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Mediation in Syria: Initiatives, strategies, and obstacles, 2011-2016

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Abstract

This article investigates mediation efforts in Syria from the outbreak of the civil war in 2011 through the spring of 2016. It describes the principal initiatives, analyses differences and similarities across mediators, and identifies strategic obstacles that prevented substantive progress. Focusing on mediation initiatives undertaken by the Arab League and the United Nations, it finds that there is considerable path dependence across efforts and that most of the limited achievements, notably ceasefires in 2012 and 2016, resulted from the application of external leverage. Settlement in Syria was conditioned on overcoming significant commitment problems, aggravated by sectarian mistrust, the fractured nature of the opposition, and international disunity. The article contributes the first review of mediation in Syria that comprehends the conflict in its entirety, systematizes data for research on conflict management, and evaluates existing mediation policy in Syria with an eye to the future.

Introduction

Syria represents the most acute, politically significant, and complex among contemporary civil wars. The conflict, pitting the Syrian Government against a range of fractious rebel coalitions, has left at least 250,000 dead, many more injured, and driven millions from their homes.¹ Large areas of the country have been depopulated or carved up into ethnic statelets, suffering from degraded rule of law and severe humanitarian hardship. The war in Syria has destabilized the Middle East, provided a staging ground for terrorist organizations, and generated costly externalities, including some of the largest refugee streams since the Second World War.

Responding to gravity of the Syrian crisis, international actors have intervened, seeking to promote dialogue and a peaceful settlement. This article provides an analytical review of mediation efforts in Syria from the outbreak of the war in 2011 through the spring of 2016. It describes the main events, analyses differences and similarities across mediators, and identifies factors that help us understand the failure of mediation efforts to date. The study focuses on the principal mediation initiatives undertaken by the Arab League and the United Nations, and the activities of regional and international powers in relation to those efforts.

I describe how the Syrian crisis is a case of repeated mediation, identifying four distinct efforts displaying relatively strong path dependence. Negotiation parameters laid down in early efforts by the Arab League and the UN shaped the nature and goal of succeeding efforts. Encountering the intransigence of the primary disputants, all mediators shifted attention upwards, seeking to borrow leverage at regional and international level. Most mediation achievements, specifically ceasefires in 2012 and 2016, coincide with the application of such external leverage. At the same time, the fragility of progress in Syria illustrates the limitations of mediation that privileges top-down leverage over consultations on key incompatibilities.

The evidence suggests that the failure of mediation in Syria is partly an effect of mediation strategy, but more importantly, a consequence of the complexity and intractable nature of the wider mediation context. I identify the main strategic obstacles to mediation in Syria, some of which have varied over time and others which have remained more or less constant. In the first phase of the war (approximately 2011-2013), mutual optimism about military prospects made the disputants uninterested in consultations, as they sought to impose a battlefield solution that would make negotiated concessions unnecessary. The later part of the war (2014-) has seen increasing recognition that a power-sharing arrangement is the only option that can satisfy majority interests while maintaining Syria's territorial integrity. But progress on such an agreement has been hampered by mistrust and uncertainty, aggravated by sectarian enmity, the fractured nature of the opposition, and international disunity over Syria's future. The fate of President Bashar al-Assad has remained a key sticking point. For a splintered opposition lacking ideological cohesion, the demand that President al-Assad 'must go' has been not only a negotiation position, but a useful coordination device that it was uncertain if it could live without.

The study makes several contributions. First, it adds to the nascent literature on mediation in Syria, providing the first study of mediation in Syria that comprehends the conflict in its entirety.² Doing so, it simultaneously systematizes case-specific evidence of relevance for the wider research agenda on civil war mediation.³ Finally, the paper provides policy-oriented analysis, highlighting a set of conditions that need to be met for substantive progress to take place.

Principal mediation attempts in Syria, 2011-2016

Arab League: Nabil al-Arabi

The first conflict management efforts in the Syrian war were undertaken by the Arab League, the leading intergovernmental organization of the Middle East. Customarily non-interventionist, the League initially framed the crisis as a matter of domestic politics. However, as the violence in Syria failed to subside, the organization shifted to an interventionist position, dispatching its Secretary General, Nabil al-Arabi, on a mediation mission that was to extend through the fall of 2011 and early months of 2012. Al-Arabi travelled to Syria to meet with al-Assad on several occasions, received opposition delegations at least three times, and consulted with countries in the region.

The platform for the League's engagement was an 'Arab Action Plan', which called for the cessation of violence, withdrawal of military equipment, and initiation of a 'national dialogue'. The Syrian Government tentatively agreed to the initiative on 30 October, 2011, but remained deeply mistrustful of al-Arabi's mediation, viewing it as a proxy intervention by Qatar and Saudi Arabia, countries that actively pursued the termination of al-Assad's reign. The Government therefore sought to buy time, aspiring to suppress the uprising and make mediation irrelevant. It took months of diplomatic shuffling and a succession of coercive measures – including economic sanctions and the suspension of Syria's membership in the Arab League – before the Government's formal consent to the plan was finally extracted shortly before Christmas. For its part, the leading opposition group at the time, the Syrian National Council, denounced the plan, arguing that the regime's offer to participate in a political dialogue was insincere.

To verify the regime's compliance with the cessation of violence, the League deployed an observer mission, consisting of 166 civilian and military observers. The contingent became operational with unusual swiftness, carrying out rudimentary monitoring activities across the country within a few days. However, the mission was ill-trained, lacked adequate equipment, and suffered from disunity among member states regarding to its mission and mandate.⁴ Very swiftly, controversy arose. On 22 January 2012, Qatar and Saudi Arabia withdrew their support, pushing the League to adopt a tougher position, explicitly calling for the departure of al-Assad and the formation of a government of national unity.⁵ Criticized and seemingly ineffective, the observer mission suspended its activities on 28 January, while the ball was passed to the UN.

United Nations I: Kofi Annan

At the UN, action was initially focused to the Security Council, where negotiations in January and February 2012 cemented positions that were to resonate through debates on Syria for the coming years. Whereas US, UK, and France wanted to endorse the 'tough' plan adopted by the Arab League, Russia and China opposed any support, implicit or explicit, for regime change. When a draft resolution was put to a vote in February, it contained language unacceptable to Russia and China, leading them to exercise a veto. Responding to the worsening situation, the UN Secretary General, Ban Ki-moon, appointed his predecessor, Kofi Annan, as the UN mediator in Syria.⁶

Having been brought back from retirement, Annan soon engaged in wide consultations, meeting state representatives at UN headquarters, visiting stakeholders in the Middle East, including Egypt, Qatar and Turkey, and conferring with al-Assad in Damascus in March, as well as with representatives of the opposition. The general

strategy was to employ external leverage to reach a ceasefire agreement, thereby opening up space for internal political contestation and wider transformation of governance in Syria.⁷

To provide a focal point for consultations, Annan drafted a six-point plan, outlining a framework for a supervised truce that would lead to a ‘Syrian-led political process’. After several weeks of frantic diplomacy and increasing pressure on the Syrian regime, including Russian string pulling and two presidential statements by the Security Council, a ceasefire was established, shakily, in the morning of 12 April 2012. To support the ceasefire, the UN deployed a 300-strong supervision mission.⁸ Operating out of Damascus and six local sites, the mission engaged in observation patrols across the country and appears to have reduced the intensity of hostilities for some six to eight weeks.⁹ However, a string of atrocities reignited violence. In early June, key parts of the opposition revoked its commitment to the ceasefire and the UN monitors ceased operations.

In response, Annan assembled a ‘contact group’ of states with interests and influence in Syria. Meeting in Geneva, the contact group laid out a set of guidelines for a peace process, including the establishment of transitional government. The outcome was summarized in the so-called Geneva Communiqué, which has remained a focal point for negotiations ever since. For a moment, it appeared that the world powers were united behind a common approach, but agreement swiftly eroded as interpretations of the adopted text diverged, especially with regard to the question of al-Assad’s inclusion in a future political process.

In the summer of 2012, Annan desperately sought to resolve international differences and weaken Russian support for the regime, but to no avail. With Russia and the US at loggerheads over Syria, a clearly frustrated Annan resigned his mission, criticizing international and regional powers for failing to join up behind his efforts and provide the kind of leverage that the execution of his plan required.

United Nations II: Lakhdar Brahimi

After the failures of 2011-2012, international efforts to find a solution to the Syrian crisis continued, but within much less ambitious parameters. During this time, the chief UN mediator was Lakhdar Brahimi, a senior Algerian diplomat with experience from Lebanon, Afghanistan, and other conflicts. Compared with his predecessors, Brahimi adopted a more cautious and consultative approach, at least initially, trying to convince the parties of the futility of continued war and repeatedly stressing the tremendous humanitarian costs that they imposed on the population. Below the surface of such ‘ripening’ attempts, the Geneva Communiqué, with its stipulations for regime change, remained a pillar of Brahimi’s mediation, as did several components of Annan’s plan, including a general ceasefire supported by international monitoring.¹⁰

After a failed attempt to broker a limited ceasefire during the Muslim holiday of Eid al-Adha in October 2012, Brahimi – as had Annan before him – shifted up to the international level, seeking to exploit the leverage of regional and international patrons.¹¹ This proved complicated, as Brahimi, by remaining independent, lost trust with key players on both sides. The regime viewed Brahimi with mistrust because of his references to the Geneva Communiqué, whereas several Arab countries turned against him after he made it clear that he would not necessarily deliver Assad’s departure and because he sought to involve Iran, a patron of the Syrian Government, in consultations.

Under such inhospitable circumstances, it took a long time before the disputants could be brought back to the negotiation table, in a process known as Geneva II, in January and February of 2014. To a large extent, their return to negotiations flowed from emerging rapprochement between the US and Russia, both of which had become more pragmatic after the rise of the Islamic state and the near-intervention following the usage of chemical weapons in Ghouta, near Damascus, in August 2013.

With the exception on limited agreements on humanitarian aid, Geneva II generated little progress. Both sides persisted in inflexibility on the central issues. While the regime continued to stress the fight against terrorism, the opposition conditioned further talks on guarantees that Assad play no role in a future government. With neither side budging from positions, and the government maintaining a slow military advance at the time, the UN process again faltered. If there was a silver lining, it was that Geneva II represented the first instance of direct negotiations between the warring sides since the start of the war.

United Nations III: Staffan de Mistura

After Brahimi, the leadership of UN mediation was taken up by Staffan de Mistura, an Italian-Swedish diplomat who previously headed the UN mission in Iraq. In light of the failure of his predecessors, de Mistura's initial strategy was to de-emphasize the search for a comprehensive, top-down ceasefire, and instead seek to facilitate limited truces in different places across the country. The pilot case for this confidence-building approach was Aleppo, the country's largest city, divided between regime, opposition and Kurdish forces since 2012. The 'freeze' in Aleppo was framed in modest language: 'It is only a test,' said De Mistura, but he raised hopes that it could contribute to 'building confidence in an incremental fashion amongst the warring parties'.¹²

When the freeze failed to take off, de Mistura pushed on and arranged talks in Geneva in the spring of 2015, organized as a set of indirect, thematic discussions based on the main points of the Geneva Communiqué. Taking stock of the process in July 2015, the UN mediator claimed that the Geneva process had uncovered 'shared sense of urgency' among most stakeholders.¹³

Suffering from mounting war exhaustion, the parties seemed riper for negotiations than perhaps at any stage since 2011. This coincided with several important developments on the battlefield. Most important of all, the period from 2014-2015 saw the consolidation of the Islamic State as a significant actor, refocusing international attention on the Syrian civil war and making counter-terrorism the priority for many leading powers. This shift in priorities overlapped with the reaching of a nuclear agreement with Iran during 2015 and, starting in September the same year, Russia's direct military intervention in Syria.

These developments paved the way for a re-energized and concerted diplomatic push from October 2015. Meetings in Vienna brought together a group of twenty states and international organizations, labelled the International Syria Support Group (ISSG), for the negotiation of a new peace plan, again based on the Geneva Communiqué. The new plan was formalized in a Security Council resolution (2254), adopted in December 2015. It requested de Mistura to convene UN-led formal negotiations toward a political process that would prepare the way for a ceasefire and, ultimately, a system of 'credible, inclusive, and non-sectarian governance'. Thus, Resolution 2254 provided the strategic vision that underpinned the UN's work from the start of 2016.

Based on Resolution 2254, talks re-commenced in February 2016, but were immediately suspended, on account of enmity between uncompromising opposition delegates, especially the Islamist organization Jaysh al-Islam, and regime representatives. The parties remained, de Mistura's said, 'locked in fixed positions and a zero-sum game'. However, hope soon flared up in a different but related forum. Meeting in Munich in February 2016, the ISSG presented a proposal for a nation-wide 'cessation of hostilities', further outlined in a joint statement by Russia and the US on February 22, 2016 and endorsed by the Security Council in Resolution 2268.

Signatories of the agreement – which included the Government and more than forty different rebel groups – agreed to participate in political negotiations, cease military attacks, allow humanitarian access, and refrain from grabbing territory from other signatories. A monitoring mechanism, co-managed by Russia and the US, was set up to gather, evaluate and disseminate reports of non-compliance, with the understanding that violators may be militarily punished.

The ceasefire of 27 February 2016 had an immediate and a significant effect, as guns went silent across large portions of Syria. According to the Syrian Observatory for Human Rights, the death toll in the month following the ceasefire was the lowest since November 2011. Given the pessimism that has prevailed for a long time, the tentative success of the February ceasefire came as a surprise to many. Optimism was further bolstered when meetings in Geneva in March 2016 resulted in a document listing "Points of Commonalities" between the parties, which included references to the political transition envisioned in the Geneva Communiqué and Resolution 2254.¹⁴

Meanwhile, the war against the Salafi-Jihadist opposition, which were excluded from the ceasefire, continued unabated. Russian airstrikes were instrumental in the recapture of the oasis city of Palmyra from the Islamic State, an important symbolic victory for the regime. In and around Aleppo, where groups not covered by the cease-fire operated alongside groups that were, the ceasefire proved vulnerable, as the intermixing of groups made it difficult to contain hostilities.

Against a backdrop of resurging violence in Aleppo, the ISSG met again in mid-May, seeking to reinforce the fragile ceasefire and reinvigorate the mediation process. The group elaborated on the principles for cease-fire implementation, but talks again stumbled on the question of the fate of al-Assad, leaving both the survival of the ceasefire and the envisioned political transition in uncertainty.

Comparison of intervention strategies

The above narrative has outlined the main contours and events of the principal mediation initiatives in Syria.¹⁵ Placing the initiatives side by side reveals a number of observations, similarities and differences.

First, Syria is clearly a case of *repeated mediation*. In this sense, it conforms to the general pattern in contemporary civil war mediation: empirical research demonstrates that if mediation occurs in a conflict, it often reoccurs in following years.¹⁶ This means that Syrian mediation efforts are not discrete events – there is clearly overlap and path dependence. The Geneva Communiqué, in particular, laid down negotiation parameters that continued to shape events up through the end of the studied period. Clearly, the stability of these features cannot be explained with reference to effectiveness. It is more likely that the Geneva Communiqué, for all its ambiguity and controversy, provided a

patch of overlapping great power preferences to which mediators could return in the hopes that it would keep the process alive.

Second, all mediators prioritized *conflict mitigation* over conflict resolution, in the sense that they all sought to reduce the intensity of fighting before the start of negotiations, rather than seek substantive reconciliation as a first step. Generally, ceasefires were used as instruments to increase humanitarian access (e.g., delivery of food aid) and as a confidence-building mechanism that could open up for future negotiations on substantive issues. This does not mean that the substantive issues were unimportant. It is clear that most mediators aimed for processes that may resolve substantive issues (such as elections) after violence had been brought down to manageable levels.

Third, mediators adapted their strategies, *searching for leverage across levels*. All of the initiatives originally focused on consultations with the primary parties, seeking to build trust and find ways to de-escalation. However, having run up against intransigence on both sides, mediators subsequently shifted attention upwards, to the regional and international level. Such strategic shifts represent a type of ‘inverted forum shopping’, as the mediator searches for the level where efforts have the most traction. While this behaviour is evident in all four cases, there is variation. Whereas the Arab League sought to impose multilateral sanctions and symbolic punishment, Annan’s mediation was heavily premised on the notion that external great power leverage, in particular by the US and Russia, would sway the parties toward agreement.¹⁷ Brahimi and de Mistura have also sought to employ regional and international backers to facilitate progress, but put more emphasis on bottom-up consultations.

Fourth, while all mediators have made significant efforts to *maintain inclusivity*, there is variation over time, with the Arab League mediation being the least inclusive and the latest instalment of the UN mediation the most inclusive. This is a reflection of a growing sense of pragmatism with regard to who ‘needs’ to be at the table. For instance, due to political deadlock, the first rounds of Geneva talks excluded both Iran and Saudi Arabia, despite their role as primary patrons of the disputants. As the urgency to make progress increased, these countries were invited to attend the talks in 2015-2016.

Unpacking intractability

Despite years of trying, no effort succeeded in making real progress. Why is this the case? Based on insights from the literature on conflict resolution, I argue that the failure of mediation in Syria may be explained partly by mediation characteristics, including strategic choices and perceptions of bias. Yet, the chief explanation lies in a set of obstacles emerging from the nature of the disputants and the strategic properties of the conflict. While some of these factors have varied in importance, others have been fairly constant and consequently apply to all mediation interventions.

Mediation factors

With regard to mediation characteristics, one factor that may have affected outcomes are perceptions about mediator partiality. While scholars debate whether impartiality is a prerequisite for effective mediation, practitioners often agree that it is necessary to build trust with the disputants.¹⁸ In at least three out of our four cases, perceptions of mediator bias appear to have detracted from their effectiveness, most clearly in the cases of the Arab League and the first UN effort. The Arab League framework, placing all demands

for concessions on the regime, was clearly one-sided. And while Kofi Annan sought to distance himself from the Arab League plan, some of its provisions – specifically the call for regime transition – continued to shape the UN’s mediation.¹⁹

Because they were tied to mandates which essentially requested them to negotiate the termination of Assad’s tenure, al-Arabi and Annan, despite their qualifications and stature, never gained the trust of the Syrian Government. These mandates emerged from a political context permeated by the ‘Arab Spring’ narrative, including its implicit assumption that the arc of history was bending towards democratization of the Middle East. This tendency was further compounded, some argue, by over-confidence in Western power as an instrument of conflict management, at the expense of a truly multilateral approach.²⁰

Another factor that continued to undercut the efficacy of mediation efforts was persistent international disunity over Syria policy. Repeatedly, the inability of the US and Russia to join around a common approach for Syria pulled out the rug under UN mediation efforts. Conversely, in those instances when the great powers collaborated, notably during Annan’s ceasefire in April 2012, the formulation of the Geneva Communiqué in 2012, and in the process leading up to the Vienna Process and ceasefire of 2016, progress was faster and more substantive, both on the ground and around the negotiation table. These correlations underscores the significance of external leverage for civil war mediation²¹, but also suggests that the credibility of a mediation intervention hinges on its patrons seeing eye to eye on the general parameters of the mandate.

While there are several things that could have been executed differently, all four mediation interventions, and especially those of the UN, have generally been handled with great professionalism, fielding some of the best mediators the world has to offer. Consequently, the explanatory power of procedural factors weigh lightly compared to that of factors relating to the nature of the conflict itself.

Conflict factors

For mediation to stand a chance, a conflict must be ‘ripe’ for settlement.²² In the Syrian case, it is questionable whether the disputants, at least until 2015-16, were receptive to external mediation. During the first phase of the war, the opposition – and for that matter, many outside of Syria – believed that the regime’s fall was imminent and that Syria would develop on a path parallel to that of other countries where rulers had been toppled by the wave of popular unrest that was the ‘Arab Spring’. For its part, the regime underestimated the strength and endurance of the opposition. Because of such miscalculations, both sides clung to strategies of violence, seeing little value in negotiations that would yield at best a power-sharing arrangement. This is line with historical experience: where there is mutual optimism about military prospects, parties rarely negotiate in earnest, as they think that uncomfortable and uncertain compromises can be avoided via success on the battlefield.

Information asymmetries of this type were most acute in the first phase of the war, before the relative strength of the disputants had been revealed through fighting. But they may have been temporarily rekindled throughout the war, due to shifts in momentum on the ground. For instance, if one looks at changes in the amount of territory and population controlled by different sides, three phases emerge, some of which contain considerable fluctuation in perceived prospects.

In the first phase, 2011-12, the regime lost territory, as the opposition established itself in the areas that have since become its main staging grounds: the extreme South, the East, and the area in the Northwest around Idlib and Aleppo. In a second phase, roughly

2013-14, the regime managed to shore up its defenses and stop most of the territorial bleeding, turning the war into a temporary stalemate. The period from the fall of 2014 through the first quarter of 2016, however, was characterized by initial regime losses, as the onslaught of the Islamic State gathered momentum and other opposition actors made progress on the Southern front, and a following military turnaround, as the regime, supported by Russian airstrikes and materiel, managed to claw back territory in several parts of the country.

While both sides suffered from mounting war-weariness, these twists and turns may have shaped the perceived relative value of negotiations, at least in comparison with a baseline scenario in which the frontlines would have remained static.

External supporters did little to correct such perceptions. Indeed, regional rivals – Iran favoring the regime, Gulf countries and Turkey favoring the opposition – and international patrons (especially Russia) have underwritten a steady stream of weaponry and resources to shore up their preferred client, thereby perpetuating military aspirations. Similarly, the opposition’s military hopes were underpinned by the inability of Western powers to clearly signal that a military intervention in Syria was unlikely. While there may have existed strategic benefits from maintaining a degree of uncertainty as to the probability of intervention, so as to deter the Syrian regime, the West’s ambiguous signals injected unwarranted hope among the opposition, diminishing their appetite to seek mediated rapprochement, especially in the first two years of the war.

As in many other civil wars, the chief obstacle to settlement in Syria has been the inability of the parties to generate firm expectations that any negotiated agreement will be implemented.²³ Fear and mistrust were rife in Syria and, if anything, worsened over time. The authoritarian nature of the regime, demonstrated by its harsh treatment of political challengers in the past, burdened its ability to convince the opposition that conceding to negotiations was a real option. Many opposition leaders have direct experience of being at the receiving end of the regime, in prisons and interrogation facilities, and naturally did not trust it to deliver on meaningful power-sharing. Conversely, regime leaders feared for their personal security, should they lose the war, and their key demographic base, the Alawite minority, feared widespread ethnic reprisals and long-term oppression. Other non-Sunni minorities loyal to the regime feared the uncertainty of what it would mean for them to live in a country with a Sunni-majority – or even Islamist – government. Such anxieties were mirrored in rhetoric framing the conflict as a ‘war of existence’.²⁴

The religious dimension was present from the first days of the Syrian uprising²⁵ and, in a country with weak civil society, provided part of the narrative around which the Sunni opposition could coalesce.²⁶ The arrival of fighters that viewed the war as one battleground in the larger rivalry between Sunni and Shia accentuated religious fault lines, fortifying essentialist convictions that commonly make disputants less willing to entertain negotiations.²⁷

The splintered nature of the opposition is another complicating factor. Historical data suggest that that civil wars in which rebels are fragmented tend to be more resistant to mediation.²⁸ In Syria, the opposition displayed exceptional fragmentation, both horizontally, across hundreds of groups inside Syria, and vertically, between fighters on the ground and various leadership constellations in exile. The war saw endless attempts at fomenting rebel unity via umbrella coalitions, most of which fell apart in petty bickering and none of which acquired universal support or legitimacy. Few credible rebel leaders have emerged and even less so a narrative that can provide ideological cohesion. Because the opposition has not been able to speak with one voice, it has neither been able to formulate a common agenda nor – as the Government likes to point out during negotiations – credibly commit to uphold a nation-wide ceasefire.

Indeed, in the absence of institutional organization and common ideological narratives, the opposition has largely been kept together by its uniform demand that ‘Assad must go’. Because this demand provided the opposition with its main coordination device, it could not be relaxed. Consequently, most opposition representatives never wavered from stipulating Assad’s departure as a precondition for further talks. Given that the Government has no incentive to be flexible on this point, the fate of al-Assad essentially turned into an ‘indivisibility’ – a good that cannot be efficiently partitioned – which the parties lacked both creativity and will power to dissolve. Rather, disputes over this issue have recurred throughout the war and remained one of the central barriers to a negotiated settlement.

Conclusions

In this article, I have described the main outlines of mediation efforts during the first five years of the Syrian civil war, discussing similarities and differences with regard to strategy and outcomes across four separate initiatives. All initiatives prioritized conflict mitigation, seeking to reduce the intensity of hostilities via ceasefires before engaging in negotiating on substantive incompatibilities. Likewise, all efforts initially privileged consultations with primary parties, but gradually shifted to a greater reliance on external leverage. There were differences with regard to inclusivity and the flexibility of consultations, with the later mediation efforts being somewhat more inclusive and bottom-up than earlier attempts. All efforts came up against a set of persistent strategic barriers, which included perceptions of bias, mutual military optimism fed by regional and international patrons, increasing saliency of sectarian fault lines, and the fractured nature of the opposition. The paramount obstacle was the fate of President al-Assad, an issue on which both sides remained inflexible.

The primary achievement of these mediation efforts was procedural: in the face of a very inhospitable mediation context, these mediators kept the process alive. This is not insignificant, because an uninterrupted effort maintains relationships and sensitizes the mediator to conflict characteristics, for an overall greater preparedness to grasp opportunities when they arise. Other positive achievements would include the 2012 ceasefire, a series of humanitarian truces, and a second ceasefire in 2016.

Mediation seeks to attain a negotiated settlement, but there are other possible scenarios for Syria: military victory for either side, continued war, or a de facto breakup of the country into ethnic and ideological statelets. As for the first, previous research has demonstrated that most civil wars end in military victories.²⁹ However, given the balance of capabilities in Syria, the war is unlikely to end in a one-sided victory, unless Russia extends its military intervention or the opposition’s supporters drastically downsize their support.

So the second scenario, continued war, is more likely. Regardless of whether UN peace efforts are successful, the war in Syria will continue for quite some time, because there are actors – most notably the Islamic State – that are not participating in the diplomatic process. Should the peace process move forward, it might make it easier for the regime to engineer a military victory, given that it can reallocate its military capabilities to focus squarely on its jihadist opponents.

If the war continues as per its current path, the third option, break-up of the country remains a possibility. Already today, Syria is consisting of de facto mini states and fiefdoms. Should this condition endure, it is likely that, for reasons of sheer exhaustion,

the war peters out some form of stability emerges between the entities of such a shattered Syria.

All of these are undesired outcomes. While military victory would end the war, it would likely result in a state based on ethnic oppression, regardless of who stands as the victor. We learn from Iraq that this is a recipe for further instability. A breakup of Syria would potentially provide security for ethnic minorities, but would have troublesome knock-on effects for the territorial order in the Middle East, resting on shaky compromises laid down at the end of World War I. That is one reason most actors have proclaimed a clear preference for a Syria that remains one state within its current borders.

Hence, the search for a negotiated power-sharing arrangement, the only option that can satisfy majority interests while maintaining the territorial integrity of the country, continues. Experience tells us that crossing the bridge between hot conflict and a power-sharing deal is a long and perilous exercise. And as we have seen in Syria, is very easy to fall off the bridge.

In this regard, moving from war to truce, and eventually from truce to settlement, will require creative solutions to a number of problems beyond the fate question of the fate of al-Assad. First, any ceasefire will depend on the successful isolation of jihadist militias from other opposition groups. Given that these are intermixed on the battlefield, in particular in Idlib and Aleppo, there is a risk of spillover effects and spoiler attacks, as the war continues against some groups but not others.

Second, finding a way to constructively deal with the inclusion of Islamist factions in the diplomatic process is necessary. While such groups played a prominent role in the Vienna Process, it is not clear how their agenda can be reconciled with the political institutions envisioned by the Geneva Communiqué and Resolution 2254.

Third, solution in Syria is premised on decreasing the intensity of the regional conflagration between Sunnis and Shias. This would be greatly facilitated by active mediation between Iran and Saudi Arabia and by the establishment of an ethnically inclusive government in Iraq.

Fourth, a power-sharing arrangement must find a calibrated balance between central control and regional autonomy. To safeguard the interests of ethnic minorities, any model of future Syria will likely be based on broad regional autonomy. Plans for a federal Syria have already been floated and Syrian Kurds – possibly in response to their exclusion from the Geneva Process – have declared Kurdish areas a federal region. But to maintain Syria as Syria, gravitational tendencies will have to be balanced with a national project.

With the exception of humanitarian arrangements, progress in Syria has largely resulted from the application of external leverage. Russia in particular has played a key part in getting the regime to the negotiation table and to sign on to ceasefires. The US and regional countries have fulfilled a similar function with regard to opposition groups. Given its role in world politics, the UN has been well placed to coordinate, and to profit from, such leverage. As the Syrian case shows, the careful application of leverage can shift the parties negotiation parameters, making them more likely to agree, and, via security guarantees and local deterrence, more likely to stick to an agreement. It is likely that leverage will remain a key instrument in Syria for the foreseeable future. However, the problem with conflict management reliant on external leverage is that it creates temporary, ‘artificial’ incentives in favour of a deal, which may deteriorate as soon as the external leverage is withdrawn.³⁰ It is therefore crucial that conflict management is complemented with efforts to resolve the underlying incompatibilities.

End Notes

¹ Syrian casualty figures are disputed, ranging from less than 200,000 to nearly half a million since the start of the war. The figure here is based on the official estimate of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), <http://www.unocha.org/syria> (accessed 17 May 2016).

² Richard Gowan, 'Kofi Annan, Syria and the Uses of Uncertainty in Mediation,' *Stability: International Journal of Security and Development*, Vol. 2, No. 1 (2013), pp. 1-6; Chester A. Crocker, et al, 'Why Is Mediation So Hard? The Case of Syria', in Mauro Galluccio (ed.), *Handbook of International Negotiation* (Springer International Publishing, 2015), pp. 139-155; J. Michael Greig, 'Intractable Syria – Insights from the Scholarly Literature on the Failure of Mediation', *Penn State Journal of International Affairs*, Vol. 2, No. 1 (2013), pp. 48-57; Magnus Lundgren, 'Peacemaking in Syria: Barriers and Opportunities', *UI Brief*, No. 1 (2015); Tom H.J. Hill, 'Kofi Annan's Multilateral Strategy of Mediation and the Syrian Crisis: The Future of Peacemaking in a Multipolar World?' *International Negotiation*, Vol. 20, No. 3 (2015), pp. 444-478; Raymond Hinnebusch and I. William Zartman, *UN mediation in the Syrian crisis: from Kofi Annan to Lakhdar Brahimi* (New York: International Peace Institute, 2016).

³ E.g. Isak Svensson, 'Bargaining, bias and peace brokers: How rebels commit to peace,' *Journal of Peace Research*, Vol. 44, No. 2 (2007), pp. 177-194; Patrick M. Regan and Aysegul Aydin, 'Diplomacy and other forms of intervention in civil wars', *Journal of Conflict Resolution*, Vol. 50, No. 5 (2006), pp. 736-756; Kyle Beardsley, 'Agreement without peace? International mediation and time inconsistency problems', *American Journal of Political Science*, Vol. 52, No.4 (2008), pp. 723-740.

⁴ "Report of the Head of the League of Arab States Observer Mission to Syria"
http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf (accessed 17 May 2016)

⁵ Arab League Council Resolution 7444
http://www.lcil.cam.ac.uk/sites/default/files/LCIL/documents/arabspring/syria/Syria_60_AL_Council_Resolution_7444.pdf (accessed 17 May 2016)

⁶ Formally, Kofi Annan was appointed the Joint Envoy of the United Nations and the Arab League, but for all practical purposes, it was a UN mission. Logistical and financial support came from the UN and Annan reported to the UN Security Council.

⁷ Author's interviews with UN mediation officials October and November 2013; Hill, *International Negotiation* (note 1)

⁸ UN Security Council Resolutions 2042 and 2043

⁹ Calculations of fatalities statistics based on Megan Price, Anita Gohdes, and Patrick Ball, 'Updated Statistical Analysis of Documentation of Killings in the Syrian Arab Republic', Report commissioned by the UN High Commissioner for Human Rights, Human Rights Data Analysis Group, 2014, <http://www.ohchr.org/Documents/Countries/SY/HRDAGUpdatedReportAug2014.pdf> (accessed 19 December 2014)

¹⁰ For details on Brahimi's mediation efforts, see Hinnebusch and Zartman, *UN Mediation*, pp. 12-16, (note 1)

¹¹ Hinnebusch and Zartman, *UN Mediation*, p. 13 (note 1)

¹² Staffan de Mistura, "Briefing to the Security Council on the Situation in Syria", 17 February 2015.

¹³ Staffan de Mistura, "Briefing to the Security Council on the Situation in Syria", 29 July 2015.

¹⁴ "UN Special Envoy's Paper on Points of Commonalities", March 24, 2016,
[http://www.unog.ch/unog/website/news_media.nsf/\(httpPages\)/8E6FDF778A229D66C1257F800066B7EE?OpenDocument](http://www.unog.ch/unog/website/news_media.nsf/(httpPages)/8E6FDF778A229D66C1257F800066B7EE?OpenDocument) (accessed 17 May 2016)

¹⁵ There were a number of minor mediation initiatives in Syria during the same period, including by Russia, but none of these attracted a wider interest from the opposition. Further, there were local initiatives and a range of offers of mediation that never materialized, including by Iran, Turkey, the Palestinian Authority, and China. For local mediation initiatives, see Swiss Peace, *Inside Syria: What Local Actors Are Doing for Peace*, Report, Swiss Peace, 2016

¹⁶ Govinda Clayton and Kristian Skrede Gleditsch, 'Will we see helping hands? Predicting civil war mediation and likely success', *Conflict Management and Peace Science*, Vol. 31, No. 3 (2014), pp. 265-284.

¹⁷ See Hill, *International Negotiation* (note 1) for further details on Annan's usage of leverage.

¹⁸ See Andrew Kydd, 'Which side are you on? Bias, credibility, and mediation,' *American Journal of Political Science*, Vol. 47, No. 4 (2003), pp. 597-611.

¹⁹ As emphasized by Hinnebusch and Zartman, *UN Mediation*, p. 7 (Note 1): "From the regime's point of view, the UN was now adding its weight to a plan devised by its Arab enemies."

²⁰ Hill (ibid.)

²¹ Magnus Lundgren and Isak Svensson, 'Leanings and Dealings: Exploring Bias and Leverage in Civil War Mediation by International Organizations.' *International Negotiation* Vol 19, No. 2 (2014), pp. 315-342.

²² I. William Zartman, *The timing of peace initiatives: Hurting stalemates and ripe moments* (Palgrave Macmillan UK, 2008).

²³ Barbara F. Walter, 'The critical barrier to civil war settlement.' *International organization*. Vol. 51, No. 3 (1997), pp. 335-364.

²⁴ E.g., 'President al-Assad: Syria's war on terrorism is a battle of existence', Syran Arab News Agency, <http://sana.sy/en/?p=8592> (accessed 17 May 2016)

²⁵ Charles R. Lister, *The Syrian Jihad: Al-Qaeda, the Islamic State and the Evolution of an Insurgency* (Oxford: Oxford University Press, 2016).

²⁶ Aron Lund, 'Syrian Jihadism', *UI brief*, No. 13, Swedish Institute of International Affairs, 2012

²⁷ Isak Svensson, *Ending holy wars: religion and conflict resolution in civil wars*. (Brisbane: University of Queensland Press, 2012).

²⁸ David E. Cunningham, 'Veto players and civil war duration.' *American Journal of Political Science* Vol. 50, No. 4 (2008), pp. 875-892.

²⁹ Walter, *International Organization* (note 22).

³⁰ Cf. Beardsley, *American Journal of Political Science* (note 1).