

May 2018 Monthly Forecast

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MIDDLE EAST

Syria

Expected Council Action

In May, the Council expects to receive the monthly briefings on political and humanitarian developments in Syria and on the use of chemical weapons.

Key Recent Developments

Triggered by a 7 April alleged chemical weapons attack on the city of Douma, in Eastern Ghouta, the Security Council's recent engagement on Syria has represented one of the body's most divisive periods in the post-Cold War era. The attack, which reportedly killed more than 40 civilians and injured hundreds, compelled the armed group Jaish al-Islam, which had struggled to retain control of Douma, to agree to evacuate the area and surrender it to the government.

After the alleged attack, the Council first met on 9 April. It received [briefings](#) by Special Envoy for Syria Staffan de Mistura and the Deputy to the High Representative for Disarmament Affairs, Thomas Markram. Council divisions were clearly visible at the meeting. While most Council members expressed outrage at the alleged attack, Russia denied that it had happened and called it a provocation aimed at justifying military intervention in Syria.

[The next day](#), the Council failed to pass three draft resolutions. Two were competing versions by Russia and the US that would have established a UN Independent Mechanism of Investigation (UNIMI) regarding the use of chemical weapons. The [US draft](#) would have established a mechanism based on the recommendations provided by the Secretary-General, in coordination with the Organization for the Prohibition of Chemical Weapons (OPCW), "based on the principles of impartiality, independence and professionalism, to identify to the greatest extent feasible, individuals, entities, groups, or governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemical weapons, including chlorine or any other toxic chemical, in Syria". However, it was vetoed by Russia, which argued that it did not address any of the weaknesses of the OPCW-UN Joint Investigative Mechanism. The draft garnered 12 affirmative votes, two against (Bolivia in addition to Russia) and one abstention (China). This was the 12th veto on Syria since the beginning of the conflict.

The [Russian draft](#) had been circulated on 23 January. It would have established the UNIMI for a period of one year from the date the Council approved the terms of reference recommended by the Secretary-General, in coordination with the OPCW. It urged the

UNIMI to “fully ensure a truly impartial, independent, professional and credible way to conduct its investigations on the basis of credible, verified and corroborated evidence, collected in the course of on-site visits”, and it underlined “that the Security Council will thoroughly assess the UNIMI’s conclusions”. Although Council members met twice to discuss the draft, Russia did not revise it to address any of the issues raised by other Council members before putting it in blue in early March.

The draft was not adopted because it got only six affirmative votes (Bolivia, China, Equatorial Guinea, Ethiopia, Kazakhstan and Russia). Seven Council members voted against (France, Netherlands, Peru, Poland, Sweden, the UK and the US) and two abstained (Côte d’Ivoire and Kuwait). Those who did not support the draft argued that it did not empower the proposed mechanism with the responsibility to assign accountability for the use of chemical weapons (leaving such decisions instead to the Council) and because of methodological concerns that would have called into question its independence.

The third vote was on a Russian draft resolution regarding the OPCW Douma investigation. The draft substantially modified elements of a Swedish draft circulated the day before in an attempt to broker a compromise. Sweden asked to suspend the meeting and hold consultations on the draft proposed by Russia. While Sweden proposed a new version of its text, the Russian draft was put to a vote unchanged after consultations. It failed to pass given the fact that it only garnered five affirmative votes (Bolivia, China, Ethiopia, Kazakhstan and Russia). There were also four votes against (France, Poland, the UK and the US) and six abstentions (Côte d’Ivoire, Equatorial Guinea, Kuwait, Netherlands, Peru and Sweden).

Throughout the week, concerns about the possibility of a military response to the alleged attack by the US and its allies sparked the request for two additional Council meetings. The first one took place in consultations at the request of Bolivia, supported by China and Russia, on 12 April, and the second was a briefing the next day by Secretary-General António Guterres at the request of Russia. Guterres told the Council how in his contacts with the P5 he had expressed his deep concerns about the risk that the situation could spiral out of control. He also quoted an 11 April letter that he had sent to the Council. In the letter, Guterres expressed his “deep disappointment that the Security Council was unable to agree upon a dedicated mechanism to attribute responsibility for the use of chemical weapons in Syria”. He appealed to the Council not to give up on efforts to agree upon a dedicated, impartial, objective and independent mechanism for attributing responsibility and conveyed his readiness to support such efforts.

Later that day (13 April), the US, along with France and the UK, carried out more than 100 airstrikes against Syrian military facilities that were reportedly involved in the storage and production of chemical weapons. Following the attack, Russia requested a briefing by the Secretary-General on 14 April. At the Saturday meeting, Guterres reminded member states of their obligation to act in line with the UN Charter and international law in general, and he urged member states to show restraint and to avoid military escalation.

A Russian draft tabled at the end of the meeting condemned the “aggression against the Syrian Arab Republic by the US and its allies in violation of international law and the UN Charter”. The draft was not adopted as it garnered only three positive votes—Bolivia, China and Russia. Four members—Equatorial Guinea, Ethiopia, Kazakhstan and Peru—abstained and the remaining eight voted against the draft.

After these events, de Mistura undertook a series of consultations with key stakeholders with the aim of proactively ascertaining the options for a meaningful re-launch of the UN-facilitated political process. He briefed Council members informally on this process at a 21-22 April retreat with the Secretary-General in Backåkra, Sweden.

The humanitarian situation in Syria continues to be critical. On 17 April, Mark Lowcock, the Under-Secretary-General for Humanitarian Affairs, briefed the Council on the humanitarian situation in Syria. Although he focused mostly on Raqqa and Rukban, he also highlighted the precarious situation of those civilians still in Eastern Ghouta and those who were evacuated to Idlib and Aleppo. In the lead-up to a 24-25 April conference in Brussels on supporting the future of Syria and the region, which was co-chaired by the EU and the UN, Lowcock emphasised the need to scale up funding to humanitarian assistance in Syria, whose appeal was less than 15 percent funded.

On the ongoing work to eliminate chemical weapons, in a 4 April briefing, Markram told the Council about the planned destruction of two stationary aboveground chemical weapons production facilities in Syria. The OPCW continues to have concerns regarding the limited cooperation of the Syrian government in addressing the gaps, inconsistencies and discrepancies identified in Syria’s initial declaration. After the alleged attack in Douma, an OPCW fact-finding mission deployed to Syria and was able to collect samples from two sites.

Human Rights-Related Developments

The Commission of Inquiry on Syria released a press statement on 13 April, expressing its grave concern over the continuing reports of the use of chemical weapons in Syria and saying that as of January, the commission had reported on 34 documented incidents of the use of chemical weapons by various parties to the conflict. The statement condemned in the “strongest possible terms the use of such weapons by any party to the conflict as this is strictly prohibited under international law” and called for the perpetrators of such attacks to be identified and held accountable, stressing the need to preserve evidence and ensure no party tampers with suspected sites, objects, witnesses, or victims before independent monitors and investigators are able to access the area.

Following the alleged chemical attack in Douma on 7 April, High Commissioner for Human Rights Zeid Ra’ad Al Hussein said in a statement on 9 April, “The world is sitting idly by while their use is becoming normalized in Syria”. The Security Council is “paralyzed by the use of the veto”, he said, adding that “[t]he world—and in particular the veto-wielding States on the Security Council—need to wake up, and wake up fast, to the irreparable damage that is being done to one of the most important planks of global arms control and prevention of human suffering”.

Key Issues and Options

The current level of P5 divisions raises the question whether the Council will be able to work constructively on Syria. If the current paralysis continues, those with even limited capacity to act, whether elected members, the Secretary-General or key members of the General Assembly, may be inclined to take the initiative. The Secretary-General could provide options for the consideration of the Council or directly mobilise a mechanism for the investigation of alleged use of chemical and biological weapons, which was developed in the late 1980s. Council members could also explore the idea of referring the issue to the General Assembly for action through “Uniting for Peace”.

While divided on this issue for seven years now, the Council has been able to unite around key issues during that time, such as setting the agenda for a political process and authorising cross-border deliveries. As the political climate deteriorates, there is a risk of undermining these Council decisions, just as the mandate of the OPCW-UN Joint Investigative Mechanism was discontinued. After discussing Syria at a retreat with the Secretary-General Council members could hold a follow-up informal, unscripted and forward-looking meeting at the ambassadorial level to discuss how to increase pressure on the parties to the conflict and seek a compromise that is both realistic and acceptable to all.

Council and Wider Dynamics

The response to the 13 April airstrikes in the Council underscored the continuing divisions among members on Syria. The views expressed by Council members fell into three distinct categories. Some members (Bolivia, China, and Russia, among others) criticised the airstrikes as a violation of the sovereignty of a member state, referring to them as a violation of the UN Charter. Other Council members justified the airstrikes (Poland, and of course the P3), with at least one member characterising them as understandable (the Netherlands) as a response to the use of chemical weapons. A third group of Council members emphasised the importance of abiding by the principles of the UN Charter and international law but did not address directly the legality of the airstrikes.

At press time, it did not seem that the P3 were planning further military action in Syria, but the polarisation in the Council reached its peak in April and is negatively affecting all the tracks of the dossier—chemical weapons, humanitarian and political. A draft resolution circulated by the P3 on 14 April includes language on all three tracks, which Council members had attempted to keep separate before. The increasingly vitriolic exchanges in the chamber between the US and the UK, on the one hand, and Russia, on the other hand, illustrate the deepening divisions. The 17 April briefing requested by Russia to focus particularly on the humanitarian situation in Raqqa and Rukban is another recent example of the political manoeuvring in the Council. Russia has repeatedly called the Council’s attention to the destruction of Raqqa by the US-led coalition in its efforts to counter the Islamic State in Iraq and the Levant. It has also criticised the US for the difficulties of ensuring access to tens of thousands of civilians stranded in the Rukban camp, given its proximity to the US military base of Al-Tanf.

In Backårka, Council members agreed on press elements on all three tracks that may become a basis for a more constructive engagement.

Kuwait and Sweden are the penholders on humanitarian issues in Syria.

UN Documents on Syria

Security Council Resolutions

24 February
2018
[S/RES/2401](#)

This was a resolution, adopted unanimously, demanding a cessation of hostilities in Syria.

19
December
2017
[S/RES/2393](#)

This resolution renewed the authorisation for cross-border and cross-line aid delivery.

18
December
2015
[S/RES/2254](#)

This was the first resolution focused exclusively on a political solution to the Syrian crisis. It was adopted unanimously.

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 Report

19 April
2018
[S/2018/369](#)

This was the Secretary-General's monthly report on the humanitarian situation in Syria.

Security Council Letters

11 April
2018
[S/2018/333](#)

This was a letter from the Secretary-General to the President of the Security Council expressing disappointment that the Council was unable to agree upon a dedicated mechanism to attribute responsibility for the use of chemical weapons in Syria.

28 March
2018
[S/2018/283](#)

This was the OPCW report on progress in the elimination of the Syrian chemical weapons programme.

Security Council Meeting Records

17 April
2018
[S/PV.8236](#)

This was a briefing by Lowcock on the humanitarian situation, particularly in Raqqa and Rukban.

14 April
2018
[S/PV.8233](#)

This was a briefing by Guterres after the airstrikes launched by France, the UK and the US.

13 April 2018 <u>S/PV.8231</u>	This was a briefing by Guterres on Syria.
10 April 2018 <u>S/PV.8228</u>	This was the meeting at which three draft resolutions failed to be adopted, including one vetoed by Russia.
9 April 2018 <u>S/PV.8225</u>	This was a briefing by Markram and de Mistura.
4 April 2018 <u>S/PV.8221</u>	This was a briefing by Deputy to the High Representative for Disarmament Affairs Thomas Markram.
Other	
14 April 2018 <u>S/2018/355</u>	This was a Russian draft resolution condemning the US “aggression” on Syria that failed to garner nine votes.
10 April 2018 <u>S/2018/322</u>	This was a Russian draft resolution on the OPCW Douma investigation that failed to garner nine votes.
10 April 2018 <u>S/2018/321</u>	This was a US draft resolution establishing UNIMI that was vetoed by Russia.
10 April 2018 <u>S/2018/175</u>	This was a Russian draft resolution establishing UNIMI that failed to garner nine votes.