

December 2014 Monthly Forecast

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Posted 26 November 2014

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MIDDLE EAST

Syria

Expected Council Action

Special Adviser Sigrid Kaag and Under-Secretary-General for Humanitarian Affairs Valerie Amos are expected to provide separate briefings, respectively, on the destruction of chemical weapons and the humanitarian situation.

The authorisation in resolution [2165](#) for cross-border and cross-line humanitarian access in Syria, including the monitoring mechanism, expires in mid-January 2015. It seems possible that the Council may adopt a resolution renewing the authorisation in December before the humanitarian leads, Australia and Luxembourg, rotate off the Council.

Key Recent Developments

The civil war continues on its devastating course, and the militarisation of the conflict has escalated with the advent of US-led airstrikes against the Islamic State of Iraq and al-Sham (ISIS) and the Al-Qaida-affiliated Al-Nusra Front. A majority of the strikes have been focused around the Kurdish town of Kobani in northern Syria to counter the ISIS offensive to seize the town and consolidate its control along the Turkish border.

There were also three coalition strikes in November against Al-Nusra as it approached the Bab al-Hawa crossing on the Turkish border—a major conduit for humanitarian and military supplies to rebel-held northwestern Syria. One of these strikes also hit a compound of Ahrar al-Sham—one of the seven factions that form the Islamic Front. Both the Islamic Front and Al-Nusra, unlike ISIS, have been viewed by Syrian opposition fighters as allies against the Syrian regime.

Some analysts estimate there are approximately 1,500 different armed rebel groups in Syria, and the reconfiguration of alliances is constant. The strikes against Al-Nusra and Ahrar al-Sham have thrown these fragmented groups into further disarray, sowed mutual mistrust, increased in-fighting and created the impression that the US-led raids strengthen the position of the government. This dynamic is reinforced by the demonstrable fact that since the US-led airstrikes began in late September the Syrian military has dramatically ramped up its own air campaign against rebel-held areas. Security Council members condemned one such attack in a 31 October press statement that expressed outrage at the use of barrel bombs that were dropped on a displaced persons camp and left many dead and injured, albeit without specifically assigning blame to the government due to Russian objections.

Special Envoy for Syria Staffan de Mistura briefed Council members for the first time on 30 October on possible ways to revive the political process following his meetings with key regional players. He suggested that a UN-mediated “freeze zone”, to be tested first in Aleppo, could lead to increased humanitarian access; build confidence toward a more wide-ranging stabilisation of the situation; provide a basis for the opposition, government and international actors to cooperate against ISIS; and deliver incentives for negotiating a broader peace in the future. Council members issued a press statement in support of de Mistura’s efforts later that day, though the statement did not directly address the substance of his proposal.

The Special Envoy returned to Syria in early November and met with President Bashar al-Assad, who said on 10 November that the plan was “worth studying”. Aleppo has seen serious fighting since the summer of 2012 and has been bombarded by the government almost daily for a year. At press time, the government and pro-government forces and foreign Shi’a militias were consolidating their hold around the city and had cut off all but one route in and out of rebel-held Aleppo, foreshadowing the siege-and-starvation tactics it has employed in other areas, such as Homs, which de Mistura visited during his most recent trip. Though not directly related to de Mistura’s “freeze” plan, there were discouraging reports that negotiations toward local agreements elsewhere have recently been halted.

Amos briefed on 25 November, reporting that resolution [2165](#) has enabled assistance to enter more hard-to-reach locations via cross-border access and that the UN and its partners are planning to scale up deliveries in the weeks and months ahead. She also presented the 21 November Secretary-General’s report that stated since the adoption of resolution [2165](#), there had been 30 cross-border aid deliveries and while cross-line deliveries within Syria occur, they remain difficult. The government continues to use administrative obstacles to slow aid delivery. Medical neutrality is not observed with the government withholding approvals, removing medical supplies from convoys, attacking medical facilities and killing medical personnel. Armed opposition groups and terrorist groups block access to each other’s areas of control.

The report also included updated figures for those impacted by the conflict. Internally displaced persons have increased to 7.6 million from 6.4 million. Well over half of the population requires humanitarian assistance, 12.2 million up from 10.8 million. Of those, nearly 5 million are in hard-to-reach areas. The number of those trapped in besieged areas has gone down slightly to 212,000 from 241,000.

Meanwhile, “host country fatigue” has challenged Syria’s neighbouring countries which shelter the overwhelming majority of its 3.2 million refugees. Jordan, Lebanon and Turkey have begun to restrict the refugee influx due to concerns about the destabilising impact on their own security and economic situations.

Kaag last briefed on 5 November, reporting on the destruction plan for chemical weapons production facilities, to be completed by the summer of 2015. Council members also discussed the 10 September fact-finding report by the Organisation for the Prohibition of Chemical Weapon (OPCW), which found evidence that chlorine had been consistently and

repeatedly used in barrel bombs dropped from helicopters. While the report did not attribute blame, only the government has aerial capacity. The next report of the OPCW fact-finding mission on the use of chlorine bombs is expected in December.

Human Rights-Related Developments

During a 16 October press conference, High Commissioner for Human Rights Zeid Ra'ad Zeid Al Hussein said his office intends to issue an updated count of reported deaths in Syria in December, which will be well over the conservative estimate of 200,000.

On 14 November, the Human Rights Council's Commission of Inquiry on Syria released a thematic report, *Rule of Terror: Living under ISIS in Syria*. The report is based on first-hand victim and witness accounts from men, women and children. It concludes that ISIS has perpetrated widespread, deliberate and systematic violations of international humanitarian law and war crimes against civilian populations, including extrajudicial killing, murder, mutilation, rape, sexual violence, forced marriage and pregnancy, torture, cruel treatment and the use and recruitment of children. The report also details ISIS's killing of hundreds of captured belligerents during its recent military assaults. Recommendations in the report include adopting stronger remedial and preventive actions in Security Council resolutions; focusing on the suppression of war crimes and combating the current climate of impunity benefiting ISIS; and engaging international accountability mechanisms, including the ICC.

Over the next several months, the Commission is planning to release further thematic reports on deaths in custody, torture and forced disappearance, the impact of the conflict on women and attacks on journalists and human rights defenders.

Key Issues

The key issue for the Council—in the fourth year of a civil war that can no longer be contained inside Syria—is to ensure that its focus on counter-terrorism efforts, while important, does not diminish its attention to reports that the Assad regime remains responsible for the majority of violations in the conflict.

An immediate issue for the Council is the renewal of the cross-border authorisation granted in resolution [2165](#) to ensure that the UN and its partners can continue to deliver aid in Syria.

Ongoing issues include tracking implementation of resolutions [2139](#) and [2165](#) on the humanitarian situation and [2118](#) on the destruction of chemical weapons—in particular aerial bombardment and the use of chlorine bombs.

Another issue is how to effectively curb ISIS's illicit funding avenues.

Options

An option for Council members who are concerned that elements of resolution [2139](#), such as human rights and protection of civilians, are being ignored is to reinforce the need for full implementation of humanitarian resolutions [2139](#) and [2165](#) in any resolution that renews authorisation for cross-border aid deliveries. A related option for the Council is to renew these authorisations with periodic reviews but without a sunset clause.

Related to human rights reporting, the Council could request to be regularly informed of the work of the Commission of Inquiry on Syria. (A 25 September Human Rights Council [resolution](#) decided to transmit all of the Commission's reports to the Secretary-General for "appropriate action". The Secretary-General could choose to bring such reports to the attention of the Council using his article 99 powers.)

An option for Council members who are concerned that the government's use of chlorine bombs violates elements of resolution [2118](#) would be to request that the reports of the OPCW fact-finding mission be disseminated as a Council document. (Resolution [2118](#) obligates the OPCW to report non-compliance to the Security Council.)

An option for Council members who are concerned that de Mistura's action plan for UN-mediated "freeze zones" may unintentionally strengthen the government's position would be to advocate for a more comprehensive engagement with the Special Envoy. The Council could issue guidelines reinforcing existing language in resolution [2165](#) that "freeze zones" cannot be agreed following siege-and-starvation tactics and could also encourage the UN to give local civil society leaders a prominent role in reaching localised agreements.

Regarding counter-terrorism, the Council could act on the recommendations of the 1267/1989 Al-Qaida Monitoring Team and adopt a resolution that enhances the existing sanctions regime in three areas: seizing oil tanker-trucks coming into or out of ISIS or Al-Nusra-controlled territory, imposing a world-wide moratorium on antiquities trading from Syria and Iraq and prohibiting flights into and out of ISIS or Al-Nusra-controlled territory.

An important, though unlikely, option in the face of the ever-increasing militarisation of the conflict is for the Council to heed the Secretary-General's call for the international community to stop the flow of arms into Syria and impose an arms embargo.

Council Dynamics

The significant increase in aerial bombardment by the Syrian government has led several Council members, particularly the P3, Australia, Jordan, Lithuania and Luxembourg, to reiterate their view that, without underestimating the threat ISIS poses, the Assad regime remains responsible for the majority of violations in the conflict. These members have also continually expressed concern that there has been no progress in implementing any of the other key demands of resolution [2139](#), regarding human rights and protection of civilians, such as observing medical neutrality, ceasing aerial bombardments and easing administrative hurdles that slow or block humanitarian access.

Meanwhile on the chemical weapons track, there has been significant progress in the destruction of Syria's stockpile. However, deep divisions remain within the Council, in particular over the government's use of chlorine bombs. The US has said such allegations raise serious questions about Syria's obligations under resolution [2118](#) and the Chemical Weapons Convention, whereas Russia has argued that the OPCW at The Hague, not the Security Council, would be the appropriate arena to address any alleged breaches of the Chemical Weapons Convention.

While the chemical weapons track has been relatively quiet since summer, with Kaag's role finishing at the end of the year, there has been revived focus on the issue. Russia has expressed a strong preference to move it out of the Council and allow the OPCW to deal with remaining issues on a purely technical level. But Council members concerned about the use of chlorine bombs want to continue to send a strong signal to the Syrian government that the issue is being tracked closely and that the chemical weapons file is not closed at the Security Council.

Sensing this renewed interest in the chemical weapons track, on 7 November, Russia circulated a draft presidential statement on the possession of chemical weapons by terrorist groups in Iraq and Syria. During two rounds of negotiations, several members insisted on including the government's use of chlorine bombs in any such text. Russia, which could not accept such references, dropped its initiative, and then attempted to incorporate language on terrorism and chemical weapons into the separate presidential statement on counter-terrorism adopted by the Council on 19 November. Similar objections were strenuously asserted, and Russia's additions were not accepted.

Despite overwhelming indications that resolutions [2118](#) and [2139](#) have been continually breached, there is no appetite among Council members to push for follow-up measures against the Syrian regime, such as targeted sanctions, due to the assumption that Russia would veto the effort in any event.

On the political track, since de Mistura took up his post in September, he has been working around the "Assad knot" enshrined in the 30 June 2012 Geneva Communiqué—i.e. trying to find openings between Iran and Russia's support for the regime and the position of the P3 and their Arab allies that Assad must go.

Council members are supportive of de Mistura's quiet diplomacy and incremental approach. However, Russia seems fully supportive of the idea of a "freeze zone" while many other Council members are cautious about the implications of such a tactic. On the one hand, Council members are sympathetic to any initiative that can lower levels of violence and provide relief to civilians. On the other hand, it is unclear to many Council members whether a "freeze zone" will be little more than the opposition's agreement to surrender, which may have the inadvertent impact of encouraging the government to scale up its attacks elsewhere in the country to consolidate its position before other "freeze zones" are negotiated.

Australia and Luxembourg have led on the humanitarian track during the last two years (joined by Jordan in 2014) but will rotate off the Council after 31 December. While Jordan will continue as one of the humanitarian penholders in 2016, at press time it was unclear which other Council member(s) would join it.

Of the incoming Council members, it seems Venezuela's position may be closer to that of China and Russia on Syria. All three cast negative votes on the 18 November Third Committee resolution on human rights in Syria. During the same vote, incoming members Malaysia, New Zealand and Spain voted for the resolution, while Angola abstained.

France is the penholder on Syria overall. In practice, however, most texts need to be agreed between Russia and the US prior to agreement by the broader Council.

Council members Australia, France, Jordan, the UK and the US are part of the anti-ISIS coalition.

UN Documents on Syria

Security Council Resolutions

14 July 2014
S/RES/2165 This resolution authorised cross-border and cross-line access for the UN and its partners to deliver humanitarian aid in Syria without state consent and established a monitoring mechanism for 180 days.

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.

Security Council Press Statements

18 November 2014
SC/11654 This was a press statement that condemned ISIS for the murder of US aid worker Peter Kassig.

31 October 2014
SC/11626 Condemned the aerial bombardment, by the use of barrel bombs, of a displaced persons camp in Idlib on 29 October, leaving many dead and injured, including children.

30 October 2014
SC/11624 Expressed support for the role and efforts of the Special Envoy for Syria Staffan de Mistura.

Security Council Meeting Record

25 November 2014
S/PV.7324 This was a briefing on humanitarian access in Syria.

Secretary-General's Reports

21 November 2014
S/2014/840 This was a report on the humanitarian situation.

27 October 2014
S/2014/767 This was the 13th OPCW report on chemical weapons.

Sanctions Committee Document

14 November 2014
S/2014/815 This was a report of the 1267/1989 Al-Qaida Monitoring Team on ISIS and Al-Nusra.