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# “LOCAL RECONCILIATION AGREEMENTS” IN SYRIA: A NON-STARTER FOR PEACEBUILDING

**AUTHORS:**

FADI ADLEH AND  
AGNES FAVIER

**RESEARCH ASSISTANTS:**

AMR DUKMAK AND MOAYAD HOKAN

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# “Local reconciliation agreements” in Syria: a non-starter for peacebuilding

Authors: Fadi Adleh and Agnès Favier

This paper analyses the local agreements concluded between the government of Syria and opposition bodies in Central Syria in 2016 and 2017 as a policy implemented by the Syrian regime to reclaim control over opposition-controlled areas through military and political pressure aimed at forcing opposition-controlled enclaves to surrender. Since 2016, local agreements have also been one of the instruments used in Russian diplomacy to stabilise and pacify Syria.

While local agreements have resulted in the end of violence in each of the localities concerned, they have failed to address the roots of conflict or to initiate a true reconciliation process that could lead to durable peace.

All local agreements concluded since 2016 are part of a strategy of the regime and its Russian and Iranian allies to push the rebellion away from the major urban centres of Central Syria (Damascus, Homs) into Rural Northern Syria. They have proved to be a tactical tool of the Syrian regime first to reconquer strategic zones for its survival, and then to allow Damascus, Moscow and Teheran to secure territories of influence within Central Syria.

These deals result in forced displacement, mainly of military and civilian leaders of the locality, associated with the revolution against the regime. Their implementation and their consequences seem to further deteriorate the relationship between the Syrian regime and the population – among both those who left and those who stayed – in the medium and long-term.

Local agreements do not propose a demobilisation model. Rather, in the near future they are likely to open the way to new dynamics of violence with potential radicalisation of fighters evacuated to northern Syria and militarisation of the male population who have stayed in their locality. In the medium-term, their implementation could lead to the reestablishment of the security regime in the “pacified” localities or to create a security vacuum at the local level.

Finally, local agreements imply that administrative and governance structures are shifting from the opposition’s control to loyalists’ hands. Ties with security services and loyalty to the regime are the main determinants for reshaping the dynamics of local governance that emerge in post-agreements localities. It means a return to the model which was dominant prior to 2011 and contributed to the population’s dismay.

The reintegration process of these formerly opposition-held localities into the Syrian State is still transitional, but it has already been strained with at least three grievances that will represent important obstacles for stabilisation and peacebuilding: the compulsory conscription for men of national military service age, the fate of thousands of detainees and missing people, and property ownership and rehabilitation.

## Introduction

Negotiations between the Syrian regime and opposition representatives have never stopped since the early days of protests and the violent repression by the Syrian regime. They continued even during the peak of military escalation and sieges on pockets around major urban centres in which opposition forces became entrenched in 2012. These talks have sometimes led to local ceasefires, and they have sometimes allowed the terms of a truce to be outlined. However, until 2016, these deals have always been provisional and constantly broken whenever either one of the two sides felt strong enough to launch an offensive. From the end of 2015, Russian intervention, both military and diplomatic (direct intervention in local negotiations), tilted the military balance in favour of the Syrian regime and its allies. In this new context, negotiations have led to the conclusion of final local agreements, more persistent than previous deals.

Local agreements as described in this paper are defined by their outcome, i.e. agreements which end an active conflict in given localities by means of disarmament of opposition forces and reestablishment of Governmental Allied Forces' military control over the locality<sup>1</sup>; the displacement of some categories of population and the removal of all opposition governance structures at the local level.

The conclusion of local truces (or ceasefires) was promoted by several diplomatic actors and analysts in 2014, at a time when diplomatic talks for a comprehensive resolution of the conflict were stalemated. At the time, they were widely regarded as the best bottom-up approach to achieve comprehensive peace<sup>2</sup>. However, some researches consider that local truces have proved to be a tool used by the Syrian regime to reconquer strategic zones for its survival<sup>3</sup> or “have succeeded in shifting conflict dynamics in a context of an overall protracted political stalemate, not to end violence and build peace”<sup>4</sup>.

The current dominant narrative of the promoters of local agreements (mainly the Syrian regime and Russian diplomacy) is that local deals aim at restoring the state of security and might be considered as the first step towards pacification and reconciliation. This model could be replicated across the country to prepare the ground for reconstruction. Interestingly, in describing these deals, the Syrian regime and its allies use the term “local reconciliation agreements”, while Syrian opposition talks about “forced surrender” or “capitulation”.

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<sup>1</sup> Governmental Allied Forces (GAF) refer in this research to all military and security forces loyal to the Syrian regime, whether they are hierarchically linked to the regime or to its Russian and Iranian allies: the regular army and the various branches of intelligence services, as well as new local militia and paramilitary groups. The regime's security forces refer in a restrictive way to the military institution, intelligence services and local militia directly linked to a personality of the regime.

<sup>2</sup> Rim Turkmani, Mary Kaldor and al., *Hungry for Peace, Positives and Pitfalls of Local Truces and Ceasefires in Syria*, October 2014.

<sup>3</sup> Integrity Global for research and consultancy, *Local truces in Syria*, June 2014.

<sup>4</sup> Samer Araabi and Leila Hilal, *Reconciliation, Reward and Revenge. Analyzing Syrian De-escalation Dynamics through Local Ceasefire Negotiation*, Berghof Foundation, Berlin, 2016.

Until recently, local agreements have been concluded in the majority of opposition-held areas across Rural Damascus and Homs Governorates. Their recent acceleration requires analysing their impact on local communities and local governance in order to understand whether their implementation facilitates the stabilisation of these areas or, in contrast, pushes them towards a deeper conflict.

The research attempts to analyse the dynamics that lead to local agreements. It focuses more specifically on population displacements as a result of the agreement and their consequences on local social structures, as well as on the prospects of return to localities that have signed a local agreement. It also questions the modalities of demobilisation and reintegration of fighters envisaged by such local agreements, which remains a central issue for any post-conflict resolution. It analyses the major changes in local administration produced by the shift in territorial control in these localities. Finally, the paper examines three main areas of grievances for the population that are direct outcomes of the local agreements and could pose a great risk of conflict relapse if not adequately addressed.

The research is based on 12 case studies: Moadamiyet Elsham, Daraya, Qudsiya, Hameh, At-Tall, Zabadani, Madaya, Wadi Barada, Qaboun, Barzeh, and Douma in Rif Damascus Governorate, and al Waer in Homs Governorate. Eight were already subject of local ceasefire agreements before the Syrian regime and its allies launched a final offensive to force the conclusion of the “final local agreement” upon the locality (except for Douma which has not concluded such an agreement yet).

The information was collected between October 2016 and March 2017 by field focal points of local humanitarian organisations inside Syria as well as by Syrian researchers outside. It therefore reflects the knowledge of local humanitarian agencies’ actors, who have been involved in the humanitarian response inside Syria since 2011 and provided data and analytical input based on their extensive experience as community-based organisations. This paper is part of an ongoing initiative to build a local understanding of the conflict dynamics and their humanitarian impact.

Damascus/Rural Damascus:



Map data©2017 Google

Homs:



Map data©2017 Google

## 1. Dynamics of conflict and negotiation in local agreements

### 1.1 Siege negotiation tactics

The conclusion of local agreements between the government of Syria and opposition bodies has been the consequence of a long sequence of military escalation and negotiations between the Syrian regime and opposition-held towns located around major urban centres in Syria. This dynamic started as early as 2012, after the first rebellion-held enclaves appeared. Most of these enclaves were in the territories adjacent to the city of Damascus and even inside the city of Homs. Although each enclave evolved in a unique way, they all share a common pattern. As a protest movement swept across the suburbs through 2011, the regime's security forces responded with a brutal crackdown, and local armed groups were formed to defend the areas against the repeated attacks of the regime's security forces. As the level of violence rose steadily, borders of these enclaves were established separating the regime's forces and the local armed groups, but were subject to constant change depending on the military and political conditions. Governmental Allied Forces (GAF) applied continuous military pressure on those enclaves. Bombing and shelling were routine, with attempts to regain control by means of military campaigns, all of which caused mass casualties and wide destruction of residential areas and infrastructure.

The conditions of encirclement varied through time and from one location to another. Cities like Daraya, Zabadani and Madaya have lived under total siege for many years (starting from November 2012 in Daraya<sup>5</sup>, and from July 2015 in Madaya and Zabadani). By contrast, some enclaves, such as al Waer and Wadi Barada, had a relatively "relaxed siege": the movement of some categories of the population (e.g. students and State employees) and materials (flour and fresh food supplies) was allowed. Yet, movement was restricted in general for specific categories of people – men of age for military service (17-42 years old), war injured and IDPs – as well as for medical supplies, fuel and construction materials. This severe security situation has led to the displacement of very large number of people, even before the conclusion of a local agreement with the regime<sup>6</sup>.

Local communities in the opposition-held enclaves demonstrated a strong commitment to their territories, helping to defend their land over a prolonged period of time and resisting displacement despite terrible conditions of starvation, scarcity and insecurity. They continued to struggle to gain autonomy from the regime and to govern independently from the State. A community-based organisation model was present with varying degrees of effectiveness, permitting, for instance, the provision of medical evacuation and care services, by and large, to the benefit of the whole population.

Yet this virtue might have contributed to impede the fusion of enclaves with other localities into a unified single political and military body. Despite the challenge they

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<sup>5</sup> Total siege meant no movement of people or goods was permitted between Daraya and the adjacent areas controlled by the regime, but Daraya had limited access to the neighbouring rebel-held town of Moadamieh, itself besieged by pro-governmental forces from April 2013. The road linking the two towns was definitely cut in late 2016 when the National Defence Force and the Syrian Republican Guard captured it.

<sup>6</sup> Syrian Centre for Policy Research, *Forced Dispersion. Syrian Human Status: The Demographic Report 2016*, December 2016.

posed to the regime's legitimacy because of their capacity to govern specific areas, the opposition forces did not actually coordinate between the different areas they controlled. They fought as local clans instead of as a united front, even within the same armed faction or coalition<sup>7</sup>. As a result, each of these enclaves was singled out and defeated individually. For the opposition forces, the loss of the enclaves they controlled was not only a military and territorial defeat. Currently, it also seriously weakens their claim to power sharing in any peace negotiations (whether in the framework of the Geneva process or the Astana talks).

On its part, the regime struggled to fend off the armed opposition from the cities and keep it in the rural countryside. It also fought the autonomy of these enclaves by targeting the governance and service provision structures (hospitals, schools, local councils) set up by the opposition as an alternative to the services traditionally provided by the Syrian government. At the same time, the regime continued to provide some of these services to the population (electricity, water, higher education, state employees' salaries) as a reminder of their dependency on the central government. This strategy was translated into final local agreements, insofar as all local actors who had contributed to the autonomy of these enclaves were expelled on principle.

By manipulating the fragile conditions of these enclaves, either by military escalation or increased restrictions, the regime was able to "convince" local actors to accept to sit at the negotiating table, often after the local population had pressured the *de facto* local leadership and the armed opposition groups to negotiate<sup>8</sup>.

## **1.2. The Russian military intervention: a turning point**

Local negotiations and truce agreements that took place since 2012 kept the enclaves alive for more than four years. Yet, Russia's military intervention in 2015 has been a game changer in the negotiation dynamics. It has accelerated the conclusion of final local agreements that put an end to the enclaves and pave the way for the "reintegration of these localities into the Syrian State" according to official terminology.

In June 2012, a new cabinet was appointed by presidential decree (210) and Ali Haidar, the head of the Syrian Social Nationalist Party, was appointed State Minister for National Reconciliation Affairs. This ministry was unprecedented and its establishment was not accompanied by any legislation or definition of a clear mandate. Nevertheless, the new Minister described his mission in July 2012 as to "hold state agencies accountable for their actions", "lay the political and legal foundations for a series of national reconciliations" and "follow cases of detainees and attempt to release them"<sup>9</sup>.

At the beginning, local negotiations generally aimed at reaching a ceasefire or a truce, and at negotiating cases of kidnapping and swaps of detainees and bodies. The only

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<sup>7</sup> Whether Salafi-jihadist factions such as Ahrar al Sham or the Free Syrian Army such as the Southern Front, they fought and often negotiated on the basis of local belonging and interests.

<sup>8</sup> It was fairly common for civilians to go into the streets to call on local leadership to accept the regime's terms and avoid further escalation, e.g. Wadi Barada, Qudsaya, Madaya.

<sup>9</sup> The state minister speaking in a parliamentary session: <http://www.almihar.com/ar-sy/NewsView/7/46336.aspx>. In another interview, he stated that his staff are all the 24 million people of Syria and his mandate is not "granted" but will be "gained": [http://syriasteps.com/?d=110&id=89501&in\\_main\\_page=1./](http://syriasteps.com/?d=110&id=89501&in_main_page=1./)

case of local agreement concluded before the Russian intervention and which resulted in a final agreement similar to those that were concluded in 2016 occurred in the old city of Homs in May 2014 between GAF forces and rebels. This agreement was described by Minister Haidar as the most important success of the government's reconciliation strategy until that date. The agreement led to the expulsion of all remaining population, and did not address issues such as the fate of detainees or the right of inhabitants to return the city. The regime's plan was to use the Homs agreement as a model to be applied to other areas such as Al Waer, Talbiseh and Rastan, but the absence of guarantees for the implementation of the Homs agreement dissuaded the other cities from pursuing a deal with the regime. Nevertheless, local negotiation processes continued slowly, and according to the Minister for National Reconciliation around 50 reconciliation deals were concluded before the Russian military operations that started on September 2015.

The Russian military intervention tipped the military balance in favour of the regime. It has been a turning point in the local negotiations dynamics, especially because it has led to a weakening of the armed and political opposition and to strengthening the regime in local deals. This shift was reinforced by the fact that other international actors refrained from stepping actively in the local negotiations.

Furthermore, Russia set up its own mechanisms to achieve local truces: on 23 February 2016, the Russian Defence Ministry declared the establishment of "the Russian Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic", which has its headquarters at the Hmeimim Air Base in Latakia province. According to Russian defence sources, "the centre was set up in line with agreements reached by Russia and the United States to facilitate the negotiations between the Syrian government and opposition and to organise humanitarian deliveries". So far, this negotiation process has concerned the majority of opposition-held areas across Rural Damascus and Homs Governorate, as well as some cities in the South and the North. According to the last Russian bulletin on local truces published on 5 May 2017, the total number of inhabited areas, the leaders of which had signed reconciliation agreements has reached 1,479.

### **1.3. Main actors in local negotiations**

Mapping the main local actors involved in the negotiation process does not serve to grasp the complexity and often the opacity of their effective role in local negotiations - especially since the same actor may play different roles depending on the territory and the time of the negotiation.

However, it is worth noting that security and military actors have been dominant in local negotiations, as the main negotiators or decision-makers, guarantors or mediators. On many occasions, they have also been spoilers. One stark example was the first Madaya deal concluded in January 2014, which stipulated that 400 men would be part of "a reconciliation process" as a first step towards lifting the siege and full reintegration of the town into the State. The implementation of the deal was temporarily prevented at the time by a conflict within the regime forces (the 4th Division, the Republican Guard and the regime's local strongman (a retired officer)). Then, the reconciliation committee of Madaya (representatives of families and armed groups) had to mediate between regime forces to solve the disagreement.

Other local actors appointed as representatives of the Syrian regime in negotiations have usually been individuals with formal authority including heads of municipality, governors, state officials, heads of clans and tribes. On their side, opposition representatives have generally formed “local ad hoc committees”<sup>10</sup> composed of local leaders of armed groups and civilians such as known professional (medical doctors or media activists), members of the local administrative council, notables or local figures established outside of the locality.

So far, international actors – except Russia and to a lesser extent Iran, Turkey and Qatar – have been marginal in the process. In fact, the UN attempted to initiate local deals such as in Aleppo in 2014 and in the four towns agreements in 2015<sup>11</sup>, but to no avail. But neither the UN nor other diplomatic actors (US, EU, or the International Syria Support Group) played an active and efficient role, and they eventually distanced themselves whenever agreements’ implementation “went wrong”. By contrast, foreign actors who intervened directly and militarily in the conflict between the regime and its opposition gained leverage in local deals. They were involved directly in brokering local agreements mainly through their defence or intelligence services.

All local agreements concluded since 2016 are part of the strategy of the regime and its Russian and Iranian allies to push the rebellion away from the major urban centres of Central Syria (Damascus, Homs) into Rural Northern Syria. The last “four-towns deal” concluded in late March 2017 marks more specifically the end of the last “active” opposition urban centre in Western Qalamoun and means the Lebanese borders are almost secured for the Syrian regime and its allies. More broadly, these local agreements may appear as a tool for Damascus, Moscow and Teheran to secure their territories of influence within Central Syria, according to some interpretations of the last tripartite agreement signed in Astana on 6 May 2017.

## **2. Displacement, Demobilisation and Reintegration**

### **2.1 Population displacement and limited reintegration**

The local armed opposition forces’ agreement on giving up their weapons and evacuating to another area has been a central condition for the regime’s acceptance to cease hostilities against given enclaves in the 2016 local agreements. In general, extradition is the first – or the main – clause of these agreements. Local agreements

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<sup>10</sup> Also known as “reconciliation committees” (*lajna musalahat*) in the first period, and often renamed “contact committees” (*lajna al tawasul*) in 2016. For an analysis of local stakeholders in negotiations, see Samer Araabi and Leila Hilal, *op. cit.* For the specific case of Al Tall, see Kheder Kaddour, *Local Wars and the Chance for Decentralized Peace in Syria*, Carnegie Middle East Center, March 2017.

<sup>11</sup> The commonly known “four-towns agreement” related to Madaya and Zabadani - two regime-encircled towns 40 km northwest of Damascus, mainly inhabited by Sunni population – and Fouaa and Kefraya – two rebel-encircled Shiite towns in Idlib province. The first “four towns agreement” brokered in September 2015 stipulated that parties to the conflict should allow evacuations of people from all the four towns, evacuation of the injured, facilitation of humanitarian access to all four locations, and a truce that was to include several other surrounding communities to the four towns. This original deal was not fully implemented. In late March 2017, a final agreement was reached whereby, amongst other provisions, evacuations from the “Four Towns” were to be carried out.

have therefore resulted in two types of scenarios: either complete eviction of the enclave's original population or partial expulsion.

**The first scenario took place in localities whose original pre-2011 population had already tremendously shrunk over the years of the crisis**, such as the Old city of Homs, Daraya, Zabadani, and some villages of Wadi Barada. For example, when the final agreement was signed in Daraya in August 2016, less than 4,000 people (including 700 fighters) remained in the city, out of a population estimated at more than 250,000 people before the uprising<sup>12</sup>. In Zabadani, only 158 combatants were in the town when the final deal was signed on 28<sup>th</sup> of March 2017, out of a population estimated at 50,000 in 2011.

In these configurations, the agreement led to a full and forced evacuation (combatants and civilians) to other areas (either in the same region or in Idlib province in the north). Some localities have become a "military zone" to which the original population cannot return. Most houses have been looted and their goods are being resold in the souks of Damascus or its suburbs (in so-called "Sunni markets"). The regime and its Iranian ally might support population swaps between original Sunni residents and families of Shiite and Alawite militias, such as in the Old city of Homs or in Daraya<sup>13</sup>. However, it remains difficult to obtain reliable information and evidence on the situation in these areas. The four towns' swap remains the closest model for demographic change on a sectarian basis, but there is no evidence that the government of Syria will bring the Fouaa and Kefraya population to Zabadani.

**The second scenario occurred in cities which continued to be highly populated at the time of agreement**, such as Qudsaya, Al Tall, Moadamieh and Al Waer. Here, the agreement led to the partial evacuation of the population, usually in several stages, and new rounds of displacement may happen in the future (mainly due to fear of conscription).

For example, Qudsaya had 300,000 residents in June 2015, 40 percent of whom were IDPs from the Qalamoun area, but the population fell to an estimated 200,000 in July 2016. After the regime presented a black list of 104 individuals to be extradited to Idlib, more than 2,000 people (including more than 300 fighters) were evacuated from Qudsaya and Hameh in October 2016. In the same way, in Al Tall, known as the "city of a million displaced persons", around 2,000 people, including 500 fighters and a number of people wanted for military service, were evacuated in December 2016 to northern Syria.

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<sup>12</sup> The main displacement took place after the massacre of August 2012 and before the imposition of a -four-year- long siege in November 2012. Around 20, 000 people stayed in the besieged city from late 2012.

<sup>13</sup> The Syria Institute and PAX, *No Return to Homs: A Case Study on Demographic Engineering in Syria*, February 21, 2017, <http://syriainstitute.org/2017/02/21/no-return-to-homs-a-case-study-on-demographic-engineering-in-syria/>. In Daraya, journalists also reported that 300 families belonging to the Shiite Iraqi al-Nujaba Movement arrived in the city after the expulsion of the population, see [http://www.syrianobserver.com/EN/Features/32483/Displacement\\_Demographic\\_Change\\_Create\\_New\\_Realities\\_Syria](http://www.syrianobserver.com/EN/Features/32483/Displacement_Demographic_Change_Create_New_Realities_Syria)

In Wadi Barada, the first evacuation (2,170 people, among whom 500 fighters) took place on 29 January 2017 after 40 days of an intense military campaign and complete siege of the region. The second stage of the evacuation, implemented on 19<sup>th</sup> of April 2017, included 260 people, mostly civilians from Zabadani and men who refused to agree on their status (see below).

Finally, one of the largest displacement operations has been taking place in Al Waer in Homs Governorate. There, negotiations had started as early as 2013. Hence, the city had already experienced two waves of displacement when the final agreement was reached on March 13, 2017. In 2014, the estimated population was 300,000, including many IDPs from other parts of Homs Governorate. It has decreased to 50,000 in 2017. Between mid-March and 10 May 2017, nine batches of people, totalling around 20,000 people, have been evacuated towards Idlib province and, for the first time, towards Jarablous (the area under Turkish influence in the northeast of Aleppo Governorate). Evacuation was conducted under the direct supervision of Russian officers.

**In both scenarios, the implementation of local agreements has resulted in forced displacements, which have primarily targeted the local military and civilian leaders** associated with the revolution against the regime: fighters and their families, civilian leaders who were active in humanitarian organisations, civil society organisations and local councils. Although the number of evacuated persons may remain small compared to the total population in some cities and compared to the total number of IDPs<sup>14</sup>, these forced displacements should have profound impact on the local communities as they target the heart of the local social fabric.

At this stage, there has been no easy integration of the displaced into their new host regions: civilians who arrived in Idlib Governorate, which is dominated by Hayat al Tahrir (Fatah al Sham and its allies) and overpopulated with IDPs from across Syria, are exposed to repeated bombardments by the Syrian, Russian and American air forces, as well as to infighting between rival armed groups. In addition, the largely agricultural governorate offers limited job opportunities. So, many civilians only wish to leave for Turkey, as a first step towards Europe. Moreover, there has been no massive return of displaced people to their place of origin once the locality is "pacified". It seems that Moadamieh and Qudsaya have constituted exceptions. Here, the main cause of the return of part of the population displaced in Damascus has probably been that rents are cheaper in the adjacent cities than in the capital.

Finally, tactical discrepancies have appeared during local negotiations between Russia and Iran about demographic engineering. Iran has an interest in controlling territories close to the Lebanese border and has therefore promoted forced displacement and demographic changes (Homs, Qalamoun, Zabadani). In contrast, the Russians do not appear to favour such demographic engineering. The latest Al Waer agreement in the Homs province might best reflect the struggle of influence between the Russians - who are directly involved in the conclusion and implementation of the agreement – in favour of maintaining some Sunni population in the region, and the Iranians pushing for a total evacuation of the population.

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<sup>14</sup> In eight months (August 2016-March 2017), about 400 "green buses" are said to have transported around 15,000 people from the Damascus countryside, included some 4,300 fighters, *Al Modon*, 21 March 2017.

## 2.2. Demobilisation of fighters: towards de-escalation or reproduction of violence?

The terms of local agreements deal, to a very large extent, with security issues (90% of the agreements' content), while clauses related to the opposition's requests, such as the release of detainees, the lifting of restrictions on access and mobility, and the return of IDPs - are often marginalized and even became non-starter in the 2016 local negotiations. For the State Minister for National Reconciliation Affairs, the idea behind local reconciliation process "is to restore the state of security in Syria".<sup>15</sup> In fact, security terms such as cessation of hostilities and disarmament were a priority of most agreements in 2013 and 2014, whereas status-settlement for all military-aged males (between 18 and 42 years old) and extradition of fighters are the bulk of most settlements in 2016.

In a general and schematic way, local agreements segregate the male population of military service age into two categories: unwanted people and those who are unwilling to be rehabilitated within regime-controlled areas, and those who are allowed to stay and agree to do it.

**For the first category, which mainly comprises fighters from rebel groups but also defectors, deserters and absentees who do not wish to fight with the regime forces, the only choice is extradition to outside of the locality.** They are allowed to leave with their personal (light) weapons and some of them have joined armed groups based in the North and established new positions in the Idlib and Hama countryside. A number of fighters were reported killed on different fronts in Syria (Damascus, Hama and the coastal region) after being evacuated from their native area, and their martyrdom was celebrated as a revenge of their expulsion and a symbol of their willing to carry on the struggle against the regime.

These evacuated fighters are receiving increased attention from the main jihadist leaders, who have lately multiplied calls for remobilization. For example, Abdullah al-Muhisni, a prominent foreign Jihadi in Syria, went to meet with evacuated fighters from Zabadani upon their arrival to Idlib, as he had previously done with fighters from Daraya. In his mobilization speech, he stressed that together "they will fight to bring them back to their homes, that all lands (Idlib, Hama) are their land and that they were not defeated unless they put down arms and became civilians". He finally went to describe how evacuated fighters from Damascus enclaves were on every front in the latest northern Hama offensive in March 2017<sup>16</sup>.

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<sup>15</sup> See <http://dissidentvoice.org/2014/08/as-foreign-insurgents-continue-to-terrorize-syria-the-reconciliation-trend-grows/>. In April 2017, Minister Haidar updated his views on "reconciliation process", describing it as "military and security procedures aimed at expelling armed men from areas (...) to search for solid base to fight terrorism and bring armed men to reason to defend the country faithfully", <http://thawra.sy/archive.asp?FileName=4391226242017042222734>.

<sup>16</sup> In the same vein, the Salafi-Jihad preacher and current leader of Al Qaeda, Zawahiri addressed a recent audio message to all Mujahideen in greater Syria, titled: "al Sham won't bow to anybody except for God", in which he delivered three messages related to the latest setbacks for rebels in Syria.

**For the second category of military-aged males who agree to conscription or don't want to be extradited** (including fighters, deserters and absentees), they first have to go through a status settlement process. After clearance, they face three options.

The first option is for some of them to enlist in one of the newly-established local security bodies such as the popular committees, the municipal police or the protection committees entrusted with protection and policing within the locality. It is not clear yet whether the time of service in local security bodies will be considered as a mandatory national service (e.g. conscription in the regular army). These local security bodies are usually formed to absorb some figures of armed rebel groups, and they operate under the patronage of one of the regime-affiliated security structures. For example, the popular committees in Qudsaya and Hameh are under the supervision of the Republican Guard. In Wadi Barada, at least four new security bodies have been formed, respectively under the patronage of the Republican Guard, the air force intelligence, the military security and the National Defence Forces (NDF). There is a model of delegation of tasks between state security structures and these new local security bodies. However, it is still too early to define it as “decentralising local security policies”.<sup>17</sup>

The second option for military-aged males is to apply to join a paramilitary force such as the Fifth Corps, established and managed by Russia. This entails a monthly salary of 250 to 300 USD and other privileges such as a permission system (15 days on the front and 15 days back home). Yet, according to the law, volunteers in the Fifth Corps should not be conscripts of the regular army.

The third option applies to the majority of men who are expected to join the regular army within a 6-month period after the agreement, or else provide a valid justification to either postpone or be exempted according to Syrian law (see below 3.1).<sup>18</sup>

In conclusion, the terms of the local agreements do not propose a demobilisation model or a disarmament framework. Instead, they are likely to open the way to new dynamics of violence in the near future, in particular potential radicalisation of some fighters evacuated to northern Syria and broad militarisation of the male population. In the mid-term, their implementation could lead to the re-establishment of the security regime in the “pacified” localities or to create a security vacuum at the local level that would facilitate the infiltration of new jihadist groups or loyalist militias.

### **2.3. Humanitarian aid and public services: a return of the State?**

The negotiation process of local agreements has usually dealt with lifting the siege rather than offering specific solutions to meet the population's needs and to rehabilitate public services. The terms of the agreements indeed imply that administrative and governance structures will be transferred from the opposition's management into regime loyalists' hands, but little effort has been made to reshape the governance relationship between the local population and the central government. As such, security and loyalty are the main determinants for shaping the local administration, which means

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<sup>17</sup> K. Kaddour, op. cit.

<sup>18</sup> Men can postpone conscription because of medical reasons, study, travel, being the breadwinner, or can be exempted for medical reasons or if living abroad for a sum of money. See: <http://parliament.gov.sy/arabic/index.php?node=201&nid=4921&>.

a return to the model that prevailed prior to 2011 and contributed to the population's dismay.

Almost all the local humanitarian networks that provided vital services such as medical evacuation and care, education or food distribution have been dismantled by local agreements. Yet, this dismantling is not only due to the expulsion of the main members of humanitarian organisations. It is also the result of the shift of territorial control from the opposition to the regime, and of the subsequent change in the funding channels that the humanitarian organisations used to rely on.

Long before the beginning of the uprising, the regime had looked on foreign funding with suspicion. After 2011, the absence of the regime's control over the enclaved localities had allowed access to external funding for and through community-based organisations. Opposition-held areas mainly benefited from international aid through cross-border mechanisms, which had been endorsed by UNSC resolutions since 2014. However, the regime has always considered the cross-border aid as a violation of sovereignty and accused aid workers operating in these areas of "funding terrorism"<sup>19</sup>.

Restored territorial control by the regime over the opposition-held areas is to change these aid-mechanisms. Humanitarian operations are no longer carried out by agencies based in neighbouring countries (mainly Lebanon for the Rif Damascus governorate), but by Damascus-based agencies which work with or through the Syrian government. The general framework of humanitarian and early recovery responses is also undergoing restructuring at the local level: local NGOs must register with the Ministry of Social Affairs, but also with the Ministry of Foreign Affairs if they want to cooperate with international aid organisations based in Damascus, including UN agencies. So far, this has been a privilege that few NGOs have been able to obtain and the criteria for approval have been heavily determined by their proximity to the regime. Moreover, some reports suggested that humanitarian aid is being diverted on the basis of loyalty, nepotism and corruption<sup>20</sup>.

At another level, the rehabilitation of state public services varies from one locality to another, but in general, the Syrian government has limited capacity to fully resume service provision and state services in areas where local agreements have been concluded<sup>21</sup>. So far, it seems to lack both the financial and economic resources and the willingness to address the need for infrastructural rehabilitation and reconstruction.

### **3. Main challenges for reconciliation and peace in "pacified" areas**

The reintegration process of "pacified" localities into regime-controlled territory is still transitional, apart from those towns which were entirely emptied. In others, the population's daily life after the agreement is still framed by security checkpoints between the locality and Damascus, and shadowed by security concerns. It is also strained by at least three grievances that will present important challenges for

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<sup>19</sup> The regime had also tried some aid workers before counter-terrorism courts  
<https://www.hrw.org/news/2013/06/25/syria-counterterrorism-court-used-stifle-dissent>.

<sup>20</sup> Local sources from Wadi Barada, Qudsaya and Hameh (April 2017).

<sup>21</sup> Mercy Corps - Humanitarian Access Team (HAT), *Local impact of Reconciliation Agreements, A Preliminary Assessment*, 10 February 2017, [www.humanitarianaccesssteam.org](http://www.humanitarianaccesssteam.org).

stabilisation and reconciliation: the compulsory conscription for men of national military service age, the fate of thousands of detainees and missing people, and property ownership.

### 3.1. Enlistment in the Syrian army

Perhaps the most pressing issue for the population from newly reintegrated communities is that of the enlistment of young men and army defectors in the regular army six months after the conclusion of the agreement. As detailed above, men between 18 and 42 years old are the only group of population precisely defined and subjected to special notice under the terms of agreements. They probably constitute the most numerous vulnerable group as a direct result of the local agreements.

The Syrian regime has so far implemented a carrot-and-stick policy towards would-be-soldiers: they can join a local security body to help the regime's security services to secure Damascus and therefore be authorised to remain in their native localities; they can join paramilitary groups or the army to fight on external fronts and receive material and social privileges in return; or else they will feel the heavy hand of persecution, detention, forced recruitment or displacement. Such limited choices explain the successive waves of displacement of men who have been kept out of the so-called reconciliation process, or who reject its terms.

Most inhabitants of the former opposition enclaves are extremely reluctant to join the Syrian army, as evidenced by the very low registration rate in the local conscription branches until now. The reason for not joining the Syrian army is easy to understand: the regime has treated these areas as enemy hotbeds and encircled them for years, using the same army they are now asked to join. The high death toll among the regular army and the loyalist militias (more than 60,000 and 45,000 dead respectively since 2011, according to some observers' reports<sup>22</sup>), and the very high number of deaths among new recruits in particular<sup>23</sup>, are undoubtedly another deterrent to joining the army.

Hence, many young men try to find an excuse to postpone military conscription, or go into hiding, which put them and their families at great risk and under serious financial constraints. So far, the most widely used pretext for postponing military service is for further education. Yet, this option is not open to all, as the majority of young men had no proper education during the siege and there is an age limitation for postponement of military service for study purposes. Moreover, the Ministry of Defence constantly issues new regulations to curtail such practices.<sup>24</sup> Another option is to go into hiding.

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<sup>22</sup> It is difficult to verify the numbers, but they correspond with social media accounts and observations and reports from local groups: <http://www.syriahr.com/en/?p=62760>.

<sup>23</sup> For example, the attack on Palmyra by IS between 8<sup>th</sup> and 12<sup>th</sup> of December 2016 is said to have caused hundreds of deaths among novice recruits (see: <http://www.all4syria.info/Archive/370028>). Incidents with rebels or IS attacks on remote checkpoints occur weekly and result in scores of casualties usually from the same category. Finally, many defectors have blamed the regime for sending them to front-lines with little experience and almost no support.

<sup>24</sup> In a very recent regulation, the Syrian government has cancelled one master degree as a viable excuse, and thousands of students have found themselves exposed overnight. <https://www.zamanalwsl.net/news/77791.html>.

Yet this is not a long-term solution and always entails the risk of being caught and forcibly conscripted, or punished with detention. The only viable option is therefore to leave the government-controlled areas, but those who flee expose themselves to an increasingly expensive and dangerous journey.<sup>25</sup> The networks of corruption which they need to go through to escape start at the local conscription office, continue at checkpoints held by militia members and end with smugglers entrusted with bringing them to Lebanon, Turkey and Sudan.

### 3.2. The denied file of detainees

Releasing detainees was central to the demands of opposition representatives and local communities during local negotiations. In the same way, many Syrian activists and families of detainees have launched campaigns over the last few months calling for the inclusion of the detainees file in the Geneva and Astana talks. In fact, the detainees and missing people's file includes areas that go far beyond the limits of the cities which concluded local agreements with the regime. It affects almost every Syrian family. The Violations Documentation Centre's database currently contains a total of 50,324 detainees considered to be in the regime's custody across Syria, all detained after 2011<sup>26</sup>.

Until now, requests for the release of the detainees have not been translated into the so-called local reconciliation agreements. The issue was a non-starter and was completely rejected by the regime's representatives during the negotiation process in Daraya and al Waer for example. The number of detainees from each locality in the sample of this research remains as follows<sup>27</sup>:

Daraya	Moadam yeh	Hameh	Qudsaya	Wadi Barada	Al Tall	Madaya	Zabadani	Qaboun	Barzeh	Al Waer
4592	753	76	145	50	1092	101	1433	655	568	48

Furthermore, the Syrian Network for Human Rights documented 1,118 cases of arbitrary detention by the Syrian authorities during the first quarter of 2017,<sup>28</sup> showing that the regime has so far felt no incentive nor pressure to put an end to this practice.

The Syrian authorities remain defiant and hostile in the face of all efforts deployed to address the issue of the detainees and their families. By doing so, they reproduce the same attitude towards missing people as the one which prevailed during the Muslim Brotherhood-led rebellion and its severe repression between 1979 and 1982: 3,800 documented cases have remained unsolved to this day. The state policy of denial

<sup>25</sup> <https://sfs.georgetown.edu/syrian-men-vulnerable-rethinking-refugee-categorization/>.

<sup>26</sup> <http://vdc-sy.net/en/>

<sup>27</sup> Numbers provided by the Violation Documentation Centre, May 2017. The VDC's numbers are an estimate and some others reports mention higher numbers.

<sup>28</sup> In the same period, the Syrian authorities released 692 detainees:  
<http://sn4hr.org/blog/category/report/monthly-reports/detainees-and-enforced-disappearances-monthly-reports/>.

regarding the persons who have gone missing during this bloody episode has arguably contributed to the deepening of the population's grievances over decades and has undoubtedly played a role in the 2011 uprising against the regime.

Continuous practices of arbitrary detentions, incommunicado imprisonments, forced disappearances and neglect of any due procedures for political prisoners remain a key source of anger and total mistrust of the regime among the population. Any reconciliation aimed at producing genuine stability in Syria will have to put a permanent end to these practices, clarify the fate of thousands of people, and fight against impunity.

### 3.3. Property and housing rights

Handling property ownership will be another major issue, directly related to the reconstruction of Syria. This old and multilevel problem has been exacerbated by new urban planning policies in the 2000s that have probably played a role in triggering the revolution.<sup>29</sup> Up to 50% of the population in the governorates of Homs, Damascus and Rural Damascus were living in informal settlements before the uprising in 2011. Informal settlements witnessed the worst acts of the conflict: wide destruction of buildings, eviction of inhabitants, occupation by IDPs or militias, absence of access to land registration or to law courts.

The Damascus government is now renewing its interest in re-planning and rebuilding, especially now that the outcome of the conflict in Central Syria seems to be favourable to the regime. The latter is enjoying not only relative security, but also military control over swathes of lands which have been emptied of their inhabitants, and partially destroyed. With promises of reconstruction funds from international donors, the regime seems to position itself for a phase of investment in real-estate development. This willingness is reflected in the rapid adoption of new laws and legislation that facilitate expropriation and investment at the same time.

The starkest example of how new expropriation and acquisition are conducted in post-conflict areas is the Wadi al Jouz neighbourhood in Hama city. This informal settlement of around 25,000 inhabitants was encircled by the GAF after brief clashes in 2013, then emptied of its inhabitants and razed to the ground in the first two weeks of May 2013.<sup>30</sup> Then, in April 2017, the Public Establishment for Real-estate Development and Investment declared the creation of 25 real estate development areas (now state-owned land) in eight governorates, including Wadi al Jouz lands.<sup>31</sup>

Such an approach relating to housing, land and properties, has so far prevented the return of IDPs and refugees. Combined with mass displacement and destruction, such

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<sup>29</sup> Valerie Clerc. *Informal settlements in the Syrian conflict: urban planning as a weapon*. Built Environment, Alexandrine Press, 2014, Arab cities after 'the Spring', 40 (1), p.34-51; Jon D. Unruh, 2016, *Weaponization of the Land and Property Rights system in the Syrian civil war: facilitating restitution?*, Journal of Intervention and State building.

<sup>30</sup> This case has been documented by multiple reports including state media. See *Razed to the Ground*: <https://www.hrw.org/report/2014/01/30/razed-ground/syrias-unlawful-neighborhood-demolitions-2012-2013>.

<sup>31</sup> See <https://goo.gl/2Zw51B>.

practices create rights violations on a mass scale and might lead to social and political instability.

## **Conclusion**

The local agreements model as described above appears to dominate the Syrian political arena, and is likely to sweep opposition-controlled areas beyond the enclaves in central Syria. It translates as a military victory for the Syrian regime and its allies over the dissent population. The direct result will be to decrease violence in the short term, as the vast majority of the Syrian population aspires only to see the end of the war. But local agreements are far from constituting a basis for building peace.

It is undoubtedly still early to draw definitive conclusions about the impact of these local agreements, which are being implemented in a confused and erratic manner. Nevertheless, local agreements do not offer any framework that will stabilise Syria, either in terms of security or in terms of reconstruction. They have not in any way addressed the population's main, sometimes old grievances, such as arbitrary detention, forced disappearance and expropriation of land and properties. Rather, they tend to reproduce and amplify them. They have also created new grievances such as mass displacement of the population and forced recruitment into the government's armed forces. Their implementation has finally led to very limited response from state institutions to meet the population's basic needs.

While the main objective of the regime is to obtain funds to secure the provision of basic services in the short-term and reconstruction in the mid- and long-term, it would be wise to consider that these reconstruction funds are likely to promote the establishment of a system of governance far worse than the one against which large parts of the Syrian population rose up in 2011.

Any international actor hoping to engage in political reconciliation and support the stabilisation process should work firstly to disarm all foreign and local parties to the conflict and to achieve a national and sustainable ceasefire. European countries, which have been largely absent from the local negotiation process across Syria, should also adopt a rights-based approach to provide serious guarantees for protecting the population from compulsory conscription, land expropriation, and the continued detention of thousands of people. Any international involvement in reconstruction efforts should therefore be conditional to a rights-based approach that also includes the rights of refugees and IDPs and meets the population's aspirations. Until international and local players take into account the causes of the revolution and the consequences of the armed conflict, they will fail to initiate a genuine reconciliation process that could lead to durable peace.

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