



SYRIAN DRAFT CONSTITUTION

Preamble

We, the people of the Syrian nation, affirm our commitment to liberty, justice, and equality;
to safeguarding human dignity and fundamental rights;
to our belief in democracy and the rule of law;
and to the unity of the homeland and the diversity of its cultural and linguistic components.
We proclaim this Constitution as the foundation of our democratic Republic and the guarantee of
the rights of all citizens.

General Provisions

Article 1

Syria is a democratic Republic.

Sovereignty belongs to the nation, exercised through its representatives and by means of referendum.

The right to vote may be exercised directly or indirectly, in accordance with the conditions laid down in this Constitution. It shall always be universal, equal, and secret.

The imperative mandate in the exercise of authority is prohibited.

The Republic is founded upon the principle of separation of powers and the guarantee of their independence.

Article 2

Syria is an indivisible common homeland for all Syrians.

The Constitution guarantees the unity of the Syrian nation, while recognising and safeguarding the right of autonomous regions to self-government.

These regions are shall be specified by organic law.

The Constitution preserves solidarity between all regions of Syria.

Article 3

Arabic is the common language of the Syrian nation and the official language of the Syrian Republic.

Other Syrian languages shall have enjoy appropriate official status in their respective regions, in accordance with the conditions set by this Constitution.

Article 4

Damascus is the capital of Syria.

The national flag and anthem shall be determined by law.

Autonomous regions may adopt their own flags and emblems alongside those of the Republic.

Article 5

The Syrian Republic respects political pluralism within the framework of the Constitution and the laws regulating it.

Political parties contribute to the proper functioning of the democratic system, and must respect the constitutional and democratic order.

Any party or organisation that seeks to overthrow the Syrian Republic or threatens its existence shall be prohibited by decision of the Constitutional Court, adopted by a majority of its sitting members.

Article 6

The armed forces consist of the army, navy, and air force. Their mission is to safeguard the sovereignty and independence of the Republic, defend its territorial integrity, and uphold its constitutional order.

Article 7

The Constitution guarantees the rule of law and the protection of human rights.

Authorities are bound by the principle of legality, the hierarchy of legal norms, and the prohibition of retroactivity restrictions on individual rights. They are equally bound by legal responsibility and the prohibition of arbitrary act.

Part One

Fundamental Rights and Duties

Title One

Civil and Political Rights

Article 1

Human dignity and inalienable rights, together with the free development of personality, respect for the law, and respect for the rights of others, form the foundation of the political order and social peace.

Article 2

All Syrians are free and equal before the law.

Syrians residing abroad, as well as those holding dual nationality, enjoy the same rights as residents of Syria.

Discrimination on the basis of birth, ethnicity, gender, religion, opinion, or any other personal or social circumstance is prohibited.

Adult Syrians have the right to choose their personal status laws in accordance with conditions set by law.

Article 3

The integrity of the person and the right to life are safeguarded by law.

All forms of torture, inhuman or degrading treatment or punishment are prohibited.

The death penalty is abolished. Parliament may, by organic law, define narrowly limited exceptions in time of war or imminent armed aggression.

Article 4

Liberty is the ability to perform any act not harmful to others.

That which is not prohibited by law is permitted, and no one shall be compelled to perform that which the law does not require.

Restrictions on rights and freedoms must be justified by the public interest and proportionate to it.

Article 5

No person may be accused, arrested, or detained except in cases prescribed by law.

Laws shall provide only clear and explicit penalties, and no one shall be punished except pursuant to a valid legal provision in force prior to the act.

Every person is presumed innocent until proved guilty by a judicial ruling.

Article 6

Everyone has the right to appear before an independent and impartial judge to determine their case and to establish their rights.

The rights of defence and the principle of adversarial proceedings are inviolable. Their application shall be regulated by law.

Article 7

No arrest or search shall take place except by judicial order in accordance with law.
In urgent exceptional cases defined by law, the police may take temporary measures, which must be reported to the judiciary within forty-eight hours. If not confirmed within this period, they shall lapse.

Article 8

All arrest and detention are subject to law and judicial oversight.
The use of physical or psychological violence against persons arrested or deprived of liberty is prohibited and punishable by law.

Article 9

Freedom of expression and the secrecy of correspondence and communications are guaranteed.
These freedoms may be restricted only by judicial order and within legal safeguards.

Article 10

Every citizen has the right to move and reside freely within the territory of the Republic, subject only to general restrictions relating to health or safety.
No restrictions shall be imposed for political reasons.
Every citizen has the right to leave and return to the Republic, subject to legal obligations.

Article 11

Citizens have the right to peaceful and unarmed assembly in accordance with conditions set by law.

Article 12

Every citizen has the right to form associations, including trade unions, in accordance with law.
Associations, whether public or secret, are prohibited from taking on paramilitary character or pursuing political aims through violence.

Article 13

Freedom of opinion is guaranteed. No one may be held liable for their opinions, nor compelled to declare them.

Article 14

Everyone has the right to adopt a religion or to adopt none.
The Syrian Republic has no official religion, and recognises all religions without exception.
Religious freedom includes the right to practise rites and beliefs, individually or collectively, publicly or privately, provided they do not disturb public order as defined by law.

Article 15

Everyone has the right to express their ideas orally, in writing, or by any means of publication, within the limits of public order as defined by law.

Article 16

The press is free and independent, and contributes to strengthening of the democratic system. Printed matter, recordings, and other media may be subject to seizure only by judicial decision in accordance with the law.

Article 17

No one may, for political reasons, be deprived of legal capacity, civil rights, nationality, or name.

Article 18

Taxes and duties shall be regulated by law, with respect for the autonomy of regions.

Article 19

No citizen may be extradited to foreign authorities except in cases provided by law or by international treaties, and never for political offences.

Article 20

State officials and public agents shall be criminally, civilly, and administratively liable for acts that infringe rights, in accordance with law.

Title Two **Social, Economic, and Ethical Rights**

Article 1

The Syrian Republic recognises the right to marry, as well as the right not to marry. The law may regulate forms of union other than marriage. Any union in which one party has not given free and informed consent is prohibited. The Republic undertakes to protect the coerced or vulnerable party. All unions, whether marital or otherwise, shall be founded upon moral and legal equality between the parties.

Article 2

The Syrian Republic recognises the family as a fundamental element of society. It shall promote economic and social measures designed to protect the family. Parents are obliged to care for their minor children in all respects, and for their adult children in cases prescribed by law, whether born inside or outside marriage.

Article 3

The Syrian Republic protects motherhood, childhood, and youth through the establishment of institutions and legal safeguards.

The employment of children subject to compulsory education is prohibited until they reach the legal age.

The work of minors shall be regulated by special laws guaranteeing their rights, equality of pay, and safe conditions of works.

Article 4

The Syrian Republic recognises health as a fundamental right of the individual and a public good.

It guarantees assistance, care, and support for those in need.

No one shall be compelled to undergo any medical treatment except as provided by law.

Article 5

Education is the right of all. It shall be compulsory up to the age of eighteen.

Primary, intermediate, and secondary education shall be free of charge in public schools.

Public education shall be neutral, without adherence to political, philosophical, or religious orientation.

Private bodies and individuals may establish schools and educational institutions in accordance with law, without obligation upon the State to fund them.

Universities and higher institutes shall enjoy academic and administrative freedom within the limits of law.

Article 6

The Syrian Republic guarantees freedom of work and of economic initiative within the limits of law.

It is committed to providing vocational training and education, and to developing the skills of workers.

Article 7

Every worker has the right to fair remuneration proportionate to their work and sufficient to secure a dignified life for themselves and their family.

The law shall determine the maximum duration of daily working hours.

Every worker is entitled to weekly rest and to annual paid leave, which may not be waived.

Article 8

Working women enjoy the same rights as working men, including equality in remuneration and working conditions.

Special protection shall be afforded to mothers in view of their role in the family, and suitable protection shall be provided for children.

Article 9

Every citizen unable to work and lacking means of subsistence has the right to subsistence and social assistance.

Workers have the right to protection against accidents, sickness, disability, old age, and involuntary unemployment.

Persons with disabilities have the right to education, rehabilitation, and vocational training.

The State shall support the institutions responsible for fulfilling these obligations, and shall provide special care and assistance free of charge.

Article 10

The right to strike is guaranteed, and shall be exercised within the framework of the law.

Article 11

Private property is inviolable.

Restrictions on property rights may be imposed only by law, for the public interest, and with prior and fair compensation.

Expropriation or confiscation may take place only by judicial judgment.

Article 12

Inheritance and wills shall be regulated by law, which shall also determine the rights of the State in succession.

Article 13

Everyone has the right to live in a healthy and safe environment.

The Republic undertakes to use natural resources sustainably, in order to improve quality of life, protect the environment, and ensure its renewal.

Article 14

The Syrian Republic undertakes to preserve the historical, cultural, and artistic heritage of the Syrian nation, and shall encourage its development and safeguard its diversity.

Title Three **Political Rights and Duties**

Article 1

Voters are Syrian citizens, men and women alike, who have attained the legal age of majority.

Voting shall be personal, free, secret, and equal, and is regarded as a civic duty.

The law shall regulate the conditions for the exercise of voting rights by citizens residing abroad, and shall ensure the practical means to exercise them, including the creation of electoral constituencies abroad.

The right to vote may be restricted only in cases of legal incapacity, by final conviction for a serious offence, or in circumstances defined by law concerning moral integrity.

Article 2

The freedom to establish and join political parties is guaranteed, in accordance with law.

Article 3

Every citizen, man or woman, has the right to stand for election and to hold public and elective office on the basis of equality and in accordance with the conditions laid down by law.
The Republic shall promote equality of opportunity between women and men by adopting appropriate measures.

Article 4

The defence of the homeland is a sacred duty of every citizen.
Military obligations shall be regulated by law, and the organisation of the armed forces shall conform to the democratic spirit of the Republic.

Article 5

The law may regulate the duties of citizens in cases of grave danger, disasters, or public emergencies.

Article 6

Every citizen shall contribute to public expenditure in proportion to their financial capacity.
The levying taxes shall be based upon the principles of equality and proportionality to income.

Article 7

All citizens owe loyalty to the Republic and respect for the Constitution and the laws.
Anyone holding public office must perform their duties with integrity, honour, and discipline, and must take the constitutional oath in cases prescribed by law.

Part Two Organisation of the Republic

Title One Territorial organisation of the Republic

Chapter One General Provisions

Article 1

The territory of the State is divided into cities, provinces, and regions.
These entities shall enjoy autonomy in managing their own affairs, as provided by law.

Article 2

The State is committed to the principle of national solidarity, and to ensuring economic and social balance between all areas of the Republic.

Differences between the basic statutes of regions shall not give rise to economic or social privileges.

Article 3

All Syrians shall enjoy the same rights and duties in every part of the Republic.

No authority may adopt measures which directly or indirectly obstruct freedom of movement, residence, or the transfer of property within the Republic.

Chapter Two **Local Administration**

Article 1

Municipalities enjoy autonomy and full legal personality.

The municipal council is elected by direct, free, universal and secret suffrage of its residents. It consists of the mayor and elected councillors.

The members of the council shall elect the mayor from among themselves.

Article 2

The province is a local authority with its own legal personality, comprising a group of municipalities and constituting a basic administrative division of the State.

Provinces shall be administered by independent elected councils, and any alteration of their boundaries shall require approval by organic law of Parliament.

Article 3

Local authorities shall have financial resources sufficient for the exercise of their responsibilities, consisting of their own taxes as well as their share of national and regional taxation.

Chapter Three **Regions**

Article 1

The Constitution recognises the existence of autonomous regions and guarantees their independence.

These regions enjoy full legal personality and are governed by their own basic statutes, constitutionally recognised.

Article 2

A regional basic statute may establish forms of cooperation with other regions in matters of administration and shared services.

Where cooperation exceeds administrative matters of limited scope, agreements between regions shall be submitted to Parliament for approval.

Article 3

A draft basic statute for each region shall be prepared by an assembly composed of representatives elected from local councils and of parliamentarians of the region.

It shall then be submitted to Parliament for adoption by organic law.

The basic statute is the supreme institutional instrument of the region, and is recognised by the State as an integral part of its legal order.

Each basic statute shall include, at a minimum:

- a) the name of the region consistent with its historical identity;
- b) the determination of its territorial boundaries;
- c) the designation, organisation, and headquarters of regional institutions of self-government;
- d) the powers conferred upon the region and the means of exercising them.

Amendments to the basic statute shall follow the procedure it prescribes, subject to approval by Parliament by organic law.

Article 4

Within the framework of the Constitution, regions shall exercise the following powers:

1. organisation of regional institutions of self-government;
2. alteration of municipal boundaries and management of local authorities;
3. land use, urban planning, and housing;
4. public works within the region;
5. internal transport networks (roads, railways, communications);
6. ports and airports of local character;
7. agriculture and livestock farming;
8. forests and exploitation of local natural resources;
9. environmental protection and management;
10. inland waters, irrigation, and local water resources;
11. inland fisheries and river fishing;
12. local fairs and markets;
13. economic development of the region, consistent with national policy;
14. crafts and small industries;
15. local museums, libraries, and conservatories;
16. protection of local cultural heritage;
17. promotion of culture, research, and teaching of local languages where present;
18. development of tourism;
19. encouragement of sport and recreation;
20. provision of social services;
21. public health and sanitary supervision;
22. maintenance and protection of public buildings and facilities.

Ten years after the adoption of a basic statute, a region may amend it to extend its powers, within the limits of the constitution.

Article 5

The State retains exclusive competence in the following matters:

1. nationality, asylum, and immigration;
2. international relations and national defence;
3. justice and the judiciary;
4. criminal and general civil legislation;
5. monetary, financial, and customs system;
6. external economic relations;
7. protection of national market unity;
8. fundamental legislation on human rights and freedoms;
9. national public health, higher education, and scientific research;
10. protection of the national environment and cultural heritage;
11. public security, communications, and inter-regional transport;
12. public works of national importance.

All other powers belong to the regions under their basic statutes. In the event of conflict between State law and regional law, State law shall prevail.

Article 6

Parliament may delegate legislative power to regions in certain matters, defined by organic law.

Such delegation must specify:

1. the scope and duration of the delegation;
2. the financial resources accompanying it;
3. mechanisms of parliamentary oversight.

The State may also transfer powers to the regions when their nature allows, together with the resources required for their exercise.

Article 7

The drafting of regional basic statutes shall follow this procedure:

1. a constituent local assembly is convened, composed of representatives of local councils and parliamentarians of the region;
2. the draft is approved by a majority of its members;
3. the draft is reviewed and finalised by Parliament's Constitutional Committee;
4. it is submitted to a referendum in the region;
5. upon approval, it is adopted by organic law of Parliament and promulgated by the President of the Republic.

Article 8

The acts of regional authorities are subject to review as follows:

1. the Constitutional Court, to ensure conformity with the Constitution;
2. parliament, for monitoring delegated competences;
3. the administrative courts, for resolving disputes between the State and the regions.

Article 9

A government delegate shall be appointed in each region to coordinate national policies with local institutions, without prejudice to the region's independence.

Article 10

If a region fails to comply with its constitutional obligations or causes serious harm to the national interest, the Government may, after formal notice and with the approval of the Senate by absolute majority, take the measures necessary to secure compliance.

Article 11

Regions shall enjoy financial autonomy for the development of their competences, in accordance with the principle of solidarity and coordination with the State.

Article 12

The financial resources of the regions consist of:

1. their share of national taxation;
2. local taxes and duties;
3. financial transfers from the State (Solidarity Fund among regions);
4. revenue from their property and other resources defined by law.

Regions may not impose taxes or duties that obstruct the free movement of persons or goods within the Republic.

Title Two **The Executive Authority**

Chapter One **The President of the Republic**

Article 1

The President of the Republic is the guarantor of the Constitution and of its observance. He or she ensures, through arbitration, the proper functioning of public authorities and the continuity of the state.

The President is the guardian of national independence, territorial integrity, and compliance with international treaties.

Article 2

The President of the Republic and the Vice-President shall be elected together by direct universal suffrage for a term of seven years.

No person may serve more than one term as president of the Republic, and such term is not renewable or extendable.

The details of the election and conditions of candidacy shall be regulated by organic law.

Article 3

The President shall be elected by an absolute majority of valid votes cast.

If no candidate secures such majority in the first round, a second round shall be held between the two candidates with the highest number of votes.

The election shall take place not fewer than twenty and not more than thirty-five days before the expiry of the incumbent's term.

If the office falls vacant, or the president is permanently unable to discharge duties, the Constitutional Court shall declare the fact upon request of the Government. The Vice-President shall temporarily assume presidential functions. If this is not possible, the Government shall collectively assume them.

A new President shall be elected within twenty to thirty-five days from the declaration of vacancy or impediment.

Article 4

The President shall appoint and may dismiss the Prime Minister.

On the proposal of the Prime Minister, the President shall appoint and may dismiss the ministers.

The President holds the power of veto over the appointments of the Ministers of the Interior, Defence, and Foreign Affairs.

Article 5

The President of the Republic presides over the Council of Ministers.

He or she shall promulgate laws within fifteen days of their final adoption.

The President may request Parliament to reconsider a law within this period. If Parliament confirms the law by an absolute majority, the President shall promulgate it.

This power shall not apply to organic laws. After a request for reconsideration, the procedures in Part Three, title one, chapter Two, Article 7 shall apply.

Article 6

The President may, after consultation with the Prime Minister and the Presidents of the two chambers, dissolve the National Assembly.

General elections shall be held within twenty to forty days of such dissolution.

The conditions, for dissolution are those laid down in Part Three, Title One, Chapter Four, Article 7.

Article 7

The President signs decrees and decisions deliberated in the Council of Ministers.

He or she exercises regulatory authority and appoints senior civil and military officials as prescribed by law.

The law shall determine other offices requiring presidential appointment by decree.

Article 8

The President accredits ambassadors and envoys abroad and receives foreign representatives.

Article 9

The President of the Republic is Commander-in-Chief of the Armed Forces and chairs the National Security Council.

Article 10

Where the institutions of the Republic, the independence of the nation, the integrity of its territory, or its international obligations are under grave and immediate threat, and the proper functioning of constitutional authorities is impeded, the President shall, after consultation with the Prime Minister, the Presidents of both chambers, and the Constitutional Court, take the measures required.

The nation shall be informed by official declaration.

Such measures must aim to restore the constitutional authority to normal operation at the earliest possible time.

Parliament shall meet automatically, and the National Assembly may not be dissolved while such exceptional powers are in force.

These measures shall be subject to review by Parliament within thirty days and may be extended only once, for the same duration, by an absolute majority vote of the National Assembly. The Constitutional Court shall rule on the conformity of such measures with the Constitution upon request by one of the Presidents of the chambers, the Prime Minister, or one-fifth of the members of either chamber.

Article 11

The President exercises the right of individual pardon.

Article 12

The President may address messages to Parliament, which shall be read in session without debate.

The President may also address Parliament assembled in joint sitting of both chambers. In his or her absence, a debate may take place on the statement, but no vote may be taken.

Article 13

Acts of the President shall require the countersignature of the Prime Minister, and where appropriate the relevant ministers, who shall be politically responsible for them, except for the appointment of the Prime Minister, the dissolution of the National Assembly, messages to Parliament, and the exercise of exceptional powers under Article 10.

Chapter Two **The Government**

Article 1

The Government conducts the policy of the nation, as determined by the President of the Republic.

It directs administration and the armed forces.

It is accountable to Parliament under the conditions laid down by the Constitution, and to the President of the Republic, who may demand its resignation.

Article 2

The Prime Minister directs the activities of the Government.

He or she ensures the execution of defence and security policy as defined by the National Security Council, chaired by the President of the Republic.

The Prime Minister may delegate certain powers to ministers, and may, by special delegation, chair the Council of Ministers in place of the President.

Article 3

Acts of the Prime Minister shall require the countersigned by the ministers responsible or of those charged with implementing them.

Article 4

No member of the Government may simultaneously hold parliamentary office, a representative mandate, any other public function, or a professional activity, except as provided by organic law.

Article 5

The Government is politically accountable to the President, who may demand its resignation.

At least one-third of the members of the National Assembly may table a motion of no confidence in the Government.

The motion shall be deemed adopted if approved by a majority of the members of the Assembly.

In such case, the Prime Minister shall tender the resignation of the Government to the President.

No further motion of no confidence may be tabled within the same parliamentary session for a period of three months, unless it is supported by an absolute majority of members.

Chapter Three **The National Security Council**

Article 1

The National Security Council, chaired by the President of the Republic, determines national defence and security policy.

Its membership includes the Ministers of the Interior and Defence, the Chief of the General Staff, and the heads of the principal branches of the armed forces.

It shall also include civilian figures appointed respectively by the President, the Prime Minister, and the Presidents of the two chambers of parliament.

The Government shall implement the strategic orientations adopted by the National Security Council.

Part Three Parliament

Title One Parliament

Chapter One General Provisions

Article 1

The Syrian Parliament represents the people and consists of two chambers: the National Assembly and the Senate.

Parliament exercises legislative authority, votes the budget, supervises the work of the Government, and carries out other functions entrusted to it by the Constitution.

In the cases provided by the Constitution, both chambers meet together in joint sitting of both chambers.

Article 2

No individual may be a member of both chambers simultaneously, nor may any person hold a seat in a regional assembly and in the National Assembly or the Senate at the same time.

The binding mandate is prohibited.

An organic law shall determine the conditions of parliamentary allowances and the cases of eligibility, incompatibility, and disqualification not specified in the Constitution. These shall include:

- a) members of the Constitutional Court;
- b) senior officials of the State administration as defined by law;
- c) judges and public prosecutors while in office;
- d) members of the armed forces, security services, and police while in service.

No one may combine parliamentary office with membership of the Government.

No person may serve more than three consecutive terms as Member of National Assembly or as Senator.

Article 3

Parliament shall meet by right in ordinary session on the first working day of October and shall adjourn on the last working day of June.

Sessions shall be public, unless each chamber decides otherwise by absolute majority or in accordance with its rules of procedure.

A sitting may also be convened by the Prime Minister or the President of the Republic, after consultation with the President of the chamber concerned, or at the request of a majority of its members.

The days and times of sittings shall be determined by the rules of procedure of each chamber.

Article 4

Parliament shall also meet in extraordinary session at the request of the Prime Minister or of the majority of the National Assembly, on a specified agenda.

Such a session, if convened at the request of the Assembly, shall be closed by decree once its agenda has been completed, within twelve days of its opening.

No new extraordinary session may be convened until one month elapsed, except at the request of the Prime Minister.

Apart from sessions convened by right under the Constitution, extraordinary sessions shall be opened and closed by decree of the President of the Republic.

Article 5

Voting in Parliament is personal.

An organic law may permit delegation of a vote, but no member may hold more than one proxy, and delegation is prohibited in committee sittings.

Article 6

The National Assembly shall comprise one Member of Assembly for every hundred thousand citizens, with a minimum of two hundred Members of Assembly.

Members of Assembly shall be elected by direct, free, equal, and secret universal suffrage, in accordance with the conditions laid down by organic law.

Their term of office shall be five years from election, unless the Assembly is dissolved earlier.

Elections shall be held within thirty to sixty days of the end of a term, and the newly elected Assembly shall convene within twenty-five days of the proclamation of results.

Article 7

The Senate shall represent the autonomous regions.

Senators shall be elected by direct, free, equal, and secret universal suffrage within each region, in accordance with organic law, for a term of five years.

The President of the Republic may appoint, for a term of five years, distinguished national figures who have rendered exceptional service to the nation. These members shall have deliberative voice only.

Former Presidents of the Republic shall be Senators for life, with deliberative voice only.

Article 8

The election of members of Parliament and the validity of their mandates shall be subject to review by the Constitutional Court, under conditions laid down by organic law.

Article 9

Members of Parliament shall not be liable for opinions expressed or votes cast in the exercise of their functions.

No Member of Parliament may be arrested or deprived of liberty without the authorisation of the bureau of the chamber concerned, except in cases of flagrante delicto or by final judicial decision.

Article 10

Each chamber shall adopt its rules of procedure and vote its budget independently.

Each shall determine the status of its staff by regulations approved by absolute majority.

Each chamber shall elect its President and Bureau for the duration of the parliamentary term.

Joint sittings shall be chaired by the President of the National Assembly, in accordance with regulations adopted by absolute majority in both chambers.

The Presidents of each chamber shall exercise, on its behalf, all administrative and policing powers within its premises.

Article 11

Parliamentary sittings shall not be valid unless a majority of members are present.

Decisions shall be taken by absolute majority of those present or represented, unless an organic law requires a special majority.

Article 12

Parliament shall authorise the President of the Republic to declare war by an absolute majority vote.

Chapter Two **The Making of Laws**

Article 1

Organic laws concern fundamental rights and public freedoms, approval of regional basic statutes, the general electoral system, and other matters expressly provided by the Constitution. They shall be adopted, amended, or repealed by absolute majority in final reading, following consideration by a joint committee of both chambers.

If the committee fails to agree, the draft prepared by the Government shall be referred to the joint sitting of both chambers.

The joint sitting of both chambers shall meet within three months of referral and may not sit for more than one week.

Parliament must decide on draft organic laws within four months.

The President of the Republic shall promulgate organic laws within one month of their adoption and may not refuse promulgation.

Article 2

Legislative initiative belongs to:

1. the Government;
2. the National Assembly;
3. the Senate;
4. the legislative assemblies of autonomous regions;
5. citizens, through popular initiative supported by at least two hundred thousand valid signatures, provided these are distributed across at least half of the autonomous regions, with a minimum number of signatures in each.

Article 3

Draft laws adopted by the Council of Ministers shall be submitted to Parliament, accompanied by a statement of reasons and reference materials.

They shall be referred to the competent committees of each chamber for examination and final drafting before being put to the vote.

Each chamber may amend draft laws within the limits of the Constitution.

Where a draft law appears to conflict with the Constitution, it shall be immediately referred to the Constitutional Court before adoption.

Article 4

Draft laws shall normally be considered first by the National Assembly, unless they concern the autonomous regions, in which case the Senate shall consider them first.

Priority shall be given to bills introduced by the Government.

If disagreement arises between the chambers, a joint committee shall be convened to reconcile their texts.

If reconciliation fails, the final decision shall rest with the National Assembly, by a two-thirds majority.

Article 5

Once the National Assembly adopts a draft ordinary law, the President of the Assembly shall transmit it without delay to the President of the Senate.

Within two months, the Senate may either approve it, reject it with reasons, or propose amendments.

If it neither rejects nor amends the bill, the law adopted by the Assembly shall be transmitted to the President of the Republic for promulgation.

Any rejection or amendment must be adopted by an absolute majority or by three-fifths of Senators.

If the Senate amends the bill, it shall be returned to the Assembly, which may reject the amendments by absolute majority within one month; in that case, the law as originally adopted by the Assembly shall prevail.

For bills declared urgent by decree of the Council of Ministers, the Senate's two-month period shall be reduced to twenty days.

Article 6

Amendments or proposals by members of Parliament shall be inadmissible if their adoption would reduce public revenue, create new expenditure, or increase existing expenditure.

Article 7

The President shall promulgate laws adopted by Parliament within fifteen days of their adoption. Within that period, the President request a further reading, except in the case of organic laws. In such case, the law shall be recognised in accordance with Article 5 of Part Two, Chapter One. The National Assembly may, by absolute majority, insist on its original text, in which case the President must promulgate the law within forty-eight hours.

Article 8

The National Assembly may delegate to the Government authority to issue decrees in defined matters not reserved to Parliament.

Such delegation shall be granted by enabling law, which shall precisely define the object and scope of the delegation, and the principles and criteria governing its use.

Delegated powers may not concern taxation, criminal law, or fundamental rights.

Decrees shall lapse unless submitted for parliamentary ratification by the date fixed in the enabling law, and may only be ratified by ordinary majority.

Once ratified, decrees may be amended only by law.

Article 9

If a bill or amendment conflicts with an existing delegation granted to the Government under Article 8, the Government may object to its consideration.

In that case, Parliament may adopt the bill only by first repealing or amending the enabling law, in whole or in part.

Article 10

Parliament shall vote the finance laws and the general budget before 1 December each year.

If Parliament fails to adopt the budget in time, the Government may, by decree, apply the provisions of its draft until adoption.

An organic law shall determine the rules for preparing, executing, and supervising the budget.

Chapter Three **International Treaties**

Article 1

The President of the Republic shall conduct negotiations, sign, and ratify international treaties. The Government shall inform Parliament of any negotiations resulting in the conclusion of an international agreement not subject to ratification.

Article 2

The following treaties may be ratified only by a law approved by Parliament:

1. treaties of peace;

2. commercial treaties;
3. treaties or agreements relating to international organisations;
4. financial agreements imposing obligations upon the State;
5. treaties amending provisions of legislative character;
6. treaties concerning the status or fundamental rights of citizens;
7. treaties providing for the cession, exchange, or alteration of national territory.

Such treaties shall not enter into force until ratified or approved in due form.

Article 3

If the Constitutional Court, upon referral by the President of the Republic, the Prime Minister, or the President of either chamber, declares that an international commitment contains a clause contrary to the Constitution, authorisation to ratify may be granted only after constitutional amendment.

Article 4

International treaties and agreements duly ratified or approved, once published, shall have legal force superior to that of ordinary laws.

Application of a treaty or agreement is subject to reciprocity by the other party.

Chapter Four

Relations between Government and Parliament

Article 1

The Government shall be politically accountable for its actions before the National Assembly.

Article 2

Members of the Government may attend sittings of either chamber and of their committees. They shall have the right to be heard and may require officials in their departments to provide necessary information.

Article 3

The Government, and each of its members, shall answer oral and written questions submitted by members of both chambers.

The rules of procedure shall establish a minimum weekly period for such questions and answers. No vote shall follow the Government's replies.

Article 4

Within fifteen days of appointment, the Prime Minister may, after deliberation by the Council of Ministers, submit to the National Assembly a programme or a general policy statement, seeking a vote of confidence. Confidence shall be granted by ordinary majority.

The Prime Minister may, after deliberation by the Council of Ministers, place the responsibility of the Government before the National Assembly on a bill under consideration.

In this case, the bill shall be deemed adopted unless a motion of no confidence is filed within twenty-four hours, and adopted under the conditions of Article 5 of this Chapter.

This procedure may not be used more than once on the same bill or proposal during a single parliamentary session.

Article 5

The National Assembly may hold the Government politically accountable by adopting a motion of censure or a vote of no confidence by absolute majority of its members.

A motion of censure must be signed by at least one-tenth of the Members of National Assembly and must nominate a candidate for the office of Prime Minister.

It may not be voted upon until five days after submission. Alternative motions may be filed during the first two days.

If the motion of censure is rejected, its signatories may not propose another during the same session.

Article 6

If the National Assembly refuses confidence to the Government, the Government shall resign and submit its resignation to the President of the Republic, who shall appoint a new Prime Minister in accordance with the Constitution.

If the National Assembly adopts a motion of censure or a vote of no confidence, the Government shall resign. The nominee named in the motion shall be deemed appointed by the Assembly, and the President of the Republic shall entrust that person with forming a Government.

Article 7

The President of the Republic may, after consultation with the Prime Minister and the Presidents of both chambers, dissolve the National Assembly. A decree of dissolution shall fix the date of new elections.

Dissolution shall not be declared while a motion of censure is under consideration.

No further dissolution may occur until one year has elapsed since the previous dissolution.

Title Two **The Constitutional Court**

Article 1

The Constitutional Court shall consist of nine members.

Three members shall be appointed by the President of the Republic, three by the President of the National Assembly, and three by the President of the Senate.

Members shall be selected from among judges, prosecutors, university professors, senior civil servants, and practising or retired lawyers of at least fifteen years' professional standing. The term of office shall be nine years shall not be renewable.

Membership of the Constitutional Court shall be incompatible with any representative mandate, political, party, trade union or commercial office, and with any judicial or administrative position. Members of the Constitutional Court shall enjoy full independence and may not be removed or dismissed before of the expiry of their term, except in cases determined by organic law.

Article 2

The President of the Republic shall appoint the President of the Constitutional Court from among its members, for the full term of office.

Article 3

The Constitutional Court shall exercise its jurisdiction throughout the territory of the Republic. Its powers include:

- a) judicial review of the constitutionality of laws;
- b) judicial review of international treaties prior to ratification;
- c) resolution of disputes of competence between the State and autonomous regions, and between the regions themselves;
- d) any other matters assigned to it by the Constitution or organic laws.

Article 4

Referral to the Constitutional Court to promulgation of laws or the ratification of treaties may be made by:

1. the President of the Republic or the Prime Minister;
2. the President of the National Assembly or the President of the Senate;
3. a specified number of members of the National Assembly or of the Senate, as determined by organic law;
4. the Presidents of autonomous regions.

In cases of conflict of competence, the President of the Republic, the Prime Minister, the President of either chamber, or the Presidents of autonomous regions may request the Court's intervention.

The Government may appeal before the Court against rulings or decisions of regional authorities. Such appeal shall suspend execution of the decision until the Court delivers its ruling within three months.

Organic law shall determine other persons or bodies entitled to refer matters to the Constitutional Court.

Article 5

Decisions of the Constitutional Court shall be published in the Official Gazette.

They shall be final and binding upon all authorities and individuals.

A ruling of unconstitutionality shall take effect on the day following its publication. The provisions declared unconstitutional may not be promulgated or applied.

Where the Court declares unconstitutional any clause or provision of an international treaty, such treaty may only be ratified following amendment of the Constitution in conformity with the decision.

Article 6

An organic law shall regulate the organisation of the Constitutional Court, the status of its members, its procedures, and guarantees of its independence.

Title Three **Amendment of the Constitution**

Article 1

The initiative for Constitutional amendment shall belong to the President of the Republic, on the proposal of the Prime Minister, or to Parliament.

Parliamentary initiative may be exercised either by members of the National Assembly or by members of the Senate.

Article 2

Proposals for constitutional amendment shall be adopted by a two-thirds majority in each chamber.

If the two chambers fails to agree, a joint committee composed of members of the National Assembly and the Senate shall be convened to reconcile their positions, and shall submit a text within four months.

Each chamber shall then vote on the compromise text by a three-fifths majority.

If disagreement persists, or the joint committee fails, the proposal may be submitted to a popular referendum, provided it has obtained a three-fifths majority in either the National Assembly or the Senate. The referendum shall be held within three months, by decree of the President of the Republic.

The President of the Republic shall promulgate the constitutional law adopted by Parliament or ratified by referendum within one month.

Article 3

No amendment to the constitutional may be made:

1. during wartime, or in cases of grave crisis threatening the sacurity of the nation;
2. during a vacancy in the office of President of the Republic, or where the President is permanently unable to perform duties;
3. while the National Assembly is dissolved, or within the six months following its dissolution.

The republican form of government shall not be subject to amendment.

