

## Research Article

# The Failure of Diplomatic Mediations in the Syrian Conflict – A Comparative Analysis

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Surviving eight years of conflict resolution efforts, the Syrian conflict has proven to be intractable to diplomatic mediation. The complexity of the conflict, which has national, regional, and international levels of structure, and the multiplicity of the players involved have provided new dimensions for studies in political conflict resolution. Building on previous research with respect to diplomatic mediation in the Syrian conflict, this paper conducts a comparative analysis between the mediation mission of the League of Arab States and that of the two first envoys of the United Nations, Kofi Annan and Lakhdar Brahimi, using five basic challenges of mediation as an analytical tool: Mission and Mandate, Impartiality and Inclusivity, Entry and Consent, Strategy, and Leverage. It concludes that none of the mediation missions for Syria that are covered by this paper have addressed the following factors: the root causes and psychological drivers of the direct conflicting parties, the independence of the mediation agency from indirect parties involved in the conflict, and the neutralization of the opposition from regional funding. Although not necessarily decisive, overlooking these factors may have contributed to the failure of diplomatic mediations in the Syrian conflict.

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## Introduction

Having survived eight years of intensive efforts to find a peaceful resolution, the Syrian conflict has come to be known as one of the most intractable ongoing conflicts in the world. It is not only a popular yearning for change, an ethnic and sectarian civil war, or an open space for a proxy war between regional and international rivals; it is all of those things together and might even be more than that, as research on Syria is still developing and the conflict

continues to evolve. With so many actors involved in the conflict on the national, regional, and international levels, conflict management attempts faced various obstacles, and mediators found themselves in a situation where they had to deal with rivals as big as world powers and as small as non-state actors that have emerged throughout the conflict and have taken an influential role on the course of events. Diplomatic mediation attempts seeking to find a peaceful way out started as early as 2011, the same year the conflict first erupted, but have failed to avert the death of over 115,000 civilians and the displacement of over ten million others inside and outside Syria (SOHR 2020).

The numerous conflict resolution attempts for Syria that have been succeeding one another for the past eight years have created an opportunity for researchers to analyse those mediation efforts and try to find factors that have contributed to their failure. To that end, this paper covers the mediation missions for Syria that have operated from late 2011 to mid-2014, by conducting a comparative analysis between the mediation attempt made by the League of Arab States (LAS) and those made by the first two envoys of the United Nations (UN). This analysis is built on a previous study conducted by Zartman et al., in which they focused on the first two UN missions using five basic challenges of mediation, and aims to highlight the areas in which efforts made by the LAS and the UN have overlapped, matched, and differed in order to extract the gaps that have not been addressed by both of their missions.

Using the five challenges, which consist of Mission and Mandate, Impartiality and Inclusivity, Entry and Consent, Strategy, and Leverage, this paper finds that both LAS and the UN missions were similar to one another in terms of the spirit of their mandates, which sought power transition, and their lack of impartiality and inclusivity, with minor differences in the way they represented their bias. On the other hand, their missions differed in terms of timing, which had an impact on the entry and consent factor and also on each mission's access to leverage, whereas LAS had lower chances of entry and leverage due to its missions' earlier timing. In addition, their missions partially differed in terms of strategy, as one of the two UN mediators adopted a strategy similar to that of LAS, while the other one adopted a different approach. The paper also finds that there are certain factors, such as root causes, agency independence, and opposition representation, that were left unaddressed by both missions and may have contributed to their failure, which will be detailed further in the study.

## Chapter I. Background and Theoretical Framework

### *The Syrian Conflict*

At first, it is very important to understand that a distinct characteristic of the Syrian conflict is that it is a combination of multiple sub-conflicts that are not only parallel but also chronologically sequential. For that reason, the process of defining the Syrian crisis is at its best when it depends on a comprehensive and collective understanding of the accumulation of events that have been taking place throughout the years of the conflict and the complexities of the interdependence among them. Understanding this interdependence is crucial when defining the structure of the conflict and the identities of the conflicting parties so as not to limit those concepts solely to the distribution of power and the cultural heritage but rather view them through a lens of multiple relational factors. (Chennoufi (forthcoming): 2).

### *An Overview of Events*

**The Initial Stage:** produced by a long-standing state of suppression and authoritarianism that dates back to the 1960s and triggered by a wave of popular action across a region close to Syria geographically and culturally, the Syrian uprising, which has later developed into what is now known as the Syrian conflict, started in March 2011 as a popular opposition movement against the Assad government (Van Dam 2017: 22; Belhadj 2013: 32). Most of the literature on the Syrian crisis agrees that the beginnings of the popular movement were peaceful; peaceful protesters, inspired by Arab Spring slogans, were calling for freedom, dignity, and civil rights. For its part, the Syrian government responded aggressively by opening fire on the protesters causing many deaths, which triggered deeper popular anger and a higher level of demands calling to overthrow President Bashar Al Assad (Crocker et al. 2015: 5; Ismail 2011: 539; Dagher 2019: 23; Van Dam 2017: 48). The government's insistence on adopting an aggressive response continued to cause more and more deaths, imprisonments, and displacements, which created a deep scar among a large part of the Syrian population making them adopt a sense of hostility and spirit of revenge and nontolerance for reconciliation, which had its long-lasting effects on mediation attempts. By the summer of 2011, the opposition had shifted to armed action, which was not only limited to those who used it as a self-defense mechanism but was also a resort for those who believed in violence as the best and only option to confront the government; this shift marked an entirely new stage for the Syrian crisis (Dagher 2019: 24; Joya 2012: 31; Chennoufi (forthcoming): 7).

**The Post-Armament Stage:** as the Syrian government was automatically backed by its traditional regional allies in the face of this internal popular unrest, the new stage marked by the transformation of the opposition from peaceful action to armed action opened a wide window for external actor involvement on the opposition side as well. This involvement, mainly regional, came as the opposition was desperate for financial and military support and also desperate for revenge, which, for its part, opened a wide window for opposition violence, as well as fragmentation and division within the opposition, due

to the fact that different opposition groups were funded by different external actors and that those indirect actors had political and/or sectarian agendas that are irrelevant to that of the original popular action triggered by the Arab spring (Joya 2012: 32; Greig 2013: 50; Van Dam 2017: 52). This scenario created a different sort of battle for the Syrian government, which, by then, identified as being in a national war against multiple armed rebels and terrorist groups backed by external powers, as described by the Assad government (Joya 2012: 33). This wide regional involvement on both sides of the conflict, and the divisions within the Syrian opposition have become a very crucial factor for the processes of mediation, especially that it has impacted the nature of the conflict, the balance of powers between the two conflicting parties, and the number and identity of the actors involved in any resolution process (Crocker et al. 2015: 145-147).

**The International Rivalry Stage:** as confrontations were escalating between government forces and various groups of opposition forces, causing hundreds of thousands of deaths, and exporting the catastrophe to neighboring countries with millions of refugees, and as armament and sectarian divides started planting the seeds that led to a greater role for the Islamic State (IS), members of the international community started to become more and more involved, and each had their proper stance, which was reflected in backing their allies on the ground in Syria, as well as enhancing their stance politically through their powers and authorities within international platforms, which made Syria, after becoming a venue for regional players, also turn into an arena of confrontation between international superpowers, changing the dynamics of the conflict and making its resolution more and more complex as the players involved are now larger for a mediator to deal with, and more powerful in changing the fate of the conflict than were the Syrian government and the Syrian opposition alone (Vuković and Bernabei 2019: 409; Van Dam 2017: 168).

### *The Structure of the Conflict*

Based on the overview of the evolving events, it becomes clear that any analysis of the Syrian conflict or the mediation efforts associated with that conflict must take into consideration its three levels of structure: the national, the regional, and the international (Chennoufi (forthcoming): 5-6). For a deeper understanding of the national level, it is important to highlight the complexity of ethnic identities that had already existed within the Syrian society, playing a role in making the Syrian version of the Arab Spring differ from that of other countries in North Africa (Van Dam 2017: 27).

Produced by an accumulation of diversity deeply rooted in the history of Syria and the Levant region, the demographic combination of the Syrian society is heterogeneous not only in terms of religious and sectarian differences but also in terms of ethnic differences within the same religious sect, such as the Arabs and Kurds, who both belong to the Sunni sect of Islam (Chennoufi (forthcoming): 6). This heterogeneous society has been governed for several decades by a nationalist slogan that sought in principle to form a homogeneous society that would bypass all those identity differences; however, the government, although nationalist in principle, was authoritarian in nature and was dominated, in its highest political and military systems, by members of a religious sect that is a minority in Syria, namely the Alawites, a sect of Shia Islam. This combination of built-in divergence within the society and the authoritarian leadership indirectly ruled by a minority religious sect had a tremendous impact on the evolution of events in the Syrian conflict. While the popular movement was initially more dominated by a spirit of rejection of the corruption and the imposed dominance of the Assad government, the unleashing of popular action was also open for spirits that had other motivations to criticize that government, such as the religious voices of other sects that were not as much opposed to the concept of the government's imposed dominance as much as they were opposed to the identity of the sect that is in control of that dominance (Chennoufi (forthcoming): 8; Van Dam 2017: 25; Belhadj 2013: 27).

Although both opposition spirits were united by their desire to overthrow the government, their divisions prevailed throughout the conflict on so many different levels: exterior opposition consisting of exiled Syrian figures versus multiple interior opposition consisting of either local committees that sought to maintain the peaceful characteristic of the uprising; or political parties that preferred to abide by the government's call for dialogue; or the military personnel that defected from the government army and formed the Free Syrian Army (FSA). This lack of harmony became clearer after the external opposition organized itself in an official platform that received a great deal of international recognition, known under the name Syrian National Council (SNC), and yet failed to win the loyalty of most internal opposition forces. This scenario made it difficult for the opposition side of the Syrian conflict to maintain its neutrality in the eyes of the Syrian population as a whole and to stay clear of all the sectarian motivations carried by the Sunni Islamic factions within its own entity. This characteristic of the opposition has caused it to lose its connection with a vast part of the Syrian population, especially minorities who perceived the conflict as an existential threat. The government, on the other hand, was perceived as a more protective haven not only for its own minority but also for other minorities due to its historically nationalist brand (Chennoufi (forthcoming):8), and also for the wealthy class of the Sunni majority, due to the effects of the class structure on the stance of many Syrians towards the uprising (Phillips 2015:360).

This very nature of the Syrian society and its reflection on the civil unrest created a fertile ground in Syria for the traditional regional sectarian rivalry between the Shia bloc, represented by Iran and other non-government entities in the region, such as the Lebanese Hezbollah, and the Sunni bloc represented mainly by Saudi Arabia and Qatar, noting that Saudis and Qataris had their own disagreements as well, which later had its impact on the level of radicalism adopted by their Syrian allies, both on the political platforms and on the battlefield. Other factors played a role in the positioning of regional

powers, especially in regard to Turkey and its ambition to extend a stronger presence in a region that was once under the rule of its Ottoman Empire, an empire of Sunni Islam (Chennoufi (forthcoming): 6; Aktürk 2017: 88); and also in regards to Iran, which had built, together with Syria, an anti-US alliance that it was eager not to lose. Looking at the map of regional alliances, with the Shia bloc backing the government and the Sunni bloc backing the opposition, we can see that the government sponsors were coherent and represented by the government's traditional allies, while the regional sponsors of the opposition were also fragmented like the opposition itself (Chennoufi (forthcoming): 10). This reality triggers a question asked in the literature on fragmentation in intrastate conflicts, specifically among non-state actors: does external involvement in civil conflict cause fragmentation among the one group, or does the existence of fragmentation among that group invite a diversity of external involvement? (Pearlman and Cunningham 2012: 9) The importance of this question relates to the absence of authentic representation for the opposition on mediation platforms.

On the international level, the great powers took on their traditional roles. As the United States (US) has never been on completely good terms with the Syrian government due to its historical lineage towards the anti-US and anti-Israel alliance in the region, it was not surprising when, along with its group of Western powers, it took an early on the stance of condemning the government and hailing the opposition, which was also consistent with the stance taken by the US's traditional allies in the region, namely monarchies, such as Saudi Arabia, and also consistent with a desire to eliminate a government with anti-Israeli policies on the borders with Israel. This positioning of the West was boosted by a misconception that the Assad government would not last long; a conviction inspired by the fall of three other authoritarian Arab leaders in the wake of the Arab Spring. On the other hand, Russia was not only supporting a traditional ally by backing the Assad government but was also taking advantage of a historic opportunity to have a stronger presence on the world scene and prove that its decisions matter, which was reflected in its use of the veto on all western attempts through the UN Security Council to push for a resolution against the Assad government (Chennoufi (forthcoming): 10).

### *An Overview of Mediation as a Concept*

The concept of mediation in international relations is generally defined as a peaceful intervention in a conflict by a third party in an attempt to open a channel of communication between the conflicting parties, to eventually abate or resolve that conflict through negotiations (Zartman and Touval 1985: 31). However, a closer look at various mediation attempts in world politics reveals a more complex layer to the concept that is worth keeping in mind while analysing any mediation effort, as those complexities often affect the process's success and failure, and are represented by various aspects, such as the entity of the mediator and its relationship to the conflict in question, the structure and complexity of the conflict, the number of parties involved, the unity or fragmentation within each of the conflicting parties, how the rivals identify and see themselves, how they see their opponent, and how they see the mediator and its neutrality. (Zartman 2015: 480; Hill 2015: 445; Greig 2013: 51). Another factor to keep in mind while analysing the success or failure of mediating efforts is the fact that mediation is not a pure instrument of conflict resolution; it is also a foreign policy instrument used by states in pursuit of maintaining or furthering their influence and/or political interest, whether those states are playing the role of the mediator themselves or have indirect influence over a separate mediating body (Touval 1992: 232).

Furthermore, as the most common approach adopted in mediation studies focuses on the content of the mediation plan and the reasonability of its proposed solutions for all targeted rivals, more and more focus has been placed on other approaches, such as the one based on the Ripeness theory, which holds that the key to successful mediation lies in the timing of that mediation and how it relates to the age of the conflict. "Parties resolve their conflict only when they are ready to do so when unilateral means of achieving a satisfactory result are blocked, and the parties find themselves in an uncomfortable and costly stalemate; this is called the moment of ripeness. The ripe moment relies on a mutually hurting stalemate (MHS), which refers to the time when conflicting parties find themselves locked in a conflict from which they cannot escalate to victory, and this deadlock is painful to both of them; they are an MHS when both of them are convinced that there is an inevitable need for them to seek a way out" (Zartman 2000: 225-226). Taking this approach into account within an analysis reveals a deeper layer in mediation studies that helps introduce new roles for a mediator, who may serve not only as a communicator but also as a manipulator in the attempts to convince both rivals that they are indeed in that stage of stalemate that requires an urgent need for a solution other than their continuous struggle within a deadlock, or within an MHS (Zartman 2000: 228). The development of these specifics in mediation studies was gradually built by digesting actual mediation attempts in modern history, especially after the cold war, when the world witnessed a shift in the dynamics of power balance, conflict structure, and levels of involvement (Hill 2015: 446; Akpınar 2016: 6). As the studies on mediation are still developing, they continue to feed on more and more mediation attempts to build on previous knowledge and assist in the introduction of new strategies for mediation practices in general, as well as for better ways to address specific ongoing conflicts; the more complex the conflict, the more windows it opens for deeper areas of study. In this context, the Syrian conflict, which has been one of the hottest files on the international scene for the past nine years, has been used as an exceptional tool for mediation and conflict resolution studies due to its deep level of complexity, its multilayered levels of action and actor engagement, and its subjection to multiple failed mediation attempts (Akpınar 2016: 3; Lundgren 2016: 2). In their study 'UN Mediation in the Syrian Crisis: From Kofi Annan to Lakhdar Brahimi', Zartman et al. conducted a breakdown of two mediation missions for Syria by the five factors that

they called 'five basic challenges of mediation'. This five-factor breakdown provided a deeper understanding of the mediation efforts carried out by the two envoys, as it focused on each dimension separately (Zartman et al. 2016: 2).

### *The Theoretical Framework*

As part of the "Lessons from Mediation" series, a project conducted by the International Peace Institute (IPI) with the aim of analyzing UN mediation efforts around the world to extract lessons learned and make them available to policymakers and mediators, Zartman et al. analysed the missions of two UN envoys for Syria based on the five basic challenges of mediation: mission and mandate, impartiality and inclusivity, entry and consent, strategy, and leverage, which will be used in this paper for the purpose of comparative analysis (Zartman et al. 2016: 1).

### *Mission and Mandate*

The terms mission and mandate may seem as simple as defining the purpose and objective of a task and the authority given to carry out its functions. However, in a mediation effort, things can get more complicated, as the goals and objectives of a mediation mission are set by the authorizing agency and are therefore impacted by that agency's identity and its image as perceived by the targeted conflicting parties. Furthermore, the level of flexibility granted along with the mandate when assigning a mediator can vary from giving that mediator a wide space of initiative while negotiating with the different players to limiting the mediator's authority to make decisions by demanding prior consultation and approval from the authorizing entity. Both types of mandates play a tricky role, from being too restrictive to being too loose, which may have an impact on the conflicting parties' willingness to cooperate (Zartman et al. 2016: 2).

### *Impartiality and Inclusivity*

In the UN Guidance for Effective Mediation, a mediation process must be impartial to achieve progress in resolving the conflict, noting that impartiality of a UN mediator does not mean neutrality, as there are universal principles that the mediator has to uphold (MSU 2012: 10). However when the mediation process departs the theoretical ground and goes into practice, impartiality becomes more difficult than laid out in the guidance, as objectives of mediation missions can vary from seeking a middle ground solution for the two conflicting parties to seeking a transitional solution in which one of the parties will be departing in favor of the other. Depending on the mission objectives, the mediator's negotiating deals and proposed solutions can very well be partial towards one of the two parties (Zartman et al. 2016: 2-3).

In terms of inclusivity, which refers to the extent to which all parties involved in a conflict are represented and integrated into the process of mediation effort (MSU 2012), it can become more and more complicated in certain conflicts based on how many levels of involvement there are in that conflict, as many other players on the regional and international levels, may be indirectly involved and need to be taken into consideration as well. This imposes a dilemma due to the fact that the representation of a certain indirect player may not be welcomed by one of the two direct players, urging the mediator to exclude that indirect player, which may result in the failure of the mediation due to the strong impact that the indirect player has on that conflict; whereas reincluding that player may jeopardize the cooperation shown by the direct player that caused the exclusion in the first place (Zartman et al. 2016: 3).

### *Entry and Consent*

Consent is a key factor for the effectiveness of mediation (MSU 2012: 8). A mediation effort will remain far from succeeding unless the conflicting parties are on board with a mediation process, which is the case if they are all convinced that they have reached a painful deadlock that will only deteriorate and cannot lead to victory, an MHS. If they are not yet on board, the mediator's role is to convince them that they have reached that deadlock and are better off seeking a solution through other means (Zartman et al. 2016: 3). In other forms of stalemates, such as the S5, soft, stable, self-serving stalemate, the situation may seem suitable for the initiation of mediation but is actually playing a role in preventing an actual MHS, as parties in this stalemate are comfortable and satisfied with the stability of the deadlock, which will make the entry towards negotiations very difficult in the first place (Zartman 2015: 482; Zartman et al. 2016: 3).

### *Strategy*

The strategy is about how the question of mediation. In mediation studies, a mediator's role can range from being very passive to being very active. If a mediator is playing the role of a communicator, it only has a facilitation role and a very low amount of control over the mediation process; if it chooses to take a procedural role, it has a better level of control over the process but that control remains limited and logistical. The most powerful form of mediation is represented by the directive strategy, through which a mediator has high control over the process as it determines the content of the deals and agreements and has the power to provide incentives, promises, or make indirect threats as a means to pressure the conflicting parties. The selection of

a specific strategy by a mediator is influenced by various factors that mainly relate to the mediator's identity and interest, as well as the circumstances of the conflict in question (Bercovitch and Gartner 2006: 27).

In another context, when there is a high level of violence on the battlefield, the strategy stumbles while dealing with the question of seeking a ceasefire first, then working on the long-term peace talks or creating a peace plan to accomplish a more guaranteed long-lasting ceasefire. In many historical cases, starting with a ceasefire has caused the mediation process to freeze as if the ceasefire was an end in itself and not a means, especially since a ceasefire may ironically affect the continuation of the party's conviction of the need for a way out, the (MHS), as the level of violence goes down. On the other hand, by adopting a strategy where peace talks come first, the violence on the battlefield may be used by the conflicting sides as a pressure tool during the talks themselves, causing more and more violence on the ground, which may jeopardize the peace talks as a whole (Zartman 2015: 481; Zartman et al. 2016: 3).

Another strategy issue to consider in multilayered conflicts is whether to take a top-down route in mediation, where the international players that are involved in a conflict is the main target group for a mediator due to their high level of influence on direct players, as opposed to going for the roots first and then trying to get the regional and international players on board. As much as it may be more effective to take a top-down approach, practical mediation efforts proved that in some of these cases, the international players could only guarantee the presence of the parties but not the actual conviction of their participation in negotiation, which will be reflected in the genuinity of their commitment (Lundgren 2016; Zartman et al. 2016: 4).

### *Leverage*

The leverage in mediation efforts depends on what the mediator has in hand as an attraction element to facilitate the cooperation of each of the conflicting parties. Given that mediation is often initiated by a third party, a mediator does not have enough leverage to guarantee outcomes or give promises but rather depends on each party's promises to try and get the other party on board. For this specific factor, the more the conflict is multilayered, the more there are leverage opportunities for the mediator to find through regional or international players that have an influence on the conflicting parties (Zartman et al. 2016: 4).

As this paper builds on a previous analysis of mediation efforts made to address the Syrian conflict, it will use the aforementioned mediation factors as a lens to conduct a comparative analysis of the diplomatic missions in Syria that have operated between late 2011 and mid-2014.

### *An Overview of Mediation Efforts in the Syrian Conflict*

Similar to the Syrian conflict's three levels of structure, the diplomatic mediation attempts addressing the conflict also took gradual steps from regional to international, as the first attempt came in 2011 from the League of Arab States (LAS), which is the Arab region's most prominent intergovernmental organization. LAS's efforts, however, did not last long for various reasons. LAS's mediation plan, which called for the cessation of violence, withdrawal of military equipment, and initiation of a national dialogue, was made through a directive mediation approach and not a facilitator approach; it carried an unbalanced tendency to resolve the conflict by placing the responsibility within its plan solely on the government and not the opposition, although the opposition by that point was an armed actor and not merely a suppressed vulnerable population. This unbalance was boosted by a dominance of an anti-Assad position within the league and the league's misleading perception that the government's level of resilience was very low. Although the government, under Russian pressure, met with LAS's envoy Nabil Al Arabi, tentatively accepted the plan and, later on, allowed an observer mission sent by LAS to observe Syria's compliance to the plan, it still viewed it as an unwelcome intervention by Gulf states seeking a government change. It is also important to point out that LAS's effort came at an early stage of the crisis, when the government was still not desperate for a solution alternative to its own military action to end the popular unrest in Syria (Lundgren 2016: 3; Chennoufi (forthcoming): 11; Hill 2015: 449). The opposition, as well, did not see an urgent need to accept a dialogue with the government as it adopted the common conviction that the government would not last long and placed high hopes on the Western stance against the government, which was put forward with various announcements by world leaders calling on Assad to step down; this was perceived by the opposition as a guaranteed victory for their part. Lack of real cooperation with LAS from both sides of the conflict, added to internal disagreements within LAS, led Saudi Arabia and Qatar to withdraw their support for the mission in an attempt to pressure Assad's departure and the formation of a government of national unity, which caused the mediation attempt to end in failure by the start of 2012 (Lundgren 2016: 3; Chennoufi (forthcoming): 11; Hill 2015: 449).

As the conflict went on and was becoming more and more violently intense, LAS then turned to the UN Security Council, whose member states were becoming more and more convinced that a new level of engagement was necessary; the UN envoy was therefore assigned by both LAS and the UN as a joint special envoy to Syria (Hill 2015). Since 2012 until the date of this article, four UN envoys have succeeded one another, starting with former UN Secretary-General Kofi Annan, then senior Algerian diplomat Lakhdar Brahimi, then Italian-Swedish diplomat Staffan de Mistura (Lundgren 2016:3-4), and finally Geir Pedersen, the fourth and current special envoy for Syria.

The UN mission has not yet reached a solution to the crisis, but each envoy dealt with different circumstances and conditions depending on the developments on the ground and on the international political scene during the period of his assignment. While Annan and Brahimi dealt with the conflict and its actors at an early stage and made efforts for a real initiation of negotiations, de Mistura's mission had a stronger focus on accomplishing ceasefires as a means of building confidence between the parties and was dealing with an entire different regional and international circumstances than his predecessors, as the strong presence of the Islamic State (IS) on the Syrian scene changed the dynamics of involvement by world powers, and their willingness to cooperate with global efforts against terrorism (Lundgren 2016: 5; Crocker et al. 2015: 145). However, this lineage that opened a window for less violence on the battlefield might have played a role in weakening its own objective, as the conflicting parties kept bouncing back from perceiving the situation as a hurting stalemate (Zartman 2015: 481).

As highlighted in this chapter, the Syrian crisis kept growing into more and more complexity over the years with every additional layer of external involvement; and although it is still subject to mediation efforts until this day, the mediation missions that took place at an early stage of the conflict faced different kinds of challenges than the recent ones. Using the five basic challenges of mediation specified in Zartman et al.'s analysis, this paper aims to digest the mediation efforts in the Syrian conflict through a comparative analysis between the LAS mission, which will be the focus of the following chapter, and the UN's missions of Kofi Annan and Lakhdar Ibrahim, which will be discussed in Chapter three. Those first three mediation attempts came in a critical timing of the conflict's age, specifically between the stage in which the Syrian opposition turned from a peaceful popular movement into one of two armed conflicting rivals, and the stage that came slightly before the peak rise of IS and the shift in the dynamics of international involvement (Crocker et al. 2015: 145). Therefore, the selection of those specific missions for the purpose of this analysis comes from their timing as it relates to the conflict; and from the deeper level of understanding that the comparison between them would bring, based on the dynamics of the conflict in that specific timing.

## Chapter II. Mediation by the League of Arab States

When the early events that led to the Syrian conflict first started in March 2011, the regional and international response was limited to declarations, condemnations, and diplomatic behaviors by individual states toward Syria. It was only after the Syrian popular movement turned to armed action in the summer of 2011 that official attempts at conflict management started taking place. The first official mediation effort towards the Syrian conflict was made by the League of Arab States (LAS), whose member states first met in October 2011 to discuss the Syrian crisis. Calling for initiation of talks between the Syrian government and Syrian opposition forces, LAS decided to set up a Syrian Committee to guide the process and assigned then LAS Chief Nabil Al Arabi as the head of the committee (Küçükkeleş 2012: 6). Four months later, LAS's mediation effort came to an end when its observer mission was suspended and its action plan for Syria was officially passed on to the United Nations (UN) (Lundgren 2016: 3; Küçükkeleş 2012: 11).

This chapter will use the five-factor breakdown, which is based on the five basic challenges of mediation proposed by Zartman et al., as detailed in Chapter I, to analyse LAS's mediation mission.

### *Mission and Mandate*

When talking about the mission and mandate initiated by LAS, the nature of their purpose, and what they seek to achieve, there are two main dimensions that need to be highlighted: how the content and goals of the mission relate to the conflicting parties; and how they relate to the authorizing agency that initiated that mission in the first. The key to success in a conflict resolution, based on the longest-standing mediation approach, lies in the substance of the proposed solution, one that is a midpoint agreement acceptable to both conflicting parties (Zartman 2000: 225). In the case of the LAS mandate, the push was not for power sharing but for power transition; accordingly, the Syrian government will be the only side making a compromise (Zartman et al. 2016: 18).

LAS reached out to the Syrian government through an Arab Action Plan that called for halting the violence and withdrawing all military equipment from Syrian cities, freeing political prisoners, opening dialogue with the opposition within 15 days, and allowing observers and international media into the country, which were mostly concessions that needed to be made by the government, as if LAS was adopting an opposition message and delivering it to the government, instead of independently mediating between the two parties (Lundgren 2016: 3; Chennoufi (forthcoming): 11; Küçükkeleş 2012: 7).

This essence that the mandate was built on in the first place made it difficult for the government to cooperate truthfully and difficult for the opposition to believe that it would cooperate even if it stated that it would, positions reflected by the Syrian government's failure to commit to LAS's call for ending violence and its prescribed timeline to initiate negotiations, despite its tentative approval of the plan, and the opposition, represented by the Syrian National Council (SNC), denouncing the plan, arguing that the government's offer to participate in a political dialogue was insincere (Lundgren 2016: 3; Küçükkeleş 2012: 7). LAS's reaction to this deadlock, which came through a number of measures against the Assad government ranging from suspension of Syria's LAS membership to imposition of diplomatic and economic sanctions, further reinforced the imbalance in its mandate (Küçükkeleş 2012: 7).

The failure of the first attempt triggered a second attempt by LAS in December of the same year. In addition to the terms stated in the previous plan, the new plan also proposed allowing Arab observers into the country to monitor the implementation of the plan. Under pressure from its allies, the Syrian government accepted the second plan but was accused by the observer mission of not committing to it entirely. On the other hand, backed by the wave of strength it obtained from LAS's measures and sanctions against the Syrian government, SNC objected to the agreement and demanded that the international community recognize it as the legitimate representative of the Syrian people, implement a no-fly zone, and create a buffer zone in Syria, among other demands (Chennoufi (forthcoming): 11-12; Küçükkeleş 2012: 10). When the LAS observer mission brought back reports on violence being committed on the battlefield by both the government and the opposition, not all LAS members were happy to have the mission hold both parties responsible for the violence in the country; a wave of disagreement between member states that was brought clear by Qatar's call for sending troops to prevent government attacks against civilians. This disagreement eventually led to the suspension of the observer mission (Küçükkeleş 2012: 11), which takes us to the second dimension of the LAS mission and mandate, as in how they relate to the league itself.

In this case of mediation effort, the authorizing agency was in itself not in full agreement on the mission and mandate of the mediation. Member states were on very different levels of severity in terms of their disapproval of government action; each of them had different ambitions and interpretations of the action plan. Furthermore, they were not equal in terms of their influence and power within the agency, as Gulf states, such as Qatar and Saudi Arabia, had a stronger capacity to change the fate of the mission due to their higher financial support, noting that those two states were both on the highest end of the severity scale. Therefore, when Qatar and Saudi Arabia withdrew their support to the observer mission in January 2012 as a means to pressure LAS to adopt a stronger stance against the Syrian government and call for the departure of President Assad, the entire mediation effort by LAS was deemed as a failed mission, especially after the government refused LAS's draft peace plan calling for the establishment of a national unity government in which opposition groups and the government participate, considering it a clear Gulf state intervention in Syrian affairs (Lundgren 2016: 3; Küçükkeleş 2012: 9).

Another issue concerning the mission and mandate of the LAS mediation as it relates to the league itself is the extent to which agency members actually believed in their mission and, therefore, the extent to which they were willing to commit to its goals. The mentioned withdrawal shows the lack of commitment to the mission by Gulf states and reveals that the main players within LAS originally had no interest in what the mission was meant to achieve as much as they wanted to get this initial step of regional involvement over with before they can pass the file on to the UN and call for international intervention against the government. In this context, LAS referred the Syrian file to the UN Security Council (UNSC) immediately after the Gulf withdrew its support to the mission and not after the mission was officially declared over (Hassan 2013).

Based on the circumstances surrounding the mission and mandate of the LAS mediation effort, it is evident that the essence of the mandate was irrelevant to the conflicting parties' ambitions, of which one considered it unfair to its own side, and the other was empowered to refuse it and press for more gains. It is also evident that the authorizing agency of the mediation effort was in disagreement with the mandate itself and that it, partially, if not entirely, did not believe in its mission but was using it as a step to get the conflict closer to international involvement.

### *Impartiality and Inclusivity*

It is well accepted in negotiation studies that a mediator's impartiality is not a necessary condition for the success of mediation, as long as the mediator is truthful, trustworthy and reliable in the communication process (Zartman 2008: 6); however, the Arab League mediation in Syria showed that, even if not fully impartial, there is an extent of bias that should not be crossed in order for it not to actually have an impact on the mediation process; the cutoff of this extent relies on the mediator's ability to take into account the importance of self reflexivity, which allows one to acknowledge the effects that its own identity has on itself; and its ability to use it not only to interpret its own identity within the mediation process but also to assist the parties to do the same (chennoufi (forthcoming): 3; Lundgren 2016: 7). In this case, the league, being dominated by the Gulf states that were officially known as anti-government pro-opposition, was not only biased towards the conflict but was an actual major player in the conflict, especially that by the time LAS, which was headed by Qatar at the time, started its mediation process, Qatar had already started extending weaponry to opposition groups in Syria (Hassan 2013) and the traditional regional rivalry between the Sunni bloc and the Shia bloc had already started penetrating the conflict through Iran's backing of the government and the Gulf states' backing of the opposition (Phillips 2015: 32).

As a mediator who is, on some level, a player in the conflict, LAS did not adopt a holistic approach of inclusivity in its mediation mission. Having had the privilege of mediating at an early stage when the conflict was on a lower level of complexity in terms of actor involvement, LAS's mission was able-more or less to be inclusive to parties direct to the conflict, with some gaps related to the disagreement that existed between its member states, namely Qatar and Saudi Arabia, on which group to accept as a legitimate representative of the opposition (Chennoufi (forthcoming): 9-10).

However, by that time, regional players were becoming more and more involved in the conflict, and LAS did not succeed in inclusivity on the regional level due to the fact that it was itself a major regional player that was involved in the conflict through its dominating member states. LAS underestimated the



important roles that Iran was playing in support of the government, and although LAS was taking a biased stance towards the opposition, it also underestimated the important role Turkey was playing in pressuring the government, as a country that shares a major border with Syria, and in empowering the opposition not to settle for a low deal, especially the opposition force represented by the Muslim Brotherhood Movement, which had withdrawn from an attempt to unify the opposition, that took place in Qatar, and formed the SNC in Turkey (Chennoufi (forthcoming): 11).

Turkey had started becoming more and more crucial to the mediation process as not only did its stance to support the Syrian opposition and its control of the border movement play a role in its power position on the battlefield, but it also had a very special involvement in the conflict due to its complicated relationship with the Syrian Kurdish community on its borders, a community that had become part of the diverse mosaic that makes up the Syrian opposition forces (Phillips 2016: 107). As for inclusivity on the international level, LAS did well in using government allies, specifically Russia, to help in pressuring the government to accept the Arab Action Plan, especially since Russia and China welcomed that LAS assumed the role of mediator rather than bringing the Syrian issue to the Security Council (Küçükkeleş 2012: 10).

In conclusion, although LAS managed its inclusivity better than it managed its impartiality, in light of the low complexity of the conflict at the time of its mediation, the impact that its bias had on the mediation effort was drastically more powerful than the impact its inclusivity had on the process.

### *Entry and Consent*

Entry and consent is a crucial condition for the success of mediation. It simply means that the conflicting parties want mediation, which will provide the mediator with a point of entry. If the parties to a conflict are convinced that they consumed all options for a one-sided victory, they will look for mediation options to take them out of the 'hurting stalemate'. If they are not in that stage, the mediator's role is to convince them of the devastating cost of continuing down the confrontation path and help them acknowledge the need for mediation (Zartman et al. 2016: 3). Therefore, it is easier and more flexible to mediate when the conflicting parties perceive themselves as being in a stalemate than it is to do so if they still have hopes to achieve their own victory, as parties tend to look for unilateral ways out of a conflict first, and as long as there are alternatives to sitting at a table and making compromises, parties will choose to explore such alternatives (Stedman 1991: 21).

Although the timing of LAS's mission was helpful on some levels, coming in an early stage when the conflict was less complex and less hostile (Greig 2013: 53), that same timing factor was a curse for the mission, as the conflict was still not too hurting for the conflicting parties. They both had sufficient reasons to believe that they had better options than settling for mediation. For the Assad government, the opposition on the battlefield was not yet strong enough to represent a real threat to the capital, and it, therefore, perceived that it had not exhausted all the sources of resilience (Greig 2013: 54; Chennoufi (forthcoming): 12).

On the other hand, the opposition was empowered with confidence due to various factors that made it believe that it could get better deals. At first, world leaders, namely in the US and Europe, had already started expressing their support for Assad's departure and calling on him to step down, which caused a misconception, based on international intervention in Libya in early 2011, that there was a will to intervene in Syria (Chennoufi (forthcoming): 7); Zartman et al. 2016: 6). Furthermore, the measures that LAS took against the Syrian government when it suspended Syria's membership in the league and imposed economic sanctions against Syria was yet another reassuring factor for the opposition that the Assad government is living in its final days (Chennoufi (forthcoming): 12).

Therefore, at the time of the LAS mediation, both conflicting parties had the illusion of military victory, which meant that the conditions of a mutually hurting stalemate (MHS), which plays a key role in the success of the entry and consent factor of mediation, were not met at that time. LAS, for its part, could have played a facilitator role in this situation to convince the parties that military victory is not possible without high costs, such as the destruction of their country and the consequences that external intervention would have on its future (Chennoufi (forthcoming): 11); however, LAS failed to play this role due to its lack of impartiality, as mentioned in the previous section.

In another context, the sectarian spirit of the league's role, due to the dominance of Sunni state actors over the league, and the existential threat it represented for both government allies and government supporters, as well as the question of Assad's departure, which was perceived by the government as an inevitable conclusion of negotiations within the framework of the LAS mediation, have both impacted the provision of an entry point to the government (Chennoufi (forthcoming): 8).

### *Strategy*

Various factors play a role in determining the most effective strategy for conflict resolution, depending on the age and conditions of that conflict. In low-intensity conflicts, a facilitator approach or a procedural strategy, which are less directive, are more effective than a directive one (Bercovitch and Gartner

2006: 348), given that at such a stage, parties do not perceive the conflict as hurting enough to be pressured through a directive approach; they rather need an action of persuasion, which is best played by a facilitating mediator (Akpinar 2016: 3).

In the case of the LAS mediation, the effort came at a stage when the conflict was still at a low-intensity level, and yet the league took a directive strategy to implement the mediation process (Chennoufi (forthcoming): 11); the essence of its plan, its suspension of Syria's membership and imposition of sanctions upon it signaled that approach, which is not recommended in a low-intensity stage. Therefore, although some scholars believe that regional mediators, which apply to LAS in this case, tend to be more effective in low-intensity conflicts (Akpinar 2016: 3), the selection of the directive strategy contributed to the failure of the mediation process in this case. The conditions surrounding the conflict at the time, after the fall of other leaders in the region, the international intervention in Libya, and the general misconception about the Assad government's weakness and inevitable fall, were all contributing factors to LAS's choice of strategy (Chennoufi (forthcoming): 11-12).

The timing was not the only issue that played out negatively for LAS's strategy. LAS's imbalance towards the conflicting parties enhanced the negative impact of the directive approach, as it was only directive towards the government and not the opposition, which also contributed to the weakness of the mediation effort (Chennoufi (forthcoming): 12). Furthermore, LAS's identity as perceived by the conflicting parties was also a factor that made its selection of the directive strategy the least effective option, as LAS was not in a position to direct a government that perceived it as a representative of its competitor; nor was it in a position to come back with genuine promises from the government to offer the opposition as a mediator in full control of the process (Küçükkeleş 2012: 11).

In conclusion, given the timing of the LAS mediation with respect to the age of the conflict and the identity of LAS as perceived by the parties, especially the party that it was imposing its directive strategy, a communicator-facilitator approach would have been a more effective option and would have given LAS the opportunity to help the parties reflect better on their position in the conflict and the lower cost of seeking out a negotiation than resuming with their military confrontation (Chennoufi (forthcoming): 11).

### *Leverage*

The level of leverage in a mediator's hand depends on its capacity to offer incentives and its control over tools of pressure (Bercovitch and Gartner 2006: 29). In most cases, however, a mediator, being a third party, does not have control over such factors. As third parties, mediators often have limited means to make actual threats or guaranteed promises and are therefore more successful at warning the parties or predicting events to attract them or prevent them from making certain actions; in which case their leverage capacity would rely on two main elements: their ability to get parties to agree on proposed deals, which depends on their relationship with the parties, and the amount and strength of external actor involvement, which may provide a wider range of leverage opportunities to explore (Zartman et al. 2016: 4).

As a regional organization, LAS had the leverage of using Syria's membership in the league, as well as economic sanctions, as a tool of pressure over the Syrian government, aspects that LAS had exhausted from the very start of its mediation effort (Küçükkeleş 2012: 7). However, although LAS was known to be favoring the opposition, it did not use that sponsorship power as a leverage to attract the government into negotiations; instead, it used a directive demanding approach towards the government with a spirit that does not indicate the existence of any pressure on the government's rival. In fact, its positioning vis-a-vis the conflicting parties impacted its capacity to help obtain good offers and promises to its own ally, as it did not build trust with the government to obtain such promises. Another important factor is that LAS had other objectives with respect to its anti-Assad stance than those of the opposition during the stage of its mediation, which made it place a weaker position in terms of making promises (Küçükkeleş 2012: 12; Akpinar 2016: 6), especially that the opposition was already divided into separate forces with separate visions and that some of its forces were not willing to consider negotiating with the government in the first place (Lundgren 2016: 9; Pearlman et Cunningham 2012: 5). As for external areas of leverage to explore, it is important to point out that the LAS mediation came at an early stage of the conflict when regional and international layers were still at a lower level, which limited the opportunity for a wider range of exploration in comparison to the following stages when the international players became more involved, noting that at that stage, western powers that had leverage-material influence were calling for Assad's departure and were still within their misconception zone of certainty that the Assad government was weak and that it was on the brink of collapsing, which made them in no place to offer any leverage help to LAS. On the other hand, Russia was a well-used opportunity of leverage to persuade the government to tentatively accept the LAS action plan in its first and second versions (Küçükkeleş 2012: 8).

As discussed in this chapter, multiple factors played a role in shaping the weakness and strength of the LAS mediation attempt. Those factors include the conflict's early age at the time of the mission; the identity of LAS and the way it is perceived by the conflicting parties; its imbalanced position towards the parties; its internal disagreements; the misconception it had about the weakness of the Assad government; the strategy it adopted towards the resolution; and the way it managed its opportunities of leverage. However, given that its weakness surpassed its strength, the said factors have played a stronger role

in the failure of that mediation. In the next chapter, the LAS mission will be placed side by side with the missions led by the UN's first two envoys, Kofi Annan and Lakhdar Brahimi, to extract the gaps that all those missions failed to address.

### Chapter III. Mediation by the United Nations: Annan & Brahimi

When the first official mediation effort for Syria, initiated by the League of Arab States (LAS), was declared over at a time when the conflict was still ongoing, a new chapter of mediation started when LAS handed the Syrian file to the United Nations (UN) in February 2012. In the same way that the events of the Syrian conflict are interdependent, the mediation efforts made to resolve that conflict were interdependent as well, given that the UN's mediation mission was built on that of LAS and was declared as a UN-LAS joint effort (Küçükkeleş 2012: 11). Shortly after LAS suspended its mission in January 2012, a draft resolution put to a vote in the UN Security Council (UNSC) was vetoed by the Syrian government's allies in the council, Russia and China, which both objected the resolution's holding of Syrian president Assad solely responsible for the violence, leading to the UN's decision to appoint, together with LAS, a joint special envoy for Syria (Lundgren 2016: 3).

Former UN Secretary-General Kofi Annan was the first to be appointed as joint envoy for Syria in February 2012. It did not take him long to make his first proposal through a six-point peace plan that he based on the LAS proposal. Annan's plan was short, clear, and straight to the point, mainly focusing on stopping the violence. As the plan allowed a ceasefire to go into effect, the UN created its own supervision mission in Syria (UNSMIS) in April 2012 to monitor the implementation of the plan. A month later, UNSMIS reported a mass killing and accused pro-government forces of committing the killing, which ended in complications leading to the suspension of the supervision mission and the announcement of the Syrian conflict as a civil war by the UN (Zartman et al. 2016: 21).

Annan made his second major move through a meeting in Geneva, known as Geneva I, for states with interests and influence in Syria (Action Group for Syria). The meeting ended in drafting the Geneva Communiqué, which was also based on the six-point plan but was more detailed about the future of governance in the country (Lundgren 2016: 4); however, another disagreement prevailed in the UNSC on the level of power the Communiqué should be given; while Russia and China insisted on endorsing the plan based on Chapter VI of the UN Charter, which simply required the government to implement the peace plan, US, UK, and France insisted on chapter VII which allows the initiation of sanctions on the government if it did not commit to the plan. The insistence of both sides on their positions led to another veto by Russia and China, which Annan saw as a UNSC deadlock, expressing that in his resignation as special envoy in August 2012 (Zartman et al. 2016: 9).

Annan was succeeded by senior Algerian diplomat Lakhdar Brahimi whose mission, still based on the Geneva Communiqué, achieved another ceasefire, lived longer than Annan's mission, and brought the conflicting parties to one table for the first time during the Geneva II talks in January and February 2014. However, Brahimi's mission also concluded with not much success; as the ceasefire was broken, the death toll kept rising, and the government was accused of using chemical weapons against civilians. After intensive efforts on the national, regional, and international levels, Brahimi resigned as special envoy in May 2014 (Zartman et al. 2016: 21).

In this chapter, the UN missions of Annan and Brahimi, which were detailed by the five-factor-breakdown in Zartman and Hinnebusch's paper, will be compared to LAS's mission by placing them both side by side to see their similarities and differences. This comparison will highlight the levels on which the two missions complemented each other as a step forward towards unfolding the aspects that were left untouched by both missions, which may allow further research to explore whether such aspects were key to the failure of all mediations in the Syrian conflict.

#### *Mission and Mandate*

As highlighted in various parts of this paper, the UN mediation missions led by Annan and Brahimi were both declared as joint missions between the UN and LAS. Accordingly, the mission and mandate of the UN efforts, which lived through various stages and were developed along the way, were originally built on the LAS plan by developing it first into the six-point plan and eventually into the Geneva Communiqué, which still stands as the basis of UN mediation efforts until this day. The mandate's dependence on such core terms, under which the mandate is aimed at power transition and not power-sharing, due to the opposition's insistence on Assad's departure as a precondition for negotiations, by which the government was expected to make major concessions, was not inspired by the success of the mediation missions but by the need for a focal point that can keep the process alive (Zartman et al. 2016: 18; Lundgren 2016: 4).

Although the UN mandate was built on LAS's plan and focused on the government's responsibilities, it was drafted in a more balanced way in terms of language, which allowed the mediator to propose it to the government in a way that would make it seem as if committing to those responsibilities are within its own interest, which was also facilitated by the personal aspect of the mediators as individuals (Zartman et al. 2016: 20). Regardless of the plan, Annan and Brahimi were perceived by the government as mediators on behalf of the UN, which had member states that are influential within the agency

and are favorable to both conflicting parties, as opposed to Al Arabi who was seen by the government as a representative of an agency dominated by the anti-Assad Gulf states. However, although the mandating agency seems more balanced, it is not immune against the influence that can be brought forward by states that are indirectly involved in the conflict, as was the case with LAS (Küçükkeleş 2012: 12). In fact, LAS members had stronger interests in the conflict, during the early stage, as regional players, and more committed to those interests, while international powers that had interests in the conflict and an influence on the UN, preferred to outsource mediation to the organization without giving the mediators the authority, backing, or resources to be effective (Crocker et al. 2015: 150).

Having gone into more detail on Syria's future governance but remaining vague with respect to Assad's future, the UN mandate opened up a discussion on an issue of disagreement that kept hampering mediators throughout their missions. The issue of Assad's role in the future of Syria brought out the disagreements that exist within the UNSC, as each member state interpreted the Geneva Communiqué based on what best suits its interests. While the US, UK, and France emphasized the need for Assad to be out of the picture in Syria's future government, Russia and China were opposed to any agreement that would include a change in the government, which revealed the fact that the authorizing agency in the UN mediation mission also suffered from internal disagreement and fragmentation as did the LAS (Lundgren 2016: 3), which automatically weakened the mediation mission, especially that the same states that are taking part in the collective will to send a UN mediation mission to Syria were at the same time pursuing their own agendas outside of the UN platform; agendas that make them involved in the conflict itself.

Despite the difference between the way UN mediators represented and proposed their mandate in comparison to LAS, the Syrian government still saw the mandate as one based on the LAS plan and, although pressured by Russia to cooperate, maintained the same level of authenticity throughout its cooperation (Zartman et al. 2016: 18). As for the opposition, implementing the Communiqué without Assad's departure meant going back to point zero within the framework of their movement for change, as the Syrian government had always been publicly committed to the terms of human rights in theory and was never genuine about that commitment in practice (Dagher 2019: 372). Attempts to change the spirit of the mandate started appearing through Brahimi's intensive efforts between 2012 and 2014; however, spoilers on the conflict's three levels of structure were stronger than the will for such a change.

In conclusion, the similarities between the UN's first two mediation missions and that of the LAS in terms of the mandate are that both of their mandates held the same spirit of eventual power transition; both of their authorizing agencies were unable to keep their mediators independent from the influence of their state members who had interests in—and were, therefore, indirect parties to—the conflict; and both suffered from internal disagreements that stood as an obstacle in the face of the mediation process. On the other hand, the differences between them are represented by the UN plan's language, which was more detailed and more balanced; the UN mediator's personal privilege as representatives of an agency that was more trustworthy, at least to one side of the conflict; and the LAS's stronger commitment to its interests in the conflict, which renders its actions to have a stronger influence on the fate of its mission.

### *Impartiality and Inclusivity*

For a mediator with a mandate that seeks power transition as opposed to power sharing, it is difficult to be impartial (Zartman et al. 2016: 3). This factor was evident in the UN mediation mission from the start when the government and its regional allies were all excluded from Geneva I talks, where the Geneva Communiqué was first drafted, although the regional allies of the opposition were present (Lundgren 2016: 4), a reality that remained in consideration although the UN mission became more and more inclusive over time from Annan to Brahimi. Nevertheless, as described in the literature, as long as the mediator is truthful and trustworthy in his communications, his bias will not form a major obstacle to the process of mediation (Zartman 2008: 6), and this is the area in which the UN mediation was able to maintain, as opposed to the LAS mediation, at least indirectly through the presence of Russia. However, in the case of the Syrian conflict, this factor did not play out well on the national and regional levels, as the UN mediators could not win over the trust of the government, given that it still perceived the UN mediation as one built on an anti-Assad LAS plan; and also lost trust with the opposition due to their inability to promise the departure of Assad in the framework of Syria's future political process, and a late attempt by Brahimi to include Iran (Lundgren 2016: 4).

On the issue of Iran and regional inclusivity in general, the UN mediation faced the most intractable deadlock due to a historically rooted sectarian divide that had played a major role in the intractability of the Syrian conflict itself. Although pro-opposition regional allies, namely Qatar, Saudi Arabia, and Turkey, had been part of the UN mediation process from the start, the government's regional ally, Iran, had been excluded throughout the missions of Annan and Brahimi. Even when Brahimi made an attempt before Geneva II to extend an invitation to Iran, the participation of the Syrian opposition was jeopardized, which made him cancel the invitation. Brahimi's attempts to be more inclusive on the regional level to eliminate any spoilers to the mediation process were a disastrous failure. The anti-Assad regional players were not cooperative with any effort Brahimi made to tweak the UN mandate in a way that would make it a bit more inclusive and impartial towards the government, which led him to reach out to Iran in an attempt to work on getting

concessions from the government side. However, bringing forward an Iranian plan to the UNSC without consulting LAS triggered a wave of anger with Saudi Arabia, which did not see it only as negligence to the joint structure of the mission, but also as an offer by Brahimi to a historical rival to interfere in Arab affairs, which is the highest level of red lines for Saudi Arabia in terms of its own regional interests. This rage ended in LAS offering Syria's suspended seat in the league to representatives of the opposition (Zartman et al. 2016: 14).

This scenario reveals a very critical issue related to the inclusion of the opposition in all mediation missions, from LAS to the UN, and raises a question about the actual representation of the Syrian opposition as a whole, which was nearly an impossible thing to do, due to the extreme division triggered by the backing of so many different forces, on the political platform and on the ground, by so many different external players, leaving unbacked forces weaker and unrepresented. Although an Opposition National Coalition (ONC) was formed to be more inclusive than the Syrian National Council (SNC) (Zartman et al. 2016: 22), there were various opposition forces, namely those who were not backed or supported by any regional power, that remained unrepresented and not included, which was evident in Geneva II, when ONC accepted to participate in talks with the government without the precondition of Assad's departure, major internal forces associated with the coalition declared their refusal to such participation (Zartman et al. 2016: 16)

In conclusion, the similarities between the UN's first two mediation missions and that of the LAS in terms of impartiality and inclusivity are that they were both nonimpartial in essence, they were not inclusive to pro-government regional allies, and they both failed in uniting the opposition and were therefore not inclusive to all opposition forces either. On the other hand, the differences between them are represented by the fact that the UN mediation mission was, although nonimpartial, a more truthful communicator of a biased message and was able to break the demand for an immediate departure of Assad as a precondition for negotiations.

### *Entry and Consent*

When talking about the entry and consent aspect of the UN's first two mediation missions in the Syrian conflict, which relies on the party's desire and will to participate in negotiations, it is very important to point out that the conditions surrounding the conflict were changing over time, which had its influence on this aspect moving from Annan to Brahimi. Annan's mission was closer to the LAS mission in that it came in an early stage of the conflict when parties were less hostile and were relatively still further from perceiving a hurting stalemate and looking for a way out through negotiations; whereas Brahimi's mission started getting closer to a stage when parties had become more hostile, and violence was more intense, when the opposition started taking control over cities, and the government raised its confrontation ability through the use of chemical weapons. However, by the end of the Brahimi mission, the parties had not yet reached a full mutually hurting stalemate (MHS), but was rather stuck in the worst situation for negotiation; in the very middle between the early stage when mediation was somewhat easy due to low violence and hostility, and the late stage when mediation becomes also easy due to a deadlock in violence and hostility that leads parties to search for a way out (Greig 2013: 53). Also, due to the complexities of the conflict in question, the conflicting parties' path towards that deadlock seemed to be heading to a soft, stable, self-serving stalemate (S5) and not an MHS (Zartman et al. 2016: 19), as the conflicting parties' were weighing their losses against the long term gains and not against immediate effects (Vuković and Bernabei 2019: 414), noting that the support provided to both parties by external players was not enough to achieve a victory for one side over the other, and yet enough to keep the military confrontation on (Zartman et al. 2016: 5).

It was clear that although the parties had opened an entry point for the mediator and approved to participate in negotiations, the genuinity of their participation remained under suspicion. For the government, offering this entry window for mediation was actually part of a maneuver to keep the process alive so as to eliminate the possibilities of international intervention. For that reason, Brahimi's success in bringing the government together with the opposition at one table was not a success in the negotiation or mediation. The government was only present as a compliment for Russia and not to actually negotiate, which was evident in its continuous accusation of the opposition, during negotiations, of being a representative of terrorism, which hampered the entire dialogue. Another piece of evidence is Assad's victory in the Syrian elections held in June 2014, shortly after the end of Brahimi's mission, although the dialogue was strongly linked to the formation of a national unity government and the future of governance in Syria (Zartman et al. 2016: 17).

Seeking to find genuine consent on the regional and international levels had also proved that players on the outer levels, which may have seemed more lenient, were at first far from perceiving an MHS and were, therefore, not willing to make compromises. Annan had expressed that after Russia and China's veto to the US, UK, and France's insistence on Chapter VII, indicating that both sides were to blame because the US, UK, and France could have cooperated by accepting a Chapter VI compromise (Zartman et al. 2016: 12). This became clearer later when the two international rivals were more flexible with one another only after critical changes on the battleground that made both of them perceive somewhat of a need for a way out, due to the rise of the Islamic State.

In conclusion, the similarities between the UN's first two mediation missions and that of the LAS in terms of entry and consent are that they overlapped in an early stage which timing had its influence on the mediation process; both missions faced the ingenuity of the direct parties to participate, and although

those parties were practically more cooperative at later stages, both missions failed to make their participation become more genuine. On the other hand, the differences between them are represented by the fact that despite the overlapping of LAS and Annan's missions, LAS's mission was still privileged with better timing, having started in 2011 when the existential factor was still new to the scene in light of the absence of the extremist players, and the fact that the conflict had newly turned into a two-sided conflict and was perceived as more of a one-sided conflict by a larger majority of the Syrian population (Crocker et al. 2015: 152). Another difference is that the players involved in the conflict became more and more clear as the conflict went on, especially for Brahimi, who had a better picture of which regional parties to reach out to; and finally, the UN missions exerted more effort and focus on ripening the conflict than did the LAS mission.

### *Strategy*

Although the UN mediation mission was built and jointly linked to the LAS plan, which was first proposed through a directive approach, both Annan and Brahimi were able to adopt the facilitator/communicator approach to avoid any potential costs that their missions may incur if perceived as being proposed through a directive strategy and to find a way to convince the parties that there is an MHS and that mediation has become necessary. Although this strategy was more relevant to the conflict than LAS's strategy, all facilitating and ripening attempts that the UN carried out have also failed (Zartman et al. 2016: 19).

In addition, UN mediators faced other strategic challenges that were not clearly facing LAS. As the conflict grew more and more violent, Annan and Brahimi had to choose between a conflict mitigation strategy and a conflict resolution strategy by seeking a ceasefire on the ground first before establishing grounds for a peaceful resolution acceptable to both conflicting parties. Both Annan and Brahimi used a strategy that started with conflict mitigation as they sought to build confidence between the parties and reduce humanitarian distress (Lundgren 2016: 7). Due to the complexity of mediation, the definition of achievements can be flexible enough to include smaller or transitional deals that may not have resolved the conflict as a whole but have brought positive results on the ground (Akpınar 2016: 2). Based on that, the ceasefires that Annan and Brahimi were both able to accomplish on the battlefield can still be documented as small achievements to the strategy of confidence building; however, neither the ceasefires had been held long enough to achieve a level of confidence that can influence the peace talks; nor had the peace talks gone long enough to empower a long-lasting ceasefire (Zartman et al. 2016: 19).

In another context, as the conflict went on, its regional and international layers were becoming more and more clear, making the UN mediators face the complexity of whether they should adopt a top-down approach or a bottom-up approach. While Annan started with a top-down approach and failed to get the international players on board after the veto dilemma, Brahimi tried to take a different route and started reaching out to the direct parties in an attempt to explore the bottom-up approach (Lundgren 2016: 10).

Starting from the Assad government, Brahimi tried to test the waters when, during a meeting with President Assad, he raised the question of the president's resignation. This was the endpoint in terms of getting any responses from the government. When attempting to reach out to the opposition to find common grounds, Brahimi saw the existence of multiple opposition forces radically divided due to the divergence of their regional supporters as a sign to start reaching out to regional actors, where he found a stronger deadlock due to rooted historical rivalries, as mentioned in this chapter's section on Impartiality and Inclusivity (Zartman et al. 2016: 13).

This series of failed scenarios with respect to the bottom-up approach led Brahimi to go back to Annan's choice of the top-down approach to explore opportunities for success, especially since that, towards the end of his mission, the international scene was gradually shifting due to changes in the ground in Syria, related to chemical weapons and the emergence of the extremist movement (Lundgren 2016: 5). Due to that shift, he had high hopes that building on an agreement reached by the two international rivals with regards to the use of chemical weapons can be fruitful and that he can convince them to put more pressure on their regional and Syrian allies. However, without much success on the national and regional levels, success on the international level turned out to be out of hand. Not only due to the ingenuine participation of the conflicting parties that were only complimenting their allies, as described by Brahimi, but also because the international powers themselves were not in agreement, especially with regard to the future of Assad in Syria, and would sometimes use the stubbornness of the direct conflicting parties as a cover-up for their own disagreement (Zartman et al. 2016: 15).

In conclusion, the UN's first two mediation missions seemed to have faced different challenges in terms of strategy than those faced by the LAS mission, and yet they both matched, at least partially, in their selection of strategy. Following the LAS choice of strategy, Annan adopted a directive approach to propose his pre-conceived, while Brahimi took a more ripening facilitator approach.

## *Leverage*

The main challenge that had an influence the leverage available in the hands of UN mediators was the fact that they were operating within a predominant illusion of unilateralism in a multipolar world (Hill 2015: 445). The unilateralism that prevailed after the cold war had been the framework through which most mediation attempts took place in the past couple of decades; however, the political balance has been gradually changing and recently became open not only for bilateral power-sharing but for a diversity of different shapes and forms of influencers, from international actors to regional organizations, even to independent non-state actors (Akpinar 2016: 2), which turned into what has been described in the literature as 'messy multipolarism' (Crocker et al. 2015: 152). This illusion has significantly affected the mediators' ability to find effective leverage, which is evident in the failure of mediation efforts that have exhausted all the leverage that such an illusion has allowed them to see.

UN mediation missions had more room for leverage as external actors were getting more and more involved in the conflict. However, Annan and Brahimi found that their multilayered opportunities for leverage are limited to urging the parties to cooperate and making predictions of costly consequences without having the capacity to achieve effective cooperation by making promises or warnings, especially since their strategy was to avoid radical actions such as LAS's decision to suspend Syria's membership in the league. Although the personal characteristics of the mediators played a positive urging role due to their sense of persuasion, the ineffectiveness of the leverage they used was stronger (Zartman et al. 2016: 20). On the international level, UN mediators had low access to effective leverage due to the power of the veto, which was used on various occasions by Russia and China (Crocker et al. 2015: 11), which showed that although the level of involvement by international actors provided an additional layer of leverage opportunity, the disagreement between those actors did not provide them with the will to convince their allies on the ground to cooperate (Lundgren 2016: 4). In addition to that, the opposition's international allies were convinced that it is a matter of time before Assad was defeated on the military ground, which led to their low investment in mediation efforts. As for the regional level, any effective leverage was inevitably defeated by the fact that its effectiveness would jeopardize any cooperation by the opposing rival.

As for the national level, the effectiveness of any used leverage becomes more complicated. In order for them to play a successful facilitator role and cover their imbalanced and non-impartial plan, UN mediators focused on reassuring the government that it should not be concerned about any international threats or interventions, which helped strengthen the government's lack of commitment. If Annan had started the UN mediation effort by utilising the factor of uncertainty while shaping the government's expectations of external threats, this area of leverage might have brought greater commitment by the government (Gowan 2013: 3). Furthermore, Annan's reference to the importance of holding accountable all those who committed crimes was a waste of leverage that existed among Assad's closest elites, who might have provided a good pressuring tool had they have been given a compromised deal that would not make them end up before the International Criminal Court (ICC). Instead, having taken a top-down approach in the first place, Annan's leverage plans towards the government were focused on Russia, as did LAS's plan, which was an overestimation by both missions of Russia's powers in that respect (Zartman et al. 2016: 11). On the other hand, the opposition did not have their own 'Russia'. There was no single party that had the power of pressure over opposition forces as Russia had over the government, which made leverage opportunities on that side very limited.

The main similarity between the UN's first two mediation missions and that of the LAS in terms of leverage is both missions' overreliance on Russia as a main source of leverage over the government. On the other hand, the differences between them are represented by the fact that the LAS had the ability and will to utilise pressing tools such as Syria's seat in the Arab League, while UN mediation missions maintained more reliance on external power leverage; and also that LAS had more power over the opposition due to its direct support to its main forces and was therefore in a better place to make promises for the government; a leverage that was left untouched by LAS. Finally, the UN mediation missions had access to more leverage than the LAS mission due to the timing and the emergence of multiple mediators for the Syrian crisis on the international scene, such as the Friends of Syria group, which was initiated by France and helped ease part of the mediation deadlock that was taking place at the UN level (Crocker et al. 2015: 11).

To conclude this chapter, it is important to point out that the UN mediation, from Annan to Brahimi, on the one hand, and the LAS mediation, on the other hand, have each faced their own different circumstances and conflict conditions. They intersected with one another on certain points, such as the spirit of their mandates, their partial overlapping in terms of timing, and their overreliance on Russian leverage, but as time passed by, each mission faced its own challenges and mediation affairs. Placing both missions side by side also showed that they had complemented each other on some levels, meaning that one mission addressed specific gaps that had not been addressed by the other, which helped clarify the gaps that had been left untouched by both missions. They both gave focus, to varying degrees, to the three levels of influence on the conflict, and both covered the good cop and bad cop strategies. However, they also intersected with one another on bypassing crucial issues, such as addressing the root causes and "reversing the psychological drivers that have justified over-commitment and overinvestment in the conflict in the first place" (Vuković and Bernabei 2019: 431), the independence of the mediation agency from the dominance of parties that have a direct interest in the conflict (Lundgren 2016: 3-4), and the neutralizing of the opposition by addressing the regional financing and arming of opposition forces (Zartman et al. 2016: 11), which reveals a defect in the authentic representation of the opposition.

This finding does not suggest that addressing these issues will necessarily lead to the success of mediation, but it concludes that the mediation missions covered by this paper have not covered these specific gaps, noting that even the ongoing mediation effort for Syria is a continuation of the same mission operated by Annan and Brahimi. Therefore, it is a possibility that overlooking these gaps has played a role in the failure of diplomatic mediation in the Syrian conflict, which remains a question for further research.

## Conclusion

Until this day, all diplomatic mediations in the Syrian conflict have failed, partly due to the number of parties involved and the complexity of the conflict itself, which started as a popular movement against an authoritarian authority, turned into an indirect confrontation between regional enemies in the shape of a civil war, and ended as an open field for international powers to conflict one another. As part of a series of research work on the mediation efforts that have been made throughout the years of the conflict, this paper builds on a previous study conducted by Zartman et al. on the UN's first two envoys for Syria, Kofi Annan and Lakhdar Brahimi, by conducting a comparative analysis between those missions and that of the League of Arab States (LAS), using the authors' five basic challenges of mediation as a tool for analysis: mission and mandate, impartiality and inclusivity, entry and consent, strategy, and leverage.

By placing the missions side by side and highlighting their similarities and differences in those five areas, it was evident that the missions were all built on the same core essence that saw power transition in Syria as the only solution, as opposed to power sharing, which did not carry enough incentives for the Syrian government, led by President Assad. This essence was the result of maintaining a mandate created by LAS, an agency dominated by anti-Assad states, as a focal plan for all consecutive missions. It was also evident that, based on such a mandate, the missions lacked impartiality; however, their impartiality was perceived differently depending on the agencies they represented; while LAS was dominated by anti-Assad actors, the UN Security Council did not consist of only anti-Assad states, such as the US, UK, and France, but also of anti-opposition states such as Russia and China. In another context, the timing of the LAS and Annan missions, having started at an earlier stage than Brahimi's mission, made the LAS and the UN overlap and meet only partially in terms of consent and strategy. When the conflict was still young, the conflicting parties, on the Syrian level and on the international level as well, were further away from perceiving a deadlock and therefore pursuing a way out through negotiations, which made it more difficult to mediate for LAS and Annan; however, although Brahimi was able to bring the parties to one table, the absence of mutual interest and the lack of real commitment caused his mission to fail as well. Furthermore, having come in an early stage when there was a misconception about the imminent fall of the Assad government, both LAS, and Annan used a directive strategy, while Brahimi focused more on efforts to ripen the perceptions of the parties through a facilitator approach. Finally, in terms of leverage, there was an overall overreliance on Russian leverage by all missions, but it was evident that the UN mediators were more successful in managing their leverage than LAS, especially Brahimi, as he was dealing with later stages of the conflict.

Based on this comparison, it is clear that the missions have matched with each other, or otherwise complemented one another, concerning most of the factors relevant to their objectives; however, there were certain factors that have been left untouched by both LAS and the UN, which may have contributed to the failure of their mediation missions. Those factors include the root causes and psychological drivers of the conflict, which had a major impact on the parties' will to negotiate; the independence of the mediating agency from parties involved in the conflict, which was a factor that existed in both agencies and weakened all mediation processes; and the neutralization of the opposition from regional funding, a factor that has a major impact on the course of events and was yet ignored by all mediators.

## Annexes

### *Annex I: Report on the Arab Action Plan*

- <https://www.bbc.com/news/world-middle-east-15560322>

### *Annex II: Kofi Annan's Six Point Proposal*

- [https://peacemaker.un.org/sites/peacemaker.un.org/files/SY\\_120414\\_SixPointPlan.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/SY_120414_SixPointPlan.pdf)

### *Annex II: Final communiqué of the Action Group for Syria (The Geneva Communiqué)*

- [https://peacemaker.un.org/sites/peacemaker.un.org/files/SY\\_120630\\_Final%20Communique%20of%20the%20Action%20Group%20for%20Syria.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/SY_120630_Final%20Communique%20of%20the%20Action%20Group%20for%20Syria.pdf)



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### **Declarations**

**Funding:** MPIA Program, Glendon School

**Potential competing interests:** No potential competing interests to declare.