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Omran for Strategic Studies

An independent think tank and policy center focusing on presenting an objective understanding of Syria and the region to become a reference for public policies impacting the region.

Omran began in November 2013 in Istanbul, Turkey. It publishes studies and policy briefs regarding Syrian and regional affairs in the areas of politics, economic development, and local administration. Omran also conducts round-table discussions, seminars, and workshops that promote a more systematic and methodical culture of decision making among future leaders of Syria.

Omran's work supports decision-making mechanisms, provides practical solutions and policy recommendations to decision-makers, identifies challenges within the Syrian context, and foresees scenarios and alternative solutions.

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Changing the Security Sector in Syria

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Project Background

This project started after Omran Center published its initial study in August 2016, entitled “The Syrian Security Services and the Need for Structural and Functional Change”. The study was a result of workshops with defected security officers and experts along with Omran research team. The project was then developed to a 10-month long process consisting of a series of expert papers and workshops with different experts and stakeholders. The following papers by Omran’s research team constituted the core material along with the initial study. This book was later edited using a holistic and coherent methodology to include feedback received during workshops and discussions as well as parts of the papers submitted to the project. Contributors included the following:

1. Sasha Al Alou: 1) Disarmament and reintegration programs, 2) the role of civil society in democratic transformation and security sector reform after conflict, and 3) the experiences of security sector reform in post conflict nations.
2. Ayman Al Dassouky wrote about the security situation in the opposition-controlled areas and evaluated the workshops that contributed to the writing of this book .
3. Judge Abdulhamid Alawak wrote about constitutional reform in the context of security sector reform in Syria.
4. Mhd Mounir Alfakir wrote about transitional justice and its role in reforming the security sector.

Maen Tallaa wrote about the security situation in regime-controlled territories, realities of the security situation, theories and challenges of security reform, the national plan for security reform, the impact of non-military anti-terror operations, and the different phases of the security reform and its levels.

Dr. Ammar Kahf, Executive Director of Omran, supervised and reviewed the content. Administrative support was provided by Hadia al-Omari and Abdullah Alaabed. The Information Unit team, Nawar Sh. Oliver and Bedir Mulla Reshid, also provided valuable data and illustrations for the project. We also received support from a group of security defectors who wish to remain unnamed.

The workshops conducted by Omran for experts and different stakeholders, included the following:

1. A discussion on the political assumptions of the international agreement and its impact on security sector reform, Istanbul, Turkey, on December 7-8, 2016.
2. The role of civil society in the security reform process, Gaziantep, Turkey, on February 6-7, 2017.
3. The roles and challenges of local councils in the security reform process, Gaziantep, Turkey, on March 2017.
4. Experts meeting, in coordination with Konrad-Adenauer-Stiftung, to discuss issues related to Syria's security sector, Beirut, Lebanon, on March 30-31, 2017.
5. A seminar for political and moderate armed groups involved in the Geneva process in cooperation with the Centre for Humanitarian Dialogue (HD) on "Features of a National Vision for Security Sector Reform in Syria", Istanbul, Turkey, on May 2, 2017.

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Executive Summary

The book is divided into three chapters addressing key elements of an action plan to restructure and change security architecture and work in Syria.

Chapter 1 covers the **theoretical frameworks** related to security sector restructuring as part of a democratic transformation in post-conflict nations, including existing Security Sector Reform (SSR) programs; Disarmament, Disassembly, and Reintegration (DDR) programs; and parliamentary oversight mechanisms of these programs. This chapter also reviews security reform processes implemented by a selection of western and Arab countries. Finally, this chapter reaffirms the role of civil society and transitional justice in the reform process. This chapter concluded the following:

- **SSR programs require coordination between civil society, media, international sponsors, and non-governmental armed groups.** Several factors must be taken into consideration when formulating the main policies of the reform process, including a comprehensive approach. This not only improves the reliability of security structures but also holds these structures accountable through proper oversight mechanisms. The main goal should be to reform the security sector, so it protects society and individuals and respects human rights and the rule of law.
- **DDR programs are the first step to building a lasting peace after a conflict** and are a prerequisite for a democratic transition. This is a complicated process with political, military, security, humanitarian, social, and economic goals. It attempts to deal with security issues in post-conflict conditions resulting in former fighters becoming unemployed and a lack of proper support networks thus leaving them with only one option to take up arms again. The UN has established an outline of acceptable DDR programs based on the experiences of a number of countries. DDR programs must be comprehensive, well planned, and respectful of human rights. They must follow humanitarian aid principles and uphold gender equality. The program should be created and managed nationally and focus on the individual. There should be no pre-condition put on children to free them from any form of detention and granting immediate protections status for them.
- **There are many lessons to learn from the SSR experiences carried out by**

other countries, including the importance of dialogue between civil society and the security sector; the link between security reform and changes in the constitutional and legal system; the importance of clarity in public regulations imposed on security apparatuses; taking advantage of the political momentum and creating consensus on a political process; creating an appropriate legal framework to fill the position of the head of the security apparatuses. It is the duty of the Assembly to develop a unified security body, to take into account the social environment, to create a unified security structure, and to establish a process in which changing the leadership of the security service is a simple formality.

- **Four main reasons for a strong parliamentary oversight** of the security sector:
 - Parliamentary oversight is the cornerstone to prevent the emergence of authoritarian rule.
 - Parliamentary oversight is based upon the principle of “no taxation without representation”.
 - There is dire need to establish legal standards that govern security operations.
 - Parliamentary oversight is the bridge to understanding public opinion.
- **Parliaments can support SSR efforts in a number of ways**, such as engaging citizens and emphasizing that they are in control of the process. Reform requires strong national ownership of the process, which requires the legislature to play a key role in developing the reform approach and examining its operational policies. Parliaments can also develop a national vision for security, establish a sound legal framework, provide a more responsive and inclusive approach that reflects the needs of all, and ensure better financial management for public entities.
- **It is important that civil society groups are active in the peacebuilding process and in the prevention of conflict.** Civil society also strengthens the local economy and spreads democratic principles. It also plays a critical role in the SSR process, national reconciliation, and protecting human rights and delivering aid. The most important role of civil society is to compete with politicians in monopolizing the public sphere and the transition process unchecked. Their role can be further detailed as follows:

- Education and awareness.
- Advocacy and public mobilization
- Oversight and critical role on public matters.
- **Civil society organizations'** ability to perform their role is based on a set of strengths, such as the ability to work without the restrictions of government institutions, access to areas that are not available to official actors, direct contact with grassroots actors, and communication with all parties involved in the conflict without losing credibility. Despite these advantages, the role of civil society organizations are not without risks. Some criticize their lack of independence and consider them non-governmental organizations that are actually heavily influenced by their government and other funders. These funders, as well as media pressure, often directly influence the operations and priorities of civil society actors.
- **Transitional justice programs in post-conflict countries** should create public awareness and consensus on the goals and commitment to those goals in order to rebuild the country and the society. Security sector reform is one of the main priorities of the transitional justice process. The results of the truth commissions shape the reforms of the security sector since they expose people who are involved in crimes directly from within these institutions by going through all available documentation and reports. Transitional justice is also an important tool to ensure that justice has been served. It is especially important to repair the damaged relationship between society and the state due to the previous regime's practices.

Chapter 2 focusses on describing and analyzing existing security realities in different control zones in Syria. The main structural and contextual factors are evaluated according to their ability to provide security in their respective territories. Then, the study compares the different styles of security operations, according to whether it is a decentralized or centralized approach; if it fulfils national interests by having a comprehensive approach to security and how will that evolve in different post-conflict scenarios. The chapter concluded the following:

- **During Hafez al Assad's time, security apparatuses were used for competition on power and domination, as well as to suppress popular movements and any opposition groups.** Their role developed over time to include conducting security operations on behalf of international intelligence agencies and

interfering in regional and international security and military crises. After the succession of Bashar Assad to power, the regime quickly fell back into its old ways—even though the regime claims that it could establish security in a relatively unstable environment, when in fact it is actually a false sense of security that is enforced with terror and violence. This is evident in several cases, including the clashes between Druze and Arab Bedouins in Sweida in 2000, clashes in Qamishli in 2004, clashes between residents and state security over housing removal in rural areas around Damascus, and the many explosions that happened in Syria attributed to terror groups.

- **In the context of the demands to dismantle the current security structures, in which there are numerous security forces (local and foreign), the security environment is not coherent in the regime-controlled areas.** They are also neither administratively nor functionally accountable to a centralized security force. The decision to form local military groups supervised by senior regime officials came due to the accumulation of security failures by the regime's official security directorates. They were unable to face the horizontal extension of the opposition movement, which forced the regime to take a series of actions including the decision to form local militias under the supervision or coordination of the Syrian army and armed forces. Creating the Fifth Corps (four military brigades with 30, 000 recruits) was presented as an important step in the integration and control of these militias; however, this idea is subject to many objective criticisms. This proposed military formation exacerbates conditions allowing for the formation of a "National Militia Army".
- **In opposition-controlled areas, they formed decentralized security committees to replace the autocratic security structures of the regime.** Many of these security committees no longer exist. Some have survived and continue to provide security services in opposition-controlled areas. In general, there are four main parties that carry out security operations in opposition-controlled areas: Local Councils, Free Police, ad-hoc judicial bodies, and armed opposition security offices.
- **These decentralized local security committees continue in their attempts to improve their capacity realizing the major challenges they face,** including different types of military attacks, lack of human resources, lack of a centralized decision-making process, the threat of ISIS, and the increased influence of transnational jihadi groups. Security operations are organized in a decentralized way in opposition-controlled areas and lack structural discipline qualities

of institutionalized security operations, including a lack of an agreed-upon reference for the security doctrine, lack of expert human resources, poor financial and logistical resources, and poor strategic planning.

- **The security situation in opposition-controlled areas is also very chaotic** since existing structures have poor capacities to control the situation as well as numerous threats to security and stability that is far more than they can handle. This is evident in the all-too-common assassinations and explosions taking place in opposition-controlled areas. There are also reports of kidnappings, forced disappearances, torture, unregulated distribution of weapons, and internal fighting between the opposition groups—partly due to varying levels of commitment to court orders.
- The security structures in the Self-Administration-controlled areas have a very clear resemblance to the security situation and responsibilities of the regime structures in regime-controlled areas. They are **mainly interested in controlling the social and political lives of the citizens according to the ideological perspective held by the PYD**. They also legitimize political kidnappings, militarize society, and make sure that society is in tune with the PYD's interests and direction. There are some conflicting interests and overlapping operations between the regime and Self-Administration security structures. The biggest threat is posed by the PYD's security and military wings' ideological alignment with the Kurdistan Worker's Party (PKK) and its separatist desires, which threaten the national sovereignty of several nations, including Syria.
- **The self-administration zone called "Democratic Federation of Northern Syria" operate the following security and military organizations:** the People's Protection Units (YPG), Women's Protection Units (YPJ), Self-Defense Forces (HPX), Civilian Defense Force (HPC), Women's Defense Forces (HPJ) and Asayish Rojave.
- **In assessing the security architecture and reality in the areas controlled by different control groups, it is possible to identify specific factors that will influence the way the security architecture will look in Syria's future.** Features of the current security scene include: Different and contradicting political and military doctrines, lack of space for international supporters to operate with these security structures, competing political interests, inability of any central government to take control of the situation in a centralized fashion, persistent security threats that can explode if an unacceptable political solu-

tion is reached (spoiler effect), increasing threats in different parts of Syria, the regime's inability to establish security, and the need for the security reform process to address the general situation on the ground.

- **Among priorities of re-establishing order and restructuring the security sector are the following: Agreeing on constitutional principles that define the new security doctrine in accordance with the principles of administrative decentralization;** aligning with the interests and desires of the nation and the people; limiting the interference of the security apparatuses in political life; the departure of all foreign militias from Syria and declaring them a security threat; the organized re-deployment of security forces in the areas outside the control of the regime. Additionally, there should be a combination of efforts to combat terrorism in all its forms; starting from successful security experiences and working to link them institutionally with the local government structures, especially in the opposition areas and the governorate of Sweida. All legal authorities should be removed and there should be a single unified legal reference established by the state according to the new constitution.
- **There should be emphasis on the need for civil society to support, monitor, and maintain the reform process and enhance the concept of local security empowerment** through the requirements of supervision and implementation by the people of the region, including execution of the security plan and taking into account the identity dimension of that area. There should also be regulations to determine the relationship between the local security structures and those of the central authority.

Chapter 3 outlines the challenges of the reform process and **discusses the relationship between changing political conditions and how close it is to forming a political process that leads to genuine security change.** Additionally, the chapter evaluates how much success can be achieved depending on the level of state failure that the country has reached. At the end of this chapter, it proposes an action plan based on a number of strategic goals that aims to create a comprehensive and cohesive security sector that fulfills its security responsibilities and ensures community participation. There is also a recommended timeline for this process that starts with the pre-transition phase, also known as the peacebuilding phase. Then there is the transitional phase that leads to the stability phase. This chapter makes a number of key conclusions:

- **It is not objective or useful to consider** the “reform process” a card for polit-

ical bargaining as it related to on-the-ground conditions of the regime and its allies.

- **Considering the demands for reform as a subject of political negotiations does not fulfil the need to prepare the appropriate conditions for stability in the face of fluid security challenges.** Implementing reforms is important as a healthy prerequisite for ending the Syrian crisis on different political, economic, geographic, and societal levels. It is therefore possible to affirm several assumptions, most important of which is recognizing political and societal consensus as the main basis for the success of the transition process. Furthermore, national consultations and dialogue on approaches, mechanisms, and forms of a transitional process is a highly important and critical step. It is equally important to consider localized conditions in any political process a mandatory step for achieving stability and avoiding the likelihood of a complete collapse of the state. The real work is for the international community to discuss the core issues without avoiding them and pushing the transition process forward, thus ensuring societal and national stability.
- **Despite there being international agreements on resolving the conflict, such as the Geneva communique, the political inertia that surrounds the process to attain change and reform has been transformed into a political bargaining chip according to the military situation on the ground or the results of ongoing Astana talks.** This is a strong indicator of the politicization of the security sector—or the political bargaining that will take place to form the new security sector. That is why other parties interested in the security services like the media, civil society, peacebuilding and other specialized NGOs should promote principles of pluralism, cooperation, and transparency.
- **The decision to conduct real reforms should come out of the political agreement and the mechanisms should be clearly laid out. The responsibility of forming a national agenda and plan should be delegated to a national committee that is part of the transitional body.** The depth of SSR depends on the different “military victory” scenarios and the marginalization of the Geneva political process. Any attempts at SSR done by a victorious regime will have no impact since the regime will simply apply the same policies it has since before 2011.
- **SSR is heavily linked with the need to amend the current constitutional and legal system.** The 2012 Constitution is authoritarian and rather than being a

factor of stability, it became a factor of contention, controversy, and division. It increased the fragmentation of Syrian society and deepened the crisis. The constitution became the problem and not the solution. The constitution outlawed arbitrary detention but did not protect citizens from such practices. It granted political freedoms but punished those who adopted them. The constitution also protected private life from any violation by the security apparatuses. Instead, the Syrian laws create a protection network for security agents in the face of prosecution. There are three main legislative decrees in this regard:

- Decree No. 14 of 1968, the General Intelligence Directorate.
 - Decree No. 64 of 2008, regarding the immunity of the elements of the Ministry of the Interior, the Political Security Division, and the Customs Control.
 - Decree No. 55 of 2011.
- **Proposals that must be included in the constitution are summarized in three categories:**
 - Implementing activating articles and laws found in the constitution.
 - Amending some of texts, especially regarding the oversight of the constitutionality of laws.
 - The establishment of constitutional provisions relating to the formation of the National Security Council and its functions.
 - **Legal reform requires two things:**
 - The abolition of laws that provide legal immunity for Security apparatuses.
 - Laws used to intimidate citizens, such as legalized arbitrary detention.
 - **Among the main obstacles to a security reform process is the resistance posed by regime heads and notables attempting to evade prosecution or delay their court hearings thus spoiling the national reconciliation efforts.** This will leave behind the negative impact of the oppression and the unresolved cases experienced by thousands of the regime's victims. It will also lead to Syria that is fragile and susceptible to conflict at any time.
 - **There is also the challenge of disarmament of opposition groups and non-government-related militias supporting the Assad regime.** These fighters will also need to be re-integrated into the government forces while taking into

consideration the impact of having a former regime officer in the ranks of the new forces during the democratic transition. The Syrian public will also be split along party lines, as well as a civil society that is preoccupied with rebuilding efforts.

- **In the context of preparing DDR programs**, there are many motives for fighters to be involved in armed conflicts, including financial and ideological incentives.
 - For **government forces**, DDR programs can be implemented after the transitional justice process is complete and those accused of crimes are held accountable for war crimes and human rights violations. It will be difficult to disarm and reintegrate the sectarian militias without using force to weaken them initially and then forcing them to give up their arms.
 - The **Free Syrian Army** groups are the most plausible candidates for DDR programs, but their participation depends on them feeling that they have achieved the goals of the uprising, which they set out to fulfill, and holding regime members responsible for their crimes.
 - The **Salafi jihadi groups** require more caution and the DDR program should be carried out gradually. Some groups can be re-integrated into civilian life through different social and financial programs while other groups that are ideologically oriented will be harder to put through the DDR program, at times dealt with by force.
 - **As for the SDF**, of which the YPG makes the bulk of its force, the re-integration process would be very difficult due to the ideological mindset of the groups who are dedicated to a regional nationalistic project that views the chaos in the region as an opportunity to achieve their own interests. Disarming the YPG and related groups probably would require security agreements with regional guarantors that would see the PYD-related forces integrated into the Syrian military forces in exchange for administrative autonomy locally.
- **In the context of dealing with terrorist manifestations**, it is necessary to recognize the importance of the role of civil society and societal initiatives and interactions in empowering communities and allowing them to have a positive impact on their communities. The return of political life and the growing social roles will generate a healthy culture of public sphere that has been infested by the oppression and recruitment efforts of many terror groups. It should be

noted here that there is a need for coordination among media outlets on producing and emphasizing on certain narratives and messaging.

- **In this context, the book proposes the establishment of a civilian body for the promotion and preservation of national security**, an independent consultative body with non-binding reports to be provided to the executive authority with technical and logistical recommendations. The recommendations should have a clear strategy that sets out the overall objectives and the expected timetable to reach them.
- **The general objectives for the restructuring of security apparatuses in Syria are:**
 - Protect Syrian national unity.
 - Protect Syria's borders and to keep Syria united regardless of its form, whether simple or complex.
 - Integrate active elements of the opposition into the state and security apparatuses.
 - Limit armament programs and controlling those that keep their arms.
 - Create a plan to protect public property and government institutional assets.
 - Protect counter-terrorism and extremism programs.
 - Protect and maintain transitional justice plans and avoid reprisals.
- **In order for the security reform process to remain consistent, it must take into account the dynamics of the security structures emerging throughout Syria.** This requires that security services mandate be divided in a balanced way between the central state and local government control, so no security body monopolizes power.
- **The phases and procedures required for restructuring, based on the principles of relatively gradual and coherent change and transition, guarantee the return of these bodies to the national framework and their integration with state institutions.**
 - The first phase starts with passing a series of legislations and decrees relating to restructuring and clarifying the mandate and scope of work.
 - The second phase is beginning operations to reform internal structures.

- The third phase is to build the rest of the components of the sector and to facilitate integration among the security sector components and civil society. We have proposed a A proposal for **“National Public Security Agency-NPSA”** office as the final form. The first office is a military intelligence service that is directly **linked to the Ministry of Defense** and is responsible for the security of the national army without interfering in civilian affairs. The second is a general national security office that is overseen by the **president's office**, responsible for executing internal security, creating the national identity, and protecting civil peace. These two institutions cooperate by exchanging information on relevant issues and work together to protect the state internally and externally from threats to the country's national sovereignty.

Introduction

Omran Center for Strategic Studies previously examined the changing security situation in Syria in its August 2016 study, **“The Syrian Security Services and the Need for Structural and Functional Change”**. This study offered a general description of the operations, methodologies, and philosophies adopted by Syrian security apparatuses and their various levels of incompetence. The paper also outlined the necessity for change in the security sector, the goals to achieve such change, and a roadmap for building a modern and effective state security system. The study supported the idea that any political path towards a solution in Syria that ignores its security structures, their shortcomings, and their roles during political transition would be futile. Furthermore, any political transition process that lacks a methodical change in the way security operations are conducted would be a wasted effort, especially if the security structures fail to protect the process of political transition. Such a situation would perpetuate social and political instability, further securing the Assad regime’s stability.

The 2016 study concluded that the Syrian state **does not possess a “security sector”** from a technical definition perspective sufficient enough to deserve reform. As it stands, security work in Syria falls into two categories: The first concerns forces of control and repression. Among these are the Air Force and Military Intelligence Directorates, which theoretically and legally are subdivisions of the Ministry of Defense, but their responsibilities and practical mandate extends into all civilian and military affairs. Additionally, the General Intelligence Directorate, with a dual reporting to the President’s office and to the National Security Bureau and integrated within the ruling party (the Arab Socialist Ba’ath Party). Meanwhile, the Political Security Directorate forms a division of the Ministry of Interior and has direct reporting to the President and National Security Bureau. In the second category, there are military bodies and apparatuses that are tasked with security functions and duties (such as the Republican Guard, the 4th Armored Division, and lately the Tiger Forces). These apparatuses bear the responsibility of engineering the security process, determining its relationships and foundations, ensuring the regime’s security, and carrying out all measures and operations within society whenever there is sign of a security threat.

Accordingly, the initial study identified two flaws and aberrations in the security architecture in Syria: The first relates to the security structure’s fragmentation, which

in the past has helped curtail community activity, while also limiting its progress and development. The second issue relates to the function of these services, which is characterized by fluidity and boundlessness, with the exception of its permanent role consolidating and bolstering the regime's stability.

Indeed, any reform process of these apparatuses must target their function and structure at the same time. Additionally, it should be noted that adopting theories that call for completely dismantling all security apparatuses and ending its operations as a first step during the transition without a comprehensive and alternative restructuring plan that rebuilds a more coherent sector, is an approach that ignores the overall political context of the Syria scene. To this end, the study proposed **three phases** for carrying out the reform and transition process: The **first phase** relates to the legal system, which will ensure the principles of integration, rebalancing, changing of functions and roles, and enhancing oversight. The **second phase** is linked to the development of the human, administrative, and technical infrastructures. As for the **third phase**, it will contain a set of measures that aim to complete the construction of a cohesive and functional security sector.

Following the publication of initial study, Omran Center launched the first phase of the project to review and expand the scope of the study and address important state building and transition questions concerning security sector reform and conduct workshops with relevant stakeholders that included the following files:

1. **Assessing the political assumptions** of the transitional process within the context of recent developments in Syria and how that impacts the positioning of security sector reform file within the priorities of the transitional and reform process.
2. **Analyzing the security architecture realities** in different control zones in Syria (opposition, regime, and self-administration), and how changes in the Syrian political and military scene influence existing security apparatuses, in addition to addressing the necessity of security governance.
3. **Addressing challenges and important files** such as restructuring, implementing dis-armament, demobilization and reintegration (DDR) programs, parliamentary oversight, constitutional and legal reforms, financial transparency, security archives and democratic transitions, transitional justice, and forming security structures capable of countering and combatting terrorism threats.
4. **The role of local actors and civil society** in the process of reforming security

apparatuses in Syria, and jointly countering with the security sector common threats on the national level.

5. Reviewing and updating the initial 2016 security sector reform study and recommendations based on feedback and discussions that took place in workshops conducted with different sectoral experts using realistic approaches

To examine these issues, Omran Center conducted a series conferences, workshops, and roundtable discussions during an eight-month period, until April 2017. Participants included Syrian academics, researchers, and security and political experts; representatives from Local Councils and international NGOs; and political, military, and independent opposition figures.

These conferences and workshops ensured **significant participation by Syrians** to formulate a common vision for rebuilding the security sector. They also examined the best tools and measures for such a process, considering the current political situation in Syria and avoiding the mistakes that other struggling nations have made.

Omran researchers also published a number of papers covering major topics related to the issue of security in Syria. These papers examined security sector reform in countries after conflict, evaluated available knowledge and skills regarding security sector reform, analyzed the experiences of successful nations, studied the implementation of disarmament programs and the redistribution of military forces in Syria, and evaluated the security situation in opposition-controlled parts of Syria compared to other areas. The papers also explored how to conduct legal and constitutional reform to replace the existing security structures inside Syria, examined transitional justice and its role in stabilizing the security sector, and studied the role of civil society in the process of rebuilding the security structures in other countries after conflict.

The purpose of this book is to clearly identify the relevant cognitive, political, social, and technical conditions for transforming Syria's security structures given the current situation in Syria. The research concludes that creating an executable vision is necessary to achieve success. This vision must be driven by common interests of all actors, and it must divert the conflict from political competition among the warring parties—local, regional, and international—allowing them to identify compatible conditions for local security in coordination with a centralized security architecture that is also in line with regional balances.

The primary research questions of this book are:

1. How compatible is the Syrian political situation with the current security sector? What are the conditions in the proposed political scenarios relating to the nature of the new political system in Syria that will prevent the repetition of previous failed attempts?
2. Do the existing security structures in the various parts of Syria under the control of varied groups have the ability to deal with constantly changing security threats? Are they changeable?
3. What roles and programs are required from the community to engage and participate in the formation and maintenance of a security strategy?
4. What is the potential for security reform in Syria and the nature, level, and goals of the plan to execute such reforms?

This book is organized in three chapters. **The first chapter** sets out the main concepts and policies required for a security sector transformation. It includes steps for restructuring the security sector, and disarmament and reintegration programs, while drawing on the experiences of other post-conflict countries. Additionally, this section identifies the primary catalysts for security sector transformation, such as a strong civil society and transitional justice programs that reflect the expectations of the community and incorporate five important themes—oversight, participation, transparency, responsibility, and justice.

The second chapter evaluates existing security architectures in zones controlled by the opposition, regime, and Democratic Union Party (PYD) “self-administration”. This chapter further assesses the current security structures and their effectiveness and capacity to achieve their declared security goals. This chapter will put forward proposals to merge some agencies and directorates to a more effective and efficient structure that fulfils the true characteristics of an efficient and operational security sector. This concept will take into account centralized and decentralized operations and functions that conform to national interests and contribute to a comprehensive security vision that incorporates all Syrian territories.

The third chapter deconstructs challenges in transforming the security structures in Syria, in order to ultimately present a practical and achievable proposal. This chapter considers the impact of changing political conditions on achieving and embarking on a political process that leads to genuine security reform and expected objectives and assumptions. It will also illustrate how deeply connected is any genuine change to the existence of a political will and capacity to face the challenges of

a failed state by instituting a necessary and systematic reform process. The last part of the chapter put forward a proposed security vision and action plan based on a set of strategic objectives that ensure a cohesive security sector that can operate effectively and allow communities to participate in their own security operations. It also provides a timeline with three phases of reform procedures and measures—the pre-transition or “peacebuilding phase”, the transition phase, and the stability phase.

Chapter I | Concepts and Programs for Restructuring Security Apparatuses

This chapter will discuss the core theoretical concepts and processes for reforming security service structures as a main component of the democratization process in post-conflict countries. It will identify principles and programs for Security Sector Reform (SSR); Disarmament, Demobilization, and Reintegration; and mechanisms for parliamentary oversight of security operations. In addition, this chapter will evaluate the security reform experiences in a number of Arab and western countries, as well as the critical role of civil society and transitional justice programs.

Section 1: Core concepts of restructuring Security Apparatuses

Security Apparatuses leave behind a negative sentiment with their native communities after conflicts. These side effects pose a serious threat to internal security and communal stability. In most conflicts, security forces are a main catalyst for the crisis and do not engage in any restructuring efforts that take into consideration the theoretical and practical concepts that would contribute to strengthening democratic functions and enable them to face any threats in a post-conflict phase. Usually, these security apparatuses have little or no oversight from parliament and try to manage society with suppressive tactics, such as violence and exclusionary practices. This reality reinforced the presence of irregular and paramilitary forces, which in turn contributed to the widespread proliferation of weapons.⁽¹⁾

Successful democratization efforts in post-conflict states depend on a secure environment, as well as a political and social system that ensures lasting peace. Without these, the reform process is impossible. For this reason, it is critical that the democratization process and peacebuilding efforts start with a comprehensive reform of security apparatuses that aims to democratize these structures and ensure that they serve, not destroy, the communities they seek to protect. This will ensure a productive role for security structures in the democratization process.⁽²⁾

A. Security Sector Reform (SSR)

The concept of Security Sector Reform (SSR) originated in the 1990s during the Yugoslavian war and has gained a reputation for effectiveness in post-conflict states. SSR is now a main concern for organizations engaged in post-conflict peace efforts, at the head of which are the United Nations, the Organization for Economic Co-operation and Development (OECD), and others. SSR has become the top priority of the parties most involved in conflict resolution, such as the EU, the United States, the United Kingdom, and Canada. Each country has developed its own understanding of post-conflict SSR and its own contingency plans for executing SSR with slight differences from country to country, depending on its own national interests.

(1) Organization for Economic Cooperation and Development – Development Assistance Committee [OECD-DAC] (2005), *Security system reform and governance. DAC Guidelines and Reference Series*. Paris: OECD

(2) Brzoska, Michael (2003) [note 2], p. 4; DFID (2002), *Understanding and supporting security sector reform* [Note 2].

The United Nations defines SSR as “a process to ensure the enhancement of effective and accountable security for the State and its people without discrimination and with full respect for human rights and the Rule of Law”.⁽³⁾

The OECD defines SSR as an operation that aims to increase the capacity for post-conflict nations to fulfill security needs democratically, using principles of good governance, transparency, and the rule of law by establishing legitimate and accountable security systems that contribute to reducing the risk of violence and the potential for violence to reemerge.⁽⁴⁾

The US Army Field Manual defines SSR as “activities undertaken by a nation and its partners to improve the way it provides safety, security, and justice to its citizens”.⁽⁵⁾

The British government’s Unit for the Prevention of International Conflict defines SSR as “a broad concept covering many actors, disciplines and activities, including security, legislation, structures and oversight issues, within accepted democratic norms and principles”.⁽⁶⁾

It can be deduced from the above definitions that the shared common perspective on post-conflict SSR include the following elements:

1. Transitional justice, as a starting point, through a program known as Justice and Security Sector Reform (JSSR).
2. Disarmament, demobilization, and reintegration (DDR) programs for the militias and paramilitary groups.
3. Rebuilding state institutions (army, police, intelligence, border guard).
4. Revamping the justice and penal systems.

(3) Heiner Hänggi, “UN Approaches to SSR—an Overview,” “Developing a Security Sector Reform (SSR) Concept for the United Nations, Proceedings of the Expert Workshop held in Bratislava, Slovakia, on July 7, 2006, Bratislava, Slovakia: Ministry Of Foreign Affairs of The Slovak Republic and Democratic Control of Armed Forces, 2006, p. 38.

(4) Kim Traavik, Opening Lecture: International and Security , Affairs Centre, 9th School of Security Sector, Reform, Belgrade, Serbia, April 23, 2007, available from www.norway-nato.org/news/230407.htm

(5) Contributions for International Peacekeeping Activities, Washington, DC: U.S. Department of State, 2008, p. 99, available from www.state.gov/documents/organization/79838.pdf

(6) Hänggi, p. 37

International organizations implementing SSR programs often pursue different agendas, yet the following conditions for a successful reform process are commonly sighted:⁽⁷⁾

1. Consideration of the unique circumstances of each country, the nature of the conflict in the country, and the parties to the conflict—from an international, regional, and local scope. Therefore, the initiation of SSR programs will differ from country to country.
2. Emphasizing the perspective of human rights as the basis on which the security sector is evaluated in order to launch an effort to reform the security institutions.
3. Consideration of the importance of local leaders participating in the reform process. In some cases, local leaders may not have the skills necessary to effectively lead, and their efforts without guidance could result in unwanted effects. In these cases, international partners should lead the reform process until the local leadership is capable of managing the reform process on its own.
4. The necessity to disarm all armed groups, including the militias and paramilitaries in post-conflict nations during SSR in order to protect the civilians within the rule of law.
5. The coordination between international NGOs and governments participating in SSR is essential to successful reform. If key actors fail to coordinate their efforts, then any attempts at reform would result in failure. This is especially the case when a single international actor dominates the process.
6. The inclusion of all security structures that have power to give orders to protect the community, citizens, and state, including the army, police, border guard, intelligence, oversight committees, as well as the judicial and penal systems.⁽⁸⁾
7. The cooperation of a number of actors, as well as the combined effort of the local community led by civil society organizations, the media, and international NGOs. Nongovernmental-armed groups should also be included in SSR efforts to ensure success.

Not only does SSR have a positive impact on security-related issues, it is also critical to economic development and to efforts of post-conflict reconstruction. The

(7) OECD DAC Guidelines on Helping Prevent Violence Conflict (2001).

(8) Ibid.

state and its security structures have a direct impact on sustainable development levels since security is a precondition for a vibrant economic cycle. The savings gained from the new fiscal policies of the security sector allow extra funds to be reinvested in the state, so it can improve other capacities, develop society, and deal with the issue of poverty. Furthermore, simply reorganizing the security structures, which already play a negative role during conflicts, without creating monitoring mechanisms to hold them accountable, would only lead to continued conflict and increased poverty.⁽⁹⁾ Civilian participation in the creation of security policies within the SSR process will make it relatively easier to address issues of development and poverty.

In order to fulfill the SSR goals of democratization, human development, and poverty reduction, one must take into consideration when creating the main policies of the SSR plan:⁽¹⁰⁾

1. SSR is a comprehensive process that includes all security apparatuses, which are essential to ensuring the state's internal and external security.
2. SSR not only aims to improve the way security structures operate but also ensures that these structures are properly scrutinized and monitored in order to affirm their legitimacy and their compliance with the law. For this reason, local leaders with the support of the international community should lead the SSR process—not the other way around.
3. The main goal of SSR is to ensure that the primary objective for security apparatuses is to protect the individual members of society while protecting human rights according to the law. The focus should not be solely on the security of the state, so the relationship between the security structures and the citizens remains positive and previous negative experiences with security forces should not be repeated or re-emphasized.

B. Disarmament, Demobilization, and Reintegration (DDR)

Democratic reform, especially in nations recovering from armed conflict, requires a safe environment conducive to efforts in SSR and reconstruction. This is why DDR programs are so critical to post-conflict nations and the SSR process. DDR is considered the first step to building lasting peace after a conflict and precedes any

(9) World Bank, *Breaking the Conflict Trap: Civil War and Development Policy*, 2003.

(10) Gue'henno, Jean-Marie. 2002. "On the challenges and achievements of reforming UN peace operations", *International Peacekeeping*, Vol. 9, No. 2, pp. 69–80.

democratization processes. The DDR program is complicated and has political, military, security, humanitarian, social, and economic implications. It attempts to deal with post-conflict challenges resulting from ex-combatants being left idle without their traditional support networks and with little knowledge of anything other than bearing arms. DDR programs operate throughout the transitional phase until peace is achieved and then into the development phase.

First: DDR Concept and Dimensions: peacekeeping situation is established

The United Nations describes DDR as follows:⁽¹¹⁾

1. Disarmament is the collection, documentation, control, and disposal of small arms, ammunition, explosives, and light and heavy weapons of combatants and often also of the civilian population. Disarmament also includes the development of responsible arms management programs.
2. Demobilization is the formal and controlled discharge of active combatants from the armed forces or other armed groups. The first stage of demobilization may entail processing individual combatants in temporary centers or massing troops in camps designated for this purpose (cantonment sites, encampments, assembly areas, or barracks). The second stage of demobilization encompasses the support package, which is called reinsertion, provided to the demobilized.
3. Reintegration is the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open timeframe, primarily taking place in communities at the local level. It is part of the general development of a country and its national responsibility and often necessitates long-term external assistance.

It is important to note here that these programs alone cannot stop conflicts completely or end all acts of violence. Instead, DDR is a focal point that significantly contributes to creating a safe environment in which peace and strategic development can be sustained. Then, issues like managing weapons, reforming the security sector, and other legal, parliamentary, rule of law, and electoral reforms can also take place. The United Nations views DDR as the first step in a series of steps

(11) Ballentine, Karen/Nietzsche, Henio (2003): *Beyond Greed and Grievance: Policy Lessons from Studies in the Political Economy of Armed Conflict*, (International Peace Academy Policy Report), New York. Available in <https://goo.gl/E3JhIC>

towards peace building and focuses on the individuals who were directly involved in armed groups. Together they devise practical plans for protecting communities and allowing these ex-combatants to live as law-abiding citizens in those same places. The UN also has long-term goals focused on building the national capacities for peace, security, and development.⁽¹²⁾ Ex-combatants are also encouraged to play a role in the peace process through disarmament programs, which takes them out of the paramilitary hierarchies and reintegrates the ex-combatants into civilian life both socially and economically.⁽¹³⁾

There are five categories of people to take into consideration for DDR programs: male and female fighters, child fighters recruited by armed groups and militias, those involved with the armed groups but not engaged in fighting (including women), ex-combatants who are injured or have debilitating conditions, and families of ex-combatants.⁽¹⁴⁾

According to the definition set forth in the third Geneva Convention in 1949 on the Treatment of Prisoners of War, a combatant involved in international armed conflicts is a member of the national army or an irregular army; a person actively involved in military activities or engaged in the recruitment and training of combatants; a person who occupies a position to issue orders and decisions within a national army or armed organization; or a person who has arrived in a host state carrying weapons or military uniforms or as part of a military army; or a person who arrives in a host state as a normal civilian but then performs military activity or shows intention to engage in any of the activities mentioned above.⁽¹⁵⁾

Second: DDR Strategies

The United Nations has in place a number of strategies geared towards disarmament, demobilization, and reintegration:⁽¹⁶⁾

- **Short and long-term disarmament strategies:** “The removal of weapons from combatants is only one aspect of disarmament within DDR. A broad range of

(12) Ibid.

(13) Colletta, Nat J./Nezam, Taies (1999), *From Reconstruction to Reconciliation. Special Report: the New Wars*, (Development Outreach, World Bank Institute), Washington. Available in: <https://goo.gl/6NZroF>

(14) Development Cooperation Directorate (DAC; OECD, 2001), *The DAC Guidelines. Helping Prevent Violent Conflict*. Available in: <https://goo.gl/01ANb8>

(15) Ibid.

(16) Gurr, Ted Robert/Marshall, Monty G., *Peace and Conflict 2005. A Global Survey of Armed Conflicts, Self-Determination Movements and Democracy*, Maryland. Available in: <https://goo.gl/WPZqDf>

short- and long-term activities should accompany this process, including: community-based weapons collection and control programs; weapons destruction; the (re)establishment of domestic legal systems to control weapons possession, regulate local weapons production industries, and manage the supply and transportation of weapons; and securing State stockpiles to prevent leakage of arms into society. External measures such as international and regional small arms and light weapons conventions and arms embargoes must be used to devise cooperative regional strategies to control the flow of illicit weapons across borders.”

- **Disarmament of ex-combatants:** “This is central to creating a secure environment, but it is important not to place undue emphasis on short-term results, such as the quantity of weapons collected or numbers of ex-combatants demobilized. In the past, however, a gap in the operational, programmatic and funding activities divided these two processes from longer-term reintegration plans. The result was frustration and renewed violence among idle, unsupported ex-combatants waiting for the reintegration process to start. Rapid and large-scale disarmament may therefore have negative longer-term consequences for a peace process if reintegration activities do not start immediately.”
- **Regulating supply:** “While regulating the supply of weapons in circulation is the first step in establishing a comprehensive and effective weapons control program, it is also necessary to deal with the fact that people feel they need to own weapons and to reduce demand for such weapons. In order to reduce demand for weapons, DDR programs should try to understand and deal with the underlying causes of a conflict.”
- **Targeted military operations:** “If mandated by the Security Council, UN peacekeeping forces can pressurize armed forces and groups into disarming voluntarily through military operations aimed at achieving specific results. Such operations aim to break the hold of armed forces and groups and weaken their structures. They may involve the establishment of UN-enforced weapons-free zones, or cordon-and-search operations to confiscate arms caches.”
- **Comprehensive reintegration:** “Sustainable reintegration has political, economic and social dimensions, all of which should be included in the overall DDR process. Politically, systems should be established that allow citizens and concerned parties to have their political grievances dealt with through legitimate channels rather than by taking up arms. Such systems should also encourage

long-term reconciliation and reconstruction. Political renewal may include creating transitional justice mechanisms such as a truth commission, formal reconciliation measures, writing a new constitution, forming new political parties, holding elections, and building a new judiciary, military and police service. This is so that they may support themselves and participate in rebuilding the economy, those who took part in the conflict need to be (re)trained and educated. They have to be integrated into an economy that is not based on war.”

Third: The Rwandan DDR Experience

In searching for similar cases like Syria, Rwanda genocide and post-conflict processes might shed some lessons to be learnt. Years of violence and conflict in Rwanda—following the collapse of the Arusha peace process in April 1994 and the ensuing genocide—have cast a shadow over neighboring countries and have fueled the war in the Democratic Republic of the Congo in particular. Regional peace initiatives culminated in the Lusaka ceasefire agreement in July 1999.⁽¹⁷⁾ The government of Rwanda and many other governments began withdrawing their troops from the Democratic Republic of the Congo in 2001. A combination of factors are linked to the diplomatic progress that followed the Lusaka Agreement and the Rwandan government policies, encouraging the return and reintegration of members of Rwandan armed groups, building the deterrence capacities of the Rwandan Defense Forces, and improving the prospects for settling the conflict in Rwanda.⁽¹⁸⁾

Tools and methodology: Reintegrating ex-combatants into civilian life is critical to maintaining social stability and economic development, as well as minimizing local violence. To this end, the Rwandan government launched a UN-backed DDR program between 1997 and 2001, during which 18, 000 ex-combatants were demobilized.⁽¹⁹⁾ In June 2001, the Rwandan government asked for the World Bank’s help in expanding the program with funding from the bank’s International Development Association. The government also requested the bank’s assistance with managing financial support from various donors. In the second phase of the Rwandan DDR operations, 22, 000 ex-combatants from the Rwandan defense forces were demobilized, as well as 12, 500 from various armed groups. They were then given

(17) Colleta· Nat J· Markus Kostner, & Ingo Wiederhofer. 2004. “Disarmament, Demobilization & Reintegration.” In *When States Fail: Causes and Consequences*, ed. Robert I. Rotberg, 170–18. Princeton, NJ: Princeton University Press.

(18) Ibid.

(19) The International Development Association On the Ground, Rwanda: helping ex-combatants to lay down their arms and plow instead. 2009, <https://goo.gl/6Smz7i>

support to successfully return to their civilian lives in any town or village of their choice. The program also reallocated military expenditures to social and economic development programs. Another 15, 000 ex-combatants from the Rwandan Armed Forces went through the reintegration program. Twelve thousand more ex-combatants were demobilized in the first phase due to their inability to adjust to the new conditions; they were given help to join civilian life.⁽²⁰⁾

The second phase of the program cost \$62.6 million (USD). The Rwandan government paid \$2.7 million, the World Bank's International Development Association paid \$28.8 million, and a variety of donors paid \$14.4 million through a World Bank-managed fund.⁽²¹⁾ Additionally, the United Kingdom paid \$8.8 million and Germany paid \$7.9 million.⁽²²⁾

The International Development Association played a key role in developing a regional methodology to implement DDR programs in a number of countries. This shared experience was the combined effort of seven neighboring states, thirteen different donors, and a number of UN-affiliated organizations, as well other partners. Together they encouraged stability and development in the region through the DDR program, which affected 450, 000 ex-combatants in central Africa. The multinational DDR program was the umbrella under which the Rwandan DDR program received support.⁽²³⁾

In fact, the DDR program in Rwanda successfully assisted thousands of ex-combatants to return to their civilian lives. During the second phase of the program, 22, 000 more former soldiers were demobilized in 2007 reaching a grand total of 22, 675 demobilized soldiers. Another 7, 091 ex-combatants from 12, 500 were also demobilized.⁽²⁴⁾ Furthermore, 12, 969 ex-combatants from the Rwandan armed forces, 22, 675 ex-combatants from the Rwandan defense forces, and 6, 262 ex-combatants from various armed groups all received help for reintegration as well. They generally received support in the form of salaries aimed at helping them start small businesses or an agricultural project.⁽²⁵⁾

(20) Ibid.

(21) Ibid.

(22) World Bank, Conflict, Crime and Violence. Available in: <https://goo.gl/JCD1Q4>

(23) The International Development Association On the Ground, Rwanda: helping ex-combatants to lay down their arms and plow instead. 2009, <https://goo.gl/6Smz7i>

(24) United Nations. 2006, Operational Guide to the Integrated Disarmament, Demobilization & Reintegration. Standards, New York: United Nations. Available in: <https://goo.gl/q23x9X>

(25) Ibid.

Additionally, 11, 098 people in exceptionally vulnerable circumstances were given a grant of 150, 000 Rwandan Francs (currently 177 USD) deemed to be “Help for the Vulnerable”. These were ex-combatants in the Rwandan defense forces who were demobilized in the first phase of DDR but found it difficult to reintegrate into civilian life.⁽²⁶⁾ Similar funds were distributed to 17, 678 ex-combatants demobilized during the second phase of the DDR and who also faced difficulties during reintegration. In addition, 674 child soldiers demobilized in the first phase and 8, 400 ex-combatants with disabilities or debilitating diseases received support under this program.⁽²⁷⁾

The DDR programs offered diversified assistance for economic reintegration, some of which focused on encouraging ex-combatants and civilians to implement local business projects. The program included 9, 821 participants with redistribution of profits through a local development fund and a comprehensive economic package to assist demobilized soldiers from the Rwandan defense forces return to civilian life and rely on themselves.⁽²⁸⁾ In addition to the aforementioned grants, which went to those at greatest risk during the demobilization phases, all 22, 675 ex-combatants who were demobilized in the second phase received the same package. They were discharged with a basic package of 60, 000 Rwandan Francs (currently 71.06 USD) to cover the cost of obtaining a home, purchasing food and household supplies, and meeting immediate needs. A month later, they received a service allowance through the banking system, and the amount of the allowance differed based on the ex-combatant’s former military rank. In the end, they were eligible for a reintegration grant of 120, 000 Rwandan Francs (currently 142.12 USD) to start a small business. Ex-combatants from armed groups repatriated from the Democratic Republic of the Congo (DRC) received similar benefits, which continue today. The service recognition allowance was paid to 12, 969 DRC ex-combatants, of whom 3, 242 qualified for the "Support for the vulnerable" grant program.⁽²⁹⁾

Recognizing that ex-combatants suffered from a lack of education, the DDR project also provided training and technical assistance opportunities. In 2007, 669 ex-com-

(26) The International Development Association On the Ground, Rwanda: helping ex-combatants to lay down their arms and plow instead. 2009, <https://goo.gl/65mz7i>

(27) Ibid.

(28) Multi-Country Demobilization and Reintegration Program (MDRP). Available in: <https://goo.gl/7i7300>

(29) United Nations, Disarmament, Demobilization and Reintegration, Resource Centre. Available in <https://goo.gl/DI0Sht>

batants received formal educational support, 1, 885 received vocational training, 664 received industrial training, and 2, 093 participated in an adult literacy program, while others took courses in basic business skills and conflict management.⁽³⁰⁾

Fourth: Features of a Successful DDR Program

Relevant academic and UN literature share a number of key factors for a successful DDR program, as illustrated below:⁽³¹⁾



1. It should be **people-focused** where the eligibility criteria for DDR programs are carefully designed and directed towards armed groups and individuals. These may include various types of individuals who participated in the conflict within

(30) The International Development Association On the Ground, Rwanda: helping ex-combatants to lay down their arms and plow instead. 2009, <https://goo.gl/6Smz7i>

(31) Human Security Center (2005), The Human Security Report 2005: War and Peace in the 21st Century, Vancouver. Available in: <https://goo.gl/tEBSfu>

different formations (rebel groups, armed gangs, mercenaries, etc.). In order to provide each group with the best assistance, it is necessary to adopt practical strategies that address the special needs of such groups. For example, the establishment of separate camps for children that specialize in reintegration, appropriate medical support for people with chronic diseases and so on.

- 2. Inclusiveness, non-differentiation, justice, and equality** are fundamental principles in both the design and implementation phases of an integrated DDR program. This means that individuals should not be discriminated against based on gender, age, race, religion, nationality or ethnic origin, political opinion, personal qualities or affiliations. Non-discrimination in particular is important when establishing eligibility criteria for individuals to enter into DDR programs, which should provide ex-combatants with equal opportunities and benefits regardless of their political party or the armed group for which they fought.
- 3. While boys and men may have been primarily engaged in combat**, women are likely to play a variety of roles in armed groups, as fighters, wives, correspondents, cooks, etc. Therefore, the design and implementation of DDR programs should **promote gender equality** based on gender-sensitive assessments that take into account these different experiences, roles, and responsibilities during and after conflict. There should be specific actions taken to ensure the participation of women at all stages of DDR, in discussions about peace and the establishment of national institutions and agreements, as well as in the design and implementation of specific programs and projects.
- 4. Unconditional release and protection** of children are two of the most important factors regardless of the status of the peace talks. DDR programs supported by the United Nations should not be allowed to encourage the re-recruitment of these children to serve in combat forces in any way, especially by military leaders who seek to inflate the number of DDR participants in order to acquire more funding.
- 5. Respect for human rights and the principles and laws of humanitarian assistance** are also important. Mechanisms that stop reprisals and discrimination should be established. Human dignity is a fundamental principle, which means that all actions must be taken with full respect for the person concerned, while ensuring his or her dignity at all times. When a party or individual breaches conventions or obligations, the United Nations should take appropriate remedial action or exclude individuals from DDR processes. Mechanisms must

therefore be designed to prevent those who have committed human rights violations from impunity. In many post-conflict situations, there is often a conflict between reconciliation and justice, but efforts must be made to ensure that human rights violations and serious violations of humanitarian laws by ex-combatants and their supporters are dealt with through national or international legal mechanisms.

- 6. Flexible programs that adhere to international DDR standards** are important. DDR programs must be adapted to the state or territory in which they are applied. They should be easily adaptable and capable of responding to widespread problems and unpredictable circumstances. Transparency is key. DDR programs must be implemented in such a way that information is available and understood by shareholders, beneficiaries, partners, and owners within the reasonable limits required to protect privacy and ensure security. Accountability is also key. DDR programs must be accountable not only to international donors but also to local partners, beneficiaries and participants. There must be an effective reporting, monitoring, and evaluation system of all DDR operations and related finances.
- 7. The UN must ensure nation-wide and localized management structures of DDR programs.** It may be a challenge to achieve a genuine national ownership of DDR, especially in the initial stages of post-conflict stability. The national administration includes more than just the central government leadership but also involves the participation of a wide range of governmental and nongovernmental actors at the national, local, and provincial levels.⁽³²⁾
- 8. DDR requires an integrated approach** that achieves much more than coordination between operations and actors. It ensures adequate coordination with related programs, such as recovery and the rule of law. There should be adequate coordination with regional DDR initiatives, as well. To achieve this, an integrated unit or integrated state-level DDR team must be established to integrate the vested interests of the mission, agencies, and participating funds and programs based on an agreed memorandum of understanding.

(32) Within the framework of international disarmament, demobilization, and reintegration standards, the United Nations supports and develops the national disarmament, demobilization, and reintegration strategy not only through representatives of the various parties to the conflict but also through civil society. It also promotes active participation of affected communities and groups that have been marginalized in disarmament, demobilization, reintegration, and post-conflict reconstruction programs. These include representatives of women's groups, child advocates, and people from minority communities.

- 9. Good planning is also important.** Lessons learned from previous processes suggest key issues: safety and security, coordination, ongoing assessment, monitoring and final assessment, information and awareness, transition, and exit strategy.

Section 2: SSR Experiences in other States

Surely, the drastic levels of transformation and escalation of the conflict make the Syrian case an exceptional circumstance. On one side, there are local forces that have lost most of their traditional ties and have endured immense human suffering. On the other, there are external forces with conflicting views on how to define the conflict. Regardless of these differing views, the conflict is essentially a regional and international proxy war. The way the conflict plays out is directly related to the way the regional political system transforms. Due to the exceptional nature of the Syrian conflict and a lack of similar situations for reference, the study of security reform in Arab Spring countries with situations similar to Syria is very important. Such studies are critical to increasing the knowledge base and the progress of this movement and establishing core principles and best practices for security reform.

A. Struggle in Arab Spring Countries

The reform processes undertaken by security sectors in some Arab countries still face several complex challenges. In his assessment of obstacles to security reform in Arab countries, Yezid Sayigh discusses several local issues, analyzed below:⁽³³⁾

The Arab countries that experienced recent social changes all shared similar characteristics, but the demand for security sector reform was the main catalyst that launched a widespread protest movement. Therefore, it is necessary to learn from the experiences of these countries to optimize efforts in Syria. Security sector reform in Arab countries faces a particular set of challenges, as Yezid Sayigh pointed to the following considerations:

- The legacy of authoritarian regimes is reinforced thus pressing societies to accept authoritarianism as a matter of reality.
- Public institutions fail to function and security sector reform fails if not implemented in conjunction with the reform of other state institutions in general.

(33) Yezid Sayigh, *Dilemmas of Reform: Policing in Arab Transitions*. Carnegie Middle East Center, 30-3-2016, <http://carnegie-mec.org/2016/03/30/dilemmas-of-reform-policing-in-arab-transitions-pub-63090>

- There exists excessive liquidity and vagueness during transitional phases following the uprisings and post conflict.
- Influential regional and international actors mistakenly ignore critical issues for the sake of easing transitional operations, which in turn results in a weaker state and less social cohesion.
- There is a dilemma for the political economy in terms of the costs of modernizing and rehabilitating the security sectors as well as the possible consequences of reform on job security and social welfare.
- There are conflicting expectations for the reform of the criminal justice system in terms of the SSR process. Both issues related to the justice system as well as social factors should be taken into consideration.
- There is an absence of agreed-upon standard practices for engaging in official or unofficial peaceful politics.
- Governments and local communities are solely focused on fighting terrorism without any serious plan to reform the security sector; this encourages aggressive security operations on the political and social levels.

A review of partial attempts to reform the security sector in Tunisia, Egypt, Libya and Yemen after 2011 indicates that their "interim governments" have not been immediately accessible and have not engaged in a broad dialogue with the security sector (or political partners and competitors). This is contrary to the elements needed to engineer a more effective security sector that is able to confront unexpected changes, especially the emergence of extremism and developing proper counter extremism policies.

The most important lessons we take from Arab Spring countries cannot be ignored during the engineering of reform processes in Syria. They are summarized in the following ten action plan issues:⁽³⁴⁾

(34) For more information on this visit the following links:

1 - Yezid Sayigh: Fragile States: Security Sector Reform in Libya and Yemen, Carnegie Middle East Center, 18-6-2015, <http://goo.gl/3M0JoF>

2- Dr. Ezzeddin Abdelmoula, Highlights of the Tunisian Experience in the Democratic Transition, Al Jazeera Center for Studies, 14-2-2013, <http://goo.gl/VPkaBC>

3 -Heikal Ben Mahfouz: Security in transition, a look at the reality of the reform of the security sector in Tunisia after three years of democratic transition, Arab Reform Initiative, July 2014, <http://goo.gl/NjUMGS>

4 - Mohammed Mujahid al-Zayat: Restructuring the security services in the Arab revolutions, Al-Jazeera

1. Limit the factors leading to a counterrevolution. If the transition process approach continues to create marginalization in the political, social, economic, and administrative spheres and does not take measures due to fear of creating chaos, then this will only result in an environment vulnerable to continued instability.
2. Dialogue between the civilian and security sectors is important. There are two parts to this issue:
 - a. Establishing mechanisms for monitoring and accountability within the security sector; promoting a culture of self-improvement, development, better salaries, better work conditions, and clear hiring and promotional policies
 - b. Promoting community support either through a culture of maintaining public security or through building institutions that address the security situation directly
3. There is an organic relationship between security sector reform and legal/constitutional reforms. For example, in Tunisia, the United Nations Development Program (UNNDP) and the Geneva Centre for the Democratic Control of Armed Forces (DCAF) agreed that the armed forces in partnership with the Tunisian government would work jointly to reform the security apparatuses making changes at the legislative, constitutional, institutional and cultural levels. This happened with emphasis on the need to establish programs at the High Institute of Courts designed to combat corruption and ensure respect for human rights and the principles contained in the relevant international treaties.
4. It is important that general operational scope and mechanisms of the security structure are clear. In Egypt, it was necessary to transform the security structures from state to national security structures. This required taking away many of the security apparatuses' former tasks, which did not match the new job description. The Ministry of Interior issued the first-ever police code of conduct in October 2011, but the document lacked clear obligations and penalties. A new social contract must be established between the people because the security structures continue to force themselves on the people purporting to be a force of stability since appropriate transparency and monitoring mechanisms

Center for Studies, 14-2-2013, <http://goo.gl/IFGk4F>

5-Hussein Hamouda, The Security Problem: Internal Security Institutions Between Restructuring and Construction in Egypt, 9-5-2016, Al-Ahram International Politics, <http://goo.gl/5qsKkR>

are not in place.

5. Capitalize on political opportunities, and achieve a political understanding based on the general framework of reform and the development of institutional mechanisms to assist the process. The Libyan experience shows that the absence of these understandings in addition to the established institutional constraints contributed to the reduction of security sector reform. To a large extent, this was due to the extensive purges of former regime employees backed by a termination law that extended to both the political and administrative spheres. Similar dynamics in Yemen also caused destructive counter-mobilization when rival elite factions sought to build political support bases within and outside the security sector to establish themselves in new governance arrangements.
6. Establish an appropriate legal framework for the position of head of the security forces. For example, experts in Egypt suggested that the head of the new security agency should be selected from outside the existing state security institutions. The president and the parliament should approve this person after a hearing in which all security policies are agreed upon. The terms of the chairperson, his deputies, and his senior assistants shall be linked to the term of the President of the Republic, hence all these positions are filled with new people every presidential term.
7. The main goal for restructuring and reforming the security sector is to ensure the unity and stability of society. Otherwise, the reform process would be built upon the vengeful motivations of some political and religious factions. It is important to avoid falling into the misunderstood concept of “community policing” prevalent in some countries. This could result in the creation of community policing groups that are more similar to small militias or vigilantes. Something like this happened in Egypt at the beginning of the revolution when Egyptians created their own “People’s Committees”, which should not be relied upon in normal circumstances.
8. Take into account societal dimensions, and avoid actions that violate the community’s identity. If the reform process is framed as a “defense of secularism” in the face of “oncoming Islamist control” in order to appease the west, then this would seriously disturb local sentiments. In Tunisia, for example, the greatest failure of the transition process is that initial efforts to launch SSR were not socially supported in terms of the unity of purpose and were presented

in a manner that perpetuated the polarization of secularism versus Islamism.⁽³⁵⁾ Political alliances and social harmony are required for establishing coherent reform policies.

9. Form a clearly identifiable and unified body that deals with national security issues. In Libya, the security apparatuses formed after the uprising included groups belonging to militias with competing interests. This created a deteriorating security reality, which made reform efforts more difficult.⁽³⁶⁾ The Libyan government launched a campaign against the militias not affiliated with official security structures. Militias preferred to maintain their military strength and engage in armed conflict with the security forces, which made the goal of controlling arms in Libya very difficult.
10. Achieving national consensus on the necessity and framework of SSR is a prerequisite for moving towards a transition with fewer challenges. In Yemen, the dismissal of senior security officials loyal to Ali Abdullah Saleh did not reflect any significant change in the security approach.⁽³⁷⁾ The SSR process in Yemen still needed to put an end to the multiple competing security apparatuses and to establish effective mechanisms for legislative, judicial, and civil control of the sector. The interference of security apparatuses in political life should also be prohibited and the principles of accountability and transparency should be made a priority with regard to the performance of the security apparatuses.

(35) "The White Book", submitted by a specially appointed minister for reform in October 2011, was quickly rejected by Ali Al Arid of the Nahda Party when he became minister of the Interior shortly thereafter. His party's attempts to place senior security officials into certain positions brought accusations that they were trying to impose party control over the security sector. On the other hand, the tendency of the Nahda Party and the Nida Tunis Appeal to appease the security sector, mostly through wage increases, diluting legal controls and equipping them with new equipment, allowed it to resist efforts to make the security sector transparent and accountable.

(36) ex. The Supreme Security Committee which operates parallel to the Libyan police forces, and the Libyan Shield made up of groups from the east, Misrata and Zintan, and acts parallel to the Libyan National Army.

(37) Yemeni President Abd Rabbo Mansour Hadi reshuffled some of the ministers and security officials in a move aimed at reducing the influence of former President Ali Abdullah Saleh. He replaced the prime minister, the director of Military Intelligence and the head of National Security because they were close to Saleh and appointed instead Ahmed Mohsen Yafi'i, former senior defense official, and Ali Hassan al-Ahmadi, former governor of Shabwa province in southern Yemen, as head of the new national security apparatus.

B. Romania and Brazil: Two Examples of Democratic Reform

This section reviewed democratization and restructuring experiences of security apparatuses of Romania and Brazil. Although these two countries are unique in terms of geographical location, culture, and history, but they share common patterns with respect to the structure of the security and intelligence services. They belong to two regions that witnessed a wave of democratic transitions; Eastern Europe and Latin America. The two countries have suffered from oppressive dictatorships in which the intelligence services constitute the mainstay of the authoritarian leaders. In both cases, they have similar structures to that of the Syrian regime's security apparatuses.⁽³⁸⁾

First: Romania; Justice of the victor

The Syrian security sector today highly resembles that of Romania before 1989. Romania was under the rule of a one-party authoritarian regime; the Romanian Communist Party, which deified the dictator Nicolae Ceausescu. As is the case in all dictatorships, the Romanian intelligence service and the state security apparatus were the main tools used by the regime to sustain its power. The "Political Police" was the most repressive tool in the hands of Ceausescu, who mercilessly used it to force his dominance over society and oppress his opponents.⁽³⁹⁾

Under these conditions, and with the beginning of the collapse of communism around the world, the social and political discontent in Romania against Ceausescu and communism led to the outbreak of a mass revolution in December 1989 that led to Ceausescu's toppling. He was executed after a quick trial that shaped the beginning of the democratic transition in Romania. Immediately after Ceausescu's execution, state security apparatuses, a symbolic icon for the communists, were targeted with office raids and the arrest of leaders, who were sent to courts and

(38) In Romania, the democratic transition was a result of a popular revolution that succeeded in overthrowing the dictator. Therefore, the democratic revolutionary force had the power to control the transformation & restructuring process. While in Brazil the transition was the result of a political understanding with the army that controlled the country for a long time. From these two experiences, we can learn some key lessons in preparation for the transition in Syria. For example, if the opposition succeeds, then the experience will be closer to that of Romania. If the regime succeeds, then the process will be closer to the experience in Brazil.

(39) Barbara Geddes would describe the Romanian case as "personalist". See Barbara Geddes, *Paradigms and Sand Castles: Theory Building and Research Design in Comparative Politics* (Ann Arbor: The University of Michigan Press, 2003): 50-87.

punished. Furthermore, all of the security structures were brought under the command of the army, and all records were preserved. This was critical at the time since the security structures were loyal to the communist regime and without complete control over them reform would be impossible. In addition, if the army had not taken control of these security structures, Romania would have easily slipped into civil war. In fact, reform in Romania did not come about through a negotiation between Ceausescu loyalists and democratic reformists. Instead, change came about via a social movement that claimed the lives of many students, academics, and the working class due to dictatorial policies, the absence of civil society organizations, and a lack of rule of law.⁽⁴⁰⁾

The process of restructuring security apparatuses in Romania began with the 1991 National Security Act, which gave the government the right to supervise all activities related to national security, including intelligence and all security apparatuses. Rebuilding new intelligence services on a legal basis and subjecting them to democratic control was problematic in a country where the public's anger at the former security apparatus was enormous.⁽⁴¹⁾ Therefore, during the revolution and most of the transitional period, the intelligence services were frozen and controlled by the army. The transitional government was not willing to deal with them. To cope with internal and external threats to national security, the government decided that the establishment of a new intelligence apparatus was necessary. To avoid the possibility of concentrating power in the hands of one particular security apparatus, which might lead to the weakening of the government, the Romanian government decided to split the intelligence apparatus into separate offices. It was divided according to Article 15 of the National Security Law of 1991 accordingly:⁽⁴²⁾

1. Independent Intelligence Structures:

- a. Romanian Intelligence: Personnel are responsible for gathering intelligence related to Romanian national security. They assess and analyze all data regarding potential threats to internal and external security. The Romanian Intelligence collaborates with Army Intelligence and the courts on anti-ter-

(40) Securitate personnel earned higher salaries as compared with other military/police employers, had better living standards and enjoyed the possibility to travel abroad.

See <http://www.free-definition.com/Securitate.html>

(41) Bianca Guruita, "The Shadow of Securitate. Leaked Files and Political Machination Mark Romania's Struggle to Open its Secret Police Archives," at: <http://archive.tol.cz/transitions/sep98/thshadow.htm>

(42) Chris D. Ivanis, "Romania: A Kidnapped Revolution and the History of a Pseudo-Transition," available at http://www.arts.monash.edu.au/eras/edition_2/ivanis.htm

ror operations. Romanian Intelligence was established by law according to National Security Law Number 14 in 1992.

- b. External Intelligence: Personnel conduct all intelligence operations outside of Romania and aim to protect it from external threats & its citizens abroad.
- c. National Guard: This intelligence institution is an independent military unit responsible for the president's security, as well as the security of government officials, political party leaders, and foreign diplomats.
- d. Communications Intelligence: This institution was established in 1993 with government decree 229 and is responsible for securing state and military communications. It also encrypts all National Intelligence communications. This structure also oversees all undercover intelligence agents.

2. Intelligence Structures under the Defense Ministry:⁽⁴³⁾

- a. Directorate of Military Information: This intelligence agency is part of the Ministry of Defense and is responsible for collecting and analyzing military intelligence related to national security. It is also responsible for protecting military, encryption, and geographical data used by the military.
- b. Directorate of Intelligence and Military Liaisons: This intelligence agency is responsible for monitoring activities of foreign intelligence.
- c. Directorate of Military Security: This intelligence agency is specialized in combatting spying within the military.

Structuring the Intelligence System and its Obstacles: Following the Cold War, Romania had to restructure and adjust its intelligence services to meet a wide range of security threats and adjust its operations to conform to the state's new democratic principles. It was necessary to launch a comprehensive reform process that included the employees, the operational strategies, and the core principles. The reforms became more important due to pressure from the media and the people, and they were also essential to meeting the requirements of the European Union (EU) and the North Atlantic Treaty Organization (NATO).⁽⁴⁴⁾

(43) Károly F. Szabó, "Parliamentary Overview of Intelligence Services in Romania," presented at a conference of the Geneva Centre for Democratic Control of Armed Forces, October 2002;
http://www.dcaf.ch/news/Intelligence%20Oversight_051002/ws_papers/Szabo.pdf

(44) Kieran Williams and Dennis Deletant, *Security Intelligence Services in New Democracies: The Czech Republic, Slovakia and Romania*, (London: Palgrave, 2001), p: 220.

The reform process in Romania was neither short nor easy. In fact, it took a long time and faced many challenges due to the complexities within the security structures. Success depended on the ability to overcome the issues within the security structures. However, media coverage and public support for overcoming these challenges made the effort a success.

The first challenge reformers had to overcome was the strong legacy that the Romanian intelligence structures left behind among communist supporters. Many of the former intelligence heads were against the proposed changes. They were trying to keep their positions by taking advantage of distracted government officials, who did not make security sector reform one of their priorities at the beginning of the transition phase. In fact, many of the former heads of intelligence succeeded in hiding information that would have potentially resulted in them being found guilty of crimes within the communist party. This resulted in many of those leaders remaining in their positions and the security apparatuses resorting to their old communist ways, creating fear that reformed institutions would resort to the security structures of the communist era. The presence of communist officers in the Romanian intelligence services hindered Romania membership into NATO. The communist officers posed a threat to other NATO members and to operational security. Due to public pressure and pressure from NATO, the Romanian government was forced to conduct a slow but steady purge of the officers and other individuals affiliated with the communist party through forced retirement for those who had two years of service left and dismissal for others.

Dismissing the former officers created a new problem for the SSR effort—not having enough individuals with the necessary skills and security experience. The government was forced to hire some of the former communist officers as trainers and advisors. In some cases, the trainers were able to transfer their ideology to the new security officers.

The third obstacle was the reluctance of young people to volunteer in the new security apparatuses because of the prevailing perceptions from the past. Therefore, the government sought to fill the vacuum by organizing a media campaign focusing on attracting civilians to volunteer in the new security apparatuses. The campaign focused on new graduates who were generally more open to the reform process. Despite the government adopting EU-NATO standards for training and the aggressive media campaign, the recruitment efforts did not succeed.

To deal with the issues of inexperienced officers and a general lack of trust in the

security structures, the government decided to establish the National Academy of Intelligence. They brought foreign experts from NATO and created the National Security College in 2002 that offered training to parliamentarians, civil society members, journalists, and others who were concerned with security issues. The government hoped to change their internal biases against the security structures through the training.⁽⁴⁵⁾

The role of media in the restructuring of the Romanian security apparatuses

The media in Romania played a central role in mobilizing public opinion to support the restructuring of the security apparatuses. Continuous criticism of the government's slow response played a role in shaping some of the phases. The primary role of the media can be summarized as follows:

The media, in cooperation with western governments and NGOs, widely criticized the large number of intelligence services and intelligence officers. Critics demanded that their numbers be reduced. As a result, the number of intelligence agencies was reduced from nine to six in 1990.

- The media played a key role in monitoring the intelligence agencies, especially monitoring actions that resembled those during the communist era, such as intervening into political life. The media also focused on exposing systemic corruption in the security structures. In response to this coverage, parliamentary committees started investigations into corrupt practices that resulted in the dismissal of many high-level security and intelligence heads.
- The media repeatedly criticized the fact that communist-era officers maintained key positions in security structures. They also criticized the government's slow efforts to cleanse them from the security sector. In 2002, a print media production published the names of all the communist officers that were still serving in Romania. This in turn resulted in increased pressure from NATO on Romania to remove those officers from those positions if the country wanted to join the strategic alliance.
- Romanian media supported an initiative that allowed citizens access to their security files from the communist era that did not affect national security. In 1998, this initiative became law, allowing access to security files from the communist era, thus enhancing transparency. This also brought into the public's view information about current politicians and the level of their involvement

(45) Ibid, pp: 221-222.

with the communists.⁽⁴⁶⁾

Second: Brazil: Shared Administration

The democratic transition in Brazil came because of negotiations between political elites in 1985, not through a revolution. The international community supports a similar transition in Syria—focusing on political change, not using the military to overthrow the government. In this case, reformers would maintain the role of Bashar Assad and other figureheads in his regime during the political transition.

The presence of individuals from the previous regime in Brazil, especially in the army, was the most significant challenge facing SSR. As a result, it took 20 years to complete the reform process. The government lacked confidence in its relationship with both the military and other political forces, so it made the army part of its political alliance. The army was prepared for this decision. The first elected governments were cautious in taking action against the army and did nothing to put the military under the control of civilian institutions. For example, during the reign of President Sarney (1985-1990), army officers were still members of the Council of Ministers.⁽⁴⁷⁾

The 1988 Constitution also left the military establishment intact and did not limit any of its privileges.⁽⁴⁸⁾ Section 142 of the 1988 Constitution states, "the objective of the armed forces is to defend the homeland and to ensure the existing powers under the constitution". This is essentially the same role played by the armed forces since the establishment of the Republic in 1891.⁽⁴⁹⁾ This is why some observers have called for a growing militarization in civilian life.⁽⁵⁰⁾ Similarly, the armed forces did not shrink with the establishment of the Ministry of Defense in 1999 and the appointment of a civilian politician as defense minister.

The replacement of the National Security Council with the National Defense Council did not have much effect; it functioned merely as an advisory body. Thus, the armed forces survived the transition period safely and the armed forces modernization program began with the start of civilian administration. In the meantime, the armed forces actively lobbied the constituent assembly. Their prestige grew

(46) Eugen Tomiuc, "Romania: Authorities to Screen Officers Likely to Work with NATO Secrets, " available at <https://goo.gl/XahoiX>

(47) UNDP, *The Political Economy of Transition: Comparative experiences*, PP:29-31.

(48) Bruneau, Thomas C., *Civil-Military Relations in Latin America*, PP: 125-126.

(49) *Ibid*, pp:126-130.

(50) UNDP, *The Political Economy of Transition: Comparative experiences*. PP 32-33

because President Sarney depended on them for support because he had a small political base. Thus, the armed forces have remained in power through constitutional guarantees.⁽⁵¹⁾ So far, the military still has distinct privileges. It has benefited from a perception that the army is less corrupt than the police, which has helped to strengthen its influence among civilians.⁽⁵²⁾

Military dictatorships, like the one in Brazil, used the intelligence services as a tool of the army to suppress society. The most important of these was the National Security Service of Brazil, which was the first to launch the coup d'état in 1974. The coup d'état lasted only three months.⁽⁵³⁾ Those who participated in the coup were given very broad powers and took part in the repression and detention of anyone who opposed them under the pretext of fighting the threat of communism. On this basis, any voice opposed to the dictatorship was suppressed. General Koto Silva, who passed the legislation to form the national security apparatus, later stated that he had created a beast.⁽⁵⁴⁾

The first attempt to reform the Brazilian intelligence structures was during Fernando Collor de Mello in 1990. He disbanded the National Security branch, which had a bad reputation, but he paid the price for such aggressive tactics when protesters forced his removal from office in 1992 after being accused of corrupt practices related to the military. The army was still in real control of the country because the Brazilian Congress was weak and could not take control of the army and the security apparatuses. The congress was dealing with the economy and combating poverty, which were its priorities instead of the reform program. For this reason, the reforms did not start until 1999, after many years of chaos. In 1999, Brazilians started their reform process with the legislative reforms phase during which Law 9883 was passed mandating a complete modernization of Brazil's intelligence system. In May 2000, Congress passed Law 3448, which set up the National Intelligence Service, and in July, it passed Law 3505, mandating the modernization of the information systems. In December of the same year, Law 3695 established State Security and the legal framework for military intelligence as part of the Ministry of Defense.⁽⁵⁵⁾

(51) Dr. Aladdin Arafat, *Models and Lessons: Civil and Military Relations, Contributing to the Development of an Egyptian Model*. Arab Center for Research and Studies, 7-4-2016, <http://www.acrseg.org/40087>

(52) Ibid.

(53) Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton: Princeton University Press, 1988), p. 16.

(54) Ibid., p. 28.

(55) Thomas Bruneau & Steven Boraz, *Reforming Intelligence: Obstacles to Democratic Control & Effectiveness*

The second reform phase focused on the monitoring and regulatory system, for which the Brazilian congress formed a Joint Commission for Regulating Intelligence operations on November 21, 2000. However, due to disturbances by congressional members and military figures, the commission did not complete all of the legislation and was not operational until December 2006.⁽⁵⁶⁾

Supervisory committees were also established to oversee the work of the intelligence services in the executive branch. The General Secretariat of Internal Control was established in the Presidency of the Republic, which oversees the budget and administration of the presidential security apparatus. Additionally, the judiciary controls the budgets of the security apparatuses.⁽⁵⁷⁾ Three authorities, each with a different level of control, manage the work of the security apparatuses and their budgets in Brazil. The executive branch holds the most supervisory power over the intelligence services, followed by the judicial branch. The legislative branch has the least amount of power over the intelligence services.⁽⁵⁸⁾

The third phase focused on technical issues related to building a hybrid intelligence system taking from the American and Canadian systems together. Brazil, inspired by the American system, created 13 different intelligence branches that were part of three main bodies: Brazilian Intelligence, the Federal Police, and Military Intelligence for all three armies.⁽⁵⁹⁾

The oversight system for the intelligence branches, the General Intelligence Directorate, was inspired by the Canadian system in that the Brazilian intelligence, both civilian and military, was part of a joint committee responsible for coordinating and overseeing all of their operations.⁽⁶⁰⁾

One of the main challenges for SSR in Brazil during the 1990s was resistance from military and intelligence officers against the reforms. These officers pushed for legislative changes that made the law ineffective because there were no mechanisms

(Austin: University of Texas Press, 2007), pp: 1-26.

(56) Ibid, p:16.

(57) Marco Cepik, "Political Regime and Intelligence in Brazil: structural change and democratic control , July 2006, chapter 25, p:6

(58) Ibid, pp:7-8.

(59) Thomas Bruneau & Steven Boraz, *Reforming Intelligence: Obstacles to Democratic Control & Effectiveness* (Austin: University of Texas Press, 2007), p:28.

(60) Celso Lafer, "Brazilian International Identity and Foreign Policy: Past, Present, and Future, " *Daedalus*, Spring 2008, p: 231.

left for applying the law. Politicians and Congress were more distracted with issues of economic development and fighting poverty. At the same time, there was no desire to deal directly with the issue of restructuring the security apparatuses for fear of confrontation with the army that was working hand in hand with civilians in the government. Brazil held a public conference in November 2002 under the title "Participation for Sovereignty and Democracy". A large media campaign was launched to gather popular support for the process of democratization and restructuring security apparatuses. Brazilian Intelligence also held two international conferences in 2006-2007 in which more than 500 international security affairs specialists participated. Another major media campaign was launched to promote among Brazilians the idea that intelligence services are important in democratic nations.⁽⁶¹⁾

Despite the challenges of SSR in Brazil, the country ultimately succeeded in strengthening democracy and conducting comprehensive reforms in its intelligence service. Those reforms included legal and operational changes to build new structures with civilian oversight, which resulted in a more effective and transparent system that protected the people and the state.

Section 3: The Role of Parliamentary Oversight in Establishing Good Governance in the Security Sector

Good governance in the security sector is the baseline that determines how the security sector should function in a democracy. Accountability, transparency, efficiency, and effectiveness are indicators of successful restructuring. One of the most important objectives of the SSR process is the consolidation of good governance. Reform is a political and technical process that aims to improve the security of the state and its citizens by increasing efficiency and accountability in the process by providing, managing, and supervising security. This should be administered based on the principles of democratic civil control, the rule of law, and respect for human rights. It is important to focus on a number of factors related to building an effective security sector including parliamentary and financial controls, regulated access to information, as well as the role and responsibility of parliament and the police.

Parliamentary oversight has become a key element in ensuring the coherence of the security sector and its compatibility with the democratic process. It has also

(61) Ibid, pp:232-236.

become a key element in emphasizing the sector's ability to respond creatively to security threats. Perhaps the most important function for parliaments is the ability to change the concept of security and the nature of its parties. Global security threats have changed radically over the past decade. Some traditional threats have been replaced by new challenges, so it is necessary to adapt and identify new ideas about security, peace, and conflict. Priorities have shifted from "state security" to "human security", which extends beyond mere military considerations. There is growing consensus that security issues must be comprehensively addressed by taking into consideration non-military variables, such as political risks, local political instability, regime or government failures, terrorism, human rights violations, racial and ethnic conflicts, organized crime, transnational drug trafficking, population inflation, and mass exoduses.⁽⁶²⁾

There is general consensus that security policies are the "natural" task of the executive branch, given its knowledge and ability to act quickly. Some tend to believe that parliament is not the appropriate institution to deal with security issues. The length of parliamentary proceedings and the lack of expertise and information are not ideal for carrying out security and intelligence operations; however, as in the case for all public policies, parliaments are mandated to review and monitor the work of the executive branch in the area of security policy. There are at least four issues that justify the need for parliamentary oversight of security policy:⁽⁶³⁾

1. Parliamentary oversight is the cornerstone to prevent the emergence of authoritarian rule.
2. Parliamentary oversight is based upon the principle of "no taxation without representation".
3. There is a need to establish legal standards and principles for security sector operations.
4. Parliamentary oversight is the bridge to understanding public opinion

Regardless of the different political systems from state to state, parliaments generally have five main tasks through which they contribute to an effective security sector.

(62) Parliamentary Oversight of Defense and Security: Principles, Mechanisms and Practices, A Practical Guide for Parliamentarians Issued by the Inter-Parliamentary Union and the Geneva Center for the Democratic Control of Armed Forces, 2003, pp. 7-9.

(63) Ibid: PP, 11.

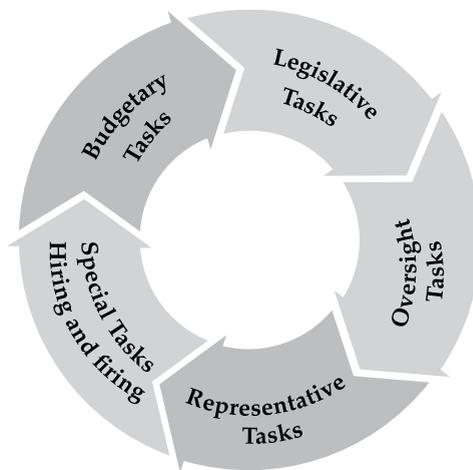
If we review the most important legislative tasks under which parliament can play a key role in establishing good governance for the security sector, the main factor is the preparation and supervision of the legal framework for the security sector.

This framework includes the following characteristics:⁽⁶⁴⁾

1. The accuracy of the framework and the public sector's mandate, legal powers, organization and mode of operation
2. Accountability of the security sector through democratic civil control within a framework that protects confidentiality
3. The limitations of the sub-sector regulations which are authorized by law and remain within their limits
4. Not violating the law during the decision-making process or execution
5. The framework shall conform to international law, rules and standards, including the protection of human rights, religious equality, and gender

Parliaments can also improve security operations by using their influence on the amount of resources that are earmarked for security matters. Parliament can either approve or deny specific funding projects, as well as oversee the operations, evaluate the performance, and determine the priorities of the security apparatuses. Factors influencing parliamentary power include:

1. The amount of information available to parliamentarians and their understanding of security issues and expertise
2. The level of details in the budget and whether the data is complete
3. The quality of public financial management, including the efficiency of public financial authorities



(64) Ibid: PP, 13.

Parliaments can support SSR efforts in a number of ways:⁽⁶⁵⁾

1. Establishing nation-wide ownership. Reform requires strong national ownership. This usually means that the legislature plays a key role in developing the reform approach and examining its operational policies.
2. Developing a national vision for security and establishing sound legal frameworks.
3. Providing a more responsive and inclusive approach that reflects the needs of all segments.
4. Ensuring better public financial management.

The table below shows the structure of the parliamentary committees or other parliamentary bodies involved in financial control.⁽⁶⁶⁾ The power of the parliament varies from one system to another. Some countries grant their parliaments unlimited oversight powers, such as in Sweden, whose parliament has the right to amend budget items in the security and defense sectors. The parliament can also amend budget items even if the amendment results in an increase in the amount of expenditures or the introduction of new items on the budget. There are restricted powers as in Switzerland and Spain, whose parliaments can introduce amendments to the budget but cannot change the total amount allocated for a particular expenditure. There are also countries with limited powers, such as Britain and Canada, where parliaments can only reduce budgeted expenditures.

(65) Document with basic Information on Security Sector Reform: Parliaments: Roles and Responsibilities in Good Governance for the Security Sector, Center for Security Sector Development and the Rule of Law (DCAF), www.ssrbackgrounders.org

(66) Lina Anderson, "The Concepts of Financial Control in the Security Sector and its Main Partners". Geneva Center for the Democratic Control of Armed Forces, 2015, pp. 39-40.

Budget Preparation and Approval Stage

Country	Parliament Type	Relevant parliamentary committees	Evaluation of planning in the defense and security sector	Defense and Security Budgetary Powers
France	<p>Two: Council of Ministers</p> <p>National Assembly</p>	<ul style="list-style-type: none"> • Finance • Defense 	<p>Every five years, the government publishes a white paper that details all defense and military strategies. Parliament members take part in preparing the paper, which is then submitted to parliament for review.</p>	<p>Finance committee:</p> <ul style="list-style-type: none"> • Appoint special rapporteurs to study the budget, including security- and defense-related items. <p>Defense committee:</p> <ul style="list-style-type: none"> • Recommendations submitted directly to the finance committee • Can view all documents related to the budget <p>Has right to amend and suggest amendments</p>
Romania	<p>Two: House of Representatives</p> <p>Council of Ministers</p>	<ul style="list-style-type: none"> • Defense and National Security • Budget 	<p>The Defense Committee endorses the National Security Strategy and the White Paper on Security and Defense</p>	<p>Both the parliament and the two committees approve the budget and can include minor amendments</p>
Montenegro	Parliament	<ul style="list-style-type: none"> • Committee on Economic Affairs, Finance and Budget • Committee on Security and Defense 	<p>The National Security Strategy and Defense Strategy are approved by the parliament on the recommendation of the Security and Defense Commission.</p>	<p>Defense and Security Committee:</p> <p>Can make recommendations and proposals on all budget items related to the security and defense sectors</p>

Budget Implementation Stage

Country	Parliament Type	Defense and Security Budgetary Powers
France	Modification and rewriting of bills The accountability of relevant government representatives, the recall of experts from civil society and holding hearings	The Chairman of the Defense Committee and the Chairman of the Committee of Laws can access all types of confidential documents. This is not possible for other Members of Parliament.
Romania	Can hold government officials accountable, summon them, invite members of the armed forces and public officials to testify, call civil society experts, hold hearings and visit military headquarters after 24 hours notice	All members of parliament can access information according to the exceptions provided by law
Montenegro	A law was passed on the parliamentary control of the security and defense sectors. It allows the Committee on Security and Defense to review the information on budget implementation, examine the reports of the state audit organization on financial operations, and hold consultative sessions and control sessions.	The committee shall require the institutions under its control to provide data and information except for information, which may not be disclosed except by special law. A fine may also be imposed on anyone who obstructs parliamentary oversight.

Table 1: Preparing and Executing a Budget

Section 4: The Role of Civil Society in the Democratization Process and Restructuring Security Apparatuses in Post-Conflict States

The term “civil society organizations (CSOs)” is characterized by its wide scope and positive connotation, but the broad terminology makes it confusing in terms of implications of theory versus practice. There is no agreed-upon definition of “civil society”, especially in the context of its impact on democratization, balance of power and urbanization, both at the national level and global level of governance. Some common features of different definitions of civil society are that civil society is the field of collective volunteer activities, focusing on common principles and values, such as altruism and volunteerism. It acts as a mediator between the state and the community; however, the state is not affiliated with civil society; they operate independently.⁽⁶⁷⁾

The World Bank defines civil society organizations as "the wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations".⁽⁶⁸⁾ Civil society is also defined as "the sum of civil institutions that do not exercise power and do not seek economic profit, but contribute to the formulation of decisions outside the political establishment. Civil society is active and evolving according to a logic different from the mechanisms that govern the market or the direct exercise of political power".⁽⁶⁹⁾ Some adopt the criterion of free will to define civil society as "the sum of initiatives undertaken by the free will of their holders, whether they take the form of a party, association, or others. What is important is the free will of their owners".⁽⁷⁰⁾ In general, civil society encompasses a wide range of organizations, such as population organizations, charitable organizations, faith-based organizations, professional associations, and trade unions.

(67) BLAND, D.I. 2001. 'Patterns in Liberal Democratic Civil–Military Relations'. *Armed Forces and Society*. 27, 525–540.

(68) See the World Bank's description of NGOs here: <https://goo.gl/hGGHg8>

(69) Attiya Al-Afandi, *Non-Governmental Organizations (Development Approach)*, 2006, p. 33.

(70) *Ibid.*

A. Civil Society and Democratization

Any effective role for civil society organizations in the process of democratization must be accompanied by an effort to achieve cohesion and integration between civil society and political society. It also must be accompanied by an effort to create common ground through which citizens are recognized as the core basis of the political, social, cultural, and economic system of the state. Some researchers consider civil society as one of the most important channels of popular participation. Civil society is a field of competition among different interest groups, where conflicting interests are coordinated; creating a force that complements the role of "democratic political parties" in raising the level of effective political and civic skills. They also promote the importance of civil rights and duties in democratic citizenship.⁽⁷¹⁾

The role of civil society organizations in democratization processes can be highlighted in three levels:⁽⁷²⁾

First: Educational and cultural roles

Civil society organizations provide hands-on and practical training on democratic foundations by means of the internal processes within civil society institutions. Because political training is an educational and rehabilitative process in the first place, it should be the responsibility of civil society organizations to train their members on the basics of democratic practices, since they are best equipped to play the role of the educator. They also enjoy a great deal of independence.⁽⁷³⁾

Second: Mobilization and advocacy roles

This can be achieved by expanding the horizons of political participation and providing the community with promising cadres and political leaders. As political awareness grows, so does the desire to participate in political action—or to influence it at the very least. This is the second level of contribution by civil society institutions towards democratic construction by expanding the horizon of political participation. Additionally, the rehabilitation and training of new political leaders

(71) Barnes Catherine 2005, *civil society roles in working with conflict and building peace (successful stories of civil societies)*, London: lynne Rienner, pp:7.

(72) Ikram Badruddin, *Liberal Democracy and Its Applied Models*. Beirut: Dar Al Jawhara for Printing, Publishing and Distribution, 1986, p.17.

(73) Ayman El Sayed Abdel Wahab, *Egyptian Civil Society and Elections: Role Problems*. 2011, Al-Ahram, <http://digital.ahram.org/asp?eid=1541>

who can break the monopoly of political work by the ruling class.⁽⁷⁴⁾

Third: Supervisory and oversight roles

These roles are exercised by organizations to pressure governments if they go beyond their rights and mandates. Civil society institutions act as a watchdog on the government and a representative of the voice of the grassroots origin of the organization, which is supposed to reflect the community as a whole. Civil society organizations are supposed to sensitize people to the dangers of the situation on the political scene and its societal implications and to mobilize the public masses to serve as a barrier to popular resistance in the face of government abuses of power.⁽⁷⁵⁾

The following summary provide an outline of the most important elements of CSOs roles in advocating for democratic change.⁽⁷⁶⁾

1. Advocating for values of human rights among the public and constantly seeking to share that culture with the most marginalized groups in society.
2. Raising awareness about the advantages of the democratic system of government, the dangers of alternatives to the future of the state, and spreading the culture of periodic elections for heads of institutions. In this context, civil society organizations must initiate the use of democratic traditions and practices in order to set an example for the community and create genuine change.
3. Disseminating governance principles such as the separation of powers and rule of law as part of a program to build a state adherent to its laws and bound by its institutions.
4. Spreading a culture of tolerance and acceptance of others, political party pluralism and the importance of the peaceful transfer of power, its concepts and principles, rooting them into local culture and showing their importance in maintaining community peace.
5. Exposing illegal practices by state institutions, such as administrative and financial corruption, infringement of public freedoms, cronyism, partisan bias, one power trying to take over another, and attempts to delegitimize them.

(74) Ibid.

(75) Ikram Badruddin, *Liberal Democracy and Its Applied Models*. Beirut: Dar Al Jawhara for Printing, Publishing and Distribution, 1986.

(76) Ahmed Abdel Halim Anis et al. (2014), *What is the role of civil society in democratization processes: South Africa as a model*, p. 7.

6. Combating the culture of exclusion and dismissal of others, and promoting principles of inclusion and citizenship where public national interest is superior to partisan and sectarian policies.⁽⁷⁷⁾
7. Supervising the elections taking place in the country, training candidates on democratic rules of practice, and training their delegates on monitoring mechanisms during the electoral process.
8. Organizing lobbying campaigns against government violations of rights and forming coalitions for resisting abuses in specific cases. These include declaring a state of emergency, attempts to violate the constitution and laws, arbitrary arrests, torture or other forms of violations
9. Confronting media that provoke sectarian tensions, violence, and hate with appropriate monitoring mechanisms; exposing biased and irresponsible media practices that do not comply with the principles and codes of honor of the press.
10. Supporting the independence of the judiciary and combating attempts to influence it, whether by authorities or the public.
11. Guaranteeing individual freedom and limiting state intervention; building a strong and effective civil society that provides many services that would have been provided through the state or open market, thereby limiting state intervention.
12. Intellectual debate within civil society leading to an acceptable platform for democratic dialogue and creating a “general mainstream” on controversial issues. Because of the constantly changing nature of pluralistic societies, it is difficult for a group or party to find solutions to problems on its own.

The role of civil society organizations is increasingly vital especially in countries where democratic transition is the result of an internal armed conflict. This places additional duties and responsibilities on these institutions, including the following:⁽⁷⁸⁾

1. Serving as alternative media outlets providing special reports and news on the situation of war, especially to international organizations and institutions.

(77) Ayman El Sayed Abdel Wahab, *Egyptian Civil Society and Elections: Role Problems*. 2011, Al-Ahram, <http://digital.ahram.org/aspx?eid=1541>

(78) Boge Volker 2006, *Traditional approaches to conflict transformation (potential and limits)*, Berlin: Berghof research center. www.berghof-handbook.net/boeg-handbook.pdf.

2. Monitoring elections, institutions, and government activities involved in the democratization process.
3. Conducting youth programs and activities (social policies at the community level, creating sources of income, education and empowerment).
4. Supporting reforms in the education sector and initiatives to promote a culture of peace.
5. Consolidating a culture of peace by providing incentives to overcome the culture of war through art, music, films, and cultural events.
6. Promoting interfaith dialogue initiatives.
7. Empowering women and campaigning for respect of women's rights and anti-trafficking laws.
8. Supporting initiatives for the demobilization of combatants in non-governmental militias and their disarmament.
9. Protecting vulnerable individuals of society by ensuring the safety of minorities, refugees or returnees from asylum and reintegrating them within their communities.
10. Addressing psychological trauma cases by providing psychosocial support for victims of war, refugees and returnees from asylum.⁽⁷⁹⁾
11. Putting forward initiatives to deal constructively with the past and collective memory of war (fact-finding, documenting stories, and “forgiveness” initiatives).

B. Civil society and SSR

The need for civil society organizations to be involved in the process of restructuring the security sector in post-conflict countries has emerged as a result of the a new international approach to the process based on the need to change civilian-military relations. There is a need to change the public’s negative perception of the security sector, raise awareness about the need to restructure these institutions on a democratic basis, and inform the public about the importance of its role in protecting citizens in the democratic system. Acting as an intermediary between the government and the people is the most important role for civil society during the process of restructuring the security sector. The reform process should not

(79) Barnes Catherine 2005, OP.CIT, p:15.

only involve the ruling elite without popular support for that process. In countries where popular uprisings started partly due to the actions of security apparatuses, change should happen from the bottom up and not the other way around.

In such circumstances, transitional governments must take into account that those involved in public mobilization during the uprising tend to have high expectations for rapid change, which is contrary to the reality especially for security sector reform. It is necessary to explain the process and timeline to the public through CSOs to manage their expectations. The roles that CSOs can play in the context of the SSR process can be outlined as follows:

First: Military-civilian relations

Much of the process of restoring confidence between the new security sector and the people lies with CSOs' ability to enhance communication channels with the community. In this context, CSOs must be aware of the sensitivity of their role in the restructuring of the security apparatuses, the importance of the process, and its relationship to the economic development process. Economic development cannot be achieved without creating a safe and secure environment as a precondition. Therefore, it must be emphasized that the restructuring of the security sector is one of the priorities in the transition process.

Second: Transitional justice and national reconciliation

Transitional justice is a precursor to national reconciliation. It is closely related to the process of restructuring the security sector, which includes:

1. Restructuring the judicial sector.
2. Holding those responsible for crimes accountable.
3. Advocating for the application of a Syrian-defined transitional justice processes including new standards for transparency, and the detection of the true perpetrators of war crimes.
4. Conducting oversight roles over the government's implementation of transitional justice programs, especially in terms of the structure of the judiciary and its institutions. This will prepare the judiciary for its role in supporting the process of national reconciliation and overcoming the memories of war.

Third: Restructuring, not dismantling

The repressive practices by security apparatuses may lead to demands that they be dismantled, which will require the efforts of both the government and civil society organizations in order to face such demands. They will have to clarify the important role of the security structures and that the process of democratic transformation does not require dismantling them. Rather, it must be restructured democratically and subject to civilian leadership and parliamentary oversight. This is achieved only after excluding unacceptable former regime individuals, holding those responsible for crimes through transitional justice programs, and cooperating with those who are found innocent of crimes in their security roles under the previous regime.

Fourth: Communication between the people and the government

The SSR process is difficult and lengthy, even in countries with a democratic system. It is becoming increasingly difficult in countries undergoing transformation from an authoritarian regime to a democratic system. In such countries, there is a need to communicate effectively between the transitional government and the people to convey the perceptions and aspirations of the community about the security apparatuses to the government. The transitional governing body also needs to share and explain their plans with the public. This ensures effective participation between the government and the public during reform, which is one of the most important conditions for successful SSR. It is not enough that communication between the government and the people happens through the media only but in addition, there should be a channel of communication that is facilitated by civil society organizations between the government and the people.

C. Civil Society Organizations: Strengths and Weaknesses

Civil society organizations are crucial to building institutions that support peace from their broad grassroots base. The role of civil society in the peacebuilding process includes fostering an international consensus involving donors, major powers, financial institutions, and international governmental organizations, which gradually become part of the governance systems in post-conflict areas.

Many democratization researchers and experts consider the high level of participation among civil society organizations in peacebuilding and conflict prevention as a positive development. Their participation helps in terms of the market economy, promoting the values of democracy, restructuring security apparatuses, promoting national reconciliation programs, and enshrining values of human rights. Most

importantly, it does not leave the leadership of the democratization process as a whole to the politicians. To perform their role, civil society organizations rely on a set of strengths, including:⁽⁸⁰⁾

1. The ability to operate without restrictions of government institutions
2. Ability to access areas not accessible to official actors.
3. Communicate with all parties involved in the conflict without losing credibility.
4. Ability to deal directly with people on the ground.
5. Ability to operate without creating negative media coverage.
6. Ability to mobilize public opinion to influence political will.

Despite these positive roles, CSOs are not without criticism. They tend to be vulnerable and susceptible for the following:

1. Lack of full independence; many are often directed and controlled by governments.
2. Variation in the performance of civil society organizations according to donor demands and media pressures.
3. Some international nongovernmental organizations (INGOs) have considerable influence over local civil society organizations and impose on them projects that are incompatible with the social realities of the countries in which they operate.
4. The role of INGOs directed by external actors is perceived as interference in the internal affairs of a sovereign state.
5. CSOs are often not subject to any democratic oversight and thus lack legitimate controls.

(80) Fitzduff Mari and cheyanne church 2004, *NGOs at the table: strategies for gaining influence*, MD: Rowman and little field publishers, pp: 23-28.

Section 5: Transitional Justice and its Role in SSR

The application of transitional justice mechanisms—as defined in this title—by transitional administrations or governments entails serious and effective steps in the SSR process. Reform generally occurs in institutions that would oppress and commit crimes against the citizens of the state or provide legal cover to those committing the crimes. This in particular has provided one of the most important objectives of transitional justice, whether at the functional or structural levels, or even at the level of the changing legal processes of these institutions. Often the changing legal processes themselves end up having an impact on the SSR effort itself.

The concept of transitional justice began to crystallize by the end of World War II when societies emerging from a devastating war sought mechanisms for the detection and accountability of the Nazi regime. This is what happened at the Nuremberg Trials, as well as other places, such as Latin America, South Africa, the Balkans, Morocco, and others. Transitional justice is no longer confined to situations where states are transitioning from:

1. A state of violence to a state of peace.
2. A dictatorial regime to a democratic system.
3. A state of political violence to political reconciliation.
4. There is also the case of an authoritarian state that establishes a political climate for reform and national reconciliation, as in the case of Morocco.

The concept of transitional justice did not take its current form until after the accumulation of multiple experiences of many regions including in Latin America, North African nations, South Africa, and other places as well. The definition according to the United Nations Secretary General's report is a "formulation of common standards of justice for the United Nations", the eighth part of which states,

"the concept of transitional justice covered in this report covers the full range of operations and mechanisms associated with the attempts made by the community to understand the legacy of the past large-scale violations, in order to ensure accountability, to administer justice and achieve reconciliation. These may include both judicial and non-judicial mechanisms, with varying levels of (or non-existent) international participation, individual trials, compensation, fact-finding,

constitutional reform, examination of the personal record to detect abuses, and separation or association".⁽⁸¹⁾

In many transition situations, the term transitional justice has been replaced by terms with the same meaning and some of the same objectives. Transitional justice processes were recalled during the 1980s and when the Arab Spring movement began with renewed calls for establishing truth commissions to document human rights violations. These commissions depended on the efforts of local communities, victims, court records, security records, national and international human rights organizations, and different legal experts. **The commission's work was to verify the different violations, the reasons for them, and the people or groups responsible.**

The second goal of transitional justice is **criminal accountability** through the testimonies of those responsible for crimes and holding them accountable according to the laws and political atmosphere of the transitional phase. This goal should also take into account the severity of the situation before the transition and that the laws of the previous system were unable to stop those atrocities. However, transitional justice does not aim to punish entire portions of the population as if it were vengeful justice. Instead, it aims to offer opportunities for forgiveness and closure built around community and societal-based reconciliation initiatives.

The third goal is to use the findings of the truth commissions and the testimonies of the criminals to **provide material compensation to the victims** and support them through addressing their administrative, educational, and health needs. Additionally, the truth commissions should preserve the legacy of those who lost their lives. The state should build on this institutional commitment and guarantee to the community that it will avoid the crimes of previous corrupt regimes. This is best done by launching institutional reform through re-evaluation of these institutions in terms of structure and functions. The fifth goal of transitional justice is to create mechanisms for the state, society and its institutions to preserve the national memory so that future generations can be prevented from repeating the crimes and violations of the past.

A. Transitional Justice versus Criminal Justice

Transitional justice differs from criminal justice even though it depends on attaining criminal accountability as one of its main objectives. Transitional justice is much broader than criminal justice, and plays other roles such as "fact-finding missions

(81) United Nations Security Council Secretary General report, 24-8-2004, S/2004/616, p. 2,

<https://goo.gl/EwllU3>

or uncovering the truth to shed light on a specific period to commemorate the victims among other things".⁽⁸²⁾ The specificity of the concept of transitional justice does not mean that there is an alternative concept of justice but rather a type of justice for exceptional contexts where there are political transitions following mass violations, societal inequality, and a general lack of public confidence in state institutions. The criminal justice system is incapable of achieving justice in the transition phase due to the outgoing powers' overwhelming role in mass violations against the public that requires nontraditional mechanism for justice. Criminal justice is a central part of transitional justice and is not an independent concept. Transitional justice aims to protect the rights of those who have been violated and restore confidence in institutions that have failed to carry out their duties towards citizens. The judiciary, which is responsible for protecting fundamental rights, cannot bear the burden alone. That is why truth commissions and reparation committees should not be understood as alternatives to criminal justice procedures in cases where not all perpetrators can be prosecuted.⁽⁸³⁾

B. Transitional Justice and Societal Recovery

Transitional justice processes aim to ensure that communities emerging from bloody conflicts or from repressive regimes move towards better conditions of trust between society and the new state—and even within society itself. This paves the way for strengthening the rule of law and the adoption of the principle of statehood in the community. A United Nations report noted, "transitional justice initiatives promote accountability and promote respect for human rights and are crucial to the development of strong levels of civil society confidence needed to support rule of law reforms and economic development, and democratic governance."

Transitional justice initiatives may include both judicial and non-judicial mechanisms, including individual trial and compensation, fact-finding, institutional reform, examination of the personal record to detect abuses, and dismissal.⁽⁸⁴⁾ Transitional justice is a viable alternative to a strategy of political isolation that may lead to deepening social strife if enforced in a generalized manner. Political isolation or exclusionary measures may achieve justice for the victims and compensate them emotionally in addition to restoring citizens' trust in state institutions and their

(82) Transitional Justice in Syria. 2014, P.7, Dawlati, No Peace Without Justice, <https://goo.gl/nvaQQr>.

(83) Paul Seils, Towards a Transitional Justice Strategy for Syria. September 2013, p. 5, https://www.ictj.org/sites/default/files/ICTJ-Syria-Analysis-2013_0.pdf

(84) United Nations Security Council Secretary General report, 24-8-2004, S/2004/616, p. 2, <https://goo.gl/EwllU3>

ability to enforce laws; and ensure that society will prevent the recurrence of the same violations in the future. However, transitional justice aims to identify those responsible for violations more accurately and develop nontraditional mechanisms to hold them accountable in accordance with the nature of the circumstances of the transition.

Transitional justice mechanisms can only be implemented once a political agreement is reached that reflects a legitimate government that has popular consensus. In this context, **transitional justice has many challenges**, including the following:⁽⁸⁵⁾

1. It faces a real dilemma during the launching of peace talks (in the Syrian case and in many previous cases). The SSR aspect is often overlooked when addressing the issue of transitional justice.
2. The correlation of the political solution with constitutional reform is very high but often overlooked. This relationship ensures that the constitutional reform process becomes part of the political process, especially in regards to security sector reform.
3. The ability of the transitional justice system to identify officials, especially in security institutions who have not been involved in past violations and to use their skills and expertise to support transitional justice objectives.
4. The extent to which this transitional justice mechanism can overcome the obstacles placed by the remnants of the previous regime responsible for past violations, in order to document the truth and hold the perpetrators accountable.
5. The extent to which the transitional justice system has access to all legal and security documents that assist in identifying perpetrators.
6. Lack of community awareness that is necessary for the success of transitional justice processes, and the presence of strong community divisions and political polarization in transition periods.
7. Lack of a security atmosphere conducive to the transitional justice mechanisms that allows all local stakeholders to engage as well.
8. The extent to which central governments, local administrations, and civil society organizations collaborate together to advocate for the needed community awareness of the concept of transitional justice and the guarantees it provides for information sharing, as well as the levels of community organization that

(85) Transitional Justice in Syria. 2014, P.7, Dawlati, No Peace Without Justice, <https://goo.gl/nvaQQr>.

- assist in the success of transitional justice and the achievement of its objectives. Civil society should be convinced that the transitional justice process is the result of sequential steps, each of which must meet its own time and scope.
9. The importance of a transitional government with popular support, international and domestic legal legitimacy, capable of supporting the transitional justice process.
 10. Achieving transitional justice within the framework of national priorities, not according to the priorities of international actors and international donors.
 11. The extent to which the transitional justice system can invest all Syrian expertise to make its efforts successful and take advantage of the necessary international expertise as well.
 12. The extent to which transitional justice processes—the formation of truth commissions and communication with victims and civil society organizations—are capable of gaining the confidence of civil society and restoring the spirit peace in the community.
 13. The ability to come up with realistic and appropriate forms of reparations that do not burden the transitional government and achieve the required degree of community recovery.
 14. The ability to establish legitimate and effective procedures to address past grievances.
 15. The capacity to begin with the Syrian context in determining its priorities, choosing its means and finding the most appropriate options for advancing through the phases and timing them correctly, depending on the situation in the community and its relevance to dealing with transitional justice.
 16. The ability to adhere to the standards of impartiality and neutrality towards emerging social conflicts.
 17. The absence of the necessary constitutional references and legal mechanisms necessary to activate transitional justice.

C. SSR and Goals of Transitional Justice: How SSR Supports Achieving Transitional Justice Goals

SSR is addressed in the discussion on transitional justice as one objective of institutional reform; however, there is another approach to understanding the relation-

ship between SSR and the goals of transitional justice.

The results of the truth commissions determine the priorities of structural reform in security institutions. Once the facts were made public about which individuals committed which crimes and in which institutions, it is possible to decide how to deal with those crimes in an objective way based on the gravity of the crime and the role of the person in question.⁽⁸⁶⁾ The preservation of the security archive, including the administrative orders, reports, instructions, security reports, investigation records and referrals, helps the truth commissions to reveal the names of those implicated and identify their direct roles and the degrees of their involvement or lack thereof. To deal with any discovered violations, cases would go through the criminal justice system. Former employees of the institutions need to be scrutinized and screened both individually and in groups. Some may or may not be held accountable for previous acts in accordance with criteria established by Syrian actors including civil society. Some will be granted an amnesty, forced to retire, fired from their job, transferred to another division or department, or professionally rehabilitated and re-trained to continue in the job, all of which are thoroughly documented processes.⁽⁸⁷⁾

It is important to note the role of civil society members in maintaining documents within security institutions, especially in cases of security breaches and transitional chaos. A notable example of this is after the fall of the Berlin Wall; East German protesters prevented the communists from burning critical state security records.⁽⁸⁸⁾ Here, we should mention the most important security documents that should be preserved in order to achieve the objectives of transitional justice:⁽⁸⁹⁾

1. Employment and financial records of all security apparatuses.

(86) In regards to the recommendations to be submitted by the truth commissions on the involvement of security officials in violations; they can refer them to the judiciary and initiate a lawsuit to hold them accountable; or take administrative action against them by transferring them to other government authorities; or dismiss them from their jobs. The role of truth commissions in Sierra Leone was not limited to recommendations on the criminal accountability of those involved, but the truth commissions formed there had the authority to refer those involved directly to the courts.

(87) Daniel Serwar, *Syria: The Documentation and Evidence to Support Institutional Reform*. Syrian Center for Justice and Accountability, p.2, http://syriaaccountability.org/wp-content/uploads/SJAC-Data-Documentation-Inst-Reform-Memo-2013_AR.pdf

(88) Ibid.

(89) Ibid.

2. Operational records of security apparatuses that document torture, interrogation, murder, enforced disappearance, and transport.⁽⁹⁰⁾
3. Records and proceedings of the security courts (military field courts that adopt the minutes of the security investigation in which confessions were extracted under torture).
4. Registered wire and wireless calls and internet monitoring records in the security branches responsible for communications.
5. Security research reports on individuals and entities.
6. Documents relating to the regime's decisions & orders, including records of the Office of the President relating to the security orders & minutes of meetings of the Security Committee, the Crisis Cell, and the National Security Office.
7. Records of property and financial records of the regime and key officials.

The Tunisian Anti-Corruption Commission pointed out that it is difficult to promote lasting peace in the period immediately after the end of the conflict. At first, it is necessary to re-establish trust between citizens and state institutions and to provide fair compensation for damage to society. An independent judicial mechanism should be established to ensure a fair system for settling disputes.

In the spirit of establishing a dialogue between civil societies and key decision makers with regards to challenges and solutions of managing the Political Police archives in Tunisia, two organizations called Democracy Lab and the Geneva Center for the Democratic Control of Armed Forces (DCAF) held a workshop and proposed the following recommendations:⁽⁹¹⁾

1. Every citizen has the right to know the truth about events that constitute a violation of human rights, such as threats to freedom and personal integrity.
2. The oppression and repression that a country has experienced in the past is an

(90) Some repressive regimes tend to document their crimes because they do not expect to be held accountable. The Khmer Rouge in Cambodia documented the genocide of the 1970s. There are also cases where the procedural bureaucratic pattern that governs the state includes documentation of all the facilities and activities being carried out in those facilities. In Syria, there was photographic documentation of the victims of torture by the security services in Syria, which became known as the photos taken by "Ceasar".

(91) Archiving the Political Police: Is it a Challenge for Political Transition?, A seminar held by the Geneva Center for the Democratic Control of Armed Forces in collaboration with the Tunisian Democracy Lab in Tunis on 12/13-11-2011, pp. 3-4.

integral part of its historical heritage and must be preserved and maintained.

3. Recognition of victims of abuses and documentation of abuses committed by the political police.
4. The immediate precautionary measures to secure the Political Police archives.
5. Establish an independent body composed of representatives of civil society and public institutions, whose mission is to preserve archives and to establish procedures and laws regulating their access.
6. Adopt a law with a clear mandate to empower this new body with access to political police archives.
7. Punish those responsible for destroying archives.

Transitional authorities must work on preventing recurrences of abuses committed in the past. They can do this by the following steps:⁽⁹²⁾

1. Reaffirming the obligation of the security forces to respect human rights and the determination of the authorities to pursue any violations.
2. Improving security sector governance through mechanisms that enhance democratic oversight of security forces.
3. Setting up clear organizational structures that are transparent and publicly accessible with clear roles, responsibilities and powers.
4. Adopting a law about the issuance, regulation, collection, and use of personal data by the intelligence services and other agencies; ensuring the regulation of appropriate monitoring mechanisms that ensure respect for the rule of law and respect for privacy rights of citizens.

The following table shows the most important procedures for dealing with archives in countries that underwent a democratic transition. The main goals of these procedures are to ensure access to security archives, assumes a balance between protecting the lives of private citizens, taking responsibility and ensuring some transparency in public affairs. It is critical to protect as many archives as possible since there will be future opportunities for the public to decide on how to use these archives:⁽⁹³⁾

(92) Ibid: PP, 5.

(93) Ibid: PP, 8-11.

Country	Instances where access rights to archive information is controlled for security purposes
Germany	Thanks to direct action of the committees of German citizens formed during the collapse of the Berlin Wall in 1989 and the pressure on the government, files of the state security system (stasi) were maintained and a law authorizing access to these files was adopted in 1991.
Poland	Parliament did not intervene to regulate the access to files until after lists of possible secret service assets and rumors of blackmail were published by the media. Only then was a legislation passed regulating access and the use of files including clearance procedures and informing citizens about candidates for public office.
Romania	This issue was delayed until 16 years after the revolution. In 2005, a law was passed regulating the issue of archives. It should be noted that this law does not apply to members of Parliament and senior officials.
Mexico	The president himself gave the order to open the archives of the political police, which are now under the administration and supervision of the National Archives. This president's decision led to the absence of a public debate on how to manage the archives.
Brazil	In 2010, the Inter-American Court of Human Rights declared the right of victims of massacres to discover the circumstances that led to these violations and declared that the state cannot hide behind a presumed absence of information and must prove that it does not possess the information and try to reconstruct information.

With regard to reparation measures, security sector reform involves the detection, prosecution, and punishment of senior security officials—within the framework of criminal accountability procedures—to reassure victims, to repay them morally, and to restore the rift between the state and society resulting from past crimes. Truth commission reports are comprised of data from the security archive, civil and real estate records, the disclosure of bank account information of security officials, records of their properties. These resources once catalogued can be used to compensate victims. The state and societal actors may pursue means of commemorating the tragic events by turning security centers and prisons into museums, or turning the headquarters of the regime’s judiciary into an educational center to train a new generation. For example, in Sierra Leone, one courthouse was turned into a college of law.⁽⁹⁴⁾

(94) Researcher contacted experts at the Syrian Center for Justice and Accountability.

D. The Impact of Transitional Justice on SSR

The application of the transitional justice system in post-conflict societies leads to a collective awareness of the goals of transitional justice and the desire to integrate them into a new state and society. In this way, the goal of reforming security structures is a priority of the transitional justice process. To achieve other transitional justice objectives, emerging security institutions need to adopt a new standard set of procedures that reflect the quality of the transitional justice process which must fully realize their objectives and be beneficial to the security system. This will ensure there is closure with the past legacy and a coherent national security institution that protects the homeland and the citizens is its main purpose.

The most important criteria for a reformed security sector from a functional and structural perspective are as follows:

First: Structural Reform

1. The cohesion of the security establishment, in terms of its organizational restructuring and internal regulations approved by the new government. It also prescribes its power and authorities through the law and regulates its relationship with other state institutions and with society.
2. The security services are subject to judicial oversight and accountability, in order to guarantee its compliance with human rights laws and inability to use its resources to serve the interests or the political class.
3. The security services are subject to regulations on budget and management of public spending that govern other state institutions.⁽⁹⁵⁾
4. Support the security structure with a workforce specialized in the field of security, and the adoption of hiring procedures based on competence and professionalism, not on basis of sect, ethnicity, favoritism, or political orientation.
5. The security institutions possess specialized training directorates in the field of human rights, national laws, and international humanitarian law. They should have sufficient capacity to strengthen the national unity, respect the citizenry and enforce the laws, in order to restore the community's confidence in security personnel.⁽⁹⁶⁾

(95) Nicole Paul: "Democratic Governance in the Security Sector," from a paper presented to the UNDP workshop on Learning from Experience for Afghanistan, 5/2/2002, p. 5, unpublished material.

(96) Secretary-General of the United Nations: "United Nations approach to transitional justice", United Nations,

6. The security institution's response to accountability before the legislature, local representative bodies and civil society, through channels defined by law.
7. A comprehensive community-based dialogue process will result in genuine structural change.

Second: Functional Reform

The role of the security services is limited to achieving security for citizens and protecting the supreme national interests, including the following:

1. Protection against external aggression.
2. Maintaining law and order.
3. The ability to resist internal threats against the constitutional system.
4. The ability to participate in regional defense.
5. Protecting national borders and waters.
6. The ability to use the security forces to promote foreign policy objectives, including participation in peace operations.⁽⁹⁷⁾
7. Identifying and distinguishing internal and external security tasks, which require an effort at the structural level.
8. Completely separating away from the negative reputation of the regime's security forces and the adoption of mechanisms that prevent the reappearance of torture, forced disappearance and extrajudicial detention; as well as efforts to preserve the national legacy of those events.
9. Contributing to the proliferation of the principle of a state by working to restore the confidence of society in the state institutions, which former security apparatuses managed to destroy.
10. Applying transparency standards in security procedures.
11. Security structures working to restore damaged morale through rehabilitation of victims of former security institutions;
12. The establishment of a career reform process in light of a comprehensive community-based dialogue process.

Security Council, March 2010, No. 12-38576, p. 13, <https://goo.gl/XzM2hW>.

(97) Nicole Paul: "Democratic Governance in the Security Sector," from a paper presented to the UNDP work shop on Learning from Experience for Afghanistan, 5/2/2002, p. 5, unpublished material.

Chapter II | Security Realities in Syria and the Challenges of Security Governance

This chapter provides an overview of security services realities in all Syrian regions where the regime, the opposition, and the Democratic Union Party (PYD) share control. It explains the context, the current security structure, and the most important centers of power. It evaluates their efficiency and ability to conduct security operations. Both centralized and decentralized governance systems are evaluated while also taking into consideration national security goals starting with a comprehensive security vision that does not disregard existing realities and sets the ground for stability highly needed in all conflict zones.

Section 1: Security Realities in Regime-Controlled Areas

The historical context of the regime's security dynamics dictates the need to take a quick historical look at the reality of the security situation prior to the current crisis. Then we will identify the most important changes and transformations in the structures and functions of the security apparatuses. This will allow us to measure and test these structures' ability to regain local or regional stability and address the many security threats.

A. The Security Reality in Syrian Society before the Uprising

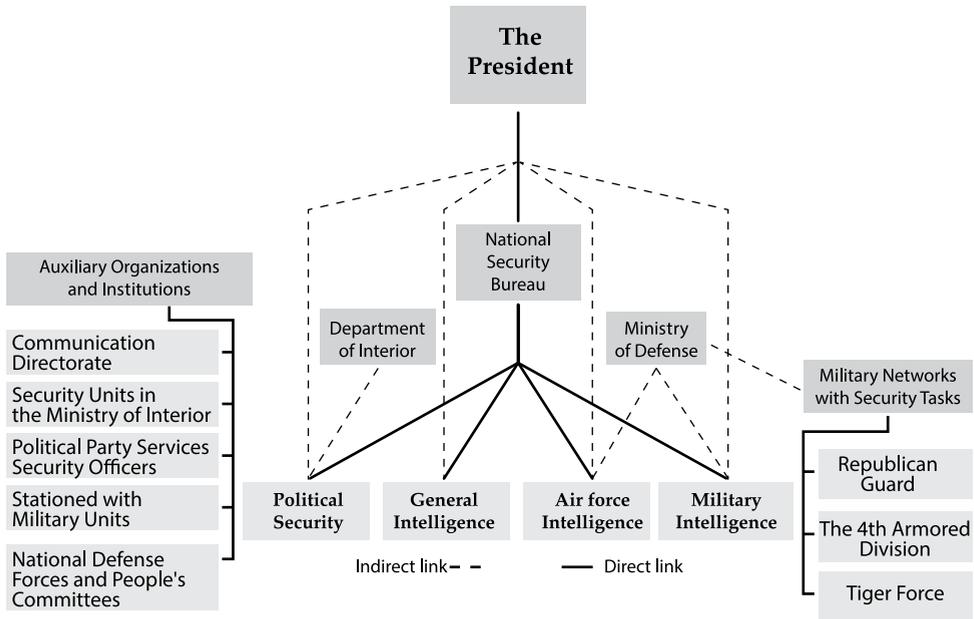
The history of modern Syria highlights the pivotal role played by the security and military institutions in the management of Syrian society and state through the establishment of Syrian-Egyptian unity in 1961, the Baath coup in March 1963, and Hafez Assad internal coup and takeover of the government in 1971. During that time, security apparatuses were instrumental in the struggle for power and were used to put pressure on the opposition by the ruling power. Security apparatuses developed a number of functions during the reign of Hafez Assad, including:⁽⁹⁸⁾

1. Carrying out tasks on behalf of the international security networks by monitoring and penetrating social and political movements in Syria and in the countries of the region. Transforming these services into a tool for obtaining external legitimacy as a partner in the international community's general security operations;
2. Intervention in regional crises, internal security, and military issues of neighboring countries as an instrument to control the relationship with them.

Security apparatuses exploited the political and legal cover that it was given to accomplish its functions. It relied on four security directorates supervised by the National Security Office and other informal "networks of informants",⁽⁹⁹⁾ see the diagram below:

(98) Rustom Mahmoud, Asadism. Aljumhuria Center for Studies, 29-3-2016, <https://goo.gl/y3if5v>.

(99) For more information about the Syrian security services, See Maen Talla, A review of the Syrian security services and the necessity for structural and functional change. Ofran Center for Strategic Studies, 14-7-2016, <https://goo.gl/HmNjzA>



These infiltration tactics are incursions into society and an attempt to control the details of the public life of the population. One of the forms of this intervention is the requirement of what is known as studies and security approvals on a variety of social, economic and political activities.⁽¹⁰⁰⁾ The negative results of such tactics have been catastrophic resulting in significant damage to society and state institutions. These negative side effects have manifested in the following ways:

1. Promoting a culture of loyalty and increasing corruption in state institutions. A significant problem with employment and promotion policies that are not based on the standards of expertise and professionalism as much as it depends on the decision of a high-level officer in the security institution or according to a person’s allegiance or favoritism or factionalism.
2. There is also a weak economic cycle in the marketplace due to the absence of a free market with real competitors and instead a marketplace dominated by mafias.
3. The formation of networks that share material interests with local forces, such as clergy, clans, and clerics, hampered the demands of locals.

(100) Nagati Tayara, The security state, until when?, <https://goo.gl/dD3Fet>

4. The prevalence of the culture of fear. Syria was once referred to as the “Republic of fear”.⁽¹⁰¹⁾

Security measures relaxed with the arrival of Bashar Assad, Hafez’s son, who promised reforms and modernization. However, soon after reforms were launched, the regime returned to its previous practices under pressure from the old guard, who were facing external pressures as the US occupation of Iraq intensified. The regime boasted about the ability of its institutions to maintain security and stability in a turbulent security environment, but a careful review of the facts demonstrates that it is a **fragile state of stability** imposed with intimidation and violence.

1. The series of security incidents and social clashes in Syria: the confrontations between the Druze and Bedouin Arabs in Swaida in 2000,⁽¹⁰²⁾ the events in Qamishli in 2004,⁽¹⁰³⁾ the frequent clashes between the security forces and citizens regarding the removal of slums in the vicinity of the capital Damascus,⁽¹⁰⁴⁾ the various bombings in Syria, which extremist organizations are accused of carrying out.⁽¹⁰⁵⁾
2. Increasing public discontent caused by a decline in the level of services and the spread of corruption and favoritism. There was also increasing unequal distribution of wealth, high rates of poverty, and unemployment. There is also weak participation in political decision-making without an open and transparent political process.⁽¹⁰⁶⁾

Despite of the ability of security apparatuses in Syria to enforce a stable security situation before the outbreak of the Syrian uprising in March 2011, this would not have been possible without two important things:

1. The alignment of the state’s security philosophy with the regional security

(101) Syria: Republic of Fear. Al-Sharq Al-Awsat, 28-29-2012, <https://goo.gl/ZG9hOh>

(102) Renewed clashes between Bedouins and Druze in Suwayda, Al-Jazeera, 18-11-2000, <https://goo.gl/dK7DW6>

(103) The events of al-Qamishli moves the Kurdish issue in the face of Syria, Al-Arabiya, 18-3-2004, <https://goo.gl/kjh6o6>

(104) Sha’aban Abboud, Time bombs on Damascus need urgent “surgeries”, Voltaire Network, 15-4-2006, <https://goo.gl/S08XEq>

(105) Syria: Damascus bombing carried out by suicide bomber linked to terrorist organization. Al-Arabiya, 29-9-2008, <https://goo.gl/tAl0vL>

(106) The Syrian Crisis: Economic and Social Roots and Implications, Syrian Center for Policy Research, January 2013, <https://goo.gl/2IBNRD>

strategy centered on the principle of “Israeli security” and the policy of “implementing regional security objectives”, which ensures that the international and regional communities coordinate with the state’s security structures without questioning their legitimacy, especially with regard to the issue of terrorism, which the regime had plenty of experience in and had significant influence with the groups by way of recruitment and penetration.

2. This factor is linked to the depth of the state of fear in Syrian society, which has been forced to deal with the regime’s harsh tactics. The security structures in Syria function to ensure the regime’s security at the expense of the security of society. Before diving into the details of the current security situation in the regime-controlled areas, it is necessary to review a range of features of the security sector before the uprising. These features will be a starting point from where a national process of change can start, including levels of dysfunction, its causes and consequences at the national level, and its failure to deal with the circumstances of the Syrian uprising.

First: Levels of dysfunction

The accumulation of abuses by security apparatuses in Syria at all levels of social, economic, and political life grew into a general pattern that was especially followed by security apparatuses. This formed a climate, which promoted a culture of corruption, favoritism within society, as well as an unorganized security structure that abuses power, suffers from rampant corruption, and a few more features mentioned below:

1. **Working without a plan:** The standard practices of security apparatuses are fluid and undefined have no legal regulations; instead, they operate beyond the legal, constitutional, and financial systems. There is no official process to review their performance, and they do not function as part of a strategic plan. There is no planning based on an accurate count of the members of the force but only to exaggerate the functions and responsibilities of these institutions. Security apparatuses are missing all of the programs that contribute to raising the efficiency of the members in matters of security sciences and the modern mechanisms and methods of security practice. Among Syrian security structures, there is also very little awareness regarding the legal system’s imbalanced relationship with the security sector and others.
2. **Legalization of coercion and violations:** During the decades of rule of both Hafez and Bashar al-Assad, security agencies were given the authority to ar-

rest, search, investigate, interrogate, seizure and control the communications any citizen without referring to the courts. Security agencies also prevented citizens from exercising their right to ask the courts to decide on the legality of arrests and prevented them from attempting to defend the detainee or secure them a lawyer while in the security service's custody. In some instances, detainee's relatives are not even informed about the fate of or the charges against their relative. Most of the time they do not even know where the detainee is and are not allowed to visit them. Not to mention the lack of effective supervision of security officials, leading to abuses that often result in the deaths of thousands of detainees, as well as cases of rape and secret killings that go uninvestigated.

Second: Failures at the national level

The Syrian security apparatuses are the most important tools for the regime to consolidate the foundations of its rule and interfere in all aspects of social, economic, political and religious life. They adopted a philosophy of work and a doctrine of security that favors the ruler and not the ruled. First, the complex security structure encircled the community's movement and limited the possibility of its progress and development. The second is related to interference in security apparatuses decisions making processes, which often resulted in conflicting behaviors and decisions. This then led to widespread corruption and large inflation of the powers of the security forces in Syria. For example, the Syrian military security apparatus became disproportionately more powerful compared to the size of the tasks entrusted to the branch in the first place.

These repeated failures and incompetencies compounded the discontent of the Syrian citizens towards the security apparatuses. With this accumulation and the nature of the changes taking place in Syrian culture came the community's commitment to radically reform the work, philosophy, and tools of these security structures in the future.

B. The Security Reality after the Uprising

Based on what has already been established and in the absence of a serious political will to embark on a national solution to deal with the growing crises, the opposition expressed a genuine desire to establish a new mode of governance and to move Syria from the era of revolutionary legitimacy to a constitutional legitimacy based on the governance of civil society.⁽¹⁰⁷⁾

(107) Syria: The Road to the Black Hole, Samir Al-Taqi's Blog, 21-3-2013, <https://goo.gl/ZexlO2>.

In this context, it is worth mentioning that these security structures failed when applied in real world scenarios. Despite the widespread security and military influence in the local infrastructure and the nature of the violent approach adopted by these devices, the Syrian uprising revealed several issues regarding the failures of the security apparatuses, including:

1. The regime's inability to deal with the revolutionary movement's unpredictability. The regime adopted a storyline that revolutionaries were actually agent provocateurs who threatened national security. This reveals the in depth the reality of the professional incompetence and the inability of the security apparatuses to evaluate the social reality on the ground.
2. Contributing to the deepening and escalation of the conflict: Security apparatuses adopted policies that inflated the conflict beyond its original parameters and revealed the level of terror it has caused, making it a destabilizing element in Syria. "Operation Creating the Enemy" according to Goebbels theory indicated the absence of any evolution in the mentality used to deal with public affairs.⁽¹⁰⁸⁾ The thinking was aligned with the goals of the political regime at the expense of the unity of local structures through making accusations of sectarianism and terrorism about the protesters. Security apparatuses also intimidated minorities by promoting the theory that the "Islamist" revolutionaries will eliminate minorities allowing for the emergence of radical groups.

In this context, it is worth noting that the Syrian state does not have a security sector unless it is reformed. If we take into consideration the nature of security work in Syria, we find there are two main categories. **The first fulfils command and control functions** as clearly seen in the Military Intelligence Directorate that is theoretically a branch of the army and the armed forces; but reports to the President and jointly to National Security Bureau, the ruling party Arab Socialist Baath party. The Political Security also part of the National Security Bureau, jointly reports directly to the President, and coordinates with the Ministry of Interior. **The second category includes military institutions with security functions and tasks:** particularly the Republican Guard and the 4th Brigade, which are responsible for engineering the security operation, overseeing its relations and organizing rules, ensuring the regime's security and carrying out all procedures and operations within the com-

(108) The Goebbels Theory: (the German propaganda minister during Hitler's reign) in an attempt to control people's minds one must tell a big lie and keep telling it until they believe it. This became a key propaganda technique for Hitler and his allies.

munity in the event of any threats against the regime's security.⁽¹⁰⁹⁾

One of the most important actors in Syria's security architecture are the "security committees" established for each governorate since the time of Hafez Assad when he took over the government. Security committees discuss the security situation in the governorate or the region in general and address all the emergency issues, as well as administrative and social events, celebrations, marches, maintain the security of the various types of elections and carry out the instructions and orders from the National Security Bureau. They even implement the requests from the central security apparatuses in Damascus, which require joint action between all security apparatuses. The requested work is divided up between the security committees across the country. Meetings are held every month or every 15 days depending on the province and emergency situations. (See Appendix 1)

C. Power Centers within the Security Apparatuses and their Impact on the Uprising

Despite the competition between the heads of the security branches and the lack of information sharing between them, **there is a significant overlap of information and coordination between the central branches in Damascus and the regional branches.** This is due to the different administrative functions assigned to each branch and this, in theory, makes it difficult to distinguish between these branches because to complete a security related task no single branch could achieve the desired results alone. For example, the central investigation offices of all the security directorates (Military, Air Force, General Intelligence or Political Security) or the provincial investigation offices cannot complete their duties, as they are not briefed on the case files related to the investigation by the rest of the central directorates and sometimes not even by provincial or other security agencies.

To achieve a "successful" security operation, it requires the involvement of the Information Branch and the Information Systems Branch, the Political Parties Branch, the Technical Branch, the Communications Control, the Economic Security Branch, the Patrol Branch or the Raids Branch and even the Administrative Branch. What makes their work more effective is that they never send any electronic messages and only communicate using a secret paper message system, regardless of the type of case.

In general, the role of the Information Branch and the Information Systems Branches in all security agencies are the information banks that include all information

(109) Maen Tallaa, *Syrian Security Services*.

about Syrian citizens, political parties, societal and civil bodies, economic sectors, private and public sectors, etc. The information is “highly reliable” and “essential” in assessing the security risk of a case and making a decision. The information stored in the information branch is permanent and does not have an expiration date not even after the death of the subject of the information. Rather, it is transferred to the files of his family, assets and other files where the person is mentioned in relation to overlapping files of other security branches.

In practice, the most powerful positions are identified according to the following criteria: the head of the branch, the nature of the security function and its sensitivity, the geographical and sectoral area covered by the branch and the branch’s reputation for known violations. (See appendix 2) Below is an outline of some of the most powerful security and intelligence branches in Syria today:

- 1. Military Intelligence Directorate:** Division 248 is the central investigative branch of the Military Intelligence Directorate, and is one of the most important and influential agencies. Equally so, the Palestine Branch 235 and the Raids and Special Ops Branch 215. At the provincial level, Military Security branches are the strongest and most critical in Damascus and Aleppo. Regional branches are very influential and most commonly headed by an Alawite who is very close to the regime core, and known for his brutal tactics. Branches also serve as a source of illegitimate wealth for the head of the branch and its officers. Because of their violent tactics, they have had a notorious reputation throughout the Assad regime’s rule.
- 2. General Intelligence Directorate:** The Investigation Branch (285) is one of the most critical branches of the General Intelligence Directorate. There is also the Counterterrorism Branch and the Internal Branch (251) that are authorized to operate in Damascus and its countryside. Additional branches include the Intelligence Gathering Branch (300) and the External Branch (279). On a provincial level Internal Branch (251) in Damascus and Aleppo are important branches.
- 3. Political Security Directorate:** This branch is in charge of all investigations. It is also responsible for the Police Security Branch, which is part of the Ministry of Interior, including the selection of all officers and personnel. An Alawite officer always heads the branches in Damascus and Aleppo.
- 4. Air Force Intelligence Directorate:** All of its branches are particularly sensitive and important because they carry on the confidential and special operations for the Assad family.

There are also sensitive branches across the provinces where the directorates are divided into divisions and departments. The most important of which are the Political Security Directorate's Investigation Branch, Police Security and Economic Security and the Parties and Religious Bodies Branch. The rest of the departments of other security directorates include the Investigation Department, Counterterrorism Department, Raids Department, and Economic Security Department. Additionally, there are special task forces in border areas and critical economic, commercial and agricultural areas.

The decisions and administrative orders by security apparatuses in Syria are one of the most important elements that have earned it a reputation of "limitless powers". Two types of administrative decisions and orders strengthen the power of the regime:

- 1. Orders that come from a higher authority than the directorate.** Such orders and directives have no monetary or budgetary limitations and tend to emphasize the direct link between security apparatuses and the military especially in terms of arming policies, the absence of any judicial oversight, and the inability of judicial bodies to execute its mandate over members of security apparatuses whenever crimes are committed (the common practice that any investigations with members of the four directorates requires the authorization of the head of the respective directorate).
- 2. Orders and decisions issued within the security directorates.** Such decisions tend to prioritize terrorism related matters weather through techniques of infiltrating, combating, or exploiting, including managing religious activities. All of this is managed mostly by the Air Force Intelligence Directorate and the Military Intelligence Directorate who strictly use violent and extrajudicial means. Their actions regularly interfere in public and private affairs by closely monitor economic/commercial irregularities in state institutions and private entities. Their actions regularly emphasize the important role monitoring daily life details by security apparatuses, as well as infiltrating all political parties and bodies inside and outside Syria by employing agents from the General Intelligence Directorate and Political Security Directorate.

D. Changes in the Security Structure and the Most Important New Actors

The most important changes in the types of operations that the security apparatuses undertook happened when the military took over the job of suppressing protests and fighting the opposition's armed groups. At the start of the uprising, security branches were responsible for crushing protests and gathering information about the protesters including their names, where they get support, and where they get funding. They arrested those that are found inside the country while chasing those who are outside and stopping the escape of fugitive protesters and their leaders. As the armed conflict evolved, security branches began intelligence gathering on armed opposition groups, their leaders, their numbers, the weapons they have, where they are located, how they are financed, who supports them and how to capture or kill them.

Once the uprising spread beyond the control of security apparatuses, the task was assigned to the military and the four main security branches gave up their authority to the military and essentially joined the military command structure. The security apparatuses followed the military's orders in all operations including combat, base security, checkpoints and securing regime areas from armed opposition attacks.

There was a significant increase in security operations due to the following reasons:

1. Increased numbers and visibility of security personnel as they are placed on high alert.
2. High dependence on "shabiha" and militias (Popular Committees, National Defense Forces (NDF), Baath Party Brigade).
3. Increased number of intelligence sources and inter-agency assignments.
4. Increased technical capacities for spying on the public provided by Iran and Russia.
5. Increased intelligence sharing of information regarding internal and external opposition member by some allied countries and militias.

In order to understand and deconstruct existing security structures with numerous local and foreign actors, one should note the decentralized structure of the security situation in regime-controlled areas. The security operations are not managed nor executed through a central office. This system dominated security operations when the first foreign militias entered Syria and the regime decided

to form local militias headed by individuals known to be major regime allies.

As the security failures accumulated and the revolutionary activities grew stronger and more widespread, the regime was forced to give up a significant amount of central oversight of security operations and form local militias that would operate under the army and security branches.

Below is an outline of the most important security actors in regime-controlled areas (See Appendix 3 for more details):

- 1. National Defense Forces (NDF):** This is the strongest regime-allied militia, created in 2012. It currently has more than 100,000 volunteers in regime-controlled areas. It is made up of tens of units all over Syria. They are all managed under the supervision of Syrian Army General Hawash Muhamad. NDF started by training hundreds of thousands of volunteers in the Popular Committees. This militia is similar to that of the Basij Forces of the Iranian Revolutionary Guard. It is thought that the NDF was formed under the supervision of the IRGC General Qasem Solaimani.
- 2. Soqur al-Sahraa:** The Desert Eagles Militia was formed by Muhamad Jaber, a prominent businessman with strong ties to the regime and now more with Russia. The militia has men between the ages of 25 and 40 and are described as elite forces. The Desert Eagles operate mostly in desert areas and took part in the Qaryatayn operation as well as the Kasab operation along the Turkish border. It is mostly made up of Alawites, Shia, and members of the Shaitat tribe. They were also assigned to fight the Daesh forces that the regular army forces were unable to handle. The militia includes former or retired officers and military personnel who are trained in the use of arms and other military skills. The militia is specialized in setting traps and executing difficult special operations. Most of the operations are related to protecting the regime's oil and gas assets. The Desert Eagles also protect the regime's main arms depot at Mheen.
- 3. Al-Bustan Forces:** This militia is led by Rami Makhoul and is part of the al-Bustan Association, which he founded. The association later on created a security branch. It mainly attracts Alawites from the coastal areas and the militia branches are directly aligned with the local military leadership. It coordinates all of its operations with the 18th Division. The most notable of the militias under this group are the Jablawi Brigade based in Homs - it also operates in Damascus. It has more independence than the NDF.

4. **Lions of Homs** was created in 2013 and lasted until 2015 under the leadership of Shadi Juma. He was close to an officer Abu Jafar who was also known as “The Scorpion”. He created the Khaybar Brigade, one of the NDF militias in Homs. It included the Lions of Homs, the National Shield militia that coordinates with the Shia Dhulfiqar Militia in Damascus.
5. **Coastal Shield Brigade:** The regime’s Republican Guard announced the creation of the Coastal Shield Brigade offering large salaries to militia members for protecting the regime’s main support base in the coastal region. The Republican Guard’s May 2015 announcement about the formation of the militia included a two-year employment offer and permanent positions with a salary of 40, 000 SYP per month (currently 77.67 USD). The militia was headed by Rami Makhoulf and the Republican Guard Brigadier General Hasan Mustafa. This militia was formed to protect the Alawite villages in the coastal region. The militia includes people who have run away from their mandatory military service, or reserve soldiers, and some released prisoners. They operate between the villages of Snoubar near Jable and a village called Stamo.
6. **Militias of Political Bodies:** These militias were developed from political parties and worked to mobilize their party members under different politically oriented groups:
 - a. **Baath Party Brigades:** Made up of Baath Party members in Aleppo under the command of Hilal Hilal in the summer of 2012. This was after the armed opposition entered eastern Aleppo. There are also branches in Lattakia, Tartous, and Damascus.
 - b. **Nosur al-Zawba’a:** They use the same logo as the Lebanese Syrian National Socialist Party that believes the idea of “Greater Syria”. They have a different set of ideas than the Baath Nationalist Party. More than 5, 000 members of the Eagles of the Whirlwind militia, including Lebanese nationals, participated in operations in Syria. They are mainly based in Damascus and Homs and have a stronger presence than the Syrian Army in Sweida province.
 - c. **The Arab Nationalist Guard:** The militia was formed in 2013 and is made up of approximately 1, 000 members. They have a presence in Damascus, Daraa, Homs, and Quneitra. The militia has nationalists from a number of countries including Egypt, Iraqis, Lebanese, Palestinians, Tunisians, Syrians, and Yemenis. The militia has several the most important of which is headed by a Christian Palestinian nationalist named Wadeh Hadad and another Leb-

anese thinker Haider al Amali. Other leaders of the militia include a Tunisian nationalist politician Muhamad Birhami, and Yolyos Jamal.

d. Syrian Resistance Forces: It was previously known as the “Popular Front for the Liberation of Iskenderun”. This is a Leninist-Marxist militia that is loyal to the Assad family. It is headed by Mirac Ural, the Turkish Alawite who also has a Syrian citizenship. He is known as Ali Kayali in Syria. He is responsible for the Bayda massacre that happened in Banyas.

7. Sectarian-based Militias: Specifically the Christian and Druze militias. The most important of which are:

a. Muwahedin Army: A Druze militia that operates in Sweida, Daraa, Damascus, and other Druze areas in Syria. It was formed at the start of 2013 to protect Druze but it is purported to be loyal to the Assad regime. It is led by Abu Ismail Ibrahim al Tamimi.

b. Sotoro: A militia in Qamishli and Hassaka province and is made up of Assyrian Christians as well as some Armenians.

c. Ghadab Forces: A Christian militia based in Sqaylabiya in rural Homs. It is known for its loyalty to the regime. The militia was formed in March of 2013 to protect Sqaylabiya, and it has a close relationship with the Republican Guard.

d. Usud al-Wadi Brigade: Is headed by Bisher al Yaziji near Qalet al Husn and Wadi Nasara and the surrounding areas. They recruit young people who support the regime to chase down the opposition members in their areas. They are specialized in protecting the Christians in the 33 villages in the areas. All of the members are volunteers who receive a salary from the state. Their families are treated as the families of all the other soldiers of the Syrian armed forces. They use the base of the Syrian National Socialist Party in Marmarita as a base for operations, to conduct meetings, and recruitment center that is overseen by the party, as well.

8. Palestinian Militias: These are militias loyal to the Assad regime and made up of Palestinian refugees and militias that existed before the start of the Syrian uprising. As for the Palestinian militias that were present in the Palestinian refugee camps from the start:

a. Jabha Shaabiya - The Popular Front for the Liberation of Palestine Gener-

al Command: This militia, under the leadership of Ahmad Jibril, is famous for attacking protesters in Yarmouk Camp in Damascus. They also supported Syrian military operations against the armed opposition in and around Yarmouk Camp.

b. Fateh al-Intifada: Founded in 1983 and headed by the now deceased Saeed Muragha.

c. Al-Sa'iqa Forces: This is the Baath wing of the Palestinian militias. It was formed and led in Syria. It is directly related to the Syrian Baath Party and a member of the Palestine Liberation Organization.

In addition to these groups, there are others who also participate on behalf of the regime, including the Front for Palestinian Popular Struggle, the Palestinian Democratic Party, and the Return and Liberation Brigade.

As for the militias that the regime created from the Palestinians in Syria, they include:

- **Jalil Forces:** This militia has around one thousand Palestinian members under the command of Fadi Mallah. They were trained by the Syrian army and Hezbollah. They participated in the fighting in Qalamoun and describe themselves as Syrians with Palestinian citizenships who are fighting a fight of faith.
- **The Quds Brigade:** This is a militia of Palestinians who are loyal to the Assad regime. They operate mainly in Aleppo. Their most recent and notable operations was taking Handarat Camp. The militia was founded in October of 2013 by an engineer named Muhammad Saeed. He is considered the main leader of the militia and is directly linked to the Air Force Intelligence. Its members are mainly Palestinians from the camps in Aleppo, especially Nayreb Camp.
- **The Palestine Liberation Army:** this militia is led by Tariq al Khudra and is different from the Palestine Liberation Army that is part of the PLO. This militia participated in a number of battles including Adra, north Sweida, Daraya, Tal Sawan, the siege of Muadamiyat al Sham, and Zabadani. It includes three brigades: the Hittin Forces based in Qatana in rural Damascus; Ajnadin Forces based on Mt. Hermon; and the Qadisiya Forces in Sweida. On paper, it is part of the PLO but for practical purposes, it takes its orders directly from the Syrian regime armed forces leadership. The regime put a lot of pressure on the group to join the fighting, which many of the officers and members refused resulting in their executions.

9. Druze Militias: the neutral position taken by the majority of Sweida Province towards the uprising allowed the local militias to gain significant strength and end up controlling civilian life there. The checkpoints in Sweida are not controlled solely by the regime but also by either the National Defense Forces and the Popular Committees or a mix of fighters from the Home Guards militia, the Syrian National Socialist Party, and the Baath Party Brigade. According to local observers, the shared checkpoints split the oil and fuel smuggling routes coming from ISIS controlled areas in the northeastern and southwestern borders of the province. These are very powerful checkpoints since they are a main source of income from the smuggling and trade of fuel, cigarettes, and flour on the black market. There is also a militia that operates under a religious pretense headed by Nazih al Jarbou. This militia along with other armed groups directly tied to the regime operate with the stated mission of protecting the locals. The members of these militias include businessmen and gas station owners who need to protect their interests, even though militias that operate under a religious pretense.

In order to deal with the large number of these small armed groups, it was suggested that the regime should create the Fifth Corps (four squads with a total 30, 000 fighters) to integrate and organize these militias. However, this idea is subject to a number of substantive criticisms. The most important of which are:

1. Such a formation would be incapable of filling the gaps of the weakening Syrian army due to a collapsing military hierarchy and the loss of main military leaders. There is also too much fluidity in the nature of support that these militias receive. There is also the issue of ideological preferences superseding military prowess.
2. The stated goal is to “fight terrorism and end the war in Syria” and the regime called them the Allied Forces made up of state employees, those who tried to escape military service and civilians who have not served their mandatory military service. This is actually nothing but an attempt to organize militias whose military and intelligence power has grown too great.
3. This is evidence of the failure of the 4th Corps, which was formed to oversee the regime’s Allied Forces in Lattakia and Hama. Furthermore, recruitment by the 5th Corps will be in competition with the 4th Corps.
4. Adding a force like the 5th Corps to the army will increase the institutional sectarianism that already plagues the military. Such a decision would be very

similar to the Iraqi decision to give legal cover to the Shia led Popular Mobilization Units.

5. Both Moscow and Iran have oversight capacity on this newly formed military unit to protect and strengthens their long-term investments. This makes reforming such an institution after war much more difficult.

This new military formation attempts to adjust to the circumstances and form a large 'Super Militia' structured as a National Army that is loyal to the state. This makes it very likely that there will be many competing elements within the military formation. It will also further decentralize the operations of an army that is trying to protect the border and establish stability in all Syrian territories. Creating such a military formation would also require military training programs that cover issues of nationalistic ideology and clearly defined tasks and responsibilities. Decisions about the goals, powers, and role of such a formation would need to be made by the Joint Chiefs of Staff of the National Army.

In conclusion, the regime replaced its absolute control of the military and security institutions with mercenaries recruited from the local population who are part of armed militias. These militias have significantly grown in size and strength during the past three years. These militias pose a real threat to the communities they operate within as well since they are increasingly excessive and aggressive in their tactics with very little oversight from the state.

This has resulted in the following:

1. Militias have authority to control local populations in addition to carrying out military tasks where they operate. They also have permission to operate outside their native territories.
2. Increased militarization of the society led to tying the community's fate to that of the regime and its continuity. This has resulted in violations of the state's sovereignty and the citizens' rights.
3. The institutionalization of the militias due to their economic necessity in generating revenue thus becoming a strategic asset of the central military and security planners.
4. The military branches of the regime's political parties, including the Baath Party and the Syrian National Socialist Party, grew and became more active giving them more power on the local level. This added to the power of the central security branches who can now better coordinate their shared interests.

Section 2: Security Structures in Opposition Controlled Areas

The regime recognized the threat of peaceful protests and the potential for popular demands to build momentum across ethnic, social, and religious lines inside Syria—and in the region. To deal with the situation the regime resorted to a security-based plan, which included:

1. Sending security forces to attack protesters with violence.
2. Creating security chaos by releasing wanted people and those detained for jihadi issues.
3. Conducting destabilizing operations such as explosions, attacking minorities, and assassinations.
4. Infiltrating armed opposition groups.
5. Creating chaos regarding the services in the opposition controlled areas.

The regime was effectively pressured protesters to form armed groups that has gone through many changes significantly affecting the security situation of the areas they control.

The phases of control that the armed opposition groups went through are:

- 1. Immediate Control:** This phase started with opposition-armed groups taking control of security branches and kicking out security forces from these areas followed by attacks by the army. During this phase, there was relative stability due to the following factors:
 - a. Peaceful revolutionary activities continued.
 - b. Small-armed groups were tasked with protecting the protesters.
 - c. The state's services did not stop.
 - d. The regime eased the pressure in areas that it no longer controlled so that its agents could gather intelligence in preparation for military operations.
- 2. Military Raids:** This phase began with the regime conducting special military operations against areas that it lost control over to the armed opposition groups. The security situation during this phase became quite difficult for the following reasons:

- a. The army was engaged in open warfare in all parts of Syria.
 - b. The delivery of services became much worse due to the targeting of public assets and the low-level skills of those working in the local service committees.
 - c. The appearance of humanitarian crises including the displacement of large numbers of people and the large numbers of people injured and killed.
 - d. A large-scale arrest campaign targeting peaceful and armed opposition members.
 - e. Radical former regime detainees started to gain a foothold on the ground with the opposition.
- 3. Regime Losing Full Control:** This phase started with the opposition groups organizing under the banner of the Free Syrian Army and conducting offensive operations against the Syrian army. The Syrian army was forced to retreat from many fronts due to the significant losses it suffered. This phase was filled with chaos and a lack of security, which varied from place to place. This can be explained by the following reasons:
- a. Administrative and organizational conflicts regarding the service committees and the involvement of the armed opposition groups in their work. This had a negative impact on the stability of the public services.
 - b. Regime loyalist cells remained operational in opposition-controlled areas where they carried out missions such as spreading rumors, carrying out explosions, and assassinations.
 - c. There were too many opposition groups and not enough military and security coordination between them.
 - d. There were cases of internal fighting between the opposition groups over power and resources.
 - e. Warlords started to pop up and operate based on their own interests at the expense of the public.
 - f. Cross-border Islamic jihadi groups grew stronger at the expense of the armed opposition groups.
 - g. The regime grew more dependent on the Shia militias, which increased the religious polarization in Syria and the region.

- h. Military operations intensified as regional and international actors started to intervene directly in Syrian territory.

A. Map of Active Security Actors in Armed Opposition-Controlled Areas

Decentralized security committees formed an alternative to the regime's structures in the armed opposition-controlled areas. Many of these security committees quickly found their end, while others continued to operate and fulfill critical security tasks. Four main bodies conduct security operations:

First: Local Councils

The Local Administrative Councils (LACs) adopted two main approaches to their security work: security engagement and community involvement. This is related to the level of the security threat facing the area that the council administers; the amount of resources needed to conduct security operations; how council leaders view security operations; the central role councils have in administering their areas; and the nature of the relationship between the council and the local civilian and armed groups.

1. Security Involvement

Local councils were directly involved with local security issues both independently and in cooperation with the other committees and bodies tasked with security issues.⁽¹¹⁰⁾ Some councils formed security offices and even police stations, which all underwent many changes in regards to their structures and responsibilities. In the immediate control phase described above, security offices were created with simple structures and the basic resources available locally. These offices were generally tasked with ensuring general security, protecting public property, and identifying people working with the regime.

Initial LAC efforts to deal with security files in their areas generally failed due to three main factors:

(110) An informed source from the Hama Provincial Council pointed out that there are security offices in some of the provincial councils that exercise police functions, while other councils rely on the armed opposition factions. The interview was conducted by the researcher with the source via social media on 14-11-2016. The President of the Homs Provincial Council pointed to the presence of security offices and police stations affiliated with the local councils who are responsible for maintaining local security, despite limited capacity. The interview was conducted by the researcher with the source via social media on 1-11-2016.

- a. Lack of skills and experience.
- b. Lack of a strategic vision for managing local security
- c. The increasingly militarized nature of revolutionary activities put armed opposition groups in competition with LACs in providing security services.
- d. The intense military operations conducted by the regime against areas it lost control of thus destroying any public security infrastructures.

LACs reinvented themselves after armed opposition groups were able to remove Assad forces from their territories. At that time, some councils formed Security Committees that they oversaw directly, securing local support and resources from the armed opposition groups. Other councils used their security offices as a mechanism to coordinate with the committees that were responsible for local security⁽¹¹¹⁾ such as the armed opposition groups⁽¹¹²⁾, the local courts⁽¹¹³⁾ and the Free Police.⁽¹¹⁴⁾

The Local Council of Daraya managed to set up one of these security systems in which they created a central General Security office that included the Local Council and local armed opposition leaders. Their role was to deal with all civilian and military security affairs. The different offices that operate in this security structure included investigations, prison, courts, patrols, civilian affairs, military affairs, debts, and civil records.⁽¹¹⁵⁾

(111) Othman al-Bardan, head of the Dara'a Free Council, confirmed the cooperation of the provincial council with the court of justice and the revolutionary factions to stop the security chaos. <http://klj.onl/SflNj>.

(112) Removal of irregularities, violations and infringements on the power lines of the water pumps, which feed a number of towns and villages of eastern rural Daraa al-Sharqi in collaboration with the local council of the city of Bosra al-Sham and Shabab al-Sunna. For more information, see the official website of the city council of Bosra al-Sham, 7-5-2015, <https://goo.gl/rEooTa>. Mr. Zuhair Al-Salloum, Head of the Projects Office at the Joint Council of the Rakaya Community, pointed out that there is a good relationship between the council and the factions working in the council's area, 6-11-2016.

(113) The Board of Directors of the city of Benesh in coordination with the Islamic Organization for the Management of the liberated areas proposed the local council to form a committee to control these violations and to establish a system establishing clear mechanisms of action. <https://goo.gl/27EtPq>

(114) The heads of the Free Police in Aleppo and Idlib are non-voting members of the local councils. The councils also exercise the right of supervision and oversight of the Free Police offices in their areas. An interview conducted with Lt. Ashiq Muhammad of the Free Police in Gaziantep, Turkey on 5-11-2016.

(115) Rami Sweid, Civil Administration in Darya and the Independence of the Security Establishment, Al-Gharbal, 22-2-2015, <https://goo.gl/QUf5Qz>. Also see, Zain Kanaan, General Security in Darya Stresses Price Control, 21-2-2016, <https://goo.gl/FB9OC9>. Also, a large security campaign in Daria, the arrest of wanted

2. Community Involvement

Most LACs preferred to stay away from getting involved in security services and leave security matters to those who are more specialized.⁽¹¹⁶⁾ This was the case for many reasons, including the following:

- a. LACs adopt a more comprehensive understanding of security that goes beyond military issues and takes into account economic and social factors.
- b. Avoiding conflicts of interest with the local security bodies of the armed opposition groups.
- c. A lack of resources to establish proper security offices that they can control.
- d. Insistence that LACs remain as civilian bodies in order to placate donors and to prevent negative reactions from the locals as well.

LACs focused their priorities on providing basic services like renovating the local infrastructure, installing and maintaining water and sewage pipes, and managing development projects aimed at strengthening the local community. LACs consider these things as complementary to the efforts of their partners responsible for local security.

Second: Revolutionary Police

Before the uprising, the regime was trying to weaken the civilian police force in a systematic way by damaging its reputation with the public and portraying it as a corrupt institution that lacks expertise and effectiveness. The regime also strengthened the security structures, like the various intelligence branches, at the expense of the civilian police. In a further attempt to weaken the civilian police, the regime used the institution as a violent force against the uprising. According to one regime defector, the police force saw a significantly higher rate of defections than in the military and the security branches.⁽¹¹⁷⁾ Some of the reasons for this include:

1. The civilian nature of police work due to the daily interactions with citizens and the refusal by police to use force against the protesters.

persons, Enab Baladi, 5-10-2014, <https://goo.gl/LEhMT8>.

(116) Mr. Akram Touma, Deputy Prime Minister of the Interim Government, said in an interview with researcher Ayman Desouki that local councils in Eastern Ghouta depend on the Police Command to provide security. A conversation conducted by the researcher with Mr. Akram Tohma via social media on 10-11-2016.

(117) An interview conducted with Lt. Ashiq Muhammad of the Free Police in Gaziantep, Turkey on 5-11-2016.

2. The police have higher levels of education compared to the officers and members of the military and security branches.
3. The low morale within the police force resulting from low salaries and the overarching influence of the military and security structures on the police force.
4. Promotions within the police force were based on sectarianism and favoritism instead of skills and experience.

These factors led many police officers to defect from the regime. It is estimated that 500 officers, thousands of other police ranks defected from the regime. Some of those defectors chose to stay out of any activities while others joined security efforts in armed opposition-controlled areas in coordination with local actors. This was especially critical due to the fact that civilians were fed up with the stealing, looting, and violations of public property that were spreading in opposition-controlled areas.

By the end of 2011 and the beginning of 2012, the opposition had already controlled police forces in Hraitan and Tal Rifat,⁽¹¹⁸⁾ the Revolutionary Security Office,⁽¹¹⁹⁾ and police stations in most of the areas outside regime control. However, most of these attempts were not successful for the following reasons:

1. Lack of support and experience.⁽¹²⁰⁾
2. Competition among armed opposition groups in managing the security file.
3. The varying judicial schools of thought with some following Islamic Law and others Civil Law.
4. The appearance of corruption and the unprecedented use of power to achieve personal goals.
5. Police activity grew in a more organized manner by the middle of 2012 when a number of police institutions were formed and continue to operate today.

(118) Interview by Ayman al-Dessouki with Lieutenant Lt. Mohammed Mohammed, liaison officer of the Free Police in Aleppo, 5-11-2016.

(119) The Revolutionary Security Office was established in August 2012 by the Unification Brigade and with the help of the Free Lawyers Movement. Two offices were opened in Al Rai and the other in the Hanano district of Aleppo. See also Batsko, Gilles Doronsoiro, Carnegie Endowment, 16-4-2013, <https://goo.gl/OFgm9v>

(120) Brigadier Fouad Suwaid states that the lack of support was the main reason for the failure of the civilian police station in Kefranbal. For further information, Al-Gharbal, <https://goo.gl/88uJaA>

1. Free Police

The Free Police was officially founded in Aleppo on October 1, 2012, with help from the Revolutionary Transitional Council and the local councils. The environment was ripe for the program to launch benefiting from two main factors: 1) The failures of previous police force projects and 2) The support of the civilian bodies and local residents to create an independent civilian security force. The Free Police in Aleppo are spread throughout 50 offices with more than 2, 000 officers.⁽¹²¹⁾ In Idlib, the police force project took longer to launch due to a disagreement between officials from the Free Police and the Provincial Council of Idlib regarding the mechanism that would manage the relationship between the two institutions on one hand and the relationship with the donor part on the other. They were able to overcome this challenge and the Free Police started operations in Idlib on July 1, 2014.⁽¹²²⁾

Now there are 33 police stations in Idlib with over 1, 000 police officers. As for the other provinces, there are ongoing efforts to create police forces in Daraa, Rural Damascus, Homs, some places in Hama; and they are trying to connect them with the forces in Aleppo and Idlib in order to organize them under the General Directorate of the Free Police.⁽¹²³⁾ In Lattakia, efforts to build a police force were put on hold due to disagreements between the donor party and the parties on the ground.⁽¹²⁴⁾

The tasks and responsibilities carried out by the Free Police include: Ensuring general security, protecting public property,⁽¹²⁵⁾ combating crime,⁽¹²⁶⁾ safeguarding

(121) Aleppo Free Police: Four years of service, meeting with Brigadier Adeeb Al-Shalaf, Free Police Commander in liberated Aleppo, 1-10-2016, <https://goo.gl/FE5ZdW>

(122) Interview with Brigadier Fuad Al-Sweden, Commander of the Free Police in Idlib Province. Al-Gharbal Magazine, <https://goo.gl/88uJaA> . Also, Hadia Al-Mansur, Free Police in Idlib and its Rural Areas. 19-1-2016, <https://goo.gl/sie2by> .

(123) Has the Free Police been able to control the security situation in Idlib and Aleppo? What are the most important challenges? Radio Al Kul, 19-3-2016, <https://goo.gl/jMvqdO>

(124) Ahmed Haj Bakri, Free Police in Rural Lattakia, Support has been cut off but our work continues. Enab Baladi, 7-6-2015, <https://goo.gl/xBZ8LH>

(125) A joint patrol of the Tremala Free Police and the Sharia Court to measure the boundaries of a piece of land Tremala Free Police official site on Facebook, 106-4-13, <https://goo.gl/bZQDXX>

(126) The arrest of a murderer, the confiscation of the pistol and their transfer to the judiciary. The site of the Free Idlib Police in Jabal el Wastani. 16-10-2016, <https://goo.gl/WaAQMY>

public morality,⁽¹²⁷⁾ anti-narcotics operations,⁽¹²⁸⁾ carrying out court orders, monitoring prices and markets,⁽¹²⁹⁾ receiving complaints and resolving disputes, and traffic control.⁽¹³⁰⁾ In addition, there are social tasks that the Free Police take up in cooperation with the Civil Defense and the local councils: conducting public awareness campaigns⁽¹³¹⁾ and providing logistical support to the civilian bodies to carry out their tasks.⁽¹³²⁾

The structure of the Free Police is as follows:

Police Commander, Assistant Police Commanders from each Province, and the Administrative Assistant to the Chief of Police who is responsible for the following divisions: Female Police, Training and Studies, Media and Information, Administrative Affairs, Public Debt, and Finance.⁽¹³³⁾

There are five countries that fund the Free Police project: USA, Denmark, UK, Germany, and Holland with the possibility of other countries joining. It is noted here that Arab countries, which support the opposition, are absent. The aid comes in the form of salaries, uniforms, communication equipment, vehicles, and training courses. The relationship between the Free Police and other bodies such as the LACs is codified with a non-voting seat on the local council for the local police force. The councils also oversee and review all operations of the Free Police.⁽¹³⁴⁾ The Free Police has a good relationship with armed opposition groups especially Zenki Brigades, Shamiya Front, Islamic Front, and Jaysh al-Mujahideen,⁽¹³⁵⁾ while it does not

(127) Al-Atareb police catch a criminal, Free Aleppo Police Command on Facebook, 17-6-2016, <https://goo.gl/KJtP89>

(128) Free Police battle marijuana cultivation. YouTube, 16-11-2015, <https://goo.gl/ZnzNcD>

(129) Free Aleppo Police Command; Ramadan Mubarak as Free Police patrol the markets. YouTube, 7-6-2016, <https://goo.gl/RLUQvN>, <https://goo.gl/R2qP3q>

(130) Ahmed Al-Ahmad, Traffic Police commence their work in rural west Aleppo. Souriatna Press, 16-5-2016, <https://goo.gl/51QD0V>

(131) Idlib Free Police launches a campaign to prevent chlorine poison gas. Radio Al Kul, 22-9-2016, <https://goo.gl/3PNuy3>

(132) Free Police in Aleppo support the volunteer teams in their vaccination campaigns. Aleppo Free Police Station on Facebook, 28-6-2016, <https://goo.gl/DWleht>

(133) "Syrian Free Police: Aleppo Police. The organizational structure and tasks during the foundation stage." This document was supplied to the researcher by the Aleppo Free Police.

(134) Interview by Ayman al-Dessouki with Lieutenant Lt. Mohammed Mohammed, liaison officer of the Free Police in Aleppo, 5-11-2016.

(135) Free Police work flow in Aleppo, Radio Al Kul, <https://goo.gl/04CJO5>

get along with jihadi groups such as Jabhat Fateh al Shaam.⁽¹³⁶⁾

2. Police Command in Eastern Ghouta

This unified command structure was created in 2014 through the merger of the Eastern Ghouta Police, both the southern and central divisions and part of Almarj, the Douma Police Directorate and all its related offices.⁽¹³⁷⁾ The total number of staff for all the Eastern Ghouta stations is 700 including officers. Their responsibilities include ensuring general security,⁽¹³⁸⁾ protecting public property,⁽¹³⁹⁾ combating crime,⁽¹⁴⁰⁾ anti-narcotics operations,⁽¹⁴¹⁾ carrying out court orders, monitoring prices and markets,⁽¹⁴²⁾ resolving citizens' complaints, conflict and dispute resolution,⁽¹⁴³⁾ and traffic control.⁽¹⁴⁴⁾

The structure of the unified Police Command in Eastern Ghouta is as follows: Police Chief, Deputy Police Chief, and branch heads. There are branches in Douma, Al Awsat, Irbeen, and Almarj.⁽¹⁴⁵⁾ The Police Command received its main support from the financial office of the Unified Command in Eastern Ghouta. It also had the

(136) Wafa Mustafa, Nusra Front raids Free Police branches in Idlib. The New Arab, 8-7-2015, <https://goo.gl/IYX0JD>

(137) Statement of the formation of the Unified Command in Eastern Ghouta, 27-8-2014, <https://goo.gl/lkmwZd>

(138) On Friday 7-10-2016 the Directorate of the Duma area arrested a person who was shooting in one of the wedding processions and confiscated his weapon and referred him to the judiciary, in order to deter such a phenomenon. Police Command on Facebook, 8-10-2016, <https://goo.gl/kfod5a>

(139) The Criminal Security Branch of the Police Command in the Eastern Ghouta conducts night patrols to protect public and private property. Police Command on Facebook, 18-4-2016, <https://goo.gl/cDY8Ri>

(140) The arrest of a murderer, the confiscation of the pistol and their transfer to the judiciary. The site of the Free Police in Jabal el Wastani. 16-10-2016, <https://goo.gl/WaAQMY>

(141) Three people arrested due to intoxication from cannabis and other pills. Police Command on Facebook, 31-8-2016, <https://goo.gl/VsZrHa>

(142) Anti-monopoly and supply office of the Police Command control the monopoly and pricing of goods, in addition to the study the expiration of food items. The Police Command on Facebook, 6-10-2016, <https://goo.gl/2G024L>

(143) Douma Police Station receives citizens' complaints 24 hours a day. Police Command on Facebook, 27-8-2016, <https://goo.gl/fdJICx>

(144) The Traffic Bureau organizes traffic on main streets and busy public places. Police Command on Facebook, 20-8-2016, <https://goo.gl/FXPS6j>

(145) Imran Abu Salloum, Deputy Chief of Police in the Eastern Ghouta: Great pressure on us to prevent military excesses. Kulna Shuraka, 22-7-2016, <http://www.all4syria.info/Archive/330149>

support of the local councils and civic organizations.⁽¹⁴⁶⁾ According to the head of the Police Command in Eastern Ghouta Captain Muhammad Salem, the command did not receive any support from the Interim Government or the Syrian Coalition.⁽¹⁴⁷⁾ The command also refused funding offers from many European embassies. The Police Command has a positive and cooperative relationship with citizens and civil society groups as well as local councils and civil defence units.⁽¹⁴⁸⁾ However, its relationship with armed opposition groups is always changing depending on the balance of powers in Eastern Ghouta. The Police Command is loyal to the Unified Command of Eastern Ghouta and its relationship with jihadi groups like Jabhat Fateh al Shaam is always tense.⁽¹⁴⁹⁾

3. Eastern Qalamoun and Badiya Police

The Qalamoun Police Command was formed from the 582nd Division created by a group of volunteers from the armed opposition operating in Eastern Qalamoun, as well some civilians and defected police officers.⁽¹⁵⁰⁾ This decision was made in response to the increasing security threats caused by the presence of ISIS in parts of Qalamoun and the badiya. There are offices in Domeir, al-Raheiba, Jayrood, Utna, and the Badiya. This police command gets little support and they only receive little incentives and clothing from parties that benefit from their work.⁽¹⁵¹⁾ The police

(146) Ghayath Abu Dahab, Surrounded by criticism: The police of east Ghouta in rural Damascus between required neutrality and forced subordination. Souriatna Press, 21-6-2016, <https://goo.gl/dpo7cf>

(147) Proceedings of the press conference of the Police Command in Eastern Ghouta. 20-7-2016, <https://goo.gl/Obl534>

(148) Mr. Akram Touma, Deputy Prime Minister of the Interim Government, said in an interview with researcher Ayman Desouki that local councils in Eastern Ghouta depend on the Police Command to provide security. A conversation conducted by the researcher with Mr. Akram Tohma via social media on 10-11-2016.

(149) The Police Command in Eastern Ghouta demands in a statement that the armed factions which attacked the people in Masraba to withdraw. Independent Syrian Observatory, 29-4-2016, <https://goo.gl/kxfQ36>

(150) The 582nd Battalion is considered an alternative to the police stations and security centers, which disappeared after the liberation of the main towns in eastern Qalamoun including al-Raheiba, Domeir, and Jayrod. The 582nd took over the security tasks in the area and addressed the needs and concerns of the residents. For more see Abu Muhammad al Yabroudi, 582nd Battalion: An embodiment of the security role of the Qalamoun revolutionaries. Akhbar Alan, 19-7-2015, <https://goo.gl/MjUx2>

(151) The Office of Studies in the Police Command in Eastern Qalamoun and Badiya pointed to their dependence on local donors to provide part of their needs. The support is paid in the form of salaries and some other needs. Based on an interview conducted by the researcher with the Office of Studies in the Police Command via social media on 11-2016. Also see Abu Muhammad al-Yabroudi, The Qalamoun and Badiya

command is responsible for receiving complaints and resolving disputes,⁽¹⁵²⁾ ensuring public safety and security,⁽¹⁵³⁾ and traffic control.⁽¹⁵⁴⁾ A source in the Studies Department of the Qalamoun Police Command said that they had a positive relationship with the LACs and that they considered the police as their security office. The police command has a shaky relationship with the armed opposition groups in the area, ranging from cooperation to competition, especially Jaysh al Islam.

4. The Policing Experience in Homs: “Internal Security”⁽¹⁵⁵⁾

The Revolutionary Police Force was formed in Rastan, Homs on March 24, 2012 by police defectors. They started their own office that turned into a fully operational police station with a Director, Deputy Director, Office of Criminal Security, Investigations Office, and Documentation Office. Additionally, there are security detachment offices at the cement factory, Dar al Kabira Crossing, Local Council office, and at the advisory council. The command has only 30 officers despite there being 180 defected officers in Rastan.⁽¹⁵⁶⁾ The police command is responsible for general security, protecting public property, traffic control, resolving disputes, carrying out court orders, fighting crime, and producing identity documentation.⁽¹⁵⁷⁾ The police here get little support and most of their resources are pooled locally. They are barely capable of covering their basic needs let alone salaries, equipment and administrative costs.

The police command in Rastan has a positive and cooperative relationship with the local councils. In fact, the Head of the Internal Security Branch is responsible for the Security Office of the local council. This police command has a positive relationship

Police: Alternative to the regime police in the era of the revolution, Akhbar Alan, 29-7-2016, <https://goo.gl/ye9UvO>

(152) Free Police Station in al-Raheiba receive the complaints of the residents of al-Raheiba. The Local Revolutionary Council in the city of al-Raheiba - Damascus countryside, 1-4-2016, <https://goo.gl/0uECZ8>

(153) Some of the work of the Internal Security Forces Police Command of the Eastern Qalamoun and the Badiya/al-Raheiba, Official site of the Police Command on Facebook, 8-7-2016, <https://goo.gl/PFxCME>

(154) al-Raheiba police decisions regarding the organization of traffic. The Police Command of Eastern Qalamoun and the Badiya, 11-11-2016, <https://goo.gl/LK102t>

(155) The revolutionary police station in Rastan, diligent work despite the absence of revolutionary institutions. SMART on YouTube, 9-7-2015, <https://goo.gl/0oQ5c9>

(156) The interview was conducted by researcher Ayman Dassouky with Mahmoud al-Dali, head of the Internal Security Forces liaison office in Rastan on social media on 4-11-2016.

(157) Examples of Internal Security Forces' work in Rastan, the official website of the Internal Security Forces in Al-Rastan, <https://goo.gl/12VKoD> , <https://goo.gl/MXmcwE> , <https://goo.gl/INVoHo>

with the armed opposition groups in which they divide tasks and responsibilities among themselves. There are plans to form a regional police force in northern rural Homs in cooperation with the General Security offices in Tal Beesa and Zaafarana.⁽¹⁵⁸⁾

5. Police and the National Public Security

It was established in 2017 in Jarablus, Aleppo and has developed into a number of different branches run by the armed opposition groups in the Operation Euphrates Shield controlled areas. They are estimated to be 1, 852 officers (450 in Jarablus, 463 in Al Rai, and 940 in Izzaz).⁽¹⁵⁹⁾ The majority of the police officers are displaced individuals either from the refugee camps in Turkey or civilians living in Euphrates Shield territory.⁽¹⁶⁰⁾ People can volunteer to join the force at three main centers: Jabha Shamiya office in Izzaz, Local Council of Jarablus, and the Syrian Turkish relations office in Antakya.⁽¹⁶¹⁾

The structure of the National Public Security hierarchy is as follows: the General Command of the Police and General National Syrian Security, police commands, regional directorates, police branches, and stations.⁽¹⁶²⁾ It is responsible for ensuring general security, protecting public property, fighting crime, ensuring public morality, anti-narcotics operations, carrying out court orders, monitoring prices and markets, receiving complaints and resolving disputes, traffic control, administering civilian affairs, and counter terrorism operations. Those include putting up checkpoints and sending in bomb and swat teams when necessary to deal with IEDs.

(158) Mr. Mahmoud Al-Dali pointed to the existence of contact with Brigadier Adeb Al-Shalaf, the commander of the Free Police in Aleppo governorate, in terms of improving the security work in northern Homs countryside by providing financial support and the formation of a police command in northern Homs that is part of the Aleppo Free Police. The interview was conducted by researcher Ayman Dassouky with Mahmoud al-Dali, head of the Internal Security Forces liaison office in Rastan on social media on 4-11-2016.

(159) Graduation of two rounds of police and public security forces in Izzaz and Al Rai. The official page of the National Police and Public Security Forces in Facebook, 2-3-2017, <https://goo.gl/I3tJEK>. The social media officer indicated that their target was to graduate 5,000 officers total. The interview was conducted by the researcher with the social communication officer of the police and national security forces via social media on 5-3-2017.

(160) For more about the police forces and the national public security see, Adnan al-Hussein, The Police enter Jarablus and the Euphrates Shield factions leave. Almodon, 25-1-2017, <https://goo.gl/Rzyjt5>

(161) Interview conducted by the researcher with the social communication officer of the police and national security forces via social media on 5-3-2017.

(162) Urwa Susi, Security forces and police in Grapples: Its structure, its functions, and the salaries of its members. Eqtsad, 29-1-2017, <https://goo.gl/18ao25>

They also deal with all the border controls including imports and exports, passport control, and transit operations. The Turkish government has offered them the most help in the form of salaries, equipment, logistical support, and training.⁽¹⁶³⁾ This police command does not coordinate its operations with the local councils at all but instead coordinates directly with the armed groups involved in Operation EuphratesShield.⁽¹⁶⁴⁾

Additionally, many police structures operate in opposition-controlled areas. Despite what they are called, all of these trials have been limited in scope and were not able to develop into a clearly defined structure that covers a massive geographical area. We can identify three types of police structures followed in area under opposition control accordingly: police structures managed by the local councils, police structures founded by the armed opposition groups, or independent security structures.

6. The Security Council in Euphrates Shield

After Operation Euphrates Shield achieved its goals, the armed groups involved decided to create a Security Committee made up of three people who would be creating a security structure rather than work in one. It was mandated with tasks including investigations, management of prisons, and connecting the Security Council with the courts. A few of the reasons for the moderate success of the security operations in Euphrates Shield include: the objectivity of the council that was able to overcome its shortcomings and improve performance, sincerity on the part of the leaders of the armed opposition groups to work for an effective security operation, and the Turkish support for the project.

The local police in Jarablus work separate from the Security Committee and are made up of the Court Police, the stations, and SWAT. The Security Committee operates outside of Jarablus and addresses military issues through a meeting that

(163) Pictures of a number of police vehicles provided by the Turkish government to the police and national security forces. The official page of the National Police and Public Security Forces in Facebook, 25-1-2017, <https://goo.gl/CkH5as>

(164) The social communication officer of the National Police and Public Security Forces pointed out that there is no relationship, consultation or coordination between the police forces and the local councils. The reason is that the organizational structure is still unstable for the security forces. The councils are likely to have a future role when the administrative and organizational structures of the police are built. This interview was conducted by the researcher with the social media officer of the police and national security forces via social media on 5-3-2017.

includes the head of the local council, head of the security committee and the head of Court Police.

Despite the progress made, there are major challenges to security operations in Euphrates Shield territory, including security threats from enemy forces such as threats of PKK sending IEDs. There are also foreign parties entering Euphrates Shield territory only to destabilize the region further. There is a lack of a centralized review process and a void of an institutional structure that does not give any legitimacy to the courts, police or the local councils. There is also a weak relationship between the local structures in Euphrates Shield and the police force gets very little support from the public.⁽¹⁶⁵⁾

Third: Local Judiciary

The judiciary plays a critical role in ensuring security and stability by protecting the rights of victims and solving disputes. Court systems following the Assad regime have taken on a number of legal and structural forms with different specialties. The most notable of such courts in opposition-controlled areas are the following:⁽¹⁶⁶⁾

- 1. The Higher Courts Council in Aleppo:**⁽¹⁶⁷⁾ It was established on July 30, 2015 through the unification of seven courts in Aleppo and the rural areas.⁽¹⁶⁸⁾ The council adopted the Unified Arabic Code as its legal basis. It is structured with the Office of the President and Vice-President at the top, then the Office of the Attorney General, and Office of Judicial Inspection, Studies and Research, Office of the General Court and Judicial Police Office.⁽¹⁶⁹⁾ The council depends on the Free Police and a few of the armed opposition groups to carry out court

(165) The experiences were shared by a Euphrates Shield commander during a workshop held by Omran Center in Istanbul on 2-5-2017

(166) Sultan Jalabi, Nine judicial authorities lose justice in non-regime controlled areas in Syria. Al Hayat, 17-1-2016, <https://goo.gl/BmEqUJ>

(167) Supreme Council of the Judiciary: We have united most of the courts of Aleppo and its villages except the courts of Nusra and Al-Ahrar. SMART on YouTube, 10-8-2015, <https://goo.gl/ZDeJTB> . See also seven courts of the Supreme Judicial Council in Aleppo and Qasimiya is one of them, SAMRT on YouTube, 23-1-2016, <https://goo.gl/8FptiK> .

(168) The seven courts formed for the Unified Judiciary Council in Aleppo are Al-Ansari, Izzaz, Tall Rifaat, Mara'a, Qasimiya, Kafarnaha and Hedar. For more see, Amjad Al-Tinawi, Supreme Judicial Council "begins its work in Aleppo through seven courts. <https://goo.gl/YnVmSr>

(169) Judicial courts announce formation of Supreme Judicial Council in Aleppo. Eldorar Al-Shamiya, 30-7-2015, <https://goo.gl/sLDwOc>

orders. Fastaqem Kama Umirt and the Zenki Brigades are the council's strongest allies.

2. The Courts of the Islamic Council for the Administration of Liberated Areas:

Eleven courts in Idleb and Hama are part of the Islamic Council for the Administration of Liberated Areas established in 2013 in an agreement signed by a number of key Islamic groups including Ahrar al Sham.⁽¹⁷⁰⁾ They have adopted Islamic law as their legal basis. Their structure is similar to the regime's court system in terms of the types of courts and the court processes.⁽¹⁷¹⁾ The council depends on armed opposition groups to carry out the court's orders and to cooperate with the Free Police.

3. The Judicial Council of Eastern Ghouta:

It was established on June 24, 2014 by agreement from a majority of the armed groups in Eastern Ghouta. Of the 17 total groups, the most notable are Jaysh al Islam, Faylaq al Rahman, Ajnad al Shaam, Ahrar al Shaam, and Jabhat Fateh al Shaam, which pulled out of the council later on.⁽¹⁷²⁾ There are four main courts in Eastern Ghouta, they depend on the Police Command in Eastern Ghouta to carry out its orders, and armed opposition groups are not allowed to conduct any arrests or detention except in strict security conditions.⁽¹⁷³⁾

4. House of Justice in Houran:

This judicial body was formed in November of 2014 and has jurisdiction in the areas of Daraa under armed opposition control. This court uses the Unified Arabic Code as their legal basis.⁽¹⁷⁴⁾ The court is structured as follows: criminal court, civil court, and social matters court with each of the courts having their own set of judges.⁽¹⁷⁵⁾ Jabhat Fateh al Shaam

(170) What is the Islamic Organization for Administering the Liberated Areas? And what are its activities? Eldorar Al-Shamiyya, 22-8-2015, <https://goo.gl/w0Gw5O>

(171) Islamic Courts in Idlib. SMART on YouTube, Date 14-12-2015, <https://goo.gl/fZbMw1>

(172) Najm Salem, the announcement of the formation of a unified district council in the Eastern Ghouta, Kulna Shuraka, 24-6-2014, <https://goo.gl/pLb9WP>. See also, Absi Smeisem and Anas Kurdi, Nusra suspends its membership in the Unified Judiciary Council. The New Arab, 23-7-2014, <https://goo.gl/j2l3Gw>

(173) Forms of judiciary and formation of laws in areas outside Syrian regime control. Enab Baladi, 19-12-2015, <https://goo.gl/XtLVN7>

(174) Adopting the Unified Arabic Law officially and making it the official reference to the judiciary in the House of Justice in Houran. The official page of the House of Justice in Houran on Facebook, 2-11-2015, <https://goo.gl/xbe5Hp>

(175) Statement of the House of Justice regarding the mechanisms of its work and composition. The official page of the House of Justice in Houran on Facebook, 25-10-2015, <https://goo.gl/fqM3cY>

pulled out of the court system when it adopted the Unified Arabic Code. The Syrian Revolutionary Front also pulled out of the court released detainees who were accused of being members of ISIS without a proper investigation or trial.⁽¹⁷⁶⁾ The court depends on the Southern Front and other armed opposition groups to carry out the court's orders. The court also has its own police force of approximately 150 people.⁽¹⁷⁷⁾

5. **The High Court in Northern Rural Homs:** The court was formed on October 1, 2014 and includes courts in Rastan, Talbiseh, Zaafarana, and Houla. The court hears cases about people who work with the regime, cases about weapons or illegal checkpoints, civil cases, deciding on where cases should be heard, cases referred to it by the lower courts, and military cases where one of the parties involved is from the armed opposition groups.⁽¹⁷⁸⁾ The court depends on the civilian police and armed opposition groups such as Faylaq Homs, Ahrar al Shaam, Jaysh al Tawheed and others to carry out the court's orders.
6. **Jabhat Fateh al Shaam Courts (JFS - formerly known as Al Nusra Front):** JFS played a central role in setting up the first judicial systems in the liberated areas along with other armed opposition groups. It pulled out of these judicial structures to form its own system that operates in Idlib, Aleppo, Lattakia, and Daraa. These courts draw a more literal interpretation of Islamic law as their legal basis and refuse to 'modernize' it. They have their own Islamic Police that carry out the court's orders.

Fourth: Security Office of the Armed Opposition Groups

Armed opposition groups formed small security units when they first formed that were responsible for gathering information, analyzing it, and creating a plan of action to deal with that information. As the situation on the ground evolved, security offices turned into full-fledged offices that are part of the command structure of the armed opposition groups. This happened due to several factors including the following:

(176) Maysara al Zubi, The Syrian Revolutionary Front withdraws from the Court of Justice in Houran and goes under the jurisdiction of the Court of Quneitra. *Micro-Syria*, 13-2016, <https://goo.gl/0XFfZs>

(177) The factions are: Ahrar Al Sham, Al Furqan Brigades, Yarmouk Army, Army of Islam, and the Mujahideen and Ansar Brigade. For more, see Mohamed Omar, Opposition factions putting their military forces at the disposal of the House of Justice in Houran. *Al Hal*, 11-8-2016, <https://goo.gl/nWuf7C>

(178) Jurisdiction of the Supreme Shari'a Court, the website of the Supreme Shari'a Court of Homs on Facebook, 18-4-2016, <https://goo.gl/EPV4hW>

1. The increasingly dangerous threats to the armed opposition groups posed by trans-national jihadi groups and regime forces.
2. Several factors made the experiences of the armed opposition groups relatively positive including the availability of human resources, the large number of volunteers, and the consistent material support they received.
3. The accumulated experience in conducting security work on the ground as well as the expertise of the defected officers who joined the opposition.

Armed opposition security offices can be categorized as follows:

1. Security offices of FSA-affiliated armed opposition groups, including: the Shamiya Front, Jaysh al-Mujahdeen, Zenki Brigades, Faylaq al Rahman, the Southern Front, Jaysh al Nasr, Asala wa Tanmiya Front.
2. Security offices of “Islamist” armed opposition groups: Ahrar al Sham, Jaysh al Islam, and Faylaq al Shaam.
3. Security offices of military alliances and operation rooms: The executive force of the Jaysh al-Fateh, the security office of the Free Idlib Army, the shared security offices of the Sons of Hamza Brigades and the Abu Amara Brigades and the Homs Operations Room.⁽¹⁷⁹⁾
4. The security offices of cross-border jihadi groups like Jabhat Fateh al Shaam and ISIS.

There is not enough information about the structure of the security offices of armed opposition groups or their numbers and designated tasks and responsibilities due to the secrecy and often-militarized manner with which they operate. However, we can get a general idea of the tasks and responsibilities of these security structures by looking at the work that they make public. These responsibilities include investigating people who work with the regime, identifying targets, conducting prisoner swaps, interrogating prisoners, conducting operations in regime controlled areas, ensuring public security in liberated territories, clearing ISIS sleeper cells, and helping defectors by following up with them after they defect.

The structure of these security offices can be understood as follows:

- 1. Operational Force:** Includes police stations, patrols and checkpoints. It is re-

(179) Amjad Tinawi, Fateh Army factions form a security committee to run the city of Idlib. Kulna Shuraka, 2-4-2015, <https://goo.gl/ttQxNe>

sponsible for monitoring, following up, and carrying out any orders that come from the group's leadership or related bodies.

2. **Administration:** Includes the administrative staff responsible for analyzing data, archiving it, carrying out orders, managing the security personnel, and presenting reports to the command.
3. **Investigations:** Responsible for interrogating prisoners and those wanted for cooperating with the Assad regime or ISIS.
4. **Intelligence:** Responsible for monitoring military and security targets and collecting information on them. They also plant cells in regime-controlled areas.⁽¹⁸⁰⁾

B. An Evaluation of Security Operation in Opposition-Controlled Areas

Security operations are decentralized in the armed opposition-controlled areas and have no central command structure to take responsibility of security. This is partly because there are too many actors involved in the security structures, each with different effectiveness, capacity, and circumstances. This fragmentation is partly due to donor strategies in empowering multiple actors without mandating cooperation or coordination among them. Previous studies have found that the regime does not have a complete security sector and the existing one is rife with corruption and failure, despite its operating solely to ensure the regime's security.

This brings up the question of whether the armed opposition security structures are an exceptional case in terms of ideology, practices and thinking when compared to the regime, in addition to whether they are able to successfully fulfill the tasks and responsibilities entrusted to them.

We will evaluate the decentralized armed opposition security structures according to two standards:

(180) The security and police office of Nur al-Din al-Zanki consists of 10 police stations and 15 roadblocks. It is responsible for controlling security in the areas they operate and to combat crime and thieves. The security force in the Shamiya Front consists of 1, 500 members; 200 of whom are administrative staff, investigators and judges. They have branches and main headquarters in northern rural Aleppo and other areas. For further information on this see Aref Haj Yousif, *Armed Forces Map of Aleppo*, Aljumphuriya, 6-4-2015, <https://goo.gl/ZVQjAZ>, Introduction to the Security Institution of the Shamiya Front, from the official website of the Shamiya Front, <https://goo.gl/33zjw1>

1. The extent which a decentralized security body has all the elements of a traditional security structure.
2. The amount of success the security structures have in fulfilling their assigned tasks.

First: Decentralized Security Structures: Absent Institutionalism

Every organization has three main components:

1. The human element: The workers, administrators, and beneficiaries.
2. The material element: Various resources, supplies, different types of buildings, and equipment.
3. The moral element: Legitimacy, political and legal basis for operations as well as various administrative, court decisions, and processes.

Based on these elements we can say that the armed opposition security structures **do not meet all of these standards**. This is one of the main reasons that the opposition is unable to replace security structures due to the way they think, the opposition's leadership, and its internal divisions. The regime and its allies continuously try to prevent the creation of any successful institution and the development of institutionalized security structures. Specific structural elements can be highlighted as follows:

- 1. Multiple Sources of Reference:** There is no consensus among the local decentralized security structures on the political, executive or judicial reference point that should be relied upon. The current security structures are not officially associated with the opposition's various institutions. The courts generally each follow a different legal basis resulting in conflicting roles and competing interests between the courts; as well as a lack of cohesion and coordination.
- 2. Lack of Skilled Personnel:** Local security structures suffer in two ways: First, the imbalance between the number of workers and the amount of work needed from them; and second the lack of expertise in the field of security management. The reasons for this are that civilians dominate the positions in these structures and there are few who have experience working in state security structures. There is also little professional security training and the focus is usually on theological and ideological topics.
- 3. Poor Material and Logistical Support:** Local security agencies vary in terms of

the material resources available to them in terms of stations, salaries, vehicles, arms, and communication equipment. The armed groups have made more progress in this regard compared to other civilian security structures. Despite all of this, the security structures are unable to secure the logistical needs for proper security operations in an unstable environment.

- 4. Poor Strategic Planning:** There is no evidence to show that these security structures are following any fully comprehensive strategy. For the armed groups their first priority is always protecting their own interests and maintaining control of their territories. The civilian security structures have interests that are more in line with that of the civilian population.

Second: Decentralized Security Structures in Practice: Security Chaos

The opposition-controlled areas are relatively chaotic due to a lack of institutionalized security structures and the limited capabilities of existing ones. There is also constant tension between the various security related structures operating in an area. Some of the more prominent features of security operations in these areas can be summarized as follows:

1. An increase in the number of explosions, assassinations and other security threats posed by sleeping cells loyal to either the regime or ISIS. According to one office that documents Martyr's in Daraa, the 105 assassinations that happened in the province during 2015 were more than any other in the country. After Daraa came Idleb, Rural Damascus, and Aleppo.⁽¹⁸¹⁾ The victims of the assassinations are usually armed opposition group leaders, journalists, or local leaders.
2. An increase in incidences of crime such as theft, looting and violating public morale. According to a comparison done by the Free Police in Aleppo, there was an increase in such crimes during the first 6 months of 2016 compared to the same time period the year before. Thefts, assaults, and murders also increased.⁽¹⁸²⁾
3. The prevalence of arrests, forced disappearances and physical torture of jour-

(181) Anonymous assassinations inside and outside Syria. Reasons and Dimensions. Etihad Press, 12-1-2016, <https://goo.gl/FmV5B9>

(182) A comparative study of the rate of crimes and incidents during the first six months of the beginning of 2016 compared with the same period of time in 2015. The official website of Free Aleppo Police on Facebook, 25-8-2016, <https://goo.gl/rrV3A6>

nalists and activists by the armed opposition groups. It is worthy to note as an example that Jaysh al-Islam has three prisons in Ghouta: “Repentance Prison”, “Cement Prison”, and “The Cave”. These are not part of the Unified Command of Eastern Ghouta and prisoners there have no way to defend their rights.⁽¹⁸³⁾

4. Prevalence of arms dealers, drug dealers,⁽¹⁸⁴⁾ smugglers, and black market and stolen goods trade.⁽¹⁸⁵⁾
5. Uncontrolled distribution of weapons among civilians used for self-defense and other purposes such as revenge and theft.⁽¹⁸⁶⁾
6. Internal fighting between the armed opposition groups over ideological and other differences, including: Jaysh al-Islam’s battle with Faylaq al-Rahman and Jaysh al-Fustat in Eastern Ghouta; Zenki Brigades and Abu Amara Brigades fought Fastaqim Kama Umirt in Aleppo; Ahrar al Sham, the Northern Army, and Ahrar Sooria fought the Shamiya Front in northern rural Aleppo.⁽¹⁸⁷⁾
7. A chaotic judicial environment resulting from competing judicial bodies giving competing orders and the impunity of the fighters of the armed groups.

C. Challenges Facing Decentralized Security Structures

Even though decentralized security structures do their best to fulfil their responsibilities effectively, they face many challenges. Some of those challenges are related to the internal operations of security apparatuses, while the larger portion are challenges posed by the highly unpredictable, complex and hazardous environment they exist in, which can be outlined as follows:

1. **Air Strikes:** Russian and Syrian regime fighter jets conduct regular operations to target areas controlled by the armed Syrian opposition. Not only do these strikes have a military target but also systematically target local governmental

(183) Urwa Khalifa, The structure of Salafi organizations in Syria: Army of Islam as a model. Aljumhuriya, 9-9-2016, <https://goo.gl/OqkkZD>

(184) Amna Riad, South Damascus court launches drug abuse treatment program, SMART, 27-10-2016, <https://goo.gl/m4xMB6>

(185) Gangs deny liberated Aleppo electricity: The Services Administration calls for security to take action. Radio Al Kul, 18-1-2016, <https://goo.gl/ELY3hX>

(186) Abd al-Rahman al-Hourani, The proliferation of weapons and ISIS bombs cause security chaos in Daraa. The Syrian Voice, 6-10-2016, <https://goo.gl/oo9LDR>

(187) The most important four negative effects of the internal fighting between the factions of the Syrian revolution. Micro-Syria, 16-11-2016, <https://goo.gl/YqKkQb>

institutions, the local services infrastructure, and civilians. The goal is to create chaos in the local community by causing more humanitarian strife and severely handicap the security structure's ability to cope with the disastrous situation.

2. **Limited Financial Support:** Providing security requires financial resources to cover things like salaries, expenses, and administrative costs. Most of the security structures have a difficult time covering their financial needs such as salaries due to the dwindling sources of support and a significant increase in needs due to the worsening security situation.⁽¹⁸⁸⁾ Armed opposition groups' security structures get their funding from their leadership while other civilian groups such as the Free Police depend on foreign support.⁽¹⁸⁹⁾ Others depend on less consistent local sources of funding.⁽¹⁹⁰⁾ The poor funding raises concerns for possibly losing willing and skilled workers to staff the police stations and other positions. Some former security members may even join illegal activities if they find that there is no funding.
3. **Lack of Expertise:** Security work requires having people with expertise in the sciences of security and modern mechanisms and tactics. There should also be people who understand the legal issues related to security work. Despite the large number of defectors from the security sector in Syria, either they did not get involved in the same work in opposition-controlled areas or they chose to join the armed opposition groups. For this reason, civilians filled the positions in the security structures resulting in many mistakes being made.
4. **No Central Decision Maker for Security Issues:** There is no centralized security decision making among the armed opposition groups due to the sheer number of actors involved in the security scene and their conflicting interests. In addition, they all have different levels of capabilities, different types of relationships and operate in different environments. Instead of pooling these experiences

(188) Mahmoud al-Dali, head the communications office of the Internal Security Forces liaison office in Rastan, pointed out the presence of 180 defected police officers in Rastan. Only 25 work only in the police station in Rastan, while the rest are either working in private business or have joined another armed opposition group. Interview conducted via social media on 4-11-2016

(189) Free Police officers receive \$100 per month, according to Lt. Ashiq, the amount is not enough to cover living expenses. For more about the difficulties facing the work of the Free Police: Was the Free Police able to control the security situation in Idlib and Aleppo? Highlights of the challenges, Radio Al Kul, 19-3-2016, <https://goo.gl/jMvqdO>

(190) Revolutionary police stations in the liberated areas. The possibilities and difficulties they face. Syria Pulse, 16-8-2016, <https://goo.gl/C4K5Y1>

and organizing responsibilities and tasks according to available resources they have chosen to do the opposite, resulting in a chaotic security situation. In general, when there are less competing security structures operating in a single geographical location and they are given adequate support to do an effective job, then the security situation is usually more positive.⁽¹⁹¹⁾

- 5. The Threat of ISIS:** ISIS poses one of the main security threats to areas under armed opposition control. All opposition areas are potential targets for ISIS since they are perceived as an obstacle to their expansionist agenda. That is why ISIS puts so much effort into destabilizing the security situation in opposition-controlled areas by carrying out suicide operations or the assassination of local military and civilian leaders. The main goal is to ensure that there is chaos. This is when it is easiest for ISIS to operate. A good example of this is how ISIS took advantage of the chaotic security situation at the time to take control of Al Bab, Manbij, and Raqqa.
- 6. The Growing Influence of Supra-national Jihadi Groups:** These groups have their own agenda on how to administer areas they control. It creates parallel structures to those already in place since they do not recognize their legitimacy. The supranational jihadi groups do everything to take over all operations and use force if they need to. In some cases, they accuse people and groups of serving foreign agendas or causing mischief in the land or possibly any other Islamic Law violation. An example of this is when JFS and Jund al Aqsa attacked Free Police stations in Idlib province.⁽¹⁹²⁾
- 7. Changing Local Threats:** Security structures face threats in different forms including humanitarian, economic, and social; which all contribute to a state of insecurity, but some have more influence than others do. For example, economic activities such as smuggling and rising prices are two of the main threats to local security in Rastan and parts of Aleppo. This also results in an increased number of thefts and robbery. Another type of threat is the demographic change and the forced displacement-taking place around Damascus.
- 8. The Fluidity of the Conflict and the Changes of Control:** Security structures

(191) Busra al Harir in Daraa is one of the places that did not experience many assassinations in 2015 because there was one group responsible for the local security. For more information see Adnan, the head of the security committee at Busra al Harir, says: The establishment of security units in rebel controlled areas will end assassinations, Kula Shuraka, 15-11-2015, <https://goo.gl/nK1e8F>

(192) Wafa Mustafa, Jabhat al Nusra Raids Free Police in Idlib, the new Arab, 8/7-2015, <https://goo.gl/IYX0JD>

are unable to set up a stable operation due to the constantly changing situation on the ground. For example, the Free Police in northern Aleppo lost 12 police stations to ISIS between 2014 and 2015 alone.⁽¹⁹³⁾

9. **Legitimacy and Public Confidence:** The opposition security structures also face a public that is disappointed with their performance and undisciplined soldiers who do not follow their own rules, which only reinforces the typical image of the Assad regime era.
10. **Militantism:** There are fears that the security apparatuses would turn into para-military forces or mafia style security structures.

D. Examining Theories of Security Reform in Opposition Areas: Dismantling, Restructuring, and Integration

The opposition's decentralized security structures suffer from a lack of institutionalization, ineffectiveness, and low skill levels. They also have difficulty fulfilling their basic responsibilities of providing basic security and combating terrorist threats. In order to address the complex situation facing the decentralized local security structures, we will study the following strategy: dismantling, restructuring, and integration. The following will be discussed according to two basic criteria: 1) How realistic and practical is the proposal, and 2) its compatibility with the security requirements of the current and transitional phase.

1. **Dismantling the Decentralized Security Apparatuses:** Here we suggest that the security apparatuses of opposition-controlled areas be completely disassembled and dismantled. The main reasons for this are the poor structure of the institutions, weak fulfilment of responsibilities, and a lack of long term potential for stability and growth. This still does not take into account the security needs of the transitional phase, which is expected to witness an increase in security threats all across Syria including from regional and international sources. There is also the issue of who will fill the security void once these structures are taken apart, not to mention the fallout from the disassembly process causing further chaos and providing ideal conditions for extremist groups to operate. This only leads to further breakup of the social fabric and a continued threat to regional and international security.

(193) Interview by Ayman al-Dessouki with Lieutenant Lt. Mohammed, liaison officer of the Free Police in Aleppo, Gaziantep, Turkey. Interview date 5-11-2016.

- 2. Integrating Local Security Bodies with the Security Apparatuses of the Regime and the Self-Administration: Combining Opposites.** This proposal would see the integration of the regime's security apparatuses, the opposition's local security structures, and the Self-Administration's security apparatuses into a single united force responsible for combatting terrorism and securing Syrian territory during the transitional phase. Circumstances supporting this scenario are the prioritization of security issue by all parties in Syria, the inability of any single actor to deal with every security threat on their own without help from others, and the different actors share a common threat from ISIS. Theoretically, this strategy should effectively address the security needs because it requires pooling all efforts so that all actors benefit from the collective knowledge where each entity contributes their own experiences and skills.

This approach does come with some limitations. Integrating all the security forces in Syria should come as a result of a political solution to the crisis and not as a precursor. It should also come with some regional and international guarantees. This approach put too much weight on security being the unifying element and ignores the fact that there are too many competing interests between the groups, which would make their integration nearly impossible, let alone their incompatible structures. It is simply not possible at this time to combine different security structures - in terms of structure, mechanisms of action and objectives - into a single security sector.

- 3. Restructuring Decentralized Local Security Apparatuses:** The Security Reality. This strategy simply suggests restructuring the existing decentralized security structures and creating collaboration mechanisms. This aims at empowering those apparatuses to perform their basic operations more effectively and to deal with the security scene after a political solution is reached. Some factors that make this strategy a better choice can be outlined as follows:
- a. Building upon the accumulated experiences of all the security apparatuses.
 - b. Continuing efforts to control the chaos and prevent the spread of extremist groups.
 - c. Capitalizing on successful operations against ISIS and eliminating their sleeper cells.
 - d. Security structures can operate with the local communities since the members themselves are from the same locations where they operate.

Furthermore, any restructuring strategy should take into consideration the **security needs of the current situation** as well as a **transitional phase**. The effort should be part of a larger strategy that involves a comprehensive overhaul of all Syrian state security institutions so that they fulfil their responsibilities in such a way that there is a balance between protecting the state and safeguarding citizens and their civil rights.

The Syrian crisis highlighted the complex threats facing the Syrian public including the security file, which outweighed the rest of the files including the social, economic, and political. This has made Syria to be a threat to regional and international security and stability; especially due to the spread of supranational jihadi groups and the massive migration of people to neighboring countries. With a worsening security situation, the opposition found itself being seriously tested in a challenge to prove their ability to be a partner who can carry out the responsibilities of fighting terrorism, bring back to order the chaotic situation, and securing a place for itself in the final political settlement.

The security structure in armed opposition controlled areas is decentralized with many security structures that disagree on how to address the security needs there. There are also major differences in terms of the thinking, mechanisms and goals that each of the structures possess. Our evaluation reveals little hope as to what is expected from them. This is due partly to the weak institutional structure and the chaotic security situation in areas under opposition control. The level of chaos varies from place to place depending on the actors in the area, their interests, relationship with others, and their capacity for work. The weaknesses of these structures comes from a complex set of problems that those in the security sector are unable to address.

In order to deal with these challenges, **we compared three main approaches** including dismantling, integration, and restructuring. Our analysis demonstrates that the dismantling and integration options alone are the least effective in dealing with the security needs of the current and future phases. The restructuring option seems to be the best option given the circumstances when conducted as part of a long-term comprehensive political vision and a sincere attempt at restructuring the security sector while taking into consideration the security demands of local, regional and international actors. **Most importantly, this should all be done in a way that empowers the local stakeholders and follows the principle of balancing between protecting the state and guaranteeing citizen's rights.**

Section 3: Security Structures in Self-Administration Controlled Areas

Security apparatuses in Self-Administration-Controlled areas conduct similar tasks and responsibilities as regime agencies did before the uprising with two dominant features:

- a. The alignment of the public's thinking with the political thinking of the ruling power.
- b. The legitimization of political kidnappings, the militarization of society, and following the interests of the central power.

The PYD and the regime have competing security structures and different ideological origins. The biggest threat is perhaps the separatist ideology promoted by the military and security elements of the PKK. The PYD's "autonomous rule" was formed out of the "Revolutionary Youth Movement" under the command of Xebat Derik. He is a former PKK leader and one of the founders of the PYD after the Syrian uprising. It is the source from which all the related military and security elements grew out of. The PYD has a number of military and security bodies, including.⁽¹⁹⁴⁾

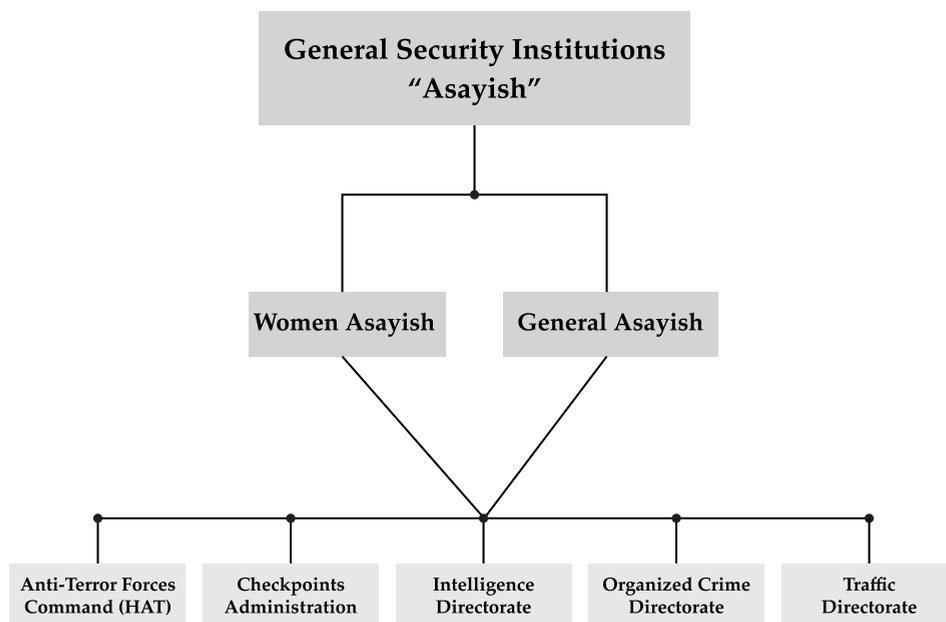
1. People's Protection Units (YPG) and Women's Protection Units (YPJ): These are volunteer forces that undertake large military operations in the cities and rural parts of Self-Administration controlled areas and places where they want to take control. The military hierarchy is run by the head of the general command of the YPG and YPJ forces. Then there is the military council, followed by the field commanders of the different units. The YPG/YPJ get their legitimacy from Article 15 of the Charter of the Social Contract of the Democratic Autonomous Administration agreed to on January 6, 2014. The charter clearly states that the YPG are the only military unit responsible for the safety, security and

(194) There are a number of allied forces, the most important of which is the International Freedom Battalion and the Western advisors. The IFB was created due to an influx of foreign fighters who wanted to join the (YPG) after the battle of Kobani. The battalion was officially announced on 10/06/2015, Al-Ain / Sri Kana, with 25 members. The units attracted foreign elements of different nationality, the most important of which were the Turkish left, mainly: the Marxist-Leninist Marxist Party MLKP in Turkey, the Workers' Army and the Villagers for the Salvation of Turkey; (the latter was the military arm of MLKP, 1973), and members of leftist movements from Eastern Europe. The battalion is divided into two brigades, the Bob Crow Brigade. The name is attributed to a British trade union leader, Henry Krazuki Brigade in referent to a French communist leader. A 30-year-old Kurdish girl leads the battalion. Estimates put the number of fighters between 200 - 300.

sovereignty of PYD territory and the citizens living there. The YPG has approximately 20 - 30 thousand members.

- 2. Self-Defense Forces (HPX):** The PYD decided to form a Self Defense Committee in January 2014 and by July 13, 2014, the PYD passed legislation governing the body. The law stated, among other things, that every family must send at least one family member between the ages of 18 - 30 to fulfill their six months of mandatory service in the HPX. The term was increased to nine months on January 1, 2016. This particular body specializes in developing and managing the mandatory military service program in areas under Self-Administration control. While in areas out of their control the PYD depend on allies like the Shammar Tribe to enforce such laws.
- 3. Civilian Defense Force (HPC):** These forces are mandated and empowered directly by the PYD to protect their local territories from any potential threats. They are allowed to set up checkpoints on roads leading to the residential areas, collection intelligence on any potential threats in the area, supporting other PYD affiliated groups in battle front operations, and coordinating all efforts with the central Asayish command and other related security forces.
- 4. Internal Security Forces of Asayish Rojava:** The General Committee in both Jazeera and Kobani by Cewan Ibrahim and Etan Farhad directly manages this. After four years of its formation, it developed from Public Safety to Asayish Forces that performed all security operations between 2013 – 2014. Additional security institutions were established to perform different roles, and they are structured as follows: traffic police, anti-terrorism forces (HAT), Women Asayish, checkpoints security, General Security Agency, Combatting Organized Crime Unit. By the end of 2016, The General Security Agency had 45 branches: 21 in Jazeera Canton, 5 in Kobani, and 19 in Afrin, in addition to more than 195 permanent checkpoints throughout Rojava.

An overview of Asayish security structure in Self-Administration zones is seen next:



Section 4: Main Features of the Security Architecture and the Need for Security Governance

The breakdown of security apparatuses in different control areas in Syria today reveals a number of common features that will have a significant impact on the shape and framework of future Syrian security institutions:

1. Conflicting political and military ideologies.
2. Lack of consistent and collaborated support from international backers.
3. Competing projects and ambitions of the different security apparatuses.
4. The inability of any central government to take control of the situation in a centralized manner.
5. The build-up of potential security threats will blow up during a political transition if it does not take the new realities on the ground into consideration.

6. It is inaccurate to describe regime-controlled areas as “secure”.
7. There is little confidence in the regime’s ability to maintain a secure environment.
8. The increasing security threats all around Syria.
9. Security reform should address the reality of the security situation on the ground.
10. Competing regional and international security interests.

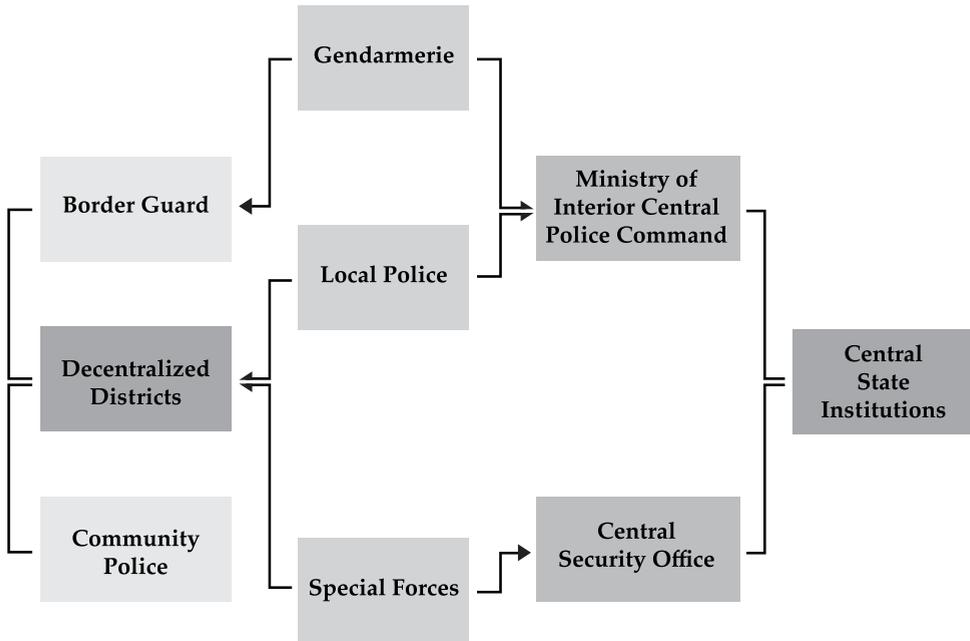
There are a number of factors that should be the main focus of any efforts to transition to a less fluid security situation that is controlled within the parameters of a clear security strategy, including:

1. A set of constitutional principles that define the new security doctrine in accordance with the principles of administrative decentralization (or other agreed upon formats), linking it to the interests of the nation and its citizenry, and limiting the interference of security apparatuses into political life.
2. The removal of all foreign fighters and militias from Syria and a plan to continue addressing this threat.
3. Commitments from the regional and international backers to support security and stability and to help the central body responsible for this by providing training and experts to develop human resources that can fulfill the security needs.
4. The dissolution of all local militias and the surrender of their weapons to the state. They should also agree with the state to a code of conduct and specific security goals, including a schedule for the immediate transfer of arms and dissolution of the militias.
5. The political solution should press the importance of security reform and the necessity for integration.
6. The need for clear governance mechanisms for security operations in Syria.

In this context, we should emphasize the following:

1. Security forces and their responsibilities should be distributed appropriately in the areas outside regime control.
2. All resources should be combined to fight terrorism in all its forms.
3. Taking advantage of the successful security operations and linking them institutionally with the local councils in the opposition controlled areas and Sweida.
4. Abandoning all previous security legal doctrines and adopting the legal doctrine established by the new constitution.
5. Archiving all security operations in a specialized storage system.
6. Placing high importance to the support by civil society in monitoring and shaping the reform process.
7. Transforming all military groups into local forces that are managed by the Ministry of Interior and granted high degree of independence.
8. Promoting the concept of local empowerment through the engagement of the local population in security matters and taking into consideration the identity of the people in the group.
9. Passing a general law that regulates security operations, their objectives and limitations; and defines their relationship with the central state. The security forces should be committed to a set of policies that guarantee the independence of the Syrian decision making process and prevent fragmentation and division.
10. Making sure the financial, oversight, and administrative functions are compatible with the principles of decentralized administration.

The figure below shows a preliminary proposal for central and sectoral security functions⁽¹⁹⁵⁾.



(195) Sectoral security functions: These are the functions given by the central authority to the geographical sector in terms of the distribution of the security force. Border guards to protect the borders and to manage the border crossings, or gendarmerie that are concerned with organized crime such as smuggling and gangs. Community police are forces consisting of local military forces, and concerned with local security. The Community police should have trained civilian members who fulfill two main conditions: the local police are administratively affiliated with the Ministry of the Interior, but the local unit is supervised and appointed locally. The second is the special force, which is organically linked to the central force and is the military arm concerned with issues like counter terrorism. The central security functions are those related to security breaches, combating terrorism, providing security information to the competent authorities, protecting public stability & ensuring the laws effectiveness, & following up security work in other sectors.

Chapter III | A Roadmap for Reforming the Security Sector in Syria

This chapter will address the many challenges that the reform process will face, as well as the relationship between the fluid political scene and the progress made towards making real change. Achieving change depends on the capacity to face the challenges of a “failed state” and carry out a set of genuine reforms that do not simply dance around the issue. At the end, a complete executable strategic plan is presented which aims to achieve specific strategic goals that will lead to the creation of a consolidated security sector capable of effectively fulfilling its responsibilities and involving the community as well. There is also a suggested timeline for the phases of the reform process starting before the transition in the peacebuilding phase, then the transitional period, and ending with stability preservation phase.

Section 1: Assumptions for Reforming the Security Sector in Syria

A common approach to reforming the security sector in Syria **starts with the assumption of reaching a political solution that establishes an effective and legitimate central body whether administratively or politically decentralized.** This is the starting point from where we begin to analyze the existing Syrian security experiences in a comprehensive and objective manner. We will then develop a vision for the restructuring of the security apparatuses, taking into account the sharing of authority and division of roles between a central power and local administrative units or peripheries. On the other hand, some researchers argue that this proposal is unrealistic, in the sense that the process of security sector reform is dependent on a political solution.⁽¹⁹⁶⁾

Building on one scenario allows for the dismissal of alternative political scenarios that include the restoration of the regime's legitimacy or enabling the regime to regain control over Syrian territory over time and with help from its allies; or the integration of the opposition and the regime under a system of political quotas while maintaining the security apparatuses. In which case the security sector reform would be meaningless. Additionally, one could look at the political process to be the result and outcome of a negotiated security architecture that allows decentralized structures to maintain control of their areas but with a unified body that coordinates among them.

Recent political developments further emphasize the need to place security reform at the top of the national priority list. Omran's previous paper, "The Syrian Security Services and the Necessity for Structural and Functional Reform" began with assumptions that correspond to the context of a transitional process. This was before the retake of Aleppo by Russian backed forces that drastically changed the balance of power on the ground. This essentially makes the transition process pointless. It is especially true due to the absence of any serious indications of a shift in the international community's approach to Syria for the following reasons:

1. The possibility of the continuation of U.S. President's policy of isolationism.
2. The continued absence of a European role, the roots of which date back to 2003.

(196) Discussions during Omran's experts' workshop on an outline vision for security sector reform published 2 May 2017 in Istanbul, Turkey.

3. Russia's success in getting its narrative on terrorism acknowledged and the classification of militant groups accepted by the international community.

This link shows how the reform process is a political "wild card" that is directly related to the regime's situation on the ground. This is not an objective view and does not allow for the creation stability or offer motivation to face difficult security challenges (political, economic, geographic, or social) in order to end the Syrian crisis. Based on this we can make the following assumptions:

1. A prerequisite to establishing a successful transitional process is a political and social consensus on the importance of changing the security sector structurally and functionally.
2. It is a priority to ensure that there be a national discourse and dialogue on the best mechanisms and forms of transition that are the least politically polarized and closely linked to addressing security threats to the country and its citizens.
3. Taking into consideration local circumstances during any post-conflict political process is a prerequisite for progress towards stability and the prevention of the complete collapse and failure of the state.
4. To move from a situation in which the current structures are more like a cancerous growth and reach a situation where there is a consolidated security sector requires a number of military, security and civilian actions. However, this requires intimate knowledge of the general reform process and coordination between all relevant actors to ensure that there will be no obstacles to a real political solution.
5. The ongoing talks in Geneva between the US and Russia are still focused on secondary issues. The talks do not approach the situation with a clear transitional plan that brings real change in the political, constitutional and social spheres. Unfortunately, this keeps the reform process from going forward. Genuine efforts by the international community to discuss central issues and making progress in their regard will reinforce key factors for empowering societal and national security.
6. The security reform in Syria is one of the most important issues that requires objective solutions that take into account the situation on the ground and the fast-paced changes that sweep across Syria.
7. The process in itself is complicated and there is no room for unrealistic sugges-

tions that do not take into account the importance of national security on the one hand or suggestions that ignore the need for cohesion and for preventing state collapse on the other hand. Such efforts require the participation of citizens from all segments of society so that any solution is compatible with the local security structures and establishes a comprehensive security sector.

It is also important to identify certain principles that cannot be ignored during the SSR process:

1. Acknowledging the distinct functions in each of the executive, legislative and judicial branches of authority.
2. Placing restrictions on infringements by the executive branch of government.
3. The need for a new social contract between the state and society.
4. The propagation of a democratic culture in society.
5. The establishment of a free civil society.
6. Security apparatuses should be held accountable and subject to the rule of law.
7. Having a civilian administration for the security apparatuses.
8. Maintaining state neutrality.
9. A participatory system of government is an objective of the reform process.
10. Security apparatuses should not have executive powers to intervene in public or private affairs.
11. Choosing titles and names carefully. For example, the Arabic word used for anything related to security operations is Mukhabarat has a negative connotation among Syrians and could be changed to Istikhbarat – intelligence gathering
12. Managing the diversity of the workforce.
13. Financial transparency of security apparatuses.

It is also important to address an important question on which institutions have the mandate to own and manage the SSR process, i.e. what is the executive national body that will be responsible for implementing reforms and making decision along the process in the depth and scope of changes. This answer can be approached on two different levels of analysis:

First Level: The general political context and its ramifications starting from legal parameters to the resolution of the crisis within the Geneva framework and other related international agreements. However, the political inertia of the Geneva negotiations make change and reform a political bargaining chip that is effected by the military balance on the ground on one hand, and the results of the Astana talks on the other. This politicizes the process and makes it more likely that in the best possible scenario the security apparatuses will be reformed based on a political quota system. That is why the media, civil society and other parties concerned with the SSR process should have an important role to advocate for a more inclusive, participatory and transparent process. Therefore, the decision for a SSR action plan should gain its legitimacy and power upon a political agreement that is clearly emphasized by international documents of negotiations. These documents of the political agreement should assign the task of setting the agenda and plans for a national joint commission for SSR as part of the transitional governing body.

Second Level: This deeply linked with scenarios of reaching a full military victory thus making the political agenda of the Geneva process obsolete. At that point, any discussion of security reform would be useless and any reform program put in place by the victor would not actually bring any genuine change.⁽¹⁹⁷⁾

The SSR process and its tracks and files are effected by a number of key issues that need to be addressed when creating any SSR plan, including the following:

1. The link between the Syrian security sector and the international security system.
2. Assessing the sectarian militias and their cross-border ambitions and whether they are controlled by the state or by foreign powers.
3. The starting point should be an accurate account of the formation and evolution of security apparatuses, its historical context, and transformations it underwent through in terms of its structures, functions, and governance.
4. Assessing the level of influence of regional and international security structures on Syrian security apparatuses and sectarian militias.
5. Avoiding, legal or otherwise, sectarian, racial or ethnic allocation of positions during the reform process because of the negative results it produces; and to avoid the experiences of neighboring countries like Lebanon and Iraq.

(197) A response to one of the questions raised at the Istanbul workshop on Security Reform and Who Decides the Reform and Who Implements It

6. Keeping abreast of the developments of the conflict and discussing the issue of security reform in line with the proposed scenarios without violating the basic principles of the restructuring process.
7. Acknowledging the fractured local environment and balancing between the role of the central security structure and its branches.
8. Recognizing changes that took place in state institutions in terms of structure, responsibility, and workflow, as well as taking into account the institutions that were created during the crisis.
9. Adopting clear definitions for the terminology and concepts related to security reform.
10. Discussing security reform in a comprehensive approach that takes into account political, social and judicial reform standards.
11. A comprehensive evaluation of the different security apparatuses operating in Syria and their effectiveness at establishing security is highly needed.

Section 2: Challenges of Reforming the Security Sector in Syria

The main challenges that security reform in Syria will face stem out of a reality of a failed state reinforced by the persistence of **two main factors: the first is the continued hijacking of security apparatuses by the ruling regime** thus forcing the complete submission to its military and security policies. Additionally, there is a clear void in the most important societal functions and administration of services by the state because of its political and military agenda that furthered social fragmentation and politicized basic services. **The second is the monopolized control of key decision-making positions within state institutions by certain religious, social, and economic segments of society that are loyal to the regime.** Such segments adopted a full-fledged policy of marginalization and exclusion of anyone that is not part of their crowd. This objectively reaffirms the position that a realistic proposal with a holistic and comprehensive approach would not work in piecemeal policies. The process of state building and democratic governance mechanisms are key conditions for reforming the security sector and establishing proper oversight mechanisms.

There are a number of challenges that have been persistent throughout the crisis and will continue to pose a threat to any reform process. To address these challenges there needs to be a unified position regarding the new national security strategy. Some of these challenges are:

1. Rebuilding prevailing social and institutional alliances used by the regime, and replacing them with new and stable alliances that make the process of reforming the security sector during transition more consistent and cohesive. The reform process should adopt two basic factors as a reference point: citizenship and professionalism that transcend sectarianism and party affiliation.(198)
2. Harmonizing reform policies with the concept of decentralization in its different forms. We can see the severe fragmentation of the centralized system in Syria and its rampant erosion, which requires the engineering of a reform process that empowers local actors and while taking into consideration nation-wide objectives.
3. Considering the binary approaches (realism vs. idealism). The types of security issues plaguing Syria today, both locally and regionally, cannot be effectively addressed with theoretical propositions on the future of the security sector.
4. The difficulty to containing all types of violations by the security apparatuses. For example, in many cases networks loyal to the regime who have the right knowledge and tools create chaos and manipulate the situations to meet their own political or other interests.
5. The absence of national authorities, especially judicial and military authorities that constitute pillars of protecting national security, poses great risks to stability. It is difficult to create strong political and administrative organizations that have public support, real will for change, the capacity to improve oversight, mechanisms for promoting legal and social responsibility, and a succinct security sector that is not built around party affiliation that enjoys public consensus on social systems and fair trade practices.
6. Conflicting security objectives and visions among local actors. The regime and its allies do not accept any proposal for reform because it will be considered a threat to its rule and would change the very tools the regime uses to maintain power. The regime also considers the opposition as terrorists and are wanted by the regime's various security apparatuses. On the other hand, the opposi-

(198) Yezid Sayigh, *Security Complications*, reference mentioned before.

tion will not accept anything less than the complete dismantling of all regime security apparatuses and the re-establishing of new security institutions completely cut off from the previous regime and its figures.

7. Regaining the decision-making process nationally, and the depolarization of strained regional and international relations caused by the long-term conflict. Working on constructing security arrangements that take into account local security threats without contradicting with regional and international security interests as well.
8. The growth of transnational projects, both ethnic and religious based, especially since they have been able to establish themselves locally, and their ability to adapt quickly to change. That is why confronting these projects should be a national priority.
9. The nature of the transformations of the uprising in Syria and the conditions that make it unique compared to other Arab Spring countries. In Syria, the conflict had a significant impact on society, religion, and nationalism. What is happening in Syria could also be considered an outright international military conflict similar to a 'world war' based on the number of people dead and the amount of destruction. There is also the issue that the regime and its allies have taken complete control of the state. For sure, the reform process will face these and other obstacles and challenges. Thus, popular consensus and consolidated political visions will ensure successful reform.
10. The organic link between restructuring security apparatuses and the political will for change and the political transition that establishes the values of justice, democracy and effective community participation in building the state and society.
11. The unregulated presence of weapons causes chaos and unpredictable security situations leading to further instability and makes it difficult to work on reforming institutions.
12. The collapse of the Syrian economy poses a serious obstacle to the reform process due to the catastrophic extent of the destruction in the infrastructure in most of Syria, not to mention the humanitarian disaster.⁽¹⁹⁹⁾
13. There is a severe ethnic, ideological and sectarian division in Syrian society that occurred because of the political conflict in Syria and the crisis management

(199) Fixing the Security Sector, The Day After Project, <http://goo.gl/EWQLqK>

- policies of the regional and international actors.
14. The absence of transitional justice in the political negotiations which will result in an increased number of people taking vigilante revenge thus significantly raising social tensions and disrupting the reform process.
 15. The prevalence of a revenge culture in Syrian society will cause some to resist thereformprocess.⁽²⁰⁰⁾
 16. The existence and widespread nature of foreign and local militias will make the reform process more challenging.
 17. The intervention of the armed forces and the security apparatuses in the political processes of the transitional period and security reform while they can violate the legal system with impunity.
 18. A lack of technical expertise required for security sector reform.
 19. The increased level of sectarianism and its impact on current and future security apparatuses.
 20. The economy of war and violence and its impact on the reform plans of security apparatuses.

Whichever strategy is pursued and the arguments for using that particular strategy; reform will face challenges that were not foreseen or planned for. Providing security services is one of the most important responsibilities of the state. Security creates stability in the state and in society and is the basis for development. It protects the country from various threats and is essential for post conflict scenarios where society is drained and dispersed. Security is also key to reconstruction operations. Furthermore, without continuous development of the security strategy there will always be a lack of social, political, and economic instability.

At this point is not reasonable to suggest that one should dismantle all of the existing Syrian security apparatuses and completely halt its operations without simultaneously rebuilding a nationally based and cohesive security structure with functions and duties directly linked with its natural line of operation. This is an unlikely scenario for Syria's future where there are too many cross-border actors with uncivilized practices that are almost a part of the current structure. Therefore, the complete dismantling of the Syrian security apparatuses would result in the state's collapse. Instead, Syria needs a dual strategy that rejects previous security norms

(200) Omran Beirut Workshop 30-03-2017.

and practices, while at the same time prioritizes the security needs. It reforms the security sector so that they operate like institutions of a modern state, and serve the interests of the nation and its citizens.

The term “restructuring” is defined as the necessary correction of the administrative, technical, economic and financial structures of a system to enable it to survive and achieve a proper return. The main goal is that reform makes the institution more effective and more in line with the goals of the coming phase. **Accordingly, security sector reform is the rebuilding of security structures that are in line with the people’s interests, that protects potential threats to the nation’s stability, and continuity.** Thus, it is essential that any reform process should include:

- a. Rebuilding the organizational structures of security organizations, including the disassembly or integration of military units, and setting long-term goals.
- b. Defining the rules and regulations that govern the security sector operations, that they are sustainable and renewable, have clear workflow mechanisms and are held accountable through a set of binding rules implemented by the courts.

The national security of any state is based on two common principles that are at the core of a state’s existence. The first is **sovereignty**, in the sense that the state has exclusive control over its territory independent from any other power, which is protected by international laws. States take action to protect their sovereignty and national security based on the idea that a state can do whatever is necessary to protect itself and its territory. **The second concept is the state’s basic national interests.** This is a unique concept in that it attempts to place the state’s interests before any others. However, the state’s interests are tied to interests of a number of other actors as well. In some cases, national security becomes an obsession that becomes the core of a state’s national security doctrine. In such cases, national security becomes both a means and an end. Sometimes states adopt a conspiratorial approach or obsess over a specific threat as part of their internal or external security strategy similar to a police state. Police states share a number of characteristics including suspicion of others, questioning people’s intentions, and systematically using violence with citizens. Therefore, for a police state the national security priorities include creating chaos to distract people from state security issues like corruption, stamping out the competition and the militarization of society. However, the biggest threat in police states against its citizens is taking away freedoms with violence and connecting the state’s security to the fate of a single person.

Section 3: Security Apparatuses in Syria and the Need for Constitutional Reform

Security authority and freedom are two relative concepts. There is no absolute security authority or absolute freedom, but there is relative authority, relative freedom, and overarching legal principles. Based on this dialectic between power and freedom, it can be said that freedom and power are complementary and not contradictory. Therein lies the function of law since it determines the proportionality of each by maintaining an acceptable balance between them. You could say that each has a respect for the other's existence. Freedom should coexist with the law and is founded on law. Here there is classical controversy about whether the law should protect national security at the expense of freedoms. This raises many questions. Do Syrian laws strike a balance between freedom and the security authority? Alternatively, has it achieved security at the expense of citizens' rights and freedoms? Security linguistically implies notions of tranquility, peace of mind and absence of fear, but did the Syrian state achieve security on these terms? There are also questions about the relationship between the Syrian security authorities and the law? Is the regime above the law?

A. Constitutional Principles and Security Apparatuses: The Constitution as it is

In an attempt by the regime to deal with the uprising and under enormous pressure, the 2012 constitution was issued as part of a government reform plan. However, since this constitution was the work of the same people who already held power and others were not invited to participate in its creation, the constitution can be referred to as the constitution of a privileged authoritarian class at best. Instead of calming tensions, the action inflamed tension instead. It led to controversy, division, and further fragmentation of Syrian society. The crisis grew deeper with the constitution becoming an obstacle and not a solution.

Security apparatuses are commonly known to invade and violate the rights and freedoms of private citizens and the public at large. Therefore, many states are usually keen to protect the constitutional rights of the people by creating mechanisms and guarantees to safeguard civil rights. The events in Syria are a result of accumulated violations of rights and freedoms, not a lack of security. The authors of the 2012 constitution were keen to address this issue in a sub-section on freedoms and civil rights (Articles 33 – 54). These articles alone were sufficient to guarantee the protection of rights and freedoms if it is applied in any country. How-

ever, words are not enough to ensure its successful implementation and its value is not derived from its mentioning in the constitution. The successful execution of a constitutional article depends on circumstances and mechanisms in place. We will highlight articles in the Syrian constitution that deal with rights and freedoms, and then question if it led to the protection of rights and freedoms.

First: The constitution opposes arbitrary detention and does not protect it

The constitution provides for the protection of citizens from any arbitrary detention by the security or administrative authorities. Guardianship is a right vested in the judiciary to ensure the protection of such rights and the sole entity to authorize any operations that may infringe on said rights, by means of the following articles:

- Article 33-1: Freedom shall be a sacred right and the state shall guarantee the personal freedom of citizens and preserve their dignity and security.
- Article 53-1: No one may be investigated or arrested, except under an order or decision issued by the competent judicial authority, or if he was arrested in the case of being caught in the act, or with intent to bring him to the judicial authorities on charges of committing a felony or misdemeanor.
- Article 53-2: No one may be tortured or treated in a humiliating manner, and the law shall define the punishment for those who do so.
- Article 53-3: Any person who is arrested must be informed of the reasons for his arrest and his rights, and may not be incarcerated in front of the administrative authority except by an order of the competent judicial authority.

Despite the clarity of the constitutional text on the protection of freedom and opposition to arbitrary detention, the security apparatuses have carried out arbitrary detentions of tens of thousands of Syrians. When comparing the words of the text to the situation on the ground it is easily recognizable that freedoms are not protected in Syria. Despite what the regime says, freedom is not a sacred right, and the state does not protect the freedoms of citizens and the security apparatuses do not wait for judicial decisions to initiate investigations. The regime does not inform detainees why they are being arrested or of their rights. Security apparatuses can arrest people and keep them until they decide to release them, sometimes keeping them for years without access to legal advice or the courts. The practical reality of the situation in Syria is that the presence of theoretical guarantees to protect rights in the constitution does not necessarily mean that those laws are implemented. In fact, if the words in the constitution were actually implemented on the ground that

would be the best protection for the citizens from abuses by any authority.

Second: The constitution grants political freedoms but the security apparatuses punish those who practice them

One of the most important types of freedoms in the modern era of political freedoms is the freedom of belief, opinion, assembly, demonstration, and the formation of political parties. The 2012 constitution addresses freedoms, especially political freedoms in the following articles:

- Article 8-2: Licensed political parties and constituencies shall contribute to the national political life, and shall respect the principles of national sovereignty and democracy.
- Article 8-3: The law shall regulate the provisions and procedures related to the formation of political parties.
- Article 34: Every citizen shall have the right to participate in the political, economic, social and cultural life and the law shall regulate this.
- Article 42-2: Every citizen shall have the right to freely and openly express his views whether in writing or orally or by all other means of expression.
- Article 43: The state shall guarantee freedom of the press, printing and publishing, the media and its independence in accordance with the law.
- Article 44: Citizens shall have the right to assemble, peacefully demonstrate and to strike from work within the framework of the constitution, and the law shall regulate the exercise of these rights.
- Article 45: Freedom of forming associations and unions shall be based on a national basis, for lawful purposes and by peaceful means, which are guaranteed in accordance with the terms and conditions, prescribed by law.

It is notable here that in all of the articles above, the common denominator is that after granting the right in absolute terms, the text gives the law the right to organize and determine what those freedoms are.⁽²⁰¹⁾ Therefore, the 2012 Constitution of Syria should not have granted the legislature the right to regulate any of these political freedoms. Ordinarily, there is only one restriction on the law; and that is

(201) We agree with Dr. Abdul Hamid Metwally when he says, «If the constitution grants the legislator the right to determine a particular freedom, it also grants him the right to violate this freedom. Anyone who has the right to create a freedom also has the right to place limitations on that freedom.»

that laws should not infringe on freedoms. In addition, herein lies the complex problem: the same constitutional right to grant freedoms is the same constitutional right that grants the legislature the right to give or take away that freedom. In fact, the security authorities did not care about these texts, they punish those who believe what they say and demand the rights that they read in places like the constitution.

Third: The Constitution protects privacy and security apparatuses violate it

The 2012 Constitution of Syria mandates the protection of and a variety of other things, including:⁽²⁰²⁾

- Article 36-1: The inviolability of private space shall be protected by the law.
- Article 36-2: Houses shall not be entered or inspected except by an order of the competent judicial authority in the cases prescribed by law.
- Article 37: Confidentiality of postal correspondence, wired and wireless telecommunications and other forms of communication shall be guaranteed in accordance with the law.

To start, we mentioned before that if the constitution grants a right, the legislature should not be granted the right to restrict it, because that in turn violates the right that is supposed to be protected. However, the reality on the ground illustrates that a security officer in Syria has the right to break into any house they choose. Confidential electronic and other communications are also systematically monitored. The regime even established an office based in every postal office specialized in spying on the communications of Syrian citizens.

These are some of the most important rights guaranteed by the constitution to protect the rights of the citizens but were neither respected nor implemented but instead violated by the security apparatuses in Syria. They have effectively made the texts useless and irrelevant.

(202) When mentioning private life and its importance to the citizen, the words of British Prime Minister William Pitt talk come to mind: «The house of the poorest men can challenge all the powers of the crown. This house may be poor, windy, and leaking rain; but the King of England can only enter it by judicial permission, because it is a place of calm and comfort and a repository of secrets.»

B. Constitutional Principles and Security Apparatuses: The Constitution as it should be

Proposals of what the constitutional text should contain can be summarized with- in three main points: **Implementing the constitutional texts** to be reflect in re- ality and have a positive effect; **amending some texts**, especially as it refers to the oversight of the constitutionality of laws; and the **authoring of constitutional provisions** related to the formation of the National Security Council and its related functions.

First: Implementing existing constitutional texts regarding protection of rights and freedoms

Despite there being texts to protect them, rights and freedoms are not respected in Syria. The problem in Syria today is finding a way to protect the rights granted by the constitution in the face of an oppressive regime. The regime has dismissed the constitution as mere scribbling on paper that has no actual meaning amidst the absence of any real political or social will to actually implement those texts on the ground. That is why the constitutional texts must be actively implemented in order to protect the citizens' rights and freedoms from violations by any authority. The constitution would then be a final deterrence against future violations as well.

We recommend taking the following steps towards the active implementation of the relevant constitutional texts: There should be clearly defined penalties for those who violate constitutionally protected rights and freedoms.⁽²⁰³⁾ The recom- mended text can be as follows:

1. Any person who violates constitutional articles relating to public rights and freedoms shall be punished by imprisonment and a fine.
2. The punishment is doubled if the person commits the violation because of their professional position or public office.

(203) Just as Rudolf von Jhering said, «A rule that is free of the element of punishment is a contradiction, it is a fire that does not burn, and a light does not shine.» The rule of law is neither advice nor a hope from the legislature to the governed. The penalty for violating the constitution in Syria must be a material pen- alty applied by the public authority. This is done through the addition of articles to the penal code that stipulated action by the public prosecutor immediately after it is found that someone has violated the constitution. Investigations should not be delayed because someone files a complaint or tries to use their political power to stop the investigation.

3. The State Prosecutor should take action as soon as it becomes aware of such viol, regardless of the circumstances surrounding the case.

Second: Amending constitutional provisions relating to oversight on constitutionality of laws

The security authorities rely on laws or decrees that protect them. The same laws are in violation of the constitution. Therefore, it is not sufficient to stipulate rights and freedoms in the constitution or to ratify international declarations and conventions. Rather, they must be respected and protected by both the rulers and the governed. Moreover, this is done only through effective constitutional oversight. The constitution is the supreme and fundamental law of the nation, so any legislation that violates the constitution is an invalid legislation. Oversight on constitutionality of laws have been absent from the Syrian state since its inception, and no law was repealed in over 100 years, which led to the accumulation of laws that contradict the constitution and the stipulated rights and freedoms.

The weakness or lack of constitutional oversight is not necessarily linked to a specific autocratic or democratic political system, but because the type of oversight on the constitutionality of laws that is adopted in Syria, which is a political branch's oversight, which in turn voids it from any utility.⁽²⁰⁴⁾ Moreover, the authority to conduct oversight is exclusively granted to entities that have a role in the authoring of the law, which translates to a selected number of members of parliament and the president. These individuals definitely do not have any desire or interest to claim the unconstitutionality of laws they are responsible for passing in the first place.

Finally, **the issue of the timing of such a constitutionality review** reveals that in all previous Syrian constitutions, the review process takes place before a law is passed, and does not permit a review process once it is passed and published. Therefore, there needs to be an amendment to constitutionality of laws to become close to the following text:

- a. There should be a transition from political branch's oversight to judicial oversight. The formation of a constitutional court composed of a number of judges, whose task is to monitor the constitutionality of laws. In addition, the Constitutional Court should give courts explicit and clear permission to not apply the texts that contradict the constitution.

(204) We see that political control by its very nature is ineffective. In France, political oversight was introduced in 1799, and no law was repealed until 1971.

- b. To extend the right of review to include official authorities, and grant the right to any citizen with a case that relies on such questionable laws to petition the Constitutional Court for the review and repeal of any unconstitutional law.
- c. The oversight must be permitted before and after issuance of the law, especially laws that are contrary to the rights and freedoms guaranteed by the constitution. A citizen has the right at any time to petition the Constitutional Court about a law he feels violates his rights.

These extreme measures are rarely needed, and mostly during the initial phase of the transition in order to repeal all of the current laws that violate the constitution. Thus, we need a major mobilization to enforce the constitutionality of laws, especially those that govern the rights and freedoms of the security structures.

Third: Constitutionalizing the new National Public Security Agency-NPSA

All countries, especially developing countries, realized that reducing the concept of national security to only military dimensions would further threaten its security rather than protect it.⁽²⁰⁵⁾ This is due to the large proportion of the national budget spent on importing equipment and the intensive and costly training that leads to the formation of an authoritarian elite that restricts public participation.

Therefore, the concept of national security has expanded in developed countries.⁽²⁰⁶⁾ Former US Secretary of Defense Robert McNamara believes that security means guaranteed protection for economic, social, and political development. In jurisprudence, national security is defined as the ability of the state to defend its security and rights, and the maintenance of its independence and sovereignty of its territory. National security also requires the development of capacities in various political, economic, cultural, social, diplomatic and military spheres.

(205) We mean here to mention the National Security Apparatus in the constitution.

(206) National security, like any other concept or term cannot be accurately determined outside the context in which it applies. These concepts are constantly changing and developing in line with the variable and factors in the environment.

C. Legal Principle Regarding Granting Immunity to Security Apparatuses

Syrian laws act as a safety net for the security apparatuses in the face of prosecution. The laws are the main obstacle to the authorities or individuals who want to prosecute security officers for the violations they committed. Some of these laws are directly related to the work of the security apparatuses, while some of the other laws are indirectly affiliated. There are even laws that help the security apparatuses to commit violations. Here we point out three legislative decrees:

First: Legislative Decree No. 14 Date 15/12/1968 Law of the creation of the General Intelligence Directorate (State Security)

This decree was issued in an incomplete and distorted version and without proper oversight. Technically, the law violated the rights of all Syrians because it applies a law with incomplete procedural details. On its substantive side, it violated the right of citizens to be permitted to file a lawsuit claim against the General Intelligence Directorate if the citizen is harmed by the actions of the Directorate.

On a technical and textual perspective, article 30 of the above-mentioned decree states: This decree shall not be published and shall come into force as of the date of its promulgation.” Article 101 of Legislative Decree No. 549 dated May 25, 1969, (This decree shall not be published and shall come into force on the date of the entry into force of Decree 146 dated 15/12/1968). This article constitutes a real danger, because it negates the modern concept of law that publishing is usually the last stage of legislation when it becomes binding to all citizens and those who create it, ⁽²⁰⁷⁾ since basic legal rules requires the knowledge of the law’s existence and content. That is why the law has rules that contain orders and prohibitions to be followed by the citizen but there should be a public notice or publication to announce the new law. How then can the state apply the law on someone that did not know the law existed. This phenomenon is unprecedented in Syria’s history - to have a law that is not published but applicable by law. Therefore, this law is invalid because it is neither valid nor binding.

On the substantive side, the laws not only force people to comply with a law they are unaware of, but the law also includes provisions that violate the most basic rules of equality. Article 16 of the law stipulates, “No person shall be prosecuted for

(207) The publication means informing people of the legislation or enabling them to know it in order to become binding on them. The publication is usually in the Official Gazette.

crimes committed during the execution of specific tasks assigned to them or in the course of their performance, except by virtue of an order issued by the director". Article 74 of the Legislative Decree No. 549 of 25 May 1969 of the Internal Regulations Act of the General Intelligence Directorate stipulates that: Anyone working in the General Intelligence Directorate, the assignees, the loanees, or their contractors, will not be held accountable for crimes committed while carrying official duties, before being reviewed by the disciplinary board, or the issuing of an order for prosecution by the Director General.

After the initial reading of these two texts, there are a number of points to clarify:

- The texts protected anyone who works in the state security apparatuses from legal accountability.
- The text explicitly states that people cannot be prosecuted for crimes they commit. Therefore, the law does not actually condone crimes but instead protects those who commit crimes from any punishment. This makes the entire Syrian state a partner for those who want to commit crime. In normal circumstances, even accomplices to crimes are punished, let alone someone who is protecting a criminal from prosecution and instead glorifies that person while no one can do anything to hold that criminal responsible.
- This text undermines the principle of equality under the law, which is enshrined in the constitution, because it grants a privilege to a certain class of state employees and not the others.
- The existing text negates the principle of justice that an offender receives his or her fair punishment under the law.
- The text contradicts other legal texts put in place to prosecute state employees if they committed a crime based on their position as a state employee.

The texts in question contradict the following other parts of the Syrian law:

- Article 1 of the Penal Prosecution Procedural Code, gives the Public Prosecutor the right to pursue crimes, and mandates the filing of a case if the victim appoints himself as a personal prosecutor.
- Article 257 punishes an employee that imprisons a citizen in conditions that are not permitted by law.
- Article 360 is a general law protecting people's homes from being violated by

state employees.

- Article 366 criminalizes the act of a state employee that tries to get certain advantages for himself or others or with an intent to hurt others.
- Article 391 punishes a state employee that extracts an admission from a citizen through torture.

In summary, people working in the security sector can commit many crimes including what we have mentioned above. However, if the public prosecutor does not get permission from the director of the General Intelligence Directorate, who is also a partner in the alleged crimes, then the director will not authorize any prosecution regarding crimes committed by his/her Directorate.

Second Legislative Decree No. 64 of September 30, 2008, concerning the immunity of members of the Ministry of the Interior, the Political Security Directorate and the Customs Control

The issuance of decree No. 14 of 1968 was not done in error. Rather, it is a method to shield the criminals who work for the regime from any prosecution. After nearly forty years, Decree 64 was issued on 30/9/2008 and repeats the same mistakes as before. It also adds additional security structures that are immune from prosecution in the case that they do commit crimes.

Article 1 of the above decree stipulates the following:

- Offenses committed by officers, noncommissioned row officers and members of the Internal Security Forces, members of the Political Security Directorate and members of the customs police, for the performance of the tasks assigned to them.
- An arrest warrant is issued for officers and members of the Internal Security Forces, elements of the Political Security Directorate and elements of the customs control shall be issued by a decision from the General Command of the Armed Forces.

Article 2 provides: Cases before the ordinary courts relating to the offenses mentioned in Article 1 shall be referred to the military courts. This decree adds that the transfer of jurisdiction from the ordinary judiciary, which enjoys more immunity than the military judiciary, where the Minister of Defense can confirm, mitigate or abolish any penalty issued by the military judiciary.

Third: Legislative Decree No. 55 dated 21/4/2011 grants security authorities the right to detain suspects for sixty days without a judicial order

This decree gives the security apparatuses the right to keep the suspect and interrogate them for 60 days. This is considered an “administrative detention”.⁽²⁰⁸⁾ This type of detention is particularly prominent in the occupied Palestinian territories, when activists are arrested using administrative decisions without the need for judicial authority. There is also a type of extrajudicial detention that is a precautionary measure, or keeping the defendant in custody for the duration of the investigation under a memorandum issued by the judiciary. The historical root of this law come from the Penal Law of 1810 in France. Under the law, the police must refer the accused within 24 hours to the public prosecutor’s office.⁽²⁰⁹⁾

This decree deprives the accused of the most important guarantee that the power to arrest him lies with a judge of the judicial branch only, and not just anyone. This is a very dangerous procedure that deprives a person of their liberty and should not be exercised by anyone other than specialized independent and impartial judges.

D. The Reciprocal Relationship between Exceptional Laws and Security Apparatuses

Ever since the Ba’ath Party took power, it passed a number of exceptional laws that were the legal basis for protecting the regime’s security and tighten its grip on the government. It has succeeded for half a century doing that very thing. These laws are also the legal backbone for the security apparatuses, which depended on such laws in order to maintain power and increase their influence. The interconnected relationship with those laws constituted a protective umbrella for their abuses. On the other hand, security apparatuses have implemented these exceptional laws and reinvigorated their role. Without the exceptional laws, security apparatuses’ actions would be illegal. For these reasons, we will quickly review the most important exceptional laws related to the security apparatuses.

(208) Morris Carson objected to the 24-hour arrest period. He explains: «This text about the time period of arrest is from 1810, when means of transportation were not always affordable, but now the detainee must be brought before the judge immediately.»

(209) Administrative detention is an arrest based on an administrative order without a judicial decision, indictment or trial, and is usually based on secret intelligence.

First: Emergency Law - Legislative Decree No. 51 - January 24, 1962

This law was in place from 1963 until 2011. It should be made clear that the end of Emergency Law does not mean that the entire 14 articles of the Emergency Law are cancelled. Syria was governed under emergency law for more than half a century because all of the privileges that the security apparatuses enjoy are extrapolated from this law; especially Article 4, which stipulates that the state may:

1. Impose restrictions on the freedom of persons to hold meetings, move around or pass by specific locations at certain timings. Security officers may detain on a temporary basis suspects or people who are deemed a threat to public security. They may authorize conducting investigations related to both persons and places at any time, and requesting any person to perform any security related task.
2. Monitor all types of letters, phone calls, newspapers, bulletins, books, drawings, publications, broadcasts, and all forms of expression, propaganda, and advertisements prior to publication. It is required to seize, confiscate, discard, cancel their concession and close their printers' shops.
3. Specify the times during which public places are opened and closed.
4. Withdraw licenses for keeping arms, ammunitions, explosive materials and other types of explosives, withdraw their delivery orders, seize such materials, and close arms stores.
5. Evacuate or isolate some areas, systemize transportation mediums, and restrict or limit transportation between different areas.
6. Seize any mobile property or real estate, assign temporary security guards at companies and firms, and postpone due debts and liabilities incurred on the seized portion of the property or real estate.

However, all the aforementioned punishments should not be incompatible with the stronger punishments indicated in other laws. This article grants security authorities unhinged powers and have given the security apparatuses all of their exceptional powers during the past half a century. These laws are still in place but are supposedly in hiatus. As soon as the Emergency Law is reactivated, these laws would immediately activate. This is why reforming these laws according to international standards on how and when Emergency Law can be implemented is so important. This should be done to ensure that there is a balance between the sit-

uation that requires Emergency Law and the protection of the rights of the public from continued violation.

Second: Law 49 - July 8, 1980

Article 1 states: Everyone belonging to the Muslim Brotherhood organization is considered a criminal who will receive the death penalty. This law was the driving force for the security operations in Syria for more than a quarter of a century because:

1. A person who belongs to the group is considered a criminal and not just accused. The mere fact that the security apparatuses accuse a citizen of belonging to the group, they are automatically transformed into a criminal and are dealt with on that basis.
2. Every citizen that shows opposition towards the regime and its power can easily be labeled as a criminal under Law 49.
3. Anyone who practices acts of worship, frequents mosques, and has the ideology of political Islam belongs to the Muslim Brotherhood.

The security apparatuses have been able to exploit this article against all those who are hostile to the regime and apply it to those they want to keep in their prisons after extracting confessions from them by force.

Third: Establishing of Exceptional Courts

The Ba'ath regime has worked to establish exceptional courts to escape the neutral, independent and specialized judiciary. Therefore, the regime created a number of exceptional courts, including:

1. **The State Security Court**, established by Decree No. 47 of 1968. This Court does not comply with the procedural and substantive rules that other courts abide by. Article 7 of the decree establishes that the State Security Courts do not have to comply with the fundamental procedures stipulated in the legislation. This applies to all procedures including pursuit, investigation and prosecution.
2. **Field Court**, established by Decree No. 109 on August 17, 1968. This law contradicts the constitution, as well as International Human Rights Charters. This law was regularly practiced and implemented in Syria's past and continues to be the reference point today, hence interfering in pivotal state institutions and

affecting citizens' lives. These courts contributed to covering up crimes committed inside the security agencies by:

- a. Keeping detained people at the security agencies without considering the duration of the arrest, which often reached years. Something that is unacceptable to the ordinary judiciary.
- b. Accepting confessions extracted by the security apparatuses without regard to the fact that the confession was extracted under torture and violence.
- c. These courts are considered part of the security system, and they disregard any reports of torture or forced disappearance, and have never been investigated.
- d. Working according to the security directives in terms of the issuance of sentences against the accused.
- e. Upon acquittal, there is no compensation and nobody will be held liable for the many years that the acquitted person spent in security detention.

E. Legal Proposals to Reform the Security Sector

Legal reform requires two major sets of actions as follows:

First: Fully revoking exceptional laws

It is not possible to implement legal reforms for the security sector without first revoking all the laws that govern its apparatuses. This should include the following laws:

1. Legislative Decree No. 14 issued on January 25, 1969 - creation of the General (State) Security Directorate.
2. Legislative Decree No. 549 issued on May 25, 1969 - The internal regulations of the State Security Directorate and the rules of service of its employees.
3. Legislative Decree No. 47 issued on March 28, 1968 - the creation of the High Court of State Security.
4. Law 22 passed on February 26, 2012 - the creation of the Anti-Terror Courts - a byproduct of the State Security Court.
5. Law 49 passed on July 8, 1980 - about the affiliation with the Muslim Brotherhood.

6. Law 53 passed on April 8, 1979 - about the security of the Ba'athist political party.
7. Legislative Decree No 4 issued on January 1, 1965 - deals punishment to anyone who obstructs the implementation of socialist legislation.
8. Legislative Decree No. 51 issued on January 22, 1962 - Emergency Laws
9. Legislative Decree No. 109 issued on August 17, 1968 - establishing Field Courts
10. Legislative Decree No. 40 issued on May 21, 1966 - lifted immunity of the judiciary
11. Legislative Decree No. 64 issued on September 30, 2008 - gave immunity to security officials in the Ministry of Interior, Political Security, and customs.
12. Legislative Decree No. 55 issued on April 21, 2011 - any person under investigation can be detained for 60 days.
13. Law No. 19 passed on July 2, 2012 - combatting terrorism.
14. Law No. 20 passed on July 2, 2012 - the firing of state employees if they are found guilty of terrorism related charges.
15. Any law or legislative decree that contradicts the freedoms and rights outlined in the Syrian constitution, international human rights agreements that Syria is a signatory of.

Second: Legal tools to counter violations by security agents

There are an enormous number of repeated acts of violence committed by the security apparatuses against citizens in Syria. However, the two most violent and dangerous are torture and arbitrary detention. The security apparatuses use such tactics to instill fear in the hearts of the people and eliminate any opposition. In this section, we look at these grave violations and how the law deals with it.

- 1. Legal approaches to combatting arbitrary detention:** The UN's Working Group on Arbitrary Detention defines the act as any arrest that violates any human rights decreed by international agreements. They also define three types of arbitrary detention:
 - a. The detention happens with no legal basis.
 - b. The reason for the detention is that a person was engaging in an activity

protected by the constitution.

c. The detainee receives no justice at all.⁽²¹⁰⁾

More serious than arbitrary detention is forced disappearance. Forced disappearance is when a person is kidnaped, usually by a state or related actor, for political reasons. Then the state refuses to admit knowledge of that person being missing or will not disclose their location in order to keep them outside the protection of the law.

The Syrian Penal Code addresses arbitrary detention by stipulating in article 357 that every employee who has arrested or imprisoned someone else in a manner other than that is prescribed by law should be punished with temporary hard labor. Despite the harshness of the sentence, it has not been an effective deterrent. Arbitrary detentions by the security apparatuses in Syria are increasing on a daily basis. This law is not implemented and none of the security apparatuses that conducted arbitrary detentions has ever been held accountable. Therefore, a new legal framework is needed to combat arbitrary detention by security apparatuses according to the following terms:

- a. Providing a clear legal definition of arbitrary detention in its three forms mentioned above to include every detention or arrest without a court order.
- b. All participants including supporters and accomplices should get no less than 15 years imprisonment.
- c. Anyone who is aware of arbitrary detention and has not informed judicial authorities is an accomplice to arbitrary detention.
- d. An assistant prosecutor or judge who receives news of the occurrence of an arbitrary detention, and does not take necessary measures, is a partner and is punishable by law.
- e. The Public Prosecutor's office must request and delegate the Attorney General with the task of monitoring detention centers on a daily basis.
- f. This crime should not be subject to the statute of limitations.

(210) Conditions of a fair trial: rights protections upon of arrest, guarantees of recognition, rights protections while in custody and during investigation, a period of preventive detention, a competent non exceptional court, an independent and neutral court, public hearings and oral pleadings, innocence of the defendant until proven guilty, non-retroactive laws

- 2. Legal approaches to combatting torture:** Generally, torture is defined as the action or practice of inflicting severe pain on someone as a punishment or in order to force them to do or say something. Article 391 stipulates:
- a. Anyone who subjects a person to a beating of a severity not permitted by law in order to extract a confession to an offence or information relating thereto shall face a penalty from three months to three years in prison.
 - b. If the assault results in illness or injury, the minimum penalty shall be a minimum of one-year imprisonment.

Even though this law was around during the time of the Ba'ath, it never seemed to be implemented. Although the text was around in the era of the Baath, they were not able to deal with it well. Now, arbitrary detentions are increasing, especially in the event of unrest and revolutions, when security apparatuses increase their brutality and torture, hoping to suppress any insurrection. It should also be noted that this law is incapable of addressing the issue effectively and it does not hold those who committed torture responsible, while at the same time the regime's security apparatuses continue to torture people to death.

- 3. Modern treatments to suppress the phenomenon of torture:** Based on the need to learn -in the field of human rights and public freedoms- from the experiences of developed countries that were able to eliminate the phenomenon of torture in their country in general, and the security apparatuses in particular, we will briefly demonstrate here the experience of France, which issued law No. 684/92 dated 12/7/1993 and turned torture to be defined as a separate crime not only as an aggravated circumstance, and not to be mixed with the crime of harming others. The following will further explain related articles.
- Article 221/1 The penalty for the crime of torture shall be 15 years imprisonment, if not accompanied by aggravated circumstances, in addition to the prohibition of exercising national and civil rights, and the prevention of residence on French soil.
 - Article 223/3 if the crime of torture is accompanied by sexual assault other than rape, the penalty shall be 20 years. The penalty is up to 30 years if torture if committed against a minor or an incapacitated person or has resulted in permanent amputation or disability.

- Article 222/6 - If the crime of torture results in the death of the victim without intent to cause it, the penalty shall be life imprisonment.

Additionally, some countries continued to tighten the penalty of the crime of torture, including Belgium, which issued a law on July 4, 2002. Articles 417/2 and 417/3 provided for the penalty of torture from 10 years to 20 years and in extreme cases up to 30 years. Therefore, in order to deal with this crime in Syria, a special law on torture must be enacted. The new law should include the same aggressive punishments found in the French and Belgian law. The penalty should be raised when security officials use torture to extract confessions. Finally, take the same measures and procedures to combat arbitrary detentions as well.

Section 4: Obstacles to Executing a SSR Plan in Syria

Even though the reform process is primarily political in nature, there are technical and social issues that will pose a challenge to the security reform process. This section will review some of these challenges and obstacles and propose policies to address them.

A. Implementational Difficulties of Security Reform

The technical procedures in these operations are extremely difficult. They consist of a series of steps that begin with the legislature determining the laws that govern the work of the security apparatuses, and thus the establishment of oversight mechanisms to allow the civil authorities to monitor the operations and budgets of these services. After this comes time for reforming the administrative structure and the division of competencies depending on the security needs of the country and the training offices according to international standards. Regional and international experts may be consulted for this phase.

A review of the experiences of countries that have undergone democratic transition and restructuring of the security apparatuses, the overall framework of the restructuring process is almost identical except for some simple differences related to the specificity of each country and its security needs. **However, the real difference lies in the way each country reaches their democratic transition.** That in turn will determine the form and extent of the restructuring process as well as all the participants. This is especially true if the democratic transition follows a

long bloody conflict, such as in Syria. The civil war has caused significant divisions in Syrian society and will be a major obstacle to the democratic transformation. Transitional justice and the process of national reconciliation will determine the shape of the scenario that will end the conflict in Syria. Here we have two options: Either one of the parties to the conflict will emerge victorious and apply what is known as “victor’s justice”, even though it is closer to retaliation than justice is. However, this would make the reform process easier since the victor according to their interests and agenda will lead it. However, if the conflict ends with a political settlement that engages all parties to the conflict in a democratic transition then it will become much more difficult to hold people responsible for the crimes they committed especially regime figures and those who helped them from the military, security apparatuses, and others.

There are examples of countries that called for national reconciliation and managed a democratization process, where they granted amnesty or postponed the trials of some perpetrators of war crimes for many years. This happened in Latin America, South Africa and Kosovo. However, the situation in Syria is different. Letting the Assad regime’s main figures avoid or delay trials will only spoil the national reconciliation process. This would leave behind a significant legacy and hundreds of thousands of outstanding complaints from the regime’s victims. This will make the country vulnerable for further conflict.

Here we point to another obstacle to the process of democratic transition; **the difficulty of disarming opposition factions and non-governmental organizations supporting the Assad regime and reintegrating them into government forces.** This is a prerequisite for the success of the democratic transformation process and the restructuring of the security apparatuses. The Libyan situation is a very clear example of the failure of the democratic transformation process and the rebuilding of new security apparatuses, because of the refusal of the armed opposition factions to lay down arms and integrate into the government security structures.⁽²¹¹⁾ It is notable that the solution in Libya was built on a scenario where there is one victor in the conflict.

The participation of officers or officials of the Assad regime in the process of democratic transition will be another serious obstacle to restructuring the security sector. It will prolong the process and significantly increase the difficulties, similar to what happened in Brazil. This is especially true considering the division of Syr-

(211) Donald J. Blanty, *Turning the Security Sector in the Light of the Arab Awakening*, American Institute of Peace, Special Report No. 317, September 2012.

ian society today resulting from the conflict. Post-conflict, both civil society groups and political parties will prioritize reconstruction, which will likely make them both lose public support and consensus on security reform. However, the participation of former regime officials in the democratic transition process will lead to a new dictatorship. This is what happened in Egypt after the military took control of the democratization process and allowed former regime remnants to participate in the process as well.

What increases the risks of a joint administration of the democratization process between the regime and the opposition and makes it in the best favor of the regime especially as it relates to the restructuring of security apparatuses, is that the Syrian opposition put forward a single scenario of victory. The Syrian opposition made its post-conflict plans based on the assumption that it would be the victor and that it would lead the reform process alone.⁽²¹²⁾ This may have been due to the timing of the plan, which was in August 2013, when the military and political conditions were in the opposition's favor. The Russian intervention on the ground in Syria had not yet taken place, which made the plan very optimistic and possibly even the most ideal solution.

Considering the possibility that the regime and opposition will share in the democratization process and security sector reform, and the differences that will arise between them due to their differing opinions on security structures and their roles, there needs to be regional and international supporters of the reform process in general and the technical steps specifically. These countries may prepare training programs, send trainers, or even lead the entire process at the beginning in the absence of effective local leadership. The most challenging issue will be deciding who will be the regional and international actors to lead the security sector reform. Some international and regional actors support the regime while others support the opposition. Since Russia has a military presence on the ground, it seems as though Russia will have the biggest role to play in SSR, even if there are other participants in the reform process. This will pose a serious threat to democratic reform and the regime will have the advantage. We found that in cases of SSR where only one country controls the reform process the attempts usually fail, similar to Sierra Leone where the United States dominated the reform process.

In regards to DDR operations, it is clear from the points reviewed regarding the nature of these processes, their components and the mechanisms of their implementation (discussed in chapter I), it is a technical process, which requires foreign

(212) *The Democratic Transformation in Syria*, Chapter 9: Restructuring the Security Services in Syria, p. 141.

experts and institutions to implement them at least in their early stages, pending the training of national staff capable of carrying out the process. However, national incapacity is a hindrance to the process. International institutions, whatever their technical expertise, are less able to understand the specificity and nature of the conflict than national actors. Understanding the nature of the conflict and the motives of the main actors involved is the first step in implementing international disarmament and reintegration programs by dividing them into categories according to their motives for engaging in conflict. In a case like Syria, there are many motivating factors including material and ideological utilities. This can be classified into the following categories:

First: The regime

- 1. Government Forces:** DDR programs can be implemented on these forces after going through a transitional justice process and holding those guilty of human rights violations accountable. This will make it easier to disarm and dismiss these forces in exchange for financial support to reintegrate into the community. The government should have a record of who the security members are and which weapons they have; this will surely make it easier to follow up.
- 2. Sectarian Forces** consisting of the Syrian Shia militias established by Iran and Hezbollah. These groups are especially dangerous since they are part of Iran's strategy to create a state within the Syrian state to preserve its own interests, regardless of the shape of the new Syrian state. It is difficult to get an accurate count of the numbers and arms of these militias. Since they are engaged in a regional sectarian conflict, it will be difficult to disarm these militias. The use of force may be needed to weaken these militias as a first step. They would be forced to lay down their weapons. These militias depend on looting as a main source of income. Therefore, demobilization of the militia members in exchange for financial support provided by the DDR programs will be feasible. The transitional process is the determinant factor for these militias to lay down their arms. They would need protection from retaliation against them as individuals or the communities they represent. If this is not achieved it will result in increased polarization, militias that will not give up their weapons, and new sectarian conflicts.

Second: The opposition

- 1. National groups such as the Free Syrian Army** are made up of soldiers, defectors and civilians who have taken up arms. This group is the most willing

to participate in a DDR program. This depends on whether they feel their revolutionary goals have been achieved and going through a transitional justice process to hold those responsible for their crimes.

- 2. Salafi groups:** Even though they fight alongside the nationalistic opposition groups, they neither share the same ideas nor fly the same flags. Salafi groups have their own political project that spreads beyond the Syrian borders. Extra caution should be taken with this group when disarming and releasing embers back into society to reintegrate into civilian life. This can be done by using soft tactics with the members who left the FSA like groups and joined the Salafi groups due to the circumstances at the time and more aggressive tactics with the more radical elements unwilling to part with their weapons and ideology.

Third: The Syrian Democratic Forces - SDF

The main force in SDF is YPG, which now controls vast territories in North West Syria, and has intentions to create a Kurdish canton similar to that in Iraq. It will be difficult to engage these forces in a DDR program because they are too invested in an ideologically based regional political project and view the ongoing chaos as an excellent opportunity to achieve their goals. A better way to deal with them would be make security deals with the international backers of the reform process to integrate the forces into the national army while giving them administrative authority in the areas they control.

It is difficult to design an appropriate DDR program because the Syrian conflict is a crisis involving multiple actors with different ideologies and motives. What makes it more difficult is that the nature of the conflict and the effect of financial support from regional actors, especially the neighboring countries, for the DDR program. Successful DDR programs require the cooperation of regional countries as well as international actors such as the United States and Russia who have each allied themselves with one of the local actors in the conflict. This is most obvious via the US support for the Kurdish militias and Russia's support of the regime's establishment of new Syrian military formations.

B. The Deliberate Marginalization of Syrian Civil Society

In order to achieve the desired security change and overcome repressive authoritarianism in favor of an effective and legitimate national security apparatus, **the process must be inclusive, and participatory.** The most important actors to include are Syrian civil society organizations. Unfortunately, most of the civil society

organizations in Syria, including the opposition, have limited resources:

1. Many civil society organizations are convinced with their limited role as a result of their lack of tools and capacities to play a pivotal role in this issue; most important of which is the weakening relationship with the local population in the face of increased militarization.
2. Civil society organizations feel that the international community is not serious about a real structural reform of the security apparatuses, in light of the need to address the issues of terrorism, local militias and refugees.
3. The awareness of civil society organizations of the complexities surrounding the security issue and their concerns about the implications of their involvement, both in terms of their loss of support under the pretext of impartiality and independence, or of being harassed by the military factions.
4. The context and pre-defined roles of civil society organizations in addition to their vision and understanding of the nature of their role is fixated around humanitarian aid delivery, while the roles of advocating for public policies and rights is still weak.

In order to overcome this negative assessment, it is necessary to raise awareness about the roles that civil society organizations can play in security and other reform processes. It should be emphasized that this is a key part of their identity and does not conflict with the principles of neutrality and independence. In addition to what has already been mentioned the most important roles for civil society organizations are monitoring, advocacy, community mobilization, human rights education, helping to redraft laws related to the security sector and participating in the decision-making process. The existing fluid conditions in Syria and the areas of influence available to civil society organizations (donor and state relations, political presence, projects and services) allows them to play a central role in key issues.

Rebuilding government institutions in post conflict countries is essential, and especially for the security sector. Social and political structures that had been plagued by war need two things: **a convincing plan for economic development with bottom up plans.**⁽²¹³⁾ Here is where civil society organizations can set the foundation for reaching a social consensus that promotes the spirit of agreement on peace, and the rebuilding of institutions for all. In the absence of economic development, citizens do not feel physical security, which can lead them to join extremist par-

(213) **Clark John 2005**, UN-Civil society interaction: working together for peace, London: Lynne rinner, pp: 59.

ties and utilitarian structures or continue to engage in military activities and make them reluctant to participate in political action, especially youth. Therefore, it is necessary to build political and security institutions that serve the citizens and help to establish transparency and overcome corruption. These are the conditions for creating and maintaining credibility, a role that governments cannot fulfill on their own. Their efforts must be integrated with the role of civil society organizations, especially in the field of education about the culture of peace, dissemination of democratic values, and the importance of restructuring the security sector, building democratic institutions to protect citizens, and changing the mental image of the citizens about the state's previous institutions. **The goal should be to create a popular consensus on the process of political and security reform that cannot be achieved without the presence of effective civil society organizations.**

C. The Absence of Transitional Justice Programs in Syria

The effectiveness of transitional justice and the possible marginalization of this strategy in favor of other peace building efforts are two of the main challenges facing the reform process in Syria today. All avenues must be explored to achieve social stability in a post conflict nation. Justice is the main factor that will ensure social stability. These programs are critical to the reform process so that reforms are not just ceremonial, resulting in the reappearance of previous security practices once again.

Here we make the following recommendations regarding transitional justice in Syria:

1. The importance of enacting a transitional justice program during the peace talks as an independent unit. Later on, the transitional authority will decide, in coordination with the public, what the transitional justice mechanisms are and how to move forward. This is to ensure that no party will try to bargain their way out of the transitional process as part of a trade off in the negotiations.
2. Having a clear and detailed timeline for the transitional justice plan.
3. The political solution will be affected by the transitional justice process in that there will be questions raised about the constitution and related laws which will affect the legal and security sector reforms as well. It is recommended here to enact a transitional constitution or declaration that clearly identifies the roles, tasks, and responsibilities of the transitional period in order to protect the legal reform process; especially the laws that have to do with the security sector.

4. The community and national leaders should separate the process of transitional justice from the political disputes and polarization that arise in the transitional phase that tries to employ the security reform process for narrow political interests and not as priority for a sustainable national solution.
5. The ability of the transitional government to share the responsibility for forming truth and accountability committees with all segments of society, all parties affected by conflict, victims of violations and international and local experts.
6. To establish the necessary minimum standards for the launching of the transitional justice process, including the reform of the security sector, through the promotion of confidence-building measures that will ensure that all stakeholders are aware of the importance of community dialogue and fact-finding and attempt to seek assistance from international NGOs on confidence building processes.
7. It is the sole right of the transitional government to use force. This would be done in agreement with the local communities according to a clear security strategy. It is important here that those groups that are innocent of crimes and other non-official military-type organizations join the transitional government's efforts to establish security.
8. Encourage oversight committees, civil society organizations and community leaders to participate in the development of proposals for reforming the security institutions and subsequently supervising the work of the security institutions in accordance with the frameworks determined by law.
9. The importance of maintaining procedural and financial transparency, so that it does not compromise issues of national security.
10. Direct new security institutions to restore trust with the community, not only transparency, community dialogue and the seriousness of institutional reform, but also contributing to reparations efforts, especially on the moral or material level (e.g. turning their detention centers into museums. Written apologies and other symbolic reparations to the victims and their families).
11. Directing the new security institutions to carry out procedures to preserve the national memory through learning from the mistakes of the repressive past and learn from them.
12. The full conviction that the security reform process should be based on success

in achieving transitional justice objectives that precede the process of institutional reform, and that achieving the goals of transitional justice must be built on minimum levels of community consensus and local security and that all of these conditions are met.

13. The importance of promoting a culture that encourages community members to contribute to the documentation of violations of both individuals and leaders of security institutions, in support of truth and accountability committees working on reforming or re-establishing the security sector.

D. Marginalization of Non-Military Tools in Countering Terrorism

Despite the growing threat of terrorism and the multiple levels of threats it poses to Syrian society, it is a key political issue that needs to be addressed by efforts seeking to resolve the Syrian conflict. There must be clarity on where this phenomenon originated and the impact on Syria as a whole is.

When dealing with terrorism in the form of an armed group or a sleeper cell it requires a security oriented strategy. However, when dealing with the issue of terrorism, there are very serious security concerns with other relevant issues as well, which is why they require a balanced approach using military, social, economic, and media tools to deal with extremism that terrorism can lead to. The constantly changing situation and the increased tensions and political or ideological stubbornness make it harder to reach a solution. Such an environment will lead to systematic and unregulated violence and the spread of crime at all levels. In order to start the fight against groups that use violence and terrorism as a means to exert control and influence, we must act within the framework of a clear reform plan that transfers power according to what the public agrees to.

Factors that contribute to the rise of terrorism

Contributing to the emergence and spread of terrorism are reasons related to the environment of the crisis, including:

1. Lack of effective social, civil and religious institutions as a major source of trends, information and beliefs.
2. Continued failure to protect the youth that are surrounded by violence, which contributes to increasing negative performance rates, behavioral and intellectual distortions, and increases the chances of spreading a culture of violence.

Therefore, in the context of dealing with all aspects of terrorism, it is necessary to recognize the importance of the role of civilian participation in pushing society towards empowerment and influence. Civil society organizations should develop a team of people who are capable of leading the reform process from within grass-roots. The return of politics and growing civilian participation will help heal society. It should be noted here that there is a need for consistency with the media, which will have an important role in controlling audio and visual narratives of the conflict and reform. The media can also be used constructively by presenting universal ideas and destroying destructive ideas.

In this context, we propose the establishment of a civilian body for the maintenance of national security that is an independent consultative body with non-binding agreements. It will provide the executive authority with all its technical and logistical requirements. It is composed of several specialists and experts in the fields of security, politics, sociology and education. The body be should clearly outlined in a plan with a proper timeline for completion. This body undertakes the following tasks:

1. Idea Consultations: This body should provide advice on how to deal with security issues related to the ideas that drive terrorism. There should be a study of the phenomenon, as it exists in Syria and suggested ways to deal with it. They should work on using all the tools available to them to spread cultural awareness among Syrian youth about the reasons for extremism, its causes, and methods of re-formation from all forms of psychological and intellectual extremism.
2. Proposing criteria for measuring the effectiveness of performance in relation to social, political, media and intellectual measures.
3. Developing a strategy to promote a moderate inclusive culture identifying the expected roles at educational and media levels.
4. Holding seminars and dialogues with religious bodies and discuss the nature of the roles of religious actors and their functions and ways to improve their performance in line with the emerging political situation.
5. Identify the different levels of violence and extremism in Syria and develop realistic methods of treatment.
6. Strategic consultations related to the strategy of the work of official, public and civil institutions. The consultations will result in an alignment of the visions of

all the institutions with the general objectives of the national program to combat terrorism and extremism.

7. Establishing a center that develops a visions and mechanisms for the intellectual dialogue in order to enhance the social reform process.
8. Building an anti-terrorism database that draws on the advantages of some of the experiences of international norms in this regard (different terrorist incident databases and other internationally shared intelligence). This database should monitor all terror incidents and be analyzed by a team of experts.

Section 5: A Plan for Change and Transition to a Coherent Security Sector

The difficulties of the Geneva process pushed stakeholders to suggest phases for the proposed reform. The current phase is Pre-Transition; then Post Political Agreement (the beginning of the transition that lasts 18 months according to UN Resolution 2254); and finally the new republic phase (post-transition when national goals are achieved).

Because the required security change need to be targeted at several levels as part of a comprehensive reform system, the time frame for the plan must be flexible, especially with strategic issues related to the responsibilities and philosophy of the security work. There should also be an effort to create an environment conducive to facilitating change in Syria during the pre-transition phase, including:

1. Establishing a ceasefire throughout the country. Maintain an effective monitoring mechanism and take clear punitive measures against violators.
2. Supporting alternative models to “truces” or “freezing the conflict” that improves humanitarian conditions and engages local communities and LACs.
3. Centralizing security work in regions under opposition control or PYD control by unifying legal frameworks.
4. Forming national committees to preserve the archives of ISIS administration in the liberated areas.
5. Maintaining a centralized control over pro-regime paramilitary groups before their dissolution (during the transition period); to be vigilant about who is inte-

grated into the new security structures, as well as to carry out procedures for the return and confinement of local militias in their “areas”.

6. Preparing measures to remove foreign fighters and militias.
7. Preparing to form a joint military and security council to draw up general strategies during the transitional period.
8. Supporting technical deliberations between competent academic and scientific parties.
9. Civil society should prepare studies, documentary reports, and all that is necessary to support the work of the committees concerned with the process of security change.

A main starting point in the process of change lies in building national agreements and consensus on a new national contract that defines the dimensions and inter-relationship of the security structures and society and clarifies delineation of rights and responsibilities as a prerequisite for the start of the reform process. To this end, this study proposes a number of assumptions that should be included in this contract:

1. The rebuilding process should start from a **new security doctrine** based on protecting the security of the homeland and citizens rather than the corrupt former doctrine, which was based on the service of the regime and its allies.
2. The complete separation of the security structures from all political disputes in order to prevent partisan activity within the security sector. The security sector should serve the interests of the people and provide security, tranquility and safety for all Syrian citizens so that they can exercise their political, economic, social, cultural and religious freedoms. The maintenance of public order, respect for human rights and the defense of the sovereignty and territorial integrity of the state.
3. Improve the provision of security and justice services to Syrian citizens and provide professional training to ensure the professional development of all personnel in the security sector. Such training should include human rights and citizenship awareness, technical skills and a clear legal framework for determining the responsibilities of the security agencies in accordance with international standards and agreements on human rights.
4. Establish effective management, control, and accountability systems for the se-

curity sector. Such supervisory authorities shall have access to documents that reveal the professional and national performance of the security institution in accordance with the highest of standards in that regard.

5. Strengthen the perception that the security sector is an essential component of the new democratic system that serves the society and its citizens, guards the values of citizenship and social justice, is based on the application of transitional justice and the rule of law; this is the breaking point in separation between democratic regimes and authoritarian regimes. As soon as the rebuilding begins there must be another review of the oversight, accountability, legal, and social policies.
6. Establish an efficient information system, entrusted with the protection of internal security, provided that this agency is compatible with the democratic transformation and subject to various means of oversight (legislative, judicial, popular, societal, and subjective).

The general objectives of the restructuring of the security sector in Syria are to protect the security of the state and the citizen and not to protect certain persons or entities at the expense of the national security of the whole country. Therefore, the objectives of restructuring the security apparatuses can be summarized as follows:

1. Protect Syrian national unity.
2. Protect Syria's borders and keep Syria united regardless of its shape, whether simple or complex
3. Integrating the actors in the uprising into the state and the security apparatuses.
4. Reducing armaments and withdrawing weapons from non-state actors.
5. Work to achieve the security of governmental and private establishments and the maintenance of state institutions.
6. Protect anti-terrorism, extremism and extremism programs.
7. Protect and maintain transitional justice plans and prevent and protect from reprisals.

In order for the security change to be consistent, it must take into account the security dynamics throughout the Syria. These dynamics are characterized by their

local dimensions and the power of the local human resources, and necessitate the decentralization of power from a central administration to network of administrations.

A. Strategic Objectives for the Future Security Sector

First: Providing security for the homeland and the citizens

Through a series of measures and policies that promote the objective conditions for stability, including:

- 1. Reinforcing public order and the rule of law** by developing a national strategy to deal with all security threats, whether related to the attempts of the former regime's networks to control the centers of power in the state or to confront trans-Syrian projects, as well as enhancing the role of society in building and supporting the government. This sector should have strong connections to the public.
- 2. Reduction of state security crimes** (treason, espionage, etc.) resulting from the functional failure of the security apparatuses due to the lack of legislation and laws and the weak material, logistic and weapons capabilities to combat crimes threatening national security. There needs to be a modern data security system and strengthening the complaints and oversight capacities through training and rehabilitation programs. There should also be a firm response to all crimes targeting money and public property.
- 3. Limiting all acts of nepotism and favoritism** through the development of a culture that promotes national allegiance and citizenship instead of clan, geographic, partisan or ethnic loyalties; and to clarify the regulations and instructions governing the internal relationships of the security sector. It is important to adopt oversight mechanisms with early assessment, analysis, and monitoring methodologies. There should also be a clearly defined complaint process.
- 4. Promote the principles and concepts of international humanitarian law and human rights** in the security sector, through education and training programs. The adoption of a security work manual that explains behaviors and the need to be consistent laws accompanying the reform process. There should be work to develop the system of human rights behavior within the security structures in cooperation with relevant partners. The relationship between the security sector and civil society organizations needs to be strengthened. This must be accompanied with an appropriate media and public relations strategy.

- 5. Strengthen public policies linked to the basic core values** of the security sector, which must take into account several criteria to ensure success. In particular harmony with the values and aspirations of the Syrian society, the maintenance of the new national identity and the protection of the constitution.

Second: Developing, organizing and building the capacities of the security sector and its institutions

Improving the performance consistent with the necessities of dealing with the challenges of the transitional period, requires the following:

- 1. Strengthening institutionalization in the security sector** based on good governance; and providing services efficiently, effectively and fairly.
- 2. Integrating legal and legislative frameworks that govern the security sector** and eliminating all mechanisms of corruption. There should also be clear recruitment and employment laws according to clear criteria and conditions based on professional qualifications.
- 3. Reviewing and reforming existing structures/systems** and get rid of any ineffective elements, whether by breaking all issues related to the absence of measurable standards or through the development of performance appraisal systems and the system of appointment and promotion.
- 4. Developing and supervising one systematic strategy for training** by trained security experts.
- 5. Formulating a unified mechanism for information communication** between security institutions and providing them with all logistical requirements.
- 6. Assessing existing infrastructure and eliminating the dysfunctional elements**, and the establishing bodies and committees to raise the level of security performance considering its prerequisites.
- 7. Developing financial management systems** and continuously working around the challenges and implications of limited resources through an action plan that sets overall priorities, promotes planning and coordination, redistributes and organizes available material resources, and unifies support channels.
- 8. Building financial capacities of the security sector** in a manner consistent with the financial system of the Ministry of the Interior.

Third: Reinforcing cohesion and complementarity between the security and justice sectors

This is one of the most important factors in the success of the security operations. There should be limits on legal powers and limits to the extent which these bodies police society. Judicial institutions should also undergo a reform and development process to recover from the regime's corrupt institutions. The most important actions in this regard are:

1. Institutionalizing the relationship between the security and justice sectors and clarify the powers and roles of each.
2. Adopting a protocol regulating the relationship between military and civil prosecution.
3. Supervising all detention and rehabilitation center by judicial bodies.
4. Developing procedures for coordination with the Public Prosecutor's office in the case that it represents a security institution before the judiciary.
5. Reviewing all memoranda of understanding between the Ministry of Justice and the Ministry of the Interior regarding the work of the judicial police.
6. Issuing a law on military justice issued by the legislative authority, establishing a legal framework regulating the work of criminal laboratories, and amending the laws of the police and internal security forces and its executive regulations.

Fourth: To face all the risks and threats posed in the Syrian scene, a series of measures and policies are required, the most important of which are:

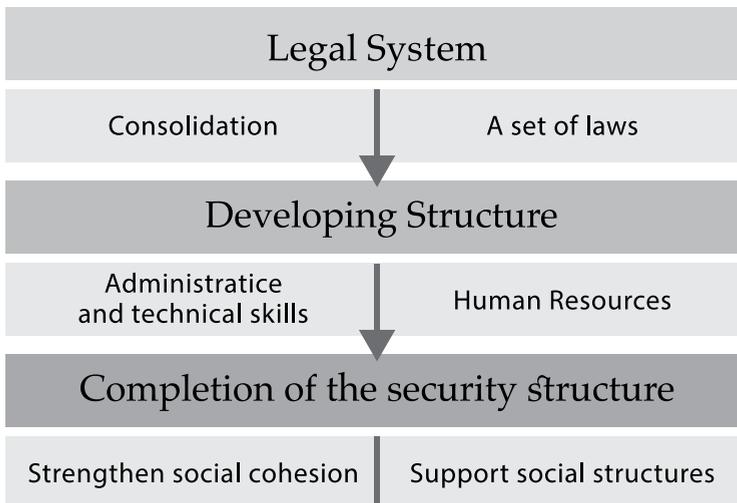
- 1. Forming committees to investigate** and account for violations of human rights and to identify officials responsible and bring them before the court.
- 2. Reform the style and mechanisms of leadership** in the national armed forces and finding mechanisms for the smooth integration of the Free Syrian Army elements by enabling them, after being rehabilitated, to carry out policing functions, control local security and fall under the command of the central security institutions, and through the restructuring of the national armed forces and military sector.
- 3. Build confidence and trust between the political leaders of the opposition groups and the Free Syrian Army** through continuous communication. Pushing for an initiative aimed at developing leadership and management among

the armed opposition groups, and ensuring that these groups adhere to human rights principles.

4. **Establish a supervisory committee to prepare for and manage the security sector reform process during the transitional period.** The commission could be composed of opposition civilians and members of the Free Syrian Army, and would be expanded by credible members of the police and armed forces. Conduct checks according to international standards in the conduct of the members the of armed opposition groups, and identify then hold accountable the perpetrators of any violations.
5. **Control and secure weapons** through the collection of all heavy and medium weapons, protecting the weapons stores in buildings controlled by the Ba’ath party and its allied political parties, as well as social organizations.

B. Reform Levels and Phases

The diagram below shows the levels, phases and procedures proposed for SSR process, which are based on the principles of change and smooth cohesive transition avoiding any sudden or drastic changes. Following through with these steps to reach a political solution shows true will for change and political transition, that is free from any competitive desires for power or authoritarian aspirations.



Phase I: Enacting a set of legislations, decrees, and laws related to the restructuring of security apparatuses as follows:

- 1. Establishing the “National Public Security Agency-NPSA”,** (to replace the old name: National Security Bureau) with two agencies under its command: Domestic Intelligence Agency and Foreign Intelligence Agency. The new agency should be broad in membership to include the President of the Republic, Prime Minister and his Deputy, President of the Parliament (People’s Assembly), Minister of Defense, Minister of the Interior, Minister of Justice, directors and Chief of Staffs of the newly formed Domestic Intelligence Agency and Foreign Intelligence Agency, Ministers of Finance-Health-Education and other ministers upon request.
- 2. Merging the General Intelligence Directorate and Political Security Directorate,** within the National Public Security Agency administratively and organizationally. A Presidential Decree shall appoint the director of NPSA. NPSA duties are then limited to intelligence gathering and analysis for both domestic and foreign affairs of the state. Its functions are divided between the Domestic and Foreign Agencies.
- 3. Merging the Air Force Intelligence Directorate and the Military Intelligence Directorate** since the Air Force is part of the armed forces. This new merged body should report under the command of the Army Chief of Staff. The mission for this body would be to collect and analyze the military and operational information and protect the army from any espionage or foreign threats. This new body should not interfere in civilian affairs. If it gets any information on a civilian then the issue would be referred to the Internal Intelligence, police or the courts. The head of this new unit should report to the Chief of Staff, and there should be a branch responsible for military and civilian airports and ports directly to the head of the Military Intelligence.
- 4. Revoking all laws and decrees** mentioned in the section on the need for legal and constitutional reform of the security structures. The most important of these is the abolition of exceptional courts and the ensuring that all crimes committed by the security apparatuses be prosecuted by civilian courts. To review the military courts, their working mechanisms and the limits of their powers. Repeal the emergency laws and other similar laws like unpublished laws regarding arrests and trials. Not to mention the modernization of laws that define crimes against the state’s national security. Placing the security sec-

tor under parliamentary oversight and control.

- 5. Restricting societal functions of the security and military networks**, and reorient their links within priorities to be in line with the plans and direction of the military. All of the redundant security structures should be dismantled as well.

Phase II: A process of structured reformation of the internal structures, including:

- 1. Referring all individuals involved in committing war crimes**, torture or human rights violations to the judiciary, initiate behavioral and professional assessments, and provide career rehabilitation programs.
- 2. Rebalancing the organizational structures** both in terms of functions and responsibilities as well as personnel assignments in the security apparatuses. Additionally, amend labor laws and employment procedures according to set standards of health, psychological and educational competencies not based on sectarianism. Commissioning staff from other agencies to work within the intelligence agencies should also be banned.
- 3. Reintegrating those who have not been involved in war crimes** or human rights violations into the new security structures after their ability to integrate, work participate in the political transition process has been established.
- 4. Developing the administrative and technical structure** of the security sector, taking into consideration the structural changes that will be made so that these devices can quickly start to perform the tasks required of them.
- 5. Maintaining an archive of security apparatuses** and manage access to the archive in accordance with a special law that regulates the access processes. The information intended to be archived is anything related to the public and private sectors. It has been proven conclusively that the lack of information available to the public leads to rampant corruption and abuses of political power.
- 6. Eliminating corrupt elements in the security apparatuses** even if they were not involved in violence or human rights violations.
- 7. Seeking to restore confidence between the security apparatuses and citizens** so that a relationship can be established between them and changing the stereotype of the Syrian citizen from the security apparatuses as a means of repression and domination in the hands of the ruling regime.

8. **Integrating opposition groups into the security institutions**, especially influential figures that have a good reputation in their local communities. The entire transformation process is likely to fail if this is not done.
9. **Safeguarding and utilizing the security apparatuses' buildings** and all the information contained in those buildings, including the archive, to assist in the disclosure of documents that could incriminating the regime in an international court.
10. **Effectively utilizing the material resources** that have not been affected by hostilities such as technical devices, communication equipment and intelligence devices.
11. **Capitalizing on those who gained experience during the uprising** in the field of providing security or gathering intelligence by employing them to help shape the new security agency. Additionally, those should receive professional and specialized trainings and empowered with new security skills and techniques.

Phase III: Re-building the rest of the components of the security sector, and institutionalizing a mutual and complementing relationship between the security and civil society sectors

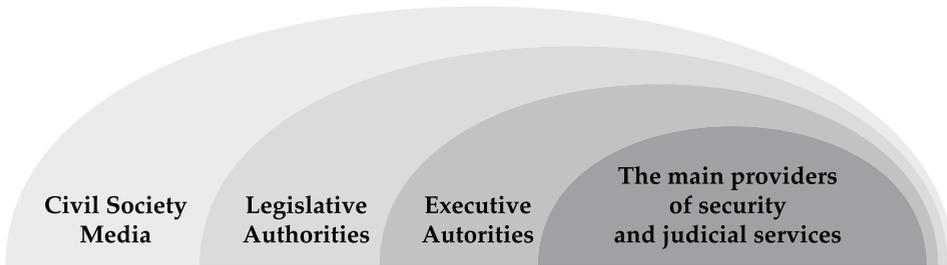
1. **Implementing constitutional and legal safeguards** specifying the functions, powers, oversight and responsibilities of the security apparatuses, as stated in the section on legal and constitutional reform.
2. **Forming an oversight parliamentary committee** to monitor the operations of security apparatuses.
3. **Allocating special parliamentary hearings** to discuss a security action plan and strategy including its budget.
4. **Empowering the National Public Security Agency-NPSA** according to the proposed formation mechanism in the section on legal and constitutional reform.
5. **Strengthening general security by conducting a media campaign** that raises awareness about the standard and value of security.
6. **Conducting regular civilian and security dialogues** to discuss operations and enhance community security.
7. **Establishing security academies** in order to push for the establishment of specialized security research centers, providing research that enhance the cohe-

sion among the components of the security sector.

- 8. **Legalizing rapid intervention** and special operations by clearly defining the national security threats and rules of civil peace.
- 9. **Launching of professional security academies.**

In this context, the following illustrates all the **elements of a functioning security sector**:

What is the Security Sector?



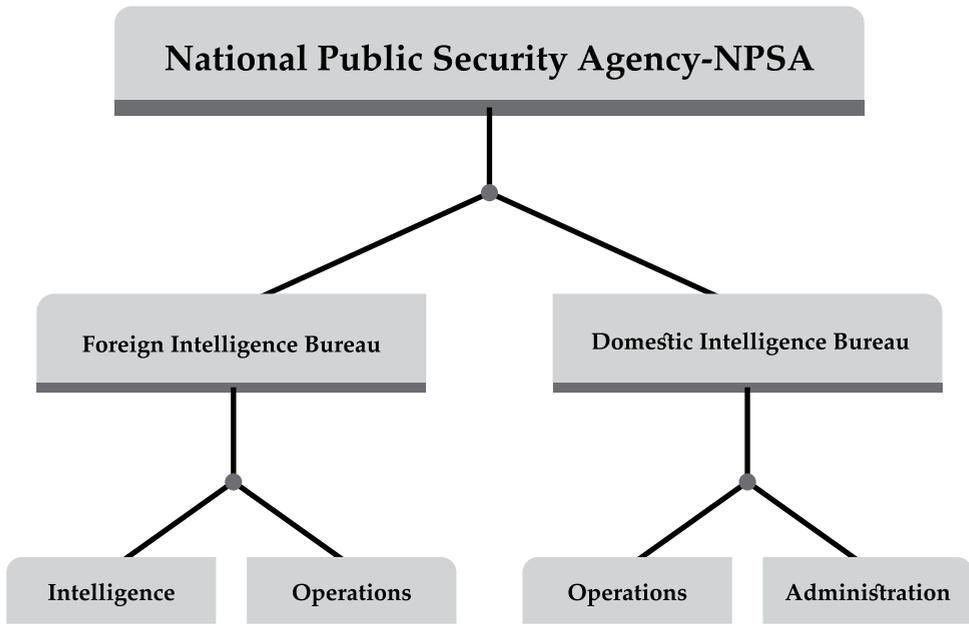
The most important actors within the security sector:

<p>Legislative authorities:</p> <p>Parliament Security Council and Internal Affairs Budgetary and debt Offices</p>	<p>Executive authorities:</p> <p>Ministry of Interior, Ministry of Defense, Ministry of Finance, Ministry of Justice, Ministry of Planning, Parliament, President's Office, General Inspectors</p>
<p>The main providers of security and judicial services:</p> <p>Intelligence and security forces, police, and other security apparatuses. Legal advocacy groups and international rights organizations.</p>	<p>Civil society and media:</p> <p>Think tanks, universities, rights organizations, discussion circles. All media outlets and media training organizations.</p>

C. A proposal for “National Public Security Agency-NPSA”

As was discussed previously, after the reform process, there will be two main security structures. First, the Military Intelligence that is completely part of the Ministry of Defense and is responsible for the security of all the branches of the armed forces. The second is the National Public Security Agency-NPSA that reports to the President’s office and is responsible for internal and external security and for maintaining civil peace. These two security structures coordinate through the sharing of information and work together to protect the state from internal and external threats, and any violation of its sovereignty.

The NPSA is responsible for protecting the nation’s internal and institutional security. It is also responsible for protecting information and preventing spying or leaks. It also coordinates efforts with other government institutions to serve the national project and establish national and social unity. NPSA has two bureaus. First is the Domestic Intelligence Bureau and the other is the Foreign Intelligence Bureau. They are described below:



First: Domestic Intelligence Bureau

The Domestic Intelligence Bureau is responsible for intelligence and operational activities. The intelligence operations that the Bureau undertakes include:

- 1. Administrative procedures:** follow up the on the implementation of orders and security procedures, protecting secrets and preventing infiltration or leaks.
- 2. Legal procedures:** All procedures that guarantee the protection of the law in addition to the submission of proposals and draft laws to facilitate the development of the security sector.
- 3. Military actions:** If counter-intelligence detects subversive activities in a particular area or operations that threaten the security of the country, counter-intelligence uses military forces to counter such activities, such as sieging and raiding a terrorist cell.

As for the operational activities, they including collecting intelligence and managing sources. One of the main objectives of this activity is to protect state secrets and its political, economic and security activities. It is also responsible for protecting the borders and monitoring the entry and exit from the country. To protect political freedoms, whether they be for private citizens or government officials. The detection and response to sabotage, in addition to providing security for critical sites and vital targets (military, civilian, ministries, power stations, factories, etc.).

Operational functions are divided into the following:

- 1. Management of assets and resources:** Responsible for recruitment, guidance and training of assets and sources and following up on their activities.
- 2. Technical Section:** It handles the management of technical and electronic resources to collect information in addition to technical support for counter-intelligence operations and electronic archiving operations.
- 3. Information Analysis Department:** deals with information analysis and evaluation processes as well as how to use available information.
- 4. Field Operations Department:** Surveillance, protection and communication, and the implementation of special operations such as raids and arrests sanctioned by a court.
- 5. Counterterrorism Department:** Specializes in collecting and responding to terrorist and subversive activities and movements.

6. **Anti-espionage Department:** preventing information leaks and infiltration of state institutions in order to maintain national security.
7. **Administration and Supply Department:** Responsible for follow-up, performance appraisals, and training programs.

Second: Foreign Intelligence Bureau

Its mission is to protect and safeguard the interests of the country abroad and manage foreign intelligence stations. It consists of the following sections:

1. **Information Unit:** Its task is to collect and analyze the information required by the political leadership in addition to directing the agents and setting the plans and tasks according to the requirements and visions of the general security strategy.
2. **External Stations:** Its mission is to direct stations on carrying out orders and monitor implementation.
3. **External Operations:** Monitoring a group or terrorist or subversive movement that may extend its work to the country's interior or harm the interests of the country abroad.
4. **Operational Intelligence:** Its mission is to collect, invest and direct information and train intelligence officers.
5. **Technical Section:** Its mission is to support the technical logistics of external operations and protect stations and state institutions abroad from penetration and eavesdropping or electronic threat.
6. **Supply and Logistics Department.**

Conclusion

Syria's stability during the transitional phases is dependent on the success of the reform process to create a secure local environment that does not contradict the regional balance. Furthermore, the security sector must be capable of reacting effectively to threats, especially terrorism.

This ensures that the transition process is successful and prepares the country for the establishment of a state based on institutions and laws. Therefore, having a national dialogue about the ways, mechanisms, and forms of transition—away from political strife and aimed at dealing with threats against the country and its citizens—is a critical national step. The transition should take into account the local conditions, especially with regard to the possibility of a total collapse of the state and have a strategy to recover from being a failed state. The plan should also meet the objectives and priorities of establishing local and regional stability, and enhancing cooperation and coordination with the civil society and other related bodies in neighboring countries. This is because the process of security reform has many internal and external obstacles and the chances of success or failure and the time required for completion depend on regional and international consensus and that the resulting solution satisfies local parties involved in the conflict. In order to implement transitional justice and hold people accountable, it is necessary to conduct successful disarmament, demobilization and reintegration operations for the fighters. After that, the security structures must be reformed in order to create a safe and stable environment that allows for the launching of rebuilding and democratization efforts.

The rebuilding of government institutions and the restructuring of the security sector are linked to having a compelling strategy for economic development and bottom-up plans. These require the participation of civil society, which can provide the foundations for reaching a social consensus that inspires peace. Integrating the role of the security sector with the role of LACs and civil society organizations; especially in educating the public on the culture of peace; spreading the values of democracy, creating awareness about the importance of restructuring the security sector; and building security institutions on a democratic basis to protect citizens and change their mental image of the former security institutions. These efforts should aim to create popular consensus on the process of political and security reform, which citizens will not be silent and will be engaged.

In order to move from the current situation to a more coherent national security sector through a smooth change process, a combination of civil, military and security measures should be adopted, as well as the implementation of programs and policies that ensure changes are consistent with the general strategy for reform. There is no doubt that critical questions about security change await objective answers that take into consideration the emerging circumstances and the rapid changes in Syria. The process itself is complex and it is not sufficient to use ready-made solutions or suggestions that do not take into account the importance of national security related issue, ensure cohesion between the security structures or avoids state collapse. Finally, security reform requires a national effort that is consistent with local, regional and international security demands and aims to build a cohesive security sector.

Appendix I | Security Committees in Syria and its Governorates

Since Bashar Assad took office, there have been local security committees set up in the provinces to oversee and discuss the security situation on the ground. They oversee social events, weddings, meetings, parades, and all other public events. They also are responsible for protecting voter polling stations. They also carry out orders sent down from the central offices in Damascus. They meet every 15 days to discuss the security issues in the area.

Before the uprising started, committees were set up on administrative district levels as follows:

- Secretary of the Baath Party of the Arab Socialist Party in the area the security committee covers - Chairman of the Security Committee.
- Administrative district head.
- Head of the Political Security local branch.
- Head of Military Security local branch.
- Head of Airforce Intelligence local branch.
- Head of the General Intelligence local branch.

In the absence of the representatives of these offices, they are replaced with a representative from the local intelligence units in the particular province where the meeting is taking place:

- Secretary of the Arab Socialist Baath Party branch in the province - Chairman of the Security Committee.
- Governor.
- Provincial police chief.
- Head of Military Intelligence Branch.

- Head of the General Intelligence Branch.
- Head of Political Security Branch.
- Head of Air Force Intelligence Branch.
- The military commander in charge in the case that he is representing an officer of high rank.⁽²¹⁴⁾
- Head of the Military Police branch in the province.

The security committee can call upon any person who it deems necessary to consult on any relevant issue without attending the entire meeting. Each person submits a report on the meeting to his or her superior in each directorate in the province. The head of the Security Council will send his report to the Secretary of the Baath Party in the province while the rest of the attendees will send their reports to their superiors on the provincial level. If there are major decisions that need to be made, then there is a separate meeting arranged to make such decisions, but simple orders reached in the security meeting can be carried out by the police or other local security branches. When there are security meetings on a provincial level then the reports are sent to the superior of each person in the respective offices.

(214) It is worthy to note here with regards to the regional military commander, it is known that there are commanders for the southern, northern, eastern, central, and coastal regions called for example "the commander of the eastern region", and usually their tasks tend to be office and media related. Additional details are as follows:

Commander of the Southern Military Region: responsible for the provinces of Daraa, Sweida, & Quneitra; based in Daraa.

Commander of the military zone in Damascus: responsible for the provinces of Damascus & its suburbs, and is based in Damascus.

Commander of the coastal military zone: responsible for the provinces of Tartous and Lattakia and is based in Lattakia.

Commander of the Central Military Region: responsible for the provinces of Hama and Homs; based in Homs.

Commander of the Northern Military Region: responsible for the provinces of Aleppo and Idlib; based in Aleppo.

Commander of the Eastern Military Region: responsible for the governorates of Deir Ezzor and Al-Hasaka; based in Deir Ezzor.

The leaders of these military areas attend the security committee meetings in their respective areas or send others to represent them.

During the uprising, some things changed. There was a “crisis cell” set up in Damascus, which included Hassan Turkmani, Asef Shawkat, Muhammad Shaar, Daoud Rajha, and Hisham Bukhtar.

In addition, well-known security officers were placed in charge of security committees in various provinces. Additionally, the secretaries of the Baath Party branches became members of the security committees and the role of these committees changed drastically. They were instead focused on how to stop the protests, capturing wanted people, pursuing opposition members and activists, and compiling lists of wanted people. They also evaluated state employees and got rid of any who were part of or sympathetic to the opposition. Eventually, the security committee was also responsible for overseeing military operations to retake territory lost to the armed opposition. The meetings developed so much that the military commanders of active military fronts attended these meetings because coordination with them became so critical to quelling the opposition’s activities. The meetings became more frequent until they became daily meetings where every office sent an official representative to attend. The “crisis cell” then received daily reports from the provincial security committees on the revolutionary movement and the military operations being conducted against the opposition. Based on what they receive, the “crisis cell” gave orders and instruction on how to continue operations. From here we can understand the intermingling nature of the security, military, and Baath work during the Syrian uprising in an attempt to find all the ways possible to stop the Syrian uprising. After a number of the “crisis cell” members were killed in 2012 in Damascus, Ali Mamlouk took over as head of the National Security Office, and the “crisis cell” lost its importance due to the new boss’ policies.

Provincial security committees before the uprising:

1. Discussing the security situation in the governorate and addressing the security gaps regarding the status of parties considered friendly, the parties of the National Progressive Front, the opposition parties, the hostile parties, and the activities of these parties. In addition to dealing with the conditions of the religious offices in the provinces and the affiliated clerics and Friday sermons, they also divided the work between security, political, and administrative roles.
2. Discussing the status of the directors of the government offices in the provinces and evaluating the extent of their work and religious orientations.
3. Implementing orders issued by the National Security Office and providing the seat of the leadership role of the party in the province.

4. Presenting each security body's own candidate for the chairmanship of its own body or when the Security Committee asks for nominations.
5. Assigning responsibilities and tasks in the face of marches and elections to ensure security protection for these events.
6. Discussing the social and tribal conditions in the province, collective quarrels, and anything that undermines security.
7. Participating in the evaluation of the candidates of the People's Assembly, as well as provincial and city councils, which were then taken into consideration by the Baath Party branch in the area.
8. Addressing every emergency that takes place at the political, security, economic, social, and other levels.

Generally, the head of these meetings is the national head of the Baath Party since the party is considered the leader of the state and society. There was unanimous consensus among members of the security committees on the orders they make and the reports that they send to their respective offices.

After the start of the Syrian uprising, the security committees received all of the rights that we have already mentioned here, plus freedom to pursue any tactics to stop the protests, revolutionary activities, and opposition military activities at any cost. The security committees were also made responsible for pursuing wanted people and investigating the opposition figures in the local communities. During this time, some Baath Party secretaries and Provincial Governors were pushed away from the military activities depending on their relationship with the central power in Damascus and their loyalty to the regime. During this time, many of the Baath Party heads and governors came from security or military backgrounds and were already considered loyal to the regime. In the smaller areas, like small districts, villages, or towns, the security committees there refer back to the provincial security committee, which then sends down orders after discussing the submitted report.

Appendix II

Local and Palestinian
Militias**FIRST: The categories below show the most important militias**

(Shia, Alawite, Druze, Sunni) fighting in support of the Syrian regime. They include 42 militias with a combined total of 65, 000 fighters:

1. Imam Rida Forces (Alawites, Shia): Syrian Lebanese militia, located in eastern rural Homs, with 2, 000 fighters.
2. Tiger Forces (part of the Syrian army): located in Hamah, Homs, Aleppo, and Raqqa, with 10, 000 fighters.
3. Desert Hawks (Alawites): Syrian militia with some Iraqi support, located in Hamah, Homs, Aleppo, and some parts of Damascus, with 6, 000 fighters
4. Syrian Marines (Alawites): Syrian militia, located in Lattakia and Homs, with 1, 000 fighters.
5. Ba'ath Brigade (Arab Nationalism): Syrian militia, part of the Syrian Baath Party, located in Aleppo, Homs, Hama, Lattakia, Tartous, Damascus, Sweida, and Haska, with 15, 000 fighters.
6. Arab Nationalist Guard (Arab Nasserites): located in Aleppo, Homs, Damascus, Daraa, and Quneitra, with 1, 000 fighters.
7. Syrian Resistance (Marxist): Turkish Syrian militia, located in Lattakia and western rural Idlib, with 600 fighters.
8. Homs Leopards (Alawites): Syrian militia located in western and eastern rural Homs, with 5, 000 fighters.
9. Eagles of the Whirlwind (Christian, Alawites, Sunni): Syrian, Palestinian, and Lebanese militia, located in Hama, Homs, Lattakia, Quneitra, and Sweida, with 5, 500 fighters.
10. Anger Forces (Christian): Christian militia located in Hama, with 500 fighters.

11. Qalamoun Shield Forces: Syrian militia, located in Qalamoun, Hama, and Homs
12. Syrian Military Security Shield Forces: located in Badiya, Lattakia, Aleppo, and Deir Ezzor.
13. Saraya Alareen 313 (Alawite): Syrian militia, located in Lattakia and Homs, with 600 fighters.
14. Lions of Hussein Brigade (Alawite): located in Lattakia, Hama, Homs, and Damascus, with 1,000 fighters.
15. Coastal Shield Brigade (part of the Republican Guard): located in Syrian coastal areas, with 3,000 fighters.
16. Syeda Ruqaya Brigade (Twelver Shia): located in Damascus, with 300 fighters.
17. Mahdi's Sword Brigade (Twelver Shia): located in Damascus, with 400 fighters.
18. Imam Mahdi Brigade (Twelver Shia): located in Damascus, Aleppo, Daraa, and Quneitra, with 1,000 fighters.
19. Sayf Al Haq Brigade: located in Damascus, with 400 fighters.
20. Scorpion Brigade "Khaybar" (part of the National Defense Forces): located in Homs and Al Ghab Plains, with 200 fighters.
21. Imam Haji Brigade (Shia): Syrian Lebanese militia, located in Aleppo, with 600 fighters.
22. Al Ghaliboun (Shia, Jaafari, Alawite): located in Damascus, with 300 fighters.
23. Al Baqer Brigade (Shia): tribal militia, located in Aleppo, with 500 fighters.
24. Imam Zayn al Abideen Brigade (Shia, Christian): located in Deir Ezzor, with 250 fighters.
25. Mukhtar Thaqafi Brigade (Shia): located in Lattakia and Hama, with 300 fighters.
26. The National Ideological Resistance (Shia): located in Tartous, Hama, and Homs, with 1,000 fighters.
27. Mountain Brigade, Prophet Younes Mount (Alawite): part of the National Defense Forces, with 200 fighters.
28. Jablawi Brigade (Alawite): part of National Defense Forces, located in western rural Homs, with 200 fighters.

29. Tribal Forces (Sunnis converted to Shia): located in rural Aleppo, with 1,700 fighters.
30. Desert Rangers Corps (Sunni): Arab tribal force, rural, with 750 fighters.
31. Muawihdoon Army (Druze): located in Sweida.
32. Tawheed Brigade (Druze): located in Sweida and Quneitra, with 400 fighters.
33. Mountain Brigade (Druze): located in eastern Ghouta and Shaer Mountain in Homs, with 500 fighters.
34. National Shield Brigade (Druze, Kurd): Iraqi Syrian militia, located in Sweida, Quneitra, and Damascus, with 100 fighters.
35. Leopard Forces (Druze): located in Sweida, with 300 fighters.
36. Home Front Protectors Brigade (Druze): located in Sweida, with 2,000 fighters.
37. Golan Corps (Sunni): located in Quneitra, with 600 fighters.
38. Harmony Corps (Sunni): located in south rural Damascus, with 1,200 fighters.
39. Lions of the Valley Brigade (Christian): located in Homs.
40. Salah al Assi Forces (Alawite): located in Hama and Misayaf, with 500 fighters.
41. Mobilization of Jazeera and Euphrates (Arab Tribes): located in Hassaka.
42. Lions of the Syrian Mountain (Druze): located in Sweida, with 50 fighters.

Second: The Palestinian militias fighting with the Assad regime

1. **Al Quds Brigade:** this is a Palestinian militia formed in 2013 by Palestinian refugees living in Handarat and Nayreb refugee camps. It is headed by Muhammad Saeed and receives aid from Iran. Its slogan is “Commandos of the Syrian Army”. It participates in the fighting with regime forces and has a good relationship with the Iranian general Qassem Solaimani and the Russian coordinating officer in Aleppo. It is estimated to have around 2, 000 fighters total who receive a \$100 monthly salary each.
2. **Popular Liberation Front for Palestine:** headed by Ahmed Jibreel. It is a leftist nationalist Palestinian group that fights alongside the regime forces in Yarmouk camp and southern Damascus. It includes about 500 fighters.
3. **The Popular Struggle Front:** a leftist Palestinian nationalist group whose sec-

retary-general is Dr. Ahmad Majdalani, a member of the Executive Committee of the Palestine Liberation Organization. The front is deployed in Damascus.

- 4. The Palestinian Liberation Army:** headed by Brigadier General Muhammad Tareq al Khadra. The army fights alongside the regime forces in Daraa, Damascus, Sweida, the Ghoutas, and even participated in fighting with the opposition in Zabadani. There are three main forces, Hiteen Forces in Qatana, Ajnadeen Forces in Mt. Sheikh, and Qadsiye Forces based in Sweida. Many of the members of the army refused to participate in fighting with the Syrian people and only 300 fighters are active on the regime's fronts.
- 5. Haraket Filestin al-Hurra (Free Palestine Movement):** This is a nationalistic group that fights along the regime forces in Yarmouk Camp front and southern Damascus. It is led by Yaser Qashlaq, and its military leader is Saed Abdelaal.
- 6. Galilee Forces and the Palestinian Youth Movement:** a Palestinian armed militia led by Fadi al-Mallah and his deputy Abu Ali Badran. The youth movement was trained by Iranian officers and fighters from the Lebanese Hezbollah. Its activities began in 2014 during the battles of Qalamoun. The Galilee forces also took part in the battles of Palmyra (led by Colonel Abu Hassan Bulul) and the northern outskirts of Hama (led by Daniel Razzouq) after transferring some fighters to Deir Ezzor. They are estimated to have more than 5, 000 fighters.
- 7. Fatah al-Intifada (Palestinian National Liberation Movement):** led by "Abu Hazem" and the military wing is led by Abu Firas al-Qabalawi. They operate in Damascus, and they are estimated to have 200 fighters.
- 8. The Palestinian Democratic Party (The Liberation and Return Brigade):** Headed by Mazen Shqayr. It is based in Damascus and has about 200 fighters.
- 9. Lightning Forces:** the military wing of the Palestinian Baath Party. It is headed by Farhan Abu Heyja. His title is the secretary general of the Palestinian Baath party. The force is based in Damascus and has about 250 members.
- 10. National Work and Resistance Movement:** a Palestinian political movement loyal to the Assad regime under the guise of Palestinian resistance to Israeli occupation. They have a military wing known as the Galilee Brigade, and they participate in fighting alongside the 7th Division in Zakiya in rural Damascus. They include about 200 fighters.
- 11. The refugee camps around Syria** are considered a prime recruitment ground for Palestinians living in Syria to fight against the Syrian people.



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