



# Failure to Protect: Syria and the UN Security Council

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## GLOBAL CENTRE FOR THE RESPONSIBILITY TO PROTECT

The Global Centre for the Responsibility to Protect was established in February 2008 as a catalyst to promote and apply the norm of the “Responsibility to Protect” populations from genocide, war crimes, ethnic cleansing and crimes against humanity. Through its programs and publications, the Global Centre for the Responsibility to Protect is a resource for governments, international institutions and civil society on prevention and early action to halt mass atrocity crimes.

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### COVER PHOTO:

People watch the clashes between Islamic State of Iraq and the Levant and Kurdish armed groups in the Syrian border town of Kobani (Ayn al-Arab) from Suruc district of Sanliurfa, Turkey on 9 October 2014.

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## EXECUTIVE SUMMARY

After four deadly years the Syrian conflict shows no sign of abating. As the civil war has dragged on its violence has become more widespread, systematic and extreme. The conflict has also become more intractable, threatening the peace and stability of the entire Middle East. It has already had devastating consequences for neighboring Iraq and poses an enduring threat to Lebanon, Jordan and Turkey.

The Responsibility to Protect (R2P), the global commitment adopted at the 2005 United Nations (UN) World Summit, has been central to the international discourse on how to respond to mass atrocity crimes in Syria. Despite the acrimonious debate surrounding the UN Security Council-mandated intervention in Libya in 2011, individual states, regional organizations and UN agencies have struggled to find ways and means of upholding their responsibility to protect the people of Syria. Public censure of atrocities committed by both government forces and armed opposition groups, as well as bilateral sanctions, investigations by the UN Human Rights Council and a Joint Monitoring Mission deployed during the failed 2012 ceasefire, stand as examples of international efforts to confront atrocities in Syria. But it has not been enough.

The Responsibility to Protect is an international norm, but it does not possess independent agency. The failure to end atrocities and protect civilians in Syria is not a failure of R2P, but of the imperfect actors and institutions charged with its implementation. Beyond the primary responsibility

of the Syrian government to stop killing its own people, responsibility rests with the one body entrusted and mandated by the 193 members of the United Nations with the maintenance of international peace and security – the Security Council.

Despite resolutions that led to the destruction of Syria's chemical weapons stockpile and improved access to the 12.2 million suffering Syrian civilians who remain in desperate need of humanitarian assistance, political divisions and partisan interests within the Security Council have been an insurmountable obstacle. In particular, Russia and China have on four separate occasions employed their vetoes to block action in response to mass atrocity crimes in Syria, including most recently on a May 2014 draft resolution that would have referred the Syrian situation to the International Criminal Court. As this paper shows, each veto strengthened impunity and encouraged the expansion of war crimes and crimes against humanity.

This occasional paper from the Global Centre for the Responsibility to Protect analyzes the Security Council's response to Syria through the conflict's various phases and argues that without an agreement by the Permanent Members of the Council to refrain from using their veto in future mass atrocity situations, the legitimacy and efficacy of the Council will be increasingly called into question. This is a failure that the Security Council, Syria and the world can ill afford.



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## INTRODUCTION

Four years have passed and more than 220,000 people have been killed since the Syrian conflict first began, but the civil war continues to inspire perpetrators on all sides to commit new and appalling atrocities.<sup>1</sup> Crude improvised “barrel bombs” packed with chemical weapons have been dropped from government helicopters while public beheadings and the attempted extermination of religious minorities by the extremist group the Islamic State of Iraq and the Levant (ISIL) have shocked the world.<sup>2</sup> Caught between the crimes of the government and those of some armed rebel groups, villages and towns that have existed for centuries as part of the unique Levantine amalgam of cultures and faiths are now torn apart by sectarianism and war.<sup>3</sup>

There was nothing inevitable nor accidental about the international community’s failure to prevent Syria’s conflagration. Three years ago in February 2012, for the second time since the conflict began, Russia and China vetoed a United Nations (UN) Security Council draft resolution aimed at holding the Syrian government accountable for crimes against humanity. Watching the discussion in the chamber after the vote, the depth of un-diplomatic emotion was palpable. In particular, Susan Rice, then United States Ambassador to the UN and now President Barack Obama’s National Security Advisor, said her government was “disgusted” by the veto of a resolution intended to

help protect civilians and halt atrocities.<sup>4</sup> Although the resolution had been supported by 13 of the 15 members of the Council, diplomats and human rights advocates in New York were despondent.

What became clear in the aftermath of the February 2012 veto was that Security Council inaction emboldened those inside Syria most committed to a military resolution of the conflict. The killing rate in Syria increased from approximately 1,000 per month to approximately 5,000 per month during 2012 as the civil war metastasised. Between February and November of 2012 the death toll soared from over 5,000 to almost 60,000.<sup>5</sup>

Patterns of violence also changed. With each failure of the Security Council to hold the Syrian government accountable for its actions, President Bashar al-Assad’s forces deployed more extreme armed force. This, in turn, strengthened the most uncompromising and severe elements within the armed opposition, especially those with external sources of sustenance. The net effect has been to turn Syria into the world’s worst case of ongoing mass atrocities, civilian displacement and humanitarian catastrophe. As such, the permanent members of the Security Council bear a special burden of responsibility for their failure to protect the Syrian people.

## PHASES OF CONFLICT

There have been five identifiable phases of the conflict in Syria so far. The first, roughly from March 2011 until the middle of the year, was characterised by asymmetrical violence in the form of deadly government repression of widespread demonstrations inspired by the “Arab Spring” revolutions elsewhere in the region. Starting with small student protests in Deraa during February, a mass movement quickly developed across the country.<sup>6</sup> Although the emerging movement was most popular amongst the country’s Sunni Arab majority (who constitute at least 65 percent of the population), demonstrators came from all of Syria’s diverse confessional communities.<sup>7</sup>

Despite President Assad’s belated promises of democratic reform and the formal lifting of the 48-year State of Emergency during April, the government relied upon its security forces to shoot down protestors and systematically detain political opponents. Approximately 850 Syrians were killed by mid-May as the death toll continued to rise.<sup>8</sup>

The second phase, which was apparent by the second half of 2011, saw growing numbers of civilians, as well as defectors from the security forces, joining the newly formed Free Syrian Army (FSA) or participating in armed self-defence. The government’s control of the streets was contested and some outlying villages and towns slipped from its control as the loosely-organized FSA expelled its troops or police. Officially formed in July, during September the FSA fought a major battle with regime forces in Rastan. Shocked by the resilience of the political opposition, who continued to organize large protests, and now militarily threatened by the FSA, the government adjusted its strategy.

The early 2012 siege and assault on the city of Homs is broadly representative of the third phase of the conflict. The government sought to militarily seize opposition centers of resistance. The opposition controlled much of Homs, a diverse city of over 600,000 people. During February the government launched a major offensive that included the encirclement of the city, relentless artillery bombardment of the Baba Amr district, regarded a rebel stronghold, and the deployment of allied *shabiha* (“ghosts”) civilian militias. The government hoped that unleashing such forces would terrorise the majority Sunni population, who were considered the opposition’s core constituency, into submission.

Death also came from above. According to research by the Institute for the Study of War and activists from the Syrian Observatory for Human Rights, although widespread protests against the Syrian regime began in March 2011, Assad’s forces did not widely utilize helicopters to attack their opponents until after the second veto in February 2012. Even then, the government exercised some restraint, conducting less than 20 documented strikes using helicopters during April and May. The number of helicopter attacks started to dramatically increase during June and reached almost 70 for the month of July. Then on 24 July, just five days after the third double veto, fixed wing aircraft were reportedly used for the first time. During August the regime conducted more than 110 air strikes against opposition targets, including more than 60 using fixed wing aircraft.<sup>9</sup>

Government aircraft were now routinely deployed to attack residential neighborhoods harboring armed rebels. Adopting a policy of collective punishment, government helicopters and fixed wing aircraft bombed and strafed places where civilians congregated in these areas and were most exposed, including bakeries, schools and clinics.<sup>10</sup> In stark contrast to the first two phases of the conflict, after mid-2012 the use of air power against vulnerable civilians dominated the conduct of armed hostilities.

Meanwhile the FSA and other armed opposition groups became increasingly sophisticated in their military operations. By mid-2012 swathes of the countryside in the north and southeast of Syria had fallen into rebel hands. Armed rebels even contested government control of the suburbs of Damascus and Aleppo, the political and economic centers of Syrian power. As the International Committee of the Red Cross acknowledged in May, the country was now embroiled in a full-scale civil war.<sup>11</sup>

By early 2013, however, the conflict had entered a fourth phase as the civil war reached a military stalemate. Both sides controlled considerable territory, but neither could impose a comprehensive military defeat upon the other. Protagonists begged for additional external assistance to tip the balance of power on the battlefield. For the government, this meant increased military reliance upon Iran and Hezbollah as well as the continuance of crucial supplies from Russia. For the opposition, increased money and weapons from the



Gulf, including via wealthy private donors, were essential. However, foreign money also drew in increased numbers of foreign fighters and engorged the ranks of the more extremist Islamist rebel militias.

We are now in a fifth phase. Since late 2013 Syria has ceased to be a political conflict with sectarian undertones. It has become a sectarian civil war conducted with the participation of some secular combatants. Directly threatened by the growing Salafist presence amongst the armed opposition, Syria's vulnerable minorities, especially Christians and Alawites, have largely cleaved to the regime. The government has actively organized militias from these communities and deployed them to attack neighboring Sunni communities that are presumed to be disloyal. The civil war has fractured Syria along confessional lines and divided the country into an unstable patchwork of competing military zones.

No one has sovereignty over Syria as a whole. In the west, from the Latakia coast down to the border with Lebanon and south to Damascus, the government maintains command of a large contiguous strip of land comprising roughly one third of the country. In the northeast ethnic Kurds have used the civil war to carve out an independent statelet for themselves. Meanwhile the Euphrates valley from the north to the southeast of the country is controlled by various opposition forces that often find themselves competing with one another, as well as fighting the government.<sup>12</sup> ISIL, for example, has declared its own state extending from their capital in al-Raqqah eastwards to Mosul in Iraq.

Political and economic fragmentation as a result of the civil war has plunged millions of people into misery. According to an April 2014 report on Syria's war economy, the "human development index has fallen back to where it stood 37 years ago." The report estimated that "even with an average annual growth rate of 5 percent it would take nearly 30 years to recover Syria's 2010 GDP value."<sup>13</sup>

Both sides have waged war on civilians and targeted medical infrastructure essential for survival. By 2014 it was estimated that at least 60 percent of hospitals and 38 percent of primary health clinics in Syria had been damaged or destroyed. In one hospital where Save the Children was operating, 24 percent of admissions were children under the age of 14 and many came with "severe burns, deep wounds and open fractures caused by shelling and fragments of bullets in their

bodies." Because of the veritable collapse of preventive health initiatives, childhood diseases, including polio, which was formally eradicated across Syria in 1995, have also made a devastating resurgence.<sup>14</sup>

Meanwhile war profiteers are benefitting from the suffering of civilians. In Homs, for example, a public market emerged for the sale of goods plundered from opposition areas. In evidence of the deepening sectarian divisions in Syria, it was reportedly referred to as "Souk Al-Sunna," or the Sunni market.<sup>15</sup>

In the words of UN Secretary-General Ban Ki-moon, Syria has also become a "proxy war, with regional and international players arming one side or the other."<sup>16</sup> Some Iranian forces and large numbers of Lebanese Hezbollah fighters have joined major military offensives inside Syria, including the decisive role played by Hezbollah in the strategic re-conquest of al-Qusayr, a crucial town near the Lebanese border, during June 2013.<sup>17</sup> Meanwhile Turkey, Qatar and Saudi Arabia – and behind them several major western democracies – continue to back various components of the armed opposition, including the FSA. Although complete victory remains unachievable, throughout 2013 and 2014 Syrian government forces continued to slowly retake numerous villages along the Lebanese border as well as areas surrounding Aleppo and Damascus previously controlled by the rebels.

Syria's civil war now threatens the peace and stability of the entire Middle East. In Lebanon, Hezbollah and supporters of the Syrian rebels have conducted assassinations and deployed deadly car bombs against one another. With more than a million Syrian refugees in a divided country of only 4 million people, Lebanon is in danger of becoming an extension of the Syrian battlefield. Iraq has already become one. Battle hardened and swollen with foreign fighters who first joined its ranks in Syria, ISIL seized Mosul, the second largest city in Iraq, and still controls much of the west of the country.

ISIL's military advance in mid-2014 was so rapid that by July the group felt confident enough to declare a caliphate spanning Iraq and Syria. During August ISIL's advance across the Nineveh plains saw its forces directly threaten Iraq's Kurdish autonomous regional government and almost exterminate entire communities of Yazidis, Christians and other vulnerable minorities before United States airstrikes in support of the Iraqi government and Kurdish *Peshmerga*

forces turned them back. ISIL continues to imperil the very existence of the Iraqi state.<sup>18</sup>

Turkey, meanwhile, has struggled to prevent the Syrian crisis from contaminating its own domestic politics, hosts the FSA leadership and has traded fire with Syrian government forces across its border. Israel has conducted several airstrikes inside Syria and has also exchanged fire with Syrian forces across the Golan Heights. Even Jordan is feeling the strain, with more than half a million Syrian refugees now residing inside a country of just 6.5 million people.<sup>19</sup> In late-2014 the Za'atari refugee camp was still housing approximately 100,000 Syrian refugees and had become the fifth largest city in the kingdom.

## MASS ATROCITY CRIMES

By the end of 2014 the UN Human Rights Council's Commission of Inquiry (CoI) had published nine major reports documenting gross human rights abuses perpetrated in Syria. The CoI has argued that pro-government forces "continue to conduct widespread attacks on civilians, systematically committing murder, torture, rape and enforced disappearance as crimes against humanity" and have also committed extensive war crimes. The CoI also reported on war crimes committed by some armed opposition groups, including "murder, execution without due process, torture, hostage taking," as well as widespread violations of international humanitarian law.<sup>20</sup>

The human cost has been staggering. According to one major study, as of November 2013 among the then estimated 120,000 dead from the Syrian conflict were 11,000 children under the age of 17, including 389 children shot dead by snipers.<sup>21</sup> Both the government and armed rebels continue to commit mass atrocity crimes.

### Atrocities by Government forces

Syrian government forces have used aircraft, tanks, heavy artillery and cluster munitions to terrorise and kill anyone presumed to be supporting the regime's opponents, including civilians living in opposition-controlled areas of Aleppo, Damascus, Daraa, Idlib and Ar-Raqqa governorates. For example, Human Rights Watch documented 56 attacks using incendiary bombs between November 2012 and September 2013, including a deliberate air strike on a school in a rebel-held section of Aleppo that burned to death a number of teenage students. On 17 February 2013 government

forces fired four ballistic missiles into residential areas of Aleppo, killing dozens of civilians, including 71 children.<sup>22</sup> According to the CoI:

*Attacks on villages and towns in Idlib governorate are too numerous to detail. The region of Jabal Al-Zawiya and, in particular, the towns of Saraqib, Kafr Nabl and Maarat Al-Numan, came under intense aerial bombardment between July and October [2013], including by barrel bombs. On 21 July, a market in Ariha was bombed, resulting in mass civilian casualties.*<sup>23</sup>

On the ground government troops and allied militias have conducted massacres of unarmed civilians. Documented cases include numerous killings in Idlib and Homs governorates, including at Houla, a cluster of villages northwest of Homs City, where entire families were executed with guns and knives by forces that went door-to-door on a nine-hour killing spree on 25 May 2012. Some of the perpetrators wore army uniforms, but others wore civilian clothing and identified their victims by name before killing them.<sup>24</sup> Houla was not an episode of wanton bloodlust, but a systematic attempt to annihilate the familial and communal support base upon which the mainly Sunni armed rebels relied.

Other documented unlawful killings include the targeting of wounded combatants and injured civilians by state forces. This includes cases reported by the CoI:

*In mid-September [2013], persons receiving treatment for non-life-threatening injuries in Mowasat Hospital were found dead after soldiers entered their operating rooms. One male relative who witnessed the soldiers was asked for identification and shot upon discovery of his family ties to the victims. On 24 October, Free Syrian Army fighters were escorting a convoy of injured civilians and fighters out of Al-Nashabeyah when they were ambushed. Soldiers from the 22nd Brigade approached and killed the wounded at close range.*<sup>25</sup>

Government snipers are also routinely deployed to terrorise, murder or maim civilians. Doctors in Aleppo told the CoI that they believed that in some cases civilians were being used "for target practice" with "a clear pattern to sniper injuries" on particular days.<sup>26</sup> According to the CoI:

*Government forces are conducting a sniper campaign in Bustan al-Qasr (Aleppo). On one day alone in October [2013], doctors treated five men shot in the groin. The same month, six pregnant women were shot in the abdomen.*<sup>27</sup>

Sniper victims are often left to bleed to death in the street as civilians who approach to assist them are also killed.<sup>28</sup>

Medical personnel in opposition-controlled areas have also been targeted. Research collated by Physicians for Human Rights revealed that, “government forces committed 90 percent of the confirmed 150 attacks on 124 facilities between March 2011 and March 2014, which have devastated the country’s health system.”<sup>29</sup> Such attacks killed more than 460 civilian health professionals, including 157 doctors and 94 nurses, by March 2014 and continue. The CoI similarly reported:

*Hospitals in Aleppo city and Al Bab came under sustained shelling and aerial bombardments. In July 2013, Juban hospital in Aleppo city was destroyed. On 11 September, a jet fired a missile at Al Bab field hospital, killing 15 people, including a doctor, 4 paramedics and 8 patients, and injuring many others. The hospital had moved its location three times owing to shelling attacks.*<sup>30</sup>

Troops and militias allied to the government are also forcibly denying medical supplies to civilians in besieged areas, in direct violation of the Geneva Conventions.

With regard to detainees, government forces continue to perpetrate “torture and other forms of cruel, inhuman or degrading treatment or punishment as part of a widespread attack directed against a civilian population, indicating the existence of an organizational policy.”<sup>31</sup> This includes sexual torture of adults of both genders, as well as the torture of children.

Responding to the CoI’s findings, on 2 December 2013 the then UN High Commissioner for Human Rights, Navi Pillay, said that it provided evidence of “responsibility at the highest level of government” in Syria for the commission of mass atrocity crimes.<sup>32</sup>

### Atrocities by armed opposition groups

Armed opposition groups have also committed war crimes, including deadly reprisals against minority communities, defilement and destruction of religious sites and extrajudicial execution of captured government soldiers.<sup>33</sup> Foreign funding, increased access to arms and an influx of foreign fighters have enhanced the capabilities of a growing number of radical Islamist armed groups, including the al-Qaeda affiliated *Jabhat al-Nusra* and ISIL.<sup>34</sup> In the city of Al-Raqqa, public beheadings, crucifixion and other gross violations of human

rights have been inflicted upon civilians opposed to ISIL’s rule as well as captured government soldiers and members of rival armed groups.<sup>35</sup>

Some armed opposition groups regularly perpetrate war crimes against civilians on the basis of their religious affiliation and presumed political loyalties. In cases documented by the CoI, for example, Alawite farmers in the Al-Ghab Valley were “routinely abducted and killed” by armed opposition groups operating from nearby Sunni villages. Similarly, in Damascus, civilians were detained and tortured “for their religion alone.”<sup>36</sup>

The proclivity of ISIL and some other armed groups for systematically perpetrating mass atrocities against Alawite, Christian and Kurdish communities has so far only been contained by a lack of military opportunity. For example, Human Rights Watch detailed a coordinated campaign by ISIL and allied armed groups against ten Alawite villages in Latakia during August 2013. Investigators collected evidence of opposition fighters killing at least 190 unarmed civilians, including 57 women and 18 children, as they overran the villages. In some cases entire families were gunned down. Witnesses also testified that they had seen corpses of civilians that had been decapitated by the fighters.<sup>37</sup>

Several armed opposition groups operating in eastern Damascus have fired improvised rockets and artillery into government-controlled neighborhoods, indiscriminately killing civilians.<sup>38</sup> On 19 November 2013, a suicide bomber blew himself up in the lobby of a government-controlled hospital in Deir Atiyah and there have been other unlawful attacks on medical workers and health facilities.<sup>39</sup> Some armed groups have also besieged civilians from religious minority communities living in outlying pro-government villages and towns. In September 2014 ISIL launched a major military offensive against Kurdish controlled areas in Syria, besieging the border town of Kobane and targeting civilians.

After briefing the Security Council on 8 April 2014, High Commissioner Pillay said that despite the appalling war crimes committed by some armed opposition groups, the Syrian government was responsible for gross human rights violations that were still of a far greater scale and scope. However, as the CoI has argued with regard to ongoing violations of international humanitarian law in Syria, it is the Security Council that “bears responsibility for allowing the warring parties to violate these rules with impunity.”<sup>40</sup>

## R2P AND THE UN SECURITY COUNCIL

International political divisions over Syria have had deadly consequences. The Security Council has not only failed to fulfill its basic function – the maintenance of international peace and security – it has also dismally failed to uphold its Responsibility to Protect (R2P) the Syrian people.

At the UN World Summit in 2005 all governments committed to upholding their responsibility to protect by preventing the crimes of genocide, war crimes, ethnic cleansing and crimes against humanity. More than 150 heads of state and government adopted the World Summit Outcome Document, paragraph 139 of which enshrined the primacy of the Security Council in situations where a state was clearly unwilling or unable to uphold its sovereign responsibilities:

*In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity.<sup>41</sup>*

The responsibility to protect is primarily a preventive doctrine and it was not until 2011 in Libya that the Security Council specifically referenced R2P while imposing coercive military measures against a sovereign state that was murdering its own people. The eventual toppling of the government of Muammar Qaddafi by forces that were mandated to conduct a civilian protection operation ignited a fierce debate at the UN about the relationship between R2P and “regime change.”<sup>42</sup>

The Syrian crisis emerged in March 2011 as the situation in nearby Libya was already rapidly degenerating into civil war. As the Syrian conflict worsened over the summer of 2011 and debate over the ongoing military intervention in Libya intensified, cynicism arose amongst some Security Council members to suggestions that the Council needed to impose an arms embargo and targeted sanctions upon the Syrian government. For example, non-permanent Council members India, Brazil and South Africa (collectively known as the “IBSA group”) appeared to broadly accept the argument that “external interference” would push Syria towards a sectarian civil war.

Nevertheless, it was under India’s Security Council Presidency during August that the body was able to produce its first formal statement on the conflict. Requiring consensus for adoption, the Presidential Statement condemned “widespread violations of human rights and the use of force against civilians by the Syrian authorities.” Calling for “an immediate end to all violence,” the statement urged “all sides” to refrain from “reprisals, including attacks against state institutions.” Acknowledging “the announced commitments by the Syrian authorities to reform,” the statement reaffirmed the Security Council’s “commitment to the sovereignty, independence and territorial integrity of Syria.”<sup>43</sup>

Far from the Security Council’s chamber in New York, during August a high-level delegation from the three IBSA countries also visited Damascus and met with President Assad and Walid Al-Moualem, the Minister of Foreign Affairs. Press releases expressed how the IBSA representatives had voiced concerns over the violence and that in return Assad conceded that “some mistakes had been made by the security forces in the initial stages of the unrest and that efforts were underway to prevent their recurrence.” Moualem “reiterated that Syria will be a free, pluralistic and multi-party democracy before the end of the year.”<sup>44</sup>

It was unclear if the representatives of the IBSA governments were genuinely reassured, but all three countries subsequently abstained on an October 2011 draft Security Council resolution aimed at holding the Assad government accountable for atrocities that had already killed close to 2,000 people. Explaining South Africa’s unwillingness to vote for the resolution, Ambassador Baso Sangqu argued that with regard to the Syrian conflict, “the templates for the solution were very clear, it was along similar lines to Libya.”<sup>45</sup>

The belief that the nine countries that voted for the draft Syria resolution were simply preparing the way for a NATO-led military intervention in Syria was, at best, misguided. But the abstentions of the three emerging powers reflected a disturbing lack of consensus within the Security Council about how, in the aftermath of the Arab Spring and the Libya intervention, to respond appropriately to deadly internal conflicts.<sup>46</sup> In a situation where atrocities were already being perpetrated, the Security Council was divided between a majority who wanted a vigorous response in

keeping with R2P and a veto-wielding minority who did not, while the influential IBSA member states appeared to be abstaining, both literally and figuratively, from the process of finding a solution.

However, by February 2012 when Russia and China vetoed a second draft resolution, the other thirteen members of the Security Council (including India and South Africa) were clearly in favor of international diplomacy and multilateral sanctions aimed at halting mass atrocity crimes in Syria.<sup>47</sup> During the debate that preceded the vote, the Guatemalan foreign minister insisted that:

*Non-intervention in the internal affairs of sovereign States and the respect for their territorial integrity are cardinal principles of our foreign policy. But we also acknowledge the obligation of all States to observe certain norms of conduct in relations to their own populations... That is why, in an era when the principle of the Responsibility to Protect is being questioned, we are not ashamed to affirm that, with some nuances that we have explained in other forums, we support that principle.*<sup>48</sup>

Although the Security Council was divided over Syria, individual states and regional organizations took action to uphold their responsibility to protect. The League of Arab States (Arab League), European Union (EU), Turkey and a range of other states publicly censured the Syrian government for its actions and diplomatically isolated the regime. By March 2012, one year after the conflict began, at least 49 countries had imposed bilateral targeted sanctions while at least 14 had closed their embassies in Damascus.<sup>49</sup>

Other parts of the UN system also lived up to their responsibilities. The Human Rights Council in Geneva passed thirteen resolutions condemning mass atrocities in Syria between 2011 and September 2014 and established an independent Commission of Inquiry to document grave violations of human rights. Similarly, the General Assembly passed seven resolutions condemning Syrian atrocities, with a February 2012 resolution drawing support from 137 states in the 193-member assembly. While the number of abstentions fluctuated, no more than 13 states voted against any General Assembly resolution condemning atrocities in Syria.<sup>50</sup> The Secretary-General and his Special Advisors for the Prevention of Genocide and the Responsibility to Protect also released numerous

statements condemning mass atrocities in Syria and calling for the protection of civilians.<sup>51</sup>

Beyond Syria, the Security Council also continued to invoke R2P in other contexts and situations that posed a threat to international peace and security. In the five years prior to the Libya intervention in March 2011, the Security Council had passed only four resolutions that referenced R2P – two were thematic resolutions on the protection of civilians, the other two concerned crises in the Democratic Republic of the Congo and Darfur, Sudan. By contrast, in the three years following resolutions 1970 and 1973 of February and March 2011, which condemned atrocities in Libya and authorized the civilian protection operation, the Security Council passed 24 resolutions that directly referenced R2P. Five of these resolutions were thematic (including one concerning the prevention of genocide), but the others confronted the threat of mass atrocities in specific countries: Côte d'Ivoire, Yemen, Mali, Sudan, South Sudan and Central African Republic.<sup>52</sup>

Of the 30 Security Council resolutions that referenced R2P since the UN World Summit in 2005, China and Russia had abstained on Resolution 1706 on Darfur and Resolution 1973 on Libya. Russia also abstained on Resolution 2117 on small arms and light weapons. But altogether, China voted for 28 of the R2P resolutions between 2005 and January 2015 and Russia voted for 27 – including two on Syria during 2014. In other words, Russia and China were certainly not as implacably hostile to mass atrocity prevention and R2P as has sometimes been assumed.<sup>53</sup>

We will never know what might have happened had the Security Council sent a clear message in October 2011 or February 2012 to both the Syrian government and armed rebels that the international community was united in opposition to further mass atrocity crimes and prepared to use carefully applied non-military coercive measures to halt them. What we do know is that at each point of the conflict the absence of accountability encouraged more extreme forms of deadly violence. In this context, perhaps the most glaring diplomatic deficiency during the first year and a half of the Syrian conflict was the failure of the Security Council to reinforce an attempt by former UN Secretary-General Kofi Annan to broker a ceasefire and negotiate an end to the conflict.

## THE FAILURE OF THE ANNAN PLAN, MARCH-JULY 2012.

As the Syrian conflict developed during 2011 and 2012 the government consented to, and then reneged upon, two separate peace agreements. Following a November 2011 agreement signed with the Arab League, state violence actually increased. Then on 27 March 2012 President Assad agreed to a six-point plan proposed by the recently appointed joint UN-Arab League Special Envoy, Kofi Annan. The Annan Plan included the implementation of a ceasefire, withdrawal of government troops and tanks from cities, release of political detainees, freedom of movement for journalists, freedom of association and the right to demonstrate, provision of humanitarian assistance to besieged civilians and initiation of a political negotiation process led by Syrians. However, in the weeks leading up to the scheduled ceasefire, security forces actually intensified their attacks on areas regarded as opposition strongholds.

In a rare display of unanimity, on 21 March the Security Council issued its second Presidential Statement expressing grave concern regarding the deteriorating situation and affirming support for the Annan Plan. On 12 April violence temporarily decreased throughout Syria as both government forces and armed rebels observed the ceasefire. Two days later the Security Council adopted its first resolution since the conflict began, authorizing the deployment of a small observer team. Then on 21 April the Council established a larger 90-day UN Supervision Mission (UNSMIS) to monitor the ceasefire and implementation of the Annan Plan.<sup>54</sup>

Yet, it was already clear by late April that the Annan Plan was imperiled by numerous ceasefire violations by both government troops and armed rebels, along with the Syrian government's unwillingness to seriously implement any of the plan's other key provisions. In particular, the success of the Annan Plan depended upon UNSMIS' full and rapid deployment throughout Syria, which government obstruction and increasing violence made impossible. As Major General Robert Mood, the Norwegian head of UNSMIS, later argued: "my deployment was unarmed, had a weak mandate, followed passive rules of engagement, and operated within a political six-point plan that was challenging to translate to field realities without full commitment from all parties, including the UN Security Council."<sup>55</sup>

Inside UNSMIS there was an overwhelming sense of frustration. When not being obstructed by Syrian government bureaucracy or shot at by unidentified snipers, UNSMIS investigated and documented several atrocities – photographing forensic evidence at a massacre site, measuring tank tracks in the area to determine what forces had been stationed nearby at the time, and using military experts to verify the damage caused by various weapons. UNSMIS officials had separately interviewed locals who had witnessed particular attacks and then compared reports for veracity. They compiled summaries of atrocities and the forces suspected of perpetrating them.<sup>56</sup>

But with the civil war growing more intractable and the ceasefire increasingly ignored by all sides, one senior UNSMIS official felt that Syria was already "past the point of no return." Both sides were thoroughly committed to military victory and "destruction of some areas of cities, towns and villages [was] already on a scale of Europe in 1945." Lacking sufficient support from the Security Council, the official believed "the UNSMIS tool is no longer relevant."<sup>57</sup>

Although UNSMIS was forced to suspend its activities on 16 June this did not prevent the signing of the "Geneva Communiqué," which drew directly on Annan's six-point plan, 14 days later. The 30 June Communiqué resulted in the creation of an international "Action Group," which included the secretaries-general of the UN and Arab League, as well as the foreign ministers of China, France, Russia, United Kingdom, United States, Turkey and other concerned states. Iran and Syria were notably absent. But with UNSMIS operations suspended, the ceasefire finished and the Annan Plan un-implemented, it was hard to discern any reason to celebrate the "Geneva I" meeting.

Attention now turned back to the Security Council. There was renewed pressure to pass another draft resolution aimed at holding perpetrators of mass atrocities in Syria accountable for their actions, with the focus on imposing sanctions on the Syrian government. However, negotiations quickly broke down with Russia indicating that it believed the text to be unbalanced and divisive. Russian Ambassador Vitaly Churkin later claimed that the resolution's sponsors were "well aware"

that it “had no chance of adoption” but had foolishly decided to push ahead anyway, plunging the Security Council into another round of bitter diplomatic denunciations.<sup>58</sup>

## THE WEST AND MILITARY INTERVENTION

As the Syrian conflict had intensified over 2011, Western governments responded to mounting evidence of mass atrocity crimes by imposing bilateral sanctions and publicly criticizing the government. During mid-August, in a coordinated diplomatic effort, the leaders of France, Germany, United States and United Kingdom all called for President Assad to “step aside.”<sup>59</sup> The Syrian government, however, showed no sign of moderating its behavior and Assad clearly had no intention of resigning. This announcement also had the effect of publicly linking “regime change” with ending atrocities in Syria, allowing the Russian government to loudly declare that their efforts at the Security Council were aimed at defending Syria’s sovereignty, rather than providing political cover for a dictatorship that was killing its own people.

Following the third double-veto by Russia and China on 19 July 2012, diplomatic initiatives aimed at trying to end mass atrocities in Syria collapsed. The Annan Plan was moribund and Annan resigned as UN-Arab League Special Envoy a few weeks later. The sentiment, privately but candidly expressed to the author by one senior UN diplomat in New York, was that “diplomacy is going nowhere, but what’s the alternative?”

In western democracies there was a tepid debate during 2012 regarding whether foreign governments should militarily intervene in Syria. A few notable United States intellectuals, like Princeton’s Anne-Marie Slaughter, the former Director of Policy Planning at the Department of State, argued for humanitarian corridors, safe havens or “no kill zones” to be forcibly created near the Turkish, Lebanese and Jordanian borders in order to protect ordinary Syrians.<sup>60</sup> Meanwhile influential United States Senator and former presidential candidate, John McCain, publicly called for Washington to lead coordinated airstrikes against Syria’s armed forces.<sup>61</sup>

However, support for military intervention was never more than lukewarm even amongst those governments that were most hostile to Assad. In particular, the “balance of consequences” argument in Syria was a powerful one. No one wanted to incite a broader regional conflict or become embroiled in a sectarian civil war in the Middle East. In the United States and United Kingdom the legacy of bitter

debate and alleged diplomatic deceit surrounding the disastrous 2003 invasion of Iraq haunted discussions regarding Syria. There was no sustained public debate in the United States about whether to militarily intervene in Syria because there was so little support for even contemplating such action. Partly as a result, the dominant discourse, at least in diplomatic circles throughout the Western world, continued to be that foreign military intervention would aggravate the conflict and only potentially add to the suffering of ordinary Syrians.<sup>62</sup>

Even if political will and public support could be mustered, the military complications associated with proposed airstrikes were immense. During the siege of Homs in early 2012 the city had been surrounded by government artillery and tanks for three weeks. Similarly, during March dozens of government tanks and armoured vehicles were sent in a column to besiege Deraa. These could have been destroyed from the air, but they were an exception. A fighter-jet cannot identify, follow and kill small groups of *shabiha* going door-to-door executing civilians in the dead of night. An airstrike on soldiers or armed rebels murdering civilians would kill the civilians as well as the soldiers. Syria also has formidable air defences, making casualties on the side of the potential interveners a serious possibility.

Crucially, in the absence of a Security Council mandate under Chapter VII of the UN Charter, all such military actions would also be illegal under international law. Although R2P is primarily a preventive doctrine, it was intended to focus any potential coercive action against atrocity perpetrators in a way that is both morally legitimate and legal.

Faced with an inert Security Council and in the absence of any other seemingly viable diplomatic options, Western governments debated instead whether to arm the Syrian rebels or not (and if so, which ones). While various governments differed on the question of sending heavy weapons, circumstances on the ground shifted away from the secular opposition centered around the FSA and towards the rapidly expanding extremist Islamist militias, including *Jabhat al-Nusra*. As the documented list of rebel war crimes increased, by mid-2013 there was growing acceptance, including amongst those in the West who had already limited their own diplomatic options by publicly calling for Assad’s overthrow, that more arms might only enable more atrocities and further destabilize the region.<sup>63</sup>

These underlying assumptions were not seriously challenged until ISIL's unexpected and rapid advance across Iraq during June 2014, its attempted annihilation of the Yazidi minority in Iraqi-Kurdistan during August, followed by its choreographed beheading of several western hostages in Syria. ISIL's ascendancy altered the entire political calculus. With the Iraqi government requesting urgent military assistance, United States President Obama approved increased military assistance to vetted Syrian rebel groups, authorised airstrikes against ISIL – first in Iraq and later in Syria – and managed to construct an international coalition to “degrade and destroy” the group. Western publics reacted tentatively, but approvingly, to airstrikes to protect vulnerable Yazidi and Kurdish civilians, as well as to the punishing bombardment of ISIL combatants. Beyond the issue of defeating ISIL, however, there remained no international agreement on how to protect civilians, end atrocities and find a negotiated solution to Syria's civil war.

## RUSSIAN OBDURACY

Although China vetoed all three draft Security Council resolutions alongside Russia, the perception amongst diplomats in New York was that Beijing was doing so out of solidarity with Moscow rather than commitment to Damascus. This was also in keeping with China's traditional adherence to a policy of “non-interference” in domestic conflicts. In conversations on the Syrian issue, the positions adopted by Chinese diplomats appeared cautious rather than obstructive or adversarial.

By contrast, from the start of the Syrian conflict Russian diplomats doggedly argued that their opposition to Security Council resolutions aimed at ending atrocities in Syria was a question of defending a sovereign state from Western interveners who wanted to invoke R2P in order to mask more sinister motives. Foreign minister Sergey Lavrov insisted that it was unacceptable to suggest that, “the so-called ‘concept of the responsibility to protect’ must be universally applied in all cases when peoples begin to show displeasure and when the authorities use force against the various protest manifestations to restore order.” In another comment to the media, Lavrov argued, “We'll not allow the Libyan experience to be reproduced in Syria,” as if the main danger were a NATO-led military intervention.<sup>64</sup> Russia's position was allegedly one of principled neutrality, despite its long-term ties to the Assad government.

At the start of the Syrian crisis in 2011 the Assad government had an estimated \$4 billion in active contracts with Russian arms dealers, making Syria one of the top five importers of Russian weaponry. But Russian weapons were always more important to Damascus than they were to Moscow. For example, it has been estimated by the Stockholm International Peace Research Institute that between 2006 and 2010, the year before the Arab Spring, Russia was responsible for 48 percent of Syria's arms imports. As the crackdown on protests turned deadly and the country edged towards civil war during 2011, an estimated \$960 million worth of Russian arms flowed into the country. The chief auditor for the Syrian Defence Ministry, who defected in January 2012, later claimed that “Russia was shipping monthly” during 2011 as the pressure on the government intensified and armed groups emerged amongst the opposition.<sup>65</sup>

These arms contracts included advanced missile defence systems and other heavy weapons, allowing Ambassador Churkin, in answering the question of whether Russian arms were aggravating the Syrian conflict, to claim that none of the weapons “can be used to shoot demonstrators.”<sup>66</sup> At a joint news conference with German Chancellor Angela Merkel in June 2012, President Vladimir Putin similarly claimed that, “Russia is not supplying arms to Syria which can be used in civil conflicts.”<sup>67</sup>

Although Russia continued to insist that its weapons could only be used for defensive purposes, Moscow also supplied the Syrian armed forces with spare parts, munitions and heavy weaponry essential for the government's war against cities, towns and villages controlled by the opposition. This included returning refurbished Mi-24 combat helicopters, and in January 2014 additional shipments of Russian “armoured vehicles, drones and guided bombs” were reported.<sup>68</sup> While these supplies may have been crucial to the Syrian government's war effort, and certainly help explain why Russia was unwilling to see the Security Council impose an arms embargo on Syria, the profit derived from such weapons transfers is inadequate as an explanation for Russian policy.

A number of analysts also pointed to Russia's Soviet-era naval base at Tartus, on Syria's Mediterranean coast. Despite June 2012 comments by the Commander-In-Chief of the Russian Navy, Admiral Viktor Chirkov, that Tartus was “essential to us,” it appears that the small base is mainly



significant to the Russian government as a symbol of its potential global reach. It is, however, worth noting that in 2012 Russia announced a \$132 billion plan to rebuild its Navy by 2020. This includes plans for an expanded fleet of warships and nuclear submarines.<sup>69</sup> Maintaining a base at Tartus could therefore be important to the long-term strategic goal of projecting Russian influence in the Middle East and Mediterranean, but it is by no means crucial to Moscow's Syria policy.

What was guiding Russian policy was a legitimate fear that the rise of armed Islamic extremism in Syria could further destabilise the northern Caucasus and inspire groups operating there.<sup>70</sup> Long before ISIL emerged as a threat, Russian diplomats were already presenting the Syrian conflict as an existential struggle between a legitimate secular government and murderous Salafists, with a senior Foreign Ministry official warning in September 2011 that, "If the Syrian government is unable to hold on to power, there is a high probability that radicals and representatives of terrorist organizations will become entrenched."<sup>71</sup>

When the Syria conflict began in March 2011 Russia was already deeply uneasy about the "Arab Spring" revolutions. While it was prepared to stand aside as the international community sanctioned the dictatorship of Muammar al-Qaddafi in Libya, it was determined to defend the Assad government in Syria - one of its few remaining allies in the Middle East.<sup>72</sup> Ties between Russia and Syria extend back to the Soviet era and span more than four decades. Unlike Libya, where Russia had little strategic interest, defending Syria was seen as an essential part of maintaining balance in the international order.

President Putin's vision of a resurgent Russia is not only predicated upon having a strong military and maintaining a permanent seat on the Security Council, it requires that other foreign powers respect Russian strategic interests. It became increasingly clear during 2012 that despite a growing international chorus of condemnation regarding ongoing mass atrocities, Russia could not accept Assad's fall without this being perceived both domestically and internationally as a blow to Putin's credibility. Ironically, it also became increasingly clear that Moscow's direct influence over the Assad government was limited. For example, formal Russian pronouncements that the only solution in Syria was in

fostering a national political dialogue, without preconditions or external pressure, seemed to go unheeded in Damascus.

This left Russia in a contradictory position. It had publicly backed the Annan Plan, for example, but then did nothing when the Syrian government failed to implement its key provisions and defied the Security Council. Having dramatically restricted its political options by vetoing numerous Syria resolutions, Russia continued instead with its crucial support for the Assad government.

As the civil war worsened, ongoing shipments of Russian arms and munitions rose in importance to Damascus, as did other essential supplies. For example, it was reported that Russia helped prevent the Syrian government's potential bankruptcy after extra banknotes were urgently printed to offset a burgeoning fiscal deficit, rampant inflation and the need to fund ongoing military operations despite a severe contraction in the economy. Syrian money had previously been printed in Austria, but EU sanctions now prohibited this. Instead, between July and September 2012 at least eight flights carried more than 240 tons of freshly printed Syrian banknotes from Moscow to Damascus. Syria's Deputy Prime Minister, Qadr Jamil, described this as a Russian-assisted "triumph" over sanctions. A major barter agreement, whereby Syria would export crude oil to Russia in return for refined oil products essential for the Syrian war effort, was also reported in mid-2012.<sup>73</sup>

Russian obstruction not only deadlocked the Security Council, it encouraged the intransigence of the Syrian government and exacerbated the civil war. As the killing continued, the flow of refugees across Syria's borders increased and the exasperation of a growing number of senior UN officials became increasingly apparent. Valerie Amos, the UN's Under-Secretary-General and Emergency Relief Coordinator, argued in February 2013, that:

*I think we have a responsibility to protect. We have obligations. Some of those obligations are enshrined in international humanitarian law. Too often, international humanitarian law is ignored. But even beyond the legal obligation, we have a responsibility to each other as human beings. I feel very passionately that we should not overlook the kind of brutality that is being meted out in Syria to ordinary women, men, and children.*<sup>74</sup>

A few months later a senior diplomat whose country was a member of the Security Council remarked privately that despite the intensity of the Syrian crisis, the only thing that might move the council now was a “Sarajevo market moment.” He was referring to August 1995 when Bosnian-Serbs besieging the former Yugoslav city deliberately shelled the market, killing and severely wounding dozens of civilians. Coming just one month after the genocide of over 8,000 Bosniak men and boys at Srebrenica – a crime perpetrated after UN peacekeepers meekly surrendered to the Bosnian-Serb perpetrators - television images of the Sarajevo massacre outraged global public opinion and led to NATO airstrikes against the forces who perpetrated the atrocity. No one at the UN was seriously advocating for airstrikes on Syria, but perhaps awareness of a particularly hideous atrocity, the ambassador argued, might galvanize global opinion and neutralize Russian and Chinese obstruction on the Security Council.

## CHEMICAL WEAPONS AND IRANIAN INTERESTS

It is therefore somehow sickeningly fitting that after two-and-a-half years of diplomatic failure a heinous chemical weapons attack on Syrian civilians provided a brief moment of political hope during late 2013. A UN investigation has shown beyond reasonable doubt that on 21 August 2013 rockets containing weaponised Sarin were deliberately fired into two residential areas of Damascus. The resulting gas quickly killed approximately 1,400 civilians, including a large number of children. Despite the Syrian government’s attempt to blame armed rebels for the attack, the independent UN report and other credible investigations pointed to the most likely source of the rockets being a nearby base of the Republican Guard.<sup>75</sup> Syrian government culpability was compelling, if not undeniable.

Global revulsion at this war crime, combined with the credible threat of retaliatory military strikes by the United States and France, led to a diplomatic breakthrough at the Security Council. After months of paralysis, the Council quickly adopted a resolution supporting a Russia-United States deal for Syria to surrender its chemical weapons. Just a few weeks prior the Syrian government was still denying it possessed chemical weapons.<sup>76</sup> It now promptly acceded to the 1997 Convention on the Prohibition of Chemical Weapons and provided details of its extensive stockpiles.

Some human rights advocates and Syrian activists pointed out that although the chemical weapons attack was horrific, the estimated 1,400 people who were killed only amounted to about one percent of the then total fatalities of the conflict. What, they asked, made this atrocity so special? Such arguments neglected the unique threat posed by chemical weapons. Although approximately 5,000 people were being killed every month in Syria, the chemical weapons attack murdered more than 1,000 civilians in two neighborhoods in just a few hours.<sup>77</sup>

Chemical weapons are inherently indiscriminate, inhuman and immoral. They have been illegal since the Hague Convention of 1899. Horrified by the ghastly consequences of mustard and chlorine gas during World War I, the Geneva Protocol of 1925 reinforced the international prohibition of their use. Although Italian forces used poison gas during their war against Ethiopia in 1935-36 and Germany utilised Zyklon-B as a tool of genocide at Auschwitz, chemical weapons were not widely deployed on a major battlefield again until the Iran-Iraq war of 1980-1988.

The use of chemical weapons in the suburbs of Damascus also complicated the relationship between Iran and Syria. As the chief international supporter of the Syrian government and a crucial component (alongside Lebanon’s Hezbollah) of an avowed anti-Western, anti-Israeli “axis of resistance,” Iran has expended considerable resources to keep President Assad in power. For example, it has been reported that during 2013 Iran granted credit to the Syrian government worth \$4.3 billion in cash and oil supplies.<sup>78</sup> Large quantities of Iranian arms, banned under UN sanctions directed at Iran, have been regularly flown into Syria.<sup>79</sup>

Iran has also directly engaged on the battlefield, deploying senior Quds Force officers as specialist advisors to the Syrian military and intelligence services, as well as training regular Syrian troops and paramilitary forces (including *shabiha*). Quds Force Commander, Major General Qassem Suleimani, has been credited with helping oversee the reversal of the Syrian government’s military fortunes during 2013. Another senior officer, Brigadier General Hassan Shateri, was killed outside Damascus in February 2013 and given full military honors at a funeral in Iran.<sup>80</sup>

Even more so than Russia, Iran remains the Syrian government’s indispensable ally. Iran regards the civil

war in Syria as posing an existential threat to its interests. This means that there can be no solution to the civil war in Syria without the active involvement of Tehran. However, up to a million Iranians were exposed to chemical weapons during the Iran-Iraq war, with at least 20,000 killed and tens of thousands more suffering life-long chronic illnesses. As a result, there is deep moral and theological opposition to chemical weapons throughout Iranian society and Iran was one of the first countries to sign the Chemical Weapons Convention.

Following the 21 August attack, Iran's foreign minister, Mohammad Javad Zarif, condemned the use of chemical weapons, "regardless of who the culprits or victims are," and described the use of such weapons as constituting a "crime against humanity." Iran's new reformist president, Hassan Rouhani, called upon "the international community to use all its might to prevent the use of [chemical weapons] anywhere in the world, especially in Syria." Former Iranian president, Akbar Hashemi Rafsanjani, went even further, declaring that Syrian civilians "have been the target of a chemical attack by their own government," although he later retracted the part of his statement pointing the finger at Damascus.<sup>81</sup>

Despite the fact that the Iranian government officially blamed armed rebels for the 21 August attack, it was clear that the large-scale use of chemical weapons was unacceptable to Assad's backers in Tehran. Public awareness of the chemical weapons attack also posed a threat to the official Iranian narrative regarding support for Assad. Tehran was supposed to be backing popular resistance to Israel and the United States, not supporting a repressive regime that gassed its own people.

In the aftermath of the 21 August chemical weapons attack, air strikes against Syrian military targets by the United States and France appeared imminent. Two years earlier on 20 August 2012 President Obama had been widely quoted after commenting to reporters that the use of chemical weapons in Syria would cross a "red line" and result in punitive military action.<sup>82</sup> By September, in the face of mounting evidence of Syrian government responsibility for the attack, it was clear that the United States and France were preparing to act accordingly. However, in an unusual development, President Putin of Russia wrote an oped in the *New York Times* where he pleaded for restraint.<sup>83</sup>

Putin cast Russia as an impartial defender of the international order:

*We are not protecting the Syrian government but international law. We need to use the United Nations Security Council and believe that preserving law and order in today's complex and turbulent world is one of the few ways to keep international relations from sliding into chaos. The law is still the law, and we must follow it whether we like it or not. Under current international law, force is permitted only in self-defence or by the decision of the Security Council. Anything else is unacceptable under the United Nations Charter and would constitute an act of aggression.*<sup>84</sup>

Finally, Putin asserted that if "we can avoid force against Syria, this will improve the atmosphere" in international politics and open "the door to cooperation on other critical issues."<sup>85</sup>

The diplomatic compromise brokered shortly afterwards by Russia and the United States over Syria's chemical weapons, although prompted by the threat of military action outside of international law, was significant. The deal also had the blessing of Iran. President Rouhani emphasized that "we are against chemical weapons and condemn their use by anyone, anywhere."<sup>86</sup>

Crucially, for the first time since April 2012, the Security Council had taken a unanimous decision regarding the Syrian conflict. Resolution 2118 of 27 September 2013 was an expeditious response to use of an outlawed weapon of mass destruction. Significantly, it did nothing to prevent the further commission of mass atrocities by anyone in Syria as long as conventional weapons were used.<sup>87</sup> The true importance of the chemical weapons resolution, however, was the political space it temporarily opened for the Security Council to seek other areas of collaboration to end Syria's civil war.

### THREE UNRESOLVED PRIORITIES.

In the aftermath of the chemical weapons resolution, there were three major unresolved priorities that the Security Council found itself under increased pressure to address.

#### 1. Humanitarian Access

According to the UN, by late 2013 approximately 5 million Syrians (almost a quarter of the population) were displaced

inside the country, in addition to the 2 million who had become refugees beyond Syria's borders. By November 2013, for millions of Syrians the threat of dying from cold, disease or starvation was now as real as the threat of being shot or bombed. The UN estimated that over 9 million Syrians urgently needed humanitarian assistance while circumstances for the estimated 250,000 civilians trapped in besieged areas were beyond desperate.<sup>88</sup>

The Security Council's 2 October Presidential Statement on the need for urgent humanitarian access was a promising indicator of further progress, coming less than a week after the chemical weapons resolution. The statement emphasized "the obligation to distinguish between civilian populations and combatants, and the prohibition against indiscriminate attacks." The statement recalled that "in this regard, the Syrian authorities bear the primary responsibility to protect their populations" but also urged "all parties" to facilitate "safe and unhindered humanitarian access to populations in need of assistance in all areas under their control and across conflict lines."<sup>89</sup>

Despite this statement, the siege of Syria's civilians continued. Although some progress was made in early February 2014 to evacuate 1,400 starving people from the rebel-held Old City area of Homs, which had been surrounded by government forces and cut off from food and medical supplies for more than a year, the overall situation remained dismal. By February almost 2.5 million Syrians refugees had made their way across the border into Turkey (595,000), Iraq (217,000), Jordan (598,000), Egypt (133,000) or Lebanon (920,000). But millions more were still displaced or besieged inside the country and were in desperate need of humanitarian assistance during one of the coldest winters in living memory.<sup>90</sup>

The 2 October Presidential Statement was the work of two elected members of the UN Security Council, Australia and Luxembourg, who had been urged to turn their draft resolution into a non-binding statement in order to engage the Russians in the aftermath of the chemical weapons compromise. However, in the absence of any substantial progress on humanitarian issues in the four months that followed, the two states worked with Jordan, which had recently joined the Council, to put forward a new resolution. Russian Foreign Minister Lavrov initially described the proposal as "detached from reality." Russia called instead for

a resolution condemning "terrorist activity" and threatened to veto if a humanitarian resolution was brought to a vote.<sup>91</sup>

As frigid negotiations continued, Under-Secretary-General Amos briefed the Security Council. In her statement to the press afterwards, she pointed out that:

*I first raised the alarm about Homs fourteen months ago. We cannot wait another fourteen months to reach 1,400 more people. This is not only about the Old City of Homs. There are millions of people in dire need across Syria, their lives hanging in the balance.*<sup>92</sup>

In short, "all parties are failing in their responsibility to protect civilians."<sup>93</sup>

After further torturous negotiations, the Security Council unanimously adopted Resolution 2139 on 22 February, calling upon all sides in Syria to permit humanitarian access to displaced or besieged civilians. The resolution demanded that, "all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities," and particularly stressed that, "in this regard, the primary responsibility to protect its population lies with the Syrian authorities."<sup>94</sup> The silent displeasure of Syria's Permanent Representative to the UN was clear as Ambassador Churkin of Russia raised his hand to vote with the rest of the council.

The real test, however, would be in implementation. With the rise of ISIL and no sign of the civil war abating, the humanitarian situation continued to deteriorate throughout 2014, despite the UN's best efforts to bring increased aid to starving, sick and displaced Syrians.

## 2. A Political Solution

The second priority was for the Security Council to use its influence to push for the convening of the "Geneva II" peace talks. Although a pacific outcome to the conflict seemed fanciful, it was no more so than thinking that flooding Syria with arms would secure a military victory for either side or stabilize the region.

After months of prevarication, on 22 January 2014 the "Geneva II" talks finally convened in Switzerland. Although the attempt to get the Syrian protagonists to discuss a shared future was laudable, the entire event was threatened by farce. The fractured Syrian opposition threatened to boycott

proceedings and the Iranian government – who remain essential to any political solution in Syria – was first snubbed, then invited, then dis-invited over the course of a week. When the talks finally commenced they achieved little other than providing the international media with some particularly vituperative sound bites. An estimated 1,900 Syrians died while the opposition and government delegations traded insults beside Lake Geneva. The talks ended in mid-February without any progress on a single substantive issue.<sup>95</sup>

For the peace talks to have any hope of success, it was essential for key regional powers – including, Iran, Saudi Arabia, Qatar and Turkey – to accept the need to militarily disengage from the Syrian conflict and accept that a broader regional sectarian conflagration was not in anyone’s strategic interests. Behind these powers, the Arab League, United States and Russia had a crucial role to play as potential guarantors of any negotiated settlement. It was also essential for the Security Council to signal its determination to punish violations of any peace agreement. Without such commitments Geneva was unlikely to be anything more than a temporary distraction from the civil war.

By May 2014 it was clear that the “Geneva process” was dead. Lakhdar Brahimi, who replaced Kofi Annan as UN-Arab League Special Envoy during 2012, resigned. At a press conference with the UN Secretary-General, he lamented the lack of progress at Geneva II and commented that while he was certain the Syrian conflict would eventually end, the question was “How many more dead? How much more destruction?”<sup>96</sup>

### 3. Ending Impunity

Finally, there was the issue of accountability for three years of mass atrocity crimes in Syria. The Human Rights Council’s Commission of Inquiry has published numerous reports documenting mass atrocities perpetrated by all sides. They offer detail on how government forces and their allied militias have been responsible for large-scale massacres, war crimes and gross violations of international humanitarian law as a matter of state policy. The CoI has similarly reported on how some armed opposition groups have committed war crimes, including targeting religious minorities for deadly reprisals and the mass execution of captured soldiers. In March 2014 the Human Rights Council revealed that it had a confidential list of alleged perpetrators that it was willing

to hand over to the International Criminal Court (ICC) if and when it was requested to do so.<sup>97</sup>

Fresh evidence continued to emerge. In early 2014, for example, more than 55,000 sickening images of 11,000 prisoners who were allegedly tortured to death or executed were revealed via a source that claimed to have gathered them while working as an official photographer for the Syrian security forces. An international team of experts analysed the photos and the presentation of the so-called Ceasar Report to members of the Security Council on 15 April 2014 led to renewed calls for the Syrian situation to be referred to the ICC.<sup>98</sup> The report argued that there “is clear evidence, capable of being believed by a tribunal of fact in a court of law, of systematic torture and killing of detained persons by the agents of the Syrian government.”<sup>99</sup>

In the absence of accountability for atrocities there can be neither peace nor justice as impunity has emboldened those on all sides who remain most resistant to a negotiated solution to Syria’s conflict. As it did with the situation in Darfur in March 2005 and Libya in February 2011, the Security Council needed to refer the Syrian situation to the ICC for investigation. In this context it is worth recalling that while three of the five veto-wielding permanent members of the Council are not parties to the Rome Statute, China, Russia and the United States have all voted for ICC referral in the past. The United States and China both abstained on the Darfur resolution, but Russia voted for it. All three voted for Resolution 1970 referring Libya to the ICC.

On 22 May 2014 a French draft resolution calling for the Syrian situation to be referred to the ICC for investigation was vetoed by Russia and China. Russia had condemned the resolution, which focussed on perpetrators from all sides of the conflict (including ISIL), as a “publicity stunt,” despite the fact that it was co-sponsored by 65 states, including Democratic Republic of the Congo, Central African Republic and Côte d’Ivoire, countries that had themselves directly experienced mass atrocities and ICC investigation. More than 100 international NGOs also supported the resolution and advocated for its adoption.<sup>100</sup>

This was the fourth double veto by Russia and China on a draft resolution aimed at halting mass atrocities in Syria since the conflict began in 2011. Although the Council did

pass a thematic resolution three months later that underlined, again, “the primary responsibility of Member States to protect civilian populations on their territories” and mentioned “numerous atrocities” inflicted upon civilians and soldiers, the focus was “threats to international peace and security caused by terrorist acts.”<sup>101</sup> The target of Resolution 2170 of 15 August was ISIL and Al-Qaeda affiliates operating in Syria, not the Assad government. The need to militarily defeat ISIL was one of the few things the permanent members of the Security Council all agreed upon.

## THE RESPONSIBILITY NOT TO VETO

Far from “external interference” by the Security Council provoking a civil war, the absence of timely and decisive action has exacerbated Syria’s conflict. While the media has at times portrayed the inability of the Security Council to end Syria’s civil war to be the result of the alleged misuse of R2P in Libya, the real problem is a more fundamental fracture between the permanent members of the Council. Russian and Chinese hostility to action aimed at constraining the Assad government and other perpetrators of atrocities in Syria is linked to a strategic clash between the P2 (Russia and China) and the P3 (United States, United Kingdom and France) on a range of situations and thematic issues from Sudan to the future of UN peacekeeping.<sup>102</sup> Syria and R2P are symptoms, rather than causes, of this malady.

Worryingly, from the Russian and Chinese perspective, after the third Security Council veto in July 2012 a growing number of UN member states started to not only question Russia’s impartiality with regard to Syria, but also the legitimacy and efficacy of the Security Council itself. In particular, the veto rights of the five permanent members came under increased scrutiny.

On 24 September 2013 the 68th session of the General Assembly opened in New York. The theme of the General Debate was the Post-2015 Millennium Development Goals Framework. However, 154 out of 193 UN member states used their statements as an opportunity to record their horror regarding Syria’s ongoing civil war. Sixty-three states, or a third of the total membership of the UN, called for the reform of the Security Council, with a number specifically calling for restraint on the use of the veto in mass atrocity situations.<sup>103</sup> Liechtenstein, for example, emphasized that:

*Liechtenstein firmly believes in the Responsibility to Protect populations from atrocity crimes. Clearly we have much work to do to put this norm into practice. Our inability to respond to the crisis in Syria demonstrates a crucial weakness in the system: the use of the veto, or its threat, in a manner incompatible with the purposes of the United Nations. This can make the Security Council irrelevant at times when it is most urgently needed... All five Permanent Members should be able to give the world one public commitment: that they will not use their veto to block action aimed at ending or preventing atrocity crimes. This would be crucial to enhance the Council’s effectiveness – and its credibility.*<sup>104</sup>

Partly in response to such criticisms, France proposed that the Security Council “develop a code of conduct whereby the permanent members of the Security Council collectively agree to refrain from using their veto with respect to mass [atrocity] crimes, which the responsibility to protect is supposed to prevent.” France’s foreign minister, Laurent Fabius, wrote an oped for the *New York Times* making a similar argument at the start of October.<sup>105</sup>

A year later the number of world leaders using their speech at the opening session of the UN General Assembly to call for the permanent members of the Security Council to voluntarily restrain from using their veto in a mass atrocity situation had almost doubled. Again more than 60 states called for general reform of the Council with dozens also speaking about the ongoing civil war in Syria as well as ISIL’s depredations in Iraq. With political momentum gathering, a high-level side event on the margins of the General Assembly was hosted by the foreign ministers of France and Mexico and attended by more than 20 other foreign ministers, all of whom spoke in support of veto restraint. The new UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, and influential civil society voices, such as Human Rights Watch and Amnesty International, also expressed their support from the platform.<sup>106</sup>

Beyond speeches, mechanisms for activating such a code of conduct have been provisionally discussed in the hallways of the UN. It has also been suggested that a statement of principles for the permanent members of the Security Council could be agreed in time for the 70th anniversary of the UN in October 2015. Any such initiative is too late to save lives in Syria and is unlikely to secure the support of all five permanent members, but such debates are increasingly important to the future implementation of R2P and the millennial goal of meaningful UN reform.

## CONCLUSION

When the Security Council first met in London during January 1946, with Europe still in ruins as a result of World War II, its intended purpose was to not only guard the peace and stability of the post-war order, but to protect the weak and vulnerable. The baleful shadow of Auschwitz loomed over the formation of the United Nations, directly influencing two of its early impressive achievements – the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide, adopted on successive days in December 1948.

Syria has brought into stark relief the reality of a twentieth century UN struggling to respond to twenty-first century challenges. The use of the veto in a mass atrocity situation is inconsistent with the aspirations of a 193-member General Assembly that no longer believes that sovereignty should constitute an unrestricted license to kill, nor accepts the right of the five victors from 1945 to maintain special privileges if these prove inimical to the protection of the most fundamental human rights. In particular, there is

growing pressure to uphold the UN's 2005 commitment to prevent genocide, crimes against humanity, war crimes and ethnic cleansing. The Responsibility to Protect means that the permanent members of the Security Council have a responsibility not to veto when the world is confronted by these most heinous crimes.

With or without reform, the Security Council is still obligated to help end war crimes and crimes against humanity in Syria. Issues relating to humanitarian access, negotiating a political solution and ending impunity for mass atrocities remain complex and fraught with political danger. But the inability to successfully resolve any of them after four years of conflict constitutes a catastrophic historic failure on behalf of the Security Council. The cruel truth is that there is no easy solution to the suffering of the Syrian people, but that does not mean that the Security Council has to choose between invasion and inaction.<sup>107</sup> As Syria's civil war passes another bloody anniversary, this remains as true now as it was when the conflict first began.

## ENDNOTES

- 1 Various sources have attempted to document the commission of mass atrocity crimes and calculate the death toll from the conflict. The UN stopped regularly providing figures in January 2012 due to problems relating to verification but in August 2014 the High Commissioner for Human Rights provided the figure of 191,000 deaths. See, "Death toll in Syria estimated at 191,000," *New York Times*, 22 August 2014, available at: [http://www.nytimes.com/2014/08/23/world/middleeast/un-raises-estimate-of-dead-in-syrian-conflict-to-191000.html?\\_r=0](http://www.nytimes.com/2014/08/23/world/middleeast/un-raises-estimate-of-dead-in-syrian-conflict-to-191000.html?_r=0). Among the most important sources of information detailing atrocities in Syria are the pro-opposition Syrian Observatory for Human Rights, available at: <http://syriahr.com/en/> and the Brown Moses Blog, available at: <http://brown-moses.blogspot.com>.
- 2 See, for example, Louis Charbonneau, "Watchdog offers more proof Syria government used chemical arms: U.S.," *Reuters*, 6 January 2015, <http://www.reuters.com/article/2015/01/06/us-syria-crisis-chemicalweapons-idUSKBN0KF22N20150106>.
- 3 Thanks to Gareth Evans, Thomas Weiss, Edward Luck, Alex Bellamy, Cameron Hudson, Michael Abramowitz, Jon Western, Jennifer Welsh and others who commented on evolving drafts of this paper. Several members of the Global Centre for the Responsibility to Protect staff contributed to the research presented here, most notably Casey Karr, Sarah Hunter and especially Jaclyn Streitfeld-Hall.
- 4 United States Mission to the United Nations, "Explanation of vote by Ambassador Susan E. Rice, U.S. Permanent Representative to the United Nations, at a Security Council session on Syria, February 4, 2012," available at: <http://usun.state.gov/briefing/statements/183334.htm>.
- 5 United Nations Office of the High Commissioner for Human Rights, "Data analysis suggests over 60,000 people killed in Syria conflict: Pillay," 2 January 2013, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12912&LangID=E>.
- 6 See, for example, "Syria: Clashes at mass Damascus protest," *BBC News Online*, 15 April 2011, available at: <http://www.bbc.co.uk/news/world-middle-east-13097926>.
- 7 Although statistics vary, in addition to Sunni Arabs, Syria is made up of Alawites (12 percent), Christians (10 percent), Kurds (9 percent), Druze (3 percent), Bedouin, Circassians and other minorities. Such percentages mask even greater diversity. For example, Christians are divided into eleven main sects including Maronite, Greek Orthodox, Armenian and Catholic. Of course, the percentages can not reflect diverging political loyalties within communities or varying levels of religious commitment. President Assad is an Alawite. For more, see "Syria's ethnic and religious divisions," available at: <http://www.fragilestates.org/2012/02/20/syrias-ethnic-and-religious-divides/>.
- 8 "UN officials warn of escalating human rights violations across Middle East," *UN News*, 13 May 2011, available at: <http://www.un.org/apps/news/story.asp?NewsID=38368>.
- 9 Elizabeth O'Bagy, Christopher Harmer, Jonathan Dupree and Liam Durfee, "Syrian Air Force and Air Defense Capabilities," Institute for the Study of War, May 2013, available at: [http://www.understandingwar.org/sites/default/files/Updated%20Syrian%20Air%20Force%20and%20Air%20Defense%20Capabilities%20Brief\\_8May.pdf](http://www.understandingwar.org/sites/default/files/Updated%20Syrian%20Air%20Force%20and%20Air%20Defense%20Capabilities%20Brief_8May.pdf); Human Rights Watch, "Death from the skies: Deliberate and indiscriminate air strikes on civilians," 10 April 2013, available at: [http://www.hrw.org/sites/default/files/reports/syria0413webwcover\\_1\\_0.pdf](http://www.hrw.org/sites/default/files/reports/syria0413webwcover_1_0.pdf).
- 10 Human Rights Watch, "Death from the skies: Deliberate and indiscriminate air strikes on civilians."
- 11 Neil MacFarquhar, "Syria denies attack on civilians, in crisis seen as civil war," *New York Times*, 15 July 2012, available at: <http://www.nytimes.com/2012/07/16/world/middleeast/syria-denies-use-of-heavy-weapons-in-deadly-village-fight.html>.
- 12 Ben Hubbard, "Momentum shifts in Syria, bolstering Assad's position," *New York Times*, 17 July 2013, [http://www.nytimes.com/2013/07/18/world/middleeast/momentum-shifts-in-syria-bolstering-assads-position.html?\\_r=0](http://www.nytimes.com/2013/07/18/world/middleeast/momentum-shifts-in-syria-bolstering-assads-position.html?_r=0).
- 13 Jihad Yazigi, "Syria's war economy," Policy Brief, European Council on Foreign Relations, 7 April 2014, 1, available at: [http://www.ecfr.eu/publications/summary/syrias\\_war\\_economy](http://www.ecfr.eu/publications/summary/syrias_war_economy).
- 14 Save the Children Fund, "A devastating toll: The impact of three years of war on the health of Syria's children," 3 October 2014, iv, v and 2-3, available at: [http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SAVE\\_THE\\_CHILDREN\\_A\\_DEVASTATING\\_TOLL.PDF](http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SAVE_THE_CHILDREN_A_DEVASTATING_TOLL.PDF); Physicians for Human Rights, "Fact Sheet: Syria's medical community under assault," October 2014, available at: [https://s3.amazonaws.com/PHR\\_other/Syria%27s-Medical-Community-Under-Assault-October-2014.pdf](https://s3.amazonaws.com/PHR_other/Syria%27s-Medical-Community-Under-Assault-October-2014.pdf).
- 15 Jihad Yazigi, "Syria's war economy," 5.
- 16 United Nations Secretary-General Ban Ki-moon, "Remarks to the General Assembly on Syria," 3 August 2012, available at: <http://www.un.org/sg/statements/index.asp?nid=6224>.
- 17 For more on Hezbollah's deployment and the connection with Iran, see Will Fulton, Joseph Holliday and Sam Wyer, "Iranian strategy in Syria," Joint Report of AEI's Critical Threats Project and Institute for the Study of War, May 2013, 21-23, available at: <http://www.understandingwar.org/sites/default/files/IranianStrategyinSyria-1MAY.pdf>.
- 18 In August 2014, at the urgent request of the Iraqi government, the United States began airstrikes against ISIL forces directly threatening Yazidis and other minorities in northern Iraq. These strikes were later expanded to elsewhere in the country and with other international allies also joining the air war against ISIL. The United States commenced limited airstrikes on ISIL forces in Syria, invoking article 51 of the UN Charter, as of September.



- <sup>19</sup> Data from UNHCR: The UN Refugee Agency, Syria Regional Refugee Response Inter-agency Information Sharing Portal, available at: <http://data.unhcr.org/syrianrefugees/settlement.php?id=176&region=77&country=107>.
- <sup>20</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 1-2, available at: [http://www.globalr2p.org/media/files/a-hrc-25-65\\_en.pdf](http://www.globalr2p.org/media/files/a-hrc-25-65_en.pdf). All of the reports of the Commission of Inquiry, including the ninth report, which focuses on "Rule of terror: Living under ISIS in Syria," are available at <http://www.ohchr.org/EN/HRBodies/HRC/IIICISyria/Pages/IndependentInternationalCommission.aspx>.
- <sup>21</sup> Hana Salama and Hamit Dardagan, "Stolen futures: The hidden toll of child casualties in Syria," Oxford Research Group, 24 November 2013, available at: <http://oxfordresearchgroup.org.uk/sites/default/files/Stolen%20Futures.pdf>.
- <sup>22</sup> Human Rights Watch, "Syria: Widespread use of incendiary weapons," 10 November 2013, available at: <http://www.hrw.org/news/2013/11/10/syria-widespread-use-incendiary-weapons>.
- <sup>23</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 15.
- <sup>24</sup> Human Rights Watch, "In cold blood: Summary executions by Syrian security forces and pro-government militias," 10 April 2012 available at: <http://www.hrw.org/reports/2012/04/09/cold-blood>; Human Rights Watch, "Syria: UN inquiry should investigate Houla killings," 28 May 2012, available at: <http://www.hrw.org/news/2012/05/27/syria-un-inquiry-should-investigate-houla-killings>; "Houla: How a massacre unfolded," *BBC News*, 8 June 2012, available at <http://www.bbc.co.uk/news/world-middle-east-18233934>. For the account of a young survivor, see Martin Chulov, "Houla massacre survivor tells how his family were slaughtered," *The Guardian*, 28 May 2012, available at: <http://www.theguardian.com/world/2012/may/28/houla-massacre-survivor-boy-syria>.
- <sup>25</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 7.
- <sup>26</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 15.
- <sup>27</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 12.
- <sup>28</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 15.
- <sup>29</sup> Physicians for Human Rights, "New map shows government forces deliberately attacking Syria's medical system," 14 May 2014, available at: <http://physiciansforhumanrights.org/press/press-releases/new-map-shows-government-forces-deliberately-attacking-syrias-medical-system.html>.
- <sup>30</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 17.
- <sup>31</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 11-13.
- <sup>32</sup> "U.N. evidence on Syria war crimes implicates Assad, Pillay says," *Reuters*, 2 December 2013, available at: <http://www.reuters.com/article/2013/12/02/us-syria-crisis-pillay-idUSBRE9B10KZ20131202>.
- <sup>33</sup> See, for example, Human Rights Watch, "Syria: Armed opposition groups committing abuses," 20 March 2012, available at: <http://www.hrw.org/news/2012/03/20/syria-armed-opposition-groups-committing-abuses>; Kareem Fahim, "UN official warns Syrian rebels about atrocities," *New York Times*, 10 September 2012, available at: <http://www.nytimes.com/2012/09/11/world/middleeast/united-nations-warns-syrian-rebels-over-atrocities.html>; C. J. Chivers, "Brutality of Syrian rebels posing dilemma in West," *New York Times*, 5 September 2013, available at: <http://www.nytimes.com/2013/09/05/world/middleeast/brutality-of-syrian-rebels-pose-dilemma-in-west.html>; Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014.
- <sup>34</sup> In February 2014 Al Qaeda distanced itself from ISIL and no longer recognizes it as a Syrian affiliate. During July, following the capture of Mosul, ISIL declared a caliphate and changed its name to the Islamic State, or IS. Most UN member states still refer to the group as ISIL rather than IS.
- <sup>35</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/27/60, 13 August 2014, 7-12, available at: [http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A.HRC.27.60\\_Eng.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A.HRC.27.60_Eng.pdf).
- <sup>36</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 7 and 11.
- <sup>37</sup> Human Rights Watch, "'You can still see their blood': Executions, unlawful killings, and hostage taking by opposition forces in Latakia countryside," 11 October 2013, available at: <http://www.hrw.org/reports/2013/10/11/you-can-still-see-their-blood>.
- <sup>38</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 16.
- <sup>39</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 17.
- <sup>40</sup> Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, United Nations Human Rights Council, A/HRC/25/65, 12 February 2014, 2.
- <sup>41</sup> United Nations General Assembly, "2005 World Summit Outcome," A/60/L.1, 15 September 2005, available at: [http://www.globalr2p.org/media/files/wsod\\_2005.pdf](http://www.globalr2p.org/media/files/wsod_2005.pdf).
- <sup>42</sup> Simon Adams, "Libya and the Responsibility to Protect," Global Centre for the Responsibility to Protect, Occasional Paper Series No.3, October 2012, available at: <http://www.globalr2p.org/media/files/libyaandr2poccasionalpaper-1.pdf>.
- <sup>43</sup> United Nations Security Council, "Statement by the President of the Security Council on the situation in the Middle East," S/PRST/2011/16, 3 August 2011, available at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PRST/2011/16](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2011/16).

- <sup>44</sup> Embassy of India (Damascus), "Press Statement - IBSA Delegation visit to Syria," 10 August 2011, available at: <http://www.indianembassyria.com/english/whats-new/327.html>.
- <sup>45</sup> Simon Adams, "Libya and the Responsibility to Protect," 16.
- <sup>46</sup> The nine states that voted for the resolution were Bosnia-Herzegovina, Colombia, France, Gabon, Germany, Nigeria, Portugal, United Kingdom and United States while Brazil, India, South Africa and Lebanon abstained. Russia and China voted against the resolution, thus vetoing it.
- <sup>47</sup> South Africa and India were still on the UN Security Council in February 2012, but Brazil's term had ended.
- <sup>48</sup> Statement by H.E. Harold Caballeros, Minister of Foreign Affairs of Guatemala, at the United Nations Security Council Debate on the Situation in the Middle East on 31 January 2012.
- <sup>49</sup> It should also be noted that this contrasted sharply with events in 1982 when the current President's father, Hafez al-Assad, oversaw the violent suppression of opposition in Hama that cost at least 10,000 lives. In 1982 there was scarcely any international criticism of this atrocity. See also, Global Centre for the Responsibility to Protect, "Timeline of International Response to the Situation in Syria," available at: <http://www.globalr2p.org/publications/135>.
- <sup>50</sup> The 12 states who voted against the 16 February 2012 resolution were Belarus, Bolivia, China, Cuba, Democratic Peoples Republic of Korea, Ecuador, Iran, Nicaragua, Russia, Syria, Venezuela and Zimbabwe. Most other resolutions had 12 or 13 states voting in opposition. For the text of UN General Assembly resolutions, see <http://www.un.org/documents/resga.htm>.
- <sup>51</sup> Between June 2011 and October 2014 the Special Advisers on the Prevention of Genocide and the Responsibility to Protect issued nine statements on the situation in Syria. All of the Special Advisers' statements are available at: <http://www.un.org/en/preventgenocide/adviser/statements.shtml>.
- <sup>52</sup> The 24 resolutions include Resolution 1975 of March 2011 through Resolution 2196 of January 2015. For a full list of UN Security Council resolutions that reference R2P, see Global Centre for the Responsibility to Protect, "UN Security Council resolutions referencing R2P," available at: <http://www.globalr2p.org/resources/335>.
- <sup>53</sup> Global Centre for the Responsibility to Protect, "UN Security Council resolutions referencing R2P."
- <sup>54</sup> United Nations Security Council, "Statement by the President of the Security Council on the situation in the Middle East," S/PRST/2012/6, 21 March 2012, available at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PRST/2012/6](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2012/6); United Nations Security Council Resolution 2043, S/RES/2043, 21 April 2012, available at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2043\(2012\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2043(2012)).
- <sup>55</sup> Robert Mood, "My experiences as Head of the UN Mission in Syria," Syria in Crisis, Carnegie Endowment for International Peace, 21 January 2014, available at: <http://carnegieendowment.org/syriaincrisis/?fa=54238>.
- <sup>56</sup> Author's notes from confidential meeting with senior UNSMIS official, July 2012.
- <sup>57</sup> Author's notes from confidential meeting with senior UNSMIS official, July 2012.
- <sup>58</sup> "Security Council fails to adopt draft resolution on Syria that would have threatened sanctions, due to negative votes of China, Russian Federation," SC/10714, United Nations Meetings Coverage, 19 July 2012, available at: <http://www.un.org/News/Press/docs/2012/sc10714.doc.htm>.
- <sup>59</sup> Steven Lee Myers, "U.S. and allies say Syria leader must step down," *New York Times*, 18 August 2011, available at: <http://www.nytimes.com/2011/08/19/world/middleeast/19dipl.html?pagewanted=all&r=0>.
- <sup>60</sup> Anne-Marie Slaughter, "How to halt the butchery in Syria," *New York Times*, 23 February 2012, available at: [http://www.nytimes.com/2012/02/24/opinion/how-to-halt-the-butchery-in-syria.html?\\_r=2&](http://www.nytimes.com/2012/02/24/opinion/how-to-halt-the-butchery-in-syria.html?_r=2&)
- <sup>61</sup> John H. Cushman Jr., "McCain calls for U.S.-led airstrikes against Syria," *New York Times*, 5 March 2012, available at: [http://thecaucus.blogs.nytimes.com/2012/03/05/mccain-calls-for-missile-strikes-against-syrian-regime/?\\_php=true&\\_type=blogs&\\_r=0](http://thecaucus.blogs.nytimes.com/2012/03/05/mccain-calls-for-missile-strikes-against-syrian-regime/?_php=true&_type=blogs&_r=0).
- <sup>62</sup> This situation did not change until September 2014, when several beheadings of US citizens by ISIL in Syria, combined with their offensive against Yazidis and other minorities in Iraq, helped create public support in the United States and elsewhere in the western world for airstrikes against ISIL in both Iraq and Syria. At the time of writing the airstrikes were ongoing.
- <sup>63</sup> See also, Simon Adams, "The world's next genocide," *New York Times*, 15 November 2013, available at: <http://www.nytimes.com/2012/11/16/opinion/the-worlds-next-genocide.html>.
- <sup>64</sup> Lavrov quoted in Azuolas Bagdonas, "Russia's interests in the Syrian conflict: Power, prestige and profit," *European Journal of Economic and Political Studies*, 5, No. 2, Winter 2012, 58 and 68, available at: <http://ejeps.fatih.edu.tr/docs/articles/159.pdf>; "Russia will not allow Libyan scenario in Syria: Lavrov," PressTV, 9 December 2012, available at: <http://www.presstv.com/detail/2012/12/09/277075/russia-opposes-libyan-scenario-in-syria/>. Another example of the Russian position on Syria and R2P is provided in Sergey Lavrov, "Statement at 67th UN General Assembly," 28 September 2012, available at: <http://www.voltairenet.org/article176053.html>. See also, Simon Adams, "Libya and the Responsibility to Protect," 16.
- <sup>65</sup> Thomas Grove and Erika Solomon, "Russia boosts arms sales to Syria despite world pressure," *Reuters*, 21 February 2012, available at: <http://www.reuters.com/article/2012/02/21/us-syria-russia-arms-idUSTRE81K13420120221>; "Putin defends arms sales to Syrian regime," *The Guardian*, 4 June 2013, available at: <http://www.theguardian.com/world/2013/jun/04/putin-defends-arms-sales-syria>; Jonathan Saul, "Russia steps up military lifeline to Syria's Assad-sources," *Reuters*, 17 January 2014, available at: <http://www.reuters.com/article/2014/01/17/us-syria-russia-arms-idUSBREA0G0MN20140117>; Azuolas Bagdonas, "Russia's interests in the Syrian conflict: Power, prestige and profit," 65-66; Pieter D. Wezeman, "Arms transfers to Syria," SIPRI Yearbook 2013: Armaments, disarmament and international security, Oxford University Press, 2013, 269-271, available at: <http://www.sipri.org/yearbook/2013/files/sipri-yearbook-2013-chapter-5-section-3>.
- <sup>66</sup> Thomas Grove and Erika Solomon, "Russia boosts arms sales to Syria despite world pressure"; "Putin defends arms sales to Syrian regime," *The Guardian*; Jonathan Saul, "Russia steps up military lifeline to Syria's Assad-sources"; Azuolas Bagdonas, "Russia's interests in the Syrian conflict: Power, prestige and profit," 65-66.
- <sup>67</sup> "Russia's Rosoboronexport to continue arms supplies to Syria," *RIA Novosti*, 12 June 2012, available at: [http://en.ria.ru/military\\_news/20120612/173985454.html](http://en.ria.ru/military_news/20120612/173985454.html).

- <sup>68</sup> Thomas Grove and Erika Solomon, "Russia boosts arms sales to Syria despite world pressure"; "Putin defends arms sales to Syrian regime," *The Guardian*; Jonathan Saul, "Russia steps up military lifeline to Syria's Assad-sources"; Pieter D. Wezeman, "Arms transfers to Syria."
- <sup>69</sup> Nicholas Kosturos, "What drives Russia's unrelenting position on Syria?," Center for American Progress, Issue Brief, 14 August 2012, available at: [http://www.americanprogress.org/wp-content/uploads/issues/2012/08/pdf/syria\\_russia.pdf](http://www.americanprogress.org/wp-content/uploads/issues/2012/08/pdf/syria_russia.pdf); Azuolas Bagdonas, "Russia's interests in the Syrian conflict: Power, prestige and profit," 61-63.
- <sup>70</sup> Ruslan Pukhov, "Why Russia is backing Syria," *New York Times*, 6 July 2012, available at: <http://www.nytimes.com/2012/07/07/opinion/why-russia-supports-syria.html>.
- <sup>71</sup> "Russia warns of Syria terror threat," *The Telegraph*, 14 September 2011, available at: <http://www.telegraph.co.uk/news/worldnews/europe/russia/8762912/Russia-warns-of-Syria-terror-threat.html>.
- <sup>72</sup> Russia abstained on UN Security Council Resolution 1973 authorizing military force to protect civilians there.
- <sup>73</sup> Suleiman Al-Khalidi, "Syria prints new money as deficit grows – bankers," *Reuters*, 13 June 2012, available at: <http://www.reuters.com/article/2012/06/13/uk-syria-economy-money-idUKBRE85C0CK20120613>; Dafna Linzer, Michael Grabell and Jeff Larson, "Flight records say Russia sent Syria tons of cash," *ProPublica*, 26 November 2012, available at: <http://www.propublica.org/article/flight-records-list-russia-sending-tons-of-cash-to-syria>; Thomas Grove, "Syria reaches oil deal with ally Russia," *Reuters*, 3 August 2012, available at: <http://www.reuters.com/article/2012/08/03/us-russia-syria-oil-idUSBRE8720WC20120803>; Margaret Coker and Jennifer Valentino-Devries, "Syria's Russian connection: Regime attempts to sidestep sanctions by using foreign banks in oil sales," *Wall Street Journal*, 14 August 2012, available at: <http://online.wsj.com/news/articles/SB10000872396390444130304577560810962055348>.
- <sup>74</sup> Amos quoted in Judy Dempsey, "Syria: 'We have a Responsibility to Protect,'" Strategic Europe, Carnegie Europe, 18 February 2013, available at: <http://carnegieeurope.eu/strategieurope/?fa=50963>.
- <sup>75</sup> For a copy of the full report, see "Report of the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic on the alleged use of chemical weapons in the Ghouta area of Damascus on 21 August 2013," A/67/997-S/2013/553, 16 September 2013, available at: [http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_2013\\_553.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2013_553.pdf). On debating culpability see, Eliot Higgins, "Sy Hersh's chemical misfire: What the legendary reporter gets wrong about Syria's sarin attacks," *Foreign Policy*, 9 December 2013, available at: [http://www.foreignpolicy.com/articles/2013/12/09/sy\\_hersh\\_chemical\\_misfire#sthash.DZr4gOli.dpbs](http://www.foreignpolicy.com/articles/2013/12/09/sy_hersh_chemical_misfire#sthash.DZr4gOli.dpbs); Muhammed Idrees Ahmad, "A dangerous method: Syria, Sy Hersh, and the art of mass-crime revisionism," *Los Angeles Review of Books*, 1 June 2014, available at: <https://lareviewofbooks.org/essay/dangerous-method-syria-sy-hersh-art-mass-crime-revisionism#>; Human Rights Watch, "Syria: Government likely culprit in chemical attack," 10 September 2013, available at: <http://www.hrw.org/news/2013/09/10/syria-government-likely-culprit-chemical-attack>.
- <sup>76</sup> Anne Barnard, "In shift, Syrian official admits government has chemical arms," *New York Times*, 10 September 2013, available at: <http://www.nytimes.com/2013/09/11/world/middleeast/Syria-Chemical-Arms.html?pagewanted=all&r=0>.
- <sup>77</sup> An excellent, and longer, exposition of this argument is put forward by Kenneth Roth, "Syria: What chance to stop the slaughter?," *New York Review of Books*, 21 November 2013, available at: <http://www.nybooks.com/articles/archives/2013/nov/21/syria-what-chance-stop-slaughter/>.
- <sup>78</sup> By comparison, prior to the war annual bilateral trade between Iran and Syria only amounted to \$316 million per year. See, Jihad Yazigi, "Syria's war economy," 3-4.
- <sup>79</sup> In August 2012 48 Iranian nationals were released as part of a prisoner exchange with armed rebels after they were captured outside Damascus. Although the Syrian and Iranian governments claimed the men were religious pilgrims, the group reportedly included two brigadier generals. Will Fulton, Joseph Holliday and Sam Wyer, "Iranian strategy in Syria," 15-17.
- <sup>80</sup> Will Fulton, Joseph Holliday and Sam Wyer, "Iranian strategy in Syria," 9-11 and 19-20; Jonathan Saul and Parisa Hafezi, "Iran boosts military support in Syria to bolster Assad," *Chicago Tribune*, 21 February 2014, available at: <http://articles.chicagotribune.com/2014-02-21/news/sns-rt-us-syria-crisis-iran-idUSBRE97N06P20130824>; Dexter Filkins, "The shadow commander," *The New Yorker*, 30 September 2013, [http://www.newyorker.com/reporting/2013/09/30/130930fa\\_fact\\_filkins?currentPage=all](http://www.newyorker.com/reporting/2013/09/30/130930fa_fact_filkins?currentPage=all).
- <sup>81</sup> "Iran's Rouhani acknowledges chemical weapons killed people in Syria," *Reuters*, 24 August 2013, available at: <http://www.reuters.com/article/2013/08/24/us-syria-crisis-iran-idUSBRE97N06P20130824>; United States Institute for Peace, "Rouhani Tweets: On chemical weapons, Syria," *The Iran Primer*, 27 August 2013, available at: <http://iranprimer.usip.org/blog/2013/aug/27/rouhani-tweets-chemical-weapons-syria>; "Iran ex-president says Syria government launched gas attacks: news agency," *Reuters*, 1 September 2013, available at: <http://www.reuters.com/article/2013/09/01/us-syria-crisis-iran-rafsanjani-idUSBRE98007R20130901>; Jason Rezaian, "An ally of Syria, Iran also bears scars from chemical weapons attacks – by Iraq," *The Washington Post*, 12 September 2013, available at: [http://www.washingtonpost.com/world/middle\\_east/an-ally-of-syria-iran-also-bears-scars-from-chemical-weapons-attacks--by-iraq/2013/09/12/2d2eaa6e-1b8b-11e3-80ac-96205cacb45a\\_story.html](http://www.washingtonpost.com/world/middle_east/an-ally-of-syria-iran-also-bears-scars-from-chemical-weapons-attacks--by-iraq/2013/09/12/2d2eaa6e-1b8b-11e3-80ac-96205cacb45a_story.html); Marcus George, "Insight: After Syria, Iran laments its own chemical weapons victims," *Reuters*, 16 September 2013, available at: <http://www.reuters.com/article/2013/09/16/us-iran-chemical-weapons-insight-idUSBRE98F08020130916>.
- <sup>82</sup> James Ball, "Obama issues Syria a 'red line' warning on chemical weapons," *The Washington Post*, 20 August 2012, available at: [http://www.washingtonpost.com/world/national-security/obama-issues-syria-red-line-warning-on-chemical-weapons/2012/08/20/ba5d26ec-eaf7-11e1-b811-09036bc182b\\_story.html](http://www.washingtonpost.com/world/national-security/obama-issues-syria-red-line-warning-on-chemical-weapons/2012/08/20/ba5d26ec-eaf7-11e1-b811-09036bc182b_story.html).
- <sup>83</sup> Vladimir V. Putin, "A plea for caution from Russia," *New York Times*, 11 September 2013, available at: <http://www.nytimes.com/2013/09/12/opinion/putin-plea-for-caution-from-russia-on-syria.html>.
- <sup>84</sup> Vladimir V. Putin, "A plea for caution from Russia."
- <sup>85</sup> Vladimir V. Putin, "A plea for caution from Russia."
- <sup>86</sup> Jason Rezaian, "Iran's President Rouhani responds to Syria weapons deal," *The Washington Post*, 16 September 2013, available at: [http://www.washingtonpost.com/world/middle\\_east/irans-president-rouhani-responds-to-syria-weapons-deal/2013/09/16/55c63526-1ec1-11e3-9ad0-96244100e647\\_story.html](http://www.washingtonpost.com/world/middle_east/irans-president-rouhani-responds-to-syria-weapons-deal/2013/09/16/55c63526-1ec1-11e3-9ad0-96244100e647_story.html).

- <sup>87</sup> A majority of people (about 57% overall) in the United States, France, Australia, Canada and a range of other western countries were opposed to their country getting involved in the Syrian conflict. Alexander Dziadosz, "Poll finds low Western support for military intervention," *The Daily Star* (Lebanon), 10 October 2013, available at: <http://www.dailystar.com.lb/News/Middle-East/2013/Oct-10/234152-poll-finds-low-western-support-for-military-intervention.aspx#axzz2lhEydG4j>; Adrian Croft, "Americans, Europeans oppose Syria intervention: poll," *Reuters*, 18 September 2013, available at: <http://www.reuters.com/article/2013/09/18/us-syria-crisis-poll-idUSBRE98H0GN20130918>.
- <sup>88</sup> Data from the United Nations Office for the Coordination of Humanitarian Affairs: Humanitarian Intervention Bulletin, "Syrian Arab Republic, Issue 36," 8 October - 4 November 2013.
- <sup>89</sup> United Nations Security Council, "Statement by the President of the Security Council on the situation in the Middle East," S/PRST/2013/15, 2 October 2013, available at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/PRST/2013/15](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2013/15).
- <sup>90</sup> Data from UNHCR: The United Nations Refugee Agency, Syria Regional Refugee Response Inter-agency Information Sharing Portal, "Syria Regional Refugee Response – Regional Overview," accessed on 11 February 2014, available at: <https://data.unhcr.org/syrianrefugees/regional.php>.
- <sup>91</sup> "Russia decries U.N. draft on Syria aid, urges resolution on 'terrorism,'" *Reuters*, 11 February 2014, available at: <http://www.reuters.com/article/2014/02/11/us-syria-crisis-russia-un-idUSBREA1A0EB20140211>.
- <sup>92</sup> United Nations Office for the Coordination of Humanitarian Affairs "Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, Valerie Amos: Statement to the press on Security Council briefing on Syria," 13 February 2014, available at: <https://docs.unocha.org/sites/dms/Documents/ERC%20Valerie%20Amos%20Statement%20to%20the%20Press,%20Syria%2013%20February%202014.pdf>.
- <sup>93</sup> United Nations Office for the Coordination of Humanitarian Affairs "Emergency Relief Coordinator and Under-Secretary-General for Humanitarian Affairs, Valerie Amos: Statement to the press on Security Council briefing on Syria."
- <sup>94</sup> United Nations Security Council Resolution 2139, S/RES/2139, 22 February 2014, available at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2139\(2014\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2139(2014)).
- <sup>95</sup> Ian Black, "Nearly 1,900 killed in Syria since Geneva talks began," *The Guardian*, 31 January 2014, available at: <http://www.theguardian.com/world/2014/jan/31/syria-death-toll-geneva-talks>.
- <sup>96</sup> United Nations, "Transcript of press briefing with the Secretary-General and Lakhdar Brahimi, Joint Special Representative for Syria," 13 May 2014, available at: <http://www.un.org/sg/offthecuff/index.asp?nid=3414>.
- <sup>97</sup> Nick Cumming-Bruce, "Report issued on war crimes in Syria," *New York Times*, 18 March 2014, available at: <http://www.nytimes.com/2014/03/19/world/middleeast/both-sides-in-syria-are-targeting-civilians-un-report-says.html>.
- <sup>98</sup> Ian Black, "Syrian torture images to be examined by UN Security Council," *The Guardian*, 15 April 2014, available at: <http://www.theguardian.com/world/2014/apr/15/syrian-torture-images-security-council-war-crimes>.
- <sup>99</sup> United Nations, Annex to the letter dated 2 April 2014 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council, "A report into the credibility of certain evidence with regard to torture and execution of persons incarcerated by the current Syrian regime," S/2014/244, 4 April 2014, available at: [http://www.un.org/ga/search/view\\_doc.asp?symbol=S/2014/244](http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/244).
- <sup>100</sup> Michelle Nichols, "Russia calls U.N. vote on Syria 'publicity stunt,' vows to veto," *Reuters*, 21 May 2014, available at: <http://www.reuters.com/article/2014/05/21/us-syria-crisis-un-icc-idUSBREA4K10P20140521>; Human Rights Watch "Syria: Groups call for ICC referral," 15 May 2014, available at: <http://www.hrw.org/news/2014/05/15/syria-groups-call-icc-referral>.
- <sup>101</sup> United Nations Security Council Resolution 2170, S/RES/2170, 15 August 2014, available at: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2170\(2014\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2170(2014)).
- <sup>102</sup> In early 2014 the crisis in Ukraine brought some of these strategic differences to the fore.
- <sup>103</sup> Global Centre for the Responsibility to Protect, "The Responsibility to Protect at the Opening of the 68th Session of the United Nations General Assembly," 4 October 2013, 60-61, available at: <http://www.globalr2p.org/publications/264>.
- <sup>104</sup> Remarks delivered by Permanent Mission of Liechtenstein to the United Nations, quoted in Global Centre for the Responsibility to Protect, "The Responsibility to Protect at the Opening of the 68th Session of the United Nations General Assembly."
- <sup>105</sup> Laurent Fabius, "A call for self-restraint at the U.N.," *New York Times*, 4 October 2013, available at: [http://www.nytimes.com/2013/10/04/opinion/a-call-for-self-restraint-at-the-un.html?\\_r=0](http://www.nytimes.com/2013/10/04/opinion/a-call-for-self-restraint-at-the-un.html?_r=0); Global Centre for the Responsibility to Protect, "'State Responsibility and Prevention': Summary of the fifth Informal Interactive Dialogue of the UN General Assembly on the Responsibility to Protect held on 11 September 2013," available at: <http://www.globalr2p.org/publications/267>.
- <sup>106</sup> "Civil society calls for veto restraint by UN Security Council," Joint Statement by Amnesty International, Global Centre for the Responsibility to Protect, Human Rights Watch, International Federation for Human Rights and World Federalist Movement, 25 September 2014, available at: <http://www.globalr2p.org/publications/334>.
- <sup>107</sup> Simon Adams, "Room for debate: The power of coercive nuance," *New York Times*, 30 March 2012, available at: <http://www.globalr2p.org/publications/168>.

## Glossary of Abbreviations

<b>Arab League</b>	League of Arab States
<b>COI</b>	Commission of Inquiry
<b>EU</b>	European Union
<b>FSA</b>	Free Syrian Army
<b>IBSA</b>	India, Brazil and South Africa
<b>ICC</b>	International Criminal Court
<b>ISIL</b>	Islamic State of Iraq and the Levant
<b>NATO</b>	North Atlantic Treaty Organization
<b>P2</b>	China and Russia
<b>P3</b>	France, United Kingdom and United States
<b>R2P</b>	Responsibility to Protect
<b>UN</b>	United Nations
<b>UNSMIS</b>	UN Supervision Mission in Syria



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