

# Watch List

Every six months, International Crisis Group prepares an **Early Warning Watch List** identifying up to ten countries or conflicts which are particularly vulnerable to an outbreak or intensification of violent conflict or crisis in the following six to twelve months.

The list includes a short overview for each country or conflict identified, outlining recent developments and forthcoming events that may increase risks. It also lays out opportunities for action for national, regional and international actors, particularly the European Union and its member states.

The fifth Watch List includes the following countries:

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| <b>Democratic Republic of the Congo</b> | <b>Somalia</b>   |
| <b>Libya</b>                            | <b>Syria</b>     |
| <b>Mali</b>                             | <b>Turkey</b>    |
| <b>Myanmar</b>                          | <b>Venezuela</b> |
| <b>Nepal</b>                            | <b>Yemen</b>     |

<b>5</b>	<b>December–May 2016</b>	<p>The watch list is produced as part of the project <b>Strengthening Early Warning and Mobilising Early Action</b> co-funded by the European Union. The project aims to strengthen the links between early warning, conflict analysis and early response, and to build civil society's capacity for early warning.</p>
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# Democratic Republic of Congo

**Overview** – January 2015 saw large-scale popular mobilisation against the regime’s attempt to amend constitutional term limits and extend President Kabila’s rule beyond 2016. The regime has created the conditions in which organising timely elections, initially planned for November 2016, has become virtually impossible. Since the protests, the government, as part of a strategy of confrontation, has accelerated decentralisation, to reinforce its otherwise uncertain grip on the country while launching calls for political dialogue. The opposition however remains wary of entering in discussions that could lead to a prolonged political transition. Centrally, Kabila’s desire to stay in power risks undoing the progress made in the Democratic Republic of Congo (DRC) since the war ended in 2002. Assuming elections cannot go ahead as planned, a political agreement will need to be formulated in the coming months to ensure a consensual transition. Without this, popular mobilisation and/or regime fracturing threatens the country’s stability. The UN Organization Stabilisation Mission in DRC (MONUSCO) is currently not equipped to handle instability outside the Kivus.

## The EU, its member states, and the wider international community should:

- Continue to press for the full respect of the constitution, in particular the two-term limit for the president, and a realistic, consensual timeframe for presidential and legislative elections, while opposing an open-ended transition.
- Should a technical delay occur, encourage the establishment of a regular, inclusive and transparent follow-up mechanism to manage the transition, and ensure that during and before any extension, parliament is not allowed to accept for consideration new legislation that would impact the electoral process, in particular the constitutional term limits. In case of delays and major security incidents during the transition, the introduction of targeted sanctions against political leaders should be considered.
- Support Congolese actors, in particular the Independent Electoral Commission (CENI), the opposition, and civil society, in developing a shared, consensual electoral framework, involving a realistic timetable and budget. A sound process to ensure a representative voter list, based on the work conducted by the International Organisation of la Francophonie (OIF), should be established. Electoral technical and financial assistance should also be provided, including toward the CENI on voter registration support and training of electoral officials, and toward civil society to develop modules on voter education.
- Call on the DRC government to guarantee the right to free speech, and abstain from arresting and harassing opponents, as well as involve itself in the internal affairs of opposition political parties. The legislation on political parties must be respected to the fullest.
- Involve African partners – in particular Angola, South Africa and Tanzania – in the international dialogue with Congolese authorities on elections and future stabilisation efforts.
- EU members sitting on the UN Security Council (SC) should press for MONUSCO to be kept at its current strengths during the entire pre-electoral phase. They should also call for the establishment of a mobile rapid intervention unit, with crowd-control expertise, and for MONUSCO military and crowd-control capabilities, and its political affairs and joint human rights offices, to be reinforced in sensitive regions, such as Katanga. The EU and its member states should press the government and the UN, including via the new UN Envoy for DRC Maman Sidikou, to reestablish operational cooperation.

## Background

As DRC enters the final year of President Kabila’s second and last constitutional mandate, political unrest is rapidly increasing. His regime, in power for almost two decades, has since the 2011 election been preoccupied with maintaining its hold on power. Political freedoms and democratic space have been further eroded and the acquis of the peace process

that ended the 1998-2003 war is in danger. Through several initiatives – including the under-resourced implementation of the “découpage” process to create 21 new provinces and the lack of funding for the electoral process – the regime has now created conditions in which organising timely elections has become virtually impossible. Absent a political deal on the management of the electoral process

and a possible transition, a confrontation between the majority and the opposition is likely.

In April 2015, President Kabila launched a political dialogue initiative, but the protracted process in itself has become an integral part of the delaying strategy. The need for consensus on outstanding electoral issues, including on the calendar, bud-

get and funding, voter list and security arrangements is widely acknowledged. Opinions diverge, however, on the format, duration and (international) facilitation of talks. The opposition insists on full respect of the constitutional timeline, though most parties are not (financially and organisationally) ready to engage in the electoral process. The opposition is also split: the (internally divided) Union for Democracy and Social Progress (UDPS) strongly insists on international mediation, while a widening platform regrouping Vital Kamerhe's Union for the Congolese Nation (UNC), the G7 and Moïse Katumbi, former Katanga governor and erstwhile Kabila ally, aims for a process whereby the electoral commission together with the opposition and majority establish an electoral calendar. The latter platform is calling for popular mobilisation. The framework for dialogue set out in the 30 November presidential decree

meanwhile has not been accepted by the UDPS and is perceived by several opposition parties as an attempt to change the constitution.

Both the ruling majority and opposition are fragile and aware of their limits. This includes doubts about the cohesion of the security forces in case of confrontation but also the capacity of political parties and civil society organisations to mobilise the population. Despite backing down in January, the regime has maintained a strategy of stubborn confrontation, including in its most recent call for dialogue. So far, it maintains a numerical majority in parliament, but recent developments have contributed to further erosion of its popular base, including in Katanga, the country's economic powerhouse.

The absence of leadership at the CENI partly explains the delayed elector-

al preparations. One year before the end of the presidential term, its leadership has been replaced, and the institution has now little political or popular support. Meanwhile, the "découpage" of the provinces remains controversial: sold as decentralisation, the regime has instead sought to use the process to further centralise power in the presidency. Katanga, the regime's historical powerbase, is of particular concern: the former province, now divided in four, has witnessed a considerable erosion of its power as major political leaders in the province – Moïse Katumbi and Union of Congolese Nationalist Federalists (UNAFEC) head Gabriel Kyungu – left the majority in recent months. This troubled relationship with the province's elites has been the driving factor behind the regime's acceleration of the "découpage", which allows redistribution of positions and resources to political allies. In Lubum-



Map No. 4007 Rev. 10 UNITED NATIONS July 2011

Department of Field Support Cartographic Section

bashi, Katanga's capital, the process has led to confrontation between the government and the UNAFEC, which has Katumbi's backing, as the regime attempts to consolidate its grip over provincial structures.

Meanwhile, relations between the DRC government and the international community, in particular MONUSCO, have been increasingly difficult. Since the November 2013 defeat of M23 rebels, military cooperation between the government and MONUS-

CO has mostly come to a halt, and implementation of MONUSCO's political mandate has been rendered virtually impossible. Kinshasa is pushing the UNSC to downsize the UN mission, while requesting that the regionally composed UN Force Intervention Brigade (FIB), put in place during the M23 crisis in 2013, be maintained. The FIB revitalisation has however not taken place. The armed groups in the east are currently estimated at almost 70 – indicating a process of fragmentation and enduring insecurity against

a backdrop of infrequent, unsustainable military operations, and a totally under-resourced national disarmament demobilisation and reintegration program.

# Libya

**Overview** – Despite efforts by UN Special Representative of the Secretary-General (SRSG) Martin Kobler to re-engage with Libya’s competing governments and parliaments, there is still no consensus inside the country on a unity government or on a political framework that is supposed to end the feud between these institutions and their rival militia coalitions. Some Western countries are pushing for the recognition of a cabinet headed by Faez Serraj, the prime minister-designate selected by former SRSG Bernardino León, as a means to start containing the state collapse and stemming refugee flows, and confronting Islamic State (IS) Libyan affiliates that threaten European security. This approach fails to recognise that a key conflict driver in Libya is the fight over control of its oil and oil wealth, and that no solution to current divisions is possible without a preliminary deal on the management of its economic and financial resources, and the armed groups that control them. The likely outcome of a hasty endorsement of the Serraj government would be the co-existence of three governments, a military escalation, and financial collapse.

## The EU, its member states, and the wider international community should:

- Urge SRSG Martin Kobler to reopen the negotiations on the draft Libyan Political Dialogue agreement and ensure he brings in a broader number of constituents, especially in the east where people are most disaffected by the unity government line-up, before calling for international recognition of the Serraj government. The fact that Libyans from both sides have expressed a desire for an alternative government line-up should be seen as a confirmation that the Serraj government is not a viable solution.
- Prioritise the question of economic governance and secure a deal on short-term economic policy and the interim management of key institutions, such as the Central Bank of Libya (CBL), National Oil Corporation (NOC) and Libyan Investment Authority (LIA). This should take place through a separate track of the UN-led negotiations with the support of international financial institutions such as the International Monetary Fund, where possible.
- The EU and member states sitting at the UN Security Council (SC) should unambiguously oppose any attempt to sell oil by the eastern-based National Oil Corporation and work to strengthen prohibitions against this, notably UNSC Resolution 2146 (19 March 2014) banning the sale of Libyan crude outside official government channels.
- Re-evaluate the security plan for Tripoli proposed by the UN Security Sector Advisory team and, while developing this plan and other military strategies to confront IS, urge the UN Support Mission in Libya (UNSMIL) to redouble its efforts to launch a broader, nationwide security track. This should foster a security sector dialogue between Libya’s major coalitions to buttress the political dialogue and build, if not trust, at least communication channels as a precursor to trust in the future; where possible, UNSMIL or its international partners should also seek to negotiate local ceasefires.

## Background

UN attempts to forge a consensus on a broad political framework to end the rival claims of legitimacy of the Tripoli-based General National Congress (GNC) and the Tobruk-based House of Representatives (HoR), their respective governments and military coalitions, are stalling. GNC and HoR leaders and a number of local constituencies continue to oppose the draft Libyan Political Dialogue agreement and refuse to endorse a cabinet headed by Faez Serraj. Some Libyans are urging the international community to recognise the unity government,

warning of further fragmentation, economic collapse and the expansion of terrorist groups across the country if it is delayed. Perhaps because of this, a number of Western actors are pushing for recognition of the Serraj government as an overriding priority, even without the endorsement of the GNC and HoR. The rationale underlying this push is that only after full government recognition can the international community start seriously tackling issues of greatest concern, namely migrant flows from Libya and IS affiliates that are growing stronger and more numerous.

Such an approach would be short-sighted, as it overestimates the military capabilities of the factions backing the UN-deal in securing Tripoli (the proposed seat for the new government) and in fighting IS forces in their Sirte stronghold. It also underestimates the support that some militias and political groups still nurture toward both the HoR and GNC, and the degree to which the rejection of the Serraj government does not necessarily indicate the rejection of any unity government. In Tripoli, an estimated one thousand fighters in the current set-up are likely to take up arms



Map No. 3787 Rev. 7 UNITED NATIONS February 2012

Department of Field Support Cartographic Section

against the UN-backed government. In the Sirte area, the pro-deal factions are located primarily to the west of the city (around Misrata), but to its south and east there are few, if any, forces that would follow the Serraj government and its international allies in a fight against IS. Factions on both sides that continue to lobby against this UN-backed unity government have also powerful economic incen-

tives, as they can still tap into Libya's oil wealth illicitly. The Tobruk-affiliated government in Bayda and its associates, for example, are pursuing independent oil sales through their newly established NOC.

Current UN efforts to forge a consensus on a unity government are not likely to succeed without a simultaneous push to ensure at least a

minimum consensus on economic governance. The longer negotiations stall, the greater the risk that the rival governments create their own economic institutions or weaken existing ones – notably the CBL and the NOC. Poor economic management is already causing shortages of fuel and basic goods; a wider economic crisis due to dwindling foreign currency

reserves would bring more duress to ordinary Libyans.

Even more threatening to the UN-led process is that international trading companies might successfully conclude crude-oil purchases from the Bayda-based NOC, which has been doubling up its efforts to conclude oil deals since September. This would have a severe long-term economic impact, blow efforts to foster an agreement on a unity government, and risk leading to renewed fighting in the Sirte basin area – ultimately consolidating separatist aspirations in the east (Cyrenaica) and unleashing further IS activity. Some oil brokerage companies have already penned contracts with this new entity, and only hurdles in securing insurance coverage for their tankers has stopped the deals from being carried out. But this is likely to change if the current political stalemate continues.

A lasting agreement on a unity government is also unlikely to succeed without substantial progress on security plans for Tripoli – in particular, UN plans to secure the incoming unity government. It is unclear, for instance, who will lead on security, and whether this would only include current interior ministry forces (ie, those inherited from the previous regime) or also anti-Qadhafi rebel fighters (who have been integrated since 2011). There would also appear to be different perspectives among pro-agreement political factions and UNSMIL regarding the “other security forces” that are to protect the future unity government.

There is urgency, but rushing to announce recognition of a new government with insufficient backing from participants and key constituencies is almost certain to backfire. Particularly after the Tunis announcement

on 6 December of a preliminary deal between representatives of the Libyan rival parliaments on an alternative unity government, forcing a deal – as some Western powers eager to secure cooperation from a new government on migration control and counter-terrorism advocate – would likely make things worse. It would be cast as a Western imposition, and may divide regional actors too – possibly even leading to a Syria-like situation where some countries back a government and others don't. This would, of course, be a devastating blow to efforts to bring political stability to Libya, and the wider region.



# Mali

**Overview** – After ten months of stop-start negotiations, the Malian government, the Algiers Platform – the pro-government coalition – and the main rebel coalition, the Movements of Azawad Coalition (CMA), reached a peace agreement in Bamako in June 2015. Clashes between armed groups in the north resumed shortly thereafter. However a meeting in September by northern leaders in the town of Anefis paved the way for a series of local deals, or “mini-pacts”, bringing a halt to the fighting, and allowing for renewed attention to the June Bamako Agreement and its implementation. Still, persistent distrust between the main parties, combined with flaws within the peace deal and other application challenges, suggests securing peace in the north will remain a thorny issue in the coming months. Meanwhile, worsening insecurity and a jihadi threat extending to central and southern Mali carries broader security implications not just for Mali but for the larger Sahel region.

## The EU and its member states should:

- Call for a clarification of areas of responsibilities in the implementation of the Bamako agreement to avoid future tensions, especially between the Algeria-led Follow-up Committee (CSA) and the Mali-led National Committee in charge of coordinating the implementation of the accord.
- In its capacity as co-chairman of the CSA’s Development Commission and as one of Mali’s major donors, the EU should support a substantial review of economic development policies in the north to ensure that they will benefit communities more directly and not solely the elite.
- Encourage all actors, including those who took part in the Anefis process, to abide by the framework of the Bamako agreement, and welcome an inclusive Anefis process extended to the largest number of actors and communities in the north.
- Sustain EU efforts to promote the fight against transnational crime, in part through the EUCAP Sahel Mali mission (the EU’s capacity building mission in Mali), especially by initiating a long-term strategic framework supporting the demilitarisation of the economy and helping justice efforts to tackle criminality and other past abuses, even if it involves actors part of the peace process.
- Encourage the European Union Training Mission in Mali (EUTM), which has close connections to the Malian army, to play a facilitating role in the implementation of key security sector reforms specified in the Bamako agreement, including on the sensitive issues of integration of former rebels into security forces.

## Background

After ten months of an Algerian-led international mediation, the conflict’s main protagonists signed in Bamako a peace agreement to end the conflict in northern Mali in June 2015. The government and the Algiers Platform were the first to sign on 15 May, followed by the CMA on 20 June. This deal was reached following considerable pressure by the international mediation, since the negotiation process had failed to build trust between the parties. The talks were characterised by recurrent deadlocks and ceasefire violations, despite UN peacekeepers’ efforts to stop the fighting. The Bamako agreement has thus far failed to end ongoing armed clashes in the north, as evidenced by continued attacks in Anefis and In-Khalil (in the Kidal region) throughout August and

September. The persistent insecurity has in turn delayed the implementation of key aspects of the peace agreement and forced authorities to postpone local elections, initially planned in October, for the third time.

Nonetheless, a positive signal came from the north on 27 September, when CMA and Platform leaders met for three weeks of negotiations in Anefis, reaching a series of mini-pacts on 16 October. Their aim was to settle local disputes pertaining to the control of trafficking routes and reconcile divided communities, and to discuss power-sharing options during the implementation of the Bamako agreement. Soon after the signing, the CMA and Platform initiated a series of campaigns and reconciliation meetings in an attempt to consolidate

and extend the Anefis process to other leaders and communities. The Anefis pacts have significantly improved security conditions in the north by ending clashes between CMA and Platform groups. However, while the peace process is benefiting from this local initiative, Mali’s international partners remain reluctant to offer full support to the Anefis process given the prominent role played by drug traffickers and armed movements.

The Bamako Agreement in turn contains fundamental weaknesses which limits its long-term sustainability. A central limitation is its similarities with previous failed peace agreements. As before, the deal is top-down, excluding large sections of society, and places too great an emphasis on decentralisation and short-term

security solutions instead of addressing deeper governance failures, including poor access to social services, limited employment opportunities, and lack of functioning justice mechanisms. While decentralisation should in theory offer local communities closer access to governance mechanisms and thus enhanced accountability, it has never achieved this stated goal in northern Mali. First of all, instead of reaching local communities, past decentralisation initiatives have mostly benefitted local leaders, who concentrate resources at their level. Secondly, decentralisation is not a sufficient solution to address the root causes of the current crisis and its major cause of violence: local grievances between northern communities. Instead, this approach only serves to address the Malian conflict from a south to north perspective.

Since the agreement's signing in June, the Algeria-led agreement monitoring committee, the CSA, has encountered several problems that have significantly hindered implementation, casting further doubt on the viability of the peace deal, both in the long term and possibly also the short term. Issues of inclusion of different parties within the implementation process and representation within the CSA have proven particularly contentious, with disagreements arising between the Platform and CMA on the one hand, and the recently formed Coordination of movements and signatories of the 15 May agreement (COMPIS 15), which demand full involvement in the implementation process, on the other. Tensions have also been growing within the international mediation, with the EU, UN Multidimensional Integrated Stabilisation Mis-

sion in Mali (MINUSMA) and other actors challenging Algeria's attempt to maintain a strong leadership over the monitoring committee. This could lead to some of Mali's partners implementing development and reconstruction programs outside of the CSA framework, effectively threatening the coherence of the peace process.

Meanwhile, growing insecurity in the country's central and southern regions presents a further challenge to maintaining peace in the north and threatens the stability of the still-fragile Malian state, as well as the broader Sahel region. Mali has seen a dramatic increase in jihadi activity in the centre since January 2015, particularly in Fulani areas. These areas were severely affected by the 2012 security crisis – when rebel groups, later joined by jihadis, took over the north



and demanded independence, while simultaneously Bamako was rocked by a coup – but remain largely excluded from the June Bamako Agreement. Radical groups excluded from the negotiations continue to attack security forces and peacekeepers. Concerns over spreading insecurity heightened following the attack and hostage crisis at Bamako’s Hotel Radisson on 20 November, in which 22 people were killed – though this does not yet appear to have weakened the peace process. While international and domestic security forces have stepped up

counter-terrorism measures throughout the country, the multiplication of arrests and targeted executions by Malian and French Barkhane forces could prove counterproductive in the long term, feeding recruitment efforts to jihadi groups. From a security perspective, targeted killings might not have any deterrent effect as each member killed becomes a martyr whose death is celebrated and taken as an example by jihadi recruits.

The Anefis agreement has allowed for fragile, but needed progress in

providing room for implementation of the Bamako Agreement. The government and its partners should use this current window of opportunity to lay the groundwork for sustainable peace.

# Myanmar

**Overview** – The landslide victory of the National League for Democracy (NLD) in November’s elections is a historic moment for Myanmar. Delivering a peaceful and credible election, in a country with deep political divisions and ongoing armed conflict, is a major achievement and a key waypoint on the road to a more democratic, peaceful and prosperous future. However, many challenges remain: the constitutional prohibition on NLD chief Aung San Suu Kyi becoming president, a four-month transition period, huge expectations on the inexperienced new NLD administration, and the need for it to build constructive relations with a military that retains significant political authority. Myanmar itself still faces huge structural problems which present major risks: ongoing armed conflict and an incomplete peace process means that major insecurity persists in the borderlands; a divided polity and a powerful elite who could become spoilers; surging Buddhist nationalism and potential recurrence of anti-Muslim violence; the status of the Rohingya Muslims in a highly volatile Rakhine State; deep poverty and inequality that is creating social tensions; and need for comprehensive institutional reform, including the judiciary.

## The EU and its member states should:

- Be mindful of the limited time and capacity that the new administration will have in its first months in power, as well as the importance of it balancing engagement with diverse international partners. Western donors should engage locally with China, Japan and ASEAN and coordinate among themselves, as well as ensure that their offers of technical assistance are demand-driven. Possibilities for budget support should be explored as soon as possible.
- Move quickly to help the NLD think through what could be constructive and achievable in the short term – the party’s stated priorities of strengthening rule of law, reforming the judiciary and combatting corruption are important medium-term goals, but are unlikely to deliver rapid, clear results.
- Engage early and robustly with the NLD to begin discussing the full range of policy issues that they will face, and encourage them to identify policy leads for all key sectors, rather than over-centralising policy authority in a handful of party leaders.
- Encourage, as key supporters of the peace process, the NLD lead focal point on the process to begin reaching out to key stakeholders as soon as possible, and defining their approach. It will be vital for the EU to maintain robust engagement with non-state armed groups and ethnic political parties, some of whom fear they may be marginalised as a result of the NLD landslide.
- Encourage and challenge the NLD administration to prioritise inclusiveness and consultation, in particular with civil society, just as they would any other government (including the current one). The same applies to EU and state bilateral assistance and the need for consistent long-term engagement with all Myanmar stakeholders.
- Continue to push the new government to take practical and policy steps to improve living conditions and secure rights for Rohingya Muslims, and other Muslim minorities, while understanding the limited options available to them.

## Background

The NLD won a huge majority in the November 2015 election, taking 79 per cent of elected seats in the national legislature, with an outright majority in both houses even when the unelected 25 per cent bloc of military appointees is included. This will give the party control of law-making, the ability to nominate two of the three presidential candidates (the other is chosen by the military), and to select the president. They will not however be able to change the

constitution without the support of the army, which has a veto. The Union Solidarity and Development Party (USDP) and its leaders have mostly been magnanimous in defeat, and an orderly transfer of power to the new legislature in late January, and to the new executive in late March, seems likely. But many powerful individuals have lost out, and could become spoilers.

Given the huge expectations among the general public and the NLD’s

positioning of itself as the party for change, the party will undoubtedly be seeking a series of tangible “quick wins” to roll out in its first 100 days. The challenge will be that many of the obvious quick wins have already been prioritised by the current administration, and while they have not always been successful in implementing them, many of the reasons for this – inefficient institutions and outdated mindsets – will also face the new administration.



International Crisis Group/KO/Dec 2015. Based on UN map no. 4168 Rev. 3 (June 2012).

The NLD has always had very centralised decision-making, and Aung San Suu Kyi has said she will personally make all important political decisions, even though she cannot be president. These signals, along with the existing inclination on the part of other NLD leaders to defer to Suu Kyi, and a tendency toward hierarchical institutional structures in Myanmar as a whole, create a risk that very centralised decision-making could result in bottlenecks.

The peace process, which has reached a critical juncture with a partial signing of a nationwide ceasefire by eight groups in mid-October but ongoing clashes with several non-signatories, will be one of the most important and difficult issues to address. It will be a critical test of the NLD's relationship with the military, and of their stated commitment to deliver federalism and resource sharing. The NLD has to date kept itself at arm's length from the peace process, not wishing to endorse or give political capital to the current government. The party will thus face a steep learning curve in familiarising itself with the process, the personalities and sensitivities involved, and the state of the negotiations. While some armed group leaders may have more trust in Suu Kyi than the current

government, and are more likely to reach a deal with a new administration rather than a lame duck one, they are concerned that the NLD does not have a good understanding of ethnic grievances, nor will the military necessarily back its commitments around the peace table.

The NLD administration will benefit from an enormous amount of international support and goodwill. There is a risk, however, that Western political support will translate into multiple, uncoordinated offers of funding and technical assistance. Similarly, many Western diplomatic visitors will likely all seek meetings with Suu Kyi and other key leaders in the first months. These risk overwhelming the limited time and capacity of the new administration, as well as reinforcing the strong perception in the military and in nationalist circles, and some countries in the region, that Suu Kyi and the NLD are too close to the West.

As with other governments, there are risks that an NLD administration may not always prioritise inclusiveness, consultation and the important role of civil society. Suu Kyi and the NLD have often been sceptical of the latter, and tended to see the party as representing the voice of the people.

The landslide election victory may reinforce that perspective. The NLD administration, as any government, may seek to instrumentalise aid or military support, and exercise a veto on the kinds of engagement that donors are involved in.

One of the most challenging issues will be how to deal with a volatile situation in Rakhine state, and the situation of the Rohingya and other Muslim communities. There has been no major violence against Rohingya communities since 2012, but segregation and displacement persist in many areas, and the status quo is not sustainable. Given public perceptions that the NLD is not sufficiently nationalist on this issue, any attempts to move the situation forward will face enormous scrutiny from the Rakhine, as well as from Buddhist nationalists, whose continuing power and resolve should not be underestimated. There are no easy or obvious solutions, but Suu Kyi will not be able to ignore it, nor avoid dealing with Buddhist nationalism more generally.

# Nepal

**Overview** – The passing of a new constitution in September, perceived by minority groups to be rolling back commitments to federalism and inclusion, has pushed Nepal into a dangerous new phase of political conflict. Over fifty people have been killed in protests against the new charter, while a shutdown in the southern Tarai plains, and a blockade on crucial imports including fuel and cooking gas from India, have brought about an economic and humanitarian crisis – compounded in parts of the country devastated by the April earthquake by the government’s lack of movement on reconstruction. Constitutional amendments to address grievances related to state boundaries, electoral representation and constituency demarcation are essential, but negotiations between the government and political parties representing Madhesi protesters have been slow and inconclusive. Widespread support for the protests points to a profound, deepening sense of alienation from the state felt by plains-origin Madhesi and Tharu communities, exacerbated by the security forces’ crackdown on protesters. There is credible fear of an increase in support for armed political groups and growing sympathy for a still-fringe separatist movement.

## The EU, its member states and the wider international community should:

- Urge the government and protesting parties to agree immediately to find a roadmap agreement, and encourage them to call for restraint on the part of the security forces and protesters alike, as well as establish an independent investigation into all protest-related deaths since August as a trust-building measure.
- Base financial support on a shared analysis of conflict dynamics in the country and program it in a conflict sensitive manner. The EU and international donors should continue supporting the allocation of basic services and projects that benefit the population, and use their commitment to post-earthquake reconstruction (ie trade contracts, building reconstruction) as a point of leverage with the government.
- Recognising that implementing the new constitution is fraught with conflict risks, reach a common understanding of potential threats, and try and use international assistance in the medium term to help the bureaucracy in this transition – but only providing support if the constitution has broader public legitimacy than it does now.
- To help encourage a viable settlement between the government and political parties representing Madhesi protesters, request that the government bolster constitutional amendments by social dialogue and reconciliation measures, which could be supported on a technical level by international actors if requested.

## Background

On 20 September, following seven years of deadlock, Nepal’s Constituent Assembly issued the country’s new constitution with a close to 90 per cent vote, despite protests against the draft by a range of social groups. Plains-origin Madhesi and Tharu indigenous groups, Janajati and other groups that see themselves as historically marginalised, say the new statute significantly rolls back many earlier solutions to structural and historical discrimination. They claim the proposed boundaries of the future federal states are gerrymandered in favour of groups generally seen as the dominant elite, while the delineation of constituencies is seen as reducing representation from the densely populated Tarai plains. The groups oppose, among other measures, the new state allocation of seats in the Upper House which they argue does not

reflect population density variation, the reduction of proportional representation in the electoral system, the dilution of past affirmative action provisions, the restrictions on women’s ability to pass full citizenship to their children, and lesser commitments to secularism.

Forty-five people died in protests prior to the new constitution being passed, including eight police at the hands of protesters in a single incident. Since then, six more have been killed. Madhesi and Tharu protesters, who at times numbered in the thousands, have enforced since August a general shutdown in the Tarai plains, home to most of Nepal’s manufacturing and agriculture. Since late September, as part of the protest and to pressure the government to negotiate, Madhesi groups have enforced a blockade of supplies entering

Nepal from India, by occupying the no-man’s land between the Nepal-India border along its most significant transit point. The shutdown and blockade have had disastrous humanitarian and economic consequences across the country, most harshly in the Tarai, and the central hills, which were devastated by the April earthquake and where reconstruction has not yet begun.

Senior leaders of the major political parties used the need to focus on post-earthquake reconstruction to justify fast-tracking the constitution writing process, which meant cancelling all debate in the Constituent Assembly, ignoring social dissent, and restricting decisions to a few politicians. So far, the government has made no progress on reconstruction planning or programing and the National Reconstruction Authority



is largely toothless. Though delays in reconstruction have not yet led to social tensions, patience may run out in the absence of state-led efforts to spend the \$4.2 billion pledged by international actors. When reconstruction spending does begin, large-scale contracts and local level competition could spur unhealthy rivalry, given the patronage networks that plague Nepal's political system.

At the heart of the constitutional standoff is whether the dominant conception of Nepali identity can be expanded to accommodate groups that do not fit its hill-origin, Nepali-speaking, Hindu upper-caste-centric parameters, and thus create a more equal citizenry. Hill-origin upper-caste (Brahmin and Chhetri) Hindu men comprise 70-95 per cent of the bureaucracy, judiciary, and mid- and high-ranking officers in the security forces. Madhesi, who have close and constantly renewed social, familial, and linguistic ties in India across the open border, say they are treated as lesser Nepalis and at times branded anti-national, resulting in their exclusion from state institutions, marginalisation from decision-making, and being generally discriminated against. Nepal's security forces largely

comprise hill-origin groups, and their frequent use of racially charged language against Madhesi, together with repeated incidents of excessive use of force against their protesters and use of live ammunition, reinforces the hill-plains divide and strengthens Madhesi narratives of discrimination.

Wide support for the protests suggest they are not engineered, as some allege, by discredited Madhesi political parties or external actors. The speed and intensity with which they spread, the protesters' willingness to maintain the shutdown despite their own enormous suffering and losses, and the participation of a wide range of Madhesi groups – diverse caste groups, the elderly, rural groups, women and college students – point to the deep social roots of the agitation. There are increasing reports and some evidence of growing sympathy for a thus-far fringe Madhesi separatist movement. The Tarai plains have a recent history of underground armed groups, underlining the risk that some political forces could again start using guerrilla-style violence against the state. Nepal's previous conflict, the decade-long Maoist-led insurgency against the state (1996-2006), highlighted the structural discrimination

that persists against many ethnic groups. Given the current standoff, the profound alienation of Madhesi groups and the open border with India, the situation becomes more complex and harder to control with every passing week.

Many in the twelve-party ruling nationalist coalition of left-wing and formerly monarchist parties led by the Communist Party of Nepal-Unified Marxist Leninist (UML) say Madhesi are in reality not behind the blockade, but India is. India denies this, saying its transporters fear for their safety due to the volatile protests across the open border. Yet, Indian customs and border officials are doing little to facilitate movement of cargo at transit points where there are no protests, and there are reports of Indian support for the blockade. The Nepali government has procured some fuel from China, though huge logistical hurdles limit this option. The perceived Indian role in the blockade and slight to Nepal's sovereignty, and, scepticism of Madhesi groups' loyalty to Nepal, leads some in Kathmandu to advocate a zero-tolerance approach to the protests.



# Somalia

**Overview** – Although there is now broad national and international donor consensus that direct elections will not take place in 2016, alternative election systems have yet to be agreed on. The raised stakes – a four-year term with the prospect of sustained international funding – means an agreement satisfying the current executive, parliament and Interim Federal Administrations (IFA) will be difficult to achieve. Complicating matters is that Somalia's IFAs are not yet fully constituted, and competition between them is rife and risks spilling over into armed conflict at particular flashpoints on or near their as yet undetermined boundaries. In Somaliland, the fallout of the split in the ruling party risks increasing as early preparations for elections in March 2017 – especially voter registration – get under way. Meanwhile, the defeat of Al-Shabaab remains elusive despite military operations against them and divisions within the group. Though its activity could reduce in the short term as it deals with the current challenge from the Islamic State (IS), the tempo and scale of attacks will likely increase as a process for selecting a new government unfolds.

## The EU, its member states and the wider international community should:

- Support a transparent and accountable selection process for a new government in August 2016 by encouraging the establishment of two clan-based committees along the 4.5 system: one representing the traditional hereditary leaders (Ugaas, Suldaans, Boqors), and another representing the much larger tier of “active” clan elders to ensure greater local relevance and connection with constituencies. A two-tier process may also ensure that smaller sub-clans who have been overlooked in favour of larger lineages from the same clans for parliamentary seats and government positions are given more consideration (and reduce the support Al-Shabaab gains from marginalised groups).
- Reduce the risk of further conflict over the formation of IFAs by affording more attention and support toward regional and local reconciliation processes; the pressure to complete the (long-delayed) formation of interim federal states has led to and may further fuel serious violence locally with potential to reverse longstanding peace, power and resource sharing agreements. Again prioritising local reconciliation not only has the advantage of binding in local groups to the federalisation process, it also challenges Al-Shabaab's claims to provision of local conflict mediation.
- Provide political support and extra resources to the policing and justice sector in newly liberated areas to sustain pressure on Al-Shabaab and consolidate territorial gains. The lack of public trust and cooperation with security agencies and police is proving an obstacle to clearing out the Al-Shabaab operatives who remain after formal liberation. Further, the poorly resourced justice system, not yet working to uniform standards and codes, is hampered in its prosecution of Al-Shabaab suspects – many are set free, leaving the population vulnerable to reprisals.

## Background

National consultations on the process for Somalia's next elections are well underway, and will culminate in a national conference expected in mid-December 2015. However, the timelines are tight, with little clarity on the legal/constitutional basis for whichever process is decided, and without improved safeguards in place there is a danger that whatever process is chosen could, like the 2012 selection process, be undermined by manipulation.

Though direct elections are not feasible in 2016, there is no consensus on what kind of system should be

used to elect the new president and legislature. The most efficient option appears to be the longstanding “4.5 formula” (one apportionment to each of Somalia's four major clans, and 0.5 apportionment to a group of minority clans), though to work well this would require extensive consultations with clans both to secure “legitimate” representatives and to decide how non-clan interest groups such as civil society, women, youth, diaspora and businesses can be included. This option is likely to meet some resistance, particularly from the IFAs who fear that this will favour the current executive and parliament as, in contrast to

a district-based system, they will not have a direct influence over selection.

But diverging from the “4.5 formula” to a system that reflects existing regions and districts carries challenges, not least that it would not represent the demographic and political changes of the last two decades, but instead hark back to territorial divisions that helped fuel the early 1990s civil war. The selection of a district and regional system would also amount to the Somali Federal Government's (SFG) de facto recognition of Somaliland's independent status since representation of Somaliland's interests in the SFG parliament through clan-based seats

would be lost. A third option – direct selection of members of parliament and regional representatives by the IFAs – risks serious resistance from groups who feel excluded in the interim federal state formation process and within the new administrations. The majority of the four existing IFAs – except for Puntland – are still for the most part inchoate entities,

and are likely to remain contested internally by clan and sub-regional interests.

The ongoing IFA formation process has been fraught and is likely to continue to be a source of tensions, particularly in relation to boundaries, as political competition rises ahead of 2016’s transfer of power. This process

is particularly threatening to the only pre-existing and functioning federal entity Puntland, already struggling to protect its internal stability, and evident in its sensitivity toward its disputed “boundaries” with Somaliland and the Galmudug Interim Administration (GIA). The clashes in Galkayo town – the worst in years – demonstrates the dangers of pushing



for IFAs without the prerequisite or at least parallel processes of local reconciliation.

In Somaliland, political tensions, exacerbated by internal divisions in its ruling Kulmiye party, risk rising in coming months. Though elections are not due until March 2017, aggrieved politicians – including those who lost out in the overwhelming victory of the Musa Bixi faction in the recent Kulmiye party's uncontested presidential candidate nomination – may look to undermine poll preparations. The growing links between Somaliland and the United Arab Emirates (UAE) – including cooperation with the UAE as part of its involvement in the Saudi-led coalition war in Yemen and the likely award of a concession to run Berbera port – will bolster the ruling party's new leadership and financially benefit their presidential campaign.

Military action against Al-Shabaab continues, but the preparations and

focus on the 2016 transfer of power may deflect attention from the militant group which has continued to hold or retake strategic towns and launch attacks against the political class in Mogadishu and the IFA capitals in recent months. Local tensions reflecting incomplete or contested interim federal state formation processes may also bolster the group by creating space for local alliances, especially as political competition increases throughout 2016. The weakness of post-liberation policing and a justice system not fit for purpose also leaves populations feeling insecure and unwilling to assist in ongoing Al-Shabaab activity prevention and prosecution of suspects.

Though AMISOM, and particularly the individual troop contributing countries, have and will continue to attack the group's strongholds, in particular in Middle Juba and Bakool, the lack of effective coordination and cooperation between AMISOM con-

tingents, and between AMISOM and the Somali National Army (SNA) has stalled progress, which is unlikely to be resolved in the short term.

While Al-Shabaab remains resilient and active, it is struggling with internal tensions as IS increasingly courts its leadership and ranks. The chances of IS succeeding, however, are slim. Breaking the longstanding partnership between al-Qaeda and Al-Shabaab – encompassing ideological, financial and technical resources – will be difficult, not least since al-Qaeda's presence in Yemen is strong, and Al-Shabaab's internal intelligence group al-Aminiyat will likely succeed in isolating any pro-IS factions fairly rapidly. Al-Shabaab has also developed extensive networks in East Africa that IS has yet to demonstrate.

# Syria

**Overview** – Russia’s dramatic military escalation in autumn 2015 provided the Assad regime with a political boost and improved morale, but early results on the ground appear mixed. While Moscow portrays its efforts as directed primarily against the Islamic State (IS), in reality the overwhelming majority of Russian strikes and Russian-backed offensives have targeted opposition factions that oppose IS. Russia’s decision to ramp up its direct military role only worsened the humanitarian crisis, increased refugee flows, including toward Europe, and preceded the extension of IS operations outside the Syrian-Iraqi theatre, including the November Paris attacks. Together, these developments have added urgency, particularly among European countries, to efforts to engage Ankara – both over refugee issues and its dangerous escalation with Moscow, prompted by Turkey’s rash downing of a Russian aircraft that it claimed had entered its airspace. Syria’s external stakeholders attempted a new diplomatic process with two meetings in Vienna in October and November but left unaddressed the fundamental question of whether Assad rule should end and, if so, at what point during the transition.

## The EU and its member states should:

- Continue to resist calls for “counter-terror” cooperation with President Assad – such cooperation would only exacerbate matters, as the regime’s reliance on collective punishment and sectarian militias is a key driver of radicalisation, and thus jihadi recruitment.
- Prioritise bringing an end to the regime’s indiscriminate aerial bombardment, the biggest killer of civilians. Amid Russia’s escalated support for the regime, Western diplomacy should aim both to convince Moscow that a sustainable political resolution including a transition from Assad rule remains the only way to end the war, and to pressure Damascus to halt indiscriminate air attacks.
- Refrain from increasing military cooperation with Russia in Syria, absent a fundamental shift in Moscow’s priorities and approach. So long as Russia’s intervention remains focused on anti-IS opposition forces, any potential value of increased cooperation will be outweighed by the likely costs: strengthening the jihadi narrative while weakening mainstream opposition forces that will ultimately be needed as partners against IS.
- EU states supporting the Syrian opposition should work with its armed and political components, the U.S., Turkey, Qatar, Saudi Arabia and Jordan to develop a body capable of credibly representing the opposition in negotiations. This body should better reflect the weight of non-jihadi armed groups on the ground than do existing political entities; ultimately, buy-in from these factions will be essential to implementing any political resolution and rolling back jihadi groups.

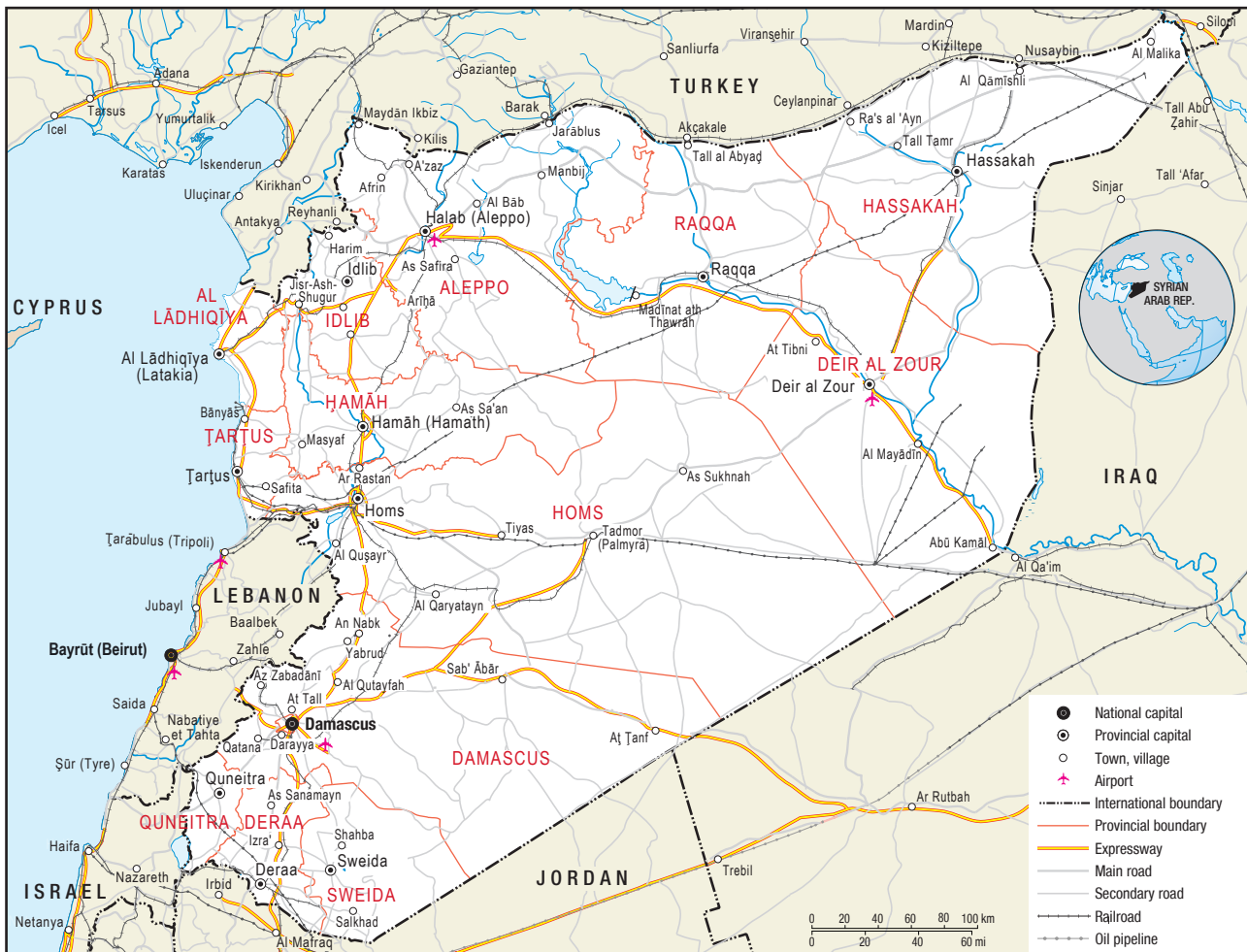
## Background

Russia’s direct military intervention since September has increased both its leverage in Syria and the risk of escalatory cycles and miscalculation among the several states backing the warring sides. Those dangers were on full display in late November, as Turkey downed a Russian warplane along its border with Syria, claiming it had violated its airspace and ignored warnings to change course. Though both sides sought to downplay the likelihood of additional direct military confrontation, in the days that followed, Russia further increased airstrikes targeting rebel forces backed by Turkey and opposed to both the regime and IS, including in areas of northern Syria near the Turkish border.

Though Moscow bills its efforts as focused on IS, in reality it is dedicating most of its military resources against other rebel groups – including mainstream factions backed covertly by the U.S. For now at least, Moscow appears to be increasing its direct investment in the regime’s existing strategy, rather than trying to fundamentally shift it. That strategy employs a smattering of strikes against IS and intense rhetorical focus on defeating vaguely-defined “terrorists”, as cover for an effort that aims, first and foremost, to cripple other rebel factions. The apparent goals are to strengthen and expand the regime’s hold on territory in strategically vital western Syria; weaken groups that receive support from the opposition’s state backers (including those which

might at some point be considered candidates for more robust U.S. backing); and thus pressure Western countries toward acceptance of (and potential cooperation with) continued Assad rule by depicting the regime as the most viable partner against IS and other transnational jihadi groups.

On the ground, the scorecard for regime and allied military efforts since the Russian escalation has been mixed. Russian airpower is backing ground offensives carried out by the Syrian army, allied Syrian militias, Hizbollah, pro-Iran foreign Shiite militias, and Iranian Revolutionary Guard personnel. This pro-regime coalition has escalated its engagement on multiple fronts since Russian strikes began, exploiting rebels’ lim-



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations or Crisis Group. Adapted by Crisis Group, based on UN Map No. 4204 Rev. 3 (April 2012).

ited capacity for coordination across different theatres. Yet initial regime gains have been modest, and matched by setbacks elsewhere. U.S.-made TOW anti-tank missiles deployed by mainstream groups vetted by the U.S. Central Intelligence Agency have proven highly effective in enabling rebels to defend against regime advances. Moreover, increased allied support, while enabling regime forces to arrest rebel momentum, is probably not a sufficient (or sustainable) long-term solution to the regime's worsening manpower shortages: five years of conflict have shown that ever-rising support from Iran, Hizbolah and Russia has merely served to compensate for the regime's gradual erosion, but failed to stop or reverse it. Meanwhile, regime barrel bombing and other aerial collective punishment tactics have continued along-

side Russian airstrikes; as a result, Western states should expect Syria's radicalisation and displacement problems to continue to worsen.

However ambiguous the results on the battlefield, Russia's escalation has helped spur an intensification of diplomatic coordination with Washington. During two gatherings in Vienna in late October and mid-November, foreign ministers representing the war's key external players, including for the first time Iran, agreed to push the regime and opposition back to the negotiating table – as part of a political process aiming to achieve newly credible governance, a nationwide ceasefire, a new constitution and elections over the course of eighteen months. Though relatively specific on timelines, the organising documents agreed to are vague on much else, and

there is little reason to expect this effort will fare better than the failed 2014 "Geneva II" process. Like Geneva II, Vienna is based on a narrow consensus between state backers of each side, in particular the U.S. and Russia, that does not include the key political question in Syria – whether a transition will bring an end to Assad rule. That remains a gaping hole around which it will be very difficult to build.

Another missing component in the Vienna process is a vehicle capable of representing the non-jihadi opposition on the ground. A range of armed opposition factions, including leading Islamists, which express commitment to a pluralistic Syria, are interested in engaging in a political process, and enjoy significant power on the ground. Their weight and interests are

not currently reflected in any opposition political body. That is a critical shortcoming, since reaching a viable political resolution will require an opposition coalition capable of credibly negotiating, implementing any deal on the ground, and protecting it from jihadi spoilers.

Meanwhile, the focus in Western capitals (and in Washington in particular) remains on IS. Though it scored significant gains with the captures of Ramadi (in Iraq) and Palmyra (in

Syria) in May, it lost momentum in the months that followed and is now increasingly hard-pressed to defend ground on the fringes of its territory. The problem for the U.S. and its allies, however, is that their efforts against IS in Syria have become increasingly dependent upon Kurdish forces linked to Turkey's Kurdistan Workers Party (PKK) insurgents, whose military and political marginalisation of local Sunni Arabs has fuelled resentment and could ultimately work to IS's advantage. Moving forward, signifi-

cant, lasting gains against IS in Syria will require Sunni Arab ground forces with local credibility – in some cases, the very same forces who are currently bearing the brunt of regime and Russian bombardment. This is yet another reminder of an unavoidable truth, however inconvenient: the struggle against IS cannot be detached from the broader Syrian war.

# Turkey

**Overview** – The November Turkey-EU summit’s commitment to re-energise the relationship, enhance political and financial engagement, and address the migration crisis, is interwoven with a complex mix of challenges that Ankara is facing: the crisis in neighbouring Syria and regional implications; threats of Islamic State (IS)’s attacks on its soil; growing social and political polarisation accentuated by the state’s heavy-handed rule; and a spiral of violence in the country’s south east. While not in the EU’s spotlight, Turkey’s Kurdish issue has also witnessed the most violent period in its recent history, with fighting engulfing various urban settlements in Kurdish-majority areas over the past six months. The collapse of the two-and-a-half year ceasefire between the Turkish state and the Kurdistan Workers’ Party (PKK) in July has given way to clashes in which hundreds have been killed and thousands displaced. Turkey is facing a critical choice: to pursue a military strategy aimed at eradicating the PKK which ultimately cannot lead to a comprehensive solution of the Kurdish issue, or else to revise its approach, resume peace talks and take concrete steps to address Kurdish rights demands.

## The EU and its member states should:

- As part of the positive momentum created by the EU-Turkey summit, and ahead of further discussions on opening Chapters 23 and 24 pertaining to the judiciary, fundamental rights and security, and progressing on visa free travel requirements for Turkish citizens, encourage Ankara to reassess its approach to the Kurdish issue. Among other measures, Turkey should be encouraged to quickly resume peace talks with the PKK to end the violence; to develop long-term strategies to reach a comprehensive settlement on the Kurdish issue; and to make progress on delivering accountability for past abuses.
- Provide constitutional expertise to Ankara as it develops a new constitution for the country, particularly on local governance and mother-tongue-based public education, which are perceived as fundamental issues for Kurdish political leaders.
- Call on Ankara to ensure, as a critical confidence building measure, that past and present human rights abuses toward the Kurdish population are effectively investigated so that all those responsible are brought to justice. Should opportunities arise to establish a transitional justice mechanism, which encompasses truth measures, offer technical, and if appropriate financial assistance, to design and run such a process.
- Request that the government ensures that independent media and civil society are free from intimidation and/or prosecution as a result of their Kurdish related activities.

## Background

The Turkey-PKK peace process which began in March 2013 with the goal of ending three decades of armed insurgency collapsed earlier this year. With mistrust between the parties mounting throughout 2014, a turning point came in October 2014 when Ankara refused to allow support across the border to the IS-besieged city of Kobani – which was being defended by PKK’s offshoot, the Democratic Union Party (PYD) and which hosts a large Kurdish population – infuriating the Kurdish movement. The belief that Ankara was covertly supporting IS gained wide acceptance among Turkey’s Kurds, while cross-border Kurdish solidarity fuelled concerns in Ankara. Further, talks between imprisoned PKK leader Abdullah Öcalan and the Turkish state ended in April,

paving the way for new violence in the Kurdish-inhabited south-east part of the country.

With almost 500 deaths in less than six months, and many thousands displaced, the conflict has reached its most violent point in more than two decades. The sides urgently need to agree on a reinforced ceasefire. Ankara has however vowed not to return to the negotiation table with the PKK until militants have entirely withdrawn, and neither side appears likely to back down: the PKK is emboldened by Kurdish gains in northern Syria through the PYD, which operates there, and the ruling Justice and Development Party (AKP) is revitalised by its recent electoral victory and Turkey’s strategic importance for

the West in the fight against IS and in handling the refugee flow.

The return to armed conflict between Turkey’s security forces and the PKK was accompanied by President Erdoğan’s and AKP’s attempt to marginalise and discredit the pro-Kurdish People’s Democratic Party (HDP), whose results in the June elections stripped the AKP of its parliamentary majority. The HDP secured votes at the time from non-Kurdish liberals in part by campaigning against Erdoğan’s attempt to introduce a presidential political system. The showdown between the AKP and the HDP has since deepened, especially as the November repeat elections neared, and following four alleged IS attacks between May and October on pro-Kurdish activists in Turkey for

which the Kurdish movement blamed Ankara.

Although some government officials have signalled an interest in addressing Kurdish demands for greater rights, no concrete reform agenda has yet been developed on core issues such as decentralisation, mother-tongue-based public education, eradication of ethnic references in defining citizenship, reforming the anti-terror law, or lowering the 10 per cent electoral threshold. The government program announced on 25 November emphasised above all a security-oriented approach to the Kurdish issue. While the much-debated prospect of a new constitution could well address Kurdish rights, it is weighed down by the likelihood that President Erdoğan will attempt to

shift the governance system from parliamentary to presidential, with weak checks and balances. The political debate on many Kurdish demands, for example for greater autonomy of local bodies or on reforming the anti-terror law (so that it cannot be used for political purposes) have also been stifled due to the perceived potential security risks such changes may bring.

The Syrian conflict and Turkey's involvement have also been complicating the resumption of Ankara-PKK negotiations: both sides have been waiting to see how the Syrian war will unfold to gauge their respective power over each other. With heightened tensions between Moscow and Ankara after Turkey shot down a Russian warplane on 24 November, speculation has risen that Russia may further

engage with the PYD to fuel the Kurdish-Turkish confrontation. Turkey's increased friction with Russia and the U.S., in particular over their support to the PYD, and differences over dealings with Sunni Arab "moderate" Islamist insurgents and Turkmens in Syria, will likely continue to complicate Turkey's role in global efforts to tackle IS and further fuel Ankara-PKK tensions. Meanwhile, the burden of hosting some 2.5 million Syrian refugees is expected to grow following the new conflict escalation.

Though Ankara's priority in Syria has long been President Assad's removal and PYD containment, it now also includes halting IS progress, especially since it became a national security threat when a twin suicide bombing left over 100 dead in Turkey's capital



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last October. Over 680 people have since been detained, and at least 92 arrested, because of alleged IS affiliation. Police raids on the extremist group's safe houses have also increased, and border security along IS-held Syrian territory has been fortified.

Despite Turkey facing a range of threats, the new EU-Turkey momentum could potentially bring a range of

benefits, including a genuine revitalisation of the enlargement process, progress toward visa-liberalisation, and effective measures to address the migration and refugee crisis. This positive outlook remains fragile however with risks ranging from confidence breaking over implementation of the migration deal, to slow progress on requirements for visa-free travel and opening of Chapters 23 and 24, or stalling of the now dynamic Cyprus

process. While the momentum is strong, not using it to also address and tackle the Kurdish issue would be a lost opportunity and a future risk.

# Venezuela

**Overview** – The opposition Democratic Unity (MUD) alliance inflicted a stinging defeat on the Maduro government in 6 December legislative elections. With most votes counted, the opposition has (at the time of writing) 110 out of the 167 seats in the National Assembly, to the government's 55. President Nicolás Maduro conceded defeat a few hours after the polls closed. He attributed the government's loss to the "economic war" that it claims is being waged against it by the opposition and its foreign allies. The following six months will test the abilities of the two sides to articulate a credible legislative agenda, and use consensus on core issues in light of the mounting challenges faced by the country, in order to avoid a dangerous political deadlock. Calls for dialogue between government and opposition have already been expressed by EU High Representative Federica Mogherini and U.S. secretary of state, John Kerry, among other international leaders.

## The EU, its member states, and the wider international community should:

- Exhort the Maduro government to respect the will of the electorate by allowing the National Assembly to carry out its constitutional role, rather than seeking ways to neutralise its new leadership.
- Follow-up on calls for dialogue between the MUD and Maduro's government by encouraging both sides to find ways of avoiding gridlock once the new parliament is sworn in on 5 January.
- Reiterate demands for opposition leader Leopoldo López and other political prisoners to be liberated, especially since a resolution of this thorny question could open up fresh possibilities for dialogue.
- Call for the authorities to fully restore civil and political liberties, particularly freedom of expression and access to the media, and for the return of Venezuela under the jurisdiction of the Inter-American Court on Human Rights.
- Express will and availability to cooperate in providing humanitarian and technical assistance, including through specialised bodies such as the Humanitarian Aid and Civil Protection Department (ECHO), in order to improve the effectiveness of the chain of supply in food and medicines, particularly to remote areas of the country.
- Stand ready to support efforts to facilitate political dialogue and institutional reform, including by providing technical support to assess the independence of the judiciary and the situation of freedom of expression, and eventually by providing advice on legislative making process and consensus-building.

## Background

The crushing defeat inflicted on the Maduro government by the opposition MUD alliance on 6 December marks a watershed moment in Venezuelan politics. It is the first time in the sixteen years since Maduro's predecessor and mentor, the late Hugo Chávez, came to power in 1999 that the opposition has won a national election (with the exception of the 2007 constitutional referendum). The result was beyond what most analysts, and the MUD itself, had expected, and could even leave the opposition with a two-thirds "super-majority" in parliament. This would allow it to exercise more effective control over the executive and even potentially modify the constitution or the composition of the Supreme Court (TSJ).

A few tense hours after the polls closed, Maduro conceded defeat,

although he made clear that he considered the government's poor results to be a temporary setback. This appreciation may well change, as the new political reality sinks in. However, by minimising the impact, Maduro defused the immediate threat of political violence (which many had feared beforehand). It remains to be seen whether the end of government hegemony over all state institutions leads to deadlock or dialogue. So far, the signs from the MUD have been positive as well. Its main spokespeople have stressed that opposition leaders are not out for revenge and would seek solutions benefiting all to the country's severe economic and social crisis.

Maduro has a number of ways of blocking any initiatives emerging from an opposition-controlled National Assembly. But his trump card

is control of the constitutional branch of the TSJ, which is the arbiter of last resort on any clash between executive and legislature. Nonetheless, the scale of his government's defeat may oblige him to recognise a new reality. On a surprisingly high turnout (over 74 per cent of the 19.5 million registered voters), the MUD obtained more than two million more votes than its adversary, and more votes than ever cast for one political force in the country's history.

It is clear that a large percentage of those votes came from discontented former government supporters. The opposition will have to find a way to demonstrate that it can translate control of parliament into solutions for scarcity, inflation, crime and other pressing social problems. But there may be some on the more confrontational wing who will push for Madu-



Courtesy of the University of Texas at Austin

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ro's resignation or a recall referendum next year. On the other hand, the moderates within the oppositional coalition have demonstrated that their much-criticised emphasis on the electoral route can produce results. Much will depend on the precise composition of the new assembly.

The international community, which played a key role in persuading the government to respect the result,

immediately stressed the need for dialogue and conciliation. Calls for talks between the two sides came from U.S. Secretary of State John Kerry, the EU's Federica Mogherini and Ernesto Samper, secretary general of UNASUR among others. The incoming Argentine government of Mauricio Macri, in the person of newly-appointed Foreign Minister Susana Malcorra, headed off a potential clash with Venezuela in the Organization of

American States (OAS) and Mercosur by withdrawing a threat to use human rights mechanisms against it. This may allow a new consensus to emerge in Mercosur over how to deal with Venezuela, with potentially beneficial impact.

But while it is easy to call for dialogue, actually initiating one may prove difficult. A first stumbling block may be freedom for the country's 70

or so political prisoners, including the prominent opposition leader Leopoldo López. Without that, the opposition cannot reach a deal with the government, but it will be tough to swallow for hardliners on the government side. Both Maduro and outgoing National Assembly President Diosdado Cabello (the two most powerful people in the country) have been weakened by the election result and there will be factions seeking to move against them. A divided and debilitated regime may not be in a position to enter talks, or to deliver on any

agreements, and alternatives to the current leadership will not necessarily be more inclined toward dialogue. The dire state of Venezuela – since the fall of oil prices, budget income is down by one third as the country depends almost entirely on oil earnings – may yet encourage pragmatism within an otherwise jubilant opposition. Few in the MUD would want to assume full responsibility for the country in its current condition, take the blame, and have to carry out a vital but potentially painful economic reform package. Consequently, there is potentially

considerable interest in a negotiated solution, even among the maximalists within the coalition.

Greater realism on both sides is perhaps the most important legacy of this election. It offers a better chance for a negotiated, peaceful solution to the Venezuelan crisis than has been seen for several years. But getting there will not be easy.

# Yemen

**Overview** – Yemen’s war is in its eighth month, and there is no quick end to the violence in sight. Fighting between the Huthis (a Zaydi/Shiite movement) and military units aligned with former President Ali Abdullah Saleh on one side and a variety of anti-Huthi fighters, including Yemeni government forces backed by a Saudi-led coalition on the other has killed over 5,700 people, more than 800 of them women and children. The war has destroyed the country’s meagre infrastructure, opened vast room for al-Qaeda and Islamic State (IS) expansion and sharpened intra-Yemeni regional, political and sectarian divides. Even if the UN succeeds in bringing warring parties together for talks, the road to lasting peace will be long and difficult. The country is on a path toward state disintegration, territorial fragmentation and increasing sectarian violence fuelled by regional powers. This will not only be devastating for Yemen, but will undermine the security of the Arabian Peninsula, particularly Saudi Arabia, while feeding global terrorism networks.

## The EU, its member states, and the wider international community should:

- Increase support for the efforts of UN Special Envoy Ismail Ould Cheikh Ahmed to broker a ceasefire and restart the political process by encouraging both the Huthi/Saleh bloc and the Yemeni government to return unconditionally to negotiations; support a new UN Security Council (SC) resolution that would call for a political solution; and criticise any side that obstructs a return to talks.
- Encourage the Huthis to de-escalate the conflict by suspending hostilities on the Saudi border, releasing political prisoners and allowing unhindered humanitarian access to Taiz city. To the extent possible, the EU delegation should encourage the Huthis to come to UN talks with concrete suggestions on withdrawal from cities and disarmament. The EU and its member states should also facilitate better communication between the Huthis and Saudi Arabia.
- Place greater diplomatic pressure on the Yemeni government and its Saudi supporters to engage constructively and without preconditions in UN negotiations over implementing UNSC Resolution 2216, which focuses primarily on security and the Huthis’ obligations, but also over a ceasefire and return to an inclusive Yemeni political process.
- Continue to focus international attention on dire and worsening humanitarian conditions by calling on the UN and the Saudi-led coalition to expedite the flow of commercial goods into Yemen and on the Huthis and other armed combatants to allow unhindered humanitarian access.
- Press all armed actors to abide by the rules of war; publicly highlight the inadequacies of a Yemeni government-led panel of inquiry, established by the UN Human Rights Council, into alleged abuses of international humanitarian law by all sides; and press for an independent UN panel of inquiry into alleged crimes.

## Background

Yemen’s political transition has been shattered by war. The descent into violence has its roots in a transition that was overtaken by old-regime elite infighting, deepening corruption and the inability of the country’s National Dialogue Conference (concluded in January 2014) to produce consensus on national-level power sharing and the future state structure, particularly the status of south Yemen where the desire for independence is strong. The Huthis bear much responsibility for triggering the war. Against the backdrop of stalled UN negotiations over a new executive leadership, they unilaterally dissolved the transitional government in February 2015 and

then marched south, supported by aligned military units, in pursuit of President Abed Rabbo Mansour Hadi, who had fled to Aden.

If the Huthis initiated the military confrontation, Saudi Arabia poured fuel on the fire when it launched an air campaign on 26 March, backed by nine other mostly Sunni Arab states and supported by the U.S., the UK and France. Their stated aim was to roll back Huthi advances and reinstate the Hadi government. But the intervention had less to do with the intricacies of Yemeni politics and more with Saudi domestic considerations and the regional balance of power. The intervention was in part a response to

perceived Iranian encirclement concomitant with perceived U.S. political disengagement from the Middle East or, worse, a suspected shift in favour of Tehran (in the context of ongoing nuclear negotiations between Iran and the P5+1). The Saudi-led war also came on the heels of a historic change in leadership from King Abdullah to King Salman, a shift that concentrated power in Salman’s son, Mohammed Bin Salman. The latter, second in line for the throne, has become the face of the Saudis’ prosecution of the war; his political progress is widely believed to hinge on the war’s success.

Eight months into the war, neither side is close to victory. Anti-Huthi Ye-



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meni forces are dominant in predominantly Shafai (Sunni) areas in the east and south, where opposition to the Huthis is strong. But the Huthi/Saleh bloc remains the dominant power in the Zaydi highlands, including the capital Sanaa. Since September, battle lines have moved north from Aden, with fighting particularly intense around Taiz city and the western parts of Marib governorate, a critical access point to Sanaa. The Huthi bloc has upped the ante by increasing cross-border attacks into Saudi Arabia, sensing that the kingdom will not halt military operations until it feels pain in its territory. For the Saudis, the raids help in legitimising the war at home and make ending the conflict without a clear military victory more difficult. The Huthis have been pushed out of the south, but a mix of armed militias has stepped into the void. Both al-Qaeda, which has controlled the capital of the eastern province of Mukalla since April, and IS are gaining ground, especially in Aden.

The stalemate could and should provide incentives for both sides to

negotiate a face-saving exit. Following losses in the south, the Huthis have started to take their adversaries' demands seriously, agreeing to participate in talks about a return to the political process and accepting UNSC Resolution 2216 (which, inter alia, requires them to withdraw from territory). In November, Saudi officials indicated both publicly and privately that they are ready for the war to end and for UN talks to start. Still, Hadi's government, which has few incentives to end the war given that its make-up is likely to be changed as a result of negotiations, has hardened its position. It insists on retaking Taiz and having talks focus narrowly on Resolution 2216, a list of demands on the Huthis.

Officially, the Hadi government and the Huthi/Saleh coalition are committed to a new round of talks on 15 December in Switzerland, but whether either side is prepared to compromise remains unclear. Even if they meet and, in a best-case scenario, agree to a durable ceasefire, the road to lasting peace will be long. The unresolved domestic political challenges that led to

violence have been worsened by war. The government does not control all of the armed groups fighting against the Huthis.

As the belligerents fight, humanitarian conditions worsen. The Saudi-led coalition's de facto naval blockade, which has the declared aim of preventing the Huthis from rearming, has amounted to collective punishment, severely limiting commercial traffic in a country that is over 90 per cent dependent on food imports. The Huthis have prevented supplies from reaching civilians in Aden and Taiz. According to the UN humanitarian coordinator, nearly 21.2 million people (82 per cent of the population) are in need of humanitarian assistance. Approximately 2.3 million people have been forced to flee their homes; an additional 120,000 have fled the country. The UN has declared Yemen a "level three" humanitarian emergency, on a par with Syria, Iraq and South Sudan.