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Dialogue Platform For a New Syrian Reality



Mechanisms for Forming the People's Assembly in Syria

Their Impact on Governance Transparency and Accountability

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Introduction

At the core of every political system stands parliament, the true representative of the people's voice and the oversight body that balances powers, ensuring governance transparency and accountability of officials. In Syria, the formation of the People's Assembly intertwines appointment and election mechanisms, raising fundamental questions about the council's ability to effectively fulfill its legislative and oversight roles. Does this mechanism enable the Assembly to enhance transparency and hold power accountable, or do restrictions on elections and powers reduce its role to a nominal body, hindering genuine representation? This study examines these questions in depth, exploring legislative and oversight processes within the Assembly, analyzing how its formation mechanisms affect the foundations of good governance, and proposing a clear vision for strengthening democracy and accountability in Syria's complex political context.

Research Problem

How does the mechanism for forming Syria's People's Assembly—appointment versus election—affect governance transparency and accountability within the Syrian political system? More precisely, to what extent does reliance on appointments or elections in forming the Assembly improve or undermine transparency and accountability in parliamentary and political practice?

Main Research Points

1. Analysis of how the formation mechanisms of the People's Assembly, as defined by the Constitutional Declaration and subsequent decrees, impact governance transparency in Syria's political system.
2. Role of the Assembly in governance and accountability: What is its actual function in oversight and legislation, and how do formation mechanisms affect these roles?
3. Assessment of the Assembly's capacity to exercise oversight and accountability in light of its current formation process.
4. Evaluation of the relationship between the Assembly's legitimacy, as shaped by its formation, and the effectiveness of parliamentary transparency and accountability practices.

5.Recommendations: Based on findings, propose alternative mechanisms for forming the Assembly to enable it to better promote transparency and accountability in the future.

1.Analyzing the Impact of Formation Mechanisms on Governance Transparency

The Syrian Constitutional Declaration of March 2025 stipulates that the People’s Assembly is formed through a complex combination of two mechanisms: indirect elections by sub-electoral bodies established by a supreme committee, and the direct appointment of one-third of the Assembly’s members by presidential decree. This hybrid system is intended to combine popular representation with guaranteed parliamentary competence and balance, as outlined in the Constitutional Declaration and Presidential Decree No. 66 of 2025.

■ The Impact of Appointment and Election on Governance Transparency

The dual mechanism—presidential appointments and indirect elections—reflects a high degree of executive control over the legislature. These processes restrict the independence of the Assembly and limit its ability to conduct effective oversight or ensure transparent decision-making. The overlapping role of the Supreme Electoral Committee in both administering and shaping the Assembly further undermines good governance and accountability, confining parliamentary independence and weakening legislative transparency.

Because the system allows the president to directly appoint one-third of the members, popular elections are diminished, reinforcing executive dominance over legislative bodies. This undermines the Assembly’s independence, reduces oversight of governance, and limits transparency in policymaking.

Thus, the current system provides only a formal framework for legislation, attempting relative representation through indirect elections, but falling short of democratic transparency standards. The absence of direct general elections restricts public oversight of the Assembly, contributing to perceptions of illegitimacy and weakening governance quality.

Moreover, the structure of electoral bodies, appeals committees, and Assembly membership through appointed officials confines transparency within a closed system, creating conflicts of interest that compromise the legislature's integrity and effectiveness.

Appointments, therefore, play a central role in limiting transparency and accountability in Syria's political system. Direct presidential appointments ensure a more homogeneous Assembly aligned with the executive, further weakening parliamentary independence and its ability to scrutinize government actions or uncover corruption.

Additionally, the system lacks independent judicial oversight to guarantee electoral integrity, raising the risk of executive manipulation. This hybrid model reduces citizen participation in directly choosing representatives, entrenches executive dominance, and weakens the credibility and effectiveness of parliamentary oversight.

The new mechanism—combining appointments with indirect elections—thus presents a fundamental challenge to achieving genuine transparency in Syrian governance. It undermines the Assembly's independence, reduces societal oversight of power, and creates accountability gaps that distort the democratic function of the legislature.

Likely consequences of the hybrid system for governance transparency:

- Weakening the link between citizens and their representatives, limiting popular transparency and accountability.
- Strengthening executive control over legislation through presidential appointments.
- Creating gaps in legislative transparency due to the absence of direct public participation and robust independent monitoring mechanisms.

Ultimately, the reliance on appointments undermines the principle of direct political accountability of representatives to the electorate. This weakens the bond between citizens and their representatives, reducing the ability to hold them accountable and diminishing society's oversight over government performance.

To restore a healthier balance between executive and legislative powers and reduce presidential dominance, reforms must prevent the Assembly from becoming a symbolic institution under exclusive executive control. Developing more transparent electoral mechanisms with broader popular participation, clear safeguards for member independence, and stronger accountability frameworks is essential to ensuring that representatives remain answerable to the public.

■ **Justifications for the Indirect Electoral System and the Impact of the Regulatory Context**

The Supreme Electoral Commission, chaired by Mohammed Taha al-Ahmad, justified the adoption of an indirect voting system through electoral bodies elected by subcommittees due to exceptional circumstances in the country. These include mass displacement, the loss of identity documents, the destruction of civil records, and security conditions that make it difficult to hold direct popular elections. The mechanism, according to the Commission, is intended to balance between ensuring the participation of groups that meet the legal requirements and the need to establish a legitimate body during Syria's transitional phase.

■ **Electoral Bodies, Their Conditions, and Impact on Community Participation**

Eligibility to join an electoral body requires residency in Syria prior to 2011, exclusion of anyone who has run for the presidency or for the People's Assembly after that date unless they can prove defection from the former regime, and the disqualification of former regime supporters or members of terrorist organizations. These conditions significantly restrict community participation, excluding large segments of society and limiting diversity of representation. As a result, decision-making becomes centralized in the hands of a few actors overseeing the formation of these bodies.

Dr. Lian Fahd, an expert on governance issues, stresses that the mechanisms for forming the Syrian People's Assembly under the Constitutional Declaration and Presidential Decree of 2025 represent a hybrid model—an incomplete attempt to reconcile the requirements of constitutional legitimacy with the realities of a transitional political system and the security and organizational challenges facing Syria.

This system combines the direct appointment of one-third of the Assembly's members by the president with the indirect election of the remaining two-thirds through sub-electoral bodies established by a higher committee. While intended to ensure "fair" and "competent" representation, in practice it results in a sharp decline in governance transparency and the effectiveness of parliamentary oversight.

From a legal perspective, Dr. Fahd notes that this mechanism lacks effective guarantees of parliamentary independence as a legislative authority. This constitutes a partial violation of the principle of separation of powers—a cornerstone of democratic governance. By allowing the head of the executive branch to appoint one-third of the members, the Assembly risks becoming a body that serves the interests of the government rather than reflecting the will of the people. This reduces its capacity to hold the executive accountable and to expose corruption or misconduct.

Moreover, the system of indirect elections through sub-electoral bodies limits genuine public participation and narrows the scope of political representation. Since the executive branch controls the formation of these bodies, it creates a deep conflict of interest between the legislative and executive powers, undermining transparency in the process of selecting representatives. In addition, the absence of independent judicial oversight over the electoral process and appeals committees opens the door for executive interference at every stage of forming the Assembly, further compromising the integrity and transparency of the indirect electoral process.

At the level of governance, Dr. Fahd argues that this system reflects a shift from a centralized authoritarian model to a superficial display of institutional renewal without any substantive change in power structures or mechanisms of accountability. This creates a visible gap between representatives and the people, reinforcing public detachment and indifference toward legislative institutions. Such detachment carries serious implications for the stability of the political system and citizens' trust.

Dr. Fahd concludes that reform requires adopting a transparent system of direct elections that ensures broader popular participation, the establishment of independent judicial oversight bodies, and the introduction of clear rules to strengthen accountability and prevent the overlap of powers.

Only then can a parliament emerge that genuinely represents the Syrian people and effectively fulfills its legislative and oversight functions in accordance with the rule of law.

In conclusion, the central legal challenge lies in how to manage the transitional phase in a manner that balances security and organizational necessities with the preservation of a minimum level of democratic legitimacy—ensuring inclusive representation and effective parliamentary performance. This calls for a comprehensive strategic vision for reforming Syrian state institutions.

2.The Role of the People’s Assembly in Governance and Accountability

What is the actual role of the Assembly in oversight and legislation under the Syrian system? And does the mechanism of its formation affect these functions? The People’s Assembly theoretically plays a central role in oversight and legislation. However, in reality, its performance is heavily influenced by the mechanisms of appointment and indirect election, which limit its ability to exercise governance and accountability within the Syrian political system.

■ Legislative Oversight and Parliamentary Responsibility

In principle, the Assembly is meant to oversee the executive by questioning ministers, granting or withdrawing confidence from the government, and monitoring the implementation of public policies. Yet the current legal and constitutional framework clearly restricts these functions. In recent foundations, the Assembly has neither the right to hold the government or ministers accountable nor the authority to grant confidence to the cabinet. The Constitutional Declaration grants the president the sole power to appoint and dismiss ministers and retains the right to annul or reject legislation issued by the Assembly. This effectively diminishes the Assembly’s oversight authority, leaving it incomplete and largely ineffective.

■ The Legislative Role of the Assembly and the Impact of Its Formation

In democratic systems worldwide, a national parliament is a dynamic body that debates, amends, and refines laws while considering proposals from society and experts. In Syria, however, for decades the Assembly has functioned largely as a symbolic institution, with most laws passing through it without amendment or substantive discussion, allocated only minimal time under the dominance of the executive branch. The current electoral system reinforces this pattern: one-third of the members are appointed by the president, while the rest are chosen through indirect elections. This arrangement effectively prevents genuine popular participation and entrenches presidential influence, even in the legislative process.

■ The Impact of the Hybrid Formation on Oversight and Legislation

The current hybrid formation weakens the Assembly vis-à-vis the executive authority, reducing it to an advisory body rather than an independent legislative and oversight institution. The president maintains significant influence, including over the selection of the Supreme Electoral Commission, which shapes the Assembly's final composition. The absence of broad popular elections undermines the Assembly's democratic legitimacy, making its ability to hold the executive accountable more dependent on presidential will than on a popular mandate.

■ Representation, Participation, and Governance Transparency

Historically, Syrian parliaments have suffered from inadequate societal representation. Current transitional arrangements perpetuate this trend: the absence of direct elections and the reliance on top-down, non-participatory standards in forming the Assembly negatively affect transparency, accountability, and the quality of legislation and oversight. The continuation of such mechanisms risks reproducing authoritarian patterns and limiting the effectiveness of parliamentary scrutiny. This impact can be summarized as follows:

First: Expansion of Executive Power and Conflicts of Interest

The appointment of one-third of members and presidential supervision over the Supreme Electoral Commission ensure a parliamentary bloc directly loyal to the executive. This weakens the Assembly's independence and reduces its capacity to hold the government accountable or substantively amend legislation. Furthermore, the system allows members of electoral committees to be appointed to the Assembly itself, creating conflicts of interest that undermine legislative integrity and transparency.

Second: Absence of Independent Judicial Oversight

The regulatory framework reveals a lack of genuine judicial oversight of electoral and legislative processes. The Constitutional Court—previously tasked with reviewing electoral appeals—has been effectively dissolved, with final authority transferred to legal committees appointed by the Supreme Electoral Commission. This lowers international standards of justice, weakens mechanisms of legal accountability, and exposes Assembly decisions to political and administrative interference from higher authorities.

Third: The Nature and Functions of the Assembly under the Hybrid Formation

According to the Constitutional Declaration, the Assembly is tasked with proposing, approving, and amending laws, approving the state budget, ratifying treaties, and holding hearings with government officials. Members may pass decisions by majority vote. Yet under the current formation, presidential influence—direct or indirect—over membership reduces the Assembly to a consultative and preparatory body, rather than a fully independent legislative authority representing society's will.

While the hybrid structure may have been a transitional necessity, the absence of genuine popular accountability and a direct electoral system undermines the Assembly's effectiveness. Most members owe their positions either to the president or to the Supreme Commission he appointed, reinforcing executive loyalty over legislative independence. This dynamic limits the Assembly's ability to reform laws or exercise meaningful parliamentary oversight of government institutions.

Experts widely agree that the hybrid model should not persist beyond the transitional stage. Instead, Syria must shift toward direct elections, with conditions that guarantee parliamentary independence, stronger oversight functions, and a clear legal and regulatory framework for the separation of powers, reflecting society's aspirations for democratic governance.

Legal researcher and attorney Hamza al-Nahhas affirms that the hybrid mechanism for forming Syria's People's Assembly—combining presidential appointments with indirect elections through local electoral bodies—reflects a transitional arrangement shaped by unique social and political circumstances. Despite the constitutional legitimacy granting the Assembly legislative and oversight powers, the reality points to growing executive dominance over the parliament through appointments and control of electoral processes. This has transformed the Assembly into a democratically distorted institution with limited capacity for effective oversight or legislation.

According to al-Nahhas, this structure restricts genuine government accountability before the representatives of the people and undermines transparency. The system of indirect elections, he adds, further limits genuine public participation, widening the gap between the Assembly and society and eroding citizens' trust in its ability to represent their aspirations. While such a system may be tolerated temporarily in exceptional circumstances, it remains an obstacle to building independent democratic institutions capable of exercising effective political oversight.

Al-Nahhas stresses that the real challenge lies in gradually transitioning to a direct electoral system that ensures the broadest possible participation and enforces a separation of powers that allows the Assembly to fulfill its legislative and oversight role objectively and effectively. Strengthening independent judicial institutions to monitor the electoral process is equally essential for transparency and integrity.

In other words, the Syrian People's Assembly, in its current form, remains within the sphere of executive influence, limiting its genuine exercise of legislative and oversight responsibilities—the very essence of good governance and political accountability.

Thus, the path toward sound governance in Syria must pass through reforming the system of Assembly formation, expanding political and institutional freedoms, and establishing a genuine balance of powers that strengthens citizen participation in decision-making.

3.Assessing the Assembly's capacity to exercise oversight and accountability in light of its current formation process

Assessing the Syrian People's Assembly's ability to exercise oversight and hold the executive accountable under its current formation provides a deeper analytical lens into the parliament–executive relationship within a complex transitional political context. The mixed formation reflects a structural dominance of the executive branch over parliament. This system does not foster an independent parliamentary environment that enables members to monitor the government effectively; rather, it confines membership to selective criteria that serve executive interests, thereby weakening the parliament's traditional oversight role. Moreover, the absence of direct popular elections, replaced instead with indirect voting through narrowly representative electoral bodies that bypass genuine electoral infrastructure, reduces the assembly's legitimacy in the eyes of citizens. As a result, deputies' accountability to the executive outweighs accountability to the electorate, leaving parliament disconnected from its public and weakening public protest as a mechanism of oversight and influence.

Lawyer Rateb Nuwailati stresses that replacing the Constitutional Court—which previously adjudicated electoral challenges—with legal committees subject to executive influence further undermines judicial and oversight mechanisms. This shift eliminates independent judicial review of electoral and legislative processes, eroding the parliament's credibility and weakening legal safeguards for objective oversight and lawmaking. Such deficiencies shape deputies' behavior in parliament and compromise both transparency and accountability. Nuwailati adds that legal consensus views the current hybrid model as transitional and temporary, designed to address the immediate complexities of Syria's political and security environment while enabling the passage of foundational legislation.

However, maintaining this system without substantive reform of appointment, electoral, and legal mechanisms will perpetuate weak parliamentary oversight and obstruct the transformation of the assembly into a genuinely independent supervisory body—posing a major obstacle to building democratic institutions in Syria. He concludes that the absence of direct popular elections leaves the People’s Assembly with limited democratic representation. Ultimate authority rests with the president and executive-controlled committees, which weakens ties between deputies and citizens and aligns deputies more closely with executive leadership than with voters. This reduces popular accountability—a cornerstone of effective parliamentary oversight—and renders the assembly closer to an executive tool legitimizing government decisions than to an independent oversight authority. Such a structure burdens the parliament and restricts its role as a democratic institution of oversight and legislation.

The reality highlights that the current method of formation fundamentally undermines the parliament’s effectiveness in Syria’s transitional context. With a large share of deputies appointed directly by the president and the remainder chosen through indirect elections by narrowly representative bodies, transparency and independence remain limited. This entrenches executive dominance, weakens deputies’ ability to hold the government accountable, and produces a parliament aligned more with the executive agenda than with popular demands. Ultimately, the People’s Assembly’s capacity for genuine oversight and accountability remains heavily constrained by its formation process. This presents a major challenge to building good governance rooted in genuine public participation and popular sovereignty. The absence of direct elections reduces diversity and fair representation, creating opportunities for the exclusion of political or social groups. This distortion of representation further undermines public acceptance of the assembly’s decisions. Most importantly, indirect appointment erodes the parliament’s essence as a system of popular representation and reciprocal accountability, turning it instead into a consultative or symbolic body where legislative and oversight roles are eclipsed by executive dominance. In this context, the legitimacy of any future parliament will hinge on the establishment of transparent and pluralistic electoral mechanisms, coupled with a strong and genuine separation of powers. Only through such reforms can meaningful oversight and accountability be achieved.

Otherwise, the assembly risks ongoing public disengagement and widespread criticism of its very relevance.

4.Evaluating relationship between the Assembly's legitimacy and the effectiveness of parliamentary transparency and accountability practices

Assessing the relationship between the legitimacy of the Syrian People's Assembly, as determined by its formation mechanisms, and the effectiveness of parliamentary transparency and accountability requires a nuanced understanding of the political and legal frameworks governing this relationship in a critical transitional stage. The mechanisms of formation are designed to ensure fair and effective representation according to the vision of the transitional leadership, yet they inherently generate challenges related to legitimacy, given the absence of direct popular elections and the clear influence of the executive over the parliament's composition.

Such a structure undermines the Assembly's legitimacy in the eyes of society, as a significant portion of members lack direct ties to or genuine representation of the people, being instead perceived as selected through administrative and supervisory structures overseen by the executive. This weakens the sense of authentic representation, reduces popular pressure for accountability, and diminishes the parliament's effectiveness in oversight, making it difficult to hold the executive to account in a strict and transparent manner.

This configuration translates into executive dominance, shaping both the scope and nature of legislative oversight within the Assembly. Consequently, the parliament often finds itself unable to impose meaningful scrutiny or adopt decisions contrary to executive interests, thereby reducing its role in promoting good governance and transparency. This dynamic undermines public trust in both the legislative institution and the state as a whole, reinforcing perceptions of exclusion from genuine participation in decision-making. In addition, legal and judicial accountability tools remain limited or non-independent across both electoral and legislative processes, intensifying the overlap of powers and restricting parliament's ability to prevent abuses or hold officials accountable. Thus, the formal legitimacy granted by the constitutional declaration does not equate to substantive legitimacy, which rests on popular criticism, oversight, and accountability.

Real legitimacy remains tied to future reforms that expand direct elections, broaden public participation, and ensure the independence of parliament and its judicial institutions. Without such reforms, the Assembly will remain confined to a symbolic role reflecting the transitional stage rather than functioning as an effective platform for democratic governance.

Dr. Samer al-Hassan, a specialist in public freedoms and democratic governance, explains that the 2025 formation system of the People's Assembly—combining direct presidential appointment of one-third of members with indirect election of the majority—represents a delicate balance between constitutional legitimacy and adherence to democratic governance principles. He acknowledges that the system reflects a complex transitional context, especially in light of the lack of infrastructure for holding direct popular elections in line with international standards, as outlined in Presidential Decree No. 142 of 2025.

Nevertheless, al-Hassan stresses that appointing one-third of the parliament is inconsistent with the fundamental principles of separation of powers and direct popular representation—pillars of democratic governance and parliamentary accountability. Appointment creates direct channels of executive influence over the legislature, undermining independence and limiting oversight, thereby constituting a concerning breach of parliamentary democratic norms.

He further highlights the importance of independent judicial oversight over both appointment and electoral processes to safeguard integrity and protect citizens' rights to political participation. The abolition of the Constitutional Court in favor of committees' subordinate to the executive constitutes a violation of judicial safeguards and legal accountability mechanisms necessary for genuine constitutional legitimacy.

In this context, al-Hassan calls for urgent legal reforms to transition toward direct popular elections, end direct presidential appointments, strengthen judicial independence, and ensure transparent and impartial electoral processes. Such reforms are essential for restoring public trust in legislative institutions and upholding the principles of the rule of law and democratic accountability. Without them, he warns, the parliament risks devolving into an executive tool that neglects the principle of separation of powers and undermines the project of building a state based on law and institutions.

The new formation of the People's Assembly thus represents a real test of legitimacy, popular representation, transparency, and accountability within Syria's transitional political system. The mixed system—whereby the president appoints one-third of members while the rest are indirectly elected under the supervision of an executive-controlled commission—limits the Assembly's independence and its ability to effectively oversee government action. This overlap between appointment and election weakens deputies' sense of responsibility toward the people and transforms the parliament into a subordinate body rather than an independent oversight authority. The absence of direct popular elections deepens the legitimacy gap, as the Assembly is perceived as detached from the popular will, weakening parliamentary accountability and reducing public pressure on the government to align with citizen expectations.

Furthermore, transparency within the Assembly is undermined by executive control over electoral and oversight committees, often neutralizing mechanisms designed to strengthen accountability. The lack of independence in electoral bodies and judicial authorities handling challenges fuels doubts over integrity and weakens legal accountability, a core pillar of good governance. This phenomenon must be read within the exceptional circumstances facing Syria, as it reflects an attempt to secure temporary stability and a minimum level of legislation in the absence of a comprehensive democratic infrastructure. Nevertheless, the potential for reform remains crucial—expanding direct elections and strengthening the independence of parliamentary and judicial institutions will be essential to transform the Assembly into an effective oversight body capable of improving governance and transparency in Syria.

5.Recommendations and proposed mechanisms to promote transparency and accountability in the future

Based on the above analysis, the following recommendations can be proposed to enhance transparency and accountability through the formation of the Syrian People's Assembly:

First: Reduce appointments and strengthen direct elections.

The proportion of members appointed by the president should be reduced to the minimum possible, while expanding the number of members elected through comprehensive direct elections that more accurately reflect the will of the people and strengthen the Assembly's legitimacy.

Second: Develop more transparent and independent electoral mechanisms.

Ensure the complete independence of the Higher Electoral Commission by preventing political interference in its formation or that of its subcommittees. Establish clear rules for forming electoral bodies, with both international and independent domestic monitoring to guarantee fairness and integrity in the electoral process.

Third: Broaden civic and political participation.

Open the space for political parties and civil society organizations to participate in and monitor elections, ensuring broader representation and greater diversity within the Assembly. Introduce mechanisms for popular accountability, including transparent systems for submitting complaints and appeals during the electoral process.

Fourth: Activate independent judicial oversight.

Establish an independent judicial authority to adjudicate electoral appeals and review the conduct of deputies and election committee members. This would strengthen legal accountability and reduce violations during the Assembly's formation.

Fifth: Strengthen parliamentary independence and oversight.

Amend the Assembly's internal regulations to grant members broader oversight powers, including the ability to clarify government policies, request periodic reports, and question officials seriously and without restriction. Safeguards must be established to protect deputies from political retaliation.

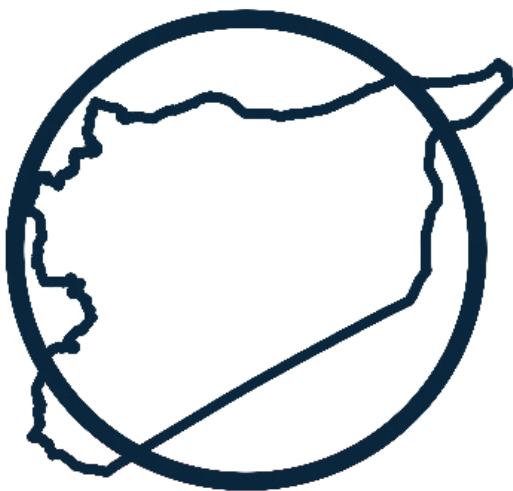
Sixth: Promote electoral awareness and media monitoring.

Encourage large-scale awareness campaigns to improve public understanding of elections, parliamentary functions, and political rights. Support objective and independent media monitoring of both the electoral process and subsequent parliamentary performance, ensuring transparent information and public evaluation.

Seventh: Set a timeline for gradual reform.

Adopt a comprehensive national plan for democratic transition that begins with reducing presidential appointments and increasing direct elections, supported by clear phases to strengthen legislative and oversight institutions. The continuity of legislative authority should be tied to the achievement of these reforms.

These recommendations aim to help build a People's Assembly that is more representative and legitimate, capable of effectively carrying out its legislative and oversight roles, while promoting transparency, accountability, and the foundations of good governance and genuine democracy.



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