

The Vienna Process: Transitioning Toward a Transition?

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Brief Analysis

Recent talks have yielded encouraging dialogue and a plan, but the sticky challenge of Assad's fate remains.

The United States and other members of the International Syria Support Group (ISSG) will meet Friday in New York in the latest effort to jump-start a political process to end the Syrian civil war. Indeed, recent diplomatic momentum has yielded some results. Conferences for the Syrian opposition in Riyadh, Damascus, and Syria's Kurdish territories have prompted the election of representatives who could carry out talks with the regime as early as next month. And Iran and Saudi Arabia are quietly engaging with each other over a Syrian settlement.

But substantial obstacles remain. The key stumbling block is still the "Assad knot" -- referring to the role Syrian president Bashar al-Assad will play in a Syrian transition, as well as his eligibility to run in future Syrian elections. With the opposition reiterating at last week's Riyadh conference that Assad cannot be part of a transition, and Assad himself stating that he will not meet with "terrorist" groups -- his umbrella name for the armed, and often unarmed, opposition -- the diplomatic momentum started in Vienna last October and relied on by U.S. secretary of state John Kerry will soon hit the rocks of reality. The outcome of the talks in New York concerning a transition's modalities will indicate if actors are headed toward an agree-to-disagree ballet of diplomats, the "Potemkin" negotiating process many in the opposition fear, or the substantive political process necessary to find a way out of the civil war and defeat the Islamic State.

International Syria Support Group

On November 14, twenty countries -- including Iran -- formed the ISSG "to accelerate an end to the Syrian conflict." The meeting's communique expanded the conclusions of the October 30 meeting in Vienna. Unlike that meeting's statement, which omitted the word "transition" and was not time-specific, the ISSG communique outlines clear scheduled steps to end the Syrian conflict. The major points include the following:

- **Nationwide ceasefire.** The parties agreed to support a nationwide ceasefire and work toward its implementation, culminating in a UN Security Council resolution for a UN-endorsed ceasefire-monitoring mission. The monitoring mission would be in "those parts of the country...not under threat of attacks from terrorists" and would also support a political transition process in accordance with the Geneva Communique of 2012. The UN, which leads the ceasefire's planning, will determine the requirements and modalities of the ceasefire. All ISSG members pledged to take steps to require adherence to the ceasefire by the groups each country supports, supplies, or influences. The ceasefire does not apply to the Islamic State, Jabhat al-Nusra, or other groups internationally recognized as "terrorist."
- **Humanitarian issues.** To build confidence for the political process, the ISSG called for humanitarian access throughout Syria, according to UN Security Council Resolution 2165, and granting of the UN's pending requests for humanitarian deliveries. After "expressing concern" for the plight of refugees and internally displaced persons, the ISSG "reaffirmed" the devastating effects of use of indiscriminate weapons (e.g., barrel bombs) and "agreed to press the parties to immediately end any use of such weapons."
- **Formal Syrian government-opposition talks.** The ISSG has called for the Syrian government and opposition representatives to convene formal negotiations under UN auspices with a target date of January 1, 2016. UN special envoy Staffan de Mistura is responsible for bringing together the "broadest possible spectrum of the opposition, chosen by Syrians." The talks are to be guided by an emphasis on Syria's unity, independence, territorial integrity, and nonsectarian character, and by the maintenance of intact state institutions and the protection of the rights of all Syrians regardless of religion or ethnicity.
- **Support for the transition process outlined in the 2012 Geneva Communique.** The group reaffirmed support for a Syrian-led process that will establish "credible, inclusive, nonsectarian" governance within six months, including a schedule and process to draft a new constitution, and culminate in "free and fair elections" guided by that constitution within eighteen months. The elections would be administered under UN supervision, with the "satisfaction of the governance" and the highest standards of accountability, and with all diaspora Syrians eligible to participate.
- **Commitment to fighting terrorism.** The ISSG agreed that the Islamic State, Jabhat al-Nusra, and other UN-designated terrorist groups must be defeated. New terrorist designations will be agreed upon by participants, and the findings will be endorsed by the UN. Under UN auspices, and coinciding with the start of the political process, Jordan will head a working group among "intelligence and military community representatives" on common understanding of terrorist groups and individuals.

Major Questions Remain

Whereas earlier renditions of the Vienna process were largely exercises in constructive ambiguity, the November 14 statement sets out an agreed timetable and is firmly anchored in the Geneva Communique of 2012, the template for a political transition in Syria. The statement was notably generated in the aftermath of the attacks in Paris, Beirut, and the Sinai Peninsula. In light of these developments, participants agreed that the goal was to defeat -- not contain or degrade -- the Islamic State and other UN-designated terrorist groups.

Yet two weeks before the "target date" for the start of regime-opposition negotiations, the exact modalities of a transition remain elusive and major questions persist. It is also unclear to what extent these questions were resolved in this week's Moscow meeting between Kerry and Russian president Vladimir Putin. Namely, does the new

"governance" foreseen in Vienna mean the devolution of Assad's powers to a genuine "transitional governing body," as outlined in the Geneva Communiqué, or the mere inclusion of some handpicked opposition figures in his government under Assad's continued leadership?

Also still unclear is how the "close linkage between a ceasefire and a political process" will play out and what would be the "initial steps toward the transition" for activating the ceasefire. In particular, the opposition would seem unlikely to silence its weapons without the prospect of an Assad departure at some point. Further, can the UN realistically monitor a "nationwide" ceasefire if its mission can only deploy "in those parts of the country where monitors would not come under threat of attacks from terrorists"? The Vienna process may have achieved "a common understanding on several key issues," but more specifics are needed.

Some of the more encouraging developments in the Vienna process have taken place on the sidelines. For instance, the Saudi and Iranian foreign ministers attended the two Vienna meetings, and over the past few weeks, both countries have signaled a prudent willingness to engage with each other. Riyadh has also introduced a new ambassador to Tehran -- potentially filling a position that had been left vacant for months. And according to a senior Iranian diplomat, "a level of negotiation" has been reached between the two capitals. The January 1 target date also proved an incentive for the fractious Syrian opposition to become more structured.

Also positive was the Syrian opposition meeting in Riyadh, where a broad spectrum of groups convened, albeit without the Kurds, and agreed on a platform for future talks. Proposed steps included both political and, crucially, if a ceasefire is to be achieved, military groups. Interestingly, the Salafi armed group Ahrar al-Sham appears to have participated in the conference but judged the platform too tepid -- not military or religious enough. This is perhaps a sign that the rest of the opposition is moving in a healthier direction.

Conclusion

For all the positive ripple effects of Vienna, the time has come to address the core conundrum: what a viable transition in Syria will mean and ultimately accomplish. Carefully untying the "Assad knot" will be essential. As for the parties that would satisfy the Geneva Communiqué's mechanism of "mutual consent" for a transitional governing body (TGB), the "current government" refers to the Syrian government as headed by Assad. If the TGB is in practice controlled by Assad or other key regime members, one strains to imagine how a viable transition would take place. Assad may be able to bandwagon some small opposition groups and perhaps the Kurdish People's Defense Units (YPG) and reshuffle his government accordingly. But without including most of the political and particularly military opposition now controlling Sunni Arab majority areas in northern and southern Syria -- while excluding terrorist entities -- the likelihood of ending the war or assembling a potent force to destroy the Islamic State will remain dim.

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