

“Foundations for living together: Principles for a Syrian social contract”

Syria is a country with a human identity and culture deeply rooted in history, and a geography that was continuously reshaped through the ages. Syria’s identity and culture are based on the strong will of living together as a guarantee for common interests. Yet, what remained unchanged in Syria is its ethnic, religious and cultural diversity, which characterises its communities. Syria is also an active member of the international community and belongs to its wider geographical and Arab context.

Hundreds of Focus Group Discussions (FGDs) were held in Syria, in neighbouring countries, and in refugee and IDP camps, facilitated by the World Council of Churches (WCC), at a time when the Syrian society was suffering from division and fragmentation. Large groups of Syrians coming from different ethnic, religious, cultural and political backgrounds participated in those FGDs and agreed on the following foundations for living together as principles for a Syrian social contract:

1. Syria is a sovereign state committed to safeguarding the unity of its territories, and restoring all its occupied territories by possible and legitimate means in accordance with the UN Charter and international law.
2. Syria is a democratic state, where sovereignty is for the people, who is the source of all powers. It is based on political plurality, the peaceful transfer of power, the principle of citizenship, the rule of law, the separation of powers, and the independence of the judiciary; it abolishes exceptional courts and prevents their formation.
3. The State stands at equal distance from all religions, beliefs, ethnicities and components. It is established on the basis of a living together, where hate speech and incitement to violence are criminalised.
4. Syria will adhere to the International Chart of Human Rights and the principles of international law and international and regional treaties.
5. All Syrian women and men are equal citizens in the law and before the law. They shall all have the right to full political participation and to holding public positions, including the office of presidency, on the basis of competence without discrimination, in the context of political competition within the framework of free and fair elections.
6. Syrian constitution shall protect public and individual freedoms; guarantee the right to form political parties, civil society organizations and syndicates, among others; it shall guarantee the freedom of thought, opinion, expression, media and peaceful assembly and demonstration, as well as freedom of belief and conscience and the practice of religious rituals.
7. The constitution shall guarantee the neutrality of the state towards religion and religious institutions, so as to ensure separation of state institutions from religious institutions, and ensure that authority does not instrumentalise religion and that religion does not exploit power.
8. The constitution shall guarantee the adherence of state laws to the Universal Declaration of Human Rights. These laws shall be derived from the legal Islamic Jurisprudence schools as well as international legal schools.

9. The State shall ensure the freedom of individuals to resort to civil courts, Shariah courts, Ecclesiastical courts or Confessional courts for adjudicating matters related to their civil status.
10. Ethnic and cultural diversity shall be recognised and constitutionally enshrined. Arabic shall be the official language of the state. The state shall guarantee the right to education for each ethnicity in its own language.
11. Every individual shall have the right to work and to join trade unions.
12. The state shall protect the right of individual ownership.
13. The State shall ensure equitable distribution of national income, achieve balanced and sustainable development amongst all Syrian regions, and adopt administrative and economic decentralisation in the constitution.
14. The state shall ensure the right to medical and social care, housing and food, environmental justice, give adequate attention to the elderly and people of special needs, and complete commitment to child rights.
15. The state laws are fair laws that guarantee the full and equal rights of women, ensure women empowerment to be able to access these rights, reaching up to access decision-making positions. The state shall empower the role of women in the various sectors, with a representation of no less than 30%.
16. The state shall ensure the right to free education at all stages including university education, and shall be mandatory until the end of the basic stage. The state shall also guarantee youth participation in developing public policies and decision-making processes.
17. The army shall be tasked with defending the homeland within the internationally recognized natural borders against any foreign aggression. Individuals of the army shall be prohibited from interfering in political activity. In undertaking its work, it shall be subject to parliamentary oversight and judicial accountability.
18. The police and security institutions are subject to the standards of International Law of Human Rights, and shall be the only authorised parties to carry and use arms inside the country to protect citizens, each in accordance with their respective jurisdiction. Personnel thereof shall be prohibited from interfering in political activity. In undertaking their work, they shall be subject to parliamentary oversight and judicial accountability.
19. Torture and violence shall be criminalised as continuous crimes to which the statute of limitations does not apply. All forms of direct, structural and cultural violence shall be combated.
20. The state shall guarantee the right of refugees to safe and voluntary return to their original homes, and compensate them for material and moral damage. It shall also ensure that all refugees who returned to Syria or did not return will receive their Syrian documents.