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on

UN Mediation: The View from Afrin and the Autonomous Administration of North
and East Syria

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There is no military solution to Syria's civil war. UN peace negotiations always emphasized a "Syrian-led process" that was "inclusive and transparent", reflecting the aspirations of all Syrians. International mediation has, however, been far from inclusive. UN officials excluded the Syrian Democratic Council (SDC), under pressure from Turkey and with US acquiescence. The SDC was denied a seat at the negotiations table unless it joined the delegation of the Syrian Opposition Council.

The UN Security Council (UNSC) adopted Resolutions 2042 and 2043, on April 14, 2012. Special Envoy Kofi Annan issued the Geneva Communiqué, which elaborated on the Six-Point Plan and called for a Transitional Governing Body. Syrians were invited to Geneva II, a conference of opposition figures that was designed to implement the Geneva Communiqué. The Government of Syria (GoS) viewed the Geneva Communiqué as a blueprint for regime change, and rejected it. It specifically opposed the proposed ceasefire, withdrawal of Syrian Arab Army forces from urban areas, and greater rights for Syrian Kurds.

Marginalization intensified during the rule of Hafez al-Assad in the 1960s. His regime denied citizenship and cultural rights to hundreds of thousands of Kurds. It confiscated land owned by Kurds and settled Arabs on it, dispersing the country's Kurdish population to undermine its struggle for national rights. The SDC insisted on constitutional recognition of Kurdish identity and use of the Kurdish language in education and local administration. It demanded the restoration of citizenship and abolition of the 1962 census, as well as compensation for affected persons.

As Syria's civil war intensified, the SDC assumed responsibility for security and local administration in Rojava, the Administrative Area of North and East Syria (AANES). The AANES adopted a progressive self-administration unique in Syria and the Middle East. It embraced grass-roots democracy and local councils comprised of diverse ethnic and sectarian communities, including Kurds, Arabs, Yezidis and Christians. Gender equity, environmental protection and sustainability were emphasized at all levels of local administration. It endorsed "democratic federalism" with local autonomy to enhance self-rule. Protection was provided by the People's Protection Units (YPG) and Women's Protection Units (YPJ).

As a decentralized system of government, democratic federalism, is useful to the whole of Syria. However, Turkey rejects federalism. It pressured UN mediators to support a unitary state for Syria with a strong central government. Ankara feared that democratic federalism in Syria and greater self-governing rights for Syrian Kurds would encourage the Kurds in Turkey to demand greater self-rule, which could lead to fragmentation of the country.

UN officials worked towards the creation of a constitutional committee for "drafting a constitutional reform as a contribution to a political settlement under UN auspices and in accordance with UNSC Resolution 1254." Norway's Geir O. Pedersen became Special Envoy for Syria on October 31, 2018. He emphasized confidence-building measures (CBMs), such as progress on a ceasefire, detainees, abductees and missing persons.

Pedersen viewed a credible, balanced and inclusive UN facilitated constitutional committee as a "door-opener for the political process." The constitution would define the relationship of groups and individuals to one another, and the state. It would develop a system of power sharing, critical to states emerging from a period of deadly conflict. Pedersen and his team consulted with the SDC, but did not give it a formal role.

UN Secretary General Antonio Guterres issued a statement on September 23, 2019 heralding the creation of a constitutional committee, which was envisioned to include 50 persons representing the Syrian regime, 50 from the opposition, and 50 civil society selected by the UN, with co-chairs representing the government and the opposition. He insisted on the meaningful participation of women. The committee was convened under UN Resolution 2254, which emphasized Syria's territorial integrity and sovereignty.

Pedersen emphasized confidence building measures to heal divisions within Syrian society. He prioritized the release of political prisoners, the safe and dignified return of refugees, as well as humanitarian

assistance and reconstruction. CBMs would set the stage for a credible political process ending the war and setting the stage for the “new Syria.”

The SDC wants a federal Syria and a pluralistic parliamentary democracy in accordance with international covenants, human rights principles and the rule of law. It believes that the solution to the Syrian conflict is to build a democratic and decentralized Syria, eliminating the ideology of the Islamic State and preventing foreign interference by Turkey, Iran and Russia.

Pedersen submitted a list of proposed civil society participants to Iran, Russia and Turkey. He asked them to agree on 50 society representatives, which reflected credibility and balance. The committee included members of the Kurdish National Council (KNC), a body of the Turkish-backed opposition. Washington yielded to Turkey’s pressures, agreeing to the SDC’s exclusion.

When I asked Pederson about his decision to exclude the more representative SDC, he pointed to the participation of Kurds in the KNC. He emphasized that that Kurds were invited to participate in their individual capacity, rather than as political party representatives. He indicated that the composition of the constitutional committee was a compromise. It’s “not perfect, but the best possible.”

Ilham Ahmed, SDC co-president, questioned the decision to exclude the SDC in her remarks at Columbia University on November 22, 2019. AANES officials disavowed the committee: “A constitution that we did not participate in drafting will not represent us and we will not recognize its results.”

The peace process for Syria is dormant. To revive negotiations, the Biden administration should encourage the UN to include the SDC, limit the activities of belligerent foreign powers, and marginalize Turkey’s role. Across northern Syria, Turkish troops and its jihadists proxies are sources of instability and conflict. To succeed, UN mediation should limit Turkey’s nefarious influence and expand a role for the Kurds.

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