

Policy brief: PAX response to the joint communication “Elements for an EU regional strategy for Syria and Iraq as well as the Da'esh threat.”

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On the 6th of February High Representative Mogherini and the European Commission published the joint communication on Syria and Iraq¹, which will be discussed by the EU Foreign Affairs Council in March. The communication describes an ambitious strategy of the European Union with diplomatic efforts, support to humanitarian and non-humanitarian aid, security measures and a budget of 1 billion euro for 2015 and 2016. A political strategy on one of the most violent regions with one of the worst humanitarian crises since WWII, by the worlds’ biggest donor, deserves a critical analysis.

PAX welcomes the comprehensive character of the EU strategy and in particular the realistic overall objective: “Recognise the inherent limitations of security and counter-terrorism intervention, however necessary military action may be in the short term. The EU’s response therefore emphasises the need for a sustained and comprehensive engagement to address the underlying dynamics of the conflict through diplomatic engagement and long-term support for political reforms, socio-economic development and ethnosectarian reconciliation”²

In several policy briefs and Alerts, PAX³ stated that the challenge of ISIS in the Middle East requires a broad political strategy aiming at protection of civilians and inclusive governance systems. A military tactical response only would be far from enough and risks strengthening the very radicalisation it intends to defeat. By doing so, the Coalition against ISIS might even create further crisis in the Middle East. The EU communication clearly is an important step towards such a political strategy, yet the challenges in the realization of some of the objectives are enormous. PAX is concerned about the disconnect between the counterterrorism elements in the strategy and the values of human rights and democracy that the EU stands for.

PAX proposes the following measures for further improvement of the EU Regional strategy on Syria and Iraq:

- Respect for and promotion of human rights should be a central objective and explicitly mentioned in the counterterrorism paragraphs of the EU strategy on Syria and Iraq
- The EU and EU member states which are part of the Coalition should not only apply these standards for their own involvement, but also address human rights criteria for counterterrorism with allies in the region. Gross violations of human rights should have consequences for the cooperation.
- In order to assure high quality diplomatic contribution to a regional security dialogue, the EU could appoint a Special Representative
- On Syria, while continuing the support for the “freeze plan” of the UN special envoy De Mistura, the EU should develop a plan B for steps towards a political process of transition
- On Iraq, the EU and member states should agree with the Government of Iraq and the Kurdish Regional Government on benchmarks for the realization of inclusive government
- Also on Iraq, the EU should invest in a concrete reconstruction and peacebuilding plan for the areas re-conquered on ISIS

¹ http://ec.europa.eu/echo/files/news/20150206_JOIN_en.pdf

² Idem, p.2

³ <http://www.paxforpeace.nl/media/files/iraq-syria-alert-ii-final-20-11-14.pdf>,
<http://www.paxforpeace.nl/media/files/syria-iraq-alert-i-def-22-09-2014.pdf>



COUNTER TERRORISM AND HUMAN RIGHTS

The EU communication describes the need for measures to counter ISIS, including the involvement of western jihadist fighters. Yet most western governments fail to assume responsibility: Around 5000 ISIS-fighters in Syria and Iraq are EU citizens, who went through the process of radicalization mostly in Europe.

While the objectives on Syria and Iraq specifically aim at the promotion of human rights and democratic and inclusive governance, the paragraph on counter terrorism measures lacks the value based approach. What the strategy lacks, is promotion of human rights as a counter terror strategy in itself. Respect for fundamental freedoms is in PAX's view a condition for fighting radicalization. Over the past decades it became clear how massive human rights violations, especially lack of respect for civil rights, have contributed enormously to radicalization. Contrary to how it is often framed, security and human rights are not contradictory nor should security be the priority with human rights coming after that; the strategy should be based on the understanding that human rights are an essential element of security. The human rights records of most regional allies in the combat against ISIS are quite problematic. The Lebanese army, which is supported by the EU and EU member states, has committed serious human rights violations and is directly responsible for sending back Syrian refugees, thus violating the principle of non-refoulement⁴. The Egyptian government, like other governments in the region, explicitly use the argument of counterterrorism as a justification for the persecution of the Muslim Brotherhood, including the democratically elected president Morsi, as well as civil activists. The Iraqi government has repeatedly used heavy explosive weapons in populated areas, thus targeting communities rather than combatants of ISIS. The Iraqi government and the Kurdish Regional Government have failed to prevent gross human rights violation against Sunni Arab citizens by militias and by the Iraqi Army and the Peshmergas.

- The highest human rights standards in a military and security response are essential for the EU strategy, not only for moral but also for strategic reasons: Every civilian victim or any human rights violation by Western or Arab states in the coalition will only contribute to propaganda for ISIS. In Iraq, human rights violations by the Iraqi Army and Peshmergas have only increased the support of the Sunni Arab population for ISIS.
- The EU and EU member states which are part of the Coalition should not only apply these standards for their own involvement, but also address this with allies in the region and make cooperation with conditional on their respect for human rights standards.

REGIONAL STRATEGY

The communication clearly states there is a need for a regional security dialogue, involving all major regional powers including Iran, Turkey and countries in the Gulf. Although the objective of contributing to a regional security dialogue is essential, the communication does not make clear how this will be achieved. The Middle East as a region lacks a functioning security structure, with the Arab League being largely paralyzed and excluding the non-Arab regional players. Many of the regional players in fact play a spoiler role. An increasingly assertive Iran is acquiring more and more influence in the region and the communication shows no strategy from the side of the EU in response to that.

- A regional security dialogue in the Middle East would be in the strategic interest of the EU and member states. PAX therefore proposes the appointment of an EU Special Representative for the regional security dialogue in the Middle East, to ensure the highest quality diplomatic contribution.

POLICIES ON SYRIA

On Syria, the EU still aims at contributing to a process of political transition in line with the Geneva agreement, and continuous political and non-military support to the Syrian Opposition Coalition, The EU does not aim at any form of reconciliation with the Assad regime. While PAX fully agrees with these objectives, the concrete steps to be taken remain unclear in the strategy document. While in the Iraq chapter the need for inclusiveness is made a priority, in the Syria chapter a strategy to promote

⁴ The UN Convention relating to the Status of Refugees explicitly prohibits the forced return of refugees to the country where they may face persecution



inclusive governance is missing. PAX believes that the sequence should not be to first build institutions and then make them inclusive, but to work on the building of inclusive institutions from the beginning. It is not too early to do that in Syria, on the contrary, building inclusive institutions will be an essential part of an as peaceful and sustainable as possible political transition.

The most concrete policy objective is the support to the De Mistura plan for a “Freeze” in Aleppo. PAX formulated in one of its policy Alerts⁵ the conditions for the Freeze to be effective and sustainable, including the need for independent observers, increase of humanitarian aid and investment in local governance structures. These recommendations are largely included in the EU policy. Yet a growing concern is the lack of process and the danger that time is running out for De Mistura’s freeze plan.

- While continuing support to the De Mistura freeze plan, the EU urgently needs to develop new concrete steps that can contribute to transition in Syria.

POLICIES ON IRAQ

On Iraq, the EU aims at supporting the Iraqi government to make inclusiveness a reality. The policy objectives include contribution to demobilization and integration of Shia militias and reaching out to moderate (in this context meaning anti-ISIS) elements in the Sunni Arab community. *“On the question of justice and redress, the Iraqi government will need to make difficult choices, for example through a national ‘truth and reconciliation’ process that would have to be cross-sectarian and address crimes committed not just by Da’esh and members of the Sunni community but also by Shia militia and Iraqi security forces. Such a process may be essential to reinforce Iraqi citizenship.”*⁶ PAX believes indeed that these are essential steps in a political strategy, yet also realizes the challenges for such a transition, not only to Iraq but also to its European allies including the EU, are enormous.

- PAX recommends to develop a system of bench marking the support to the Iraqi Government and the Kurdish Regional Government, making material support depending on progress in the realization of inclusiveness and control over armed groups.
- PAX proposes to develop a specific and concrete reconstruction plan for the city and province of Mosul in coordination with local and regional authorities and civil society, including the large minority inhabited Nineva valley, after the province is re-conquered on ISIS, which is expected to happen in 2015. With such a concentrated focus on the Mosul province, the EU could contribute to setting a meaningful example for the process to make inclusiveness a reality in Iraq.

**This policy brief is published by the Dutch peace movement PAX,
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⁵ <http://www.paxforpeace.nl/media/files/pax-syria-alert-xiv-2014-12-4.pdf>

⁶ http://ec.europa.eu/echo/files/news/20150206_JOIN_en.pdf p. 21