

February 2020 Monthly Forecast

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MIDDLE EAST

Syria

Expected Council Action

In February, the Council expects to receive the monthly Syria briefings on the humanitarian situation, political developments, and the use of chemical weapons.

By the end of February, the Council also expects to receive from the Secretary-General a report on the feasibility of using alternative modalities for the Al Yarubiyah border crossing, as requested by resolution 2504.

Key Recent Developments

During the month of December 2019, there was an upsurge in aerial bombardment and ground fighting between government and Syrian opposition forces in southern Idlib province. According to OCHA, since 1 December 2019, approximately 389,000 people- the majority of whom are women and children- have been displaced. Many of the displaced fled from Ma'arrat An-Nu'man, a city in southern Idlib that experienced aerial bombardment in the recent assault, and moved north within the governorate or to areas in the northern Aleppo governorate. The violence has continued into 2020. According to media reports, an attack on a school in the town of Sarmin in northern Idlib on 1 January killed nine civilians, five of whom were children. Local sources believed that the school had been used to shelter displaced families from southern Idlib.

On 3 January, Council members held consultations on the situation in Idlib. France and the UK requested the meeting in light of the escalation of hostilities in north-west Syria. Under-Secretary-General for Humanitarian Affairs Mark Lowcock and Under-Secretary-General for Political Affairs Rosemary DiCarlo briefed. Many Council members referred to the deteriorating humanitarian situation in Idlib to illustrate the urgent need to find a compromise on the resolution to renew the cross-border aid mechanism in Syria before its 10 January expiration. It seems that Lowcock underlined that if the mechanism were not re-authorised by then, the UN would not be able to deliver food and life-saving aid to those in need.

On 20 December 2019, the Security Council voted on two draft resolutions that would have renewed the authorisation for cross-border and cross-line humanitarian access. Neither draft was adopted. The first draft, which was produced by Belgium, Germany and Kuwait, received 13 affirmative votes but was vetoed by China and Russia. It would have re-authorised use for one year of three of the four border crossings (Bab al-Salam and Bab al-Hawa on the Turkey/Syria border and Al Yarubiyah on the Iraq/Syria border) that had

been mandated by previous resolutions. The second draft, produced by Russia, failed to be adopted because of an insufficient number of affirmative votes, as only five members (China, Côte d'Ivoire, Equatorial Guinea, Russia, and South Africa) supported it. (A resolution requires nine or more affirmative votes to be adopted.) The Russian draft called for a re-authorisation of two of the four existing border crossings (Bab al-Salam and Bab al-Hawa) for six months.

Difficult negotiations aimed at renewing the mandate continued through the end of December and into early January, with differences persisting over the number of authorised border crossings and the duration of the mandate.

On 10 January, Belgium and Germany (without Kuwait, which had been a co-penholder but finished its Council term at the end of 2019) revised their draft to allow for the re-authorisation of two of the four border crossings (Bab al-Salam and Bab al-Hawa) for a period of six months. The draft was adopted as resolution 2504 by a vote of 11 in favour, none against, and four abstentions (China, Russian Federation, United Kingdom, United States). The resolution does not re-authorise use of the Al-Ramtha and the Al Yarubiyah crossings. This departed from the co-penholder draft resolution put in blue on 9 January, which included the latter crossing; the Al Yarubiyah crossing was removed on the day of the vote to secure adoption.

The resolution further requests the Secretary-General to report to the Security Council by the end of February 2020 on the feasibility of using alternative modalities for Al Yarubiyah. During the vote, Russia proposed an oral amendment to the co-penholder draft that referenced the “guiding principles of humanitarian emergency assistance”, as contained in General Assembly resolution 46/182. (One of the guiding principles adopted by that resolution is that “humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country”.) The oral amendment failed to be adopted because of insufficient votes, as only three Council members (China, Russia and Viet Nam) voted in favour.

In consultations on chemical weapons in Syria on 6 January, Russia announced its intention to convene an Arria-formula meeting on the final report of the Fact-Finding Mission (FFM) of the Organisation for the Prohibition of Chemical Weapons (OPCW) on the reported use of chemical weapons on 7 April 2018 in Douma, which was published on 1 March 2019. The report concluded that the evaluation and analysis of all the information gathered by the FFM “provide reasonable grounds” to conclude that a toxic chemical weapon was used and that “the toxic chemical was likely molecular chlorine”. According to media reports, at least 40 people died as a result of the use of chemical weapons in Douma. Although the FFM is not mandated to assign responsibility, the report established that it is possible that two yellow industrial cylinders “were the source of the substances containing reactive chlorine” that caused structural damage in two locations. According to the report, one of the cylinders was found on a rooftop terrace and the other passed through the ceiling of a different building and hit the floor.

Featured speakers at the Arria-formula meeting included Ambassador Alexander Shulgin, Permanent Representative of Russia to the OPCW; Maxim Grigoriev, director of the Foundation for the Study of Democracy; Ian Henderson, a former OPCW official; and Bashar Jaafari, Permanent Representative of Syria to the UN. These speakers strongly questioned the accuracy of the FFM's report, with Grigoriev maintaining that the chemical weapons attack in Douma had been falsified.

At press time, the Council was expected to receive briefings, followed by consultations, on the political and humanitarian situations in Syria on 29 January.

Human Rights-Related Developments

On 16 January, the Commission of Inquiry on Syria published a report on children's rights, covering September 2011 to October 2019 (A/HRC/43/CRP.6). The report details violations of children's rights by the warring parties, including killing and injuring of children, the recruitment and use of children in hostilities, attacks on education, children in detention, and sexual violence against children. It states that the "unprecedented and recurrent nature of these violations has affected generations to come". The devastating situation of education in Syria is highlighted as an area of concern, with thousands of schools having been destroyed or used for military purposes and more than 2.1 million children not regularly attending classes of any form. "Eight years of conflict has not only left an enormous trauma on the physical and mental well-being of an entire generation of Syrian girls and boys, but also destroyed the social, economic and cultural fabric required for Syrian communities to start healing", the report says.

Key Issues and Options

A key issue is creating an environment in Syria that is conducive to advancing the political process. The Constitutional Committee has not met since its 25-29 November 2019 session, when no progress was made, as the co-chairs from the government and opposition sides were unable to agree on an agenda for the meeting. The government side wanted to discuss "national constants" such as terrorism and sanctions relief prior to engaging on constitutional matters; the opposition maintained that these issues could be addressed but not outside the context of the constitution.

Members could emphasise the importance of confidence-building measures to accompany the work of the Constitutional Committee, such as large-scale releases of detainees and abductees and information about missing persons. Other potential confidence-building measures, as proposed by the International Crisis Group, could include amnesty for deserters from the armed forces or access to prisons for organisations such as the ICRC.

Another significant challenge is the difficult humanitarian situation amidst the ongoing fighting in Syria. In reviewing the Secretary General's report on the feasibility of alternative modalities for the Al Yarubiyah border crossing, members might consider holding an informal meeting, such as a closed Arria-formula meeting, to allow for a frank discussion with UN officials and relevant humanitarian aid organisations on these potential modalities.

Council Dynamics

The Council remains intensely divided on Syria, as reflected by the negotiations leading up to the adoption of resolution 2504 and the four abstentions registered on the vote. Russia and China have reservations about the cross-border aid delivery mechanism, maintaining the importance of cooperation with the Syrian government in the delivery of aid and believing that authorisations of the Al Yarubiya and Al-Ramtha crossings are no longer necessary. Several other members regret that these crossings are no longer authorised and that the renewal of the Bab al-Salam and Bab al-Hawa crossings will only be for six months rather than one year. There is especially strong concern about the closing of the Al Yarubiya crossing, given that OCHA has estimated that 1.3 million people in northeast Syria receive aid such as medicine and medical equipment through this crossing.

The Council’s divisions were also clearly exhibited in the Arria-formula meeting. Several members—Belgium, Estonia, the P3 and others—supported the FFM’s conclusions on Douma, while Russia strongly contested its findings. Others called for depoliticization of the OPCW’s work and issued a broad condemnation of the use of chemical weapons.

Belgium and Germany are the penholders on the Syria humanitarian file.

UN DOCUMENTS ON SYRIA

Security Council Resolutions

10 January 2020S/RES/2504	This resolution renewed the authorisation of cross-border humanitarian aid into Syria through two border crossings (Bab al-Salam and Bab al-Hawa) for six months.
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Security Council Meeting Records

10 January 2020S/PV.8700	This was the meeting at which resolution 2504 was adopted.
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