

A Policy Memo for Mr. Staffan de Mistura

UN Special Envoy for Syria



(United Nations, 2016)

Role: Secretary to Mr. Staffan de Mistura, UN Special Envoy for Syria.

Case: Inclusive Peace-talks mediated by the UN Special Envoy for Syria, that will devise a judicious peace-agreement which essentially includes a sustainable armistice in the Syrian conflict. The Primary goal here is to relieve the suffering of the Syrian population, and prevent further casualties.

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UN Special Envoy for Syria Staffan de Mistura speaks to the press, following a meeting of the Humanitarian Access Task Force, in Geneva, Switzerland. (United Nations, 2016)

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Introduction

This advisory report is composed and conveyed on the 17th of June by the Secretary to the United Nations Special Envoy for the Syrian Arab Republic (SAR), hereinafter called Syria, Mr. Staffan de Mistura, who is the UN-authorized mediator for the conflict in Syria. The conflict in Syria is perceived by the international community to be the worst humanitarian catastrophe of our current time (United Nations, 2016). The Special Envoy seeks to bring the various actors, both within the Syrian state and internationally, closer together to stimulate inclusive negotiations, as a peaceful means to devise a judicious peace-agreement, which essentially includes a sustainable ceasefire (Rivenbark, 2013). This armistice is vital to achieve the short-term peacekeeping objectives of the UN Special Envoy. **The main objective here is to protect the lives of civilians, and prevent further intensification of their suffering.** This is only achievable if all involved parties, both domestic as internationally, stop their extensive attacks as required by an devised armistice. However, one has to provide this armistice with a stable foundation in order to legitimately monitor and sustain the ceasefire.

As previous attempts have failed, the secretary to the UN Special Envoy will recommend to utilize an inclusive and judicious approach in the dialogue between the conflicting parties, in order to obtain negative peace through a sustainable armistice, which essentially must be monitored by a reliable monitoring committee. The Syrian Monitoring Committee (SMC) consist of representatives of the various domestic parties, as well as academics, intellectuals and ordinary people from Syria in order to provide it more legitimacy and reliability, as it represent the ‘grassroots’ needs of the local population.

Here it is essential to emphasize that the SMC and the UN Peacebuilding Commission¹ (PBC) will closely cooperate together. The PBC fulfils some essential core tasks: 1) bring all relevant

¹ UN Peacebuilding Commission. (UN, 2016)

actors together, 2) marshalling resources, and 3) advising on strategies to ensure the peace-agreement. The PBC can -on behalf of the international community – ensure that human rights are respected by the domestic parties and sustain the peace-agreement and ceasefire.

Initially the PBC and the SMC should have both a decision-making mandate, as this provides stability and a certain degree of assurance that the domestic parties will respect the peace agreement. However, one must take into account that in the long-term there must be a transition in which the PBC increasingly shifts the decision-making functions to the SMC.

Furthermore, one recommends to conduct a 5th generation peacekeeping mission which should devise a cohesive reconstruction-defence force, including the various domestic actors of Syria. Here the Syrian Reconstruction-Defence Force (SRDF) fulfils various essential functions: 1) protect the Syrian population from attacks conducted by spoilers (e.g. terrorist, ISIS, and other actors who did not agree to the peace-agreement), 2) Create cohesion between the various domestic actors, as they mutually work towards a common objective: reconstructing Syria and working towards peaceful future in which all parties can harmoniously co-exist, 3) the SRDF has the legitimacy to conduct essential policies such as SSR², SALW³ and DDR⁴, 4) the SRDF may prevent a security dilemma among the parties, as they have to be provided an reliable incentive to hand in their weapons and reintegrate into society.

Additionally, one urges the regional and international actors to directly seize their covert military and financial support to domestic groups within Syria, as this fuels the various parties

² SSR – Security Sector Reform – Modify the protection and provision institutions, under command of the SMC and PBC.

³ SALW – Small Arms and Light Weapons – This policy is problematic, as there might be a security dilemma. However, the SMC and PBC attempt to provide sustainable incentives and stability, in order to convince the parties that these policies are required to be implemented, in order to ensure a safe Syria for everyone.

⁴ DDR – Disarmament, Demobilization, and Reintegration in combination with a reinsertion package, to empower resettlement and reintegration of ex-combatant.

to sustain in their fighting, and consequently empowers further fragmentation and destabilisation of Syria. Instead, a transparent fund will be devised and regulated by the SMC in order to provide basic necessities to the population, fund reconstruction projects, and create employment opportunities. One anticipates on these challenges, as the armistice will have most change to sustain if there are sufficient incentives, and common objectives provided to the population and various groups to cooperate together.

in order to devise a fertile and solid foundation for further developmental peacebuilding and reconciliation programs, as a means to empower and regulate the extensive and volatile war-to-democracy transition (United Nations, 2016). In fact, this process of democratization, political dialogue and grass-roots state building will ensure that the mosaic of various ethnicities and religions in Syria can harmoniously co-exist in a democratic Syria (Andrew J. Tabler & Schenker, 2016).

The United Nations Peacebuilding Fund will be requested to supervise and assist this complex war-to-peace transition. Essentially, a fifth generation hybrid UN mission must be established, as it combines UN police and military forces, with regional actors on the ground, which advised to name: The Syrian Reconstruction Forces (Kenkel, 2013).

This inclusive approach will ensure local ownership and participation as a means to provide peaceful and legitimate access to the war-to-democracy transition. Subsequently, this merge of powers creates a common goal for the opposing parties, which is to fight against Daesh and other spoilers who seek to disrupt the peace-process and stop the expansion of terrorism and destruction within the sovereign borders of Syria.

From ‘Arab Spring’ to ‘Arab Storm’: *How protests for government reform transformed into an internationalized conflict in the Syrian Arab Republic*

The internationalized conflict in Syria – that began with peaceful protests – is rooted in an intertwined chain of public protests and demands for government reform and the downing of oppressive governments in certain Middle Eastern states: this is known as the Arab uprising. These demonstrations were indirectly inspired and triggered by the anti-government protests in Tunisia that resulted in the downing of the – Tunisian – president Ben Ali (Dalacoura, 2012, pp. 63-66). This resulted in so-called ‘revolutionary demonstrations’ that took form of a domino-effect, and thus, in other authoritarian Arab states like Egypt, Libya, Yemen, Bahrain, and Syria protests initiated, which resulted in the downing of presidents (Hasan, 2014); however, this was not the case in the Syrian Arab Republic, where Bashar al-Assad is still head-of-state in June 2016.

Since the Arab Socialist Ba’ath party seized power in 1963, Syria has been a one-party state (Rivenbark, 2013); consequently, people demanded more influence in Syrian politics. This began with protests in Syria’s provincial regions in March 2011, a few months later this spread to major urban areas. These protesters demanded government reform – i.e. more civil rights and the ending of the ‘state of emergency’ in Syria – from president Bashar al-Assad, to which the head of state brutally responded with the intensive use of violence conducted by the police and military forces to crack down on the civilian protesters (Encyclopaedia Britannica, 2016). However, one must note that the Syrian government, despite its authoritarian roots, lifted its 48-year *state of emergency*⁵ after this was demanded by protesters in 2011 (Haaretz, 2011). Yet, this did not satisfy the demonstrators; demands for the release of political prisoners, freedom of speech, and a multi-party system continued in the form of protests throughout the country (Haaretz, 2011).

In order to understand the current conflict one must not only examine the protests in Syria, but also carefully analyse the *underlying* or *root-causes* of these protests and the psychological impact that the violent,

“In Syria, the abnormal has been normalized; fear has become a way of life and, logically, can only end when the direct threat of violence is escaped”

internationalized, conflict made on civilians in the country: According to Pearlman (2016, p. 24), there are “four types of fear” in the Syrian Arab Republic that lead to the Syrian uprising. Firstly, there is “*silencing fear*,” which is determined by continuous – government – surveillance, intimidation, and detention; consequently, this creates “general climates of insecurity and compliance” under a dictatorship – in this case, the Assad-government. Furthermore, Pearlman (2016, p. 26) identifies the phenomenon of “*surmounted fear*,” which empowers resistance “for political voice”. This fear gave the fundamental and essential support for the Syrian demands for reform in March 2011 (Pearlman, 2016, p. 26).

⁵ This means that the state had “extraordinary powers” in order to counter “existential threats to public order” (Criddle & Fox-Decent, 2012, pp. 44-45).

The third type of fear is “*semi-normalized fear*,” which arises when “danger becomes relentless or extremely unpredictable” and, because people must realize their basic needs, they “have no alternative but to become accustomed to terror” which is on-going since the protests in 2011 to the rise of armed opposition actors, terrorist-affiliated and the physical involvement of international state actors (Pearlman, 2016, pp. 27-28). In Syria, the abnormal has been normalized; fear has become “a way of life” and, logically, can only end when the “direct threat of violence is escaped” (Pearlman, 2016, pp. 27-29). Finally, “*nebulous fear*” has serious consequences for those who are “relocated to safety,” because they have to endure physical and emotional suffering (e.g. due to the “death of loved ones,” “destroyed property and livelihoods,” and “injury”) that causes an “indeterminate future” (Pearlman, 2016, p. 29). As a result, Syrians who flee the conflict areas – either within Syria as internally displaced persons or internationally as refugees – will have long-term psychological traumas of the war; they do not know when or if they can return to their home-country and in what state it will be – they have to rebuild their lives elsewhere while their state is entangled in an internationalized conflict.

Furthermore, it must be noted that there are various hostile regional and international actors who seek to ensure and enforce their own political interests, and therefore, intervened in the Syrian conflict; consequently, the Syrian uprising transformed into a complex internationalized conflict; this was fuelled by the rise of proxy-groups within the conflict: in a nutshell, this is Russia and Iran that is in conflict with the United States, Saudi Arabia, and other Western allies of the US (Pillon, 2014). The heavy fighting between government forces and the opposition forces in densely populated areas such as Aleppo and Damascus caused wreak havoc and, until now, at least 400.000 casualties and 4.8 million refugees – of which nearly one million have applied for asylum in Europe – have been the result of the conflict [SOURCE].

It is of significant importance to note the presence, activity, and influence of Daesh⁶ in Syria on internal and external actors in the conflict; this terrorist organisation has utilized extensive violence against everyone who opposed their ideology and objectives (i.e. the “elimination of infidels,” “worldwide sharia law,” and “hasten the return of the Prophet” (Walt, 2015, p. 42). Furthermore, it is widely argued that the militants have committed genocide, war crimes, and crimes against humanity; take, for instance, their genocidal campaign against minorities in Iraq and Syria (e.g. the Yazidis) (Rayman, 2015).

This terrorist group might be most complex and vital obstacle in Syria and Iraq at this moment; however, there are multiple signs that the relative power of DAESH on the ground is declining, illustrated by the fact that the group is not conquering new territories and the support from the majority Sunni population is ceased due to their cruelty. (Gartenstein-Ross, 2016)

⁶ Daesh: (Arabic) “ad-Dawlah al-Islāmiyah fi 'l-‘Irāq wa-sh-Shām” *trans.* “Islamic State of Iraq and the Levant” (ISIL), also known as “Islamic State in Iraq and Syria” (ISIS), and “Islamic State” (IS) (Walt, 2015, pp. 42-49). This is an extremist ‘Islamic’ terrorist group that primarily operates in Syria and Iraq – where they claim to have established an “Islamic Caliphate” (Walt, 2015, pp. 42-49).

Analysis of the involvement of states and non-state actors: *How and why the involved actors are directly and indirectly part of the conflict in the Syrian Arab Republic*

From civil protest to international conflict

With the demonstrations for government reform that initiated in the Syrian Arab Republic (i.e. Syria) in March 2011 came the violent reaction of the Syrian government that breached human rights of the Syrian population (Dalacoura, 2012, pp. 63-66); militias and terrorist organizations emerged as a reaction to these devastating developments [SOURCE] and “all three major Middle Eastern powers” were involved in the Syrian conflict: Turkey, Iran, and Israel.

Moreover, the international community became involved in the violent conflict: In [DATE] a coalition – led by the United States – commenced with military operations in Syria in the name of ‘human rights’ and the protection of civilians [SOURCE]. Thus, this became an internationalized conflict.

It is argued by some that Bashar al-Assad created the chaos that allowed Daesh to rise in Syria” (Almohamad & Dittmann, 2016, p. 14); however, one must not see one single actor can be blamed for the rise of Daesh in Syria [SOURCE]. Moreover, it is not in the interest of the Syrian government to have this terrorist group active in the Syrian state: the government forces are – in cooperation with Iran, Russia, and some non-state actors – actively fighting Daesh [SOURCE].

However, as this coalition’s action was not approved by the Syrian government, it violated the state’s sovereignty; moreover, the United Nations Security Council (UNSC) did not approve the military intervention because there was no agreement to this between the five permanent member states: The People’s Republic of China (i.e. China).

Turkey’s secret support for terrorism and its war on the Kurds

It is notable that Turkey had maintained and invested in “good” relations with the Syrian government, however, by the end of 2011 “al-Assad’s continuing severe repression had turned Turkey firmly against his regime” (Dalacoura, 2012, p. 76) and “[Turkey] has been firmly coordinating with the Syrian opposition” (Mohammed, 2011, p. 97). Moreover, it is argued by many that Turkey is a “state sponsor” of Daesh terrorism (Investor's Business Daily, 2015); the Turkish-Syrian border has become “an open highway for jihadists from around the world flocking to join DAESH” (Bekdil, 2015, p. 4). In addition, one DAESH fighter and eleven suspected DAESH fighters argued (while on trial in a high criminal court in Turkey), that the Turkish government transported “stocks of weapons” and “military hardware” to DAESH and other terrorist organizations, such as the ‘Al-Nusra Front’ and the ‘Free Syrian Army,’ that are fighting government forces in Syria (Bekdil, 2015, p. 2). These weapons included “some 100 NATO rifles,” that were delivered with help of MIT-insiders (i.e. Turkey’s intelligence agency) (JPost.com staff, 2015). Thus, despite Turkey’s claims to be fighting DAESH as part of the US-led coalition (Kanat & Ustun, 2015, p. 88) – when analysing Turkey’s involvement in Syria from DAESH’ perspective – it is clear that the Turkish government is “an ally [of DAESH] against the Kurds [...] especially when it came to attacking the Kurds in Syria” (Guiton, 2014).

“Despite Turkey’s claims to be fighting ISIS as part of the US-led coalition, it is clear that the Turkish government is an ally of ISIS against the Kurds”

In sum, Turkey has been allowing for the illegal transfer of weapons to DAESH in Syria, allowing for the clandestine DAESH-oil trade (which is the primary financial source of the terrorist organisation), and “[Turkey is] turning a blind eye to Islamist recruitment in [its] suburban neighbourhoods” (Kibaroglu & Sazak, 2015, p. 99).

The United States’ resentment of the Iranian war on DAESH

Furthermore, Iran has been an ally of Hezbollah, which in turn is also allied to the Syrian government; these three actors have one common enemy in the region: Israel – this state’s role in the conflict in Syria will be further elaborated upon in the next paragraph (p.9) (Dalacoura, 2012, p. 77). Another common enemy that these actors have is DAESH (Associated Press, 2015). Thus, Iran is playing a significant role in both Iraq and Syria in their fight against this group; however, despite the United States’ anti-DAESH narrative it is not satisfied with the Iranian battle against the notorious terrorist group (Associated Press, 2015). Moreover, US-Defence Secretary Ash Carter is “concerned” about the Iranians who have “basically taken over the fight” that will, therefore, be “watched very closely” by the US-Defence Secretary (Associated Press, 2015). This illustrates the political interests in the region of – in this case – both Iran and the United States; both states have a common enemy (i.e. DAESH), but are not cooperating to reach this objective because of the firm stance of the US-government against the Syrian state that is supported by Iran (Associated Press, 2015).

Israel’s anxiety for a democratic Syria

The third Middle Eastern power, Israel, “seemed uneasy with the prospect of democratic change in the region” (Dalacoura, 2012, p. 77). The “Jewish state” (Elazar, n.d.), which in breach of international law has been occupying the Syrian Golan Heights since 1967 (UNSC resolution 242, 1967; UNSC resolution 497, 1981), “fears” an even more antagonistic government will take over from al-Assad’s government (Dalacoura, 2012, p. 77). It must be noted that a democratic Syria – or any other Middle Eastern democracy for that matter – is considered to be a threat to Israel: “a more democratic government” could allow for “popular anti-Israel sentiment” (Dalacoura, 2012, p. 77). Therefore, it is not in the interest of Israel for Syria to become a democratic state of any kind; for the Syrians would be in support of reclaiming their territory (i.e. the Golan Heights) – if necessary, by force. Thus, Syria’s *status quo* – i.e., a Syria in conflict – is ‘safer’ and more ‘secure’ for Israel.

*“It is not in the interest of Israel
for Syria to become a
democratic state of any kind”*

Policy Objective: *A sustainable ceasefire for negative peace in the Syrian Arab Republic*

The primary issue that must be tackled is the suffering of the inhabitants of the – formal – Syrian territories; non-combatants have the highest priority to be protected from further physical violence. This is near impossible if the active combatants are at war; therefore, a solid ceasefire is needed. As a result of this armistice, there will be space for diplomacy and dialogue for further developmental peacebuilding activities. This means that all involved states and non-state actors have the opportunity to negotiate their objectives for the future of Syria.

However, in order to sustain the ceasefire, one must take fragile factors into account that will be further elaborated upon in the following paragraphs. The course of action will be to have inclusive negotiations which will lead to a sustainable ceasefire as part of an inclusive peace-agreement, and consequently negative peace in Syria will be attained between the peace-agreement parties.

Members of terrorist organizations like Daesh will receive the opportunity to surrender and face a fair trial in a hybrid tribunal court. When this opportunity is not accepted, one legitimate domestic military reconstruction force, consisting of domestic parties, must be composed to fight against the common enemy: The Syrian Reconstruction Force. This double edged sword will also stimulate cohesion between the parties which agreed to the ceasefire, and provide incentives for individuals to cooperate within a national reconstruction force, scrutinized and regulated by the Syrian Monitoring Committee, which consists of all the relevant actors who each have their own mandate.

KEY: provide incentives to cooperate and sustain ceasefire: young unemployed population.

1: Reconstruction work/projects

2: Build-up of Government institutions / reform SSR/DDR/SALW

3: SRF in combination with UN military -> Fight ISIS and protect Syrians.

Description and Analysis of Possible Interventions:

Inclusive Negotiations

All involved states and non-state actors should be included in negotiations – including terrorist organizations – in order to come to a universal ceasefire in the Syrian Arab Republic. Thus, the Syrian government must negotiate with the opposition parties (e.g. the ‘Free Syrian Army’) and other possible terrorist organizations (i.e. Al-Nusra and DAESH). Furthermore, the United States must negotiate with the Syrian state, the Russian Federation, and the Islamic Republic of Iran. One could argue that terrorist organisations may refuse to cooperate in said negotiations due to fear of persecution in the mediating state [SOURCE]; therefore, representatives of these non-state actors should have diplomatic protection – this must be recognized by all states that are directly or indirectly involved in the conflict in Syria. Finally, the mere invitation of the non-state actors to the negotiation table, even if rejected, creates the much-needed environment for inclusion.

Ceasefire

The inclusive negotiations have the main purpose to attain a sustainable ceasefire within Syria, and consequently protect the civilian population from indiscriminate violence. Consequently, this will provide a foundation for further dialogue and peacekeeping activities. Here, it is essential that the UN special envoy ensures that there the Syrian Monitoring Board (SMC) has the capacity to scrutinize and regulate the ceasefire. In order to attain the negative peace, a combination of policies is required. Security Sector Reform (SSR) must be implemented in combination with the Disarmament, Demobilization and Reintegration programmes, which must be conducted by the Syrian Reconstruction Forces. Besides, the Small Arms and Light Weapons policy to collect illegal weapons, must be conducted in a non-aggressive, but persuasive manner.

One must anticipate upon resistance of various groups due to distrust and concerns that the ceasefire cannot be sustained. Therefore, it is vital that the UN Special Envoy ensures in the negotiations that the parties will accept the multi-ethnic New Syrian Force as a collective army for all people in Syria.

Negative Peace and Social Contract

The negotiations which must ensure an armistice, will result in a negative domestic peace within Syria on the short term. In this situation, the direct fighting between parties has ceased, although grievances and relative hostility may remain on the short term. However, the civilian population is protected, and their human security and human rights are preserved by the Syrian Reconstruction Force, consisting of both UN military personnel and regional actors.

Determine Policy Instrument and Course of Action

The main instrument which must be used are inclusive negotiation talks, which includes all relevant actors on the ground. The Syrian Monitoring Committee (SMC) is essential, and will be devised through the negotiation talks, which performs essential functions in the extensive war-to-democracy transition: scrutinize and mediate the ceasefire, and regulate the Syrian Reconstruction Force (SRF) which will be established through the SSR policy. This diverse multi-ethnic force serves the common objective for all parties to protect the people within Syria and fight against Daesh members and other spoilers who refrain from surrendering. In addition, the SRF will conduct the DDR and SALW programme's as a means to ensure that everyone is treated equal within the peace-agreement.

The SMC will also devise a hybrid court, which must ensure transparent and fair trial for perpetrators of crimes. One must carefully consider whether to provide amnesty to the crimes that have been committed before the peace-agreement, as this creates a vertical dilemma. One can argue that it's better to provide amnesty, at least in the short-term, until there is a fruitful and trust-relationship between the modified state institutions and the Syrian population.

Furthermore, the United Nations Peacebuilding Fund will be requested by the SMC to supervise and assist this complex war-to-peace transition. Essentially, a fifth generation hybrid UN mission must be established, as it combines UN police and military forces, with regional actors on the ground. Subsequently, this mixed force provides a substantial degree of legitimacy in combination with the SMC, to conduct the complex policies such as SSR, DDR, and (Kenkel, 2013)

Consequences of Policy Instrument and Course of Action

The policies implemented will cease the direct destructive violence, and ensure that the civilians' population and all other groups who agreed upon the peace-agreement are protected by the SRF. Moreover, it will stop the interference with other foreign countries and actors, without request or approval by the SMC. Additionally, the formerly hostile actors will be cooperating within shared institutions and forces (SMC and SRF), in order to achieve the common objectives.

From this relatively foundation, further developmental policies and institutions must be developed, in order to work towards national elections and a new inclusive constitution for Syria.

Recommendations

Essentially, the focus on the short term must be to propose inclusive negotiations, and provide the domestic parties a platform to project their resentment and objectives in a peaceful manner. Here, it is vital for the Special Envoy to judiciously regulate the dialogue, and create an atmosphere of reconciliation and cohesiveness. Spoilers must be dealt with through a transparent legal process, conducted in hybrid courts scrutinized by the DSC.

Moreover, the Special Envoy must convince the parties that the new institutions and the policies they must implement are essential to ensure a new democratic Syria: SSR, DDR, and SALW, conducted by the SRF⁷, and supervised by the SMC.

⁷ The SRF are the Syrian Reconstruction Forces, which consists of regional actors who agreed to the peace-agreement, supervised and assisted by UN military and police personnel.

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