

Syria's Draft Constitution, "No Military Solution". Russia Now Runs the Peace Process to End Syria's War

Part III

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Region: [Middle East & North Africa](#), [Russia](#)
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In-depth Report: [SYRIA](#)

Part Three of Three Parts

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(Part Two is [here](#))

AFTER RUSSIA TOOK OVER THE NEGOTIATIONS

The conclusion of the first round of post-U.S.-involvement Syrian peace talks took place in Astana Kazakhstan and ended on January 24th, and included, as governmental participants, Syria, Russia, Iran, and Turkey. Neither the Saudis ([who had selected and organized the delegation that supposedly represented 'the rebels' in the previous, America-led, talks](#)) nor the United States government (which is the main international [representative of the Saudis](#)) participated. (However, America's Ambassador to Kazakhstan was allowed to be one of the «observers»; America's master, the Saudis, weren't granted even this recognition.) [The Syrian announcement](#) noted that «Regarding the omission of the reference to Syria's secularism in the statement, al-Jaafari [Syria's Foreign Minister] said that this was upon the request of Turkey and the armed groups [these ones not having been selected by the Saud family, but by the four governmental participants], which is odd since the Turkish government claims that Turkey is secular, but when it comes to Syria, it stands against secularism».

Both the U.S. government and the Saudi government — and their respective allies — were totally excluded from any decision-making in the post-U.S. talks. Turkey had been [a U.S.-Saudi ally \(except against them on Kurdish independence\)](#) until [the failed 15 July 2016 CIA-backed coup-attempt to replace Turkey's President Erdogan by a U.S.-Gulen junta](#) that would allow the U.S. aristocracy's aim of creating a Kurdish nation so as to weaken Syria, Iraq, and Turkey and so allow even more Saudi dominance of the region. Russian intelligence had learned of the coup-plan in advance; and, hours before the coup started, Russian President Putin [informed Erdogan that it was about to happen](#), which saved Erdogan's life and his regime. This is why Turkey was now cooperating with Russia. (However, Turkey still hasn't yet left NATO; so, Turkey is now the first and only nation that's allied with both the U.S. and Russia, at least for the time being. Erdogan, after the coup, is «on the fence». Formerly, he had been pro-U.S., anti-Russia, reliably pro-NATO.)



There was a separate announcement, from Al Jazeera, on January 24th, [«Astana joint statement by Iran, Russia, Turkey: in Full»](#). It said that the parties:

Reaffirm their commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic as a multi-ethnic, multi-religious, non-sectarian and democratic State, as confirmed by the UN Security Council;

Express their conviction that there is no military solution to the Syrian conflict and that it can only be solved through a political process based on the implementation of the UN Security Council resolution 2254 in its entirety; ...

Reiterate their determination to fight jointly against ISIL/DAESH and Al-Nusra and to separate them from armed opposition groups; ...

Support the willingness of the armed opposition groups to participate in the next round of negotiations to be held between the government and the opposition under the UN auspices in Geneva as of February 8, 2017

The resistance, by some religious Muslims, to the Russian delegation's proposed new Constitution for Syria, which is even more secular than the existing one, caused the February 8th resumption-date in Geneva to be moved back to February 20th.

Here are some provisions of that [proposed Russian draft](#):

* * *

Chapter 1. Basic Principles

Article 1

• The Syrian Republic is an independent sovereign state, based on the principle of the rule of the people by the people and for the people, the rule of law, equality of all before the law, social solidarity, respect for rights and freedoms and equality of rights and duties of all citizens regardless of any differences and privileges. ...

Article 2

• The sole source of power in Syria shall be its multinational and multi faith people. ... The People of Syria shall exercise their sovereignty in accordance with the Constitution directly by means of a referendum, and through their representatives elected on the basis of universal, equal, direct suffrage by free, secret and personal ballot. ...

• No person carrying another nationality, in addition to the nationality of Syria, may occupy the position of a member of the People's Assembly, a member of the Constituent Assembly, President of the Republic, Prime Minister, a deputy prime minister, a minister, or a member of the Supreme Constitutional Court. ...

Article 3

The State shall respect all religions and religious organizations, and ensure the freedom

to perform all the rituals that do not prejudice public order. Religious organizations shall be equal before the law. ...

Article 5

- *The political system of the state shall be based on the principle of political pluralism, and exercising power democratically by secret ballot. ...*

Article 6

- *Ideological diversity shall be recognized in Syria. No ideology shall be proclaimed as State ideology or as obligatory. Public associations shall be equal before the law.*

- *The State shall ensure security and protect the rights and freedoms of national and religious minorities.*

- *The establishment and activities of political parties and other public associations whose goals and activities are aimed at the forcible changing of the basis of the constitutional order and at violating the integrity of the State, at undermining its security, at engaging in terrorism, at creating armed units, at instigating religious, social, racial, national, and tribal strife; and that are based on sectarian, regional, class, professional discrimination, or on discrimination by gender or origin, may not be undertaken. Such organizations may not be part of the social and political system in Syria. ...*

Article 7

- *Laws and other legal acts, which are adopted in Syria, must not contradict the Constitution.*

- *Universally recognized principles and norms of international law as well as international agreements of Syria shall be an integral part of its legal system. ...*

- *Syria shall maintain good neighborly relations with other countries based on cooperation, mutual security and other principles stipulated by international legal rules.*

- *Syria denounces war as an infringement on other countries' sovereignty and a means to resolve international conflicts.*

Article 10

- *The army and other armed forces shall be under public oversight and shall defend Syria and its territorial integrity; they may not be used as an instrument of suppression of the people; they may not interfere in politics or participate in the transfer of power. ...*

Article 11

- *In Syria the freedom of economic activity is guaranteed, and private, State, municipal and other forms of property shall be recognized. Property may not be used to infringe on human and civil rights and freedoms, public and State interests, and human dignity.*

- *Developing the economy on the basis of different forms of property is aimed at improving the people's wellbeing. The State shall use market principles to bolster economic development, guarantee freedom of entrepreneurship and prevent monopolization and unfair competition in economic relations. ...*
- *Natural resources shall be publicly owned. The law shall regulate how utilization rights for natural resources or concessions are granted. ...*
- *No discrimination by gender, origin, language or faith shall be allowed. ...*
- *The State shall provide women with all opportunities enabling them to effectively and fully contribute to the political, economic, social and cultural life, and the State shall work on removing the restrictions that prevent their development and participation in building society. ...*

Article 14

- *Protection of the environment shall be the responsibility of the state and society and it shall be the duty of every citizen. ...*
- *The National Bank of Syria is owned exclusively by the State. ...*

Article 18

- *Everyone shall have the right to life, security and freedom and the State shall guarantee these rights. No right can be restricted or denied to a person unless otherwise provided by law and following the decision by the appropriate judicial authority.*
- *All persons shall be equal before the law without discrimination among them on grounds of gender, race, nationality, origin, color, religion, personal convictions, beliefs or views, and economic and social status. ...*

Article 20

- *Everyone shall have the right freely to seek, receive, transmit, produce and disseminate information by any legal means. In accordance with the law the State ensures freedom of the press and mass media.*
- *Propaganda or agitation, which incites social, racial, national or religious hatred and hostility, and propaganda of social, racial, national, religious or linguistic supremacy, shall be prohibited. ...*

Article 22

- *Everyone shall have the right to the inviolability of his (her) person, home, personal and family privacy.*
- *Collecting, keeping, using and disseminating information about the private life of a person shall not be permitted without his (her) consent.*
- *The State shall guarantee a person's right to privacy of correspondence, of telephone conversations and of postal, telegraph and other communications. This right may be*

limited by law to prevent a crime or to uncover the truth when investigating a crime.

- *Except when the law says otherwise or when following a court's order, nobody may enter a home against the will of its occupants. ...*

Article 23

- *Everyone shall have the right to work in conditions, which meet safety and hygiene requirements, and to receive remuneration for labor without any discrimination whatsoever. ...*
- *The law shall regulate employer-employee relations based on economic principles and the norms of social justice.*
- *The State shall guarantee the right of its people to lawfully form labor associations and unions and to join them. ...*

Article 26

- *Everyone shall be guaranteed social security payments for legal retirement age, in case of illness, disability, loss of breadwinner, incapacitation, unemployment, and in other cases specified by law. Minimum state pensions and social benefits shall be established by law. ...*
- *Everyone has the right to health protection and medical care in state and municipal health institutions. ...*
- *Everyone shall have the right to education. The State shall guarantee free secondary education. ...*
- *Punishment shall be personal; no crime and no punishment except by a law.*
- *Anyone shall be considered innocent until his (her) guilt is proven and confirmed by a court sentence. ...*
- *No one may be investigated or arrested, except under an order or decision issued by the competent judicial authority. ...*
- *No one may be tortured or treated in a humiliating manner, and the law shall define the punishment for those who do so.*
- *Any person who is arrested must be informed of the reasons for his arrest and his rights, and may not be incarcerated except by an order of the competent judicial authority.*
- *Any person sentenced by a final ruling, who has carried out his sentence and the ruling proved wrong shall have the right to ask the state for compensation for the damage he suffered. ...*

Article 35

- *Members of the People's Assembly shall be elected by the public, secret, direct and equal vote. They shall represent the whole people of Syria. ...*

Article 49

- *The President of the Republic is elected for the term of 7 years by citizens of Syria on the basis of universal, equal, and direct suffrage by secret ballot.*
- *No person can hold the office of the President of the republic for more than two consecutive terms.*
- *The candidate who wins the election for the President of the Republic is the one who gets more than one half of votes of those who take part in the elections. If no candidate receives such majority, a rerun is carried out between the two candidates who receive the largest number of votes. ...*

Article 51

3) the candidacy application shall not be accepted unless the applicant has acquired the support of at least 35 members of the People's Assembly and (or) the Constituent Assembly. No member of the Assemblies can support more than one candidate. ...

Article 59

The President of the Republic might call for a referendum on important issues which affect the higher interests of the country. The result of the referendum shall be binding and come into force as of the date of its announcement by the President of the Republic. ...

Article 82

The term in office of the current President of the Republic shall be 7 years from the swearing-in date. He has the right to run again for President of the Republic. The President's term in office as stated in this Constitution shall apply to him as of the next presidential elections. ...

* * *

The U.S. had [demanded that the Syrian public be prohibited from being allowed to vote for Bashar al-Assad when elections for Syria's Presidency will next be held](#). The U.S. government and its allies had held [polls throughout Syria, all of which showed that Assad is by far the preferred person, among all Syrians](#), to lead the nation. [The declaration in Astana](#) commits Syria unqualifiedly to democracy, and also opposes the breaking-up of Syria into [ethnic enclaves](#) — Sunni, Shia, and Kurdish — which the U.S. regime ([such as in a recent Rand Corporation commentary](#), but actually ever since at least 1957) had striven for (as the likeliest way [to enable the American aristocracy's allies, the royal families of Saudi Arabia and Qatar, to pipeline their oil and gas through Syria into Europe](#), and so undercut Russia's prices in the world's largest oil-and-gas market — its economic war against Russia). (And its being a «Pipeline War» was confirmed in a 3 September 2016 news report from German Economic News, [«Energy war over Syria: Fight only along future pipelines»](#).)

Iran, though itself a theocratic-Shiite regime (after the 1953 [fascist U.S.-British-installed regime](#) was overthrown in 1979), has never objected to Assad's secularism. Of course, Russia, a secular nation after having abandoned the Marxist faith in 1990, has no problem at all with a secular ally. Turkey under Erdogan did, however, have a problem with it, until the

U.S. tried to overthrow him to help the Saudis and Thanis. But the increased secularism that's in the Russian-proposed constitutional draft would be especially unacceptable to the jihadists who have been trying to overthrow Assad. Perhaps those jihadists — [many if not most of whom have been imported into Syria by the U.S.-Saudi-Qatari alliance](#) — will need to be either killed or expelled from Syria before any such document will be able to be seriously considered. Russia has there, in its proposed draft constitution for Syria, laid down the gauntlet to The West, to decide whose side The West is really on.

Is it on the Saudis' side, or on Russia's side?

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