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The Aqaba Summit and the Transition Process in Syria

Unit for Political Studies

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The rapid collapse of the Assad regime, and the unobstructed entry of opposition factions into Damascus without a fight on 8 December 2024, sent shockwaves through the Arab and international communities. Regional and international parties subsequently convened in the Jordanian city of Aqaba on Saturday, 14 December for the Joint Contact Group ministerial meeting on Syria, to discuss the major transformation of the Syrian political situation and the country's future. The summit concluded with a statement of support for a comprehensive political process led by Syrians, in accordance with Security Council Resolution 2254 and the aspirations of the Syrian people, one that ensures the rebuilding of state institutions, and preserves the sovereignty of Syria, its unity, and territorial integrity.¹

While the statement expresses hopes for a smooth transition that advances stability in Syria, it also reveals deep concerns among some participating countries regarding the repercussions of the transitional phase in Syria. Many Arab and Western countries are concerned about the control of the Damascus government remaining in the hands of Islamist and once Salafi factions. Among the Arab nations, there is a fear that the Syrian experience, if the transitional phase succeeds, will inspire others in the region, which may ignite new demands for change and political reform – potentially threatening existing regimes. Accordingly, these parties seek to focus on a "disciplined" political process that ensures the containment of and control over the Syrian transition, while working to prevent any undesirable transformations that may lead to regional and international balances. These parties see Security Council Resolution 2254 as a key tool for achieving this goal.

Meanwhile, Israel has been exploiting the opportunity to repeatedly make incursions into Syrian territory and attack Syria, seeking to strike the infrastructure of any future Syrian army, under the pretext of its fears about the rise of political forces with anti-Israeli agendas.

I. Syrian Divisions over Aqaba Statement

The statement issued following the Aqaba meetings received mixed reactions in Syrian circles. While no official comment was issued by the Syrian interim government led Mohammed al-Bashir, or by the Department of Political Affairs in Damascus, both the Syrian Opposition Coalition (SOC) and the Syrian Negotiation Commission (SNC) responded positively. The SOC issued a final statement describing the initiative as reflecting "sincere and vital support for the aspirations of the Syrian people regarding an inclusive, peaceful, Syrian-led political transition [that involves] all Syrian political and social forces."² The SNC ³ **President** welcomed the initiative, considering it a "a real, balanced

1 "Arab and International Meetings Begin in Aqaba, Southern Jordan, on the Situation in Syria," *Al-Araby Al-Jadeed*, 14/12/2024, accessed on 17/12/2024, at: <https://acr.ps/1L9zR2H>

2 "On Final Statement of Arab Ministerial Contact Committee on Syria", Press Release, Syrian Opposition Coalition Department of Media and Communications. 14/12/2024, accessed on 17/12/2024 at: <https://acr.ps/1L9zQob>.

3 The SNC was established in December 2015 during the first Riyadh conference to unify the political opposition and represent it in the negotiation process with the Syrian regime. The commission includes representatives of the SNC, the National Coordination Body for Democratic Change Forces, the Moscow and Cairo platforms, local councils, military factions, and independent figures. It relies on the Geneva Communiqué (2012), which calls for a political transition through a transitional governing body, and Resolutions 2118 and 2254, which emphasize a political solution, a ceasefire, and the drafting of a new constitution. It dealt with UN envoy De Mistura, who proposed the "four baskets" (transitional governance, constitution, elections, counterterrorism), and took part in the Constitutional Committee established in 2019 under Resolution 2254. It has faced accusations of deviating from the political principles of the Syrian revolution.

project to save Syria, ensure its unity, and transition it to a modern, democratic, participatory, and deliberative state for all its people".⁴ Other Syrian parties rejected the initiative, questioning the motives of the Aqaba meeting,⁵ and considered it a clear incitement to the international community not to recognize the new regime in Syria⁶ (even though the old regime had fallen and a new regime has not yet been established) and a step toward placing Syria under "international guardianship" and placing the agreement process within a regional and international framework.⁷

This division over the initiative reflects the complexities of the domestic and external Syrian political scene. Supporters, such as the National Coalition and the Negotiating Body, see the initiative as an opportunity to ensure their participation in power or at least their involvement in the transitional process, given their own fears that the new regime in Damascus will monopolize power. Conversely, opponents argue that the initiative represents an extension of attempts at external guardianship, based on several failed international experiences in the Arab region, such as Libya and Sudan, and the absence of Syrian representation in the meetings. This early division over the Aqaba statement also reveals a deep gap between Syrian actors in assessing the tools of international solutions, and confirms the continuation of the struggle over legitimacy and representation in the post-Assad era. The dispute revolves in particular around Resolution 2254 and the validity of its implementation in the post-Assad era.

Regardless of this debate, it is worth noting that Resolution 2254 is no longer valid given that the Syrian regime has fallen, and the transition process now looks very different. But the transition process still requires a declared program and a legal reference that does not currently exist. To meet this need, some of the resolution's provisions can be relied upon and implemented unilaterally through steps such as involving political forces and social groups in the transition process, drafting and holding a popular referendum on a new constitution, once it has been debated in a constituent assembly, dissolving armed factions, and rebuilding the Syrian army with the help of defected officers, and other steps. The transitional phase cannot be completed with verbal instructions from above in the absence of reference bodies.

In addition, the challenge of meeting the urgent needs of the Syrian people in the transitional phase requires the involvement of various Syrian forces inside the country and abroad. The current authorities in Damascus need to gain the confidence of investors in the transition process and reassure all parties about the type of political system that will be established.

II. Controversy over Resolution 2254 and Its Role in the Political Transition Process

Since its adoption on 18 December 2015, UN Security Council Resolution 2254, together with Resolution 2118, has become the primary international reference for political transition in Syria, setting out the

4 Bader Jamous, X, 15/12/2024, accessed on 17/12/2024, at: <https://acr.ps/1L9zQJI>

5 Burhan Ghalioun, X, 15/12/2024, accessed on 17/12/2024, at: <https://acr.ps/1L9zQUH>

6 Ahmed Ramadan, X, 15/12/2024, accessed on 17/12/2024, at: <https://acr.ps/1L9zRjX>

7 Ahmed Moaz Al-Khatib, X, 14/12/2024, accessed on 17/12/2024, at: <https://acr.ps/1L9zQIt>

steps for a comprehensive political transition, including the establishment of a transitional governing body with full executive powers, the drafting of a new constitution, and the holding of free and fair elections under UN supervision, according to a specific schedule. Supporters of the resolution argue that the Geneva Communiqué of 30 June 2012 is the essence of Resolutions 2118 and 2254, calling for a safe and neutral environment in which the political transition can undergo the basic constitutional steps. Under the title "Agreed principles and guidelines for a Syrian-led transition," the Communiqué included the imperative of a transitional process that "(a) Offers a perspective for the future that can be shared by all in the Syrian Arab Republic; (b) Establishes clear steps according to a firm timetable towards the realization of that perspective; (c) Can be implemented in a climate of safety for all and of stability; (d) Is reached rapidly without further bloodshed and violence and is credible."⁸

Under the subtitle "Clear steps in the transition", the Geneva Communiqué states that the conflict "will end only when all sides are assured that there is a peaceful way towards a common future for all in the country. It is therefore essential that any settlement provide for clear and irreversible steps in the transition according to a fixed time frame." This transition should include the following steps

"(b) It is for the Syrian people to determine the future of the country. All groups and segments of society in the Syrian Arab Republic must be enabled to participate in a national dialogue process. That process must be not only inclusive but also meaningful. In other words, its key outcomes must be implemented;

(c) On that basis, there can be a review of the constitutional order and the legal system. The result of constitutional drafting would be subject to popular approval;

(d) Upon establishment of the new constitutional order, it will be necessary to prepare for and conduct free and fair multiparty elections for the new institutions and offices that have been established;

(e) Women must be fully represented in all aspects of the transition."⁹

This text can be utilized as a reference if there is an intention to lead a transitional process in an organized manner and with broad participation.

Those who support the use of Resolution 2254 believe that participation in the transitional process according to the Geneva Communiqué means not only the two previous negotiating parties, i.e., the opposition and the regime, but rather includes all groups representing the Syrian people. It is clear that the Communiqué links the national dialogue with determining the future of the country. Hence, this approach is vital in light of the current transfer of power, as Syrians are supposed to participate in the national dialogue process and the results of the dialogue are to be adopted in the transitional process. The paragraph on national dialogue comes directly after the paragraph on establishing a transitional governing body. According to the Communiqué, a "transitional governing body" needs to be formed "that can establish a neutral environment in which the transition can take place, with the transitional governing body exercising full executive powers. It could include members of the present Government and the opposition and other groups and shall be formed on

⁸ United Nations, "Final Communiqué of the Action Group for Syria (Geneva Communiqué)" June 2012 accessed on 17/12/2024, at: <https://acr.ps/1L9zRiW>

⁹ Ibid.

the basis of mutual consent". While the formation of such a body as stipulated in the statement has ended because power is now in the hands of Hay'at Tahrir al-Sham (HTS) and its allied factions, the idea of a participatory governing body that oversees a safe, neutral environment remains vital, especially since the Communiqué talks in the same context about national dialogue. It seems clear that the main concern of the supporters of this approach is the fear that HTS and its allied factions will monopolize power and build a new authoritarian regime starting with unilateral decision-making.

In contrast, opponents of Resolution 2254 believe that the fall of the Syrian regime and the escape of its leader invalidates its use as a guide for political transition in Syria considering the changed circumstances. Indeed, from a purely legal perspective, the fall of the Syrian regime has eliminated the need to negotiate the transitional phase, which is led according to the Geneva Communiqué and Resolution 2118 by the transitional governing body with full executive powers. The need for the transitional governing body with full executive powers, formed from the regime, the opposition, and other groups that are commonly referred to as civil society, has also been eliminated, because the regime has fallen and there is no longer a political need to involve it in the formation mechanism or in the body itself. But the Syrian people cannot be reduced to the deposed regime and HTS. In Syria, there are many other political groups and forces. The most important issue raised by those who oppose the adoption of Resolution 2254 is their fear that regional and international parties will use it as a tool to interfere in Syria's internal affairs and impose a certain type of government, or even overturn the results of the Syrian revolution, which culminated with the overthrow of the Assad regime after nearly 14 years of bloodshed. But the answer to this challenge lies in national unity, which requires the participation of every Syrian, and the establishment of a non-exclusionary political system that guarantees the unity of Syria, its land, and its people.

III. Conclusion

The Aqaba Summit and its adoption of Resolution 2254 as a framework for political transition in Syria have divided Syrian political actors. While some see the resolution as a guarantee to prevent the monopolization of power by HTS and its allied factions, and the establishment of a new exclusionary rule, others fear the resolution will pave the way for international guardianship and become a tool to shape the political process according to the interests of foreign powers. This fear is legitimate but can be overcome by implementing disciplined transition steps with broad participation by a Syrian national initiative and without foreign interference, based on revolutionary legitimacy, embodied in the goals of the revolution that the Syrian people have clung onto since 2011. Many attempts have been made to formulate this initiative in conference documents, forums, and numerous statements over the past decade. It is not possible to implement these goals without a declared plan for transition and clear mechanisms for decision-making, and this plan can benefit from the Geneva Communiqué and Resolution 2254 voluntarily and willingly. It is necessary for the Syrian people to be informed of the transition program, its stages, and goals, so that they can judge the various steps and measures currently being taken.