

## The Situation of Women in NES



Studies and Researches Unit

## **ASO Center for Consultancy and Strategic Studies**

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## Introduction:

The issue of women is considered one of the most problematic and important issues, particularly in societies that witness complex contexts like the Syrian society. In addition to inconsistent religious, tribal and secular organizations that consists the deep structure from which the prevailing visions and orientations on women's beings and systems of their rights and freedoms on which most of the behaviors of women are built in the process of their lives. Despite the differences in these systems, as well as the different components that make up the Syrian society fabric, and the different cultural heritage, customs and traditions, they share the same view of women, albeit to varying degrees, as a feeble being, subordinate to men and under their care and guardianship.

At the same time, Syrian laws and legislations were not immune to this view, but rather perpetuated the traditional culture and discriminatory vision against women, which was particularly evident in both the Personal Status Law and the Penal Code. Despite the access of women to senior leadership positions, receiving ministerial portfolios and being elected to the People's Assembly, their participation remained sham and did not reflect their identity and aspirations, and did not give them the ability to participate in real decision-making.

In addition, the media institutions and educational curricula did not include the issue of women in their agendas and programs, to raise societal awareness and change the concepts and stereotypes that prevented their independence and effectiveness in various aspects of life, but rather contributed in many cases to the consolidation of negative concepts and behaviors related to them.

These concepts declined after women were involved in the public sphere and participated in the popular protests in 2011, and the dialogues and conferences that dealt with the feminist reality in Syria increased, based on civic principles and international charters and covenants on human rights. However, they were unable to comprehensively, embody the visions and aspirations practically on the ground. It also, remained confined to the theoretical framework, which in many cases was merely a formal facade of openness and civility in front of Western society and international organizations, in light of calls and pressures to advance the status of women and increase their participation in public life, at all levels.

## The Social Reality:

The social reality undertakes a lot of injustice, deprivation, marginalization and the belittling of women. It also carries many stereotypes and negative tendencies that have put pressure on women, and allocated them to specific roles and responsibilities in their social life, different from the roles and responsibilities entrusted to men. It also, increased the accumulation of prohibitions and taboos on them, as a feeble being and a symbol of honor and reputation, especially in areas that are characterized by a high degree of religious conservatism and extremism, which imposed many restrictions on women, whether in terms of education or work. As well as, freedom of movement and the enjoyment of their basic rights, especially in matters related to inheritance, property and freedom of choice. This patriarchal mentality and

societal practices based on social norms and negative values from the cultural heritage, contributed to the weak participation of women in all sectors and their marginalization at all levels. Likewise, it contributed to depriving them of their basic rights such as the right to education, as many families refrain from sending their daughters to study, especially to the university level, under the claims of caution and fear. Or from the standpoint of sufficing with learning the basics at the elementary and preparatory levels, considering that housework and raising children is their ultimate destiny. Despite the remarkable improvement in the collective mentality regarding girls' education, especially in rural and conservative areas, it re-emerged after the Syrian revolution, in light of the absence of security, the predominance of chaos and armed groups, in addition to the deterioration of economic conditions, and the inability of many families to carry out the burden of education, especially in the advanced stages.

### The Political Reality:

The women's contribution in the field of political action is one of the newborn experiences that emerged from the Syrian revolution in 2011. Before the revolution, it was not possible to talk about any real and effective experience in this field, which is prohibited by the Syrian regime. As it was known to all Syrians that the fate of any real activity in this field was either to flee or to be arrested in the regime's imprisonment and detention centers.

During the past decades, the security grip of the Syrian regime was able to force the majority of Syrians to join Al-Baath party ranks (the leading party of the state and society). Merely refraining from submitting an application for affiliation with the party, or adopting neutrality, was a taboo in Al-Baath system, and that had catastrophic consequences such as security pursuit, interrogations in the security branches, and job dismissals in many cases, especially in the northern regions with a Kurdish majority.

However, since the start of the Syrian revolution in March 2011, women have made leapfrogging after decades of marginalization, through their active participation in demonstrations and sit-ins, in terms of organization and leadership, as they clearly demonstrated their revolutionary spirit and their overwhelming desire for change. The names of many female-activists in the protest movements have also emerged, whether on the ground or on social media, however, their participation in political life and work remained minimal and aversion to political affairs remained the dominant feature of Syrian women. Even their field participation decreased as well, after the Syrian scene turned towards militarization and arming.

The announcement of the Self-Administration in NES provided many opportunities for women to participate in all political, military, social and economic sectors. The laws and legislations issued by the Self-Administration were based on international human rights instruments, to promote equality and reduce its marginalization, exploitation and violence.

## Women in Charter of Social Contract:

The charter of social contract, which is considered a constitution in the Self-Administration areas, includes many articles that deal with the rights and freedoms of women in NES, as Article /13/ of the general principles states that it is not allowed to exploit, monopolize, and objectifying women. Article /14/ also shows the adoption of the co-presidency system in all areas of political, social and else, and considers it a fundamental principle of equal representation between the sexes and contributes to the organization and consecration of the democratic confederate system for women as an entity of their own. Article /15/ provides for the guarantee of women's freedom in society and equality between the sexes in rights and duties. As for Article /16/, it states that women represent themselves on an equal footing with men in all respects of life (political, social, and cultural). The woman also enjoys her free will in the family built on the basis of a shared equal life according to Article /17/. Regarding public rights and freedoms, Article /29/ states that the practice of violence against women, their exploitation, or the imposition of negative discrimination on them is a crime punishable by law. Article /30/ states that women have the right to equal participation in all fields of life (political, social, cultural and economic). Article /31/ states that women have the right to make decisions related to their affairs. Also, according to Article /82/ related to the principles of justice, women's special organization and equal representation of women depend mainly in the field of justice and its institutional activities, and decisions on women's privacy are decided by the women's justice systems.<sup>1</sup>

In spite of all these Articles, which essentially include equality and protection, they remain restricted to the theoretical framework until now and incapable of concrete verification. Women exploitation still exists, they are still subjected to violence, their rights are being undermined, and they need a lot of empowerment to transcend societal frameworks and demand their rights.

## Women's Institutions and Organizations in NES:

After the announcement of the Self-Administration and the issuance of the Charter of Social Contract, many institutions, bodies and councils for women were formed accordingly. As well as, local organizations and associations seeking to empower women, protect them from violence and exploitation, support them in achieving their rights, and increase their participation at all levels. Among the most prominent of these women's organizations in NES are:

### Women's Council:

It is one of the bodies of the Executive Council, formed upon the announcement of the democratic Self-Administration on 21-01-2014, and it is an official body concerned with

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<sup>1</sup> Revealing the Social Contract of the Democratic Federalism of Rojava - Northern Syria  
<https://anfarabic.com/akhr-l-khbr/lkshf-n-l-qd-ljtm-y-lfydrly-ldymqrty-lrwj-af-shml-swry-29389>

women's social, economic, cultural, political and legal issues. It adopts the concept of the democratic nation as a fundamental principle in its work, and works to consolidate the principle of social justice and achieve positive discrimination in favor of women, and to remove reactionary concepts that impede the development of society in order to reach an ecological, democratic, sexually free society.

Accordingly, the council sets strategic development plans in all areas related to women, defends their rights and supports laws that concern women in all democratic Self-Administration institutions and bodies. The council has also implemented many projects such as:

- The House for Women Protection from Violence was inaugurated on 4/9/2014, which is considered a shelter for women who have been subjected to physical, psychological, health, and sexual violence and who are threatened with death under the so-called honor crimes.
- Conducting statistics of the percentage of divorced women, widows, illiterate women, and disabled women in Al-Jazeera canton, and trying to secure job opportunities for them (05/29/2014).
- Issuing basic principles and laws for women (12/7/2014)

## Basic Principles

- 1- Combating the reactionary authoritarian mentality in society is the moral duty of every individual in the areas of the democratic Self-Administration.
- 2- Equality between men and women in all life respects.
- 3- Women have the right to run for elections, electing and holding all positions.
- 4- Commitment to the principle of participatory management in all institutions.
- 5- Women have the right to form political, social, economic, and cultural organizations, legitimate defense organizations, and other organizations of their own, in a manner that does not violate the social contract.
- 6- The presence of a representative of women's organizations and human rights organizations as an observer when discussing laws issued in exceptional cases in the Legislative Council upon a prior invitation from the Council.
- 7- When issuing laws related to women in the Legislative Council, women's will must be taken into consideration.
- 8- Equality between men and women in the right to work and remuneration, and this shall be regulated in accordance with the law of workers in the democratic Self-Administration.
- 9- Equality between the testimonies of women and men.



- 10- It is forbidden to marry a female without her consent.
- 11- Dowry cancellation as a material value aimed at the possession of women and replace it by the participation of both parties in securing a participatory life.
- 12- Marriage instruments are regulated by civil registration
- 13- Prohibition of polygamy.
- 14- Equality between men and women in all inheritance matters, and this shall be regulated in accordance with a law on inheritance issues.
- 15- Prohibiting the choice of the girl, the "swap" marriage or "shegar" and "Fasliya marriage" or "blood marriage".
- 16- The criminalization of murder under the honor pretext and considering it a crime with full material, moral and legal elements. Hence, the perpetrator is punished by the penalties stipulated in the Penal Code as a crime of intentional homicide, and any legal excuses for committing this crime are disregarded.
- 17- Imposing a severe and equal punishment on the perpetrator of marital infidelity on both sides.
- 18- The criminalization of all kinds of children and women trafficking and imposing severe punishment on the perpetrators.
- 19- Violence and discrimination against women are prohibited. Discrimination is considered a crime punishable by law. The Democratic Self-Administration must combat all forms of violence and discrimination by developing legal mechanisms and services to provide protection, prevention and treatment for victims of violence.

### General Provisions:

- 1- Granting women and men equal rights concerning the nationality law.
- 2- The Democratic Self-Administration, guarantees health and social security of the individual and the family, especially the child and woman and the basic principles for living a free and decent life and providing the necessary protection for widowed and elderly women.
- 3- Females under 18 are forbidden to marry.
- 4- A woman has the right to custody of her children until they reach the age of 15, whether she is married or not, and thereafter the right of choice is for the children. It is the duty of both parties to ensure housing, alimony, health and social care for children throughout the custody period.
- 5- In case children under the age of fifteen travel, permission must be obtained from the parents.





- 6- In women-related cases brought before the courts, a Woman's representative has to be present and she has the right to present what she deems appropriate in terms of the defenses and requests.
- 7- Granting paid maternity leave to working women, and this is regulated in accordance with the Workers' Law for the Democratic Self-Administration.
- 8- In case of separation, the wife has the right to the bridal items that she provided and the gold jewelry or their equivalent value, whether they are in her possession or have been disbursed by the husband.
- 9- The democratic Self-Administration should establish special centers for pregnant and breastfeeding women to serve their time sentences, taking into account their condition and that of the fetus and the newborn.<sup>2</sup>

### The Star Congress (Kongra Star)

It was established in 2005 under the name "Star Union" and it included Kurdish women only, then the name changed to "Star Congress" in 2016 to include women of all components (Kurdish, Arab, Syriac, Armenian, Circassian, Turkmen) in NES. It is an organization that aims to organize and educate women from various components and work for their freedom, obtain their rights, and prove their will and presence in societies.

The Star Congress aims to build a democratic, ecological and liberal society, removing all forms of inequality stemming from the relationship based on possession between the sexes and opposing the rape culture of women and society. It also aims to educate and organize women in all social, political, cultural, juridical and economic aspects; in order to rebuild a free political and moral society.<sup>3</sup>

### General Bases

- 1- The Star Congress organizes itself and works on all levels of ideology, society, politics, diplomacy, culture, economy, self-defense, health, education and justice.
- 2- It adopts flexibility and democratic participation based on diversity, bases its decisions on persuasion and partnership, and takes into account the privacy of each organization and institution.
- 3- The departments and committees of the Star Congress assume their duties in all areas through the election mechanism, and in cases that require separation and change before their duties' expiration date, the management of the relevant women's organization in coordination with the management of the Star Congress makes the

<sup>2</sup> An Overview of Women's Council in Al-Jazeera Canton <https://cutt.us/oaZ9l>

<sup>3</sup> The 13th Anniversary of the Star Congress Founding <http://jinnews.com.tr/ar/ereb2/content/view/74064>

required arrangements. Also, in emergency cases the assignment is done according to the principle of recruitment.

- 4- The Star Congress adopts the principle of transparency and openness in its mechanism of work.
- 5- Anyone who is unable to attend the relevant meetings can provide explanations and justifications orally or in writing to the meeting in a timely manner. Also, the member who fails to attend the meeting twice in a row without justified reason, will be considered to have committed a disciplinary violation, and the meeting takes the appropriate decision against her.
- 6- It organizes itself on the basis of communes, councils, academies, cooperatives, committees and institutions.
- 7- Adopts the principle of equal representation in the general organization, all committees and institutions.
- 8- Adopts the system of co-presidency in the general organization of all committees and institutions.
- 9- Women's institutions organize themselves in their legal capacity and with the participation of individuals as a democratic confederation framework in all fields of society.
- 10- Every association, civil society institution, women's establishments, or women's organizations within political parties can obtain membership in the Star Congress, and each organization maintains its own privacy and shares mutual responsibility in organizing, activities and decisions.

### **Women's Committee in NES:**

A political, human rights, social and cultural umbrella, established on 6/14/2019, and includes women's establishments and organizations in political parties, representatives of councils and civil society organizations concerned with women's issues, independent female figures, and youth women.

The Council expresses the organized will of women in NES, discusses and decides on issues that affect women, and works to enhance women's participation in decision-making positions on strategic and critical issues related to women and society in general. It also, coordinates with the concerned authorities in the Self-Administration of NES.

### **The Committee's Principles:**

1. To consecrate equality and a free peer-to-peer life between men and women.
2. To promote an ecological, ethical, democratic society, which adopts the principle of coexistence and peace among all components, beliefs and cultures.



3. To reject all forms of national, religious, ideological and sexual discrimination.
4. To reject all forms of violence against women, in accordance with the resolutions issued by the United Nations Security Council.
5. To work to establish a decentralized, pluralistic democratic system in Syria.
6. To ensure full protection and care for women and children from the affected groups, based on United Nations Security Council Resolution 1325 of 2000.

### The Committee's Goals:

1. To preserve the earnings of both women and people in NES .
2. To establish and develop the Law of Women and ensure its application in all areas of NES .
3. To organize the ranks of women in NES and promote women's awareness, in all respects.
4. To empower women towards developing mechanisms to defend themselves against all challenges.
5. To work toward accomplishing mechanisms of joint actions and concluding agreements on women's issues with Syrian women in other Syrian regions.
6. To involve women in the negotiating process, in the Syrian Constitution Drafting Committee and ensure their rights in all respects.
7. To effectively participate in making decision for women in particular, and community issues in general.
8. To assist displaced and forcibly displaced Syrian women and work for their return to their areas with international guarantees.
9. To intensify efforts to liberate Afrin and to end the persecution of women in Afrin by the Turkish occupying forces and their militant factions.
10. To establish and strengthen relations with regional and international women's organizations, aiming at exchanging experiences and promoting joint action between the Council and these organizations.<sup>4</sup>

### Conclusions and Recommendations:

Within the previous context of the situation of Syrian women, in NES particularly, we conclude that women have remained confined to societal norms and values, which adversely affected participation on the one hand while on effectiveness on the other hand, in various fields and sectors. The Syrian revolution, which was launched to demand rights and freedoms, only granted women their rights and freedoms at the level of legislation and laws that were never enacted, and did not find the mechanisms that they embodied on the ground .

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<sup>4</sup> The Charter of Women's Committee in NES <https://jin-jiyan.com/bs-contact>

The dystopia reality of women, and the suffering they experience, place society, including individuals and institutions, in front of human and moral responsibility to work toward advancing their reality and their human dignity through :

- 1- Promoting further activation of laws related to women, their rights and freedoms, and replacing the theoretical framework to concrete de-facto verification.
- 2- Ensuring proper accountability and punishment for the violations against women by the ruling authorities.
- 3- Entrenchment of legislations on women, in accordance with mechanisms which ensure its optimal application .
- 4- Qualifying, training and empowering women in all fields and sectors.
- 5- Creating greater spaces for women's employment and creating opportunities to enhance their participation and economic independence.
- 6- Focusing on altering the societal concepts and values that stereotype women through mobilization and advocacy campaigns.
- 7- Coordinating between CSOs to raise community awareness, promoting the culture of equal basis with men, empowering and training women, as well as increasing their participation in various walks and areas of life.
- 8- Coordinating between the governing authorities and CSOs to develop programs, plans and projects that promote the reality of women and contribute to their effective participation in the decision-making process.

## References:

- 1- Revealing the Social Contract of the Democratic Federalism of Rojava - Northern Syria  
<https://anfarabic.com/akhr-l-khbr/lkshf-n-l-qd-ljtm-y-llfydrly-ldymqrty-lrwj-af-shml-swry-29389>
- 2- An Overview of Women's Council in Al-Jazeera Canton  
<https://cutt.us/oaZ9l>
- 3- The 13<sup>th</sup> Anniversary of the Star Congress Founding  
<http://jinnews.com.tr/ar/ereb2/content/view/74064>
- 4- The Charter of Women's Committee in NES  
<https://jin-jiyan.com/bs-contact>

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