

Social Contract of the Democratic Federation of Northern Syria

Preamble

We the people of Rojava in Northern Syria: Kurds, Arabs, Assyrians, Turkmens, Armenians, Chechens, Circassians, among them Muslims, Christians, Yazidis and various other creeds and sects, declare that the nationalist State has placed Kurdistan, Mesopotamia and Syria at the heart of the chaos that is afflicting the Middle East and has brought acute crises and suffering upon the people.

The tyrannical nationalist Government, which continues to inflict injustice and oppression on all the peoples of Syria, has led the country into a state of destruction and devastation that has torn apart the fabric of society. We believe that a democratic, federal system provides the optimal solution for escaping this chaos and resolving the historical, social and national issues with which Syria is faced.

The Democratic Federation of Northern Syria is founded on a geographical concept, rather than on political or administrative centralization. It forms part of the United Democratic Federation of Syria.

The Democratic Federation of Northern Syria adopts a consensus-based system of governance in which all individuals and groups are able to participate in discussions and the making and implementation of decisions on an equal footing. The Federation is respectful of the ethnic and religious differences that are characteristic of each group, in line with the principles of coexistence and fraternity. Under the Federation, all people have equal rights and obligations. The Federation respects all human rights treaties and seeks to promote civil and universal peace.

Under this consensus-based, democratic, federal system, all strands of society — first and foremost women and young persons — shall establish democratic organizations and institutions. All political, social and cultural activities shall be carried out freely and all persons shall enjoy the benefits of a full, free and equal life.

In this Contract, the system of governance of the Democratic Federation of Northern Syria rests upon the moral and material values of democratic civilization in the Middle East. This Contract was agreed with the free will of all the peoples of Northern Syria, in accordance with the principles of a democratic nation.

Chapter I

General principles

Article 1

This document shall be called the Social Contract of the Democratic Federation of Northern Syria. The Preamble is an integral part of the Contract.

Article 2

The democratic federal system of Northern Syria shall embrace ecology, democracy and the freedom of women.

Article 3

The Democratic Federation of Northern Syria derives its legitimacy from the will of the people and of groups, expressed through free and democratic elections.

Article 4

All the languages extant in the territory of Northern Syria shall be equal in all spheres of social, educational and cultural life, and in administrative affairs. All people may organize their lives and administer their affairs in their native language.

Article 5

The Democratic Federation of Northern Syria and its administrative offices shall have a capital, a flag (which shall fly alongside the flag of the Democratic Federation of Syria) and a motto, and shall be regulated by law.

Article 6

The oath

“I swear by Almighty God and the blood of the martyrs that I shall abide by the provisions of the Social Contract, safeguard the democratic rights of the people and the values of the martyrs, protect the freedom, peace and security of the territory of the Democratic Federation of Northern Syria and the Federal Syria, and strive to achieve social justice in accordance with the principle of a democratic nation.”

Article 7

The Democratic Federation of Northern Syria shall be composed of democratically self-administered cantons in which confessional, ethnic, women’s, and cultural groups among all social strata shall be democratically regulated.

Article 8

The foundation of the Democratic Federation of Northern Syria shall be that of free individuals within an ordered society. Within that framework, the cornerstone of the Federation will be local people’s organizations, groups and entities.

Article 9

Democratic, environmental and community life shall act as the foundation on which to build a democratic and ecological society, in order to ensure that the natural world is not abused, ransacked and destroyed.

Article 10

Coexistence shall be consolidated in accordance with the principles of a democratic nation and infused with a spirit of brotherhood among all the peoples and groups of Northern Syria, within a society that is democratic, free and just.

Article 11

The Democratic Federation of Northern Syria shall be rooted in the principle of the shared use of land, water and energy and founded on environmental industry and community

economy. Exploitation and monopolization, as well as the objectification of women, shall be forbidden. All persons shall be covered by health and social insurance.

Article 12

The Democratic Federation of Northern Syria shall adopt a system of co-presidency in all political, social, administrative and other spheres. This is a basic principle that will help to ensure equal gender representation and the participation of women in running the democratic federal system, of which they are a fundamental component.

Article 13

The freedom and rights of women in society as well as gender equality shall be guaranteed.

Article 14

Women shall enjoy the right to exercise free will within democratic families that are rooted in the principle of an equal and shared life.

Article 15

Young people are the driving force and vanguard of society and their participation in all areas of life shall be guaranteed.

Article 16

All ethnic groups shall be fairly represented in the Federation's administrative offices, in accordance with regional democracy.

Chapter II

General rights and freedoms

Article 17

The Democratic Federation of Northern Syria shall abide by the Universal Declaration of Human Rights and all relevant human rights regulations.

Article 18

The right to life is a fundamental right that is protected under the present Contract, which does not allow the introduction of the death penalty.

Article 19

The dignity of persons shall be protected. No one may be subjected to mental or physical torture. The perpetrators of such acts shall be punished.

Article 20

Peoples and groups in society shall have the right to organize themselves freely. Repression, cultural amalgamation, genocide and imperialism shall be considered as crimes against humanity, and peoples and groups shall have a legitimate right to oppose them.

Article 21

Each canton or group shall have the right to decide on matters and issues affecting them, unless that is inconsistent with the current Contract.

Article 22

Everyone shall have the right to freedom of belief, conscience and thought, to self-organization and self-expression.

Article 23

Everyone shall have the right to participate in political life and to present themselves as candidates in elections, in accordance with the law.

Article 24

No one may be insulted or dismissed by reason of a difference in colour, gender, race, religion or belief.

Article 25

Using violence against women, exploiting them or discriminating against them negatively are offences punishable by law.

Article 26

Women shall have the right to participate equally in all spheres of life — political, social, cultural, economic, administrative, etc. — and to take decisions regarding their own affairs.

Article 27

Young people shall have the right to organize their own affairs semi-autonomously and to play an active role in all spheres of life.

Article 28

All accused persons shall be innocent until proven guilty.

Article 29

Private locations and dwellings may not be entered and searched except with a judicial warrant or in the case of crimes discovered in flagrante.

Article 30

Individual freedom shall not be restricted except by law.

Article 31

The right to self-defence is sacred and may not be restricted. The law guarantees everyone the right to take legal action.

Article 32

Everyone shall have the right to live in a healthy environment.

Article 33

Cultural, ethnic and religious groups shall have the right to appoint their own self-administrations, to safeguard their own cultures and to form democratic organizations. No individual or group shall have the right to impose their beliefs on others by coercion.

Article 34

Education of all levels shall be free. Primary and intermediate education shall be compulsory.

Article 35

All citizens shall have the right to work, health care, movement and housing.

Article 36

The rights of workers to work and to social life shall be guaranteed and their organizations shall be supported, in accordance with law.

Article 37

Freedom of the media, press and publishing shall be guaranteed by law.

Article 38

Everyone shall have the right to obtain and access information.

Article 39

Everyone shall have the right to pursue and disseminate their cultural and artistic activities.

Article 40

Everyone shall have the right to request humanitarian or political asylum. Political asylum seekers shall not be returned to their country of origin without their consent.

Article 41

Natural wealth and natural resources are public assets of society. The utilization, management and conditions of use thereof shall be equitably regulated by law.

Article 42

There shall be a right to invest in private projects which, while taking account of environmental balance, provide the services necessary for economic development, respond to the needs of society and help to stimulate economic activity in the community.

Article 43

The right to private property shall be safeguarded in such a way as not to conflict with the public interest, and it shall be regulated by law.

Article 44

All citizens shall have the right and duty to participate in the legitimate defence of the Democratic Federation of Northern Syria and of the Democratic Federation of Syria, in order to deter any attack.

Article 45

The rights of persons with special needs shall be guaranteed, and infirm and elderly persons shall be ensured an appropriate and dignified life.

Article 46

The rights of children shall be protected. Child labour and exploitation are forbidden.

Chapter III

The organization of society

Section 1

Article 47

Peoples and groups in the Democratic Federation of Northern Syria shall organize their own free and democratic community life by forming communes, community associations, federations and councils. The democratic structure of society is thereby developed and consolidated.

Article 48

Communes

These are a form of grass-roots organization for direct democracy: a decision-making and management mechanism within a particular administrative and organizational context. The commune operates as a council in its own right at all stages of the decision-making process.

Article 49

Councils

These are the bodies within the community that represent the people, discuss and decide on the issues affecting them and define the relevant policies, from villages and neighbourhoods to municipalities, subdistricts and districts. They consolidate and protect the community, ensure its sustainability and help it to realize its political, social, cultural and economic objectives. They regulate society by introducing direct democracy into its mechanisms and establishing rules and principles for a free and democratic life.

Article 50

All councils shall be formed on the following basis:

The councils shall be made up of an appropriate number of elected members to reflect demographic density. Of the membership, 60 per cent shall be representatives voted directly by the people. Forty per cent shall be representatives elected by social entities and groups. The councils shall be regulated by a special law, in accordance with consensus democracy.

1. No member of the councils or of the executive bodies may present themselves as a candidate for the co-presidency after they have occupied that post for two consecutive terms.
2. Village, neighbourhood, municipal, subdistrict, district and regional councils are made up of representatives democratically elected by ethnic, confessional, cultural or social groups, or communes. The period of the election cycle shall be defined by the councils in their rules of procedure.
3. An appropriate number of members shall be elected to the coordinating body (for neighbourhoods and municipalities) and to the executive body (for subdistricts and

districts). Two co-presidents shall also be elected and the council's activities shall be regulated through committees.

4. The council shall approve the members of the justice and internal security agencies and monitor their activities.

Section 2

Article 51

Regional Councils

In the Democratic Federation of Northern Syria, the name "region" is given to an organic entity made up of cities and their surrounding rural areas.

1. The Regional Council is a legislative mechanism elected by the free vote of the people and groups, and is composed in accordance with electoral laws. It is made up of an appropriate number of elected members to reflect demographic density and the size of the region.

2. It drafts policies for the whole region and takes the necessary decisions in that regard.

3. The Regional Council shall regulate its activities in accordance with the principle of a democratic nation and form its committees on that basis.

4. The Regional Council shall elect its own executive body.

5. It shall approve the members of the justice and internal security agencies in the region.

6. It shall monitor the justice, internal security and administrative agencies in the region.

Article 52

Regional Executive Body

1. This shall be composed of an appropriate number of members and of two co-presidents, elected by the Regional Council.

2. It shall implement the decisions and apply the policies determined by the Regional Council and it is answerable to the Regional Council to which it submits periodic reports on its activities.

3. The Regional Executive Body shall regulate and undertake its activities through committees made up of an appropriate number of members. Two co-spokespersons on each committee shall coordinate that committee's actions and activities. The co-spokespersons of the committees shall be members of the Regional Executive Body.

Section 3

Article 53

Cantonal system

A canton in the Democratic Federation of Northern Syria is a self-administered entity made up of one or more regions or of a number of districts that share similar historical, demographic, economic and cultural characteristics and are geographically integrated and connected.

Article 54

Rights, functions and responsibilities of the cantons

1. The democratically self-administered cantons in the Democratic Federation of Northern Syria shall regulate themselves and run their own affairs through democratic self-administration in the political, economic and social spheres, as well as in the fields of internal security, health care, education, defence and culture. Their rights and functions are defined by the laws of the Democratic Federation of Northern Syria.
2. Each canton shall regulate itself on the basis of the principle of economic self-sufficiency. Consistent with its own capacities and circumstances, it shall participate in securing general social well-being and prosperity for the Democratic Federation of Northern Syria, and it shall enjoy its own share therein.
3. Each canton shall justly distribute the wealth deriving from its own underground and surface resources (oil, water, mineral reserves, forests) within the Democratic Federation of Northern Syria and the Democratic Federation of Syria. The just distribution of wealth shall be regulated by law.
4. Each canton shall have the right to establish and develop its own system of justice in a manner that is not inconsistent with the Social Contract of the Democratic Federation of Northern Syria or with international human rights treaties.
5. Each canton is responsible for organizing and equipping its own internal security forces.
6. Each canton has the right of legitimate defence against external attacks and is responsible for the defence of the Democratic Federation of Northern Syria and the Democratic Federation of Syria.
7. Each canton may establish and cement diplomatic, economic, social and cultural relations with the peoples of neighbouring countries in a manner that is not inconsistent with the Social Contract of the Democratic Federation of Northern Syria and the Democratic Federation of Syria.
8. The groups within each canton may lead and develop their political, social and cultural lives using their own language and culture.
9. The rules and mechanisms for each of the above-mentioned rights, functions and responsibilities of cantons shall be defined in separate and detailed laws.

Article 55

Cantonal People's Council

1. This is a council representing the peoples and groups of each canton and its role is to legislate, monitor and draft public policy. The period of its election cycle shall be four years and its working mechanisms shall be regulated by law.
2. Forty per cent of the members of the cantonal People's Council shall be representatives elected democratically and directly from within ethnic, religious, confessional and cultural groups, in accordance with a special law. Sixty per cent shall be popular representatives elected by all the people in general elections.

3. The first session of the council shall be convened 16 days after the announcement by the High Electoral Commission of the definitive results in all districts. The co-presidency of the executive council shall call for the first session of the elected People's Council to be convened. If, due to compelling reasons, the session cannot be convened, the co-presidency of the executive council shall set another date within 15 days. The quorum shall be considered to exist if 50 + 1 of the full membership is present. The first session of the People's Council shall be presided over by the oldest member and during the session a co-presidency and bureau shall be elected. The sessions shall be public unless necessity dictates otherwise, in accordance with the rules of procedure.
4. The term of the People's Council may be extended, in exceptional circumstances and at the request of a quarter of the members or of the bureau of the council presidency. The extension shall be for six months and requires the approval of two thirds of council members.
5. During their term in office members of the Council enjoy immunity. They are not answerable for the opinions they express and no legal action may be taken against them without the approval of the Council, except in the case of an offence discovered in flagrante and after the bureau has been informed.
6. The People's Council shall draft policies and take decisions affecting the political and economic spheres in the canton, as well as its internal security, education, health care and culture.
7. The Council shall elect a bureau composed of six members including the co-presidents in order to regulate and direct its activities.
8. It shall conduct monitoring and oversight through its committees.
9. It shall elect the co-presidency of the executive council by a two-thirds majority and entrust it with the task of submitting a line-up for that council, subject to approval. It has the right to withhold its confidence from the executive council or one of its members.
10. It shall approve members of the justice and internal security agencies as well as members of the media, press and information council, and shall monitor their activities.
11. The activities of the People's Council shall be regulated and directed by means of committees, which will meet both periodically and according to need.
12. It shall act in accordance with the provisions of its own rules of procedure.
13. It shall legislate and pass laws for the canton.
14. It shall ratify the general budget of the canton.
15. It shall ratify general policy and development plans for the canton.
16. It shall ratify and grant general amnesties for the canton.

Article 56

Cantonal executive council

1. It shall be composed of the co-presidents, their deputies and a number of organs. The fair representation of peoples and social groups shall be a basic principle of the executive council.
2. It shall be the canton's executive body. It shall implement the decisions of the People's Council and of judicial institutions and present periodic reports on its activities to the People's Council.
3. It shall regulate itself through its organs in accordance with the principle of a democratic nation, which is what gives it its collective executive authority. The presidency of the council shall assign functions to its various organs.
4. The organs shall be represented by two co-spokespersons who are members of the executive council, and each organ shall be made up of a number of members and representatives appropriate to the needs of its activities.
5. The formation and activity of the executive council, and its relations with other administrative offices and institutions, shall be regulated and defined in a special law.
6. Once the executive council has been formed and approved, it shall issue a statement setting forth its agenda for the coming phase. Once that agenda has been ratified by the People's Council, the executive council shall be obliged to put it into effect during its term of office.

Section 4

Article 57

Democratic People's Assembly

The Democratic People's Assembly shall represent all peoples residing in the Democratic Federation of Northern Syria. It is a symbol of integrated and fraternal coexistence and of the free and democratic federation established by the peoples of the region.

The Democratic People's Assembly shall be composed of peoples — Kurds, Arabs, Assyrians, Turkmens, Armenians, Chechens and Circassians — and of confessional and cultural groups — Muslims, Christians and Yazidis — who are part of the Democratic Federation of Northern Syria. The Assembly takes account of the historical, demographic, geographic, religious, confessional, ethnic and cultural structures and specificities of all peoples and groups, and it is therefore composed in accordance with their demands and desires.

The Democratic People's Assembly shall guarantee the right of all peoples and groups to democratic self-administration and shall safeguard their religious, ethnic and cultural rights under the law. A democratic system shall be adopted to regulate society and enable it to live in ecological and economic harmony.

The Democratic People's Assembly shall seek to regulate the democratically self-administered cantons, as well as groups and local organizations, as they are the pillar underpinning the democratic federal system. The aim is to unify all the groups that belong to the Democratic Federation of Northern Syria on the basis of their own free will.

Article 58

Composition and regulation of the Democratic People's Assembly

1. The members of the Democratic People's Assembly shall be elected by the people once every four years, pursuant to electoral legislation and in accordance with the demographic density in each canton.
2. The Democratic People's Assembly shall represent and legislate on behalf of the peoples and groups of the Democratic Federation of Northern Syria.
3. The members of the Democratic People's Assembly shall be elected as follows: 40 per cent of them shall be representatives elected directly and democratically from within ethnic, religious, confessional and cultural groups, in accordance with their demographic density, and from within other social entities depending on how they are organized, pursuant to electoral legislation. Sixty per cent of members shall be popular representatives elected by all the people in general elections.
4. The Democratic People's Assembly shall be administered by the bureau of the presidency, which is composed of two co-presidents and four deputies. Candidates for the bureau and the co-presidency shall be submitted to the Assembly once they have been approved by the representatives of social entities and groups present at the plenary of the Assembly. The co-presidents shall be elected by an absolute majority of all members of the council while the members of the bureau of the presidency shall be elected by half the participants in the plenary of the Assembly, plus one. The co-presidents and the deputies shall be elected each time the membership of the Assembly is renewed.
5. The Democratic People's Assembly shall operate via committees. It will decide on the definitive wording of decrees and bills presented to the plenary and may create committees according to need in order to direct its activities, in accordance with its rules of procedure.

Article 59

Duties of the Assembly

1. It shall elect the co-presidents and the bureau of the presidency of the Assembly.
2. It shall elect the co-presidency of the executive council by a two-thirds majority and entrust it with the task of submitting a line-up for the council, subject to approval, within one month. It has the right to withhold its confidence from the executive council or one of its members.
3. It shall draft general policy and identify strategic goals in all spheres of the life of society.
4. It shall draft or amend the Social Contract at the request of a quarter of the members of the Assembly and with the approval of two thirds of members.
5. It shall declare states of peace and of war in the Democratic Federation of Northern Syria.
6. It shall legislate and enact laws in all matters affecting the Democratic Federation of Northern Syria.
7. It shall monitor agencies by means of its committees.

8. The Assembly shall convene its meetings both periodically and according to need, evaluate its own actions, plan future activities and discuss and decide upon the bills presented to it.

9. It shall approve members of the justice council and internal security agencies as well as members of the media, press and information council and of the High Electoral Commission, and it shall monitor their activities.

10. It shall approve appointments and promotions within the general command of the military council and monitor its activities.

11. It shall, in the name of the Democratic Federation of Northern Syria, examine and rule upon existing treaties and agreements with transnational organizations, States or other groups, and ratify them.

12. The term of the Democratic People's Assembly may be extended, in exceptional circumstances and at the request of a quarter of the members or of the bureau of the Assembly presidency. The extension shall be for six months and requires the approval of two thirds of Assembly members.

13. It shall ratify the accession of a region or canton to the Democratic Federation of Northern Syria after that region or canton has accepted the Social Contract.

14. It shall ratify the general budget of the Democratic Federation of Northern Syria.

15. It shall ratify and grant general amnesties for the Democratic Federation of Northern Syria.

Article 60

Duties of the bureau of the presidency of the Assembly

1. It shall represent the Democratic People's Assembly in the Democratic Federation of Northern Syria. It is responsible for organizing, coordinating, implementing and overseeing all of the Assembly's activities.

2. It shall organize and oversee the plenaries of the Assembly.

3. It shall activate, monitor and oversee the committees.

Article 61

Federal executive council

1. It shall be composed of an appropriate number of members. Both sexes shall be equally represented just as fair representation shall be ensured for the peoples and social entities and groups of the cantons. Twenty per cent of members of the executive council may be chosen from persons who are not members of the Assembly.

2. Members of the executive council shall be elected from candidates who are proposed by the cantonal Councils and are members of the Assembly. If persons are not approved by the Assembly, others shall be chosen in their place while still ensuring that the cantons are fairly represented.

3. The co-presidents of the cantonal executive councils have the right to attend meetings of the federal executive council in case of need.

4. The co-presidents of the cantonal executive councils do not have the right to present themselves as candidates for the co-presidency of the federal executive council.
5. The co-presidency represents the executive council and directs its activities.

Article 62

Duties of the federal executive council

1. It shall implement the decisions and apply the policies defined by the Democratic People's Assembly in the Democratic Federation of Northern Syria.
2. It shall conduct diplomatic activities in the name of the Democratic Federation of Northern Syria.
3. It shall ensure political, economic, social and cultural coordination and collaboration between cantons.
4. It shall monitor and oversee the activities of agencies.
5. It shall present its reports to the Democratic People's Assembly in the Democratic Federation of Northern Syria.
6. The executive council of the Democratic Federation of Northern Syria shall regulate itself through its organs. Its collective executive authority shall be exercised in accordance with the principle of a democratic nation.
7. Each organ shall be composed of a minimum of six members, including the two co-presidents, who coordinate its activities and are themselves members of the executive council.
8. The organs of the executive council of the Democratic Federation of Northern Syria shall monitor, support and coordinate the activities of the organs of the cantons.

Section 5

Article 63

Media, Publishing and Information Institution

1. The Media, Publishing and Information Institution shall be independently self-governing in line with the principles of free and democratic media and publishing. It shall assist in and support the establishment of media and publishing institutions and shall ensure that they are able to conduct their activities freely within the framework of the law. It shall not allow the establishment of monopolies within the media and publishing sector. It shall monitor the freedom of the media to ensure that the public are able to access the necessary news and information. It shall also be responsible for ensuring that all media and publishing agencies receive financial support in a fair and equal manner, in accordance with law.
2. The Institution shall be comprised of an appropriate number of members. Half of them shall be elected by the Democratic People's Assembly or the cantonal People's Councils from among representatives of all social groups and the other half by national media institutions.
3. The Institution shall conduct its activities in line with the principles set out in the Media and Publishing Act. It shall be responsible for governing its own areas of work, establishing

its own committees and conducting its activities in line with the principles set out in its rules of procedure.

4. The cantonal People's Councils and the Democratic People's Assembly shall monitor the activities of the Institution.

Section 6

Article 64

Legitimate defence forces

The Syrian Democratic Forces shall be the armed defence forces of the Democratic Federation of Northern Syria. Conscription into the Forces shall be voluntary and their purpose shall be to fulfil the requirements of self-defence. The Forces shall be responsible for defending the Democratic Federation of Northern Syria and the Democratic Federation of Syria against any external attack or threat. They shall protect the lives and property of citizens. They shall organize their own affairs semi-autonomously, in accordance with the Conscription Act. Their activities shall be monitored by the Democratic People's Assembly and the defence agency.

Section 7

Article 65

Social Contract Council

The Social Contract Council shall be comprised of a number of judges, legal scholars and jurists. The number of members, the selection process and the work of the Council shall be specified in a law to be passed in the Democratic People's Assembly by a two-thirds majority. When appointing the members of the Council, the Democratic People's Assembly shall make efforts to ensure that all groups are represented.

Article 66

Functions of the Social Contract Council

1. It shall interpret the provisions of the Social Contract.
2. It shall ensure that the laws issued by the Democratic People's Assembly, the decrees issued by the executive council and the laws and decrees issued by the cantonal Councils do not conflict with the Social Contract.
3. It shall adjudicate on disputes between the Democratic People's Assembly, the executive council and the justice council concerning the implementation of the Social Contract.
4. It shall adjudicate on disagreements between the federal-level and cantonal-level authorities and on disagreements between the various cantonal authorities.
5. In the event that a party to a case appeals against a verdict on the grounds that the legal provision applied by the adjudicating court was unconstitutional, and if the court receiving the appeal deems the case presented by that party to be sufficiently serious and essential to resolving the appeal, the court shall suspend its examination of the case and refer it to the Social Contract Council.
6. The Social Contract Council shall validate the results of public elections and referendums.

Section 8

Article 67

The justice system

The democratic justice system shall resolve issues related to justice and social rights in a socially participatory and self-governing manner. Justice shall be guided by the moral principles of a democratic society. The aim of the justice system shall be to create a society based on a democratic and ecological vision that upholds the fundamental freedom of women and the liberty of social life. It shall conduct its affairs in accordance with the principles of a democratic society. Justice services shall be run in a socially participatory manner and all local units shall be democratically constituted.

Article 68

Principles of justice

1. Social justice is essential to the functioning and self-preservation of society. Social justice lies in resolving social problems that arise in relation to the application of justice in communes, villages, neighbourhoods and municipalities. Dialogue, negotiation and agreement shall be the key tools used to resolve such problems.
2. Any act that inflicts social or ecological damage shall be considered a crime. In the event that a crime is committed, the injured parties shall be entitled to defend their rights. The community shall have the opportunity to assess the matter, present any objections or proposals and participate in the decision-making process.
3. The objective of any penalties handed down shall be to help offenders reform their behaviour, oblige them to make reparations for the damage caused, educate them about their actions and help them reengage in social life in a positive manner.
4. Peoples and social groups shall be entitled to develop their own justice mechanisms and methods of resolution to address the problems that pertain to them, on the provision that such mechanisms and methods do not conflict with the Social Contract or violate fundamental human rights.
5. Matters related to the public interest and the security of all peoples and communities shall be resolved through the justice agencies that represent the general public.
6. Special treatment and equal representation for women are fundamental to the application of justice and the functioning of the institutions of the justice system. Decisions specific to women's affairs shall be taken by women's justice agencies.

Article 69

Methods of organization and principles of work

Justice system apparatus: This shall be comprised of the reconciliation committees, the justice bureaus, the commissions of enquiry, the justice council and the women's justice council. These shall be the primary institutions responsible for laying the foundations of justice. Their members shall be elected by the councils.

1. Reconciliation committees: These shall strive to resolve differences and conflicts and achieve peace and social harmony. They shall be self-governing in all places and at all

levels, from commune to canton, according to need. Their members shall be drawn from volunteers and persons acceptable to the community.

2. Justice bureaus: These shall be self-governing instruments of the justice system. They shall be established in each region and district and wherever else they are required. Their objective shall be to correct injustices experienced by communities and individuals and to ensure that justice is upheld. Their members shall be elected on the recommendation of the justice councils at the cantonal level and shall be voted in by the People's Councils at regional level. They shall be established as and where required.

3. Commissions of enquiry: These shall form a highly specialized branch of the justice system. They shall investigate crimes with the aim of upholding justice. The council of the area in which each commission is located must vote in and approve the members of the commission before they can begin their duties.

4. Cantonal justice councils: They shall be responsible for governing the justice organizations in the cantons and monitoring their activities. Their members shall be elected by the competent cantonal People's Council, with an eye to ensuring the fair and democratic representation of all peoples, communities and social groups, on the basis of the quotas established for justice organizations.

5. The justice council in the Democratic Federation of Northern Syria: This shall be responsible for overseeing the justice system. It shall submit its reports, projects and draft decisions concerning justice activities to the Democratic People's Assembly. It shall ensure that the cantons operate in a coordinated manner. Its members shall be voted in by the Democratic People's Assembly, on the recommendation of the cantonal justice councils.

6. The women's justice council in the Democratic Federation of Northern Syria: Women shall have a dedicated apparatus that shall consider all cases and issues related to women and families. Their council shall have the right to work with and monitor the cantonal judicial councils.

Section 9

Article 70

High Electoral Commission

1. A third of the members of the Commission shall be appointed on the recommendation of the justice council in the Democratic Federation of Northern Syria. The remaining two thirds shall be appointed on the recommendation of representatives of all social groups. All members must be approved by the Democratic People's Assembly.

2. The Commission shall be comprised of an appropriate number of experts. It shall be responsible for planning, governing and conducting popular referendums as prescribed by law, in addition to the election of members of the General Council of the Democratic People's Assembly, the election of members of the cantonal People's Councils and all other legal and democratic elections, according to the law.

3. The Commission shall handle all infractions and challenges related to the electoral process. All decisions issued by the Commission shall be final. It shall operate in accordance with its rules of procedure.

4. The Commission shall establish and govern the cantonal electoral commissions. A third of the members of each commission shall be appointed on the recommendations of the relevant cantonal justice council and the remaining two thirds shall be appointed on the recommendation of representatives of all social groups. All members must be approved by the relevant cantonal People's Council.

5. The Electoral Commission in the cantons shall establish and organize its regional committees, in accordance with the rules of procedure.

6. It may send its members to act as inspectors at election meetings of political parties and official organizations at federal and cantonal level.

Chapter IV

General provisions

Article 71

Relations between the Democratic Federation of Northern Syria and the Democratic Federation of Syria shall be conducted at every level in accordance with a consensual democratic constitution.

Article 72

All elected administrations shall be monitored by the entities that elected them. The electing entities shall have the right to withdraw their confidence in their representatives if necessary, in accordance with law.

Article 73

Referendums are to be held on all crucial issues that concern the interests of the general public, such as the wording of the Social Contract, accession to or withdrawal from international conventions and changing the structure of government.

Article 74

Local groups shall have the right to contest any decision issued by the public authorities that conflicts with their interests, wishes or decisions. If no resolution to the conflict can be agreed, the matter shall be referred to the people concerned and the outcome of that process shall be adopted.

Article 75

In the event that a decision taken by a canton or a local group conflicts with the interests of the public or with the Social Contract, the Social Contract Council may decide to overrule the decision.

Article 76

Environmental life and environmental balance must be protected.

Article 77

Natural resources belong to society. Any investment in or use of such resources must be conducted in line with the needs of the cantons and the provisions of law.

Article 78

The investment of foreign capital shall be allowed within the framework of the law and subject to the approval of the Democratic People's Assembly and the relevant cantonal People's Council.

Article 79

Political parties and movements shall be free to establish and govern themselves and to conduct their activities within the framework of the law.

Article 80

Social organizations and institutions such as societies, associations, unions, federations and chambers shall be freely self-governing within the framework of the laws of the Democratic Federation of Northern Syria. Democratic organizations operating in all domains and at all levels of society shall be developed and supported.

Article 81

Once appointed, no member of the Democratic People's Assembly or of a cantonal People's Council may stand for re-election for more than two consecutive terms.

Article 82

The minimum age for voters and candidates in all institutions and councils under the federal system is 18. The conditions for voting and candidacy in elections shall be set out in a special law.

Article 83

The general principles set out in this Contract may be changed only upon the agreement of the cantonal People's Councils and of 75 per cent of the members of the Democratic People's Assembly.

The Constituent Assembly of the Democratic Federation of Northern Syria

29 December 2016