

Not (Just) Another Rigged Syrian Election: Implications for Settling the War

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Brief Analysis

A panel of experts discuss the short- and long-term consequences of the 2021 presidential vote, including its potential effects on domestic opposition, regional normalization, future peace prospects, and Western policy.

On May 21, The Washington Institute held a virtual Policy Forum with Vladimir Pran, Hannah Roberts, Wael Sawah, Zahra Albarazi, Emile Hokayem, and Emma Beals. Pran is a senior advisor with the Middle East division at the International Foundation for Electoral Systems. Roberts is an election specialist working with the same foundation. Sawah is a senior political researcher at the civil society organization ETANA Syria. Albarazi is co-director of the Syrian Legal Development Programme. Hokayem is a senior fellow for Middle East security at the International Institute for Strategic Studies. Beals is a senior advisor on Syria at the European Institute of Peace. The following is a rapporteur's summary of their remarks.

Vladimir Pran

Given the current environment in Syria, many observers understand that the current election is not credible. Yet it would still not be credible even if the environment were peaceful, and the reasons why may be less obvious to some observers. What specifically needs to be reformed, and how? To answer that question, one must assess multiple factors: the constitution, the election laws, the regulatory framework, the setup of the election administration, the rules of candidacy/campaigning, and of course how all of this is implemented in practice.

One complication is that key aspects of Syria's presidential election process are governed by the constitution, making comprehensive electoral reform impossible without constitutional reform. At the same time, a range of additional measures have been enacted outside the constitutional framework to erode the possibility of free and fair elections, from presidential decrees to parliamentary legislation and judicial rulings.

All of these problems are compounded by an ongoing war whose existence has seemingly been ignored by the current electoral process. Although a 2006 law attempted to lay out electoral rights for internally displaced persons, there is no framework to handle voting for all of the 5 million-plus refugees and other Syrians living abroad.

Additional problems and improprieties abound. Bashar al-Assad is now running for a fourth term under a system that limits presidents to two terms, exploiting a constitutional loophole that he created. The election will be administered by a board that he appointed. The primary authority for adjudicating any disputes is the Supreme Constitutional Court, whose members he selected. Even local electoral officials are appointed by governors who are hand-chosen by Assad. In addition to this willful structural manipulation, the government has given no sign of training election officials or conducting a voter registration process, so it is unclear which Syrians are allowed to vote.

Other restrictions have made it very difficult for candidates to run. To qualify for a race, one must have a felony-free record, obtain thirty-five endorsements from members of parliament, and be a resident of Syria for at least ten years—a requirement that disqualifies the entire diaspora. As a result, only three of fifty-one candidates who applied to run this year were permitted in the race, with no transparency as to why the other forty-eight were rejected.

Hannah Roberts

The diaspora voting that began on May 20 is not credible in its design or implementation. On the design side, foreign voting is confined to embassies run by the Syrian government, which raises logistical and protection issues. For example, it is not feasible for the millions of Syrians living in Lebanon and Turkey to travel to either country's capital and vote in a single building. Many countries lack a Syrian embassy altogether, so emigres residing there have no way of voting. Eligible voters are also required to show a valid passport with a Syrian exit stamp, which few refugees possess. Moreover, the setup ensures that the process has no security or data privacy, no provision for independent observation or media coverage, and no avenue for filing complaints.

Implementation has come with a laundry list of problems as well. Few embassies publicized their registration deadlines or voting dates. In Lebanon, many individuals have been forced to register and vote. In Turkey, some were reportedly offered pardons in exchange for voting. And in various locations, people have been discovered voting without IDs, voting without inking to prevent repeat votes, storing ballots in an insecure manner, and so forth. In short, this election is a sham, and anyone who looks at it in detail would see that it is not fit for purpose.

Wael Sawah

Because the majority of Syrians have no real choice in who they vote for, the opposition inside and outside the country has united against this election like no other. Critics have characterized it as a theater, a sham, and a reward for a killer, with some emphasizing that it violates UN Security Council Resolution 2254. Residents in opposition-held areas of Idlib province and the northeast will not participate. Meanwhile, Syrians living abroad have faced intense pressure to vote even if they do not want to, and many have been too scared to boycott the election.

Another notable difference has been the regime's attempts to give this year's campaign a Western flavor by using more billboards, colorful slogans, television interviews, and similar features. In the past, the intended audience for any campaign efforts was the Syrian people, with the regime seeking to convince them that they were "choosing" Assad in some sense. This year, however, the goal is to convince the outside world and achieve legitimacy on the international stage.

Assad may be able to claim such legitimacy by simply "winning" the election and having countries such as Russia, Iran, and China affirm the results. Such an outcome would undermine the UN-led transition process and strengthen alternative tracks such as the Astana process, helping the regime and its allies pivot further toward forums in which Moscow has even more of a say.

Zahra Albarazi

The current election is clearly a sham, but for Syrians who want a just and democratic future, what must be done to prepare for a credible election next time around, in 2028? For one thing, the UN needs to be involved in supervision. Establishing a viable process for nonresidents is also crucial. Neighboring countries, the UN High Commissioner for Refugees, and NGOs need to be engaged in facilitating participation by Syrian voters abroad. Undocumented individuals are a huge issue as well—hundreds of thousands of Syrians lack proper government registration but still need a means of voting. The Syrian Constitutional Committee has a key role to play in engaging the public and finding legal paths for addressing these concerns.

In short, when presented with a realistic opportunity to hold a free and fair election down the road, the international community needs to be ready with solutions to all of these problems. At the same time, officials must not be naive and expect this opportunity to just fall into their laps. The war has been going on for ten years, and at this point people are asking "Okay, what now?" Few believe that any quick changes are in the offing, but all parties must start planning for the future in practical, visible ways.

Emile Hokayem

The election provides a convenient opportunity for countries that are already convinced they need to engage with Assad. In their eyes, the electoral process may be farcical, but at least it delivers something—the Geneva process is more legitimate, but it has not delivered any results for them.

Hence, in many Arab capitals, normalizing with Assad is a matter of when, not if. This is not about economics, but about cultivating Arab influence in Syria, where non-Arab states have become the major players.

Under the Trump administration, the United States was able to prevent Arab normalization through a mix of sanctions and diplomacy, but Washington has also repeatedly signaled a desire to get out of Syria. Although the Biden administration's policy review is ongoing, many believe the president sees Syria as a marginal and distracting issue that other actors should solve. His team wants to keep pressure on the Islamic State, but they do not want to be the primary architects of a Syria settlement. Moreover, Secretary of State Antony Blinken's focus on humanitarian issues has created a perception that the administration will trade away political capital to secure humanitarian goals, especially expanded cross-border access.

Arab normalization has also been hindered by Assad's intransigence. The Arab League would like to see at least one concession from him before reinstating Syria's membership, but Assad is not bending at all. Gradual normalization seems more likely at this point, with Arab governments focusing on reconstruction, humanitarian aid, and less controversial projects in order to develop their presence in Syria.

Emma Beals

It has been very clear since at least 2019 that this election would not be held in accordance with Security Council Resolution 2254. In that respect, there is nothing new here—the only real news is that Damascus has not even bothered to maintain the pretense of a free and fair election this time around. Thus, any foreign governments that normalize with Assad now are not doing so because of the election.

From a policy perspective, Syrians in Lebanon have become one of the biggest concerns. The situation for refugees there could decline rapidly based on the harassment and assaults perpetrated against those who tried to participate in the election, whether voluntarily or due to coercion.

More broadly, a range of legitimate concerns have incentivized regional normalization with Assad, such as containing Iran, winding down refugee hosting obligations, and avoiding further spillover-induced instability. These concerns will not be alleviated by the international community's current approach, whose results have included a protracted diplomatic vacuum and widespread strategic indifference/standoffishness.

As for future presidential elections, Syria's constitution stipulates another vote in 2028, but there is no reason to treat that date as set in stone. Designing a framework for credible elections in line with Resolution 2254 can be accomplished in far less than seven years. Although international authorities should not underestimate the challenges inherent in reaching that goal, they should not be married to unnecessarily long timescales either.

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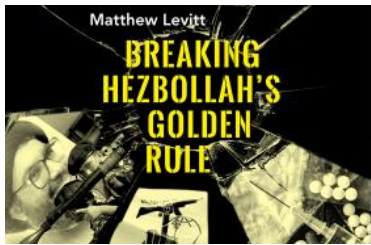
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