An Overview of the Legal Framework for Foreign Investment in Syria

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water
1euse and opportunity

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History

- In 1991 the Syrian Government made the first initiative to attract foreign capitals to the Syrian Market by issuing the Investment Law No 10 of 1991
- the higher council of investment was formed aiming to regulate the investment in Syria according to the new Law
- The law No. 10 was replaced by the legislative decree
 No 8 of 2007







Investment Law

- The law introduced many regulations to enhance and facilitate investment, including:
 - Custom fees exemptions for projects set up under the investment law
 - 2. Income Tax exemptions
 - Money transfer facilities
 - 4. Equipment import facilities







Results ...

The Fourth annual Investment report stated:

فرص العمل	التكاليف الاستثمارية (مليار ل س)	المجموع	عدد المشاريع المشمولة حسب النشاط الاقتصادي				
			اخرى	النقل	الزراعة	الصناعة	الســـثوات
riri.	18,9	£1£	ź	TTE	٧	F14	1990-1991
111£A	00,£	TE1	۵	171	r	109	11447
41-A	10,1	F15	1	1-7	1	1.9	11
1-9-1	4,73	ros	,	IVF	£	A1	1
V4£1	Γ£	141	T	1-1	1.5	V٩	f T
11414	۸,1۸	F£0	1	119	1 .	1.0	T··i
FV-1f	110.0	131	٨	AF	11	1-1	10
FIASS	F19.1	£9V	1	141	T£	141	17
ITAEL	122,9	145	r	٥.	r.	111	14
19114	££A,£	1-0	r	۵۸	15	110	2 · · · V
TTATO	TEV	FVS	٨	1-1	į.	17-	15
1-1 TOV	11V-,A	rr-1	٤٢	1101	100	1790	الجموع
11.1	15,4	۸,۵	15	1	F1,9	9,5	% T 9 Jan

سمر، بتستينات منتصناه سبرية الجدول رقم (٢٠) ، تطور عجم المشاريج الاستثمارية المشملة بلحكام قوانين تشجيع الاستثمار (القانون رقم /١٠/ لعام ١٩٩١ والمرسوم التشريعي رقم /٨/ نعام ٢٠٠٧)مسب السنوات والنشاط الاقتصادي وفرض العمل خلال الفترة (١٩٩١ – ٢٠٠٩)







Results for 2009

العدد (عامل)	قيمة الآلات والمعدات ووسائط النقل الخدمية	التكاليف	%	العدد	القطاع
4451	1,12	£A,T	15,V	119	الصناعة
15.0	1.4	F,F	15,7	1.	الزراعة
ESAF	r,1	٧	ri,r	1-1	النقال
FATV		155.2	1,1	1	نفط والثروة والطاقة
1125	1,1	4,1	7,5	13	الصحية والطبية
£aV		a	۸,٠	ŗ	قطاعات آخرى
1-1111	£V,1	155.7	Z1	174	المجموع
الاستامانية	ية ثم جمعها مع التكالية	FEV	قيمة الألان والعجار	د اجافة ١١٧١٠	الاجمالي العام

الجدول رقم (٢٦) : المشاريع الاستثمارية المشمولة باحكام المرسوم التشريعي رقم /٨/ لعام/ ٢٠٠٠ حسب القطاع لعام ٢٠٠٩

ليمشر ديلاسة ويثنات هيئلا الاستثمار السورية

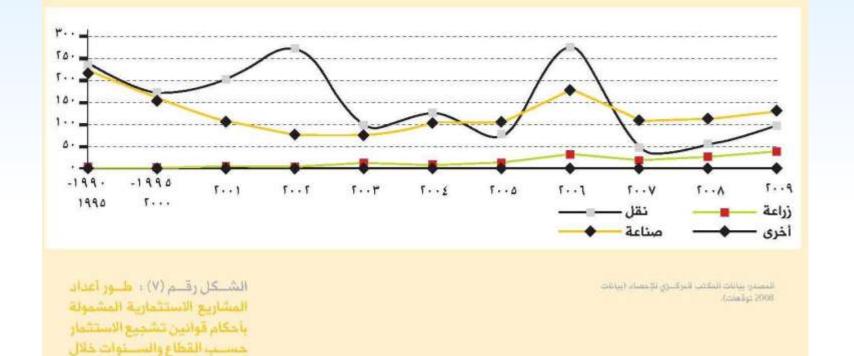






Distribution by sector

الفترة (١٩٩١ -٩- -١)









Agricultural sector

ىمل	فرص الع	التكاليف الاستثمارية (مليون لس)			عدد المشاريع الزراعية			
المنفذ	المشمل	%	المنفذ	المشمل	%	المنفذ	المشمل	السنوات
FIA	£11	٤١,٦	۸,۸۱٤	1٧,٢	1.	1	١.	51991
	TVE	- 4		1	*	*	1	51
۵٦	127	rs,1	٩,۵۸	517,1	50	1	٤	55
159	۵٦٤	15,1	F19,1	FOFT, F	54,1	ž	12	5
rrv	211	50,9	A - 0 ,V	7112,1	۸٠	٨	1.	55
r1 -	1119	rr.0	1.11,9	r1A-,1	T1,T	۵	11	F 0
۵۹۵	AFFE	5.,5	1505,7	V197,£	TF. £	11	71	51
149	VIV	195	£997, F	TOAA,T	90	19	۲.	5
۸٠	1095	۵,۵	F1A,0	0919	٣,٤	1	19	FA
ros	12-0	۲۷,۸	1197	£7.4.5	ro	12	٤٠	59
T+ 11	1051	ri	1-1-4,4	T11-A,5	TV,V	19	١٨٢	الجموع
11,0	11,2		11,5	۱۳,۸		X1.	251,9	نسبة ٢٠٠٩٪







Legislations governing investment activities in Syria

- 1. Law No.21 of 1958 (Ministry of Industry).
- 2. Supreme Council of Tourism's Decisions No.186 of 1985 and No.198 of 1987 on tourist investment.
- 3. Decree No.10 of 1986 on investment in agricultural projects.
- 4. Law No.28 of 2001 on the establishment of private banks.
- 5. L.D. No.36 of 2001 on the licensing of private universities.
- 6. Law No.35 of 2005 on the establishment of Islamic banks.
- Law No.43 of 2005 on the establishment of private insurance companies.
- 8. Decree No.8 of 2007 on investment promotion.
- Law No.15 of 2008 on real estate development and investment.
- 10. Decree No.54 of 2009 on granting a 10-year tax exemption for the Eastern Region projects.
- 11. Law of the General Organization for Free Zones on the investment in the free zones.
- 12. Ministry of Petroleum's regulations regarding the granting of investment to oil companies.
- 13. The decisions governing the licensing of transport projects.
- 14. Ministry of Education's decisions on the licensing of private schools.







Advantages of the investment climate in Syria

- Syria is an important investment gate as it enjoys an encouraging and successful investment climate, to which it pays close attention working hard to provide its continuous development needs.
- The main advantages of the investment climate in Syria are mainly:
- 1. The distinguished geographical location, where the three continents meet.
- 2. The stable and safe political structure and remarkable national intimacy.
- 3. Low external indebtedness and stable exchange rate for long years.
- 4. Special advantages, exemptions, facilitations and guarantees to investment projects.
- 5. Suitable infrastructure.
- 6. Equipped and continuously developing industrial cities.
- 7. Qualified human resources and low wages.
- 8. Available and diversified natural resources.
- 9. Low production costs.







Investment Advantages and Incentives:

- a. The enterprises in the following sectors shall benefit from the exemptions stipulated in the effective Income Tax Law and its amendments and all the advantages and guarantees stipulated in this Legislative Decree:
- Agricultural and land reclamation enterprises.
- Industrial enterprises.
- Transport enterprises.
- ICT enterprises.
- Environment enterprises.
- Service enterprises.
- Electricity, Oil and Mineral Wealth enterprises.
- Any other enterprises the Supreme Council decides to cover a proposal by the Board .







Private sector contribution in investment

كما تشير الإحصائيات إلى ارتفاع مساهمة القطاع الخاص في الإنتاج المحلي الإجمالي من (٥٢.٥%) في عام ٢٠٠٠ وأصبحت إلى (١٢.٨%) في عام ٢٠٠٩ وذلك على حسـاب تراجع مساهمة القطاع العام التي كانت (٤٧.٥%) في عام ٢٠٠٠ وأصبحت في عام ٢٠٠٩ (٢٧.٢%) وذلك حسبما يوضح الجدول التالي:

نسب مساهمة الانتاج %				السنوات		
مجموع	خاص	مام	مجموع	قطاع خاص	قطاع عام	
1	01,0	£V,0	100VA	- TAVIA	VP44£+	Tere
1	a £,V	£0,5	109054	AVFBA-	VIIAST	11
1	1,36	1,63	3700171	971779	VVTTIO	11
1	01,1	£7,£	175241	9.81797	VATEVA	1
1	40,V	ii,r	33-7766	1-74-47	AFFELL	Tool
1	34,7	£1,V	F-1-841	1141411	AFVILS	50
1	1.,1	79,5	F-9VAAT	177-745	PPSYTA	f1
1	1,.1	79.5	11-141)	177A-A1	ATAVE	rv
1	TI.	TA	TT0£1££	154401	ADTEAN	*1
1	11,4	rv,r	FEIFTA	1015414	444411	**54







Investment Disputes

Investment-related disputes between an investor and Syrian public bodies and institutions shall be settled amicably. If the disputing parties could not reach a solution amicably in three months from the date of making a written notification for an amicable settlement by one of the disputing parties, each of them shall have the right to take the case to one of the following **ADR** means:

- 1. Arbitration.
- 2. Competent Syrian Courts.
- 3. Arab Investment Court formed upon the Allied Treaty for Investment of Arab Capitals in the Arabic Countries in the year of 1980
- 4. Investment Insurance and Protection Agreement signed by Syria and the investor's country, or any Arab or international organization.
- All investment-related disputes shall be considered by the competent court as summary proceedings.







Recommendations ...

- PPP
- FIDIC
- BOT
- Separate legislation authority





