



Syrian Network for Human Rights

Assessment of the current situation and recommendations for a political solution and transitional period in Syria

I. Geneva Communiqué is Indispensible:

Reaching a political solution in Syria is not an easy task; especially that all previous attempts have failed. This includes the Arab League Initiative and both of UN Missions of Mr. Kofi Anan and Mr. Lakhdar Ibrahim.

From our perspective, Geneva Communiqué should be the cornerstone for any potential political solution. We believe that most of the talks and efforts that followed Geneva 1 and aimed to interpret it were counterproductive because the permanent members of the UNSC did not have a clear vision for a viable and sustainable political solution in Syria. The UNSC has been unable to implement any of its resolutions regarding the conflict in Syria; this includes resolution 2041 that was issued on 14 April 2012 and resolution 2209 that was issued on 6 March 2015. It is important to mention here that there were two main parties involved in the conflict when Geneva 1 took place: government forces and Shia militias on one side, and different armed opposition groups on the other side. Now, this picture has changed dramatically with the rise of extremists groups such as ISIS, and the increasing involvement of Kurdish factors especially PYD forces. These emerging players have different agendas and perspectives and they are increasingly playing more influential roles which would inevitably affect efforts to reach a political solution.

Nevertheless, Geneva Communiqué should remain the cornerstone for any political solution. Any attempt to create an alternative to Geneva Communiqué would only extend the conflict and complicate it further which would put Syria at greater risks of becoming a failed state, if it is not so already.

II – Cease Fire:

Both of Mr. Annan and Mr. Ibrahim blamed the Syrian regime accountable for hindering the political process. Now, or after 20 years, a political option will still be needed to resolve the ongoing conflict in Syria. A national ceasefire across Syria at the beginning of a political process is not viable. An alternative to this would be working towards local ceasefires at the beginning of the political process. These local ceasefires should be coupled with large amounts of humanitarian aid and also political assistance via a UN peacekeeping and stabilisations mission. This would help with local government and the provision of services, rule of law, disarming and reintegrating armed groups and reforming the security sector.





A No-Fly-Zone resolution would prevent the regime from using its air force to attack the areas where ceasefires are more difficult to achieve; this would help civil society organisations and local authorities to provide services and engage positively with local residents in order to encourage and facilitate ceasefires.

There is a number of negative consequences from a human rights perspective with local ceasefires achieved in the past in Old Homs and Moadamiya, for example. These were achieved by government forces through the perpetration of war crimes and human rights violations, including sieges of civilians. Another problem was the fact that government forces exploited the situation following such ceasefires to round up perceived opposition activists leading to the arbitrary detention and enforced disappearance of hundreds of people.

One another drawback was the absence of proposed mechanisms for ensuring such violations would not occur, it was not also clear the extent to which civil society could play a role in monitoring and reporting such violations (and be protected from reprisals). Such issues should be considered and addressed carefully when thinking of local ceasefires in the future. We recommend that any plan for local ceasefires should contribute to the protection of civilians and ending enforced disappearance and arbitrary detention.

The UN should develop a robust mechanism to monitor parties' respect for International Human Rights and Humanitarian Law in and around any ceasefire area. Components of truth and justice should be incorporated in any UN plan.

The UN should ensure that any plan would help to generate measurable improvements in humanitarian access to civilians; this is very important to re-activate the cycle of economy in Syria which has been severely damaged by the fighting; heavy and random bombardment by government forces contributed to the huge destruction in infra structure, factories and residential areas. Improving local economies would create jobs and encourage re-integrating of fighters into society; this is a vital process to achieve sustainable ceasefires.

III – UN organised and monitored elections:

We are not convinced that the majority of the Syrian people would support a Dayton-style solution. International powers usually prefer stability over political solutions; therefore, SNHR believes that the Syrian people would reject any partition plans or power share deals based upon sectarian or ethnic grounds; such plans act as time bombs and they might lead the country to further conflicts in the future.

UN presence and assistance in Syria would be needed during the transitional period, a long-term and well-thought-through and resourced UN stabilisation mission sounds to be one of the best proposals. A UN stabilisation mission would help to prevent further sectarian divisions and violence; this would hopefully turn Syria towards a process of democratic elections leading to a parliamentary democracy.





“Let the Syrian people decide” should mean credible elections not the imposition of a new unelected government. Any elections organised by Assad regime alone would not be credible. Elections for a new parliamentary system should be planned, organised, administered and monitored by the UN’s Electoral Assistance Division (EAD) at the UN Department of Political Affairs.

Within this context, the UN should empower civil society organisations to help them promote the culture of human rights and citizenship, upholding such principles in any society would help to ensure that the outcomes of elections would be honoured and respected.

UN Forces:

UN presence would be needed on the ground beyond political, humanitarian, and technical assistance. Peacekeepers are needed to ensure that local, and most likely fragile, ceasefires would hold. Their mandate would be probably under review every month to ensure it is fit for purpose, the situation would be assessed on all levels regularly and amendments to the mandate would be introduced appropriately. This would be part of a national stability plan. All of this require a UNSC resolution. The stabilisation force could be then withdrawn gradually in the same way it was implemented – locally and gradually based on clear assessment. Such assessments are crucial, especially in certain areas where sectarian and ethnic sensitivities exist, to avoid any vacuum.

We estimate that such a process could take up to 20 years (4 - 5 election cycles all organised by the UN with gradually increasing input from new Syrian government).

Spoilers:

There are so many potential spoilers: pro or anti regime, media and think tanks, regional and international players, and extremist groups.

The big question here remains: what will happen to those who have committed grave violations from all sides? Those are expected to hinder and fight against any political solution in Syria. It is inconceivable, in our views, that Assad and his senior officials would be able to play a positive role in the process of the political solution. This would require Russia and Iran to accept the fact that Assad is a spoiler and cannot be a facilitator.

One issue that needs to be considered carefully in this context is whether Iran can play a positive role in facilitating a national dialogue that would lead to a viable political solution followed by credible elections. It is very difficult, at least at this stage, to believe that Iran can be a constructive factor considering its destructive role in the conflict by fuelling the sectarian tension and supporting the regime financially and militarily. It is likely that Iran will increase its involvement in Syria after its success in securing a reasonable “Nuke Deal”. The “Nuke Deal” will free Iran from the many political and financial obstacles that are hindering it currently.





The other important issue that should be taken into account when talking about a sustainable political solution is the role of extremist groups in the process of national dialogue and political solution; and whether representatives from these groups can be involved. Developments on the ground suggest that sponsors of the political process should take these issues into careful consideration. It is possible that extremist groups may not wish to engage and may not be open to reasonable and rational dialogue or elections because of their strict interpretations to concepts of good governance and elections.

The Syrian Network for Human Rights recommends that the UN would consider these points very carefully especially with the increasing risks of spill-over, which would threaten regional stability. The UN should assist with containing sectarian narratives and violence which are destroying Syria and the Syrian society; this requires facilitating a political solution that is based on an inclusive Syrian identity, and promoting concepts of citizenship and rule of law.

The silence and indifference of the international community will only lead to further violence and destruction in Syria. It is very important the UN would embrace its responsibilities towards the Syrian people and put more pressure for an ambitious vision to achieve a sustainable political solution before it is too late.

