

It is the Syrians Who Write Their Constitution

To: TE Syrian negotiating parties

TE Ministers of The International Syria Support Group (ISSG)

HE Antonio Guterres, United Nations Secretary General

HE Staffan Di Mistura, United Nations Special Envoy to Syria

We, the undersigned Syrian organizations, received with great indignation and alarm, the news of the Russian government handing a group of Syrian opposition members a copy of its suggested version of a Syrian constitution. We consider this action as an affront to the right of the Syrian people to decide the constitution and the future of their country. It is an action that reveals a mentality of an occupier that dictates its will on the occupied people, and in a way that violates the rules of national sovereignty, international law, and the right of the people to self-determination.

The undersigned Syrian civil society organizations, reaffirm their position on the need to end the war in Syria, and their commitment to a politically negotiated solution based on a peaceful political transition process to be reached in negotiations in accordance with international resolutions issued in this regard, and in line with the terms of the Geneva I Communiqué of the Syria Working Group issued on June 30, 2016. The undersigned organizations believe that the process of drafting a permanent Syrian constitution must come at a later stage at the end of the transition period, and that the constitution should be drafted by a National Constituent Assembly. The negotiating parties should agree upon the composition of this assembly and the procedures for electing its members. The membership of the Assembly should be based on legal and constitutional expertise, and the status of individuals and their integrity. After that, the proposed constitution should be submitted to a referendum to ensure the consent and buy in of the Syrian people.

In this context, the undersigned organizations affirm their support to the international efforts to expedite the negotiation process in Geneva, and believe that this process must be coupled with confidence-building steps among all parties in order to create the suitable conditions for the success of these negotiations. This process should be in line with the stipulations of the international resolutions issued by the Security Council in this regard; in particular:

- A nationwide cease-fire
- The release of detainees and abductees, men and women
- Lifting of all sieges and the continuous and unhindered humanitarian access to all areas
- Stopping the practice of forced displacement of the population

The undersigned emphasize that the outputs of the negotiating process should be consistent with the aspirations of the Syrian people in the establishment of a state that respects freedom, dignity and citizenship. Further, they emphasize that in the transitional phase Syria needs a constitutional declaration, or an interim constitution that focuses on the following constitutional principles:

1. The unity, independence, and sovereignty of the Syrian territory, and the People as the source of authority and legislation.

2. Separation of Powers, and establishing the principle of checks and balances clearly in the Constitution.
3. The Constitution must safeguard the peaceful transfer of power, so as to prevent tyranny and dictatorship, and to ensure that no one should serve as a president for more than two consecutive terms.
4. Subjecting the army and security forces to the elected civil authority. Persons working in the military or the security services are to be banned from work in the political sphere.
5. The Constitution must safeguard the rights of individuals, including freedom of thought, freedom of expression, freedom of access to information, freedom of privacy, and religious freedoms.
6. The Constitution must safeguard the rights to assembly, demonstrations, and strikes, including the right to establish political parties and civil society organizations.
7. The Constitution must safeguard community diversity in Syria, and the rights of communities to participate in governance through adopting the principle of decentralization, and ensure a just solution to the Kurdish issue within the framework of the unity, independence and sovereignty of the Syrian territory.
8. Independence of the Judiciary, and the ratification of international human rights treaties and a commitment to implement them.
9. Launch an integrated path for Transitional Justice based on the truth, accountability, fairness and reparations in order to protect national unity, prevent revenge, and establish durable societal peace.
10. Prevent discrimination on the basis of sex, origin, language, religion or creed, wealth or social status, political views, or disability or any other reason. Safeguard the full equality of all citizens, men and women in the civil, political, economic and social rights, in all spheres of public life and family life. Adopt policies and mechanisms to achieve the principle of equality between women and men in the legislative and executive bodies, in all representative institutions, including political parties and civic associations.

1	Free National Gathering For Workers in the Syrians State's institutions
2	Academics Council
3	Aleppo provincial Council
4	Alkawakibi Center For Human Rights
5	Alkawakibi Organization For Human Rights
6	Al-Marsad -Arab Human Rights Center in Golan Heights
7	Baytna Syria
8	Combattants pour la liberté et la paix
9	Daraa provincial Council
10	Daw Team
11	Democratic Republic Studies Center
12	Diplomats Council
13	Fraternity Foundation for Human Rights
14	Free Syrian Lawyers Aggregation

15	Hama countryside provincial Council
16	Hama provincial Council
17	Houms provincial Council
18	Independent Syrian Kurds Association
19	JANA WATAN
20	Local Development and Small-Projects Support (LDSPS)
21	Mouwatana for Civil Action
22	National Salvation Movement in ALHassaka
23	Palmyra relief
24	Solidarity Organization For Syria
25	Sound and Picture
26	Syria Freeman Conference
27	Syria Justice and Accountability Center (SJAC)
28	Syrian activists monitoring organization
29	Syrian center for Media and Freedom of Expression
30	Syrian center for statistics and research
31	Syrian Center for Studies and Human Rights
32	Syrian League for Citizenship
33	Syrian Network for Human Rights
34	Syrians for Truth and Justice - STJ
35	The Council of free Syrian judges
36	The Day After
37	The Syrian Center for Journalistic Freedoms
38	The Syrian Journalists Association
39	The Syrian Judiciary Council
40	The working group for Syrian detainees
41	Urnammu
42	Violations Documentation Center (VDC)
43	Women Now