



HIGH NEGOTIATIONS COMMISSION
for the Syrian Revolution and Opposition Forces



**Executive Framework for a Political Solution
Based on the Geneva Communiqué (2012)**

SEPTEMBER 2016



The High Negotiation Commission

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Executive summary

The High Negotiations Commission (HNC) presents herein its vision within an Executive Framework for the Political Solution in Syria, representing a comprehensive overview of the negotiation process, the transitional period, and the foundations upon which a new political system for the future of Syria shall be based; as well as the legal safeguards to protect the choices of the Syrian people. This vision is dynamic and accessible to further improvements that could enrich its perspective and contribute in achieving all components of the Syrian people's aspirations.

This vision stems from the HNCs deep belief in the importance of the true and honest implementation of the Geneva Communiqué of 2012 and the relevant UN Resolutions, as well as all the legal obligations enshrined in international law.

The vision is a response to the hopes and aims of the Syrian people; for emancipation from dictatorship, the establishment of a new social contract for Syria, building a political system that protects freedoms, safeguards individual rights, and that is founded upon the principles of liberty, equality, citizenship, and justice. Representing all components and groups of the Syrian people without discrimination or exclusion based on religion, sect, ethnicity, or class, preserving the legitimate rights of the people within a framework of inclusive national identity and one homeland, where women can enjoy their full public and individual rights and are ensured constitutionally-protected active contribution in all state institutions and decision-making bodies and positions by at least a 30 per cent quota.

The political transition process shall be divided into three main phases.

The first phase begins with the negotiation process that shall last for six months, launched on the basis of an agenda that reflects the principles stated in the Geneva Communiqué as set forth in UNSC Resolutions 2118 and 2254. Both negotiating parties shall commit to a temporary truce, through which practical foundations for the implementation of the UNSC Resolutions will be set out. This shall be done in conjunction with the immediate and unconditional implementation of paragraphs 12, 13 and 14 of UNSC Resolution 2254 of 2015 and all obligations stipulated in International Humanitarian Law, especially in the Geneva Conventions of

1949 and its additional Protocols, which require an end to committing war crimes and crimes against humanity; ceasing all combat operations as well as all forms of artillery and aerial bombardment and illegal attacks against civilians; lifting the siege on all towns and areas; allowing humanitarian access; releasing detainees and disclosing the fate of all forcibly disappeared persons in prisons; abiding by international law and respecting human rights; putting an end to all forced displacement and arbitrary executions; returning internally displaced persons and refugees to their home areas; developing enforcement mechanisms in case of procrastination by the regime; and providing the international community with the necessary guarantees for the success of the negotiation process.

The second phase is the transitional period that shall last for a year and a half, which starts immediately upon the agreement of the two negotiating parties on the basic principles of the transitional process and a signed agreement that puts this phase within an inclusive constitutional framework and a comprehensive and final cessation of hostilities. The establishment of the Transitional Governing Body shall require the departure of Bashar al-Assad and his clique who committed heinous crimes against the Syrian people. A new constitution shall be drafted during this phase, in addition to issuing the necessary laws for holding administrative, legislative and presidential elections.

The TGB shall assume full executive powers that include: issuing a provisional constitutional declaration that shall be applied throughout the transitional period; creating a caretaker government, a joint military council, a high constitutional court, a reconstruction commission, and a national reconciliation commission; holding an inclusive national dialogue; restructuring the security sector; supervising the management of internal affairs and a local administration system based on the principle of administrative decentralization; ensuring the continuity and functioning of ministries, institutions, and public service bodies. Combating and confronting terrorism – be it state terrorism practiced by the regime, or terrorism of individuals, groups and organizations – and eradicating the ideological, political, and organizational incubators that breed extremism, sectarianism, political tyranny, and corruption; as well as the departure of all various foreign troops.

During this period, A new political system shall be established based on a number of basic principles, including: the sovereignty, independence, and territorial integrity of Syria; a multi-party state based on freedom,

democratic practice, inclusiveness, representation, and citizenship; the rule of law, human rights, and accountability, with effective mechanisms to ensure respect of human rights and dignity for all Syrians , and ensuring Syrians' right to full participation in the political process. The Kurdish cause shall be considered a national Syrian cause and action shall be taken to ensure their ethnic, linguistic, and cultural rights in the constitution. There shall be an inclusive national dialogue launch with no exceptions or exclusions.

The end of the transitional period shall mark the inauguration of **the third phase** that represents a final transition through the implementation of the outcomes of the national dialogue and the constitutional revision. Local, legislative, and presidential elections shall be held under the supervision and with the technical support of the United Nations. The basic principles set forth in the interim agreement shall remain in force as part of the new constitution that should be based on the principle of citizenship, which stipulates: separation of powers; independence of judiciary; freedom of the press; political impartiality of the military and armed forces which shall be under the control of the legitimate government that is supported by a parliamentary majority; and the creation of an economic system that takes into account social justice and that can benefit all Syrians without favoritism or discrimination.

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Introduction

The High Negotiations Commission herein sets forth, before the Syrian people, its vision for the future of the country through a negotiation process which leads to the adoption of basic principles for a transition period that begins with the departure Bashar al-Assad and his clique from power, who committed heinous crimes against the Syrian people, and the Transitional Governing Body's assumption of full executive powers.

This document represents a comprehensive vision for a key stage of the structural development through: the establishment of a new governance system which ensures fair representation for all citizens; a constitutional declaration which stipulates the separation of powers, independence of the judiciary and freedom of the press; the affirmation of political impartiality of the army and armed forces which shall be under the control of the legitimate government; and the transformation of security institutions from oppressive bodies to professional institutions which maintain the sovereignty and independence of the state and protect public liberties.

The present document addresses a number of societal issues including arrangements for local administration; the return of refugees, IDPs, exiled persons and those arbitrarily dismissed from their jobs; the launch of a comprehensive national dialogue; the adoption of national reconciliation programs; the deterrence of revenge through providing protection for targeted groups in addition to constitutional and legal controls which shall be enforced by institutions with clear and effective mechanisms for accountability and transitional justice; the guarantee of the rights of all citizens and preserving their legitimate rights within the framework of collective national identity and national unity, and whereby women enjoy their full public and individual rights ensuring their active participation in all state institutions and decision-making positions and bodies.

The vision includes establishment of practical mechanisms to: ensure the Transitional Governing Body's exercise of all aspects of state sovereignty in all spheres; prevent all types of external intervention; expel from all Syrian territories all foreign fighters including sectarian militias, armed groups, mercenaries, and military and paramilitary forces affiliated with foreign countries, in parallel with the adoption of a comprehensive program for combating and confronting terrorism – be it state terrorism practiced by the regime or terrorism practiced by individuals, groups, and organizations – and eradicating the ideological and organizational

incubators which breed terrorism such as extremism, sectarianism, political tyranny, and corruption.

At the same time, the vision tackles issues of dealing with the economic crisis; adoption of a comprehensive program for reconstruction; restoration of infrastructure and basic service provision; the implementation of international Resolutions related to the return of all Syrians to their homeland and their original areas of residence; repealing the decisions adopted after March 2011 and the consequent naturalization processes (except as relates to the naturalization of Kurds during this time), expropriation, demographic change, and individual and collective deportation; and nullifying the arrangements and decisions related to the confiscation of property and forced displacement.

As a whole, the vision aims to set forth sound foundations for a political transition process which leads to a final stage of political, economic, and social stability. This shall be achieved through introducing reforms to the judiciary, which involves: dissolving the military, extraordinary, and counter-terrorism courts and nullifying the verdicts thereof; repealing all oppressive legislation which contradicts United Nations Resolutions; issuing an comprehensive and general amnesty for all those who have been tried in absentia; laying the foundations for municipal, parliamentary, and presidential elections; and issuing the legislation and decrees that regulate these elections.

General Principles

The political transition process is based on the immediate and unconditional implementation of relevant UNSC Resolutions, particularly UNSCR 2254 of 2015, which constitutes the basis of the call for the start of the political process. It is also imperative to focus on the full implementation of operative paragraphs 12, 13, and 14 of this Resolution, as they constitute legal obligations for the international community to implement in preparation for the launch of the political process, in addition to operative paragraphs 15, 16, and 17 of UNSC Resolution 2118 of 2013.

The process for transition to a new governance system in Syria constitutes the basic objective of the political negotiation process in accordance with: the Geneva Communiqué of 2012, the second annex of UNSC Resolution 2118 of 2013 based upon UN General Assembly Resolution No 262/67 of 2013.

This transitional process represents a just political solution which meets the demands of the Syrian people and protects their state and society while ensuring the liberties and rights of all its components in accordance with a set of basic principles summarized herein:

1. Syria is an integral part of the Arab World, and Arabic is the official language of the state. Arab Islamic culture represents a fertile source for intellectual production and social relations amongst all Syrians of different ethnic backgrounds and religious beliefs as the majority of Syrians are Arabs and followers of Islam and its tolerant message which is distinctly moderate.
2. Syria is an independent sovereign state. No part of its territories may be separated or conceded. Nor can its right to regain its occupied territories by all legitimate means guaranteed in the UN Charter be waived. Further, Syria shall comply with international conventions and treaties and the requirements of its membership in the Arab League, Organization of the Islamic Conference, and the United Nations and its affiliated organizations. Syria also endeavors to contribute to international efforts to establish an international order free from conflicts and based on cooperation, mutual interests, and shared

responsibility in facing all threats to international peace and security.

3. The Syrian people are the source of powers which they practice through regular and fair elections regulated by law. Their political system shall be based on Democracy, plurality and citizenship which provides for equality in rights and duties for all Syrians without discrimination on the basis of color, gender, language, ethnicity, opinion, religion, or ideology.
4. The ruling system shall be based on principles of separation of powers, independence of the judiciary, ensuring basic rights and liberties for all citizens without discrimination, and protection of the right of political expression, freedom of the press, and the right of access to information.
5. The social contract in the new system shall be based on the principle of citizenship where all components of the Syrian people are represented. It further builds upon principles of freedom, equality, justice, and equal opportunities.
6. The Kurdish cause shall be considered a national Syrian cause and action shall be taken to ensure their ethnic, linguistic, and cultural rights in the constitution.
7. The Syrian state shall abide by international conventions and treaties related to human rights, particularly those to which it is party. It shall further commit to securing all legitimate cultural and religious rights for all of its components within the framework of unity of the state and the people.
8. The Syrian state shall adopt the principle of administrative decentralization in managing the country's affairs, giving the people of each governorate and district a role in managing their local affairs: economic, communal, and daily life affairs in ways that do not adversely affect the unity of the country.
9. The state shall work on achieving balanced and sustainable economic and human development within the framework of equal opportunities, fair income distribution, combating unemployment and poverty, and achieving social justice and environmental protection.

10. Women shall enjoy all their individual and public rights. The state shall ensure their active participation, which is constitutionally guaranteed at a rate of no less than 30 per cent, in all official institutions and decision-making bodies and positions.
11. The basic principles of the political agreement for the transitional period will ensure public participation in the formulation of national policies and the development of the required mechanisms to achieve this. The rules of decision-making by consensus will apply with respect to legislative and executive procedures which pertain to specific components of the Syrian society. In the event consensus is unattainable, a two-thirds majority decision shall suffice.
12. Achieve civil peace and national reconciliation, and deter vigilantism and retribution through constitutional and legal controls to be implemented by institutions which adopt uniform, clear and effective mechanisms of accountability and transparency. Furthermore, achieve transitional justice through fairness and equitable recourse. All cases of naturalization initiated since March 2011 (except for the naturalization of Kurdish citizens) shall be deemed void and so too will cases of land and property acquisition made to non-Syrians since that date.
13. The prevention of all forms of foreign interference and the rejection of subordination and the alignment policies enshrined by the regime, and the expulsion of all non-Syrian fighters, sectarian militia, armed groups, mercenaries and military or paramilitary forces belonging to foreign countries from all Syrian territory.
14. The mission of the army and armed forces shall be to defend the homeland and protect its security, independence, and territorial integrity. In doing so, they shall be subject to the decisions of the government. Army personnel shall be forbidden from engaging in political work or membership in political parties and movements as long as they are in service.

15. Confronting and eliminating terrorism – be it consequences of state terrorism practiced by the regime or terrorism practiced by individuals, groups, and organizations – and promoting international efforts to combat terrorism and obliterate the ideological, political, and organizational factors that give rise to it, such as extremism, sectarianism, political tyranny, and corruption.

First: Negotiations Stage and Adoption of Basic Principles for the Transitional Process

1. The negotiations sponsored by the United Nations aim to implement the Geneva Communiqué of 2012 and other relevant UN Resolutions, particularly Security Council Resolutions 2118/2013, 2254/2015, and 2258/2015. They also aim to result in a total political transition agreement within six months, starting on the basis of an agenda that reflects the principles of the Geneva Communiqué as stipulated in UNSC Resolutions 2118 and 2254.
2. The two negotiating parties shall implement international obligations including the commitment during the negotiation phase to refrain from using proscribed means of war, including the use of barrel bombs, cluster and phosphorus munitions, any type of chemical weapons, and any terrorist methods. They shall also end the violations being committed against the Syrian people; immediately lift the siege of cities and besieged areas without procrastination, fully and completely; enable humanitarian agencies to deliver assistance to all those in need; release all prisoners and stop aerial, artillery and rocket bombardment and attacks against civilians and civilian targets; stop acts of forced displacement; stop the implementation of death sentences; uncover the fate of forcibly disappeared persons, ensure the return of refugees and unconditionally reinstate those who were dismissed from their jobs on account of their positions. All of that shall be achieved through imposing strict international supervision to prevent the regime and its allies from continuing their violations of the basic rights of the Syrian people.
3. In parallel with the beginning of the transitional period, a Security Council Resolution shall be issued banning any military action on Syrian territories outside the framework of fighting sectarian militias, mercenaries, and terrorist groups designated as such by relevant Security Council Resolutions.
4. A truce agreement shall be reached during the negotiation phase covering all Syrian territory – without impacting acts of

counter-terrorism. The agreement shall include effective international monitoring and clear measures to enforce the compliance of both parties and shall lead to a permanent ceasefire by the beginning of the transitional period.

5. To reinforce compliance with the ceasefire, the following measures shall be undertaken:
 - a. All non-Syrian forces shall stop any aggression within Syrian territories, withdraw their troops within a specified timetable and pledge to respect Syria's independence and sovereignty in accordance with a binding UN Resolution;
 - b. The United Nations shall assume the task of assigning neutral international forces to oversee the implementation of the ceasefire;
6. Immediate measures shall be taken to promote transitional justice and national reconciliation. A transitional justice, accountability, and reconciliation program will be defined in the agreement in accordance with international norms and standards and the Geneva Communiqué, which calls in paragraph 10 (D) for "accountability for acts committed during the present conflict" as well as a "a comprehensive package for transitional justice, including compensation or rehabilitation for victims of the present conflict, steps towards national reconciliation and forgiveness."
7. This agreement requires suspending some government affiliated institutions which have been implicated in human rights violations pending the conclusion of an agreement for the transitional period.
8. The basic principles of the political agreement for the transitional period shall include a number of articles, the most important of which are:
 - a. Drafting constitutional principles to govern the transitional period;
 - b. Ensuring public participation in the formation of national policies and developing the necessary mechanisms for this;

9. The full political transition agreement shall have constitutional force, be acknowledged nationally and internationally, and shall include:
 - a. A comprehensive and durable ceasefire;
 - b. Implementation of the international Resolutions concerned with the formation of a TGB with full executive powers in accordance with: Article 16 of UNSC Resolution 2118 of 2013, Paragraph 4 of UNSC Resolution 2258 of 2015, and Article 2 of the UN General Assembly Resolution 262/67 of 15 May 2013, which stipulate the transfer of powers and authorities of the president and the government thereto including the president's authorities over the army and security institutions and the full exercise of these powers immediately upon the TGB's formation.
10. The international community shall be committed to providing assistance in the implementation of confidence-building measures and providing effective support for the success of the political process and the reconstruction of Syria.
11. The international community shall lift the economic sanctions on government and public institutions upon the start of the transitional period. This shall exclude war criminals and those who participated in violating the rights of the Syrian people, and those who are on international, European, and American sanctions lists. The international community shall further provide assistance to secure the unconditional and dignified return of refugees, IDPs and exiled persons.
12. The United Nations shall commit to ensuring the success of the transitional process by establishing a UN mission to support the implementation of the agreement.
13. In case the regime continues to violate the basic rights of the Syrian people, breach international law, or evade and stall to waste time or sabotage the political process, the Security Council shall assume its responsibilities to achieve the political transition process based on previous UN Resolutions and through binding international measures and arrangements to avoid any adverse effects which may be incurred by putting Syria under Chapter VII.

Second: The Transitional Period

14. The transitional period shall begin with the formation of a Transitional Governing Body necessitating the departure of Bashar Al-Assad and his clique. It shall last for a year and a half during which time preparations for an inclusive national dialogue shall be undertaken, a new constitution shall be adopted, and the laws necessary to hold local administration, legislative, and presidential elections shall be enacted, which shall mark the end of the transitional period.
15. The TGB shall be an interim authority which will not make decisions on behalf of Syrians, but merely be tasked with securing the necessary conditions to enable them to express their free will in determining the future of their country. It is essential that the TGB be accountable and transparent in its work.
16. The TGB shall, immediately upon its formation, exercise all legislative and executive powers, including:
 - a. Maintaining the sovereignty of the Syrian state over all its territories and fully preserving its independence and national unity;
 - b. Exercising supreme authority over military and security affairs including supervising the joint military council;
 - c. Controlling the borders, check points, airports, crossings and transportation routes to prevent the infiltration of foreign elements to Syrian territories and coordinating with neighboring countries with regard to the safeguard of regional and international security;
 - d. Taking all appropriate measures and decisions to expel non-Syrian militias, armed militias, mercenaries, and foreign military and paramilitary organizations, and combating terrorist organizations;
 - e. Representing the Syrian state in all international and regional forums and organizations and conducting foreign affairs and relations with other countries;

- f. Creating the appropriate national environment necessary for the political transition process;
- g. Suspending the current constitution (enacted in 2012) and issuing an interim constitutional declaration to regulate the transition period and ensure freedom, equality, justice, and equal opportunities for all citizens, men and women;
- h. The TGB shall form a specialized committee to review all Syrian laws and to suspend all provisions that contradict with the agreement. In such cases, the provisions of the agreement shall supersede the suspended existing legislation, particularly those related to the monopoly of the al-Ba'ath party over power or any other laws or regulations which reinforce dictatorship and do not serve the public interest. The committee shall report to the TGB;
- i. Managing internal affairs and exercising complete supervision over the state's budget and its financial resources and ensuring the continuity of the work of the ministries, institutions, and public service bodies of the state;
- j. Exercising legislative powers after the dissolution of the People's Assembly, suspending the existing political parties' law until a new law is issued, putting the properties of licensed parties under receivership, and forming a committee to assess their situation. In the event that the TGB needs to institute legislation to address issues regulated by suspended legislation, it shall issue interim legislation which shall have the force of law;
- k. Integrating revolutionary forces who are willing to do so into the military establishment, police and security institutions, and various state institutions after restructuring them on the basis of competence, merit, and integrity, and applying legal standards to ensure civilian protection particularly in conflict zones and flash points;
- l. Removing obstacles to the delivery of humanitarian and medical assistance to all areas;
- m. Ensuring the unconditional return of displaced persons and refugees to their home areas;

- n. Forming a reconstruction committee and entrusting it to establish the necessary reconstruction plans;
- o. Reinstating the citizenship of all Syrians whose citizenship was revoked in the exceptional census of 1962 in Hasakeh governorate, remedying the effects thereof, including stateless people as well as those Syrians and their children who have not been registered due to the current circumstances, and forming a high committee which reports to the TGB and submit its decision to the TGB for approval;
- p. Review the work of state institutions that have been involved in violating the rights of the Syrian people and taking appropriate measures to dissolve, restructure, and reformulate these institutions.

17. The TGB shall form a special committee mandated to prepare its bylaws, which shall take the following into consideration:

- a. Identifying the TGB's terms of reference and ensuring the constitutionality of its work by virtue of the constitutional declaration which shall be approved and entered into force as soon as the TGB assumes its tasks;
- b. Defining the authorities of the TGB presidency and the tasks entrusted to its members and the affiliated institutions, and regulating the relation between the TGB and the affiliated transitional institutions;
- c. Defining decision-making mechanisms and the code of conduct of the TGB;
- d. Ensuring transparency and clarity with regard to the delegation of tasks and allocation of responsibilities.

18. TGB membership shall be determined on the basis of mutual consent and criteria agreed upon in the negotiation phase.

19. Seat allocation: seats on the TGB shall be divided so as to ensure the representation of all components of the High Negotiations Commission, as the body responsible for managing the negotiation process per ISSG decisions, and representatives of the regime whose hands have not been stained with Syrian blood, in addition to ensuring the representation of all strata of Syrian society.

20. Eligibility criteria: candidates for TGB membership shall:
- a. Have no relations with terrorist organizations in accordance with UNSCR Resolutions 2170 of 2014 and 2178 of 2014 and other relevant UN Resolutions;
 - b. Not be on the list compiled by the Commission of Inquiry for Syria of suspects of war crimes and crimes against humanity nor on the list agreed upon in the agreement of individuals who shall not hold positions upon the agreement's entry into force;
 - c. Enjoy wide public acceptance in the Syrian society.
21. Representation of women: the TGB shall commit to represent women in all entities and institutions to be formed at a rate of 30 percent and shall seek to empower women in all fields.
22. Selection of TGB presidency: members of the TGB presidency shall be selected by election or appointment (whereby each component shall nominate its representatives). The number of members of the presidency shall be set forth in the agreement. The regulatory conditions of TGB presidency shall be determined by the committee mandated to prepare the TGB bylaws.
23. TGB presidency: The TGB presidency shall be responsible for organizing the work of the TGB, setting the agenda of its meetings, following up on the implementation of its decisions, supervising the work of its transitional institutions, and communicating with the international community.
24. The TGB presidency shall be responsible for ensuring respect for the basic principles of the transitional period and resolving disputes which may arise among transitional institutions working under its authority.
25. Decision-making rules of the TGB presidency: The TGB presidency shall work on the basis of consensus. In cases where this is not attainable, decisions may be taken by a two-thirds majority.
26. Transitional period government: the government shall be under the supervision of the TGB during the transitional period.
27. Military Council: The TGB shall form a joint military council which shall be under its supervision.

28. The joint military council shall work to control existing local military structures and it shall include representatives of revolutionary forces and the regime army whose hands have not been stained with Syrian blood. The council shall serve as commander of all military operations and guarantee compliance with the ceasefire and the departure of all non-Syrian forces, sectarian militias, and mercenaries in the country.

29. The joint military council shall coordinate with representatives of the fighting parties who have significant national presence and work temporarily within existing local structures until the integration process is completed. It shall, where necessary, form local ceasefire commissions.

30. The joint military council shall represent the diversity of Syrian society including geographical areas. Its membership shall comprise members of revolutionary factions, military figures from the army, and defected army officers. The TGB shall appoint its members.

31. The joint military council shall be comprised equally of the opposition and the regime, and its leadership shall be appointed by the TGB.

32. The military council's tasks shall include, but not be limited to, the following:

- a. Defending the sovereignty, independence, and unity of the state;
- b. Restructuring and rebuilding the military establishment based on a national foundation and ensuring the integration of revolutionary forces and their active participation within those institutions under the supervision of the TGB;
- c. Leading all military operations to protect the borders and combat terrorism;
- d. Guaranteeing the ceasefire;
- e. Protecting citizens in flash points and conflict zones;
- f. Protecting the state infrastructure and institutions and its national resources based on the relevant mandate from the TGB;

- g. Reintegrating competent and experienced defected personnel and integrating all revolutionary groups into professional national structures;
- h. Protecting the borders and border crossings and preventing the entrance of non-Syrian fighters or assistance to banned groups;
- i. Forming national committees to monitor the ceasefire and report to the joint military council which shall report and submit recommendations to the TGB;
- j. The ceasefire committees shall report violations to the joint military council which refers such reports to the TGB to address and take appropriate decisions in coordination with the UN which shall supervise the ceasefire upon request from the TGB;
- k. The joint military council shall work with local military structures including local military councils to collect arms and ensure that arms possession is the sole right of the state.

33. Counter-terrorism: As of the moment of its formation, the TGB, by virtue of the agreement, shall have the supreme authority over combating sectarian militias, mercenaries, and terrorist organizations. It shall be entitled to seek assistance from the international community by virtue of a decision taken by a two-thirds majority of its membership. It shall also set the general policy for combating terrorism and extremist ideology.

34. This vision shall not prevent the continuation of the efforts of the international coalition to combat terrorism within a framework to be agreed upon with the TGB.

35. The Syrian national congress and legislative authority during the transitional period: the People's Assembly shall be dissolved at the beginning of the transitional period and the TGB shall assume legislative authority during the transitional period.

36. The TGB shall call for a Syrian national congress within no more than three months. The congress shall be comprised of people representing the various components of the Syrian people, civil society organizations as well as religious, political, intellectual, and union figures with significant weight at the national level. It shall also represent Syrians in exile and diaspora in accordance with

criteria determined in the negotiation phase while ensuring the appropriate representation of women. The Syrian national congress shall launch a comprehensive national dialogue which shall not exclude any societal component.

37. The national congress shall form a committee to draft a new constitution by virtue of a TGB decision.

38. The national congress shall assume an advisory role vis-à-vis the TGB and shall be responsible before it for establishing the framework of the Syrian national dialogue.

39. People who have been excluded by agreement from participating in governing institutions due to their involvement in violating the rights of the Syrian people shall be banned from taking part in the national congress during the transitional period and at any later stage.

40. The supreme constitutional court: the TGB shall issue a decision to reformulate the supreme constitutional court to be led by an independent figure and ensure its independence and impartiality.

41. The TGB shall take a decision to reformulate the higher judicial council and ensure its independence.

42. Extraordinary courts shall be abolished, including but not limited to: terrorism courts and field courts. The jurisdiction thereof shall be referred to the ordinary judiciary.

43. Politically motivated verdicts shall be null and void and those who have been affected shall be compensated.

44. Transitional justice: the TGB shall form a committee which shall be comprised of competent judges and lawyers who are renowned for their integrity in addition to prominent figures who shall reflect societal diversity.

45. It shall be responsible for ensuring the implementation of the transitional justice program designated in the agreement. It shall begin with urgent cases to ensure credibility and continuity of the work of the committee. Controversial issues and balance between reconciliation efforts, on the one hand, and accountability, on the other, shall be taken into account. The committee shall report to the

TGB and ensure no acts of revenge or collective punishment take place.

46. The transitional justice committee shall work in accordance with international transitional justice standards; and therefore it must consider and propose mechanisms to ensure accountability, reparation for the victims (materially and morally), achieve institutional reform, propose mechanisms to investigate violations and crimes, and keep records related to human rights violations.

47.A committee shall be formed to ensure the release of detainees and search for and uncover the fate of missing and abducted persons. The committee shall be tasked with presenting concrete outcomes to help Syrians gain trust in the achievement of a genuine transition. This committee shall also be assigned the task of monitoring detention centers, ensuring the release of detainees, and uncovering the fate of missing people.

48. Work to accede and ratify the Rome Statute of the International Criminal Court to ensure the non-recurrence of human rights violations.

49. Local administration: the TGB shall regulate the administration of local councils and their structure and formation throughout Syrian governorates in accordance with geographical and administrative divisions which ensure that Syrians receive public services without discrimination.

50. The local administration system shall be based on the principle of administrative decentralization of authorities and responsibilities. It shall comprise the following administrative units: governorates, cities, districts, and villages each of which shall be allocated a local council comprising members elected in accordance with the local administration elections law. They shall work through an executive office and the prime minister shall head the higher council of local administration.

51. Local councils shall assume the following tasks: sustainable and balanced economic, social, cultural, and urban development of their areas, including: planning, industry, agriculture, economy, commerce, education, culture, tourism, transportation, irrigation, electricity, health, social affairs, labor, services, environment, and

other local responsibilities taking into consideration the governorate's share of its financial resources.

52. The TGB shall supervise the integration of local councils in opposition-held areas and regime-held areas into the local government apparatus under a unified administration, taking balanced representation into consideration.

53. Local administration authorities shall take into account the diversity and variety of administrative modalities in different governorates and the difficulty of addressing some of these in the short term. Hence, active formal and informal local administration structures shall be preserved wherever they are present.

54. Public services shall be provided in areas with no local administration system and there shall be work to form and regulate councils where necessary.

55. The framework also provides a set of common principles, which shall regulate the work of local councils, including but not limited to:

- a. Achieving balanced representation of the various segments of society, equal citizenship, and provision of services without discrimination;
- b. Exercising all constitutionally sanctioned authorities in the governorates and municipalities.

56. Preserving and reforming state institutions: state institutions shall be preserved and reformed to ensure equal opportunity and balanced representation therein. Employees shall be maintained in their positions in these institutions to ensure the unimpeded continuity of their work.

57. All state institutions shall be maintained and reformed to ensure they are able to undertake their responsibilities in the service of the Syrian people. Military, security, and judicial institutions shall be restructured and reformulated on the basis of competence, integrity, and patriotism to ensure they are subject to law and accountability, comply with the constitution and human rights, and to ensure professionalism and promote diversity. The TGB shall undertake the enforcement of the restructuring and reformulation scheme agreed in the political transition agreement.

58. Individuals who were involved in grave violations of human rights and war crimes against the Syrian people, including military and security officials, shall be held accountable by virtue of law. They shall be replaced by figures who have not been involved in any violations without resorting to a complete eradication policy or uncalculated reactions. This shall be based on integrity, merit, and adherence to the law.

59. Calling for an international conference for donors, setting a fund for rebuilding the country and compensating affected individuals and groups.

Third: Final Status

60. At the end of the transitional period, the outcomes of the national dialogue shall be implemented and local, legislative, and presidential elections shall be held under the supervision and with the technical support of the UN in accordance with a specified timetable. This shall usher in a new era in Syria, one with freedom, security, stability, and peace. The basic principles defined in the agreement shall remain in force as part of the constitution.