

# Fixing Geneva III

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Brief Analysis

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**Pushing the Syrian opposition to the negotiating table while the regime's onslaught continues will only worsen the situation, so Washington should press Russia for a true ceasefire if it wants the talks to produce actual progress.**

**W**ith only days to spare before the latest deadline, representatives of the Syrian regime and opposition are scheduled to take part in UN-sponsored proximity talks in Geneva on January 29. It remains uncertain which opposition elements will show up and, most important, stay -- the Higher Negotiating Committee (HNC), representing the largest swath of armed and civilian groups, has stated that it will not attend, though the talks are reportedly still on.

Those who do participate will ostensibly seek to reach ceasefires that allow for humanitarian aid to besieged areas as an initial step toward a negotiated political settlement. Yet the "posturing" that Secretary of State John Kerry accused both sides of following his contentious visit with the HNC this week continues apace. The Assad regime and opposition are still seeking maximalist, whole-country solutions that neither seems capable of achieving in the near term. Regime supporters champion a military machine intent on reconquering all lost territory with manpower it does not have, while opposition groups continue to demand that Bashar al-Assad step aside with no means of forcing him out.

Washington seems to be posturing a bit as well. U.S. officials insist that they are only negotiating the modalities of Assad's departure, but Russia's armed intervention and Iran's inclusion in recent talks have created the perception that Washington is now pushing the opposition into a process where Assad will remain president indefinitely. Making matters worse, Russia and Iran -- the only two countries with combat boots in Syria and airpower over the main northwestern fronts -- seem intent on bombing the opposition to the negotiating table.

# WASHINGTON'S PERCEIVED SLIDE TO IRAN'S PLAN

The official U.S. position on resolving the Syria crisis has been the Geneva Communique of 2012, negotiated between American, Russian, and European diplomats in June of that year. Ahead of the last round of UN-sponsored talks in February 2014, known as "Geneva II," Washington insisted on barring Iran from the process until it accepts the communique's central tenets concerning transition.

Section II, paragraph two of the document states that a "key step" to "any settlement" of the crisis is the formation of a "transitional governing body" (TGB) with "full executive powers" that will create a "neutral environment in which a transition can take place." The TGB "could include members of the present government and the opposition and other groups...formed on the basis of mutual consent." This formula has allowed Russia to permit, and the United States to resist, Assad's inclusion in the TGB while remaining committed to the communique. The lack of specific wording as to which party represents the opposition means that the "present government" (i.e., the Assad regime) need only ally with part of the opposition to move toward a negotiated solution.

Amid such ambiguity, Iran has sought further assurances that Assad will remain president, adopting its own four-point plan to end the conflict. As reiterated last August, the plan's main tenets include an immediate ceasefire, formation of a national unity government, constitutional changes to protect minorities, and supervised elections.

After the Iran nuclear agreement was concluded last June and the Russian military intervention began soon thereafter, Washington agreed to bring Tehran into the negotiating process without forcing it to accept the Geneva Communique. An October 30 meeting concluded with a joint statement calling for measures very similar to Tehran's four-point formula, including a nationwide ceasefire, the creation of "credible, inclusive, and nonsectarian governance," a "new constitution," and Orwellian-sounding elections administered to the "satisfaction of the governance." While the text stated that the latter three points would be pursuant to the 2012 communique, it did not use the word "transition."

Following the next meeting on November 14, the negotiators -- now swollen to eighteen countries and calling themselves the "International Syria Support Group" -- issued a statement that juxtaposed the 2012 communique's language on transition and the four-point formula of October 30. When this text was largely adopted as UN Security Council Resolution 2254 in December, its first article "endorsed" the October 30 and November 14 statements in "pursuit of the full implementation of the Geneva Communique" as the "basis for a "Syrian-led and Syrian-owned political transition." The fourth article set out a target of six months to achieve the four-point formula and create "governance."

As the latest round of negotiations opens, there remains considerable confusion over how the 2012 communique's call for a "transition" by "mutual consent" will be implemented as per the October/November statements, which address only "governance." A transition by definition involves the transfer of powers from one body to another, while setting up "governance" does not. This has led to anxiety among the opposition -- especially the Riyadh-based HNC -- and its regional backers, who fear that Assad will remain part of the "governance" of Syria for the next eighteen months. That prospect would give other candidates virtually zero chance of defeating Assad once Syria's next presidential election is scheduled as part of the transition.

## CLOSING THE MANPOWER GAP

Despite ongoing military operations by its Russian and Iranian allies, the Assad regime suffers from a chronic lack of the manpower needed to retake the country -- a situation created by its rigid political positions and strategy of shooting the majority Sunni Arab population into submission. In seeking a negotiated solution with elements of the moderate opposition, the regime may hope to recruit Sunni Arabs into more attacks against areas held by the Islamic State (IS) and al-Qaeda affiliate Jabhat al-Nusra, making these areas easier to retake. Meanwhile,

Russian and Iranian-backed offensives will likely push certain rebel factions either out of the country or closer to the jihadists (cutting them off from Western assistance and perhaps even making them potential targets of the anti-IS coalition).

Indeed, Israel and Jordan are worried that Russian and Iranian operations to capture the southern Syrian town of Sheikh Maskin have already helped spread IS sympathies -- a danger that could soon be on their doorstep if the fighting creates an outflow of refugees vulnerable to IS infiltration. Such security concerns have caused Jordan to effectively close its northern border, stranding around 16,000 refugees from IS-controlled areas in two makeshift camps in the neutral zone between the Syrian and Jordanian frontiers. Similarly, regime offensives in the north are poised to push even more Syrians into neighboring countries and Europe.

## NO SOFT OPTIONS

**T**o deliver opposition groups to the negotiating table and keep them out of the hands of IS and other jihadists, Washington should immediately support their demands that Assad, Russia, and Iran observe the humanitarian and ceasefire aspects of Resolution 2254. This means going beyond rhetoric by taking several concrete steps.

"De-escalation" -- the new buzzword in U.S. policy circles for how to end the war -- is an admirable goal to help alleviate suffering and start a political process. Yet in order for it to work, Washington cannot simply stand by as the opposition is fed into a Russian and Iranian-backed meat grinder. Indiscriminate bombing of civilian areas, including hospitals, will only alienate the very opposition Moscow says it wants to be part of a political settlement. And pushing the opposition to the table while the regime's onslaught continues will make the humanitarian and political situation worse. It is therefore imperative that the United States demand an end to Russian bombing of opposition areas as an incentive for the opposition to join the Geneva talks.

Resolution 2254 was adopted unanimously, meaning Moscow has already expressed its support for a nationwide ceasefire "as soon as the representatives of the Syrian government and the opposition have begun initial steps towards a political transition under UN auspices." Since that time is now at hand, Russia's failure to halt operations gives the impression that it views the talks as mere cover for a forced military solution. The document also calls on parties to give humanitarian agencies rapid, safe, and unhindered access to "all people in need"; getting Russia to facilitate such activities could help build confidence with the opposition.

To push the regime and Moscow toward compliance, Washington should not de-escalate until the time is ripe. Such a strategy could exacerbate the regime's lack of manpower and convince Assad and his allies they cannot win militarily by creating a stalemate. More specifically, this means continuing and in some cases increasing covert support for moderate rebels until it becomes clear that Geneva III or subsequent talks can produce real progress -- namely, a political basis for a viable whole-country settlement that will eliminate jihadist havens. At the same time, Washington should seek opportunities for Arab rebels and Kurdish forces (i.e., the People's Defense Units, or YPG) to cooperate not only against IS, but also against any regime forces that continue conducting offensives. Finally, Washington should dust off plans to create buffer zones inside Syria -- an approach that has received increased support among U.S. presidential candidates, humanitarian organizations, and newspaper columnists. Taken together, these actions would show American resolve, help deliver the opposition to the table, and help bring about a settlement that ends both the war and the jihadist safe havens in Syria.

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