

# **The Role of the UN Security Council in Syrian Crisis**

**(2011-2016)**

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## **Abbreviation List**

**DCR**-Democratic Republic of Congo

**HRC**-Human Rights Council

**ICC**-International Criminal Court

**ICG**-International Crisis Group

**R2P**-Responsibility to Protect

**UCDP**-Uppsalla Conflict Data Program

**UNMIS**-United Nations Mission in Syria

**UNSC** -United Nations Security Council

## **Abstract**

Human rights protection becoming the crux of the UNSC actions got officially inscribed as the primary mandate of the Council in 2005 World Summit Outcome Document. Under the Document the SC took the Responsibility to Protect civilians from four types of internationally wrongful erga omnes crimes whenever individual governments are “unwilling” or “unable” to protect their population. Against this backdrop, the UNSC failed to protect civilians from mass atrocities in Syria that erupted in 2011 and is still counting now. Humanitarian crisis in Syria resulted in a death toll of more than 240,000 lives lost. The present paper aims to figure out SC response to the early warnings of counting crisis, the influence that the generally increasing death toll had on the UNSC Resolutions, and last but not least, the research seeks to measure the UNSC resolutions influence on the development of the conflict. Through analysing the SC resolutions, draft resolutions as well as verbatim records of the UNSC meetings for the timeframe of 2011-2016, the research finds out that albeit being well-informed on the unleashing situation in Syria the UNSC failed to provide timely response to the early warnings of looming conflict provided mostly by UN agencies and Western media conditioned with the divergence of interests among P5 countries. The research also finds that the generally increasing death toll in Syria failed to influence SC Resolutions. Most of the resolutions were adopted with the aim of just “doing something”.

## Introduction

The United Nations being established after the end of the Second World War with the noble aspiration of “*saving succeeding generations from the scourge of war*” came to face a new wartime reality starting with 1990s. After the end of the Cold War when “*the absence of war and military conflicts among states did not in itself ensure international peace and security*” the crux of Security Council actions changed from inter-state to intrastate conflicts (ILM 1992).

Rampant violations of civilians’ rights in intra-state conflicts since the late 1980s became loud alarm bells to the changing character of modern warfare (Waltz 2000). Sobering experience of large scale human suffering as a direct result of mass atrocities by the incumbent governments in Somalia, Srebrenica and Rwanda brought about normative development in SC understanding of its own role: in the new “*age of human rights*” from being a guarantor of interstate peace it became a guarantor of human right protection in intra-state conflicts. Human right protections as a key tenet of SC actions was put in its numerous presidential statements and forms on intrastate conflicts in Liberia, Sierra Leone, Congo, Burundi, Sudan, Chad, Co<sup>^</sup>te d’Ivoire, etc. (Brooks 2014; Genser and Ugarte 2014).

Directly shaped by the events in Kosovo (1999) the SC officially inscribed its responsibility to protect human rights into 2005 World Summit Outcome Document under the doctrine of Responsibility to Protect (RtoP). The doctrine changed the direction of debate on state sovereignty and humanitarian intervention (Bellamy and Dunne 2016; Weiss 2004).

138 paragraph of the UN World Summit Outcome Document recognised individual government’s responsibility to protect their population from *genocide, war crimes, ethnic cleansing and crimes against humanity*. It also entailed the *prevention* of the above cited four types of crimes “*including their incitement through appropriate and necessary means*”. Under the proceeding 139 paragraph the SC took the responsibility to “to take collective

action, in a timely and decisive manner... 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” in cases when national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity”(General Assembly 2005). Yet ,the document failed to address the common patterns of individual governments’ failure to protect their populations under Art.138 (Nikoghosyan 2015).

Since the adoption of “RtoP” doctrine, the language of “R2P” has found its expression in various UNSC Resolutions on intra-state conflicts: UNSC Res. 1706 on Darfur/Sudan in 2006, Res. 1807 on Democratic Republic of Congo (DRC) in 2008, Res. 1975 on Cote d’Ivoire in 2011 and most notably in Res. 1970 and 1973 on Libya in 2011(Nikoghosyan 2015).

Against this background, in 2011 public insurgency was initiated which was followed by incumbent government’s violent crackdown heavy on civilins leading the country into a civil war. As a result, the humanitarian crisis in Syria was accompanied and is still being accompanied with mass atrocities and rampant violations of human rights by Assad regime. Normative developments in SC mandate in regard to human right found little expression in SC actions on the face of the Syrian crisis. Even though during those five years SC adopted 21 resolutions on the situation in Syria none of them could succeed in ending the human suffering in Syria pursuant to the SC new mandate under the doctrine of R2P. The death of more than 240,000 human beings in six years of its development is the best illustration of the fact.

To this end, the present paper seeks to understand the key reasons undermining the SC effectiveness on the subject matter. The very banal explanation summoned by many that the SC was jeopardised because of the divergence of interests among P5 countries adds little

value to the current efforts of preventing human right violations and mass scale suffering in future conflicts. Rather, **the aim of the research is to figure out the SC's response to the early warnings of looming crisis in Syria, the influence of the generally increasing death toll on SC Resolutions and the impact of these Resolutions on the further escalation of the conflict.**



## **Methodology**

The design of this capstone is case study. It it tries to gain deeper understanding of the root causes of the UNSC failure in the Syrian Arab Republic. Particularly this capstone touches upon the following research questions and hypotheses.

RQ<sub>1</sub>: How did the SC respond to the early warnings of human right violations in in Syria in the early stages of the conflict.

H<sub>1</sub>: The divergence of interests among the P5 countries hampered the timely positioning/response of the UNSC.

RQ<sub>2</sub>: How did the generally rising death toll in Syria influence the UNSC Resolutions.

RQ<sub>3</sub>: How did the UNSC resolutions impact the development/resolution of the conflict.

H<sub>2</sub>: Resolutions adopted by the SC call for ending the conflict immediately.

H<sub>0</sub>: The UNSC adopted resolutions just to “do something”.

For answering the research questions and testing the hypotheses the capstone uses secondary data. Data will be collected through analysing the SC adopted resolutions, drafts of vetoed resolutions on Syria from 2011-2016, as well as available verbatim records of Security Council meetings, mostly discussions in the early phase of conflict to depict the reasons of UNSC belated response and the discussions following the veto of draft resolutions to understand the underlying reasons of veto.

To figure out the death toll in Syria 3 statistical databases were used: Uppsala Conflict data program; Syrian Observatory of Human Right; Syrian Center for Statistics and Research.

# Chapter 1

## 1.1 The UN Security Council Conflict Prevention Repertoire in the “Age of Human Rights”

*“The most desirable and efficient employment of diplomacy is to ease tensions before they result in conflict...”*

*(UN Secretary-General Boutros Boutros-Ghali, “Agenda for Peace” 1992, para. 23)*

The UN Secretary General *Boutros Boutros-Ghali* in his “*Agenda for Peace*” released on the request of the Security Council (SC) in 1992 identified preventive diplomacy as “*the most efficient and desirable option*” for managing conflicts in the modern warfare. This marked the ascendance of preventive diplomacy to the “front burner” of the UN Security Council toolkit in handling the emergence of intra-state wars at the end of Cold War (Luck 2006; ICISS 2001). Renewed interest in preventive diplomacy initially developed by Secretary General Hammarkjold in 1950s was conditioned with a number of factors: the surge of deadly conflicts in 1990s, the experience of Security Council’s belated answer to number of emergencies that resulted in humanitarian crisis, more oppressive public pressure on international community as a result of the revolutionary advancement of technologies (particularly development of media) (ICISS 2001; Walraven 1998; Romita 2011).

Preventive diplomacy may be defined as a combination of preventive action efforts aimed at identifying elements of looming conflicts at an early stage and developing appropriate responses depending on character and dynamic of conflict progression (Zyck and Muggah 2012; Schnable and Carment 2004). Contemporary understanding of preventive diplomacy places *the early detection* and *timely response* at the heart of preventive diplomacy (Djibom 2010; Walraven 1998; B. G. Ramcharan 1991).

Most conventional mechanisms of early warning included in various reports of the UN include the UN agencies, regional organisations, prominent human right groups and international NGOs. The UN Charter per se gives the special task of informing the SC about the emerging crisis to Secretary General under article 99 (Schnable and Carment 2004). Another quite important form of early warning may be considered the media. Rapidly developing nature of science and technology in 21<sup>st</sup> with the unmatched presence of newswires everywhere equipped media with a unique capacity of warning the international community on emerging crisis in any corner of the world earlier than by any other mechanism(Sodipo 2014; Brante et al. 2011; Orfanou 2017). Below I will discuss the role of each as an early warning mechanisms backing up with historical examples starting with 1990s.

### **1.1.1 Early Warning Mechanisms**

#### **The Role of the UN Agencies**

The Human Rights Council(up to 2006 Human Rights Commission), the UN agency tasked with the primary mandate of addressing urgent situations that include actual elements of genocide, war crimes and crimes against humanity, is the primary UN organ “assisting” the UNSC, in depicting early signs of human right violations with the potential of ending up in mass atrocities endangering international peace and stability(Bertrand G. Ramcharan 2015; Zyberi and Mason 2013; Bertrand G. Ramcharan 2013).

United Nations mandated *commissions of inquiry, fact-finding missions* and investigations are the key mechanisms under the disposal of the UN HRC to investigate and collect information on violations of international human rights law and international humanitarian law human right violations under the UN watch. Over past 20 years, many commissions/missions have been established to depict or to assess the most serious cases of human right violations across the world: in the former Republic of Yugoslavia, Darfur,

Timor-Leste, and Guinea, and the most recent cases include establishment of commissions/missions in Côte d'Ivoire, Libya, the Syrian Arab Republic, the Democratic People's Republic of Korea, Sri Lanka and the Central African Republic(HRC report 2015).

**Other UN Mechanisms** for alarming the bell of the looming conflicts include special rapporteurs' reports, visiting missions, good offices, the Office of the Special Adviser of the Secretary-General on the Prevention of Genocide etc.

Visiting missions is one of the most commonly practiced early warning mechanism by the SC. It is the primary tool of getting first handed information directly on the spot, to supporting peace processes and mediation. The SC has been practicing this tool since in 1964 the SC travelled to Cambodia and Vietnam. From 1992-2015 it has conducted 51 visiting mission to 41 countries. Early in 1993 a visiting mission to Bosnia and Herzegovina recommended several changes to be made in the UNPROFOR's mandate in relation to the rights of civilians, particularly living in the UN declared "safe areas". Other cases of Visiting missions sending early alarms include the visiting mission's request to send human right observers to Burundi in 1994. On visiting mission's request to deploy an civilian police operation in East Timor referendum on August 1999 was another effort to prevent potential conflict (Security Council Report 2017).

Known also as the 'eyes and the ears' of the SC, the general function of special rapporteur is "to examine, monitor, advise, and publicly report on human rights situations in specific countries or territories ... or on a major phenomenon of human rights violations. After gathering sufficient information on human right violations from sources that they consider credible, special rapporteurs can act differently based on their mandate and the magnitude of violation. According to the UN sources, in 2007 more than 1,000 such communications were sent to the governments of 128 countries by special procedures mandate holder(Subedi 2011).

Special rapporteurs' reports do not always meet the timely and proportionate response of the SC. One of most infamous cases of the UNSC inaction in response to special rapporteur's report occurred in case of Rwanda. in 1993 reporting the SC about the possible acts of Genocide in the Country and in 1994 it flagged that the situation has worsened. Similarly the UN SC turned deaf to the warnings of the rapporteur on the unfolding situation in Gujarat, India in 1996(Zenko and Friedman 2011).

### **The Role of Media**

With the growing importance of international media, telecommunications and information technology media has become the integral part of the international communities alarming tools of emerging conflicts. A quick glance at mostly western media outlets figures out a number of reports on even small scale conflicts.

One worrying characteristic of media is however that sometimes it may signal small issues and keep silence when serious human right violations are occurring. To this end, media is often blamed to be shaped by the political narrative of the state it belongs to. For instance when the conflict erupted in Darfur in 2003 Western media being mostly concentrated on the North/South negotiations, gave little importance to the spurge of conflict in Darfur. Also during the civil war in DPKA western publications like the New York Times and the Times of London continued to publish mainly articles on the situation in Iraq conditioned with the of the West Englehart (2012)}. Albeit the subjectivity and ambiguity of media, it is hardly possible not to accept their important role in warning the international community on looming conflicts.

### **Human Right NGOs**

Human rights NGOs abundant all around the world often serve as early warning mechanisms for the SC about a looming conflict. Some of most famous human right NGOs are Amnesty International, International Crisis Group, Human Rights Watch; etc. One

successful example by ICG occurred in 2014 Nigeria when Crisis Group among organisations depicted the signs of potential large-scale violations Nigeria's 2015 presidential elections and soon under the pressure of UNSC could succeed in making defeated President leave the office without human live losses and human right violations (ICG 2016).

### **1.1.2 From Early Warning to Early Response**

As the cases above illustrated early action itself is not enough for the prevention of conflicts accompanied with human right violations. The next important step on the way of preventing conflicts is timely and appropriate response of the UN SC through its binding decisions, resolutions. Below I will discuss some of the measures taken by the SC in recent years to prevent the further development of emerging conflicts including peacekeeping missions, sanctions, mediation, establishment of No-Fly Zones(NFZ).

#### **Peacekeeping**

Security Council's involvement in "complex emergencies" in intrastate complicated the mandate and scope of action of its peacekeeping forces, giving birth to the notion of "second generation peacekeeping" with combined political, economic and humanitarian functions. Protection of civilians is among the most important functions of the second-generation peacekeeping. Early examples of peacekeeping forces with direct responsibility of protecting civilians were deployed in Rwanda and Yugoslavia where population was under the attack of ethnic cleansing and Genocide. The belated peacekeeping forces of UNAMIR and UNPROFOR in Rwanda and Srebrenica however failed to halt mass atrocity against civilians Matheson 2006; Orfanou 2017; Malone 2004).

Some other peacekeeping forces with human right protection tenets deployed since the end of the Cold War include in KFOR/UNMIK in Kososvo, UNTANET in East Timor, UNAMSIL In Sierra Leone, MONUC in Congo. The former two are often referred to as

“third generation peacekeeping” since aside from protection of civilians they bear other mixed mandates of governing the territories under question, pending the creation of local institutions with the capability of carrying out the governance of the territories. Most scholars find that the failure of peacekeepers is often conditioned with lack of military strength, robust rules of engagement and political will.

With the evolution R2P accompanied second generation peacekeepers were also given the “privilege” of the use of force where it deems necessary. For instance, in 1999 UNAMSIL and UNTANET in Sierra Leone and in East Timor, respectively were authorised to take all necessary means to protect civilians(Weiss 2004; Zyberi and Mason 2013).

### **Sanctions**

The use of sanctions (economic, political, diplomatic) as an intermediate empathic means between the use of force and diplomacy has widely increased since 1990. In most literature sanctions are referred as the main tenet of non-military intervention aiming to impose the state to change its course of conduct through restricting its military and economic capability (Zyberi and Mason 2013; ICISS 2001). At the end of the Cold War it often invoked sanction, in intra-state conflicts mostly targeted ones, to send clear early message of its discontent with the situation on the ground. As an early sign of its discontent for instance in 1993 it imposed oil embargo and freeze the funds of the junta members in Haiti. Shortly after Junta members agreed to return to let the democratically elected Aristide to rake the office(Matheson 2006).

With the aim of protecting civilians the SC of establishes no-fly zone. Recent example of establishing **no-fly zone** with the purpose of protecting civilians from the abuses by the incumbent government occurred in 2011 when following the Libyan dictator Colonel Muammar Qaddafi violent crackdown against civilians the United Nations voted to support

the imposition of a NFZ over Libya. An earlier example of establishing NFZ by the SC happened in 1992 when Operation Sky Monitor was established in response to United Nations Security Council Resolution (UNSCR) 781 prohibiting military flights over Bosnia. (Mueller 2013).

**International Criminal Court** is an international tribunal in the Hague that aims at prosecuting and trying individuals for genocide, war crimes, and crimes against humanity on the request of the UNSC. Being established in 2002 one of the founding reasons of the tribunal is the prevention of internationally recognised erga omnes crimes. Articles 5-7 of the Rome Statute, the founding document of the ICC, provide the clear description of crimes that lays under the prosecution of ICC. “The two-way traffic” between the ICC and the R2P is important for the prevention crimes against humanity (Nikoghosyan 2015).

One example of preventing crime against humanity through referring the case to ICC and applying the R2P doctrine occurred in case of Libya in 2011. The incumbent president’s public statement of “cleaning Libya house by house” became the reason for the proponents of intervention in Libya to claim that ‘just cause threshold had been reached’. Intervention of NATO forces, thus, prevented the mass atrocity against civilians masterminded by Qaddafi regime.

The individual cases discussed above illustrate that the UNSC repertoire of early warning and early response is still in the process of development. Belated early warnings of looming humanitarian crisis are often late, but even if they are on time SC often fails to come up with timely and proportionate measures to halt the further development of events that are prone to end up with humanitarian crisis and crimes against humanity.

The repertoire of early warning and early response that the UNSC initially had under its disposal and have developed recently do not operate in vacuums but rather their usage



varies from case to case weathered with number of conditions, like political, economic landscape for the time being, with the political will of the SC members. To gain more accurate picture of the UNSC early warning and response toolkit on the face mass scale human sufferings, subsequently I will consider three cases of mass human right violations in civil wars of Cote d'Ivoire (post electoral conflict starting with 2003 up the 2005 when SC finally referred the case to ICC), Sudan (Darfur) (post electoral conflict 2010-2011) and Libya (2011-2014). Observing the UNSC action/inaction on the face of large scale human suffering in intra-state conflicts similar in their context to Syria will enable to depict the established courses of action, if any, that the SC makes use in case of the early warnings of large-scale killings/suffering/genocide (planned or underway) are being reported by credible sources.

## **1.2 Case Studies**

### **1.2.1 Sudan (Darfur)**

Civil war in Darfur between Janjaweed militias backed up by government forces and civilian population initiated in 2003. Early warnings on the unfolding situation in Darfur have been provided by the UN agencies, human right groups. For the time being media being mostly concentrated on the North/South negotiations, gave little importance to the spurge of conflict in Darfur. It was only in early 2004 that Western publications like the New York times, Washington Post published articles on the mounting crisis (Gruley and Duvall 2012; Sidahmed, Soderlund, and Briggs 2010).

In spite of being well aware of the situation on the ground, The UNSC got involved in the conflict quite late. Previously, the UN Emergency Relief Coordinator had warned about the elements of "ethnic cleansing" in the area of Darfur and the Secretary General evidenced that "people are suffering in a catastrophe" that was "bordering on ethnic cleaning" (the UN Newsroom Section 2004; HRW 2005). All these come to prove that the SC was well aware of

the large scale human suffering in Darfur yet, one year passed after the conflict, it had no single resolution on Darfur crisis.

Situation in Darfur first appeared on the SC agenda only eighteen months after the crisis had started. The delayed response of the council came in the form of Resolution 1556. The Resolution adopted by a 13-0 vote, with China, and Pakistan abstaining, demanded the SG to disarm Janjaweed militias threatening to consider further measures in case of non-compliance. It also imposed arms embargo on “non-governmental entities”. The language of the resolution was quite mild and vague and did not refer to any assertive technic even though the the crisis was far beyond the need of a more robust involvement of the Council(Security Council 2004).

While the UNSC adopted its subsequent resolution death toll in Darfur increased up to 5879 (according to UCDP). Condemning the GoS non-compliance with the former resolution (even though in the former one non-compliance was supposed to meet the SC further measures including targeted sanctions) the SC urged the establishment of an international commission of inquiry aiming to investigate reports of violations of international humanitarian law and human rights law in Darfur, to depict acts of genocide (if any) , to identify the perpetrators and come up with measures to hold those perpetrators accountable.

Two years later after the conflict first erupted, in March 2005 the SC referred the human right violations in Darfur to the ICC with Resolution 1593 (Happold 2006; Shinn 2009). Already in June 2005 the death toll decreased tenfold up to 564 as compared to as compared to 5879 of the previous year.

Engaging in conflict late hampered the SC to halt the human suffering in Darfur up to today. Even though early warnings were provided by different UN agencies constant threats of Veto on any resolution taking assertive means towards the GoS by China paralysed the SC

capability to take up timely and proportionate response. China was a major supporter of Sudan because of Sudan's plenty oil. Chinese state-run oil company controls 70% of Sudan's oil (Fabrice 2014; Williams and Bellamy 2005).

### **1.2.2 Cote d'Ivoire**

After the second round of presidential elections in Côte d'Ivoire (2010) when Laurent Gbagbo refused to leave the office of president claiming that the elections were fraud, Africans witnessed the deadliest incident of electoral violence since 1990s resulting in 3000 deaths. In the early days of the conflict state media overtly expressed incitements of hostility and violence against particular Ivorian ethnic, religious and political groups (Martins 2011). Soon Special Advisor to the Secretary General on the Prevention of Genocide issued a statement expressing its grave concerns on the situation pinpointing "the series of clashes which 'if not checked, could culminate in mass atrocities'" (Bellamy and Williams 2011; Martins 2011).

The early warnings were followed by massacres (800-1000 civilians) in the town of Duékoué, Bolequin and Guiglo. (Bellamy and Williams 2011). On March 2011 HRC adopted a resolution (A/HRC/16/25) dispatching independent international commission of inquiry to investigate the facts and circumstances surrounding the allegations of serious violations of human rights committed in Côte d'Ivoire.

Following the HRC resolution, in March 2011 the SC adopted its first resolution (1975) condemning human right violations and urging the parties to respect civilians' political will. The resolution also imposed targeted sanctions, authorised UNOCI peacekeeping mission in Cote d'Ivoire with the authorization to '*use all necessary means*' to protect civilians (Second-generation peacekeeping) without the consent of the target state. This was the first time that the SC authorised the use of force without the consent of the host

country. Together with French forces the UN peacekeepers could succeed in ousting Gaddafi and preventing mass atrocities by his missiles that had already taken lives of 3000 civilians (Western et al. 2011; Oved 2011).

Cote d'Ivoire therefore can be considered as a successful example of preventing further escalation of conflict through early involvement and deployment of second-generation peacekeeping.

### **1.2.3 Libya**

Libya is the unique case of implementing the doctrine of R2P through the authorization of the SC. Events in Libya developed with unexpected rapidness. One week after the Government's violent crackdown on civilians the HRC passed a resolution condemning "gross human right violations" and recommended the SC to refer the case to ICC. It also dispatched international commission of inquiry to investigate cases of human right violations (HRC 2011). This was followed by the regional organisations' - vis a vis League of Arab Nations(LAS), the African Union (AU) and the Organization of the Islamic Conference (OIC), strong condemnations of the situation and request to the SC to intervene (Kirsch and Helal 2014).

Under these pressure 11 days after the start of the conflict on February 26 Resolution 1970 was adopted. Not only the speed at which the UNSC acted but also the language that it applied to the resolution was unusual. The Resolution recalling the Libyan Governments responsibility to protect civilians referred the case to the ICC, imposed arms embargo, travel ban and asset freeze on the Libyan Arab Jamahiriyan and established New Sanctions Committee to follow and monitor the implementations of sanctions imposed through the resolution(Security Council 2011 para. 4). In a single resolution one can find a whole bunch of early response mechanisms that in other cases were imposed in a number of resolutions.

Meanwhile Qaddafi's announcement of "cleansing Libya house by house" until the "cockroaches" (i.e. the protesters) surrender (Nikoghosyan 2013; BBC 2011), his son's announcement on Libyan TV that "thousands of deaths, and rivers of blood will running through Libya" if protesters continued to reject government reform proposals (Guardian 2011) accompanied with increasing death toll even fastened the SC actions. In 2011 march the UNSC in spite of two permanent members' (Russia and China) abstention, adopted resolution 1973 authorising the implementation of R2P Pillar Three. With the aim of protecting civilians it also established no fly-zone and extended targeted sanctions imposed through the preceding resolution. In accordance with the resolution the intervention in Libya was conducted by NATO forces on 19 March and ended up with the change of Qaddafi's regime.

The UNSC intervention in Libya is often criticised for being conditioned with the Western powers' political interests rather than on the primary purpose of the doctrine: prevention of crime against humanity. Whatever the actual reason of the intervention, it highly undermined the UNSC role in halting the currently counting humanitarian crisis in Syria. Even though death toll in Syria surpasses some 250,000 lives lost, the SC fails to take up any decisive step to uphold its responsibility and to halt the humanitarian crisis in Syria.

Taking into consideration the early warning and response mechanisms discussed above, in the remaining part of the paper I will figure out the SC action/inaction to large scale killings in Syria, measures taken by the SC to halt the further increase of the death toll. The SC resolutions and drafts of vetoed resolutions will be analysed with the aim of figuring out what courses of actions the SC took/did not take in response to the increasing death toll in the Country. The Verbatim records of SC meetings will be analysed to gain the political framework in the Council and the narrative of P5 Countries

## Chapter 2

### The UN Security Council in Syria

The six-year-old and still counting Syrian imbroglio erupted in 2011 with the arrest of fifteen teenagers for painting the anti-government graffiti “the people want to topple the regime!” borrowed from other Arab Spring revolutions in Tunisia and Egypt. This gave birth to a major insurgency in the country which was followed with the heavy-handed response of the incumbent government throwing the country into a civil war accompanied with internationally recognised human right violations. The chaos in country was capitalised with involvement of the so called Islamic state and the establishment of “caliphate” on the swaths of Syria and Iraq giving birth to “a war within a war” in Syria.

Unleashing in situation Syria took lives of more than 240,000 Syrian. Yet neither of the overall twenty-one UNSCR on the subject matter could stop the atrocities in Syria. In this chapter I will try to examine the relation between the generally increasing death toll in Syria and the resolutions adopted with a hard-nosed look on the language applied to the resolutions to understand whether the resolutions did aim putting an end to humanitarian crisis or they were simply signs that SC is at least interested in the crisis and “doing something”.

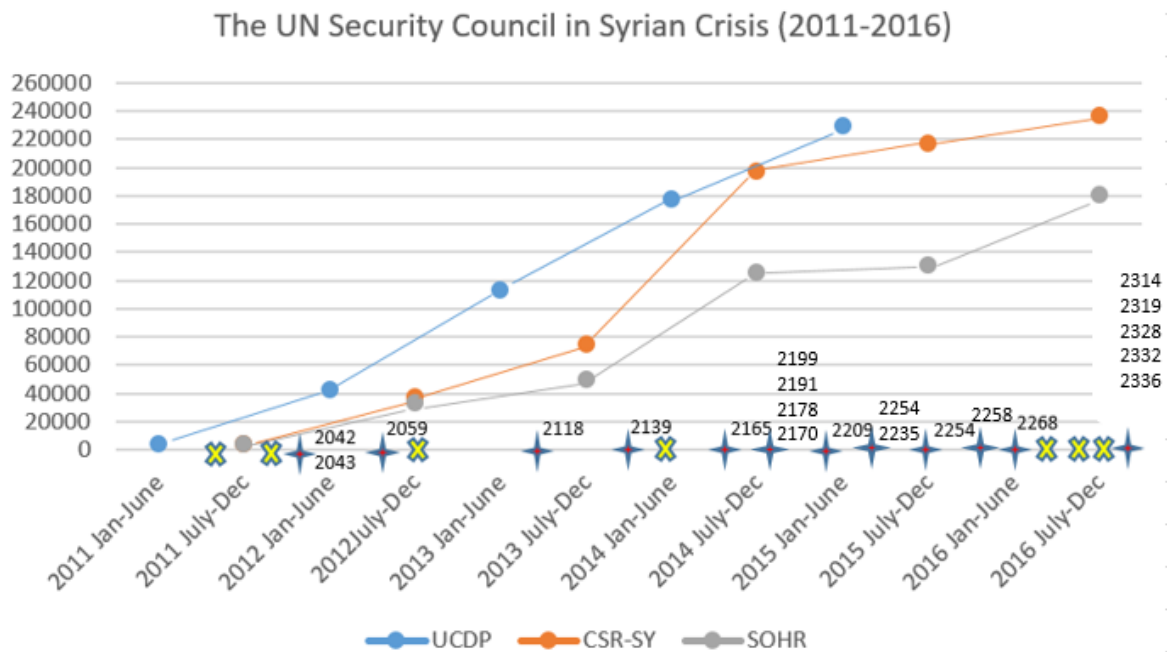
The figure below incorporates data on death toll in Syria based on three major databases: Uppsala Conflict Data Program (UCDP)<sup>1</sup>; Syrian Centre for Statistics and Research (CSR-SY)<sup>2</sup>; Syrian Observatory for Human Rights (SOHR)<sup>3</sup> together with all the twenty-one adopted and seven vetoed resolutions by the UNSC. Adopted resolutions are marked with the sign ✦ and draft resolutions that have been vetoed are marked with ✕

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<sup>1</sup> Leading world-wide conflict program database

<sup>2</sup> Independent, non-profit and non-governmental organisation that aims to document conflict related database for researchers and scholars.

<sup>3</sup> UK-based information think tank aiming to document alleged human rights abuses in Syria, often cited by BBC articles on Syria



To get better understanding of the SC response to the crisis in Syria it is necessary first to dwell upon the early warnings provided to the SC about the looming conflict through early warning mechanisms discussed earlier in the literature review.

## 2.1 Alarming the SC: Early Warnings on the Counting Crisis in Syria

### The Role of Media

Popular demonstrations against the Syrian government started in mid-March 2011 and met the harsh response of the state-led military forces starting with 22 March. Events in Syria found their expression on the coverages of many western media outlets already on March 23. Most publications reported about the use of water cannon, teargas, rubber bullets, live ammunition, tear gas by the Syrian Military troops against *peaceful demonstrators* in Dera (Fedel 2011; Hussein and Karam 2011; Marsh 2011).

For the following weeks coverages of most media outlets were poured with articles titled as “*the Syrian regime launches crackdown by shooting 15 activists dead*” (Marsh

2011); “*Syrian police shoot nine people dead in attack on area sheltering protesters*”(Press 2011); “*Syrian troops fire teargas at protesters in Deraa*” (Meikle 2011), “*Syrian mourners say government snipers carried out massacre*” (Marsh 2011), “*Syrian Troops Open Fire on Protesters in Several Cities*” (Slackman 2011), “*Tension and Grief in Syria After Protests and Deadly Reprisals*” (Slackman and Stack 2011), “*Syria Death toll rising, the Human Rights Groups warn*” (Marsh 2011) “*Deaths as Syria protests spread*”(Al Jazeera and agencies 2011). Apart from informing the international community about unfolding violence in Syria with high emphasise on the number of casualties, one thing that is overt in almost all articles is the sharp criticism of the Syrian Government as the sole perpetrator of the crimes.

Thus, media has been quite responsive to the emerging crisis in Syria. Reports by Western outlets about the ongoing violations in Syria with high number of casualties clearly sent a message to the international community that a looming conflict in Syria accompanied with rampant violations of human rights needs to be addressed.

### **The Role of The UN Agencies**

First public debate (S/PV.6524) in the SC on the situation in Syria was held on 29 April 2011, which is actually one month later after the insurgency had emerged and the international media coverages had started to actively report about the rapidly deteriorating situation. During the debate the Under-Secretary-General for Political Affairs in detail reported the situation in Syria. Close examination of the verbatim record of the Meeting reveals that the briefing by the-under-secretary-General actually includes couple of early warnings on possible extension of counting human right violations in Syria: referring (but not naming specifically) to the *consistent* reports of several reliable sources he pinpoints “*the use of artillery fire against unarmed civilians, door-to-door arrest campaigns, the shooting of medical personnel who attempt to aid the wounded, raids against hospitals, clinics and*



*mosques and the purposeful destruction of medical supplies and arrests of medical personnel*"; *killing of 100 civilians "many towns across the country from Friday to Sunday"*( S/PV.6524, para. 2) . The Under-Secretary-general also notes that in a couple of days at least "13 people had been killed in Djabla"; (on April 18 and 19); another 20 people had been killed in Homs. The total number of killings by the security forces are reported to be 350-400 in contrast to the Syrian Arab News Agency's report on the death of 21 military security personnel and injury of 290 internal security officials.

Two days after the debate, on April 29, *the HRC* adopted RES/S-16/1 on the situation in Syria with forty-one votes, two abstentions and two negative votes from China, Russia, and Cuba (Genser and Ugarte 2014). The resolution requests the UN High Commissioner for Human Rights to dispatch a mission to Syria to investigate alleged violations (UNHRC 2011, par 7 ). On 9 May, the Secretary-General called for an end to the violence and mass arrests, for an independent inquiry into the killings and for a UN team to enter Syria to assess the humanitarian situation (UN News Center 2011).

In November 2011 then *High Commissioner* Navi Pillay in strongest terms ever used condemned the Syrian Government's violent crackdown on pro-democracy activists, urged the Council to refer the "*pattern of widespread or systematic human rights violations by Syrian security and military forces*" to the ICC, assessing that there was a risk of *civil war* in case of the International community's inaction (Bakri 2011). The Secretary-General urged the SC to establish an independent inquiry mission, to investigate widespread human right violation and to create a UN team to assess the humanitarian situation in Syria.

Thus, the early warnings of unleashing crimes in Syria were provided the SC also by different UN agencies, specifically HRC, the UN Secretary General, The UN Under-

Secretary-General, High Commissioner of Human rights actively reported about the situation in Syria to the council, albeit not as timely as by media.

Given the information above we can infer that early warnings of the counting crisis in Syria has been delivered to the SC timely both by public media and the UN agencies, albeit the latter came one month after the insurgency had started. The reports by both the Under-Secretary General and the Secretary General alarmed the SC about the use heavy artillery against unarmed civilians and about the high number of deaths (350-400) in one month. This is actually an overt sign of incumbent governments “unwillingness” to halt its population’s suffering- responsibility the any state government holds under the UN Charter Art. 2 (4). Yet, in spite of the presence of early warnings on the unleashing violence in Syria, SC first binding decision on the situation came only in mid-2012 one year after the crisis had started. As the figure indicates up to this time the UPCD already documents death toll close to 35,000 and the other two datasets report death toll close to 20,000.

To figure out the impact of timely early warnings of the looming conflict and the reasons of the SC belated response below I will analyse verbatim records of the SC meetings under the subject matter for the period of 2011-mid 2012 (from the start of the conflict up the the SC first resolution).

## **2.2 Developments in Syria and in the UNSC (2011-2016)**

### **Developments from March 2011 to 2012**

Discussion among the SC members that followed under-Secretary-General’s briefing during the SC 6524<sup>th</sup> meeting helps to identify the great powers’ narrative on the conflict. The US, the UK and France ambassadors came up with quite constructive approach condemning the “*violent crackdown of the Syrian Government*” on Syrians’ “*legitimate*

*demand of democracy*”. *Targeted financial and travel sanctions against those responsible for the violence*” is suggested as a possible response referenced to by the three ambassadors.

Russian ambassador Vitali Churkin’s position sharply contradicts the narrative present in the other 3 countries ambassadors’ speeches. Praising the “*great many significant steps* taken in a very short period of time” by *the Syrian Government* the ambassador definitely highlights that even though tensions and confrontations continuously has increased in Syria yet it does not pose any threat to international peace and security. In ambassador’s word’s the outside interference through ready-made solutions (perhaps referring to the case of Libya) in Syria’s domestic affairs that has the potential of posing real threat to the regional security of Middle East. “*Such approaches can actually represent an invitation to civil war*”, concludes the ambassador making it clear for the P3 countries that Russia will oppose to any assertive decision against the Assad regime, Russia’s ally and strategic partner.

China’s ambassador is even less constructive merely continuing the tone set by the the Russian ambassador. He expresses his hopes that various parties in Syria will be able to resolve the differences through political dialogue at the same time making it clear that his country too will oppose any outside interference.

The first meeting made it clear that the Syrian case is not going to be an easy one to handle. Split of interests among the P5 countries with the power of vetoing any resolution that underestimates their individual interests paralyzed SC credibility in providing timely and proportionate response to the unleashing situation in Syria.

Subsequently, the SC held 5 other meetings up to mid-2012. The overt split of interests among the Council’s permanent member between assertive action oriented France, the UK, the US and France (P3) and more dialogue oriented Russia and China weathered the SC decisions further. The prompt vocabulary of the P3 ambassadors flawed with expressions like “*the brutal crackdown by the Government*”; “*the deadness of Syrian authorities*”;

*“Assad’s brutality” the Assad regime takes the pride of the pride of 2,700 civilian victims and 10,000 refugees in bordering countries”*; *“Syrian regime’s brutal oppression of its people”* bear the bold message that the P3 sees the Syrian authorities as the sole perpetrator of the crimes (also noted in western publications discussed earlier) and strives its resignation. Increasing death toll as a benchmark against the unfolding violence by the government is often observable in the speeches of P3 countries during all the five meetings. In the words of the UK ambassador the situation would continue to deteriorate unless the SC takes up *necessary means*. P3 countries also harshly criticise Russia and China for supporting the Syrian *“authorities murdering their own people”* and for undermining the risk that the *“blood-letting”* in Syria poses serious threat to the entire Middle East.

Similarly, Russian and Chinese ambassadors constantly back up their constructive efforts towards putting an end to the Syrian emerging crisis with similar arguments of *territorial integrity, logic of respect for the national sovereignty, the principle of non-intervention* during the subsequent 5 meetings in 2011. The two ambassadors’ descriptions of the rebellions are as harsh as that of the the P3 toward the Syrian regime referencing to expressions like *“radical opposition”*; *“armed groups supported by smuggling and other illegal activities”*; etc. Unilateral sanctions, no-fly zone and other assertive actions with *“accusatory bent against Damascus”* is rejected by ambassador Churkin with clear reference to the events of Libya. Ambassador notes that Russia will not allow the same *“unified protector”* model to become a solution for the emerging crisis in Syria. The plan proposed by China and Russia aims at active dialogue with *“radical opposition”*.

During this one year the SC failed to pass two raft resolutions on the situation in Syria(Security Council 2011, 2012). Close consideration of the two draft resolutions reveals that both are characterised by action-oriented language that might lead to a robust follow-up by the Council. Both drafts blame the Syrian government in the widespread human right

violations and the former one imposes sanctions. The language of the second draft resolution vetoed in October 2011 by Russia and China seems to be more robust and demanding. In its operational paragraphs condemning the counting rampant violations of human rights and fundamental freedoms by the Syrian authorities, highlighting the use of force against civilians it imposes targeted sanctions against Assad regime (which is one of the key reasons for Russia's veto). To cut it short, both resolutions were vetoed for their assertive and action oriented language towards the the Syrian authorities.

Lack of consensus among P5 countries, diverse interests in the conflict resolution between P3 and P2 countries, constant threats of veto and two actual vetoes on draft resolutions that seeked to put an end to the violence through rather robust and assertive means resulted in Security Council's delayed response in the form of UNSCR 2042 (Security Council 2012) and UNSCR 2043(Security Council 2012) both in April 2012. With former resolution (2042) it authorised the deployment of *30 unarmed* military observers to Syria and with the latter one (2043) it appointed Special Envoy to constantly brief the Council on the mediation efforts of the UNSMIS. Two resolutions are characterised with *mild and vague language* that actually entail no assertive action by the Council.

To wrap it up, in the early phase of the conflict the generally increasing death toll in Syria had zero effect on the response topped by the SC. The adoption of two drafts with the potential preventing further escalation of the conflict did not occur because of the over split of interest among the P5 countries. Thus, the SC was left with no option than adopting 2 relatively mild resolutions which are deprived of the potent of preventing the conflict conditioned with the lack of assertive means. In a nutshell, the resolutions were adopted just to claim the "something has been done" by the Council.

## **Developments in 2013**

In the initial stage of its development number of deaths significantly increased in 2013. According to UPCD the number of casualties reached to 120,000 according to UCDP (more than 70,000 lost lives in 1 year); SOHR reported some 70,000 deaths and the CSR SY almost 50,000. Even though the three sources provide different numbers, yet all of them evidence rapid increase in the number of casualties.

In early 2013 during the UNSC meeting 6906 the UN Secretary-General reported that even though both the government and the rebellions have committed abuses amounting to *war crimes*, the scale of the ones committed by the Assad regime significantly exceeds those of the opposition. The SC deafness towards the Secretary General's as well as HRC calls for taking immediate measures to response the crisis lead to another evil: soon it became evident that chemical weapons have been used even though the "author" remained unknown yet.

Each of the P5 members interpreted use of chemical weapons in accordance with their own interests. Russian side interpreted the chemical attack in Damascus as a means used by the rebels to provoke intervention (RT, 2013). Meanwhile P3 countries came up with blames toward the incumbent government. Describing Chemical attack of summer 2013 as a result of which 1000 people were murdered as "an assault on human dignity"; "a mockery of the global prohibition on the use of chemical weapons" and referencing his early warning that "a "red line" for us is when we start seeing a whole bunch of chemical weapons moving around or being utilized"(Goldberg 2016) president Obama started to voice about possible military intervention. He claimed that an open-ended military intervention, limited to a short a military action against the Syrian regime targets without any boots on the ground to be a rational way of keeping Assad's regime accountable accountable for their use of chemical weapons and prevent further its use(*The Guardian* 2013).

Even though during the SC meetings following the chemical attacks many countries most notably France, the UK and the US came up with initiatives to refer the case to the International Criminal Court, the actual resolution that was adopted in response to the use of chemical weapons makes no reference to ICC. Unanimously adopting Resolution 2118 on 27 September, the UNSC determining the use of chemical weapons to be a threat to international peace and security, prohibits the use of it by any party and threatens with measures under Chapter VII in the event of non-compliance. It also establishes the joint UN-OPCW (Organization for the Prohibition of Chemical Weapons) to investigate and document the use of chemical weapons in the country.

Even though Secretary General Ki Moon referred to the resolution as “the first hopeful news on Syria in a long time”, it is actually not proportionate to the evil that it addressed to. The only action entailing “element” in the resolution is that it *provisions* measures under Chapter VII but does not refer to any specific one. This entails that in order to actually take measures under Chapter VII the SC will need another round of consensus which is unlikely to happen (based on past experiences). Lack of concrete actions and mildness of the language applied to the resolution casts doubt its credibility to really prevent the use of chemical weapons in future. Recent use of chemical weapons in Syria is the best illustration of it.

Thus, at the end of 2013, being in the third year of its development crisis in Syria has already taken almost 120,000 lives (UCDP). Yet, the SC still failed to recognise Syrian Government’s “unwillingness” to halt human suffering and to take actions in accordance with the World Summit 2005 Outcome Document. Divergence of interests among P5 countries is the main hindrance on the SC way to adopt a resolution with the potency of changing situation on the ground rather than passing resolutions one after another just to “do something”.

## **Developments in 2014**

Against this background in 2014 the situation in Syria got even complicated with the involvement of non-state terrorist actors that had already started to emerge late in 2013. As it can be observed in the figure in 2014 death toll in Syria has reached to 200,000 based on UCDP and CSR SY databases, SOHR provides more modest number of 130,000 deaths. Even though the numbers do not coincide, yet all the three databases recorded the highest level of increase in 2014. Number of resolutions in 2014 increased as well. In 2014 alone it adopted 5 resolutions, more than the last three years together. Below I will provide analysis for each resolution to see whether increased death toll could succeed in changing the content of resolutions towards more robust actions.

SC started the year with the adoption of resolution 2139(Security Council 2014). Condemning both sides in besieging war tactics the resolution urges them to put an end to all forms of violence. Humanitarian access to UN agencies and strong anti-terrorism components are the central tenets of the resolution. Much like to Resolution 2118, it expresses the intent to “take further steps” in the event of non-compliance but it fails to provide any enforcement mechanism -an element that enabled the SC to avoid the veto of Russia and China meanwhile giving the parties the “incentive” to avoid following the resolution obligations. Notably during the discussion Russian ambassador refers to the resolution as a document of “balanced nature” and clearly underlines that Russia decided to vote for because Russian considerations of *taking out any enforcement mechanism* had been taken into account(Security Council 2014a) An element that in reality highly weakened the resolution’s credibility in changing the parties’ course of conduct.

Failed efforts of previous resolutions to destroy all the stockpiles of chemical weapons made France come with another initiative to refer the situation to the ICC. In June France referencing the *immense number of causalities* noted that killing and torture in Syria is



*“more a result of war but rather a policy of to punish and terrorize”* (Security Council 2014d). To this end, she presented a draft that referees the situation in the Syrian Arab Republic to the International Criminal Court urging the Syrian Government to fully cooperate with the Court and the Prosecutor (Security Council 2014d). Even the hourly increasing number of death in Syria could not influence Russia’s stand on referring the case to ICC.

Being in a situation when the prevention of further life loss is a far-away dream, the only choice for the SC is to adopt a resolution to ensure humanitarian assistance to civilians in dire need: on 14 July 2014 the SC adopted Resolution 2165. It authorizes the UN agencies to ensure humanitarian assistance to civilians through using all the conflicting routes. The significance of the resolution is that it in its operative paragraphs two and three it allows humanitarian assistance *without the consent of the government* (Security Council 2014d). The UNSC had previously adopted similar resolutions in cases of Libya in 2011 (UNSCR 1973) and in Darfur in 2007 (UNSCR 1967) but it was the first time that SC did so without the consent of the state government.

Situation in Syria became even worse with the involvement of non-state terrorist actors: this created a “war within a war” making the situation even difficult to handle. Non-state extremists being the urgent “problem” on the ground the SC adopted two resolutions regarding fight against terrorism. The language of Resolution 2170 (drafted by the UK) is quite strict: expressing grave concern on the fact that some territories in Iraq and Syria are under the control of Islamic State in Iraq and the Levant (ISIL) and Al Nusrah Front (ANF) and condemning the atrocity and violations of human rights conducted by the aforementioned non-state groups, the resolution urges all the states to combine their efforts to bring the perpetrators to justice. Specifically condemning ISIL and Al Nusra’s recruitment of foreign terrorist fighters it places six individuals affiliated with the terrorist groups on its Al-Qaida

sanctions list. The resolution also provisioned to place those financing or supporting them on the list of Al-Qaida sanction.

One month later it adopted another resolution (2178) that was much close to the previous one in its language and principles. The resolution includes some detailed obligations for states against fighting the terrorism, like ensuring that their legal systems are equipped with means for the prosecution of those related to terrorist activities, preventing entry or transit through their territories of individuals being involved in violent extremist actions. The resolution addresses a number of important issues aimed at fighting against terrorism which is ultimately important. The civil war in Syria per se for a while was left unaddressed.

Late in 2014 what the SC had was nine resolutions are were characterised by mild and vague language actually suggesting no actual resolution to the conflict; four drafted resolutions all characterised by action oriented language. All the four were vetoed by the same two actors. Rapid increase in death toll did not make P5 countries leave their strategic interests and act in accordance with the mandate they had under the Charter. Even though the number of resolutions increased, their content continued to stay much the same.

Involvement of non-state actors in the conflict paved way for the P5 countries to take unilateral actions under the veil of fight against terrorism. As a matter of fact, in 2014 the US led-intervention occurred in Northern Syria. In western publications, the intervention was interpreted as “*a forceful message to the terror group*” that attacked *mainly two enemies the Islamic State and the Khorasan group* (Castillo, Sciutto, and Yan 2014; Whitlock 2014; Liptak 2014).

### **Developments in 2015**

In 2015 death toll decreased based on all the three databases. The year is marked with the adoption 6 resolutions. The first three resolutions are simply extensions of mandates

established earlier. Resolutions 2209 (Security Council 2015a) and 2235 (Security Council 2015b) are mostly recalling the obligations under 2118 threatening with taking up measures under Chapter VII. Resolution 2235 also requests the establishment a Joint Investigative Mechanism that would investigate “to the greatest extent feasible” the stakeholders involved in the use of chemical weapons in Syria.

Following the terrorist attacks in Paris in 2105 the SC adopted Resolution 2249. “Condemning in strongest terms Da’esh’s attacks in Sousse (2015) Ankara (2015), Sinai, Beirut and Paris(2015) the resolution recognises Da’esh as an “unpresented” threat to international peace. It also authorises the member states to take all “*necessary measures*” (importantly not means “all necessary means”, the latter would entail military intervention under chapter VII) for better “*redoubling and coordinating*” the prevention and suppression of the Islamic State in Iraq and Syria (Security Council 2015c).

Late in 2015 Russia launched airstrikes in Syria targeting the ISIS and “*all other individuals, groups, undertakings, and entities*” associated with Al-Qaeda, and other terrorist groups” in accordance with *Resolution 2249*, as claimed Russian media outlets. Meanwhile, the western media outlets evidenced that Russian airstrikes had been bombing areas with little or no IS presence, instead they were targeting rebels who were advancing on Latakia province (Latakia is of strategic importance for Russia because of her military base in the province). The West not welcoming Russia’s military action in Syria described it as “*pouring gasoline on the fire*”. Whatever the real reason of the West or Russia’s military intervention be, it is the result of the UNSC failure to address the situation collectively.

Late in 2015 new wave of negotiations over Syria started in the UNSC. On 18 December 2015 SC unanimously adopted Resolution 2245 endorsing a roadmap for peace process in Syria. The Resolution recognises Resolution 2118(2013) and the Geneva II Communique (2012) as the base of any political resolution. The roadmap aims at establishing

“credible, inclusive and non-sectarian governance” within six months through Syrian-led political process in pursuit of the full implementation of the Geneva Communiqué. It also sets a detailed timetable for drafting a new constitution. The International Syrian support Group (Russia, the United States, China, Iran, Saudi Arabia, Turkey,) is recognised as the “central platform to facilitate the United Nations’ efforts to achieve lasting political settlement in Syria”. To address the situation on the ground the resolution urges to stop the “indiscriminate use of weapons, including through shelling and aerial bombardment” but gives no reference to the use of “barrel bombs”-the Syrian Government has been constantly blamed in the use barrel bombs (Security Council 2015d).

During the meeting that followed, Russian and the US ambassadors’ speech clearly indicated that the ideological difference between the two countries continue to exist and most notably would again create major hindrances. The resolution makes no reference to regime change rather it contained the phrase monitoring of “free and fair” elections; a mechanism that had actually led to regime change in recent colour revolutions. Perhaps with this in mind Russian foreign minister notes that based on the experience in Libya and Iraq, the US should by then had understood that regime change does not always lead to democratisation. The Assad regime’s removal from the power in the eyes of the minister will make the situation even worse (Stea 2017).

Meanwhile John Kerry’s announcement that “*President Assad has lost the ability, the credibility, to be able to unite the country*” clearly indicated that the two countries continue with their two opposing views of the conflict resolution. Even though, the resolution 2254 created some common ground for P3 and P2 to co-operate close consideration of the discussion proved that nothing has been changed in the stands of P5 countries. Each continued to follow her own strategic difference. The single notable change is that after Russian intervention in P3 countries ceased to refer to the death toll as a benchmark against

human suffering. Rather it is Russian ambassador that started to cite the increasing death toll to justify their intervention as a necessary step to stop civilians torture. This gives some food to the thought that even though the number of casualties did not influence the content of the SCR for five years, yet it has been used and is still being used as a flag in the hands of those parties favouring for intervention.

### ***Developments in 2016***

In 2016 the UNSC adopted 5 resolutions and vetoed 3 drafts. Most of the adopted resolutions were not bringing forth any new initiative but rather aimed at extending mandates established with earlier resolutions. The first resolution was adopted in February 2016. It endorses the deal announced by *a Joint Statement* by the United States and the Russian Federation, Co-chairs of the International Syria Support Group. the Resolutions urges involved parties to ensure that they act in accordance with their commitments and create favourable conditions for sustainable peace. (Security Council 2016a)

The other 4 resolutions came late in the same year. *Resolution 2314* extended the mandate of the joint UN-OPCW mission (Security Council 2016b). With the subsequent resolution 2319 it renewed the mission's mandate(Security Council 2016c).

In between the first resolution and the four resolutions at the end of the year the SC also managed to veto three resolution drafts. In response to the sinister atrocities in Aleppo Egypt, New Zealand and Spain drafted a resolution that supposes to establish a 7-day ceasefire with the aim of reaching unimpeded aid to civilians. It urges all the parties to cease the conflict within 24 hours after the resolution is adopted (Security Council 2016e). The resolution was vetoed by Russia.

During the discussion that followed the vote Vitali Churkin reasons his county's vote saying that the resolution violates 24-hour rule not giving members enough time to consider the final wording of the document. Further he elaborates that the pause suggested in the

resolution drafted by the “*humanitarian troika*” under the pressure of some permanent members, would be “exploited” by fighters to replenish their supplies and ranks referencing to some cases in history (Security Council 2016d). Other two drafts demanding to put an end to military flights over Aleppo were vetoed on the same bases.

Final consensus on the day by day worsening situation in Aleppo was reached with 2328 resolution drafted by France. Veto on the other two resolutions made France to draft rather a neutral resolution. One of the notable features of the resolution is that it authorises the UN observers to enter into the Eastern districts of the country with the aim of monitoring the evacuation of citizens who underwent a an immense deal of suffer because of the failure of the UNSC. With the last resolution (UNSCR 2332) the SC renewed the Authorization of Relief Delivery to Syria across Conflict Lines (Security Council 2016g, 2016f). The resolutions with concrete actions being vetoed the UNSC once again came to make the SC to adopt a resolution at least not to stand idle and “to do something” face of reaching humanitarian aid to those people whose suffering it was unable to prevent.

To wrap it up, after the end of 2016, when the Syrian crisis was in its fifth year of development what the UNSC had was day by day worsening situation in Syria, increasing number of casualties that for the time being was close to 240,000. During this five years, it adopted 21 resolutions yet neither of them could proportionately address the situation on the ground. To avoid future “Syria”s it is critical for the UN to develop more robust mechanisms of addressing intra-state conflicts and most importantly large scale human atrocities.

## Conclusion

After the end of the Cold War era preventive diplomacy got particular importance in the toolkit of the UNSC to address the newly developing warfare. On the face of early warnings, the UNSC together with UN agencies, Human Right NGOs and day by day developing media could develop a pool of mechanisms to get aware of looming conflicts in their early phase of development.

Rather it is the prevention of further escalation of conflicts that came to challenge the SC capability to uphold its responsibility under the UN charter and under the 2005 World Summit Document. The “new” responsibility that the UNSC got under the Document is an influential theory now. Rather, it is the realisation of the doctrine that still requires efforts to be enshrined and enriched. Its implementation is dependent on a number of factors including the political will of the country being in trouble, the strategic interests of the P5 countries, general political/economic framework of the time. Therefore, implementation of RtoP is much different from case to case.

As the present research showed the SC failed to implement the third pillar of RtoP in case of Syria conditioned with mostly diverging interests of P5 countries. The delayed response of the SC was the result of lack of consensus among its P5 members. Lack of consensus among P5 influenced and still influences conflict resolution in Syria, consequently  $H_1$  is approved.

Failure of the SC twenty-one resolutions on Syria is highly conditioned with resolutions’ mild and vague language’ i.e weak enforcement mechanisms of the UNSC. Non-compliance with passed resolutions by the Syrian Government in most cases was followed by another resolution condemning the non-compliance and “threatening” with further measures in case of non-compliance. Under the threat of Russia and China’s Veto the SC resolutions in

most cases were adopted with the principle of “just doing” something. This rejects our H<sub>2</sub> and approves null-hypothesis (H<sub>0</sub>).

Against this background day by day and hour by hour increasing death toll in Syria could have no influence on the resolutions passed by the SC, rather increasing death toll became a flag on the hands of P5 countries to warrant their political aspirations. Initially French and most often British ambassadors referenced to the number of casualties to warrant their aspirations of military intervention and regime change. Starting with 2015 and most often in 2016 SC meetings death toll in Syria is also referenced by the Russian ambassador to justify his country’s assertive actions towards “putting an end” the loss of life by Jihadists.

To avoid future “Syria”-s the UNSC needs to further develop mechanisms of early prevention that it has under its disposal. First and foremost, the SC needs to “create common pattern of individual governments’ ‘manifest failure’” (Nikoghosyan 2015). Second, it should give more credence to the development of second generation peacekeeping. As it has been discussed, with the development of “R2P” doctrine the UNSC developed new second generation of peacekeeping forces with more powerful political and military muscle to handle the situation under their disposal. This type of peacekeeping proved the potent of halting atrocities against civilians in case of Cote d’Ivoire.

Further, the UNSC experience in conflict prevention shows that prevention of conflicts can be achieved also through holding the perpetrators of war crimes accountable through the ICC. Success of referring Libya and Cote d’Ivoire to ICC with the aim of preventing mass atrocities against civilians best illustrates the point. According to many IR specialists, cooperation between R2P doctrine and ICC is of crucial importance for the prevention of war crimes and crimes against humanity.

For the time constraints, the present research concentrated on the UNSC actions in Syria only for time period of 2011-2016. Given recent developments in Syria and the change



in the US foreign policy brought about with Trump administration, further research on the topic may provide more fresh insight into P5 countries' stand on the conflict resolution.

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