



What's In Blue

Syria Briefing and Competing Humanitarian Draft Resolutions

This morning (19 December), Assistant Secretary-General Ursula Mueller is expected to provide the monthly briefing on the humanitarian situation in Syria, which will be followed by consultations. This afternoon, the Council is expected to vote on competing draft resolutions authorising cross-border and cross-line humanitarian access in Syria: the first produced by Belgium, Germany and Kuwait (the humanitarian co-penholders) and the second, an alternative Russian draft. While the Belgium/Germany/Kuwait draft may not be acceptable to Russia, it does not appear that the Russian text would have the requisite votes to be adopted and might be vetoed if it did.

The Belgium/Germany/Kuwait text in blue calls for a reauthorisation of three of the four currently mandated border crossings until 10 January 2021; it would not reauthorise use of the al-Ramtha crossing on the Syria/Jordan border. The draft further requests the Secretary-General to conduct within six months an independent written review of UN humanitarian cross-border and cross-line operations, including on the need to reauthorise the use of the al-Ramtha crossing.

In contrast, the Russian draft in blue would only reauthorise the use of the Bab al-Salam and Bab al-Hawa crossings on the Syria/Turkey border for six months, until 10 July 2020, while excluding re-authorisation for use of the al-Ramtha crossing and the al-Yarubiyah crossing on the Syria/Iraq border.

If neither draft is adopted and a compromise proposal cannot be reached today, the Council still has additional time to renew the cross-border/cross-line authorisation, which expires on 10 January.

Negotiations on the Authorisation for Cross-border/Cross-line Aid Delivery

The negotiations have been difficult. Belgium, Germany and Kuwait convened an initial meeting to read through their first draft on 27 November. This text would have maintained the current mandate for one year with the four border crossings originally authorised by the Council in resolution [2165](#) in 2014. During the meeting, the co-penholders shared with members a request by Turkey to open a fifth border crossing through Tal Abyad on Syria's north-eastern border with Turkey. The US reportedly expressed support for the fifth opening, so long as this did not affect the other border crossings. In the same vein, in the subsequent days, a number of Council members began talking about a

4+1 formulation (that is, maintaining Council authorisation for the use of the four existing border crossings and adding the fifth one at Tal Abyad).

Belgium, Germany and Kuwait incorporated this additional crossing in their second draft, which was the basis of negotiations on 4 December. At the time, Russia and China maintained that they did not have instructions from capital and therefore were unable to engage substantively. In the ensuing days the co-penholders requested comments on their text, but none of these were significant, changes were minimal, and the core of the text remained the same.

The text was placed under silence on 13 December (Friday) until noon on 16 December (Monday). Russia broke silence to introduce an alternative text, however. The Russian draft called for a re-authorisation of two of the four existing border crossings and a six-month mandate (instead of one year); it did not re-authorise use of the al-Yarubiyah and al-Ramtha crossings. This was ultimately the draft Russia put into blue on Wednesday.

A meeting was held among all Council members in the German mission later that day, during which one of the permanent members threatened to vote against the Russian draft. The elected members met immediately following the meeting among all 15 members, during which the possibility of a third compromise draft was mentioned.

Tuesday (17 December) was marked by intense negotiations and public pronouncements about the resolution. During a meeting of the permanent members, Russia apparently reiterated its insistence on a six-month renewal that would authorise only the two existing border crossings through Turkey. Belgium, Germany and Kuwait (as humanitarian co-penholders) also met with Russia. In remarks to the press prior to meeting with the co-penholders, Russia's Permanent Representative to the UN, Ambassador Vassily Nebenzia, maintained that the Russian draft "cut off everything that does not relate to the need to renew the mechanism" and that the draft "put forward by the co-penholders is unacceptable". He added, "On our part, this whole story was a compromise, because we do not find this cross-border humanitarian assistance very inspiring, to put it mildly".

At the Security Council stakeout, also on Tuesday, Ambassador Dian Triansyah Djani (Indonesia) made a statement on behalf of the E10 and three incoming Council members (Estonia, St. Vincent and the Grenadines, and Tunisia). He said that failure to renew the cross-border mechanism would be disastrous and expressed support for the efforts of Belgium, Germany and Kuwait "to renew this mechanism in a transparent, inclusive, and thorough process". Djani further stated, "this is a common responsibility of the Security Council and we call on all its members to be united in this purely humanitarian issue".

Under-Secretary-General for Humanitarian Affairs Mark Lowcock also sent a letter on Tuesday to the US, in its role as Council president this month, in which he reiterated the Secretary-General's view that "the extension of the provisions in the cross-border resolution is critical". He supported "the proposal to add the border crossing at Tal Abyad...for use by the United Nations". The letter also made clear Lowcock's support for maintaining the four border crossings authorised by the Security Council. In this regard, he noted that the UN "does not have an alternative means of reaching 2.7 million people in need in northwest Syria" (where the Bab al-Salam and Bab al-Hawa border crossings are located), that

1.3 million people in the northeast receive aid “including medicine and medical equipment” through the al-Yarubiyah border crossing with Iraq, and that although the “Ramtha crossing is not currently operational...it is important to retain all options to respond should there be further changes on the ground”, given tensions in southern Syria.

That evening, Belgium, Germany and Kuwait circulated a draft that reverted to reauthorising the use of the four crossings (without Tal Abyad) while streamlining the text to focus on the key humanitarian objectives of the mandate. The text was put under silence until yesterday morning (18 December). However, both the US and Russia broke silence this time, with the US calling for the Tal Abyad crossing to be added again as a fifth border crossing and Russia reportedly maintaining it could not accept the text.

Yesterday (18 December), Council members met under “any other business” to discuss once again how to proceed on the cross-border/cross-line humanitarian aid reauthorisation. There was discussion of pursuing the humanitarian penholders’ text (a one-year renewal with the four border crossings). The US apparently did not insist on adding the Tal Abyad crossing at the meeting, but Russia reiterated its unwillingness to deviate from its prior proposal.

Late yesterday afternoon, Belgium, Kuwait and a Germany presented a revised draft, which was put into blue. In addition to eliminating the Ramtha crossing, albeit subject to a review by the Secretary-General within six months on the need to reauthorise it, another apparent indication of the co-penholders effort to compromise was their willingness to call for the independent written review to explore how to strengthen the UN monitoring mechanism, which OCHA has repeatedly maintained is effective.

Resolution [2393](#), which renewed the authorisation of UN cross-border aid delivery in December 2017, also called for an independent written review of the UN humanitarian cross-border operations, including recommendations on how to further strengthen the existing UN monitoring mechanism, apparently to address concerns of Russia and others at the time. That review, which was finalised in June 2018, emphasised the critical importance of the cross-border operations; it recommended that the mechanism’s mandate continue “as an independent and trusted body” and that it share “knowledge with other operations with a monitoring mandate to provide an opportunity to compare best practices” ([S/2018/617](#)).

The Belgium/Kuwait/Germany draft apparently did not shift Russia’s position, and it asked the Secretariat to put its draft in blue as well.

Briefing

In this morning’s meeting, Mueller is likely to reiterate the critical importance of the cross-border authorisation of humanitarian aid delivery to the Syrian people. In similar fashion, most members will most likely reiterate their strong support for this mechanism. As in the past, China and Russia are expected to express their ambivalence about the cross-border mechanism. Both countries have complained about what they perceive as a lack of transparency with regard to the mechanism. In a 14 November Council briefing, China maintained that improved coordination with the Syrian government would ensure that only humanitarian aid comes into the country and that it is not diverted to terrorist

groups. Lowcock said at the same Council meeting that the cross-border aid delivery system “is one of the most closely scrutinized...in the world” and that “evidence of systemic aid diversion” had not been detected.

Although the delivery of cross-border aid to Syria is likely to be the focus of the discussion, other issues will be raised as well. Mueller will probably brief on the critical situation in Idlib province in north-western Syria, home to some three million people, and she may emphasise the need for a permanent ceasefire there, as well as throughout Syria. In his latest report to the Council on the humanitarian file in Syria (S/2019/949), the Secretary-General states that between 1 October and 22 November, 136 civilian deaths have been recorded in the north-west Syria “de-escalation zone”, agreed through the Astana process. Russia announced a unilateral ceasefire in the north-west on 30 August that was confirmed by Syria. In the following weeks, this led to an overall reduction in violence, but some members have expressed alarm at the uptick in air strikes and shelling since mid-October. Inhabitants of Idlib also face the ongoing threat of the Council listed terrorist group, Hayat Tahrir Al-Sham, an issue that may also be discussed in the meeting.

Russia has repeatedly said that its military operation targets terrorists in Idlib, but the P3 (France, the UK and the US) and others have expressed concerns that civilian infrastructure has been targeted in the fighting. In this connection, there may be discussion of the work of the UN Headquarters Board of Inquiry, which was established in August to investigate “destruction of, or damage to facilities on the deconfliction list and UN-supported facilities” in north-western Syria, according to the Spokesperson of the Secretary-General. The “deconfliction list” refers to a list of health facilities whose coordinates have been provided to the parties to prevent their targeting. A number of members may emphasise their support for the BOI’s work and call for key findings from its report to be made public. Although BOI reports are internal documents, summaries of some BOI reports have been made public in the past. It seems that the BOI is expected to complete its work by the end of January.

There may also be an update from Mueller about the humanitarian situation in north-eastern Syria. According to the Secretary-General’s report, some 1.8 million people in the northeast “are in need of assistance—including populations in camps, informal settlements and in urban and rural areas”. Members may be interested in efforts by international non-governmental organisations to ramp up their services in the northeast following a disruption of their work during the hostilities in October.

The dire humanitarian situations in the Hawl camp in north-eastern Syria and in Rukban camp in southern Syria near the Syria/Jordan border may also be discussed in the meeting.

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