

Event Report

BÖLL LUNCH DEBATE

The Conflict in Syria and the Responsibility of the European Union¹

The sudden and unexpected rise and military success of ISIS in Iraq and Syria over the summer has led to a dramatic shift on the ground in the Middle East, in Western public opinion and subsequently in the involvement of the international community. A coalition of Arab and Western countries, led by the USA, has started a military campaign against ISIS in Iraq and since September in Syria. The coalition is supported by most EU Member States. But how does this affect the Syrian population? Syrians have been suffering violence and war crimes since the beginning of the popular uprising more than three years ago. With a death toll of around 250.000, over 3 million refugees and an even higher number of IDP's and large parts of the country in ruins, the Syrian civil war is the most violent and destructive conflict at the moment. The rise of ISIS is not so much the cause of the current crisis in Syria, but the result of the failure of the international community to find a solution to the conflict and to protect civilians in Syria. Now the response to the rise of ISIS is mainly a military one and lacks a clear political objective. However, any meaningful strategy against ISIS in Syria (as in Iraq) needs to address the root causes of the conflict and keep the protection of civilians against gross human rights violations and war crimes as its primary objective. What are the options in this labyrinth of violence? Does the new international attention for Syria bear a potential for a successful solution of the conflict? What is the strategy of the European Union and the US behind their war against ISIS? How can the EU and the international community play a more constructive role in Syria and Iraq?

Lack of a long term plan for Syria

In spite of the fact that the broad international coalition, consisting of both Western and Arab countries seems to be determined to stop the advancement of ISIS, currently calling themselves 'Islamic State', it remains a rather fragile alliance due to multiple reasons. While containing ISIS' influence and the use of force for humanitarian reasons are undisputed, the question of how to bring lasting peace to the region has not yet been answered. Rather than the reason for the current crisis in Syria, the emergence of ISIS is its symptom, and the international community is aware that a military solution to ISIS has no prospects of success unless a political solution to the current situation can be found. This boils down to the question whether or not Assad should be part of a future Syrian state, a question that has not yet been discussed by the coalition due to its members' different interests. While ISIS is not officially backed by any country, the Assad's regime still enjoys the support of influential nations such as Russia which is extra powerful

¹ The event took place on 4 November 2014. Guest speakers were. **Haid Haid**, programme manager Middle East Office Beirut, Heinrich-Böll- Stiftung, **Marcell Shehwaro**, Syrian blogger and **Pierre-Christophe Chatzisavas**, Desk officer Syria, EEAS. The event was moderated by Jan **Jaap van Oosterzee**, Senior advisor public affairs Middle East, PAX and **Dr Bente Scheller**, Director Middle East Office Beirut, Heinrich-Böll- Stiftung. The opinions expressed do not necessarily represent the opinions of the Heinrich-Böll-Stiftung. The recommendations presented by the hbs offices Beirut und Brussels and PAX can be found [here](#).

because of its seat in the United Nations Security Council. On the basis of geopolitical interests, the regime of Assad is still considered an ally by quite a few nations and does not, unlike ISIS, constitute a significant threat to its neighbouring countries (with the exception of Israel). The international community has a keen interest in not seeing ISIS extending its zone of influence all over the Middle East throughout Algeria and Oman as they have declared to intend. In order for the coalition not to break apart, to continue fighting religious extremists that disregard basic human rights and to prevent war crimes, the airstrikes are for now exclusively targeting ISIS.

Legality of the coalition's intervention

From a legal point of view, the airstrikes on Iraqi territory are in accordance with international law as the coalition acts upon request of the Iraqi government which has proved itself incapable of stopping the advancement of ISIS fighters towards Baghdad. By contrast, the US-led airstrikes in Syria which are not covered by a UN Security Council Resolution formally constitute an intervention on foreign territory violating the principle of non-interference in a state's internal affairs and hereby Syria's sovereignty. The coalition justifies the attack on Syrian territory with the threat ISIS poses to Iraq and the necessity to carry out strikes in ISIS' area of retreat in order to effectively reduce Iraq's vulnerability and exposure to ISIS and restore the country's territorial integrity. But this very broad interpretation of Iraq's right of self defence is highly controversial and illustrates why only half of the coalition's member states have extended their combat missions to Syria. However, neither Assad's government nor its allies have strongly condemned the airstrikes on Syrian territory as they are perceived as beneficial to the region's security and Assad's interests.

Public opinion amongst Syrians

The coalition's intervention is not undisputed among the Syrian population and spreads a message the international community didn't intend to send out. The airstrikes are being noticed by the population in areas not controlled by ISIS; however the majority of civilians in those areas oppose the intervention because it is not the regime of Assad which is targeted, even though it is widely considered responsible for the civil war and the rise of ISIS. People perceive the coalition's actions as supportive of Assad rather than of the moderate rebel groups, because Assad's troops move in when ISIS fighters have to withdraw due to airstrikes. This lends support to the already widespread impression of being abandoned by the international community and of being at the mercy of Assad's regime which is proven to have committed numerous human rights violations and war crimes. Especially Sunnis in tribal areas affected by airstrikes consider the coalition's actions a continuation of a 'War against Islam' and might become radical and supportive of ISIS instead of fighting alongside moderate rebel groups. It is for those reasons that the airstrikes are not as welcomed by the population as the coalition members expected. Although the coalition's objectives might be noble, even the population in ISIS-controlled areas is not favourable as people can't differentiate between the coalition's precision airstrikes and Assad's bombings which have often caused a high number of civil casualties. Sometimes it seems as if the coalition is rather achieving the opposite of what it actually intended when calling upon the international community to engage in Syria and Iraq.

A different consequence of the airstrikes carried out in Syria is that moderate rebel groups are forced to distance themselves from the coalition. As the coalition members have not yet taken a clear position regarding the fighting groups in Syria, moderate rebels feel urged not to welcome airstrikes that indirectly might be supportive of Assad's objectives. In order not to lose their popularity and not to come under pressure from other rebel groups, airstrikes are therefore being condemned. Moderate rebels perceive Assad as the biggest obstacle to peace and cannot understand why the coalition's objectives are different even though they're fighting on the same sides. Whereas the international community rapidly intervened to stop ISIS, the

conflict with Assad seems to be forgotten due to its political explosiveness and its significant repercussions on the nuclear talks with Iran as well as the relationship with Russia.

Especially moderate rebels facing Assad's troops around Aleppo are discouraged when being told that only ISIS is fought by the international coalition whilst they are increasingly losing ground in Aleppo, the last big city predominantly held by the rebels. Having to fight on three fronts at the same time, fears are expressed that the combats with Al-Nusra, Assad and ISIS might exceed the rebels' military capacities unless the international community significantly increases its support for the moderate groups.

Responding to the threat: the Western dilemma

The international community has faced strong criticism for its late engagement in the conflict that seemingly only came about after minorities were targeted in the late summer of 2014, though there are many reasons for the delay. The unexpectedly rapid advance of ISIS had taken the world by surprise, and especially the United States just having completed their withdrawal from Iraq at first wanted to leave this issue to the Iraqi government before realising that the country was unable to defend itself. Legal constraints and inhibitions about striking in Syria caused another delay. The international community was initially at loss and undecided about how to contain the influence and the capabilities of ISIS which has turned out to constitute a threat of unprecedented scale to the Middle East and Europe.

Whether or not Kobani should have been defended to such a large extent is debatable as well, but the coalition claims that the particular importance given to Kobani by international media made the defence of the town a symbolic battle. According to experts it has been crucial to the success of the operation to hold the town under any circumstances in order to make ISIS lose some of its attraction and prestige among radicalised Muslims. Being located close to the Turkish border, Kobani is of strategic importance to smugglers' routes and therefore had to remain under Kurdish control. Although the airstrikes on Kobani played an important role, the coalition claims that particular priority is given to the protection of any religious minority and that the entire population of eastern Syria and northern Iraq is meant to be protected by airstrikes.

There seems to be no point in continuing peace talks with Assad as initiated in Geneva at the beginning of 2014. As the moderate rebels are losing ground to Assad's advancing troops, Assad is not under military pressure and cannot be forced to make concessions to the political branch opposition in Istanbul which makes a political solution less likely. The difficulty the European Union and the United States are facing is how to have Assad's most influential backers Russia and Iran stop their military and political support to the regime in order to create an environment for transition. Such negotiations will have to be coordinated with the nuclear talks with Iran taking place at the same time.

Peace, accountability and reconstruction

Regarding the death toll of over 250.000, it is unlikely that the Syrian population will agree to a political solution that does not include legal proceedings against Basher Al-Assad and other government officials. Even though Syrians partially express the wish of seeing Assad leaving for the sake of ending the conflict, it is public opinion that reconciliation between ethnic groups and religions will be difficult to achieve if amnesty is granted to the regime. The same applies on an international scale: governments must be held accountable for their actions to ensure that war crimes committed by states won't be left unpunished. The International Criminal Court in Den Haag being experienced in the legal assessment of similar conflicts like in former Yugoslavia might be an institution capable of dealing with aspects of the Syrian civil war. However, for the Court to become active either the Rome Statute of the ICC would need to be adopted by the

Syrian government or the ICC would have to be called upon by the United Nations Security Council, two options that seem highly unlikely for the moment.

Conclusions

One serious issue the coalition has to look after and to improve is the communication with the moderate rebels on the coordination of airstrikes. So far it is impossible for the population to differentiate between Assad's and the coalition's airstrikes, and for the coalition in order to avoid losing even more popularity amongst the civilians it will be crucial to make clear whether the coalition has carried out an airstrike or Assad is to blame for civil casualties. Even though the coalition cannot coordinate the attacks with the rebels for political reasons, the moderate groups already trained by Western countries should be given the feeling of being supported by the West, a support that might result in the delivery of sophisticated weapon systems to rebel groups. However, supporting the Free Syrian Army is far more complicated than it might sound: although the term 'army' implies rigid military structures with a functioning chain of command, the Free Syrian Army has to be seen as a loose movement of moderate local rebel groups only united by their desire to overthrow Assad. Uniting those groups and liaising them with the powerless political opposition in Istanbul is the first step to a better representation and an enhanced political and a purposeful (military) support of the rebels. A clear distinction between rebel groups would facilitate the support of those attached to Istanbul fighting for the values the West would like to see in a future Syrian government.

When it comes to support the Syrian population and the developing civil society, countries and NGO's are called upon to shift the focus of their humanitarian aid and reconstruction efforts from short-term engagement to long-term commitment. People don't want to be dependent on supplies from neighbouring countries but become as self-sufficient as currently possible in order to gain independence and build lasting structures.

For now one thing in the conflict is certain: there will be no long-lasting peace for the region if promises given to the Syrians, especially the Sunnis, aren't kept by the international community. The structures of ISIS might be weakened or even destroyed, but similar militant and religious groups will emerge as long as no alternative is provided to the people. Although ISIS is a terrorist organisation, it does provide services to the population and fills the political vacuum the civil war has caused in eastern Syria. In order to regain support in the region, alliances with local groups and in particular tribes are of uttermost importance. This concept has already been applied in northern Iraq after 2007 when a new US initiative forced the Iraqi government to enter in negotiations with Sunni tribes (al sahwah militias) about a common approach against Al-Qaida and other Islamists in the northern regions. As long as (financial) promises were held by Bagdad, the tribes guaranteed public safety and fought against Islamists, but when the promises were no longer fulfilled, the tribes stopped fighting and the Islamist problem reappeared. Numerous of those tribes even joined radical groups and turned against Bagdad, and nowadays don't take action regarding the expansion of the Islamic State.

Never before has the international community been confronted with a fundamentally religious terror organisation that has such enormous financial capabilities and even controls a territory the size of Great Britain. Due to ISIS' rapid advancement and in view of the unprecedented scale and complexity of the current crisis in Syria, the international community has been at loss about how to proceed with both Assad and ISIS and still lacks a coherent long term approach. However, one thing is certain: lasting peace for the region is impossible to reach without a political solution for the whole country.