

The Constitutional Process Revised

Loccum, Germany, June 2022

Europäisches Zentrum für Kurdische Studien
European Center for Kurdish Studies



Disclaimer: This paper reflects the discussions of the workshop. This does, however, not mean that all participants agree on all points of this document.

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Loccum Paper – An Evaluation of the Vevey Options

1. At the present time, it does not appear feasible for UN Resolution 2254 to be revised (Vevey option 1) or to call for the adoption of an appendix or supplementary resolution (Vevey option 2). In view of the geopolitical situation, these options have little prospect of success. Moreover, they carry the risk that a renegotiation of the roadmap might jeopardise the achievements made to date (political solution, obligation to adopt a new constitution).
2. At the same time, it does not seem desirable to abandon the current process in Geneva (Vevey option 6). Firstly, there are currently no alternatives to this process. Secondly, ending the process at the present time would send the wrong message to the Syrian population and the international community. Neither the opposition nor the independent third wants to be accused of not participating constructively in the negotiations and of jeopardising the success thereof.
3. Although at present it does not seem realistic to change the composition of the constitutional committee, thereby increasing its legitimacy (Vevey option 3), any opportunity for strengthening the transparency and inclusivity of the process should be exploited. It seems vital to reinforce and intensify track 2 processes and make them inclusive (Vevey option 8) to increase legitimacy.
4. It is also unlikely that the procedural rules could be fundamentally changed and improved in the short term. Irrespective of this, it will have to be carefully considered how the procedures might be optimised within the scope of the existing provisions (Vevey option 3). In this regard, it seems crucial to modify schedules and timelines. It is frustrating for the parties involved to be surprised by issues and principles and to often have only a few hours to respond to proposals. These working conditions make it impossible for the parties involved, particularly the representatives of the independent third, to consult one another, to assess the scope and consequences of a principle and to take a differentiated stance. In these circumstances it seems indispensable to extend the duration of meetings and provide for consultation and reflection days. Such intermissions would also allow committee members, in particular the representatives of the independent third, to consult with other representatives of civil society and to put forward statements from stakeholders as part of the negotiations. Advisory teams could also play a more important role during the consultation and reflection days.
5. It is desirable for the role of the independent third to be clarified and strengthened. At present, this third is not guaranteed equal rights, if only for the reason that it is the co-chairs of the two other thirds who set the agenda.

6. It seems important for the Special Envoy to be provided with a more active role (Vevey option 4). They should not be limited to organising negotiations; rather, they should make use of the opportunities presented by the moderator role so as to influence the agenda and negotiations. While there is consensus that the negotiations must take place among Syrians, this does not preclude the UN from expressing its opinion, making proposals and issuing statements. There is also a desire for the Special Envoy to advocate offering informal platforms for dialogue even between rounds of negotiation.
7. It appears appropriate to also use other forums in addition to the Geneva process (Vevey option 9). Due to the geopolitical balance of power and foreign interventions and manipulations, it seems expedient to bring together participating states within the scope of a Syrian peace conference, to obtain clarity on respective opinions and to improve coordination.
8. The step-for-step approach has been seen with scepticism. In particular, there is concern that in this way the Syrian government could succeed in normalising diplomatic relations without making sincere concessions in return. The process, which is already characterised by growing asymmetries, could come to a complete standstill as a result of a further weakening of the opposition's negotiating position.
9. Opening additional negotiating baskets (Vevey option 5) would be another way to strengthen the political process.

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