

Media Law of the Autonomous Administration of North and East Syria

General Council
Law No. (3) of 2021

Introduction: This law comes to consolidate the values of freedom of opinion and expression, grant journalists more freedom of work, without preventing them from obtaining, publishing or transmitting information, in accordance with the Social Contract and the laws in the Autonomous Administration regions of North and East Syria, and with the content of this law with respect and commitment of all concerned parties its provisions and its implementing regulations. This introduction is an integral part of this law

Chapter One: Definitions

Article: (1)

(Take into account the criteria of gender, in all the labels and the terms contained in this Act)

Media person: is the person who gets his main income preparing, collecting and publishing news and information, and commenting on it through any medium (printed, electronic, audio, and/or visual), and has the capabilities to practice this profession in terms of knowledge and competence.

Media outlet: Every media outlet under a specific name that produces, transmits, publishes or broadcasts media content to the public, whether it is printed, audio, visual, or electronic.

Editorial policy: It is the overall goals of the media outlet, its general political, social and cultural affiliations, and the criteria managing the edition of the media material in it.

Media institutions: They are the institutions that manage three or more media outlets.

Media content: everything published in a media outlet, such as text, art, photograph, sound or film materials.

The owner: is the person who owns an institution or media to provide content aimed at an audience, and is the first responsible before the concerned authorities in everything related to the institution or the media outlet, after obtaining the registration document.

Media or press unions: They are institutions and professional frameworks that work to preserve the material and moral rights of media professionals and journalists and to consolidate freedom of opinion

Information Department: The official executive body in the Autonomous Administration of North and East Syria that supervises media affairs and is represented by media offices in the Autonomous or Civil Administration in North and East Syria.

Chapter Two: General Principles

Article: (2)

- 1- This law aims to define the principles and rules governing the practice of media work
- 2- This law guarantees the right to freedom of expression and its exercise in accordance with the provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the rest of the relevant international instruments, and includes the right to freedom of expression, freedom of work and movement, and the freedom to distribute, publish and receive information, news, opinions and ideas.
- 3- All institutions, media outlets and media professionals are prohibited from the following:
 - A - Broadcast or publish anything that incites hatred and/or violence.
 - B - Exposure of the private life of citizens and the personal career of public figures, unless it is related to their work.
 - C - Violation of the cultural and intellectual property rights in accordance with the applicable laws.
 - D - Disclosure of a secret judicial investigation before a decision on the case has been made.
 - E – Misrepresentation of facts and official documents.
- 4- It is prohibited to impose censorship on newspapers and media outlets registered with the Autonomous Administration of North and East Syria, or to confiscate, suspend or close news outlets unless they violate the provisions of this law.
- 5- All social media infringements shall be treated in accordance with the provisions of this law, with the necessity of having articles and appendices to this law that take into account the nature and mechanisms of dealing with these means and contraventions.

Chapter Three: Structure and Functions of the Media Department:

Article (3):

The Information Department consists of

- 1- Co-presidency
- 2- vice-presidency
- 3- The governing body
- 4- The seven members representing media professionals in the Autonomous and Civil Administrations.

Article (4):

The co-presidency of the Media Department, its formation and tasks:

First: Formation:

It is chosen by the co-presidency of the Executive Council in the Autonomous Administration of North and East Syria in accordance with the conditions and qualifications contained in the executive regulations of this law.

Second: Tasks:

A - General managing of the Media Department offices in the autonomous and civil administrations in North and East Syria, and organizing periodic meetings.

B - Ratification of the registration document that authorizes all media institutions in the Autonomous Administration of North and East Syria to do media works.

C - Signing all official papers and documents issued by the Media Department in the Autonomous Administration of North and East Syria.

D - Organizing and holding periodic meetings of the Media Department and ratifying its decisions.

Article (5):

Vice Presidency and his duties:

Acting on behalf of the co-presidency of the Media Department in case of its absence. It is chosen by the joint presidency of the Media Department and organizes weekly meetings for the media departments in the Autonomous Administration of North and East Syria.

Article (6):

The governing body and its tasks:

It consists of the co-presidency and the vice presidency, and undertakes the implementation and **follow-up** of the decisions of the Media Department.

Article (7):

The seven members representing the autonomous and civil administrations in North and East Syria: They are the group of media members representing the Autonomous and Civil Administrations in North and East Syria, and they are elected by the media professionals of each department separately during a general meeting of all the registered media outlets.

Article (8):

The tasks and powers of the Media Department in the Autonomous Administration of North and East Syria:

1- Following the media work in the Autonomous Administration regions in North and East Syria, and setting up plans and projects to ensure its development.

2- Preserving media freedom, freedom of expression and opinion, and ensuring the diversity of the media in the Autonomous Administration of North and East Syria.

3- The department shall be responsible for monitoring the implementation of the provisions of this law by the media outlets, media professionals, and the autonomous and civil administrations in North and East Syria.

4- Establishing the basis for the legal foundations that manage and organize the media sector in accordance with the provisions of this law, and issuing the necessary regulatory decisions for this purpose.

5- Establishing and approving the technical specifications and conditions related to the granting of the registration document for the media outlet, studying the requests for registration documents and granting approval or not with an explanation of the reasons, while also allowing the media company's owner the right to resort to the judiciary.

6- Determining the fees for granting the registration document to institutions and media outlets in the Autonomous Administration of North and East Syria.

7- Preparing and publishing an annual report on the situation of the media through the Monitoring Office, and issuing publications and professional bulletins.

8- Registering studies and research centers and organizing their work in coordination with other relevant authorities in accordance with the principles of this law.

9 - Follow up the work of all media institutions and outlets with regard to the violations stipulated in this law.

10- Granting work assignments to local and foreign media correspondents after accepting their accreditation, including independent journalists, in accordance with the provisions of this law, the principles and mechanisms adopted in the internal system of the Media Department of the Autonomous Administration of North and East Syria, and the executive regulations of this law.

11- The Department issues its internal and financial system.

12 - The Department has the right to seek the assistance of experts and specialists to provide expertise, or to provide assistance in some matters or activities for periods commensurate with the nature of these matters and activities, and their remuneration and compensation shall be determined by its decision.

13- Ensuring the improvement of the environment for journalistic and media activities in cooperation with the concerned institutions and the Autonomous Administration institutions in North and East Syria.

14 - Work to improve the level of professional qualification and media training for all media workers.

15- Supporting the diversity of the media in the Autonomous Administration of North and East Syria.

16- Granting a financial grant for a period not exceeding six months to any registered local media outlet to ensure its continuity, only once, without any interference in the editorial policy.

Article (9):

Media Department offices and their tasks:

1- Media offices in the autonomous and civil administrations in North and East Syria:

The Media Department is represented in each department separately, and it manages the affairs of the media professionals and media institutions in that department, and implements and follows up the decisions of the Media Department.

1- Registration and Assignments Office:

It supervises the approval process for registering media outlets operating in the Autonomous Administration of North and East Syria, and granting assignments to the media and foreign journalists.

2- Monitoring Office:

It supervises the media content of the outlets registered in the Media Department in the Autonomous Administration of North and East Syria in terms of their commitment to the media law, monitoring the international media and what they publish regarding the region on the one hand, and on the other hand monitor violations and abuses against journalists from all sides, work to prevent them, and issue an annual report on the situation of media in the Autonomous Administration of North and East Syria.

3- Public Relations Office:

Represents the Media Department through representatives elected by the Department in all internal events that the department is invited to and in international forums and conferences, and works to expand the circle of the Department's relations in line with its goal of serving the media in the Autonomous Administration of North and East Syria, and serving the region's media.

4- Preparation and Training Office:

It works to train and qualify workers in the media field, and to create and provide training opportunities for all media workers in the Autonomous Administration of North and East Syria to help the development of the media outlet's work in the region.

5- Archives' Office:

Supervises the organization of the department's incoming and outgoing communications and their archiving.

6- Consulting Office:

It consists of people with experience in various fields related to the Media Department's work and activities, in order to for the work to reach its maximum potential and to develop. It is shaped according to the objectives of the Department.

7- Financial Office:

Supervises the conduct of all matters and financial transactions of the Media Department.

Chapter Four: Rights and Obligations:

Chapter One: Rights:

Article: (10):

1- Media work is not subject to any censorship that violates and hinders freedom of expression.

2- The freedom of the journalist is safeguarded in the law, and the information or opinion he publishes may not be a reason for his arrest or an infringement on his freedom.

3- No party has the right - with the exception of the judiciary and in a secret session - to ask the journalist to divulge the sources of his information.

4- The rights of journalists are assured by their media outlet as of the signing of their work contract, and they are entitled to the following:

A - The journalist has the right to terminate the contract when the editorial policy of the institution for which he works is radically altered.

B - The media outlet or journalist has the right to revoke the contract, if management violates one of the terms of the contract or attempts to blackmail the journalist.

C - No media outlet is entitled to lay off any media worker arbitrarily before the expiry of his contract only for disciplinary or professional reasons, or for violating the terms of the contract, and in case of a lay off, the media worker is entitled to file a complaint with the Information Department to obtain financial compensation from the media outlet, equivalent to 50% of his salary over a period of six months, and the Department is obligated to collect this compensation, under penalty of a financial fine, unless the outlet acquiesces to the order.

5- The media person is entitled to:

A - Search for and obtain information of whatever kind and from any authority and publishing it after verifying its accuracy and correctness.

B - Attending conferences, sessions, and open public meetings and publishing their facts.

6- Entities and institutions concerned with public affairs: Facilitate the task of the media person in accessing them and obtaining information.

7- It is prohibited for any party to impose restrictions that hinder the freedom of information flow, or prevent equal opportunities for all media professionals to obtain information.

8- The media person has the right to request from the concerned authorities the information, news and statistics that they have in their possession, unless this information is confidential by virtue of the law.

9 - Any person, regardless of his capacity, shall be punished according to the General Penal Code of the Autonomous Administration of North and East Syria, if he insults a journalist, or attacks him because of his work.

10- Media institutions shall work with the correspondent federations and unions to establish and finance funds for insurance against disability or death resulting from injuries during media work.

11- The journalist has the freedom to work within any other media organization after the expiration or termination of the contract under which he was previously work.

12- Media organizations have the right to carry out civic activities related to their media programs after notifying media offices in the autonomous and civil administrations in North and East Syria.

13- A journalist who has a media assignment in North and East Syria has the right to work as a coordinator with any internal or external media groups, or as a translator when he knows the group's language. The coordinator or translator may not take the role of a journalist because they do not have the qualifications to practice the profession of media workers in North and East Syria.

14- Any media outlet registered in the Autonomous Administration of North and East Syria has the right to work outside its regions in a manner that does not conflict with the provisions of this law.

Chapter Two: Duties:

Article (11):

1. The media person is committed to the professional performance of the provisions of this law, the Code of Ethics and the editor policy.

2. It is prohibited for media organizations to publish or broadcast false news, or incite to violations of the law or to violence or hatred, or to make a negative distinction between citizens or to violate their right to privacy.

3- The media person is considered a legal person, and therefore it is obligated to refrain from publishing anything that can be considered hate speech or incitement, or anything that contravenes the provisions contained in the chapter on duties in this law on their social media outlets.

Chapter Five: Right of Response and Correction:

Article: (12):

1- The media shall, upon the request of the person concerned, publish or broadcast the response or correction of the information that has been previously published or broadcast without any deficiency or distortion.

2- Publication or broadcasting must take place within the following deadlines and conditions:

A - For periodical publications: the response is published in the first publication issued after receiving the response and in the same place. If it is a daily publication, the response or correction is published within three days from the date of receiving the response.

B - With regard to electronic media and digital means: the response or correction shall be published as soon as it is received.

A - For media that broadcasts live: The response or correction shall be published immediately in the event if the broadcast is still live, otherwise it will be published as it follows:

1- In the first part of the next episode of the same program.

2- If the news appears in one of the main news bulletins: the response or correction is published in the introduction to the next similar bulletin, and if it appears in one of the news feeds, the response or correction is published in the summary, or the next bulletin.

3- If the first news appears as an urgent news by any media, the response or correction shall be published in an immediate urgent news by the same means.

4- If the person to whom the news is related dies, the right of response or correction passes to his heirs as a consideration, providing that all of the heirs or one of them exercises this right once.

- 5- The request for response or correction shall be sent by means of a registered letter, or whatever takes its place, accompanied by documents.
- 6- It is permissible to refuse to respond, or to correct in whole or in part, in one of the following cases:
- A - If the response is in a different language than the language used in the article being replied to.
 - B - If the response or correction reaches the media outlet one month after publishing or broadcasting the news that required response or correction.
 - C - If the response does not include the name and signature of the author of the reply.
 - D - If the correction violates laws, regulations and public morals.
- 7- If it is proven by a court judgment after publishing the response, or the correction or its transmission, that the correction was false, and that the published news are true: the media outlet has the right to demand the author of the response, or the correction for a fee to publish, or broadcast his response according to the normal pricing, in addition to demand compensation for damages caused to the media outlet.
- 8- The court sentence issued in the media shall be published at the expense of the convicted person according to the same pricing, and in the same place where the correction was published.
- 9 - In case that the provisions of paragraphs (A - B) are violated as a matter of the right to respond and correct, the applicant has the right to respond, or to correct the request, within a judiciary week, to compel the media outlet to publish the response or correction.
- 10 - The judiciary considers this request in the deliberation room, and issues its decision in the form of expedited execution without incurring any expense to the applicant, and without prejudice to the right of the concerned parties to compensation for the damages caused by them.

Chapter Six: Behavioral Offenses and Punishments:

Article: (13):

- 1- The Media Department in the Autonomous Administration of North and East Syria has the authority to punish behaviorally media professionals (individuals) and media institutions if they violate the provisions of this law after confirming this through a special professional committee. That does not interfere in the violations that the judiciary specializes in, especially those violations that accompany complaints from persons or public authorities claiming that do not conflict with the provisions of this law, freedom of press work, privacy and rights of the media outlet
- 2- The behavioral violations and penalties under the jurisdiction of the Media Department in the Autonomous Administration of North and East Syria include:

A - For media professionals (individuals)

| Type of Violation | Behavioral punishment for the first time | Behavioral punishment in case of committing the violation for the second time | Behavioral punishment in case of committing the violation for the third time |
|-------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Spreading false news - violation of privacy - misplacing the assignment | Warning | Withdrawal of the right to practice their profession for a period | Withdrawal of the right to practice their profession for a period |

| | | | | |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| given to the media person | | | of two months | of four months |
| Spreading hate speech - - insulting - defamation - incitement to violence | Warning | | Withdrawal of the right to practice their profession for a period of three months | Withdrawal of the right to practice their profession for a full .year |
| Disclosing the secrets of judicial trials a decision is reached | Warning | | A fine of 300 USD | Withdrawal of the right to practice their profession for a period of two months |
| Violation of intellectual and cultural property right | A warning with the obligation to delete the material or refer to the source | | An estimated fine of 300 dollars with the obligation to delete the article or refer to the source | Withdrawal of the right to practice their profession for a period of two months, with the obligation to delete the material or refer to the source |
| Defamation and insulting | Warning | | Withdrawal of the right to practice their profession for a period of two months | Withdrawal of the right to practice their profession for a period of four months |

B - In all the violations committed in Paragraph (A) of this Article, the violator submits his apology under a fine commensurate with the size of the violation, and not exceeding five hundred (500) US dollars

C - For media organizations

| Type of Violation | Behavioral punishment for the first time | Behavioral punishment in the event of committing the violation for the second time | Behavioral punishment in the event of committing the violation for the third time |
|---------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Work without registration | Stop work and request registration | A fine of \$ 1000 | Appropriation of equipment Suspension of work for a period commensurate with the nature of the institution's :work |
| Violation of registration terms | Warning (with removal of the violation as the case) | A fine estimated at between \$ 500 - \$ 1000 determined by the Media Council according to the type of violation | / TV broadcast : 1 week / Radio broadcast : 1 week / daily newspaper : 1 week weekly newspaper : one month / monthly newspaper : two months / magazine : 2 numbers Website : 1 week |

3- The provisions on behavioral violations of media organizations do not negate what is mentioned in the chapter on the right to respond and correct.

4- The media or institution that has been punished has the right to submit a grievance request that is equivalent to an objection to the punishment, which the Media Department will consider and decide within a period of 10 days from the date of submitting the request and before the execution of the punishment, with the institution or the media outlet retaining its right to resort to the judiciary.

Chapter Seven: General Provisions:

Article (14)

1- All laws, circulars and decisions issued by the Autonomous and Civil Administrations in North and East Syria that violate the provisions of this law shall be canceled.

2- The Executive Council of the Autonomous Administration of North and East Syria, based on the proposal of the Media Department of the Autonomous Administration of North and East Syria, shall issue the executive regulations for this law within two months of the issuance of this law.

3- This law is effective from the date of its issuance by the General Council.

Tuesday:05/18/2021

The co-presidency of the General Council
of the Autonomous Administration of North and East Syria
Siham Qaryo - Farid Atti