Article 9 of the Universal Declaration of Human Rights, Article 9 of the International Covenant on Civil and Political Rights and the economic, social and cultural rights of individuals and their family members according to Article 24 of the international Convention for the Protection of All Persons from Enforced Disappearance which provides that the "victim" means the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance," including their family members who are affected in many ways. It also breaches Article 32 of the Protocol Additional to the Geneva Conventions (Protocol I): "In the implementation of this Section, the activities of the High Contracting Parties, of the Parties to the conflict and of the international humanitarian organizations mentioned in the Conventions and in this Protocol shall be prompted mainly by the right of families to know the fate of their relatives." In addition, the enforced disappearance cases have a more harmful impact on the climate of freedom than arrests and well-known trials.

Enforced Disappearance Cases in 2019

The SCM documented three cases of enforced disappearance committed by Jabhat Al-Nusra, the Syrian government and the Asayish forces. The case of the journalist "Maan Bakour" was documented in the cases of enforced disappearance because this the situation that was existed at the time of preparing the report, and the update was added later.

No	Name	Position	Status
1	Hazem Al-Faraj	Director of Bisan Radio	On December 30, the Syrian Democratic Forces raided and searched his home, west of Raqqa, and arrested him without identifying the reasons. His fate is still unknown.

No	Name	Position	Status
2	Ra'fat Al-Nabhan	Director of Political Programs at Al-Quds Satellite Channel	He was arrested on March 7 upon crossing the Syrian borders coming from Lebanon after the channel he was working for was closed and he decided to follow his Syrian wife to Syria and then move to live in Jordan. He is still detained.
3	Ma'en Bakkour	Independent journalist	On June 14, Hay'at Tahrir Al-Sham forces raided his house, arrested him and confiscated his mobile phone and motorbike without identifying the reasons of arrest. He was released on April 11, 2020 after signing a (deportation decision to the Euphrates Shield areas within ten days from the date of release)

Chapter Four: Harassment of Journalists in 2019

Physical harassment and preventing from work form a gross violation of the aforementioned international conventions. They also breach the decision of the UN General Assembly's Third Committee on Social, Humanitarian and Cultural Affairs voted for on November 20, 2017 on the safety of journalists and the issue of impunity which considered arbitrary detentions and abuse of journalists crimes which should not be committed with impunity.

The SCM documented 10 cases of beating and preventing from work, nine of which were committed by Jabhat Al-Nusra including breaking into a house of a media activist and stealing his equipment and one by the Syrian government forces - the Information Crimes Branch.

No	Name	Position	Status
1	Saif Al-Ra'ed	Independent activist	On March 18, Jabhat Al-Nusra forces prevented the activist from shooting, beat and threatened him not to shoot the Turkish patrols again.
2	Omar Hajj Kad-dour	Correspondent for AFP	On March 18, Jabhat Al-Nusra forces prevented the activist from shooting, beat and threatened him not to shoot the Turkish patrols again.

No	Name	Position	Status
3	Ghaith Al-Sayed	Correspondent for Sham Network	On March 18, Jabhat Al-Nusra forces prevented the activist from shooting, beat and threatened him not to shoot the Turkish patrols again.
4	Mustafa Hajj Sulaiman	Correspondent for Al-Ma'ra Media Center	On March 19, Hay'at Tahrir Al-Sham forces intercepted him while heading to cover the Turkish patrolling in south eastern Rural Idlib, prevented him from shooting and confiscated his media equipment items but they returned them three hours later.
5	Ahmad Ibrahim Al-Atrash	Independent	On March 19, Hay'at Tahrir Al-Sham forces intercepted him while heading to cover the Turkish patrolling in south eastern Rural Idlib, prevented him from shooting and confiscated his media equipment items but they returned them three hours later.
6	Youssef Ahmad Gharibi	Correspondent for "Enab Baladi" newspaper	On March 19, Hay'at Tahrir Al-Sham forces intercepted him while heading to cover the Turkish patrolling in south eastern Rural Idlib, prevented him from shooting and confiscated his media equipment items but they returned them three hours later.
7	Ibrahim Muhammad Darweesh	Correspondent for Masdar News Agency	On March 19, Hay'at Tahrir Al-Sham forces intercepted him while heading to cover the Turkish patrolling in south eastern Rural Idlib, prevented him from shooting and confiscated his media equipment items but they returned them three hours later.
8	Ibrahim Saleh Al-Khatib	Media activist	On July 11, Hay'at Tahrir Al-Sham forces beat him and confiscated his camera while he was covering the protests against it in Kafar Takharim.
9	Majed Al-Omari	Independent media activist	On August 25, masked Hay'at Tahrir Al-Sham forces broke into his home in Kafr Karmin for unknown reasons and confiscated all of his media equipment including cameras and its accessories, a laptop and storage hard drives.
10	Bilal Seliteen	Journalist	In May 2019, Bilal Saliteen was summoned by the Information Crimes Branch. He went to the branch three times on May 6, 7 and 8.

Chapter Five: Killings

According to the Committee to Protect Journalists, Syria was the world's deadliest country for journalists in 2019 and it retained its position in the World Press Freedom Index for 2019 issued by Reporters without Borders. **The key incident in 2019 which led to the highest number of victims among journalists was the Turkish air strike on a group of journalists who joined a civil convoy in Ras Al-Ain to cover the military operation called the "Peace Spring" launched by the Turkish armed forces in northern Syria on October 7, 2019. The air strike killed four journalists and injured nine others.**

Turkey's human rights violations in Syria are covered by the International Humanitarian Law's jurisdiction since Turkey is an occupation authority according to Article 51 of Charter of the United Nations which provides that the "Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security." This makes the Turkish government legally obliged to the protection of population from the war implications including the legal protection and respect of journalists during armed conflicts. This was clearly regulated by the Geneva Conventions especially the fourth one, the Protocol I Additional to Geneva Convention 1977 and many diverse international agreements and decisions which were already mentioned in this report.

The Turkish government's responsibility for protecting journalists and their freedom to work is not limited to the violations committed by the Turkish army forces in Syria but also the armed groups associated with them as it controls these groups and the operations during which these violations were committed.

Killings in 2019

The SCM documented nine killings distributed as follows: four killings were committed by the Syrian government forces, four by the allied Russian forces, four by the Turkish forces and one by an unknown entity.

No	Name	Position	Status
1	Abdula Abdulaal	Correspondent for Syria Civil Defense	He was killed on 9/3/2019 in Jisr al-Shughur due to a Russian air strike on the city that targeted Syria Civil Defense's work team.
2	Omar Al-Dimashqi- (nickname)/ SCM's archive documented the full name	He worked as a photographer for a local organization	He was killed on June 24 in the village of Sarmada in Rural Idlib due to a car bomb explosion. The perpetrator was not known.

No	Name	Position	Status
3	Amjad Hassan Bakeer	Photographer for the Free Idlib Army, a member group of the National Front for Liberation	He was killed on June 18. He was directly targeted by the Syrian regime forces while covering the clashes in northern Rural Hama.
4	Anas Abdulmajid Diyab	Volunteer in the Syria Civil Defense's Media Office	He was killed on July 21 in Khan Shaykhun due to an air strike on the city where he was covering the organization's work.
5	Sa'ad Muhammad Sa'eed Shakhmous Al-Hamad	Correspondent for Hawar News Agency (ANHA)	He was killed on October 13 after the Turkish air force stoke the convoy he was covering.
6	Muhammad Hussein Rasho	Correspondent for the Kurdish Yazidi Cira TV	He died on October 14 affected by the wounds he suffered on the day before after he was targeted by an explosion with a group of journalists heading to Ras Al-Ain for covering the city's incidents.
7	Abdulhamid Kheder Al-Youssef	Correspondent for Kafar Roma Media Office	He was killed on 10/11/2019 due to the government forces artillery shelling while he was covering former Russian air strikes on Kafar Roma. He was directly hit in his head and abdomen which killed him instantly.
8	Dilan Abdullah	Correspondent for Women's Protection Units' Media Office	She was killed on October 13 while she was covering the Turkish offensive on northern and eastern Syria hours after she was injured by the shelling of Turkish forces and supporting opposition ones.
9	Sa'ad Ahmad	Correspondent for ANHA	He was killed on October 13 by an explosion which targeted a group of journalists who were heading to Ras Al-Ain to cover the city's incidents.

Death Under Torture

The year of 2019 witnessed many cases of death under torture in the prisons of the Syrian government and Jabhat Al-Nusra. Like the crimes of arbitrary detention and enforced disappearance, torture violates the human dignity which is a key human right according to Pieter Kooijmans, a former Dutch judge at the International Court of Justice. Many international laws emphasized that the crime of torture is imprescriptible and covered by the international jurisdiction and it revokes the immunity granted to some perpetrators including heads of state, presidents and prime ministers.

Article 1 Of the United Nations Convention against Torture of 1984 defines it as "For the purpose of this Convention, the term "torture" means any act by which severe pain or suffering, whether

physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him, or a third person, information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in, or incidental to, lawful sanctions.”

Article 1 of the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted by General Assembly resolution 3452 (XXX) of 9 December 1975 provides that: “For the purpose of this Declaration, torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted by or at the instigation of a public official on a person for such purposes as obtaining from him or a third person information or confession, punishing him for an act he has committed or is suspected of having committed, or intimidating him or other persons. It does not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions to the extent consistent with the Standard Minimum Rules for the Treatment of Prisoners.”

The SCM documented the death of Samer Al-Salloum, a journalist, who was pronounced dead under torture by Jabhat Al-Nusra on August 12, 2019. In 2019 also, two other media activists died under torture in the Syrian government prisons: Bilal Abdulkafi, who is called “Abu Oruba”, was detained on 28/8/2013 on the Turkish-Syrian borders and was never heard from since. In February 2019, his family applied for a family statement document which showed that he died in 2015.

Ali Muhammad Othman, who is called the Grandfather, was arrested in March 2013. He played a prominent role in supporting and assisting journalists in Homs especially the ones who survived the Syrian forces’ targeting of Baba Amr Media Center in February 2012 according to the testimony of Paul Conroy, a British journalist, after announcing his death. His death was disclosed when his family applied for a family statement document from the Civil Affairs Department. It has shown that he is dead since 2015 according to government records.

Chapter Six: Injuries

The SCM documented 32 injuries among journalists distributed as follows: 11 injuries were caused by the Syrian government and allied Russian forces, 14 by the Turkish forces, two by ISIS, one by the opposition armed forces and four by unknown entities.

No	Name	Position	Status
1	Ahmad Al-Khatib	Correspondent for Idlib Media Center	He was injured on 9/2/2019 while covering the government forces’ shelling.
2	Gabriele Micalizzi	Correspondent for the New York Times	He was seriously injured in his face on 11/2/2019 by an RPG shrapnel which was shot by ISIS while he was covering its battle with Syrian Democratic Forces in Al-Baghuz, east of Deir ez-Zor.

No	Name	Position	Status
3	Muhammad Ayman "Abu Al-Baraa"	Correspondent for the Syrian Media Organization	He was injured in a car bomb explosion in Al-Qosoor Neighborhood in Idlib on February 18 while covering the first explosion which took place in the same place.
4	Omar Al-Hamdo	Correspondent for the Syria Civil Defense	He was injured in a car bomb explosion in Idlib city center on February 18 while covering the first explosion which took place in the same place.
5	Iyad Al-Asmar	Correspondent for Little Hearts Organization	He was injured in a car bomb explosion in Idlib city center on February 18 while covering the first explosion which took place in the same place.
6	Jawad Lababidi - Jawad Al-Shami	Media activist	He was injured in a car bomb explosion in Idlib city center on February 18 while covering the first explosion which took place in the same place.
7	Iyad Abd Al-Jawad	Correspondent for Enab Baladi	He was injured by a artillery shrapnel in the village of Al-Joz in Ghab Plain in Rural Hama on March 18 while he was covering the regime forces' shelling of Ghab Plain.
8	Baran Misko	Correspondent for NBC and many other media outlets	He was injured on March 23 in the village of Al-Baghuz while covering the incidents there.
9	Suhaib Al-Masri	Correspondent for the Iranian Al-Kawthar Channel accompanying the Tiger Forces	He was badly injured on 10/5/2019 while accompanying the Tiger forces.
10	Ayham Muhammad Al-Bayoush	Correspondent for the Syria Plus Website: Sy+	He was injured on May 17 after the regime aircrafts stroke Ma`arat al-Nu`man in Rural Idlib.
11	Bilal Abdulkareem	Correspondent for News on the Ground Network	He was injured on May 22 in northern Rural Aleppo while covering the battles in the area.
12	Mustafa Al-Khalaf	Correspondent for Syria TV	He was injured on May 24 in the village of Hbit due to an air strike by Russian Sukhoi aircrafts on the area.
13	Mustafa Ahmad Dahnoun (Mustafa Al-Abbas)	Correspondent for Al-Jisr Channel	He was injured on May 24 in the village of Hbit due to an air strike by Russian Sukhoi aircrafts on the area.
14	Tareq Abdulrazzaq Ibrahim	Correspondent for Al-Watan Network	He was injured on June 6 due to the regime forces' shelling of Al-Jabin Village in Southern Rural Hama.

No	Name	Position	Status
15	Abdulaziz Burhan Najm	Correspondent for Al-Watan Network	He was injured on 5/6/2019 by shrapnels due to the regime forces' shelling of the village of Al-Zakat while he was covering the clashes in the area.
16	Iyad Muhammad Abu Al-Joud	Correspondent for Enab Baladi	He was injured on September 26 in the village of Maartahrama while he was covering the regime's shelling of the area.
17	Mahmoud Al-Hamwi	Independent journalist	He was injured on August 17 by a shrapnel in his hand after a Syrian government's Sukhoi 24 stroke the village while covering the regime's aerial bombardment.
18	Dilsoz Dildar	Correspondent for North Press Agency	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
19	Shiyar Fayyad Ibrahim	Correspondent for STÊRK TV and ARYEN TV	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
20	Amal Hamza Younnes	Correspondent for STÊRK TV	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
21	Rojbi Aki	Correspondent for Politika Özgür Yeni	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
22	Berijan Dalal	Correspondent for Politika Özgür Yeni	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.

No	Name	Position	Status
23	Abulrashid Muhammad Muhammad	Correspondent for ORKÊS Radio	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
24	Arsi Jakso	Correspondent for Al-Fural News Agency: ANF	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
25	Shiyar Ibrahim	Aryen Channel	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
26	Honr Ahmad	Correspondent for Rûdaw Channel	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
27	Rojbeen Akeen	Correspondent for Politika Özgür "Yeni	He was injured on October 13 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
28	Muhammad Akenji	Correspondent for ANHA	He was injured on 13/10/2019 after Turkish aircrafts stroke the convoy of civilians and journalists heading to Ras Al-Ain to demonstrate against the Turkish military operation in northern Syria.
29	Rouj Musa	Correspondent for North Press Agency	He was injured during covering the battles in the village of Al-Rashidiya in Ras Al-Ain after Turkish air strikes. On 3/11/2019
30	Zozan Ramadan Berakel	Correspondent for JIN TV	She was shot in her left hand by a Turkish patrol in the village of Korpîngar in Kobani on 12/11/2019.

No	Name	Position	Status
31	Idris Abdullah	Correspondent for Ronahî TV	He was injured by a shrapnel in his chest after the shelling of the Turkish army and its supportive factions in the village of Um Al-Kaif while covering the incidents in the villages of Tall Tamr on 12/11/2019.
32	Muhammad Faisal Al-Okla	Correspondent for Orient Channel	He was injured on October 31 while covering the Russian shelling of the town of Has in Rural Idlib.



Conclusions and Recommendations

Conclusions

- All parties to the conflict continued their violations against journalists and media professionals, including arbitrary detention, enforced disappearance, torture and murder, relying in some cases on false trials before illegal courts that did not meet the minimum international standards of fair trial.
- The Autonomous Administration authorities violated the provisions of the International Human Rights Law by conducting some arbitrary arrests of journalists and media professionals, but in most cases, detention lasts for less than 24 hours. These authorities are responsible for the lowest number of enforced disappearance or kidnapping cases compared to various de facto authorities in Syria and to the syrian government, and also the least restricting the rights of media work, and the transfer and communication of information.
- All parties to the conflict, including the Russian and Turkish governments, have violated the principles of International Humanitarian Law, and international covenants related to the protection of journalists and media professionals.
- The Syrian authorities did not allow the Independent International Commission of Inquiry on the Syrian Arab Republic established by the United Nations to visit detention centers and examine

the conditions of detainees there.

While 2019 was not different from the previous years with regard to the state of rights and freedoms, as violations against media professionals continued, there was a number of important points that distinguished it from previous years, namely:

First: The number of non-professional or non-accredited journalists decreased, and so did the number of media activists, videographers and media persons working with military factions. Thus violations were mainly against accredited journalists, due to the shrinking of the geographical area outside the government control. The government and its allies restored large areas of the Syrian territory, which made it hard for media activists to remain active.

Second: There were more victims among the media activists and media professionals who were directly targeted by the warring parties, including by Turkish bombardment. The number of arrests also increased in the government-controlled areas after the government had regained security presence as the military clashes now are almost confined to Idlib and its countryside. Six journalists and media activists were arrested in government-controlled areas for allegedly publishing media reports.

Third: The journalistic work has become almost impossible in the government-controlled areas. Given all the violations against journalists in these areas, including restrictions on their work and critical risks associated with their work, three media professionals announced their retirement from journalism, which is unprecedented in the history of the Syrian media. They are: Raif Salameh, Yasser Al-Omar and Ali Hassoun, the editor-in-chief of Al-Ayyam newspaper.

Recommendations

To the Syrian government:

- Stop targeting journalists and media institutions, including extrajudicial killings, arbitrary detention, enforced disappearances and torture.
- Immediately release the detained and forcibly disappeared media professionals, disclose the fate of victims of enforced disappearance, and comply with UNSC Resolutions No. 1738 of 2006 related to the protection of journalists and media professionals during armed conflicts, and UNSC Resolution 2222 of 2015 which urges Member States to take appropriate steps to ensure accountability for crimes committed against journalists, media professionals and associated personnel in situations of armed conflict and through the conduct of impartial, independent and effective investigations within their jurisdiction and to bring perpetrators of such crimes to justice.
- Abolish the Ministry of Information and create fully independent reference entities that democratically elect their boards, undertake the tasks of self-regulation, mediation, arbitration, rules of freedom and responsibility, professional ethics, and advocate for the freedom of the press and access to information.

- Repeal all legislation and decrees that suppress freedom of expression and media freedom, amend the provisions of the General Penal Code to include that violence against media professionals is a serious crime preventing the validity of the statute of limitations for criminal acts against media professionals in line with UNESCO Resolution No. 29 of 1997 condemning violence against journalists.

- Abolish laws regulating electronic media, and enact a modern legislation that protects the right to access information as a basic human right under international covenants, including the United Nations Human Rights Council statement that the use of the Internet is a fundamental human right and that rights on the Internet content must be protected as is the case with the rights on content not published on the Internet, specifically the freedom of expression.

- Abolish Law No. 6 of 2006 that regulates the work of Syrian universities and enact a modern law responding to the principles of academic freedom for faculty members, university staff and students, independence and good governance of universities; and involve the academic community in higher education decision-making and policy-making in line with the International Covenant for Economic, Social and Cultural Rights, the Lima Declaration on Academic Freedom and Autonomy of institutions of Higher Education and other relevant international instruments.

- Disclose the content of the agreements signed with Iran and Russia, and comply with Article 75 of the current constitution, which states that "The People's Assembly undertakes the following powers: Approval of international treaties and conventions related to the safety of the state, including treaties of peace, alliance and all treaties related to the rights of sovereignty or conventions which grant privileges to foreign companies or institutions as well as treaties and conventions entailing additional expenses not included in its budget; or treaties and conventions related to loans' contract or that are contrary to the provisions of the laws in force and requires new legislation which should come into force."

| To the armed opposition groups and the Autonomous Administration of North and East Syria:

- Release all detainees and forcibly disappeared persons in their prisons and detention centers, take all possible measures to end the practices of torture and cruel and inhuman treatment by some opposition factions, and immediately and fully stop death sentences because their judicial bodies lack fair trial principles.

- Establish the principle of a fair trial in the judiciary of the Autonomous Administration, prohibit secret trials, and protect civil and political rights of individuals and groups in line with Article 22 of the Autonomous Administration social contract, which complies with the International Covenant on Civil, Political, Cultural, Social and Economic Rights.

- Protect journalists and media professionals from being arrested or abused within their territory; protect their places of media coverage so that they are not subject to arrest or kidnapping, including the provision of safe places that are not directly affected by hostilities; and punish anyone found guilty of assaulting journalists or media professionals.

| To the UN Security Council

- Issue a resolution imposing a comprehensive embargo on arms exports to Syria; issue individual sanctions against government officials involved in the violations given that the Syrian government continues violating the international law and previous Security Council resolutions; and activate

UNSC Resolution 2139 of 2014, which stipulated that the Council intends to take additional steps in the event of non-compliance, and this means to impose sanctions on individual Syrian army and government officials who are responsible for non-compliance.

- Play its role in maintaining international peace and security, issue decisions condemning the Turkish aggression against Syria and the Russian aggression, and provide legal mechanisms to investigate and hold perpetrators accountable for crimes against humanity committed against Syrian civilians, which may amount to genocide.

To the competent United Nations agencies

- Establish international legal and financial oversight mechanisms over the practices of donors and investors in the field of humanitarian aid and investment to ensure that any funding they provide to Syria enhances the rights of Syrians, and requires the concerned authorities to make due diligence before each new humanitarianism aid or reconstruction project, to ensure the respect for human rights and ensure that donors are not partners in covering past violations or in ongoing or new violations of international laws.

- Establish an independent committee to address the issue of the missing. The committee should look for their fate including the bodies of those killed and assist in recovering these bodies, identifying their identity and ensuring re-burial according to the victim's will, if any; provide care and legal and social services to the survivors and their families; learn lessons from previous international experiences such as Bosnia and Herzegovina (the 2004 Missing Persons Act annexed to the Dayton Peace Agreement).

To the United Nations General Assembly

- Conduct a comprehensive review of the provisions of the International Humanitarian Law and introduce special provisions or a draft agreement on the protection of journalists and media offices, in order to distinguish between them and civilian victims, as journalists are disproportionately vulnerable to violations due to the nature of their work in conflict/war zones covering the events and communicating the truth to the international community.

To the international community

- Increase pressure on the Syrian government to declare full compliance with the International Convention against Torture, ratify the International Convention for the Protection of All Persons from Enforced Disappearance, and grant international monitors and human rights observers (including the Independent International Commission of Inquiry on the Syrian Arab Republic and the Special Rapporteur on Syria) access to all detention centers.

- Pressure the Syrian government to put an end to the impunity enjoyed by the security forces and stop their systematic violations; to immediately stop the implementation of death penalty and ensure that the most stringent international standards for fair trial are respected in addressing any crimes that are likely to lead to such a penalty.

- Refer Syria to the International Criminal Court to investigate violations against civilians, including media professionals, that amount to war crimes and crimes against humanity, based on UNGA Resolution 377 of 1950 (also referred to as the "Union for Peace" resolution), and emphasize that the absence of justice and failure to hold the perpetrators accountable in Syria is an assault on the rights and conceptual achievements from the experience of World War II, and a threat to the entire international legal system.

- Pressure the Syrian government to facilitate the work of journalists and guarantee their security, and to issue professional ID cards for those intending to cover events in Syria, according to Article 79 of Additional Protocol (I) to the Geneva Conventions, which entitles journalists to obtain ID cards issued by the government of the country in which the journalist is a citizen or resident, or which hosts their media outlet that certifies their status as journalist.

- Pressure the parties to the Syrian conflict to fully comply with the provisions of Article 82 of Additional Protocol (I) to the Geneva Conventions, which requires to have legal advisers appointed in the armed forces to oversee the practices of such forces, and thus minimize possible violations while they conduct military operations.

- Pressure the Syrian government to comply with the provisions of the Vienna Convention that regulates international treaties by disclosing the content of the bilateral agreements signed with Iran and Russia, namely Article 80, which stipulates that treaties, after their entry into force, must be sent to the United Nations Secretariat for registration, preservation and publication.

- Ask Russia, as a permanent member of the UN Security Council, to join the French-Mexican initiative, supported by 100 member states and which calls on the UNSC permanent members to pledge voluntarily not to veto discussing cases of mass atrocities, and to join the Code of Conduct related to the Accountability, Consistency and Transparency Team, endorsed by 115 countries who pledged not to vote against any reliable draft resolution to prevent or end serious crimes under the international law.

To the Syrian Constitutional Committee

Include guarantees of media rights and freedoms in the future constitution, in an irrevocable manner that cannot be misinterpreted, through the following:

- Emphasize the separation of powers principle and stipulate that the right to legislate is an inherent and exclusive power of the legislature; strip the President of the Republic of the power to enact extraordinary legislation, the power to approve laws before their due promulgation, and the right to object to the promulgation of new laws and to return them to the parliament, as provided in the current constitution.

- Emphasize the independence of the judiciary, strip the president of the republic of the right to grant special pardons and restitution, and ensure the independence of the Supreme Judicial Council and the Supreme Constitutional Court from the executive including a mechanism to select their members.

- Emphasize on the oversight role of the Supreme Constitutional Court throughout the legislative process, which entitles it to review all bills and laws for unconstitutionality, especially those providing immunity to illegal practices of the security services, and abolish or amend all such legislation as well as all forms of exceptional courts.

- Stipulate the principle of neutrality of the army and security services and align their roles and

responsibilities with international practices, and determine effective constitutional mechanisms to monitor their performance and ensure accountability for future violations.

- Incorporate clear guarantees of the right to freedom of expression and media rights, by explicitly stating the principle of the supremacy of international agreements ratified by the Syrian government over domestic legislation, similar to the Moroccan constitution, as well as the media rights and freedoms that are guaranteed by the International Human Rights Law, International Humanitarian Law and other applicable international laws, similar to the current Egyptian Constitution.

To the civil society organizations

- Establish a national fund to support victims of violations among journalists and identify sustainable sources of funding to ensure the provision of medical, psychological, social, economic, legal, humanitarian or other forms of aid to the victims and to others including family members and those affected by the violation, regardless of whether the harm is physical, psychological or financial.

- Cooperate with the media in Syria and with independent media professionals.

- Formulate codes of ethics for the media and cultural work that respect the national and linguistic pluralism of the components of the Syrian people including cultural and social rights, address the impact of the discriminatory policies against nationalities in Syria and prevent racist and hate speeches, consolidate the culture of democracy, gender equality and human rights, and benefit from international experiences including the Communication Regulatory Agency in Bosnia, which was established in 1998 to strengthen the peacebuilding role of the media.

- Work within available resources to raise public awareness of transitional justice concepts and practices that consolidate democracy, respect human rights, build sustainable peace, develop the skills and capabilities of media professionals and enable them to integrate transitional justice concepts during media coverage.

Transitional justice

- Include the names and photos of the victims of media professionals in local and national memorialization initiatives to support national reconciliation (national memorials, museums and the names of future squares, hospitals and schools).

- Advocate for providing immediate, proportionate and effective compensation for human rights violations resulting from enforced disappearance, while underlining that compensation should not be confused with social protection that any existing authority must provide to families who have lost their breadwinners, and with the rights of the victims and their families to seek justice and compensation through the judiciary for any subsequent psychological and physical damage.

Involve the media as a partner in any transitional justice and reconciliation processes by emphasizing the following:

- The responsibility of social media in renouncing violence as well as the claims of hatred, polarization and revenge currently prevailing the media narratives, since true national

reconciliation requires new and different media messages focusing on citizenship and national identity and erasing the negative image of the other, and the narrative of "we" against "them" established by the years of conflict.

- The essential role of the media in encouraging community consensus about the past and building a collective memory about it, which is one of the biggest challenges facing a post-conflict society, as it requires that the whole society recognizes the horrific human rights violations as well as the rights of the victims.

- The critical role of the media in localizing the values of democracy, human rights, equality, justice and equal opportunity, and its vital and direct role in shaping the mental image, promoting victims' rights, advocating accountability and stimulating transitional justice processes by uncovering hidden facts about crimes and their perpetrators.



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