

## From Centralisation to Genuine Partnership: Towards Rights-Based Decentralisation in Syria

The Legal Paper Argues That Local Administration Law No. 107 Of 2011 Has Failed To Achieve Genuine Decentralisation And Calls For The Transfer Of Meaningful Powers And Resources To Democratically Elected Local Authorities Within A Unified Constitutional Framework That Guarantees Equal Rights, Equity And Accountability, And Protects Local Communities From Authoritarianism And Identity-Based Violence



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## 1. Executive Summary

This expanded study by Syrians for Truth and Justice and PÊL – Civil Waves, examines the reality of decentralisation in Syria from a human rights perspective and considers whether it can serve as an entry point for redistributing power and resources and strengthening local participation during and beyond the transitional period.

This document is based on an analysis of Local Administration Law No. 107 of 2011, the constitutional framework and related legislation, as well as a review of comparative experiences and nine in-depth interviews conducted by Syrians for Truth and Justice in June 2026.

The discussion of decentralisation is particularly important during the transitional period because rebuilding the State is not limited to replacing individuals or restoring institutions to operation. It requires reconsidering the distribution of power and resources and addressing marginalisation, inadequate representation, and disparities in development and services.

At the same time, decentralisation raises concerns relating to partition, the entrenchment of spheres of influence, unequal resources, and the potential capture of new institutions by armed groups or local elites. The debate should therefore not be reduced to a simplistic opposition between centralisation that preserves the unity of the State and decentralisation that leads to secession. Excessive centralisation may deepen marginalisation, while decentralisation, if it lacks safeguards and shared national institutions, may become a means of entrenching divisions or reproducing authoritarianism at the local level.<sup>1</sup>

The study concludes that Syria does not apply genuine decentralisation. Local authorities have remained largely subordinate to ministries and appointed governors, without sufficient autonomy over decision-making, resources, or the management of executive bodies. The transfer of certain ministerial powers to governors likewise does not constitute decentralisation, but remains a form of administrative deconcentration: a transfer of authority within the executive apparatus itself, from a ministry to an appointed local official, unless those powers are transferred to elected local institutions that are accountable to residents.

The analysis of Law No. 107 further demonstrates that its failure is attributable not only to weak implementation, but also to its structure. Although the Law recognises

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<sup>1</sup> Erin C. Houlihan and Sharon Pia Hickey, *Constitutional Approaches to Decentralization: Elements, Challenges and Implications*, International Institute for Democracy and Electoral Assistance (International IDEA), 2023, particularly the sections concerning the risks of weak design, ambiguity of roles, accountability, minorities, and women.

the legal personality of administrative units—governorates, cities, towns, and municipalities—provides for the election of their councils, and grants them service-delivery and development functions, it retains the appointed governor as both the representative of the central authority and the head of the local executive authority, and subjects council decisions and budgets to extensive central oversight and administrative tutelage.

It is therefore insufficient to implement the Law in its current form or to introduce partial amendments. The legal and constitutional framework for local government must be rebuilt.

The report proposes the adoption of **broad administrative and fiscal decentralisation with democratic substance, constitutionally protected within a unitary State**. Under this model, residents elect local councils, while local executive authorities are either directly elected or formed by, and accountable to, the elected councils. The model also separates the central government's representative in the governorate—whose role is confined to coordination and ensuring compliance with the law—from the head of the local administration, who is responsible for implementing the local council's decisions. It also requires a clear delineation of national, local, and shared competences, while defence, foreign policy, nationality, currency, and national service standards remain within the competence of central national institutions.

The proposed model also requires genuine fiscal autonomy, based on stable local revenues, a share of national revenues, transfers allocated according to published criteria, and an equalisation fund that prevents disparities between regions from widening. Natural resources must remain public property belonging to all Syrians, with a fair share of their revenues allocated to producing regions and regions affected in environmental and development terms.

The report recommends that the new Constitution include a dedicated chapter on local government; that Law No. 107 be redrafted; that free and democratic local elections be held; that the power to dissolve councils or suspend their decisions by executive action be abolished; and that central oversight be limited to reviewing the legality of local decisions, with disputes adjudicated by an independent judiciary. It also calls for the draft amendment to the Law to be published and subjected to public consultation; for every transfer of competence to be accompanied by the transfer of the necessary resources and personnel; for the representation of women, displaced persons, and under-represented communities to be ensured; and for local budgets, contracts, and procurement to be subject to transparency and independent audit.

The report does not present decentralisation as a stand-alone solution to the Syrian crisis or as synonymous with federalism. Rather, it regards decentralisation as part of a broader reform that rebuilds the State on the basis of participation, accountability, and

equal rights as individuals and communities, and transforms the country's unity from centralisation imposed from above into a constitutional partnership between national institutions and local communities.

## 2. Introduction

For decades, centralisation in Syria was one of the principal means by which political, economic, and security power was concentrated in the hands of the central executive authority in Damascus, particularly through the Presidency, ministries, and security agencies. Although governorates, cities, towns, municipalities, and local councils existed, key decisions concerning appointments, resources, budgets, planning, and services remained subject, to varying degrees, to ministries and the central executive authority, while local institutions had only limited capacity to represent residents or respond independently to their priorities.

This model weakened local participation and widened the gap between residents and the institutions administering their daily affairs. It also contributed to disparities in development and services between regions, between urban and rural areas, and sometimes within the same governorate.<sup>2</sup> Even when elections were held to form local councils, those councils could not perform a genuinely democratic role given the domination formerly exercised by the executive authority, security agencies, and the ruling party over public life, candidate selection, and the operation of elected institutions.<sup>3</sup>

[Local Administration Law No. 107](#) was promulgated on 23 August 2011 and presented itself as a transition from centralisation to administrative decentralisation by expanding the competences of administrative units and transferring a number of State functions to them. The Law's promulgation, however, did not bring about a fundamental change in the structure of local government. The conflict, security dominance, the control exercised by the formerly ruling Arab Socialist Ba'ath Party, and weak elections and resources impeded the implementation of several of its provisions, while the Law itself retained extensive mechanisms for subordinating local authorities to the centre.

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<sup>2</sup> Syrian Center for Policy Research, *Multidimensional Poverty in Syria: A Comparative Research, 2001–2009*, June 2014. Based on the Multidimensional Poverty Index, the report shows that poverty was higher in rural than in urban areas in 2001 and 2009; in 2009, the index stood at 0.047 in rural areas, compared with 0.027 in urban areas. The report also found persistent and wide disparities among governorates, with the eastern and northern regions recording the highest levels of deprivation, while Damascus, several coastal governorates, and Suwayda recorded lower levels.

<sup>3</sup> Jadd Hallaj, *Making Syrian Local Administration Legible: Towards an Evidence-Based Approach to Reforming Local Governance*, prepared by LUGARIT for SALAR International, 17 February 2026. See also: Arab Reform Initiative, *Decentralization and the Future of the Syrian State*, December 2016.

Local administration arrangements that emerged during the conflict also demonstrated the possibility of organising services locally, but revealed problems of representation, resources, and dependence on political and military forces.<sup>4</sup>

The presence of multiple authorities or the erosion of central government control does not mean that Syria transitioned to decentralisation. Decentralisation is not synonymous with a weak centre or with the existence of separate administrations imposed by the military balance of power. It is an organised legal and constitutional system that determines the allocation of competences and resources among levels of government and guarantees democratic representation, accountability, the protection of rights, and mechanisms for resolving disputes between those levels.<sup>5</sup>

This report proceeds from the premise that the central question is not whether to select “centralisation” or “decentralisation” as abstract models, but how power and resources should be allocated among levels of government so as to ensure participation, accountability, and the equal enjoyment of rights and services in all regions.

The discussion is therefore not limited to identifying the entity that manages services. It also encompasses how those responsible are selected, the mechanisms for oversight and dispute resolution, and the safeguards that prevent discrimination, exclusion, or unequal protection among residents.

Nor does the report reduce the debate to a rigid distinction between administrative and political decentralisation. Transferring service-delivery responsibilities to governorates without transferring decision-making, resources, and accountability to elected institutions does not produce genuine decentralisation. Conversely, giving local authorities democratic substance does not automatically entail a transition to federalism or confer independent sovereignty on regions.

### 3. Methodology

The report adopts a methodology combining legal and political analysis with qualitative research. It primarily examines the Local Administration Law promulgated by Legislative Decree No. 107 of 2011, legislation relating to the operation and resources of administrative units, and the constitutional framework in force during the

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<sup>4</sup> Zedoun Al Zoubi, Omar Abdulaziz Hallaj, Ryan Knox, Obidah Alsayed Ali, and Nihad Alamiri, *Local Administration in Transition: Towards Inclusive and Accountable Local Governance in Syria*, SALAR International and LUGARIT, 20 May 2025. See also: Jadd Hallaj, *Making Syrian Local Administration Legible*, cited above.

<sup>5</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, OECD Publishing, 2019, 19 March 2019.

transitional period. It also reviews literature and comparative studies on the distribution of power, local government, and the design of decentralised systems in unitary and conflict-affected States.

In June 2026, Syrians for Truth and Justice conducted nine qualitative interviews with women and men from different professional and geographic backgrounds, including lawyers, activists, employees, and persons with experience in or an interest in governance and local administration projects. Syrians for Truth and Justice obtained the participants' informed consent after explaining the voluntary nature of their participation and the use of the information—including publication in this report—and informing them that they could withdraw their consent at any time.

The interviews addressed assessments of Law No. 107, the relationship between the centre and local authorities, the distribution of powers and resources, and the opportunities and risks associated with decentralisation.

The report uses these interviews to explore perceptions, concerns, experiences, and practical questions relating to decentralisation, and to enrich the legal and political analysis with quotations and views reflecting how some Syrians understand the issue. It does not treat all views expressed in the interviews as conclusions it endorses; rather, it analyses, discusses, and compares them with legal principles and comparative experience. The interviews are not intended to measure public opinion or represent all Syrian regions and communities. They constitute a limited qualitative sample.

The report also recognises that decentralisation is a contested concept and that the terms used in Syrian debate do not always carry the same meaning for different speakers. Some use “administrative decentralisation” to denote broad local autonomy, while others use political decentralisation, federalism, self-government, and secession interchangeably. The report therefore devotes a section to clarifying concepts and does not assume that choosing a particular label, by itself, reveals the nature of the proposed system.

The report focuses on the principles and legal and institutional structure required for a viable decentralised system; it does not propose a detailed draft constitution. Determining the number of levels of government, the boundaries of administrative units, and special competences for certain regions requires a broader participatory process, updated demographic and economic data, and safeguards against entrenching the consequences of displacement, demographic change, or de facto control.

#### **4. Clarifying the Concepts: What Is Meant by Decentralisation?**

The term “decentralisation” is used in Syrian debate to refer to different arrangements. It may sometimes mean authorising a governor to sign a transaction that previously

required ministerial approval; at other times, it denotes the election of governors and local councils, the granting of legislative and fiscal powers to regions, the establishment of autonomous regions, or a transition to a federal system. These divergent usages generate disagreements that appear deeply political, even though they arise in part from differing understandings of the term itself.

This problem is not unique to the Syrian context. There is no single model of decentralisation, and the terminology used to describe power-sharing arrangements varies from one State to another. It is therefore more accurate to examine the actual degree of power enjoyed by local levels than to rely on constitutional or political labels.<sup>6</sup>

This ambiguity was clearly evident in the interviews conducted by Syrians for Truth and Justice. One participant noted that there is “**a widespread conflation among people between decentralisation and secession**”, while other participants used political decentralisation, federalism, regions, and administrative autonomy interchangeably. This demonstrates a genuine need for public debate that clarifies the substance of each option, the powers it transfers, and the safeguards it requires.

#### 4.1. Local Administration Is Not Necessarily Decentralisation

In its broad sense, *local administration* refers to the institutions and bodies that administer public affairs within a geographic area below the State level, such as governorates, cities, towns, and municipalities. The mere existence of these institutions does not, however, reveal the nature of the system. They may be bodies wholly subordinate to the central authority, or relatively autonomous bodies with elected councils, resources, and powers of their own.

Local administration may therefore exist in a highly centralised State. If the governor and heads of local bodies are appointed by the Government and their decisions and resources remain subject to ministries, their geographic proximity to residents does not make them decentralised authorities. They remain part of the central executive apparatus, even when operating outside the capital.

By contrast, *local self-government* or local autonomy has a broader meaning than the mere existence of an administration in the governorates. It means the ability of local bodies to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population, through elected councils and

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<sup>6</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, OECD Publishing, 2019, 19 March 2019.

using the resources and administrative structures that enable them to exercise their competences effectively.<sup>7</sup>

The European Charter of Local Self-Government measures local autonomy by the ability of elected councils to manage a substantial share of public affairs, within clearly defined competences, with commensurate resources and judicial protection enabling local authorities to defend their powers and autonomy against unlawful interference.<sup>8</sup>

In this sense, decentralisation is not achieved merely by calling an institution a “local council”. Consideration must be given to the source of its authority, the manner in which its members are selected, the degree of autonomy in its decision-making, and whether it possesses the human and financial means necessary to perform its functions.

#### **4.2. Administrative Deconcentration: Moving the Official Does Not Mean Transferring Power**

Administrative deconcentration means distributing certain decision-making powers within the central apparatus itself—from a ministry in the capital to its directorates, branches, or representatives in the governorates. Under this model, the local official remains part of the ministry or central authority, acts in its name and under its supervision, and does not derive authority from local residents.

When a minister delegates to a director subordinate to the ministry in a governorate the authority to sign a transaction or issue a licence, this may reduce procedures, ease pressure on the capital, and expedite service delivery, but it does not transfer power to the local community. Decision-making has moved geographically within the same legal person, while the central authority remains able to direct or replace the official or withdraw the delegated power.

In the Syrian context, caution is required when presenting expanded powers for governors or directors of government institutions as decentralisation. If governors remain centrally appointed and directorates remain branches of ministries, transferring authority to sign transactions to them remains a form of administrative deconcentration, not local self-government.

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<sup>7</sup> Council of Europe, *European Charter of Local Self-Government*, European Treaty Series No. 122, 15 October 1985.

<sup>8</sup> Ibid.

### 4.3. Decentralisation and Its Three Dimensions

Decentralisation in its fullest sense is achieved when competences and resources are transferred to local authorities that possess legal personality and institutional autonomy and exercise their powers under their own responsibility, rather than as agents of a ministry. Decentralisation has three interrelated dimensions: political, administrative, and fiscal. None of these dimensions, standing alone, is sufficient to establish genuine local government.<sup>9</sup>

#### 4.3.1. Political Decentralisation

Political decentralisation means transferring part of decision-making power to local institutions that possess electoral legitimacy. It includes the election of local councils and may include the direct election of the local executive authority or its selection by the elected council, with the executive subject to accountability and removal in accordance with clear legal procedures. Political decentralisation also requires protecting local competences from arbitrary abolition, regulating the relationship between councils and executive authorities, and guaranteeing political pluralism, freedom to stand for election, freedom of association, and access to information.<sup>10</sup>

#### 4.3.2. Administrative Decentralisation

Administrative decentralisation means distributing responsibility for the planning, management, and delivery of services among levels of government. It is not achieved merely by tasking a local council with implementing a policy prescribed in every detail by a ministry. The local authority must have sufficient freedom to determine priorities, choose methods, and adapt services to residents' needs.<sup>11</sup>

#### 4.3.3. Fiscal Decentralisation

Fiscal decentralisation means enabling local authorities to obtain, manage, and spend resources commensurate with their competences, within the framework of the law, the budget, and independent financial oversight. It includes defining expenditure responsibilities; possessing own-source revenues from fees or local taxes; receiving a share of national revenues; receiving financial transfers according to clear rules; and preparing and implementing the budget. Fiscal decentralisation is measured not only by the amount of money passing through an administrative unit's accounts, but also by

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<sup>9</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, cited above.

<sup>10</sup> Ibid.

<sup>11</sup> Council of Europe, *European Charter of Local Self-Government*, cited above. See also: Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, cited above.

the extent of that unit's authority to determine expenditure and manage resources, subject to ex post review of legality, financial integrity, and transparency, rather than central tutelage over the expediency of its local choices.<sup>12</sup>

**The effectiveness of a decentralised system depends on balance among the three dimensions. Elections without competences and resources produce merely formal representation; transferring services without funding creates unfunded mandates; and granting extensive resources without elections and transparency may empower unaccountable local elites.<sup>13</sup>**

**The allocation of competences is guided by the principle of subsidiarity, under which public functions are exercised at the level closest to the population that is capable of performing them effectively, while matters requiring national uniformity or equalisation remain at the central level or within a shared competence.<sup>14</sup>**

#### **4.4. Federalism Is Not Synonymous with Decentralisation or Secession**

Federalism is a constitutional mechanism for distributing power between a federal government and constituent units, such as states or regions, with the competences of each level defined and protected by the Constitution. In a federal system in the strict sense, the federal government cannot unilaterally alter the distribution of powers or deprive constituent units of their constitutional competences. Such changes require a constitutional amendment in accordance with the prescribed procedures, which usually involve the affected units or their representatives.<sup>15</sup>

The name assigned to a State does not, however, by itself reveal the degree to which power is distributed. A State may be federal in constitutional form but highly centralised in practice if financial resources, security, planning, detailed legislation, or oversight mechanisms remain in the hands of the central government in a manner that limits the regions' ability to exercise their competences effectively.<sup>16</sup>

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<sup>12</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, cited above. See also: Council of Europe, *European Charter of Local Self-Government*, 1985, cited above.

<sup>13</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work*, cited above.

<sup>14</sup> Council of Europe, *European Charter of Local Self-Government*, cited above.

<sup>15</sup> Elliot Bulmer, *Federalism*, International IDEA Constitution-Building Primer No. 12, International Institute for Democracy and Electoral Assistance (International IDEA), 2017. See also: Nora Hedling, *A Practical Guide to Constitution Building: Principles and Cross-cutting Themes*, International Institute for Democracy and Electoral Assistance (International IDEA), 2011.

<sup>16</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work*, cited above. See also: Houlihan and Hickey, *Constitutional Approaches to Decentralization: Elements, Challenges and Implications*, cited above.

Conversely, regions in unitary States may enjoy broad administrative, fiscal, and political powers. There is therefore no necessary relationship between a State's unitary character and the centre's retention of most powers, just as federalism does not necessarily mean that every decision is taken in the regions.<sup>17</sup>

Secession differs legally and politically from these models because it means the withdrawal of a territory from the sovereignty of the State and the establishment of an independent State. Decentralisation or federalism does not automatically lead to secession, just as centralisation does not guarantee that the State will remain united. The outcome depends on the nature of shared institutions, the fairness of resource distribution, the legitimacy of the political system, and the existence of peaceful mechanisms for resolving disputes.

**It is therefore inaccurate to reject any proposal for distributing power merely by characterising it as a step towards secession, just as decentralisation cannot properly be presented as an automatic guarantee of national unity. Each arrangement must be assessed on the basis of its provisions, institutions, and effects, not its name alone.**

#### 4.5. The Criterion Applied by the Report

On the basis of the foregoing, this report will assess decentralisation not by the number of governorates or councils, nor by the number of powers theoretically listed in the law, but by answering six interrelated questions:

1. Who selects the members of the council and the local executive authority: residents or the central authority?
2. Does the local authority derive its competences from the Constitution and the law, or from a revocable administrative delegation?
3. Does it possess financial resources commensurate with its responsibilities and genuine authority to determine spending priorities?
4. Who appoints local personnel, and to whom are they answerable in the performance of their work and for purposes of accountability?
5. Can a ministry or governor annul a local decision on grounds relating to its expediency, or is oversight limited to the decision's compliance with the law?
6. Is there an independent judicial body that adjudicates disputes between the centre and local authorities and protects the competences of each?

**The more a system moves towards local elections, original competences, independent resources, accountability to residents, and judicial oversight, the closer it comes to genuine decentralisation. By contrast, if appointments, resources, and the power to**

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<sup>17</sup> Ibid.

annual decisions remain in the hands of the Government, the system is closer to centralisation or administrative deconcentration, regardless of the terminology used.

## 5. Why Might Decentralisation Form Part of the Solution in Syria?

Having clarified the meaning of decentralisation and distinguished it from administrative deconcentration, delegation, and federalism, this section explains why the discussion is important in the Syrian context. Decentralisation is examined here not merely as an administrative arrangement, but as part of a broader question concerning the distribution of power and resources, the guarantee of participation, the protection of rights, and the prevention of renewed marginalisation and violations at either central or local level. Its importance stems from its potential to address tangible problems of representation, accountability, development, and trust in the State. These outcomes do not arise automatically; comparative experience indicates that they depend on clearly defined competences, adequate resources, institutional capacity, and the existence of elections and effective oversight.<sup>18</sup>

### 5.1. Reconstruction Based on Local Needs

Reconstruction priorities are not the same across governorates, cities, and rural areas. Some regions need water networks restored or war debris removed, while others need agricultural or industrial activity revived, or services restored for returnees and displaced persons.

If local authorities possess the necessary data, resources, and autonomy, they can align spending and investment with these differences more precisely than uniform central programmes can. They can also involve communities in setting priorities, thereby reducing the risk that resources will be directed on the basis of political proximity or influence rather than need.

A government employee in the Directorate of Administrative Development in Homs expressed this point in an interview with Syrians for Truth and Justice:

**“Local administration is not about appearances or ‘make-up’. Local administration means understanding the resources and opportunities of each region, then directing investments—in money and in people—to make use of those resources and achieve development.”**

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<sup>18</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, OECD Publishing, 2019, 19 March 2019, Executive Summary and chapter concerning the benefits and challenges of decentralisation.

This does not mean that each region should undertake reconstruction on its own. The scale of destruction and disparities in resources require a national role in funding, planning, and equalisation. The local level should, however, move from being a recipient of projects to being a partner in their design and oversight.

## 5.2. Addressing Marginalisation Without Turning Regions into Identity-Based Entities

Decentralisation can provide more effective channels for the participation of communities that have experienced political, cultural, or developmental marginalisation, and can enable regions to manage certain cultural, educational, and social affairs within a shared national rights framework.

Experience from conflict-affected States indicates that inclusive and accountable local government can contribute to restoring social cohesion, expanding participation, improving fairness in the distribution of resources and opportunities, and protecting under-represented groups.<sup>19</sup>

The protection of rights should not, however, depend solely on a community's constituting a majority within a particular region, as this could create new minorities within each local unit.

A teacher from Latakia interviewed by Syrians for Truth and Justice articulated this balance by stating that **“the proper application of decentralisation may make minorities feel included and not marginalised”**, but added: **“It is preferable for these rights to be protected by a Constitution, and for the constitutional provisions to be clearly implemented.”**

## 5.3. Decentralisation as a Rights-Based Approach and a Guarantee of Non-Recurrence

The importance of decentralisation is not limited to improving service delivery or resource distribution. It can also form part of a broader rights-based approach to addressing exclusion and preventing the recurrence of violations. In the Syrian context, the marginalisation of certain regions or communities was not merely an administrative defect; it was associated with denying residents participation in decisions affecting their security, resources, services, and cultural and linguistic rights, and with their limited ability to hold accountable the authorities administering their affairs.

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<sup>19</sup> United Nations Development Programme, *Local Governance in Fragile and Conflict-Affected Settings: Building a Resilient Foundation for Peace and Development*, 2016.

From this perspective, rights-based decentralisation can help protect individuals and under-represented communities—not by creating closed identity-based entities, but by ensuring broader local representation, effective participation in decision-making, more accessible mechanisms for receiving complaints, oversight of the performance of local bodies, and a fairer distribution of resources and services.<sup>20</sup> It can also help prevent the recurrence of violations by avoiding the concentration of security and administrative decision-making in the hands of a single entity, and by subjecting both local and central authorities to the law, judicial oversight, and public accountability.

This rights-based role is not automatic. It must be accompanied by a Constitution guaranteeing equality and non-discrimination, an independent judiciary, equal rights in all regions, effective mechanisms for accountability for violations, and guarantees of participation by women, displaced persons, and under-represented groups.

#### 5.4. Rebuilding Trust in the State

Years of authoritarianism and conflict have undermined the trust of broad segments of Syrians in central institutions. That trust cannot be restored merely by unifying administrative structures or reopening institutions, but by enabling residents to exercise genuine influence over decisions affecting their lives.

One of the persons interviewed by Syrians for Truth and Justice, a banking consultant, considered that when decentralisation means:

**“Bringing decision-making closer to citizens, improving services, reducing the sense of marginalisation, and enabling them to exercise oversight and hold officials to account, it can become a means of reducing tensions, provided that it is based on fair elections and published programmes that can be evaluated.”**

An elected local authority can serve as a closer point of contact between the citizen and the State, and transform the State from an entity that imposes decisions into a framework through which residents participate in administering public affairs. In this sense, decentralisation is not intended to weaken the State, but to broaden its social base and legitimacy.

This requires linking local government to national institutions, rather than creating authorities parallel to them. The centre remains responsible for protecting rights, equalisation between regions, and sovereign policy matters, while local levels are given

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<sup>20</sup> Ibid. See also: Houlihan and Hickey, *Constitutional Approaches to Decentralization: Elements, Challenges and Implications*, cited above, particularly the sections concerning the relationship between decentralisation and minority representation, accountability, and the risks of weak design or the entrenchment of local exclusion.

genuine space to manage matters closest to residents. A civil society activist from Homs stated, in relation to equalisation and non-discrimination:

**“If all administrative units are treated on an equal footing, without one being favoured over another according to its proximity to or distance from the authorities, this will help reduce tensions.”**

Accordingly, decentralisation is not an independent solution to the Syrian conflict, but it may be an essential component of a broader settlement that redistributes power, responsibility, and resources and prevents a return to a model in which the centre monopolises decision-making while regions bear the consequences of policies without participating in their formulation.

## **6. Local Administration Law No. 107: Decentralisation Claimed but Not Implemented**

Local Administration Law No. 107 of 2011 contains elements that were advanced in comparison with preceding legislation. It recognised the legal personality and administrative and financial autonomy of administrative units; provided for their councils to be elected by universal, secret, and direct suffrage; and theoretically granted them broad competences in planning, services, and local development. It also stated that its purpose was to transfer responsibilities to administrative units, limiting the role of central authorities to planning, legislation, regulation, and the implementation of major projects that local units were unable to carry out.<sup>21</sup>

The extent to which a system is decentralised is, however, demonstrated by the manner in which those competences are transferred, the position of representatives of the central authority, the limits of oversight over councils, and the degree of their actual control over budgets and executive bodies. From this perspective, the Law reveals a clear gap between its decentralising language and its institutional structure.

### **6.1. Transfer of Powers Contingent on a Plan Drawn Up by the Executive Authority**

The Law did not transfer all competences to local authorities upon its entry into force. Instead, it linked the transfer process to a “national decentralisation plan” to be drawn

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<sup>21</sup> Legislative Decree No. 107 of 2011 promulgating the Local Administration Law, as amended, articles 2, 7, 8, 12, and 30.

up by the Higher Council for Local Administration, chaired by the Prime Minister and comprising the Minister, governors, and a number of central officials.<sup>22</sup>

The plan was meant to be issued within six months of the Law's promulgation and to establish a timetable of no more than five years, renewable once, for completing the transfer of competences to local councils.<sup>23</sup>

Under this design, a fundamental part of decentralisation did not flow directly from the Law, but remained contingent on subsequent decisions issued by a body led by the central executive authority. Local units were therefore not vested from the outset with a complete set of original competences; the scope of those they exercised remained dependent on the willingness of ministries and the Higher Council to transfer them.

The problem does not lie in adopting a gradual approach in itself, as this may be necessary for the transfer of personnel and resources and for capacity-building. It lies in the absence of safeguards preventing the transfer process from being obstructed or frozen. Gradual transfer is different from leaving decentralisation hostage to the decision of the entity expected to relinquish part of its powers.

## **6.2. The Governor: Representative of the Central Authority and Head of the Local Executive Authority**

The clearest contradiction is apparent in the governor's position. The Law defines the governor as the representative of the central authority and the agent of all ministries; provides for the governor's appointment and dismissal by decree; and deems the governor a member of the executive authority. At the same time, it makes the governor head of the governorate council's executive office—the body responsible for implementing the local council's decisions and administering the affairs of the governorate.<sup>24</sup>

In the governor's capacity as the centre's representative, the governor supervises local authorities and local and central bodies in the governorate, communicates the central authority's orders and directives, and follows up on their implementation. As head of the executive office, the governor performs a leadership role in the body that is supposed to be accountable to the elected council.

**Combining the two functions creates a structural conflict concerning the source of legitimacy and the direction of accountability. The governor does not derive the position from the governorate council or its electorate, and the council cannot remove**

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<sup>22</sup> Legislative Decree No. 107 of 2011 promulgating the Local Administration Law, as amended, article 3.

<sup>23</sup> Legislative Decree No. 107 of 2011 promulgating the Local Administration Law, as amended, article 6.

<sup>24</sup> Legislative Decree No. 107 of 2011, articles 1, 29, and 39–44.

**the governor; yet the governor heads the local executive apparatus. Executive decision-making in the governorate therefore remains in the hands of an official who is institutionally tied to the central authority.**

This overlap is even clearer when certain powers granted to the governor by article 44 are considered. In addition to the governor's administrative and security role, the governor may contact the public prosecution in matters relating to public order, security affairs, and the prompt enforcement of judicial rulings; exercise judicial police functions in cases of flagrante delicto; and, where necessary, order an investigation into offences not committed in flagrante delicto.<sup>25</sup> Although the Law places these powers within the limits of the legislation in force, concentrating them in the hands of an appointed executive official who represents the central authority raises a further concern from the perspective of the separation of powers and guarantees of judicial impartiality, particularly when combined with the governor's extensive supervision of local and central bodies in the governorate.

One person interviewed by Syrians for Truth and Justice—from Tartous and living in France—summarised this contradiction by saying that the Law:

**“attempted to combine centralisation and decentralisation at the same time ... but kept the essence of power in the hands of the centre.”**

This does not mean that the presence of a central government representative in the governorate is in itself incompatible with decentralisation. The State needs an entity to ensure the application of the law and coordination between national and local institutions. That function must, however, be separated from the leadership of the local executive authority, so that the centre's representative is not also the official responsible for both implementing and overseeing the local council's choices.

### **6.3. Oversight That Extends Beyond Legality to Tutelage over Decisions**

The Law gives the central authority extensive means of intervening in the formation and decisions of local institutions. The formation of executive offices and the distribution of responsibilities among their members require the approval of the Minister or the Minister's delegate, and those offices cannot commence their work before approval is issued.<sup>26</sup>

A local council's decision to withdraw confidence from members of its executive office likewise takes effect only after the Minister's approval. If the Minister refuses approval,

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<sup>25</sup> Legislative Decree No. 107 of 2011, article 44.

<sup>26</sup> Legislative Decree No. 107 of 2011, article 29.

the council cannot directly enforce its decision, even though the executive office is meant to be accountable to it.<sup>27</sup>

The Law enables the Minister, the competent minister, or the governor to object to council decisions and request their annulment or amendment if they conflict with State laws, plans, or regulations.<sup>28</sup> This criterion is not confined to non-compliance with the law, but extends to inconsistency with “State plans”, a broad expression that may allow the central authority to intervene in the expediency and political or developmental direction of a local decision, rather than only in its legality.

If lower-level councils insist on their decisions, the Minister has the final say. A dispute concerning decisions of the governorate council or the councils of cities that are governorate capitals is referred to the General Assembly of the Advisory Section of the Council of State, rather than to an administrative court for determination through fully adversarial judicial proceedings.<sup>29</sup>

In addition, the Law grants the President of the Republic power to dissolve local councils at all levels, without the provision specifying grounds for dissolution or requiring a judicial ruling.<sup>30</sup>

These provisions establish a system of administrative tutelage, rather than limited review of legality. In a decentralised system, council decisions should take effect within the council’s competence, and intervention by the centre should be exceptional and subject to judicial review. Assessing the utility and expediency of a decision is a matter for the council and for the electorate that holds it accountable.

#### **6.4. Constrained Fiscal Autonomy**

In principle, the Law provides that administrative units enjoy financial autonomy and identifies sources of income from fees, revenues, real property, projects, and transfers. The preparation and implementation of budgets nevertheless remained tied to central frameworks and approvals. Governorate and city budgets are subject to the Minister’s approval and, in some cases, also to the approval of the Minister of Finance, and are prepared in accordance with principles and instructions issued by the Ministry of Finance.<sup>31</sup>

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<sup>27</sup> Legislative Decree No. 107 of 2011, articles 115–116.

<sup>28</sup> Legislative Decree No. 107 of 2011, article 117.

<sup>29</sup> Legislative Decree No. 107 of 2011, articles 116 and 117.

<sup>30</sup> Legislative Decree No. 107 of 2011, article 122.

<sup>31</sup> Legislative Decree No. 107 of 2011, articles 146–150.

[Financial Law for Administrative Units No. 37 of 2021](#) did not end this dependence. Although it added sources of finance and fees for administrative units, it kept significant shares of taxes and fees in an account of the Ministry of Local Administration, to be distributed by ministerial decision, and authorised the Minister to convert certain local revenues into central revenues used to fund the governorates' independent budget.<sup>32</sup>

This demonstrates the need to distinguish legitimate fiscal equalisation from central control over resources. A share of revenues must be redistributed to support poor and affected regions, but this should occur according to a published financial and legal formula that is subject to oversight, rather than through discretionary decisions that leave local units dependent on ministerial approval.

One person interviewed by Syrians for Truth and Justice, a lawyer who had worked on local governance projects, noted that the fees left for local administrations to collect were limited in comparison with the taxes collected centrally by the State, and considered that the Law **“did not fully address financial matters.”**

#### 6.5. A Problem of Implementation and a Problem of Design

The weakness of Syrian local administration cannot properly be attributed to a single cause. On the one hand, the principles proclaimed by the Law did not result in a complete transfer of powers and resources, and elections and local institutions remained subject to political and security domination that constrained their autonomy. On the other hand, the Law itself contained mechanisms that recentralised power through the governor, the Minister, and the President of the Republic.

The banking consultant interviewed expressed the first aspect as follows:

**“The gap between the text and practice was wide in nearly all governorates, not in one particular region.”**

That gap does not, however, negate the problems in the text itself. Even literal implementation of the Law would have left the appointed governor as head of the local executive authority, budgets subject to central approval, and council decisions open to ministerial objection, while allowing councils to be dissolved by decision of the President of the Republic.

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<sup>32</sup> Law No. 37 of 2021 promulgating the Financial Law for Administrative Units, articles 4 and 50.

## 7. Local Administration During the Transitional Period

The [Constitutional Declaration](#) issued in March 2025 did not establish a new system of local government, nor did it contain a chapter defining the competences of administrative units, the manner in which their authorities are selected, or guarantees of their autonomy. Under article 51, the legislation in force continued to apply unless amended or repealed, leaving Local Administration Law No. 107 and related laws as the legal basis for local administration during the transitional period.<sup>33</sup>

This constitutional omission is even more apparent when compared with the detail the Declaration devoted to the executive and legislative authorities. Local administration was not treated as a level of government; instead, its regulation remained subject to pre-existing legislation and executive decisions. **Consequently, the competences of local units are not constitutionally protected, and nothing prevents the central authority from reallocating or reducing them by legislation or by a decision based on its existing powers.**

### 7.1. Appointment Instead of Local Legitimacy

According to the participants interviewed by Syrians for Truth and Justice, no steps had been taken following the political transition to hold new elections for governorate, city, or municipal councils. The holding of these elections is not legally tied to the election of the People's Assembly; the two are separate processes, although organising local elections during the transitional period requires determination of the legal framework and the body responsible for overseeing them. Interview participants confirmed that governors continued to be appointed and local institutions continued to be administered without elections. The teacher from Latakia summarised the effect as follows:

**"There are no elections that represent the people, and what the people want is therefore not on the decision-making table."**

The problem is not the holding of elections as a separate end, but the source of local institutions' legitimacy and the direction of their accountability. An authority deriving its position from central appointment tends to respond to the entity that appointed it, while an elected local authority should respond to the residents who can monitor it, hold it accountable, and replace it.

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<sup>33</sup> Constitutional Declaration of the Syrian Arab Republic, 13 March 2025, article 51, which kept legislation in force unless amended or repealed. The Declaration contains no dedicated chapter or independent provisions regulating local government or protecting its competences.

Elections alone are insufficient if a council remains without resources or powers, but they are nonetheless a preliminary condition for distinguishing between an administration subordinate to the central Government and local government that derives its legitimacy from the community.

## 7.2. Expanded Powers for Governors

In February 2026, the Ministry of Local Administration and Environment issued a decision delegating a number of the Minister's powers to governors.<sup>34</sup> This delegation may help expedite transactions, but it does not transfer power to elected local institutions. It remains a form of administrative deconcentration so long as the governor is appointed and accountable to the central authority.

A lawyer from Homs described the existing gap between the centre and its branches as follows:

**"All decisions today are taken exclusively by the centre; most of the time, even the branch is unaware of the decisions that have been made."**

This testimony reflects a problem that cannot be resolved merely by transferring signing authority to the governor: the absence of institutional participation by councils and residents in decision-making itself.

## 7.3. Integrating the Institutions of North-Eastern Syria and the Test of Decentralisation

The process of integrating the existing civilian and administrative institutions in north-eastern Syria is one of the most significant practical tests for reforming local government during the transitional period. The announced arrangements concerning al-Hasakah, Raqqa, Deir ez-Zor, and Kobani combine the central Government's restoration of control over institutions and resources with recognition of local representation and special security and administrative arrangements in certain areas.<sup>35</sup> This process should not be assessed only by whether institutional integration is completed, but also by how local authorities are selected, the extent to which residents retain an effective role in managing their affairs, the protection of linguistic and cultural rights, and the distribution of resources.

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<sup>34</sup> Decision No. 13 of the Minister of Local Administration and Environment delegating a number of the Minister's powers to governors, 5 February 2026.

<sup>35</sup> Syrian Arab News Agency (SANA), "Terms of the Ceasefire and Integration Agreement between Syria and SDF", 18 January 2026.

#### 7.4. Reviewing the Law: Official Acknowledgement of the Problem Without Determining the Direction of Reform

The Ministry of Local Administration and Environment began [meetings of a committee tasked with amending Local Administration Law No. 107](#). Among the deficiencies identified for review were overlapping competences, the lack of own-source revenues for administrative units, and the weak role of local councils in decision-making. The Ministry also announced that the discussions were intended to strengthen administrative decentralisation and improve resource management and the relationship between the central and local levels.<sup>36</sup>

This announcement constitutes official acknowledgement that the existing framework is not functioning as required, particularly in the allocation of competences and financing. The direction of reform will, however, remain unclear until the draft amendments are published and opened to public debate. Strengthening decentralisation is measured not by increasing the number of functions assigned to governorates, but by the extent to which functions are transferred to elected local councils and authorities, together with the necessary resources, accountability, and legal protection.

Nor is amending the Law within the Ministry alone sufficient to address an issue connected to the structure of the State and the social contract. Reform requires the participation of local councils, civil society, trade unions, women, national and religious communities, and experts in finance, law, and public administration. The draft law must be published before its adoption and an opportunity provided for comments.

#### 7.5. Risk of Entrenching Transitional Arrangements

Transitional periods may sometimes justify temporary recourse to appointments and centralisation to ensure the continuity of institutions and services. If such measures continue without a clear timetable, however, the exception may become a permanent structure, particularly when State institutions are being rebuilt while officials are appointed and resources distributed by the centre.

**Accordingly, the commencement of all local reforms should not await a permanent Constitution, nor should a final model be adopted hastily. Specific steps may be taken during the transitional period, including organising local elections, increasing budget**

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<sup>36</sup> Ministry of Local Administration and Environment, “Ministry of Local Administration and Environment Begins Meetings of the Committee to Amend Local Administration Law No. 107 of 2011”, official announcement concerning the objectives of the amendment committee. See also: Decision No. 13 of the Minister of Local Administration and Environment delegating a number of the Minister’s powers to governors, 5 February 2026.

and procurement transparency, involving residents in setting priorities, and granting elected councils powers that can be exercised in practice. The broader distribution of political and legislative powers should be addressed through a participatory national constitutional process.

## 8. Towards a Decentralised Model Suited to the Syrian Context

The report proposes broad administrative and fiscal decentralisation with democratic substance, transferring original competences and resources to elected local authorities within a unitary State and under constitutional guarantees of rights and equalisation.

### 8.1. Governorates as a Starting Point

The existing governorates can serve as a practical starting point for reform because administrative structures and public institutions are already associated with them. This does not mean freezing the current boundaries or precluding a future reconsideration of levels of government.

A transition to larger regions, or the granting of special status to certain areas, requires a separate study, current data, and public consultation. Any change must be based on objective criteria, such as population, geographic extent, economic and service-delivery interdependence, and administrative capacity—not on drawing sectarian or ethnic boundaries or entrenching the consequences of conflict and displacement.

The banking consultant noted that administrative divisions should be based on criteria that:

**“take account of population density, geographic extent, and economic, social, and service-delivery realities, while at the same time preserving the unity and cohesion of local communities.”**

This does not, in principle, preclude asymmetric arrangements that grant additional powers to certain regions in response to specific historical, cultural, or geographic circumstances. Such arrangements must, however, be justified and defined constitutionally or by law, must not prejudice equal rights, and must not become a permanent privilege for one community at the expense of other residents of the region. This arrangement is known as “asymmetric decentralisation”. Asymmetry may be temporary because of disparities in capacity, or permanent in response to the particular circumstances of a given region.<sup>37</sup>

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<sup>37</sup> Houlihan and Hickey, cited above. See also: Organisation for Economic Co-operation and Development, “Decentralisation”, section on asymmetric decentralisation.

## 8.2. Local Police and Guarantees of Non-Recurrence

The distribution of security powers in Syria cannot be considered in isolation from the violence experienced in regions such as the Coastal Region and Suwayda, and the resulting profound collapse of residents' trust in security and military institutions. Those events demonstrated that the centre's monopoly over security decision-making does not in itself protect residents, just as leaving security to armed groups does not guarantee respect for rights or accountability.

One engineer interviewed by Syrians for Truth and Justice considered that certain matters, **"particularly local security and essential services, should be more closely connected to local communities and the people of the regions themselves, within a national framework that preserves the unity of the State."**

On this basis, routine civilian policing functions may be assigned to local bodies operating under a unified national law, whose composition reflects the region's residents and is not monopolised by a single religious, political, or military group. Their members must be selected according to published criteria of competence and integrity and following individual vetting that excludes persons involved in violations. They must be trained in human rights, the rules governing the use of force, and the protection of groups at risk.

Local police are subject to the supervision of an elected local civilian authority in administrative matters and routine policing priorities, while remaining subject to the public prosecution, the judiciary, and national standards governing investigation, arrest, and the use of force. Independent complaint mechanisms and local oversight bodies comprising women, civil society representatives, and representatives of the various communities residing in the region should also be established.

Additional transitional arrangements should be adopted in areas that have experienced massacres or widespread identity-based violence. These include prohibiting the deployment of untrained or undisciplined units in civilian settings and not involving any personnel seriously suspected of involvement in violations pending completion of the investigation and vetting of their records. Any deployment of forces from outside the region must also have a defined mandate and duration, operate under clear official command and independent oversight, and exclude the use of irregular armed forces in law-enforcement operations.

These measures are consistent with the recommendations of the Independent International Commission of Inquiry concerning the events in the Coastal Region and Suwayda. The Commission called for an end to the deployment of undisciplined or untrained units in civilian contexts; vetting and exclusion of those against whom there are serious and reasonable grounds to suspect involvement in violations; and the

establishment of a highly trained and disciplined security unit representative of the diversity of communities to de-escalate tensions and protect civilians when local conflicts occur.<sup>38</sup>

One participant from Suwayda linked the decentralisation debate to the “**absence of trust in the central authority**” following the violence experienced in the governorate. This illustrates the need for greater local participation in security governance, but does not mean that decentralisation automatically provides protection. As the banking consultant observed:

“**Decentralisation is neither a sufficient nor a necessary condition for the protection of minorities.**”

Effective protection also requires a Constitution guaranteeing equality and non-discrimination, an independent judiciary, accountability for perpetrators of massacres and violations by all parties, reparations for victims, and guarantees for the safe return of displaced persons.

### 8.3. A Local Executive Authority Accountable to Residents

Local councils must be formed through free and direct elections, and a local executive authority accountable to them must be established. The head of that authority may be directly elected by residents or selected by the elected council, provided that the council has the power to hold the head to account and to withdraw confidence in the head in accordance with clear procedures.

The office of governor must be redesigned on one of two bases: either the governor becomes the elected head of the local executive authority, or remains the central Government’s representative but is wholly separated from leadership of the local executive apparatus. The same official cannot properly be responsible both for implementing local council policies and for representing the central authority that oversees that council.

Electoral legitimacy does not require every technical director to be elected. Heads of service-delivery, financial, and administrative bodies should be appointed according to criteria of competence and integrity and should operate under the supervision of the

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<sup>38</sup> Independent International Commission of Inquiry on the Syrian Arab Republic, *International Human Rights Law and International Humanitarian Law Violations Committed During the July 2025 Violence in Suwayda, Syria*, UN Doc. A/HRC/61/CRP.7, 27 March 2026. See also: *Violations against Civilians in the Coastal and Western-Central Regions of the Syrian Arab Republic (January–March 2025)*, UN Doc. A/HRC/59/CRP.4, 11 August 2025.

elected local authority, so that the professional apparatus does not become an arena for political competition or quota-sharing.

Under this model, the competences of councils and local executive authorities must be established by the Constitution and law, rather than derived from revocable ministerial delegation. Local authorities must be able to challenge central interference before the competent judiciary, particularly the Supreme Constitutional Court where a dispute concerns the allocation of competences between levels of government.

#### **8.4. Clear Allocation of Competences**

Under the model proposed by the report, the Constitution and law should define the responsibilities of each level as exclusively as possible, because ambiguity concerning competences leads to conflicting decisions and the shifting of responsibility for failures.<sup>39</sup> Sovereign matters remain at the national level, including defence, foreign policy, nationality, currency, and general economic policy, as well as the national framework for the judiciary, rights and freedoms, and basic public-service standards. Local authorities, by contrast, are responsible for urban planning, municipal services, local transport, waste and market management, local infrastructure, economic development, and the management of their property and facilities. Education, health, water, housing, the environment, energy, and natural resources require shared competences. The State sets national standards and guarantees an equal minimum level of rights and services, while local authorities undertake aspects of planning, administration, and implementation in accordance with the region's needs. In each field, the law must specify who takes the decision, who implements it, who finances it, and who oversees it. Responsibility for a service must not be transferred to the local level while the budget, personnel, and executive decision-making remain in the hands of a ministry.

#### **8.5. Fiscal Autonomy and Equalisation Between Regions**

Local authorities cannot exercise their powers without stable and predictable resources over which they have authority. Their financing must be based on a combination of interrelated sources, including local revenues established by law, shares

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<sup>39</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, 2019, particularly the guidelines on clarifying responsibilities among levels of government and aligning them with resources and capacities; see also: Erin C. Houlihan and Sharon Pia Hickey, *Constitutional Approaches to Decentralization: Elements, Challenges and Implications*, cited above; and Council of Europe, *European Charter of Local Self-Government*, 1985, cited above.

of certain national revenues or taxes, and transfers from the State budget according to published formulae.<sup>40</sup>

A fiscal equalisation system must be established that takes account of population, poverty levels, the scale of damage, the cost of service delivery, and local revenue-raising capacity. Fiscal decentralisation does not mean that services in each region are limited to what that region can collect, nor that lower-income regions remain dependent on discretionary ministerial decisions.

A lawyer from Homs noted that disparities between governorates must be addressed **“in a sovereign manner through the centre”**, while providing **“a financial stream for councils to administer their regions”**. This reflects the need to combine national solidarity with local fiscal autonomy, rather than choosing between them.

Natural resources must remain public property belonging to all Syrians, with a fair percentage of their revenues allocated to producing regions and regions affected by their extraction. Revenues may be distributed among the national treasury, the producing local unit, a development and equalisation fund, and allocations for addressing environmental and health damage. These percentages and criteria should be prescribed by law, not by negotiated or exceptional decisions.

Local authorities must also be granted regulated authority to manage their investments and assets, subject to uniform rules on competition, transparency, and audit, so that central control is not replaced by local monopolies and corruption.

### 8.6. Local Autonomy Limited by Rights and Accountability

Central Government oversight should be limited to verifying local authorities' compliance with the Constitution and law, not assessing the expediency of their choices. Administrative courts should have competence to annul unlawful local decisions, while the Supreme Constitutional Court should adjudicate disputes concerning the allocation of competences between the central Government and local authorities.

Local authorities must, in turn, be subject to independent financial oversight exercised by a supreme national audit and financial oversight body that is independent of both the Government and local authorities. Its mandate should be to review the legality of expenditure, procedural integrity, and transparency, not to assess the expediency of local priorities. Local authorities must also be required to publish budgets, decisions,

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<sup>40</sup> Organisation for Economic Co-operation and Development, *Making Decentralisation Work: A Handbook for Policy-Makers*, cited above; see also: Council of Europe, *European Charter of Local Self-Government*, 1985, cited above.

contracts, procurement information, and final accounts; adopt conflict-of-interest and financial disclosure rules; and make council meetings and documents accessible to the public.

A local public administration based on competence and non-discrimination must also be developed, while ensuring the participation of women, displaced persons, persons with disabilities, and under-represented communities in elections, councils, and planning mechanisms. In an environment characterised by profound disparities in access to the public sphere, it is insufficient to leave participation to electoral competition alone.

It should also be noted that rebuilding trust requires the restructuring of public administration, at both central and local levels, to be based on competence, individual responsibility, and non-discrimination. The transitional period has seen widespread dismissals and layoffs of public-sector employees. In many documented cases, these measures lacked proper grounds, legally sound procedures, and adequate means of appeal, while significant concerns arose that decisions were influenced by perceived political or sectarian affiliation. Inclusive local institutions cannot be built through exclusionary policies. A distinction must therefore be drawn between holding individuals responsible for corruption or violations, on the basis of individual assessment and fair procedures, and collectively punishing employees merely for having worked in institutions of the former State. Affected employees must be guaranteed the right to know the reasons for decisions and to challenge them before an independent body, and transparent criteria must be adopted for recruitment and retention.<sup>41</sup>

### 8.7. Gradual Transition According to a Binding Timetable

Competences must be transferred gradually in accordance with a binding timetable, with each transfer accompanied by the resources, personnel, and assets necessary for its exercise. Disparities in capacity must not be used as a pretext for delaying decentralisation, but as a basis for providing greater support to weaker units.

Under this vision, the centre's role is transformed, not eliminated: it retains sovereignty, national standards, and responsibility for guaranteeing rights and equalisation, while elected local authorities manage matters closest to residents. The system's success

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<sup>41</sup> Syrians for Truth and Justice, *"The Unwritten Pass": Employment Exclusion and Discrimination in State Institutions During the Transitional Phase*, 8 June 2026. See also: Syrians for Truth and Justice, *Mass Dismissals in Syria After the Regime's Fall*, 13 May 2025. See also: International Covenant on Civil and Political Rights, article 25; International Covenant on Economic, Social and Cultural Rights, article 6; and International Labour Organization, Discrimination (Employment and Occupation) Convention, 1958 (No. 111), articles 1 and 2.

depends on a clear allocation of responsibilities and balanced resources, not on the dominance of one level over the other.

## 9. Recommendations

Transitioning to decentralisation does not require weakening the State, but building a State capable of performing its national functions without monopolising the administration of every local matter. The success of reform must be measured by the extent to which decision-making, resources, and accountability are transferred to residents, while protecting rights, equality, and solidarity among all Syrian regions. Syrians for Truth and Justice and PÊL – Civil Waves accordingly recommends that the competent Syrian authorities take the following measures during the transitional period:

### 9.1. To the Body Tasked with Drafting the Constitution

- Include a dedicated chapter on local government in the permanent Constitution defining the levels of government, the manner in which their authorities are constituted, exclusive and shared competences, and their relationship with the central Government.
- Guarantee the election of local councils and the executive authorities accountable to them, and prohibit the dissolution or suspension of elected councils except on specified grounds and by judicial decision or subject to effective judicial oversight.
- Enshrine the administrative and financial autonomy of local units and protect their competences from withdrawal or amendment by executive decisions, while enabling them to seek judicial relief where the centre interferes with their powers.
- Expressly confer on the Supreme Constitutional Court jurisdiction to adjudicate disputes concerning the allocation of competences between the central Government and local authorities, and to protect the constitutional and legal competences granted to local units against interference or arbitrary withdrawal.
- Enshrine the principle of subsidiarity, under which public functions are exercised at the level closest to the population that is capable of performing them effectively, while the State retains matters requiring national uniformity.
- Guarantee respect for rights and freedoms, equality, and non-discrimination in all regions, and prevent any local authority from diminishing the national minimum level of constitutional protection.

- Consider establishing an institutional mechanism for representing governorates or regions in the formulation of national policies affecting local government, resource distribution, and administrative boundaries.

## 9.2. To the Legislative Authority

- Prepare a new local government law or comprehensively redraft Local Administration Law No. 107, rather than merely amending certain provisions or expanding administrative delegations.
- Separate the role of the central Government's representative from leadership of the local executive authority, so that an appointed governor does not head the body responsible for implementing the elected council's decisions.
- Abolish the requirement of ministerial approval for the formation of executive offices or decisions withdrawing confidence from them, and limit central Government oversight to the compliance of local decisions with the Constitution and law.
- Prohibit the dissolution or suspension of local councils by unilateral executive decision; confine such action to specified legal grounds and a judicial decision; and provide for replacement elections within a specified period where grounds for dissolution are established.
- Amend financial legislation to guarantee local units clearly defined own-source revenues, predictable shares of public revenues, and genuine authority to prepare and implement their budgets.
- Regulate the distribution of natural-resource revenues by law, balancing their character as public property belonging to all Syrians with the right of producing and affected regions to a fair share of revenues, development, and environmental compensation.
- Regulate procedures for bringing challenges in disputes concerning the allocation of competences between the central Government and local authorities, and specify the entities entitled to bring proceedings, the time limits for adjudication, and the effects of the resulting judgment.
- Establish uniform national rules for the local public service that guarantee recruitment, promotion, and dismissal on the basis of competence and individual responsibility, and allow discriminatory or unreasoned administrative decisions to be challenged.
- Review the Elections Law and legislation governing the electoral process to ensure free, direct, periodic local elections by secret ballot and the effective and

equitable participation of all eligible citizens in standing for election and voting, on an equal basis and without discrimination, in accordance with relevant international standards, particularly article 25 of the International Covenant on Civil and Political Rights.

- Provide by law for the establishment of an independent and impartial body to administer and oversee local elections, with legal guarantees of financial and administrative independence and decisions subject to judicial review.
- Include in the law governing local elections clear rules on registration and local electoral representation in the context of displacement, asylum, and return, enabling displaced persons, refugees, and returnees to participate, and preventing double voting or the use of deprivation of housing and property to entrench the consequences of forced displacement or demographic change.
- Regulate local electoral campaign financing and disclosure of funding sources and candidates' interests, and prohibit interference in the electoral process by military and security agencies and armed actors.

### **9.3. To the Ministry of Local Administration and Environment**

- Publish the draft amendment to the Local Administration Law before its adoption, allow sufficient time for public consultation, and publish the comments received and how they were addressed.
- Involve local councils, civil society, trade unions, women, national and religious communities, and experts in law, finance, and public administration in the reform process.
- Prepare a clear mapping of the competences exercised by ministries, governorates, and municipalities, identifying overlaps and gaps before the transfer of powers begins.
- Establish a binding timetable for the transfer of competences, with each competence accompanied by the transfer of the resources, personnel, data, and assets necessary for its exercise.
- Establish dedicated programmes to build the capacity of weaker units, and do not use disparities in capacity between regions as a pretext for perpetuating central control.
- Assess local institutions that emerged during the conflict on the basis of their legitimacy, representativeness, respect for rights, and capacity to deliver

services, and establish a negotiated process for integrating suitable institutions into the national system.

- Establish up-to-date databases on population, services, damage, resources, and economic capacity in each region as a basis for allocating funds and planning reconstruction.

#### **9.4. To the Ministry of Finance and Bodies Responsible for Public Resources**

- Establish a national equalisation fund for regions, with resources distributed according to a published formula that takes account of population, poverty, damage, service-delivery costs, and local revenue-raising capacity.
- Prepare a fiscal framework that guarantees administrative units stable and predictable sources of income and establishes clear rules for distributing revenues and financial transfers, in coordination with the Ministry of Local Administration and the relevant bodies.
- Adopt a system of regular financial transfers from the State budget to administrative units, based on published formulae that take account of population, poverty levels, the scale of damage, and the cost of service delivery, instead of discretionary transfers dependent on the decision of the Minister or the competent central body.
- Publish the amount of revenue collected in each governorate, the transfers allocated to it, and its share of public projects and investments.
- Allocate a percentage of oil, gas, and other resource revenues to producing and affected regions, including for addressing health and environmental impacts and financing local development, with a further percentage directed to the national equalisation fund.

#### **9.5. To the Judicial Authority and Oversight Bodies**

- Ensure that disputes concerning the allocation of competences between the central Government and local authorities, and challenges to central or local decisions, are adjudicated in accordance with the procedures and competences defined by the Constitution and law, in a manner guaranteeing judicial independence and effective judicial protection.
- Guarantee the right of local authorities, where the law grants them legal standing, to challenge central decisions that interfere with their competences, and guarantee the right of individuals to challenge local decisions that violate their rights or exceed the law.

- Subject the accounts, contracts, and procurement of local authorities to independent financial oversight, and publish audit findings and the measures taken in relation to irregularities.
- Apply conflict-of-interest and financial disclosure rules to council members and local executive officials.

#### **9.6. To the Ministries of Interior and Defence**

- Establish transitional security protocols for regions that have experienced mass violence or identity-based targeting, including the Coastal Region and Suwayda, specifying the conditions, mandate, and duration of force deployments, the mechanisms for monitoring such deployments, and the mechanisms for communication with local communities.
- End the deployment of untrained or undisciplined units and personnel in civilian contexts, and conduct independent individual vetting to exclude persons suspected of responsibility for serious violations, regardless of their affiliation.
- Establish a national security unit that is highly trained and disciplined, representative of Syria's diversity, and civilian in its policing character, with responsibility for de-escalation and the protection of civilians in situations of local conflict.
- Ensure the participation of local communities, women, and victims in designing local protection and security plans through civilian oversight councils that possess no executive or military powers.
- Ensure that the police and local administration bodies represent the different groups residing in the region, with recruitment based on competence and individual vetting.

#### **9.7. To Local Authorities and Councils**

- Hold council meetings in public unless there are specified legal grounds for confidentiality, and publish agendas, meeting minutes, and voting results.
- Adopt participatory planning and budgeting, involve residents of cities, rural areas, and remote regions in setting service-delivery and reconstruction priorities, and publish budgets and decisions in clear and accessible formats.
- Establish regular mechanisms for consultation with civil society, trade unions, and local initiatives, while ensuring that these bodies do not replace elected institutions or become a means of monopolising decision-making.

- Ensure women's effective participation in councils, committees, and planning processes, and do not confine their participation to social or advisory matters.
- Draw on the expertise of Syrians abroad in planning, investment, and knowledge transfer through transparent procedures that prevent favouritism or the granting of unfair privileges.
- Apply uniform and generally applicable service-delivery standards and do not exclude neighbourhoods or towns because of their political, national, or religious identity or their presumed relationship with parties to the conflict.
- If local police are established, subject them to civilian and judicial oversight, publish their operating rules, receive complaints against their members, and ensure their compliance with the law and national standards.

#### **9.8. To Civil Society Organisations and International Actors Providing Support**

- Support public debate focusing on the substance of the allocation of powers and resources and on accountability, rather than reducing the discussion to abstract support for or opposition to federalism or decentralisation.
- Help local communities understand budgets, competences, and oversight mechanisms, and support the participation of women and under-represented groups in decision-making.
- Monitor transparency, non-discrimination, and community participation in reconstruction and local development projects.
- Direct international support for local governance programmes towards building elected, transparent, and accountable institutions, while ensuring that such support does not entrench exclusion or the consequences of conflict and displacement.
- Provide impartial technical support to the Syrian authorities and civil society in drafting the legal framework for local government, fiscal decentralisation, the management of electoral registers in the context of displacement and return, and oversight and audit mechanisms, without imposing a ready-made model or bypassing national and local consultations.

## About STJ



Syrians for Truth and Justice (STJ) started as an idea in a co-founder's mind while attending the U.S. Middle-East Partnership Initiative's (MEPI) Leaders for Democracy Fellowship program (LDF) in 2015. The idea became a reality and flourished into an independent, non-profit, impartial, non-governmental human rights organization.

STJ's beginnings were more than humble; initially, it only reported stories of Syrians who experienced arbitrary arrest, enforced disappearance, or torture. Planted in fertile soil, the seed of this project grew into an established human rights organization licensed in the Middle East and the European Union. STJ today undertakes to detect and uncover violations of all types committed in all Syrian parts by the various parties to the conflict.

Convinced that Syria's diversity is a wealth, our researchers and volunteers serve with unfailing dedication to monitor, expose, and document human rights violations that continue unabated in Syria since 2011, regardless of the affiliation of the victims or perpetrators.

## About PEL



PEL – Civil Waves is an extension of a civil movement that began in September 2011, when the Assembly of Syrian Kurdish Youth Abroad (ASKYA) was established at a youth conference held in the Swedish Parliament building in Stockholm.

The name of the organization was changed to PÊL-Civil Waves at its second conference, which was held in June 2013 in Berlin State Parliament building – Germany.

PEL-Civil Waves Organization established several projects that it developed and then launched to become independent, stand-alone projects, such as Ara News Agency <http://aranews.org> and Hevi Relief Association in Sere Kaniye / Ras al-Ain city, which now operates as an independent association itself after it was established in 2013 to provide humanitarian aid to the residents of the region following the war battles that took place there.