

Syria: Possible Vote on a Ceasefire Draft Resolution

 securitycouncilreport.org/whatsinblue/2016/12/syria-possible-vote-on-a-ceasefire-draft-resolution.php

What's In Blue

Posted Fri 30 Dec 2016

Tomorrow morning (31 December), Council members are expected to meet in consultations for the second time on a Russian draft resolution that endorses the ceasefire in Syria agreed between Russia and Turkey, after which a vote may be taken. The ceasefire agreement was announced on Thursday (29 December) and Russia circulated its draft resolution later that day.

Following consultations on Friday morning (30 December) on the draft text that resulted in minor revisions, Russia put the draft resolution in blue although a number of Council members indicated they were not ready to vote. If there is a vote tomorrow morning, it seems that there could be a number of abstentions and it is unclear if it will garner the nine votes required for adoption.

The Russian draft resolution follows the evacuation of rebel-held eastern Aleppo following an agreement between Russia and Turkey in mid-December, and the Syrian government retaking control of all of Aleppo on 22 December. On 20 December, Iran, Russia and Turkey met in Moscow and released a joint statement that they would create the necessary momentum toward the resumption of a ceasefire arrangement and political process for Syria. The statement made no specific reference to UN-facilitated talks, instead noting the offer of Kazakhstan to host “relevant meetings”.

While the details of the ceasefire arrangement are not articulated in the draft text, just ahead of Friday morning’s meeting, documents summarising how a cessation of hostilities would be established in Syria, how violations would be monitored, and the formation of government and opposition delegations to attend peace talks in Astana, Kazakhstan, on 15 January 2017 were shared with Council members.

Council members have uniformly welcomed any step toward a ceasefire that could save lives and end the conflict. However, a significant number of Council members had fundamental questions about the terms of the ceasefire and the attendant political process that were not sufficiently answered either in the text of the resolution, in the documents Russia shared with Council members, or by the Russian permanent representative’s explanations during the Friday morning consultations. As a result most Council members, with Angola, China and Venezuela among the few exceptions, said they needed more time to consider the draft, study the summaries of the ceasefire agreement and plans for the Astana talks, and consult with their capitals. The P3 and Ukraine urged Russia to hold further negotiations early next week to try and reach consensus on a draft that could be adopted unanimously.

Regarding the ceasefire itself, the main issue raised during this morning's discussion of the draft resolution was a lack of clarity about which groups and which areas were covered by the arrangement. The agreement, like previous ones between Russia and the US, does not exclude combat operations against Council designated terrorist groups ISIL and Al Nusra Front. However, particularly in relation to Al Nusra, what is less clear in the agreement between Russia and Turkey is how armed opposition groups who are located near or tactically cooperate with Al Nusra will be treated under this ceasefire arrangement.

Defining who is a "terrorist" versus who is an "opposition fighter" has been a consistent obstacle to establishing a sustainable ceasefire in Syria. It was an obstacle in implementing the cessation of hostilities agreed between the US and Russia almost a year ago and enshrined in resolution 2268. More recently, the same issue played a pivotal role in Russia's veto on 5 December of a resolution drafted by humanitarian penholders Egypt, New Zealand and Spain that called for an end to all attacks in Aleppo for seven days. At that time, Russia asserted that a truce in Aleppo should only go into effect after the country-wide separation of Al Nusra fighters from other armed opposition groups. The humanitarian penholders, the P3 and several other Council members maintained that counterterrorism was being used as an excuse by Russian and Syrian forces to justify targeting all opposition groups and civilians in eastern Aleppo.

Many Council members are of the view that the ceasefire agreed between Russia and Turkey takes a much broader view of which armed opposition groups operate in association with Al Nusra, and are therefore legitimate targets, than previous agreements. After the fall of eastern Aleppo to the government, following months of aerial bombardment and besiegement, such an unclear sense of which areas and groups will be afforded protection under the Russian and Turkish agreement has raised serious questions about the safety of civilians in areas now under the control of the opposition—particularly Idlib and in pockets around Damascus.

Regarding a political solution to the Syrian crisis, many Council members expressed concern that the agreement reached between Russia and Turkey, and the draft resolution, sidelined the existing UN mediation process in Geneva as well as the main opposition umbrella group, the High Negotiations Committee (HNC). While the first version of the draft resolution reiterated that an inclusive Syrian-led political process should be based on the June 2012 Geneva Communiqué as well as resolutions 2254 and 2268, it only drew attention to the Astana talks and made no mention of the Geneva talks under the auspices of UN Special Envoy for Syria Staffan de Mistura, the next round of which has been announced for 8 February 2017. Following the consultations this morning, the draft was amended to reflect that the Astana talks should be viewed as an important part of the UN-facilitated political process.

It is also unclear who will make up the opposition's delegation to the 15 January 2017 Astana talks. Some members are concerned that the opposition delegation may only consist of government-tolerated opposition, such as the Moscow Group or the Cairo Group. It seems the Riyadh-based HNC was not consulted during the course of negotiations between Russia and Turkey.

It is also unclear to many Council members, given the degree of Turkish military involvement in Syria and its role as a guarantor to this particular process, how various Kurdish groups will be treated under the terms of the ceasefire or whether they will even be welcomed as participants in the Astana talks.

On humanitarian issues, many Council members wanted Russia to address the lack of references to humanitarian access, particularly sustained and unimpeded access to hard-to-reach and besieged areas. The revised draft attempts to address these concerns through a generic reference to the need for humanitarian access.

In many Council members' minds, the revisions to the draft did not sufficiently address the concerns raised this morning and they wanted more time for further discussions. When it became clear that Russia was not to be deterred from calling for a vote tomorrow morning, New Zealand suggested meeting in consultations ahead of the scheduled vote to see if it might be possible to resolve outstanding concerns.

There is broad recognition by Council members that the Syrian government and its allies have demonstrated they can take territory, in particular population centres. However, it is less certain if they can hold territory in the absence of a negotiated settlement. Two-thirds of Syrian territory remains outside of government control. In this context, Council members are unsure whether the agreement reached between Russia and Turkey signals the government's willingness to pivot toward a meaningful re-engagement with a political process while it holds a significant military advantage, or whether the gaps in the arrangement are significant enough to result in prolonged armed conflict.

Postscript: On 31 December, Council members met in consultations with many expressing a strong preference to discuss the draft resolution further with a view to adopting it in early January 2017. However, Russia insisted on an immediate vote, which led to further negotiations between France, Russia and the US. That afternoon the draft was adopted unanimously. Resolution 2336, as adopted, takes note of Russia and Turkey's agreement and acknowledges that the Astana talks are an important step ahead of UN-facilitated talks in Geneva on 8 February 2017.

Postscript: During the consultations on 31 December, many Council members expressed a strong preference to discuss the text further with a view to adopt it in early January 2017. Russia insisted on an immediate vote and after further negotiations the draft was adopted unanimously on 31 December. The resolution, as adopted, takes note of Russia and Turkey's agreement and acknowledges that the Astana talks are an important step ahead of UN-facilitated talks in Geneva on 8 February 2017.

Tags: [Insights](#), [Insights on the Middle East](#), [Syria](#)