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Legislative Decree No. 29 of 15 January 1970 - The Entry and Exit of Aliens to and from the Syrian Arab Republic and Their Residence Therein

The Head of the State

Pursuant to the provisions of the provisional Constitution, and to Council of Ministers' Decision No. 29 of 12 January 1970.

Decrees the following:

PART ONE General Rules

Article 1

An alien, in accordance with this legislative Decree, is any one who does not enjoy the nationality of the Syrian Arab Republic or the nationality of another Arab country.

Article 2

No alien may enter the territories of the Syrian Arab Republic or exit therefrom unless he holds a valid passport or travel document which entitles him to return issued by the competent authorities in his country or any other recognized authority.

The passport or travel document must bear an entry or transit visa issued by the Ministry of the Interior or by any Syrian Arab diplomatic or consular mission abroad or by any other authority empowered to do so by the government of the Syrian Arab Republic.

Article 3

Nationals of any one foreign state may be exempted from the visa or passport requirement by decree upon the recommendation of the Minister of the Interior who may also exempt whomever he wishes from the passport and visa requirements.

Article 4

Aliens may not enter or leave Syrian Arab territories except through specified ports of entry

designated by the Minister and with the authorization of the competent authorities at borders indicated by a stamp on the passport or travel document.

Article 5

Aliens may be required, by decision of the Minister, to obtain an exit visa prior to their departure from Syrian Arab territory. The Minister shall detail conditions for exemption from this visa as well as terms for granting it and shall specify the authorities competent to do so. He shall also determine its validity and the fees payable for obtaining it provided they do not exceed ten pounds.

Article 6

Captains of ships or aircraft shall, on arrival in or departure from Syrian Arab territory, submit to the officer in charge a list of the names of the crew and passengers aboard their craft they shall also inform the competent authorities of the names of passengers who hold no passports or hold faulty or non valid passports and they shall prevent them from disembarking or embarking without the permission of the competent authorities.

PART TWO Alien Registration

Article 7

Every alien shall present himself, with in fifteen days of his arrival in Syrian Arab territory, to the Department of Immigration, Passports and Nationality or to its branches in the governorates and shall submit a statement on his personal status on forms provided by the Ministry of the Interior.

Article 8

Special residence aliens provided for in article 17 of this Legislative Decree may be exempted from this requirement upon their return to Syria provided their absence abroad has not exceeded six months.

Article 9

Aliens wishing to change their place of residence must report their new addresses to the Department of Immigration and Passports or its branch in the governorate of their new residence. In case of movement into another town within the governorate, the alien must present himself at the competent Immigration and Passport post within two days, or else at the nearest police unit. Aliens arriving on tourist visas shall be exempt from this requirement for the first month after their arrival in the country.

Article 10

The Head of Immigration and Passports in the capital and police commanders in the governorates may exempt aliens from the requirement to present themselves in person as stipulated in Article 7 of this Legislative Decree for reasons that they find acceptable or for international courtesy considerations. In such cases the statement shall be made on the forms provided and shall be handed in to the Department of Immigration or to its competent branch.

Article 11

Managers of hotels, hostels or similar establishments and any persons hosting, accommodating, or letting lodgings to aliens shall inform the Department of Immigration and passports, its competent branch or post, or the nearest police unit of the names and place of residence of any aliens concerned within two days of their arrival or departure.

Article 12

Aliens shall, during their stay in Syria, present to the competent authorities, upon request, their passports or travel documents or whatever other data they may be asked for within the time limit set for them to do so. They shall in case of loss or damage of their passports or travel documents report the event to the Immigration and Passports branch or post or, in the absence of either, to the nearest police unit within three days of the loss or damage.

Article 13

Anyone employing an alien shall report the fact to the Immigration and Passports branch or post concerned on the form provided within three days of the beginning or end of employment.

Article 14

The Head of the Department of Immigration and Passports may authorize, for reasons he finds acceptable, the non-application of the provisions of articles 7, 8, 9 and 15.

PART THREE Residence Permits

Article 15

An alien wishing to reside in Syrian Arab territory must be in possession of a residence permit and must leave the country upon the expiry of his residence permit.

Article 16

For purposes of residence, aliens shall be divided into three categories:

- a. special residence aliens
- b. ordinary residence aliens
- c. temporary residence aliens

Article 17

Special Residence Aliens are:

A. Aliens who will have been resident in Syria for fifteen years by the entry into force of this legislative Decree.

B. Aliens who have been actually resident in Syria for five years during which they have undertaken work beneficial to the national economy or have rendered scientific, cultural, or artistic services to the country. Such work and services shall be defined by the Minister of the Interior following consultation with the competent authorities.

C. Scientists, writers, artists, industrialists, businessmen and others who render great services to the country. The Minister of the Interior shall decide in their cases in consultation with the competent authorities. Individuals in this category shall be given five year residence permits renewable on request except where Article 25 of this Decree applies.

D. Foreign wives of Syrian Arab nationals who have been in the country for more than two years, for as long as the marriage stands.

Article 18

Ordinary residence Aliens are:

A. Aliens born in Syria and who have been actually living in it for three consecutive years prior to the submission of the application for residence.

B. Aliens who have been in actual residence in Syria for more than five consecutive years. These shall be granted 3 year residence permits renewable upon request.

Article 19

Temporary Residence Aliens are those who do not qualify for the preceding two categories. They shall be granted one year residence permits which may be renewed upon request.

Article 20

The Minister of the Interior shall issue a decision detailing procedures for granting and renewing residence permits and for exemptions thereof.

Article 21

No special or ordinary residence aliens may stay abroad for more than six months without permission from the Head of the Department of Immigration and Passports on condition that absence does not exceed two years. Violation of the above provisions shall lead to the loss by the alien of his right to any residence already authorized.

Aliens who go abroad for study in foreign schools and universities or to do military service shall be exempted from the above provisions on presentation of documentary proof.

Article 22

An alien granted entry and residence for a particular purpose may not change this purpose unless allowed to do so by the Minister of the Interior or by whomever he empowers to grant such permissions.

Article 23

The only beneficiaries from a special residence permit shall be the person concerned, his wife, and his minor children living with him.

Article 24

Illegal residence shall not be admitted in the application of this Legislative Decree.

PART FOUR Expulsion

Article 25

The Minister of the Interior may order the expulsion of any alien for reasons of security and public interest.

He may order the temporary detention of whomever he seeks to expel or require him to live in a designated place and to report to the competent police unit pending his expulsion.

The Minister of the Interior shall establish the procedures to be followed in the issue of expulsion orders, appeals against them, and their execution.

Article 26

An alien who has been expelled from Syrian Arab territory may not be allowed to return except

with the permission of the Minister of the Interior.

PART FIVE Travel Documents and Visas

Article 27

A Minister of the Interior Decision, approved by the Foreign Ministry, shall determine the types of visas and their validity, and the requirements for granting them and granting exemption from them.

Article 28

The Minister of the Interior shall issue a Decision laying down:

A. Forms and types of travel documents issued to aliens and refugees, terms and procedures for granting them, and fees payable for them (provided they do not exceed 300 Syrian pounds) as well cases qualifying for total or partial exemption from them.

B. Rules and procedures of prohibition of departure from the country or entry to it and procedure for inclusion of names on, and their removal from, prohibited persons lists, and the committees formed for this purposes and means of appeal against their decisions.

C. Formats and types of residence permits, application forms, special statements and the data required.

D. The fees to be levied on residence permits (provided they do not exceed fifty Syrian pounds) and cases qualifying for total or partial exemption from them.

PART SIX Exemptions

Article 29

The provisions of this Legislative Decree shall not apply to the following categories of aliens:

A. Members of the foreign diplomatic and consular corps accredited to the Syrian Arab Republic for as long as they are in the service of the country they represent. Those not accredited shall be subject to reciprocal treatment.

B. Members of the crew of ships and aircraft who hold maritime or aviation identification papers issued by this competent authorities. The Minister of the Interior shall issue a Decision laying down rules for the stamping of these identification papers by security personnel at ports and airports upon arrival in or departure from Syrian Arab territory. Such stamps shall not entitle holders to residence beyond the duration of an anchorage or a stop-over.

C. Captains of ships and aircraft shall report the names of persons staying behind and shall hand over their passports to the competent security post or send them later if discovery of the stay-behinds occurs after departure.

D. Nationals of countries bordering Syrian Arab territory with regard to border areas provided they obtain special permits issued in implementation of agreements signed for this purpose.

E. Others exempted under international conventions to which Syria is a state party.

F. Any others whom the Minister of the Interior sees fit to exempt for considerations of international courtesy or reasons of public interest.

G. Expatriate citizens within the terms of regulations to be issued by the Minister of the Interior.

PART SEVEN Penal Provisions

Article 30

anyone failing to carry out an order for his expulsion or violating the provision of Article 25 above shall be liable to a term of imprisonment with labour for a period of no less than three months and no more than two years or a fine of no less than 500 and no more than 2,000 Syrian pounds or to both, without any prejudice to the implementation of the expulsion order. In case of repetition of the offense, the punishment shall be for no less than six months with labour.

Article 31

Anyone who violates the provision of Article 26 above shall be liable to a term of imprisonment for no less than a year with labour.

Article 32

Anyone who knowingly makes false statements or submits incorrect documents to the competent authorities for the purpose of facilitating his or someone else's entry to the Syrian Arab Republic or his residence therein shall be liable to a term of no more than two years or a fine of no less than 300 and no more than 2,000 Syrian pounds or to both, without prejudice to any severer punishment provided for in other laws.

Article 33

Without prejudice to any severer punishment provided for in other laws,

A. Anyone violating the provisions of articles 6 and 11 above and the decisions issued in implementation thereof shall be liable to a term of imprisonment from ten days to three months or a fine of from 500 to 1,000 Syrian pounds or to both.

B. Anyone violating or attempting to violate the provisions of article 2 and 4 of this Legislative Decree and the decisions issued in implementation thereof shall be liable to a term of imprisonment from three months to a year or a fine of no less than 300 and no more than 2,000 Syrian pounds or both. Anyone aiding in the attempt or in the violation shall be liable to the same punishment.

C. The penalty for the violation stipulated in B above shall be a term of no less than two and no more than five years and a fine of no less than 2,000 and no more than 4,000 Syrian pounds in case the violating alien is a national of a country in a state of war or in a state of severance of political relations with the Syrian Arab Republic.

Also liable to this penalty is anyone who aids in the attempt or in the violation as well as the manager of the hotel or any other establishment that provides accommodation to the offender unless he reports him within the period stipulated in Article 11.

D. Any alien found in border areas and fails to justify his being there or gives inaccurate reasons or reasons incommensurate with the circumstances of his arrest shall be considered engaged in attempting to leave Syrian Arab territory illegally.

Article 34

Without prejudice to trial and the serving of sentences, aliens violating the provisions of articles 2, 4, and 15 may be expelled from the country.

Article 35

Anyone violating the provisions of articles 7, 9, 12, 13, 15 and 23 or decisions issued in implementation thereof shall be liable to a term of no more than 3 month imprisonment or a fine of no less than 100 and no more than 500 Syrian pounds or both.

Article 36

Without prejudice to any severer punishment provided for in other laws, anyone who knowingly violates the provisions of article 5 or makes false statements before, or submits inaccurate data to, the competent authorities for the purpose of facilitating the acquisition of an exit visa for himself or for others shall be liable to a term of no more than three months in prison or a fine of no less than 100 ([1]) and no more than 500 Syrian pounds or both.

Article 37

Consideration of the mitigating circumstances provided for in article 244 of the Penal Code shall not be applicable with regard to the provisions of this Legislative Decree.

PART EIGHT Final Provisions**Article 38**

1. Act No. 89 of 18 March 1960 and amendments thereto together with all other provisions incompatible with this Legislative Decree are hereby annulled. However, pending the publication of the necessary executive decisions, existing decisions issued pursuant to Act No. 89 shall remain in force where they do not conflict with the provisions of this Legislative Decree.

2. Pending the promulgation of a special Legislation regulating the status of Palestinian Arab refugees with regard to their entry, residence, travel and related documents, all provisions stipulated on them in Act 89 of 1960 particularly paragraph A of article 18 and article 33 shall remain in force.

Article 39

The Minister of the Interior shall issue regulations to govern the entry, exit, and residence of nationals of other Arab countries.

Article 40

The Minister of the Interior shall issue the necessary decisions for the implementation of this Legislative Decree.

Article 41

This Legislative Decree shall be published in the Official Gazette.

Damascus, 15 January 1970

[1] As amended by Act No. 27 of 7 February 1979 published at the end of this volume: the fine previously was no less than 50 and no more than 500 Syrian pounds.