



Executive Summary

**Position of the Kurdish National Council on  
Political Decentralisation, Federalism and Local  
Governance**

Geneva, June 2016

**EZKS**

Europäisches Zentrum für Kurdische Studien  
European Center for Kurdish Studies





Disclaimer: The principles in this paper reflect the discussions of the workshop. This does, however, not mean that all participants agree on all points of this document.

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June 2016 | Berlin



# Position of the Kurdish National Council on Political Decentralisation, Federalism and Local Governance

## An executive summary of the discussions in Geneva in June 2016

One important feature of fragile states is that citizens are polarised in ethnic, confessional or class-based groups, with histories of distrust and/or violent conflict. Since the Syrian revolution has evolved into extreme violence, Syria certainly meets this criterion. Distrust has grown among different groups within the population. Moreover, the Kurdish population has a long history of distrust regarding the different central Syrian governments, as they have implemented multiple arabisation measures against the Kurds, such as the al-Hassakah-Census of 1962 and the “Arab Belt” policy in the 1970ies. Effective governance must negotiate with and mediate amongst the different interests of all these groups – if it fails, there is a high risk of further violence and/or the state falling apart. The Kurdish National Council argues that in fragile states, that suffered from extreme violence, political decentralisation can help to stabilise state and society. Such concepts are attractive for members of all confessional or linguistic groups, because the development and implementation of a decentralised system with strong local entities is a step to foster democracy and, at the same time, to secure the unity of the Syrian state.

- In a decentralised system as we understand it authority and responsibility for political, fiscal and administrative questions is allocated in one way or the other between centre and periphery. It allows distinct populations or regions to decide certain questions autonomously from the centre, but still in compliance with the national constitutional framework. By conceding real decision-making competence in certain fields to certain regions or provinces – instead of a mere permission for administrative devolution – confessional, linguistic or ethnic diversity as well as specific experiences and needs which differ from the experiences of the majority can be considered. In turn, this consideration will create loyalty to the central state. Thus, decentralisation has the potential to avoid the constant repetition of separatism and repression which is no solution for any side. However, on the one hand, a clearly structured allocation of competences and responsibilities is important. On the other hand, effective mechanisms of intergovernmental cooperation have to be developed. Like this, confused, ineffective decision-making-processes can be frustrated. The development of sustainable, decentralised structures is not a question of months, but rather a complex process the Syrian people will have to wholeheartedly engage in.
- Federalism is a specific form of decentralisation. It describes a political concept which is characterised by a combination of ‘shared rule and self-rule’. The existence of each order of



government – central as well as sub-national – and its powers are granted by the constitution, providing some genuine autonomy to all levels. Thereby, the advantage of a federal system is that the central authority cannot easily withdraw powers from the sub-national units which, in reverse, are essential to build up the whole state. Major amendments affecting the sub-national units require substantial consent not only from the central government, but also from the sub-national unit. Moreover, a specific procedure – usually involving a constitutional court – is set up to decide constitutional disputes between central and sub-national governments, if they could not be prevented through intergovernmental cooperation. In this way a federal system is more just and stable than other forms of political decentralisation, because the sub-national bodies have the possibility to challenge any infringement on their powers.

- Additionally, federal systems usually have special arrangements for the representation of the constituent units in central key institutions – providing for their regional input in central decision-making.
- The distribution of power between the centre and sub-national units can be organised in very different ways. The United States of America, Switzerland, Germany and India are just a few examples of federal states – however, there are profound differences regarding their political organisation. Syria will have to find its very own way of federalism. It cannot simply adopt one of the existing models.
- On the horizontal level, different sub-national units may have different decisionmaking competences. Moreover, their internal political structure may significantly differ. Often, these differences will be linked to aspects as history and a specific population structure. With regard to a Kurdish sub-national entity, a peculiarity compared to other such entities within Syria may be that a Kurdish region shall be designed as bilingual, Kurdish-Arabic entity, additionally providing for Aramaic to become a third official language.
- Additionally, units defined by territory may be an attractive approach for different groups of the population. Creating a number of sub-national units offers more stakeholders the chance to have a say in the political future of the country than a central system would do. A system that allocates power between central and regional levels mitigates conflicts by avoiding “the-winner-takes-it-all” situations. Groups that would be unlikely to win in national elections can score regional wins. Decentralisation may allow opposition leaders to remain in government at the regional level even after losing in central arenas. If a lost election does not ultimately correspond to final political disempowerment, different parties are more likely to accept the results of elections.



However, the mere implementation of a federal system is not necessarily promoting democracy and participation. For example, one can imagine a federation in which the governors have far reaching powers which do not allow for any meaningful participation of the population. Therefore, the Kurdish National Council does not only opt for federalism, but at the same time for strong local structures.

- The decentralisation of responsibilities is not only a question between the central government and regional entities, but also within these regional entities – for example, there is a number of questions that may be more adequately decided on the local or municipal level. As comparative evidence demonstrates, local governance strategies can contribute to good governance and to rebuild governments in fragile post-conflict states.
- In the short run, citizens in post-conflict countries expect the state to provide security and basic public goods. Facing a conflict-damaged-infrastructure as in Syria, such demands will be often more easily fulfilled by local governments, as they can increase the speed of service delivery to unserved or underserved populations. Yet, local reconstruction efforts have to be efficiently coordinated with the regional and national governments.
- A participatory local government supports dialogue, problem solving and conflict resolution on a manageable scale around issues of common concern and interest (education, electricity supply, garbage collection, distribution of bread etc.). Local governments become arenas where citizens learn democratic skills. During the revolution in many cities local councils and other basic organisations have evolved that fulfil certain functions usually taken care of by the state. Such groups often have a lot of experience on the ground, experiences the centre cannot provide. Their knowledge should be integrated in new local structures. However, one has to be careful not to uncritically empower certain local de facto authorities that have emerged due to armed conflict (militias, warlords, shabbiha) or to rely solely on tribal or confessional structures usually not keen to implement democratic participation.
- If local (and regional) councils, mayors (and governors) are elected by the people instead of being appointed by the central government, decision-makers are accountable to their voters, not to the centre – thus they are more likely to act on behalf of citizens' interests and concerns.
- Last but not least, as traditional role models prevent many women from travelling and consequently from participation in national and international forums, allocating decision-making competence to the regional and particularly the local level allows on short notice for a meaningful inclusion of women in political processes.

The Kurdish National Council is well aware that a federal system with strong local structures alone is not sufficient to ensure democracy. A constitution defining standards that cannot be subject to challenge (e. g. the equality between men and women), the division of powers, and fair electoral laws



are examples for other urgent topics to be discussed and decided on regarding Syria's future. The Kurdish National Council will soon focus on these issues. Nevertheless, a decentralised, federal system with strong local structures is an essential corner stone for a just, democratic and united Syria.

