Briefing March 2017



Mapping the future of Syria State of play and options

SUMMARY

Despite the humanitarian and security crisis, progress towards a United Nations (UN) negotiated political settlement of the conflict has been slow, mostly on account of disagreement over President Bashar al-Assad's future. The adoption of UN Security Council Resolution 2254 on 18 December 2015 – setting out a roadmap for a peace process in Syria with a clear transition timeline – offered new hope but failed to produce results. After several failed attempts at a cessation of hostilities, the ceasefire brokered by Russia and Turkey in December 2016, including a monitoring mechanism for violations, opened the way for a new UN Security Council Resolution 2336 which was adopted unanimously on 31 December 2016. The resolution provided an impulse for re-booting the political process during the talks in Astana at the beginning of 2017.

At the same time, the discussion about the future of Syria revolves around questions linked to the future of the Assad regime, territorial integrity of Syria, political accountability, the creation of safe zones, and the reconstruction work that will follow a potential peace agreement. In March 2017, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, presented a joint communication providing elements of an EU strategy for Syria. For its part, the European Parliament has focused on addressing the implications of the refugee crisis, strengthening EU humanitarian assistance in Iraq and Syria and aid to vulnerable communities, and improving the EU response to the terrorist threat posed by ISIL/Da'esh.

This is an updated edition of a <u>briefing</u> published in January 2016. See also our briefings on the impact of the Syrian crisis on Jordan and Lebanon.



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Evolution of the conflict in Syria

The conflict in Syria has its roots in structural and <u>economic</u> problems that were already widespread in Syria in the early 2000s. Prior to the violent uprising of 2011, the countries of the greater Fertile Crescent had experienced one of the most severe <u>droughts</u> in history. According to the United Nations <u>Response Plan</u>, by 2009, some 1.3 million inhabitants of eastern Syria had been affected by this disaster, with 803 000 persons having lost almost their entire livelihoods and facing extreme hardship. Between 2006 and 2009 the income of over 75 641 affected households decreased by 90 % and their assets and sources of livelihood were severely compromised, resulting in large-scale migration out of the affected areas to urban areas (figures range from 40 000 to 60 000 families). At the time, the international community was <u>slow</u> to respond to the appeals by major donor organisations: according to the UN Office for the Coordination of Humanitarian Assistance, as of June 2010, only 33 % of the required assistance had been provided. A <u>report</u> by the National Academy of Sciences of the United States of America suggests that a mass migration of farming families to urban centres and growing inequalities eventually contributed to the political unrest.

What started as local anti-government protests staged via social media evolved into nationwide demonstrations, including in urban areas of Daraa, Homs, Hama, Idlib, parts of Damascus and Aleppo. The response of the Syrian president, Bashar al-Assad — who wanted to avoid the fate of Tunisia's president, Ben Ali, and Egypt's Hosni Mubarak — was brutal and extensive. After promises of reform in 2011, Assad's regime resorted to violent methods of repression, including the regular bombing of civilian areas from mid-2011; the arrest, torture and execution of thousands of political activists; action to deprive rebellious regions of access to food, water and electricity; and the use of chemical weapons against the civilian population. With the spiral of violence quickly escalating, the conflict resulted in the biggest humanitarian crisis since World War II. Millions of Syrians have either been internally displaced or have fled the country. The security vacuum that emerged as a result of the conflict allowed terrorist organisations to expand their activities without any constraint. Six years into the conflict, the international community has failed to find a solution that would ensure political, social and economic development for Syria and the Syrian people.

Political process: from Geneva to Astana

The process aimed at finding a political solution has moved forward at a varying pace with various actors taking over the steering wheel. Although the UN-led process is formally acknowledged as the default position — a sort of 'autopilot' mode for the political negotiations — various combinations of 'honest brokers' have attempted to land the final deal: Iran and Russia, Russia and the United States of America (USA), and most recently Russia, Turkey, and Iran. Despite many years of diplomatic efforts — including the <u>Six-Point Proposal</u> by special envoy Kofi Annan and the Arab League's 2012 peace initiative — the main political challenge in Syria remains the same: to design a political transition process acceptable to all sides of the conflict. A number of earlier political initiatives aimed at finding a solution were unsuccessful. UN special envoys Kofi Annan and Lakhdar Brahimi consecutively resigned in the absence of genuine talks.

Since the beginning, progress towards the implementation of the 2012 <u>Geneva Communiqué</u> – which called, inter alia, for the establishment of a transitional governing body, review of the constitutional order and free elections – has been very slow. The international conference convened by the USA, Russia and the UN in Geneva in January

2014 – the Geneva II conference – aimed to provide implementation of the 2012 <u>Geneva Communiqué</u> with new impetus, but the talks broke down only a month later. In July 2015, the UN Security Council (UNSC) <u>endorsed</u> a <u>new approach</u> presented by the UN's current special envoy for the Syrian crisis, Staffan de Mistura. The novelty of de Mistura's plan rested in the idea of deepening the Geneva consultations format, by establishing intra-Syrian <u>working groups</u> to address the key aspects of the Geneva Communiqué: safety and protection of civilians; political and constitutional issues pertaining to the formation of a transitional government; military, security and counterterrorism issues; and the continuity of public services, reconstruction and development. The aim was to steer the consultations towards the emergence of a 'Syrian-owned framework document' on the implementation of the Geneva Communiqué.

The intensification of military operations in Syria in 2015 and their impact on an already dire humanitarian crisis provided the impetus to reinvigorate the diplomatic process. At the initiative of the USA and Russia, a group of 17 countries, plus the European Union, the United Nations and the Arab League, <u>formed</u> the International Syria Support Group (ISSG) in October 2015. For the first time, the ISSG brought all regional stakeholders to the same negotiating table, whereas previously Iran had not been invited. In the ISSG joint <u>statement</u> issued on 14 November 2015, the participants expressed their commitment to ensuring 'a Syrian-led and Syrian-owned political transition based on the Geneva Communiqué in its entirety' – a point that had previously led to disagreement. However, no consensus was reached on Assad's future.

The elements of the ISSG joint statement provided the foundations for UN Security Council Resolution 2254, adopted on 18 December 2015. This was the first UN resolution laying out a possible political solution to the conflict in Syria, as Russia and China have vetoed four other UNSC resolutions on Syria since 2011. The resolution acknowledged the central role of the ISSG platform in facilitating the United Nations' efforts and asked the secretary-general to report back to the Security Council on the implementation of this resolution, including on progress of the UN-facilitated political process, by 16 February 2016. The process, however, suffered significant setbacks owing to violations of the cessation of hostilities agreement of February 2016 and difficulties with engaging Assad's regime and the opposition in direct talks. Several other attempts at establishing a ceasefire have also failed.

The ceasefire brokered by Russia and Turkey in December 2016, including a monitoring mechanism for violations, opened the way for a new UN Security Council Resolution 2336, which was adopted unanimously on 31 December in support of the package of documents issued on 29 December. The resolution provided the impulse needed to reboot the political process during the talks in Astana in mid-January 2017 and to resume intra-Syrian talks under UN auspices in February 2017. The opposition and government used the Astana talks on 23-24 January 2017 to advance their respective objectives: the former to consolidate the ceasefire, seek the release of detainees, and ensure the flow of humanitarian aid to besieged areas; the latter to consolidate the ceasefire and exclude rebel groups associated with Jabhat Fateh al-Sham (formerly known as Jabhat al-Nusrah) and to lay the ground for 'local reconciliation' arrangements with armed groups. According to the Russian Ministry of Defence, the leaders of 1291 inhabited areas signed reconciliation agreements. Several UNSC members expressed concerns that in the absence of adequate coordination with the UN-run process there was the risk of a parallel political process emerging.

The fourth round of the <u>intra-Syrian talks</u> was held between 23 February and 3 March. On the basis of Resolution 2254, de Mistura proposed to structure the discussion around three parallel 'baskets': governance, constitution, and elections. Following the proposal from the Syrian government to include counter-terrorism as a separate issue – one that was initially <u>rejected</u> by the High Negotiations Committee – the negotiations tackled a fourth 'basket' on security-related issues and medium-term confidence building measures along with terrorism.

Looking ahead: what future for Syria and the Syrian people?

Two main challenges face those working towards a lasting political solution to the conflict in Syria: the need to find an acceptable middle ground concerning Assad's future, and the issue of a governance structure for Syria. Divisions within the UN Security Council have made it difficult to implement some of the <u>options</u> that were put forward with the intention of bringing peace and security to Syria, including imposing an arms embargo or targeted <u>sanctions</u>, referring Syria to the International Criminal Court, or authorising a no-fly zone to deter Syria from using its aerial capacity.

The future of Assad

The conflict between those who would like to see Assad gone, including the USA, the EU and the majority of Arab states, and pro-Assad countries like Iran and Russia, who see the regime's survival as crucial to their own interests in the region, is at the core of the debate about the future of Syria. The debate about Assad's role in the region oscillates between two extremes describing him as both arsonist and firefighter. While some see him as the only way to keep ISIL/Da'esh at bay, others view him as the source of terror (e.g. citing Assad's decision to release Islamists from prisons as evidence). Following the victory of government forces in Aleppo and with still firm support from Russia and Iran, the position of Syria's president is for the time being secure. That does not mean, however, that pro-Assad parties see eye to eye concerning his future.

Following the Astana talks in January 2017, Russia circulated a draft of a comprehensive new constitution for Syria (the existence of such a draft had already been reported in 2016). It envisages a seven-year presidential term with only one re-election, which would allow Assad to finish his current term and, if re-elected, stay in power until 2028. However, the draft also curtails some of the president's powers while strengthening the role of the prime minister, parliament, judiciary, and regional assemblies. The emphasis on regional assemblies might be difficult to accept for Turkey, which is cautious of any potential concessions to the Kurds, and for Iran, which has invested heavily in empowering local militia groups, such as the National Defence Forces and Suheil al-Hassan's Tiger Forces with strong links to the Islamic Revolutionary Guard Corps (IRGC). Such a weak confederation of militia groups would help Iran secure complete control of the Damascus-Lebanon corridor and ultimately protect Hezbollah. UN special envoy Staffan de Mistura has stressed repeatedly that the Geneva talks are based on Resolution 2254, which provides for the establishment of credible, inclusive and non-sectarian governance, and sets a timeline and process for drafting a new constitution and holding free and fair elections within 18 months.

The <u>question</u> is whether keeping Syria's territorial integrity is possible without Assad. Solving the conflict in Syria means putting a process in place that can reconcile the divergent positions of pro-government forces and hundreds of anti-government groups on a wide variety of issues. Replacing the Assad regime with a state governed by some form of Sunni Islamic law provides an ideological umbrella for many opposition groups,

but is rejected by some Sunni and non-Sunni minorities. Views also differ on which members of the currently ruling Alawite elite, if any, should be allowed to form part of the new political arrangement. Several names are being circulated as Assad's likely replacement: Maher al-Assad, the president's younger brother, with extensive military experience and close ties to Teheran; General Jamil Hassan, head of the Air Force Intelligence Directorate; and Ali Mamlouk, Director of the National Security Bureau.

Government, opposition, and terrorists

Following the adoption of Resolution 2254, it was clear that its implementation depended on the success of two other parallel processes led by Jordan and Saudi Arabia, aimed at establishing a list of the groups that would be allowed to participate in the political transition process and developing a common understanding on groups and individuals to be designated as terrorists. At the meeting hosted by Saudi Arabia on 9-11 December 2015, opponents of President Assad agreed on a broad joint coalition to represent them during the formal peace negotiations, but insisted that Assad and his aides quit power at the start of the transition period. At the same time, Damascus, which has opposed any attempts to bring 'terrorists' to the negotiating table, immediately rejected the legitimacy of the joint coalition formed in Riyadh. On 17 December 2015, the UN adopted Resolution 2253, which confirmed that any individual, group, undertaking or entity that had direct or indirect links to ISIL/Da'esh and Al-Qaeda would be eligible for inclusion on the ISIL/Da'esh and Al-Qaeda sanctions list. In practice, this implied that such groups would be subject to asset freezes, travel bans and arms embargos, and would also be excluded from participating in the political transition process. However, the designation of certain rebel groups as terrorist organisations remains an open question, given that some leading Syrian opposition groups are considered extremists on account of their links to Al-Qaeda; with Russia insisting that it is 'inadmissible to divide terrorists into good and bad'.

Disagreements over the status of specific groups is also one of the reasons why successive cessation of hostilities deals have failed. The joint communiqué issued in Astana by Turkey and Russia, joined by Iran, established a trilateral mechanism to ensure compliance with the ceasefire brokered by Russia and Turkey in December 2016 and prevent any provocations. A series of technical meetings was organised to establish the mechanism to monitor the ceasefire. The first was held on 6 February 2017 with the participation of Russia, Turkey, Iran, USA, Jordan and the UN representatives (in an advisory role); this was followed by a meeting on 16 February with representatives of the Syrian government and opposition groups. The latter meeting produced a concept paper by the guarantor countries (i.e. Russia and Turkey) establishing a joint group as part of the trilateral mechanism to observe the ceasefire, share information regarding the investigation of violations, and promote confidence-building measures such as the release of detainees/abductees and exchange of prisoners. Efforts to create one collective opposition delegation failed and the opposition was eventually represented by the Riyadh-based High Negotiations Committee (HNC) as well as government-tolerated opposition groups: the Moscow Group led by Qadri Jamil, and the Cairo Group led by Jihad Makdissi. This was despite the calls from the Syrian government for a unified opposition if the next rounds of negotiations were to succeed. One of the key issues that emerged in relation to the ceasefire itself – but also previously in the debate about a draft humanitarian resolution prepared by Egypt, New Zealand and Spain in December 2016 – was the lack of clarity about which groups were covered by the arrangement and which could still be targeted as part of combat operations against ISIL/Da'esh and Jabhat Fatah al-Sham, especially given that some groups had established some tactical cooperation with the latter. In the view of some UNSC members, the ceasefire brokered by Russia and Turkey takes a much broader view of which opposition groups are legitimate targets on account of their links with Jabhat Fatah al-Sham. The split between the groups participating in the Astana talks and a newly formed Hayat Tahrir al-Sham — a coalition of five factions dominated by JFS announced on 28 January 2017 — might result in intra-rebel fighting and ultimately benefit regime forces.

Unity, partition or disintegration?

Observers note that the collapse of Syria poses a huge threat to Middle Eastern stability altogether. Therefore, an additional challenge will come in agreeing future power-sharing arrangements to be enshrined in a new constitution (i.e. redistribution of competences between the executive and legislative branches, political freedoms, or the role of Syria's regional authorities). One of the issues raised by de Mistura at the Geneva talks in 2016 with regard to a new governance structure was the political or administrative nature of borders between areas controlled by different groups – a question that representatives of the Syrian regime were not rushing to answer. However, the situation on the ground has changed significantly with the government regaining control of Aleppo. Some observers draw comparisons to the situation in Lebanon in 1978 when the various factions began reinforcing their sectarian zones, which may suggest a future partition, even though Lebanon ultimately demonstrated that separation does not necessarily lead to partition. This in turn suggests that a federal structure may be necessary to keep Syria as one. With the country being torn between competing centres of power and with local power brokers increasingly assuming independence, analysts argue that political and economic decentralisation, including a special status for Kurdish areas, might become a condition for solving the conflict.

Safe zones

Turkey has furthermore long campaigned for a 'safe zone' to be established in northern Syria – an idea re-launched at the UN General Assembly in 2015, but which gained little traction. Turkey's motives have been questioned, with some observers arguing that Ankara is more concerned about containing Kurdish political aspirations than fighting ISIL/Da'esh. The idea picked up momentum following territorial advances by the Turkeyled Operation Euphrates Shield, launched in August 2016 with the aim of maintaining border security and confronting ISIL/Da'esh within the framework of the UN Charter. Turkish authorities also emphasised the intention to counter any presence of PKK and affiliated Democratic Union Party (PYD/YPG) in the north of Syria or the Sinjar region of Irag. The arrival in the White House of Donald Trump, who has on several occasions declared his support for the idea gave it an additional boost. Establishing a safe zone implies simply providing a location within the disputed territory that is neutral and free of belligerent activity, to which humanitarian access is guaranteed, and that is protected from combatant parties by combined armed forces. In case of Syria, possible solutions could range from humanitarian-oriented buffer zones to plans seeking a confederal political settlement to the war. The idea is also supported by the Gulf states and the neighbouring countries, in particular Jordan and Lebanon who see them as a potential way to ease domestic tensions linked to the influx of refugees from Syria. However, the idea of safe zones is not uncontroversial. Some observers have pointed out potential difficulties with establishing safe zones, including determining what territory is effectively seized, whose forces will be used, and the nature of the mandate, which render such efforts extremely difficult and might actually make things worse. In addition, there is a

risk that if used as a base for anti-Assad and anti-Islamic State opposition, such safe zones might become a <u>target</u> for both. Commenting on such plans, the UN High Commissioner for Refugees, Filippo Grandi, <u>stressed</u> that the current situation does not allow for the planning of zones safe enough for the protection of civilians and the return of refugees.

Accountability

It has been estimated that, as of February 2016, 470 000 civilians had been killed in the conflict between Syrian government forces and rebel groups but also as a consequence of the fight against ISIL/Da'esh. The UN reports on the implementation of Security Council Resolutions 2139 (2014), 2165 (2014) and 2191 (2014) have regularly highlighted that 'the conduct of hostilities by all parties continued to be characterised by widespread disregard for the rules of international humanitarian law and the parties' obligation to protect civilians'. In March 2017, the UN-mandated Independent International Commission of Inquiry on Syria presented a report regarding the militarisation of the conflict in Aleppo city since July 2016 and its impact on the civilian population. The report concluded that civilians on both sides fell victims to war crimes committed by the Syrian government and anti-government groups and extremist Islamist groups like ISIL/Da'esh and Jabhat Fatah al-Sham (previously known as Jabhat al-Nusra). Targeting of humanitarian workers and civilian buildings further aggravates the humanitarian situation on the ground. Furthermore, reports by Médecins Sans Frontières, Human Rights Watch, and the Organisation for the Prohibition of Chemical Weapons (OPCW) suggest the potential use of chemical weapons by the government and ISIL/Da'esh against the civilian population. In November 2016, the UNSC adopted Resolution 2319 reestablishing the operational capacity of the OPCW-UN Joint Investigative Mechanism (JIM). The Franco-British-American push for a UNSC resolution imposing new sanctions on Syria in February 2017 failed owing to the veto by Russia and China.

Nonetheless, the question of accountability for crimes committed during the conflict is increasingly high on the agenda. In 2011, the Human Rights Council <u>established</u> the Independent International Commission of Inquiry on the Syrian Arab Republic (<u>Syria Col</u>) 'to establish the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view of ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable'. In December 2016, the UN General Assembly <u>Resolution 71/248</u> laid the foundations for establishing an <u>independent 'Mechanism'</u> to assist in the investigation and prosecution of those responsible for war crimes or crimes against humanity in Syria. The two bodies are expected to work in close cooperation and coordinate their activities, with Syria Col focusing on information collection, public reporting and making recommendations notably to member states, and the Mechanism centred on collecting, consolidating, preserving and analysing evidence and information. The Mechanism is also tasked with preparing files to assist in the investigation and prosecution of those responsible for the most serious crimes under international law.

Imminent humanitarian needs

According to a <u>statement</u> issued by the UN agencies in January 2017, nearly five million people live in areas difficult to reach with humanitarian assistance, while about 700 000 people, including 300 000 children, are living in besieged parts of Syria. The ceasefire <u>has not improved</u> humanitarian access either: despite some 13.5 million people still in dire need of protection and humanitarian assistance (a number greater than the population of Belgium), not a single inter-agency cross-line convoy from the humanitarian convoy plan was deployed in January 2017. According to the UN Office for the Coordination of

Humanitarian Affairs (<u>UN OCHA</u>), nearly 85 % of Syrians are living in poverty, nearly 13 million people require health assistance and more than 7 million are food insecure. The UN also <u>estimates</u> that nearly five million Syrians have fled the country while further 6.3 million have been internally displaced, with an average rate of displacement of over 5 000 people displaced per day between January and December 2016. In his <u>report</u> to the UN Security Council on 22 February 2017, Stephen O'Brian, UN Under-Secretary for Humanitarian Affairs, and Emergency Relief Coordinator, stressed that 'even if a political agreement were to be found tomorrow ... humanitarian needs will remain critical for months, if not years, to come'. Directly affected by the humanitarian disaster, Syria's neighbours are also struggling with the consequences of the conflict and have taken the driving seat in designing an adequate response. Turkey, Lebanon, Jordan, Iraq and Egypt have each become home to hundreds of thousands of Syrians.

A fragile situation in host countries in the region has shifted the focus of many donor agencies to <u>building resilience</u>. The <u>World Bank</u> and UN OCHA are trying to minimise risks and build resilience in host communities, to ensure that local services and local people in countries neighbouring Syria are not overwhelmed by the numbers of refugees arriving on their doorstep. The <u>Syria Donors' Conference</u> – a follow up to previous pledging conferences organised by Kuwait – took place in February 2016 in London with the United Kingdom, Germany, Norway, Kuwait and the UN as co-hosts. The conference raised over US\$ 12 billion in pledges – US\$6 billion for 2016 and a further US\$6.1 billion for 2017-20. However, with <u>needs</u> rapidly escalating, many countries and donor agencies are facing funding shortages. The <u>Regional Refugee and Resilience Plan</u> 2017-2018 in response to the Syria Crisis and the Syria Humanitarian <u>Response Plan</u> 2017 are underfunded, with just 8.7 % funding provided (as of 22 March 2017).

Long-term reconstruction and dependence on external actors

The escalation of the conflict in Syria has compromised development opportunities for decades to come. A report by the Syrian Centre for Policy Research published in March 2015 claims that, as a result of the conflict, Syria lost more than US\$119 billion in GDP between 2011 and 2014 (contracting by an average of 15.4 %). The report also states that the reallocation of resources and capital to the military resulted in the growth of black markets, disrespect for the rule of law, and increasing dependence on external support. According to a socioeconomic and damage assessment report by the UN Relief and Works Agency (UNRWA), even if the conflict ceased when the report was released in 2014 and Syria's GDP grew at an average rate of 5% each year, it would take the Syrian economy an estimated 30 years to return to the economic level of 2010. The World Bank reports that conflict in Syria has significantly damaged public and private assets, including health, education, energy, water and sanitation, agriculture, transport, housing and infrastructure. In April 2016, the World Bank issued an assessment of reconstruction needs once a peace agreement is reached. The authors conclude that the reconstruction of Syria cannot be driven solely by infrastructure projects but will have to deliver 'inclusive institutions that are necessary for rebuilding trust and mitigating the social tensions'. The UN Human Settlements Programme (UN-HABITAT) has also developed 'urban resilience' maps with a multi-sector assessment for cities such as Homs, Lattakia, Dara'a and Aleppo. The war has also drained the country's financial resources. In real terms, the government's budget has fallen from around US\$ 18 billion in 2011 to US\$ 12 billion in 2017 at the official exchange rate. Consequently, financial and economic agreements with Iran and potential barter deals with countries like Russia are the only way to avoid complete exhaustion of the country's reserves.

Development of the EU's response

A broader policy framework has been defined in the 'EU Regional Strategy for Syria and Iraq as well as the ISIL/Da'esh threat' – adopted in 2015 and revised in May 2016. The strategy reiterates that the political process launched by the ISSG – and acknowledged by UNSC Resolutions 2254 (2015) and 2268 (2016) – is the only way to put an end to the conflict. Three main pillars of the EU Regional Strategy are providing humanitarian aid, preventing regional spill-overs and countering terrorism. In March 2017, the European Commission and High Representative Federica Mogherini presented a joint communication setting out elements for an EU strategy for Syria. The EU's strategic goal as laid out in the document can be reduced to maintaining the territorial integrity of Syria, with a legitimate government, a stable pluralistic political system, well-functioning institutions, respect for diversity, and a strong economy.

Political responsibility

The EU has repeatedly <u>stated</u> that the regime bears the primary responsibility for the conflict and that its actions fuel extremism and undermine any potential political transition. The EU has also regularly <u>called</u> for the regime to stop targeting civilians, halt airstrikes and artillery attacks, and put an immediate end to all violence. In the Council Conclusions of 17 October 2016, <u>adopted</u> in response to a serious deterioration in the situation on the ground, particularly in the city of Aleppo, the EU strongly condemned the disproportionate and deliberate targeting of civilians and humanitarian and healthcare personnel by the regime and its allies, and reiterated its firm belief that there can be no military solution to the conflict, but that a political solution must be sought. The EU also called for those responsible for war crimes in Syria to be brought to justice, including by referring the situation in Syria to the International Criminal Court.

Transition process

With regard to the political transition process, the Foreign Affairs Council <u>conclusions</u> of 12 October 2015 reaffirmed that 'only a Syrian-led political process leading to a peaceful and inclusive transition, based on the principles of the Geneva communiqué of 30 June 2012', would return stability to Syria. Since the early months of the conflict, the EU has expressed support for the <u>National Coalition</u> for Syrian Revolutionary and Opposition Forces, also known as the Syrian Opposition Coalition (<u>SOC</u>). The majority of the international community, including the <u>EU</u>, have recognised SOC as the legitimate political representative of the Syrian people, but its authority has been <u>challenged</u> domestically. With regard to Assad's future, the EU is of the view that there cannot be a peaceful transition under the current regime, with Member States taking different <u>views</u> on Assad's role in the transition process.

Restrictive measures against the regime

The EU is also continuing to expand targeted <u>restrictive measures</u> and inflict substantial <u>damage</u> on regime-affiliated businesses. On 27 October 2016, the Council <u>decided</u> to add to the list ten new individuals, including high-ranking military officials and senior figures linked to the regime and responsible for violent repression against the civilian population in Syria. The list was further <u>extended</u> on 14 November to include 17 ministers and the governor of the Central Bank of Syria. Several high-ranking military officials have also been placed on the list for their role in the <u>use of chemical weapons</u> against the civilian population. In May 2011, the EU also <u>imposed</u> a full arms embargo on Syria, which covered the supply of arms, military equipment and equipment that could be used for internal repression. Council regulations adopted in <u>January</u> and <u>June</u> 2012 imposed a

further ban on telecommunications monitoring and interception equipment and certain other goods facilitating internal repression. The same year, the EU <u>decided</u> to oblige Member States to inspect all vessels and aircraft bound for Syria if they had reasonable grounds to believe that the cargo included sanctioned items. Most sections of the arms embargo on Syria were <u>lifted</u> as of June 2013, except for arms and material and equipment that could be used for internal repression. The restrictive measures <u>against</u> the <u>regime</u> and the <u>arms embargo</u> remain in place until 1 June 2017.

Reinforcing societal security

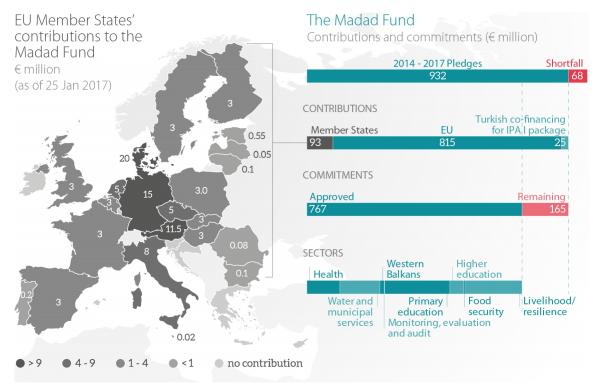
The EU's military response has been limited to troop contributions by individual member states to fight ISIL/Da'esh in Syria and Iraq. Nonetheless, the EU also supports the Global Coalition against ISIL/Da'esh by non-military means. It is involved in three out of five working groups of the Small Group of the Global Coalition: on stabilisation, countering terrorism finance and foreign terrorist fighters, and is also an observer in the countermessaging working group. In addition, in line with the strategy against proliferation of weapons of mass destruction, the EU has been at the forefront in supporting the proposals for putting Syrian chemical weapons under international control, leading to their eventual destruction. UN Security Council Resolution 2235 established a UN and OPCW Joint Investigative Mechanism (JIM), to identify 'to the greatest extent feasible' individuals, entities, groups or governments involved in the use of chemicals weapons.

Humanitarian response and resilience

Since 2011, the EU's collective <u>assistance</u> to Syrians and Syrian refugees has amounted to over €9.2 billion, including €3 billion pledged at the London <u>'Supporting Syria and the Region'</u> conference. Further pledges of support for countries in the region are expected at the April 2017 <u>Brussels Conference</u> on supporting the future of Syria and the region that the EU will co-host together with Germany, Kuwait, Norway, Qatar, the United Kingdom and the UN. The three broad themes of the conference are: support for the political process, support for reconciliation and stabilisation, and support for the region. The EU's commitments towards countries in the region are further listed in EU compacts with Jordan and Lebanon, and in the Facility for Refugees in Turkey.

In addition, to allow for a more flexible and speedy response to shifting needs, the EU established the Madad Fund, with the overall objective of supporting the resilience of refugees from Syria, as well as that of the communities and administrations hosting them. As of 25 January 2017, pledges and contributions to the fund totalled over €932 million of the €1 billion target. Since the crisis began in 2011 the EU has gradually scaled up its support for countries in the region. In **Lebanon**, the European Commission's assistance alone has reached almost €800 million, including more than €356 million from the humanitarian budget. In Jordan, Commission assistance amounts to some €657 million for Syrian refugees and host communities and is spent primarily on food aid and the provision of clean water and sanitation, as well as on health services and protection. The biggest share of the funding is destined for assistance to Turkey. In November 2015, the EU committed to provide Turkey with €3 billion – to be coordinated by the Refugee Facility for Turkey – in addition to €588 million for Syrian and Iraqi refugees already provided since the beginning of the crisis, including humanitarian aid as well as longerterm assistance. The Joint Action Plan, endorsed by EU leaders on 15 October 2015, identifies a series of collaborative actions to be implemented as a matter of urgency by the EU and Turkey.

EPRS



Data source: European Commission.

Finally, in order to respond more effectively to humanitarian challenges along the <u>Western Balkans</u> route, the European Commission agreed to release €13 million destined primarily for refugees in **Serbia** and the **former Yugoslav Republic of Macedonia**, bringing the total amount of EU humanitarian aid for the Western Balkans to €21.74 million.

An EU strategy for Syria

The aim of the joint communication is to define the EU's potential contribution to ensuring a lasting political solution to the conflict in Syria under the existing UN-agreed framework, to help build stability and to support reconstruction once a credible political transition is underway. Among the risks and threats to core EU interests associated with the continuation of the war, the communication mentions a possible division of the country along sectarian lines and the imposition by the regime of military control over the whole country. The EU's specific objectives for Syria are identified as follows:

- an end to the war through a political transition process with the support of the UN special envoy for Syria and key international and regional actors;
- promotion of a 'meaningful and inclusive' transition in Syria in accordance with UN Security Council Resolution 2254 and the Geneva Communiqué;
- support for democracy, human rights and freedom of speech by strengthening Syrian civil society organisations;
- a national reconciliation process, including an approach to transitional justice that includes accountability for war crimes;
- action to address the humanitarian needs of the most vulnerable Syrians through an integrated approach with five key areas of intervention: food, health, shelter and nonfood items, protection, and water, sanitation and hygiene (WASH); and
- work to strengthen the state and societal resilience of the Syrian population and institutions, in line with the 'Whole of Syria' approach.

With regard to reconstruction in Syria, the EU's potential response, according to the joint communication, could include lifting the restrictive measures, resuming cooperation,

mobilising funding, supporting security sector reform and demilitarisation, demobilising and reintegrating former combatants, restoring basic services, providing assistance in drafting a new constitution, organising elections and an elections observation mission, supporting local level reconciliation processes, developing human capital, and relaunching the Syrian economy in cooperation with international and regional partners such as the World Bank, the International Monetary Fund and the UN.

The role of the European Parliament

As the conflict in Syria has unfolded, the legislative approach has developed along three main tracks: addressing the implications of the refugee crisis within the European Union, increasing EU humanitarian assistance to Iraq and Syria and aid to vulnerable communities, and improving the EU response to the terrorist threat posed by ISIL/Da'esh. In the <u>resolution</u> on the situation in Syria adopted on 6 October 2016, the European Parliament strongly condemned all attacks against civilians and civilian infrastructure and called upon all parties in the conflict, and especially Russia and the Assad regime, to stop such attacks. The resolution also stresses the need to lift all sieges and to allow rapid, safe and unhindered access for humanitarian agencies to all people in need. The European Parliament has also adopted a series of resolutions concerning humanitarian needs in Syria, in particular the situation in Palmyra and the Yarmouk refugee camp. On the fight against ISIL/Da'esh, the Parliament adopted a resolution in September 2014 on the situation in Iraq and Syria, in which it calls on the Member States 'to assist the Iraqi and local authorities by all possible means, including appropriate military assistance' in containing and repelling ISIL/Da'esh expansion. In November 2015, the EP adopted a resolution on preventing the radicalisation and recruitment of European citizens by terrorist organisations, in which it stresses the vital importance of the EU establishing close cooperation with third countries, in particular with regard to strengthening links between internal and external security in the EU, promoting the exchange of good practices on deradicalisation, and dismantling terrorist networks. Furthermore, the Parliament is closely involved in the implementation of the legislative package proposed by the European Commission under the umbrella of the European Agenda on Migration. The European Parliament's approach was laid down in its resolution of 10 September 2015 on migration and refugees in Europe.

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eprs@ep.europa.eu

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