

July 2015 Monthly Forecast

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MIDDLE EAST

Syria

Expected Council Action

In July, Council members expect to receive their regular monthly briefings on the chemical weapons and humanitarian tracks in Syria. Special Envoy for Syria Staffan de Mistura is also expected to report back to Council members on the political track.

At press time, several initiatives by various Council members on the issues of chlorine bombs, violation of medical neutrality, besieged communities and aerial bombardment were ongoing. However, it was unclear which, if any, of these would gain traction in the coming weeks and months.

Key Recent Developments

On 12 June, the Syrian deputy foreign minister acknowledged that the government had recently lost more ground to various armed opposition groups and the Islamic State of Iraq and al-Sham (ISIS). These losses to opposition groups are attributed to increased coordination between Turkey, Saudi Arabia and Qatar, with support from the West. However, he said Damascus was secure as were other key areas, such as Homs, Hama and Qalamoun. He added that Iran, Russia and the Tehran-backed Lebanese Shi'a militia, Hezbollah, would continue to support the Syrian government. Indeed, on 2 June—the same day the anti-ISIS coalition met in Paris—Iranian President Hassan Rouhani said his country would stand by the government of Syria to the end and characterised Syria as the front line of defence against Sunni extremism. Meanwhile, in early June, rebel groups accused the government of supporting ISIS expansion in Syria. Analysts note that the Syrian regime has prioritised rebel defeat over targeting ISIS.

Regarding the military situation, a joint offensive by Kurdish and Free Syrian Army (FSA) forces, supported by US-led airstrikes, seized the ISIS-held town of Tel Abyad near the Turkish border on 15 June, cutting off a major supply line to ISIS's stronghold in Raqqa. On 29 June, Ankara—concerned that the consolidation of Kurdish gains in Syria could ignite Kurdish separatist sentiment in Turkey—debated its military options. President Tayyip Erdogan's office said any security measures Turkey takes will be aimed at protecting the border and not intervening in Syria.

On 9 June, the Southern Front of the FSA captured a large military base in Dera'a province that had been used by the government to shell the surrounding area. This followed a string of other gains by the Southern Front, including seizing the Nasib border crossing with Jordan in early April.

Northwest Syria has also seen a significant upsurge in fighting around Aleppo and in Idlib province. On 4 June, OCHA Operations Director John Ging briefed Security Council members under “any other business” on the 30 May barrel bomb attacks by government helicopters targeting a civilian market in Aleppo. The same day, de Mistura said it was “totally unacceptable that the Syrian air force attacks its own territory in an indiscriminate way, killing its own citizens, as brutally happened today in Aleppo”. De Mistura condemned ongoing government attacks again on 8 June and rebel shelling of government-held Aleppo on 16 June.

Some Council members had also raised the issue of aerial bombardment during the 3 June consultations on the chemical weapons track as chlorine attacks have allegedly been carried out via barrel bombs dropped from government helicopters.

On 5 June, Council members issued a press statement expressing outrage at indiscriminate attacks against civilians, including those involving shelling and aerial bombardment. On 18 June, 71 member states that strongly believe the protection situation in Syria is getting worse—including Council members France, Jordan, Lithuania, Malaysia, New Zealand, Spain, the UK and the US—sent a letter to the Security Council expressing outrage at the continued indiscriminate use of weapons, such as barrel bombs. These member states called on the Security Council to ensure implementation of its own resolutions on Syria as well as to prevent future aerial bombardment by the government (without specifying how).

The focus on indiscriminate attacks against civilians continued with an Arria-formula meeting on 26 June and a briefing by Deputy Under-Secretary-General for Humanitarian Affairs Kyung-wha Kang that also focused on this issue during her 29 June briefing to the Council.

On the political track, de Mistura visited Damascus between 15 and 17 June. He met with President Bashar al Assad and reportedly raised the issue of barrel bombs with government officials. He is expected to report back to the Council in late July on the UN-facilitated consultations launched in Geneva on 5 May. These consultations were convened to find areas of commonality for implementing the Geneva Communiqué, a political transition plan agreed in June 2012 that has been continually stymied over the role of Assad and Iran’s support for the regime, and has been further complicated by the presence of ISIS in Syria.

Human Rights-Related Developments

On 23 June, the head of the Human Rights Council’s Commission of Inquiry on Syria, Paulo Pinheiro, reported that civilians are the main victims of an accelerating cycle of violence and that all parties deliberately attack civilians. He added that the government’s superior firepower and control of the skies inflicts the most damage. The Commission’s June update said that the Security Council has nourished a deeply entrenched culture of impunity and called for it to refer the situation in Syria to the ICC ([A/HRC/29/CRP.3](#)).

Key Issues

The main issue for the Council—in the fifth year of a war that has exacted a death toll of 220,000, injured one million and displaced half of the Syrian population—is to find ways to show leadership, particularly in supporting a cessation of violence and resuscitating efforts for a political solution.

Ongoing issues include how to get agreement to follow up on the violations of resolutions 2139, 2165 and 2191 on the humanitarian situation and 2118 and 2209 on chemical weapons—in particular aerial bombardment and the use of chlorine bombs.

Options

While the Council has many tools at its disposal—such as imposing an arms embargo or targeted sanctions, referring Syria to the ICC and authorising a no-fly zone to deter Syria from using its aerial capacity—P5 divisions have made it impossible for the Council to fulfil its role in maintaining international peace and security in the case of Syria. While some feel that such action might be the leverage the Council requires to shift the parties' priorities towards a negotiated solution, the Council has a history of not escalating pressure in the midst of other sensitive processes, such as the P5+1 negotiations on the Iran nuclear file.

An option for Council members concerned about the government's continued use of chlorine bombs would be to put forward a resolution determining that Syria has breached resolutions 2118 and 2209 and impose targeted sanctions. Given that chlorine is delivered in barrel bombs, such an outcome could be an opportunity to address the broader and more pervasive issue of aerial bombardment and indiscriminate attacks on civilians that was addressed in resolution 2139.

Another option is to follow up on the US suggestion for an “attribution mechanism” on the use of chemical weapons since resolution 2209 was adopted in March. It seems the US draft would give this task to the Secretary-General and would request the findings be reported back to the Council. However, Russia is opposed to such a mechanism and has proposed that any response could instead be formulated in a presidential statement. The US draft has not been discussed beyond the P5 and, in fact, was being negotiated exclusively between Russia and the US. At press time, it was unclear how active these bilateral negotiations were.

Although unlikely, the Council could vote to refer Syria to the General Assembly under “Uniting for Peace” so that the General Assembly may recommend collective action, including sanctions and the use of force. This would be a procedural vote and therefore cannot be vetoed by the P5 and only requires nine affirmative votes. A “Uniting for Peace” resolution by the General Assembly can confer legitimacy on international collective action, but it would carry no binding obligation for such action.

Council and Wider Dynamics

Despite overwhelming indications that various resolutions threatening consequences for lack of implementation have continually been breached, it is unlikely that Council members will push for follow-up measures, such as targeted sanctions or another attempt at an ICC referral. The assumption that Russia would veto any effort specific to the

government remains a deterrent. Any discussion of a Council-authorised no-fly zone is also a non-starter among Council members, due to Russia's veto power but also because of the lack of US interest in pursuing this course of action.

On the political track, Council members assume de Mistura will likely want to limit expectations about whether conditions on the ground have shifted enough to untangle what has become known as the "Assad knot" enshrined in the Geneva Communiqué—i.e. trying to find openings between Iran's and Russia's support for the Assad regime and the position of the P3 and their Arab allies that Assad must go. Council members acknowledge that the Geneva consultations may be little more than a place holder until there is a major shift on the part of the US or Russia to tilt the balance toward a political solution.

On the chemical weapons track, fundamental differences remain. The US has maintained that it views resolution 2209 to be a final warning to Damascus before consequences are sought for its use of chlorine bombs. Russia insists that the Council cannot apportion blame to Damascus since only the OPCW has the capacity to fully assess the situation. While the OPCW fact-finding mission can investigate whether chlorine has been used as a weapon, its mandate prohibits it from attributing responsibility.

France is the penholder on Syria overall. Jordan, New Zealand and Spain lead on humanitarian issues. In practice, however, most texts need to be agreed between Russia and the US prior to seeking agreement by the broader Council.

UN Documents

Security Council Resolutions

6 March 2015 <u>S/RES/2209</u>	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.
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.

27 September 2013 <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 Press Statements

5 June 2015 <u>SC/11921</u>	Condemned indiscriminate attacks on civilians.
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Security Council Letters

18 June 2015 <u>S/2015/454</u>	71 member states that strongly believe the protection situation in Syria is getting worse—including the P3 and elected Council members Jordan, Lithuania, Malaysia, New Zealand and Spain—sent a letter to the Security Council expressing outrage at the continued indiscriminate use of weapons, such as barrel bombs.
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Secretary-General's Reports

23 June 2015 <u>S/2015/468</u>	This was the Secretary-General's report on the humanitarian situation.
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28 May 2015 <u>S/2015/391</u>	This was on the 20th OPCW report on chemical weapons.
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Security Council Meeting Records

29 June 2015 <u>S/PV.7476</u>	This was a briefing by OCHA on the humanitarian situation.
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