Report on the Workshop on Constitution-Building and the Role of Civil Society Organisations in the Process

Gaziantep, Turkey
9-11 June 2016

Supported by:
Background

On 9-11 June 2016, No Peace Without Justice (NPWJ) in collaboration with The Day After (TDA) held a workshop on Constitution-Building and the Role of Civil Society Organisations in the Process, with an overall objective of launching a national campaign on the Constitution. The workshop took place in Gaziantep, Turkey, with the financial support of the European Commission, the Open Society Foundation and the Ministry of Foreign Affairs of Denmark. The workshop brought together 15 key Syrian activists, human rights advocates and experts with the overall goal of building a better understanding on constitutionalism and on how civil society can contribute to achieve a comprehensive and inclusive constitution-building process.

UNSC Resolution 2254, unanimously adopted by the UN Security Council on 18 December 2015, represents the latest attempt by the international community to provide a comprehensive framework for a Syrian-led, Syrian-owned political transition to end the conflict in Syria. UNSC Resolution 2254 states that “The Syrian people will decide the future of Syria”, expressing support for a Syrian-led political process facilitated by the United Nations, which would establish “credible, inclusive and non-sectarian governance” within six months and set a schedule and process for the drafting of a new constitution. Despite this, few organisations representing the Syrian population have been involved in the ongoing peace-talks in Geneva, leading to the risk that – on the one hand – the root causes of the war and the call for freedom of the Syrian population will not be addressed; and, on the other hand, that Syrians will be denied their right to determine their future independently and democratically.

In this light, a Steering Committee has been formed consisting of 11 Syrian CSOs and other groups such as local councils who work on awareness raising, the transition process, are committed to human rights and the rights of women and have an ability to reach people inside Syria. NPWJ and TDA are facilitating the work of this Steering Committee and acting as advisors to the group, which plans to organise a nationwide campaign about the constitutional process for Syria, aimed at increasing knowledge about the process and conducting advocacy on key principles agreed on by the group such as human rights, gender equality, transparency and accountability.

The workshop looked at practical examples from countries that have recently witnessed political transition and constitutional reform and at the work that has already been done in this area by Syrian organisations. This facilitated a discussion on the role that the Steering Committee members would like to have in the constitutional process for Syria, predominantly in the form of awareness raising on legitimate mechanisms for a constitutional process such as inclusion, equality, accountability and transparency.

Structure of the Workshop

The three-day workshop was structured in three modules. During the first module, the international experts provided notions and information about constitutionalism and the constitution-building process through an interactive dialogue with the participants. They also looked at previous constitution building experiences, mainly those of Tunisia and South Africa. The second part of the workshop, led by the participants, was dedicated to discuss, on the basis of the information acquired by the international experts, the Syrian situation, possible scenarios of Constitutional elaboration and the role that civil society can
play in the Syrian constitutional process. Finally, on the last day of the workshop, participants discussed in detail the key principles and goals of the Steering Committee and began to analyse advocacy techniques and strategies for awareness raising, aiming at focusing on the strategy and planning of the Constitution Campaign in a future meeting.

**Experts**

Two international experts provided guidelines and supported the participants during the three days: Jeremy Sarkin, Professor of Law and former Special Rapporteur for the United Nations Working Group on Enforced or Involuntary Disappearances; and Mohamed Salah Ben Aissa, Emeritus Professor of Public Law at the Tunis University and former Minister of Justice.

Rami Nakhla from NPWJ, Dareen Khalifa and Diab Serrie from TDA and Marcel Shehwaro from Kesh Malek facilitated a number of sessions over the three days.

The facilitators and experts were supported by the NPWJ Syria team: Alaa Abed, Mustafa Ghashim, Nicola Civilini and Nicola West.

**Participants**

Participants at the three-day of workshop consisted of representatives from the eleven Syrian civil society organisations constituting the Steering Committee, namely: Badael, Baytuna Syria, the Civil Society Initiative, Dawlaty, the Higher Council of Local Councils, Kesh Malek, the Local Coordination Committee (LCC), Mwatana, The Day After (TDA), the Transitional Justice Coordination Group (TJCG) and Women Now for Development. Six women and eight men participated.

These organisations work on various issues, including transitional justice, women’s rights, and human rights violations. Some of them have already conducted work on or in-line with the constitution or advocacy on the key principles of the group. In particular, the Civil Society Initiative issued a key transitional constitutional declaration that was signed by 300 Syrian CSOs; Kesh Malek is currently starting a project that will run online courses on Syria’s constitution and is developing a website to foster civic participation on issues related to the constitution-building process; LCC has conducted surveys for the Freedom Charter, the results of which reflected the views of Syrians on several key issues; Mwatana is active on issues related to social contracts, federalism and decentralisation; TDA has published several studies on political transition and on the Syrian constitution-building process and is planning to conduct a survey on the constitution inside Syria; the TJCG has already organised a number of workshops on constitutional design and are currently writing a booklet that summarises these discussions; and Women Now for Development has looked at the constitution with a gender focus and is planning to work on community consultations with Syrian women in Syria and Lebanon.

**Day One – 9 June 2016**

The main purpose of the first day of the workshop was to build the understanding of the participants on constitutionalism and how to achieve a comprehensive and inclusive constitution-building process. The international experts clarified notions and provided
practical examples of countries, namely South Africa and Tunisia that have witnessed political transition and constitutional reform.

Professor Sarkin provided a general outline and highlighted the basic principles of constitutionalism, presenting the constitution as a road map and a design for a new society that looks back to the past to learn from previous mistakes. A constitution, as the highest law, has the power to transform society, taking into account every aspect of the State and the life of citizens; it sets out the system of government, regulating the checks and balances between the executive, legislative and judiciary (“balance of powers”), but also between the local, regional and national authorities. It regulates the electoral system, the military power and the international obligations of the State. It is critical for Syrian CSOs to bear in mind all these elements in their work; in fact, while a rigid constitution can more clearly define the rights of the citizens and protect them, a ‘too rigid’ constitution risks being unable to adapt to the constant changes of the society. Therefore, it is necessary to elaborate a strategy that allows a strong protection of fundamental human rights and a clear definition of the powers of the State, but that does not risk limiting the adaptability of the constitutional text to changes in the country’s social and political fabric.

Accountability, transparency and openness are fundamental principles for a democratic constitution. Governments must be transparent and responsible and citizens have the right to be informed and contribute to or criticise its actions. A critical element of the constitution-building process is the people’s perception. The end of a fair constitutional process must be the creation of institutions that people believe in and that reflect their aspirations for a new society. It is here that civil society can play a significant role, demanding an open, transparent, accountable and inclusive constitutional process to represent the voices of the Syrian population and tackle threats and divisions of the country. In this regards, Professor Sarkin discussed the “constitutionalisation” of civil society and how to ensure that the participation of civil society in the decision-making process is constitutionally guaranteed.

Professor Sarkin and Professor Ben Aissa analysed further how to achieve a comprehensive and inclusive constitution-building process. Both experts and participants agreed that a fair and democratic constitutional process must be as inclusive as possible. In this regard, some participants raised the issue of the Syrian diaspora and how to guarantee the participation of millions of refugees in the constitutional process. Professor Sarkin pointed out that Liberia is the only country that guaranteed the vote for its Constitution to all its citizens, including those outside the country. Syria’s case is very complicated as its population is divided and displaced both within the country and in neighbouring States. This makes the launch of an inclusive constitutional process much more difficult; it will be fundamental for civil society organisations to use their contacts and branches to reach as many people as possible, informing and giving them the instruments to participate effectively in the constitution-building process. The experts underlined the importance of a compromise model based on a step-by-step approach in which the education of the population comes before the constitution-building process begins. Syrian CSOs have the duty and the capacity to play an important role in educating people on human rights, constitutionalism and democracy. Only with knowledge will they be able to contribute effectively and support the constitutional process.

A constitution-building process is also an issue of time. Both experts recognised that a quick process is usually not an inclusive one and can lack the capacity to take into account fundamental human rights and democratic principles. The process of developing a new and
inclusive constitution needs time, particularly in highly complex situations such as the Syrian one. Moreover, a constitution-building process has to be comprehensive but not exclusive. It is important to find the right language to incorporate every group and actor involved, including those who believe that peace could threaten their power and interests and who would use any means to undermine attempts to achieve it. An inclusive and effective constitution-building process accepts the need to give something to those stakeholders without compromising key principles, in what can be called a “democratic compromise” among all parties. The interests and power of these stakeholders is very evident in the Syrian case and in the current Russo-American attempt to draft a new constitution in the framework of the Intra-Syrian Talks in Geneva. Civil society organisations must exercise pressure on those participating in these talks, asking for a more democratic and inclusive process, but without closing cooperation with international actors, who may also provide inputs, suggestions and beneficial cooperation and collaboration.

The last session of the morning was dedicated to the South African constitution building process, presented by Professor Sarkin. In particular, he underlined how the South African process was linked to compromise. The South African constitution was drawn up by the Parliament elected in 1994, following the first election in which citizens of all races were allowed to take part, and which were therefore also the first held with universal adult suffrage. After that, a comprehensive negotiation process started among 26 political parties mediated by two judges, one black and one white. CSOs in South Africa were very dynamic and able to participate and influence the process, working side by side with the parties. They participated in building the Bill of Rights and were part of the fifteen commissions on human rights created to draft the articles enshrined in Chapter II of the Constitution.

The adoption of the new constitution was an important step for the reconciliation of the country after nearly 50 years of apartheid. There were many pressure elements to deal with from re-building a fair judicial system to reforming the security services. Under the influence of the new President Nelson Mandela, symbolism became a central element in the constitution and reconciliation process: a new flag, new monuments and national holidays to remember historical events were created to mark a new beginning. The constitution, promulgated in December 1996, was only one part of a great building and reconciliation process characterised by transparency, openness and accountability.

In the discussion that followed, participants underlined several differences with the South Africa case, ranging from the lack of cooperation between Syrian political parties and civil society to the fact that the war is still ongoing in Syria. Both international experts highlighted that to protect the future constitution-building process, disarmament is essential both to include as many parties as possible and to avoid the overthrow of the new democratic system by armed forces.

During the afternoon session Professor Ben Aissa presented the Tunisian constitution-building experience. He pointed out that it would be a mistake to consider Tunisia a good experience without a proper analysis of the context and comparisons with other countries: “The reality is different from our theoretical visions and dreams. It is possible to learn from past mistakes or successes but the Syrian constitution must be only ‘Syrian’, there is no other choice.”

In Tunisia, the constitutional process started when President Zine El-Abidine Ben Ali fled the country in January 2011. After discussions, the Committee for protecting the revolution decided to abandon the idea to use the Constitution of 1995 and instead proposed the
development of a new one. On 23 October 2011, the Constituent Assembly of Tunisia was elected to draft a new constitution.

Although in the election of the assembly Al Nahda Party obtained the best result, with the consequent fear of having a constitution under the influence of an Islamic party, there was not an Islamisation of the process. In this regard, Tunisia could be a successful example for Syria regarding the separation of religion and State. On December 2011, the Assembly issued an interim constitution, which provided for three branches of government and guaranteed human rights during the time it took for the new constitution to be written and ratified. Six committees of experts were created to elaborate the constitution, each one specialised in a particular field, such as: rights and freedom; legislative and executive authorities; human rights and corruption; judicial authority; and decentralisation. On August 2012, a first draft of the new constitution was rejected due to its many gaps on the protection and respect of human rights, particularly women’s rights. A revised text was presented at the beginning of 2013, but there were still many controversial issues including, among the most problematic, the rights of minorities. To solve the impasse, a committee for reconciliation was set up to work on specific topics. However, Tunisia went through difficult times before reaching the final Constitution. Strong political debate and two assassinations of high profile opposition figures in 2013 led to the dissolution of the Constituent Assembly and the suspension of the constitutional process until the creation of a technical government that favoured the relaunching of the constitutional process, which was finalised in January 2014.

In the following discussion, participants underlined the issue of Transitional Justice in Syria and how the South African and Tunisians cases can be relevant. Professor Ben Aissa stressed how Tunisia achieved relative success in this regard. For a real transitional justice process to begin in Syria, it will be necessary to guarantee access to archives and databases and make accountable the officers who have taken advantage of their position during the regime or committed human rights violations. On reconciliation, participants highlighted how in Tunisia the political transition was also achieved thanks to the cooperation and synergies between the popular movement and the political parties, while in contrast Syrian political parties and the civil society are not connected sufficiently. Replying to this, Professor Ben Aissa stressed how, despite the differences with the Tunisian case, reconciliation could still be relevant for Syria, as the basis on which to build up a consensus among the parties involved in the conflict and in designing the new country. Civil society can act as a catalyst by inviting the political parties, if they seem unwilling, to participate in the constitution-building process and trying to find consensus, also through compromise. A constitution is a social contract, a place of coexistence of different ideas and civil society actors can be active actors in the development of the constitution by eliciting discussion and inviting all sides to participate actively.

In the last session of the day, facilitated by Diab Serrieh (TDA), participants discussed the Syrian situation and possible scenarios for a constitution-building process. Participants identified four main problems in Syria: (1) Internal divisions, not only political but also religious and ethnic; (2) Interests of foreign countries and the risk that a solution at the international level would represent the interests of foreign States and not that of Syrians; (3) Armed forces affiliated with sectarian elements of society; and (4) The dictatorship in Syria and its sectarianism. During the discussion, participants underlined how the current capacity of civil society organisations to influence the political debate on constitution-building is rather limited, due to the scarce influence that civil society has on the Intra-Syrian Talks in Geneva, the existing divisions within the Syrian civil society
community and the fact that a real transition will not take place while the Assad regime remains in power. In view of these circumstances, Syrian civil society actors should be ready to adapt their plans and strategies on the basis of political conditions at the international and local level, with the aim of ensuring that civil society is in a position to react quickly to what might come out from the discussions in Geneva, which remains very politicised and lacks any meaningful involvement of Syrian civil society actors. For this, it is crucial to increase the number of partners and organisations active on the constitution-building process and join efforts with international parties and actors, such as the EU. It is also critical that Syrian civil society expresses very clearly and with a unified voice that Syrians have the right to determine their future independently and democratically and that whatever will be decided in Geneva will have to be an interim document and not a constitution imposed by external forces and interests. Participants underlined how issues related to Transitional Justice and the transition of power need to be taken into consideration in any strategy elaborated by civil society, as these issues are very crucial both in current circumstances and when the constitution-building process will start.

All participants agreed on the need to influence the talks in Geneva for a transition toward a democratic system, on the fact that a real transition will not take place while Assad remains in power and that civil society organisations have the capacity to contribute to the planning of possible transitional scenarios.

Day Two – 10 June 2016

The main purpose of the second day of the workshop was to analyse the role that Civil Society Organisations have had within processes of constitutional elaboration in different countries, particularly in South Africa and Tunisia, and to look at successful and unsuccessful experiences of Civil Society engagement in constitutional processes - stimulating debate among the participants regarding their possible actions and strategies.

The first session started with a presentation by Professor Ben Aissa on the role of Tunisian CSOs during the political transition and in the constitutional process. In the Tunisian experience, the fact that President Ben Ali fled the country created a political vacuum that could have led the country into chaos. A High Committee, formed by members of civil society with the purpose of achieving the objectives of the revolution, filled this vacuum. It was a large and comprehensive committee with more than one hundred and fifty members; there were political parties and different sectors of civil society such as lawyers, women’s groups, human right activists, judges and trade unions. Tunisia is widely recognised as a successful experience of civil society engagement within the process of constitution-building. When the draft of the constitution was delayed and a political crisis erupted, four organisations (the Tunisian Confederation of Industry, Trade and Handicrafts, the Tunisian Order of Lawyers and the Tunisian Human Rights League) resolved the situation by starting the “Tunisian National Dialogue”. The quartet drafted an agreement between the political parties that allowed negotiations to recommence. National and international NGOs also played an important role in this process. Organisations such as Human Rights Watch and the High Commission of Human Rights in Tunisia participated in drafting the constitution by providing important advice. In Tunisia, civil society was able to reach a compromise between a variety of visions and be a critical engine within the political transition and the constitution-building.

Professor Sarkin pointed out that historically civil society has not had many opportunities to participate in constitution-building negotiations. One of the elements that historically
influenced the role and ability of civil society to influence the process is time: the longer the negotiations last, the more civil society has the possibility to be effective. Another important element in negotiations relating to constitution-building processes is who is mediating the negotiations. In general, international mediators can be willing to allow civil society to participate in the constitutional process. In the Syrian context, it is critical for civil society to identify who are the parties and forces that are shaping the Intra-Syrian Talks in Geneva and establish links and connections with them to illustrate their proposals and needs.

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The South African example can shed some light on these general principles. In the South African experience, it is possible to identify two phases: the first, linked to the drafting of the interim constitution (1990-1994), was more exclusive and civil society was only able to engage only political parties without having a direct influence on the process, striking a close resemblance to what is currently happening in Geneva. Civil society’s marginalisation depended also on civil society’s incapacity to set out an advocacy campaign that could influence the negotiations. During the second phase of the South African experience, related to the drafting of the final constitution (1994-1995), civil society directly participated and contributed to the process, which was based on openness and transparency. This democratic model moved the country to an effective democratic system. Civil society actively participated in this process together with the political parties, even if in a different role. Civil society worked as a “watch dog” to ensure the fairness of the constitutional elaboration and represented the needs of the people. To enable citizens to participate directly, more than 800 meetings were held all over the country and educational campaigns were organised to make people aware of what was going on. It was a real success that resulted in the engagement and influence of more than 700 CSOs in drafting the constitution.

Similar to South Africa, in Rwanda after the genocide and the end of the war, thousands of state officials set out promotional and educational campaigns across the country, sending questionnaires to civil society groups to get input and suggestions. The draft constitution mirrored the opinion of the population and was presented to the Parliament and then to the citizens for a referendum. In Uganda, people participated throughout the entire constitution-making process. This country is a good example on the use of media to inform people about the process; the radio was an important tool to reach the population of the whole country.

These examples show how the organisation of educational and advocacy campaigns engage the population in the constitutional process. Civil society should also prepare a strategy campaign directed to the actors that are leading the process. To do so, it is important to unify the efforts and establish networking among the organisations to increase the possibility to be heard at national, regional and international levels. However, Professor Sarkin also recognised the differences between the South African or the Ugandan case and Syria, highlighting that the war and divisions in the country, as well as the millions of refugees abroad, make it difficult to reach the population and set up an efficient and shared advocacy campaign able to affect the constitution-drafting process.

During the second session of the day, Professor Ben Aissa offered some reflections on the mistakes committed during the transition in Tunisia and on the threats that could influence the constitutional process in general. Despite the involvement of civil society, there was a very low rate of participation in the election of the Tunisian Constituent Assembly. This result was clearly a consequence of a bad political educational campaign and the lack of the
“constitutionalisation” of civil society. The participation of civil society in the constitution-building process should be systematic and it is important to set rules regulating its involvement in the democratic mechanisms. Another source of concern was related to funding. During and after the revolution, a lot of money entered Tunisia illegally to fund groups against each other. CSOs must monitor the flow of money from abroad as this can put the democratic process in danger and influence the political agenda. Dareen Khalifa, Deputy Director of TDA, briefly presented the mistakes and the unsuccessful experience of the Egyptian transition, which was characterised by a divided civil society unable to coordinate and work together and that remained excluded from the political and constitutional process. There was no space to discuss and influence the rulers and politicians with the power to affect the constitutional process. Civil society organisations were confused and each one had its specific demands. Excluded by the political game, they were not able to affect the constitutional process.

Professor Sarkin suggested that in order to influence and engage in the constitution-building process, Syrian CSOs; should clarify what kind of advocacy campaign they want to implement, understand who are the main interlocutors to contact and what are the outcomes that they want to reach. CSOs should establish a public debate with the Higher Negotiation Committee (HNC) to affect the process in Geneva. They must also direct their efforts to the international community to reach consensus among different parties and States. It is unlikely that Syrian civil society can effectively influence the peace talks or the drafting process, but it can present its ideas and proposals to the international community. Considering that the situation may continually change, it is important to prepare a strategy able to adjust itself according to the changing circumstances. In this context, it is fundamental to agree on common goals and to have a unified voice. A document with common visions and principles could be the basis of a collective action of CSOs and a means to use in educating people about the constitutional process.

During the discussion, participants agreed on the necessity to support a good relationship and strong communication between civil society organisations and the HNC to help to communicate and deliver what the Syrian people want and need. In addition, they concurred that the constitution-building process should be Syrian-led and that Syrian CSOs should jointly elaborate key constitutional principles to be presented to the negotiating parties. Finally, they agreed that in order to develop an open and inclusive constitution-building process, it is fundamental to approach this issue in a holistic way that takes into consideration also the transition of power and the dismantling of the system of tyranny of the Assad regime.

On advocacy and educational campaigns, participants expressed their concerns on the capacity of civil society to work on this in a very difficult context and with little experience. To respond to the last point, Professor Sarkin suggested that civil society could conduct short surveys in order to gain a better understanding of what issues would be most engaging for an awareness campaign. The surveys could be accompanied by educational activities on the key issues considered fundamental by civil society.

During the afternoon sessions, the participants elaborated a list of priorities on which it will be critical to engage:

1. Developing our own constitutional and higher constitutional principles to guide our work.
2. Identifying and developing the key principles that we believe in as Civil Society and Human Right Actors, to lead our advocacy work.

3. Working to advocate, and putting pressure on decision-makers and the international community, that any Constitution document resulting from the political negotiations is an interim document.

4. Developing files on specific key issues such as detainees, justice and accountability, women’s rights, etc., which will include the vision of how we want the situation to be for each issue and detailed documents of how these visions can be reached and what our role as civil society actors is in achieving these visions.

5. Educational campaigns, inside Syria and for Syrian refugees, to raise awareness and knowledge of the constitutional process and content, including the production of educational materials to be disseminated as widely as possible.

6. Conducting Advocacy Campaigns on key principles, including the promotion of values such as gender equality, human rights, citizenship and equality before the law.

7. Working to achieve active participation in the constitution-making process through consulting, conducting advocacy and awareness raising with all segments of Syrian society.

8. Developing a logical, pragmatic and practical strategy for the role of civil society in the constitutional process.

9. Monitoring all stages of the constitutional drafting process, applying pressure and conducting advocacy towards those involved in the process for transparency and providing reporting of the process for the Syrian people.

10. Strengthening the flow of information towards the Syrian population and strengthening the different channels that can be used to reach them.

The ensuing debate focused a lot on the first point about developing constitutional principles. Professor Sarkin underlined the need to prepare principles as guidelines for the future commitment in the constitutional process. He specified that there should be no more than 20 or 25 general principles for broad understanding and acceptance. Drafting too many detailed principles could create disagreement. However, on this point several participants pointed out that the concept of human rights is too general to guarantee, for example, women’s rights or to guarantee the effective respect of the fundamental rights enshrined in a constitution. Professor Sarkin highlighted that a good constitution is not enough; it needs strong institutions able to give effect to the laws, independent courts and criminal law process. The ratification of international treaties is also important.

Participants also discussed and identified strengths and weaknesses of Syrian civil society as a way to highlight the areas on which to focus for a successful awareness-raising campaign. Diversity, access to international and local communities were identified as critical strengths. Among the weaknesses were the fact that before 2011 a real civil society community did not exist in Syria, the difficulty to have a critical role in changing the situation on the field inside Syria and with respect to the international negotiations, as well as the risk of lacking policy priorities and instead operating under the influence of the funds made available by international actors.
Day Three – 11 June 2016

During the third day of the workshop, participants continued the discussion on the constitutional principles that should be the guidelines for a fair Syrian constitution-making process. One session focused on advocacy and how to structure an efficient advocacy campaign. Participants exchanged their views on who are the main actors involved in Syria that should be the target of the advocacy activities and distributed tasks and set deadlines for the continuation of the campaign.

The discussion among participants focused in particular on the list of priorities developed the day before. As a result, they decided to establish a working group, constituted by the Civil Society Initiative, Mwatana and TDA, to review the key documents prepared by the members of the Steering Committee in the past to extrapolate key fundamental principles that will be collected in a shared document that the group will use as their reference.

They also discussed the need to break the isolation of Syrian civil society and the need to open channels of communication with political parties and in particular with the High Negotiations Committee. This would guarantee, on the one hand, a broad vision and social consultancy and, on the other, the possibility to influence the negotiations in Geneva by providing proposals and ideas. At the same time, participants underlined the need to put in place educational and awareness-raising and outreach activities to increase the participation of the population in the constitutional process.

The second session of the morning focused on how plan advocacy campaigns to raise Syrian society’s awareness and influence the constitutional process and the Intra-Syrian Talks in Geneva. Marcell Shehwaro, the Executive Director of Kesh Malek, provided a presentation on the mechanisms of advocacy, identifying five main steps for an effective campaign: (1) identifying the problem; (2) developing the vision; (3) mapping the allies; (4) choosing tactics; and (5) developing a work plan.

It is critical for a successful campaign to begin with enlarging the basis of support, by assisting those groups and individuals that already share the vision and reach out to those who agree with the cause but who are not politically active to elicit their engagement. There are, then, people who are neutral toward the campaign, who must be a critical target for the awareness-raising activities about democratic principles, constitutionalism and human rights. Another fundamental group to target are the people who do not share our vision: the scope of the advocacy campaign will be to neutralise them. Regarding the mapping of potential allies, it is fundamental to identify, on the one hand, those actors involved or that should be involved and, on the other, their capacity to influence the writing-process.

Dereen Khalifa, TDA Deputy Director, chaired the first afternoon session, during which participants discussed the need to enlarge the number of organisations and individuals engaged in the work of the Steering Committee. Several participants agreed on the necessity to represent as many as people as possible by establishing coordination and contacts with different groups involved in the Syrian crisis and identified a preliminary list of target groups.

During the closing session, facilitated by Rami Nakhla, the members of the Steering Committee set dates and deadlines for the work planned for the coming weeks and agreed on the name of the campaign: “Syrian National Campaign for the Constitution”.

11
Evaluation results

On the final afternoon all participants completed an evaluation of the workshop. The majority of the participants felt the organisation of the workshop was excellent. Participants’ evaluation of the various sessions ranged between good and excellent and most felt that they benefited well from the expertise of the experts. Some participants expressed their wish to have more information provided in written documents rather than simply presented during the discussion. Participants suggested a greater focus be given to examples of successful and sustainable advocacy, to help them with their own planning, and this is indeed what NPWJ plans to do with the next workshops.

After participation in the workshop all Steering Committee members felt ‘more confident about what needs to be done’, and the majority of the participants expressed a reinvigorated commitment to be active actors in the “Syrian National Campaign for the Constitution”. 
Annex 1 – Biographies of experts

Jeremy Sarkin
Professor of Law, University of South Africa (UNISA) and Distinguished Visiting Professor of Law Nova University, Lisbon, Portugal; Member 2008–2014 (Chair-Rapporteur 2009–2012), United Nations Working Group on Enforced or Involuntary Disappearances. Professor Jeremy Sarkin has undergraduate and postgraduate law degrees from South Africa, a Master of Laws from Harvard Law School and a Doctor of Laws degree on comparative and international law. He is admitted to practice as attorney in the USA and South Africa. He practiced at the New York bar during 1988 and 1989. He then spent time working at the International Commission of Jurists in Geneva, Switzerland. He is Professor of Law at the University of South Africa (UNISA) and Distinguished Visiting Professor of Law, Nova University Law School, Lisbon, Portugal. He was a member (2008-2014), and was Chairperson-Rapporteur (2009-2012), of the United Nations Working Group on Enforced or Involuntary Disappearances. He served as an acting judge in 2002 and 2003 in South Africa. He served as National Chairperson of the Human Rights Committee of South Africa from 1994-1998. He has worked on transitional justice issues recently in Argentina, Uganda, Zimbabwe, the Maldives, Nepal, Burundi, Morocco, Bosnia and Herzegovina, Timor-Leste, the DRC, Libya, Tunisia, Indonesia, Philippines, Bangladesh, Syria, Bahrain, and Lebanon. He is a co-editor of the book series on Transitional Justice at Intersentia Publishers. He is a member of a number of journal editorial boards, including Human Rights Quarterly, Human Rights and International Legal Discourse and the International Review of Criminal Law. He serves on the boards of a number of NGOs, including the Institute for justice and Reconciliation (IJR).

Mohamed Salah Ben Aissa
Emeritus Professor of Public law at the Faculty of Legal, Political and Social Sciences in Tunis, Ben Aissa was also the Dean between 2002 and 2008. President of the Tunisian Association of Administrative Sciences since 2001, he was a member of the Scientific Council and on the Board of the International Academy of Constitutional Law until 2009. He is an author of various publications and contributions to conferences in Tunisia and abroad, particularly in the field of public law, administrative sciences, law, administrative litigation and public finance. On October 2011 he became a member of the group of experts who prepared the laws on the election of the Constituent Assembly. He was appointed Secretary General of the Tunisian Government with the rank of Minister on 1 July 2011 in the office of Beji Caid Essebsi. In February 2015, he was appointed Minister of Justice in the government of Habib Essid.
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<td>9.45</td>
<td>Arrive and take seats</td>
<td>Jeremy Sarkin</td>
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<tr>
<td>10.00</td>
<td>Successful experiences of civil society engagement within processes of Constitutional elaboration</td>
<td>Mohamed Salah Ben Aissa</td>
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<td>3.30</td>
<td>Group exercises to answer some key questions in the PILPG document (look at areas addressed in TDA Constitution Document)</td>
<td>Steering Committee Members – facilitated by NPWJ (brief by TDA)</td>
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<tr>
<td>Time</td>
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<td>9.45 - 10.00</td>
<td>Arrive and take seats</td>
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<td>10.00 - 11.30</td>
<td>What is the role that we want to play? How we will do it and who are our partners? How do we increase our alliances and increase our engagement with the Syrian population?</td>
<td>Steering Committee Members – facilitated by Baytuna</td>
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<td>11.30 - 11.45</td>
<td><strong>Break</strong></td>
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<td>11.45 - 1.15</td>
<td>What is our plan for advocacy? What are the mechanisms of advocacy that we should work on it?</td>
<td>Steering Committee Members – facilitated by Kesh Malek</td>
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<td>1.15 - 1.45</td>
<td><strong>Lunch</strong></td>
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| 1.45 - 3.15   | Setting goals, instruments, synergies and strategy to develop a successful campaign  
|              | - Produce a (working) document containing the goals and initial strategy | Steering Committee Members – facilitated by TDA |
| 3.15 - 3.30   | **Break**                                                               |                      |
| 3.30 - 5.00   | Set date for next meeting (on Strategy/Campaigning) 
|              | Agree on areas to be covered in it and what experts are needed for it etc | Steering Committee Members – facilitated by NPWJ |