

BRIEFING

Syria: stalled peace process and blocked humanitarian access

Author: Kirsten JONGBERG
with contributions from Marika LERCH
& Wanda TROSZCZYNSKA VAN GENDEREN

1 Syria peace talks at a standstill

The third round of peace talks held in Geneva between 13 and 27 April failed. The talks, that were based on the agreement reached by the International Syria Support Group (ISSG)¹ in Vienna in November 2015 and endorsed by the UN Security Council [Resolution 2254](#) in December, set out a timeline towards a transition. However the deteriorating situation in Aleppo has so far prevented the resumption of peace talks. The ISSG ministerial-level meetings are still suspended, although the ISSG's Humanitarian Task Force (HTF) and Cessation of Hostilities Task Force (CTF) continue to meet in Geneva – with the CTF now chaired directly by the UN (rather than being co-chaired by the US and Russia, as it was until their falling-out on 3 October).

An investigation by a team from the UN and the Organisation for the Prohibition of Chemical Weapons (OPCW) in August gave substance to allegations that [both the Syrian regime and the Islamic State \(IS\) group have used chemical weapons in 2014 and 2015](#) (chlorine gas by the Syrian regime and mustard gas by IS). The UN Security Council met on 17 November and passed [Resolution 2319](#) to extend the mandate of the Joint Investigative Mechanism for a further year.

The UN has proposed a cease-fire plan for Aleppo, which consists of a sequence of actions:

1. The cessation of aerial bombardments – from all sides;
2. The departure of all al-Nusra fighters with their weapons and anyone who would wish to join them;
3. Full humanitarian access;
4. Local administrations to take over the running of the city.

¹ Multilateral talks were held in Vienna in October 2015 resulting in the establishment of the International Syria Support Group (ISSG), whose aim is to find a diplomatic solution to the Syrian civil war through the full implementation of [the 2012 Geneva Communiqué](#). It is co-chaired by the US and Russia and is backed by UN Security Council in Resolution 2254 of December 2015. Further members of the ISSG include the Arab League, Australia, Canada, China, Egypt, the EU, France, Germany, Iran, Iraq, Italy, Japan, Jordan, Lebanon, the Netherlands, Oman, the Organisation of Islamic Cooperation, Qatar, Saudi Arabia, Spain, Turkey, the UAE, the UK, and the UN. The ISSG has two working groups – a Humanitarian Task Force and a Cessation of Hostilities Task Force.

At a meeting with the Special Envoy, Syrian Foreign Minister Walid al-Mouallem strongly rejected this plan, calling it a violation of 'national sovereignty'. The Syrian government opposes the handing over of the city to the local (opposition) administration². Russia also opposes the idea of a transition plan for eastern Aleppo involving the local authorities, which it views as terrorists.

The Special Envoy has been focusing on visits in the region and with key international partners to try to unlock the political process and restart the Intra-Syrian talks. As of 20 November, he and his team had held bilateral meetings with Turkey, Iran, Russia and Syria. In the coming weeks the Special Envoy will hold talks in Brussels, New York and Washington. His next briefing to the UN Security Council is scheduled for 8 December.

The UN Special Envoy for Syria

Staffan de Mistura, a seasoned Italian-Swedish diplomat previously serving as a UN Special Envoy to Iraq, Afghanistan, and Southern Lebanon (as well as a deputy foreign minister under the former Italian Prime Minister Mario Monti), was appointed the Special Envoy for a peaceful resolution of the conflict in Syria by the former UN Secretary-General Ban Ki-moon on 10 July 2014. The two previous envoys, the UN former Secretary-General Kofi Annan and senior UN diplomat Lakhdar Brahimi, both resigned in the face of a lack of political will from the main stakeholders trying to end the conflict. The role of the Special Envoy is to liaise with the warring parties to bring them to the negotiating table, prodding them to enter a dialogue.

Since his nomination, de Mistura has proved to be an energetic mediator, extensively liaising with the Assad regime and the opposition High Negotiations Committee representatives, the key regional actors (including Saudi Arabia, Turkey, Jordan, Qatar and Iran), and the global powers involved in the conflict, particularly Russia, China and the United States.

With his office based in Geneva, de Mistura initially assembled an advisory/support team of loyal staffers who used to work with him on his previous UN assignments. As the initial team selected appeared not to possess the necessary geographic expertise and contacts, the initial phase of the activities carried out under the auspices of the Envoy were criticised as lacking professionalism, generating a wave of bad press. Since then, the Envoy has made a number of personnel changes, ensuring the advisory and support team has the necessary expertise and political weight required for the job.

As the Syria Special Envoy, de Mistura has shown a great deal of creativity, energy and commitment. In the initial year of his mandate, he pushed for a number of local ceasefires in Aleppo, hoping this would lead to a wider, joint-up ceasefire at a later stage (this approach worked to some extent in parts of Homs and Barzah). This idea backfired in February 2015, when the Assad regime launched a military offensive to encircle the last resisting enclaves in the city, around the same time that de Mistura was due to report to the UN Security Council on the possibility to halt the Aleppo airstrikes by the Assad forces.

In recent months, de Mistura has reportedly concentrated on cementing his links with various Syrian opposition leaders, in part to fend off earlier criticism that he concentrated excessively on building contacts with the Assad regime in the initial stages of his mandate, while neglecting to cultivate links to the other side.

The Special Envoy has appeared a number of times at the European Parliament, including in the Foreign Affairs Committee, most recently on 2 February 2015. During his appearances, de Mistura has debriefed on his activities, expressing a personal belief that a political solution is still possible, describing it as a precondition to dealing with IS. Staffan de Mistura will address a joint meeting of the European Parliament's Foreign Affairs and Development Committees on 29 November 2016, alongside Stephen O'Brien, UN OCHA Under-Secretary-General and Emergency Relief Coordinator.

² <http://www.bbc.com/news/world-middle-east-38043157>

2 Humanitarian situation and Human Rights

2.1 Aleppo: a humanitarian tragedy

Considered by both sides as one of the keys to the war, the intense fighting for the control of Aleppo has led this historic city to become the epicentre of the Syrian tragedy. The city is split between pro- and anti-Assad, with Syrian troops supported by Russia and Iran controlling the western part, and coalition-helped rebels in the eastern part of the city, plus a presence of Jihadist fighters.

The [UN Special Envoy for Syria warned in October that eastern Aleppo could be 'totally destroyed'](#) within the next two to two and a half months if nothing is done. He made a direct appeal to the estimated 900 al-Nusra fighters in the city, asking them to leave Aleppo to save the 275 000 civilians in the city and offering to personally escort them out of the city to any destination they chose. He also appealed to the Russians to spare the lives of the civilians of Aleppo.

As a result of the ongoing fighting, humanitarian aid operations in eastern Aleppo have come to a complete stop. The last inter-agency cross-line convoy to deliver primary health items to eastern Aleppo took place on 23 June 2015. The last UN cross-border convoy took place on 7 July 2016. Although the UN's humanitarian aid warehouses are full, access is repeatedly denied. On 13 November, the last available food rations were distributed by the UN World Food Programme and only a handful of NGO rations remain³. Reports started coming in on 19 November that all the hospitals in eastern Aleppo had been either totally destroyed or put entirely out of commission by bombings. Syrian Foreign Minister Walid Mouallem denied that any bombings of hospitals in eastern Aleppo had taken place.

The dire humanitarian situation in Aleppo led HR/VP Mogherini and Commissioner Stylianides to launch an ['EU emergency humanitarian initiative for Aleppo'](#) on 2 October. The initiative is being taken in cooperation with the UN and focuses on the urgent delivery of basic humanitarian assistance to civilians in eastern Aleppo, including medical supplies, water and food, as well as trying to ensure medical evacuations of those in urgent need to medical care. A EUR 25 million emergency aid package was released as part of the initiative. The recent [European Council conclusions](#) of 20-21 October invited the EEAS and the Commission to continue pursuing the emergency humanitarian initiative.

The UN has now also produced a humanitarian plan for Aleppo, which was presented to the ISSG Humanitarian Task Force (HTF) on 3 November. Prior agreement by all parties to the conflict would be needed in order to facilitate this plan, with at least 72 hours' notice to put everything in place. The UN estimates it would need at least eight continuous days of cessation in hostilities to allow the full plan to be implemented. The humanitarian plan is broadly consistent with the EU initiative and includes a sequence of actions to be implemented:

1. Delivery of urgent life-saving medical assistance by a UN/ICRC/SARC team from western Aleppo to eastern Aleppo;
2. Medical evacuation of the critically injured and sick and accompanying family members;
3. Delivery of food and other urgent relief through the most safe and effective route and modality;
4. Rotation of medical staff.

On 20 November [the Special Envoy stated that he still had not received an agreement from the Syrian government on the four points of the UN humanitarian plan for eastern Aleppo](#), while he had received an 'in principle' agreement from the armed opposition groups⁴.

³ http://reliefweb.int/sites/reliefweb.int/files/resources/ERC_USG%20Stephen%20Brien%20Statement%20on%20Syria%20to%20SecCo%2021NOV2016%20CAD.pdf

⁴ [Statement from the Revolutionary Groups approving of the United Nations' humanitarian initiative](#), 21 November 2016.

2.2 Humanitarian situation in Syria

The Humanitarian situation in Aleppo is particularly dire, but across the country there are an estimated 13.5 million people in need of humanitarian assistance, 4.5-5.5 million of which are in besieged or hard-to-reach areas. A year ago there were estimated to be 393 700 besieged people. This figure stood at 486 700 six months ago and has increased dramatically since to reach a total of 974 080 today (according to UN OCHA). This is the world's largest humanitarian crisis since World War II according to the Commission's DG ECHO⁵.

UN OCHA estimates that over 250 000 Syrians have been killed and over one million people have been injured in the conflict since March 2011⁶. 4.8 million Syrians have been forced to flee the country and at least 6.1-6.5 million people have been internally displaced, with tens of thousands amassed at the Jordanian border in dire need of lifesaving assistance, making this the largest global displacement crisis.



Four out of five Syrians now live in poverty and the average life expectancy has dropped by more than 20 years since the conflict began. The economy has shrunk by 40 % since 2011, more than 2 million children are out of school, UNICEF has recorded 84 attacks on schools in 2016 alone and all 12 of the Millennium Development Goal indicators have gone backwards⁷. UN OCHA estimates that only 42 % of its funding needs for Syria have been met⁸.

As recently as 21 November, [Stephen O'Brien reported the deteriorating humanitarian situation and the lack of access to the UN Security Council](#). Despite the many efforts to negotiate access for humanitarian convoys, he was forced to report that there had been no inter-agency cross-line convoys anywhere in Syria in the last four months. There has, however, been some limited success with cross-border operations and airdrops. He was also able to report that aid operations for the Syrian refugees blocked at the Jordanian border were to commence on 22 November.

Stephen O'Brien also had strong words for the Security Council, saying *'shame on us for not acting to stop the annihilation of eastern Aleppo and its people and much of the rest of Syria too'*. Later he berated the group for being either 'unable or unwilling' to put an end to sieges in Syria: *'if the Council can't come together to bring an end to sieges, then you and we must all ask ourselves: why are we having this session here this morning?'* He also referred to the fact the some of the violations of international humanitarian law may be considered war crimes, as also stated by the UN Secretary General, or crimes against humanity, according to the UN High Commissioner for Human Rights.

⁵ https://ec.europa.eu/echo/files/aid/countries/factsheets/syria_en.pdf

⁶ <http://www.unocha.org/syrian-arab-republic/syria-country-profile/about-crisis>

⁷ <http://www.unocha.org/syrian-arab-republic/syria-country-profile/about-crisis>

⁸ <http://www.unocha.org/syria>

The International Rescue Committee (IRC) this month issued a call to UN Security Council Members and key UN Member States to expand the scope of the [UN Security Council Resolution 2165](#), which allows the UN and its implementation partners to deliver cross-border humanitarian aid to Syria from Jordan. Resolution 2165 is up for renewal in January 2017 and the IRC would like to see it extended to include the Jarabulus border crossing from Turkey into Syria, which will be crucial for the delivery of aid to Raqqa once it is freed from IS control.

The EU and its Member States are the leading providers of assistance with more than EUR 8.9 billion of total budget mobilised collectively so far. In Syria and in the neighbouring countries of Lebanon, Jordan, Iraq, Turkey and Egypt, of which nearly EUR 5 billion in humanitarian aid. At the 'Supporting Syria' fundraising conference in London in February 2016, the EU and Member States pledged over EUR 8 billion for 2016-2020.

2.3 Human Rights

The crisis in Syria is not only a humanitarian, but also a human rights crisis. The Independent International Commission of Inquiry on the Syrian Arab Republic, established by the UN Human Rights Council, has reported grave violations of international humanitarian law as well as of human rights by all sides, both inside and outside conflict zones in Syria. A thematic report by the Commission in February 2016 describes the systematic killing and torture of detainees held by the Syrian government as war crimes and crimes against humanity.

3 The EU's political role in relation to Syria

[VP/HR Federica Mogherini addressed the European Parliament on 22 November and outlined how she has been actively working with the UN Special Envoy and has succeeded in carving a special role for the EU in Syria](#). The EU's focus on the humanitarian aspects of the conflict, as well as the early decision not to get militarily involved, have allowed the VP/HR and her team to open channels of communication and develop relationships of trust with players at all levels and on all sides of the conflict. The VP/HR has been meeting with international, regional and local players in the conflict to try to carve out a space for dialogue and the identification of common ground. It has become clear that *'the military-to-military work on the cessation of hostilities is more and more difficult in the absence of a wider political understanding on the future of Syria'*. The VP/HR is therefore been engaging key regional and local actors on the future of Syria, post-conflict planning and the identification of elements of a positive agenda for the country. She hopes that this dialogue about the future will help refocus the conflict away from military escalation and open the door for a peace process.

In recent weeks the VP/HR has met with Foreign Minister Al Thani of Qatar, President Rouhani and Foreign Minister Zarif of Iran, King Salman of Jordan, Foreign Minister Bassil of Lebanon, Foreign Minister Sheikh Abdullak of the UAE, Foreign Minister Nasser Judeh of Jordan and Syrian opposition groups. She has plans to also meet with Turkish Foreign Minister Çavuşoğlu and the Egyptian Foreign Minister Shoukry. She and her team are in constant contact with the UN Special Envoy and his team. They are also working with city councils and local administrations in eastern Aleppo and all across Syria.

Jean-Claude Juncker had called for a European Strategy for Syria in his 'State of the Union' address on 14 September. The EU is increasingly becoming an 'indispensable force' for achieving peace in Syria, with the VP/HR's relentless engagement of key actors, the launch of the EU Humanitarian Initiative in early October, increased sanctions against the Syrian regime and firmer wording on the condemnation of the use of chemical weapons and breaches of international humanitarian law and human rights law.

In the last month 27 new names, including [17 Syrian ministers and the Governor of the Central Bank of Syria](#), were added to the list of those targeted by EU restrictive measures against the Syrian regime for being responsible for the violent repression against the civilian population in Syria, benefiting from or supporting the regime, and/or being associated with such persons. This latest addition brings the list to a total of 234 people.

On 20-21 October the [European Council adopted conclusions](#) which strongly condemned *'the attacks by the Syrian regime and its allies, notably Russia, on civilians in Aleppo'* and stated that the EU would consider all available options if the atrocities did not come to an immediate end. This was a watered-down version of what several Member States, who wanted to impose sanctions on Russia or at least threaten to do so, had asked for⁹.

On 17 October the [EU Foreign Affairs Council](#) called for the situation in Syria to be referred to the International Criminal Court, particularly in relation to the use of chemical weapons and breaches in international humanitarian law and human rights law, and called on the UN Security Council to act on this. Additionally, the conclusions reaffirmed the EU's commitment to a non-military resolution of the conflict and to continued humanitarian diplomacy, stressing the central importance of the International Syria Support Group and its Humanitarian Task Force. The statement promised further sanctions against Syria, but not Russia. Russia, however, was singled out as being responsible for obstructing the negotiations for both a cessation of hostilities and humanitarian access to Aleppo, and the conclusions put the onus on Russia to end the crisis. Following publication of these conclusion, [the Syrian opposition High Negotiations Committee issued a statement](#) calling for the EU to pursue Russia over war crimes or lose credibility.

EP position on Syria

Parliament has followed the Syria crisis with a series of resolutions, debates and missions to neighbouring countries. Syria was also a major topic during meetings held by the AFET/DROI delegation to the UN General Assembly in November, including with future UN Secretary General, Antonio Guterres, and the President of the UN General Assembly, Peter Thomson. Parliament's [resolution of 6 October 2016](#) on Syria provided strong support to the humanitarian initiative launched by the HR/VP and Commissioner Stylianides, called on the HR/VP to renew efforts towards a common EU Syria Strategy, and insisted that the Assad regime and Russia stop attacks on civilians and civil infrastructure. Following a plenary debate with the HR/VP, Parliament adopted [another resolution on 24 November](#) in which Parliament reiterated its call to the HR/VP to renew efforts towards a common EU Syria Strategy and called on all parties in the conflict to allow unhindered and continuous humanitarian access, particularly in besieged areas of the country. The resolution condemned the atrocities and widespread violations of international human rights law committed by the Assad regime with the support of Russia and Iran, as well as by non-state armed terrorist groups, such as Da'esh and Jabhat Fateh el Sham (al-Nusra). The Parliament expressed concern over the unlawful detention and torture of detainees in regime prisons and secret detention centres. It called for the end to impunity for these crimes, asking the EU and its Member States to ensure that violators face justice through an impartial criminal justice mechanism or national courts and through the application of the principle of universal jurisdiction; and called on the EU and its Member States to push the UN General Assembly for the creation of a Syrian war crimes tribunal.

The DEVE committee discussed the humanitarian initiative for Syria with the Commission's DG ECHO on 11 October and again with Commissioner Stylianides on 8 November 2016. The EP has been a strong supporter of the Commission in securing an adequate EU humanitarian aid and development budget, and has regularly approved the use of the emergency aid reserve to fund emergency humanitarian actions in conflicts such as the one in Syria.

⁹ <https://www.theguardian.com/politics/2016/oct/20/may-european-leaders-stop-russian-atrocities-syria-brexit>

4 Future concerns

The Syrian regime and its allies appear to be pursuing a strategy of total war, particularly in Aleppo. Despite a relatively well-respected ceasefire in Aleppo in October, the fighting has since resumed with a massive escalation in the last two weeks. Given the city's strategic importance, both in terms of population size and economy, their success in capturing Aleppo could be a game-changer in the conflict.

Reports have been flowing in since October that IS fighters from Iraq are fleeing to Syria in the face of the ongoing campaigns by Coalition forces against IS, particularly the push for Mosul. The Syrian city of Raqqa is likely to become a growing problem as more IS fighters arrive. The Syrian regime is suspicious that this is a deliberate strategy by the current US administration to ensure Assad's forces are forced into a head-first confrontation against the entire IS caliphate army¹⁰.

Recently Erdogan attacked US plans to work with the Kurdish-led Syrian Democratic Forces (SDF) to clear Raqqa of IS fighters. The SDF includes units from the Kurdish People's Protection Units (YPG), which are linked to the Kurdistan Workers' Party (PKK), which Turkey has outlawed and with which Turkey has had on-going insurgent conflicts since the 1980s¹¹. Turkey continues to move against IS and Kurdish militia in northern Syria and commentators have argued that Turkey's desire to get involved with the battle against IS may in fact be aimed at countering the recent expansion of Syrian Kurdish (YPG) forces at the border and creating a 'buffer zone'. Turkey and the US have reportedly now reached an agreement on how to recapture Raqqa from IS¹², but it remains to be seen how Turkey's policy and military interventions evolve.

The Trump administration's potential shift towards cooperation with Russia and the Syrian government in their fight against IS, could also seriously shift the balance of power. For now, both sides are waiting to see what the new administration will do.

Meanwhile, the UN Special Envoy and the EU HR/VP plan to continue to work together to push for a political resolution to the conflict and a revival of the Intra-Syrian Talks. Post-conflict planning discussions are likely to become increasingly important in facilitating these talks.

¹⁰ <http://www.independent.co.uk/voices/mosul-offensive-isis-flee-iraq-syria-raqqa-bashar-al-assad-what-then-robert-fisk-a7365776.html>

¹¹ <http://www.independent.co.uk/news/world/middle-east/raqqa-offensive-latest-erdogan-criticises-kurdish-us-assault-a7404831.html>

¹² <http://www.independent.co.uk/news/world/middle-east/isis-mosul-us-turkey-raqqa-offensive-iraq-partnership-plan-a7402881.html>

