

Negotiations on Syria Mission Renewal & Tremseh Press Statement

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What's In Blue

Posted Sun 15 Jul 2012

Tomorrow morning (16 July), negotiations among Council members are expected to continue at expert and possibly permanent representative level on the UK draft resolution on Syria. The draft text renews the UN Supervision Mission in Syria (UNSMIS), for 45 days and threatens sanctions if the Syrian government does not cease the use of heavy weapons and withdraw from population centres within 10 days. In addition, a press statement on the 12 July Tremseh attacks is under silence procedure until Monday morning.

Last week Council members received two draft resolutions on the UNSMIS renewal. The first came from Russia on 10 July just ahead of a briefing by UN-Arab League Joint Special Envoy Kofi Annan. The UK circulated an alternative draft the following day very soon after Annan's briefing where he had asked Council members to endorse the 30 June Action Group communiqué and to be united in insisting on consequences for Syria's non-compliance with Council decisions. Both the UK and Russian drafts support Annan and his six-point plan, endorse the Action Group communiqué and contain a provision for the renewal of UNSMIS.

Apparently the Russian draft calls for a three month renewal with no explicit reporting requirements. Following Annan's 11 July briefing, many Council members felt this draft did not take into sufficient account Annan's assessment that the Syrian government was increasing its military operations in population centres and armed opposition groups were intensifying attacks against government forces and installations. The subsequent result was that UNSMIS was unable to carry out its currently mandated tasks. (On 14 July the International Committee of the Red Cross [ICRC], concluded that the fighting in Syria met its threshold for an internal armed conflict, i.e. civil war.)

By contrast the UK draft, under Chapter VII, apparently notes the failure to implement the six-point plan, in particular by the government; makes explicit references to the Action Group's agreed steps toward political transition; demands that the Syrian government withdraw from population centres and cease the use of heavy weapons within 10 days or immediately face measures under article 41 (i.e. sanctions); references accountability issues; renews UNSMIS for 45 days tasking the Secretary-General to determine its appropriate minimum configuration; and requests follow-up reporting within 10 days and then every 15 days thereafter. There were several rounds of negotiations on these drafts amongst the P5 and all Council members at both expert and permanent representative level over the course of 12 and 13 July.

During permanent representative level negotiations on 12 July there were reports of an escalation of violence in Tremseh near Hama resulting in significant casualties. (The numbers have not been confirmed but media reports indicate that more than 200 were killed.) In a 13 July letter to the Security Council, Annan said that UNSMIS had reported the use of artillery, tanks and helicopters in Tremseh in violation of the government's commitments under resolutions 2042 and 2043. Annan said the Council's decisions continued to be flouted and once again urged consequences for non-compliance (S/2012/542). Later that day (Friday, 13 July), Colombia, as Council President in July, circulated a press statement condemning this escalation of violence. Initially, the press statement was put under silence procedure until 7pm. However, Russia asked if silence could be postponed until Monday morning (16 July) while it sought instructions from Moscow. Over the weekend UNSMIS visited Tremseh and confirmed that the attack involved the use of artillery, mortars and small arms. It also said that specific groups and houses, mainly of army defectors and activists appear to have been targeted. The Syrian government denies the use of heavy weapons.

Meanwhile, several rounds of negotiations on the UNSMIS draft resolutions at the end of last week yielded little progress. Russia remained firm that it would not accept a Chapter VII resolution with the threat of sanctions. It seems some other members were uncomfortable that the UNSMIS renewal was so intricately linked with Chapter VII provisions. However, following the letter from Annan on the Tremseh attack some of these members may be more inclined to apply credible pressure on Damascus.

Other members, in particular China, felt the UK draft should be more balanced and reflect the increased sophistication of armed opposition groups. It seems most Council members, including the P3, considered such amendments reasonable so long as they did not negatively impact the agreed language in either the six-point plan or the Action Group communiqué. In particular, they felt it was important to retain that the onus for implementation in the first instance remain with the Government of Syria.

The P5 met a second time on 13 July to focus on the issue of invoking Chapter VII in the UNSMIS renewal. Following those negotiations, the UK put its draft in blue with France, Germany, Portugal and the US co-sponsoring (S/2012/538). (In general, a draft resolution is put in blue 24 hours before it is likely to be put to a vote. However, this does not mean that a vote has to take place or that there cannot be further negotiations.) At press time, a vote had not been called for and, in this case, it is clear that the fact that the draft has been put in blue does not indicate that agreement has been reached; further negotiations are therefore likely. (It is possible that the UK put its draft in blue because according to rule 32 of the Council's provisional rules of procedure "draft resolutions shall have precedence in order of their submission." Therefore, if a vote is called for on both the UK and Russian drafts then the UK draft would be voted on first.)

It was unclear at press time when a vote would be called. (The UNSMIS mandate expires on Friday, 20 July.) Council members will likely to be keen for further information from UNSMIS on the Tremseh attacks as well as readouts from Annan's anticipated visit to Moscow on 16 -17 July. In addition, the Secretary-General will be in Beijing early this

coming week and Syria is expected to be among the issues discussed. It also remains to be seen how the ICRC's determination that the Syrian situation is a civil war will impact the negotiations around the UNSMIS renewal.

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