

“Syria’s Draft Constitution” Prepared by Moscow, Without the Approval of Damascus?

By [Global Research News](#)

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Region: [Middle East & North Africa, Russia and FSU](#)

Theme: [Law and Justice](#)

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Below, we bring to the consideration of our readers The Draft of Syria’s New Constitution prepared by Moscow.

It was presented by Russia’s Foreign Minister in Astana to opposition leaders who rejected it.

What remains unclear is how this initiative emerged and what mechanisms of consultation prevailed between Moscow and Damascus. It is highly unlikely that the Syrian government would accept this initiative.

Russia’s Foreign Minister Sergei Lavrov acknowledged that the draft was based on the input of “the Syrian government, opposition and regional powers.” The Syrian authorities have not made any official statement regarding this mysterious document.

“We have handed the Syrian armed opposition a draft constitution of Syria prepared by Russian specialists for them to study,” Russia’s envoy for Syria, Alexander Lavrentiev, told reporters. “We did this exclusively to accelerate the process to end the war.”

One of the conditions mentioned in the draft included that the word “Arab” be removed from the official name of the country “Syrian Arab Republic”.

The draft from the Russian delegation also proposed the dropping of religion as criteria for electing a president. Article 3 of the [current Syrian constitution](#) stipulates that the president has to be part of the Muslim faith.

Moreover, the draft new constitution also presented that the Syrian president would be elected for one term of seven years, without the right to re-election.

It also suggests that the country will have a parliament with two chambers and rejects Islamic sharia as the basis for law.

The peace talks in Astana held earlier this week were the first time the opposition and regime representatives have come together since United Nations-brokered talks in Geneva were suspended early last year.

Turkey, which played a major role in Astana alongside Russia, said they [were unaware of the proposal for a draft new Syrian constitution](#) that would also see Syrian Kurds gain autonomy. ([Al Arabiya](#), January 26, 2017)

It should be noted that [a new constitution for the Syrian Arab Republic was adopted in 2012 \(link to complete text\)](#) and was endorsed in a nationwide referendum.

Title I: Basic Principles

Chapter I: Political Principles

Article 1

The Syrian Arab Republic is a democratic state with full sovereignty, indivisible, and may not waive any part of its territory, and is part of the Arab homeland; The people of Syria are part of the Arab nation.

Article 2

The system of governance in the state shall be a republican system; Sovereignty is an attribute of the people; and no individual or group may claim sovereignty. Sovereignty shall be based on the principle of the rule of the people by the people and for the people; The People shall exercise their sovereignty within the aspects and limits prescribed in the Constitution.

Article 3

The religion of the President of the Republic is Islam; Islamic jurisprudence shall be a major source of legislation; The State shall respect all religions, and ensure the freedom to perform all the rituals that do not prejudice public order; The personal status of religious communities shall be protected and respected.

[Screenshot of Articles 1 and 2 of the 2012 Constitution](#)

Alexander Lavrentyev, the head of Russian delegation to the Astana talks, [said](#) on Tuesday: "I want to emphasize, we have done this solely for the reason that we want to accelerate this process and to give it some additional pacing. We are in no way interfering in the process of consideration and adoption of the constitution."

Echoing this sentiment, Konstantin Kosachev, the chairman of the Russian parliament's Foreign Affairs Committee, [told](#) Sputnik on Thursday: "Syria's constitution will be created and accepted by the Syrian people themselves, it is their sovereign right. The task is not to do this important work on behalf of them, but to end a stalemate."

On the same day, however, Syrian opposition representatives [rejected](#) consideration of Russia's proposals out of hand, arguing that the constitution being drafted by a foreign power was reason enough not to adopt it. ([News Deeply](#), January 30, 2017)

The question is why has Moscow taken this initiative? Is it motivated by geopolitical and strategic considerations?

Below is the full text of the Draft Constitution prepared by Moscow.




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