

January 2017 Monthly Forecast

 securitycouncilreport.org/monthly-forecast/2017-01/syria_39.php

Posted 28 December 2016

Download Complete Forecast: [PDF](#)

MIDDLE EAST

Syria

Expected Council Action

In January, Council members expect to receive a briefing on the chemical weapons track as well as their regular monthly briefings on the humanitarian and political situations in Syria. Other activity could not be ruled out, given the urgent nature of the Syrian crisis.

It is possible that a draft resolution to impose sanctions on the Syrian government for the use of chemical weapons against its own population may be put to a vote in January.

The Board of Inquiry report on the 19 September 2016 attack on a humanitarian convoy outside of Aleppo was transmitted to the Security Council on 21 December 2016. It was unclear if the Security Council would respond the report's findings.

Key Recent Developments

On 18 October 2016, Russia announced a unilateral pause in hostilities for rebel-held eastern Aleppo, an area that has been besieged by the government since July 2016. This pause was largely observed until 15 November 2016, when Russia and the Syrian government renewed their offensive. As the government advanced into eastern Aleppo, reports emerged of government-allied militias executing opposition fighters' family members, disappearances and men being inducted into government forces against their will.

The humanitarian penholders—Egypt, New Zealand and Spain—circulated a draft resolution in late November that called for a 7-day end to all attacks in Aleppo. Russia asserted that a truce in Aleppo should only go into effect after the country-wide separation of Al Nusra terrorist fighters from other armed opposition groups. The humanitarian penholders, the P3 and several other Council members maintained that “counterterrorism” was being used as an excuse by Russian and Syrian forces to justify targeting all opposition groups and civilians in eastern Aleppo. On 5 December 2016, the draft resolution was put to a vote and was vetoed by China and Russia.

On 13 December, France and the UK called for an emergency meeting of the Council where the Secretary-General reported that after 48 hours of unprecedented levels of bombardment, the UN had seen an almost complete collapse of the armed opposition's front lines in eastern Aleppo. He said that civilian deaths and injuries continued at a brutal pace. At that meeting, a majority of Council members called on Russia and Syria to allow impartial observers into Aleppo to monitor the situation of civilians.

Outside of the Council, Russia and the US had tried to broker an Aleppo truce without success. Meanwhile, by 13 December 2016, Turkey and Russia had reached a deal for the evacuation of fighters and civilians from what remained of rebel-held eastern Aleppo. Russia announced on 15 December 2016 that its bi-lateral talks with the US over Aleppo had been suspended.

The evacuations began and stalled repeatedly amid reports of convoys coming under fire, evacuation routes being cut off by government-allied militias, individuals being removed from buses leaving eastern Aleppo, summary executions, and an additional government demand, not part of the original agreement, that evacuations from eastern Aleppo would be conditioned on evacuations from two rebel-besieged villages: Foah and Kefraya.

By mid-December 2016, the government had wrested control of 95 percent of eastern Aleppo from armed opposition groups. At that point, tens of thousands of civilians remained trapped in a very small and densely populated besieged area. By 22 December, the government announced that it was in full control of all of Aleppo.

Evacuation of civilians from eastern Aleppo took place under limited international observation by ICRC and the Syrian Arab Red Crescent. The exodus echoed a series of smaller surrenders in 2016 which the opposition characterises as a forced population transfer following years of government-imposed sieges that are disguised as a “local truce”. Other evacuations, under almost identical circumstances, occurred in the opposition-held Khan al-Shih and Al Tal suburbs in November, Moadamiyeh in October, Al Waer in September, and Daraya in August. Opposition fighters from these areas have been evacuated to Idlib, raising the spectre of that province becoming a new epicentre of fighting after eastern Aleppo’s fall to the government.

Against this backdrop OCHA head Stephen O’Brien briefed Council members under “any other business” on 16 December. He reiterated that the UN stands ready to help but that it had only been granted very limited access to Aleppo. He reported that the UN was waiting for the Syrian government to approve the redeployment of existing UN staff already in Syria to Aleppo and permission for the UN to access all affected areas there.

Following O’Brien’s briefing, France called for a vote on a draft resolution that called for evacuations to be carried out in line with international humanitarian law, and for direct observation, independent monitoring of and reporting on the evacuations and the situation of civilians inside eastern Aleppo. However, during the consultations preceding the scheduled vote on Sunday, 18 December 2016, Russia raised objections regarding UN access to eastern Aleppo and made clear that it would veto the French draft. After three hours of negotiations between France, Russia and the US, a deal was reached and resolution 2328 was adopted unanimously the next day.

The Russian amendments added to the French text required the UN to coordinate security guarantees with all parties in Aleppo prior to carrying out monitoring activities and added references to the UN working with “all relevant institutions”, an implicit

reference to the Syrian government. Russia's interpretation of these amendments was further clarified in a letter to the Council, emphasising that the UN's humanitarian work on the ground would be done in coordination with the Syrian government.

OCHA briefed the Council again on 23 December in fulfillment of the request in resolution 2328 for an implementation report within 5 days of adoption. OCHA said that the evacuation of eastern Aleppo had most likely concluded and that most evacuees had chosen to continue on to opposition held areas in Idlib. The government had approved 20 UN staff to be redeployed to Aleppo for monitoring purposes, but had not granted access to monitor evacuation assembly points, checkpoints that the convoys had to traverse during evacuations, or drop off points.

In another development on the humanitarian track, the Council adopted resolution 2332 on 21 December 2016, renewing UN authorisation for cross-border aid delivery until 10 January 2018.

On the political track, the Special Envoy Staffan de Mistura briefed Council members on 8 December 2016 on the implications of the Aleppo offensive on a political solution to the crisis. He said that now was the time to resume talks in order to test whether the Syrian government was serious about a political transition. During these consultations, Council members agreed to issue press elements on the need to save civilians in Aleppo and to urgently call for a political solution in line with resolution 2254. However, Russia refused to agree to a third point: calling for UN access to eastern Aleppo. On 19 December, de Mistura announced that UN-facilitated talks would resume in Geneva on 8 February 2017.

Separately, on 20 December 2016, Iran, Russia and Turkey met in Moscow and issued a joint statement that they would create the necessary momentum toward the resumption of a political process in line with resolution 2254 by:

- acting as guarantors of a prospective ceasefire arrangement in Syria; and
- working together to fight ISIL and to separate Al-Nusra from other armed opposition groups.

The Moscow meeting apparently sidelined the US and the joint statement made no specific reference to UN-facilitated talks, rather it noted the offer of Kazakhstan to host "relevant meetings" in Astana.

On 30 December, Council members met in consultations to discuss a draft resolution to endorse the ceasefire in Syria agreed in late December between Russia and Turkey. Several concerns were raised about the draft resolution. There was a lack of clarity about which armed groups and which areas were covered by the arrangement; whether the Astana talks sidelined the UN mediation process; a lack of clarity about how the opposition delegation would be formed; and that there were no references to humanitarian access in the text. Many Council members expressed a strong preference to discuss the text further with a view to adopt it in early January 2017. However, Russia insisted on an immediate vote and after further negotiations the draft was adopted

unanimously on 31 December. The resolution, as adopted, takes note of Russia and Turkey's agreement and acknowledges that the Astana talks are an important step ahead of UN-facilitated talks in Geneva on 8 February 2017.

On chemical weapons, the next report of the UN-OPCW Joint Investigative Mechanism (JIM) is due in mid-February. The JIM's previous four reports have concluded that of the nine cases investigated, the Syrian regime used chlorine gas against its own population in three cases and that ISIL used mustard gas in one case. There was insufficient evidence to make a determination in the remaining five cases. Subsequent to those findings, on 19 December 2016, France and the UK circulated a draft resolution seeking to impose sanctions on the Syrian government for the use of chemical weapons against its own population. At press time, it was unclear when the draft would be tabled for a vote.

In other developments, the UN Board of Inquiry that investigated the 19 September 2016 attack on a humanitarian convoy outside of Aleppo delivered its report to the Secretary-General, who in turn shared a summary of the report with the Security Council on 21 December. The summary reported that the attack was an airstrike and that only the aircraft of the US-led anti-ISIL coalition, Russia or Syria had the capabilities to carry out the attack. The Board reported that it was highly unlikely that the US-led coalition carried out the attack and no party had alleged that it had done so. The Board received reports that Syrian forces were highly likely to have perpetrated the attack, but the Board was not given access to the required data or access to the attack site to determine responsibility. Russia and Syria deny they carried out the attack.

In the General Assembly, two Syria specific resolutions were adopted in December 2016. On 21 December, a resolution to establish a mechanism to assist in the investigation and prosecution of those responsible for crimes under international law committed in Syria since March 2011 was adopted. On 9 December, a resolution focused on the humanitarian situation in Aleppo was adopted.

Key Issues

With Syria approaching its sixth year of a war that has exacted a death toll approaching 500,000, left 700,000 living under siege after the evacuation of eastern Aleppo and displaced half of the Syrian population, including 4.83 million refugees, the essential issue for the Council is to exert effective leadership in supporting a cessation of hostilities and efforts to reach a political solution.

Regarding chemical weapons, the JIM's findings mean that the Council is in a position to consider whether Syria is in breach of resolutions [2118](#), [2209](#) and [2235](#).

Options

While the Council has many tools at its disposal—such as imposing an arms embargo or targeted sanctions, referring Syria to the ICC or 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.

The Council could, however, vote to refer Syria to the General Assembly under the “Uniting for Peace” procedure, which would allow the General Assembly to recommend collective action. This would be a procedural vote and therefore could not be vetoed by any of the P5, requiring only nine affirmative votes.

Regarding chemical weapons, if the Council is able to determine that Syria has violated resolutions 2118, 2209 and 2235, it has the option to pursue the threat of sanctions implicit in all three resolutions.

Council Dynamics

There is broad recognition by Council members that the Syrian government and its allies have demonstrated they can take territory, in particular population centres. However, it is less certain if they can hold territory in the absence of a negotiated settlement. Two-thirds of Syrian territory remains outside of government control. In this context, Council members are unsure whether the government’s retaking of Aleppo will pivot it toward a meaningful re-engagement with a political process while it holds a significant military advantage, or whether it will continue to exhibit a preference for prolonged armed conflict.

At press time, Council members had held one round of negotiations on a draft resolution to impose sanctions against Syria over its non-compliance with resolutions 2118, 2209 and 2235 on chemical weapons. Most Council members expect that if the sanctions draft is put to a vote then Russia would cast its seventh veto on a Syria resolution.

Egypt will continue to lead on humanitarian issues along with Sweden, replacing New Zealand and Spain which rotate off the Council as of 31 December 2016. Of the new Council members starting their term on 1 January 2017, it is expected that Bolivia, Ethiopia and Kazakhstan may tend to be supportive of Russian positions on Syria. Italy and Sweden are expected to align more closely with the P3 and other like-minded Council members.

UN Documents

Security Council Resolutions

31 December 2016 <u>S/RES/2336</u>	Welcomed efforts by Russia and Turkey to end violence in Syria and jumpstart a political process.
21 December 2016 <u>S/RES/2332</u>	This resolution renewed the authorisation for cross-border aid delivery until 10 January 2018.
19 December 2016 <u>S/RES/2328</u>	This resolution demanded UN access to monitor evacuations from Aleppo.
17 November 2016 <u>S/RES/2319</u>	Renewed the mandate of the UN-OPCW Joint Investigative Mechanism for a further year.

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.
26 February 2016 <u>S/RES/2268</u>	This was a resolution that endorsed the cessation of hostilities and called for the resumption of political talks.
18 December 2015 <u>S/RES/2254</u>	This was the first resolution focused exclusively on a political solution to the Syrian crisis. It was adopted unanimously.
Secretary-General's Reports	
14 December 2016 <u>S/2016/1057</u>	This was a report on the humanitarian situation.
29 November 2016 <u>S/2016/998</u>	This was the 38th OPCW report on chemical weapons.
Security Council Meeting Records	
23 December 2016 <u>S/PV.7852</u>	This was the Secretary-General's five-day report on the situation in Aleppo following the adoption of resolution 2328.
13 December 2016 <u>S/PV.7834</u>	This was an emergency meeting on Aleppo.
Security Council Letters	
29 December 2016 <u>S/2016/1133</u>	Was from Russia summarising the agreement reached with Turkey on a ceasefire and political talks for Syria.
21 December 2016 <u>S/2016/1093</u>	Was a summary of the UN Board of Inquiry report on the 19 September 2016 attack on a humanitarian convoy outside of Aleppo.
19 December 2016 <u>S/2016/1076</u>	This was a letter from Russia regarding their interpretation of resolution 2328 on the UN monitoring the evacuation of eastern Aleppo.
Other	
5 December 2016 <u>S/2016/1026</u>	This was the vetoed draft resolution submitted by Egypt, New Zealand and Spain that called for an end all attacks in Aleppo for seven days. The vote was 11-3-1. Russia and China vetoed the resolution, Venezuela voted no and Angola abstained.
General Assembly Documents	

21 December 2016 <u>A/RES/71/248</u>	Established the International, Impartial and Independent Mechanism to assist in the investigation and prosecution of those responsible for the most serious crimes under international law committed in Syria since March 2011. The resolution was drafted by Liechtenstein and was passed with 105 votes in favour to 15 against with 52 abstentions.
9 December 2016 <u>A/RES/71/130</u>	Expressed outrage at the recent escalation of violence, particularly in Aleppo, and demanded an immediate and complete end to all attacks on civilians and civilian objects and to all sieges throughout the country. The resolution was drafted by Canada and was passed by 122 votes in favour to 13 against with 36 abstentions.
