

April 2014 Monthly Forecast

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MIDDLE EAST

Syria

Expected Council Action

In early April, Sigrid Kaag, Special Coordinator of the Organization for the Prohibition of Chemical Weapons (OPCW)-UN Joint Mission, will brief Council members in consultations on the implementation of resolution 2118 regarding the destruction of Syria's chemical weapons.

Later in the month, it is expected that Under-Secretary-General for Humanitarian Affairs Valerie Amos will brief Council members on the second monthly report on the implementation of resolution 2139 on humanitarian access.

Key Recent Developments

Amos last briefed Council members on 28 March, reporting continuing aerial bombardments by the government and increasing use of car bombs and suicide attacks by extremist groups. No new ceasefires had been negotiated to gain access to besieged areas and male evacuees from the Homs evacuation were still being held by the government. There had been no progress in the easing of administrative hurdles put in place by the government in order for the UN and partners to gain access. Despite the Council's demand for medical neutrality, all delivery of medical supplies had to be negotiated at the demand of the government on a case-by-case basis.

Regarding cross-border access, two crossings on the Turkish border that would allow access to 3.35 million people remained a red-line for the government since the crossings were in opposition-held areas. The government did approve a convoy of 79 trucks for the Nusaybin crossing on the Turkish border which is in a Kurdish controlled area—ostensibly to shift the blame away from Syria for blocking access since Turkey has its own set of concerns about consolidated areas of Kurdish control on its borders. On 20 March only eight of these 79 trucks made it across the border after administrative hurdles were again imposed by the Syrian government. However, media reports indicate the entire convoy crossed by 25 March.

Tensions on the border between Turkey and Syria remain high. On 23 March, Turkey shot down a Syrian jet after it breached Turkish airspace. Syria called it an act of “blatant aggression” saying the jet had been over Syrian territory. The Syrian government is also fighting Islamist armed groups who have captured the towns of Kasab and Samra near the Turkish border which has given rebels access to the sea and an additional border crossing with Turkey.

Regarding chemical weapons, Kaag last briefed Council members on 5 March, reporting that despite several missed deadlines Syria and the OPCW had reached agreement on a revised deadline for full removal of chemical weapons material by the end of April. She added that the month of March would be vitally important to the implementation of resolution 2118, which sets 30 June as the deadline for the completion of all removal and destruction activities.

On 20 March, Kaag announced that 53.6 percent of chemical weapons material had been removed or destroyed and that 11 consignments of chemicals had left Syria. These shipments represent 34.8 percent of toxic priority-one chemicals and 82.6 percent of less hazardous priority-two chemicals. (The original deadline for removal of priority-one chemicals was 31 December 2013; for priority-two chemicals it was 5 February.) However, there has been no public update from the OPCW regarding Syria's failure to destroy 12 chemical weapons production facilities by the 15 March deadline.

UN-Arab League Joint Special Representative Lakhdar Brahimi delivered a pessimistic message to Council members on 13 March and to the General Assembly on 14 March about the prospects for the Geneva process to deliver a tangible outcome. He said that the current blockage is due to the government's unwillingness to accept the proposals on the table and that a third round of talks will be meaningless if there are no constructive ideas to break the stalemate.

The second round of UN-mediated Geneva II peace talks between government and opposition delegations was held from 10-13 February, focusing on forming a transitional governing body, ending violence and fighting terrorism. Brahimi insisted both parties declare their political will to deal with these issues in response to the impasse that emerged in the first round of talks in January over President Bashar al-Assad's future role. While the opposition agreed to discuss terrorism and the formation of a transitional government in parallel, the government refused, instead insisting that terrorism be dealt with before any discussion of a transition.

The same day that Brahimi briefed Council members, Syria approved a new electoral law that, while allowing for multiple presidential candidates, excludes exiled opposition leaders due to residency stipulations. No date has been set but media reports indicate presidential elections in May or June given that Assad's current tenure expires on 17 July. Assad is expected to seek another seven-year term. (Iran had hosted a conference attended by parliamentarians from Algeria, Cuba, Iraq, Lebanon, Syria, Russia and Venezuela on 12 March to underscore that "elections are the best way to determine the destiny of a country.")

Brahimi stressed the incompatibility of the government's plans to hold presidential elections this year with the Geneva process. In the regime's view, elections would render moot the requirement to form a transitional governing body. He said that if a date for elections is set, it would mean the end of the Geneva process. Finally, he delivered grim predictions that without a political solution, Syria will likely become a failed state in 2015 with a death toll approaching 350,000.

France drafted a press statement expressing support for Brahimi and the resumption of talks based on genuine engagement by all parties. The draft underlined the centrality of forming a transitional governing body and emphasised that elections should be organised within the framework of the Geneva peace talks. Russia objected to referencing elections and to any language specifying how an approach to the resumption of talks should be sequenced, i.e. tackling issues of terrorism and forming a transitional government in parallel. In the end, the press statement was not issued due to Russia's objections.

On 6 March, the US State Department imposed travel restrictions on Syria's ambassador to the UN. On 18 March, the US formally notified Syria that it must close its embassy in Washington, D.C. and consular offices in two other states.

Human Rights-Related Developments

On 18 March, Paulo Pinheiro, the chair of the Commission of Inquiry on Syria, presented the Commission's latest report to the Human Rights Council ([A/HRC/25/65](#)) saying that absolute impunity pervades the Syrian conflict. Government forces and pro-government militia continued to conduct widespread attacks on civilians, systematically committing murder, torture, rape and enforced disappearances and besiege civilian areas starving them into submission, all amounting to crimes against humanity. Non-state armed groups committed war crimes, including murder, torture, hostage-taking, violations of international humanitarian law, rape, recruiting and using children and forcibly displacing civilians. Pinheiro stressed that there was no lack of information about crimes or perpetrators, and that the Commission had compiled a list including heads of intelligence branches and detention facilities, military commanders and leaders of non-state armed groups. He added that it was for the Security Council to make the pursuit of justice possible, including an ICC referral.

Underlying Problems

The situation in Syria is devastating, with a death toll that is conservatively estimated at 146,000. According to UN sources, there are 2.58 million refugees. Inside Syria, there are 6.5 million internally displaced persons and 9.3 million in need of humanitarian assistance, with almost 220,000 living in besieged areas. There are a further 3.5 million in areas rarely accessed by humanitarian workers—an increase of 1 million since the beginning of 2014. Over 680,000 have been injured since the conflict began. Adding to the dire humanitarian situation are alarming reports of intentional government policies of depopulating and razing residential areas, starving areas under siege and deliberately attacking the health infrastructure. The regime has increased its use of incendiary weapons, cluster bombs and barrel bombs, and the proliferation of extremist armed groups has contributed to the escalating violence.

Meanwhile, the political track is blocked, given the Syrian regime's intransigence on discussing a transitional governing body during the first two rounds of the Geneva peace talks, making a third round highly unlikely.

Key Issues

Entering the fourth year of the conflict, the key issue is whether and when the parties to the conflict, in particular the Syrian authorities, will meaningfully implement resolutions [2118](#) and [2139](#), on chemical weapons and humanitarian access respectively. Both resolutions expressed the intent to take further steps in the case of non-compliance. In this regard, a related issue for the Council is what further steps it might take if there is not timely and substantive implementation.

Options

The Council has now adopted resolutions [2118](#) and [2139](#), both expressing intent to take further action if Syria does not comply. However, it seems the Council's options in April remain limited due to pervasive P5 divisions that have been exacerbated by differences over Ukraine.

Following the adoption of resolution [2139](#) on humanitarian access in late February, the Council is unlikely to press for any public outcome in the near term.

On the political track, France attempted a press statement in March to support Brahimi's mediation efforts, but it could not be issued due to Russia's objections. That dynamic is unlikely to change in April, however the General Assembly may take up the issue.

Similarly on chemical weapons, a February attempt by the US to signal concern over lagging Syrian cooperation in a press statement also failed due to Russian objections.

Council Dynamics

Council members are concerned by the prospect of a failed Geneva process. There is also extreme frustration that the Council was unable to issue a succinct press statement in support of Brahimi, although the text was acceptable to 14 of the 15 members, with only Russia objecting.

There are similar frustrations that resolution [2139](#) has not led to appreciably improved humanitarian access given the nearly apocalyptic situation on the ground. And while most Council members think it is too early at this juncture to assess compliance, they will be looking to see whether aerial bombardments have ended, whether sieges have been lifted and whether cross-border humanitarian access has been granted. A majority of Council members will not find incremental progress in these areas sufficient.

Many Council members are more circumspect than Kaag about whether the 30 June deadline can still be met given all the delays. Some believe the removal and destruction of Syria's chemical weapons programme may drag out towards the end of the year. These members are coming to the conclusion that Syria's delayed implementation is a tactic to buy time—in particular until presidential elections are held in May or June.

Despite these concerns, there is no active discussion among Council members about imposing measures under Chapter VII for non-compliance. In fact, resolution [2118](#) stipulates that the determination of non-compliance rests with the Executive Council

of the OPCW, which operates by consensus and includes both Russia and the US as members. In effect, this provides a “double lock” against the Council’s actually imposing measures under Chapter VII in the event of non-compliance.

France is the penholder on Syria, but most texts are thoroughly, if not exclusively, negotiated between Russia and the US prior to agreement by the broader Council. Australia, Jordan and Luxembourg are the penholders on the humanitarian track.

UN Documents

Security Council Resolutions

22 February
2014
[S/RES/2139](#) This resolution demanded that all parties, in particular the Syrian authorities, allow humanitarian access in Syria across conflict lines, in besieged areas and across borders and expressed the intent to take further steps in the case of non-compliance.

27
September
2013
[S/RES/2118](#) This resolution was adopted unanimously by the Council and required the verification and destruction of Syria’s chemical weapons stockpiles, called for the convening of the Geneva II peace talks and endorsed the establishment of a transitional governing body in Syria with full executive powers.

Secretary-General’s Reports

26 March
2014
[S/2014/220](#) Was the sixth OPCW-UN Joint Mission monthly progress report.

24 March
2014
[S/2014/208](#) This was the first report on implementation of resolution 2139 on humanitarian access.