



SYRIA

Syrian Election Profile: Legal Regulatory Framework



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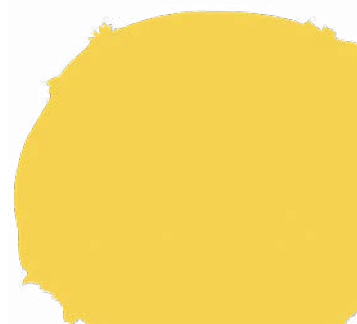
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Law No. /5/ of 2014

General Elections Law

Syrian Arab Republic

Law No. /5/

The President of the Republic,

Based on the provisions of the Constitution, and

Based on the matters approved by the People's Assembly in its session held on 16
Jumada al-Awwal 1435 A.H. (17 March A.D. 2014).

Hereby promulgates the following:

Chapter I

Definitions, objectives and electoral rights

Article 1

For the purpose of the implementation of this Law, the following terms shall have the following meanings:

“Law” means the Law on General Elections.

“Election” means the exercise by an Elector of their right to vote for a President of the Republic and to elect representatives in the People’s Assembly and Local Administrative Councils.

“Referendum” means the process by which Electors are asked to express their opinion on an issue of supreme national interest pursuant to Article /116/ of the Constitution.

“Higher Committee” means the Higher Judicial Committee for Elections.

“Subcommittee” means a judicial committee working under the supervision of the Higher Judicial Committee for Elections.

“Nomination Committee” means a judicial committee that decides on the legality of Candidate applications.

“Electoral Committee” means a committee that directs Elections at a Polling Station.

“Polling Station” means a place where Electors exercise their voting rights by choosing their representatives or expressing their opinion in a Referendum, and where an Electoral Committee carries out its functions.

“Electoral District” means a geographical area comprising Electors for which a certain number of seats is allocated.

“Administrative Head” means a governor, district governor, or sub-district governor.

“Elector” means any citizen who enjoys electoral rights.

“Voter” means any Elector who exercises the right to vote or the right to take part in Referendum.

“Candidate” means any citizen who wishes to nominate themselves for presidency or for membership in the People’s Assembly or in Local Administrative Councils.

“Voting Domicile” means an Elector’s or Candidate’s place of civil records.

“Worker” means any person who works in the public, private, or joint sector in consideration of remuneration or is affiliated to a labour union, and who has no commercial or industrial register.

“Farmer” means any person who works the land, whether individually or jointly with others, or who is a member of the farmers union and for whom livestock and crop farming constitute a main source of livelihood, provided that said person have no commercial or industrial register save for agricultural production.

Article 2

The objectives of the present Law are to:

- (a) Regulate the Election of the President of the Republic.
- (b) Regulate the Election of members of the People’s Assembly.
- (c) Regulate the Election of members of Local Administrative Councils.
- (d) Regulate Referendums.
- (e) Ensure the right of Electors to freely choose their representatives, guarantee electoral integrity and the validity of electoral processes, ensure the right of Candidates to monitor Elections, and punish any person who voluntarily tampers therewith.
- (f) Establish controls for the funding and organisation of the electoral process.
- (g) Regulate electioneering.

Article 3

- (a) It shall be the right and duty of every citizen who fulfils the conditions stipulated hereby, to participate in Elections and Referendums, regardless of said citizen’s religion or political opinion or affiliation.
- (b) The right to vote and take part in Referendum shall be exercised freely and individually, by universal, direct and equal suffrage and by secret ballot. Said right may not be exercised by proxy.

Article 4

Every citizen who has attained the age of eighteen years shall have the right to vote and take part in Referendum, except for those citizens who have been disqualified from or deprived of said right under the provisions of this Law.

Article 5

The following persons shall be disqualified from the right to vote and take part in Referendum:

- (a) Interdicts throughout interdiction.
- (b) Persons suffering from a mental illness affecting their capacity, all through their illness.
- (c) Persons convicted of a felony, an infamous misdemeanour or a misdemeanour breaking public confidence by virtue of a final judgment, save where said persons' record has been cleared by law. Infamous misdemeanours and misdemeanours breaking public confidence shall be specified by a decision of the Justice Minister.

Article 6

Military personnel and members of the Internal Security Forces shall be deprived, all through their service, from the right to vote and to stand for Elections to the People's Assembly or to Local Administrative Councils.

Article 7

An Elector who, by reason of blindness or any other disability, is unable to record their opinion on the ballot paper by themselves, may either entrust the person accompanying them before the Electoral Committee with writing down such Elector's opinion on the ballot paper, or express their opinion orally in such manner as to be heard by the members of the Electoral Committee. In both cases, the Chair of the Electoral Committee shall record such delegation in the procès-verbal.

Chapter II

The Higher Judicial Committee for Elections and its committees

Article 8

- (a) There shall be established a judicial committee called the Higher Judicial Committee for Elections, based in Damascus, that shall direct Elections and Referendums, fully oversee the Election of members to the People's Assembly and Local Administrative Councils, and take all necessary measures to guarantee free Elections, ensure the validity of Elections, and guarantee electoral integrity. In exercising its functions, said Committee shall be independent from any other party.
- (b) The Higher Committee shall be composed of seven members nominated by the Supreme Judicial Council from among the consulting judges of the Court of Cassation, and seven other such members as backup. Said Committee, as well as its members' emoluments, shall be established by decree.
- (c) Members of the Higher Committee may not be removed. In the event that the office of any member thereof becomes vacant for any reason whatsoever, the longest-serving judge from among the backup judges shall fill such vacancy.
- (d) The Higher Committee exercises its functions and competence impartially, transparently and with full independence. No party may interfere with the affairs and functions thereof nor limit the powers thereof.

Article 9

- (a) Members of the Higher Committee shall serve for a non-renewable term of four years from the date the decree establishing said Committee is issued.
- (b) The Higher Committee shall be presided over by the longest-serving judge from among the members thereof. Meetings shall be summoned by such President, and a majority of the members shall be present to constitute a quorum. All members of the Committee enjoy equal rights as regards deliberation and voting, and decisions are made by a majority of the members present. In case of an equality of votes, the person presiding the meeting shall have the casting vote.
- (c) In the absence of the President of the Higher Judicial Committee for Elections, the longest-serving member thereof shall act in their stead.

- (d) Any and all decisions issued by the Higher Committee shall be implemented by all ministries, public authorities and other bodies whose functions are related to Elections.
- (e) For the purpose of carrying out its functions, the Higher Committee has the right to seek assistance from such experts as it deems appropriate.

Article 10

The functions of the Higher Committee shall be:

- (a) To ensure the proper implementation of the provisions of this Law.
- (b) To direct presidential Elections under the supervision of the Supreme Constitutional Court.
- (c) To fully oversee the Election of members of the People's Assembly and Local Administrative Councils and to organize all requisite measures in order to guarantee free, valid and transparent Elections, electoral integrity, and Election monitoring.
- (d) To fully oversee the Referendum process and organize all procedures pertaining thereto.
- (e) To nominate Subcommittee members, specify the seats of Subcommittees, and oversee the work thereof.
- (f) To nominate the members of Nomination Committees for People's Assembly and Local Administrative Council Elections, specify the seats of said Committees, and oversee the work thereof.
- (g) To exercise overall supervision of the calculation of Election results.
- (h) To announce the final results of People's Assembly Elections.

Article 11

- (a) A tripartite judicial Subcommittee shall be formed by a decision of the Higher Committee, in every governorate, before each Election or Referendum. Such Subcommittee shall comprise three appellate court judges, of whom the longest-serving judge shall preside thereover. Multiple Subcommittees may be formed within the same governorate.
- (b) The decision forming a Subcommittee shall also include the nomination of three appellate court judges as backup judges, any of whom shall act in the stead of an absent Subcommittee member.
- (c) The Higher Committee shall determine the emoluments of Subcommittee members.
- (d) Subcommittees shall abide by the decisions of the Higher Committee, exercise their functions under the supervision thereof, and obey the instructions thereof.
- (e) For the purpose of carrying out its functions, a Subcommittee has the right to seek assistance from such experts as it deems appropriate.

Article 12

The functions of a Subcommittee shall be:

- (a) To determine the Polling Stations in coordination with the Administrative Head, at least seven days prior to the day of an Election or Referendum.
- (b) To directly oversee the work of Nomination Committees for People's Assembly and Local Administrative Council Elections, as well as the work of Electoral Committees.
- (c) To accept withdrawals of candidature from People's Assembly and Local Administrative Council Elections.
- (d) To issue certified documents allowing Candidate agents to monitor and observe the electoral process.
- (e) To oversee the calculation of results received from Polling Stations in the Electoral Districts within the Subcommittee's jurisdiction.
- (f) To decide on appeals submitted thereto against decisions issued by Nomination Committees and Electoral Committees.
- (g) A Subcommittee may – where need be – cancel or move a Polling Station and hold Elections again for this Station in a place determined by the Subcommittee.
- (h) To oversee recount for ballot boxes against which objection is raised, in the presence of any Candidates, Candidate agents or media wishing to attend, and to draw up a procès-verbal of such recount.
- (i) To announce the final results of Local Administrative Council Elections.

Article 13

- (a) A tripartite judicial Nomination Committee shall be formed for People's Assembly and Local Administrative Council Elections, in every Electoral District, by a decision of the Higher Committee. Such Nomination Committee shall comprise three first instance court judges of whom the longest-serving judge shall preside thereover. Multiple Nomination Committees may be formed within the same Electoral District.
- (b) A tripartite judicial Nomination Committee shall be formed for Local Administrative Council Elections, in every governorate, by a decision of the Higher Committee. Such Nomination Committee shall comprise three first instance court judges of whom the longest-serving judge shall preside thereover. Multiple Nomination Committees may be formed within the same governorate.
- (c) The decision forming a Nomination Committee shall also include the nomination of three first instance court judges as backup judges, any of whom shall act in the stead of an absent member of the Nomination Committee.
- (d) The Higher Committee shall determine the emoluments of Nomination Committee members.
- (e) Nomination Committees shall abide by the decisions of the Higher Committee and of Subcommittees and shall exercise their functions under the supervision thereof.

Article 14

The functions of a Nomination Committee for People's Assembly and Local Administrative Council Elections shall be:

- (a) To examine the legality of Candidate applications and decide on every application within a maximum period of five days from the date of registration thereof. Candidate applications that are not decided within said period are deemed accepted.
- (b) To verify which sector a Candidate belongs to.
- (c) To announce the names of the accepted Candidates in alphabetical order, for every sector separately, at the Nomination Committee's seat.

Article 15

- (a) An Electoral Committee comprising three civil servants shall be formed by a decision of the governor in every Polling Station and shall be entrusted with the management thereof. The Chair of the Electoral Committee is named in the decision forming said Committee.
- (b) Members of an Electoral Committee shall, prior to commencing their duties, take the following oath before the Subcommittee Chair in such Chair's Electoral District:

"I swear by Almighty God that I will discharge my duties honestly, conscientiously, faithfully and impartially".
- (c) Where a member of an Electoral Committee is absent, the Chair thereof shall appoint a replacement from the Electors present after such replacement takes, before said Chair, the oath provided for in the second paragraph of this Article.
- (d) In the event that the Chair or all three members of an Electoral Committee are absent, the Administrative Head in the relevant Polling Station shall appoint a new Chair or a new Committee, and the members thereof shall take, before said Administrative Head, the oath provided for in the second paragraph of this Article.

Article 16

The functions of an Electoral Committee shall be:

- (a) To direct the voting process at the Polling Station.
- (b) To record the names of Voters and verify their identities.
- (c) To count the votes in the Polling Station and announce the results of such count.
- (d) To draw up and submit to the Subcommittee procès-verbaux of the Elections.
- (e) To allow Candidates or Candidate agents to monitor the voting process and the counting of votes, to hear their remarks and objections, and to record the same in a special procès-verbal.
- (f) To enable the media and the press to monitor the voting process and the counting of votes.

- (g) To decide on objections submitted thereto during the course of the Elections and the counting of votes. The Electoral Committee's decisions on such matters shall be recorded in the special procès-verbal and shall be subject to appeal before the Subcommittee, who shall issue a final decision in this regard.

Article 17

The Chair of an Electoral Committee shall enjoy the capacity of law enforcement officers over the course of Elections. Said Chair shall maintain public order in the Polling Station and take all necessary measures to ensure Electors' freedom to exercise their voting rights. Said Chair may, where need be, seek assistance from the Internal Security Forces.

Chapter III

Electoral Districts and seat distribution

Article 18

The territory of the Syrian Arab Republic shall be considered as one Electoral District for the purpose of:

1. Presidential Elections.
2. Referendums.

Article 19

People's Assembly Elections shall be carried out by Electoral District. The number of Candidates elected in each Electoral District shall be equal to the number of seats allocated for this District.

Article 20

For the Election of a governorate's representatives as members of the People's Assembly, every governorate shall constitute one Electoral District, save for the Aleppo Governorate which shall comprise two Electoral Districts as follows:

1. The city of Aleppo shall constitute one Electoral District.
2. The districts of the Aleppo Governorate shall constitute together another Electoral District.

Article 21

The People's Assembly consists of two hundred and fifty (250) members.

Article 22

The People's Assembly shall include representatives of the following sectors:

- (a) Workers and Farmers.
- (b) All other population segments.
- (c) Representatives of Sector A shall occupy at least fifty per cent (50%) of the total number of seats in the People's Assembly.

Article 23

- (a) The date of People's Assembly Elections shall be set by a decree issued ninety days prior to the expiry of the term of office of the existing People's Assembly.
- (b) Said decree shall specify the number of seats allocated to each of the sectors mentioned in Article /22/ hereinabove for every Electoral District.

Article 24

Local Administrative Councils shall include representatives of the following sectors:

- (a) Workers and Farmers.
- (b) All other population segments.

Representatives of the Sector A shall occupy at least fifty per cent (50%) of the total number of seats in Local Councils. However, said percentage is not required in the distribution of seats between both sectors within each Electoral District.

Article 25

- (a) The date of Local Administrative Council Elections shall be set by a decree issued within the sixty days preceding the expiry date of the existing Local Administrative Councils' term of office.
- (b) The number of seats allocated to each of the sectors mentioned in Article /24/ hereinabove shall be determined by a decision of the Local Administration Minister for every Electoral District.

Article 26

- (a) Local Administrative Council members shall be elected on the basis of Electoral Districts by the Electors of every District. The number of Candidates elected by each Electoral District shall be equal to the number of seats allocated to this District.
- (b) The number of Electoral Districts for Councils of governorates, governorate administrative centres, and cities with a population of more than one hundred thousand, shall be determined by a decision of the Local Administration Minister.
- (c) Other cities and administrative units shall each constitute a single Electoral District in the Election of its Local Council.
- (d) The number of members in Councils of governorates and other administrative units shall be determined by a decision of the Local Administration Minister pursuant to the percentages stipulated by the Law on Local Administration.
- (e) Seats shall be distributed among Electoral Districts consecrated for Councils of governorates and cities divided into Districts, by a decision of the governor.

Chapter IV

General Electoral Register

Article 27

Registration in the General Electoral Register is a fundamental right for and the individual responsibility of every citizen who meets the conditions required to exercise their voting rights pursuant to the provisions of the present Law. Any such citizen may request that their name be recorded in the Electoral Register and is entitled, where their name was not included therein, to verify that it is recorded.

Article 28

- (a) The General Electoral Register is prepared at the level of the Syrian Arab Republic by the Ministry of Interior in coordination with the Ministry of Justice, the Ministry of Local Administration and the Central Bureau of Statistics.
- (b) The General Electoral Register shall include the following information for every Elector:
 - (1) Full name.
 - (2) Mother's maiden name.
 - (3) Sex.
 - (4) Place and date of birth.
 - (5) Permanent place of residence.
 - (6) National number.
 - (7) Civil register number and place.
- (c) The General Electoral Register is reviewed once at the beginning of every year for additions, removals and modifications to be made. Said Register is also reviewed at least two months prior to any Election.

Article 29

The Higher Committee shall verify that the General Electoral Register is updated and reviewed at least two months prior to any electoral process.

Chapter V

Requirements and procedure for candidacy to the office of President of the Syrian Arab Republic

Article 30

A Candidate to the office of President of the Syrian Arab Republic must:

- (a) Be at least forty years old at the beginning of the year during which the Election takes place.
- (b) Be a natural-born citizen of the Syrian Arab Republic from parents who are both natural-born citizens of the Syrian Arab Republic.
- (c) Enjoy civil and political rights and must not have been convicted of any infamous crime, even where their record has been cleared.
- (d) Not be married to a non-Syrian.
- (e) Be permanently residing in the Syrian Arab Republic for no less than ten consecutive years at the time of submission of their Candidate application.
- (f) Not hold any nationality other than the Syrian nationality.
- (g) Not be disqualified from the right to vote.

Article 31

The President of the Syrian Arab Republic is elected directly by the people.

Article 32

- (a) The Speaker of the People's Assembly shall call for the Election of a President of the Republic no later than sixty days and no earlier than ninety days prior to the expiry of the serving President's term of office. Such call shall include the date of the Elections.
- (b) Any person applying for candidacy shall inform the People's Assembly of their wish to stand for Elections to the Presidency of the Syrian Arab Republic in order for members of the Assembly to each choose the Candidate they wish to endorse.

Article 33

The nomination period for the office of President of the Syrian Arab Republic shall begin on the day following the above-mentioned call for Elections.

Article 34

The Supreme Constitutional Court shall oversee the Election of the President of the Syrian Arab Republic and shall organize the procedure thereof as follows:

- (a) Within ten days from the day following the call for Election of a President of the Republic, Candidate applications are filed with the above-mentioned Court by the Candidate themselves or by their legal representative and are recorded in a special register in the order in which they are received.
- (b) A Candidate application is only accepted if the applicant's candidacy has been endorsed in writing by at least thirty-five members of the People's Assembly. Each member of the People's Assembly may endorse only one Candidate to the Presidency of the Syrian Arab Republic.
- (c) The Supreme Constitutional Court shall examine the legality of Candidate applications and decide thereon within a maximum of five days from the expiry of the nomination period.
- (d) The Supreme Constitutional Court shall announce the names of the persons whose candidacy it decides to accept.

Article 35

- (a) Any person whose Candidate application is rejected by the Supreme Constitutional Court may file a grievance in this regard within three days from the rejection of their application.
- (b) The Supreme Constitutional Court shall issue a final decision determining such grievance within three days from the filing thereof.

Article 36

The Supreme Constitutional Court shall draw up a final list of Candidates and announce said list by means of publication in the Official Gazette and in two daily newspapers, at least fifteen days prior to Election day.

Article 37

The Speaker of the People's Assembly shall call for the reopening of the nomination period under the same conditions in the following situations:

- (a) The Supreme Constitutional Court does not accept any Candidate applications within the legal time limit.
- (b) The Supreme Constitutional Court accepts only one Candidate application within the legal time limit.

- (c) A Candidate whose application is accepted dies prior to the commencement of voting leaving only one other Candidate for the office of President.

Article 38

Subject to the provisions of Article /34/ hereof, the Higher Committee, Subcommittees and Electoral Committees shall carry out their functions in accordance with the provisions of the present Law, as regards the Election of a President of the Republic, under the supervision of the Supreme Constitutional Court.

Chapter VI

Requirements and procedure for candidacy to membership of the People's Assembly and Local Administrative Councils

Article 39

To enjoy the right to stand as a Candidate for membership of the People's Assembly and Local Administrative Councils, a person must:

- (a) Have been a citizen of the Syrian Arab Republic for at least ten years on the date the Candidate application is filed, save for Syrian citizens naturalized by virtue of Legislative Decree No. /49/ dated 7 April 2011 who are excluded from this requirement.
- (b) Be at least twenty-five years old.
- (c) Enjoy civil and political rights.
- (d) Not be disqualified from the right to vote.
- (e) Not have been convicted, by virtue of an un-appealed judgment that has become final, of a felony, an infamous misdemeanour or a misdemeanour breaking public confidence, save where said person's record has been cleared by law. Infamous misdemeanours and misdemeanours breaking public confidence shall be specified by a decision of the Justice Minister.
- (f) Be an Elector of the Electoral District in which said person is running or have moved their Voting Domicile to said District.

Article 40

- (a) Licensed political parties may file, collectively or individually, Candidate applications for membership of the People's Assembly and Local Administrative Councils.
- (b) A Candidate may not be a member of any committee for the Elections.

Article 41

A Candidate may not run in more than one Electoral District. Otherwise, their candidacy and all effects resulting therefrom are deemed null and void in all Districts.

Article 42

- (a) Ministers may stand as Candidates for membership of the People's Assembly while retaining their office.
- (b) Judges, public servants, government employees and all persons employed in government institutions, the public sector and the joint sector may stand as Candidates at Elections to the People's Assembly but shall be granted a special leave without pay throughout their candidacy period.

Article 43

Permanent employees in an administrative unit's personnel may not stand as Candidates for membership of such unit's Local Council.

Article 44

- (a) A Candidate for membership of the People's Assembly or of Local Administrative Councils shall submit an application in writing to the Nomination Committee within seven days from the day following the publication of the decree in which the Election date is set.
- (b) A Candidate for membership of the People's Assembly or Local Administrative Councils may withdraw their candidacy prior to the acceptance of their application before the Nomination Committee.
- (c) A Candidate for membership of the People's Assembly or Local Administrative Councils may withdraw their candidacy following the acceptance of their application before the Subcommittee, at least seven days prior to the Election day.

Article 45

Where an applicant is outside the Syrian Arab Republic or is unable to submit their Candidate application themselves, such applicant's legal representative may submit or withdraw the Candidate application in their stead by virtue of a duly certified proxy.

Article 46

- (a) An applicant may object to the Nomination Committee's decision before the Subcommittee within a maximum period of three days starting on the day following that on which the names of the accepted Candidates are announced or starting on the date the period set for determination of Candidate applications expires.
- (b) The Subcommittee shall issue a final decision determining such objection within a maximum of three days from the date it is filed.

Article 47

- (a) Any Elector has the right to challenge the validity of a candidacy before the Subcommittee within three days starting on the day following that on which the Candidates' names are announced.
- (b) The Subcommittee shall issue a final decision determining such challenge within a maximum of three days from the date it is filed.

Chapter VII

Electoral campaign

Article 48

Following the definitive acceptance of their candidacy, a presidential Candidate may broadcast announcements of their candidacy and presentations of their agenda, objectives and all matters related to their electoral platform.

Article 49

Following the definitive acceptance of their candidacy, a Candidate for membership of the People's Assembly or Local Administrative Councils may broadcast announcements of their candidacy and presentations of their agenda, objectives and all matters related to their electoral platform.

Article 50

Without prejudice to their right to advertise their platforms, individual and political party Candidates commit to:

- (a) Abstain from discrediting, defaming or inciting against other Candidates or violating their privacy.
- (b) Preserve national unity and refrain from including any confessional, sectarian, ethnic or tribal indications in electioneering activities.
- (c) Refrain from including in electioneering activities any display violating public order or morals.
- (d) Abstain from posting, installing or displaying images, statements and flyers relating to Elections in places other than those assigned for this purpose by the competent local authorities.

Article 51

- (a) Any and all public officials shall give all Candidates and political parties equal and completely impartial treatment in such manner as guarantees the application of the principle of equal opportunity between them during the electoral campaign period.
- (b) Every Candidate or political party enjoys full freedom to express their opinion and present their electoral platform.

Article 52

Electoral meetings may be held freely, and no restrictions may be imposed on the holding of such meetings, provided that the Ministry of Interior or any police unit thereof is notified at least twenty-four hours in advance. However, rallies may not be held, nor may public meetings in places of worship or in the vicinity of hospitals.

Article 53

Public office or property may in no way whatsoever be exploited or used in a Candidate's electoral campaign. Venues put by the State and local administrative units at the disposal of Candidates and political parties are excluded from this provision.

Article 54

Candidates or political parties are prohibited from financing electoral campaign activities with cash, in-kind assistance, donations, contributions or assistance coming from an external or foreign source whether directly or indirectly, subject to legal accountability.

Article 55

Candidates or political parties may finance campaign activities from the following sources:

- (a) Financial contributions specific to Candidates.
- (b) Financial support from political parties.

Article 56

Campaign funds are used for:

- (a) Developing the technical means and capabilities that enable a Candidate or political party to prepare and publish their electoral platform.
- (b) Designing, printing and publishing advertisements, posters, brochures and other campaign materials, and distributing the same in any way whatsoever, including electronic, print, visual and audio media.
- (c) Remunerating and paying the wages of the persons chosen by the Candidate or political party to carry out campaign activities.
- (d) Settling the rent of offices and venues used for electoral campaign purposes.
- (e) Covering office expenses, fuel expenses, vehicle and transportation fees, media coverage fees and hospitality expenses for the purposes of the electoral campaign.

Article 57

- (a) Every presidential Candidate shall submit a final account of their campaign income and expenditures to the Supreme Constitutional Court no later than thirty days from the date the final Election results are announced.
- (b) Every Candidate or political party running in People's Assembly Elections shall submit a final account of their campaign income and expenditures to the Higher Committee no later than thirty days from the date the final Election results are announced.
- (c) The final accounts provided for in the present Article shall indicate all funds used in the electoral campaign and the sources thereof, and such accounts of political parties shall be audited by a public accountant.

Article 58

Electioneering ceases twenty-four hours prior to the Election date. Once electioneering ceases, no person may, whether in person or through a third party, distribute programmes, publications or any other Election propaganda materials.

Chapter VIII

Electoral process

Article 59

- (a) Elector exercises their right to vote for a President of the Syrian Arab Republic and their right to take part in Referendum at any Polling Station in the Syrian Arab Republic.
- (b) Electors exercise their right to elect a People's Assembly and Local Administrative Councils within their Electoral District.
- (c) Both the Chairs and members of Electoral Committees exercise their voting rights at the Polling Station in which they are appointed, as do Candidate representatives who shall exercise their voting rights at the Polling Station in which they are present, and all their names are added based on their personal identity cards, to the Station's Voters list.
- (d) An Elector has the right to transfer their Voting Domicile from one Electoral District to another within the same governorate or from one governorate to another by virtue of any trade union card or identity document or any instrument granted by a public authority, a grass-roots organization or a trade union of which said Elector is a member, which proves that the Elector resides in the Electoral District to which they are requesting transfer. Such instrument shall be presented to the Electoral Committee of the Polling Station.
- (e) A Candidate wishing to transfer their Voting Domicile must have been residing for at least two full years in the place to which they wish to transfer their Voting Domicile.

Article 60

At each Polling Station, several booths enclosed by curtains shall be reserved for Electors to cast their votes in complete secrecy.

Article 61

Before the electoral process begins, the Electoral Committee opens the ballot boxes in front of its members and the Candidate agents in order to verify that said boxes do not contain any paper. Then, the ballot boxes are closed and shall only be reopened when the counting process begins.

Article 62

- (a) Authorized Candidate agents may be present at appropriate places in the Polling Station. Electoral Committees shall record their names and presence in the procès-verbal, enable them to monitor the electoral process, and record any remarks or objections made by any of them in relation to the electoral process.
- (b) Candidates or their agents, as well as the media, have the right to monitor the electoral process and attend the counting of votes.

Article 63

The Chair of an Electoral Committee has the duty of maintaining public order in the Polling Station and may seek, for this purpose, the assistance of the Internal Security Forces.

Article 64

- (a) Voting begins at 7 a.m. on the day of the Election or Referendum and ends at exactly 7 p.m. that same day.
- (b) Voting timings may be extended by a decision of the Higher Judicial Committee for Elections by a maximum of five hours at all or some Polling Stations.

Article 65

- (a) The Higher Committee shall lay down the specifications of the procès-verbal templates that must be available at the offices of Electoral Districts and Electoral Committees.
- (b) All facts relating to the voting process at its various stages are recorded in detail and accurately in the procès-verbaux, which shall be signed by the competent officials in their respective Committees.

Article 66

Ballot envelopes are prepared in one shape and colour and are made from paper through which the contents of the ballot paper are not visible.

Article 67

- (a) An Elector exercises their right to vote or take part in Referendum based on their personal identity card.
- (b) The Chair of the Electoral Committee hands the Elector an envelope signed by the Chair and marked with the Committee's seal. Then, the Elector enters the voting booth to exercise the right to vote by secret ballot.
- (c) The Elector places the ballot inside the marked envelope, whether the ballot is printed or handwritten and whether it was prepared in advance or written inside said booth. Then the Elector places the envelope in the ballot box in full view of the Electoral Committee members, the Candidate agents and the Election monitors, and such Voter's name is recorded in the Polling Station's register of Voters.

Chapter IX

Vote counting

Article 68

- (a) After voting ends, the Electoral Committee proceeds with opening the ballot boxes in public and counting the envelopes contained therein at the Polling Station itself.
- (b) In the event that the number of envelopes is found to exceed or fall short of the number of Voters at the Polling Station by more than two per cent (2%) and in a way that would affect the Elections' final result, the votes at this Station are deemed null and void, and the Election is repeated therein on the following day, in which case only the Electors who already voted at this Station may vote again.
- (c) In case such excess is by less than two per cent (2%), an equal percentage of ballot envelopes shall be destroyed without their content being known. In case the shortfall is by less than two per cent (2%) of the total number of Voters, such shortfall is not taken into account.

Article 69

Envelopes are opened and ballot papers removed therefrom by the Chair of the Electoral Committee in the presence of the Committee members as well as any Candidates, Candidate agents or media who wish to attend.

Article 70

A ballot paper is considered valid for the Election of the President of the Syrian Arab Republic in the following cases:

- (a) The ballot paper includes the name of one Candidate.
- (b) The ballot paper includes the same Candidate's name more than once, in which case it is counted as one vote.

Article 71

A ballot paper is considered valid for the Election of members of the People's Assembly and Local Administrative Councils in the following cases:

- (a) The ballot paper includes a number of Candidate names equal to the number of seats allocated for each sector according to the distribution provided for in Articles /22/ and /24/ hereof.
- (b) The ballot paper contains a number of Candidate names exceeding the number to be elected from each sector in the Electoral District, in which case the excess is removed from the bottom up, and the vote is deemed valid for the remaining names.
- (c) The ballot paper contains fewer Candidates than the number to be elected, in which case such paper is deemed valid for the names listed thereon.
- (d) The ballot paper includes the name of a non-candidate, in which case only such name is removed.
- (e) The ballot paper includes a Candidate's name more than once, in which case it is counted only once.
- (f) A Candidate's name is mentioned under a sector other than theirs, in which case it is only counted if the ballot paper contains fewer Candidate names than the number to be elected in such Candidate's original sector.

Article 72

A ballot paper is deemed invalid for any electoral process in the following cases:

- (a) The ballot envelope is not marked with the Electoral Committee's seal.
- (b) The ballot envelope contains more than one ballot paper which are not identical.
- (c) The ballot paper contains the Elector's name, signature or any visible mark revealing the Elector's identity.

Article 73

A ballot paper is deemed blank if it includes no indication whatsoever in favour of any Candidate.

Article 74

Votes shall be counted by each Electoral Committee without interruption at the Polling Station, and the results shall be made public therein. Then, the Electoral Committee shall draw up a procès-verbal in one original, containing in particular the Candidates' names, the number of votes each received, and the decisions and measures taken by said Committee in the course of the electoral process. Such procès-verbal shall be immediately submitted to the Subcommittee.

Article 75

- (a) Immediately upon receipt of the Electoral Committees' procès-verbaux, a Subcommittee shall oversee the calculation of the Election results for all Polling Stations within the Electoral District in the presence of any Candidates or Candidate agents wishing to attend.
- (b) A Subcommittee shall draw up a synoptic procès-verbal of the results in two originals, submit one original to the Higher Committee and retain the other in the Governorate.
- (c) In the Election of a President of the Syrian Arab Republic, the Higher Committee shall submit one copy of said procès-verbal to the Supreme Constitutional Court.
- (d) In People's Assembly Elections, the Higher Committee shall submit two true copies of the original procès-verbal to the Supreme Constitutional Court and the People's Assembly and shall send one true copy thereof to the Ministry of Interior.
- (e) In Local Administrative Council Elections, the Higher Committee shall send true copies of the procès-verbal to the Ministry of Interior and the Ministry of Local Administration.

Article 76

Where a Subcommittee decides that the Elections at a Polling Station shall be deemed null and void, the Elections at said Station is repeated on the following day unless the Subcommittee sets another date therefor, and only the Electors who already voted at this Station may vote again. In such case, the announcement of Election results in the Electoral District shall be suspended until the electoral process is repeated in that Polling Station.

Article 77

- (a) Candidates shall be ranked in their respective sectors according to the number of valid votes they receive, and the highest-ranking Candidates in each sector corresponding to the number of seats allocated therefor, are deemed to have won the Elections.
- (b) For the last seats from each sector, in the event that two or more Candidates receive an equal number of votes, such Candidates are granted one hour's time to exercise the right to withdraw in favour of another Candidate. Where said right is not exercised, the Subcommittee shall decide to draw lots in the presence of the Candidates or their agents. In case one or more Candidates are neither present nor represented, the Subcommittee shall draw lots in public, and the results shall be recorded in the procès-verbal.

Article 78

Candidates are deemed to have won by default in People's Assembly or Local Administrative Council Elections where their number at the close of nominations or before commencement of voting does not exceed the number of seats allocated to either sector in the Electoral District. In such case, voting shall not take place for the sector whose members have won by default, and the same is announced to the Electors prior to the Election day.

Chapter X

Announcement and challenge of results

Article 79

- (a) The Higher Committee submits the results of presidential Elections to the Supreme Constitutional Court.
- (b) Where in the final results a Candidate receives an absolute majority of the votes cast, such Candidate shall be deemed the winner for the office of President of the Syrian Arab Republic, and the results are announced by the Speaker of the People's Assembly.
- (c) Where in the final results no Candidate receives an absolute majority of the votes cast, the President of the Supreme Constitutional Court announces a second round to be held within two weeks between the two Candidates who received the most votes.
- (d) The Candidate who receives the highest number of the votes cast in the second ballot is deemed winner for the office of President of the Syrian Arab Republic, and the results are announced by the Speaker of the People's Assembly.

Article 80

- (a) The Higher Committee announces the final results of the Election of People's Assembly members.
- (b) Subcommittees announce the final results of the Election of Local Administrative Council members.

Article 81

- (a) The President of the Syrian Arab Republic issues a decree naming the winners of membership of the People's Assembly, governorate councils or governorate administrative centre councils.
- (b) The Local Administration Minister issues a decision naming the winners of membership of all other Local Administrative Councils.
- (c) The decrees and decisions mentioned in the present Article shall be published in the Official Gazette.

Article 82

The Supreme Constitutional Court shall decide on all challenges pertaining to the validity of the Election of the President of the Republic as follows:

- (a) A losing Candidate files the challenge with said Court within three days from the announcement of the Election results, and said challenge is recorded in a special register.
- (b) The Supreme Constitutional Court renders its decision, which shall be final, within seven days from the expiry of the period for filing challenges.

Article 83

The Supreme Constitutional Court shall decide on all challenges pertaining to the validity of the Election of People's Assembly members as follows:

- (a) A losing Candidate files the challenge with said Court within three days from the announcement of the Election results, and said challenge is recorded in a special register.
- (b) The Supreme Constitutional Court renders its decision, which shall be final, within seven days from the expiry of the period for filing challenges.

Article 84

Challenges to the naming instruments of Local Administrative Council members shall be brought within five days from the publication thereof as follows:

- (a) Challenges pertaining to members of governorate councils and governorate administrative centre councils are brought before the competent administrative justice courts.
- (b) Challenges pertaining to members of any other Local Administrative Council are brought before the competent administrative courts.
- (c) The courts mentioned in this Article shall rule expeditiously on challenges filed therewith within no more than fifteen days from the date a case is registered, and said courts' judgments shall be subject to appeal before the Supreme Administrative Court within five days from the pronouncement thereof.
- (d) The Supreme Administrative Court shall determine any appeal brought before it relating to Local Administrative Council Elections within fifteen days from the date such appeal is registered at said Court, and the Court's decision shall be final.

Chapter XI

Vacancies

Article 85

The office of President of the Syrian Arab Republic becomes vacant in any of the following cases:

- (a) Death.
- (b) Resignation.
- (c) Loss of any requirement for candidacy.

Article 86

Where the office of President of the Syrian Arab Republic becomes vacant in accordance with the provisions of Article /85/ hereof, new presidential Elections shall be held no later than ninety days from the date such vacancy occurs.

Article 87

The office of a member of the People's Assembly becomes vacant in any of the following cases:

- (a) Death.
- (b) Resignation.
- (c) Loss of any requirement for candidacy by virtue of a decision of the Supreme Constitutional Court.
- (d) Removal from office in accordance with the provisions of the Rules of Procedure of the People's Assembly.

Article 88

Where the office of a member of the People's Assembly becomes vacant in accordance with the provisions of Article /87/ hereof, the Speaker of the People's Assembly shall inform the President of the Republic of the same in order for the Election of a replacement to take place within sixty days from the date such vacancy occurs, provided that the remaining period of the People's Assembly term is no less than six months.

Article 89

Where a winner in People's Assembly Elections refrains from taking the constitutional oath of office or where the Supreme Constitutional Court decides to invalidate a winner's membership on the basis of a challenge against the validity of their Election, the Candidate ranking directly after the last winner in the corresponding sector shall be named, by decree, member of the People's Assembly.

Article 90

The office of a Local Administrative Council member becomes vacant in any of the following cases:

- (a) Death.
- (b) Resignation.
- (c) Loss of any requirement for candidacy.
- (d) Revocation of membership.

Article 91

- (a) Where the office of a Local Administrative Council member becomes vacant, the Candidate from the same sector ranking, by number of votes received, after the member whose office has become vacant, shall replace such member, save where the competent authority holds that Electors should be called to elect a new member, provided that the remaining period of the Local Administrative Council's term is no less than six months.
- (b) In case the member whose office has become vacant won by default, the competent authority shall call Electors to elect a new member within ninety days from the date such vacancy occurs, provided that the remaining period of the Local Administrative Council's term is no less than six months.

Chapter XII

Referendums

Article 92

Referendums are held based on a decree issued by the President of the Syrian Arab Republic calling therefor and including the object and date thereof.

Article 93

Upon the issuance by the President of the Syrian Arab Republic of a decree calling for a Referendum, the Higher Committee shall arrange, prepare and oversee the Referendum and shall announce the results thereof.

Article 94

All provisions of the present Law relating to Electors' rights and duties shall apply to Electors in Referendums.

Article 95

Subject to the provisions of the present Chapter, all provisions and procedures relating to Elections and contained in the present Law shall apply to Referendums.

Article 96

An issue submitted to Referendum wins the vote of confidence if an absolute majority of the votes cast are in favour thereof.

Article 97

The results of a Referendum shall be binding and shall enter into force and effect on the date they are announced. The authority of said results is superior to any and all other authorities, and such results may neither be cancelled nor amended save by way of another Referendum.

Article 98

The President of the Syrian Arab Republic publishes Referendum results.

Chapter XIII

Election by non-resident citizens of the Syrian Arab Republic

Article 99

Any Syrian citizen not residing on Syrian territory may exercise their right to vote for a President of the Syrian Arab Republic at a Syrian embassy in accordance with the provisions of the present Law, provided that such citizen's name is included in the Electoral Register and that there is no legal impediment to the exercise of their right to vote.

Article 100

The general provisions which apply to voting by Syrians residing in the Syrian Arab Republic and which are not in contravention with the provisions of the present Chapter shall apply to voting by Syrians not residing on Syrian territory.

Article 101

The Ministry of Foreign Affairs and Expatriates shall call citizens, through Syrian embassies abroad, in such manner as it deems appropriate, to declare their wish to vote from abroad by registering their names at the embassy of their choice, along with all required information relating to their identity, within a set time limit.

Article 102

The above-mentioned names are checked in the Electoral Register, and after the time limit set for registration expires, an independent electoral list shall be drawn up for every embassy, comprising the names of those citizens who are legally eligible to vote.

Article 103

Out-of-country Elections are held at most ten days prior to the date of the Elections in Syria.

Article 104

Voting begins at 7 a.m. and ends at 7 p.m. local time in the city where an embassy is located.

Article 105

An Elector votes based on their valid, ordinary Syrian passport, carrying an exit stamp from any Syrian port of exit.

Article 106

During voting, vote counting and result announcement procedures, Candidate delegates may be present in the section of the embassy premises consecrated for the Elections.

Article 107

All procès-verbaux and papers relating to the electoral process shall be sent to the relevant committees in Syria through the Ministry of Foreign Affairs and Expatriates via the fastest possible means of transport.

Chapter XIV

Penalties

Article 108

- (a) Any person who posts statements, images and flyers relating to Elections in a place other than those assigned therefor shall be punished by a fine ranging between fifty thousand and one hundred thousand Syrian Pounds and by removal of the damage.
- (b) Electoral propaganda done by means of graffiti is punishable by a fine ranging between one hundred thousand and two hundred thousand Syrian Pounds and by removal of the damage.

Article 109

A fine ranging between twenty-five thousand and fifty thousand Syrian Pounds shall be imposed on:

- (a) Any person who votes though knowing that they are disqualified from or deprived of the right to vote under the laws in force or by virtue of a final judgment.
- (b) Any person who votes more than once in the same Elections.

Article 110

Any member of an Electoral Committee who is entrusted with the task of receiving, counting or sorting ballot papers and who removes illegally, adds or destroys any ballot paper or reads out a name other than that written thereon, shall be punished by imprisonment between one month and one year and by a fine ranging between twenty-five thousand and fifty thousand Syrian Pounds.

Article 111

Forcible entry or attempted forcible entry into a Polling Station with the aim of preventing Electors from voting for a Candidate and use of force or threat, through any means whatsoever, to coerce an Elector to change their opinion shall both be punishable by imprisonment from one to three years and by a fine ranging between one hundred thousand and two hundred thousand Syrian Pounds.

The maximum penalty shall be imposed on perpetrators carrying a weapon, whether visible or concealed.

Article 112

- (a) Any person who breaks a ballot box prior to the sorting of the ballots found therein, disperses, removes, destroys or replaces ballot papers with other ballots, or makes any attempt whatsoever to change or attempt to change Election results or to violate voting secrecy shall be punished by imprisonment from one to three years and by a fine ranging between fifty thousand and one hundred thousand Syrian Pounds.
- (b) The maximum penalty shall be imposed on any such perpetrator who is a member of an Electoral Committee, an employee attached thereto or a member of the Internal Security Forces entrusted with guarding ballot boxes.

Article 113

Any person who receives or attempts to receive an Elector's vote or gets an Elector to abstain from voting in return for money, by offering gifts, cash donations or in-kind donations, by making a promise of such gifts or donations, or by promising to secure public office, private employment or other benefits meant to directly or indirectly influence the vote, shall be punished by imprisonment from ten days to three months and by a fine ranging between twenty-five thousand and fifty thousand Syrian Pounds.

Article 114

Any person who collects personal identity cards, takes, hides, destroys or ruins any paper relating to the electoral process, or through any other means changes Election results, with the aim of altering the truth in the outcome of Elections or repeating Elections shall be punished by imprisonment from three months to one year and by a fine ranging between fifty thousand and one hundred thousand Syrian Pounds.

Article 115

Any violation of the provisions of Article /54/ hereof shall be punishable by imprisonment from six months to one year and by a fine equivalent to three times the amount financed from an external or foreign source, or by either penalty.

Article 116

The penalties provided for by the present Law shall not preclude the application of more severe penalties stipulated by the laws in force.

Article 117

Any initiation of an offence set forth herein shall be deemed equivalent to a completed offence.

Chapter XV

Final provisions

Article 118

It is not permissible to combine membership of the People's Assembly with the office of governor, membership of a Local Administrative Council or any office or employment within the government, a government institution or any other body in the public or joint sector, save for the office of Minister, university teaching positions, research positions in research centres, membership of the executive offices of federations and grass-roots organizations, and membership of trade unions.

Article 119

For persons employed by the State or a body affiliated thereto, term of office in the People's Assembly shall be deemed actual service provided that such persons pay retirement deductions for said term in accordance with law, and their term of office shall be counted towards seniority and promotion. In such case, the member of the People's Assembly is considered as put outside the staff establishment, and their position or job is preserved for them.

Article 120

Any and all papers and transactions entailed in the implementation of the provisions of the present Law shall be exempt from all financial and judicial fees.

Article 121

The Ministry of Interior shall provide the necessary protection for Elections and Referendums.

Article 122

The Ministry of Justice, the Ministry of Interior and the Ministry of Local Administration shall take all necessary action to automate Elections throughout the Syrian Arab Republic and shall adopt national numbers.

Article 123

- (a) The Ministry of Interior provides all materials required for presidential Elections, Referendums and People's Assembly Elections, and the Ministry of Local Administration provides all materials required for Local Administrative Council Elections.
- (b) The Ministries referred to in the first paragraph of this Article shall each consecrate a number of Workers therein to work under the supervision of Electoral Committees throughout the electoral process.
- (c) All expenses and compensations required for any Election or Referendum are excluded from the provisions of the laws and regulations in force and the amendments thereof.

Article 124

The bases for granting emoluments and compensation payable to Chairs and members of Electoral Committees and to staff consecrated for said Committees shall be determined by a decision of the Prime Minister.

Article 125

- (a) Documents relating to the Election of the President of the Republic are kept throughout the constitutional term of office at the Ministry of Interior.
- (b) Documents relating to People's Assembly and Local Administrative Council Elections are kept throughout the electoral cycle at the governorate and are destroyed following the Election of a new Assembly and Councils.

Article 126

The documents referred to in Article /125/ hereinabove consist of:

- (a) Candidate application registers, records of the closure thereof and Candidate applications with the annexes thereto.
- (b) Records kept by Electoral Committees along with the ballot envelopes, ballot papers, election envelopes, objections and vote counting sheets attached thereto.
- (c) Records kept by the Subcommittees of Electoral Districts along with the decisions taken by said Subcommittees.
- (d) Documentation and decisions relating to the Higher Judicial Committee for Elections.

Article 127

The implementing directives of the present Law shall be issued by a decision of the Cabinet.

Article 128

All provisions contrary to or not in conformity with the present Law are repealed, particularly Legislative Decree No. /8/ of 1973, Law No. /66/ of 2006, Legislative Decree No. /101/ of 2011 and Legislative Decree No. /125/ of 2011.

Article 129

The present Law shall be published in the Official Gazette.
Damascus, 23 Jumada al-Awwal 1435 A.H.
(24 March A.D. 2014)
The President of the Republic
Bashar al-Assad

Prime Minister Dr. Wael al-Halqi hereby issues Decision No. /10/M
consisting of the adoption of the Implementing Directives
of Law No. /5/ of 2014 on General Elections

Decision No. /10/M Implementing Directives of Law No. /5/ on General Elections issued in 2014

Definitions

Article 1

“Law” shall mean Law No. /5/ on General Elections issued on 24 March 2014 regulating the Election of the President of the Republic, People’s Assembly members and Local Administrative Council members and regulating Referendums.

“Election” shall mean the exercise by an Elector of their right to vote for a President of the Republic and to elect representatives in the People’s Assembly and Local Administrative Councils.

“Referendum” shall mean the process by which Electors are asked to express their opinion on an issue of supreme national interest pursuant to Article /116/ of the Constitution.

“Higher Committee” shall mean the Higher Judicial Committee for Elections appointed by the Supreme Judicial Council.

“Subcommittee” shall mean a judicial committee formed by and working under the supervision of the Higher Judicial Committee for Elections.

“Nomination Committee” shall mean a judicial committee that decides on the legality of Candidate applications submitted thereto.

“Electoral Committee” shall mean a committee that directs Elections at a Polling Station.

“Polling Station” shall mean a place where Electors exercise their voting rights by choosing their representatives or expressing their opinion in a Referendum, and where an Electoral Committee carries out its functions.

“Electoral District” shall mean a geographical area comprising Electors for which a certain number of seats is allocated.

“Administrative Head” shall mean a governor, district governor, or sub-district governor.

“Elector” shall mean any citizen who enjoys electoral rights.

“Voter” shall mean any Elector who exercises the right to vote or the right to take part in Referendum.

“Candidate” shall mean any citizen who wishes to nominate themselves for presidency or for membership in the People’s Assembly or in Local Administrative Councils by presenting a Candidate application within the legal time limit.

“Voting Domicile” shall mean an Elector’s or Candidate’s place of civil records.

“Worker” shall mean any person who works in the public, private, or joint sector in consideration of remuneration or is affiliated to any labour union, and who has no commercial or industrial register.

“Farmer” shall mean any person who works the land, whether individually or jointly with others, or who is a member of the farmers union and for whom farming constitutes a main source of livelihood, provided that said person has no commercial or industrial register save for agricultural production.

Proof of Worker and Farmer status

Article 2

A Worker’s status is proven through the following documents:

- (a) Either one of the following documents:
 - (1) An official document issued by a public body, the private sector or the joint sector proving that the Candidate works therefor in return for remuneration and that said Candidate is covered by the provisions of Basic Law No. /50/ of 2004 on Public Servants and the amendments thereto, Labour Law No. /17/ of 2010 and the amendments thereto, or the employment regulations of the employer said Candidate works for.
 - (2) A document issued by any labour union proving that the Worker is a member thereof.
- (b) A document issued by the Directorate of Commercial Registers proving that the Worker is not registered therein.
- (c) A document issued by the Directorate of Industrial Registers proving that the Worker is not registered therein.

Article 3

A Farmer’s status is proven through the following documents:

- (a) An official document granted by the General Federation of Farmers or by a Farmers association of which the Farmer is a member.
- (b) A document issued by the Directorate of Commercial Registers proving that the Farmer is not registered therein.
- (c) A document issued by the Directorate of Industrial Registers proving that the Farmer is not registered therein.
- (d) The provisions of sections (b) and (c) of this Article shall not apply to Farmers who have a commercial or industrial register dedicated solely to agricultural production.

Article 4

Where a Candidate does not submit proof of Worker or Farmer status and their application meets all other requirements, the Candidate's application is accepted for Sector B comprising "all other population segments".

Right to vote and take part in Referendum

Article 5

- (a) The right to vote and take part in Referendum shall be exercised in accordance with the following principles:
 - (1) Universal suffrage: All citizens who meet the requirements for voting have the right to vote.
 - (2) Secret ballot: Electors choose Candidates in an enclosed space.
 - (3) Direct Election: Electors vote directly in a single instance.
 - (4) Equal suffrage: Voting takes place without discrimination between males and females.
- (b) The right to vote and take part in Referendum may not be exercised by proxy.

Article 6

Male and female Syrian citizens who have attained the age of eighteen years at the beginning of the year an Election or Referendum takes place have the right to vote and take part in Referendum, whereby such citizens' names are recorded in the General Electoral Register by the Ministry of Interior.

Article 7

The following persons are disqualified from the right to vote and take part in Referendum:

- (a) Interdicts throughout interdiction, whereby the same shall be established by an un-appealed judgment that has become final, save for persons suffering from insanity and visible mental illness who are ipso facto deemed interdicts by the fact of insanity or mental illness itself without the need for a judgment.
- (b) Persons suffering from a mental illness affecting their capacity, all through their illness.
- (c) Persons convicted of a felony, an infamous misdemeanour or a misdemeanour breaking public confidence by virtue of an un-appealed judgment that has become final, save where said persons' record has been cleared by law. Infamous misdemeanours and misdemeanours breaking public confidence shall be specified by a decision of the Justice Minister.

Article 8

- (a) Military personnel and members of the Internal Security Forces enjoy the right to vote and to stand as Candidates at presidential Elections.
- (b) Military personnel and members of the Internal Security Forces enjoy the right to take part in Referendum.

- (c) Military personnel and members of the Internal Security Forces do not have the right to vote in and stand for Elections of the People's Assembly or Local Administrative Councils all through their service.

Article 9

- (a) Electors exercise their right to elect a President of the Republic and their right to take part in Referendum at any Polling Station within the Syrian Arab Republic solely by virtue of their personal identity card.
- (b) Electors exercise their right to vote in People's Assembly Elections and Local Administrative Council Elections at any Polling Station in the Electoral District within which their Voting Domicile is located, solely by virtue of their personal identity card.
- (c) Both the Chairs and members of Electoral Committees exercise their voting rights at the Polling Station in which they are appointed, as do Candidate representatives who shall exercise their voting rights at the Polling Station in which they are present, and all their names are added to the Station's Voters list based on their personal identity cards. The same shall be mentioned under "Remarks" in the register of Voters.

The Higher Judicial Committee for Elections and its functions

Article 10

The Higher Judicial Committee for Elections is a standing committee made up of seven judges from the Court of Cassation with the aim of implementing the provisions of the Law on General Elections. In exercising its functions, said Committee is fully independent from any other party.

Article 11

The functions of the Higher Committee shall be:

- (a) To ensure the proper implementation of the provisions of the Law on General Elections.
- (b) To direct presidential Elections under the supervision of the Supreme Constitutional Court.
- (c) To fully oversee the Election of People's Assembly and Local Administrative Council members and to organize all requisite measures in order to guarantee free Elections, electoral integrity and Election monitoring.
- (d) To fully oversee Referendums, organize all procedures pertaining thereto and announce the results thereof.
- (e) To exercise overall supervision over the calculation of Election results.
- (f) To announce the final results of People's Assembly Elections.
- (g) To verify that the General Electoral Register is updated and reviewed at least two months prior to any Election or Referendum.

Article 12

A Subcommittee is an ad interim judicial committee designated by a decision of the Higher Committee in every governorate at least fifteen days prior to any Election or Referendum and whose functions cease with the announcement of said Election or Referendum's final results. Every Subcommittee comprises three appellate court judges and carries out all the decisions and instructions of the Higher Committee. Subcommittees directly oversee the work of Nomination Committees relating to People's Assembly and Local Administrative Council Elections as well as the work of Electoral Committees. Multiple Subcommittees may be formed within the same governorate by a decision of the Higher Committee.

Article 13

The functions of a Subcommittee shall be:

- (a) To issue, upon demand, documents marked with the Subcommittee's seal allowing Candidate agents to observe and monitor the electoral process.
- (b) To meet with the competent Administrative Head in order to determine the Polling Stations in an Electoral District at least seven days prior to the day of an Election or Referendum. A decision specifying said Polling Stations shall be issued by the Administrative Head and shall be notified to the Higher Committee upon issuance thereof.
- (c) To determine, by virtue of a final decision, appeals submitted thereto against decisions issued by Nomination Committees and Electoral Committees.
- (d) To oversee the calculation of results received from Polling Stations in the Electoral Districts within the Subcommittee's jurisdiction.
- (e) To seek assistance from such persons as it deems appropriate in order to fulfil its functions, especially as regards the receipt of procès-verbaux and the collection of ballots.
- (f) To manually or electronically recount ballot boxes against which objection is raised, in the presence of any Candidates, Candidate agents or media wishing to attend, and to draw up a procès-verbal of such recount according to a special template.
- (g) To announce the final results of Local Administrative Council Elections. Nomination Committees for People's Assembly and Local Administrative Council Elections

Article 14

A Nomination Committee for People's Assembly and Local Administrative Council Elections is an ad interim judicial committee designated by a decision of the Higher Committee in every governorate immediately upon the issuance of the decree calling for such Elections. A Nomination Committee ceases to exist upon the completion of its functions. Every Nomination Committee comprises three first instance court judges and carries out all the decisions and instructions of the Higher Committee and the Subcommittee. Multiple Nomination Committees may be formed within the same governorate.

Article 15

The functions of a Nomination Committee shall be:

- (a) To receive Candidate applications for People's Assembly and Local Administrative Council Elections and to record such applications in a special register in the order in which they are received.
- (b) To examine the legality of Candidate applications on a daily basis and to specify the sector to which each Candidate belongs according to the documents of proof presented with Candidate applications.
- (c) To decide on every Candidate application within a maximum of five days from the date it is recorded by the Nomination Committee. Candidate applications that are not decided within said period are deemed accepted.
- (d) To announce the names of the accepted Candidates in alphabetical order for every sector separately at the Nomination Committee's seat.

Electoral Committees

Article 16

Electoral Committees:

- (a) An Electoral Committee comprising three civil servants is formed by a decision of the governor in every Polling Station, and the Chair of the Electoral Committee is named in said decision.
- (b) The Chair and members of an Electoral Committee shall, prior to commencing their duties, take the following oath before the Subcommittee Chair in said Chair's Electoral District:

"I swear by Almighty God that I will discharge my duties honestly, conscientiously, faithfully and impartially".
- (c) Where either or both members of an Electoral Committee are absent, the Chair thereof shall appoint a replacement from the Electors present after such replacement takes, before said Chair, the oath provided for in section (b) of this Article. In the event that the Chair of an Electoral Committee or the whole Committee is absent, the Administrative Head (governor, district governor, sub-district governor) in the relevant Polling Station shall appoint a new Chair or a new Committee, and the members thereof shall take, before said Administrative Head, the oath provided for in the section (b) of this Article.

Article 17

The functions of the Chair of an Electoral Committee shall be:

- (a) To brief the members of the Electoral Committee on the content of the Implementing Directives for the electoral process.
- (b) To remain in constant contact with the Subcommittee Chair during the electoral process in order to brief said Chair on the conduct of Elections at the Polling Station.
- (c) To oversee the work of both members of the Electoral Committee.

- (d) To carry out themselves or through the members of the Electoral Committee, the tasks required for the conduct of work at the Polling Station.
- (e) To maintain public order in the Polling Station, for which purpose said Chair may, where need be, seek assistance from the Internal Security Forces.

Article 18

The functions of an Electoral Committee shall be:

- (a) To direct the voting process at the Polling Station.
- (b) To record Voters' names in the Polling Station's register of Voters (Template no. 13) after verifying their identities from their personal identity cards.
- (c) To admit Electors in turn to the voting booth.
- (d) To ensure speed in the conduct of the voting process and press Voters to be quick and refrain from remaining inside the voting booth longer than needed for exercising their right to vote, placing the ballot paper inside the envelope and sealing the envelope.
- (e) To decide on all objections submitted thereto against the conduct of the electoral process at the Polling Station and the counting of votes. Such objections shall be recorded in the procès-verbal drawn up by the Electoral Committee (Template no. 17), whose decisions on such matters are subject to appeal before the Subcommittee, without such objections slowing down the electoral process. The Subcommittee's decisions in this regard shall be final.
- (f) To manually or electronically count the votes immediately upon the conclusion of the voting process and to announce the results of the Polling Station's vote count.
- (g) To draw up and submit to the Subcommittee procès-verbaux of the voting process.
- (h) To enable the media and the press to monitor the voting process and the counting of votes in such manner as it deems appropriate and as ensures the smooth conduct of the electoral process.

Article 19

Each Electoral District shall be divided into several Polling Stations at an average rate of at least one Polling Station for every thousand Voters, subject to the following:

- (a) Polling Stations shall cover all ministries and government departments, institutions, companies and factories in order to enable the Workers therein to exercise their right to vote in the workplace.
- (b) A sufficient number of Polling Stations shall be established in neighbourhoods.
- (c) Polling Stations shall be established specially for the Electors of the Quneitra governorate in order to enable them to elect Candidates for their original governorate while in the places where said Electors have congregated in other governorates, provided that only the Electors of the Quneitra governorate may vote at such Polling Stations.
- (d) Polling Stations shall be established at border crossings in order to enable arriving and departing travellers to exercise their right to vote. Electors in such Stations shall elect Candidates for the Electoral District under whose administrative jurisdiction the Polling Station is located.

- (e) Polling Stations shall be established in venues where Electors' freedom should be secured in general, and in the selection of such venues, both population density in the area covered by a Station and ease of access to the Station shall be taken into consideration.

General Electoral Register

Article 20

- (a) The Ministry of Interior, in coordination with the Ministry of Justice, the Ministry of Local Administration and the Central Bureau of Statistics, prepares the General Electoral Register at the level of the Syrian Arab Republic.
- (b) The Ministry of Interior reviews the General Electoral Register once at the beginning of every year in order to add citizens who meet the conditions required for exercising the right to vote, remove deceased citizens and citizens who have fallen short of said conditions, or modify the data on citizens already registered therein.

Article 21

The General Electoral Register shall include the following information for every Elector:

- (a) Full name.
- (b) Mother's maiden name.
- (c) Sex.
- (d) Place and date of birth.
- (e) Permanent place of residence.
- (f) National number.
- (g) Civil register number and place.

Election of the President of the Republic

Article 22

Call for the Election of a President of the Republic:

- (a) The Speaker of the People's Assembly calls for the Election of a President of the Republic during a public session of the Assembly no later than sixty days and no earlier than ninety days prior to the expiry of the sitting President's term of office.
- (b) Such call includes the Election date which shall be at least thirty days prior to the expiry of the sitting President's term of office.
- (c) Where the call for the Election of a President of the Republic falls during a period when no ordinary sessions of the People's Assembly are held, said Assembly shall hold an extraordinary session.

Article 23

A Candidate to the office of President of the Republic must:

- (a) Be at least forty years old at the beginning of the year during which the Election takes place.
- (b) Be a natural-born citizen of the Syrian Arab Republic from parents who are both natural-born citizens of the Syrian Arab Republic.
- (c) Enjoy civil and political rights and must not have been convicted of any infamous crime, even where their record has been cleared.
- (d) Not be married to a non-Syrian.
- (e) Be permanently residing in the Syrian Arab Republic for no less than ten consecutive years at the time of submission of their Candidate application.
- (f) Not hold any nationality other than the Syrian nationality.
- (g) Not be disqualified from the right to vote.

Article 24

Procedure for candidacy to the office of President of the Republic:

Within ten days from the call for Elections by the Speaker of the People's Assembly, Candidate applications for the office of President of the Republic are filed with the Supreme Constitutional Court by the Candidate themselves or by their legal representative according to a template prepared by said Court and are recorded in a special register at the Supreme Constitutional Court in the same order in which they are received.

Article 25

The following documents shall be attached to an application for candidacy to the office of President of the Republic:

- (a) An extract of the Candidate's civil register.
- (b) An extract of the civil register of the Candidate's parents.
- (c) An extract of the civil register of the Candidate's wife.
- (d) A criminal record extract.
- (e) A residence document proving the Candidate's permanent residence in the Syrian Arab Republic for ten consecutive years.
- (f) A statement in writing by the Candidate declaring lack of any nationality other than the Syrian nationality.
- (g) A statement indicating the Candidate's residential address and telephone number.

Article 26

- (a) Any person applying for candidacy shall inform the People's Assembly, by a written letter, of their wish to stand for Elections to the Presidency of the Syrian Arab Republic.
- (b) The Speaker of the People's Assembly reads out such applicant's letter in a public session and invites the members of the People's Assembly to each choose the Candidate they wish to endorse within the ten days following the call for Elections.
- (c) Where a Candidate letter is received before or during a People's Assembly session, it is read out during said session. In case such letter is received after a People's Assembly session has ended, it is read out during the following session.
- (d) Letters of endorsement shall be prepared in accordance with a template drawn up by the People's Assembly. Envelopes for such letters shall be prepared in one shape and colour, shall be made from paper through which the contents of the letters are not visible and shall include an adhesive strip for sealing.
- (e) The Speaker of the People's Assembly hands each member of the People's Assembly an envelope containing a letter of endorsement marked with the Assembly's seal and signed by said Speaker, thus enabling the member to exercise the right to endorse a Candidate in writing. Each member writes down in secret their name and the name of the Candidate they choose to endorse, then places the letter of endorsement inside the envelope, seals the envelope and places it in a special sealed box in full view of the Speaker of the People's Assembly.
- (f) Members of the People's Assembly sign each next to their name on a special register establishing their endorsement of a Candidate with no mention of such Candidate's name.

Article 27

The Speaker of the People's Assembly sends to the President of the Supreme Constitutional Court, during the nomination period, the box containing the letters of endorsement of the People's Assembly members, along with a copy of the register mentioned in section (f) of Article /26/ hereinabove.

Article 28

The Speaker of the People's Assembly shall call for the reopening of the nomination period under the same conditions in the following situations:

- (a) No person applies for Candidacy or all Candidate applications submitted to the Supreme Constitutional Court within the legal time limit are rejected.
- (b) Only one Candidate application is accepted by the Supreme Constitutional Court within the legal time limit.
- (c) A Candidate whose application is accepted dies prior to the commencement of voting and the beginning of the electoral process, leaving only one other Candidate for the office of President.

Article 29

- (a) The Supreme Constitutional Court examines the legality of Candidate applications submitted thereto within the legal time limit after matching them to the letters of endorsement of the People's Assembly members. Said Court decides on such applications within a maximum of five days following the expiry of the nomination period.
- (b) The Supreme Constitutional Court announces the names of the persons whose candidacy it decides to accept.

Article 30

- (a) Any person whose Candidate application is rejected by the Supreme Constitutional Court may file a grievance in this regard within three days from the rejection of their application.
- (b) The Supreme Constitutional Court shall determine such grievance within three days from the filing thereof by virtue of a final decision.

Article 31

The Supreme Constitutional Court shall draw up a final list of Candidates and announce said list at least fifteen days prior to Election day by means of publication in the Official Gazette and in two daily newspapers.

Election of People's Assembly and Local Administrative Council members

Article 32

A Candidate for membership of the People's Assembly or Local Administrative Councils must:

- (a) Have been a citizen of the Syrian Arab Republic for at least ten years on the date the Candidate application is filed, save for Syrian citizens naturalized by virtue of Legislative Decree No. /49/ dated 7 April 2011 who are excluded from this requirement.
- (b) Be at least twenty-five years old at the beginning of the year during which the Election takes place.
- (c) Enjoy civil and political rights.
- (d) Not be disqualified from the right to vote.
- (e) Not have been convicted, by virtue of an un-appealed judgment that has become final, of a felony, an infamous misdemeanour or a misdemeanour breaking public confidence, save where said Candidate's record has been cleared by law. Infamous misdemeanours and misdemeanours breaking public confidence shall be specified by a decision of the Justice Minister.
- (f) Be literate, the level of literacy required being the completion of primary education or an equivalent thereof or the presentation of an accredited certificate or a certified copy thereof. Otherwise, the Nomination Committee shall test the Candidate for this purpose.
- (g) Be an Elector of the Electoral District in which said Candidate is running or have moved their Voting Domicile to said District.

Article 33

The following documents shall be attached to an application for candidacy for membership of the People's Assembly or Local Administrative Councils:

- (a) An extract of the Candidate's civil register including their date of birth in digits and letters and stating that the Candidate has been a Syrian citizen for at least ten years on the date the Candidate application is filed or that the Candidate was naturalized by virtue of Legislative Decree No. /49/ of 2011.
- (b) A criminal record extract dating back thirty days at the most from the date the Candidate application is filed.
- (c) Any accredited certificate or certified copy thereof indicating the Candidate's level of literacy.
- (d) A statement signed by the Candidate declaring that the Candidate is not running in any other Electoral District.
- (e) A statement indicating the Candidate's residential address and telephone number.
- (f) Proof of candidacy for the sector that the Candidate is applying to represent.
- (g) A document establishing transfer of Voting Domicile for Candidates who move their Voting Domicile in accordance with the provisions of section (e) of Article /59/ of the Law.

Article 34

Legally licensed political parties may collectively or individually file Candidate applications for membership of the People's Assembly and Local Administrative Councils either by adopting a list comprising Candidates from one party, Candidates from several parties or Candidates from one party along with independent Candidates who are in concord therewith, whether said list covers all or only some seats, or by nominating a Candidate on behalf of the party.

Article 35

A Candidate may not be a member of any committee whatsoever involved in the Elections.

Article 36

Procedure for candidacy to membership of the People's Assembly and Local Administrative Councils:

- (a) Within seven days starting on the day following that on which the decree specifying the Election date is published, Candidate applications (Template no. 1), along with all requisite documents, are filed with the Nomination Committee by the Candidate themselves or by their legal representative.
- (b) A notice of registration of the Candidate application is given to the Candidate, including the application's registration number and date (Template no. 3).
- (c) Candidate applications may be filed on official working days as well as on public holidays falling during the nomination period.

(d) Candidate applications are recorded in a special register (Template no. 2) in the governorate, district or sub-district in the order in which they are received whereby the following information shall be included:

- (1) Serial number.
- (2) Date and time of submission.
- (3) Candidate's full name.
- (4) Place and date of birth (day, month and year).
- (5) Residential address and telephone number.
- (6) Current profession.
- (7) Academic qualifications.
- (8) Electoral District in which the Candidate wishes to run.
- (9) Candidate's sector.
- (10) Political affiliation (including the name of the party to which the Candidate belongs).
- (11) Decision of the Nomination Committee.
- (12) Number and date of delivery of the final statement.

Article 37

- (a) The Nomination Committee examines the legality of Candidate applications and decides thereon within a maximum of five days from the date an application is registered by said Committee. Candidate applications that are not decided within said period are deemed accepted.
- (b) The Nomination Committee announces at the seat thereof, in alphabetical order, the names of the persons whose candidacy it decides to accept for every sector separately.
- (c) Applicants are each given notification of the Nomination Committee's decision, whether consisting of acceptance or rejection (Template no. 4).

Article 38

- (a) Any person whose Candidate application for People's Assembly or Local Administrative Council Elections is rejected by the Nomination Committee may object to such rejection before the Subcommittee within a maximum of three days starting on the day following that on which the names of the accepted Candidates are announced or starting on the expiration date of the period set for determination of Candidate applications.
- (b) The Subcommittee shall issue a final decision determining such objection within a maximum of three days from the date it is filed.

Article 39

- (a) Any Elector has the right to challenge the validity of the nomination of a Candidate for People's Assembly or Local Administrative Council Elections before the Subcommittee within three days starting on the day following that on which the Candidates' names are announced.
- (b) The Subcommittee shall issue a final decision determining such challenge within a maximum of three days from the date it is filed.

Article 40

- (a) Where a Candidate loses any of the requirements for candidacy after receiving the notification of acceptance thereof, such Candidate's name shall be removed from the list of Candidates by a decision of the Nomination Committee.
- (b) A Candidate or their legal representative may withdraw their Candidate application prior to the acceptance thereof by virtue of a request submitted in writing to the same Nomination Committee, in which case the Candidate's name shall be crossed out from the list of Candidates for the Electoral District such Candidate was running in.
- (c) A Candidate or their legal representative may withdraw their Candidate application following the acceptance thereof by virtue of a request submitted in writing to the Subcommittee at least seven days prior to the Election day, in which case the Candidate's name shall be crossed out from the list of Candidates for the Electoral District such Candidate was running in.
- (d) The nomination of any accepted Candidate who is called for compulsory or reserve service shall be crossed out.

Article 41

- (a) An applicant for candidacy to membership of the People's Assembly who is a public servant or is employed in a government institution or in the public or joint sector, and who receives a notification of acceptance shall notify their management of such acceptance in order to be granted a special leave without pay starting on the date the Candidate receives the notification of acceptance and ending upon the results announcement.
- (b) A Nomination Committee shall draw up a final alphabetized list, certified thereby, of the persons whose candidacy it decides to accept for every sector separately. Said list shall be announced on the noticeboard at Nomination Committee seats (governorate, district, sub-district), and a copy thereof shall be presented to the Subcommittee.
- (c) The Subcommittee shall send to the Electoral Committees copies of the final list of Candidates still running for Elections at least three days prior to the commencement of the electoral process in order for such lists to be placed inside voting booths and posted on the walls of and outside Polling Stations.

Article 42

- (a) Ministers may stand as Candidates for membership of the People's Assembly while retaining their office.
- (b) Governors may stand as Candidates for membership of the People's Assembly and, in case they win, shall be deemed to have resigned ipso facto given that it is not permissible to combine membership of the People's Assembly with the office of governor.
- (c) Judges, public servants, government employees and all Workers employed in government institutions, the public sector and the joint sector may stand as Candidates for membership of the People's Assembly provided that they are granted a special leave without pay throughout their candidacy period.

- (d) On the date a Candidate receives a statement of candidacy acceptance (Template no. 4), the above-mentioned leave without pay shall begin, and the Candidate shall cease to perform their job. In case the Candidate withdraws their candidacy prior to the Election day, said leave shall be deemed ended on the day following that on which the request for withdrawal is registered, and the Candidate shall return to work. Where the Candidate loses the Elections, such automatic leave shall be deemed ended on the day following that on which the Election results are announced, and the Candidate shall resume work.

Electoral Campaign

Article 43

Following the receipt of a notification of acceptance, a Candidate may broadcast announcements of their candidacy, distribute statements, deliver speeches and hold rallies in which the Candidate clarifies their electoral programme, goals and all matters related to their electoral platform.

Article 44

Both individual and political party Candidates commit to:

- (a) Abstain from discrediting, defaming or inciting against other Candidates or violating their privacy.
- (b) Preserve national unity and refrain from including any confessional, sectarian, ethnic or tribal indications or references, as well as displays violating public order or morals, in electioneering activities.
- (c) Abstain from posting, installing or displaying images, statements and flyers relating to Elections in places other than those assigned for this purpose by the competent local authorities.
- (d) Submit a final account of their campaign income and expenditures to the Supreme Constitutional Court, where the Candidate is running for President, no later than thirty days from the date the final Election results are announced.
- (e) Submit a final account of their campaign income and expenditures to the Higher Committee, where the Candidate is running in People's Assembly Elections, no later than thirty days from the date the final Election results are announced. When presented by a political party, such account shall be audited by a public accountant.

Article 45

- (a) A Candidate may not carry out any electioneering activity whatsoever prior to the receipt of a notification of candidacy acceptance.
- (b) During delivery of the notification of candidacy acceptance, Candidates are warned of the commitments mentioned in Article /44/ hereinabove and are briefed on the laws and criminal penalties relating to the violation thereof.

Article 46

Candidates or political parties are prohibited from financing electoral campaign activities with cash, in-kind assistance, donations, contributions or any other assistance coming from an external or foreign source whether directly or indirectly.

Article 47

Electioneering ceases twenty-four hours prior to the Election date. Once electioneering ceases, no person may, whether in person or through a third party, distribute programmes, publications or any other Election propaganda materials.

Electoral process

Article 48

- (a) A Voting Domicile is transferred from one Electoral District to another within the same governorate or from one governorate to another by virtue of any trade union card or identity document or any instrument granted by a public authority, a grass-roots organization or a trade union of which the person requesting said transfer is a member. Such instrument is presented to the Electoral Committee.
- (b) A Candidate's Voting Domicile is transferred in accordance with the provisions of Article/59/ of the Law whereby such Candidate must have been residing for at least two years in the place to which they wish to transfer their Voting Domicile. The same shall be proven by any official document.

Article 49

- (a) Elections begin at 7 a.m. on the day set therefor and last until 7 p.m. that same day without interruption.
- (b) Election timings may be extended by a maximum of five hours at all or some Polling Stations by a decision of the Higher Committee.
- (c) An Electoral Committee shall be present in its entirety at the Polling Station no later than 6.30 a.m. sharp on the day of Elections. Such Committee begins counting ballot envelopes for every ballot box separately (Template no. 14) and writes down the requisite information thereon. Then, the Chair of the Electoral Committee stamps the ballot envelopes with the Polling Station's seal. Such work shall be completed by 7 a.m.
- (d) Polls shall open at exactly 7 a.m. with the Chair and both members of each Electoral Committee opening the ballot box in the presence of any attending Candidates, Candidate agents or media. Following verification that the ballot box does not contain any paper or envelope, said box is duly sealed.
- (e) During Local Administrative Council Elections, each Electoral Committee is provided with two ballot boxes, one of which is consecrated for the Election of governorate council members and the other for that of members of the administrative unit council.

Article 50

- (a) An Elector exercises the right to vote or take part in Referendum after the Chair or a member of the Electoral Committee checks said Elector's personal identity card and verifies that they are entitled to vote in that Electoral District, as follows:
- (1) For the Election of the President of the Republic, the Chair or a member of the Electoral Committee hands the Elector a ballot envelope marked with a seal and comprising the names and photographs of all Candidates on the same paper or of each Candidate on a separate paper, with an empty circle, all of the same colour, under each Candidate's name and photograph. Next, the Elector enters the voting booth alone and records their opinion by filling the circle that is under the name and photograph of the Candidate they wish to elect. Alternatively, Electors may place any sign or indication showing their opinion on, inside, next to, above or under the circle. Then, while still inside the voting booth, the Elector places the ballot paper inside the envelope they were handed.
 - (2) For Referendums, the Chair or a member of the Electoral Committee hands the Elector a ballot envelope marked with a seal and comprising a ballot paper on which two empty circles are drawn, one of which is green for a yes vote and the other red for a no vote. Next, the Elector enters the voting booth alone and records their opinion by filling the green circle to vote 'yes' or the red circle to vote 'no'. Alternatively, Electors may place any sign or indication showing their opinion on, next to, above or under the circle. Then, while still inside the voting booth, the Elector places the ballot paper inside the envelope they were handed.
 - (3) For the Election of People's Assembly members, the Chair or a member of the Electoral Committee hands the Elector a ballot envelope marked with a seal. Next, the Elector enters the voting booth alone and places the ballot paper inside the envelope they were handed, whether such ballot paper is printed or handwritten and whether it was prepared in advance or written inside the voting booth.
 - (4) For the Election of Local Administrative Council members, the Chair or a member of the Electoral Committee hands the Elector two ballot envelopes marked with a seal. Next, the Elector enters the voting booth alone and places one ballot paper inside each envelope they were handed, whether such ballot paper is printed or handwritten and whether it was prepared in advance or written inside the voting booth.
- (b) After a Voter exits the voting booth, the Chair or any member of the Electoral Committee verifies the envelope's validity and checks that it is marked with said Committee's seal, then asks the Voter to place said envelope inside the ballot box.
- (c) The Chair or any member of the Electoral Committee records the Voter's full name, the personal identity card issuer and the Voter's national number in the Polling Station's register of Voters (Template no. 13).

Article 51

Candidates, Candidate agents appointed by Candidates by virtue of a Candidate proxy (Template no. 11) registered in the Subcommittee's register of agents (Template no. 12), local media and foreign media granted the Cabinet's approval shall all have the right to cover the electoral process.

Article 52

An Electoral Committee shall:

- (a) Before opening the ballot box, count the number of Electors who took part in the Election by referring to the register of Voters.
- (b) Open the ballot box after the time set for Election ends.
- (c) Count the ballot envelopes contained in the ballot box or boxes without looking at their content and compare the number thereof with the total number of actual Voters. In the event that the number of envelopes is found to exceed or fall short of the number of Voters at the Polling Station by more than two per cent (2%), the votes in this ballot box are deemed null and void, and the Election is repeated on the following day in such manner as is decided by the Subcommittee. In such case, the Electoral Committee shall draw up for every ballot box a procès-verbal in this regard (Template no. 15) which shall be placed with the ballot envelopes without the content of the latter being known. When the Election is repeated, only the Electors who already voted in that ballot box may vote again.
- (d) In case the number of envelopes is found to exceed the number of Voters at the Polling Station by less than two per cent (2%), the Electoral Committee destroys an equal percentage of ballot envelopes without looking at the content thereof and draws up a procès-verbal in this regard. In case the number of envelopes is found to fall short of the total number of Voters at the Polling Station by less than two per cent (2%), such shortfall is not taken into account, and the Electoral Committee draws up a procès-verbal in this regard.
- (e) Place every one hundred ballot envelopes inside an election envelope designed especially for this purpose (Template no. 14-1) and assign a serial number to each election envelope. Then, the Electoral Committee shall take the election envelopes one at a time in numerical order, remove the ballot envelopes therefrom one by one, open each ballot envelope, remove the ballot paper therefrom, and read out the names mentioned thereon in front of the Electoral Committee members, the attendees and the media. For every vote a Candidate receives, an /X/ mark is placed inside a checkbox in the section consecrated for said Candidate on the vote counting sheet (Template no. 16) in order for the votes received by every Candidate to be recorded. Checkboxes shall be filled successively from right to left. The same shall be performed on election envelopes, one after the other, until the procedure is completed for all envelopes.
- (f) After a ballot paper is read out and the votes contained therein recorded, said ballot paper is returned to the same election envelope from which it was removed. The Electoral Committee draws up its procès-verbal (Template no. 17) which shall include the Candidates' names, the number of votes each received both in digits and in letters and the decisions and measures taken by said Committee in the course of the electoral process. The members of the Electoral Committee shall sign on every page of said procès-verbal. The results shall be announced in the Polling Station, and the procès-verbal shall be immediately submitted to the Subcommittee.
- (g) Where a Subcommittee decides that the votes shall be recounted manually or electronically at a Polling Station, such Station's Electoral Committee is charged with conducting the recount, and the Subcommittee shall draw up a procès-verbal in this regard (Template no. 18).

- (h) The Chair or a member of the Electoral Committee shall deliver the ballot box, along with the election envelopes and ballot papers contained therein, to the place specified by the Administrative Head in return for a delivery receipt drawn up for this purpose (Template no. 20). Said Chair or member shall also hand the Electoral Committee's procès-verbal over to the Subcommittee in return for a delivery receipt drawn up for this purpose (Template no. 19).

Article 53

A ballot paper is considered valid for the Election of a President of the Republic in the following cases:

- (a) The ballot paper includes the name of one Candidate in a manner that indicates the Elector's wish to choose said Candidate only from among all Candidates as per the provisions of Section (a-1) of Article 50 hereof.
- (b) The ballot paper includes the same Candidate's name more than once, in which case it is counted only once.

Article 54

A ballot paper is considered valid for the Election of members of the People's Assembly and Local Administrative Councils in the following cases:

- (a) The ballot paper includes a number of Candidate names equal to the number of seats allocated to each sector according to the distribution provided for in Articles /22/ and /24/ of the Law.
- (b) The ballot paper contains a number of Candidate names exceeding the number to be elected from each sector in the Electoral District, in which case the excess is removed from the bottom up, and the vote is deemed valid for the remaining names.
- (c) The ballot paper contains fewer Candidates than the number to be elected, in which case such paper is deemed valid for the names listed thereon.
- (d) The ballot paper includes the name of a non-candidate, in which case only such name is removed.
- (e) The ballot paper includes a Candidate's name more than once, in which case it is counted only once.
- (f) A Candidate's name is mentioned under a sector other than theirs, in which case it is only counted if the ballot paper contains fewer Candidate names than the number to be elected in said Candidate's original sector.

Article 55

A ballot paper is deemed invalid for any electoral process in the following cases:

- (a) The ballot envelope is not marked with the Electoral Committee's seal.
- (b) The ballot envelope contains more than one ballot paper which are not identical.
- (c) The ballot paper contains the Elector's name, signature or any visible mark revealing the Elector's identity.

- (d) The circles under all or several Candidates' names and photographs are filled, or a sign or indication is placed on, inside, next to, above or under several circles.
- (e) The ballot paper is indecipherable.
- (f) The ballot paper is placed inside a ballot box other than that consecrated therefor in Local Administrative Council Elections.

Article 56

A ballot paper is deemed blank if it includes no indication whatsoever in favour of any Candidate.

Article 57

- (a) Upon receipt of the final procès-verbaux containing the Election results, a Subcommittee shall:
 - (1) Draw up a synoptic procès-verbal comprising the names of the Candidates who won the People's Assembly Elections (Template no. 21) and submit said procès-verbal to the Higher Judicial Committee for Elections.
 - (2) Draw up a synoptic procès-verbal comprising the Elections results for every Electoral District in the governorate council (Template no. 22).
 - (3) Draw up a synoptic procès-verbal comprising the Elections results for every Electoral District in governorate administrative centres and in other cities that are divided into several Districts (Template no. 23).
 - (4) Draw up a synoptic procès-verbal comprising the results of city, town and municipality council Elections (Template no. 24).
- (b) A Subcommittee shall draw up final procès-verbaux announcing Election results as the case may be as follows:
 - (1) Elections of governorate council members: Template no. 52.
 - (2) Elections of city council members, governorate administrative centre council members, and members of councils for cities with a population of more than one hundred thousand: Template no. 26.
 - (3) Elections of city, town and municipality council members: Template no. 27.

Article 58

- (a) Immediately upon receipt of the Electoral Committees' procès-verbaux, a Subcommittee shall oversee the calculation of the Election results for all Polling Stations within the Electoral District.
- (b) Where a Subcommittee decides that the Elections at a Polling Station are deemed null and void, such Subcommittee informs the Higher Committee of the same and sets a date for repeating the Elections at said Polling Station pursuant to the provisions of Article 76 of the Law. In such case, the opening of all ballot boxes in the Electoral District within which such Polling Station is located shall be suspended until the Elections are repeated in said Station.

- (c) Candidates are ranked in their respective sectors according to the number of valid votes they receive, and the highest-ranking Candidates in each sector are deemed to have won the Elections. In the event that two or more Candidates receive an equal number of votes for the last seat, the Subcommittee grants such Candidates one hour's time to exercise the right to withdraw in favour of another Candidate. Where said right is not exercised, the Subcommittee shall decide to draw lots in the presence of the Candidates or their agents. In case one or more Candidates are neither present nor represented, the Subcommittee shall draw lots in public, and the results shall be recorded in the Electoral Committee's procès-verbal.
- (d) Where the number of Candidates for either sector within an Electoral District is equal to the number of seats allocated thereto, said Candidates are deemed to have won by default. In such case, a procès-verbal of the same shall be drawn up for People's Assembly Elections (Template no. 5), for the Election of governorate council members or council members of governorate administrative centres and cities with a population of more than one hundred thousand (Template no. 7) and for city, town and municipality council Elections (Template no. 9).

Article 59

- (a) In the event that a number of Candidates for any sector in an Electoral District withdraw their candidacy during the period between the close of nominations and the public office closing hours on the seventh day preceding Election day in such manner that the number of remaining Candidates is equal to the number of seats allocated to said sector, the remaining Candidates are deemed to have won. In such case, a procès-verbal of the same shall be drawn up for People's Assembly Elections (Template no. 6), for the Election of governorate council members or council members of governorate administrative centres and cities with a population of more than one hundred thousand (Template no. 8) and for city, town and municipality council Elections (Template no. 10).
- (b) In case the Candidates of only one sector win by default, voting shall be carried out for the other sector.

Article 60

- (a) A Subcommittee shall draw up a synoptic procès-verbal of Election results in two originals, whereby it submits one original to the Higher Committee and retains the other in the Governorate.
- (b) In the Election of the President of the Republic, the Higher Committee submits a copy of said procès-verbal to the Supreme Constitutional Court.
- (c) In People's Assembly Elections, the Higher Committee submits two true copies of the original procès-verbal to the Supreme Constitutional Court and the People's Assembly and sends one true copy thereof to the Ministry of Interior.
- (d) In Local Administrative Council Elections, the Higher Committee sends true copies of the procès-verbal to the Ministry of Interior and the Ministry of Local Administration.
- (e) Any and all procès-verbaux issued by a committee shall be signed by the Chair and both members thereof.
- (f) In all procès-verbaux drawn up by committees as well as in the announcement of Election results, winning Candidates shall be referred to by their full names as follows: Given Name – Father's Name – Surname.

Article 61

Subcommittees shall inform Electoral Committees, Candidates and Electors of the provisions of law relating to election offences by way of printing and posting such provisions on Polling Station doors and distributing copies thereof to the Electoral Committees.

Announcement of Election results

Article 62

- (a) The Higher Committee submits the results of presidential Elections to the Supreme Constitutional Court.
- (b) Where in the final results a Candidate receives an absolute majority of the votes cast, such Candidate shall be deemed the winner for the office of President of the Republic, and the results are announced by the Speaker of the People's Assembly.
- (c) Where in the final results no Candidate receives an absolute majority of the votes cast, the President of the Supreme Constitutional Court announces a second round to be held within two weeks between the two Candidates who received the most votes cast.
- (d) The Candidate who receives the highest number of the votes cast in the second ballot is deemed winner for the office of President of the Republic, and the results are announced by the Speaker of the People's Assembly.

Article 63

- (a) The Higher Committee announces the final results of the Election of People's Assembly members.
- (b) Subcommittees announce the final results of the Election of Local Administrative Council members.

Challenges to the validity of Elections

Article 64

Challenges to the validity of the Election of the President of the Republic:

- (a) A losing Candidate may file a challenge with the Supreme Constitutional Court within three days starting on the day following that on which the Election results are announced. Said challenge is recorded in a special register.
- (b) The Supreme Constitutional Court renders its decision, which shall be final, within seven days following the expiry of the period for filing challenges.

Article 65

Challenges to the validity of the Election of People's Assembly members:

- (a) A losing Candidate may file a challenge with the Supreme Constitutional Court within three days starting on the day following that on which the Election results are announced. Said challenge is recorded in a special register.
- (b) The Supreme Constitutional Court renders its decision, which shall be final, within seven days following the expiry of the period for filing challenges.

Article 66

Challenges to the naming instruments of Local Administrative Council members:

- (a) A challenge pertaining to members of governorate councils and governorate administrative centre councils is filed by a losing Candidate with the competent administrative justice courts within five days from the publication of said members' naming instruments.
- (b) A challenge pertaining to members of other Local Administrative Councils is filed by a losing Candidate with the competent administrative courts within five days from the publication of said members' naming instruments.
- (c) The courts mentioned in this Article shall rule expeditiously on challenges filed therewith within no more than fifteen days from the date a case is registered, and said courts' judgments shall be subject to appeal before the Supreme Administrative Court within five days from the pronouncement thereof.
- (d) The Supreme Administrative Court shall determine any appeal brought before it relating to Local Administrative Council Elections within fifteen days from the date such appeal is registered at said Court, and the Court's decision shall be final.

Referendums

Article 67

Referendums are held based on a decree issued by the President of the Republic calling therefor and including the object and date thereof.

Article 68

Upon the issuance by the President of the Republic of a decree calling for a Referendum, the Higher Committee shall arrange, prepare and oversee the Referendum and shall announce the results thereof.

Article 69

All provisions of the Law relating to Electors' rights and duties shall apply to Electors in Referendums, and all provisions and procedures of the Law relating to Elections shall apply to Referendums.

Article 70

Any Syrian citizen not residing on Syrian territory may exercise their right to vote for a President of the Republic at an operating Syrian embassy, provided that such citizen's name is included in the Electoral Register and that there is no legal impediment to the exercise of their right to vote.

Article 71

The Ministry of Foreign Affairs and Expatriates calls citizens, through Syrian embassies operating abroad and in such manner as it deems appropriate, to declare their wish to vote from abroad by registering their names at the Syrian embassy in the country they are legally residing in, along with all required information and documents of proof specified by said Ministry, within a set time limit.

Article 72

An Elector votes based on their valid ordinary Syrian passport carrying an exit stamp from any Syrian port of exit, by means of an opaque envelope from the adopted envelope model.

Article 73

The competent departments in the Ministry of Interior verify that the above-mentioned names are included in the Electoral Register, and after the time limit set for registration expires, said departments draw up an independent electoral list for every embassy comprising the names of those citizens who are legally eligible to vote.

Article 74

Elections begin at 7 a.m. and end at 7 p.m. local time in the city where an embassy is located.

Article 75

During voting, vote counting and result announcement procedures, Syrian Candidate delegates may be present in the section of the embassy premises consecrated for the Elections.

Article 76

All procès-verbaux and papers relating to the electoral process are sent to the relevant committees entrusted with registration in Syria through the Ministry of Foreign Affairs and Expatriates via the fastest possible means of transport.

Article 77

The Ministry of Foreign Affairs and Expatriates provides through the Ministry of Interior all materials required for Elections of the President of the Republic held abroad and issues such decisions and implementing directives as it deems necessary to ensure the smooth conduct and the validity of the electoral process and guarantee electoral integrity.

Provision of voting materials

Article 78

- (a) The Ministry of Interior provides all materials required for Elections of the President of the Republic and of People's Assembly members, and the Ministry of Local Administration provides all materials required for Local Administrative Council Elections. Both Ministries shall work to equip Polling Stations with such furnishings, stationery, special election ink, phones and lighting as is necessary to ensure that the electoral process is carried out to completion.
- (b) The Ministries referred to in section (a) of this Article shall each consecrate a number of Workers therein to work under the supervision of Electoral Committees throughout the electoral process.

Document archiving

Article 79

- (a) Documents relating to the Election of the President of the Republic are kept throughout the constitutional term of office at the Ministry of Interior. Said documents shall not include documents submitted to the Supreme Constitutional Court.
- (b) Documents relating to People's Assembly and Local Administrative Council Elections are kept throughout the electoral cycle at the governorate and are destroyed following the Election of a new Assembly and Councils.
- (c) The documents referred to in this Article hereinabove consist of:
 - (1) Candidate application registers, records of the closure thereof and Candidate applications filed with Nomination Committees, along with the annexes thereto.
 - (2) Records kept by Electoral Committees along with the ballot envelopes, ballot papers, election envelopes, objections and vote counting sheets attached thereto.
 - (3) Records kept by the Subcommittees of Electoral Districts along with the decisions taken by said Subcommittees.
 - (4) Documentation and decisions relating to the Higher Judicial Committee for Elections.

Article 80

The Ministry of Interior and the Ministry of Local Administration shall draw up all templates relating to the electoral process and duly circulate said templates.

Article 81

The present Decision shall be published in the Official Gazette, and all relevant parties shall be informed of this Decision for the implementation thereof.

Amendment to Article 6 of the Implementing Directives of Law No. /5/ of 2014 on General Elections

Dear Sirs members of the judicial Subcommittees for elections,

We hereby circulate the content of the Ministry of Interior's Decision No. /547/M.K dated 16 May 2014 to which is attached a copy of the Prime Minister's Office Decision No. /13/C dated 15 May 2014 comprising the amendment of Article /6/ of the Implementing Directives of Law No. /5/ of 2014 on General Elections, whereby said Article shall read as follows:

“Male and female Syrian citizens who have attained the age of eighteen years on the date of an Election or Referendum have the right to vote and take part in Referendum, whereby such citizens' names are recorded in the General Electoral Register by the Ministry of Interior”.

For information

Damascus, 19 May 2014

The President of the Higher Judicial Committee for Elections

Article 1

Article /6/ of Law No. /5/ on General Elections issued on 24 March 2014 is amended to read as follows:

“Military personnel and members of the Internal Security Forces shall be deprived, all through their service, from the right to stand for Elections to the People’s Assembly or to Local Administrative Councils”.

Article 2

An article numbered /59/ bis is added to Law No. /5/ on General Elections issued on 24 March 2014 and shall read as follows:

1. The Higher Judicial Committee for Elections may, where need be, transfer the Elections at one or more Electoral Districts or Polling Stations therein to one or more other Electoral Districts. Said Committee may also transfer the ballots and counting of votes of any Polling Station to another.
2. In the event that the Higher Judicial Committee for Elections decides to transfer Elections from any Electoral District or Polling Station therein to one or more other Districts, Electors whose District Elections are transferred may exercise their right to vote in the Electoral District or Districts to which such transfer is made. Candidates whose District Elections are transferred shall be exempted from the period required for transfer of Voting Domicile.
3. The Higher Judicial Committee for Elections takes such decisions as it deems appropriate to guarantee the validity of the electoral process, electoral integrity, free elections and monitoring of the electoral process in any Electoral District to which Elections are transferred.

Article 3

The first paragraph of Article /67/ of Law No. /5/ on General Elections issued on 24 March 2014 is amended to read as follows:

“An Elector exercises their right to vote or take part in Referendum based on their personal or military identity card”.

Article 4

The present Law shall be published in the Official Gazette.
Damascus, 14 Jumada al-Awwal 1437 A.H. (23 February A.D. 2016)
The President of the Republic
Bashar al-Assad

Legislative Decree No. /276/ of 1969
Date: 15 Ramadan 1389 (24 November A.D. 1969)
Publication date: 24 November A.D. 1969
Section: Legislative Decree
Information on this law:
In force

Legislative Decree No. /276/ of 1969

Syrian Citizenship & Implementing Directives

The Head of State, Based on the provisions of the Provisional Constitution, and
Based on Cabinet Decision No. /276/ dated 24 November 1969, hereby decrees the following:

Definitions

Proof of Citizenship Naturalization

Acquisition of Citizenship by marriage

Loss of Citizenship by relinquishment or marriage and regaining of Citizenship

Special provisions for Arabs

Deprivation and restoration of Citizenship

Final provisions

Chapter I

Definitions

Article 1

For the purposes of this Legislative Decree, the following terms shall have the following meanings unless otherwise provided by law:

- (a) “Region” means the Syrian Arab Region.
- (b) “Citizenship” means citizenship of the Syrian Arab Republic.
- (c) “Ministry” means the Ministry of Interior.
- (d) “Minister” means the Minister of Interior.
- (e) “Enjoy Full Capacity” means to be of full age (which is legally set at eighteen complete Gregorian years) and of sound mind and to have not been interdicted.
- (f) “Syrian” means any person having Citizenship of the Syrian Arab Republic.
- (g) “Expatriate” means any person of Arab origin but neither residing in an Arab country nor having an Arab citizenship.
- (h) “Alien” means any person who does not have Citizenship of the Syrian Arab Republic nor citizenship of any other Arab country.
- (i) “Naturalized Citizen” means any person who obtains Citizenship of the Syrian Arab Republic under the provisions of the present Legislative Decree or prior citizenship laws.

Chapter II

Proof of Citizenship

Article 2

Syrian Citizenship already acquired pursuant to the provisions of Legislative Decree No. /67/ issued on 31 October 1961 is deemed proven.

Article 3

The following persons shall automatically be considered Syrian:

- (a) Persons born in the Region or abroad from a Syrian father.
- (b) Persons born in the Region from a Syrian mother and whose father's identity has not been legally proven.
- (c) Persons born in the Region from parents whose identity or citizenship is unknown or from stateless parents. A foundling found in the Region is deemed born therein in the location where they are found unless proven otherwise.
- (d) Persons born in the Region who, at the time of their birth, did not have the right to acquire any foreign citizenship as a result of filiation.
- (e) Persons of Syrian origin who have neither acquired another citizenship nor applied for Syrian Citizenship within the time limits specified under prior decisions and laws.

The provisions of this Article shall apply even where a person is born prior to the entry into force of the present Legislative Decree.

Chapter III

Naturalization

Article 4

An Alien may be granted Citizenship by a decree on the proposal of the Minister and upon the filing of a petition in writing provided that said Alien:

- (a) Enjoys Full Capacity.
- (b) Is a resident of the Region for a continuous period of no less than five consecutive years prior to the filing of the petition. Intermittent residence shall be considered continuous where the duration of the resident's absence does not exceed one year, in which case said duration shall be added to the above-mentioned five-year period.
- (c) Is free from communicable diseases, disabilities and illnesses that prevent said Alien from performing any kind of work.
- (d) Exhibits good conduct, has a good reputation and has not been convicted of a felony nor received a custodial sentence for an infamous crime save where said Alien's record has been cleared.
- (e) Has expertise or experience which may be of benefit to the Region, has a legitimate source of income or possesses sufficient means of subsistence without requiring any assistance.
- (f) Is proficient in reading and writing Arabic language.

Article 5

Citizenship is granted solely on an individual basis with the exception of members of the same family.

Article 6

Citizenship may be granted by a decree on the proposal of the Minister to the following persons without the need to comply with the requirements stipulated by Article /4/ hereof:

- (a) Persons holding an expatriate certificate and applying for Citizenship.
- (b) Persons who have done the State or the Arab world great services.
- (c) Persons of Arab origin, upon their request and for reasons determined by the Minister.

Article 7

Major children whose father acquires Citizenship may be granted Citizenship upon their request by a decree on the proposal of the Minister, in which case the period of residence provided for in Article /4/ (b) hereof is reduced for such children to no less than two years.

Chapter IV

Acquisition of Citizenship by marriage

Article 8

1. A woman married to an Alien who acquires Citizenship is granted Citizenship under the following conditions:
 - a. Said woman shall file a petition in this regard with the Ministry.
 - b. The marriage shall last for two years from the petition date.
 - c. The woman shall be a lawful resident of the Region throughout the period mentioned in (b) of this Article.
 - d. A decision to grant such woman Citizenship shall be issued by the Minister.
2. Minor children shall enjoy Citizenship save where their ordinary residence is abroad, and they retain their father's citizenship of origin under the laws governing said citizenship.
3. Minor children who acquire Citizenship pursuant to (2) of this Article may choose to return to their citizenship of origin during the year following that in which they attain full age. The same shall be authorized by a decision of the Minister.

Article 9

An Alien woman who marries a citizen of the Syrian Arab Republic shall only acquire Citizenship under the terms and conditions stipulated in Article /8/ (1) hereof.

Chapter V

Loss of Citizenship by relinquishment or marriage and regaining of Citizenship

Article 10

1. A Syrian who naturalizes in a foreign country loses Citizenship provided that a decree authorizing such Syrian to relinquish Citizenship is issued upon their request and on the proposal of the Minister following such Syrian person's performance of all their duties and obligations towards the State.
2. Any Syrian who naturalizes in a foreign country at their request before they are authorized to relinquish Citizenship shall retain Citizenship in every respect and in all cases save where said Syrian is stripped thereof pursuant to the provisions of Article /23/ (10). Such Syrian shall be punished by imprisonment between one and three months and by a fine ranging between five hundred and two thousand Syrian Pounds or by either penalty.
3. No public prosecution case may be brought in this regard save at the Minister's written request.

Article 11

1. Upon her Syrian husband's naturalization in a foreign country following authorization, a woman who may acquire her husband's new citizenship under the laws that apply to her shall lose Syrian Citizenship save where she makes a request, within one year from the date her husband is naturalized, to retain such Citizenship.
2. Minor children who acquire their father's new citizenship under the laws that apply to them shall lose their Syrian Citizenship.
3. Children whose citizenship is decided according to (2) of this Article and who are ordinarily resident in the Region or who return to the Region in view of permanently residing therein, may choose to have their father's Citizenship of origin during the year following that in which they attain full age. The same shall be authorized by a decision of the Minister.

Article 12

A Syrian woman who marries an Alien retains Citizenship save where she files a petition to acquire her husband's citizenship, and the laws of such citizenship allow her acquisition thereof.

In the event that the marriage contract is null and void under Syrian law but is valid under the laws governing said contract, such Syrian woman retains Citizenship.

Article 13

A woman who acquires Citizenship in accordance with the provisions of Articles /8/, /9/, /18/ and /19/ hereof shall not lose Citizenship upon the termination of her marriage save where she marries an Alien and acquires his citizenship pursuant to the law that applies to her or regains her citizenship of origin.

Article 14

A Syrian woman who loses her Citizenship pursuant to the provisions of Articles /11/ and /12/ hereof may regain such Citizenship upon the termination of her marriage provided that she files a petition in this regard, and the Minister issues a decision granting such petition.

Article 15

Where a woman regains Citizenship following her husband's decease, her minor children shall automatically follow her Citizenship but shall have the right to return to their father's citizenship within one year from their attainment of full age. The same shall be authorized by a decision of the Minister.

Chapter VI

Special provisions for Arab citizens

Article 16

An Arab may be granted Citizenship by a decision of the Minister and upon the filing of a written petition provided that such petitioner for naturalization:

- (a) Enjoys Full Capacity.
- (b) Is a citizen of an Arab country.
- (c) Is ordinarily resident in the Region at the time the petition is filed.
- (d) Is free from communicable diseases and disabilities that prevent said petitioner from performing any kind of work.
- (e) Exhibits good conduct, has a good reputation and has not been convicted of a felony nor received a custodial sentence for an infamous crime save where their record has been cleared.

Article 17

Minor children shall enjoy Citizenship, even where their ordinary residence is outside the Region.

Article 18

A woman married to an Arab who acquires Citizenship shall consequently acquire Citizenship under the following conditions:

- (a) Said woman shall express her wish to acquire Citizenship by signing on her husband's petition or by filing an individual petition.
- (b) Said woman shall be a citizen of an Arab country, be of Syrian origin or have previously enjoyed Syrian Citizenship.

Article 19

Any woman who is a citizen of an Arab country, is of Syrian origin or has previously enjoyed Syrian Citizenship and who marries a Syrian shall become a Syrian citizen upon expressing such wish in a written request and by a decision of the Minister.

Chapter VII

Deprivation and restoration of Citizenship

Article 20

Any person who is found guilty of acquiring Citizenship based on falsified documents or by fraudulent means shall be deprived of said Citizenship by a court decision. Such deprivation shall also apply to those persons who have acquired Citizenship by extension.

Article 21

A Syrian citizen may be stripped of Citizenship by a decree on the Minister's reasoned proposal in the following cases:

- (a) The citizen acquires a foreign citizenship contrary to the provisions of Article /10/ (1) hereof.
- (b) The citizen voluntarily enrolls in military service in a foreign country without prior authorization from the Minister of Defense.
- (c) The citizen is employed by a foreign state in any capacity, whether within or without the Region, and said citizen does not comply with the Minister's request to leave such employment within a specific period of time.
- (d) The citizen undertakes an activity or work for the benefit of a state with which the Region is at war.
- (e) The citizen is found guilty of unlawfully departing from Syrian territory to a country with which the Region is at war.
- (f) The citizen was granted Citizenship based on the provisions of Article /6/ hereof, and an investigation proves that their deprivation of Citizenship is in the interest of the Region's security and safety.
- (g) The citizen definitively leaves the Region in view of settling in a non-Arab country, remains abroad for longer than three years, and following notification of a warning to return, either does not reply or replies with unconvincing reasons within three months from the notification date. Where a citizen refrains from taking delivery of such notification, a citizen's place of residence is unknown or notification is not possible, publication in the Official Gazette shall be deemed equivalent to notification.

Article 22

A decree stripping a person of Citizenship pursuant to the provisions of Article /21/ (d) and (e) hereof may provide for confiscation of such person's movable and immovable property.

Article 23

Deprivation of Citizenship shall result in the loss of Citizenship by the deprived person only unless otherwise expressly provided.

Article 24

A decree issued on the Minister's reasoned proposal may provide for the restoration of Citizenship to a person deprived thereof as well as for the restitution of their confiscated movable and immovable property or compensation therefor, in which case compensation shall not exceed the value of such property at the time of deprivation.

Chapter VIII

Final provisions

Article 25

Following consultation with the Ministry of Foreign Affairs, the Minister shall issue a decision providing the procedure for issuance of expatriate certificates, the benefits thereof and registration thereof.

Article 26

Without prejudice to the rights of third parties acting in good faith, all decrees and decisions relating to the acquisition, deprivation, regaining or recovery of Citizenship in accordance with the provisions of this Legislative Decree shall enter into effect on the date of their issuance, shall have no prior effect and shall be published in the Official Gazette.

Article 27

All court decisions rendered in cases relating to Citizenship are proof *erga omnes* and shall be published in the Official Gazette.

Article 28

The State Council in its capacity of administrative justice body shall have sole jurisdiction to hear all disputes relating to Citizenship.

Article 29

In cases relating to Citizenship, the burden of proof rests with the person claiming to have Citizenship or arguing that they do not have it.

Article 30

Minor children follow their father's citizenship save in the cases expressly provided for in the present Legislative Decree.

Article 31

Without prejudice to the more severe penalties stipulated by other laws, any person who (for the purpose of proving or denying Citizenship for themselves or for a third party) deliberately presents falsified data or submits untrue documents shall be punished by imprisonment for no longer than two years or by a fine not exceeding one thousand Syrian Pounds.

Article 32

The present Legislative Decree shall have no effect whatsoever on statuses acquired by virtue of prior Citizenship laws.

Article 33

The Minister shall issue implementing directives for the present Legislative Decree.

Article 34

Legislative Decree No. /67/ dated 31 October 1961 and all laws relating to Citizenship prior thereto are hereby repealed.

Article 35

The present Legislative Decree shall be published in the Official Gazette.
The Head of State
Damascus, 15 Ramadan 1389 (24 November A.D. 1969)

Decision No. /92/N Implementing Directives of Decree No. /276/ of 1969 on Syrian Citizenship

Syrian Arab Republic Ministry of Interior Decision No. /92/N.

Command of the Internal Security Forces

Department of Organization and Administration No.: 1-8/64

The Minister of Interior,

Based on the provisions of Legislative Decree No. /276/ of 1969 consisting of the Law on Syrian Citizenship (the “Legislative Decree”), particularly the provisions of Article /33/ thereof,

Hereby decides the following:

For the implementation of the provisions of the Legislative Decree, the following directives shall be followed:

Article 1

The head of the Department of Immigration and Passports (Citizenship Branch) and the heads of said Department’s branches in the governorates are charged with accepting petitions for naturalization and for regaining, relinquishment, choice and loss of citizenship, in addition to all matters provided for in Legislative Decree No. /276/ dated 24 November 1969, by giving the relevant person a receipt.

Article 2

The expression “of Arab origin” contained in the Legislative Decree shall mean any person having a paternal ascendant born in an Arab country. Such birth shall be proven by way of duly certified written documents issued by such Arab country.

Article 3

The expression “of Syrian origin” contained in Article /3/ (e) of the Legislative Decree shall mean any person having a paternal ascendant born in Syria. Such ascendant’s birth is proven by way of official or administrative investigations. The expression “have not acquired another citizenship” shall mean to have not acquired any foreign citizenship by due authorization.

Article 4: Naturalization

- (a) A person wishing to naturalize in the Syrian Arab Republic shall submit a petition in writing in which they expressly communicate such wish and which they sign in front of the competent official. The following documents shall be attached to said petition:
- (1) For aliens, a certificate of residence issued by the Department of Immigration and Passports or the branches thereof in the governorates proving such alien petitioner’s residence in the Region.
 - (2) A medical report issued by the Staff Screening Committee proving that the petitioner is free from communicable diseases, disabilities and illnesses that prevent them from performing any kind of work.
 - (3) A duly certified certificate of good conduct issued by the mukhtar of the locality in which the petitioner resides and verified by the police unit.
 - (4) A Syrian criminal record extract attesting that the petitioner has not been convicted of a felony nor received a custodial sentence for an infamous crime save where said petitioner’s record has been cleared.
 - (5) Proof of the petitioner’s expertise or experience by way of official documents or a duly certified certificate of income.
 - (6) A paragraph no longer than two lines written by the petitioner for the purpose of ascertaining that said petitioner is proficient in the Arabic language.
 - (7) Two extracts of the civil registers of the petitioner as well as the petitioner’s family members stating the place and date of birth for each of them in the month-day-year format. Where a petitioner’s children are born in Syria, said petitioner shall submit a copy of their certificates of birth issued by the competent civil registrar. Where a petitioner’s wife is Syrian, said petitioner shall submit an extract of her civil register issued by the civil registrar at her place of register and indicating in details the husband’s name and citizenship as well as the marriage date.
 - (8) For Turkish petitioners and petitioners of Turkish origin, a written letter of undertaking detailing the petitioner’s identity and citizenship, including the petitioner’s family members, and asserting that the petitioner owns no property, real property or land in the territory of the Syrian Arab Republic. The petitioner shall sign said letter in front of the competent official following the addition thereto of a stamp of /375/ Syrian cents and the war tax stamp.

(b) The competent official is entrusted with the following tasks:

- (1) Dictating a paragraph no longer than two lines to every foreign petitioner for naturalization, who shall write and sign said paragraph, in order to ascertain that said petitioner is proficient in reading and writing Arabic language. The competent official shall write their own name and function and also sign below such paragraph.
- (2) Drawing up an investigation table in duplicate as per the attached template after affixing the petitioner's photograph thereon and marking it with the official seal.
- (3) Verifying the authenticity and validity of all submitted documents and certifying the petitioner's signature.
- (4) Taking into account a petitioner's period of residence in Syria from the start date thereof according to the records of the Department of Immigration and Passports and the branches thereof in the governorates. Intermittent residence shall be considered continuous where the duration of a resident's absence does not exceed one year, in which case said duration shall be added to the five-year period. Unlawful residence shall not count.
- (5) Circulating the content of the above-mentioned letter of undertaking among all registrars of real property in Syria through the General Directorate of Cadastral Affairs in order to verify whether a Turkish petitioner (only) for naturalization owns any property, real property or agricultural land registered under their name in Syria, and requesting that such petitioner's name be recorded in the registers for restriction of the right to dispose of property.
- (6) Sending a letter both to the Political Security Directorate and the Criminal Security Directorate or to the branches thereof in the governorates in order to seek their opinion.

Article 5: Acquisition of citizenship by marriage

A female wishing to naturalize in the Syrian Arab Republic shall submit a petition in writing in which she expressly communicates such wish and which she signs in front of the competent official. The following documents shall be attached to said petition:

1. Two extracts of the petitioner's foreign civil register stating her name both in Arabic and in the foreign language, provided that the spelling of her name in the foreign language is identical to that on her passport or on the foreign document she holds.
2. For Turkish female petitioners, a letter of undertaking pursuant to the provisions of Article /4/ (8) hereof.
3. Two extracts of the civil register of the female petitioner's husband issued by the competent civil registrar and detailing the petitioner's identity and citizenship as well as the marriage date where it is mentioned in the civil register. Said copies shall be requested by the Department of Immigration and Passports in the preparation of the draft decision, and all emerging facts, especially divorce, shall be recorded therein.
4. A certificate of residence for a period of two years from the petition date.

5. A minor child who acquires Syrian citizenship pursuant to Article /8/ (2) of the Legislative Decree and who wishes to choose their citizenship of origin during the year following that in which they attain full age, shall file a petition in this regard which they sign themselves in front of the competent official and to which are attached a copy of such child's civil register and a copy of the civil register of the child's father in which the grounds for acquisition of Syrian citizenship are indicated. In such case, a draft decision authorizing such child to regain their citizenship of origin is drawn up without consultation of any other departments.

Article 6: Loss of citizenship by relinquishment or marriage and regaining of citizenship

- (a) The expression "to naturalize in a foreign country" contained in Article /10/ (1) and (2) and Article /11/ (1) of the Legislative Decree means to acquire any foreign non-Arab citizenship.
- (b) The expression "at their request" contained in Article /10/ (2) of the Legislative Decree means that the Syrian filed a petition in writing with the competent authorities in a foreign country expressing his wish to acquire said country's citizenship and that the laws of said foreign country do not impose such citizenship on the Syrian.

Article 7

- (a) A person wishing to relinquish Syrian citizenship shall submit a petition in writing in which they express such wish and request authorization to naturalize in a foreign country and which they sign in front of the competent official at the Department of Immigration and Passports and the branches thereof, at the Syrian embassy or at a Syrian consulate abroad. Two information forms to which the petitioner's photograph is affixed shall also be filled as per the template attached hereto.
- (b) A letter shall be sent both to the Political Security Directorate and the Criminal Security Directorate or to the branches thereof in the governorates in order to seek their opinion.
- (c) For male petitioners, a letter shall be sent to the General Directorate of Conscription or to the departments thereof in the governorates in order to seek their opinion.
- (d) A letter shall be sent to the competent civil registrar in order for said registrar to provide the Department of Immigration and Passports with two extracts of the petitioner's civil register and those of the petitioner's family members based on the civil records.
- (e) A letter shall be sent to the Ministry of Finance in order for said Ministry to indicate the petitioner's financial liabilities.
- (f) A copy of the decree or decision authorizing relinquishment shall be sent to the General Directorate of Cadastral Affairs in order for said Directorate to add the necessary indications to the petitioner's property in its registers.

Article 8

- (a) Pursuant to Article /11/ (1) and (2) of the Legislative Decree, the Department of Immigration and Passports shall notify a copy of the decree authorizing relinquishment of citizenship to the Ministry of Foreign Affairs which shall inquire the foreign country whether the wife and minor children of a person who relinquished Syrian citizenship acquire his new citizenship under said country's laws.
- (b) A female wishing to relinquish Syrian citizenship shall submit a petition in writing in which she expressly indicates such wish and which she signs in front of the competent official at the Department of Immigration and Passports and the branches thereof, at a Syrian embassy or at a Syrian consulate. Such female petitioner shall also submit two information forms to which her photograph is affixed and to which the following documents shall be attached:
 - (1) A certificate of marriage duly issued by the competent civil registrar.
 - (2) A certificate attesting the naturalization of said female petitioner's husband in a foreign country and her obtention of a passport from said country.
 - (3) A letter shall be sent to the competent civil registrar in order for said registrar to provide the Department of Immigration and Passports with two copies of the female petitioner's civil register, based on the civil records, in which her husband's identity and citizenship, the marriage date and any emerging facts are mentioned in detail.
- (c) A female Syrian whose husband naturalizes in a foreign country and who wishes to retain her Syrian citizenship shall file a petition in this regard, within one year from her husband's naturalization, with the Syrian delegation in her place of residence or with the Department of Immigration and Passports or the branches thereof in the governorates. The content of said petition shall be mentioned on the petitioner's civil register.

Article 9

For the purpose of clarifying Article /12/ of the Legislative Decree, a Syrian woman who is married to an alien (whether said alien is from an Arab or a foreign country) and who wishes to acquire her husband's citizenship shall follow the below procedure:

- (a) Such Syrian woman shall file a petition in this regard and sign said petition in the presence of the competent official at the Department of Immigration and Passports and the branches thereof, a Syrian embassy or consulate abroad, or the competent authorities in countries where Syria is not represented diplomatically. Such petitioner shall also fill two information forms to which her photograph is affixed.
- (b) The petitioner shall request from the civil registry an extract of her civil register in which her marriage date and the continuance of her marriage are mentioned, and in which her husband's identity is indicated in detail.
- (c) The Department of Immigration and Passports shall, through the Ministry of Foreign Affairs, ask the country of which the petitioner's husband is a citizen whether said country's laws grant the petitioner citizenship.
- (d) The civil registrar shall be informed of such country's answer in order to add the due indication to the petitioner's register. The General Directorate of Cadastral Affairs shall also be informed of the same in order to take any necessary action.

Article 10

With regard to the implementation of Article /13/ of the Legislative Decree, Syrian women who acquire citizenship in accordance with Articles /8/, /9/, /18/ and /19/ thereof shall not lose Syrian citizenship save under the following conditions:

- (a) Such Syrian woman marries an alien and acquires his citizenship. The same is established by:
 - (1) Proof of such marriage.
 - (2) Acquisition of said alien's citizenship proven by verification with the relevant country or by the presentation of a document of proof issued by said country.
- (b) Such Syrian woman regains her citizenship of origin by virtue of a document issued by the relevant foreign country by official communication.

Article 11

For the purpose of clarifying Article /14/ of the Legislative Decree, a woman wishing to regain Syrian citizenship shall:

- (a) Submit a petition in writing in which she expressly indicates such wish and which she signs in front of the competent official.
- (b) Submit two duly certified copies of the certificate of death, certificate of divorce or any other document proving the termination of her marriage.
- (c) Submit two copies of her minor children's civil register (only in case of decease of said woman's husband).
- (d) Request two copies of said petitioner's own civil register in which her husband's name and citizenship as well as their marriage date are clearly mentioned.
- (e) For Turkish female petitioners and solely in case of divorce, sign and submit a letter of undertaking as per the adopted template in which the petitioner asserts that she owns no property or real property in Syria. The content of such letter of undertaking shall be circulated among all real property registries in Syria in order to impose restrictions on her right to dispose of property.

Article 12

For the purpose of clarifying Article /15/ of the Legislative Decree, as regards the return of minor children to their father's citizenship, the procedure provided for in Article /5/ (5) hereof relating to the interpretation of Article /8/ (3) of the Legislative Decree shall be followed.

Special provisions for Arab citizens

Article 13

For the purpose of clarifying Article /19/ of the Legislative Decree, the relevant woman shall:

- (a) Submit a petition in writing in which she expressly communicates her wish to acquire Syrian citizenship and sign said petition in front of the competent official.
- (b) Present two copies of the extract of her husband's civil register in which her identity and citizenship are mentioned in detail and the marriage date is indicated.
- (c) Fill out an information form to which her photograph is affixed.
- (d) A petitioner who is a citizen of an Arab country shall present a copy of her valid national identity card or passport or a duly certified copy of the extract of her civil register. A petitioner who is of Syrian origin shall prove that one of her paternal ascendants was born in the Syrian Arab Region. A petitioner who has previously enjoyed Syrian citizenship shall present a copy of the extract of her civil register with all emerging facts mentioned thereon.

Deprivation and restoration of citizenship

Article 14

For the purpose of interpreting Article /20/ of the Legislative Decree, the expression "court decision" means a decision issued by the judicial judiciary and not by the State Council (Supreme Administrative Court Decision No. /96/ of 1972).

Article 15

Procedure for drawing up records of unlawful departure:

- (a) Police units are charged with drawing up a record in triplicate, for any person who unlawfully departs from Syrian territory, in accordance with such person's civil register, a copy of which shall be attached to every record.
- (b) The Department of Immigration and Passports in Damascus shall be provided with two originals of the above-mentioned record as well as both civil register copies attached thereto in order to refer the same to the competent authorities. The third original shall be kept in the Categorized Compilation.
- (c) The spelling of names in the above-mentioned record shall correspond to that in the civil register.

Article 16

The Department of Immigration and Passports (Citizenship Branch) and the immigration branches in the governorates shall draw up the formalities relating to citizenship in accordance with the present Implementing Directives and shall then present said formalities to the head of the Department of Immigration and Passports who examines the same and takes the necessary measures in relation thereto.

Article 17

Where an alien or an Arab is granted Syrian citizenship in accordance with the provisions of the Legislative Decree, the documents held by such person are taken and sent, along with a letter, to the Ministry of Foreign Affairs which shall inform the interested country.

Article 18

Decision No. /1327/N. dated 22 December 1966 as well as all communications and directives contrary to the present Implementing Directives are hereby repealed.

Article 19

The present Implementing Directives shall be published and notified to all parties involved in the implementation thereof.

Damascus, 22 January 1976

Legislative Decree No. /100/ of 2011: Law on Political Parties

The President of the Republic,
Based on the provisions of the Constitution, hereby decrees the following:

Chapter I

Definitions, objectives and basic principles

Article 1

For the purpose of the implementation of the present Legislative Decree, the following terms shall have the following meanings:

“**Law**” means the Law on Political Parties issued by virtue of the present Legislative Decree. “**Political Party**” means any organized political body formed in accordance with the provisions of the present Law with the aim of contributing to political life through peaceful and democratic means.

“**Minister**” means the Minister of Interior.

“**Committee**” means the Political Party Affairs Committee.

“**Court**” means the First Civil Court of Appeals in Damascus.

“**Regulations**” mean the Implementing Regulations of the present Law.

Article 2

Citizens of the Syrian Arab Republic shall have the right to form and join Political Parties in accordance with the provisions of this Law.

Article 3

Political Parties contribute to the political organization and representation of citizens and thus work on raising political awareness with a view to stimulating active political life and citizens’ participation therein and building leaders who are capable of assuming public responsibility.

Article 4

Political Parties shall carry out their activity through peaceful and democratic means in order to execute specific programmes that are made public relating to political, economic, social and cultural affairs with the aim of participating in political life in accordance with the Law on General Elections.

Article 5

A Political Party that is established in accordance with the provisions of this Law shall adhere to the following principles:

- (a) A Political Party respects the provisions of the Constitution, the principles of democracy, the rule of law, public rights and freedoms, the Universal Declaration of Human Rights and all treaties and conventions ratified by the Syrian Arab Republic.
- (b) A Political Party maintains unity within the nation and consolidates national unity.
- (c) The principles, objectives, methods and funding sources of a Political Party shall be public.
- (d) A Political Party shall not be established on a religious, confessional, tribal or regional basis nor does it discriminate on the basis of race, sex or colour.
- (e) In a Political Party, bodies are formed, leadership is selected, and activity is carried out democratically.
- (f) A Political Party may not form any military or paramilitary body whatsoever, whether public or secret, and may not use, threaten to use or incite the use of any form of violence.
- (g) A Political Party may not be a branch or affiliate of a non-Syrian political party or organization.

Chapter II

Establishment

Article 6

No organization shall acquire the capacity of a Political Party and may engage in any political activity unless it fulfils the requirements and completes the procedures set forth in the present Law for the establishment of Political Parties.

Article 7

(a) The Political Party Affairs Committee shall comprise:

- (1) The Minister of Interior as President.
- (2) A judge named by the President of the Court of Cassation as a member.
- (3) Three independent public figures named by the President of the Republic for a three-year term as members.

(b) The Committee decides on petitions for the establishment of new Political Parties and on requests for the amendment of Political Parties' internal regulations, in addition to all other powers falling under its jurisdiction according to this Law.

Article 8

A petition for the establishment of a new Political Party is filed with the Committee after being signed by fifty founding members thereof who meet the following conditions:

- (a) A founding member must be a citizen of the Syrian Arab Republic for at least ten years.
- (b) A founding member must be at least twenty-five years old on the date the petition is filed.
- (c) A founding member must be a resident of the Syrian Arab Republic.
- (d) A founding member must enjoy political and civil rights.
- (e) A founding member must not have been convicted of any felony or infamous misdemeanour. Infamous misdemeanours shall be specified by a decision of the Justice Minister.
- (f) A founding member must not be a member of any other Political Party.

Article 9

A Political Party's internal regulations, the objectives and principles it is founded on and the rules governing the political, organizational, financial and administrative affairs thereof, which shall all not be in contravention with the provisions of the present Law, are attached to the petition for the establishment of the Political Party and shall particularly include:

- (a) The Political Party's name and symbol which shall neither be identical nor similar to an existing Political Party's name or symbol.
- (b) The addresses of the Political Party's headquarters and offices, if any. All Political Party headquarters and offices shall be located within the Syrian Arab Republic and made public. No such headquarters or offices may be situated inside the building of a public entity, private institution, educational institution or charitable organization nor in a religious site.
- (c) The objectives and principles on which the Political Party is founded as well as the programmes and methods it adopts to achieve said objectives.
- (d) The requirements for membership in the Political Party and the rules and procedures for admission of members thereto, expulsion therefrom and withdrawal of membership.
- (e) Membership requirements in terms of the enjoyment of the right to vote at the least and lack of membership in another Political Party.
- (f) The organization of bodies within the Political Party, the method for selection of Political Party leaders, the conduct of the Political Party's activity and the relationship with the members thereof, as well as said bodies' and leaders' functions and powers, democratic practice being fully provided within such bodies.
- (g) The Political Party's financial regulations which shall cover resources and funds, the rules and procedures governing spending and the rules and procedures for maintenance of the Political Party's accounts, audit thereof, approval thereof, preparation of annual budgets and adoption thereof in addition to the choice of the bank in which said Political Party funds are deposited.
- (h) The rules and procedures for voluntary dissolution, accession and merger of the Political Party and the rules for liquidation thereof. In case of dissolution, the property of a Political Party shall inure to the Public Treasury.

Article 10

- (a) A petition for the establishment of a new Political Party is submitted, signed by the founding members, to the President of the Committee and shall include the name of the petitioners' legal representative who is entrusted with following up on the establishment procedure.
- (b) The President of the Committee presents the petition to the Committee within fifteen days from the day following the submission thereof.
- (c) After verifying that the petition and the documents attached thereto fulfil the requirements set forth in the present Law, the Committee publishes the certificate of submission of said petition for one week in two daily newspapers, one of which is in Damascus and the other in the governorate within which the Political Party's headquarters are located if such location is not in Damascus. Such publication shall be made at the petitioners' expense and shall include the name, headquarters, offices and objectives of the Political Party to be formed and the full names,

professions and dates of birth of the founding members who have signed the petition. Said publication shall be made within thirty days from the day following that on which the petition is submitted. Lack of publication by the Committee during said period shall have no effect on the time limit for deciding the petition. Any interested party has the right to raise an objection before the Committee against the publication content within ten days from the end of the publication period.

- (d) The Committee shall decide on a petition within sixty days from the day following that on which said petition is submitted either by approving the Political Party's establishment or by issuing a decision to reject such establishment with justification. Where a petition is not determined within said period, the establishment of the Political Party is deemed approved.

Article 11

- (a) The President of the Committee notifies the petitioners' legal representative of the Committee's decision to approve or reject the establishment of a Political Party within seven days from the day following that on which said decision is issued. A decision to reject may be appealed by the founding members before the Court within fifteen days from such notification date.
- (b) The Court rules on such appeal within sixty days by a decision which shall be final.

Article 12

- (a) A Political Party shall acquire juridical personality and shall have the right to engage in political activity starting on the day following that on which the Committee issues a decision to approve the establishment thereof, upon the expiry of the sixty-day period mentioned in Article /10/ hereinabove, or upon the Court's issuance of a decision reversing the Committee's decision, provided that the Political Party comprises at least one thousand members who are registered in the civil registers of at least half the governorates of the Syrian Arab Republic, the percentage of members in each governorate being no less than five per cent of the total number of members.
- (b) All documents relating to the establishment of a Political Party shall be published in the Official Gazette.

Article 13

A Political Party admits as a member thereof any person who:

- (a) Has been a citizen of the Syrian Arab Republic for at least five years, save for those persons who are covered by the provisions of Legislative Decree No. /49/ of 2011 who are excluded from this requirement.
- (b) Is at least eighteen years old on the date the application for membership of the Political Party is filed.
- (c) Enjoys political and civil rights.
- (d) Has not been convicted of a felony or infamous misdemeanour.
- (e) Is not a member of any other Political Party.

Chapter III

Resources and financial provisions

Article 14

- (a) A Political Party's resources consist of:
- (1) Membership dues.
 - (2) Government subsidies.
 - (3) Returns on the investment of the Political Party's property in the non-commercial fields set forth in the internal regulations thereof. For the purposes of this section, the investment of funds in newspaper production, investments in publishing and printing houses and the establishment of educational institutions are all deemed non-commercial investments.
 - (4) Donations and contributions.
- (b) A Political Party shall not accept any donation, contribution, privilege or benefit whatsoever from a non-Syrian person or party or from any juridical person.
- (c) A Political Party may not accept any contribution or donation in cash save in the form of a certified cheque accepted by the banks operating in the Syrian Arab Republic.
- (d) A Political Party shall indicate donors' and contributors' names and the sums donated or contributed by them in duly developed accounting records. A donation may not exceed five hundred thousand Syrian Pounds at a time or two million Syrian Pounds per year.

Article 15

The Committee annually proposes to the Cabinet the total amount of government subsidies to be granted to Political Parties in accordance with the provisions of the present Law. Following approval, said amount is included in the draft State general budget.

Article 16

The total amount of subsidies mentioned in Article /15/ hereinabove is distributed among Political Parties as follows:

- (a) Forty per cent (40%) of the subsidies are distributed among Political Parties in proportion to their representation in the People's Assembly.
- (b) Sixty per cent (60%) of the subsidies are distributed among Political Parties in proportion to the number of votes received by the candidates thereof in the legislative elections. A Political Party whose candidates obtained a total number of votes falling below three per cent (3%) of the total number of votes cast shall not be granted any share of these subsidies.

Article 17

The annual subsidies granted by the State to Political Parties shall be approved in January of every year and shall be paid following the Committee's validation of the Political Parties' annual reports within a maximum period of fifteen days from such validation.

Article 18

Government subsidies granted to a Political Party shall be discontinued in any of the following cases:

- (a) A court decision is issued ordering the cessation of the Political Party's activity.
- (b) The Political Party refrains from submitting the annual report of its final accounts of resources and expenses to the Committee.
- (c) The Political Party voluntarily ceases its own activity.

Article 19

A subsidy is lost in any of the following cases:

- (a) The Political Party is dissolved voluntarily or by a court.
- (b) The Political Party accepts any donation, contribution, privilege or benefit in violation of the provisions of this Law.

Article 20

- (a) A Political Party's funds may only be spent on activities that accomplish the Political Party's objectives in accordance with the rules and procedures set forth in the internal regulations thereof.
- (b) A Political Party's funds are deposited in a bank operating in the Syrian Arab Republic.
- (c) A Political Party keeps regular ledgers which shall include the revenues and expenses thereof pursuant to the rules set out by the Regulations and the Political Party's internal regulations.
- (d) A Political Party submits to the Committee an annual report of its final accounts certified by an auditor appointed by the Political Party.

Article 21

- (a) After viewing the annual report of a Political Party's final accounts, the Committee has the right to review and inspect the Political Party's ledgers, documents, revenues, expenses, legality of revenues and spending of funds through an auditor appointed by the Committee, provided that a copy of said auditor's report is presented to the relevant Political Party.
- (b) Both the Committee and the auditor shall preserve the confidentiality of the audit results save where a violation that must be brought to the Court pursuant to the provisions of this Law is uncovered.

Article 22

A Political Party submits an annual disclosure of all its property which shall be recorded in a register held by the Committee for this purpose.

Article 23

A Political Party's property is deemed public property in the implementation of the Penal Code without prejudice to the more severe penalties stipulated by other penal laws, and Political Party administrators and workers are considered as public servants in the implementation of the present Article.

Chapter IV

Rights and duties

Article 24

A Political Party's movable and immovable property is exempt from any and all taxes and fees. The Regulations shall provide the rules applicable in this regard.

Article 25

A Political Party's headquarters, offices, documents, correspondence and communications are inviolable subject to the following:

- (a) A Political Party's headquarters, offices, documents, correspondence and communications may only be monitored, inspected or confiscated by a court decision.
- (b) In case of flagrante delicto, a Political Party's headquarters and offices may be searched with the authorization of the competent public prosecutor and in the presence of one representative of the Political Party. Where the latter refuses, the same shall be recorded in a procès-verbal, and a search is carried out in the presence of two witnesses.
- (c) Any violation of the provisions of this Article shall render the search and any civil and criminal liabilities resulting therefrom null and void.
- (d) The Office of the Public Prosecutor shall notify the Committee of any and all measures taken by said Office at a Political Party's headquarters and offices within forty-eight hours.

Article 26

Each Political Party has the right to publish only one newspaper that writes on its behalf and to create only one website without the need to obtain the license provided for in the applicable laws. Every Party shall also have the right to use any and all means for expressing its opinion in accordance with the Constitution and the laws in force.

Article 27

All media outlets shall enable any and all Political Parties equally to use such outlets in order to transmit their views to the people during electoral campaigns. The Regulations shall provide the rules governing the same.

Article 28

A Political Party shall notify the President of the Committee by registered letter of any decision issued by the Political Party concerning the change of the head or secretary general thereof, the dissolution, accession or merger thereof, the voluntary cessation of the activity thereof or the amendment of the internal regulations thereof within ten days from the issuance of such decision.

Article 29

Political Parties have the right to use public spaces in order to undertake political activities subject to prior coordination with the competent authorities. The Regulations shall provide the rules governing the same.

Chapter V

General provisions

Article 30

- (a) A Political Party is deemed dissolved in any of the following cases:
- (1) The Political Party voluntarily decides to dissolve itself.
 - (2) The Political Party is dissolved by virtue of a court decision.
 - (3) The Political Party is merged into a new Political Party.
 - (4) The Political Party decides to accede to another existing Political Party.
- (b) In the cases mentioned in sections (a-3) and (a-4) of this Article, the above-mentioned new or existing Political Party shall become liable for all the dissolved Political Party's commitments and liabilities towards third parties, and all of the dissolved Political Party's property shall inure to such new or existing Political Party.

Article 31

Except in case of voluntary dissolution, merger or accession, a Political Party may not be dissolved, the cessation of the activity thereof may not be brought about and the execution of a decision thereof may not be stayed save by a court decision issued upon a request with justification for the dissolution of the Political Party and the liquidation thereof presented by the Committee to the Court in the event that the Political Party does not comply with any of the principles set forth in Article /5/ hereof or violates a provision hereof.

Article 32

- (a) The Committee may file a motion with the Court by summary process for cessation of a Political Party's activity or for stay of execution of any decision thereof until the above-mentioned request for dissolution is decided on. The Court shall determine such motion within fifteen days from the filing thereof.
- (b) The Court shall decide on a request for dissolution of a Political Party within thirty days from the presentation thereof.

Article 33

- (a) The Committee may issue a warning to a Political Party to eliminate any violation of the provisions of the present Law within a specific period of time.
- (b) Subject to the provisions of section (a) of this Article, a violation sustained by a Political Party is punishable by a fine ranging between one hundred thousand and one million Syrian Pounds.
- (c) Where an act committed by a Political Party constitutes an offence pursuant to the provisions of the Penal Code and the laws in force, the case shall be referred to the competent court.

Article 34

All disputes arising out of the present Law shall be finally settled by the Court.

Chapter VI

Final provisions

Article 35

All Political Parties of the National Progressive Front are automatically deemed licensed, and the documents pertaining thereto shall be submitted to the Committee within six months in accordance with the provisions of this Law.

Article 36

Any and all provisions contrary to this Law shall no longer be applicable.

Article 37

The Implementing Regulations of the present Law shall be issued by a decision of the Cabinet at the proposal of the Committee.

Article 38

The present Legislative Decree shall be published in the Official Gazette.
Damascus, 3 Ramadan 1432 A.H. (3 August A.D. 2011)
The President of the Republic
Bashar al-Assad
Nahel el-Masri, Attorney-at-law

www.parliament.gov.sy
Decision No. /100/ of 2011
Date: 11 September A.D. 2011
Publication date: 11 September 2011
Section: Decision
Information on this law:
In force

Decision No. /100/ of 2011 Implementing Directives of the Law on Political Parties issued in Legislative Decree No. /100/ of 2011

Prime Minister's Office
Decision /12793/M.

The Cabinet,

Based on the provisions of Legislative Decree No. /100/ issued on 3 August 2011 consisting of the Law on Political Parties and on Decree No. /146/ dated 14 April 2011, and

Based on the proposal of the Political Party Affairs Committee formed by Presidential Decision No. /28/ issued on 22 August 2011 and on the matters decided by the Cabinet in its session held on 6 September 2011,

Hereby decides the following:

Article 1

For the purpose of the implementation of the Law on Political Parties and the Implementing Regulations thereof, the following terms shall have the following meanings:

“Constitution” means the Constitution of the Syrian Arab Republic.

“Law” means the Law on Political Parties issued in Legislative Decree No. /100/ on 3 August 2011.

“Implementing Regulations” mean the Implementing Regulations of the Law on Political Parties issued in Legislative Decree No. /100/ on 3 August 2011.

“Minister” means the Minister of Interior.

“Committee” means the Political Party Affairs Committee formed pursuant to Article /7/ of the Law on Political Parties.

“Court” means the First Civil Court of Appeals in Damascus. **“Political Party”** means any organized political body formed in accordance with the provisions of the Law and the Implementing Regulations with the aim of contributing to political life through peaceful and democratic means.

Chapter I

Basic principles for the establishment of Political Parties

Article 2

Citizens of the Syrian Arab Republic shall have the right to form and join Political Parties in accordance with the provisions of the Law and the Implementing Regulations.

Article 3

Political Parties contribute to the organization of citizens, provide citizens with political representation and work to raise political awareness with a view to stimulating active political life and citizens' participation therein and building leaders who are capable of assuming public responsibility in order to work towards national development in all political, social, economic and cultural areas, consolidate national unity and enhance the sense of citizenship as well as communication between citizens and constitutional institutions in accordance with the provisions of the Constitution, the Law and the Implementing Regulations.

Article 4

Political Parties shall carry out their activity through peaceful and democratic means in order to execute specific programmes that are made public relating to political, economic, social and cultural affairs with the aim of participating in political life in accordance with the Law on General Elections, the Law on Political Parties and the Implementing Regulations.

Article 5

A Political Party that is established in accordance with the provisions of the Law and the Implementing Regulations shall adhere to the following principles:

- (a) A Political Party respects the provisions of the Constitution, the principles of democracy, the rule of law, public rights and freedoms, the Universal Declaration of Human Rights and all treaties and conventions ratified by the Syrian Arab Republic.
- (b) A Political Party maintains unity within the nation, consolidates national unity and preserves national sovereignty and independence both in thought and practice.

- (c) The principles, objectives, methods and funding sources of a Political Party shall be public.
- (d) A Political Party shall not be established on a religious, confessional, tribal or regional basis nor does it discriminate, limit membership therein or select the leaders thereof on the basis of race, sex or colour.
- (e) In a Political Party, bodies are formed, leadership is selected, and activity is carried out democratically.
- (f) A Political Party may not form any military or paramilitary body whatsoever, whether public or secret, and may not use, threaten to use or incite the use of any form of violence.
- (g) A Political Party may not be a branch or affiliate of a non-Syrian political party or organization.

Chapter II

Establishment

Article 6

No organization shall acquire the capacity of a Political Party and may engage in any political activity unless it fulfils the requirements and completes the procedures for the establishment of Political Parties set forth in the Law and the Implementing Regulations, subject to legal liability.

Article 7

(a) The Political Party Affairs Committee shall comprise:

- (1) The Minister of Interior as President.
- (2) A judge named by the President of the Court of Cassation as a member.
- (3) Three independent public figures named by the President of the Republic for a three-year term as members.

(b) The Committee decides on petitions for the establishment of new Political Parties and on requests for the amendment of Political Parties' internal regulations, in addition to all other powers falling under its jurisdiction according to the Law and the Implementing Regulations.

Article 8

The Committee draws up its own Rules of Procedure which shall be issued by a decision of the President thereof.

Article 9

The Committee shall draw up templates of the petitions and requests to be submitted thereto and shall prepare official printed stationery bearing the Committee's name as well as a seal for the Committee.

Article 10

A secretariat for the Committee which shall be called the Secretariat of the Political Party Affairs Committee (the ‘Secretariat’) shall be formed within the Ministry of Interior and shall be entrusted with conducting the Committee’s administrative work.

Article 11

The Minister appoints the Secretary of the Committee and specifies by a decision the jurisdiction, divisions and powers of the Secretariat.

Article 12

A petition for the establishment of a Political Party is filed with the Committee after being signed by fifty founding members thereof whose signatures shall be verified by a notary public and who meet the following conditions:

- (a) A founding member must be a citizen of the Syrian Arab Republic for at least ten years.
- (b) A founding member must be at least twenty-five years old on the date the petition is filed. The same shall be proven by way of an extract of the founding member’s civil register obtained from the competent civil registry.
- (c) A founding member must be a resident of the Syrian Arab Republic. The same shall be proven by way of a document certifying residence issued by the mukhtar of the locality in which the founding member resides.
- (d) A founding member must enjoy political and civil rights.
- (e) A founding member must not have been convicted of any felony or infamous misdemeanour. The same shall be proven by way of a criminal record extract. Infamous misdemeanours shall be specified by a decision of the Justice Minister.
- (f) A founding member must not be a member of any other Political Party. The same shall be proven by way of a statement presented by the founding member along with the petition. Signatures on such statements shall be verified by a notary public.

Article 13

A Political Party’s internal regulations, the objectives and principles it is founded on and the rules governing the political, organizational, financial and administrative affairs thereof, which shall all not be in contravention with the provisions of the Law, are attached to the petition for the establishment of the Political Party and shall include:

1. The Political Party’s name and symbol which shall neither be identical nor similar to an existing Political Party’s name or symbol.
2. The addresses of the Political Party’s headquarters and offices, if any. All Political Party headquarters and offices shall be located within the Syrian Arab Republic and made public. No such headquarters or offices may be situated inside the building of a public entity, private institution, educational institution or charitable organization nor in a religious site.

3. The objectives and principles on which the Political Party is founded as well as the programmes and methods it adopts to achieve said objectives.
4. The requirements for membership in the Political Party and the rules and procedures for admission of members thereto, expulsion therefrom and withdrawal of membership.
5. Membership requirements in terms of the enjoyment of the right to vote at the least and lack of membership in another Political Party.
6. The organization of bodies within the Political Party, the method for selection of Political Party leaders, the conduct of the Political Party's activity and the relationship with the members thereof, as well as said bodies' and leaders' functions and powers, democratic practice being fully provided within such bodies.
7. The Political Party's financial regulations which shall cover resources and funds, the sources thereof and the rules and procedures governing spending, as well as the rules and procedures for maintenance of the Political Party's accounts and financial records, audit thereof, approval thereof, preparation of annual budgets and adoption thereof in addition to the choice of the bank in which said Political Party funds are deposited.
8. The rules and procedures for voluntary dissolution, accession and merger of the Political Party and the rules for liquidation thereof. In case of dissolution, the property of a Political Party shall inure to the Public Treasury.
9. The name of the petitioners' representative who is entrusted with following up on the establishment procedure.

Article 14

- (a) A petition for the establishment of a Political Party is submitted, signed by the founding members thereof, to the President of the Committee and shall include the name of the petitioners' legal representative who is appointed by certified proxy and entrusted with following up on the establishment procedure. A petition is only registered if it meets the legal requirements and includes the requisite attachments, in which case the person filing the petition is given a receipt comprising the registration number and date. A petition is deemed registered as of such date.
- (b) The petition is referred to the President of the Committee who refers it in turn to the Secretariat in order for the petition to be presented to the Committee at the earliest meeting thereof, within fifteen days from the day following the petition registration date.
- (c) The Committee examines the petition and verifies that the documents attached thereto meet the requirements set forth in the Law and the Implementing Regulations. In such case, the Committee refers the petition to the Secretariat that shall publish it for one week in two daily newspapers, one of which is in Damascus and the other in the governorate within which the Political Party's headquarters are located if such location is not in Damascus. Said publication is made at the petitioners' expense.
- (d) The above-mentioned publication shall include the name, headquarters, offices and objectives of the Political Party to be formed and the full names, professions and dates of birth of the founding members who have signed the petition. Said publication shall be made within thirty days from the day following that on which the petition is submitted. Lack of publication by the Committee during said period shall have no effect on the time limit for deciding the petition.

- (e) Any interested party has the right to raise an objection before the Committee against the publication content within ten days from the end of the publication period and to register said objection at the Secretariat. The objection registration number shall be given to such objecting party. All objections are referred to the Committee which shall study them and either sustain or reject each while taking into account the effect thereof on the licensing of the Political Party.
- (f) The Secretariat refers the announcement of the publication of a petition for the establishment of a Political Party as well as the newspapers in which such publication is made to the Committee immediately upon issuance thereof.
- (g) The Secretary of the Committee presents the petition file once again to the President of the Committee who refers it to the Committee for consideration at the earliest meeting thereof.
- (h) The Committee examines the petition file a second time, views the above-mentioned announcements, verifies the validity thereof and decides on the petition accordingly within sixty days from the day following the petition registration date, either by approving the Political Party's establishment or by issuing a decision to reject such establishment with justification. Where a petition is not determined within said period, the establishment of the Political Party is deemed approved.
- (i) The Secretary of the Committee draws up the necessary letter based on the Committee's decision, and following signature by the President of the Committee, said letter is notified to the petitioners' legal representative by registered mail within seven days from the day following the issuance thereof.
- (j) A decision to reject the establishment of a Political Party may be appealed by the founding members thereof before the Court within fifteen days from the notification date.
- (k) The Court rules on such appeal within sixty days by a decision which shall be final.
- (l) For the calculation of the time limits mentioned in the Law and the Implementing Regulations, the provisions set forth in the Procedure Code in this regard shall apply.

Article 15

- (a) A Political Party shall acquire juridical personality and shall have the right to engage in political activity starting on the day following that on which the Committee issues a decision to approve the establishment thereof, upon the expiry of the sixty-day period mentioned in Article /10/ of the Law, or upon the Court's issuance of a decision reversing the Committee's decision, provided that the number of members in the Political Party reaches at least one thousand during said period, that such members be registered in the civil registers of at least half the governorates of the Syrian Arab Republic, and that the percentage of members in each governorate be no less than five per cent of the total number of members. The same shall be proven by all such members' signatures made in the presence of a notary public and presented to the Committee along with an extract of civil registers for every member.
- (b) A Political Party may not actively engage in political activity before submitting the signatures mentioned in section (a) of this Article.
- (c) All documents relating to the establishment of a Political Party shall be published in the Official Gazette.

Article 16

A member of any Political Party must:

1. Have been a citizen of the Syrian Arab Republic for at least five years, save for those persons who are covered by the provisions of Legislative Decree No. /49/ of 2011 for the naturalization of persons registered in the registers of foreigners in Al-Hasakeh who shall be excluded from this requirement.
2. Be at least eighteen years old on the date the application for membership of the Political Party is filed.
3. Enjoy political and civil rights.
4. Not have been convicted of a felony or infamous misdemeanour.
5. Not be a member of any other Political Party.
6. Documents of proof for sections (1), (2), (3) and (4) and a statement for section (5) of this Article shall be submitted to the Committee for the first one thousand members of a Political Party.

For all additional members, such documents shall be retained by the Political Party, whereby the Committee shall have the right to view them at any time.

Chapter III

Financial provisions for political parties

Article 17

- (a) A Political Party's resources consist of:
- (1) Membership dues.
 - (2) Government subsidies.
 - (3) Returns on the investment of the Political Party's property in the non-commercial fields set forth in the internal regulations thereof. For the purposes of this section, investment in newspaper production, investment in publishing and printing houses and the establishment of educational institutions are all deemed non-commercial investments.
 - (4) Donations and contributions.
- (b) A Political Party shall not accept any donation, contribution, privilege or benefit whatsoever from a non-Syrian person or party or from any juridical person whether Syrian or non-Syrian.
- (c) A Political Party may not accept any contribution or donation in cash save in the form of a certified cheque accepted by the banks operating in the Syrian Arab Republic.
- (d) A Political Party shall indicate donors' and contributors' names and the sums donated or contributed by them in duly developed accounting records. A donation may not exceed five hundred thousand Syrian Pounds at a time or two million Syrian Pounds per year.

Article 18

The Committee annually proposes to the Cabinet the total amount of government subsidies to be granted to Political Parties in accordance with the provisions of the Law. Following approval, said amount is included in the draft State general budget.

Article 19

The total amount of subsidies mentioned in Article /18/ hereinabove is distributed among Political Parties as follows:

- (a) Forty per cent (40%) of the subsidies are distributed among Political Parties in proportion to their representation in the People's Assembly.
- (b) Sixty per cent (60%) of the subsidies are distributed among Political Parties in proportion to the number of votes received by the candidates thereof in the legislative elections. A Political Party whose candidates obtained a total number of votes falling below three per cent (3%) of the total number of votes cast nationwide shall not be granted any share of these subsidies.
- (c) The Committee shall notify the Higher Judicial Committee for Elections of all legally licensed Political Parties within fifteen days from the announcement of the date of People's Assembly elections.
- (d) The Higher Judicial Committee for Elections shall inform the Committee of the names of all candidates running for membership of the People's Assembly in each governorate of the Syrian Arab Republic within one week from the close of nominations.
- (e) The Committee shall communicate to the Higher Judicial Committee for Elections the names of all Political Party candidates prior to the commencement of the voting process.
- (f) The Higher Judicial Committee for Elections shall inform the Committee of the votes received by each Political Party candidate, the number of electors in each governorate and the number of electors nationwide.

Article 20

The annual subsidies granted by the State to Political Parties shall be approved in January of every year and shall be paid following the Committee's validation of the Political Parties' annual reports in accordance with the Law and the Implementing Regulations within a maximum period of fifteen days from such validation.

Article 21

Government subsidies granted to a Political Party shall be discontinued in any of the following cases:

- (a) A court decision is issued ordering the cessation of the Political Party's activity.
- (b) The Political Party refrains from submitting the annual report of its final accounts of resources and expenses to the Committee.
- (c) The Committee does not validate the Political Party's annual report of final accounts.
- (d) The Political Party voluntarily ceases its own activity, in which case the Political Party shall inform the Committee of the same within fifteen days from the date a decision in this regard is taken, subject to legal liability pursuant to the provisions of the Law and the Implementing Regulations.

Article 22

A subsidy is lost in any of the following cases:

- (a) The Political Party is dissolved voluntarily or by a court. In both cases, the Political Party shall inform the Committee of the same within fifteen days from the dissolution thereof, subject to legal liability pursuant to the provisions of the Law and the Implementing Regulations.
- (b) The Political Party accepts any donation, contribution, privilege or benefit in violation of the provisions of the Law, in which case the subsidy shall be discontinued immediately upon the discovery of such violation. The subsidy is retroactively deemed no longer payable from the date such donation, contribution, privilege or benefit is accepted. Where the settlement of the violation is possible, the subsidy may be paid again.

Article 23

- (a) A Political Party's funds may only be spent on activities that accomplish the Political Party's objectives in accordance with the rules and procedures set forth in its internal regulations mentioned in Article /13/ hereof.
- (b) A Political Party's funds are deposited in a bank operating in the Syrian Arab Republic.
- (c) A Political Party keeps regular ledgers which shall include the Political Party's revenues and expenses pursuant to the rules set out in its internal regulations mentioned in Article /13/ hereof.
- (d) A Political Party submits to the Committee an annual report of its final accounts certified by an auditor appointed by the Political Party.
- (e) A Political Party communicates to the Committee every year the names and capacities of the person responsible for the management of the Political Party's property and the person authorizing spending.

Article 24

- (a) After viewing the annual report of a Political Party's final accounts, the Committee has the right to review and inspect the Political Party's ledgers, documents, revenues, expenses, legality of revenues and spending of funds through an auditor appointed by the Committee, provided that a copy of said auditor's report is presented to the relevant Political Party.
- (b) Both the Committee and the auditor shall preserve the confidentiality of the audit results save where a violation that must be brought to court pursuant to the provisions of the Law and the Implementing Regulations is uncovered. In such case, the Committee shall notify said violation to the Public Prosecution that shall duly initiate legal proceedings on behalf of public interest. The payment of subsidies to the relevant Political Party shall be discontinued for that year until the competent court renders a decision on the merits. Such decision shall be issued with immediate enforceability.
- (c) Subsidies are paid to Political Parties upon the Committee's decision whereby the President of the Committee addresses a letter to the Ministry of Finance in this regard. Subsidies are discontinued in the same manner pursuant to the provisions of the Law and the Implementing Regulations.

Article 25

- (a) A Political Party submits, along with the annual report of its final accounts, an annual disclosure of all its property and shall create a register for said property.
- (b) The Secretariat shall keep a register of each Political Party's property along with a copy of the documents proving the Political Party's ownership thereof.

Article 26

A Political Party's property is deemed public property in the implementation of the Penal Code without prejudice to the more severe penalties stipulated by other penal laws, and Political Party administrators and workers are considered as public servants in the implementation of the present Article.

Chapter IV

Rights and duties

Article 27

A Political Party's movable and immovable property is exempt from any and all taxes and fees as per to the following rules:

1. Such property shall be recorded in the Political Party's register of property and in the register kept by the Committee along with the documents proving the Political Party's ownership thereof.
2. A list of all changes to such property including additions and reductions shall be presented every year along with the annual report of the Political Party's final accounts.
3. All the Political Party's monies shall be deposited in a licensed bank operating in the Syrian Arab Republic.
4. The above-mentioned property shall be invested in the non-commercial fields set forth in the Political Party's internal regulations. Investment in newspaper production, investment in publishing and printing houses and the establishment of educational institutions are all deemed non-commercial investments.
5. The exemption provided for in the present Article includes fiscal charges, customs duties and local taxes.
6. Where a Political Party needs to import goods, supplies, equipment or any other necessities required for the activity thereof, said Political Party shall communicate such necessities to the Committee. In case the Committee approves the import, the President of the Committee sends a letter to the competent authorities indicating such approval.

Article 28

A Political Party's headquarters, offices, documents, correspondence and communications are inviolable subject to the following:

- (a) Without prejudice to the provisions of section (a) of Article /24/ hereof, a Political Party's headquarters, offices, documents, correspondence and communications may only be monitored, inspected or confiscated by a court decision.

- (b) In case of flagrante delicto, a Political Party's headquarters and offices may be searched with the authorization of the competent public prosecutor and in the presence of one representative of the Political Party. Where the latter refuses, the same shall be recorded in a procès-verbal, and a search is carried out in the presence of two witnesses.
- (c) Any violation of the provisions of this Article shall render the search and any civil and criminal liabilities resulting therefrom null and void.
- (d) The Office of the Public Prosecutor shall notify the Committee of any and all measures taken by said Office at a Political Party's headquarters and offices within forty-eight hours.
- (e) Political Parties shall retain all documents and records thereof for fifteen years under penalty of liability as set forth in the Law and the Implementing Regulations.

Article 29

Each Political Party has the right to publish only one newspaper under its name and to create only one website without the need to obtain the license provided for in the applicable laws. Every Party shall also have the right to use any and all means for expressing its opinion in accordance with the Constitution and the laws in force. A Political Party wishing to publish more than one newspaper shall observe the applicable laws regulating the licensing of newspapers.

Article 30

All media outlets shall enable any and all Political Parties equally to use said outlets in order to transmit their views to the people during electoral campaigns as follows:

- (a) A Political Party submits to the Committee a request indicating the name of the media outlet through which the Political Party wishes to transmit its views to the public, whether said outlet is a print, audio or audiovisual media outlet. The request shall also include the length of time required for presenting the Political Party's views and the name of the person who will present them.
- (b) The Committee refers the above-mentioned request to the Secretariat which shall collect and coordinate all Political Parties' requests in order to allow all Political Parties equally to use the media outlets they wish to be featured on.
- (c) The Secretariat communicates to the Committee a programme developed by the Secretariat including the names of the media outlets the use of which is requested, the date assigned for each Political Party to appear thereon and the share allocated to each Political Party therein.
- (d) Following approval by the Committee, the above-mentioned programme is referred by the President of the Committee to the relevant media outlets which shall comply therewith in accordance with the applicable media law subject to the following:
 - (1) Article /28/ of the Law on General Elections relating to electoral propaganda expenditure shall be respected.
 - (2) Article /29/ of the Law on General Elections which grants candidates the right to broadcast announcements of their candidacy provided that they do not include any confessional, sectarian, ethnic or tribal indications or any display violating public order in electioneering activities shall be respected.

- (3) A candidate shall not have the right to use external media outlets in electioneering activities.
- (4) Article /30/ of the Law on General Elections which stipulates that electioneering shall cease twenty-four hours prior to the election date shall be respected.
- (e) A Political Party has the right to submit its candidates' applications individually or in the form of a list provided that the same is done in conformity with the Law on General Elections, namely Article /20/ thereof.

Article 31

A Political Party shall notify the President of the Committee by registered letter of any decision issued by the Political Party concerning the change of the head or secretary general thereof, the dissolution, accession or merger thereof, the voluntary cessation of the activity thereof or the amendment of the internal regulations thereof within ten days from the issuance of such decision. Said information shall be kept in the Political Party's file immediately upon receipt thereof after the Committee views the information and comments thereon where it deems the same necessary.

Article 32

1. Political Parties have the right to use public spaces in order to undertake political activities subject to prior coordination with the competent authorities. For this purpose, a Political Party shall submit a request to the governor, the heads of the local councils or the relevant body, as the case may be, who shall work to enable the Political Party to exercise said right on an equal basis with all other Political Parties pursuant to the exploitation regulations in force.
2. A Political Party undertakes to maintain public order and respect the directives in force relating to the use of public spaces.

Article 33

Media outlets shall grant registered Political Parties equal opportunities in the coverage of their news and activities in accordance with the provisions of the Law and the Implementing Regulations relating to the opening and closing of Political Parties' general conferences.

Chapter V

General provisions

Article 34

- (a) A Political Party is deemed dissolved in any of the following cases:
 - (1) The Political Party voluntarily decides to dissolve itself.
 - (2) The Political Party is dissolved by virtue of a court decision.
 - (3) The Political Party is merged into a new Political Party.
 - (4) The Political Party decides to accede to another existing Political Party.
- (b) In the cases mentioned in sections (a-3) and (a-4) of this Article, the above-mentioned new or existing Political Party shall become liable for all the dissolved Political Party's commitments and liabilities towards third parties, and all of the dissolved Political Party's property shall inure to such new or existing Political Party.
- (c) A Political Party shall inform the Committee of each of the above-mentioned cases within a maximum of fifteen days from the occurrence thereof subject to liability pursuant to the provisions of the Law and the Implementing Regulations.

Article 35

- (a) Except in case of voluntary dissolution, merger or accession, a Political Party may not be dissolved, the cessation of the activity thereof may not be brought about and the execution of a decision thereof may not be stayed save by a court decision issued upon a request with justification for the dissolution of the Political Party and the liquidation thereof presented by the Committee to the Court in the event that the Political Party does not comply with any of the principles set forth in Article /5/ of the Law and reaffirmed in Article /5/ hereof.
- (b) The Court shall decide on a request for dissolution of a Political Party within thirty days from the presentation thereof.

Article 36

The Committee may file a motion with the Court by summary process for cessation of a Political Party's activity or for stay of execution of any decision thereof until the above-mentioned request for dissolution is decided on. The Court shall determine such motion within fifteen days from the filing thereof.

Article 37

- (a) The Committee may issue a warning to a Political Party to eliminate any violation of the provisions of the Law within a specific period of time where the elimination of the violation is possible.
- (b) Subject to the provisions of section (a) of this Article, a violation sustained by a Political Party is punishable by a fine ranging between one hundred thousand and one million Syrian Pounds, the exact value of which is determined by the Committee based on the violation. The Political Party shall pay such fine at the fund provided for this purpose within fifteen days from the date it is notified thereof. Otherwise, the violation is referred to the competent criminal court.
- (c) Where the violation affects the legality of a Political Party's existence, the Committee shall refer such violation to the Court in order to command the cessation of the Political Party's activity or consider the dissolution thereof.
- (d) Where an act committed by a Political Party constitutes an offence pursuant to the provisions of the Penal Code and the laws in force, the case shall be referred to the competent court.

Article 38

All disputes arising out of the Law and the Implementing Regulations shall be finally settled by the Court.

Article 39

1. Letters registered in the Committee's bureau, postcards, letters sent via notary public and letters sent via registered mail are the valid means of communication between the Committee and Political Parties in all matters relating to the provisions of the Law.
2. A Political Party's headquarters shall be deemed the elected domicile thereof for all communications and notifications.

Article 40

All Political Parties of the National Progressive Front are automatically deemed licensed, and the documents pertaining thereto shall be submitted to the Committee within six months in accordance with the provisions of the Law and the Implementing Regulations.

Article 41

Any and all provisions contrary to these Implementing Regulations shall no longer be applicable, without prejudice to the provisions of the Law.

Article 42

The present Decision shall be published in the Official Gazette.
Damascus, 13 Shawwal 1432 A.H. (11 September A.D. 2011)
Prime Minister
Dr. Adel Safar

<http://www.pministry.gov.sy/>.

Syrian Arab Republic

Decree No. /76/ of 2020

The President of the Republic,
Based on the provisions of Article /62/ of the Constitution, and
Based on the provisions of Law No. /5/ of 2014 on General Elections,
Hereby decrees the following:

Article 1

The date for the election of People's Assembly members for the third legislative cycle is set on Monday 13 April 2020.

Article 2

The number of members in the People's Assembly allocated to each of the workers and farmers' sector and the sector of all other population segments in each electoral district shall be as follows:

Electoral district	Number of members in the district	Number of members from the workers and farmers' sector	Number of members from the sector of all other population segments
Damascus Governorate	29	10	19
Rural Damascus Governorate	19	10	9
City of Aleppo	20	7	13
Districts of Aleppo Governorate	32	17	15
Homs Governorate	23	11	12
Hama Governorate	22	13	9
Latakia Governorate	17	9	8
Idleb Governorate	18	12	6
Tartous Governorate	13	6	7
Ar-Raqqa Governorate	8	4	4
Deir-ez-Zor Governorate	14	8	6
Al-Hasakeh Governorate	14	8	6
Dar'a Governorate	10	5	5
As-Sweida Governorate	6	4	2
Quneitra Governorate	5	3	2
Total	250	127	123

Article 3

The present Decree shall be published in the Official Gazette.
Damascus, 8 Rajab 1441 A.H. (3 March A.D. 2020)
The President of the Republic
Bashar al-Assad

Chapter 1

Definitions and General Provisions

Article 1

For the purposes of the implementation of the Provisions of this Legislative Decree, the following terms and expressions shall have **the following meanings**:

“Ministry” shall mean the Ministry of Interior.

“Minister” shall mean the Minister of Interior.

“Central Administration” shall mean the Central Department for Civil Affairs within the Ministry of Interior.

“Citizen” shall mean anyone who possesses Syrian Arab citizenship.

“Civil Registry” shall mean the registry in which civil status Events are recorded based on the official documents of these Events. This registry may be paper-based or digital.

“The Directorate General for Civil Status” shall mean the entity responsible for implementing legislation relating to civil status and overseeing the work of the Civil Affairs Directorates based within governorates.

“Civil Affairs Directorate” shall mean the entity that exercises the competencies and functions of the directorates of the Central Administration within the governorates, under which the Civil Registry Offices fall, and whose director is appointed by the Minister.

“Civil Registry Secretary” shall mean the person responsible for undertaking the tasks of the Civil Registry Office mentioned in Article /2/ of this Law.

“Record” shall mean the totality of civil status data relating to a Citizen contained within the Civil Registry.

“Principal Record Data” comprises one’s name, Surname, father’s name, mother’s name, date and place of birth, and national number.

“Event” shall mean any civil status occurrence including birth, death, marriage, divorce, and occurrences proceeding from these.

“**Statement**” shall mean a document issued by a Civil Registry Office in relation to a specific Event.

“**Sex**” shall be male or female.

“**Family**” shall mean a group consisting of a father, a mother and children.

“**Extended Family**” shall mean a group of Families descending from a common ancestor.

“**Informant**” shall mean the person who is charged by this Law with reporting the occurrence of a specific civil status Event.

“**Certificate**” shall mean the document issued by the authorities that this Law entrusts with civil status Events.

“**Surname**” shall mean the Family name or the ancestral name that takes its place.

“**Copy of a Record**” shall mean the copy made of a Citizen’s or their Family’s Record from the Civil Registry.

“**Maktoum**” shall mean a person whose father or mother is registered in the Syrian civil Records; or who is of Syrian Arab Republic origin but who has not been registered within the specified registration period.

“**Place of residence**” shall mean the place where the Citizen resides – within or outside the territory of the Syrian Arab Republic.

Regulations for Article 1:

Surname

1. For males and females registered as the head of the household whose Record in the Civil Registry is limited to their forename and father’s forename only, their father’s forename at the time of registration will be considered their Surname, **as shown in the following example:**

Name and Surname	Name and Surname of the Father	Name of the Mother
Adil	Ali	Fatima

In such a case, the Surname of Adil is considered to be Ali.

2. For those whose father’s Surname is recorded yet whose own Surname is not stated in their Record, they shall take the Surname of their father automatically, **as shown in the following example:**

Name and Surname	Name and Surname of the Father	Name of the Mother
Adil	Ali Najjar	Fatima

In such a case, the Surname of Adil is considered to be Najjar.

3. If there are Records for two or more siblings in the same household, and no Record exists for their father within the same household, then the Surname of these siblings shall be considered as the Surname for any male sibling whose Surname is not stated. If more than one Surname exists among the siblings, the Surname of the eldest male sibling shall be considered their Surname.

Article 2

The tasks of the Civil Registry Office are defined as follows:

- (a) To register the Records of Citizens and the civil status Events that occur to them, whether these occur within or outside of the country, and to issue copies of these.
- (b) To issue personal identity cards and Family booklets to Citizens according to the provisions of this Legislative Decree.
- (c) To issue voter cards to Citizens according to the provisions relating to their relevant Legislative Decree.
- (d) To record the civil status Events that happen within the Syrian Arab Republic to non-Syrians according to the procedures in place and issue copies of them.
- (e) To prepare tables and statistical data.

Regulations for Article 2:

Article /1/ identified the Civil Registry Secretary as the person responsible for carrying out the functions of the Civil Registry Office which are presented in Article /2/.

1. The Civil Registry Secretary must on a daily basis certify the newly added pages of the Events and corrections of registers before the official end of each working day, whether these registers be paper-based or digital.
2. Each Civil Registry Secretary must keep a special register in which their signature, official seal, and the signatures of their assistants and employees are recorded. The Civil Registry Secretary is responsible for the organization and maintenance of this register and must duly record the cessation of employment of their employees.
3. The Civil Registry Secretary must send a copy of their signature and the signatures of all their employees to the Governorate's Director of Civil Status Affairs.
4. The Civil Registry Secretary must examine any paperwork and address any shortcomings before sending it to any department and must protect their official seal from damage and ensure that the official processing stamp within the official seal is legible and clear.
5. The Civil Registry Secretary shall organize 'the Monthly Summary Report' at the end of each month on three paper-based or digital copies that shall be duly sent to the Central Administration via the Civil Affairs Directorate.
6. Each Civil Registry Secretary shall keep, alongside the Civil Registry, a separate Events register for each type of Event, in which Event Certificates and the related documents and paperwork shall be recorded upon their receipt. They shall also possess a paper file of 'incomings' – in which they shall record the documents and Statements of 'birth, marriage, death and divorce' which were obtained outside the Civil Registry Secretary's jurisdiction or outside of Syria and have been recorded by one of the Syrian Consulates, or which were processed according to the laws of the country in which they occurred that are not inconsistent with Syrian laws.

7. All Events documents shall be digitally archived. Paper documents shall be preserved and their destruction shall be forbidden regardless of the time that has passed since their issuance.
8. The Civil Registry Secretary shall keep a separate register for **Family booklets** and a separate register for **identity cards**.
 - a. Issued Family booklets shall be recorded within the former, alongside a separate logbook in which requests for Family booklets shall be recorded.
 - b. Issued identity cards shall be recorded within the latter, provided that alongside this the Civil Registry Secretary keeps a logbook recording requests for Certificates of identification and security clearances, which may be archived digitally.
9. The Civil Registry Secretary must prepare two copies of the lists of names of those liable for military service at least 6 months prior to the start of the year in which they will reach 18 years of age – in order to send these, digitally or in hard copy, to the competent Military Recruitment Division. The Civil Registry Secretary must inform them of Events arising in relation to a change of name or Surname and send a supplement naming newly registered Maktoums reaching the age of assignment.
10. The Civil Registry Secretary is prohibited from registering any Event or performing any civil status process if the matter is related to them or to any of their ascendants, descendants or spouses. In such a case, their immediate administrative superior shall take their place and any action in breach of this shall be considered null and void.
11. The Civil Registry Secretary shall refrain from using or issuing Copies of Records containing the registration of immigrants, foreigners, aliens, and Ottomans that are found in some Offices as these are considered nullified. Their nationality shall only be specified at the request of the competent court attached with the court summons. The Records shall be authenticated by the Directorate General for Civil Status and shall be used for the purposes of naturalisation only.

Article 3

- (a) The Civil Registry Secretary shall be a civilian worker who holds a degree in law and possesses administrative and technical experience. They shall be appointed by decision of the Minister.
- (b) The Civil Registry Secretary may appoint one or more assistants, provided that they possess administrative and technical experience, with priority given to the first, then to the second category.
- (c) Civil Registry Secretaries, their assistants and all personnel of the Office shall undertake specialized administrative and technical training courses, the structure of which shall be determined by the Minister.
- (d) In the event that the Civil Registry Secretary position is vacant, or the Civil Registry Secretary is absent for any reason, the responsibility for the Office's functions shall fall upon the most senior of the Civil Registry Secretary's assistants throughout their absence.

Article 4

In the event of a new governorate, region, or district being created, its Civil Registry Office shall automatically be considered up to date, and it will be for the Minister to establish the Civil Registry Office by a decision that he issues when the public interest so requires.

Chapter 2

The Civil Registry

Article 5

The civil registration system is based on the following principles:

- (a) Mandatory registration, that is to say that Citizens are obliged to register all Events that arise in relation to their civil status.
- (b) The adoption of an automated digital Civil Registry system for the entry and storage of Records, Events, proof of identity documentation, and for the extraction and issuance of copies of such data, according to the provisions of Article /2/ of this Legislative Decree.
- (c) The preservation of confidentiality of the Civil Registry and the data and information held within it, which only competent staff may be permitted to access within the limits of their authority.
- (d) The public authorities entitled to be linked with the digital Civil Registry, and the powers and controls associated with this link, shall be specified by a decision taken by the Minister.
- (e) It is not permitted to transfer the digital or paper-based Civil Registries from their premises, or to present them to courts or individuals, for any reason. If a Plea of forgery requires examining these Registers and the documentation they contain, these examinations must take place at the premises of the Registers by the court or judge appointed for this purpose.

Regulations for Article 5:

1. Article 5 obliges Citizens to register the Events that arise in relation to their civil status and Article /14/ specifies the legal period for doing so.
2. A colour personal photograph and the ten fingerprints are considered to be proof of identity, and additional proof can be added later depending on the situation.
3. It is the duty of every Civil Registry employee to preserve the confidentiality of the registers and the information and data they contain.

Article 6

Civil Records recorded in paper-based or digital registers carry legal evidential value and are considered a source for various types of population statistics.

Regulations for Article 6:

After Civil Registry data has been entered into a computer, this data is stored in digital registers according to specific data rules for these registers. The digital registers shall be considered to carry the same legal and evidential value as the paper-based registers once the computerised register has been verified against the paper-based register and all errors have been corrected. No deletion, modification or addition to them is permitted, except in accordance with the stipulations of the Legislative Decree and these Regulations. The paper-based or digital Civil Registries shall be considered as the main source for various types of population and vital statistics.

Article 7

The paper-based and digital Civil Registries and their programs shall be considered essential and permanent national documents. All necessary measures should be taken to preserve them, ensure their safety and protect them from loss, manipulation or damage. The best technical means should be used to preserve, classify and prepare backup copies of them.

Regulations for Article 7:

1. The Civil Registry Secretary must distribute work among the employees of the Office by a written memorandum of which a copy should be sent to the Central Administration via the Civil Affairs Directorate in the governorate. The Civil Registry Secretary must consider gradual alterations in the distribution of work among employees, in order that each employee becomes familiar with the various types of work.
2. Employees are responsible for supervising each Register, or working on each computer for automation, and for preventing any other employee from disseminating them or working upon them, except for in accordance with the rules issued for this purpose.
3. Registers and documents shall be kept in special safes using a precise system that facilitates their organization, reference and protection from disasters.
4. Backup copies of digital Civil Registries and their applications shall be kept in special safes which are resistant to fire, earthquakes, and theft, in three geographically distanced locations. Checks of these copies are to be undertaken periodically.

Article 8

It is not permitted to record within the Civil Registry anything other than that which is specified by this Legislative Decree and its Implementing Regulations, and that which is shown in the registration and Certificates of Events and documents – without any additions, deletions, modifications, corrective text in the margins, abbreviated expressions or dates written ‘in numbers only’. It is not permitted to accept any Certificate or document to which a correction has been made.

Regulations for Article 8:

1. Every employee must sign the 'Notes' field in the Civil Registry on recording any Event to be registered in it, and this shall be appropriately taken into account in the digital Civil Registry.
2. The Civil Registry Secretary and employees are each – within the limits of their work – professionally and criminally liable for any manipulation, misrepresentation or misuse that occurs in the Civil Registries.
3. The Civil Registry Secretary may not record anything in the Civil Registry other than that which is recorded in the Events register based on the Certificates presented to them. Any deviation from this will be considered null and void.
4. The Civil Registry Secretary is prohibited from adding anything unnecessary to registers or Certificates, and may not write corrections in the margins, write dates in numbers only, or accept a Certificate or document which contains a correction.
5. Should an error occur during the registration of Events in the Events register, when transferring details from birth or death Certificates, or other documents, the Civil Registry Secretary shall correct the error immediately, indicate in the 'Notes' field that the correction was made by them and sign upon it.
6. Should an error occur in the Civil Registry, in the transfer of the contents of the Events register to it, or when documents are to be recorded directly in it, an adjustment explaining the truth should – at the time – be arranged for, on a single copy and exclusively by the Civil Registry Secretary and they shall be accountable for it.

Article 9

In the event that the paper-based and digital Civil Registries, their programs or backup copies are lost or damaged due to unrest, a state of war, natural disasters or emergencies, they may be transferred to other safe places with the approval of the Minister at the request and supervision of the Central Administration, which must also take the necessary measures to ensure the reliability and continuity of digital work in emergencies.

Regulations for Article 9:

Contrary to the provisions of Article /5/, Clause (e), in the event of emergencies such as natural disasters, crises or unrest, it is permissible – with the approval of the Minister of Interior, and at the request of the Assistant Minister for Civil Affairs, or whoever replaces them in their absence – to transfer paper-based Records and registration documentation, as well as computers, servers and storage media containing Civil Registry data and backup media storing Civil Registry data and backup copies, to safe places without affecting the integrity of the data. This must be carried out under the supervision of the Directorate General for Civil Status, the Directorate of Informatics and a committee formed for this purpose, depending on the situation.

Article 10

In the event that paper-based or digital Civil Registries are lost or destroyed, or the Records stored within them or entered into their computers are considered to be nullified for any procedural or technical reason, the latest backup shall be returned to with the approval of the Minister, and the lost data shall be re-recorded.

Regulations for Article 10:

All paper-based Civil Registries must be digitally photographed once a year and the storage media of images must be kept in safe places, so that they can be returned to if the original records are damaged. The additional data must be re-updated from the date of the last copy – with written approval from the Minister.

Backups of digital Civil Registry data must be carried out on magnetic tapes – or other sophisticated media – weekly, and on three copies periodically. This is so that the contents of the latest digital backups can be returned and re-installed to the date of the copy, in the event that any part of the data is lost or damaged, in accordance with the procedures to be followed in such a case and with the written approval of the Minister. Any un-retained information shall be re-entered into the digital Registry as per the due process.

Chapter 3

Provisions on recording in the Civil Registry

Article 11

A Citizen's civil Record consists of the following data: their name and Surname, the name of their father and mother, their place and date of birth, their family status, their religion, the location and number of their Record, the date of their registration, their Place of residence, their national number and their Family number. On obtaining an identity card, the Citizen's photograph and ten fingerprints shall be added to the digital version of the Civil Registry.

Article 12

Once registered in the Civil Registry, a Citizen is given their own national number, which is unique, fixed and permanent, and which all official authorities are obliged to use and confirm in all processing, registration and documents relating to this Citizen.

Regulations for Article 12:

When a Citizen's data is entered into the digital Civil Registry, a serial number is generated for them, called the national number. This number is unique, i.e. it cannot be reused, and the same number cannot be held by more than one Citizen, and each Citizen must have only one national number.

The national number should be used as a key to all the Citizen's data in all official departments, and in all processing, documents and Certificates relating to them.

Article 13

Citizens' Records are stored and categorised in the Civil Registry according to Family, so that links are maintained between each Family within its core Extended Family.

Article 14

- (a) When an Event occurs, the Informant must submit the Certificate confirming the Event's occurrence and its documents within 30 days of it taking place, if it takes place within the country, and 90 days if it takes place outside of the country.

- (b) The provisions of Clause (a) of this article apply on arrival to births and deaths that occur while travelling – whether in the territory of the Syrian Arab Republic or in a destination country outside the territory of the Republic.

Regulations for Article 14:

1. The day on which the Event occurs or comes into effect is not factored into calculations of the specified time period. If the last day of the legal time period happens to be a public holiday, the following day shall be considered as the legal deadline.
2. The mukhtar authorised to arrange Certificates of civil status Events shall be the mukhtar operating in the place in which the Event takes place, or the mukhtar operating in the place where the Record of the person concerned is located.
3. Certificates should be checked for conformity with the Records of the person which they concern prior to registration if a new Record cannot be presented or no Family booklet is found.
4. If the Certificate is submitted within the legal period and its registration is delayed due to conformity checks, investigation or any other reason, it shall be registered later without a fine, and the date on which it was submitted must be clearly stated.
5. The provisions of this article apply to all Events that occur to non-Syrians within the country.

Article 15

If a civil status Event occurs to a Citizen within the territory of the Syrian Arab Republic, the documents attesting to its occurrence shall be submitted to the Office that holds their Record, either directly or via the Office operating in the place in which the Event occurred. In the latter case, the Office shall be responsible for recording the Event and immediately forwarding it to the Office that holds the Citizen's Record, for it to be registered.

Regulations for Article 15:

1. If the Event occurred in the region of the Civil Registry Secretary where the Record of the person concerned is stored, the contents of the Certificate shall be recorded in the Events register and the Civil Registry within 48 hours.
2. If the Event occurred outside of the region in which the Record of the person concerned is stored, the Certificate should either be submitted directly to the Office that holds their Record, or its contents should be recorded in the Events register of the Office operating in the place where the Event occurred. In the latter case, a copy of the Event should be sent to the competent Civil Registry Secretary in the place where the person's Record is held, for it to be registered within 48 hours in the Civil Registry – after being entered in the 'incomings' register – taking into account the provisions of Article /20/ and its Amendments.
3. Birth Events for which the documents are not submitted within the legally specified time period, or which were submitted within the legal period and whose registration was delayed for any reason, shall be recorded in the Maktoums and Nullified Records Register.

Article 16

Civil Registry Secretary shall in turn send copies of the data of Events taking place in the Syrian Arab Republic concerning non-Syrians, in order for them to be deposited with their governments, through the Ministry of Foreign Affairs, on the condition of Reciprocity of Treatment.

Regulations for Article 16:

1. A copy of every Event concerning non-Syrians shall be sent by the Civil Registry Secretary directly to the Department of Immigration and Passports in Damascus or its branches in the governorates, depending on the case.
2. Non-Syrians may be provided with a copy of Events relating to them on request after the legal stamp has been applied.

Article 17

- (a) Any civil status Event that occurs to a Syrian Arab person in a foreign country shall be treated as valid if it was processed in accordance with the laws of that country, and if the laws do not conflict with Syrian laws. The person concerned must register the Event with the Syrian Embassy or Consulate, or the embassy or consulate responsible for the affairs of Syrians, either in their Place of residence or where the Event took place. The consul must then send a copy of the registration document to the competent Civil Affairs Directorate via the Ministry of Foreign Affairs. Documents sent in this way can be taken into account for Statements and Documents ratified in Syria.
- (b) If a Syrian person is unable to register the Event with the Syrian Embassy or consulate where the Event took place, they must obtain a Certificate of the Event or a certified copy of it from the competent authorities where it occurred and submit it to the Civil Affairs Directorate of the place in which their Record is kept.
- (c) Any civil status Event occurring to a Citizen inside or outside the territory of the Syrian Arab Republic shall only be registered on the basis of duly authenticated documents.

Regulations for Article 17:

If a civil status Event occurring to a Syrian Arab person takes place in Arab or foreign countries, it shall be considered as valid if it is processed in accordance with the laws of that country, provided they do not conflict with Syrian laws. It shall be registered in one of the following ways:

1. It is registered with the Syrian Embassy or Consulate, or the embassy or consulate responsible for the interests of Syrians, either at the Place of residence of the person concerned or at the place in which the Event takes place. The consul shall in turn send a copy of it to the competent Civil Affairs Directorate in the place where the original Record is held, via the Ministry of Foreign Affairs and Expatriates, in order for the Event to be recorded in its registers.

2. If the person is a resident of a country in which there is no Consul responsible for the interests of Syrians, and is unable to record the Event where it has taken place, they must obtain an Event Certificate or a true copy of it from the competent authorities who arranged for the Event Certificate at the place where it occurred, and submit it to the Civil Affairs Directorate of the place where their Record is held. This should be after arranging for a Certificate from the mukhtar for birth or death Events, whereas for the instruments and decisions of marriage or divorce, if these are not inconsistent with Syrian laws in force, and are duly issued by competent courts (such as Sharia and Ruhia Courts), they must be covered with an expression of implementation from the competent court within the country.
3. If a birth occurs during Hajj, on a ship or in an aircraft, and the competent authority or pilot does not organize the required birth certificate, it shall be processed immediately on the return of the mother – with her child – to their Place of residence in the country. In this case the legal time limit shall start from the day following the date of their arrival.
4. The committee stipulated in Article /20/ of this Legislative Decree must decide on the registration of the births and deaths of Citizens that occur abroad if they are unable to present the necessary registration documents. If the birth or death documents presented do not meet the requirements for registration, they are to be submitted to the competent committee for consideration. A person who is unable to present documents relating to them on marriage or divorce occurring abroad may obtain a court decision from the Sharia or Ruhia Courts (or a decision from the competent civil court if the person was following civil law in their country). These decisions shall be registered with the Civil Registry Secretary in the place of the person's original Record.
5. If a Citizen acquires another citizenship in addition to their original Syrian citizenship and produces documents and Certificates arranged abroad containing this other arising citizenship, these documents shall be registered on their civil Record without the need to amend their citizenship in these documents and Certificates. It shall be sufficient to indicate their other citizenship in the 'Notes' field of the Record after verifying that they have retained their Syrian citizenship.
6. If a shortcoming or difference is found between the document received from abroad and the civil Record, the Civil Registry Secretary shall take **the following actions:**
 - a. If the Copy of the Record presented is incomplete and does not contain all the information required for registration, it may be supplemented with other acceptable documentation, such as a birth certificate and passport, after the original or a copy of it has been stored. If the passport and birth certificate also lack some of this information, the documentation may be registered according to the information contained within it and the person concerned shall be responsible for obtaining a judicial decision to register the rest of the required information missing from the Record. This applies if the matter requires registering a child or wife on the residence of their father or husband. However, if the matter only requires indicating a death, and the copy of the death's processing is missing from the Record, death can be indicated following checks and the linking of a Certificate from the mukhtar stating that the deceased person mentioned in the document is the person to which the Record relates. In all the aforementioned instances the approval of the Directorate General for Civil Status is required for this registration to take place.
 - b. If the contents of the document presented differ from the Record of the person concerned, yet this difference is not fundamental, the document shall be registered based on the documents presented after carrying out checks and linking a Certificate from the mukhtar stating that the deceased, their father, husband, wife or the person concerned referred to in the document is the same person referred to in the Record – provided that approval has also been obtained from the Directorate General for it to be registered.

- c. With regards to Palestinians living abroad and registered with the Refugee Foundation in Syria; their Events shall be recorded in the Events register for Syrian Arabs at Syrian Embassies, provided that a Statement is sent in turn to the aforementioned institution, or the person concerned should obtain a copy of these Events from the foreign authorities and in turn submit them for filing with the Refugee Foundation.
 - d. Where there is a difference in the location of the Record within a divorce document for a Syrian woman who has not lost her Syrian citizenship, despite having acquired her husband's foreign citizenship, or on the death certificate of a woman who has not disclosed their foreign naturalisation but has not lost Syrian Arab citizenship, this does not prevent the document from being registered in the Civil Registry if the rest of the information is consistent.
7. According to the provisions of this Legislative Decree, fees shall be payable upon the registration of Events occurring abroad by our embassies and consulates, and a note stating that they have been met shall be added to the Statement.

Article 18

Witnesses of civil status Events are required to be over the age of 18 at the time of the Event to which they are a witness. The testimony of a witness who is over the age of 60 on the date of their testimony of an Event shall be accepted if witnesses above the age of 18 cannot be found at the time of the Event.

Regulations for Article 18:

- 1. Witnesses of civil status Events must be over the age of 18 years at the time the Event they are witnesses to occurs.
- 2. The people that the Events concern may choose witnesses from among their relatives, or others, without discriminating on the basis of Sex.
- 3. It is not permitted for birth and death Certificates to be provided by one of the signatory witnesses.
- 4. The testimony of witnesses who are over the age of 60 may be accepted on documents and Certificates of birth and death of Maktoums, in the event that no witnesses over the age of 18 can be found at the time of the Event they are witnessing – provided that this lack of witnesses is clearly recorded in a police report.

Article 19

- (a) The competent Civil Registry Office must check Event Certificates and documents as soon as they are received, and register them in the Civil Registry in accordance with the relevant procedures contained in the Implementing Regulations, and must issue a Statement of their registration directly to the person concerned.
- (b) Dates of Events shall be recorded with the year, month, day, hour and minute, in both Hijri and Gregorian systems, and in numbers and letters format.

Regulations for Article 19:

1. This article makes it necessary for civil status Events to be registered as soon as the documents relating to them are arranged for or received, unless there is a contradiction or fundamental difference in the contents of the document presented to the Civil Registry Secretary compared with what is contained in the Record of the person concerned – in terms of the father's name, mother's name, or Surname – in which case the document shall not be registered until this discrepancy is duly removed.
2. Marriages and divorces must be indicated on the Records of both spouses.
3. If the father's name, mother's name, or Surname has been misspelled in one of the documents presented to the Civil Registry Secretary, they must return it to its source for the error to be corrected in accordance with the Civil Registry.
4. The Civil Registry Secretary should provide the persons concerned with a Statement of the Event as soon as it is registered and must record it in the Family booklet.

Article 20

- (a) Birth and death Certificates submitted after the legal time period has passed and before a year has passed since their occurrence shall be registered on the basis of the administrative report by the competent Civil Registry Secretary.
- (b) If a year has passed since the occurrence of a birth, and the person concerned has not yet reached the age of 18, or if a year has passed since the occurrence of a death, these events shall be registered by the competent Civil Registry Secretary on the basis of a police report.
- (c) Births shall not be registered after those concerned have reached the age of 18, except on the basis of a decision issued by a sub-committee, which shall be composed according to the decision of the Governor in post in each governorate. Each committee shall be authorised to decide upon Events within the scope of its work.
- (d) The births of children born to an unregistered father, or an unregistered mother who holds citizenship, shall only be registered on the basis of a decision issued by a central committee, which shall be composed by the decision of the Minister.
- (e) Within a month of being informed of the sub-committee decision, the subject of the decision and the Civil Registry Secretary shall have the right to object to it before the competent Governor, who may approve, amend or nullify the decision. Likewise, the subject of the decision of the central committee and their Civil Registry Secretary shall have the right to object to the decision, within a month of being informed of it, before the Minister who may approve, amend or nullify the committee's decision.
- (f) If a judicial decision is issued establishing death, the Events shall be recorded without a decision issued by the Committee of Maktoums.

Regulations for Article 20:

1. Births shall only be registered, after the person concerned has reached the age of 18, on the basis of a decision issued by a committee called the Committee of Maktoums, which shall be formed at each governorate's centre. The committee shall be chaired by the governorate's Director of Civil Affairs and have as members two employees with experience in civil affairs, one of whom

shall be called the Committee Rapporteur. This committee shall be authorised to decide upon the Events of those for whom a parent's Records are registered after these processes have been duly undertaken: the completion of a Statement of registration of Maktoums, police checks, the male Maktoums have presented to the Committee of Age Assessment, due reports have been arranged and the Maktoum has appeared before the Civil Registry Secretary for observation. The subject of the Committee's decision and the Civil Registry Secretary shall have the right to object to it in front of the competent Governor, within one month of the date of being informed of the decision, who may approve, nullify or amend the Committee's decision.

2. The Central Committee shall be chaired by the Assistant Minister of Interior for Civil Affairs, with the membership of the Central Administration's Director General for Civil Status, the Director of Legal Affairs and the Director of Public Administration. It shall be authorised to decide upon the Events of those whose father is unregistered or whose mother is unregistered and they possess citizenship through her – after processing has been duly undertaken. The subject of the Committee's decision and the Civil Registry Secretary shall have the right to object to it in front of the Minister, within one month of the date of being informed of the decision, who may approve, nullify or amend it. The Minister's decision shall be final and there shall be no way to appeal it.
3. The registration data of Maktoums and birth Certificates shall be submitted by those they concern to the Civil Registry Secretary, who shall forward them to the Rapporteur of the competent committee after carrying out checks and verifying them.
4. The competent committee must decide upon the processing of births of Maktoums within two weeks of the date of the registration tapes being completed.
5. The registration data for Maktoums whose father is unregistered, or whose mother is unregistered and they possess citizenship through her, must be forwarded to the Immigration and Passports Department and the Political Security Division to seek the opinion of both on their citizenship.
6. The committee shall take its decisions by majority and inform those concerned and the Civil Registry Secretary responsible for the file. Each committee shall keep a special register in which to record its decisions.
7. The registration Statement form that was previously in effect for Maktoums was adopted by Resolution 680/N of 1969.
8. This clause has been revoked.
9. Embassies are not authorised to register birth Events if those concerned have reached the age of 18. These Events shall be registered based on the decision of the competent Committee of Maktoums.
10. Events occurring to non-Syrians inside the Syrian Arab Republic shall not be registered after a year has passed since their occurrence, unless a decision has been issued by the competent court.
11. The fine stipulated in Articles /67-68/ of the Legislative Decree shall be payable for each unregistered birth Maktoum.
12. Death Events shall, if a year has passed since their occurrence, be registered on the basis of a police report, except for deaths that have been established by a judicial decision.
13. All civil status Events shall, regardless of the length of delay, be registered at the place of the Event's occurrence or where the original Record is held – except for births 18 years after their occurrence – in accordance with the provisions on their registration.

14. The Committee of Maktoums in the Damascus governorate shall register the births and deaths of Citizens occurring abroad that are the subject of Clause 4 of the Implementing Regulations of Article /17/ for Records held within governorates in which there is no Committee of Maktoums.

Article 21

If an Event is re-registered due to a factual error, the correct Record shall be retained in, and the other deleted with an administrative report by the competent Civil Registry Secretary.

Regulations for Article 21:

If the data within the duplicate Record is identical:

1. The Record registered based on a Certificate from the hospital shall be retained, and the Record based on a certificate from the mukhtar shall be deleted, with an administrative report.
2. If the two Records are registered on the basis of two Certificates issued by the same authority (two Certificates from the hospital or two certificates from the mukhtar), the most recent Record shall be deleted with an administrative report, and the older Record shall be retained.
3. If there is a discrepancy in the data of the two Records, the persons concerned are responsible for obtaining a judicial decision to delete one of them.

Article 22

- (a) The person to which the Record relates has the right to ask the Civil Registry Secretary for Copies of their original Record and the documents relating to them, as do their ascendants and descendants, their husband or wife, brothers, sisters and their Families, legal representatives, and official departments.
- (b) It is not permissible to provide Copies of the original that do not contain the national number of the person concerned. It is only permissible to record their religion in these Copies if they are designated for personal status use, or at the request of the person concerned.

Regulations for Article 22:

The following instructions shall be observed when organizing Copies of Records:

1. No information should be omitted in the preparation of the presented Record, such as the place of birth, Surname, family status, the day, month, year and time of birth or corrections to the Record of any kind – with indications before and after the correction and a note of the number and date of the court decision on which it is based. Copies of the Record should be completed in clear and legible script until Records can be issued by computer, and it should be indicated if the Record is extracted from an inactive civil Record.
2. The number and date of the Presidential Decree or Decision granting the person Syrian Arab citizenship should be stated.
3. The date the person was first recorded within the Civil Registry should be stated.

4. A Copy of the Record should be subject to the official stamp fee of 100 Syrian Pounds which will be adhered to the Copy of the Record.
5. Conforming the Record a second time shall be subject to a stamp fee.
6. Data and Records requested by state departments in relation to the public interest are not subject to the stamp fees, provided that a note to that effect is stated on the Copy of the Record.
7. The national number must be recorded on the Copy of the Record in the area designated for this.
8. Religion shall be mentioned in the field designated for it at the request of the person concerned, but the sect shall not be mentioned.
9. Religion and sect shall be noted in paperwork relating to Personal Status such as marriage and divorce.
10. Titles such as 'Pasha', 'Aga' and 'Khanum' should not be recorded on the Copy of the Record provided.
11. Identity cards and Family booklets carry legal evidential value for the purposes of the civil Record. Therefore, all official departments and public authorities should take copies of these two documents for the purposes of the Record, after attaching the legal stamp, and should label them with the words: 'this copy of identity card/Family booklet, number... was made on [date] issued by the Civil Registry Secretary in ...', including the explicit mention of the name of the employee, their job title and their signature.
12. Identity cards and Family booklets shall be excluded from the Record provided **when processing the following:**
 - (a) Records relating to Personal Status.
 - (b) Records requested by military recruitment departments that are not mentioned in the Family booklets belonging to the father and mother of the person liable to serve, such as their grandfather, uncle or other relatives (for sole provider and only child processes).
 - (c) Copies of Records requested by Land Registry departments in order to examine the circumstances of the person concerned at the time of contracts being handled.
 - (d) Determination of heirs processing.
 - (e) Sales transactions via an agency due to the inability of the client to attend.
 - (f) Deleted clause.
 - (g) Records requested by the military and single conscripts.
 - (h) Poverty affidavits if it is not possible to arrange identity cards and Family booklets because those concerned are in hospitals, sanatoriums or the like.
 - (i) Pensioners processing in the case of the existence of a third party agency.
 - (j) Students applying to military colleges (military, air, navy).
 - (k) Transactions related to the Syrian Commercial Bank.
13. Those referred to as brothers' or sisters' Families are the children of the brother or sister, the spouse of the brother or sister. The person the Record concerns may also take Copies of these people's Records.

Chapter 4

Births

Article 23

The duty to report birth Events falls upon the following people according to the following order:

- (a) The father, or in his absence, the mother or adult relatives of the child.
- (b) The directors of certain institutions, such as public and private hospitals, jails and prisons – these institutions are obliged to keep their own registers for recording these Events.

In situation (a) the birth Certificate is signed by the person responsible for reporting it in addition to the signature of the mukhtar and the doctor or midwife.

Regulations for Article 23:

1. This article specifies those responsible for presenting the birth Certificate wherever it occurs. They may nominate someone in turn to take on this duty from them, but they are responsible if the duty goes unfulfilled. This does not mean that a Certificate arranged for by due process and presented by a person not responsible for presenting it shall not be accepted.
2. The minimum pregnancy period is 180 days and the maximum is a solar year.
3. After registering the birth, the Civil Registry Secretary must provide the applicant with a birth Statement and record the birth of the child in their father's Family booklet (if found).
4. The directors of the institutions referred to in Clause (b) of this article are responsible for organizing the Certificates that they must submit to the Civil Registry Secretary in their region, based on the documents held by the person concerned, and within the legal time period, and sending them by official mail or by means of the logbook, without the need for them to be verified by the mukhtar. They must keep their own registers to record Events within them.
5. The Civil Registry Secretary must verify the authenticity of the signatures and seals of the directors of the institutions on the Certificates before their registration. In the event of a fundamental shortcoming in the Certificate, the Civil Registry Secretary must return it to its source to amend this shortcoming.

Article 24

In the event of twins or more, each child shall be given a birth Certificate specifying the hour and minute in which they were born and their distinctive features, if any.

Regulations for Article 24:

When twins or more are born, each shall be given a separate Certificate indicating the minute and hour in which each was born and their distinctive features, if any.

Article 25

It is not permitted to register a Maktoum under the name of their deceased brother from the same parents.

Regulations for Article 25:

This article prohibits the registration of a Maktoum under the name of their deceased brother from the same parents.

Article 26

It is not permissible to name a child with a compound name consisting of more than two parts.

Regulations for Article 26:

This article prohibits naming a child with a compound name consisting of more than two parts such as the name 'Abd al-Khaleq Abd al-Kareem' or 'Muhammad Abd Allah'.

Article 27

If a child dies before their birth is reported, a birth Certificate shall be issued for them, then a death Certificate. If the child is stillborn, it is sufficient for only a death Certificate to be issued for them.

Regulations for Article 27:

1. If a child dies before their birth is recorded, the Civil Registry Secretary should record the Event of their birth, then the Event of their death, and indicate the death on their Record.
2. It is sufficient for children that are stillborn to be recorded solely in the Deaths Register. In the name field the term "born dead" should be stated based on a Certificate arranged by due process.

Article 28

- (a) If a child is born of an unregistered marriage, it is not permitted to register them until the marriage itself has been duly registered.

- (b) If the child is illegitimate, neither the name of the father nor the name of the mother shall be mentioned in the birth register, except at their express request or by judicial decision.

Regulations for Article 28:

1. If a child is born to parents whose marriage is not registered, the Civil Registry Secretary should not register this birth Event until after the parents' marriage has been duly registered.
2. The Civil Registry Secretary is prohibited from stating the names of the father, the mother or both if the matter relates to an illegitimate child, if they have not explicitly requested this in writing. If the names are stated, the child should be registered under the father's household. If the father refuses to have his name stated or to allow the child to be registered under his household, the child shall then be registered in the mother's household at her written request, and in such a case the child shall automatically take their mother's Surname.
3. If the parents do not recognize the child as theirs, one or both of them may subsequently apply for their names and Surname to be stated via a written request. In such a case the Civil Registry Secretary must refer the request for checks. If they are assured of the request's authenticity, they shall organize an administrative report subject to the approval of the Directorate General for Civil Status. The correction shall then be recorded in the Events register for its contents to be established in the Civil Registry.
4. It is not permissible for the Civil Registry Secretary to state the name of the father, the mother or both, even if asked to do so, in cases where stating their names would indicate that the child is illegitimate. **These cases are:**
 - a. If the parents are of unmarriageable kin according to what is stipulated within Articles /33 and 34/ of Personal Status Law, which, for example, does not permit two siblings to marry each other. In such a case, one of their names shall be recorded.
 - b. It is forbidden to state the mother's name if she is married and the child is not her husband's, unless the birth occurred before the date of their marriage.
 - c. It is not permissible to state the name of the father if he is married and the child born to him was not of his legal wife, unless the birth occurred before the marriage or after its dissolution, except for those who profess a religion that allows polygyny.

An exception to the above paragraphs (a; b; and c of Section 4) is a child whose birth has been attributed to their parents by a decision of the Sharia Court.

Article 29

- (a) If a person of unknown parentage is found, the person who discovered them must notify the police or the mukhtar immediately upon discovering them, in order for the necessary report to be arranged, and submit them to an institution or person accredited by the Ministry of Social Affairs and Labour. The accredited institution or person shall organize a birth Certificate for them and register them in the Civil Registry after the Civil Registry Secretary has chosen a name for them, for their parents and the name for a grandfather as a Surname – or alternatively the name the care home proposes for the person of unknown parentage – without mentioning that they are of unknown parentage in the documents given to them.

- (b) A person of unknown parentage shall be considered to be a Muslim Syrian of Arab descent born in Syria in the place in which they were discovered, unless proven otherwise.
- (c) Those who are considered to be of unknown parentage are:
 - (1) A child of unknown parentage for whom no legal provider is known.
 - (2) A child who is lost and is unable to provide information about their relatives due to young age, mental impairment or due to being deaf and mute, and whose family does not try to recover them.
- (d) It is permissible to grant the person of unknown parentage the Surname of a foster Family at the written request of the head of the Family, and the consent of the person of unknown parentage if they have reached 18 years of age. Their Surname within their own household shall be corrected accordingly.

Regulations for Article 29:

1. A person of unknown parentage shall be recorded based on a Certificate arranged by the institution accredited by the Ministry of Social Affairs and Labour, and the person of unknown parentage shall be entrusted to it. The Civil Registry Secretary shall name the child, invent the name of their father, mother and grandfather so that the name of the grandfather shall be the Surname. This Certificate shall be recorded in the Civil Registry of the region in which the child was discovered or in the Civil Registry where the birth Certificate was arranged that records the actual birthplace in which they were discovered. The legal time period for registration begins on the date they were discovered.
2. The institution only has the right to propose a name for the person of unknown parentage, but not for their parents or grandparents.
3. A person of unknown parentage shall be registered in a household after being named.
4. If the foster Family wishes to grant their Surname to the person of unknown parentage, the head of the Family must submit a written application to the Civil Registry Office of the place in which the Record of the person of unknown parentage is held, enclosing a family Statement from the head of the Family and a document proving their custody of the person of unknown parentage issued by the competent care home.
5. If the person of unknown parentage is over the age of 18, the Civil Registry Secretary must record the presence of the person of unknown parentage, and their approval of the adjustment, on the request made by the head of the Family. The person of unknown parentage shall sign the request next to the signature and seal of the Civil Registry Secretary.
6. The adjustment shall be duly made on the person of unknown parentage's Record in the Events register and in the Civil Registry, and this shall be indicated in the 'Notes' field of the Record.
7. It is not permissible to adjust the name of the father of a person of unknown parentage to the name of the head of the foster Family, since adoption is considered forbidden according to the Sharia.

Chapter 5

Marriage and Divorce

Article 30

It is not permissible to register a marriage or divorce Event in the Civil Registry between Citizens or between a Citizen and a non-Syrian unless the Event was conducted by an authority authorised to do so, in accordance with the laws and regulations in force relating to this matter. Marriage and divorce will not be considered legal unless they are registered in the Civil Registry.

Article 31

The competent authorities that conducted the marriage or ruled upon the divorce must send three copies of the marriage or divorce documents, or of the judicial decision after it has been finalised, by official mail to the Civil Registry Secretary in the place where the marriage was held or the ruling was issued, within the time limit stipulated in Article /14/ of this Legislative Decree, or otherwise be liable to the penalties stipulated in this Legislative Decree. The competent Civil Registry Secretary must register this marriage or divorce in the Civil Registry in accordance with Article /19/ of this Legislative Decree.

Regulations for Article 31:

1. Once the marriage or divorce documents have been received, the Civil Registry Secretary shall record their contents in both spouses' Records, if they are registered in the Civil Registry Secretary's Civil Registry.
2. Marriage and divorce contracts, and their documentation, that are undergoing verification, shall be considered to be valid from the date they were issued, whereas the provisions relating to marriage and divorce shall be considered to be effective from the date of being finalised, and the legal period shall be calculated in light of that.
3. The Civil Registry Secretary operating in the place where the wife's Record is held must link a complete Copy of her Record and the Events arising in it to her marriage document, including the number and date of the last identity card she acquired with her national number, so that she can be recorded under her husband's household based on the Statement of her marriage which shall contain all such information.
4. Marriage contracts should indicate the numbers and dates of the approvals of the Military Recruitment Division and the Ministry of Interior accordingly.

5. Marriage papers and decisions that contain a clause establishing the parentage of children are limited to the registration of marriage only. Children may only be registered on the basis of birth Certificates according to due process.
6. If the marriage decision papers contain a clause annulling a deteriorated marriage, it shall be implemented in the Divorce Events register and consequently within the Record in addition to the indication of marriage.
7. If the Records of one or both of the spouses are found to be held by another Civil Registry Secretary, the Civil Registry Secretary shall, after registering the marriage Event, send two copies of the Event to the Civil Registry Secretary in the place where the Record of the wife is held in order for it to be recorded in the change of residence Event register in the 'Leaving' field, and it shall in effect be indicated in the wife's Record. The second copy shall then be forwarded with a complete Copy of the wife's Record and the Events within it to the Civil Registry Secretary in the place where the husband's Record is held, after labelling it with the number corresponding to the Leaving entry, in order for her to be registered in the Change of Residence Event register held there, with her husband's household recorded in the 'Joining' field.
8. If the husband is not Syrian, the wife shall maintain her Syrian nationality and shall remain registered under her family's household and the marriage Event shall be implemented in that household, reporting that she married the named person, for whom the following must be stated in detail: his name and nationality, the Event number and date, his passport number and the place of its issue.

Article 32

- (a) If one of the spouses is a foreigner, the marriage shall only be registered with the approval of the Ministry in accordance with the legal provisions in force on this matter.
- (b) If the spouses divorce before the marriage is registered, the marriage and divorce Events shall be implemented within the Civil Registry without need for the approval of the Ministry.

Regulations for Article 32:

The marriage of a Syrian Citizen to a foreigner shall only be registered with the authorisation of the Ministry after the following supporting documents have been submitted to the Central Administration by the persons concerned, their agents or relatives, or via the Ministry of Foreign Affairs if they come from our diplomatic missions abroad:

For the Syrian party:

1. A Copy of their civil Record with a copy of their identity card.
2. A marriage license from the Military Recruitment Division or a document from the Ministry of Expatriates proving their expatriation.

For the foreign party:

1. A birth Certificate or a Copy of their civil Record certified by the Syrian Ministry of Foreign Affairs.
2. A document establishing the religion of the foreigner from the competent authorities in their country of origin, certified by the Syrian Ministry of Foreign Affairs or by the Patriarchate adopted in the country, or a document establishing their religion issued by the Patriarchate adopted in the country, or a document announcing Islam as their religion from an Islamic country, certified by the Ministry of Foreign Affairs and Expatriates or the competent courts in the country.
3. A certified AIDS/HIV test result according to due process. An exemption from providing this test result is applied in **the following cases**:
 - a. If the foreigner has been a resident of the country for at least one year continuously.
 - b. If the spouses have children.
4. A copy of their passport. If the process is completed with the required documents, the Minister of Interior or the person they authorise shall issue a decision to approve the marriage or confirm it according to due process. The Minister or the person they authorise to approve the marriage may dispense with one of the required documents for cases at their discretion.
5. In the event of a divorce between the Syrian party and the foreign party before the necessary license to register the marriage has been obtained, the marriage and divorce shall be recorded on the Record of the Syrian party on the basis of the legal principles of registration, without obtaining the Ministry's consent to the marriage.

Article 33

After the legal deadline for reporting a marriage or divorce Event has passed, late Events shall be recorded, regardless of the duration of the delay, and the provisions of Article /67/ of this Legislative Decree shall be applied to the violator.

Article 34

- (a) The provisions within this chapter do not include the marriage or divorce of foreigners held by consuls of foreign countries in Syria in accordance with the provisions of the laws of their countries.
- (b) If one of the spouses is Syrian, the consulate is prevented from carrying out the marriage contract and registering it before obtaining the approval of the Ministry.

Chapter 6

Deaths

Article 35

The provisions of Articles /14/ and /15/ shall apply to the reporting and registration of death Events.

Regulations for Article 35:

1. Death Certificates shall be submitted to the Civil Registry Secretary of the place where they occurred, or of the place of the original Record, within 30 days of the date of their occurrence.
2. Death documents submitted after the specified deadline has passed, and before a year has passed since their occurrence, shall be registered following the arrangement of an administrative report of the Event by the competent Civil Registry Secretary.

Article 36

The duty to report death Events and follow the procedures for their registration falls on the ascendants, descendants, spouse or relatives of legal age that were present at the death.

Regulations for Article 36:

This article specifies the people on whom the duty falls to report a death and follow the procedures for its registration. This does not mean that a Certificate arranged according to due process and submitted by someone who is not responsible for submitting it shall not be accepted.

Article 37

Deaths shall be recorded by means of a Certificate from the mukhtar that encloses a medical report establishing that the death is of natural causes. In places where there are no doctors, it is sufficient for the mukhtar's Certificate alone to establish that the death is of natural causes.

Regulations for Article 37:

1. The Civil Registry Secretary is prohibited from indicating the causes of death in the Civil Register.
2. After registering the death, the Civil Registry Secretary shall add the necessary indication to the deceased's Record in the Civil Registry, and if this Registry is held by another Civil Registry Secretary, they shall immediately send a Statement for the requirement to be carried out.

Article 38

Deaths occurring in prisons, jails and hospitals shall be registered on the basis of Certificates submitted by the directors of these institutions, or their representatives, to the competent Civil Registry Secretary. These institutions shall also keep their own registers of these Events.

Article 39

When a person is executed, the public defender or their deputy must organize a report of the death Event and send it, within the legal period stipulated in Article /14/, to the Civil Registry Secretary for the death to be recorded in the Civil Registry.

Regulations for Article 39:

When the death by execution report is presented by the public defender or their deputy, it shall be implemented in the death Events register, then indicated in the Record of the person executed in the Civil Registry, stating the date of death without indicating the cause of death. A decision by the Committee of Maktoums shall not be needed if the presentation of the death report to the Office is delayed, and the death Event shall be implemented in the Civil Registry without a fine.

Article 40

Deaths that occur while travelling by sea, shall be treated in the same way as those occurring within the country whose flag is raised by the ship.

With regards to deaths occurring in aircrafts, the pilot shall organize a Certificate to be delivered to the nearest Civil Registry Secretary or Syrian consul at the first port to which the aircraft arrives.

Article 41

In the event that a vessel sinks or a plane crashes, and a portion of the passengers or crew are lost, and it is not possible to arrange the death processing stipulated in the previous article, the Minister shall, three months from the date of the loss, take a decision on the lost persons who were on board, stating their names. Following that, the Civil Registry Secretary or any related person may obtain a decision acknowledging death from the competent court at the place in which the Record of the deceased is held. A copy of this decision shall be sent to the Civil Registry Secretary in the place where the deceased's Record is held, where it shall consequently be indicated on the Record. These provisions shall apply to third parties who are entitled to request the correction according to the due process stipulated in this Legislative Decree.

Regulations for Article 41:

The Minister shall make a decision on lost persons as stipulated in Article /41/ and shall inform the Civil Registry Secretaries that hold the Records of the lost people and their relatives, in order for them to be informed of the matter and to be able to exercise the right granted to them under the aforementioned article.

Article 42

- (a) The Hajj Director accompanying the Hajj procession shall record deaths occurring during Hajj after verifying that they are recorded in the register specifically for this purpose, and, on their return to Syria, shall submit a death Certificate to the Ministry for each incident that contains the necessary information they have been able to obtain for their arrangement. They shall notify the competent Civil Registry Secretary of these Certificates, in order for an indication of them to be placed on the deceased's Records.
- (b) Deaths of pilgrims that are not recorded in accordance with Clause (a) within 30 days of the arrival of the last group of pilgrims, shall be registered on the basis of a death Certificate arranged for by the competent authorities in Saudi Arabia. A death Certificate shall also be arranged for in the Hajj Directorate, signed by two witnesses who were present at the death. If this is not possible, the provisions of Article /17/ of this Legislative Decree shall be applied.

Regulations for Article 42:

The date of arrival of the last group of pilgrims shall be determined by a decision of the Minister, and if it is not possible to record the deaths of pilgrims in accordance with the method referred to in this article, these deaths may be recorded in accordance with the method specified in Article /17/ of the Legislative Decree.

Article 43

The Ministry of Defence shall send the death documents of military personnel, civilian employees and volunteers, that die in service in military units, military operations or in similar tasks assigned by unit commanders, to the competent Civil Registry Secretary via the Ministry in accordance with Article /15/ of this Legislative Decree.

Article 44

No deceased may be buried without a medical Certificate. In places where there are no doctors, this Certificate shall be given by the mukhtar after they have verified that the death is of natural causes.

If the causes of death are suspicious, they must gather information and report the matter to the judicial and administrative authorities.

Article 45

Burial may not take place until eight hours have passed in summer and ten hours in winter. In critical cases, the competent authority may authorise burial without taking this time limit into account.

Chapter 7

Correcting Civil Status Records

Article 46

- (a) Corrections or modifications shall only be made to civil status Records based on a ruling issued by the magistrate of the region in which the original Record of the person requesting corrections or amendments is held.
- (b) As an exception to the previous clause, urgent corrections and modifications are permitted on matters arising in relation to doctrine based on documents, Certificates and administrative procedures detailed in the Implementing Regulations.
- (c) No corrections or modifications may be made to the registered date or place of birth, whether recorded within or outside the legal time period, except if forgery is alleged.
- (d) Requests for deletions or corrections may be submitted by the Public Prosecutor's Office, Civil Registry Secretaries or any person with an interest in the correction.
- (e) Material errors shall be corrected by the competent Civil Registry Secretary, by virtue of an administrative report, and approved by the governorate's Director of Civil Affairs.
- (f) In cases relating to public order, the correction can be carried out with an administrative report that is certified by the Directorate General for Civil Status.

Regulations for Article 46:

1. The term "region in which the original Record is held" is intended to mean the region of the Civil Registry Secretary who possesses the latest legal Record of the person concerned. For example, the Record relied upon for a wife is the one that is linked with her husband, and for a person who has left their household it is the Record in the place to which they have moved. On the issuance of a decision correcting an Event, the Civil Registry Secretary must correct the relevant Record if it is held by them. If not, they must send a Statement of the corrected Event to the Civil Registry Secretary in the place where the Record is held, in order for the latter Civil Registry Secretary to make the correction based on the Statement. If the Statement relates to deleting the Record, the latter Civil Registry Secretary must arrange an administrative report on it, and implement it on the Record, after it has been entered in the Events register for Maktoums.
2. Amendments or changes may be made in matters that do not relate to religious sects at the written request of the person concerned or their legal representative, supported by official documents and Certificates. When a change of sect document is received from the competent court, this shall be implemented in the Civil Registry Office of the place where the Record of the person concerned is held.

3. Corrections may only be made to the date or place of birth due to claims of forgery, provided that the date the Event was registered is not prior to the alleged date of birth.
4. If a Record is found that does not contain a year or month of birth, the Civil Registry Secretary shall add these by means of an administrative report, at the request of the person concerned. These must be listed as the first day and first month in the year of the birth. A copy of this report shall be sent to the competent Civil Affairs Directorate for approval.
5. There is no need to instruct a Citizen to submit a written request to correct errors on their Record arising from the transfer of details from the Events register to the Civil Registry. In such a case, a correction report shall be arranged by the Civil Registry Secretary in order to correct the error that occurred during transfer, and a copy of this report shall be sent to the competent Civil Affairs Directorate for approval.
6. If an error occurs in the Events register when registering an Event copied from a birth or death Certificate, or other documents, the Civil Registry Secretary shall correct the error immediately and indicate in the Notes field that the correction was made by them.
7. In the event of an error in a wife's Record that is linked to her husband's household, it may be corrected by administrative report based on her prenuptial Record, regardless of the date of the marriage, and a copy of this report shall be sent to the competent Civil Affairs Directorate.
8. Civil status Records shall be corrected under the finalised rulings of the Sharia, Madhhabia or Ruhia Courts for cases within their jurisdiction, and the corrections shall be implemented in the correction Events register and the in the Civil Registry on the Records of those concerned.
9. If there is a material error in one of the Records prepared – based on a ruling or document issued by the Sharia, Madhhabia or Ruhia Courts, or based on a Certificate prepared by an official institution – and it then becomes clear that there was a material error in the decision, document or Certificate, and the person concerned presents a new document correcting the material error to the Civil Registry Secretary, there is nothing to prevent them from arranging a report based on the corrected Copy and correcting the Record in the Events registers and civil registrations, following the approval of the Directorate General for Civil Status.
10. When a misspelling is found in the Civil Registry, such as an additional character in the Surname of a person (e.g. 'rose water!'), there is nothing preventing the Civil Registry Secretary from arranging an administrative report to correct the Surname (e.g. writing it as 'rose water') – provided that this correction does not change the core meaning and definition of the Surname. The use of the definitive article in the Surname is considered one of the material errors that may be corrected by an administrative report at the request of the person concerned.
11. If a ruling is issued by a magistrate to correct a father's Surname, this correction shall mandatorily include his minor children, and their Surnames must be corrected on all of their Records after the number and date of the father's correction Event has been noted on each one, without the need for a separate Event to be entered for each one. Adult children shall be free to choose whether to keep the Surname they grew up with or to acquire their father's Surname if they accept the correction to it. They must submit a written request enclosing a copy of the decision or correction Event relating to their father. With this, an administrative report shall be duly arranged, and it shall consequently be indicated on their Record in the Civil Registry, after a separate correction Event has been entered for each one.
12. Grandchildren shall have the right – following the death of their father – to acquire the corrected Surname of their grandfather by submitting a written request that encloses a copy of the decision on their grandfather's correction Event. This right may be exercised by the guardian for those that are minors.

13. The provisions covering corrections to the name of one or both parents, or a mother's Surname, include all minor and adult children, and shall be implemented on their Records without exception, after the number and date of the father's correction Event has been placed on each of their Records – without the need for a separate Event to be entered for each of them. This instruction also applies to a correction to the name of one or both parents by means of an administrative report.
14. Civil rights forfeiture rulings shall be recorded in the correction Events register and following that shall be transferred to the relevant field within the Civil Registry.
15. Corrections may not be made more than once on the same subject, unless they are corrections or modifications to the religious sect.
16. In cases relating to public order, the Civil Registry Secretary shall arrange an administrative report, which shall be forwarded via the Directorate of Civil Affairs to the Directorate General for Civil Status with the supporting documents, in order for it to be reviewed and approved.

Article 47

The Civil Registry Secretary or one of their assistants must personally attend civil status proceedings.

Article 48

- (a) The Civil Registry Secretary must be represented in proceedings relating to civil status, and all courts handling civil status cases must involve the Civil Registry Secretary or their assistant in the cases brought before them. Decisions and rulings upon corrections shall not be implemented by the Civil Registry Office unless they are represented in the proceedings.
- (b) Contrary to the provisions of Clause (c) of Article /254/ of Civil Procedure Law No. /1/ of 2016, the competent Civil Registry Secretary or their assistant shall have the right to appeal before the Courts of Appeal and Cassation in all proceedings held or all rulings issued on civil status Records.

Regulations for Article 48:

1. The Civil Registry Secretary, or their assistant, shall have the right to appeal proceedings held in relation to, or in which rulings are issued upon, civil status Records, within one week of the date the judgment is understood, if it is a judgment in presence, or of the date of notification, if it is in absentia. This shall be done by submission of a copy of the appealed ruling and a list showing the elements of the appeal to a branch head of the Department of Public Prosecutions, at least a week before the end of the term, for it to be submitted to the Court of Cassation, and the following matters should be taken into account:
 - a. Three copies of the claim and documents of each proceeding should be made.
 - b. The original document supporting the proceeding should be linked when it is available.
 - c. Documents should be authenticated and stamped with the official seal.
2. When conducting appeals, the Civil Registry Secretary must request a stay of execution if they fear serious and irreversible harm in accordance with the provisions of Article /251/ Clause /2/ of the Civil Procedure Law.
3. The Civil Registry Secretary must not record any decision or ruling relating to a correction if they are not represented in the case, or if they or their assistant are prohibited from attending the proceedings.

In the event that a ruling conflicts with the integrity of the Records, the Civil Registry Secretary must refer to regular legal channels (such as appeal and revocation), or irregular legal channels (such as retrial, dispute or absence).

Article 49

The head of the competent Court Administrator's Office must report the rulings it issues within 10 days of their issuance to the Civil Registry Secretary where the Record is held. It is forbidden to record these judgments until they have been finalised.

Article 50

In the event of a ruling of civil forfeiture, this shall be indicated on the Record of the person concerned.

Chapter 8

Identity Cards

Article 51

Every Syrian Arab Citizen, male or female, who has reached the age of 14 must obtain an identity card from the Civil Registry Office, within a year of reaching the said age.

Regulations for Article 51:

1. Every Syrian Arab, male or female, who has reached the age of 14 must obtain an identity card within one year of reaching the said age, subject to the liability specified in the Legislative Decree.
2. Only the Civil Registry Office in which a Citizen's original Record is held is permitted to grant them an identity card.
3. A Citizen may only be issued their identity card on the basis of their Record in the Civil Registry, exclusively in accordance with the procedures for issuing such cards contained in these Regulations. The card shall only be handed over its owner personally or to the parent if the card applicant is a minor.
4. Police officers shall be treated as civilians when issuing identity cards. However, those enlisted in the military may only be issued identity cards with the approval of a competent authority.
5. Persons who have been processed as Maktoums or have acquired citizenship, and are registering again, are permitted to obtain an identity card 30 days from the date of their registration. This rule applies to those with renewed Records.
6. Identity cards shall be issued to Citizens by means of a form completed at the headquarters of the Civil Registry Office in the place where their Record is held. A Citizen must present themselves to complete the form, accompanied by a guardian if they are a minor, with the following documents:
 - a. A Family booklet (when being issued an identity card for the first time), or in the absence of the guardian's Family booklet, a Certificate of identification from the mukhtar.
 - b. The identity card to be exchanged.
 - c. Four colour personal photographs measuring 4x4cm in accordance with ministerial regulations.
 - d. A military service booklet for those aged between 18 and 42.
 - e. A financial receipt to the value of the fee or fine stipulated in this Legislative Decree.
 - f. A report from the competent police department in the event of loss.

Article 52

The format, use and replacement of identity cards shall be specified by a decision by the Minister.

Article 53

The guardian of a minor shall be responsible for obtaining their first identity card, replacing it and changing its format in accordance with the provisions of this Legislative Decree, for as long as they remain a minor.

Article 54

A person requesting an identity card shall be identified by:

- (a) **The guardian or a relative up to the fourth degree, if the card applicant is a minor.**
- (b) Two persons over the age of 18 known to the applicant and who each hold valid identity cards, if the applicant is requesting an identity card for the first time, or its replacement due to loss or damage.

Regulations for Article 54:

A person requesting an identity card shall be identified by:

- (a) The guardian or a relative up to the fourth degree (such as the father, mother, son, daughter, grandchild, grandfather, grandmother, brother, sister, nephew, niece, uncle, aunt or first cousin), if the requester of the card is a minor.
- (b) Two persons over the age of 18, known to the applicant, who each hold valid identity cards when obtaining a replacement due to loss or damage or for those who have not obtained a new identity card since 1981. The identification process for the person to which the form relates shall be undertaken with the supervision, accountability and signature of the Civil Registry Secretary or their assistant.

Article 55

A valid identity card shall, from receipt, be considered a legal proof of identity for the owner and they must carry it continuously and present it to public authorities upon request.

Article 56

The validity of an identity card is limited to 10 years from the date of its issuance. The owner must apply for replacement within a period of not less than thirty days and not more than six months before its expiry. They may extend the validity of the card for compelling circumstances and reasons by decision of the Minister.

Regulations for Article 56:

1. An identity card must be renewed every ten years and the owner must apply for a replacement within a period of not less than thirty days and not more than six months before its expiry.
2. If the card requires renewal before ten years have passed, the length of validity of the new card shall be considered to be from the date of renewal.
3. Those enlisted in the military whose identity cards expire before they are discharged from service must renew their card within 30 days of the date of their discharge. This period is also granted to persons residing outside the country from the date of their return, as well as to persons who have been detained or are in sanatoriums from the date of their release, after presenting an official document proving this.

Article 57

If a correction or modification relating to any of the data shown on the identity card arises in the Civil Registry, or the card is lost or damaged, the owner must apply for a replacement within 30 days of the date of the correction, modification, damage or loss.

Regulations for Article 57:

1. The owner of the identity card must submit it to the competent Civil Registry Secretary for renewal whenever there is a correction or modification of its contents within thirty days of the date of the correction or modification, and this applies to cases of damage or loss. The owner is prohibited from using it before this renewal.
2. When a person loses their identity card there is no need for them to request an identification Certificate from a mukhtar to prove their identity, if they possess a Family booklet and their photograph is matching.
3. In the case of replacement of an identity card in order to amend the Place of residence or personal photograph is not considered as damaged, and the fee stipulated in Article /58/ of this Legislative Decree shall be payable.

Article 58

A fee of 1,000 Syrian Pounds shall be payable on the issuance of an identity card.

Article 59

Upon a change in the format of identity cards during the general identity card issuance period, a decision of the Minister may permit employees to be assigned to undertake this, by working additional hours on top of the official working hours that are duly prescribed, and may permit them to be granted compensation for the overtime worked in accordance with the laws in force.

Article 60

The current identity cards, issued under Legislative Decree No. 11 of 14 May 1981, which have not been replaced by this Legislative Decree, shall expire the day after the end of the general identity card issuance period, which shall be specified by decision of the Minister.

Chapter 9

Family Booklets

Article 61

- (a) Either the husband or wife must obtain a Family booklet.
- (b) The holder of this Family booklet must submit it to the competent Civil Registry Secretary every time an Event arises to be added to its contents, and they are prohibited from using it in official processes before making this addition.
- (c) It is not permitted to replace a lost or damaged Family booklet more than once a year.

Regulations for Article 61:

1. The Syrian husband or wife must refer to the Civil Registry Office to obtain a Family booklet by making an oral request after their identity card has been validated.
2. If the husband is deceased – or out of the country or imprisoned – and has children, his non-Syrian widow may obtain a Family booklet if she is not remarried following his death.
3. If the husband is deceased and has more than one wife and each of them has children, each widow shall be given a Family booklet containing her name and the name of her children only, and the husband's section of the Family card shall indicate that he has another wife and other children.
4. The Civil Registry Secretary must state the nationality of the foreign wife in the Family booklet in red ink, shall not attach a photo of her on her page and shall mention her full name.
5. The photograph to be attached to the Family booklet must be a civilian photograph and the husband shall be free to choose whether or not to attach a photo of his wife to the Family booklet, and the Civil Registry Secretary should take the wife's descriptions from her identity card.
6. Religion must be stated on the Family booklet without stating the sect.
7. In the event of an error in the preparation of a Family booklet, an administrative report shall be arranged by the Civil Registry Secretary and they shall be accountable. The booklet shall be kept in a special logbook that shall be referred to when a further quantity of booklets is requested.
8. The Family booklet may only be handed to its owner and the owner must present themselves with their identity card to the Civil Registry Secretary. In the event of illness or disability, an employee may be assigned to hand over the booklet at the owner's home.

9. The owner of the booklet must submit it to the competent Civil Registry Secretary whenever an Event arises for it to be duly added to its contents, and is prohibited from using the booklet before the required addition has been recorded.
10. It is necessary to record all the Events that have occurred to a person in their Family booklet, and a divorced wife who has no children must not be recorded on the Family booklet.
11. A replacement for a lost or damaged Family booklet may not be issued, unless a year has passed since it was last issued.

Article 62

The format of Family booklets and the procedures for granting and issuing them shall be determined by decision of the Minister and shall be based on the civil Records of each of the spouses when requesting the booklet.

Article 63

Whoever acquires Syrian Arab citizenship has the right to obtain a Family booklet.

Article 64

If a Family booklet is damaged or lost, the husband, wife or legal guardian may apply for a replacement.

Regulations for Article 64:

- (a) If a Family booklet is damaged or lost, the husband or wife is entitled to apply for a replacement.
- (b) A Family booklet replacing a damaged or missing booklet may be issued to the legal guardian appointed to obtain a Family booklet by decision of the rightful judge, in the following cases:
 - (1) In the event of the husband and wife's death or their absence due to travel or imprisonment.
 - (2) In the event of the husband's death, and his widow has remarried or had divorced him prior to his death.
- (c) There is no need for a report to be arranged in the event of damage, and no personal photograph shall be placed on a booklet when issued to the legitimate guardian.

Article 65

When there is a correction or modification to a Citizen's data and Family Events, the Office holding their Record must record this on their Record and Family booklet within the period specified in Article /14/ of this Legislative Decree. The owner of the said booklet shall refrain from presenting it to any authority or using it for any reason before its data has been duly updated.

Chapter 10

Fees and Penalties

Article 66

A fee of 100 Syrian Pounds (one hundred Syrian Pounds) shall be payable for any civil status document issued by the Ministry, by attaching a financial stamp to this value to the required document.

Article 67

A fee of 3,000 Syrian Pounds (three thousand Syrian Pounds) shall be payable by the person responsible for reporting a civil status Event, if it is not reported within one month of its occurrence.

Regulations for Article 67:

A fee of 3,000 Syrian pounds shall be payable by the person responsible for reporting a civil status Event, if it is not reported within 30 days of its occurrence.

Article 68

- (a) A fee of 10,000 Syrian Pounds (ten thousand Syrian Pounds) shall be payable by the person responsible for reporting a civil status Event, if it is not reported within one Gregorian calendar year of its occurrence.
- (b) A fine of 15,000 Syrian Pounds (fifteen thousand Syrian Pounds) shall be payable by a Maktoum who does not apply for registration within one Gregorian calendar year of reaching the age of adulthood.

Regulations for Article 68:

- (a) A fee of 10,000 Syrian Pounds (ten thousand Syrian Pounds) shall be payable by the person responsible for reporting a civil status Event if it is not reported within a year of its occurrence.
- (b) A fine of 15,000 Syrian Pounds (fifteen thousand Syrian Pounds) shall be payable by a Maktoum who does not apply for registration within one year of reaching the age of 18.

Article 69

This article was repealed by Law No. 20.

Article 70

A fee of 5,000 Syrian Pounds (five thousand Syrian Pounds) shall be payable for a Family booklet when the owner is issued a replacement due to loss or damage.

Regulations for Article 70:

The Family booklet fee of 5,000 Syrian pounds (five thousand Syrian Pounds) shall be payable when the owner is issued a replacement due to loss or damage.

Article 71

The following shall be punishable by two to six months' imprisonment or a fine of 10,000 Syrian pounds (ten thousand Syrian Pounds) to 20,000 Syrian pounds (twenty thousand Syrian Pounds):

- (a) Anyone who keeps their Family booklet after claiming to have lost it and receiving a replacement for it.
- (b) Anyone who makes use of their Family booklet in violation of the truth after making a correction or modification to its data in the Civil Registry and before these procedures have been recorded on it.

Article 72

The following shall be punishable by one month to two years' imprisonment and a fine of 50,000 Syrian Pounds (fifty thousand Syrian Pounds):

- (a) Anyone who uses another person's Family booklet or allows others to use their booklet.
- (b) Anyone who obtains a Family booklet on the basis of false identification.

Article 73

- (a) Anyone who intentionally damages or causes the malfunction of automation services or storage units containing Civil Registry information, the Civil Registry information itself, the information transmitting devices or accessories of the automated Civil Registry system, shall be punished with six months to two years' imprisonment and fined the equivalent of twice the value of the damaged equipment and the expenses required to return it to its original state. The damages and expenses shall be estimated by the competent committees within the Ministry.

- (b) Anyone who – as a result of negligence, lack of precaution or failure to observe laws and regulations – damages or causes the malfunction of automation services or storage units containing Civil Registry information, the Civil Registry information itself, the information transmitting devices, or accessories of the automated Civil Registry system, shall be punished by three to six months' imprisonment and a fine of 50,000-100,000 (fifty thousand to one hundred thousand) Syrian Pounds. The damages and expenses shall be estimated by the competent committees within the Ministry.
- (c) Any employee of the Ministry authorised to access the automated Civil Registry system who begins to work on it in such a way that contravenes the regulations pertaining to their work purview as regards to the automated Civil Registry system shall be punished with one to six months' imprisonment and a fine of 10,000 to 50,000 (ten thousand to fifty thousand) Syrian pounds. This shall be estimated by the competent committees in the Ministry.
- (d) Anyone who accesses the automated Civil Registry in order to amend its data (by deletion, addition or modification) or its programs, and is not authorised to access it, shall be punished with three to five years of hard labour. This penalty shall be doubled if the person works within the Ministry, whether or not they are authorised to enter, if it is with the intent of forgery. This shall be determined by the competent committees in the Ministry.
- (e) Attempts to commit the crimes detailed within the previous clauses of this article shall be punished with the full penalty for the action.

Regulations for Article 73:

The competent committees for the assessment of damages and expenses shall be financial, technical and administrative committees formed by a decision of the Minister, and shall include the Director General of Civil Affairs, the Director of Informatics and the Director of Finance of the Central Administration and two specialised engineers who shall be nominated by the Assistant Minister for Civil Affairs, one of whom shall be an expert in informatics from outside the Ministry's staff.

Article 74

An identity card fee of 5,000 Syrian Pounds (five thousand Syrian Pounds) shall be payable when the owner is issued a replacement due to loss or damage.

Regulations for Article 74:

1. An identity card containing an error in some of its data, a printing error, or a manufacturing flaw shall not be considered as damaged. In such a case, the card shall be replaced without a fee, fine or report, and it is the responsibility of the Head of the Identity Card Issuing Centre to verify the error.
2. A Family booklet fee of 5,000 Syrian Pounds (five thousand Syrian Pounds) shall be payable when the owner is issued a replacement due to loss or damage.

Article 75

A fine of 5,000 Syrian Pounds (five thousand Syrian Pounds) shall be payable by:

- (a) Anyone who does not apply to replace their identity card within 30 days of its expiry, or within 30 days of damage, loss or correction or modification of its data.
- (b) The guardian of a minor who does not apply for an identity card for the minor within the time limit set for this in Articles (51-57) of Legislative Decree No. /26/ of 2007.
- (c) Anyone who does not apply to replace their identity card when the format is changed within the time limits specified for this during the general identity card issuance period.

Article 76

Anyone who uses their identity card after claiming to have lost it and obtaining a replacement for it shall be punished by imprisonment for two to six months and a fine of 20,000 Syrian pounds (twenty thousand Syrian Pounds).

Article 77

The following shall be punishable by one month to two years' imprisonment and a fine of 50,000 Syrian Pounds (fifty thousand Syrian Pounds):

- (a) Anyone who uses another person's identity card or allows another person to use their identity card.
- (b) Anyone who undertakes the identification stipulated in Article /54/ of Legislative Decree No. /26/ of 2007 in a manner contrary to the truth.
- (c) Anyone who obtains an identity card on the basis of false identification.

Article 78

A fee of 2,000 Syrian Pounds (two thousand Syrian Pounds) shall be payable for a Family booklet the first time it is issued.

Chapter 11

Transitional provisions

Article 79

The formats and types of registers, Certificates and Statements shall be specified by decision of the Minister.

Article 80

Law No. /376/ of 2 April 1957 and its subsequent amendments under Legislative Decrees No. (165) of 1967, (102), (129) and (272) of 1969, No. (107), (146) and (153) of 1970 and Clause (e) of Article /3/ of Legislative Decree No. (276) of 24 November 1969 and Legislative Decree No. (11) of 14 May 1981 and Law No. (3) of 2003 and the provisions contrary to this Legislative Decree are repealed.

Article 81

The Minister shall issue Implementing Regulations on how registers and registration documents shall be kept, the periodical printing, the periodical checking and monitoring of digital data, and all that is related, and shall renew Regulations as needed.

Article 82

Implementing Regulations on transferring work from paper-based registers to digital registers and on how to obtain civil documents electronically via Civil Registry Offices shall be issued by decision of the Minister and shall specify the powers of Civil Registry Secretaries.

Regulations for Article 82:

The digital Civil Registry shall not be adopted until after the processes of data entry, verification and linking across governorates has been completed, and the national server, exchange server and communication network are ready. This approval shall be issued by decision of the Minister.

Article 83

The Minister shall issue Implementing Regulations on how to implement the provisions of this Legislative Decree.

Article 84

The present decision shall be published in the Official Gazette.

Damascus, 24 Rabi al-Awwal 1428 A.H. (12 April A.D. 2007) with its subsequent Amendments.

Article /2/ of the Amendments to Law No. /20/ of 2011 issued by Resolution /28/ of 21 February 2012

Civil status fines shall be payable in the embassies of the Syrian Arab Republic in Syrian currency, or its equivalent, and an indication that the fine has been paid shall be recorded in the Statement submitted by the Embassy. Where it has not been recorded, the fine shall be payable where the Event is registered at the Office holding the original Record.

Article /2/ of Law No. /4/ of 9 February 2017 amended by Legislative Decree No. /26/ of 2007

Fees and fines for which the value exceeds 500 Syrian Pounds (five hundred Syrian Pounds) shall be payable by means of a financial receipt.

The President of the Republic
Bashar al-Assad

Official Gazette of the Syrian Arab Republic,
Part 1, Issue 14,
Appendix 1, Year: 2020

Supreme Constitutional Court

President of the Court

Basis of No. (4) of 2020, Decision No. (4)

On behalf of the Syrian Arab people

The Supreme Constitutional Court

Presided over by Counsellor: Mohammad Jihad al-Laham

President of the Court, and with the membership of Counsellors: Basheer Dabbas, Raslan Trablousi Matar, Malik Sharaf, Jamila Al-Shourbaji, Saeed Nouhaili, Afif Nassif, Majed Khadra, Nawaf Hamada, Salwa Kadeeb and Mutasim Billah Skaikar

has issued the following ruling:

Interpretation requested by: President of the Syrian Arab Republic

Articles for interpretation: some articles of the Constitution governing the election of members of the People's Assembly, in particular Articles /56/ and /62/ of the Constitution.

Proceedings

On 1 April 2020, the Court received a letter from the President of the Syrian Arab Republic (No. /99/) dated 31 March 2020 containing a request for the interpretation of some articles of the Constitution that govern the holding of elections for the People's Assembly for its third legislative session and in particular Articles /56/ and /62/ of the Constitution.

The Court has recorded the request for the interpretation in the Supreme Constitutional Court's special register as No. /4/ dated 1 April A.D. 2020 and convened the members of the Court to study the request for interpretation and decide upon it. It has concluded and the following is the outcome of the deliberations.

Discussion and Application of the Constitution

The President of the Syrian Arab Republic's letter comprised the following:

President of the Supreme Constitutional Court,

Article /56/ of the Constitution stipulates that:

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

Furthermore, Article /62/ of the Constitution stipulates that:

1. Elections shall be held during the sixty days preceding the end of the term of the People's Assembly.
2. The People's Assembly shall continue to convene automatically if no other Assembly has been elected and it shall remain in place until a new Assembly is elected.

Based on the provisions of the two aforementioned Articles, the President of the Republic issued Decree No. /76/ on 3 March 2020, specifying Monday 13 April 2020 as the date of the election of members of the People's Assembly for its third legislative session. Due to the current health situation, these elections were later postponed by Decree No. /86/ on 14 March 2020 to take place on Wednesday 20 May 2020.

However – given the continuing exceptional circumstances faced by the region and the world, the increasing spread of the coronavirus on a global scale and it being classified as a global pandemic by the World Health Organization – in the interest of the health and safety of citizens, fearing the gatherings that would occur on election day and considering the possibility of postponing the elections for the aforementioned reasons, it was necessary to request the interpretation of some articles of the Constitution which govern the holding of these elections.

Therefore, based on the provisions of the Constitution and the provisions of Article /41/ of Law No. /7/ of 2014 of the Supreme Constitutional Court, we ask you – urgently – for a statement interpreting the text of Articles /56/ and /62/ of the Constitution in order to determine the following:

1. The possibility of postponing the People's Assembly elections beyond the constitutionally specified time limit in the event that the aforementioned exceptional circumstances continue. What is the instrument by which these elections would be postponed?
2. Should the exceptional conditions continue beyond the constitutionally specified time limits for the People's Assembly elections, may the term of office for the current People's Assembly be extended based on the provisions for legal extension within Article /62/ of the Constitution, and would this require the issuing of an instrument? If so, what type of instrument?
3. Does the matter require revoking Decrees No. /76/ and No. /86/ of 2020 which specify the date of the elections and their postponement, or should they be retained? If the opinion is in favour of revoking the two Decrees, is there a specific time period for issuing the revoking Decree?
4. Following the end of the current circumstances, which were the reason for the elections not being held and the extension of the People's Assembly, is there a restricted time period in which a Decree should be issued by the President of the Republic specifying the date of the People's Assembly elections?
5. Is it permissible for a legal extension in a state of war to be applied by a Legislative Decree issued by the President of the Republic, or is the authority for this extension restricted to the People's Assembly? In such a case, can this legal instrument be drafted by the President of the Republic or must this law be proposed by the People's Assembly, or are both options possible?

Damascus, 31 March 2020
President of the Republic
Bashar al-Assad

Firstly, in discussion

Since the President of the Republic's aforementioned request for an interpretation focuses on specific issues, the Court has taken the following steps:

1. The general principles of the Constitution, and particularly Title III Chapter 1 concerning legislative authority and Chapter 2 concerning executive authority, were reviewed and discussed. The provisions, authorities, obligations, competencies, time periods, limits and dates specified therein were identified in a detailed manner.

2. The articles of Law No. /5/ of 2014 on General Elections and the internal rules of the People's Assembly, published on 30 July A.D. 2017, were reviewed and discussed.

The principles governing the request for an interpretation are based on the provisions of Articles /56, 57, 60, 62, 64, 74, 96, 102, 103, 112, 113 and 114/ of the Constitution and the provisions of Articles /11, 41, 42, 47, 48 and 49/ of Law No. /7/ of 2014 of the Supreme Constitutional Court.

Secondly, in application

The spread of coronavirus across the world is considered an unforeseen and exceptional circumstance unlike any previous global event, especially since the announcement of the World Health Organization that the virus has become a global pandemic. It has spread to geographical regions across the whole world, including the Syrian Arab Republic, to which the spread of the virus poses an imminent threat to the health of its population as a whole, given the adverse conditions that the Syrian people have been suffering from for more than nine years – alongside a reduced level of medical and pharmaceutical services as a result of the unilateral economic sanctions imposed on the Syrian state.

This virus, described as a “pandemic” by the World Health Organization, is spreading simultaneously to many people and societies, and the Director-General of the World Health Organization has called for a focus upon the following five terms in order to control it: Prevention, Preparedness, Public health, **Political leadership and People**.

Accordingly, the World Health Organization has called on countries to screen, test, treat, **isolate** and track their citizens in order to prevent a wide-scale spread of the pandemic within countries.

Therefore, it is the state's duty to take all necessary measures to counter the threat posed by this exceptional pandemic by isolating citizens and preventing them from gathering, for fear of the virus spreading.

In this context, constitutional jurisprudence is known to offer a number of solutions to address an imminent threat which constitutes exceptional circumstances.

The first solution: is to apply the doctrine of necessity according to the rule stating that “necessity makes the forbidden permissible” provided that “necessity is assessed and responded to proportionately”.

Where this necessity presents an exception to the principle of the supremacy of the Constitution, the executive authority is authorised to take such action as it sees fit to address the threat **without the need for the availability of a constitutional basis to rely on**.

The ‘**doctrine of necessity**’ alone provides the basis, based on the principle that “**the safety of the state and its citizens supersedes the law**”.

Therefore, if the state is subject to a severe threat or exceptional circumstance – such as a war, economic crisis, natural disaster or **global epidemics** – that could constitute an existential threat to the state, the executive authority, represented by the head of state, may deviate from the requirements of the constitutional rules, but only to the extent necessary to respond to the threat and limit its public harm.

The second solution: is the application of the doctrine of exceptional circumstances according to the Constitution, the basis for which is found in Article /114/ of the Constitution which stipulates that **“If there is a severe and imminent threat to national unity, the safety of the nation or its territorial integrity, or which prevents the state’s institutions from undertaking their constitutional duties, the President of the Republic may take swift action as necessitated by the circumstances to respond to the threat”**.

As the legislator made an exceptional provision, it addresses an imminent situation that is not anticipated by the constitutional texts and permits the President of the Republic to take the swift action necessary to respond to the threat, **if they consider such a situation to be present and for such time as they deem necessary for the threat to pass**.

Although the principle of legality requires the state to be subject to the law, given the doctrines of necessity and exceptional circumstances, it is necessary to grant the executive authority exceptional powers to preserve the safety of people and property. These doctrines call for the preservation of an interest more worthy of protection than the sacrificed interest, and the doctrine of necessity remains based on evidence and facts establishing the reality of the risk posed. The doctrine of necessity is an expression referring to the existence of an actual situation that manifests itself in various types of exceptional circumstances such as a state of war, epidemics, disasters or emergencies. In other words, these are laws of an exceptional nature with respect to the exercise of legislative authority, and they are issued in circumstances that are difficult to imagine or situations for which the response demands the swift issuance of legislation.

The actions of the executive authority are always governed by the objective of securing the public interest, whether in normal or exceptional circumstances. The public interest is the objective of all the actions and works of the executive authority in all circumstances and at all times because that is its justification. Should it seek to secure any interest other than the public interest, there would be no justification or reason for the powers assigned to it.

Since the dangerous situation that Syria faces is an existential threat to the state, it is the state’s duty to take the necessary measures to respond to this risk.

Based on the above, Article /114/ of the Constitution forms the constitutional basis for the Supreme Constitutional Court **to deem fit the issuance of a Decree postponing the date of the elections** from the date specified by Decree No. /86/ of 14 March 2020, which had specified Wednesday 20 May 2020, **to a date yet to be determined after the threat which triggered the postponement has passed**.

On the issues raised by the President of the Republic in his request for an interpretation the court has concluded the following:

Article /56/ of the Constitution stipulates that: **“The term of office for the People’s Assembly shall be four Gregorian calendar years starting from the date of its first meeting, and may not be extended except in a state of war by a law”**. This article defines the term of office for the Assembly as four years, and stipulates that it is permissible to extend this term based on a law in a state of war.

This case is dealt with as follows: **“The term of the People’s Assembly is extended by a law issued by the People’s Assembly following the declaration of war by the President of the Republic with the approval of the People’s Assembly”**.

As for Article /62/ of the Constitution, which stipulates that: “1. Elections shall be held during the sixty days preceding the end of the term of the People’s Assembly. 2. **The People’s Assembly shall continue to convene automatically if no other Assembly has been elected and it shall remain in place until a new Assembly is elected**”.

This addresses an entirely different situation to that addressed by Article /56/ of the Constitution to which we previously referred. This Article addresses the following situation: **“inability to hold elections”** for reasons unspecified by the constitutional legislator. These are left to the nature of the exceptional circumstances which cannot be listed due to their unforeseen nature and which, in the form of ‘risk of virus outbreak’, are a justified reason for them not being held, for fear of the gatherings which occur during the election campaign period and on election day.

In this case, the **People’s Assembly continues to convene automatically** without any need to issue a law extending its term, and its basis is **“the constitutional text”** that grants the People’s Assembly clear provisions to extend its term until a new Assembly is elected. Therefore:

1. It is permissible for the People’s Assembly elections to be postponed beyond the constitutionally specified deadline for as long as ‘the risk of virus outbreak’ continues and until its passing.

As for the instrument by which the elections are postponed, it is the same instrument that was used to announce their initial date on 13 April 2020 and then announced their postponement to 20 May 2020. By this we mean ‘the Decree’, in accordance with the principle of ‘parallelism of forms’ which demands that, to amend or repeal a legal act, a parallel legal act must be issued by the same authority with the competency to issue it.

2. In the event that the current exceptional circumstances, represented by the risk of virus outbreak, continue for a period beyond the end of term of the People’s Assembly for its current second legislative session, the provisions for legal extension in Article /62/ of the Constitution may be invoked to extend the term of the current People’s Assembly without the need for any instrument, as its basis is clear in the aforementioned constitutional text.
3. The Decree to be issued to postpone the election of members of the People’s Assembly for its third legislative session, due to the current exceptional circumstances presented by the risk of virus outbreak, will automatically repeal Decrees No. /76 and 86/ of 2020 without the need to issue a Decree revoking their provisions.
4. After the exceptional circumstances causing the elections not to be held have passed, the President of the Republic must issue a Decree setting the date of the elections, without being restricted by any constitutional time period, because Article /62/ of the Constitution established provisions for normal circumstances and did not specify a time period for exceptional circumstances. Therefore, **Immediately after the passing of the risk It is necessary** to issue a Decree specifying the date of the elections without abiding by the following time restriction: “the sixty days preceding the end of the term of the People’s Assembly”. This is because this term will have actually already ended due to the non-holding of elections resulting from exceptional circumstances, as opposed to when the extension takes place in a state of war by a law, as the latter extends the People’s Assembly for a period that is supposed to be specified by law, and can be renewed according to the continuance of the state of war by a law.
5. Article /56/ included explicit provisions stating that: “The term of the People’s Assembly may not be extended except in a state of war by a law”. Returning to the constitutional provisions on a state of war, we find that it is a joint authority between the President of the Republic and the People’s Assembly, based on Article /102/ which states that: “The President of the Republic declares war, calls for general mobilisation and concludes peace agreements after obtaining the approval of the People’s Assembly”.

Consequently, it is only constitutionally possible for the President of the Republic to declare a state of war following the approval of the People's Assembly.

Likewise, it is only constitutionally possible to extend the term of the People's Assembly (in the event of war being declared) on the basis of a law, as expressly indicated in the constitutional text, which distinguishes between the legislation issued by the President of the Republic based on Article /113/ of the Constitution – identified as 'the Legislative Decree' – and the authority of the People's Assembly to legislate based on 'a law'. Clause /3/ of Article /113/ expressly distinguishes between this legislation and a law, stating that: "The Assembly has the right to repeal or amend such legislation by a law". This demonstrates the constitutional legislator's intention to specify the necessary legal instrument for the extension of the People's Assembly term exclusively by a law that precisely delineates the time period.

As for the authority to draft a law as "the instrument for legal extension in the event of a declaration of war", this may be drafted by the President of the Republic or be proposed by members of the People's Assembly: "from any of the permanent committees of the People's Assembly or by ten members of the People's Assembly, based on the provisions of Articles /74/ and /155/ of the Constitution and the internal rules of the People's Assembly published on 30 July 2017". The authority for final approval is limited to the People's Assembly by a law.

Clause (i) of Article /11/ of Law No. /7/ of 2014 on the Supreme Constitutional Court stipulates that: "The Supreme Constitutional Court is authorised to interpret the provisions of the Constitution at the request of the President of the Republic, the President of the People's Assembly or the Prime Minister".

The effect of this constitutional text is that it grants this Court the power to issue constitutionally binding interpretations of the constitutional texts that reveal the true intentions of the constitutional legislator at the time of the Constitution's ratification.

Essentially, these constitutional texts should not be used in ways that are contrary to these intentions, nor should their words be interpreted in ways that deviate from their original meaning, or that could be considered a distortion of their original meaning either by separating them from their subject matter or by using them beyond their intended purpose. Therefore, the meanings of these texts, which should be examined, are those deemed to reveal their true content: those that make clear what the constitutional legislator intended and demonstrate their true point of view and objective, and shed light on what the constitutional legislator meant by them. This is due to the fact that constitutional texts are not created in a vacuum and it is not permissible to remove them from their context. The intended benefit must be taken into account, and it is always assumed that the constitutional legislator aimed to achieve it by means of their formulation of the constitutional texts. This benefit is therefore the ultimate goal of each constitutional text, the framework for determining its meaning, and the keystone securing the unity of the constitutional texts, thereby eliminating any contradiction between their parts, and ensuring that the communication of their provisions, their complementarity and their interdependence, so that all of the texts turn towards the destination desired by the constitutional legislator who determined them.

For these reasons, and following deliberations:

Based on the provisions of Articles /56, 57, 60, 62, 64, 74, 96, 102, 103, 112, 113 and 114/ of the Constitution and the provisions of Articles /11, 41, 42, 47, 48 and 49/ of the Law No. /7/ of 2014 of the Supreme Constitutional Court

The Supreme Constitutional Court unanimously holds that:

Firstly: The President of the Republic has the right to issue a Decree postponing the elections of the members of the People's Assembly for the third legislative session until the exceptional circumstances, constituted by the coronavirus outbreak, have passed.

Secondly: In the event that the current exceptional circumstances of the risk of virus outbreak continue, there is no need to issue any legal instrument to extend the term of the People's Assembly for the current second legislative session based on the automatic extension provided for within the provisions of Article /62/ of the Constitution.

Thirdly: The Decree to be issued postponing the election of the members of the People's Assembly for the third legislative session due to the current exceptional circumstances presented by the risk of virus outbreak automatically repeals the Decrees No. /76/ and /86/ of 2020 without the need for a Decree to be issued revoking their provisions.

Fourthly: After the exceptional circumstances that caused the elections not to be held have passed, it is justified for the President of the Republic to issue a Decree setting a new date for the elections without being restricted to any constitutional period, provided the new period is consistent with the procedures of electoral process.

Fifthly: The term of the People's Assembly may not be extended by Legislative Decree in a state of war, but rather by a law based on the provisions of Article /56/ of the Constitution. The President of the Republic has the authority to prepare a draft law on the extension or it may be proposed as a law by the People's Assembly, but the authority for final approval is restricted to the People's Assembly by a law.

Sixthly: This decision will be communicated to the President of the Republic.

Seventhly: This decision will be printed in the Official Gazette.

A final decision was issued on Sunday 12 Sha'ban of 1441 A.H. corresponding to 5 April A.D. 2020



