Seeking a Federal Solution to the Syrian Conflict

SUMMARY

▮ A peace process – however difficult it may be – is needed that aims at a federal solution for Syria.

▮ A tripartite arrangement within Syria must be considered. This would include granting Kurds control of a region in the northeast, Assad's retention of the Damascus-Aleppo corridor and most of the intervening territory, and a separate entity wielding power across the rest of the country. This suggests that dealing with ISIS should become the priority once a cease-fire has been arranged between the regime and its other opponents.

▮ The United Nations must oversee the peace process. The bilateral U.S.–Russian and the Russian-Turkish approaches currently in place is likely to fail – even assuming goodwill on both sides – as the opposing side in the civil war sees none of these countries as a neutral partner.

▮ A federal solution offers Assad and his backers their key goal of a united Syria. At the same time, it also offers meaningful protection for those who would fear for their lives – whether for political or confessional reasons – if they were under the control of Assad's regime. It also seems to fit with Iran's current policies in Syria, but it could be argued that Iran is seeking a sectarian solution rather than a pragmatic end to the conflict.

This policy brief sets out a proposal to end the Syrian civil war. Underpinning this proposal are several assumptions:

1) *That the non-ISIS/al-Qaida opposition to Bashar al-Assad can no longer win the war. In other words, the goal of the opposition (in 2011 and 2012) of a secular, democratic replacement for the Assad regime is not achievable;*

2) *That there is no reason to believe the Assad regime's recent victory in Aleppo – in reality a Russian–Iranian operation – will end the war;*

3) *That the Assad regime will again face the problem it had from 2013–15: It can take some ground, but concentrating its military assets means it loses ground elsewhere;*

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4) *That there is no evidence that people will feel safe under his regime, so we will see a renewed outflow of refugees as an unstable Assad regime struggles to hold onto its territorial gains;*

5) *That it is a mistake to see Iran and Russia as sharing a long-term agenda – both want the regime to survive, but for very different reasons;*

6) *That eliminating ISIS' geographical control over areas of northern and eastern Syria is a policy priority for the United States, European Union and Russia, but so is ending the destabilizing refugee flows*

Assad's victory in Aleppo raises the prospect of Syria being remade along sectarian lines[1] as the regime seeks to stabilize its control over central and western Syria. This suggests that the refugee crisis will not abate, destabilizing both neighboring countries and the European Union. A marginalized Sunni region grounded in parts of Eastern Syria and Northern provinces such as Idlib may offer a fertile breeding ground for ISIS, al-Qaida or other jihadist groups.

INTRODUCTION

This policy brief argues that ending the Syrian civil war is one of the most important goals in the world at the moment. The immense and ongoing suffering of the Syrian people must end. Furthermore, the war is the major driver of the refugee crisis that is threatening to overwhelm both neighboring states and the European Union. In the chaos of Syria, groups such as ISIS have managed to carve out enclaves that they can rule as de facto states. Finally, the war is becoming increasingly internationalized, with both local and distant powers supporting one or another faction.

Given the various constraints, the least bad of all the policy options is that of a federal Syria – especially as no faction is in a position to achieve outright victory, and no external power is prepared to intervene directly to impose a solution. Current evidence is that Assad has managed (with substantial Russian and Iranian loans) to retain the veneer of a functioning economy in the areas he controls[2] while the Iranians are seeking to alter the demographic profile of Syria to create distinct Shiite and Sunni areas.

This creates both opportunities and problems. In effect, a de facto federal solution is being imposed, not least because the Assad regime might not be strong enough to expand its power or even hold its recent gains. But it is a solution designed to ensure that the regime and its supporters take control of the core potential of Syria. That is not a means to stability but suggests a framework to build on. In effect, the challenge to those who refuse to accept the legitimacy of the Assad regime[3] is whether we are able to build something constructive from the rubble of his current victories.

A return to a country governed on the basis of numerous semi-independent cities and regions reflects previous arrangements in Syria's history. In

this sense, a state based on three main, essentially separate, entities is feasible. We also have a model for this in the Dayton Accords, which ended the war in Bosnia.

This solution assumes that some form of the current regime would continue to rule in Damascus and would have limited power over the entire country. While the current conflict has taken on a sectarian aspect featuring clashes between Sunni and Shiite (Alawite) confessional groups, this has not been a major factor in Syria's history. A cease-fire, along with major humanitarian relief coordinated by the United Nations, must commence even while negotiations continue. Given the failure of the September 2016 attempt, it is clear there are real difficulties in negotiating and enforcing a cease-fire. The challenge of balancing the pursuit of justice (especially for those guilty of war crimes) against the need for stability needs to be faced honestly. Pragmatically, the current Baathist regime would retain control over Syria, but if at all possible, Bashar al-Assad and his immediate group must be removed from power.

The recent regime victory in Aleppo, combined with apparent Russian and Iranian desire to scale back their involvement, suggests that it may be practical to build a cease-fire on the basis of the current division of the country.

The need to deal with ISIS will remain. Not only will the militants try to derail any peace settlement, but also it is important that they do not retain any territorial control. This will be crucial as a precursor to any effective negotiated end to the war. As long as ISIS holds territory, it is a threat to all the other actors. Equally important, its territory will be a focus of contention as other powers seek to acquire the spoils of ISIS' geographical defeat.

This paper is split into three main sections. The first is a short review of Syrian history up to 2010, with the goal of drawing out issues that are potentially relevant to the current conflict. The second presents a short summary of events since the start of the revolt in 2011 and the main actors (both internal and external). The bulk of the paper makes the case for a federal solution and explores the ways this can be managed.

SYRIA: A BRIEF HISTORICAL OVERVIEW

From the period of the Islamic conquest up to the period of Ottoman control, Syria was mostly made up of semi-autonomous city-states, reaching across modern-day Lebanon into southeastern Turkey and northwestern Iraq. Under Ottoman rule, the region kept this broad outline and continued being ruled by regional and/or urban-based units.[4]

By the early 19th century, Damascus had once again become a major cultural and intellectual center. In particular, it became a center of innovation in Islamic law that argued for greater emphasis on the law as an evolving process and less on a strict reading of the original Islamic texts.[5] The work of Ibn Abidin in this respect in the 19th century formed the basis of the subsequent major revision of the Ottoman

legal code. In contrast, while Syria was a center of religious tolerance, it came under attack from Wahhabist-inspired tribesmen operating out of modern-day Saudi Arabia in the period between 1780 and 1830.[6] This early tension between Syria and Saudi Arabia is exploited in some of the Assad regime's current propaganda.

Although the pre-war Assad regime was both corrupt and brutal, it was not sectarian. The core of the Baathist party was tolerant of both Sunni and Christian communities.

Syria's post-World War I borders were arbitrary.[7] In particular, Syria and Lebanon typically were treated as a unitary region (and then subdivided into other administrative units). Post-World War II, the territories held by the French became independent and were formally separated into modern-day Syria and Lebanon. Politically, Syria was dominated by individuals with a strong sense of pan-Arabism; this led to a brief union with Nasser's Egypt.

The Syrian Baath party came into existence in the late 1930s, partly out of a sense of betrayal when the French Communist Party – upon coming to power as part of the Popular Front in 1936 – failed to press for the end of French rule. By the early 1960s, the Baath had seized power with an ideology that combined a Soviet model of socialism with pan-Arabism. In effect, a suspicion of Western motives and a belief that outsiders cannot be trusted rests at the core of the Baath ideology.[8]

Western approaches to post-independence Syria, especially after the Baath seized power, have been complex. There has been outright hostility, tolerance when the Assad regime has attacked groups seen as mutual enemies (such as the massacre of the Muslim Brotherhood in Homs in 1982, after its armed revolt against the regime[9]) and periods of support (such as before and during the first Gulf War, when the Syrians contributed an armored division to fight Saddam Hussein).

The shift of power from Hafez al-Assad to his son Bashar in 2000 led a number of European powers to try to improve relations. Since the 9/11 attacks on the United States, Syria has occasionally been attacked directly or indirectly by Western powers, but it was also used as part of the U.S.-led program to "render" captives who were deemed candidates for harsh interrogation techniques or torture. Even as late as 2008, then-French President Nicolas Sarkozy described Assad as a reformist and a friend of France.

This mixed history creates fertile ground for distrust of Western initiatives among Syrian factions. A number of factions in the civil war have sought Western and U.S. funding but may still be suspicious of Western motives.

In contrast, the Syrian regime and the Soviet Union/Russian Federation have maintained close links since the 1950s. This has meant the Syrian army mainly uses Soviet/Russian equipment and doctrine, and the port of Latakia has been leased to the Russians. This long period of

mutual support is one reason for Russia's current support for the Assad regime. However, the Russians are also using their involvement in Syria to create pressure on the West, and especially the United States, to be more amenable to their actions in the Ukraine.

Although the pre-war Assad regime was both corrupt and brutal, it was not sectarian in the usual sense of the word. While the core of the Baathist party was based in the Alawite community, it was tolerant of both Sunni and Christian communities. Historically, while there have been periods of conflict along sectarian lines, they have been relatively rare. It is clear the civil war has now taken on a sectarian aspect, but the previous history of peaceful coexistence provides some hope that Syria might survive as a united state, post-conflict.

SYRIA IN CONFLICT: FROM THE ARAB SPRING TO PRESENT

The Syrian civil war has its immediate roots in a series of isolated protests against the regime in early 2011. The regime responded with violence, and steadily the revolt became more militarized. By mid-2012, fighting was so widespread that the Red Cross declared the conflict to be a civil war. By the end of 2012, it appeared as if the various rebel groups might win, but by 2014 the war had become a complex stalemate.

By mid-2016, death tolls from the conflict were estimated at close to 400,000, including almost 15,000 children. By August 2016, the U.N. High Commission for Refugees had

registered 4.8 million refugees[10] and estimated that another 6.5 million were displaced within Syria in order to escape the fighting (in addition, some 4.5 million were trapped under siege).[11] To place this in context, the population of Syria in 2011 was estimated to be just under 22 million people. In effect, 50 percent of the population fled their homes and just over 2 percent of the population has perished since 2011.

While much Western focus has been on the flows of refugees to the European Union, the bulk of those who have fled Syria now live in Lebanon (1.1 million), Turkey (2.5 million) and Jordan[12] (650,000). Due to existing family and kinship links, it is likely that the number of Syrians who have fled to Lebanon is much higher, as not all will have registered with the U.N. High Commissioner for Refugees.

Gulf countries including Qatar, the United Arab Emirates, Saudi Arabia, Kuwait and Bahrain have offered no resettlement places to Syrian refugees. Germany has taken around 55 percent of the total accepted by EU member states.

The most worrying consequence of the crisis in Syria for the West has been the growth of ISIS and its claimed caliphate stretching across both eastern Syria and northwestern Iraq. This in turn has exacerbated the brutality of the war in Syria and given radical Islamist terrorism a new focus – just as al-Qaida appeared to have lost ground following the mostly peaceful uprisings connected to the wider "Arab Spring" in 2011.[13]

Timeline

The uprising against the Assad regime commenced in early 2011. The early protests were mostly demanding democracy and opposing the level of corruption shown by the regime. By early April, the regime had surrounded a number of towns and districts in an attempt to starve the protesters, and incidents of violence steadily increased. By May, the regime was using tanks to suppress uprisings in cities such as Homs.

By mid-October 2011, the regime had killed an estimated 3,000 people, although the protests were still mostly unarmed mass mobilizations against the regime.[14] By December, the regime had resorted to mass killings in districts where anti-Assad sentiment was strong and the protests were becoming militarized, mostly as defectors from the Syrian army tried to provide shelter and protection for civilians.

By early 2012, the regime was involved in a series of attempts to retake districts and towns that had revolted and met with opposition from local armed groups – still largely made up of deserters from the Syrian army. Organized into the "Free Syrian Army," or FSA, they were increasingly being supplied arms from the Gulf States. By mid-July 2012, it was estimated that the FSA controlled around 60 percent of Syria, and the number of defectors (including senior army officers and regime officials) continued to grow.[15] By mid-August, reports emerged that Assad was prepared to leave the country, as his regime appeared to be on the verge of collapse.

This seemed to trigger an increase in practical support rendered by the regime's allies. By mid-September, Iran admitted that units of its Revolutionary Guards were fighting in Syria,[16] and members of Hezbollah joined the fight in support of the regime.

In March 2013, the Assad regime used chemical weapons near Aleppo.[17] Further uses of sarin and other nerve gases were reported throughout March and April. In August, an attack against a rebel-held suburb of Damascus[18] killed 1,400; it was widely held that the Assad regime carried out the attack. Initially, it appeared as if this violation of international law would trigger a major Western response, but a deal was reached to remove all chemical weapons from the country. However, since then, there have been intermittent reports that both the regime and rebel groups continue to make some use of chemical weapons.

By early 2013, it was clear that the early unity among those opposed to Assad had broken apart. In the north, there were reports of fighting between Kurdish groups and Islamists, and the al-Qaida-affiliated al-Nusra Front was becoming increasingly active.

By mid-August 2013, the sectarian aspects of the conflict were at center stage. Gains by Islamist groups around Latakia led to massacres of the mainly Alawite population when the towns fell. Also, ISIS[19] had renounced its allegiance to al-Qaida and was fighting in northeastern Syria, mainly against the FSA, Kurds and other Islamist groups.

By early 2014, ISIS had become a major part of the war, with most of its attacks aimed at other opponents of the regime (including the al-Nusra Front). The FSA had been losing relevance since 2012, and the armed opposition to Assad increasingly came from Sunni groups (many sharing the same Salafist ideology as ISIS, even if they had more local goals) – deepening the sectarian nature of the war. By summer 2014, ISIS captured Raqqa from the other rebel groups and started to create its "caliphate" across the Syria–Iraq border.

By late 2014, the war was mostly a stalemate. In some areas, the Assad regime regained lost territory, and in others rebel groups captured towns from each other. By this stage, a number of Western states were bombing ISIS in an attempt to weaken the group, often in retaliation for ISIS-inspired attacks in Europe.

The first half of 2015 brought a number of attempts by the rebel groups (apart from ISIS) to create a unified command. Since external backers in the West and the Gulf were not prepared to accept the presence of the al-Nusra Front (along with some other, smaller Salafist groups) all of these failed in practice. More generally, various external powers such as Turkey, Saudi Arabia, Qatar, Jordan and the United Arab Emirates all differed as to which groups to back, since they have different goals in intervening in the Syrian conflict.

In September 2015, Russia declared its direct military support for the regime. Its initial airstrikes were supposedly aimed at ISIS, but most attacks were in support of Syrian army operations against other rebel groups. Russian support and the regime's increasing use of "barrel bombs" led to a number of gains for Assad in December, even as more Western powers (including Germany and Britain) joined in the air campaign aimed at ISIS.

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By late August 2016, it appeared as if ISIS was losing ground – though it has retained its hold on mission-critical territories. Also, the al-Nusra Front formally renounced its allegiance to al-Qaida, renaming itself "Jabhat Fateh al-Sham" and claiming that it is now interested only in the future governance of Syria.

More recently, the regime has made important gains in Damascus and by the end of 2016 had recaptured all of Aleppo. However, due to lack of manpower, it has lost ground in other sectors (notably, ISIS has regained Palmyra while the regime and its allies concentrated on Aleppo). Foreign help continues to be critical: The use of Russian airpower and Hezbollah's manpower has aided the regime, while the various rebel groups remain dependent on foreign sources of weaponry. This makes it useful to analyze the main internal and external actors in the civil war separately.

Main Actors – Internal

For this discussion, it is useful to identify the broad groups now active in the fighting in Syria. For simplicity, this starts with the regime and then splits its Arab opponents into four groups:

1. The Free Syrian Army (FSA)
2. Islamist groups not affiliated with al-Qaida or ISIS
3. The al-Nusra Front (now known as Jabhat Fateh al-Sham)
4. ISIS

The final part of the anti-Assad groupings are the Kurds, who have taken control of substantial areas of northeastern Syria and along the Turkish–Syrian border.

The bulk of the regime's military power comes from what is left of the Syrian army, backed by the substantial secret police. In addition, militia groups – largely drawn from the Alawite community, often called the Shabiha[20] – were originally active in support of the regime. These militias were implicated in many of the worst massacres carried out by the regime. Due to their extreme violence and links to pre-war criminal gangs, the regime tried to disband them in 2013.

The regime still relies on militia forces, especially to free up the army for offensive operations. The main groups include the National Defence Forces,[21] which includes Alawites, Christians and even some pro-regime Sunnis. Various militias also fight for the regime around Aleppo, including the Baath battalions and the Jerusalem Brigade. While the large Palestinian refugee population has mostly stayed neutral, some groups – such as the Popular Front for the Liberation of Palestine–General Command (PFLP–GC) – have fought for the regime.

Until mid-2012, the FSA was the main armed opposition to Assad. It originated with defectors from the Syrian army and was essentially secular and non-sectarian (even if most of its fighters were Sunni). It became an umbrella group for a wider network of regional and urban militias formed to defend particular districts from government attack. However, in recent years it has been superseded by a mixture of ethnically based groups (such as the Kurdish YPG) fighting a local war against the regime and the Islamists.

As the war has become more sectarian, a complex mix of Salafist groups has come to prominence. In 2013, these came together in the Islamic Front[22] and deliberately excluded al-Nusra. The Front has sought to attract funding and weaponry from the Saudis and the Gulf states. The main difference in terms of goals between the Islamic Front and al-Nusra is that the former aims solely to implement a Sunni Islamist regime in Syria.

Al-Nusra was formally created in 2012, relying on cadres of Syrian Islamists who had previously fought in Iraq. It was affiliated with al-Qaida but, in an attempt to avoid the excessively sectarian approach of ISIS and al-Qaida in Iraq (between 2005 and 2010), it has tried to cooperate with other Salafist groups and even elements of the FSA. Recently, al-Nusra renounced its allegiance to al-Qaida (though this appears to have been more of a rename-and-rebrand

initiative rather than a changing of its jihadist stripes) and stated that its political goals are now only connected to regime change in Syria.

Al-Qaida in Iraq, the group that later became ISIS, broke with al-Qaida in 2013 after its militants entered northern Syria without permission from the umbrella group's notional international leadership. Initially it was beaten back by an alliance of al-Nusra and other Salafist groups, but by mid-2013 it had captured Raqqa – and a year later, it announced the creation of an Islamic State spanning areas of both Syria and Iraq. The group's ability to organize and inspire acts of terrorism in the West (as well as gain the allegiance of other radical Islamist groups around the world) means it supplanted al-Qaida as the focus of international Islamist terrorism. Within Syria, it has more often fought other rebel groups than the Syrian regime, and as of August 2016 appeared to be losing territory to both Assad and other rebel groups.

Main Actors – External
The Syrian civil war has now drawn in every state in the wider Levant region and has had major global ramifications. In some cases, such as Lebanon and Jordan, the impact has been to destabilize those states as they struggle to cope with the massive refugee influx and face attacks on their own soil between factions notionally in conflict in Syria.[23] Some regional states, such as Turkey, are clearly following their own national agenda; others, such as Iran, are obviously backing historical Syrian clients and proxies, with the Syrian war another part of its ongoing

struggle with the Saudis. Still others, such as Saudi Arabia, are trying to support those armed groups that will topple the Assad regime (a Saudi goal since the 1960s), eliminate Iranian power in the region and share enough of Saudi Arabia's Wahhabist ideology to offer the prospect of a sympathetic power in the region.

The regime has received support both diplomatically and militarily from Russia and, to a lesser extent, China. Iran has supplied weapons, experienced troops from its Revolutionary Guards and manpower drawn from Shiite militias. These are not just drawn from Lebanon; there have been some reports of Houthi fighters from Yemen fighting for the regime. The Iranian Revolutionary Guard Al-Quds Force has organized several militias to serve in Syria, some effectively operating as mercenaries. However, Hezbollah has been the main contributor by far. Not only are its troops well trained, but they also are available in substantial numbers – addressing the manpower shortage that has been the primary weakness of the Syrian army since 2011.

Turkey has long had a difficult re-lationship with Syria. In the 1950s, Gamal Abdel Nasser deployed Egyptian troops to the area around Latakia and Aleppo to deter a possi-ble Turkish invasion.[24] In the context of the current conflict, the Syrian and Turkish armies have traded artillery barrages and shot down each other's planes, and Turkey has also shot down a Russian fighter. Turkey has large-ly supported sectarian Sunni groups and for some time had an ambiguous relationship with ISIS.[25] At one stage, it

appeared to have two goals: to bring down the Assad regime and replace it with a sectarian, Sunni one; and to ensure that the Kurds in northern Syria made no substantial gains. Recently, Turkey has defused tensions with Russia and is seeking to negotiate a mutually acceptable arrangement in northern Syria after the fall of Aleppo. In particular, Turkey remains committed to preventing the emergence of a Kurdish state in Syria.

Saudi Arabia and the Gulf States have been backers of the Syrian opposition since the start of the revolt – again, mainly motivated by geopolitical concerns about Iran's reach through its Shiite allies. They have been the main funders of those Salafist groups that are not associated with ISIS or al-Qaida.

The United States started by supplying the FSA with funds and weapons, and since then has backed various groups in its search for an effective opposition movement that has no links to ISIS or al-Qaida. This has proved to be a problem, due to the porous nature of many of the opposition groups and because, in a war zone, weapons are as much a currency and means to gain influence as a tool on the battlefield. The United States has also supported the Kurdish YPG, but this support conflicts with Turkey's regional aims – and the Kurds have little practical support outside their own region. Washington threatened the Assad regime over the use of chemical weapons in 2013 but then backed down, opting instead to negotiate the removal of all chemical weapons from Syria. Since late 2014, in cooperation with a shifting set of

allies, it has been bombing both ISIS and al-Nusra.

Over time, more and more European powers have contributed to the U.S. bombing campaign, mainly in response to ISIS attacks on their own territories. Diplomatically, most EU states have backed U.S.-led efforts to find an acceptable opposition force in Syria; they tend to blame Russia and Iran for backing the Assad regime and prolonging the war.

Israel has mostly kept out of the conflict. It warned the Assad regime not to remilitarize the Golan region in 2012, and it has attacked specific targets in Syria and Lebanon, usually connected to Hezbollah operations.

The U.N. has made several attempts to broker cease-fires, either for the whole of Syria or around particular towns and cities, but has not been very successful.

Current Military Situation

Up to mid-2016, it appeared as if the war was locked into a stalemate as it became a series of sieges, with starvation used as a weapon and the Syrian air force dropping barrel bombs on the trapped civilians in pursuit of its territorial goals. Even though ISIS appears to be losing ground, there remains substantial infighting among the various groups opposed to Assad, not least in a struggle to take control of territory that ISIS is losing. Moreover, the risk of direct conflict between two or more of the external powers remains very real. The outflow of refugees continues. Every time one faction gains some territory, many flee – either to avoid

the fighting or out of fear of sectarian reprisals.[26] All the while, the Syrian regime continues to kill its own people on a regular basis, using artillery and air attacks against rebel areas.

Since the collapse of the Geneva III talks in February 2016, there has been no U.N.-brokered peace process. At best, localized cease-fires allowing food to be moved and/or the population to evacuate have been negotiated. The most recent attempts at conflict resolution have essentially been negotiations between the United States and Russia and more recently between Russia and Turkey, with each cease-fire collapsing in a matter of days. It appears that external actors are key to the war's continuation: They supply weaponry, give direct military aid (with both Russia and Turkey as recent examples) and provide diplomatic support for "their" side. On the other hand, attempts to impose an externally negotiated solution seem doomed to fail, in large part because neither side is prepared to risk abandoning its own local clients.

The most obvious recent shift is the regime capture of Aleppo. This was preceded by a massive Russian air attack on the rebel held districts and spearheaded by manpower supplied by Hezbollah. Most

observers note that the actual involvement of the Syrian army was minimal. The result has been the flight of most people to the former rebel districts and to Idlib, suggesting that the regime is more interested in the destruction of its opponents than in returning to the role of governing Syria for all Syrians. While the regime victory at Aleppo is important, it may not end the war. There is strong evidence the Russians wish to scale back their involvement and some evidence of unrest in Iran at the losses incurred.[27]
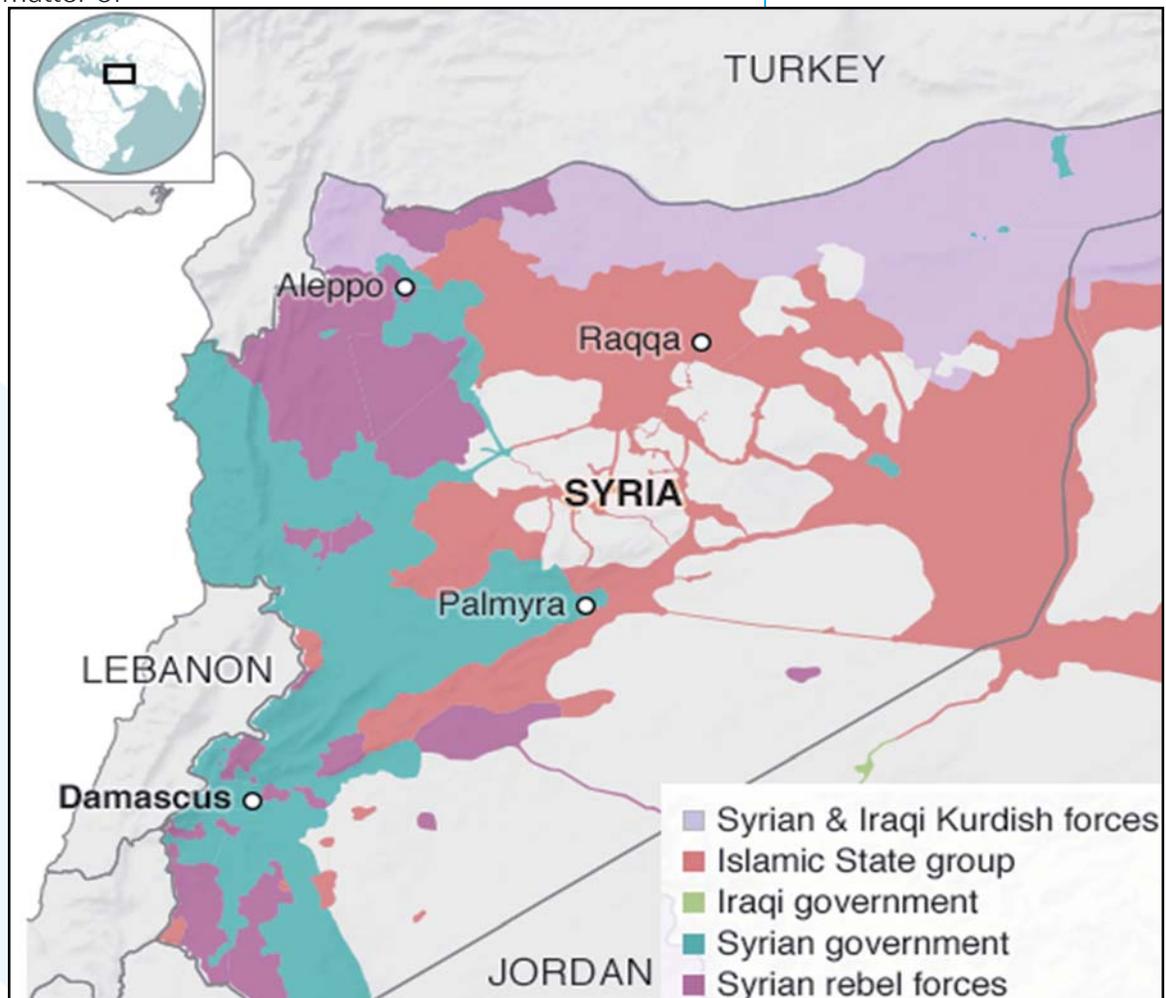

Figure 1. November 2016 Political Control of Syria *(adapted from BBC)*

As things stand, a civil war is inflicting misery on the people of Syria, destabilizing the region while ISIS' control of its so-called caliphate has given it the means to direct attacks in Europe and to inspire isolated groups (or individuals) to carry out attacks in its name. It is essential that the international community devises a credible plan to address the Syrian civil war.

THE CASE FOR A FEDERAL STATE

The cynical argument is that it is almost impossible to end a civil war unless one side wins or all the main combatants are exhausted and ready to give up. However, this approach ignores the horrors being inflicted on Syria and fails to acknowledge that external powers are principally responsible for the war's longevity as they back their current client groups.

At the moment, if any one side is in a position to "win," it would be the Assad regime. However, where it retakes a town or a district, the immediate aftermath is a massive outflow of displaced people – most of whom then flee the country in search of some safety, fearing brutal reprisals. An Assad victory is not a means to bring peace, but to displace the substantial portion of the Syrian population it now sees as its enemies. There is evidence that Iran, at least, is trying to ensure this is what happens as Tehran consolidates Shiite control over key regions between the Mediterranean and Iran.[28] Equally, the regime's somewhat functional economy works in the interest of its client groups among the Syrian population, not in the interest of all Syrians.[29]

This suggests that a *de facto* federal solution is being constructed. But it is one that favors one side and ensures that the opposition is permanently marginalized and unable to return home. While this is not something we should enable, it does create a situation that could lead to a more even-handed solution.

Taking such an approach is risky and fraught with difficulties. However, it does offer a viable means to avoid an outright regime victory (unlikely as this may be). The result may lead to the cessation of hostilities, but many more Syrians will flee – not just the fighting, but the threat of the regime's torture chambers.

The solution is not clear-cut, but starts from the viewpoint that neither an outright Assad victory nor a continuation of the war is in the interest of the Syrian people, the surrounding states or the wider world. Thus, the goal must be to craft a solution that offers most of the factions something they can see as a gain. For this reason, this paper argues for a federal solution. It is not ideal, but it contains a structure whereby the Alawite-dominated regime can survive (satisfying Russia and Iran), the Kurds can gain regional autonomy but not independence (probably more than Turkey wishes to concede, but is better than the war dragging on), and many other Syrians (especially those Sunnis opposed to Assad) would have the chance to rebuild their lives with some protection against the regime.

A key step is to start a process of cease-fires. Recent events have indicated how problematic this will

be, but it is an essential step. One important concept is to acknowledge the difference between a cessation of hostilities and a formal cease-fire.[30] What matters is the presence of a third party that can offer some reassurance to both sides – in effect, this argues for restarting the Geneva talks under the aegis of the U.N. Again, this is not ideal, but the bilateral U.S.–Russian approach since early 2016 and more recent Russian–Turkish negotiations have led to repeated failures. Keeping to the theme of an imperfect solution,[31] it is useful to assume that some groups will be less committed than others.

Rather than regard the process as a failure if a recalcitrant group engages in violence, the best advice is first to work with the more willing participants and then seek to re-engage with those who violated the original agreement. This is one reason why dealing with ISIS must be a key part of any process – the militants inevitably have nothing to gain and everything to lose by Syria edging its way toward peace. As they lose ground in Syria they could seek to escalate their direct attacks in the West, but since a large part of their appeal (compared to al-Qaida) stems from control of their "caliphate," loss of territory might reduce their ability to organize and inspire terrorist attacks in the West.

This policy brief proposes that external powers cooperate to bring about a federal solution to the Syrian civil war. This may be the only practical approach at the moment. Evidence from Bosnia shows that a solution like this can stop a war but

create long-term political problems.[32] However, we are no longer able to aim for an ideal solution; thus, the challenge is to find the least-bad outcome.

Implementing a Federal Solution

Given the Baath party's relative recovery since 2014, it is no longer feasible to imagine a Syria without the party holding some power. Too, the democratic goals of the 2011 protests are no longer feasible, at least in the near term. A particular problem is there is no longer any representative civil society (whether as social units, political parties or trade unions) that can be seen as a basis for a new national government. At the same time, different powers continue to support their own clients, but none is prepared to intervene with the sort of strength that might decisively sway the conflict one way or another. Among all the external powers, perhaps only Turkey has the ability to swing the situation in favor of its preferred anti-Assad coalition.

The conflict has become increasingly sectarian, and many in the Sunni community now probably identify with openly religious parties and movements (such as armed insurgent groups) more than ever before in modern Syria. Even so, the forces opposed to Assad have fragmented greatly based on ethnicity, religious affiliation or the regional basis of their power.

Despite this, a formal division of Syria is not a feasible outcome. Russia and Iran – and probably China – would oppose such a move. As noted in the introduction, such an outcome

would cut across the historical basis of Syria and probably would have little support within the country.

The most realistic arrangement that has any chance of ending the war is a federal Syria. The model for this could be the Biden Plan (2013) for the federalization of Iraq, or the Dayton Agreement (1995) that concluded the Bosnian conflict. Federalization could involve a successor Alawite regime (preferably without Assad) remaining in power in Damascus and its environs. This would satisfy the Russians and the Iranians in that the veneer of Baath–Shiite rule would be maintained. But this regime would have limited to no practical power over the Kurdish north – which naturally would lead to problems with Turkey. Of course, it is possible that some or all the domestic warring parties would simply opt to continue the war in hopes that they would emerge as the sole victor – but without their external backers, it is impossible to see how any side might achieve this.

Advantages and Disadvantages of the Federal Model

Perhaps the main advantage of the federalization solution is, quite simply, it is achievable and is an approach on which the West, Russia, Iran and the Syrian factions can agree as something better than a continuing civil war.

Assad's backers have made it clear that they would not support the breakup of Syria but might well be satisfied with the creation of a strong central authority, based in Damascus and led by a successor to the existing government. As discussed, this may now be Iran's de-facto goal. At the same time, there is some evidence that both Russia and Iran would like to scale back their commitment to the Assad regime.

Federal solutions have been used to end other civil wars. Thus, there is practical experience in both their implementation and dealing with the inevitable setbacks. The main problem with federal models is that they tend to create rigid structures based around existing social fault lines. A structure that is set in place for essentially pragmatic reasons can become entrenched and lead to disjointed and dysfunctional governance.

In effect, the risk is that an imposed solution undermines the normal development of political structures and processes. While a unified, democratic Syria is unimaginable at the moment, that was the precise demand of probably most of the population as recently as 2011. In particular, fixed political entities, essentially grounded in ethnic and/or religious groups, are a potential recipe for entrenching division into the long term.[33] Ideally, any federal structure created for Syria to end the civil war should include mechanisms for its future review to allow for eventual (peaceful) political developments, by the Syrians themselves.

The main risk now is that a federal solution emerges constructed purely in the interest of Assad and his backers. For the most part, Syrians in regime-controlled regions have retained access to education, health and food supplies – all of which have been denied to those in rebel-held

regions. Thus, any move toward a federal solution has to address this imbalance and see the West (most likely the EU) offer substantial financial support. Since the reward could be the end of the outflow of refugees and more refugees being willing to return, there is a clear trade-off in this respect.

Creating a Political Process

Practically no chance exists that Syria's internal factions will reach any form of agreement without external pressure. The Assad regime has been responsible for the deaths and exiles of far too many Syrian people to be acceptable to many Syrians. Equally, the rebel factions have increasingly become regional groups (such as the Kurds) or defined by religion, with Salafist groups dominant.

This puts the onus on external powers to manage their own factions. This means Russia and Iran need to pressure the Assad regime, and the West needs to bring together the main anti-Assad groups. One essential step is the removal of all foreign forces and an arms embargo. Linked to this must be an agreed-upon territorial subdivision – effectively mirroring the planned federal structure, with each side responsible for policing a cease-fire in its own territory.

The author suggests the following division of labor: The West and its regional allies should be tasked with securing areas in the north, near the Turkish border, and in the south near the Jordanian border. Russia and Iran should be tasked with enforcing such enclaves in the center of the country. Russia's interests in the port of Latakia should to be left to negotiation between Russia and the new Syrian political entity.

The political realities of that situation would offer the broad outline pictured in Figure 2 below.

This gives the regime control of Damascus, the Lebanese border regions and the coast. The Kurdish region is a long strip of land along the border with Turkey.
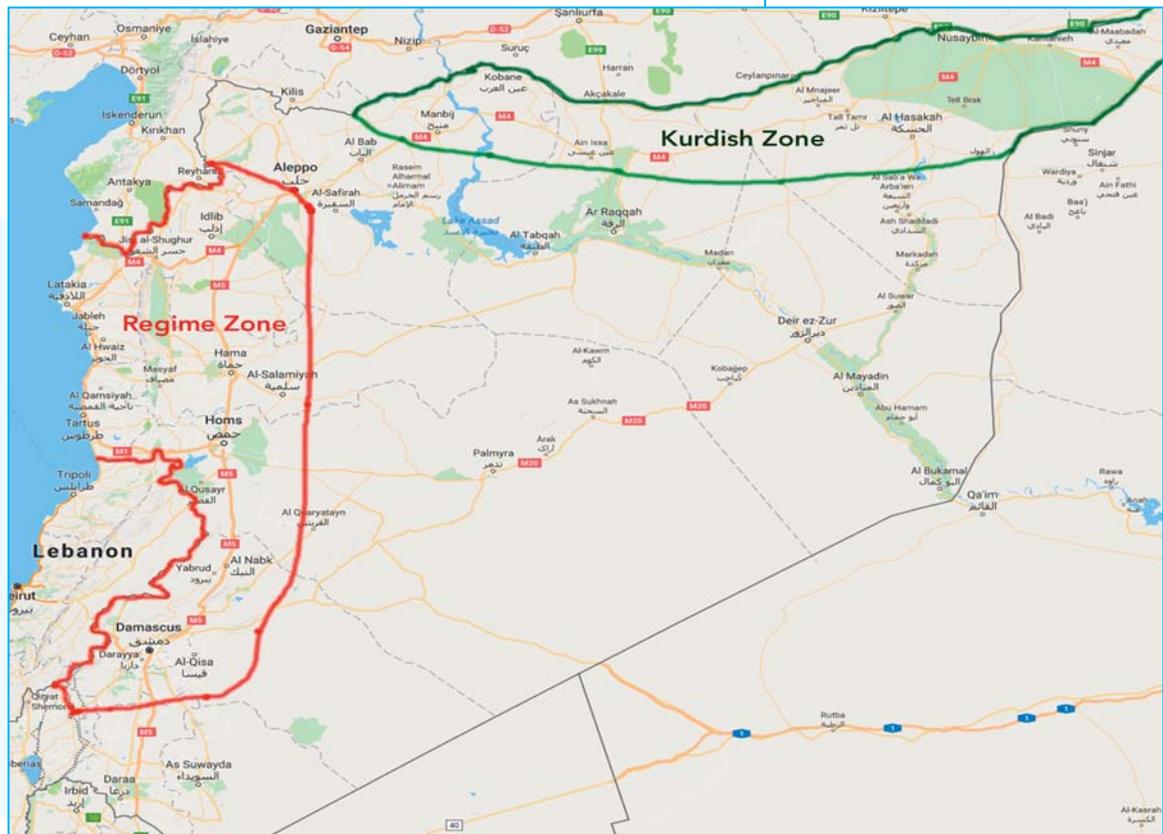

Figure 2. Suggested Federal Solution *(Source: Google Maps)*

Assuming progress is possible, this suggests a state with a high degree of independence for its three main subdivisions. As in post-war Bosnia, there will be a need for some form of national entity and institutions. Also as in post-war Bosnia, it is likely that these institutions will be weak initially, but the hope is that over time the need to cooperate, and the removal of some of those involved in the current war, could strengthen them. As is clear from the map, apart from the Kurdish region, there is no simple subdivision that works, not least as the main transport links have been created on the basis of a unitary state.

However, Figure 2 can be roughly mapped onto the current spread of provincial control (as in Figure 1). As this policy brief has argued consistently, the situation in Syria is now so bad, and the wider implications so worrying, that it is pragmatic to work from this situation. At the moment, the regime and its backers seem to be carving out an area of control similar to this and are able to concentrate what is left of Syria's economy and social resources on the population in that sector.

By accepting this, we can move onto addressing the plight of the displaced by means of external help to rebuild an economy and provide key social services such as education and health.

However, achieving this would require the U.N. to intervene in the current Russian–Turkish peace discussions. This is not to derail any serious attempt to reduce the scale of conflict, but if unchecked, these two powers would likely seek to create a settlement that favors their own preferred factions. In particular, it is reasonable to assume that Turkish President Recep Tayyip Erdogan will press for the chance to curtail the growth of Kurdish power and, if possible, to attack the Kurds

Managing the Civilian Population

Whatever territorial division is agreed upon will not match up with the pre-war pattern of population in Syria. As noted several times, while some areas have been dominated by one ethnic community or another, the main cities have been multi-ethnic and multi-confessional. In particular, pre-war Aleppo probably had the largest single population of Eastern Christian faiths (both Catholic and Orthodox) in the Middle East. As in Bosnia, this means that many people will never be able to go back to their old homes – and it is important to manage the transition to prevent the Assad regime from establishing "facts on the ground" by forcing out those opposed to its rule. Depressingly, there is evidence that the regime has already commenced this process by destroying land registry deeds for areas it has recently recaptured.[34]

Under any configuration, there is a desperate need for food and other resources to be available to all the population. Again, both the regime and the rebels have used starvation as a weapon and seek to control the flow of food and supplies to benefit their own supporters. However, since some further displacement of the population is inevitable, in the short term this will mean the establishment of protected humanitarian corridors

on the model of Operations Provide Comfort and Northern Watch.

We clearly need at least one Northern Safe Zone for the civilians displaced from Aleppo and neighboring regions. We may also need Southern Safe Zones for Shiite or other minority civilians who would like to get out of the line of fire. The latter should not be a huge problem to solve, given that the Assad government, Lebanese forces and Iranian proxies like Hezbollah would be perfectly willing and able to protect these areas. The idea would be to get Sunni fighters to respect the security of these zones in exchange for the security of Sunni safe zones.

The Northern Zone would be more challenging. However, provided we are able to put NATO troops on the ground – Turkish or Western – and set a clear boundary across northern Syria, we can be confident we will deter direct Russian and Iranian attacks. Furthermore, neither Assad forces nor ISIS forces would pose a credible military threat to these troops.

Yet the more difficult aspect of enforcing any safe zone will be the logistics of keeping the civilian population in these areas safe and in reasonable living conditions. No one except the designated enforcing troops would have access to weapons. But in the Turkish scenario, that also raises concerns over how Turkish troops might treat Kurdish civilians or Sunnis they deem to be affiliated with the extremist Sunni militants. This means that even in this scenario we will need Western and/or U.N.

observers and civil administrators on the ground. Provided we can work out a good plan with a solid distribution of powers and responsibilities among the Turks, U.N. and Western parties, establishing a Northern Safe Zone north of Aleppo, from the Turkmen northwestern coast at the Mediterranean to the Euphrates in the east, should be possible.

> **Many people will never be able to go back to their old homes – and it is important to manage the transition to prevent the Assad regime from establishing "facts on the ground" by forcing out those opposed to its rule.**

To pay for the civil infrastructure needed within the safe zones, the better candidates would be the Gulf States. They are already implicated in the conflict on the Sunni side, so they are already pouring money into the region. Yet most of their resources currently go toward arming and financing Sunni militant forces. At least some of that money can be diverted toward the safe zone. And we can persuade them to help create safe zones in exchange for allowing them to continue their policy of refusing to accept any refugees from the conflict. They have had extremely strict policies in these regards, and have certainly not borne their share of responsibility, especially given their extensive involvement in the civil war. We can demand that they pay at least this price for their policies. It would not be difficult to make the case that this is in their interest as well, given that this would bolster their status within the Sunni world.

One possibility for providing basic necessities is to make the external

powers responsible for the provision of food, water, clothing, blankets, shelter and medical supplies to all the population in the areas for which they have responsibility. The U.N. must closely monitor conditions in any refugee/IDP camps, and international nongovernmental organizations must be allowed to operate and report freely.

It must be made clear to all – especially refugees and IDPs – that this solution is temporary, pending finalization of a peace agreement. However, one major task post-conflict will be to allow people to rebuild their homes or establish new ones. The housing stock in Syria is now ruined, and its rebuilding will be a major task. It is important to avoid the mistake of Iraq and not to award the contracts and funding for this work exclusively to Western multinationals.

Starting a Political Process

A managed political process must be put in place as quickly as possible. The experience of the U.N.-sponsored Geneva conferences is that if the local groups are given too much freedom, they are unwilling to compromise. Thus, while ideally the goal would be a solution devised by the Syrians, in reality it must start as a process provided for the Syrians. Even if it is (inevitably) accepted that the central region of Syria will remain dominated by the Baath party, the removal of Assad should be an early goal. This will help mitigate some concerns among the opposition.

The West cannot afford to be too restrictive with respect to opposition groups. Even if we disagree with their goals, Salafist-oriented groups who are focused on the governance of Syria will have to take some role – not least because they will inevitably be part of the post-conflict political landscape in any case. The exceptions to this must be al-Nusra (their recent announcement of a split from al-Qaida and rebranding as Jabhat Fateh al-Sham notwithstanding) and ISIS.

Managing ISIS

There is no doubt that ISIS will seek to derail the political process with terrorist attacks or covert military actions that breach any cease-fire. It is therefore imperative that both the external powers and the non-ISIS groups show restraint when responding to acts of violence. ISIS will have nothing to gain and a lot to lose from a successful peace process – particularly because their currently dominant status within the global jihadist movement is partly sustained by the region they occupy in Syria and Iraq.

A clear division of labor will also be necessary when it comes to fighting ISIS. Russia must be persuaded to get out of the way and allow the West to carry out operations unhindered.

At the moment, there are still perceived risks of unintentional casualties between the powers. Better communication is an imperative. Russia may be particularly receptive to intelligence-sharing proposals, since what happens to ISIS has direct consequences for security in Chechnya and Dagestan, where many jihadists would likely go next.

It is in Western interests to play up this Russian incentive to confront ISIS:

If cooperation such as intelligence-sharing improves relations between Russia and the West, it would greatly assist the wider project of establishing peace for Syria in the coming months and years.

POLICY RECOMMENDATIONS

This policy brief suggests pushing for a three-way federal solution in Syria:

- A successor to the Assad regime holding Damascus, the Alawite regions to the north and the main cities

- An area largely built up from the current Sunni-majority areas – although this is difficult to define, due to the pre-war mixing of population, especially in cities like Damascus and Aleppo

- A Kurdish region in the northeast

The following conditions are requisite for a workable federal solution:

- Creation of "national" political institutions to manage relations within the new federation;

- U.N. intervention to keep Russia and Turkey from creating a solution purely on their own terms that likely would be hostile to the Kurds and Syrian communities Moscow and Ankara don't consider on "their side";

- A solution supported by the EU and regional powers, regardless of U.S. preferences, since it is not yet known what the new administration will do.

A challenge with the federal solution is that Syria has evolved as a multi-ethnic, multi-confessional state. Especially in the urban regions, there are no obvious historical divisions. As an example, Damascus contains famous mosques for both Shiite and Sunni traditions, while Aleppo has, until recently, had a large population of Christians (many of them descendants of Armenians who fled Turkey after the 1915 massacres). The regime has created a fragmented country, and our primary goal now should be to convert a bad situation into a broadly acceptable one.

The rural regions are a little easier to separate. In particular, the Kurdish region in the northeast is relatively well-defined, although there is a mixed Kurdish-Arab community in some areas. Equally, the Alawite region near Latakia is relatively homogeneous; so too is the south, stretching to the Jordanian and Israeli borders, with consistent opposition to the regime throughout the region.

The Assad regime will not accept any settlement that does not allow it control of Damascus, Homs, Hama and Aleppo. There may be room to negotiate the inclusion of some suburbs either into the regime or the Sunni-majority region, allowing a degree of mixed control over the bigger cities. It is at this level of detail that the real problems likely will be encountered. Equally, the Dayton Accords/Bosnia example is important, and one reason why the new state ideally will be designed with a degree of flexibility – so it can adapt to changing political trends and the desires of the Syrian people.

One advantage is that this structure roughly aligns with the current pattern of military control. In effect, freezing the war through a cease-fire and then helping the new Sunni and Kurdish regions to rebuild is a practical goal for the EU and the U.N.

CONCLUSION

The proposal in this paper is for the least-worst solution to the civil war in Syria. It may be that in 2011 and 2013, sustained support for the opposition might have ended the Assad regime and opened the door to a multi-confessional, multi-ethnic, democratic (or at least law-based) Syria. That opportunity is now gone.

The argument for a federal solution is that it can be framed to meet the irreducible demands of all the external powers and the practical goals of the warring parties within Syria – even though, as with Bosnia, it comes with the promise of long-term problems unless the political framework is carefully constructed.

There will be a need for uncomfortable compromises. Even if Assad can be removed from Syria, it is unlikely that he will face charges for the crimes committed by his regime. On the other side, it also will mean accepting the presence of Salafist-oriented groups, whose sectarian ideologies can seem unpalatable.

However, ending the war opens the way to ending the suffering of the Syrian people. In addition, ending the regime violence is probably the single most important step in curtailing the growth of support within Syria for extremist groups such as ISIS. A practical peace settlement will create the space to downgrade and hopefully eliminate ISIS from Syria (and Iraq). No doubt, as with al-Qaida after 2001, the militants will appear somewhere else, but a major part of their current appeal is that they can claim to rule territory in the Middle East. Remove that, and some of their appeal is certain to fade.

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About CGP

The Center for Global Policy is an independent, nonpartisan, U.S.-based think tank that provides expert analysis and context-specific insight into the most critical foreign policy issues facing our nation. We have a particular interest and expertise in issues pertaining to politics in the Muslim world. Amid a dramatic increase in Islamophobia throughout the United States—and a simultaneous increase in anti-American sentiment in many Muslim countries—CGP is working to address the underlying issues that perpetuate the tension between the United States and many Muslim-majority countries. We aim to be part of the conversation to assist in mitigating and resolving many of the conflicts that currently exist. As an institution, we continually strive to provide objective and empirical research about the social, political and cultural issues facing Muslim-majority countries so that policymakers will be thoroughly supported in making well-informed policy decisions.