

SYRIA ALERT XIV

Can de Mistura's "freeze" plan save Aleppo, and under what conditions?

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On 30 October, UN Special Envoy for Syria Staffan de Mistura presented the idea of "freeze" zones where fighting would be stopped, to start with Aleppo. While some powerful voices rejected the plan, others saw in it a new hope to change the dynamics of conflict. The "freeze" plan is currently being translated into an operational plan and is gaining some traction. The Syrian regime and its key ally Russia indicated a willingness to support the UN proposal. Their support, however, fuels suspicion that the "freeze" will only be used to consolidate territories and to regroup and rearm for further fighting. De Mistura introduced the term "freezes" as distinct from previous local ceasefires. These ceasefires were often a forced surrender of the opposition and the population after a campaign of starvation and bombardments by the Assad regime. These were tactical security arrangements and had no connection to a political process. Taking into consideration previous local ceasefires and the urgent situation in Aleppo, this special edition of Syria Alert, prepared in cooperation with our Syrian partner Etana, addresses the question: Can de Mistura's "freeze" plan save Aleppo, and under what conditions?

SUMMARY

- This Syria Alert concludes that de Mistura's "freeze" plan must include specific measures (see below) to protect civilians, improve the human security situation in and around Aleppo and strengthen the role of citizens. In that case, the "freeze" could be an example to build on in other parts of Syria and change the political stalemate. If, however, these measures are not taken, the plan could lead to a new situation of injustice that will result in a new stage of conflict. A "freeze" based on war crimes and forced surrender will play in the hands of radical groups, rather than lead to better living conditions for the citizens in Aleppo who are desperate for such an improvement. In that case de Mistura's "freeze" plan would be yet another lost opportunity in the ongoing conflict in Syria.
- A "freeze" in Aleppo will require tacit approval from all parties that have control over a part of Aleppo, as well as their international supporters. A UN Security Council resolution would be the preferred legal framework for the "freeze".
- PAX believes the following measures must be taken to make de Mistura's plan a window of opportunity for saving Aleppo and increase human security in the city:
 1. The "freeze" plan has to include a UN monitoring mechanism on the ground to observe and document the implementation by all parties involved.
 2. Significant and sustainable improvement of the humanitarian situation must be organized and secured.
 3. A multi-faceted international program to support and promote inclusive and responsive local government should be implemented in Aleppo as part of the "freeze" plan.
 4. Commitment of local commanders from the armed opposition as well as the Syrian army and regime-loyal armed groups has to be secured.
- A freeze in Aleppo will not be the final solution for the violent conflict in Syria, but will at best improve the human security situation in the city and create a different conflict dynamic with international involvement aiming at protection of civilians and a political solution to the conflict. The "freeze" plan, even if realized, does not relieve the international community from its responsibility and duty to find a political solution to the conflict by facilitating political transition and accountability for war crimes.

DE MISTURA'S PLAN

On 30 October, UN Special Envoy for Syria Staffan de Mistura presented to the UN Security Council a plan for local “freezes” of fighting in Syria, beginning with Aleppo. The objective would be to reduce violence and improve the humanitarian situation by allowing in humanitarian aid. The “freeze” is meant to be a game changer. Almost every party to the conflict and every foreign ally of parties in Syria states that the only solution is a political one, and not a military one. Yet, since the collapse of the Geneva II talks, there have been no new political initiatives to reach an end to the conflict. Rather than organizing yet another international conference, de Mistura proposes creating a different dynamic on the ground, testing the political will of all parties in Syria and abroad to agree to a political process. The framework for such a political process would be the Geneva Communiqué. De Mistura has explained in the media that a “freeze” would be different from local ceasefires that have taken place elsewhere in Syria. A “freeze”, meaning parallel unilateral cessation of warfare by all parties, would require less detailed negotiations and would not mean a *de facto* surrender. It would also include more international involvement. A “freeze” would not immediately end if violated by either party. The idea is currently being translated into an operational plan by de Mistura’s team.

It is critical to understand that “freezes”, just like local truces or ceasefires (*hudan* in Arabic), bring risks with them. As PAX earlier pointed out (Syria Alert XIII¹), local ceasefires are tactical security arrangements that are part of a military strategy and do not lead to a political solution. They could facilitate the Assad regime’s strategy to force areas under opposition control to surrender, as happened in Homs and many suburbs of Damascus. Another risk is that such a “freeze” would just be a tactical or security arrangement that would give the Assad regime and some of the armed groups relief to be able to send their troops elsewhere, meaning that the violent conflict might in fact worsen in other regions and that Idlib province or the Damascus countryside may have to pay the price.

Opposition-controlled areas of Aleppo have been exhausted by non-stop heavy bombardments, and for months now there has been a threat that the city could fall either to the Assad regime or to ISIS. The city’s population urgently needs a respite. The fall of Aleppo would mean that one of the most important examples of *de facto* transition, with the development of local governance structures by civil opposition actors, would be lost, diminishing seriously the chance for a process of political transition in the future.

However, the fact that de Mistura’s plan is an initiative under UN patronage provides an opportunity. Under the right conditions, de Mistura’s plan should lead to substantial improvement of human security and the humanitarian situation and save Aleppo. It would provide the city of Aleppo, including its government structures as well as its citizens, with an opportunity to show that the city has the capacity to develop and anchor inclusive governance, based on citizenship, human dignity and fundamental freedoms. If so, it could become an example that could be replicated elsewhere and lead to the change of the game that de Mistura is aiming at. PAX has identified the following measures as necessary to ensure de Mistura’s plan will contribute to increased human security and save Aleppo from falling to the hands of either ISIS or the Assad regime.

1. UN MONITORING MECHANISM

One of the reasons past local truces in Syria failed is that there was no third party involved². The terms of agreement were often murky and easily broken. Previously, local actors have called for involvement of a third party, preferably the UN, to monitor the agreement and its implementation, as a means of pressure to secure implementation. A UN monitoring mechanism should therefore be part of the “freezes” plan. It should include regular and transparent reporting to the UN Security Council. A UN Security Council resolution, including incentives and coercive measures like sanctions against those who violate the freeze, would provide the preferred legal framework for such a monitoring mechanism.

The situation of opposition fighters must be taken into account. In earlier truces, opposition fighters who were promised a free way out, were arrested by the Assad regime and forced to fight with the

¹ <http://www.paxforpeace.nl/media/files/syria-alert-xiii-2014-6-19-final.pdf>

² The absence of a international monitoring system has been identified as an important reason for the failure of truces both in the LSE report *Hungry for Peace* <http://www.lse.ac.uk/newsAndMedia/PDF/Syriareport.pdf> (p 42) and the report by Integrity <http://www.integrityresearch.com/wp-content/uploads/Integrity-Research-Summary-Report-Localised-Truces-and-Ceasefires.pdf> (p 10)

Syrian army, as was the case in Homs. This may require a special arrangement by another party such as the ICRC.

Finally, monitoring should also take into account that a freeze in Aleppo may cause an increase of violence in other parts of the country. If troops and capacity are moved, a relief in Aleppo might lead to a new offensive elsewhere.

2. SIGNIFICANT AND SUSTAINABLE IMPROVEMENT OF THE HUMANITARIAN SITUATION

Research reports on the local ceasefires by Integrity³ and Omran for Strategic Studies⁴, found that earlier truces did not lead to significant or durable improvements to the humanitarian situation in Syria. According to the latest report by the UN Secretary General⁵, 21 out of the 24 hard-to-reach areas in Aleppo province have been reached by UN agencies since the adoption of UNSC resolution 2165. Still, the aid currently delivered by the UN and its partners in Syria reaches only 38% of those in need of food support and 16% of those in need of health support⁶. Success of a “freeze” in Aleppo and other places would depend on a coordinated plan between UN agencies, international humanitarian agencies, local councils and local civil society to secure a significant and sustainable improvement of the humanitarian situation in the city. The appointment of an International Aid Coordinator for Aleppo as part of the de Mistura team could facilitate this.

It would also require free access to all areas in need of humanitarian support and secured routes from Turkey to Aleppo for humanitarian convoys. The international community should consider coercive measures such as the implementation of an air lift to secure aid to civilians in need in case humanitarian access remains obstructed. Early reconstruction efforts would also have to be part of the plan, so as to secure sustainable service delivery. This will require a central role for local governments.

3. SUPPORT AND PROMOTE INCLUSIVE AND RESPONSIVE LOCAL GOVERNMENT

Once the fighting “freezes”, a multi-faceted international programme to support and promote inclusive and responsive local government in Aleppo should be implemented. A successful trajectory in Aleppo should and certainly could renew the hopes and ambitions for freedom and human dignity, and political transition for Aleppo as well as other cities and towns. Aleppo is currently the main city in Syria where *de facto* political transition has taken place on the local level. A provincial council, a city council and neighbourhood councils are in place, including institutions such as police and civil defence. International support should take this as a starting point and aim to strengthen and develop it into an inclusive and responsive local administration. Certain benchmarks could be agreed upon, that, when met, will be followed by more assistance.

A functioning local governance structure that provides the population with basic services will be an important example and incentive to be replicated elsewhere. An inclusive and responsive local administration which interacts constructively with civil society and armed actors will make the community more resilient and will be key to development. Working on the neighbourhood level and city level is essential to achieve that. As development of local democracy is impossible without a strong civil society, the programme should include support to civil society. The focus of the programme should not only be on the ‘product’ of better services, it should also be about the ‘process’ (i.e. citizens’ participation), leading to more ownership.

The local government component is crucial because it will give the citizens an honest opportunity to achieve what they wanted to with the revolution: democracy, human dignity and equal opportunities for all. It is logical to start this work immediately in the areas under opposition control where local councils are operating. However, other parts of the city should not be excluded and also be entitled to support for the development of local governance, on the condition that they work in line with principles of good governance (participation and inclusiveness).

³ *Local Truces in Syria*, Integrity's Research Summary Report, June 2014, p.11-12.

<http://integrityresearch.com/sites/default/files/Integrity%20Report%20Local%20truces%20in%20Syria-English.pdf>

⁴ http://www.omrandirasat.org/sites/default/files/cease%20fire%20poll%20analysis_0.pdf

⁵ Report of the Secretary-General on the Implementation of Security Council Resolutions 2139 (2014) and 2165 (2014), 21 November 2014, p. 10. http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/840

⁶ Ibid.

4. SECURING COMMITMENT OF LOCAL COMMANDERS

A “freeze” in Aleppo would require an agreement with the commanders of all armed forces that are in control of part of Aleppo. It is often emphasised that there is no chain of command and no united leadership within the opposition, but there are also serious concerns about the extent to which the central government controls local military leaders, as pro-regime armed groups and foreign militias play an important role in controlling regime strongholds. With that in mind, it is important that local commanders are involved in the agreement on and implementation of the “freeze”. Official blessings of political leaders in Damascus (Assad regime) or Turkey (Syrian Opposition Coalition and Temporary Government) may be necessary to increase the chance of success, but the practical agreement has to be made at the local level. The legitimacy amongst the population as well as with fighters lies with the local leaders and commanders, not with the Temporary Government or other opposition institutions in Turkey. As the Islamist armed groups Jabhat Al Nusra and Ahrar as-Sham control large parts of Aleppo, de Mistura’s team should include them in the “freeze” agreement and also reach out to ISIS given its position in the province. Foreign governments should not limit de Mistura in any of these contacts, even if some of the armed groups are labelled terrorist organizations.

Given the influence Iran has through Iraqi, Lebanese and Afghan militias fighting on the side of the Assad regime, involving Iran will be necessary to prevent their militias from playing a spoiler role. Eventually withdrawal of all foreign militias will be necessary in order to restore peace in Syria. For a first stage of freezes it will be crucial that Iran and the neighbouring countries directly involved in the conflict in Syria who are capable of playing a spoiler role explicitly commit themselves to the de Mistura plan.

A POLITICAL FRAMEWORK OF TRANSITION

A “freeze” in Aleppo will not be the final solution for the violent conflict in Syria, but will at best improve the human security situation in the city and create a different conflict dynamic with international involvement aiming for protection of civilians and a political solution to the conflict. The “freeze” plan, even if realized, does not relieve the international community from its responsibility and duty to find a political solution to the conflict, facilitating political transition and accountability for war crimes. The Assad regime lost its legitimacy by committing systematic and massive war crimes. In addition, it lost control over large parts of the country, making a return to the *status quo ante* practically impossible. A political plan for Syria must therefore be a transition plan, as was already agreed in the Geneva I Communiqué. The only sustainable solution for Syria is a transition towards a democratic Syria where all citizens enjoy equal rights, regardless of gender, religious or ethnic background. The international community has to increase efforts and pressure to make such a transition possible.

Some of the earlier truces were forced upon the population after a campaign of war crimes including sieges, starvation and aerial bombardments. Local populations were exhausted and forced into surrender. That is not only morally unacceptable; it also is a source for more conflict. Those responsible for war crimes have to be held accountable, whatever political framework is in place. The UN monitoring mechanism should also aim to prevent further war crimes and secure accountability.

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