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# Syrian Arab Republic's Draft Constitution of 2017

Draft of 23 Jan 2017

*Presented by Russian officials at Syrian peace negotiations*

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# Preamble

We, the People of Syria, building on the centuries-long traditions of statehood, proceeding from the responsibility before the past, present and future generations, resolute in our decision to affirm freedom and justice, and confirming our commitment to the Charter of the United Nations Organization, the Charter of the League of Arab States, the Charter of the Organization of Islamic Cooperation, the Universal Declaration of Human Rights, and the Declaration of the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, solemnly declare our intention to do the following:

to ensure security, independence, sovereignty and territorial integrity of the state;

to live in peace and friendship with other peoples; to successfully establish a civil society;

to build a legal democratic state governed by the rule of law as expressed by the will of its people;

to ensure a decent standard of living for all in accordance with a just economic and social order.

In the name of the high intention noted above we adopt this Constitution by nation-wide referendum.

## Chapter 1: Basic Principles

### Article 1

1. The Syrian Republic is an independent sovereign state, based on the principle of the rule of the people by the people and for the people, the rule of law, equality of all before the law, social solidarity, respect for rights and freedoms and equality of rights and duties of all citizens regardless of any differences and privileges. The names Syrian Republic and Syria are equivalent.
2. Syria relies on the unity of its nation and is a common and indivisible homeland for all its citizens. Preserving the national unity and territorial integrity of Syria is the obligation of the State and all its citizens.
3. As a national heritage that promotes national unity, the Constitution shall guarantee the protection of cultural diversity of the Syrian society.

### Article 2

1. Syria is a state with a republican form of government.
2. The sole source of power in Syria shall be its multinational and multi faith people. The people shall exercise their sovereign right to freely and independently determine their own destiny. The People of Syria shall exercise their sovereignty in accordance with the Constitution directly by means of a referendum, and through their representatives elected on the basis of universal, equal, direct suffrage by free, secret and personal ballot.
3. Nobody except authorized representatives elected by the people shall have the right to represent the people, speak for the people and make declarations on behalf of the people.
4. No part of the Syrian people, or any social group or organization, or any person may usurp power. The usurpation of power is the gravest crime.

- Eligibility for cabinet
- Outside professions of legislators

5. No person may simultaneously occupy the position of a member of the People's Assembly, a member of the Constituent Assembly, President of the Republic, Prime Minister, a deputy prime minister, a minister, or a member of the Supreme Constitutional Court.
6. No person carrying another nationality, in addition to the nationality of Syria, may occupy the position of a member of the People's Assembly, a member of the Constituent Assembly, President of the Republic, Prime Minister, a deputy prime minister, a minister, or a member of the Supreme Constitutional Court.
7. The power shall be transferred in a peaceful manner, following a democratic process established by the Constitution and the law.

- Eligibility for cabinet
- Eligibility for const court judges
- Eligibility for head of government
- Eligibility for head of state
- Eligibility for first chamber
- Eligibility for second chamber

### Article 3

The State shall respect all religions and religious organizations, and ensure the freedom to perform all the rituals that do not prejudice public order. Religious organizations shall be equal before the law.

- Freedom of religion

### Article 4

1. The official language of the state is Arabic. The law shall regulate how the official language is used.
2. Government agencies and organizations of the Kurdish cultural autonomy shall use Arabic and Kurdish equally.
3. Syrian citizens shall be guaranteed the right to educate their children in their native language in state educational institutions and in private educational institutions that meet the educational standards.
4. Each region shall have the right to use another majority language in addition to the official language as is regulated by the law, if such use was approved by a locally held referendum.

- Protection of language use

- Official or national languages

### Article 5

1. The political system of the state shall be based on the principle of political pluralism, and exercising power democratically by secret ballot.
2. Political parties shall respect the constitutional order, democratic principles, national sovereignty, and territorial integrity of the state.
3. The law shall regulate the provisions and procedures related to the formation of political parties.
4. Public office or public money may not be exploited for a political, electoral or party interest.

- Secret ballot

- Restrictions on political parties

- Campaign financing

### Article 6

1. Ideological diversity shall be recognized in Syria. No ideology shall be proclaimed as State ideology or as obligatory. Public associations shall be equal before the law.
2. The State shall ensure security and protect the rights and freedoms of national and religious minorities.

- Prohibited political parties
- Terrorism

3. The establishment and activities of political parties and other public associations whose goals and activities are aimed at the forcible changing of the basis of the constitutional order and at violating the integrity of the State, at undermining its security, at engaging in terrorism, at creating armed units, at instigating religious, social, racial, national, and tribal strife; and that are based on sectarian, regional, class, professional discrimination, or on discrimination by gender or origin, may not be undertaken. Such organizations may not be part of the social and political system in Syria.
4. Syria denounces terrorism in all its forms and shall ensure protection of its territories and population against terrorist threats.

## Article 7

- Terrorism

1. The Constitution shall have supreme legal force, direct effect and shall be applicable in the entire territory of Syria.
2. Laws and other legal acts, which are adopted in Syria, must not contradict the Constitution.
3. Universally recognized principles and norms of international law as well as international agreements of Syria shall be an integral part of its legal system. If an international agreement of Syria establishes rules, which differ from those stipulated by law, then the rules of the international agreement shall be applied.

- Constitutionality of legislation

- Customary international law
- International law
- Legal status of treaties

## Article 8

1. Syria shall maintain good neighborly relations with other countries based on cooperation, mutual security and other principles stipulated by international legal rules.
2. Syria denounces war as an infringement on other countries' sovereignty and a means to resolve international conflicts.

- International law

## Article 9

1. The territory of Syria is indivisible, inviolable and integral.
2. The territory of Syria is inalienable. State borders may be changed only after a referendum among all Syrian citizens, as the expression of the will of the Syrian people.

- Accession of territory
- Referenda

## Article 10

1. It is the State's responsibility, and the duty and obligation of every Syrian citizen to safeguard the homeland's sovereignty, independence, and territorial integrity. In accordance with law, the State shall provide support to the families of citizens who lost their lives while defending independence, sovereignty and territorial integrity of Syria.
2. Citizens of Syria shall perform military service in accordance with law.
3. To defend and safeguard the homeland, the State shall create the army and other armed forces.
4. The army and other armed forces shall be under public oversight and shall defend Syria and its territorial integrity; they may not be used as an instrument of suppression of the people; they may not interfere in politics or participate in the transfer of power.
5. Performing military or militarized activity outside the domain of state power is prohibited.

- Duty to serve in the military

- Duty to serve in the military

- Restrictions on the armed forces

## Article 11

1. In Syria the freedom of economic activity is guaranteed, and private, State, municipal and other forms of property shall be recognized. Property may not be used to infringe on human and civil rights and freedoms, public and State interests, and human dignity.
2. Developing the economy on the basis of different forms of property is aimed at improving the people's wellbeing. The State shall use market principles to bolster economic development, guarantee freedom of entrepreneurship and prevent monopolization and unfair competition in economic relations.
3. The State shall ensure the free flow of goods and financial resources between the regions in accordance with the law.
4. In accordance with the law, land resources may be subject to State, municipal and private ownership.
5. Natural resources shall be publicly owned. The law shall regulate how utilization rights for natural resources or concessions are granted.
6. The law shall regulate taxes and levies. The tax system shall be based on a fair basis.

## Article 12

1. The State shall take steps to improve the wellbeing of its people in general and each of its citizens; to guarantee the individual's social security and acceptable living standards.
2. The State shall support development of culture, education, healthcare, science, and art; protect the environment, and safeguard the people's historical, material and spiritual legacy.
3. No discrimination by gender, origin, language or faith shall be allowed.
4. The family shall be the nucleus of society and the State shall protect its existence and its religious, moral and patriotic value. The state shall also protect maternity, childhood and old age, take care of young children and youth and provide the suitable conditions for the development of their talents.
5. The State shall provide women with all opportunities enabling them to effectively and fully contribute to the political, economic, social and cultural life, and the State shall work on removing the restrictions that prevent their development and participation in building society.
6. Children shall have the right to be brought up, taken care of and educated by their parents. Parents shall be entitled to respect and care from their children, especially when parents require it, or due to an inability to work or because of old age.
7. Slavery, trafficking in women and children, exploitation of children are prohibited and shall be prosecuted by law.
8. Following a court's decision individuals may be sentenced to compulsory labor the terms and duration of which are regulated by law. Compulsory labor may also be ordered by authorities during military service, and during the state of emergency - for the kinds of labor as stipulated by law.

## Article 13

1. Public service shall be a responsibility and an honor the purpose of which is to achieve public interest and to serve the people.
2. Citizens shall be equal in assuming the functions of public service. The law shall determine the conditions of assuming such functions and the rights and duties assigned to them.

## Article 14

1. Protection of the environment shall be the responsibility of the state and society and it shall be the duty of every citizen.
2. The State and the public shall share responsibility when managing natural and manmade disasters.

## Article 15

1. Syria consists of constituent parts.
2. The law states the number of constituent parts, their boundaries and status.
3. The organization of local administrations is based on applying the principle of decentralization of authorities and responsibilities. The law states the relationship between these units and the central authority, their mandate, financial revenues and control over their work. It also states the way such administrations are appointed or elected.
4. The law shall state the status of the Kurdish Cultural Autonomy.

## Article 16

1. The monetary unit in Syria shall be the Syrian pound (lira).
2. The National Bank of Syria is owned exclusively by the State and shall have the right to emit money and withdraw it from circulation.

## Article 17

1. The capital of the state is Damascus.
2. The flag of Syria consists of three colors: red, white and black, in addition to two stars, each with five heads of green color. The flag is rectangular in shape; its width equals two thirds of its length and consists of three rectangles evenly spaced along the flag, the highest in red, the middle in white and the lowest in black, and the two stars are in the middle of the white rectangle.
3. The law identifies the state's emblem and its national anthem.
4. In cases provided for by the Constitution and/or by law citizens shall give the following oath: "I swear to observe the country's Constitution, to respect and protect human and civil rights and freedoms, to safeguard the State's sovereignty, independence, and territorial integrity, and to always act in the interests of the Syrian people."

# Chapter 2: Human and Civil Rights and Freedoms

## Article 18

1. Everyone shall have the right to life, security and freedom and the State shall guarantee these rights. No right can be restricted or denied to a person unless otherwise provided by law and following the decision by the appropriate judicial authority.
2. All persons shall be equal before the law without discrimination among them on grounds of gender, race, nationality, origin, color, religion, personal convictions, beliefs or views, and economic and social status.

## Article 19

1. Everyone shall have the right to participate in the political, economic, social and cultural life.
2. Citizens, men and women, shall have the right to participate in managing State affairs and exercise their political rights including the right to elect and be elected.
3. No person shall be coerced to become a member of any party, association, society or political organization, or to keep his or her membership in said organizations.
4. Everyone shall respect and observe the Constitutions and laws.

## Article 20

1. Everyone shall be guaranteed freedom of thought and speech, and freedom of conscience and religion. Nobody shall be forced to express his thoughts and convictions or to deny them.
2. The State shall guarantee the freedom of conscience and the protection of places of worship. Sacred shrines and religious sanctuaries shall be considered places of religious and cultural importance, and the State shall assume the responsibility to safeguard and protect them.
3. Everyone shall have the right to participate for lawful purposes in meetings, peaceful rallies and strikes.
4. Everyone shall have the right freely to seek, receive, transmit, produce and disseminate information by any legal means. In accordance with the law the State ensures freedom of the press and mass media.
5. Propaganda or agitation, which incites social, racial, national or religious hatred and hostility, and propaganda of social, racial, national, religious or linguistic supremacy, shall be prohibited.

## Article 21

1. The law shall regulate the Syrian citizenship.
2. A citizen of Syria may not be deprived of his (her) citizenship.
3. A citizen of Syria may not be deported from Syria or extradited to another state.
4. Every citizen may freely enter and leave Syria unless otherwise stipulated by law and expressed in an applicable decision of the court or the prosecutor's office.
5. Persons who are persecuted for their political convictions may not be extradited to other states.
6. Syria shall guarantee protection and patronage to its citizens living abroad permanently or temporarily.

## Article 22

1. Everyone shall have the right to the inviolability of his (her) person, home, personal and family privacy.
2. Collecting, keeping, using and disseminating information about the private life of a person shall not be permitted without his (her) consent.
3. The State shall guarantee a person's right to privacy of correspondence, of telephone conversations and of postal, telegraph and other communications. This right may be limited by law to prevent a crime or to uncover the truth when investigating a crime.



- Regulation of evidence collection
4. Except when the law says otherwise or when following a court's order, nobody may enter a home against the will of its occupants.

## Article 23

- Right to own property
1. Everyone shall have the right to property.
  2. Property rights, including individual private ownership, shall be protected by law.
  3. Nobody may be deprived of property except under a court order. Private ownership may be removed in the State or public interest only against fair compensation according to the law.
  4. The State shall guarantee the right of inheritance in accordance with the law.

## Article 24

- Protection from expropriation
  - Right to transfer property
1. Labor is the basis for personal and public prosperity. Everyone shall have the right to freely choose the type of activity, occupation and place of work based on his (her) skills. The State shall use all means at its disposal to eliminate unemployment.
  2. Everyone shall have the right to work in conditions, which meet safety and hygiene requirements, and to receive remuneration for labor without any discrimination whatsoever.
  3. Everyone shall have the right to rest. For those working under labor contracts the duration of work time, days of rest and public holidays and annual paid leave established by federal law shall be guaranteed.
  4. The law shall regulate employer-employee relations based on economic principles and the norms of social justice.
  5. The State shall guarantee the right of its people to lawfully form labor associations and unions and to join them.
  6. Individual and collective labor disputes are to be resolved in a manner stated by law.

## Article 25

Everyone shall be obliged to pay legally established taxes and levies.

## Article 26

- Right to choose occupation
  - Right to just remuneration
  - Right to safe work environment
  - Right to rest and leisure
  - Right to join trade unions
1. Everyone shall be guaranteed social security payments for legal retirement age, in case of illness, disability, loss of breadwinner, incapacitation, unemployment, and in other cases specified by law. Minimum state pensions and social benefits shall be established by law.
  2. Helping people in need is the obligation of his (her) family members.
  3. The State shall facilitate development of charity movements, voluntary social insurance programs and other forms of social security.

## Article 27

- Duty to pay taxes
  - State support for the elderly
  - State support for the unemployed
  - State support for the disabled
  - Right to culture
1. Everyone shall have the right to participate in cultural life, and use cultural establishments and access cultural valuables.
  2. Everyone shall respect the historical, cultural and spiritual heritage; take care of it and protect historical and cultural monuments.

## Article 28

1. Everyone has the right to health protection and medical care in state and municipal health institutions.
2. The State shall take the necessary measures to develop all forms of health services based on various forms of property and guarantee sanitary and epidemiological well-being.

## Article 29

1. Everyone shall have the right to education. The State shall guarantee free secondary education. The law shall specify cases when a person can receive free secondary vocational and higher education.
2. The education system is controlled by the State.
3. The State shall encourage and promote physical culture and sport. It shall also provide everything needed for such purposes.
4. The state shall support scientific research and guarantee the freedom of scientific, literary, artistic, and cultural creative activity. It shall also provide for the development of talents and abilities, and allocate the funds necessary for such purposes.
5. The State shall encourage scientific and technological inventions, creative skills and talents and protect their results.

## Article 30

1. No one can be unlawfully deprived of a home.
2. The State shall promote housing construction and create conditions for exercising the right to a home.

## Article 31

1. Punishment shall be personal; no crime and no punishment except by a law.
2. Anyone shall be considered innocent until his (her) guilt is proven and confirmed by a court sentence which has entered into legal force.
3. The right to conduct litigation and remedies, review, and the defense before the judiciary shall be protected by the law, and the state shall guarantee legal aid to those who are incapable to do so, in accordance with the law
4. No immunity of any act or administrative decision from judicial review shall be allowed.
5. A law, which introduces or increases liability, shall not have retroactive force.

## Article 32

1. No one may be investigated or arrested, except under an order or decision issued by the competent judicial authority, or if he was arrested in the case of being caught in the act, or with the intent to bring him to the judicial authorities on charges of committing a felony or misdemeanor.
2. No one may be tortured or treated in a humiliating manner, and the law shall define the punishment for those who do so.
3. Any person who is arrested must be informed of the reasons for his arrest and his rights, and may not be incarcerated except by an order of the competent judicial authority.

- Protection from false imprisonment

4. Any person sentenced by a final ruling, who has carried out his sentence and the ruling proved wrong shall have the right to ask the state for compensation for the damage he suffered.

## Article 33

Any assault on individual freedom, on the inviolability of private life or any other rights and public freedoms guaranteed by the Constitution shall be considered a crime punishable by law.

# Chapter 3: Legislative Authority

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- Structure of legislative chamber(s)

## Article 34

The legislative authority is assumed on behalf of the Syrian people by the People's Assembly and the Constituent Assembly in the manner prescribed by the Constitution and applicable laws.

## Article 35

- Secret ballot
- First chamber selection

- Term length for first chamber

1. Members of the People's Assembly shall be elected by the public, secret, direct and equal vote. They shall represent the whole people of Syria.
2. The People's Assembly term shall be four calendar years from the date of its first meeting
3. The People's Assembly shall continue to meet and exercise legislative authority until the new People's Assembly is elected and holds its first meeting.
4. If the membership of a member of the People's Assembly is vacant for some reason, an alternative shall be elected within sixty days from the date of the membership vacancy, provided that the remaining term of the People's Assembly is no less than six months. The membership of the new member shall end by the expiry date of the mandate of the Assembly's term. The Election Law shall determine the cases of vacant membership.

- Replacement of legislators

## Article 36

- Size of first chamber
- First chamber selection

- Restrictions on voting

- Campaign financing

1. The system of electing members of the People's Assembly, their number and status shall be determined by a law.
2. Voters shall be the citizens who have completed eighteen years of age and meet the conditions stipulated in the Election Law.
3. The Election Law shall include the provisions that ensure:
  1. the freedom and safety of voters, the right to choose their representatives and the integrity of the electoral procedures;
  2. the right of candidates to supervise the electoral process;
  3. liability for those who abuse the will of the voters;
  4. identifying the regulations of financing election campaigns;

- 5. organization of the election campaign and the use of media outlets.
- 4. Elections shall be held during the sixty days preceding the expiry date of the mandate of the People's Assembly term.

## Article 37

1. The Supreme Constitutional Court shall have jurisdiction to consider appeals related to the elections of the members of the People's Assembly.
2. Appeals shall be submitted by the candidate within three days from the date of announcing the results; and the court shall make its final judgment within seven days from the expiry date of submitting appeals.

## Article 38

1. The People's Assembly shall convene following a decree of the President of the Republic within fifteen days after the mandate of the current People's Assembly expires.
2. The People's Assembly shall meet on the sixteenth day after the mandate of the current People's Assembly expires, if there is no decree by the President of the Republic.

## Article 39

1. The People's Assembly shall call for three regular sessions per year; the total of which should not be less than six months, and the Assembly's rules of procedure shall set the time and duration of each of them.
2. The People's Assembly may be invited to extraordinary sessions upon the request of the Speaker, of one third or more of the members of the People's Assembly, or of the President of the Republic.
3. The last legislative session of the year shall remain open until the approval of the state budget.

## Article 40

1. The Constituent Assembly shall be formed to ensure participation of representatives of the constituent parts in legislative activities and administration of the state.
2. The Constituent Assembly consists of representatives of the constituent parts.
3. The law shall specify how members of the Constituent Assembly are delegated, their number, status and term of service.

## Article 41

1. The People's Assembly and the Constituent Assembly hold sessions separately.
2. The People's Assembly and the Constituent Assembly may meet together to elect and to hear the Prime Minister, the President of the Republic, speeches of leaders of foreign states, and in other cases specified by the Constitution and law.
3. The People's Assembly and the Constituent Assembly shall adopt the rules of procedure to coordinate their work and exercise authority.
4. The People's Assembly and the Constituent Assembly elect speakers from among their members. In accordance with the rules of procedure the speakers shall represent the Assemblies and perform organizational functions.

• Scheduling of elections

• Constitutional court powers

• Length of legislative sessions

• Extraordinary legislative sessions

• Budget bills

• Second chamber selection

• Size of second chamber

• Joint meetings of legislative chambers

• Leader of first chamber  
• Leader of second chamber

- Legislative committees
5. The People's Assembly and the Constituent Assembly may form committees from among their members to deal with the issues related to exercising their authority.

## Article 42

- Outside professions of legislators
  - Immunity of legislators
  - Oaths to abide by constitution
  - Immunity of legislators
  - Immunity of legislators
  - Compensation of legislators
1. In carrying out their duties, the members of the People's Assembly and the Constituent Assembly shall be guided by the Constitution, and their mandate can be restricted only in accordance with the Constitution.
  2. The members of the People's Assembly and the Constituent Assembly shall not use their mandate for personal gain outside the focus of their activity. A law shall specify activities that can not be combined with the mandate of a member of People's Assembly and a member of the Constituent Assembly.
  3. The members of the People's Assembly and the Constituent Assembly can not be held legally responsible for their votes or political opinions expressed in exercising their authority.
  4. Before taking office the members of the People's Assembly and the Constituent Assembly shall give the constitutional oath stated in Article 17 of the Constitution.
  5. A member of People's Assembly and a member of the Constituent Assembly can not be detained, arrested, searched or brought before the court without a prior permission from the Assembly to which he belongs.
  6. A member of People's Assembly and a member of the Constituent Assembly caught in the act may be detained and searched. The Minister of Justice shall immediately notify the Speaker of the respective Assembly about the detention and search. If the notified Assembly (and, if the Assembly is not in session, the Speaker) states that there are no grounds for detention, the measure shall be canceled immediately. If the Assembly is not in session, the Speaker of the Assembly shall call it for a special session to consider initiating criminal proceedings against the member of the Assembly and applying restraining measures.
  7. The emoluments and compensations to members of the People's Assembly and the Constituent Assembly shall be determined by a law.

## Article 43

The People's Assembly undertakes the following functions:

- Cabinet removal
  - Head of government removal
  - International law
  - Treaty ratification
  - International law
  - Treaty ratification
1. approval of laws;
  2. calling an election of the President of the Republic;
  3. performing a vote of no-confidence to the government;
  4. ratification of international agreements and conventions;
  5. approval of international treaties and agreements, granting privileges to foreign companies, approval of international treaties and agreements entailing additional expenses not included in the budget, or contracts and agreements related to state loans, or those that require new legislation to become effective;
  6. approval of a general amnesty;

- 7. deciding whether to terminate the mandate of an Assembly member.

## Article 44

1. The Constituent Assembly performs the following functions:
  1. approval of laws;
  2. performing a vote of no-confidence to the government;
  3. resolving issues of war and peace;
  4. terminating the mandate of the President of the Republic;
  5. approval of the President's decision to declare the state of emergency or mobilization;
  6. appointment of judges of the Supreme Constitutional Court;
  7. appointment and dismissal of the Chairman of the National Bank of Syria;
  8. deciding whether to terminate the mandate of an Assembly member.

## Article 45

1. The legislative initiative belongs to the members of the People's Assembly, of the Constituent Assembly, the President of the Republic and the Government.
2. Upon the request by administration of a territorial unit the Constituent Assembly shall have the right to send bills to the People's Assembly for consideration.
3. Bills shall be submitted to the People's Assembly.

## Article 46

1. Laws shall be adopted by the People's Assembly.
2. A law is adopted by a majority vote of all deputies of the People's Assembly.
3. Laws adopted by the People's Assembly shall be submitted within five days to the Territories Assembly for consideration.
4. A law is considered approved by the Constituent Assembly, if more than half of the total number of its members voted in favor of it.
5. If the Constituent Assembly rejects the law a conciliatory commission may be set up by the Assemblies to resolve differences, whereupon the law shall be reconsidered by the Constituent Assembly.
6. If the People's Assembly disagrees with the decision of the Constituent Assembly, the law shall pass if at least two thirds of the total number of deputies of the People's Assembly voted for it the second ballot.
7. The law approved or adopted in the second ballot shall within five days be forwarded to the President of the Republic, who shall sign it and promulgate it within fourteen days.

- Approval of general legislation
- Veto override procedure

8. The President of the Republic has the right to reject the law within fourteen days after receiving it. In this case the People's Assembly and the Constituent Assembly shall have the right to reconsider the law. If after the reconsideration the law is approved in its earlier adopted edition by at least two thirds of the total number of members of the People's Assembly and the Constituent Assembly, it shall be signed and promulgated by the President of the Republic within seven days.

## Article 47

- Budget bills

1. For every fiscal year there shall be one budget; and the beginning of a fiscal year shall be determined by a law. Appropriations cannot be transferred from one title to another except according to the provisions of the law.
2. The Government shall submit the draft budget to the People's Assembly at least two months before the beginning of the fiscal year.
3. The budget shall be considered, approved, signed and promulgated in the order prescribed by Article 46 of the Constitution. The People's Assembly shall vote separately on each title of the budget.
4. If the process of approving and promulgating the budget is not complete before the beginning of the new fiscal year, the budget of the previous years is used until the new year budget is approved, and the revenues are collected in accordance with the laws and regulations in force.
5. The budget may be approved together with laws which could create new expenditures and new revenues to cover them.
6. The final accounts of the fiscal year shall be presented by the Government to the People's Assembly within a period not longer than one year as of the end of this year.

## Chapter 4: The Executive Authority

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### Article 48

- Name/structure of executive(s)

The President of the Republic and the Government of the Republic exercise executive authority on behalf of the people within the limits provided for in the Constitution.

### Article 49

- Secret ballot
- Head of state selection
- Head of state term length
- Claim of universal suffrage
- Head of state term limits

1. The President of the Republic is elected for the term of 7 years by citizens of Syria on the basis of universal, equal, and direct suffrage by secret ballot.
2. No person can hold the office of the President of the republic for more than two consecutive terms.
3. The candidate who wins the election for the President of the Republic is the one who gets more than one half of votes of those who take part in the elections. If no candidate receives such majority, a rerun is carried out between the two candidates who receive the largest number of votes.
4. The results shall be announced by the Speaker of the People's Assembly.
5. If the President's term in office has expired and no new President has been elected, the existing President of the Republic continues to assume his duties until the new President is elected.

- Head of state selection

## Article 50

A candidate for the presidency must be over 40 years of age and hold the Syrian citizenship.

## Article 51

1. The nomination of a candidate for the office of President of the Republic shall be as follows:

1. The People's Assembly calls for the election of the President of the Republic within a period not less than 30 days and not more than 90 days before the end of the term of office of the existing president;
2. the candidacy application shall be made to the Supreme Constitutional Court and entered in a special register within 10 days of announcing the call for electing the president;
3. the candidacy application shall not be accepted unless the applicant has acquired the support of at least 35 members of the People's Assembly and (or) the Constituent Assembly. No member of the Assemblies can support more than one candidate;
4. applications shall be examined by the Supreme Constitutional Court; and should be ruled on within 5 days of the deadline for application.

2. If the conditions required for candidacy were met by only one candidate during the period set for applying, the Speaker of the People's Assembly decides on the postponement of the elections of the President of the Republic and calls for fresh nominations according to the same conditions.

## Article 52

1. The Supreme Constitutional Court has the jurisdiction to examine the challenges to the election of the President of the Republic.
2. The challenges shall be made by the candidate within 3 days of announcing the results; and the court makes a final ruling on them within 7 days after the deadline for making the challenges.

## Article 53

Before assuming his duties the President of the Republic shall be sworn in before the People's Assembly and the Constituent Assembly by saying the constitutional oath mentioned in Article 17 of the Constitution.

## Article 54

The allocations required for the office of the President of the Republic shall be set out in the budget.

## Article 55

1. The President of the Republic is the guarantor of the independence, unity and territorial integrity of the country.



2. The President of the Republic shall enforce the Constitution, ensure continuous operation of public authorities, and protect the constitutional order, national sovereignty and territorial integrity.
3. The President of the Republic shall act as an intermediary for the state authorities, and between the state and the society. To resolve disputes between the state bodies, the President has the right to use conciliatory procedures.
4. The President of the Republic represents Syria in international relations.
5. The President of the Republic shall decide on issues of citizenship and granting of political asylum, award state medals and honors, confer supreme military ranks and supreme special titles; and grant pardon.

## Article 56

The President of the Republic has the right to address letters to the People's Assembly and the Constituent Assembly, as well as make statements before them.

## Article 57

The President of the Republic issues decrees, edicts and instructions in accordance with the Constitution and the law.

## Article 58

1. The President of the Republic shall conclude international treaties on behalf of Syria and refer them to the People's Assembly for ratification.
2. Upon proposal from the government, the President shall appoint and recall diplomatic representatives of Syria, and approves the establishment and abolition of or change of status for diplomatic missions.
3. The President accepts credentials and letters of recall of accredited heads of foreign diplomatic missions.

## Article 59

The President of the Republic might call for a referendum on important issues which affect the higher interests of the country. The result of the referendum shall be binding and come into force as of the date of its announcement by the President of the Republic.

## Article 60

1. The President of the Republic is the Commander in Chief of the army and armed forces; and he issues all the decisions necessary to exercise this authority.
2. In the event of aggression or threat of aggression against Syria, the President of the Republic shall:
  1. take measures to repel the aggression and immediately notify the People's Assembly and the Constituent Assembly of such measures in an address. In case the People's Assembly and the Constituent Assembly are not in session, they are to be summoned within 24 hours after the beginning of the aggression;
  2. declare mobilization and within 3 days of such declaration ask the Constituent Assembly to approve it.

- Emergency provisions

3. In the event of aggression or threat of aggression against Syria, or threats to the security of the state, the President shall have the right to declare the state of emergency in the territory of the country or in its certain parts with prior approval from the Constituent Assembly. In exceptional cases the decision of the President of the Republic is sent for approval to the Constituent Assembly within a day after making such a decision. When the state of emergency is in effect, the People's Assembly, the Constituent Assembly and the President of the Republic shall continue to exercise their authority. Besides, the no-confidence vote cannot be made to the government.

- Head of state removal

## Article 61

1. The President of the Republic may be removed from office by the Constituent Assembly only after the People's Assembly brings against him charges of high treason or another grave crime, and the legality of such charges and of the procedure for bringing them up have been confirmed in the Supreme Constitutional Court's resolution.
2. The decision of the People's Assembly to bring up charges and the decision of the Constituent Assembly to remove the President from office must be made by two thirds of all the votes of the members of each Assembly following the initiative from at least one third of the members of the People's Assembly.
3. The decision of the Constituent Assembly to remove the President of the Republic must be adopted not later than ninety days after the People's Assembly brings up the charges against the President. If within this period the Constituent Assembly fails to adopt such a decision, the charges against the President shall be regarded as rejected.

## Article 62

- Head of state replacement

1. If the office of the President of the Republic becomes vacant or if he is permanently incapacitated, the Prime Minister assumes the President's duties for a period of no more than 90 days of the President of the Republic's office becoming vacant or his permanent incapacitation. When the Prime Minister is unable to perform such duties, the functions of the President are delegated to the Speaker of the Constituent Assembly. Within the stated period of time new presidential elections shall be held.
2. In case of resignation, the President of the Republic shall inform the People's Assembly and the Constituent Assembly about it.

## Article 63

- Establishment of cabinet/ministers

- Powers of cabinet

- Cabinet removal

1. The Government is the highest executive body. It consists of the Prime Minister, his deputies and ministers. The government shall control the implementation of laws and development plans, and the work of state bodies.
2. The Government shall be responsible before the President of the Republic, the People's Assembly and the Constituent Assembly.
3. The President of the Republic determines the general directions of the Government activities. He has the right to summon the Government for a meeting, to preside at the government meetings, to request reports from the Prime Minister, his deputies and ministers.
4. The Prime Minister manages the Government, coordinates and controls the work of his deputies and ministers, speaks on behalf of the Government.

- Name/structure of executive(s)

## Article 64

1. The President of the Republic appoints the Prime Minister, his deputies and ministers, accepts their resignations and dismisses them.
2. The President shall appoint deputies to the Prime Minister and ministers based on the proportionate representation of all ethnic and religious groups of the Syrian population; some positions shall be reserved for national and religious minorities. Regarding these issues the President of the Republic has the right to hold consultations with the members of the People's Assembly and the Constituent Assembly.

## Article 65

The Prime Minister, his deputies and ministers are sworn in before the President of the Republic by saying the constitutional oath stated in Article 17 of the Constitution.

## Article 66

1. Within thirty days after the formation of the Government, the Prime Minister shall submit the program of actions to the People's Assembly and to the Constituent Assembly for discussion at a joint session.
2. Members of the People's Assembly and the Constituent Assembly have the right to send inquiries to the Government, the Prime Minister, his deputies and ministers according to the assembly's rules of procedure.

## Article 67

The mandate of the Government is as follows:

1. it guides the work of ministries and other public bodies;
2. it drafts the state budget;
3. it drafts laws;
4. it draws executive plans of the Government;
5. it concludes loans agreements, provides state guarantees and credits in accordance with the budget;
6. it concludes international treaties and agreements granting privileges to foreign companies, international treaties and agreements entailing additional expenses not included in the budget, or contracts and agreements related to loans, or those that require new legislation to become effective;
7. it oversees implementation of the laws, protecting the interests and security of the state, the rights and freedoms of the population;
8. it makes administrative decisions in accordance with the law and overseeing their implementation;

9. it appoints and dismisses civil servants and servicemen in accordance with the law.

## Article 68

1. The Government issues decisions and regulations.
2. Decisions are issued in the furtherance of the laws.
3. Regulations shall be based on a law giving the Government authority to issue such a regulation.

## Article 69

1. The Prime Minister, his deputies and ministers are forbidden from being on the boards of private companies or from representing such companies, as well as from engaging in direct and indirect commercial activities and private entrepreneurship.
2. The law shall state what responsibilities shall be imposed on the Prime Minister, his deputies and ministers to prevent and resolve a conflict of interest.

## Article 70

The People's Assembly, the Constituent Assembly and the President of the Republic have the right to call for criminal prosecution of the Prime Minister, his deputies and ministers for acts committed by them while exercising authority. Bringing a member of the government before the court leads to his suspension from his office.

## Article 71

1. The government shall resign in the following cases:
  1. upon expiration of the term of office of the President of the Republic;
  2. in case of a vote of no confidence;
2. The government shall continue its work until a new government is formed.

## Article 72

1. The People's Assembly and the Constituent Assembly may obtain a no confidence vote in the Government at a joint session by a majority of votes of all the members of the People's Assembly and the Constituent Assembly.
2. The no confidence vote may be initiated by no less than one third of all the members of the People's Assembly or by no less than one third of all the members of the Constituent Assembly. The government shall be informed of the vote on the day of such proposal.
3. The no confidence vote is submitted for discussion three days after the initial proposal at a joint session of the People's Assembly and the Constituent Assembly.
4. If the no confidence vote is rejected, the members of the People's Assembly or the members of the Constituent Assembly who initiated the vote cannot initiate a new no confidence vote during the term of the People's Assembly.

- Cabinet removal
- Head of government removal

- Cabinet removal
- Head of government removal

- Cabinet removal
- Head of government removal
- Joint meetings of legislative chambers

- Limits on removing head of government

## Chapter 4: The Judicial Authority

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### Article 73

1. Judges are independent and there is no authority over them except that of the constitution and law.
2. The judges' honor, conscience and impartiality constitute the guarantees for people's rights and freedoms.
3. Judicial rulings are made in the name of the people of Syria.

### Article 74

1. The judicial system and courts' powers are defined by law.
2. The law states the conditions for appointing judges, promoting, transferring, disciplining and dismissing them.

### Article 75

The Attorney General's Office is the single judicial institution headed by the Minister of Justice. The law regulates its function and mandate.

### Article 76

The State's Council is in charge of Administrative Judiciary. It is an independent judicial and advisory body. The law states its mandate and the status of The State's Council members.

### Article 77

1. The Supreme Constitutional Court is an independent judicial body based in Damascus.
2. The Supreme Constitutional Court consists of at least seven judges, appointed by the Constituent Assembly.
3. In addition to the public offices stated by the Constitution, the law may indicate other positions and offices that are incompatible with the position of a judge on the Supreme Constitutional Court.
4. The term in office of a Supreme Constitutional Court judge shall be four years and renewable.
5. Judges of the Supreme Constitutional Court cannot be dismissed except when the law allows it.
6. President and members of the Supreme Constitutional Court before they assume office shall be sworn in before the People's Assembly and the Constituent Assembly by saying "I swear to respect the Constitution and the laws of the country and to carry out my duties with integrity and impartiality."

### Article 78

1. The mandate of the Supreme Constitutional Court is as follows:
  1. Control over the constitutionality of laws, decrees, bylaws and regulations of public authorities.

2. Expressing opinion, upon the request of the President of the Republic, on the constitutionality of draft laws and the legality of draft decrees.
  3. Overseeing the election of the President of the Republic and organizing the relevant procedure.
  4. Considering challenges against the election of the President of the Republic and ruling on these challenges.
  5. Trying the President of the Republic who was removed from the office after committing high treason or another grave crime.
2. The law shall specify other authority of the Supreme Constitutional Court and the process for considering and ruling on the issues under the mandate of the Supreme Constitutional Court, and the status of judges on the Supreme Constitutional Court.

## Article 79

The Supreme Constitutional Court shall not consider the constitutionality of laws put to a referendum that have received the approval of the people.

## Chapter 5: Amending the Constitution

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### Article 80

1. A proposal for amending the Constitution can be submitted to the People's Assembly by at least a third of the members of the People's Assembly, or by at least a third of the members of the Constituent Assembly, or by the President of the Republic.
2. To be considered final, the proposal for amending the Constitution must be approved by a three quarters majority of the People's Assembly, endorsed by a three quarters majority of the Constituent Assembly, then signed by the President of the Republic and promulgated.
3. If the proposal for amending the Constitution is not endorsed by the Constituent Assembly, such proposal shall be withdrawn and not considered further.

## Chapter 6: Concluding and Transitional Provisions

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### Article 81

Laws and other legal acts passed before this Constitution comes into force shall apply until amended in accordance with the Constitution. The respective amendments shall be made within no longer than one year from the date the Constitution comes into force.

- Head of state term length
- Head of state term limits

## Article 82

The term in office of the current President of the Republic shall be 7 years from the swearing-in date. He has the right to run again for President of the Republic. The President's term in office as stated in this Constitution shall apply to him as of the next presidential elections.

## Article 83

Elections for the first People's Assembly under this Constitution shall be held after the term of the previous People's Assembly expires.

## Article 84

The Constituent Assembly shall be formed within no more than one year from the date the Constitution comes into force.

## Article 85

The Constitution shall come into force on the day of its promulgation after the referendum.

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