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Syria's Reconciliation Agreements

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Local truces in the Syrian conflict, what the regime called reconciliation (*muslaha*) agreements and the great powers later termed de-escalation or deconfliction zones have varied, over time, largely according to the changing balance of power. They ranged from compromises in which after a cease fire opposition fighters remained involved in security and governance roles in their areas, to cases of virtual opposition surrender involving evacuations of fighters or even whole populations.

The Context Shaping “Reconciliation:” the Changing Balance of Power The Syrian government and opposition forces had, from quite early on, negotiated truces in limited areas, but greater impetus was given to this by the growing incapacity of either side to win the war. The regime, facing manpower shortages that precluded the re-conquest of opposition areas, took the lead in trying, instead, to impose settlements piece by piece on the arenas on the margins of government controlled areas where opposition concentrations were most threatening. The truces reflected and formalized the reality of a war of attrition, in which advances were incremental and difficult to hold, tending to fragment control. Also, the failure of national level “top-down” political negotiations, notably Geneva II, led the third UN mediator, Stephan DeMistura to propose in November 2014 less ambitious bottom up local truces in order to reduce the violence and in the hope these would acquire momentum enabling the national level negotiations stalemate to be overcome (Beals 2017).

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The shifting balance of power tended to determine the pace and kind of agreement. In the Damascus area, the regime benefited from the opposition's fragmentation, inability to coordinate combined offensives and vulnerability to being picked off one by one. Populations became alienated as opposition fighters failed to shield people from the regime's sieges and air assaults as well as by their infighting over control of supplies and access points, personal power and doctrinal differences (among Islamists) (Glass 2017; Lund, 2017b). Another factor was the co-optation of opposition FSA forces by Jordan and Turkey, to secure their borders and fight IS and the PYD rather than Asad. Most notably, the Russian intervention, the fall of Aleppo and Turkey's realignment with Russia, giving up on the goal of overthrowing Asad, set up a certain bandwagoning toward the apparently winning regime side (Samaha 2017).

When surveyed as to why the opposition was accepting deals with the regime, respondents cited relief from sieges, bringing security, declining prospects of military victory over the regime and an opportunity to re-coup arms. (Turkmani and Kaldor 2014). After years of unrest, massacres and deadlocks, public opinion seemed to shift in favour of the security and safety that the regime could possibly better deliver (Lakitsch 2017).

After its 2015 intervention, Russia's strategy started to dominate the settlement process. Moscow proposed "de-escalation/de-confliction zones" to contain the conflict. The medium-term goal would be something resembling post-civil war Bosnia, with government and opposition forces responsible for security in their own areas (Memorandum; Applying Bosnia Model). In the shorter term, getting the moderate fighters to accept de-escalation would in practice bring them to accept the Asad regime and, at times, allow them to be used against the jihadists. At the Astana meeting, 13 armed factions, having suffered battlefield losses, especially in Aleppo and loss of backing from Turkey, were brought, albeit unwillingly, into the negotiations over what became the Astana agreement, (AP 2017). It specified four de-escalation zones-- northern Homs, Ghouta, south Daraa/Quneitra and Idlib and parts of neighbouring

provinces. Not only would fighting stop in these areas, but the government was obliged to allow humanitarian aid, restore public services and allow refugees to return; also having little choice, Damascus said that although it would abide by the agreement, it would continue fighting “terrorism” –a label it applies to all armed rebel groups. Opposition militants recognized the agreement aimed to split the FSA from the jihadists, thus divide the opposition to Asad’s benefit. Russia, Turkey and Iran were to provide forces to police the ceasefire, although agreement over the details was not reached. The Putin-Trump pact — detailed in a Memorandum of Principle for De-escalation in Southern Syria — was to establish a similar cease-fire between Syrian government forces and armed opposition in southern Syria that would maintain the existing division of control between the two sides, though, unlike Astana, it did not recognize any role for Iran, directly or indirectly (i.e. Hizbullah), in securing this agreement.

In essence, the military opposition has come to terms with the fact that it had to separate from the jihadist groups and come to terms with a heavy Russian role and presence because the alternative was Iran, and that changing the Asad regime was, at the very least, no longer achievable in the short run. The ‘deconfliction zones’ constituted the only tangible ‘achievement’ the opposition could claim on the ground, since they were in theory areas which were not completely under government control, and yet under some form of international protection. Because these zones were only clearly defined in terms of the areas they cover, rather than in actual nature, both the regime and the opposition would inevitably attempt to impose their respective modes of governance and security.

Regime Discourse

The Syrian government professed to follow a policy of dialogue regarding political reform with all domestic parties “which rejected foreign interference and violence, “while combating foreign-backed” insurgencies. Following the failed Geneva II conference in which it claims the “foreign – backed opposition” excluded itself from the reform process,

internal dialogue was asserted to be the only viable peaceful exit from the conflict. (SANA 2014; nsnbc international, 2014)

National reconciliation was a “strategic vision” articulated by President Bashar al-Asad (al-Baath Newspaper). The government established a Ministry of National Reconciliation in 2012 under Ali Haidar who claimed successful conclusion of 50 reconciliation projects as of September 30, 2015 (Stone 2016). The strategy was to separate the foreign fighters from Syrian fighters and the “terrorists” from moderate fighters who could be “brought to their senses” (Adleh and Favier 2017). He presented a benign representation of the process: the ministry selected influential local people to form a committee of reconciliation which contacted the fighters and offered safe passage out of the area for those fighters who refused reconciliation and amnesty for those who laid down their arms. The latter were invited to join the army and many, the regime claimed, did so. President Asad granted blanket amnesties eight times in the last five years for a total of about 20,000 former Syrian “mercenaries.” In July 2016, Asad issued Legislative Decree No. 15, the legal basis for ‘reconciliation,’ which included amnesty for those who ‘turn themselves in and lay down their weapons.’ (Ezzi, 2017). Opposition supporters were guaranteed the right to work with the (unarmed) Syrian internal opposition. The Syrian media conveyed the view that the people in opposition controlled areas wanted (SANA, Oct 2015) to embrace national reconciliation, but were afraid of violent reprisal from terrorist organizations. Reconciliation would boost trust between citizens and officials, settle the legal status of youths who decided to lay down their weapons, address the issue of missing people, and enable humanitarian aid. “Reconciliations are doing very well now,” said President Asad’s adviser, Dr. Bouthaina Shaaban in 2017. “And there are many areas in the pipeline. We feel that this is the best way to end the war.” (Glass 2017)

How does the regime see the cumulative outcome of reconciliation? Legislative Decree 107, on administrative decentralization, has been said to provide a potential framework for a post-conflict devolution of political authority that would

allow all sides of the conflict to retain some degree of control over the areas under their jurisdiction; yet, it also grants wide powers and to a presidential appointed governor at the province level (Aarabi 2017). Giving the present alternatives, that may well be an ideal outcome allowing at least some power-sharing.

Regime Strategy

However, People's Assembly speaker Hadiyah Abbas gave a more realistic assessment in describing reconciliation as a way "to enhance the victories achieved by the Syrian Arab Army against the terrorist organizations." (SANA, Sept 2016). Indeed, sources close to the regime see reconciliation as part of a sophisticated regime survival strategy. This strategy combines negotiations with the opposition, with the unrestrained use of force, (relying on Russia for diplomatic protection at the UNSC against international reaction) reflecting the regime view that one can never negotiate from weakness. However, faced with manpower constraints, rather than risk significant regime casualties, the regime came to pursue a policy of siege and waiting until the villages or towns were finally ready to capitulate (which the older notables would pressure the fighters to accept.). The state security system, armed with intelligence files amassed over generations, knew its enemies and their vulnerabilities. Discovering that no tactic worked everywhere, the regime's negotiators offered different kinds of deals in different areas; for example, those that demonstrated high resistance in fighting the regime faced total population removal and safe passage to rebel controlled areas (i.e. the Idlib governorate) (Glass 2017). Many deals concentrated on the peripheries of Damascus where the regime gradually expanded against rebel concentrations that were a threat to its nerve centre, but also in Homs, Aleppo and elsewhere (Beals 2017). The reconciliations were regarded from the very beginning as part of a war strategy rather than a genuine desire to move toward power-sharing: promises pertaining to administrative decentralization and the special privileges promised to notables of reconciled areas were reversed over

time and loyalists were systematically reintroduced into these areas.

Moreover, as the power balance shifted its way, the regime's determination to bring all Syrian territory back under its rule has been renewed. Regime media boasts that until recently the idea of a military victory was regarded as impossible to achieve but is no longer so and a return to a centralised government will be achieved (over time); only when it comes to the Kurdish areas does the regime exhibit uncertainty regarding the extent to which it can restore the old status quo. In private, regime connected figures admit the regime is reconciled to a continuing long struggle. Having achieved the upper hand on the ground at great cost, Assad has no interest in the concessions needed for a negotiated political transition.

Certainly, the opposition sees the regime's reconciliation strategy as far from benign. Reconciliation deals do not amount to "reconciliation" but are either surrenders or temporary truces of convenience. In its most alarmist version, they are nothing less a plan for demographic re-engineering of Syria. Riyadh Hassan Agha, of the Syrian opposition's Higher Negotiation Committee (HNC), sees it in these terms: make 12 million Syrians (predominantly Sunni) become displaced or refugees and force the remaining Sunnis of Damascus and the coast to accept their reduced role as a wounded minority which must show full allegiance. In parallel Iranian backed militias are introduced into areas where Sunni fighters depart as a strategy of Shia-ization (All4Syria Archive, <http://www.all4syria.info/Archive/355010>).

“Reconciliation” in Action: Processes and Outcome Variations

We can get a better idea of both government intentions and the constraints it faces by surveying the processes by which reconciliation deals have been reached and what their outcome has been.

The negotiators for the government were army and intelligence officers as well as pro-regime residents of contested areas such as tribal or religious leaders, while the opposition side included fighters, council activists, religious

leaders and notables. The regime could not simply dictate the terms: e.g. pro-Asad notables with roots in East Ghouta made repeated negotiating trips to Islam Army-held Douma (Lund 2017a). Negotiations often broke down because the government insisted on surrender or if less was demanded, spoilers, those profiting from checkpoints on both sides, but especially the hard-line local regime militias grouped in the National Defence Force (NDF) sometimes defied deals reached by government officials. In one instance, a reconciliation committee authorized by the government was killed by an Alawite militia. Bad faith and non-implementation especially by the government deterred further agreements. Opposition groups might prolong the fighting to keep access to outside funding. When fighters were foreign or had no stake in the affected area, they were less responsive to civilian suffering and demands to end the fighting (Turkmani and Kaldor 2014). In 2016, the Russians set up their own Centre for reconciliation that claimed to broker 1479 truces, which, if true, marked a serious acceleration in their pace (Adleh and Favier 2017).

Kinds of Agreements

Kinds of agreement reflect not just the intentions of regime (and opposition) but the balance of power between them, and also factors such as whether a locale is strategic, its sectarian composition and the history of its role in the uprising.

Type 1: The most unbalanced form of agreement leads to displacement of the entire population, (many of whom will have previously fled the area), perhaps in a population exchange such as occurred in the so-called four towns agreement wherein Shiite villages encircled by the opposition were evacuated in parallel to Sunni evacuations from the Kalamoun area, e.g. from Zebadani. This strategy, in opposition eyes, is based on forcing the inhabitants to relocate with a view towards creating demographic changes in a so-called “useful Syria.” (Ezzi 2017)

In the case of Daraya, which was a platform for rebel attacks on regime-held Damascus and close to the Mezze military airport, not only was the population forced out, but

also regime troops looted and razed the town. By contrast, the neighbouring town of Moadamiyah, which had been more defensive in the conflict, was treated more generously. Many Daraya fighters went to Idlib, but others relocated to a new camp ten miles south of Damascus near Harjallah where new houses were built and free food, utilities, education and medical care were provided by the Red Crescent. Said one fighter: “We were given a choice. ...when I came here, ...everyone said the regime would take me to prison.” Evidently, this did not happen (Glass 2017). In some places, a Sunni-Alawite sectarian faultline influenced the regime's approach: Homs centre city and al-Waer, rebellious Sunni areas, both suffered population evacuation, shifting the demographic balance in favour of Alawites.

Type 2: A somewhat less punitive deal required opposition fighters and activists to submit in return for lifting of sieges and restoring services but without large-scale population displacement. This version of ‘reconciliation’ was implemented in Qudsaya, Al-Hama, Al-Tal, Madaya, and the suburbs of eastern Damascus, among others. Anyone who was armed and did not accept government conditions was expelled. Submissive elements of the former armed opposition were absorbed into the regime’s local militias. The opposition’s local councils were dismantled since, offering an alternative to state institutions, they were seen as a threat to restoration of regime authority in rebel areas. Members of the reconciliation delegation, traditional dignitaries, merchants and clerics loyal to the official religious establishment become local leaders with temporary authority. Significantly, these deals allowed former Islamist clerics to be co-opted: e.g. in the town of Yalda in the southern Damascus countryside, the Imam of Masjid al-Saliheen after having been a judge in a Sharia court of the Islamist factions, joined the government side as did the Imam of the Beit Sahem Great Mosque, who was the commander of Liwa Sham al-Rasoul’s Saraya al-Sham. Through the former Mufti of Rif Dimashq, Sheikh Muhammad Adnan Afiouni, a disciple of the late Shaikh Ahmad Kaftaru, the regime rehabilitated them and gave them guarantees that they

would not be prosecuted in return for their support for the policy of ‘reconciliation’. They were transformed into mediators between the people and the state. Although sieges were lifted in these cases, local humanitarian networks that had hitherto channelled aid from abroad were dismantled, as the government considered such delivery of aid to opposition areas a violation of its sovereignty. Now aid flowed only through government-affiliated channels where it might be diverted to loyalist hands or lost through corruption. The regime sometimes reneged on its promises to deliver services; in Al-Tal, electricity was not restored and there were arbitrary arrests by the pro-regime Qalamoun Shield militia. The regime managed to co-opt some FSA fighters into its National Defence Forces, capitalizing on infighting and grievances between opposition groups. But in many ‘reconciliation’ areas, the regime began imposing mandatory conscription (Adleh and Favier 2016; Ezzi 2017).

Type 3: The third type of agreement was more balanced as dictated by a power balance between regime and opposition. Under this type of deal rebels maintained control of their areas in return for handing over heavy weaponry and halting attacks on regime forces; in return, sieges were lifted, return of the displaced and restoration of public utilities allowed (Hamlo 2015). The first agreement in Barzeh of June 2014 was along these lines and much more favourable to the opposition than other deals owing to the fact that it was a strategic location the government needed to recover but had not been able to do so militarily, suffering many casualties; as such, it pushed for a ceasefire to neutralize this front. FSA fighters remained in control of their area, nominally transformed into a regime-sanctioned “popular army” charged with maintaining security, and the army pulled back to allow civilians to return, with the road to Damascus being opened (Turkmani and Kaldor 2014). Later, however in May 2017, hundreds of rebels and their families were also evacuated after they decided to lay down their arms and leave to rebel-held Idlib province.

A similar deal was reached in 2014 in Jiroud, which thereafter remained peaceful. The deal was characterized by

an opposition activist as a “temporary truce” that served the interests of the opposing sides. The government wanted to reduce the number of fronts in which it is engaged and the (pro-opposition) inhabitants of Jiroud sought to spare their town. In his words, “The government will have to exercise self-restraint ...because they cannot afford to reignite those fronts since the army is overstretched in such hotspots as Idlib, Daraa and Aleppo” (Hamlo 2015).

Al-Sanamayn in Daraa muhafazat was a model for how the regime sought to deal, at minimum cost, with the wider rebel-held south. It was strategic, being home to an important base of the Syrian army's 9th division and a gateway between Daraa and opposition areas of the Ghouta. Much of the town fell out of regime control and opposition local councils were set up, though most of the public services were still provided by the regime. The regime laid siege to the opposition-controlled neighbourhoods which was lifted under an agreement that the rebels would not attack regime positions or personnel. Some (not all) weapons were handed over but no fighters were compelled to leave. The regime's security forces did not intervene in security and criminal incidents in the town, allowing the armed factions to deal with these matters: if the regime arrested someone's relatives, that person would retaliate by kidnapping military personnel or firing on a military zone. With all clans armed for self-defence, there was much lawlessness. Rather than conscription, the regime tried to recruit to the new Fifth Corp by offering substantial benefits. Facing manpower shortages, the regime saw this as a model for how to deal with the South; but it would not work in areas with a strong jihadi presence (Tamimi 2017).

Type 4: A fourth type of agreement resulted where the opposition bargaining position rested on its control of a resource crucial to the government. In Wadi Barada, the truce stipulated that the government forces would not interfere in the town at all, in return for secure pumping of drinking water to Damascus from al-Fija spring; “The rebels cut off water supply to Damascus more than once, blackmailing the government until the latter agreed to their demands, which

were mostly about releasing prisoners from the regime's jails," Eventually, however, the government invaded and took over the Wadi area. Similarly, rebel groups seized control of gas pipelines in the town of Mahsa, which supplied power plants in Damascus, using it to extort money from the government or to win the release of prisoners. In Aleppo control of the city's thermal power plant was the object of practical agreement between regime and opposition (Hamlo 2015;. Turkmani and Kaldor 2014).

Consequences of the Agreements

Local reconciliation agreements have delivered humanitarian improvements and local peace that top down efforts failed to deliver. In the short term, Syrians accept them to get relief from war, but in the long term, obstacles to true reconciliation include government policies of forced conscription and displacement, loss of property of displaced, razing of informal settlements and lack of regime release of detainees (Adleh and Favier 2017).

Despite the regime's expressed aim of restoring centralized rule over Syria, this is impractical in the medium term, and indeed, even in government controlled areas, power has become de-centralized to local strongmen, in a way not too different from the 3rd and 4th type of agreements with opposition areas. The last six years have created a culture of self-governance not only in areas that were outside of regime control, but even in areas like the coast and Damascus; a culture which the regime will have to adapt to. Indeed, it is in areas that remained under regime control that the regime will find it the most challenging to restore (assuming it actually desires to) to pre-uprising modes of governance. Millions of Syrians learned how to carry out their daily lives during periods when the government was far too preoccupied to deliver its previous services. These new survival skills often meant the rise of new organizations that the government tolerates because they are not politicized and are focused entirely on fulfilling functions that the government is too over stretched to carry out.

Local agreements need, however, to be incorporated into a comprehensive peace settlement; otherwise they will

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be mere war tactics used to neutralize one area so fighting is easier elsewhere. (Turkmani) and will not deliver anything like reconciliation. Russian proposals seem to aim at just this and if they are realized would mean, in practice, a new more decentralized but also more lawless order for the medium term. As the situation stands today, the regime appears to have not only proven it can achieve a partial military victory, but also that the only type of changes it is willing to tolerate are those decentralized forms of governance that are taking place within the framework of reconciliations. These changes, however, insignificant as they may presently seem, strike at the very nature of pre-2011 Syria, and hence, ironically, what appears now as evidence of government triumph may eventually prove to be the foundation of a Syria not too different than that which the initial protests aspired to reach.

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