



DEST BI DSET

15 March 2025

STATEMENT OF REJECTION OF THE NEW SYRIA CONSTITUTIONAL DECLARATION

While Syrians were looking forward to the birth of a new constitution reflecting their aspirations for freedom, justice, and democracy, the committee tasked with drafting the constitution has produced a disappointing draft that resembles a document aimed at "recycling authoritarianism." Instead of working on writing a new era for the country that assures Syrians of the demise of authoritarian and totalitarian thinking, and establishing the foundations for a modern civil state, it has reproduced the central system under a new facade, maintaining absolute powers for the president and marginalizing the demands of wide segments of Syrian society.

It is clear to everyone that the Syrian people, after years of sacrifices and suffering, need a constitution that guarantees a genuine transition to democracy, rather than texts that simply repackage authoritarianism with some elegant phrases about "freedoms" and "the separation of powers," while the reality is that this draft offers only a constitutional formula for the continuation of individual rule and the dominance of the executive authority over all facets of the state.

Therefore, based on a careful study of the draft's articles, we, the organizations signed below, announce our firm rejection of this draft for the following reasons:

- **Concentration of Executive Power and Lack of Balance Between Authorities:** Granting the President of the Republic all executive powers and eliminating the position of Prime Minister represents a serious breach of the principle of separation of powers, leading to an excessive concentration of power in the hands of one individual without any real mechanism for oversight and accountability. Assigning all executive authority to the President, without the existence of a parallel executive authority or a Prime Minister responsible to the parliament, contradicts established democratic principles and establishes an absolute individual rule.
- **Violation of the Independence of the Legislative Authority:** Retaining the President's power to appoint one-third of the members of the People's Assembly constitutes a grave breach of the principle of the independence of the legislative authority, allowing the president to control the composition of the assembly, which turns it from an elected body representing the will of the people into an institution subject to the oversight of the executive authority, contradicting the concept of the parliament as an independent legislative and oversight body.

- **Exclusion of Ethnic and Cultural Pluralism in Defining the State:** The insistence on naming the state as “the Syrian Arab Republic” without considering the other ethnic components constitutes a violation of equal citizenship rights and ignores the cultural and linguistic diversity of Syria, which includes Arabs, Kurds, Syrians, Assyrians, Circassians, Armenians, Turkmen, and others. The definition of the state must be neutral and inclusive of all its citizens, reflecting its pluralistic reality and not excluding any group from the components of Syrian society.
- **Lack of Effective Guarantees for Public Freedoms and Human Rights:** Although the draft includes texts on freedom of opinion and expression, the press, and human rights, the absence of clear oversight and legal mechanisms to ensure respect for these rights makes them vulnerable to selective interpretations by the authorities. Any democratic constitution must include legal and executive guarantees preventing any violation of these freedoms, especially in light of past experiences that witnessed serious violations under the pretext of maintaining security and stability.
- **Absence of Secularism and Bias of Legislation Towards Religion:** The affirmation in the draft that Islamic jurisprudence is the primary source of legislation contradicts the principle of state secularism and establishes a non-neutral legal system that may lead to legal discrimination based on religion and belief, threatening the principle of equal citizenship and undermining the foundations of social justice. A modern state must be a civil state that separates religion from legislation and politics, ensuring that laws are derived from universal human rights principles rather than religious interpretations that may be subject to different understandings. Moreover, the neutrality of the state towards religions guarantees the protection of the rights of all citizens regardless of their beliefs and prevents the exploitation of religion in legislation, judiciary, and politics.
- **Ambiguity Regarding the Transitional Phase and Lack of Democratic Guarantees:** The specification of the transitional phase to five years without clear mechanisms to ensure free and fair elections under international supervision and complete independence constitutes an open mandate for the president to control the future of the country without any real accountability. Any transitional phase should have clear objectives and mechanisms and ensure a transparent and fair democratic transition involving all political and civil forces.
- **Rejection of Gender Equality and Exclusion of Women's Rights:** The absence of clear and explicit texts in the draft constitution guaranteeing equal rights and duties for women and men without any discrimination constitutes a gross violation of the principles of justice and equal citizenship. It reproduces the discriminatory legal system that entrenches gender gaps in Syrian society. Any modern democratic constitution must explicitly provide for gender equality in all areas without exception, ensuring that women have equal rights in work, political participation, holding public office, inheritance, marriage, and all civil and social rights. It should require the state to take measures to

guarantee these rights rather than leaving them vulnerable to interpretations that may reproduce existing discriminatory laws.

Based on the above, we demand the following:

- Halting unilateral mechanisms for ratifying and deciding the future of the country, and thus, the constitution must be re-drafted with genuine participation from all political and societal forces, ensuring that it reflects the will of Syrians from various segments and not just the will of the ruling authority.
- Syria is not a purely national state, but a homeland of multiple cultures and identities, encompassing Arabs, Kurds, Syriacs, Assyrians, Armenians, Turkmen, and others, which necessitates redefining national identity on the basis of equal citizenship, ensuring all Syrians are equal in rights and duties without discrimination based on race, religion, or language.
- Establishing a democratic governance system that ensures a genuine balance and separation between executive, legislative, and judicial authorities, preventing power concentration in the hands of one person.
- Guaranteeing the neutrality of the constitution regarding religions and recognizing citizenship as the basis for rights and duties, ensuring that the constitution serves as a comprehensive social contract, not directed to the benefit of one group at the expense of another.
- A constitutional text explicitly guaranteeing gender equality in all fields without exception.
- Ensuring public freedoms through clear executive and legal mechanisms preventing the authority from circumventing or suppressing them under various pretexts.
- Conducting free and fair elections under international supervision to ensure fair representation for all Syrians, including displaced persons and refugees.

The Syrians have suffered enough from constitutions tailored to fit the rulers. It is time for a constitution that reflects the will of the people, not the authority's will. Passing such a draft would only mean recycling authoritarianism, which Syrians will not accept after paying a heavy price for democracy, freedom, and justice. Therefore, we reaffirm our complete rejection of this draft and call on all Syrians, individuals and organizations, to confront it and demand a true constitution that serves as a gateway to a comprehensive and just political solution.

THIS STATEMENT IS ISSUED BY THE “HAND IN HAND’ INITIATIVE

- Analysis and Strategic Study Organization
- Aras
- ASHNA for Development
- Aso News Network
- Bader Organization for Community Development
- Center for research and protection of women's rights
- Civil Dialogue Team
- Comite of Disblaset people of serêkaniyê
- DAR Association for Victims of Forced Displacement
- DeFacto Platform for dialogue
- DemoS
- Dengê Fêmînîsten Kurd
- DOZ
- Euphrates NGO
- Horî Organization for Human Rights
- Human Rights Organization Afrin - Syria
- Humanitarian and Development Cooperation
- Jho
- Jiyan foundation for human rights
- Kobani for Relief and Development
- Kurdish Center for Studies
- Kurdish Committee for Human rights -Observer
- Small dreams group
- Lelun Association for victims
- Life Step Environmental association
- Ashti Center for Building Peace
- Lights For Development and Construction
- Accountability Advocates Organization
- Network democracy woman
- North press agency
- Nûdem pour Médias et devloppement
- PEACE SHE LEADER NETWORK
- Rê Cultural Foundation
- RojKar organization
- Rose for Support and Empowerment
- Reng for development
- SCSD
- Shar for Development
- Share for Community Development
- Shaushka Women's Association
- Slav Organization for Civil Activities
- TEVIN
- VON FM
- Taa Marbouta
- White Human Organization
- Zameen for development and peacebuilding