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The National Agenda for the Future of Syria - NAFS

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1. Vision:

A process of public administration rehabilitation accompanied by an effective balance between decentralized fiscal and administrative system and the central one that allows for a national administrative structure that is inclusive, participatory, transparent, gender-equity centered, results-oriented, and accountable.

2. Backgrounds:

Rehabilitating public administration and implementing appropriate measures for administrative and fiscal decentralization are key elements of forging a new social contract during the peacebuilding phase. At the core of public administration is an effective civil service and public sector that function in accordance with good governance standards. The civil service is operating at the contact point between citizens and government. Citizens are likely to trust the government when civil servants effectively deliver services in a timely manner, are accountable and act in an ethical manner, are responsive to the needs of the people, and can be identified by the people they serve. In turn, civil servants are more likely to fulfill those expectations if they are closer to the local context and needs on the ground. This is why appropriate decentralization measures will help create a virtuous cycle between state legitimacy building and delivery of goods and services.

The peacebuilding phase should be a time for rehabilitation rather than major reform of public administration. Reform of public administration in the conventional way that is typically prescribed to developing countries is a highly complex and risky process that is best left to the state-building phase. Interventions into public administration should be with the goal of enabling it to respond to urgent needs: managing and implementing government laws, regulations, and decisions as well as the provision of public services. Policies that favor social inclusion, such as health care and education, have been found to be crucially important in post-conflict scenarios, while conventional macroeconomic policies might not be at the same time, the peacebuilding phase should clearly be the time when the unhealthy links between political governance and administrative governance are separated so that a professional, meritocratic, accountable, and transparent civil service can thrive.

Interventions in the peacebuilding phase should not undermine long-term goals either. The peacebuilding phase is therefore not a time for significant increases or cuts in public administration personnel in either civil service or public sector enterprises. There will be heavy demands in the early phase for the State to take on a leading role. Creating effective demand that stimulates local production of goods and services and creates jobs is an urgent goal in post-conflict situations. However, short-term requirements of reviving economic life must be weighed against the long-term goals of sustainability and large commitments in hiring that impose indefinite obligations on the state budget should be avoided. Citizens' expectations of economic returns from political settlement tend to be high and exaggerated. The government must manage these expectations by articulating a feasible and realistic economic vision in the following ten year period.

The public revenue and expenditure systems must become effective, transparent and predictable. Tax reform is a necessary measure during peace-building both because it allows the government to raise revenue and builds a relationship of mutual accountability between citizens and government. The Syrian tax system was characterized by complexity and widespread evasion. International organizations have labeled fragile states as those where tax revenues are less than 14% of GDP, whereas in Syria in the decade prior to the conflict it was around 10% or less. Debt-management was not a problem prior to the conflict, given that debt-interest payment out of total government spending was less than 5%. This is one factor that will change dramatically after the conflict in terms of macroeconomic management and the Transitional Authority must be careful to manage the national debt burden effectively even while seeking needed funds.

On the expenditure side, the criteria for allocation of funds, transfer of resources and mechanisms for accountability must be clear and equitable. The powers and rights at various levels of government must also be clear. The system of budgetary allocations if transparent and just becomes a major way for citizens to engage and hold the government accountable.

Within the territorial borders of Syria there are *de jure* administrative divisions including governorates, cities, towns, municipalities, districts, and sub-districts. Alongside these, the conflict has created *de facto* administrative structures that include Local Administrative Councils (LACs), Sharia-based institutions, and traditional institutions such as kinship, religious, ethnic and tribal networks. The challenge for the peacebuilding phase is how to work with *de facto* powers and administrative structures while at the same time strengthening the future state-building project by re-asserting the authority of *de jure* structures.

Using as a starting point Decree No. 107 for 2011, policies for decentralization should then incorporate *de facto* governance structures into the central government in a way that respects their priorities and relative autonomy while also serving to make them effective and inclusive. This should be done by tying them to the central government while preserving an administrative and fiscal autonomy. In this way the status quo becomes an asset rather than a liability and the *de facto* impact induced decentralization will not turn into fragmentation.

Decentralization policies should entail the study of the social fabric, structure, size, resources and mandate of governorates. It should work on ensuring horizontal equality between areas and targeting the areas that have the highest incidences of poverty. If the arrangements and mechanisms of decentralization replicate and reinforce social patterns of exclusion and inequity and do not allow for the representation and empowerment of affected populations and marginalized groups, administrative arrangements in the peacebuilding phase are likely to fail as peace building tools and the possibility of structural violence could continue and chances for relapse towards conflict might occur.

During the peacebuilding phase, policies should be put in place to ensure accountability within the public administration and to minimize patronage and corruption. Top-down accountability manifests itself through instituting systems of authorization and audit within government organs. Bottom-up accountability empowers civil society to hold service providers accountable in various ways, including citizen participation on boards of service and goods providers.

However, realistically there are also limits to bottom-up accountability and the extent to which ordinary citizens have the time and expertise to monitor government organs. External expert accountability is also needed. A National Commission on Implementation of Reform Framework with a three-year tenure should be created that is independently constituted and funded. Ideally the National Commission will contain three types of ‘watchdog’ institutions: rights commission to monitor human rights; reform c to monitor implementation of political settlement and the overall process of political governance reform; audit commission to monitor corruption and push for accountability in state economic management, particularly in the public procurement system. The National Commission will be a main interlocutor with media, civil society, donors, and the international community.

Administrative governance reform in the peacebuilding phase will naturally be led by Syrians: the government, various state organs, civil society organizations and ordinary citizens. It is important for the peacebuilding phase to rehabilitate and empower the Syrian private sector. Given the devastation wrought by war, the flight of capital to neighboring countries, and the disruption of production and trade, the private sector in Syria is likely to be severely weakened as with the rest of society. Public procurement policies can be a place for emphasizing domestic suppliers and public-private partnerships should be encouraged, where appropriate. Most donors require highly complex procurement rules that often exclude domestic suppliers. Efforts must be made to simplify these procedures and make them accessible to Syrian capital.

National and local ownership of the process of administrative reform are therefore essential. Ownership means local actors have the responsibility for decisions with respect to objectives, policies, strategies, program design and implementation modalities. However, given the scale of the conflict, regional and international governments, multinational development institutions, and international non-governmental organizations have key roles to play in technical and policy advice, analysis and information, implementation and delivery, and funding. It will be important for international donors to coordinate with the central government to ensure complementarity of objectives. There will be key decisions that have to be made about developing local capacity versus importing technical expertise. These decisions will be made on a case by case basis because while building capacity in public administration is needed, for some tasks that are very specific and short-term, importing capacity may be more cost effective. While there will be demands on transparency of expenditures by the Syrian state in the peacebuilding phase, it is also important for international donors to be transparent on who and what they are funding.

Administrative governance reform is conceived as an integrated process alongside socioeconomic development that is developed through a systems based approach. This is ensured through the enabling vehicles of NAFS, the mechanisms through which the policy alternatives should be transformed into reality in accordance to good governance standards. These include the public sector good governance guidelines that provide the nine principles that govern public sector reform, a national public information framework that develops a framework for government data in informing the public and coordinating between government institutions, and the guidelines on building an effective public procurement procedure.

3. Policies:

3.1 Public Administration

- A. Identify and prioritize socio-economic challenges and needs of urgent goods, services, and infrastructure at all levels
- B. Assess capacity of state institutions and public sector organizations at all levels to meet priorities
- C. Map and assess capacity of existing non-governmental *de facto* local administrative units across the country, and develop ties between state, local administrative units, and donors
- D. Review state finances and review and revise existing development plans and strategies
- E. Review the governance arrangements of public sector bodies of different types: Ministry, Agency, Establishment...etc. Establish a plan that articulates clear and well-defined links, roles and responsibilities between those bodies and central government as well as to reform their internal governance structures appropriately
- F. Reform administrative transactions and government services with the goal of making them less bureaucratic and wasteful, and more efficient, effective, and transparent
- G. Develop mechanisms to manage human resource and provide capacity building for civil servants at all levels and adopt and implement mechanisms for accountability and monitoring job performance, while ensuring civil servants are paid adequate wages
- H. Institute authorization, audit, and accountability mechanisms into government entities to ensure 'top-down' accountability
- I. Develop mechanisms for civil society inclusion and participatory approaches to service and goods delivery
- J. Assess areas for public-private partnerships or public-civil society partnerships in service and goods delivery to promote inclusion of different sectors and reduce burden on the public sector
- K. Review and reform management of public finances with the goal of transparency, efficiency, and accountability

- L. Develop policies to strengthen government revenue mobilization, including through taxes and tariffs to reduce dependency on aid

3.2 Policies for Decentralization

- A. Review and assess *de jure* administrative structures at all levels in light of conflict impact: governorate, city, town, village, municipality, district, sub-district
- B. Review and assess *de facto* administrative units, defined as non-statutory Syrian organizations responsible for good and service delivery
- C. Assess the Presidential Decree/Law No. 107 of 2011 as a starting point for decentralization policies and local administration and amending the law as necessary to ensure appropriate fiscal and administrative decentralization policies
- D. Institute mechanisms to ensure inclusiveness at the national and sub-national levels including gender equity and marginalized groups
- E. Examine historical inequalities between governorates and ensure that fund allocations ensure horizontal equality

3.3 Citizen inclusion, Civil society and social movements

- A. Identify and map key political actors, social actors and civil society organizations operating in the country
- B. Establish connections with civil society organizations and develop their capacity to be able to participate in, consult with, and provide monitoring on key public administration tasks
- C. Support grassroots participation procedures at the local level, including developing capacity for fact finding and needs assessment
- D. Support access to information to the public on key issues of public administration and establish an administrative presence (visibility of state) at all levels

3.4 National Commission for Implementation of Reform Program

- A. Establish a National Commission for Implementation of the Reform Program to serve as an umbrella watchdog organization during the peacebuilding phase with members serving a 3-year tenure and with independent funding to oversee the peacebuilding phase and to submit periodic reports to media, civil society, donors, and the international community.

- B. The National Commission should include three sub-commissions: i) National Human Rights Commission; ii) National Political Reform Commission to oversee implementation of political reform during the peacebuilding phase, particularly reform of judicial and security sector as well as providing recommendations for sticking points in the transitional process, such as constitutional debates and national elections; iii) National Anti-Corruption (or Audit) Commission to monitor and ensure accountability on state economic management as well as to monitor international funding

4. Timeframe

Reform Measure	Summary Of Measure	Expected Outcomes	Timeframe from date of political settlement
Needs assessment and review of state and non-state capacity	Identifying and prioritizing challenges and assessment of state institutions, as well as mapping and assessment of non administrative units	Facilitating urgent delivery of goods, services, and infrastructural needs; targeting interventions; coordinating with donors and external implementing organizations	Immediate until end of peacebuilding phase
Review the governance arrangements of public sector	Establish a plan that articulates clear and well defined links, roles and responsibilities between those bodies and central government as well as to reform their internal governance structures appropriately	Gradual reform of public administration and implementation of good governance standards with the goal of rehabilitating state institutions towards state-building phase	0-2 years
Decentralization policies	Review and assessment of current governance structures and institution of appropriate measures for administrative and fiscal decentralization	More efficient, inclusive, and participatory delivery of goods and services; local ownership of recovery during peacebuilding phase	0-2 years
National commission For Implementation of Reform Framework	Body of three watchdog institutions: rights; reform; audit	Create more legitimacy for reform process by allowing more public scrutiny	Immediate until end of peacebuilding phase
Citizen inclusion, civil society and social movements	Facilitating development of civil society and citizenry in public administration through civic education, capacity building and outreach	Restoring citizen trust in public administration, facilitating role of civil society as both watchdog as well as setting benchmarks for recovery phase	0-2 years

5. Actors

A. Public Administration Bodies:

Ministries; Directorates; Establishments; Agencies; State Owned Companies; Commissions;

B. Statutory Civil Society organizations (civilian review boards, public complaints commissions)

C. Syrian Private Sector

D. Non-Statutory Civil Society Bodies:

Media; Non-Governmental Organizations; Professional organizations; Trade Unions; Research and Policy Analysis Organizations; Religious Organizations; Advocacy Organizations; Concerned Public

E. Regional and international governments

F. International development institutions

G. Regional and international private sector

H. International Non-Governmental Organizations

6. Implementation Tools

6.1 Public Sector Good Governance Guidelines

A. Areas of work:

Public sector bodies can effectively focus on achieving good governance through the following areas of work:

- Strategy: involves planning and structures, such as strategic and operational planning, organizational structure and having defined and appropriate roles and responsibilities
- Culture: relates to leadership and integrity, demonstrated in leadership structures and behaviors, executive oversight of strategic decisions, embodiment of leadership principles, conduct and values, employee engagement and commitment to service delivery
- Relations: refers to communication and reputation, shown in internal and external communication and relationships, striving for a reputation for excellence, working effectively across organizational boundaries
- Performance: refers to effectiveness and efficiency, through performance monitoring and evaluation systems and process, both at an individual and organizational level, as well as performance reporting
- Compliance and accountability: involves meeting constitutional principles and other obligations, through audit, delegation of authority, and having policies, processes and plans to manage finances, risk, human resources, as well as ethical, equal opportunity, occupational health and safety and record keeping obligations

B. Nine Good Governance Principles for Public Sector

There are nine governance principles contained in the Good governance guide for public sector. Attention to these will assist the process of proposing changes to systems and structures and hence to meet accountability obligations and achieve a high level of organizational performance. Each of these principles can be developed further into concrete policies, legislations, and processes needed to translate that principle into reality.

Principle 1: Government and Public Sector Relationship

The Agency's relationship with the government is clear

Principle 1 is unique to the public sector and fundamental to any democratic political system. Ensuring clear and transparent relationships between the elected government and the bureaucracy is critical to prevent any undue influence in the administration of the public function and to ensure the swift and efficient implementation of government policies and strategies.

Principle 2: Management and oversight

The agency's management and oversight are accountable and have clearly defined responsibilities.

Well-defined management responsibilities and accountabilities, meaningful strategic plans and work program, as well as independent oversight are cornerstones of governance in any type of organization. Principle 2 outlines how these concepts should be translated into practice in the unique environment of the public sector.

Principle 3: Organizational structure

The agency's structure serves its operations.

The quality of an organization's governance will depend to a large part on whether its organizational structure is suitable for what the organization was set up to do. It should reflect the organization's main operational objectives and do so in a coherent way while at the same time being flexible enough to respond to changes in the organization's strategy or mission.

Principle 4: Operations

The agency plans its operations to achieve its goals.

Operational planning is a key instrument to ensure accountability of an organization and the effective and efficient management and use of resources. It touches upon numerous aspects of governance and is a key operational tool to increase compliance.

Principle 5: Ethics and Integrity

Ethics and integrity are embedded in the agency's values and operations.

Maintaining a workplace culture with strong ethics and integrity is part of the governance framework and is fundamental to good organizational performance. Public sector employees must operate with integrity and maintain high standards of ethical conduct to maintain sound decision-making processes and ensure community confidence and trust in the public sector.

Principle 6: People

The agency's leadership in people management contributes to individual and organizational achievements.

In order to ensure effectiveness and efficiency of its operations, it is important for an organization to have effective systems for managing its workforce and individual employees. This encompasses fair, transparent and equal treatment of employees, as well as comprehensive strategies to motivate and lead people and promote personal development.

Principle 7: Finance

The agency safeguards financial integrity and accountability.

Sound financial management is critical to ensure effectiveness in programs and services, accountability and efficiency in the management of public resources. It is an essential element to sustain and improve good governance.

Principle 8: Communication

The agency communicates with all parties in a way that is accessible, open and responsive.

Open, accurate and responsive communication is essential to ensuring an organization's accountability. Good communication is also fundamental to promote citizens' trust in government.

Principle 9: Risk Management

The agency identifies and manages its risks.

Each organization has a distinct risk profile. Identifying its particular risk exposure and developing and implementing risk prevention and remediation plans is critical to ensure the organization can operate effectively and efficiently to achieve its goals.

6.2 Syrian National Public Information Framework

The **National Public Information Framework** contains three components: A) Government Open Data Initiative; B) Data Management Framework; C) Access to Information Initiative. The **Government Open Data Initiative** governs the production use and re-use of public data and data coordination and sharing by all government agencies. The **Data Management Framework** provides the guidelines for conversion of raw data, big data and later on real-time data to a useful productive product (information, statistics, visualized data, and business intelligence) which can be used for forecasting, modeling, and optimization. Finally the **Access to Information Initiative** governs the right to access information of freedom of information laws and procedures. This initiative takes a positive approach that puts a heavy burden of proof on the government to withhold information and minimizes the scope of exceptions (such as legitimate national defense issues).

Taken together these initiatives and frameworks are intended to promote a culture of transparency, enabling citizens to hold government institutions accountable. They will also greatly facilitate the work of the Constituent Assembly, Syrian civil society, as well as relevant international institutions during the peacebuilding phase.

6.3 Public Procurement System

A. Overview

Public procurement is defined as an overall process of acquiring goods, civil works, and services which includes all functions from the identification of needs, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration through the end of a services contract or the useful life of an asset. Two things regarding the public procurement system stand out during the peacebuilding phase:

1. The Public Procurement system is a good area to build appropriate and good governance mechanisms, since it involves a key area of governance.
2. While keeping in mind appropriate governance standards, it is crucial that the Public Procurement system be a tool to meet important objectives during the peacebuilding phase which should include key issues such as: encouraging domestic suppliers, repatriating refugees, and local development.

B. Objectives

Objective #1: Integrity

The paramount objective of the public procurement system should be to preserve its integrity and maintain citizen trust in the procurement process. This entails eliminating corruption and favoritism as well as the appearance of corruption and favoritism.

Objective # 2: Efficiency

Efficiency or value for money means goods, services, and works contracted are suitable, contracting on the best possible terms, and ensuring contracted party is able to deliver on those agreed terms. It also means a procurement process itself that is unnecessarily costly or wasteful or overly complex.

Objective #3: Fairness

The process should ensure equal and fair treatment of suppliers which in addition eliminating corruption and partiality should also eliminate unjustified discrimination, arbitrary measures, and ensure due process.

Objective #4: Governmental and Societal Goals

Achieving social, environmental, and industrial goals are legitimate objectives of the procurement process particularly during the peacebuilding phase but they must also respect the objectives of integrity, equality, and efficiency.

C. Transparency, Publicity, Anti-Corruption, and Civil Society

1. Transparency

There are four main points to be considered when taking into account the transparency principle in the procurement process:

- Rule-based decision making, limiting the discretion of contracting entity or officer
- Publicity for contract opportunities
- Publicity for rules governing each procedure
- Possibility of verification if rules have been followed and enforcement where they have not

2. Publicity

Publicity rules in Public Procurement refer to the minimum number of documents, processes, and information that must be made public and accessible in the procurement process

PUBLICITY IN PUBLIC PROCUREMENT PROCESS
Laws and policies of public procurement
General information for potential bidders
Selection and evaluation criteria
Contract award
Specific guidance on application procedures
Tender documents
Procurement plans of anticipated tenders
Justification for awarding contract
Contract modification
Tracking procurement spending

3. Anti-Corruption

It is crucial for anti-corruption schemes in public procurement pay attention to all three phases of procurement: pre-bidding, bidding, and post-bidding.

Pre-Bidding

There are four issues involved with the pre-bidding phase that require attention when it comes to issues of integrity and corruption:

- Adequate needs assessment. Proper planning and budgeting for procurement process
- Adequate and objective defining of requirements
- Adequate choice of procurement procedure
- Timeframe that is adequate and consistent across bidders

Bidding:

- Consistent access to information for bidders in the invitation to bid
- Collusive bidding or lack of competition leading to less value for money
- Conflict of interest in evaluation and approval process
- Lack of access to records on the procedure in the awards that discourages unsuccessful bidders to challenge procurement decision

Post-Bidding:

- Insufficient monitoring of contractor
- Lack of accountability or transparency in sub-contracting
- Lack of supervision
- Deficient monitoring of financial issues

4. Civil Society Involvement

Public and civil society involvement in the procurement process should be thought of as an ideal to be constantly strived for rather than a fixed set of procedures for the following reasons. There will always be ways to improve civil society or public at large involvement in the procurement process. It is also true that there will always be limitations on what civil society is able to monitor or has the expertise to monitor.

Development of civil society frameworks for inclusion in public procurement can take inspiration from various other developing country efforts and regional experience.

One important step may be to request a legal mandate for public and civil society involvement in procurement funds through the proposed National Anti-Corruption/Audit Commission

Inclusion of an explicit legal mandate (as with all laws) does not guarantee enforcement but it provides civil society groups with the legal base to push for inclusion.

7. Challenges

Challenges	Likelihood (L,M,H)	Impact (L,M,H)	Countermeasures
Collapse of state institutions and lack of capacity to meet urgent basic needs of population	M	H	Immediate coordination with international institutions and regional and international governments to address funding and implementation needs for goods and services
Developing adequate civil management and oversight mechanisms within government	H	M	Develop periodic revisions of oversight bodies that assess their effectiveness and suggest mechanisms for improvement
New forms of exclusion (gender, ethnic, religious) as a result of control of certain <i>de facto</i> powers on the ground	H	H	Central government should coordinate with donors to tie aid and funds with key goals of inclusion, including repatriation of refugees and service and goods delivery
Overall change resistance to administrative rehabilitation	M	M	Ensure proper incentives as well as civil society engagement in the process in order to ensure better support to the process