

# Constitution of the Syrian Arab Republic

## Chapter II: The Rule of Law

### Article 50

The rule of law shall be the basis of governance in the state.

### Article 51

1. Punishment shall be personal; no crime and no punishment except by a law;
2. Every defendant shall be presumed innocent until convicted by a final court ruling in a fair trial;
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. Any provision of the law shall prohibit the immunity of any act or administrative decision from judicial review.

### Article 52

Provisions of the laws shall only apply to the date of its commencement and shall not have a retroactive effect, and it may apply otherwise in matters other than criminal.

### Article 53

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 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 in front of the administrative authority except by an order of the competent judicial authority;
4. Every person sentenced by a final ruling, 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 54

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 punishable crime by the law.

# Title III: State Authorities

## Chapter I: Legislative Authority

### Article 55

The legislative authority of the state shall be assumed by the People's Assembly in accordance with the manner prescribed in the Constitution.

### Article 56

The People's Assembly term shall be for four calendar years from the date of its first meeting and it may not be extended except in case of war by a law.

### Article 57

Members of the People's Assembly shall be elected by the public, secret, direct and equal vote in accordance with the provisions of the Election Law.

### Article 58

A member of the People's Assembly shall represent the whole people, and his/her commission may not be defined by a restriction or condition, and shall exercise duties under the guidance of his/hers honor and conscience.

### Article 59

Voters shall be the citizens who have completed eighteen years of age and met the conditions stipulated in the Election Law.

### Article 60

1. The system of electing members of the People's Assembly, their number and the conditions to be met by the candidates shall be determined by a law;
2. Half of the members of the People's Assembly at least shall be of the workers and farmers, and the law shall state the definition of the worker and the farmer.

### Article 61

The Election Law shall include the provisions that ensure:

1. The freedom of voters to choose their representatives and the safety and integrity of the electoral procedures;
2. The right of candidates to supervise the electoral process;
3. Punishing those who abuse the will of the voters;
4. Identifying the regulations of financing election campaigns;
5. Organizing the election campaign and the use of media outlets.

### Article 62

1. Elections shall be held during the sixty days preceding the expiry date of the mandate of the People's Assembly term;

2. The People's Assembly shall continue its meetings if no other Assembly is elected and it shall remain in place until a new Assembly is elected.

#### Article 63

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 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, and the Election Law shall determine the cases of vacant membership.

#### Article 64

1. The People's Assembly shall be called to convene by a decree issued by the President of the Republic within fifteen days from the expiry date of the mandate of the existing Assembly or from the date of announcing the election results in case of not having such an Assembly. The People's Assembly shall be definitely convened on the sixteenth day if the call-to-convene decree is not issued;

2. The Assembly shall elect, at its first meeting, its speaker and members who shall be annually re-elected.

#### Article 65

1. The 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 Assembly may be invited to extraordinary sessions upon the request of the Speaker, one third of the members of the Assembly or the Assembly's office;

3. The last legislative session of the year shall remain open until the approval of the state budget.

#### Article 66

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 decide its final judgments within seven days from the expiry date of submitting appeals.

#### Article 67

Members of the People's Assembly shall swear-in the constitutional oath mentioned in Article 7 of the Constitution.

#### Article 68

The emoluments and compensations of members of the People's Assembly shall be determined by a law.

#### Article 69

The People's Assembly shall put its rules of procedure to regulate the manner of working in it and the way of exercising its functions, and define terms of reference of the Assembly' office.

#### Article 70

Members of the People's Assembly shall not be questioned in a civil or criminal manner because of events or opinions they express or during a vote in public or private meetings and during the work of the committees.

#### Article 71

Members of the People's Assembly shall enjoy immunity for the mandate duration of the Assembly. Criminal proceedings against any member of them shall be taken after having a prior permission from the Assembly unless caught in the act. In non-session cases, permission shall be taken from the Assembly's office, and the Assembly shall be notified by any action taken at its first meeting.

#### Article 72

1. No member may take advantage of membership in any business;
2. The law shall specify the business which may not be combined with the membership in the Assembly.

#### Article 73

1. The speaker of the People's Assembly shall represent the Assembly, sign and speak on its behalf;
2. The People's Assembly shall have special guards under the authority of the Speaker of the Assembly; and no armed force may enter the Assembly without the permission of its Speaker.

#### Article 74

Members of the People's Assembly shall exercise the right of proposing laws and directing questions and inquiries to the cabinet or a minister in accordance with the rules of procedure of the Assembly.

#### Article 75

The People's Assembly undertakes the following functions:

1. Approval of laws;
2. Discussing the statement of the cabinet;
3. Perform a vote of no-confidence in the cabinet or a minister;
4. Approval of the general budget and final accounts;
5. Approval of development plans;

6. Approval of international treaties and conventions related to the safety of the state, including treaties of peace, alliance and all treaties related to the rights of sovereignty or conventions which grant privileges to foreign companies or institutions as well as treaties and conventions entailing additional expenses not included in its budget; or treaties and conventions related to loans' contract or that are contrary to the provisions of the laws in force and requires new legislation which should come into force;

7. Approval of a general amnesty;

8. Accepting or rejecting the resignation of one of the members of the Assembly.

#### Article 76

1. The Prime Minister shall present the cabinet's statement within thirty days from the date of its formation to the People's Assembly for discussion;

2. The cabinet shall be responsible for the implementation of its statement before the People's Assembly;

3. If the Assembly is not in a regular session, it shall be invited to convene an extraordinary session.

#### Article 77

1. A vote of no-confidence can only be conducted after the cabinet or one of its ministers is questioned in the Assembly; a vote of no-confidence should be upon a proposal made by at least a fifth of the members of the People's Assembly and it must be obtained with a majority of the members;

2. If a vote of no-confidence is obtained, the Prime Minister shall submit the cabinet's resignation to the President, so should the minister who got a vote of no-confidence.

#### Article 78

The Assembly might form temporary committees from among its members to collect information and find facts on the issues related to exercising its authorities.

#### Article 79

1. For every fiscal year there shall be one budget; and the beginning of fiscal year shall be determined by a law;

2. The law states the method of preparing the state's general budget;

3. The draft budget should be presented to the people's Assembly at least two months before the beginning of the fiscal year.

#### Article 80

1. The Assembly votes on the budget title by title; and the budget shall not enter into force unless approved by the Assembly;

2. If the Assembly did not complete the process of approving the budget until 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;

3. Appropriations cannot be transferred from one title to another except according to the provisions of the law;

4. The Assembly might not increase the estimates of total revenues or expenditures while examining the budget.

#### Article 81

The people's Assembly might, after approving the budget, approve laws which could create new expenditures and new revenues to cover them.

#### Article 82

The final accounts of the fiscal year shall be presented to the People's Assembly within a period not longer than one year as of the end of this year. The final account is done by a law; and the same procedures in approving the budget apply to the final account period.