



Seeking context for meaningful negotiations

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In January and February 2014, two rounds of meetings brought together Syrian regime and opposition representatives in Montreux and Geneva. Based on the June 2012 Geneva Communiqué, the parties were supposed to work toward agreements that would end the violence in the war-torn country, achieve access for humanitarian aid and the release of all political prisoners, and initiate a “Syrian-led transition.” To this end, a transitional body was to be formed “on the basis of mutual consent” with “full executive powers” and the ultimate goal of establishing a democratic multi-party system and accountability for acts committed during the present conflict. Yet the talks did not produce the slightest breakthrough.

In response, efforts for arming and training the so-called “moderate rebels” have picked up once more among the “Group of Friends of the Syrian People,” a loose alliance established in February 2012 bringing together some 60 states and regional organizations supporting the Syrian opposition. This support would supposedly empower the moderates vis-à-vis the regime forces and Jihadist fighters alike, help to tilt the balance on the ground, and thus put the regime under pressure to seriously pursue a negotiated outcome. Such arguments, however, are flawed. Rather, a negotiated solution is unlikely to occur unless all relevant regional and international players agree on making it the only game in town -- and contribute their share. At the same time, combatants who wield considerable influence on the ground need to be engaged to secure humanitarian access and respect for international humanitarian law.

The deliberations in Switzerland did not generate much more than an, at times heated, exchange of well-known and mutually exclusive positions: Opposition representatives insisted on the ouster of President Bashar al-Assad and on initiating a transition process led by a fully empowered body. Only at the end of the second round of talks did they signal that they might be

willing to forgo the ouster of Assad as a pre-condition. The regime’s speakers stressed the country’s sovereignty. Consequently, Syrians should determine their future independently from foreign intervention and choose their own leadership in elections, which are envisioned for July this year. (There is, of course, nothing like democratic and competitive elections under the current regime. Even though the Ba’ath party’s monopoly on power has been abrogated in the current constitution, free, fair and pluralistic competition is just not possible as long as opposition representatives are persecuted by the regime’s security services. In addition, a draft law on presidential elections presented in mid-March to Syria’s Parliament stipulates that candidates must have maintained continuous, permanent residence in the country for a period of no less than 10 years, thus excluding many potential opposition candidates who have fled the fighting.) At the same time, they emphasized that the main challenge would be to fight “terrorism,” a notion applied to all armed opposition actors -- but extending also to members of the opposition delegation.

No success was registered on the issue of humanitarian access. Rather, the regime tried to circumvent a principled stance on such access by offering the evacuation of women, children and the elderly -- for example from Homs’ besieged old city. Nor was there any progress toward a general armistice. Local cease-fires were agreed in the aftermath of the Geneva talks in some places, where and if rebels were ready to surrender. In other places, such as Aleppo, fighting was pursued with full force while the talks went on. The deep mistrust and the lack of readiness on both sides to engage in confidence building was exemplified by the approach to the issue of political prisoners, the only point where some progress was registered: Rather than the sides agreeing to set prisoners free, they settled on handing over lists of political prisoners they asked the other side to release -- lists which are set to be a

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matter of dispute and debate for the time to come.

Some observers have attributed the lack of progress in Geneva to the conflict in Syria not being “ripe” for resolution. Indeed, the Syrian civil war -- with its strong proxy war dimension -- currently lacks three of the factors that the renown US conflict specialist I. William Zartman has identified as being crucial (if to different degrees) for attempts at conflict mediation to be successful.

First, there has not been what Zartman termed a “mutually hurting stalemate,” i.e., an assessment of the parties to the conflict that they cannot win the conflict militarily and that a continuation of armed confrontations will hurt them more than it will advance their aims. In spite of all the talk of a political solution, the determination of both sides to fight the conflict out militarily has been reinforced by their respective supporters. Just before the Geneva talks, Russia and the US -- to name but two such supporters -- massively increased their military aid to the regime and decided to re-start their support for the rebels, respectively.

Second, to date, the parties to the conflict have not seen negotiations as “a way out.” Mutually

exclusive agendas and the struggle for physical survival have hardly left room for compromise. The Geneva talks have thus rather been viewed by both delegations as an opportunity to reinforce internationally their own standing and to delegitimize the other side. Again, they have been backed in these stances by their respective sponsors.

Third, there have not been “valid spokespersons” for all parties concerned at the table. That has mainly been a problem on the opposition side, where a significant portion of the fighters on the ground (well beyond the jihadists) have rejected talks with the regime, do not see themselves as represented by the opposition delegation and do not follow their military command. These groups will hardly feel committed to any potential agreement, be it on local cease-fires, humanitarian access, prisoner exchanges, or anything else. In addition, an important force that was eager to participate in the talks was excluded: the Democratic Union Party (PYD), the Syrian affiliate of the Kurdistan Workers’ Party (PKK), which controls considerable swathes of Syria’s Kurdish territories and in January 2014 proclaimed self-rule in the Kurdish area’s eastern-

The second round of negotiations in Geneva between the Syrian government and the opposition proved unproductive.

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PHOTO: AP,
VALENTIN FLAURAUD



MORE ARMS FOR THE REBELS WILL THEREFORE MEAN MORE ARMS FOR THE REGIME -- AND NO END TO THE BLOODSHED

Protestors in
Idlib province,
northern Syria.
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PHOTO: AP/ENN

most al-Jazeera canton. Even on the regime side, one may doubt whether the leadership is in full control of all the militias and paramilitary units fighting alongside the Syrian Armed Forces.

Are negotiations therefore futile and a waste of time? Should the Friends of Syria abandon them? Should they complement them with an increase in military support to the moderate rebels? Definitely not. It is not just that they would be unable to control the destination of their arms. From the beginning the idea that the moderates could hold on to the weapons once they were inside Syria was delusional and the likelihood high that arms supplies would end up with the well-funded, more extremist fighters. That problem has been exacerbated by the challenge to tell moderates and extremists apart, especially among the plethora of Islamist brigades. Weapons deliveries would also reinforce the opposition's stance of banking on military victories or advances rather than political ones. That would hardly help compromise at the negotiating table. Most importantly, Assad's supporters have, at every turn of the conflict, proven willing and capable of investing massive resources in the survival of the regime. In this, they have not only been willing to

provide more support than those sponsoring the opposition, but they have also been much more consistent in their aid. There is no indication that they are about to change their approach any time soon. More arms for the rebels will therefore mean more arms for the regime -- and no end to the bloodshed.

There is no way around negotiations to contain the fighting and address humanitarian concerns -- an urgent duty in view of the immense suffering of the civilian population, in particular in areas under siege and among the internally displaced, and against the backdrop of a serious destabilization of neighboring countries -- Lebanon and Iraq in particular. Yet the success of such talks hinges much less on the mediation skills in Geneva of the very able Lakhdar Brahimi, the UN and Arab League's joint envoy, than on the backers of the opposing sides coming to terms. That would

necessitate a second set of talks aimed at achieving a compromise between relevant regional (in particular Saudi Arabia, Iran and Turkey) and international (above all the US and Russia) actors, centered on the renunciation of a military solution.

Concretely, such a compromise would entail a commitment by all third states to withdraw foreign fighters and/or prevent them from infiltrating into Syria, as well as stop arms deliveries, block the flow of private funds for weapons purchases, and exert pressure on their clients to cease offensive operations. While it would be impossible to completely stop the inflow of arms, fighters and funds, serious steps by the most important sponsors of the conflict would considerably curb military supplies -- and alter the conflicting parties' perception of negotiations.

At the same time, all those rebel groups with considerable influence on the ground would need to be engaged in a third, much less formal, set of talks that would assemble, alongside the rebels of the Free Syrian Army, parts of the Islamist spectrum and the PYD. Those talks should focus on humanitarian cease-fires, humanitarian access and on persuading all combatants to respect international humanitarian law.

Turkey has a crucial role to play in these efforts. Not only would Ankara be important for efforts to stop the infiltration of fighters, arms deliveries and funds into Syria, and to allow humanitarian aid to reach Syria's north and northeast, it could also be a central player in bringing about regional compromise.