



Ensuring The Rights of Syrian Women in Constitution

Introduction

This paper represents the outcome of 18 focused discussion sessions carried out by Syrian Women's League in 2020, in parallel with the launch of the Constitutional Committee works that was started based on International Resolution 2254. These discussions took place virtually with 296 participants based in various areas of the central government's control in addition to the participation of Syrian refugees' women and men in Lebanon. Moreover, five members of the mini-constitutional committee from the civil society bloc also participated in these sessions.

Syrian Women's League, consider the launch of the Constitutional Committee's work as a great opportunity to integrate the rights of Syrian women into the new draft constitution; We believe that the new Syria needs the efforts of all its citizens, women and men, in a legal, economic, social and political environment that enables them to contribute effectively to rebuilding it as a democratic and unified state in land and people, and that guarantees their human rights regardless of their gender, religion, race, or ethnicity.

Ladies and gentlemen in the Constitutional Committee,

We turn to you, hoping to take advantage of the historical moment in which you are working in order to produce a new constitution based on a clear development vision, and a deep belief that the Syrian people, women and men, deserve a social uplifting contract, that includes:

- An introduction that stipulates ensuring the transfer of Syrians, men and women, to a free and dignified life, and ensuring the development of Syria in all aspects, based on comprehensive and balanced development;
- An introduction that guarantees the principle of secularism and the civility of the state. The neutrality of the state towards all its components was accepted by the majority of the participants in our discussion sessions.
- A clear provision on equality between men and women in rights and duties, in and before the law and the courts, and in all other areas as well,
- A clear provision to prohibit discrimination and violence against women and ensure the codification of protection mechanisms;
- Ensuring the full equality between women and men in the nationality law and the laws on participation in political, economic and social public life;

- A secular, civil reference for all Syrian laws;
- An explicit provision to guarantee a percentage of women in decision-making positions in all fields and at all levels, provided that it is not less than 30% as a first step to achieving parity;
- Provide for the establishment of a higher council for women, for human rights, for the rights of detainees, abductees and forcibly disappeared persons, in addition to a higher council for media, youth, refugees, and people with special needs;
- An explicit provision on the transcendence of international agreements to which Syria has acceded and adopting it as a reference for drafting the national laws;
- A constitutional provision on the freedom to establish and operate NGOs, with the adoption of subsequent oversight of the work of these associations as constitutional controls rather than security restrictions ;
- Adopting administrative decentralization will create greater and fairer opportunities for the empowerment of women, and dedicating a special constitutional chapter to it constitutes later an adequate constitutional reference for the legislator;
- Ensuring the availability of advanced and modern education, and eradicating illiteracy;
- Ensuring advanced health care, especially for women and those affected by the conflict and the war-wounded;
- Detailing the articles on public rights and freedoms in clear constitutional texts to ensure that no later laws can restrict any of these rights and freedoms; and also to stipulate that laws that violate these articles are considered invalid;
- Establishing an economy that guarantees social justice, especially for the poor and female breadwinners, and guarantees special programs to empower women and enhance their contributions to the development process;
- A language that respects the existence of masculine and feminine in the Arabic language;

Based on our belief that the feminist struggle is always associated with the

struggle for democracy and that the influence is mutual between them, we believe that we need constitutional texts that include:

- The principle of separation of powers
- The independence of the judiciary, which will be a neutral mechanism for achieving justice;
- Forming a constitutional court independent of the executive authority, provided that its members are elected from the Supreme Judicial Council. Also, ensuring that any organization or specialized union has the possibility to challenge the constitutionality of any law in front of this court who must consider these appeals;
- A national role for the army away from political disputes, and restructuring the institutions of the army, police and security services to ensure standards of international human rights law;
- Preventing the creation of exceptional courts, restricting the issuance of a state of emergency and exceptional legislation, and preventing civilians from being tried before military courts;
- Recognizing the cultural, national and religious diversity and richness in Syria, and guaranteeing the rights of all Syrians, women and men, including the provision of cultural rights;
- The right to return for displaced women and men to their areas of origin, and rights to adequate compensation;
- Restricting arms in the hands of the state only.

We all hope that you will respond to these aspirations.

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