

December 2016 Monthly Forecast

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MIDDLE EAST

Syria

Expected Council Action

Council members expect to receive the regular monthly briefings on the political and humanitarian situations in Syria and could not rule out other activity, given the urgent nature of the Syrian crisis. It is possible that two draft resolutions may be put to a vote in December, one calling for a 10-day truce in Aleppo and another to impose sanctions on the Syrian government for the use of chemical weapons against its own population.

Separately, the authorisation in [resolution 2258](#) for cross-border and cross-line humanitarian access in Syria expires on 10 January 2017. The Council may adopt a resolution renewing the authorisation in December before two of the humanitarian leads, New Zealand and Spain, rotate off the Council.

The Board of Inquiry appointed by the Secretary-General to investigate the 19 September attack on a humanitarian convoy is expected to deliver its report in early December. It will not be public, but a summary of the findings will be released. At press time, it was unclear if the Security Council would consider the report's findings.

Key Recent Developments

On 18 October, Russia announced a unilateral pause in hostilities for eastern Aleppo, an area that has been besieged by the government since July. This pause was largely observed until 15 November, when Russia and the Syrian government renewed its offensive in Aleppo, the suburbs of Damascus, Homs and Idlib.

Meanwhile, Khan al-Shih and Al Tal, both suburbs of Damascus, were surrendered by the opposition in late November. These surrenders have been characterised by the opposition as a forced population transfer following years of a government-imposed sieges that are disguised as a "local truce". Other evacuations, under almost identical circumstances, occurred in the opposition-held Moadamiyeh suburb of Damascus in October, the Al Waer neighbourhood of Homs in September, and in Daraya, another suburb of Damascus, in August. Opposition fighters have been evacuated to Idlib, raising the spectre of that area becoming a new epicentre of fighting if Aleppo falls.

OCHA head [Stephen O'Brien briefed the Council on 21 November](#), reporting a high tempo of military activity against opposition-held areas since 15 November, adding that there are barely any functional hospitals left in eastern Aleppo. He also reported a significant increase in the government's use of siege and starvation tactics. At this time last year approximately 394,000 civilians were living under siege; the number has now risen to

approximately 975,000, including 275,000 in eastern Aleppo. He said that 25,000 civilians had been displaced in government-controlled western Aleppo as a result of opposition shelling. O'Brien further said that OCHA was anticipating that thousands more civilians would face displacement as a result of US-led coalition operations in Raqqa against the Islamic State of Iraq and the Levant (ISIL) and in Al Bab as Turkish and opposition forces fight to retake the town from ISIL.

Following O'Brien's briefing, Council members took the floor. The US named a dozen Syrian generals and officers accused of being responsible for attacks on civilian targets, and specified several military facilities where the government allegedly tortures detainees. The US said the atrocities in Syria are well documented, and that one day the perpetrators would be held accountable. In response to OCHA's briefings and the US's remarks, Russia asserted that data about the humanitarian situation is intentionally falsified and that Russia is constantly seeking ways to help in Aleppo. Russia said the delivery of humanitarian aid had been sabotaged by opposition fighters who tried to barter the evacuation of the sick and wounded for food and medicine. New Zealand said that, setting ISIL-controlled areas aside, the Council members around the table could not avoid the fact that civilians were being killed in Syria and a country was being destroyed by its own government, a government supported by a permanent member of the Council, a reference to Russia.

In consultations following the humanitarian briefing, Egypt, New Zealand and Spain continued discussion of their draft resolution that includes a provision that all attacks in Aleppo cease for a period of 10 days, including attacks against Security Council-designated terrorist groups Al Nusra and ISIL. It allows for the cessation of hostilities in the rest of the country to be implemented in line with resolution 2268, i.e. counter-terrorism operations could continue. This draft, which was put in blue on 29 November, is the humanitarian penholders' attempt for the Council to respond effectively to the situation in Aleppo and establish the minimum requirements to lower overall levels of violence and resume talks on a political transition.

An overwhelming number of Council members support this draft resolution. Russia, however, does not. It has repeatedly argued against a blanket prohibition on all attacks in Aleppo, citing concerns about the need to combat terrorists there. The draft in blue maintains the blanket prohibition on all attacks in Aleppo for a period of ten days, as the humanitarian penholders, the P3 and others have maintained that "counterterrorism" is used as an alibi by Russian and Syrian forces to justify targeting all opposition groups and civilians in eastern Aleppo. At press time, Russia maintained its opposition to the draft and it was unclear whether and when it might be put to a vote.

Special Envoy Staffan de Mistura met with Syrian Foreign Minister Walid Mouallem on 21 November. In comments to the press, de Mistura reported that Mouallem denied any bombing of hospitals in eastern Aleppo, and that the government had yet to agree to a basic humanitarian plan for Aleppo which included medical evacuation, delivery of medical and food supplies and the rotation of doctors to care for those in the city. De Mistura's "Aleppo initiative" was also discussed. The initiative would require an immediate and total halt to the bombing of eastern Aleppo followed by the evacuation of

Al Nusra fighters. De Mistura underscored the need to keep the local administration in eastern Aleppo intact, i.e. under opposition control. This condition was flatly rejected by the government. Mouallem reportedly signalled that the government was ready to resume political talks, with de Mistura commenting only that the UN was evaluating options, bearing in mind the highly militarised environment.

On 30 November, the Council was briefed by de Mistura, O'Brien, and a representative from UNICEF on the situation in Aleppo. France and the UK called for the emergency meeting in response to the Syrian government's continued offensive to retake rebel-held eastern Aleppo, which has led to ever more devastating consequences for civilians trapped in the city.

On chemical weapons, Acting High Representative for Disarmament Affairs Kim Won-soo briefed Council members on 29 November. During these consultations, the P3 announced that they would soon circulate a draft resolution seeking to impose sanctions on Syria for its use of chemical weapons against its own population. The timing for circulation of the draft and a possible vote remained unclear at press time.

Earlier in the month, on 17 November, the Council adopted resolution 2319, renewing the mandate of the UN-OPCW Joint Investigative Mechanism (JIM), the body established to determine responsibility for the use of chemical weapons in Syria, for a further year. The JIM's four reports to date have concluded that of the nine cases investigated, the Syrian regime used chlorine gas against its own population in three cases and that ISIL used mustard gas in one case. There was insufficient evidence to make a determination in the remaining five cases.

Human Rights-Related Developments

On 11 November, the Office of the High Commissioner for Human Rights (OHCHR) raised concerns about the humanitarian situation of several hundred displaced Iraqi civilians who had fled the Mosul offensive to Hassakeh in Syria, controlled by the Kurdish People's Protection Units. Concern was also expressed about the number of civilian casualties as a result of increased air and ground strikes on ISIL targets in populated areas. There were also reports of a worsening humanitarian situation in Madaya, a town outside of Damascus which is besieged by the government.

Key Issues

With Syria approaching its sixth year of a war that has exacted a death toll approaching 500,000, left 975,000 living under siege and displaced half of the Syrian population, including 4.81 million refugees, the essential issue for the Council is to exert effective leadership in supporting a cessation of hostilities and efforts to reach a political solution.

Regarding chemical weapons, the JIM's findings mean that the Council is in a position to consider whether Syria is in breach of resolutions 2118, 2209, and 2235.

Options

While the Council has many tools at its disposal—such as imposing an arms embargo or targeted sanctions, referring Syria to the ICC or authorising a no-fly zone to deter Syria from using its aerial capacity—P5 divisions have made it impossible for the Council to fulfil its role in maintaining international peace and security in the case of Syria.

In this context, the Council could vote to refer Syria to the General Assembly under the “Uniting for Peace” procedure, so that the General Assembly might recommend collective action, including sanctions and the use of force. This would be a procedural vote and therefore could not be vetoed by any of the P5, requiring only nine affirmative votes. A “Uniting for Peace” resolution by the General Assembly can confer legitimacy on international collective action, but it would carry no binding obligation for such action. (Alternatively, the General Assembly does not require a Security Council referral to adopt a “Uniting for Peace” resolution.)

Regarding chemical weapons, if the Council is able to determine that Syria has violated resolutions 2118, 2209 and 2235, it has the option to pursue the threat of sanctions implicit in all three resolutions.

Council Dynamics

Several Council members are of the view that the government’s offensive in eastern Aleppo, which has continued almost uninterrupted since April, confirms the regime’s preference for prolonged armed conflict over a negotiated settlement. There is also broad recognition that if fighting in Syria cannot be controlled, particularly in Aleppo, it will be close to impossible for UN mediation between the government and the opposition to resume.

Many Council members are aware that a diplomatic approach to resolve the crisis has become simultaneously ever more untenable and ever more urgent amidst signs that the conflict is likely to see further military escalation. Adding to the uncertain climate are the results of the US presidential election and how that may modify America’s role in Syria in early 2017. It is unclear whether US foreign policy under the new administration will continue to support the Syrian opposition or whether it will pivot toward closer counter-terrorism cooperation with Russia.

With the depth of disagreement between Russia and the US over Syria, most members are of the view that it is impossible to break the Council’s deadlock.

Regarding the draft resolution on an Aleppo truce, Russia expressed regret that the humanitarian penholders put a non-consensual text in blue. However, most Council members feel that the draft resolution put in blue reflects the broadest possible agreement that, if adopted and implemented, could also impact the situation on the ground. Russia’s proposed changes focused on the UN’s four-point plan for Aleppo, the same plan to which the Syrian government has yet to agree. However, Russia’s proposal came with a condition that required the completion of armed groups disassociating themselves from Al Nusra prior to the plan’s implementation. In addition, the Russian proposal would specifically allow counter-terrorism operations to continue in Aleppo. At press time, it

seemed unlikely that Russia's proposed changes would achieve any significant support among Council members as a credible alternative to the draft penned by Egypt, New Zealand and Spain.

At press time, it seemed the P3 might press for sanctions against Syria over its non-compliance with resolutions [2118](#), [2209](#) and [2235](#) on chemical weapons. It was too early to gauge how broad the support might be for pursuing sanctions.

Most Council members are aware that that if the humanitarian and/or sanctions draft resolutions are tabled for a vote then Russia might cast its sixth, and possibly seventh, veto on Syria.

Four of the P5 members (France, Russia, the UK and the US) are involved militarily in the Syrian war to varying degrees.

UN Documents

Security Council Resolutions

17 November 2016 S/RES/2319	Renewed the mandate of the UN-OPCW Joint Investigative Mechanism for a further year.
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27 September 2013 S/RES/2118	This resolution was adopted unanimously by the Council and required the verification and destruction of Syria's chemical weapons stockpiles, called for the convening of the Geneva II peace talks and endorsed the establishment of a transitional governing body in Syria with full executive powers.
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26 February 2016 S/RES/2268	This was a resolution that endorsed the cessation of hostilities and called for the resumption of political talks.
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18 December 2015 S/RES/2254	This was the first resolution focused exclusively on a political solution to the Syrian crisis. It was adopted unanimously.
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Secretary-General's Reports

15 November 2016 S/2016/962	This was a report on the humanitarian situation.
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2 November 2016 S/2016/928	This was the 37th OPCW report on chemical weapons.
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Security Council Meeting Records

30
November
2016
S/PV.7822

OCHA head Stephen O'Brien, Special Envoy Staffan de Mistura, and a UNICEF representative briefed at an emergency meeting on Aleppo, which was called for by France and the UK.

21
November
2016
S/PV.7817

This was the regular monthly briefing on the humanitarian situation, with a focus on Aleppo.