



**Syria Transition Challenges Project**

Discussion Paper (4)

***Russian views on the Constitutional Committee and the political process in Syria***

Nikolay Sukhov, Oriental Studies Institute

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## **Syria Transition Challenges Project**

A multilateral dialogue and research project that aims to build bridges between the EU, Russia, Turkey, and the US on the three issues of Reform, Refugees Return, and Reconstruction. The project is run by the GCSP in collaboration with European University Institute (EUI), Syrian Centre for Policy Research (SCPR), and swisspeace.

### **Editors:**

Abdulla Ibrahim, project lead researcher

Lorraine Charles, research associate

### **Author**

#### **Nikolay Sukhov**

Nikolay Sukhov (PhD, History) is a Research Fellow at the Institute of Oriental Studies, expert of Russian Council for Foreign Affairs, Vice-President of International Middle Eastern Studies Club. Participated as Russian Foreign Ministry officer with diplomatic assignment in Rabat (2005 – 2012) in high-level international events and conferences throughout the countries of the region. He participated in Dartmouth Conference Task Force on the Russian-US Relationship, Abu Dhabi Strategic Debate, Russian-US Dialogue on Syria, Restricted Meeting of Mediation Practitioners on Syria and Inter-Palestinian negotiations among others. From October 2017 to July 2019 he was a Senior Political Officer in the Office of the UN Special Envoy for Syria in Damascus. Author of the studies on the Kalifate state theory and the history of Russian-Arabic intercultural relations, he also published several articles on the “Arab spring” and drafted the government reports. A graduate of the Moscow State University (Institute for Afro-Asian Studies, 1988) he started his career as a military interpreter in South Yemen then Libya. Fluent in Arabic, English and French

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## **Introduction**

The Russian leadership believes that the Constitutional Committee (CC) is a key factor in a political settlement in Syria. Russia hopes that the West, primarily the EU, adhering to the principle of “no reconstruction without a political transition”<sup>1</sup>, would regard the launch of the CC as the beginning of this political process and increase humanitarian aid to Syrians living in government- controlled territory. Russia's position on the constitution issue differs from that of the Syrian government. However, a glimmer of hope could come from events in northeast Syria<sup>2</sup>, which has strengthened position of the opposition in the CC. Yet, neither Russia, nor Syria, are ready to recognise this reality.

The Russian leadership is not likely to promote rapprochement between the Syrian government and the opposition on reform issues, as Russia perceives these to be the internal affairs of Syria. In Russia, it is perceived that the constitutional, and later, the political process based on the new constitution, could facilitate the return of refugees. The next step after the adoption of the new constitution should be legislative reform, which would bring Syrian legislation into line with the constitution. The topic of legislative reform in Syria could become bargaining tool for Europe in negotiations with Russia.

If Europe wishes to stabilise the situation in Syria and the Middle East, it should first participate in reconstruction efforts by reviving the economy, and thereby Syrian civil society. This would be an indirect stimulation of political reforms. In this case, European leaders need to develop a long-term strategy aimed at improving Syrian society, preventing radical ideas, terrorism and possible new waves of migration to Europe. Russia could contribute to the implementation of European initiatives as the interests of Russia and Europe to stabilise Syria and the region coincide.

## **Russian support for the Constitutional Committee and the political process**

The Russian leadership believes that the CC is currently a key factor in a political settlement for Syria. First, representatives of the government and the opposition gathered for the first time and tried to jointly discuss the text of a new Syrian constitution. Second, Russia considers the work of the CC to be a continuation of the political process that began during the Congress of the Syrian national dialogue, which was held in Sochi in January 2018. Russian Foreign Minister Lavrov declared the event to be a major diplomatic success. According to Lavrov, all Syrian political forces participated in the formation of the CC. He also claimed that because of the Astana format, it would be possible to maintain Syrian statehood.

Russia hopes that Western states, primarily the EU, adhering to the principle of “no reconstruction without a political transition”, views the launch of the CC as the beginning of this process and would support the increase of humanitarian aid to Syrians in the territory controlled by the government. This means restoring basic infrastructure to provide people in the settlements with shelter, a regular water supply, basic medical and educational services and also facilitating the return of refugees.

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<sup>1</sup> Comments by French embassy spokesperson to the press; The Atlantic “No One Wants to Help Bashar al-Assad Rebuild Syria” 15 March 2019, <https://www.theatlantic.com/international/archive/2019/03/where-will-money-rebuild-syria-come/584935/>

<sup>2</sup> Reference to the US and Turkish forces movements in November and December 2019

Yet, the Russian position differs from that of the Syrian government as the latter does not trust the West. Assad believes that any political concessions would be futile, as Western states would deceive Syria and would concede nothing in return for political changes in the regime. However, pressure from Moscow has forced Damascus to make some political concessions.

Russia has less influence on Syria than in 2015. Russia had initially influenced Assad using the “carrot and stick” approach, i.e. threats to reduce military and economic aid should Damascus not comply with Moscow’s requests. However, as Russian military aid seems to be less critical for the existence of the regime, Russia’s power over Damascus had declined<sup>3</sup>.

Russian policy on the Syrian crisis continues to be reactive. Regardless all its political movements in the Astana, Geneva and Sochi processes, Russia shares the government of Syria (GoS) confidence that they have won the war. At the same time, Russia has tried and continues to try to convince the GoS to be flexible, to join the political process even informally, in order to promote formal democratic reform. These demands from Russia have been met by a firm position from the Syrian government—no concessions to the opposition nor to the West.

For Russia, the goal of the political process is to achieve peace for the whole of Syria, to ensure that all the territories are integrated and to restore sovereignty. This sovereignty is perceived to be in the hands of Assad and the current government, as Russia has very concrete economic interests in Syria in terms of the control over the extraction of oil and gas, phosphate mining and infrastructure.

The official position of Moscow aligns with UN Security Council resolution 2254<sup>4</sup>. In reality, the position of Russia is supported by the BRICS countries, partly shared by countries in the region as Saudi Arabia, the United Arab Emirates, Egypt, Algeria and Iran. Russian diplomacy is actively working to convince the leaders of the MENA states of the appropriateness of their position. Russian politics is even more convincing when the economic interests of Russia and the other state coincide.

## **New realities in the northeast and the Constitutional Committee**

Syrians inside Syria have described the Syrian opposition as a “five-star hotel opposition”<sup>5</sup>, supported by Western and Middle Eastern sponsors, and representative of none of the Syrian population. Turkey formed the Syrian National Army, which occupied territory, where Syrian refugees –future voters – had been relocated from Turkey. In fact, an alternative administrative entity has been established, which enables the opposition to invoke its existence and claim that it represents millions of Syrians. It is arguable whether this is true, but the opposition has been given a strong argument in its favour. Nevertheless, the Russian and the Syrian governments both prefer to ignore this new reality as far as it concerns the CC. The Turkish support of the opposition in the Astana format could change the Russian attitude towards the new reality in the northeast. However, the GoS approach to the issue may not be so easily influenced.

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<sup>3</sup> The Economist “Russia’s military gamble in Syria is paying off handsomely: But for how long?” 16 May 2019 <https://www.economist.com/middle-east-and-africa/2019/05/16/russias-military-gamble-in-syria-is-paying-off-handsomely>

<sup>4</sup> United Nations, “Security Council Unanimously Adopts Resolution 2254 (2015), Endorsing Road Map for Peace Process in Syria, Setting Timetable for Talks” 18 December 2015 <https://www.un.org/press/en/2015/sc12171.doc.htm>

<sup>5</sup> Al Arabiya “Syrian opposition splintered ahead of peace talks” 2 December 2013 <https://english.alarabiya.net/en/perspective/analysis/2013/12/02/Syrian-opposition-splintered-ahead-of-peace-talks.html>; International Crisis Group “Anything But Politics: The State of Syria’s Political Opposition” Middle East Report N°146, 17 October 2013 <https://www.refworld.org/pdfid/526115934.pdf>

The Russians continue to promote the Kurdish participation in the CC, but they do not support the SDF. The Syrians do not accept the SDF as a legal representative of the Kurds and consider it a marionette of the US. The GoS insists that there is Kurdish participation in the CC since there are pro-Assad members of the government of Kurdish origin.

### **Looking for a common ground between the Syrian government and the opposition**

The Syrian government is focused on preventing a change from a presidential to a parliamentary system in the constitution. The pro-government part of the CC is determined to keep the legal base for the existing autocratic system. However, the Syrian opposition desires to change to a Western style democratic system, giving more independence to the parliament, to a separation of powers, and to establish a multiparty political system. This is unacceptable to the Syrian government.

The Russian position on the issues of decentralisation, reform of the army, and separation of powers is not clear. In theory, the Russians know that these changes are necessary. However, they do not know how they could be implemented. The Russian military could try to reform some part of the Syrian army, but the process is difficult due to local mentality and social traditions. The Russian military faces resistance from the Syrian military and political leadership when attempts to reform other Syrian institutions had been made.

Russia also understands that Syria does not wish for intervention in matters of reforming the army and special services, as well as in other issues related to changing the current state of affairs. Such an uncooperative approach from the GoS would make it unlikely that Russia would contribute to the rapprochement of the Syrian government and the opposition on what Russia considers to be purely internal issues.

The Russians do not believe that they are positioned to facilitate an agreement between the Syrian government and the opposition on the issue of decentralisation of power. First, Russia considers any attempts of this kind to be an interference in the internal affairs of a sovereign state. Second, the Russian leadership supports the concept of an authoritarian vertical of power as a way to maintain statehood, both in Russia and in Syria.

More importantly, decentralisation in Russia does not meet the expectations of the Syrian opposition. In other words, Russia's experience could offer a bad example to the Syrians. In the Russia model of financial decentralisation, the central government takes natural and financial resources from the regions and distributes them at its discretion to the other regions and republics, in accordance with its domestic political, and sometimes personal, preferences. The Russian model of cultural decentralisation has allowed the central government to adopt laws supporting an educational policy that has led to the disappearance of minority languages of formally autonomous republics. Thus, Russian leadership may share the position of Assad and his entourage in their unwillingness to even discuss the possibility of decentralisation in Syria.

### **Russia and EU views on reconstruction**

The Russian position is that the return of Syrian refugees, not just from neighbouring countries but from all refugee receiving countries, should be expedited. Moscow openly demonstrates its desire to create conditions for return. The Russian military have played a significant role in the reconstruction of Syria, focusing on key infrastructure, leading the demining

efforts, and attempting to restore industry to provide jobs to returnees. For Syrian refugees not affiliated with opposition groups, the Russians are working with Syrian government to allay the concerns of safety for the returnees.

Russia believes that the constitutional process, and the following political one, based on the new constitution could facilitate refugee returns<sup>6</sup>. Sceptics believe the contrary, that the constitution is unlikely to contribute to creating safe conditions for refugees in the near future<sup>7</sup>. The new constitution has to be agreed on by Assad, who stressed that the CC is not the only solution to end the conflict<sup>8</sup>. This leaves the option for a referendum or a Parliamentary decision in order to pass the constitution, neither would be possible in the near future.

The next stage after the adoption of the new constitution should be legislative reform, which would introduce laws in accordance with the Syrian constitution. Officially Moscow does not consider this issue a priority, but the topic of legislative reform in Syria could become a European initiative in negotiations with Russia. For example, Macron and Merkel could offer Putin cooperation in this direction.

The West is demanding a political transition, a change of leadership and democratisation. Yet, in the current political climate this is unlikely, especially if the Syrian government is under pressure from international actors. In reality, if the West were to approach the UN and propose support for the reconstruction of the country, including economic recovery, the attitude of the Syrian population to these countries could change. Reconstruction in Syria would only be possible following economic stabilisation. This would shift the population's attention from their basic needs toward politics, which incentivises the political process in the medium to long run. If economy does not improve, no forces for reform would exist, causing greater instability in Syria. In the long term, with greater economic opportunity and access to global (Western) media, the Syrian civil society could be invigorated and demands for greater political freedoms could emanate, particularly from the youth.

As political transition is the ultimate goal of Western states, there is an incentive for their support for the CC. After the adoption of the new constitution there should be legislative reform, which would reintroduce the laws in accordance with the constitution of Syria. Officially, Moscow does not consider this to be an immediate priority, but the topic of legislative reform in Syria could become a European initiative in negotiations with Russia.

Yet, political transition is impossible without first (re-)creating a social base, a middle class whose interests differ from the oligarchic and bureaucratic elite ruling. This is a lengthy process. Europe's intention to stabilise the situation in the Middle East would only be realised if it participates in the reconstruction of Syria, reviving its civil society and economy. This could result from an indirect stimulation of political reforms in Syria. The European ruling elite needs to invest in a long-term strategy aimed at improving the Syrian society, preventing radical ideas, terrorism and possible new waves of migration to Europe. Russia could also contribute to the implementation of European initiatives as the interests of Russia and Europe to stabilise Syria and the region coincide. More importantly, a main goal of Russia's intervention in Syria is to establish cooperation with the West to resolve the Syrian crisis.

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<sup>6</sup> Asharq Al-Awasat "Damascus Says 'Opening Doors' For Safe Return of Refugees" 29 September, 2019 <https://aawsat.com/english/home/article/1923571/damascus-says-opening-doors-safe-return-refugees>

<sup>7</sup> Al Jazeera "Ankara summit on Syria: 'A win for Moscow and al-Assad'" 7 September 2019 <https://www.aljazeera.com/news/2019/09/ankara-summit-syria-win-moscow-assad-190917051916123.html>

<sup>8</sup> Asharq Al-Awasat "Constitutional Committee Will Not End War, Assad Says" 5 November 2019, <https://aawsat.com/english/home/article/1992966/constitutional-committee-will-not-end-war-assad-says>

## **Conclusion**

Russia hopes that the West would ease economic and political sanctions against Syria as a response to the political process signaled by the establishment of the Constitutional Committee. Russia has lost its leverage on the Syrian leadership, which weakens the Russian attempts to tighten pressure on Assad, who Moscow perceives is trying to sabotage its policy on Syria. This may mean that Moscow might be unsuccessful in convincing the Syrian government to relent to Western demands for political reform. The Turkish operations inside Syria is bringing Russia closer to the EU, and that could develop into a new security architecture together with Russia and a “transparent” with Moscow. Russia believes that the EU should pay greater attention to Moscow’s concerns with regard to the future of Syria. The creation of EU-Russia group on Syria, with European leadership, could offer Moscow a carefully verified plan to embark on political reform in Syria.