

# March 2014 Monthly Forecast

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MIDDLE EAST

## Syria

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### Expected Council Action

In March, it is expected that Under-Secretary-General for Humanitarian Affairs Valerie Amos will brief Council members on the first monthly implementation report of resolution 2139 on humanitarian access.

There will also be a briefing in consultations on the implementation of resolution 2118 regarding the destruction of Syria's chemical weapons by Sigrid Kaag, Special Coordinator of the Organization for the Prohibition of Chemical Weapons (OPCW)-UN Joint Mission.

Council members will also be closely watching whether a third round of Geneva II peace talks will be convened in the near future. At press time, it was expected that UN-Arab League Joint Special Representative Lakhdar Brahimi would brief Council members in March.

### Key Recent Developments

On 22 February, the Council unanimously adopted [resolution 2139](#), demanding that all parties, in particular the Syrian authorities, allow humanitarian access across conflict lines, in besieged areas and across borders and expressing its intent to take further steps in case of non-compliance. The vote followed two weeks of intense negotiations that resulted in significant compromises on references to Syria's unwillingness to implement the [October 2013 presidential statement](#) on humanitarian access, possible sanctions in case of non-compliance, cross-border access and access to besieged areas, aerial bombardment, accountability and counter-terrorism.

The situation in Syria is devastating and the level of violence has only escalated since the adoption of [resolution 2118](#) on 27 September 2013. The death toll has increased by 36 percent (from 100,000 to a conservative estimate by monitoring groups of 136,000). According to UN sources, refugee numbers have also risen in the same time period by almost 14 percent (from 2.2 million to nearly 2.5 million), while the number of internally displaced persons has dramatically increased by almost 55 percent (from 4.2 million to 6.5 million). Inside Syria, there are almost 9.3 million in need of humanitarian assistance, with almost 250,000 living in besieged areas and a further 2.5 million in areas rarely accessed by humanitarian workers. Recently, OCHA estimated over 680,000 have been injured over the three years of the conflict.

Adding to the dire situation are alarming reports of intentional government policies of depopulating and razing residential areas, starving areas under siege and deliberately attacking health infrastructure. The regime has increased its use of incendiary weapons, cluster bombs and barrel bombs and the proliferation of extremist armed groups has contributed to the escalating violence.

Amos last briefed Council members on 13 February, reporting that since the adoption of the October 2013 presidential statement the conflict had intensified with the continued use of siege as a weapon of war, denial of humanitarian assistance and aerial bombardment. Amos cited the Homs evacuation as an example of what can be achieved if parties act in support of humanitarian action. However, she said Homs could not be seen as progress. It had taken 14 months to reach agreement to evacuate 1,400 people, and she said the international community could not wait another 14 months for 1,400 more with 250,000 still under siege. Nor, she added, could Homs be seen as a model when humanitarian workers had come under deliberate fire and men and boys were separated from their families and detained by the government during the evacuation. (While Amos did not attribute blame for the attack on aid workers, the US said the regime broke the humanitarian pause with shelling.) Amos said even achieving limited progress was uneven and painstakingly slow and that one-off aid deliveries were not enough. She said the Security Council had a responsibility to act.

Separately, the General Assembly held a meeting on the humanitarian situation in Syria on 25 February. The Secretary-General, the High Commissioner for Human Rights, the High Commissioner for Refugees, the WHO Director-General and the Deputy Emergency Relief Coordinator briefed. Pillay reiterated her call for the Security Council to refer the Syrian crisis to the ICC. Saudi Arabia requested this meeting on 7 February on behalf of Australia, Cyprus, Egypt, France, Germany, Italy, Japan, Jordan, Kuwait, Luxembourg, Qatar, Turkey, United Arab Emirates, the UK and the US. These member states cited increasing frustration at the lack of progress in addressing the humanitarian situation as well as concern over a growing body of evidence pointing to war crimes and crimes against humanity.

Regarding chemical weapons, Kaag last briefed Council members on 6 February, reporting that the 5 February deadline for the removal of the entire chemical weapons stockpile was missed, though Syria did transfer cargoes on 7 and 27 January. She told Council members that the final deadline of 30 June was achievable and that Syria had sufficient material and equipment to proceed without delay. Kaag reported that Syria was at a critical juncture and that to meet the mid-year deadline it would be imperative for Syria to move sufficient volumes in a consistent and predictable manner. Finally, in remarks to the media, Kaag said it was Syria's responsibility to meet its obligations under resolution 2118 and as a party to the chemical weapons convention.

The US drafted a press statement calling on Syria to immediately comply with its obligations under resolution 2118. However, Russia had objections and the statement, which requires consensus, was not issued. Instead, agreed "elements to the press" were read out, in which Council members noted growing concern about the slow pace of

removal and called upon Syria to expedite the process. Council members underlined Syria's responsibility in this regard and said they remained committed to the 30 June deadline and would closely monitor compliance with resolution 2118.

The day before the missed deadline, Russia announced that Syria would complete its shipments by 1 March. However, on 21 February, the UN said Syria had provided a revised timeline that requested a mid-May target for removal despite the OPCW assessment that Syria had adequate means to act immediately. The OPCW reported a third transfer on 10 February. According to media reports, the three batches represent 11 percent of the total arsenal, but only 5 percent of the most toxic, priority-one chemicals have been removed. At press time, the OPCW announced a fourth transfer on 26 February, reportedly of mustard gas.

The first round of Geneva II UN-mediated peace talks between government and opposition delegations was held 22-31 January with no progress in agreeing to confidence-building measures, such as humanitarian access, local ceasefires and prisoner releases. (The situation in Homs was discussed in Geneva without reaching agreement. The actual evacuation was agreed by parties on the ground.)

Talks resumed from 10-13 February, focusing on forming a transitional governing body, ending violence and fighting terrorism. Brahimi insisted both parties declare their political will to deal with these issues in response to the impasse that emerged in the first round of talks over President Bashar al-Assad's future role. The government refused to discuss any political transition until there is a halt to terrorism. The opposition presented its roadmap for a political solution, but the government did not respond.

On 14 February, Brahimi convened a trilateral meeting with Russia and the US to bring fresh momentum into the process. However, the meeting was acrimonious and likely mirrored media remarks made the same day by Russian Foreign Minister Sergey Lavrov and US Secretary of State John Kerry. Lavrov criticised the US for using the talks to achieve "regime change", while Kerry said agreement on a transitional government was the primary goal of the June 2012 Geneva communiqué and accused Russia of backtracking on previous commitments. The status of a third round of talks was unknown at press time.

On 26 February, the US said the Assad regime had arrested relatives of some opposition delegates. Syria also designated some delegates as terrorists and seized their assets.

Human Rights-Related Developments

On 6 February, a group of UN independent experts and special rapporteurs urged all parties to ensure immediate humanitarian relief to those experiencing extreme deprivation. The experts warned that the withholding basic necessities and the denial of humanitarian relief used as a method of war amounted to war crimes and crimes against humanity.

On 19 February, the Office of the High Commissioner for Human Rights released a study, “Living under Siege”, and reiterated its calls for humanitarian access to all besieged areas. High Commissioner Navi Pillay said, “The Security Council is continuing to fail Syrians by not even managing to agree on measures to ensure the provision of basic necessities to people”.

In March, the Human Rights Council will consider the updated report on the work of the Commission of Inquiry on Syria.

#### Key Issues

Three years into the conflict, the key issue is whether and when the parties to the conflict, in particular the Syrian authorities, will meaningfully implement resolutions 2118 and 2139, on chemical weapons and humanitarian access respectively. Both resolutions expressed the intent to take further steps in the case of non-compliance. In this regard, a related issue for the Council is what further steps it might take if there is not timely and substantive implementation.

#### Options

Following the adoption of resolution 2139 on humanitarian access, the Council is unlikely to press for any public outcome. However, Council members have the option to request the Secretary-General to provide benchmarks for measurable progress on the specific demands it made in resolution 2139.

An option for the Council on the political track is issuing a statement encouraging meaningful engagement by both delegations at the peace talks, stressing its endorsement in resolutions 2118 and 2139 of the June 2012 Geneva communiqué that called for the establishment of a transitional governing body exercising full executive powers. However, any action on this track will be informed by what Brahimi has to say when he briefs the Council.

Regarding chemical weapons, Kaag’s last two briefings indicated significant concerns regarding Syria’s cooperation. If such concerns are again amplified in March, the Council could issue a statement reminding Syria that resolution 2118 decided to impose measures under Chapter VII in the event of non-compliance.

#### Council Dynamics

Despite continuously worsening conditions following the adoption of the October 2013 presidential statement, there was a great deal of reluctance to move forward on the humanitarian track in the Council due to the importance Russia and the US placed on avoiding contentious negotiations in the lead-up to Geneva II. However, with no political solution in sight following the January and February rounds of peace talks and with no

clear indication if they will resume, Australia, Jordan and Luxembourg, along with the P3, decided to table the draft resolution on humanitarian access for a vote after two weeks of intense negotiations.

Russia warned that the initiative would jeopardise the political, humanitarian and chemical weapons tracks. However, the broader Council membership was not swayed by the argument, given their increasing frustration at the overwhelming lack of cooperation Syria had exhibited on all three tracks.

When the draft resolution was put in blue, it was unclear whether sufficient compromises had been made to avoid a veto by Moscow and Beijing. Resolution 2139 on humanitarian access was adopted unanimously.

On the chemical weapons track, many Council members are concerned by the slow pace of removal and few are confident that the 30 June deadline will be met. These members are coming to the conclusion that Syria's delayed implementation is a tactic to buy time. At this juncture, Council members have not actively discussed taking any concrete action for non-compliance.

France is the penholder on Syria but most texts are thoroughly, if not exclusively, negotiated between Russia and the US prior to agreement by the broader Council. However, the negotiation of resolution 2139 provides an interesting counter to Russia-US predominance on the Syria file in the Council. Australia and Luxembourg are the penholders on the humanitarian track and, along with Jordan, led these negotiations. It is an example of elected members' ability to take the lead and actively participate in P5 negotiations, refusing to be excluded.

#### UN Documents

##### Security Council Resolutions

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|                                          |                                                                                                                                                                                                                                               |
|------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 22 February<br>2014<br><u>S/RES/2139</u> | Demanded that all parties, in particular the Syrian authorities, allow humanitarian access in Syria across conflict lines, in besieged areas and across borders and expressed the intent to take further steps in the case of non-compliance. |
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| 27 September<br>2013<br><u>S/RES/2118</u> | 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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##### Security Council Presidential Statement

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| 2 October 2013<br><u>S/PRST/2013/15</u> | This statement was on humanitarian access in Syria and urged the government to take immediate steps to allow for expanded relief operations and lift bureaucratic obstacles. |
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##### Security Council Meeting Record

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| 22 February<br>2014 <u>S/PV.7116</u> | This was the unanimous adoption of resolution 2139 on humanitarian access, co-sponsored by Australia, France, Jordan, Korea, Lithuania, Luxembourg, the UK and the US. |
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#### Secretary-General's Reports

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| 26 February<br>2014<br><u>S/2014/133</u> | This was the fifth OPCW-UN Joint Mission monthly progress report. |
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| 27 January 2014<br><u>S/2014/31</u> | Was on children and armed conflict in Syria. |
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