

March 2016 Monthly Forecast

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Posted 29 February 2016

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MIDDLE EAST

Syria

Expected Council Action

Council members will be closely watching whether the cessation of hostilities that went into effect on 27 February, and was endorsed in resolution 2268, is sufficiently observed by the parties to allow for the resumption of political talks in early March. Special Envoy Staffan de Mistura is expected to brief in mid-March on implementation of resolutions 2254 and 2268.

Council members will also receive their regular monthly briefings on the chemical weapons and humanitarian tracks in Syria.

Key Recent Developments

As Syria enters the sixth year of devastating conflict, there is an agreed cessation of hostilities and path toward a political solution. Following intense diplomatic activity between Russia and the US in the context of the International Syria Support Group (ISSG), on 22 February terms were agreed for a cessation of hostilities. This includes the necessity for all parties to agree to participate in UN-facilitated talks towards full implementation of resolution 2254; allowing sustained and unfettered humanitarian access; ceasing attacks, including aerial bombardment; refraining from acquiring territory from other parties to the agreement; using force proportionately and only in self-defence; and committing to work for the early release of detainees. Counter-terrorism operations are excluded from the cessation of hostilities.

In the preceding weeks, attempts to forge a political solution went through several dramatic turns. UN-facilitated talks in Geneva between the Syrian government and the Syrian opposition began on 29 January with the intent to continue for six months. However, in under a week they were suspended. On 5 February, de Mistura briefed Security Council members, reporting that the negotiations were undermined by the ongoing lack of humanitarian access coupled with the sudden increase in aerial bombings and military activities, a reference to the government's Aleppo offensive backed by Russian airstrikes.

On 10 February, Council members New Zealand and Spain called for consultations after OCHA head Stephen O'Brien announced that the Aleppo offensive had displaced 30,000 people. At press time, the situation along the Syrian-Turkish border was fragile as almost 70,000 Syrians had fled the Aleppo offensive and were amassed near Turkey's border. Meanwhile, Turkey shelled Kurdish positions in Syria along the border to check advances

by Kurdish forces taking territory lost by Syrian opposition groups. Russia called for two meetings of Security Council members in February to discuss the military escalation between Turkey and Syrian Kurdish forces, and introduced a draft resolution on the issue. There was not significant support among Council members for the draft text, with several stressing the need to de-escalate the situation and stay focused on a political solution to the Syrian crisis through the implementation of resolution 2254.

In an 11 February statement, the ISSG committed to use their influence with parties on the ground to press for the end of any indiscriminate use of weapons; support and accelerate agreement on implementing a nationwide ceasefire; facilitate immediate humanitarian access; urge the release of arbitrarily detained persons; and fight terrorism. The ISSG also announced the creation of two follow-up task forces under UN auspices, one on humanitarian access and another on a nationwide ceasefire, starting with a cessation of hostilities.

On 26 February, the ISSG ceasefire task force, co-chaired by Russia and the US, met in Geneva to review the parties' agreement to the terms of the cessation of hostilities. The government, which had previously said it planned to fight until it re-established control over all of Syria, has agreed to cease combat operations except those against ISIS, Al-Nusra Front and "other terrorist organisations". The Riyadh-based opposition High Negotiations Committee (HNC) also agreed, but signalled that they would give the truce two weeks to establish the seriousness of the government's commitment. Opposition groups have also flagged significant concerns about the selective nature of the agreement, which allows counter-terrorism operations to continue. Russia and the US, via the ISSG ceasefire task force, have agreed to delineate the territory held by ISIS and Al-Nusra Front, and other terrorist organisations designated by the UN Security Council, so that such parties, and the areas they control, would be excluded from the cessation of hostilities.

De Mistura briefed the Council via video teleconference from Geneva after this meeting, announcing that political talks would resume on 7 March if the truce holds. Also on 26 February, the Council adopted resolution 2268 endorsing the cessation of hostilities in Syria. The resolution demands furthermore the full and immediate implementation of resolution 2254 on a Syrian-owned political transition in accordance with the 30 June 2012 Geneva Communiqué as set forth in ISSG statements; demands that all parties to the cessation of hostilities fulfil their commitments and acknowledges the acceptance by the government and Syrian opposition groups of the terms; welcomes the cessation of hostilities as a first step toward a lasting ceasefire and a parallel political process; calls for sustained and unimpeded humanitarian access via the most direct routes, and specifically names a number of besieged and hard-to-reach areas; calls on member states with influence to advance the peace process and confidence-building measures, including the early release of arbitrarily detained persons; and requests the resumption of UN-facilitated negotiations. In addition, the draft resolution annexes in full the 22 February joint statement by Russia and the US that details the terms of the cessation of hostilities.

On the humanitarian track, O'Brien briefed the Council on 24 February presenting the latest Secretary-General's report that described an increasing trend of attacks on medical facilities, and noted that of 112 such attacks in 2015, 85 percent had been committed by the government. After an attack on a hospital run by Médecins Sans Frontières on 15 February, the organisation announced it would no longer provide locations of medical facilities to the Syrian government or Russian forces due to the increased chance of being directly targeted.

O'Brien also reported that aid had reached 100,000 people in need of assistance in five besieged towns (rebel-held Madaya, Zabadani and Mouadamiya besieged by government forces, and government-held Foua and Kefraya—the only two villages under siege by opposition fighters). However, the government had yet to provide clearance for sustained and unimpeded access to all besieged and hard-to-reach areas, an important confidence-building measure for the cessation of hostilities and political talks. Humanitarian access remained sporadic and subject to ad-hoc approvals.

In February, OCHA increased its estimates of those living under siege from 394,000 to 486,700. However, the NGO SiegeWatch estimates almost 1.1 million Syrians are besieged in 46 areas—overwhelmingly by government forces or allied militias. Similarly, for months the UN has maintained its estimate of 250,000 killed by the conflict, but the estimate by the Syrian Centre for Policy Research is 400,000 killed and another 70,000 fatalities due to the lack of basic services such as clean water and access to medical care.

On the chemical weapons track, Acting UN High Representative for Disarmament Affairs Kim Won-soo briefed Council members on 22 February. He reported that the OPCW Declaration Assessment Team had raised new issues regarding gaps in Syria's declared chemical weapons arsenal which would be addressed at a meeting of the OPCW Executive Council in March. Virginia Gamba—the head of the UN-OPCW Joint Investigative Mechanism (JIM), the body mandated to determine responsibility for the use of chemical weapons in Syria—also briefed, presenting the JIM's first report. Gamba gave an account of the methodology used to identify seven potential cases that will be subject to in-depth investigations beginning in March.

Human Rights-Related Developments

The Commission of Inquiry on Syria released on 8 February a thematic report, “Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic”, which examines the killing of detainees by all parties. The report details how Syrian civilians have been arbitrarily arrested, unlawfully detained, taken hostage or kidnapped, and describes how thousands of detainees held by the Syrian government have been beaten to death or died as a result of injuries sustained due to torture. Many other detainees died from inhumane living conditions and deprivation of medical care. The Commission determines that the Syrian government has committed the crimes against humanity of extermination, murder, rape or other forms of sexual violence, torture, imprisonment, enforced disappearance and other inhuman acts, constituting war crimes where the acts were committed after the start of the armed conflict.

The Human Rights Council will consider the Commission’s 11th report during its 31st session in March. Among the report’s findings are that Syria is on the brink of collapse, humanitarian space is shrinking, denial of humanitarian access and other forms of deprivation are being used as instruments of war to force surrender or to extract political concessions, and an inadequate international protection response has meant that civilians pay the price of “the horrors of war”. The Commission recommends that the Security Council include regular briefings by the Commission as part of its formal agenda and that it take appropriate action by referring the situation to the ICC or an ad hoc tribunal.

Key Issues

The essential issue for the Council—entering the sixth year of a war that has exacted a death toll of 470,000, injured one million and displaced half of the Syrian population, including 4.7 million refugees—is to build on the momentum of resolutions 2254 and 2268, and the agreements reached by the ISSG, and exert effective leadership in supporting a cessation of violence and efforts to implement a political solution.

Options

The ISSG and resolutions 2254 and 2268 have identified roles for the Security Council in the event that talks in 2016 produce concrete results towards a national ceasefire and a parallel political process. How such a ceasefire would be monitored would require more consideration by the Council. On 18 January, de Mistura provided the outline of what the UN is planning in terms of a “light touch” option, based out of Damascus, whereby national counterparts would call in violations that could be investigated by a small group of UN personnel. If future security conditions permit, a further option might be a strengthened international role. However, more recently, the Secretary-General has said that under current conditions it would be difficult to envisage any deployment of UN monitors. In the near term, any party to the cessation of hostilities will be able to bring a violation to the attention of the ISSG ceasefire task force—either through de Mistura’s office or directly to Russia or the US as co-chairs.

Council Dynamics

There is unanimity in the Council on the importance of lowering overall levels of violence, improving the humanitarian situation and putting a political process in place. However, it is unclear to many Council members whether the cessation of hostilities agreement and

the adoption of resolution 2268 is a pivotal moment in the trajectory of the Syrian conflict, or whether the momentum will falter.

Regarding the cessation of hostilities agreement, some Council members have observed that the government will be able to argue that their military operations are targeting terrorists, whereas opposition groups will not be able to make similar claims. A few Council members have reservations about whether the delineation of territory by the ISSG will sufficiently restrain how counter-terrorism airstrikes will be conducted. There is significant concern that opposition groups which are not designated terrorist groups, but may cooperate tactically with Al-Nusra or are located near Al-Nusra positions, will be subject to attack, placing the cessation of hostilities agreement on an uncertain foundation.

Most outcomes on the Syria political track are agreed between Russia and the US prior to seeking agreement by the broader Council, as was the case with resolutions [2254](#) and [2268](#). Egypt, New Zealand and Spain lead on humanitarian issues. Egypt has been consistent in cautioning against “politicising” the humanitarian track, while New Zealand and Spain have argued that when the devastating humanitarian situation on the ground impacts political talks, it is impossible to keep the two tracks separate. France and the UK are also active in calling for meetings and drafting texts.

UN Documents

Security Council Resolutions

26 February 2016 S/RES/2268	Endorsed the cessation of hostilities and called for the resumption of political talks.
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.
7 August 2015 S/RES/2235	This was a resolution that requested the UN Secretary-General and OPCW Director-General to recommend the establishment and operation of a UN-OPCW Joint Investigative Mechanism to determine responsibility for the use of chemical weapons in Syria.
6 March 2015 S/RES/2209	This resolution condemned the use of toxic chemicals such as chlorine, without attributing blame; stressed that those responsible should be held accountable; recalled resolution 2118; and supported the 4 February 2015 decision of the OPCW.
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.

22 December 2015 <u>S/RES/2258</u>	Renewed the authorisation for cross-border aid delivery until January 2017 and included language calling on member states to prevent and suppress the flow of foreign terrorist fighters in and out of Syria.
17 December 2014 <u>S/RES/2191</u>	Renewed authorisation for cross-border humanitarian access until 10 January 2016.
14 July 2014 <u>S/RES/2165</u>	This resolution authorised cross-border and cross-line access for the UN and its partners to deliver humanitarian aid in Syria without state consent and established a monitoring mechanism for 180 days.
22 February 2014 <u>S/RES/2139</u>	This resolution 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.
Security Council Press Statements	
23 February 2016 <u>SC/12254</u>	Condemned the 21 February ISIS attacks in Damascus and Homs.
1 February 2016 <u>SC/12232</u>	Condemned the ISIS attack on 31 January in Damascus.
Security Council Meeting Records	
26 February 2016 <u>S/PV.7634</u>	Special Envoy for Syria Staffan de Mistura briefed the Council ahead of the adoption of resolution 2268 on the cessation of hostilities.
24 February 2016 <u>S/PV.7631</u>	There was the regular monthly humanitarian briefing by OCHA.
Secretary-General's Reports	
18 February 2016 <u>S/2016/156</u>	This was the Secretary-General's monthly report on the humanitarian situation.
17 February 2016 <u>S/2016/152</u>	This was the 60-day report on the implementation of resolution 2254 on a political solution to the Syrian crisis.
12 February 2016 <u>S/2016/142</u>	This was the first report of the UN-OPCW Joint Investigative Mechanism.
28 January 2016 <u>S/2016/85</u>	This was the 28th OPCW report on chemical weapons.
Human Rights Council Documents	
11 February 2016 <u>A/HRC/31/68</u>	The 11th report of the Commission of Inquiry on Syria.

3 February 2016
A/HRC/31/CRP.1

The Commission of Inquiry's thematic report, Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic, examines the killing of detainees by all parties.