

# SYRIA AT A CROSSROADS: ENHANCING INCLUSIVENESS IN A HIGHLY CENTRALIZED POLITICAL TRANSITION

Policy Brief, April 2026

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As Syria navigates its transition, the upcoming constitutional process must move beyond broad, generic promises of equality and the rule of law. A new constitution must establish concrete checks and balances, a strong framework for the protection of rights, and inclusive governance structures that prevent any single faction from dominating the state apparatus and that are as representative of as many groups as possible.

This brief will proceed as follows. First, it sets out the current context in Syria, highlighting the political, demographic and institutional developments shaping the transition and constitutional process. Next, it examines the procedural arrangements for constitutional reform, outlining possible scenarios and considering the roles of civil society, political actors and external influences. Subsequent sections analyse the implications of recent security and governance changes, review the evolving legal framework and presidential prerogatives, and assess future risks and opportunities for inclusive state building.

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## 1. CONTEXT

Hay'at Tahrir al-Sham (HTS), an armed group, took control of Damascus in December 2024. HTS has since formally dissolved itself, but individuals associated with its former political and military leadership dominate key positions in state, including the presidency, and also appear to retain significant influence across other key state institutions. State institutions, under instructions from the presidency, have since organized a national dialogue and have adopted an interim constitution, both of which were criticized for being insufficiently sensitive to the country's diversity.

The next challenge will be to ensure that the future constitution is as representative as possible of the country's diversity. A sizeable portion of the population is secular, or left-leaning, and holds views that diverge significantly from others who are part of the same ethno-sectarian group ([Abdulhamid 2025](#)). Syria's demographic landscape is also defined by a mosaic of political, religious and ethnic identities ([Humanitarian Aid Relief Trust 2020](#)), which are more complex than many observers appreciate.

In March 2025 the Syrian Democratic Forces (SDF) entered into a United States-brokered agreement with the new regime in Damascus to reintegrate into a unified Syrian national army and police force ([Taha and AlaaEldin 2025](#)). The agreement did not include any detail on how this would be achieved, but its general intent was clear.<sup>1</sup> The SDF stated that it did not necessarily oppose integration into the national army, although it hoped to negotiate specific terms that would allow its units to remain intact within the broader security forces, an approach that was opposed by Damascus. In the months that followed, a number of follow-up meetings took place, but little progress was made. Throughout that period, senior US officials and senior Syrian officials repeatedly stated that the SDF had no choice but to demobilize and integrate its forces. US officials also stated that the USA would not support a federal or decentralized Syria, based on the view that previous attempts to deconcentrate authority in the region had all failed ([Türkiye Today 2025](#)). Nevertheless, the SDF did not make any progress in discussions with Damascus, possibly reflecting a belief that, despite official statements to the contrary, the USA might want an arrangement similar to that of the Kurdistan region of Iraq.

In December 2025, following a series of small clashes between SDF and government forces, the latter launched what appeared to be a full-scale offensive on territories that were under SDF control ([Al Jazeera 2025](#)). Damascus successfully persuaded Arab tribal forces that had previously aligned with the SDF to switch sides ([Genç 2026](#)). The SDF was quickly overwhelmed and withdrew from large swathes of territory, retaining control over only a small number of population centres ([Genç 2026](#)). Government forces have since moved into these areas and are in the process of regaining administrative and security control ([Al Jazeera 2026](#)). In January 2026 the interim president adopted a decree that formally recognized Kurdish Syrians as part of the Syrian nation, granted citizenship to previously stateless Kurds, recognized Kurdish as a national language and established Nowruz as a national holiday ([Levant 24 2026](#)).

Government and state institutions remain very weak; however, in the absence of a significant challenge to its authority, the state is likely to gradually rebuild its capacity to exercise control over these territories. If this process is successful, it would mean that only limited parts of the country—mainly Suwayda remain outside full government control ([Al-Khalidi 2025](#)). The situation in Suwayda may be more complex, given Israeli support for

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<sup>1</sup> It should also be noted that, three days after the agreement was signed, the March 2025 Interim Constitution, known as the 'Constitutional Declaration', was published, angering the SDF and many of its supporters for its failure to properly recognize Kurdish cultural rights.

some local groups and Israel's continued occupation of the Golan Heights (Frantzman 2025). Previous experience suggests that Damascus may seek to regain control of those remaining territories within a relatively short time frame, although outcomes remain uncertain.

These developments are likely to have an impact on the constitutional process. When the transition began in December 2024, the national territory was highly fragmented. Many actors and analysts considered that the only way to reintegrate the country into a unified state would be to negotiate a federal structure (Balanche 2025). However, it was also clear that both Damascus and many Syrians were opposed to the term 'federal', given its historical associations in countries such as Iraq and South Sudan. Nevertheless, it seemed possible that major political actors might negotiate power-sharing arrangements on security policy and the distribution of revenue from natural resources (Bou Nassif 2025). One year later, it appears that there will be no such negotiations. It is possible that both Damascus and the SDF contributed to the failure to reach agreement, although the relative weight of responsibility remains subject to differing interpretations. Regardless, the current situation on the ground appears to have reduced incentives for Damascus to pursue a negotiated power-sharing or inclusive arrangement with the SDF. An agreement with the SDF would also likely weaken the position of factions in Suwayda.<sup>2</sup>

In that context, there is a risk that the emerging system may further consolidate a highly centralized presidential model with limited checks and balances. Hyper-presidentialism differs from a traditional presidential system, where the president is directly elected and exercises significant control over the executive branch but does not necessarily control the other branches of government. Since 1970 successive Syrian constitutions (including the 2012 Constitution) have established unconstrained hyper-presidential systems in which the president controls the executive, acts as the head of the judiciary, can dissolve parliament, exercises broad legislative authority and can expand presidential powers even further by declaring a state of emergency, which is not subject to constraints. The March 2025 Interim Constitution adopted by the new authorities in Damascus also follows this pattern (Al-Ali 2025). In some respects, it goes further than previous constitutions by granting certain prerogatives to the president. Since the text was adopted, the interim president has been governing primarily through presidential decrees, which is to be expected given that the interim parliament has not yet been fully formed.

Given recent developments and the constitutional background, there is a concern that the future permanent constitution may follow a similar pattern. There is good reason to believe that the current authorities in Damascus are planning to appoint a constitutional committee that will be solely responsible for drafting the constitution and that the future constitution will adopt the same hyper-presidential model, subject only to a few relatively minor adjustments.

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<sup>2</sup> It should be noted that incentives may evolve as economic reconstruction needs, international engagement and considerations of internal legitimacy develop.

**These scenarios reflect how executive power may be exercised and the degree to which civil society and external actors may be able to influence the constitutional process.**

## 2. PROCEDURAL ARRANGEMENTS

### 2.1. Scenarios

Given the current trajectory of the transition and the high likelihood that the transitional president will appoint a constitutional committee aligned with his preferences, it is useful to frame possible procedural arrangements in terms of distinct scenarios. These scenarios reflect how executive power may be exercised and the degree to which civil society (including, but not limited to, political groups) and external actors may be able to influence the constitutional process.

#### *Scenario 1: The president exercises absolute control and civil society remains fragmented*

In this scenario, the executive consolidates control over the constitutional process, appointing a committee that reflects its political preferences, patronage networks and personal influence and manages the entire process without meaningful external checks. Civil society, operating under significant constraints, may face challenges in coordinating across actors and articulating shared demands for inclusivity. The central government may invoke security concerns to justify excluding civil society and broad segments of the population from the process.

If a public consultation process is organized at all, it is likely to resemble past regional experiences in which constitutional committees held limited, highly structured sessions with civil society organizations (CSOs)—sessions that had no binding effect on the committee's decisions and rarely resulted in the adoption of recommendations. Online consultations, if offered, would largely serve primarily as a symbolic gesture, since the committee—controlled by the executive—would remain under no obligation to consider or incorporate public feedback.

The result would be a constitutional process that legitimizes an increasingly unconstrained hyper-presidential system, with little opportunity for societal influence or meaningful participation.

#### *Scenario 2: The president maintains control but allows limited civil society involvement*

Under this scenario, the president continues to dominate the process but identifies political value in allowing a controlled degree of CSO participation. The committee may organize a modest number of outreach sessions, drawing on regional precedents in which executives appointed expert committees that included some representation of women and minorities yet remained ideologically uniform and conservative in orientation.

In this context, civil society participation is tolerated but not empowered. CSOs may be invited to present proposals, but the committee is under no obligation to respond, justify rejections or revise its draft in light of their input—mirroring patterns observed in previous constitutional reform processes in the Arab region (Al-Ali 2021).

Nonetheless, even limited openings can create tactical opportunities. CSOs with some organizational capacity may use these windows to raise public awareness, coordinate messaging and document shortcomings in the process. While the executive retains ultimate control, constrained participation may help preserve a minimal civic space that could matter in subsequent phases of the political transition.

### *Scenario 3: International pressure opens space for civil society participation*

In this scenario, external actors engage through diplomatic dialogue, conditional support and public messaging to encourage meaningful civil society inclusion. While such pressure may not transform the nature of the system, it can create incentives for the authorities to adopt certain procedural guarantees.

If civil society actors engage in advance—by building a network, agreeing on core principles and preparing a consolidated platform of recommendations—they may enter the process better organized and positioned to influence the agenda. With international backing, CSOs and individual actors may be able to secure procedural commitments such as (a) minimum standards of consultation; (b) requirements for the committee to publicly justify the acceptance or rejection of proposals or (c) mechanisms for structured dialogue between the committee and an organized CSO network.

While the executive will likely resist substantive power-sharing arrangements, international scrutiny combined with domestic preparedness can help ensure that the process incorporates at least basic elements of transparency, public engagement and inclusivity.

## **2.2. What can be done?**

The first question that arises from this background is whether there are any practical steps that can be taken before and during the drafting of the constitution to mitigate current trends. One possibility would be for civil society to create a united front and demand that genuine consultation take place during the constitutional process. This approach could be pursued through a number of means, including both formal and informal consultations.

This recommendation is based on comparative experience. Other countries in the region (most notably Algeria, Egypt, Iraq, Jordan and Morocco) established appointed committees specifically for the purpose of drafting a new constitution or amending an existing constitution (Al-Ali 2021). In each case, these committees were directly appointed by the chief executive (the president in some cases and the crown in others) and were composed of a combination of experts, academics and former senior officials (e.g. former prime ministers). These committees were diverse in certain respects, given that they all included members from minorities and displayed some gender balance. At the same time, however, members' views tended to be relatively uniform, and their approach was fairly conservative, favouring incremental reform. In all cases, the committees stated that they would conduct public outreach or consultation processes. In practice, this generally involved the following:

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1. The constitutional committee organized a small number of public sessions in which CSOs and a limited number of other participants would meet with the committee, or part of it, to engage in a relatively structured debate about proposed constitutional changes. In many comparable processes, CSOs have had limited preparation time and procedural support, which has reduced their ability to influence outcomes substantively. Moreover, because these public sessions were typically unstructured, the committees were under no obligation to consider, adopt or respond to proposals. The committees were also not required justify their decisions or to explain why any recommendations were rejected. As a result, there are relatively few documented cases in which recommendations from such consultation processes have been meaningfully incorporated.
2. Constitutional committees invariably created an online mechanism that allowed the general public to submit comments on the draft constitution. These mechanisms were typically introduced before an initial draft was prepared, allowing for the public to offer their initial thoughts on the draft constitution, or after a draft had been circulated, allowing for comments on specific provisions. On occasion, online consultations allowed users to vote on individual provisions. However, there is no guarantee that such feedback will be taken into consideration or lead to meaningful changes. These processes are typically controlled by the committee and, by extension, the chief executive, meaning that only those recommendations that align with the chief executive's preferences are likely to be adopted.

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If Syria's current trajectory is maintained, it appears likely that the interim president will appoint a committee broadly aligned with his preferences. If the interim president does appoint a committee, it is uncertain whether a public consultation process will be organized. However, comparative experience suggests that, absent additional safeguards, such consultations may have limited impact.

As a result, civil society should take the initiative to mitigate these risks before the constitutional committee is formed. This could be particularly important in the likely scenario that the committee is composed of a small number of members with a limited secretariat and no meaningful drafting and research support, and is therefore unable to carry out a substantive consultation process. Such engagement could take the following forms:

1. A core group of CSOs could agree on a draft joint platform relating to the constitutional process. This group would have to be broadly representative of civil society; otherwise, it would run the risk of being perceived as representing narrow interests. Its composition could be determined through a consultation process in which different options are explored and tested until a consensus is reached. The platform could include an agreement on fundamental principles (including, for example, the need for inclusivity and meaningful participation) as well as a preliminary agreement on the type of process that could lead to genuine inclusivity. For example, it could call for a requirement that the constitutional committee

must respond to proposals that are jointly submitted by a sufficient number of organizations and provide written and public explanations for accepting or rejecting specific proposals. Such initiatives are already emerging, including, for example, the so-called Day After Dialogue.

2. After the joint platform is established, the core group could organize dialogue sessions with a wider group of CSOs. The purpose would be to expand the network and to refine the proposals that were prepared during the initial stage.
3. Once the network has reached a critical mass, it could publish the content of its joint platform in a variety of formats. This platform could include a number of principles that the constitutional committee would be expected to comply with in order to consult with the network of CSOs. It could also offer practical guidance on the types of resources the committee would require in order to interact with civil society in line with what the joint platform is proposing.
4. After the committee is formed, a delegation representing the platform should aim to meet with the committee as soon as possible to discuss its recommendations. This engagement should be constructive in order to avoid any unnecessary antagonism, especially at an early stage.

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### 3. SUBSTANTIVE ARRANGEMENTS

In addition to the above, a number of substantive arrangements could be included in any future constitution that could lead to a more inclusive political system. As noted above, given the current context, it would not be realistic to expect the establishment of a power-sharing mechanism through a parliamentary system, or the adoption of anything resembling a federal system. The future system of government will almost certainly be presidential. The question will merely be whether the new constitution will create space for political inclusivity. The paragraphs below explore several possible approaches, which are largely based on comparative experience, although some proposals extend beyond what has been attempted in practice in other jurisdictions.

1. *Parliamentary opposition rights.* Many constitutions include provisions that guarantee specific rights for the political opposition. In Morocco, for example, the parliamentary opposition has the constitutional right to set the parliament's agenda for one day each month (article 10) ([Kingdom of Morocco 2011](#)). In Tunisia, under the 2014 Constitution (suspended in 2021), the parliamentary opposition has the constitutional right to select the head of the finance committee and the rapporteur of the foreign affairs committee (article 60) ([Republic of Tunisia 2014](#)). In Syria, it is unclear what form such arrangements could take, given that a law on political parties has not yet been adopted, which could mean that there may not be a formal opposition at all (similar, for example, to the system that is currently in place in Oman). Syria also faces the added challenge that

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political parties have been largely discredited, and that the party-based political culture today is extremely weak. Nonetheless, constitutional arrangements that favour the opposition could incentivize political groups to remain in the opposition, which could contribute to greater political diversity.

2. *Public access to parliament.* A number of arrangements could be included in the constitution to ensure that parliamentary deliberations are as open as possible, thereby allowing a greater number of voices to be involved in parliamentary deliberations. For example, South Africa's Constitution provides that the parliament must facilitate public involvement in legislative processes, which has been interpreted to include participation in committee meetings unless there is a compelling reason for closure ([Republic of South Africa 2013](#)). Similar provisions exist in Kenya and in many state constitutions in the USA.<sup>3</sup>
3. *Public input in regulatory rule making.* Another option would be to provide that regulatory frameworks cannot be adopted unless the public is first given a meaningful opportunity to comment. This approach could be framed either as a constitutional right to participation or as a constitutional requirement that the executive follow participatory rule-making procedures. This principle is already a quasi-constitutional rule in the USA, where legislation provides that agencies must publish proposed regulations, that the public must be given an opportunity to submit comments and that agencies must be given an opportunity to consider comments before adopting final rules. Similar rules also exist in Latin American countries, including Brazil and Colombia.<sup>4</sup>
4. *Public involvement in judicial oversight.* Another possibility would be to require public oversight of the judiciary. In many Arab countries, including Syria, judicial oversight is carried out entirely internally. This system has always been highly dysfunctional, contributing to perceptions of impunity in the courts. In contrast, other systems around the world have opened up judicial oversight, allowing the public to participate in investigations and hearings where a judge is accused of malpractice or a conflict of interest. Such arrangements can enhance transparency and create opportunities for public participation in governance. Variants of this approach exist in several jurisdictions, including in France and Germany, among other countries, as well as a number of US states ([Cacciatore 2025](#)).
5. *Transparency in independent agencies.* In Syria and throughout the Arab region, independent agencies are often subordinate to the executive, which typically controls appointments, dismissals and budgets and can also decide whether reports are published. As a result, these independent institutions are hollowed out from within, and much of their work is wasted. Syria's constitutional reform process creates an opportunity to

<sup>3</sup> <[https://www.kenyalaw.org/kl/fileadmin/pdfdownloads/bills/2019/PublicParticipation\\_No.\\_2\\_Bill\\_2019.PDF](https://www.kenyalaw.org/kl/fileadmin/pdfdownloads/bills/2019/PublicParticipation_No._2_Bill_2019.PDF)>, accessed 16 April 2026.

<sup>4</sup> <<https://regulatoryreform.com/wp-content/uploads/2015/08/Brazil-The-Brazilian-Guide-on-Good-Regulatory-Practices-2007.pdf>>, accessed 16 April 2026.

address these shortcomings. Potential measures could include assigning authority for the appointment and dismissal of independent institutions to parliament rather than the executive and requiring that all reports produced by such bodies be made public (Bulmer 2019).

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#### 4. WHAT CAN THE INTERNATIONAL COMMUNITY DO?

The international community can support the effort to make Syria's future constitution more inclusive, even if a presidential system is ultimately adopted. This support could take the following forms:

1. Actors within the international community could engage in knowledge-building initiatives on the risks and opportunities associated with the constitutional process. Such initiatives could include the publication of a paper on comparative experience from other presidential systems, including lessons on how to mitigate risks such as mismanagement, corruption, poverty of ideas and institutional decline.
2. In this context, the international community would likely have more scope to influence the process through which the constitution is adopted rather than its substantive content, including engagement on the manner in which the committee is composed and the design of outreach mechanisms.
3. The international community could potentially also carry out a knowledge-building exercise to raise awareness of the implications of specific constitutional choices. Such an exercise would likely have a positive impact on the content of the constitution. This exercise would be more impactful if it focused on the legal and expert community, as well as civil society more generally. Even if such actors are not directly appointed to the constitutional committee, they may still influence the constitutional process in various ways, including through dialogue with their peers and through publications.
4. The international community could potentially also focus its support on the development of key legislation linked to key constitutional provisions. It is likely to be able to influence key legislation more easily than the constitutional process. As a matter of strategy, one approach could involve encouraging constitutional drafters to avoid provisions that preclude future reform, and to focus on the implementing legislation that would need to be adopted after the constitution.

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## ABBREVIATIONS

<b>CSO</b>	Civil society organization
<b>HTS</b>	Hay'at Tahrir al-Sham
<b>SDF</b>	Syrian Democratic Forces

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