



**Annex Agreement to the
Judicial Agreement
Concluded on the 25th of February 1951
between the Lebanese Republic and the Syrian Arab Republic
[Informal Translation]**

The government of the Lebanese Republic,
And the Government of the Syrian Arab Republic,
Based on the provisions of the Fraternity, Cooperation and Coordination Treaty signed in Damascus on 22/5/1991 between the Lebanese Republic and the Syrian Arab Republic,
As well as the Judicial Agreement concluded between both countries on 25 February 1951,
And in observance with the provisions of the Fraternity, Cooperation and Coordination Treaty,
Desirous to reinforce the judicial cooperation between both states,
And in supplement to the abovementioned judicial agreement and in addition thereto,

Have agreed on the following:

**Chapter One
Exchange of Information and Encouragement of Visits**

Article 1:

The Ministries of Justice in both states shall exchange the official gazette in which laws are published as well as the magazines and publications in which judicial provisions and legal researches they have issued.

Article 2:

Both Ministries shall seek to encourage the exchange of visits between judicial delegations and shall organize informative and training sessions for persons working in this field.

Article 3:

The Ministers of Justice in both states shall exchange statements on the final judicial judgments imposing penalties resulting in deprivation or limitation of freedom issued by their respective criminal courts, condemning nationals of the other state. And in case either state's judicial authority files a lawsuit against any of its nationals, the public prosecution may obtain, from the competent authority of the other state, through the Ministry of Justice, an extract of the police record of the person subject of the lawsuit or a statement in this regard.

**Chapter Two
Guarantee the Right to Prosecution and Judicial Assistance**

Article 4:

Both states' nationals shall have, within the territory of the other state, the right to have recourse to courts by filing lawsuits and presenting complaints to all competent judiciary services and to defend their rights under the same conditions and level of protection provided the nationals thereof. They shall not be requested to submit any guarantee for not being nationals thereof once they proceed to filing a complaint or a lawsuit.

Article 5:

Both states' nationals shall have the right to obtain judicial assistance under the same conditions provided for the other state's nationals.

Article 6:

Requests for judicial assistance shall be presented, according to the legislation of the state they are being presented to, coupled with supporting documents:



- Either directly to the competent judicial authority to be decided thereon if the requesting person resides in the state of this authority;
- Or through the central authorities of the Ministry of Justice in the state which nationality he bears if he is a resident thereof;
- Or through the diplomatic or consular channels, if the requesting person resided in a third country.

Article 7:

No fees or expenses shall be levied on judicial assistance requests and a decision shall be promptly taken in their regard.

Chapter Three Arbitration and Arbitrators' Awards in Civil and Commercial Matters

Article 8:

Both states shall acknowledge the agreement concluded between the parties and confirmed in writing, in which they shall undertake to settle, through arbitration, all or some of the existing or arising disputes between them with respect to a particular legal relation, whether contractual or non-contractual.

It is conditioned that settlement through arbitration shall be accepted in such disputes according to the legislation of the state presenting the dispute.

Article 9:

The arbitrators may be nationals of either state or nationals of a third state.

Article 10:

1. The parties to the arbitration agreement shall agree on the following:
 - a. Appointing an arbitrator for each party and appointing the third arbitrator, or having the two arbitrators appoint a third one. In case they fail to do so, the third arbitrator shall be appointed by the competent court of the contracting state where the arbitration is taking place;
 - b. The arbitration shall be carried out by a national or international arbitration institution.
2. The Parties may also:
 - a. Determine the arbitration location;
 - b. Specify the procedural rules to be observed by the arbitrator or arbitrators;
 - c. Define the basic rules to be applied by the arbitrators, in compliance with the general regulations of the state in which the arbitration shall take place.

Article 11:

In the event that a court in any of the two states examines a dispute subject to an arbitral condition or arbitration agreement, according to Article 8 of this Agreement, it shall renounce its examination thereof, upon the request of one of the parties, and shall refer the parties to arbitration, unless it is established that either the agreement or the condition is null, inapplicable or no longer valid.

Chapter Four Acknowledgment and Enforcement of Arbitrators' Awards

Article 12:

Arbitrators' awards issued by virtue of the Arbitration Agreement and in compliance with Article 8 shall be acknowledged and the acknowledgment and enforcement thereof shall be pursuant to Article 21 of the Judicial Agreement concluded between the two states on 25 February 1951.

**Article 13:**

The enforcement of arbitrators' awards shall not be refused unless:

- a. The award or enforcement thereof are likely to violate the general regulations or public morals of the state from which enforcement is requested or is contrary to a principle considered as a general international rule,
- b. The legislation of the state from which enforcement is requested does not allow the submission of the dispute with respect of which a judgment has been issued, to arbitration;
- c. In the absence of a valid arbitration agreement, however, there shall not be any reason to refuse enforcement:
 1. If the party insisting on its refusal appears at the arbitral procedures and makes no mention of it despite its knowledge thereof,
 2. If the court of the state in which the arbitrators' award was issued refuses the motion to revoke it.
- d. One of the two parties had not been given its right of defense.

Article 14:

The conciliation arranged before the arbitrators and confirmed by them shall be considered as an arbitration award.

Chapter Five General Provisions

Article 15:

This Agreement shall be ratified according to the constitutional procedures in force in both states.

Article 16:

This Agreement shall enter into force on the date of exchange of communications, through the General Secretariat of the Syrian Lebanese Higher Council, notifying its ratification by the competent authorities according to the constitutional procedures of both contracting states, This Agreement shall be annexed to the Judicial Agreement concluded between both states on 25 February 1951, and the provisions of Article 39 of the said Agreement shall apply thereto.

In witness thereof, the two authorized representatives have signed this Agreement.

Done on 26/9/1996 in Beirut on two original duplicates.

For the Government of the Lebanese Republic
Minister of Justice

Dr. Bahije Tabbara

For the Government of the Syrian Arab Republic
Minister of Justice

Hussein Hassoun