SYRIA, USA AND RUSSIA: HOW THE CONCEPT OF THE RESPONSIBILITY TO PROTECT HAS UNFOLDED IN THE SYRIAN CONFLICT

BY
ARTHUR MILLS
(10555203)

THIS DISSERTATION IS SUBMITTED TO THE UNIVERSITY OF GHANA, LEGON, IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE AWARD OF THE MASTER OF ARTS DEGREE IN INTERNATIONAL AFFAIRS

LEGON          JULY 2016
DECLARATION

I, ARTHUR MILLS, do hereby declare that, except for the duly acknowledged citations of references and ideas which serve as a source of information, this dissertation is the result of an original work conducted by my good self under the supervision of DR. LINDA DARKWA. It is in no way a reproduction, either in part or in whole of any work ever submitted for a degree, diploma or certificate in this or any other University.

........................................................................
........................................................................

ARTHUR MILLS                                  DR. LINDA DARKWA
(STUDENT)                                      (SUPERVISOR)

DATE:..................................................             DATE:..................................................
DEDICATION

I hereby, dedicate this piece of work to God Almighty, friends and loved ones who in diverse ways supported me during this period of my education and study.

•
ACKNOWLEDGEMENTS

My profound gratitude goes to the Ministry of Foreign Affairs and Regional Integration for the opportunity given me to study at LECIAD and also to my family and several friends (Mershia Acquah, Samuel Sevor, Hanaan Asaku, Bernard Acquah, Ivy Suglo, Khalilah Hackman, Louis Dunu and Collins Mensah), whose invaluable support that came in diverse ways encouraged me through this strenuous academic programme. It is my humble prayer that the good Lord bless them all.

I finally remain grateful to all other individuals, home and abroad, for their valuable inputs and inspiration given during this epic journey.
# LIST OF ABBREVIATIONS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>AU</td>
<td>African Union</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>IBSA</td>
<td>India, Brazil and South Africa</td>
</tr>
<tr>
<td>ICISS</td>
<td>International Commission on Intervention and State Sovereignty</td>
</tr>
<tr>
<td>ICRC</td>
<td>International Committee of the Red Cross</td>
</tr>
<tr>
<td>ISIL</td>
<td>Islamic State of Iraq and the Levant</td>
</tr>
<tr>
<td>ISIS</td>
<td>Islamic State in Iraq and Syria</td>
</tr>
<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organisation</td>
</tr>
<tr>
<td>R2P</td>
<td>Responsibility to Protect</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
</tr>
<tr>
<td>USA</td>
<td>United States of America</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>DECLARATION</td>
<td>i</td>
</tr>
<tr>
<td>DEDICATION</td>
<td>ii</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>iii</td>
</tr>
<tr>
<td>LIST OF ABBREVIATIONS</td>
<td>iv</td>
</tr>
<tr>
<td>TABLE OF CONTENTS</td>
<td>v</td>
</tr>
<tr>
<td>ABSTRACT</td>
<td>viii</td>
</tr>
<tr>
<td><strong>CHAPTER ONE:</strong> INTRODUCTION</td>
<td></td>
</tr>
<tr>
<td>1.0 Background to the Study</td>
<td>1</td>
</tr>
<tr>
<td>1.1 Statement of the Research Problem</td>
<td>6</td>
</tr>
<tr>
<td>1.2 Research Objectives</td>
<td>7</td>
</tr>
<tr>
<td>1.3 Research Questions</td>
<td>7</td>
</tr>
<tr>
<td>1.4 Scope of the Study</td>
<td>7</td>
</tr>
<tr>
<td>1.5 Rationale for the Study</td>
<td>8</td>
</tr>
<tr>
<td>1.6 Conceptual Framework</td>
<td>9</td>
</tr>
<tr>
<td>1.7 Literature Review</td>
<td>11</td>
</tr>
<tr>
<td>1.8 Methodology</td>
<td>18</td>
</tr>
<tr>
<td>1.9 Arrangement of Chapters</td>
<td>20</td>
</tr>
<tr>
<td>Endnotes</td>
<td>21</td>
</tr>
</tbody>
</table>
CHAPTER TWO:
THE CONCEPT OF RESPONSIBILITY TO PROTECT

2.0 Introduction ... ... ... ... ... ... ... ... ... 23
2.1 A trajectory of the Development of the R2P Norm ... ... ... ... ... ... ... 23
2.2 An Overview of the Responsibility to Protect ... ... ... ... ... ... ... ... 25
  2.2.1 The Responsibility to Prevent ... ... ... ... ... ... ... 29
  2.2.2 The Responsibility to Rebuild ... ... ... ... ... ... ... ... 31
  2.2.3 The Responsibility to React – Principles for military intervention under the R2P ... ... ... ... ... ... 33
2.3 Conclusion ... ... ... ... ... ... ... ... ... ... ... ... ... ... 37
Endnotes ... ... ... ... ... ... ... ... ... ... ... ... ... ... 40

CHAPTER THREE:
FINDINGS AND ANALYSIS FROM RESEARCH

3.0 Introduction ... ... ... ... ... ... ... ... ... ... ... ... ... ... 42
3.1 An Overview of the Dynamics Underpinning the Syrian Conflict ... ... ... 42
3.2 The Role of the USA and Russia in the Syrian Conflict ... ... ... ... ... ... 45
3.3 The Countries Embroiled in the Syrian Conflict ... ... ... ... ... ... ... ... 48
3.4 Examination of the R2P and UN Security Council in the Syrian Conflict ... 53
3.5 Assessment of actions taken by the Government of Syria to protect its citizens 56
3.6 Conclusion ... ... ... ... ... ... ... ... ... ... ... ... ... ... 59
Endnotes ... ... ... ... ... ... ... ... ... ... ... ... ... ... 60
# CHAPTER FOUR:
SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.0 Introduction</td>
<td>61</td>
</tr>
<tr>
<td>4.1 Summary of Findings</td>
<td>61</td>
</tr>
<tr>
<td>4.2 Conclusion</td>
<td>64</td>
</tr>
<tr>
<td>4.3 Recommendations</td>
<td>66</td>
</tr>
<tr>
<td>Bibliography</td>
<td>68</td>
</tr>
</tbody>
</table>
ABSTRACT

The research discusses the Syrian conflict which has been ongoing since early 2011 with no end in sight and the role of countries in the war with the concept of the Responsibility to Protect (R2P) as its running theme. This study’s major objective was to investigate the systematic actions and inactions of particularly the USA and Russia that has contributed to the Syrian crisis and also critically analyse the effect of the UN Security Council’s (UNSC) approach on the current state of the Syrian conflict. It also sought to assess the effectiveness of the actions taken by the Government of Syria in fulfilling its primary responsibility to protect its citizenry. The study used exploratory research approach where data used were secondary materials and this approach served as a tool to help the researcher understand the issues more thoroughly. Through the research, it was revealed that the USA and Russia have remained rival power houses even in the Syrian war. For instance, Russia vehemently opposed any form of foreign military intervention in the Syrian conflict where they claimed that any intervention by the US could result in the repeat of the 2011 operation against Gadhafi in Libya where a supposed humanitarian intervention act ended in a regime change. It is noted that both Russia and China have some respective influence on Syria politically and economically. With several sanctions on Syria, the USA together with the EU wanted a ceasefire after there were reports of the use of chemical weapons by Syria. The actions of the USA centred on brokering peace through unifying the opposition by taking actions such as the deployment of Patriot Missle Batteries to the U.S. Military personnel to support the defence of border states such as Turkey and Jordan. The study further revealed that there have not been any franticly efforts by the Assad regime to effectively protect its citizenry thus neglecting the first pillar of the R2P which charges the state, as its primary responsibility to protect its citizenry. It has been established that the UNSC failed to effectively broker peace and negotiate an end to the conflict. This is basically due to lack of a unified consensus among member states especially on the UNSC. The study recommends among other things that the UNSC must put pressure on the Assad regime and its allies like Russia, Iran and Lebanon’s Hezbollah mercenaries to stop equipping it with arms and military supplies after its confirmed involvement in crimes against humanity and war crimes. Among the key recommendations made was for the UN to provide safe zones for the Syrian refugees and those internally displaced, for the UNSC to press upon the “friends” of the Assad regime to cease all support financially and militarily and for the UNSC to step up in ensuring peace was brokered in Syria to help end the atrocities being committed.
CHAPTER ONE
RESEARCH DESIGN

1.0  Background to the Study

In a Channel 4 (the British Television main news programme) report coverage, a tragic story is told showing a rare, intimate glimpse of what thousands of Syrian families have gone through. In this story, three brothers, Muhammad, Mahmoud and Amar who are trying to have a normal playful day are hit by a bomb which changes their lives forever. The youngest brother, Muhammad is badly injured and rushed to the emergency room of the Al Quds hospital in Aleppo. The brothers hover in shock and watch as their brother loses the struggle to death. Moments later, their mother arrives at the hospital and utterly distraught, carries the lifeless body of her son to be buried. This is but just one of the many stories from the human tragedy young children face in five years of the Syrian civil war.¹

The year 2011 became the turning point for Syria. In the wake of the Arab Spring, there were many revolutions including the toppling of President Mubarak of Egypt, the overthrow of the Tunisian government and the short-lived civil war in Libya. A trajectory into the history of the conflict shows that the domino effects of the revolutions showed up in Syria in March 2011 where pro-democracy protests erupted in the Southern City of Deraa after the arrest and torture of some teenagers who painted revolutionary slogans on a school wall. The protestors were calling for the repeal of the restrictive Emergency Law allowing arrests without charge, the legalization of political parties and the removal of corrupt local officials.²
Following the pro-democracy protests, more people took to the streets after security forces opened fire on demonstrators killing several of them. It was this unrest that triggered nationwide protests demanding for the resignation of President Bashar al-Assad and the government’s reaction by use of force to crush the dissent merely hardened the protestors’ resolve sending hundreds of thousands of more people to the streets across the country by July 2011. The protests escalated when opposition supporters eventually took up arms first to defend themselves and then later to expel security forces from their local areas. The violence spiralled and the country descended into civil war as rebel brigades were formed to battle government forces for control of cities, towns and the country side.

According to the UN News Centre, by July 2015, about 12.2 million Syrians were in need of humanitarian assistance, an estimated 220,000 people had been killed since the start of the conflict, over 1 million people had been displaced from their homes and the number of refugees had hit a tragic milestone of 4 million, making it the largest refugee population from a single conflict worldwide.

Syria is reported to have regressed by more than four decades and has moved from a second world to a third world country. Statistics also revealed that 75% live in poverty, more than 50% live in extreme poverty, 54% are unemployed, more than 50% of children are not in school and about 45% of the population is displaced making Syria the world’s biggest source of refugees. With all manner of war crimes including murder, torture, rape, massacres and enforced disappearances being committed by the cocktail of parties involved in the conflict, more than 4.5 million people, most of them women and children, have fled the country into neighbouring Lebanon, Jordan and Turkey which have struggled to cope with one of the largest refugee exoduses in recent history.
The conflict in Syria has embroiled in it, several major world powers, supporting and opposing President Bashar al-Assad and the myriad rebel groups ranged against him. They include the two prominent and dominant players: Russia and the United States of America, which will be one of the focus areas in this research paper. Russia is one of President al-Assad’s most important international backers and the survival of the regime is critical to maintaining the interests of Russia in the country. Russia has consistently blocked resolutions critical of the Syrian President at the UNSC and has also continued to supply weapons to the Syrian military despite strong international criticism. It is believed that Russia’s interest in Syria is to protect a key naval facility which it leases at the Syrian port of Tartous, which serves as Russia’s sole Mediterranean base for its Black Sea fleet, and has forces at an air base in Latakia. The United States of America has accused President al-Assad of responsibility for widespread atrocities insisting he must step down.

The USA was known to support Syria’s main opposition alliance, the National Coalition and provides limited military assistance to rebels. The USA has agreed on the need for a negotiated settlement to end the war and the formation of a transitional administration. The other key players in the conflict include Saudi Arabia, who is a major provider of military and financial assistance to several rebel groups, including those with Islamist ideologies and has called for a no-fly zone to be imposed to protect civilians from bombardment by Syrian government forces. Turkey whose Presidency has said it is impossible for Syrians to accept a dictator who has led to the deaths of up to 350,000 people. Iran is also believed to be spending billions of dollars annually to prop up President al-Assad and his Alawite-dominated government by providing military advisers and subsidized weapons as well as lines of credit and oil transfers.
Bearing in mind past tragedies such as the Rwanda genocide of 1994, the Kosovo war of 1999 and the Libyan civil war of 2011, how the international community has reacted in such crisis or conflicts has been of tremendous interest and study. It is this interest that led the research to delve into the concept of the “Responsibility to Protect” (R2P) and explore its application during the Syrian conflict. The concept of R2P was brought into the spotlight when at the United Nations General Assembly in 1999 and again in 2000, the then Secretary-General, Mr. Kofi Annan made the compelling plea to the international community to try to find, once and for all, a new consensus on how to approach the issue of military intervention, to forge unity around the basic questions of principle and process involved.13

There was a shift in the debate about crisis prevention and response by the end of the 1990s, where the security of the community and the individual was not only a priority for the state but also for national and international policies. It was through this shift that the concept of the Responsibility to Protect gained its momentum. The concept of R2P is based on the following pillars:14

i. That, the state carries the primary responsibility for the protection of populations from genocide, war crimes, crimes against humanity and ethnic cleansing;

ii. That, in addition, the international community has a responsibility to assist states in fulfilling this responsibility;

iii. That, the international community should use appropriate diplomatic, humanitarian and other peaceful means to protect populations from these crimes. If a state fails to protect its populations or is in fact the perpetrator of crimes, the international community must be prepared to take stronger measures, including the collective use of force through the United Nations Security Council (UNSC).
With the Syrian conflict, the international community concluded that only a political solution could end the conflict. It could be said that the R2P norm was being implemented as far back as February 2012 when former UN Secretary General Kofi Annan who had been appointed as the Special Envoy to Syria announced a six-point plan which was endorsed by the UNSC to end the violence.\textsuperscript{15} Again, the R2P norm came into play when in June 2012, the Geneva Peace Talks were initiated. Under that plan, a transitional government was to be set up in Syria which would include members of the current regime and additionally arrange free elections which would be based on the principle of mutual consent.\textsuperscript{16} Yet again, R2P was championed when Iran’s Foreign Minister, H. E. Mr. Ali Akbar Salehi also offered a six-point plan for a diplomatic solution to the country’s crisis through national dialogue.\textsuperscript{17}

The subject of the concept of Responsibility to Protect is more elaborated in the next chapter. However, the debate that the last resort of halting the perpetration of the war crimes being committed in Syria by the mix of parties to the conflict can be through military intervention is an area the research seeks to probe.

The impact of the devastation caused by the civil war in Syria was unprecedented. The UN has said it would need $3.2bn to help the 13.5million people, including 6 million children, who will require some form of humanitarian assistance inside Syria in 2016. Also, about 70\% of the population is without access to adequate drinking water, one in three people are unable to meet their basic food needs and more than 2 million children are out of school and four out of five
people live in poverty. The need for an end to the prolonged conflict cannot be overemphasized given these statistics.

1.1 Statement of the Research Problem

Since 2011, about fifteen (15) different United Nations Security Resolutions (UNSCR) have been adopted in relation to the Syrian conflict. UNSCR 2254 which was unanimously adopted on 18th December, 2015 demanded that all parties to the Syrian conflict immediately cease any attacks against civilian targets and urged all Member States to support efforts to achieve a ceasefire. The resolution additionally requested the United Nations to convene the parties to engage in formal negotiations by early January 2016. Another resolution, UNSCR 2268 was also unanimously adopted on 26th February, 2016 by the 15-member Security Council who endorsed the cessation of hostilities agreement aimed at ending the five years of bloodshed in Syria. The resolution further demanded that all parties to the agreement live up to its terms and urged Member States to use their influence to ensure that parties to the conflict fulfilled their commitments and created the conditions for a durable and lasting ceasefire.

Despite these significant milestones attained with the adoption of UNSCRs 2254 and 2268, which sought to provide a roadmap for the peace process in Syria by starting formal negotiations on a political transition process and to offer practical, concrete steps to reduce the violence and create the space for the long overdue political transition. The rivalry between the United States of America and Russia, is widely believed to have fuelled the ongoing conflict and obstructed the UN Security Council from getting its green light to enforce actions or sanctions as deemed appropriate.
1.2 Research Objectives

The study will have the following objectives:

- To investigate the systematic actions and inactions of USA and Russia that has contributed to the Syrian crisis;
- To critically analyse the effect of UNSC approach on the current state of the Syrian conflict;
- To assess the effectiveness of actions taken by the Government of Syria in fulfilling its primary responsibility to protect its citizenry.

1.3 Research Questions

The study seeks to answer the following questions:

- What is the role of the USA and Russia in the ongoing Syrian conflict?
- How has the norm of the Responsibility to Protect affected the Syrian conflict?
- What steps or actions have been taken by the Government of Syria and international community to ensure that the State and citizens are protected?

1.4 Scope of the Study

The research is limited to the Syrian Arab Republic. Its current leader is President Bashar al-Assad who was approved as President by popular referendum in July 2000 following the death of his father, President Hafiz al-Assad. The span of the research was from 2011 when the conflict broke out to 2016 when it is still ongoing; and the various interventions by the US, Russia and the UN in the crises with no end in sight.
1.5 **Rationale for the Study**

The importance of protecting lives by a sovereign state or through the collective efforts of other states and international organizations cannot be overemphasized. From global tragedies such as the World War 1 from 1914 to 1918, through to the Libyan civil war in 2011, among others, the need to put in place measures to avoid such calamities that include genocide, crimes against humanity and war crimes and ethnic cleansing has become more pertinent than ever.

Mass atrocities have ravaged Syria for more than four years while the international community has been both unwilling and unable to act. Clearly, the UNSC, the guardians of international peace and security according to Article 24 of the UN Charter, has failed to adequately address the horrors in Syria taking into account the costs of devastation. However, does the failure of the UNSC also mean that the doctrine of the R2P, which was envisioned as a political and policy tool to avert the occurrence of mass atrocities has also failed?

The research tries to understand why the international community had failed to translate its responsibility from theory into practice. The question is strongly premised on the following paragraph taken from UNSCR 1973 which was adopted on 17\textsuperscript{th} March, 2011 that authorized “all necessary measures” to be taken to protect civilians in Libya from pro-Qadhafi forces during the Libya civil war:

```
“Authorizes Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements, and acting in cooperation with the Secretary-General, to take all necessary measures, notwithstanding paragraph 9 of resolution 1970 (2011), to protect civilians and civilian populated areas under threat of attack in the Libyan Arab Jamahiriya, including Benghazi, while excluding a foreign occupation force of any form on any part of Libyan territory, and requests the Member States concerned to inform the Secretary-General immediately of the measures they take pursuant to the authorization conferred by this paragraph which shall be immediately reported to the Security Council.”
```
1.6 Conceptual Framework

The R2P is a principle of prevention that commits states to take action to prevent war crimes against humanity, ethnic cleansing and genocide especially when there is clear evidence that people are at serious risks. R2P can be understood as a humanitarian intervention; however, R2P takes a broader perspective where it allows as the last resort the possibility of military intervention. This indicates that R2P requires some policy tools to ensure the need for such intervention in acknowledgment that prevention is the greatest form of protection.24

The R2P is founded on three pillars as were laid down in the 2005 United Nations Summit outcome document and elaborated during the Secretary-General’s 2009 Report on Implementing the Responsibility to Protect. The three pillars are:

i. That the state has the primary responsibility to protect its population from war crimes, crimes against humanity, ethnic cleansing and genocide and their incitement;

ii. That the international community also has the responsibility to encourage and help states in fulfilling that responsibility; and

iii. That the international community has a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from the above crimes. Additionally, if a State is manifestly failing to protect its populations, the international community must be prepared to take collective action to protect populations, in accordance with the Charter of the UN.25

It has emerged that sovereignty no more shields states from foreign interference. Sovereignty now comes with a dual responsibility that holds states liable for the welfare and safety of their people.26
The R2P including the above pillars and various assumptions and rules given under the elements of R2P (the Responsibility to Prevent, React and Rebuild) would therefore serve as the conceptual framework for this project. The elements of R2P will be discussed in detail in the next chapter.

Phillip Cunliffe describes R2P as being the dominant framework through which the role of the international community is understood in relation to crises and conflict today. It is therefore this concept that should be the underlining guide towards the response and actions of the international community in the wake of state conflicts. The R2P significantly focuses on identifying the actions that range from prevention to the use of force to stop mass atrocities right through to protecting people and rebuilding the state or economy in the aftermath of a military intervention.

Noel Dorr terms the R2P as a norm and advised that proponents of the concept should proceed slowly and carefully so as to win full global support especially from developing countries. The Security Council in deciding to exercise its international responsibility to protect should carefully consider its range of coercive options short of military force. For instance, the UNSC could issue formal warnings of applying sanctions or inform that governmental leaders perpetrating such crimes would be brought before the International Criminal Court.

The concept of R2P is relevant to the study as the framework rightfully encapsulates the idea of responsibility that is due from the state (primary responsibility) as well as the responsibility that is due from the international community (secondary responsibility) when the primary responsibility has failed. The general consensus and approval from the international community about R2P and
the belief that states cannot commit crimes against their population and go scot-free is also another reason that suggests that this framework is ideal for the study.

1.7 Literature Review

In Alex J. Bellamy’s journal article on “The Responsibility to Protect and the Problem of Military Intervention,” he first points out that despite the United Nations General Assembly endorsement of the principle in 2005 through Resolution 1674, there was enough evidence of international disquiet about R2P with several governments saying they only committed themselves to further deliberations. There was also the confusion that the principle was simply a more sophisticated way of legitimizing non-consensual intervention potentially without the sanction of the UNSC. Given the above arguments, it is therefore possible to see why many governments would suspect the R2P to be a “Trojan Horse” for the legitimization of unilateral intervention.

The supporters argue that the principle that emerged from the 2005 World Summit was inadequate and should have provided a clear guidance about the circumstances in which coercive military intervention may be justified or about the appropriate decision-making process in situations where the UNSC is deadlocked as has happened many times concerning resolutions that have bothered on the Syrian conflict. On the issue of sovereignty in Bellamy’s article, Francis Deng, the then Special Representative on Internally Displaced People (IDPs) recognized that the primary responsibility for protecting and assisting IDPs lay with the host government and where a state was unable to fulfil its responsibilities, he asserted that the state should invite and welcome international assistance. Deng discusses the role of the UNSC when he describes it as the legitimate
higher authority capable of holding sovereign states accountable and it being able to place the common good ahead of the national interests of Member States.\textsuperscript{30}

Bellamy’s article also looks at the work of the International Commission on Intervention and State Sovereignty (ICISS) which was established by the Government of Canada in 2000 to investigate and report on the “right of humanitarian intervention”. This was following the aftershock of the Kosovo crisis and the Secretary-General’s challenge to the 1999 General Assembly to resolve the tension between sovereignty and fundamental human rights. The Commission’s report again highlighted the significance of state sovereignty saying that it implied responsibility and that the primary responsibility of the people lay with the state itself and added that where a state is suffering and the state is unwilling to avert situation, non-intervention yields to the international responsibility to protect.\textsuperscript{31} The Report itself acknowledges the complexity of intervention for human protection purposes and described it as one of the most controversial and difficult of all international relations questions. In the Report, the Commissioners mention that prevention was the single most important dimension of the principle of the R2P. Prevention options they explain must always be exhausted before intervention is contemplated and more commitment and resources must be devoted to this.

The exercise of the responsibility to prevent and react, both elements of R2P must always involve less intrusive and coercive measures before more coercive and intrusive ones are applied. Also discussed in the Report were the principles justifying military intervention which included meeting the “\textit{just cause threshold}” where serious and irreparable harm occurring to human beings involved large scale loss of life or large scale ethnic cleansing, the “\textit{precautionary principles}” which are
made up of right intention, last resort, proportional means commensurate to the threat and reasonable prospects of halting or averting the suffering and finally the “right authority” from the UNSC.

Per the Report, the issue of humanitarian intervention with all of its controversy has failed in Africa, most especially in the Rwanda genocide of 1994 where there was a failure of international will and Africans concluded that some human lives end up mattering a great deal less to the international community than others. The kind of intervention the Commission was focused on was that kind which was taken against a State or its leaders without its or their consent, for purposes which are claimed to be humanitarian or protective. It identified other types of intervention that did not fall under its scope to include that kind of application of pressure to a state with regards to conditional support and the other type to be any non-consensual interference in the internal affairs of another state.

In the discourse on sovereignty, the ICISS explained that states had a legal identity under international law citing Article 2.1 of the United Nations Charter to emphasize the principle of sovereign equality of states. This sovereign state it said was empowered to exercise exclusive and total jurisdiction within its territorial borders. However, once the state signed the Charter, its sovereignty changed from sovereignty as a control to sovereignty as a responsibility. The three-fold significance of sovereignty now as a responsibility included the following duties:

i. That State authorities are responsible for the functions of protecting the safety and lives of citizens and promotion of their welfare;
ii. That the national political authorities are responsible for the citizens internally and to the international community through the United Nations; and

iii. That agents of State are responsible for their actions of commission and omission.

When it came to the Responsibility to Prevent, the United Nations Secretary-General was permitted by Article 99 of the Charter to bring to the attention of the Security Council, any matter that in his opinion may threaten the maintenance of international peace and security. The only problem was that the whole strategy of prevention was that some States are reluctant to accept any internationally endorsed preventive measure fearing that any “internationalization” of the problem will result in further external interference and start down a slippery slope to intervention. The way forward on this was perhaps for those wanting to help from outside to completely recognise and respect the sovereignty and territorial integrity of the countries concerned and confine their efforts to finding solutions within those parameters.

Additionally, the international community has to change its mind-set from a “culture of reaction: to that of a “culture of prevention”. Therefore, to create such a culture will mean setting standards for accountability of member states and contributing to the establishing of prevention practices at the local, national, regional and global levels. The Commission in charting the way forward and in its recommendations found out that there was a broad willingness to accept the idea that the responsibility to protect citizens from killing and preventing other grave harm was the most basic and fundamental of all the responsibilities that sovereignty imposes and that if a state cannot or will not protect its people from such harm, then coercive intervention for human protection purposes, including ultimately military intervention by others in the international community may
be warranted in extreme cases. However, the main concern was to ensure that when protective action is taken and in particular when there is military intervention for human protection purposes, it is undertaken in a way that reinforces the collective responsibility of the international community.

In Hove and Mutanda’s journal article titled “The Syrian Conflict 2011 to the Present: Challenges and Prospects”, they acknowledge that the involvement of superpowers has influenced the Syrian conflict in a dimension different from what could have happened without their participation. They further contend that Russia was intensely opposed to the USA domination in the Middle East by dictating the tempo of the conflict and wanted to circumvent a replication of what Western powers did in Libya under the guise of “the responsibility to protect”. The USA was also entrenched in their position and demanded that President al-Assad leave his office. Russia and USA are also on opposing sides with regards to the settlement of the conflict: Russia wants to include President al-Assad in the settlement process while the USA strongly stands by her position that the President leave office as a prerequisite to any resolution.

Hove and Mutanda also make reference to the deadlock on the Security Council that Alex Bellamy addressed in his article. According to them, China and Russia had three times blocked the Council’s action on Syria aimed at pressurizing Assad’s government. They count the losses from conflict showing that by 2014, a significant number of people had been killed including 62,800 from the army, 42,700 rebels, 54,000 civilians and 3000 from unknown nationalities. It was this continued escalation of the conflict that reduced the opportunities of peace-making, peacekeeping
and peace building in Syria and the region at large. In concluding their article, Hove and Mutanda recommend that the road to peace in Syria could include the following ways:

i. The USA and allies must respect the territorial integrity and sovereignty of Syria and avert supporting invading forces and countries that harbor rebels;

ii. The UN, among other conflict-resolving organisations, should be encouraged to include all stakeholders to the Syrian conflict, notably the USA and allies on the one hand and Iran, Russia, China and President al-Assad’s government on the other, so that sustainable peace can be realized;

iii. The UN should halt fighting and curtail arms deployment into Syria in a drive to end the conflict; and

iv. Peaceful resolution of the conflict must be accorded priority ahead of violent alternatives because there are always nonviolent alternatives.

Critics against the concept of the R2P may find support in the three challenges that David Chandler identifies in his article titled “Unravelling the paradox of ‘The Responsibility to Protect’” which are: conceptual, institutional and political in nature. A part of the world still views the concept as akin to humanitarian intervention; the latter involving mainly using coercive measures (military intervention) to ensure peace. The institutional challenge deals with pinpointing which “institutions” have the onus of carrying out the ideals of the concept. With this challenge, it would be prudent to give this burden to the UN in particular, its Security Council, for obvious reasons and because of the custodian role of ensuring international peace and security. The third challenge that was identified dealt with garnering the needed and adequate political will from Member States for the rightful institutions to implement the ideals of the concept. In subsequent
sections of the article, Chandler defends and clarifies the conceptual challenge that R2P post-2005 is about good governance rather than military intervention. He makes the concluding affirmation that at the core of the R2P is the assertion that achieving good governance in all its manifestations – representative, responsive, accountable and capable – is at the heart of effective long-term conflict and mass atrocity prevention.\textsuperscript{33}

The concept of R2P also consists of other actions which are overlooked. These are the Responsibility to Prevent and the Responsibility to Rebuild\textsuperscript{34}. More attention is given to the Responsibility to React to atrocities that are carried out. In the article, “\textit{Syria, the United Nations and the Responsibility to Protect}” where Saira Mohamed makes these observations, she also brings out the controversy regarding the responsibility that falls on the territorial government versus that of the international community. In her argument, the responsibility of the government is clearly stated whereas some advocates intimated that the responsibility of the international community is an overthrow of Article 2(4) of the UN Charter which prohibits the use of force against another state. The solution given to the advocates was that it recommended that military intervention, when necessary, should take place through the Security Council of the UN while also a failure of the Security Council to discharge its responsibility of ensuring international peace and security would raise questions on its legitimacy. Without any question of doubt, the Security Council has a responsibility to take action in the face of massive human rights abuses.\textsuperscript{35}

The theory of conflict escalation and de-escalation which posits that, conflicts are dynamic and can develop and change at astonishing speed, is brought to bear in the Syrian conflict through Heidarali Teimouri’s article on “\textit{Protecting while not being responsible: The Case of Syria and}
Responsibility to Protect.” In this essay and according to the above theory, at the “ceasefire and agreement” stage which is one of the levels of the escalation and de-escalation model, the UN and international community had made several attempts to resolve the Syrian issue. He shows that in May 2011 just when the conflict had started, France, Germany, Portugal and the UK brought a draft resolution before the Security Council to condemn the Syrian government crackdown and also stress the government’s primary responsibility of protecting its citizens.\textsuperscript{36} This resolution faced strong opposition from countries including Russia and China who explained that it was an intervention in matters which fell within the internal jurisdiction of Syria.\textsuperscript{37} Another solution based on a draft championed by the Arab League was thrown out of the window by countries including Russia as it asked for President Assad to step aside which they did not want. Yet again, when Morocco presented a draft resolution backed by eighteen (18) other states in which they assured that the resolution rejected any kind of coercive measure authorization parallel to the Libyan intervention, Russia and China cast their vetoes. As shown here, this has been the trend in the Syrian conflict therefore making the de-escalation retrogress back into conflict escalation.

1.8 Methodology

The methodology outlines the procedure involved in the collection of the relevant data for the analysis.

Research approach: Yin\textsuperscript{38} categorizes research into three different types depending on the nature of the purpose or research problem and these are exploratory, descriptive and explanatory, although a given study can have more than one of these purposes.\textsuperscript{39}
Based on the research problem, objectives and research questions, the purpose of the research is predominantly exploratory. Exploratory research is the researcher's tool to understand an issue more thoroughly towards understanding a phenomenon. Therefore, the study will adopt an exploratory research approach.

**Research design:** The research design takes into consideration the overall detailed information about how this study will be carried out. There are three broad research approaches: which are the qualitative, quantitative and mixed methods. Qualitative and quantitative research approaches are very different from each other yet complement each other. Taking into consideration the nature of the research question, the study will adopt a qualitative research design.

Qualitative research uses inductive reasoning and aims to acquire an in-depth understanding of human behaviour and the reasons of occurrence of that behaviour while quantitative research relies on deductive reasoning or deduction and makes use of variety of quantitative analysis techniques that range from providing simple descriptive variables involved, to establishing statistical relationships among variables through complex statistical modelling.

The qualitative method of research is therefore employed in the study because of the exploratory nature of the topic. Moreover, the qualitative method of research is best suited for the project as the project seeks to uncover factors that influence decision making or opinions (i.e. why the international community has in the case of Syria, been unwilling or failed to act to stop the atrocities), and to also understand the different perspectives between groups or categories of people who have contributed to the discussion of the concept of the R2P. Since the researcher was not in
the best position to visit the study area due to security and financial limitations, data for analysis was basically sourced from secondary materials.

**Source of data:** The study relied solely on secondary data. The sources of data for the research were sourced from relevant documents from scholarly books and journal articles from established authors in the field of R2P and the Syrian Crisis as well as other significant internet sources.

**Data analysis:** The data is first classified into thematic codes. This is followed by data processing to sort out the relevant information from the less relevant one in light of the research objectives. The next stage involves reclassification of data under various themes that correspond to the major subject areas of the discussion. On the basis of the finely sorted data, qualitative analysis are employed towards answering research questions stated earlier in chapter one.

1.9 **Arrangement of Chapters**

The research study has the following chapters:

Chapter 1 comprises the general introduction to the research and the research design;

Chapter 2 discusses the concept of the Responsibility to Protect as well as the Syrian conflict;

Chapter 3 analyses how the concept has unfolded in the Syrian conflict;

Chapter 4 comprises summary of research findings, conclusions and recommendations.
End Notes


4 Ibid.


7 Rodgers, L. G., David & Offer, James & Asare, Patrick, op. cit.


9 Ibid.

10 Ibid.

11 Ibid.

12 Ibid.


16 Ibid.

17 Ibid.

18 Rodgers, L. G., David & Offer, James & Asare, Patrick, op. cit.


20 Ibid.


26 Ibid


30 Ibid.


33 Ibid.


35 Ibid.


37 Ibid.

38 Yin (2003)

39 (Saunders et al, 2000; Babbie, 2004)

40 (Sekaran & Bougie, 2010)

41 Ibid.

42 (Saunders et al., 2009)
CHAPTER TWO
THE CONCEPT OF RESPONSIBILITY TO PROTECT (R2P)

2.0 Introduction

This chapter discusses the concept of the R2P by explaining what it is and exploring its origins. It further examines the scope of the R2P then takes a look at the pillars of the concept as well as the criticisms against the responsibility to protect as in the Syrian conflict.

2.1 A trajectory of the Development of the R2P Norm

The issue of the R2P has come along with the discussion of the right of sovereignty of a State. The theory of sovereignty, best propounded by French philosopher Jean Bodin, stated that sovereignty must be absolute, perpetual and undivided. The ultimate authority either rests in the people in a democracy, a minority of the people in an aristocracy or one man in a monarchy.\(^1\) He has also added that the people in a country owed allegiance to their leader and that, that leader owed no allegiance whatsoever to outsiders. Bodin’s theory was developed in the 1660s when the Treaty of Westphalia was signed to end the thirty years of war in Europe and legitimized the right of sovereigns to govern their peoples free of outside interference, whether any such external claim to interfere was based on political, legal or religious principles. The central theme running through the post Second World War global order was the issue of non-interference of sovereign states.

However, some observers have noted that certain states that embraced the concept of sovereignty sometimes manipulated the concept to their own interests. Bodin’s remarks which seem to describe the foundation of the R2P norm stated that:
“A State was sovereign as long as it remained legitimate in the eyes of the people or as long as that State governed well, and that if the people in turn cried out for help, help would be forthcoming from external powers.”

The principle of the sovereign equality of states is also enshrined in Article 2, Section 1, of the UN Charter, and the corresponding norm of non-intervention is enshrined in Article 2, Section 7: a sovereign state is empowered by international law to exercise exclusive jurisdiction within its territorial borders, and other States have the corresponding duty not to intervene in its internal affairs.

Nevertheless, despite the right of sovereignty that countries enjoyed, it has led to some playing host to some of the most unfortunate incidents where war crimes, crimes against humanity, genocide and ethnic cleansing took place. There has been the genocidal mass slaughter of the Tutsi population in Rwanda by the Hutu population where almost 800,000 people were reported to have been killed in 1994, the Srebrenica massacre of about 8,000 Muslim men and boys during the Bosnian war in 1995 and the Kosovo war of 1999. These incidents which attracted mixed reactions of either action or obliviousness by the international community together have formed the basis for discussions on intervention to avert future repetitions of such atrocities.

Anne Ryniker has given a definition of humanitarian intervention based on the ICRC position to mean:

“any coercive action by States involving the use of armed force in another State without the consent of its government, with or without authorization from the United Nations Security Council, for the purpose of preventing or putting to a halt gross and massive violations of human rights or international humanitarian law.”
The R2P has been narrowly viewed by some as just humanitarian intervention in new clothes with coercive military intervention being the main intention.\textsuperscript{5} American philosopher and political activist, Noam Chomsky has referred to the R2P as “the cousin of humanitarian intervention” while Belgian theoretical physicist Jean Bricmont has implied that the R2P was an appendage of neo-colonialism. However, the first stage in the international responsibility to protect is the use of diplomatic, humanitarian and other methods. It is only when such methods appear insufficient that the Security Council would out of necessity decide to take action under the charter of the UN, including enforcement of action, if so required.\textsuperscript{6}

Evidently, there appears to be a difference between humanitarian intervention which involves the use of coercive measures and the concept of the R2P which includes among others, less non-coercive measures to suppress a conflict from escalating. However, with the belief that a state or country is sovereign and that other nations cannot meddle in its internal affairs, it may carry on to engage in acts (genocide, war crimes, crimes against humanity or ethnic cleansing) harmful to its citizens. Ideally, the State is the one to have the right to govern but may lose such right immediately it becomes the perpetrator of the above crimes.

2.2 An Overview of the Responsibility to Protect

At the General Assembly of the UN in 1999 and 2000, the then Secretary-General, Mr. Kofi Annan made compelling pleas to the international community to try to find, once and for all, a new consensus on how to approach the above issues and to forge unity around the basic questions of principle and process involved in intervention.\textsuperscript{7} This plea was aptly captured in Secretary-General
Kofi Annan’s Report “We the Peoples: The role of the United Nations in the Twenty-First century” delivered in March 2000 by the following question:

“… if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that affect every precept of our common humanity?”

As a response to this challenge by the Secretary-General, the Government of Canada together with a group of major foundations established the ICISS in September 2000 with the aim to develop “global political consensus about how and when the international community should respond to emerging crises involving the potential for large-scale loss of life and other widespread crimes against humanity”. The ICISS also had the mandate to build a broader understanding of the problem of reconciling intervention for human protection purposes and sovereignty. Additionally, the Commission was charged to try to develop international political consent on how to move from controversy towards action within the international system, particularly through the United Nations. A year later, the Commission, co-chaired by former Australian Foreign Minister Gareth Evans and veteran Algerian diplomat, Mohamed Sahnoun, together with ten other seasoned Commissioners has presented the Report titled “The Responsibility to Protect” to the Secretary-General as well as the international community.

The R2P, widely described as an emerging norm and a concept that is beginning to be accepted internationally but not yet by all, is based on the proposition that sovereign states have the responsibility to protect their own citizens from avoidable catastrophe – from mass murder, rape and starvation – but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states.
The idea of the R2P has received further endorsement during the General Assembly of the United Nations in 2005 as seen in paragraphs 138 and 139 of the Summit Outcome Document to which Heads of State and Government agreed to.\(^\text{13}\)

However, if sovereign states have the responsibility to protect their own citizens from avoidable catastrophe – from *genocide, war crimes, ethnic cleansing and crimes against humanity* and when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states. The Responsibility to Protect concept proffers that diplomatic and less coercive means should be used to end such catastrophe being committed by or in the country in question before a military intervention is resorted to when all else has evidently failed.

As is likely to happen to concepts or ideas being pushed forward, the R2P concept has received its fair share of misunderstandings and some persons have the erroneous assumption that the concept extends to all situations. Gareth Evans also noted the widespread misunderstanding of viewing the concept as extending to almost any kind of situation in which human beings are at risk, from natural disasters to climate change to HIV and AIDS. As such, if the concept is about protecting everybody from everything, it will end up protecting nobody from anything.\(^\text{14}\)

The Secretary-General has therefore provided the scope of the R2P in paragraph 10 (b) of the 2009 Report on “Implementing the Responsibility to Protect” which states that:

> The responsibility to protect applies, until Member States decide otherwise, only to the four specified crimes and violations: genocide, war crimes, ethnic cleansing and crimes against humanity. To try to extend it to cover other calamities, such as HIV and AIDS, climate change or the response to natural disasters, would undermine the 2005 consensus and stretch the concept beyond recognition or operational utility.\(^\text{15}\)
According to the above discourse by Gareth Evans, if the R2P is about protecting everybody from everything, it will end up protecting nobody from anything. However, as per the scope given by the Secretary-General, it does appear that the right to one’s life is the foremost responsibility of the state and therefore the state as well as the international community must do everything in its power to ensure that this right is upheld in relation to genocide, war crimes, ethnic cleansing and crimes against humanity.

In a bid to provide parameters for the concept, the United Nations Summit outcome document has provided three non-sequential, mutually reinforcing and equally important pillars for the R2P, these were mentioned earlier in chapter one under theoretical framework.

The ICISS Report has outlined three responsibilities that the State as well as the international community must assume. The three responsibilities include:

i. **The Responsibility to Prevent:** to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk.

ii. **The Responsibility to React:** to respond to situations of compelling human need with appropriate measures, which may include coercive measures like sanctions and international prosecution, and in extreme cases military intervention.

iii. **The Responsibility to Rebuild:** to provide, particularly after a military intervention, full assistance with recovery, reconstruction and reconciliation, addressing the causes of the harm the intervention was designed to halt or avert.\(^{16}\)
It is important to note that the above responsibilities to prevent, react and rebuild are not progressive. This means that whenever a conflict arises, other States and international organisations making up the international community must not necessarily start addressing the conflict by looking at the root causes and tackling them before moving to the responsibility of reaction in order to quell the conflict when prevention has failed. For instance, certain conflicts may break out and escalate so quickly that the international community’s first response would be its responsibility to react so as to ensure that human lives are protected and innocent civilians are not harmed.

At this juncture, the Chapter will now turn to discuss the three Responsibilities with a highlight on the Responsibility to React due to its contentious nature:

### 2.2.1 The Responsibility to Prevent

The dialogue about the Responsibility to Prevent predominantly has asserted that it is the State that is best placed to take action to prevent problems from turning into potential conflicts and also the one best placed to understand and deal with them.\(^\text{17}\) It is also believed that conflicts can be prevented when the State has a strong national commitment to ensure fair treatment and fair opportunities for all citizens. Additionally, it is not only the State that has a duty to help prevent atrocities, this duty also extends to the international community. In speaking about the responsibility of communities, the ICISS has emphasized that when solutions are needed, it is the people of a particular country who have the greatest interest and largest stake in the success of those solutions proposed and that, the core of all international community efforts should be a
resilient commitment to help local efforts to address both the root causes of problems and their more immediate triggers.\textsuperscript{18}

The support needed from the international community is most times crucial and could come through various avenues such as development assistance or efforts to address the root causes of potential conflicts or through local initiatives to advance good governance, human rights or the rule of law and through the use of good office missions and mediation efforts to promote dialogue among the parties to the conflict or foster reconciliation.\textsuperscript{19}

Out of the three elements of the R2P, Prevention is the most desirable option as it a less costly option for the international community rather than resorting to military action, emergency humanitarian relief or the reconstruction after war has run its course in a state. For instance, it has been noted that the international community spent some $200 billion on conflict management in seven major interventions in the 1990s including in Bosnia and Herzegovina, Somalia, Rwanda, Haiti, El Salvador, Cambodia and the Persian Gulf, when it could have saved up to $130 billion through a more effective preventive approach.\textsuperscript{20}

However, certain impediments obstruct the international community from exercising its responsibility of prevention. The impediment of interest and related to this thesis has to do with the issue of sovereignty where small and weak states do not readily welcome initiatives taken by another Member State especially a stronger or more developed neighbour because of the possibility of ulterior motives. Such countries facing internal difficulties would rather be more comfortable to accept help from the UN because of the recognized independence and moral high ground of the
institution and also in view of the letter and spirit of the Charter which charges the institution to maintain international peace and security. Another obstacle against the international community’s responsibility duty has to do with the gap between the verbal posture and financial and political support for prevention.\(^{21}\)

For conflict prevention or the international community’s Responsibility to Prevent to be effective, the following conditions provided in the Report of the ICISS have to be met: firstly, there should be a knowledge of the fragility of the situation and risks associated with it (this is termed early warning), there has to be a policy measure available that would be capable of making a difference (this is termed preventive toolbox) and finally, there has to be the willingness to apply those measures (this is termed political will).\(^{22}\)

### 2.2.2 The Responsibility to Rebuild

The Responsibility to Rebuild has more to do with post-intervention mechanisms that have to be employed after a conflict or war has gone through its cycle. This Responsibility posits that when military intervention has taken place because of the breakdown of a country’s own capacity and authority to uphold its “Responsibility to Protect”, there should be a genuine commitment from the international community to help build a durable peace and promote good governance and sustainable development in that country.\(^{23}\)

It is true that countries that are healing from conflicts will have some key needs as the brunt of the conflict would have likely destabilized the economy or render inaccessible, certain basic needs of humans such as food, water and shelter. Additionally, these needs have to be addressed in order
not to allow the country recede again into a state of conflict. In the attempt to lay a strong foundation for development, demonstrate respect for human rights, foster political inclusiveness, ensure the safe, smooth and early repatriation and resettlement of refugees and displaced persons as well as promoting national unity, all being part of intervention mechanisms, issues of security, justice and economic development restrain the international community from exercising her Responsibility to Rebuild.

It is essential for post-intervention operation plans to provide effective security for all the population regardless of their relation to the incumbent government or ethnic origin, as revenge killings and reverse ethnic cleansing are likely to spark in post-conflict situations from those people who feel victimized.

The lack of an effective justice system also undermines the process of rebuilding as the judicial system in the state where the conflict is taking place would likely have weakened. Therefore, in the aftermath of the conflict where violators of human rights have to be brought to the book, there would be no functioning system to do so making the international community’s credibility diminish both locally and internationally.24

Finally, authorities that intervene will have a precise obligation to effectively and efficiently manage and transfer the development responsibility and various project implementation to the local leadership and local actors who would be working with the assistance of national and international development agencies. All efforts by parties helping to rebuild the conflict torn
country should be towards encouraging economic growth, recreating markets and ensuring sustainable development.

2.2.3 The Responsibility to React – The Principles for military intervention under the R2P

The most controversial pillar of the R2P has been the Responsibility to React. Military intervention for human protection purposes is an exceptional and extraordinary measure. The ICISS Report has set out four assumptions that must be deliberated before a military intervention is undertaken. These are:

The first assumption is that for military intervention to be warranted, there must be serious and irreparable harm occurring to human beings, or imminently likely to occur, of the following kind:

I. **Large scale loss of life**, whether actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or

II. **Large scale ‘ethnic cleansing’**, whether actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.²⁵

The second assumption postulates that before any military intervention is embarked upon, questions regarding intervention, whether it is the last possible resort of reaction, what means may be employed to counter the imminent threat and the chances of success in stopping the conflict all have to be answered. The dynamics to consider under this second assumption include:
I. **Right intention:** The primary purpose of the intervention, whatever other motives intervening states may have, must be to halt or avert human suffering. Right intention is better assured with multilateral operations, clearly supported by regional opinion and the victims concerned.

II. **Last resort:** Military intervention can only be justified when every non-military option for the prevention or peaceful resolution of the crisis has been explored, with reasonable grounds for believing lesser measures would not have succeeded.

III. **Proportional means:** The scale, duration and intensity of the planned military intervention should be the minimum necessary to secure the defined human protection objective.

IV. **Reasonable prospects:** There must be a reasonable chance of success in halting or averting the suffering which has justified the intervention, with the consequences of action not likely to be worse than the consequences of inaction.²⁶

The third assumption hypothesizes that for military intervention to take place, it must be authorized by a recognized body and approved by majority of the States. Under this assumption, the ICISS Report made the following remarks when giving the mandate of “right authority” for military intervention:

I. That there is no better or more appropriate body than the United Nations Security Council to authorize military intervention for human protection purposes. The task is not to find alternatives to the Security Council as a source of authority, but to make the Security Council work better than it has.

II. That Security Council authorization should in all cases be sought prior to any military intervention action being carried out. Those calling for an intervention should formally
request such authorization, or have the Council raise the matter on its own initiative, or have
the Secretary-General raise it under Article 99 of the UN Charter.

III. That the Security Council should deal promptly with any request for authority to intervene
where there are allegations of large scale loss of human life or ethnic cleansing. It should in
this context seek adequate verification of facts or conditions on the ground that might support
a military intervention.

IV. That the Permanent Five members of the Security Council should agree not to apply their veto
power, in matters where their vital state interests are not involved, to obstruct the passage of
resolutions authorizing military intervention for human protection purposes for which there
is otherwise majority support.

V. That if the Security Council rejects a proposal or fails to deal with it in a reasonable time,
alternative options are:

a. Consideration of the matter by the General Assembly in Emergency Special Session under
the “Uniting for Peace” procedure; and

b. Action within area of jurisdiction by regional or sub-regional organizations under Chapter
VIII of the Charter, subject to their seeking subsequent authorization from the Security
Council.

VI. That the Security Council should take into account in all its deliberations that, if it fails to
discharge its responsibility to protect in conscience-shocking situations crying out for
action, concerned states may not rule out other means to meet the gravity and urgency of
that situation – and that the stature and credibility of the United Nations may suffer
thereby.27
The last assumption to consider when undertaking military intervention deals with the actual rules of engagement (operations). The ICISS Report which discusses this assumption offers the following guidance that must be reflected when getting involved in military intervention on the ground. These include:

I. Clear objectives; clear and unambiguous mandate at all times; and resources to match: It is important for the officers who will be deployed in the intervention to first receive a briefing stating clear all mandates including those who make lawful targets.

II. Common military approach among involved partners; unity of command; clear and unequivocal communications and chain of command: For the military intervention to be successful, a unified front as well as seamless communication throughout the operation amongst the defending army will help ensure this success.

III. Acceptance of limitations, incrementalism and gradualism in the application of force, the objective being protection of a population, not defeat of a state: The defending army in the process of intervention must bear in mind that their mandate does not cover causing a regime change as what happened in Libya in 2011 but mainly to protect the population under threat.

IV. Rules of engagement which fit the operational concept; are precise; reflect the principle of proportionality; and involve total adherence to international humanitarian law: There is a call for fairness in intervention in a way that the response to imminent threat is proportional and the principles of humanitarian law: distinction, humanity, necessity, etc are respected.

V. Acceptance that force protection cannot become the principal objective: The defending army must be aware that though their primary mandate would be to suppress the war by all
means possible, it should have the discretion in its discharge of duty especially concerning human life especially that of civilians.

VI. Maximum possible coordination with humanitarian organizations: In the process of intervention, the defending army must cooperate with humanitarian organisations such as the Red Cross who would be in the background giving aid or medical assistance to the wounded and distressed in the conflict.28

2.3 Conclusion

To sum up the chapter, the international community should not talk about the ‘right’ of big states or the superpowers to do anything, but the responsibility of all states to protect their own people from atrocity crimes and to help others to do so when they are failing to. In addition, the community should also not focus on the notion of ‘intervention’ but of protection and prevention by looking at the whole issue from the perspective of victims and look at the responsibility in question as being above all, a responsibility to prevent, with the question of reaction through diplomatic pressure, through sanctions, through international criminal prosecutions and ultimately through military action arising only if prevention has failed and coercive military intervention is only the absolute last resort, after a number of clearly defined assumptions have been met and the approval of the UNSC has been obtained.29

The over-riding advantage of the concept of the R2P is that gone is the era where States or nations could confidently hide behind the wall of sovereignty to commit unspeakable acts towards their population without other States intervening to oppress them.
The concept of the R2P was born in a rather unpromising environment, almost immediately after a decade of deadly conflicts with most of them occurring on the continent of Africa. It was described as a North-South debate with the many new States born out of decolonization being very proud of their newly won sovereignty, very conscious of their fragility and all too conscious of the way in which they had been on the receiving end in the past of not very benign interventions from the imperial and colonial powers and not very keen to acknowledge their right to do so again.\textsuperscript{30}

Here, we see that the main criticism and disadvantage against the concept has to do with the infringement of national sovereignty of a State. This infringement is aptly described by a news columnist in Asia who says this:

That the so-called Responsibility to Protect is nothing but a license for the white man to himself intervene in the affairs of dark sovereign countries, whenever the white man thinks it fit to do so.\textsuperscript{31}

The problem which this project seeks to answer is how actions or inactions of two superpowers on the Security Council bench; the USA and Russia, have helped prolong the Syrian conflict. Nevertheless, some credit has been given to R2P in the Syrian case as certain States and international organisations have in a way used it. For instance, the Arab League suspended Syria’s membership, prohibited travel by Syrian officials, froze assets of Syria as well as sent an observer mission to the country to monitor the protection of civilians. Additionally, the USA and the European Union imposed diplomatic and economic sanctions against President al-Assad and his ruling regime. The General Assembly of the UN also demanded that the Syrian government cease any violence against civilians and commit to the political process that was underway to end the conflict.\textsuperscript{32}
Nonetheless, more effort is needed from the UN and international community to apply measures that would be better placed at bringing an end to the Syrian conflict and restoring the country to the peace it used to enjoy.
Endnotes


2 Ibid.


10 Ibid.


12 Evans, G. J. (2001)., op. cit.


14 Evans, G. (2008)., op. cit.


16 Evans, G. J. (2001)., op. cit.


18 Evans, G. J. (2001)., op. cit.

19 Ibid.

20 Ibid.

22 Evans, G. J. (2001), op. cit.

23 Ibid.

24 Ibid.

25 Ibid.

26 Ibid.

27 Ibid.

28 Ibid.


30 Ibid.

31 Ibid.

CHAPTER THREE
FINDINGS AND ANALYSIS FROM THE RESEARCH

3.0 Introduction

This chapter, due to the qualitative nature of the study, has presented the findings and analysis of the study under several topics which are aimed at achieving the study’s research objectives. Even though there has been the demand through the UNSC that all parties to the Syrian conflict end further attacks and support efforts to achieve a ceasefire, actions or inactions of the United States of America and Russia, are still believed to have in a way fuelled the ongoing conflict in Syria. This part of the study has sought to point out the role of several countries including Turkey, Iran, China and Saudi Arabia with a special focus on the USA and Russia being members on the UNSC who seem to be on opposing ends concerning resolutions and measures that can end the Syrian conflict.

3.1 An Overview of the Dynamics Underpinning the Syrian Conflict

The Syrian war has been described as a complex one. It was first believed that Syria was a stable and a secure country in the world before the emergence of the war. The war started as a result of the frustration by the citizens which first occurred in Damascus. The traders in the urban market were emboldened by breaking the barrier of fear which has been in existence for forty years as a result of the incidence in Egypt and Tunisia. The violent intervention of the political security forces to break up the gathering by the Syrians with force and detaining some for few hours on several occasions brought about the hunger strike by the prisoners in Syria’s central prison. These incidents served as a warning that the society conveyed a seed of explosion and that the Arab
Spring would soon spill-over to the major cities of Syria. The explosion soon emerged in Syria but instead of it coming from Daraa in the far south, it reverberated through the other cities of Syria who were all ready to demonstrate and protest. Latakia which is located on the Mediterranean coast was the first to catch the spark. There was a peaceful demonstration in Latakia was participated by all cultural, social and political camps. The slogan of the demonstration was on national reform ant they were demonstrating against situations peculiar to the cities in the Syrian coast locally most especially in Latakia. The Syrians were protesting against situations concerning or armed gangs also called the Shabiha who are into all sort of corruption and local mafia-style violence from murder and intimidation to trading in drugs and arms. This was because even though the president (Bashar al-Assad) tried to curb their activities and prevent them from being violent against its citizens but had failed to eliminate them.¹

The ethnicity and religiosity of Syria could be based on the history of Syria. The French, Ottomans and Romans regionally divided the districts differently as well as the agreement of the Sykes-Picot and the post-Ottoman lands is well known in the region based on how it was craved up. In comparing the outbreak of the war in Syria to that in Tunisia and Egypt, the war began as a largely urban, middle class, and avowedly pan-sectarian and inclusivism protest (much of it initially centred in Damascus) against casual police brutality and a lack of employment opportunities. But such early expressions of protest did not survive the wave of sectarian mobilization that was subsequently unleashed. Interestingly, the majority of Syrian Muslim citizens follow a spiritual, Sufistic Islam, and would not recognize the extreme Salafi and Takfiri code of ISIS.² The spread of the Salafist beliefs quietly brought about the expatriates from Syria who were returning from Saudi Arabia and Veterans because of the wars in Afghanistan, and Iraq preparing the ground for
jihadism. Salafism in the south, however, remained tempered by Damascus-based clerics adhering to a rational tradition of Islam, who wielded influence over the area through trade links extending all the way to the Arab peninsula. A small branch of the Masalmeh clan, some of whom had fought in Iraq and Afghanistan, formed a group that eventually linked up with the Nusra Front, and then with the self-declared Islamic State, and fought FSA units in Deraa. Yet, their influence remained limited, not least because their attempts to impose strict social codes (for instance, beating men who were caught smoking) did not go down well with a population that has traditionally combined devoutness with a degree of personal freedom.  

There is a complex relationship between the ISIS and the traditional tribal dimensions of community and governance in Sunni Arab areas of Syria and Iraq. Most of the Sunni tribes felt that ISIS offered a more acceptable and stable situation. This is because of the authoritarianism and brutality of the Assad regime and the dismay at the pro-Shia sectarianism of the Maliki government in Iraq. Based on the social services and strict governance provided by ISIS and the government, they are noted to be the lesser of two evils.

Extreme fear was the weapon used. However, extreme intimidation and the execution of people who have refused to accept ISIS rule and authority have made most of the tribes accept the pressure imposed upon them. However, two things are critical: many of the tribes have bowed to pressure through extreme intimidation, including mass executions of members of tribes that have refused to submit to ISIS’s authority. Extreme fear is a powerful weapon in their rise. At the same time, a note of hope in terms of a strategic way out of the conflict can be faintly heard: if the Maliki and Assad governments make ISIS look acceptable by comparison, then the installation of more
effective, accountable, and less sectarian governments in Iraq and Syria could cause ISIS’s star to wane in the longer term. Similarly, an experience of harsh and authoritarian life under ISIS will lead to weariness in the people they govern.

Work is underway on establishing mechanisms for measuring the underpinning econometric dimensions of the conflict, recognising, it is suggested, that economic factors are at the heart of civil conflicts of this nature (In the case of Syria, this suggestion could be borne out by observations above as to how the protests in Syria initially triggered the conflict. Macro socio-economic indicators for Syria, such as the HDI index, were already showing signs of poor and in some cases worsening performance in the late 2000s. In many cases, these trends mirrored indicators in other parts of the region that have suffered major disruption, such as Egypt. This could explain how protests erupted in 2011, and how these formed the catalyst for a wider breakdown in civil order in Syria.

3.2 The Role of the USA and Russia in the Syrian Conflict

The USA and Russia have had a crucial role to play in the Syrian war. The Syrian armed conflict is characterised by regular Assad family reign and the irregular forces fighting against the majority Sunni fighters who are locally organised and usually coordinated by the Free Syrian Army leaders who are based in Turkey. There have been some suggestions by some analysts that the degree of regime brutality have the potential to increase as the conflict intensifies with little evidence of abating. The Assad regime has been aiming to destroy the Sunni population while the opposition forces are well armed with better coordination to attack government troops and infrastructure in a bid to destroy or weaken the regime. Based on this, it becomes difficult to determine the end on
the conflict or how long the conflict will last. The situation at hand provides little knowledge on the length on the conflict. However, it has been expected that over time, the regime will not be able to sustain itself in its current form. This is due to the pressure being placed on it by fighting and international sanctions which will gradually weaken the government’s grip of the society.\(^5\) Also, since the Assad regime is dominated by the minority group, it lacks the resources to effectively police the country in the presence of the state of the opposition forces. There have been several negotiations taking place for example the two managed to have an agreement on ceasefire by the UN.

Assessing the international dimension of the conflict, it has been realised that beyond the conflict’s internal combatants, there are several regional and international dimensions to the situation in Syria. Russia and China have jointly opposed foreign military intervention in the conflict at the United Nations Security Council. This comes on the back of the apparent fear that the authorization of another form of intervention from the UNSC could result in a replica of the 2011 North Atlantic Treaty Organisation (NATO) operation against the Gadhafi regime in Libya. Russia and China claimed that the 2011 Libya intervention exceeded its initial UN mandate and could expand the scope of legal justification for future Western-led action in areas of Russian and Chinese interests.\(^6\) These two countries claim that in Libya, there has been a pursuance of regime change by the West under the guise of the responsibility to protect which is viewed as dangerous. Russia also considers Syria as a long-time Arab client since the Cold War and as such the downfall of the Syrian government will be a serious blow to Russia’s diplomatic prestige as well as Middle East/Mediterranean military and access.
The Syrian conflict further reflects some regional tensions between Shia Muslims and Sunni as well as between Kurds and Arabs, and Arabs and Iranians which have influenced events in Lebanon, Bahrain and Iraq in recent times. The Gulf Arab states such as Saudi Arabia and Qatar have openly supported Syrian rebels with arms, with the hope that the overthrow of the current Syria government would result in the empowerment of the Sunnis and destroy the alliance between Syria and their rivals in Iran. On the other side, Iran in order to maintain its alliance with Syria, has also provided the Assad government with the support it needs over the past years in the form of weaponry, training, cash and internet surveillance tools to specifically evade oil sanctions. The Assad government has also received some support from Lebanon and Hezbollah whilst the Shiite-dominated government in Iraq also encourages the shipment of Iranian arms to Syria by crossing its territory or air space.7

The United States as well as members of the European Union has sanctioned the Syrian government and believed to have offered direct lethal assistance to opposition groups. Concerns over an ongoing nuclear negotiations with Iran is influencing the US and EU intentions. However, the US and the EU agreed to the UN backed Kofi Annan plan which called for a transition government and thus jointly compelled Syria to cooperate with the plan. However, Russia and China continued to stifle this effort.8

The situation therefore risked getting out of hand as the US and other allies threatened military actions on Damascus after Damascus was accused of using chemical weapons at the Syrian capital resulting in the killings of several civilians. The Sunnis, Shi’ites, and Kurds took advantage of the Syrian conflict to advance their objectives amid increasing violence among the antagonistic
parties. It largely appeared that the Assad government was accountable for overpowering the radical groups that rose during the course of the conflict. To this end, it was undeniable that the sectarian violence in Lebanon was inactive before the Syrian conflict but was re-energized as a result of the conflict. Hove and Mutanda further stated that:

for the parties to the conflict, especially the US and allies, it was vital for it to re-examine their strategy; to either continue fighting the Assad government or to back Assad and turn against the other rising radical groups (including al-Qaeda), which are not part of the poorly organized ‘Free Syrian Army.’

The involvement of the superpower countries like Russia and US highly influenced the Syrian conflict and directed to a dimension different to what it could have occurred if they had not been involved. This is because, for instance despite the seemingly loud voices of the US, France and Israel, Russia became defiant after the EU allowed its arms ban on Syria expire before May 2013.

3.3 Countries Embroiled in the Syrian Conflict Russia

As had already been stated, Russia highly opposes any form of international military interventions in Syria as such occurrence could be used against its ability to respond to such situations in the future. Generally, Russia fears the rise of Islamist extremist movements could cause potential instability in parts of Russia’s northern caucus to be specific. Additionally, Russia opposed the domination of the US in the Middle East through its dictation of tempo of the conflict. During the conflict, Moscow argued that peace talks were supposed to include Assad’s government and her strong ally Iran. These reasons have pushed Russia to oppose any harsh international sanctions and interventions against the Assad government even though the country has not equivocally backed Assad. Russia’s interest is said to be lying in the friendly central government disregarding whoever is the leader. Therefore, the main objective of Russia is to preserve the influence it has on Syria regime change without the collapse of the state through a new government which will
comprise the opposition and other current government officials who are not caught up in the bloodshed conflict. Russia further accused the West and the Gulf Arab governments of giving supplies such as money and arms to the Syrian rebels.

As much as Russia is opposing any international punitive action against Assad’s regime, the country is playing a more active role of mediating talks between Assad and the opposition. It has therefore supported the Annan Plan and has influenced its adoption. Russia has also supported the Action Group on Syria’s June 30 communique which calls for a new transitional government based on mutual agreement between the two sides. It has also been hosting several Syrian opposition parties and it announced that it would not provide any new forms of weapon deals with the Syrian government until further notice.

**Turkey**

One major external player in Syria before the Arab Spring is Turkey. Turkey-Syrian ties were strong however, over the course of several months in 2011, Turkey steadily turned against the Assad regime since the leaders of the regime perceived that Assad was being uncooperative with Turkey and other international interventions aimed at bringing to the end the conflict that had erupted. Turkey was also withdrawn from Assad’s government because it found it to harm its regional prestige following the regime being considered as suppressing its citizen’s will. Usually, Turkey approached Arab countries in transition by marketing itself as a potential democratic and liberal model in the Muslim dominated Middle East region.
Meanwhile, some analysts have added that Turkey position as a Sunni-majority country is affected by the regime of Assad as it attacks the Sunni Muslims. However, Turkey has disputed that it has no sectarian interests in Syria. Currently, Turkey hosts the leadership of the rebellious Free Syrian Army and about 30,000 Syrian refugees who have fled the conflict. There are some reports now that Turkey-based opposition fighters are being trained and given weapons allegedly with the support of Turkish officials.

**Iran**

Iran remains one of the few strategic allies of Syria but fears that its alliance with Syria is likely to be dissolved if the Assad regime is changed by the Sunni opposition. Iran’s relationship with Syria is critical to Iran as it uses Syria as a transit point to ship weapons to Hezbollah in Lebanon which has leverage against Israel concerning territorial and regional objectives. However, some scholars have questioned the continuance of Iran’s support as the crisis worsens.

**United States**

The U.S. has a long history with Syria mainly bothering on Syria being a U.S. designated State of Terrorism and therefore subject to a number of U.S. sanctions. Currently there are several legislative provisions and executive directives that prohibit bilateral trade between the two countries and U.S aid to Syria. Syria was placed on the state Department’s State Sponsors of Terrorism List in 1979. Since 2011, the US has initiated both unilateral and multilateral policy to control the violence and push for the removal of the Assad government whilst ensuring that there is a transition of the present regime to a more democratic one. The U.S. denounced Assad’s regime of using violent measures in the conflict and as such, the U.S. expanded the existing
sanctions on officials of the Assad government and also insisted on passing some functional political reforms to address protestors demand. This decision did nothing to prevent the Assad government from continuing with its violent dissent and resign. The US continued to make efforts with the government to reach a cease-fire and ensure a political transition procedure through multilateral works. However, all these efforts failed as Russia and China opposed such moves at the Security Council.22

After a yearlong conflict, the US administration further pursued a non-military approach to end the conflict by rejecting calls on the US military intervention or lethal support to the rebel forces. The US resorted to a policy of ensuring a unified opposition that could serve as a recipient of potential US and other international support. The U.S. also took measures such as the deployment of Patriotic Missile Batteries to the U.S. Military personnel support the defence of Border States such as Turkey and Jordan. When the death toll and civil war had intensified by 2013, the U.S. increased its humanitarian support to the UN agencies and neighbouring states while providing limited, non-lethal assistance to the Syrian Opposition Coalition which had been formed23. The U.S. has pledged to supply humanitarian aid of approximately $52 million to international organisations that seeks relief for the Syrian people. The aid comprises $16.5 million to the World Food Program (WFP); $8.5 million to the United Nations High Commissioner for Refugees (UNHCR); $14.9 million to non-governmental organizations (NGOs); $750,000 to the United Nations Children's Fund (UNICEF); and $500,000 to the United Nations Office for the Coordination of Humanitarian Affairs; $3 million to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). It also includes $12 million in assistance
pledged by the United States to the Group of Friends of the Syrians and $8 million to the International Committee of the Red Cross (ICRC).  

However, according to some reports, the U.S. intelligence officials are helping to coordinate the delivery of lethal aid to elements of the armed Syrian opposition which are not affiliated in anyway with terrorist groups like Al Qaeda and other affiliated groups. The U.S. is also helping the opposition group to develop some logistical routes to aid supplies to Syria. Moreover, there are some intelligent reports that the U.S. is planning to intervene in the Syrian conflict through the military contingency such as protecting the no-fly-zone and protecting chemical and biological sites in case the Syrian forces in charge of these protection disperse. It is further unclear as to how the U.S. and other international parties could ensure the end to the Syrian violence. It is indicated that a military or economic resources could provide some decisive or prolong the confrontation by some actors to offer counter-support for the Assad government.  

There is a general consensus that the U.S should refrain from involving itself in the Syrian Conflict to avoid being engulfed in another conflict in the Middle East without any definitive time for its operations. However, there are several questions bothering on the exact goals of the U.S towards Syria whether to protect civilians or remove Assad’s government from power? Moreover, does the removal of Assad from power present a negotiated solution that preserve the elements of the current government be acceptable to the U.S? These questions also bother on the debate on those who embrace the so-called “responsibility to protect” and those who argue that such protection even though they may be admirable and desirable in some context, should not be generally accepted since there could be possible consequences of military intervention.
3.4 Examination of the R2P and UN Security Council in the Syrian Conflict

The intervention in the Syrian conflict by countries with different political interests in Syria has resulted in deadly consequences. The Security Council has also failed the people of Syria by failing to uphold and ensure its policy on Responsibility to Protect (R2P). All governments in the UN agreed in the UN World Summit in 2005 to commit themselves to uphold their “Responsibility to Protect” people against war crimes, genocide, ethnic cleansing and crimes against humanity\textsuperscript{30}. The approval of the Heads of States and Government was contained in the outcome of the document, which enshrines the primacy of the Security Council in situations where a State was clearly unwilling or unable to uphold its sovereign tasks.\textsuperscript{31} The R2P is basically a preventive doctrine and it was not until the Security Council referenced it in 2011 in the Libyan civil war where it approved coercive military intervention against a sovereign State that debates started concerning the otherwise disguised role of R2P. The relationship between R2P and a perceived “regime change” was debated fiercely at the UN after the overthrow of the Muammar Gadhafi government by forces mandated to protect the citizens.\textsuperscript{32}

This perception became evident when the Syrian Conflict emerged in March 2011 as a similar situation in Libya was already degenerating into a civil war. Some cynicisms arose among some Security Council members to suggestion that there needed to be an arms embargo and targeted sanctions upon the Syrian government when the Syrian conflict worsened and the military intervention debate increased.\textsuperscript{33} Non-permanent Council members including India, Brazil and South Africa suggested that “external interference” would rather push the country to a sectarian civil war. However, it was under the presidency of India’s Security Council that there was an evidence of the first formal statement on the conflict. The statement, which had required a
consensus for it to be adopted, condemned the increasing human rights violence and the use of force against civilians by the Syrian officials. The presidential statement called for the immediate end to all the violence. The statement urged all the forces to desist from retaliations, as well as attacks against state institutions. It further acknowledged the announced commitments by the Syrian authorities to reform and reaffirmed the Security Council’s commitment to the sovereignty, independence and territorial integrity of Syria.\textsuperscript{34}

Distant from the Security Council’s chamber, a high-level delegation from India, Brazil, South Africa (IBSA) also visited Damascus and met with President Assad and Walid Al-Moualem, the Minister of Foreign Affairs. Press releases expressed how the IBSA representatives had raised worries over the violence and called for the Assad government to concede and that “some mistakes had been made by the security forces in the initial stages of the unrest and that efforts were underway to prevent their recurrence.”\textsuperscript{35}

It was a misguided ambition when there was a belief that the nine countries that voted for the draft Syria resolution were only preparing a means for a NATO-led military intervention in Syria. However, the absence of the three emerging countries showed an unsettling lack of agreement in the Security Council on the aftermath of the Arab Spring and the Libya intervention, to respond to deadly internal violence appropriately. The UNSC was divided between the majority who wanted a strong response in acknowledging R2P and a veto-considering minority who thought otherwise in the wake of atrocities. On the other hand, the influential IBSA states acted to be withdrawing from the process of getting a solution both factually and symbolically.\textsuperscript{36}
According to Adams, by 2012, both China and Russia had vetoed a second draft solution whilst the remaining thirteen Security Council members including India and South Africa were clearly in favour of international diplomacy and multilateral sanctions specifically towards ending the several violent acts against humanity in Syria.\textsuperscript{37} It is noted that despite the division over Syria by Security Council member states, all individual states and regional organisations organized some actions to uphold their responsibility to protect. For instance, the EU, Turkey and the Arab League as well as other countries condemned the Syrian government for its violence and thereby isolated the regime diplomatically. At least after a year of the conflict, approximately 49 states had imposed bilateral targeted sanctions on Syria whilst others made the frantic effort of closing their respective embassies at Syria.\textsuperscript{38}

Some parts of the UN system also took stances to condemn the mass atrocities in Syria. For instance, the Human Rights Council in Geneva passed thirteen resolutions to condemn the mass atrocities in Syria between 2011 and 2014. The Council further established an independent Commission of Inquiry to document deadly violence of human rights in Syria. In addition to these actions, the General Assembly passed seven resolutions to further denounce the Syrian atrocities, including a February 2012 resolution which drew support from 137 states in the 193-member assembly. As the number of abstentions wavered, no more than thirteen states voted against any General Assembly resolution condemning atrocities in Syria. Moreover, the Secretary-General and his Special Advisors for the Prevention of Genocide and the Responsibility to Protect also released a variety of statements to also condemn the mass atrocities in Syria and called for absolute civilian protection. Also beyond Syria, the R2P was invoked by the Security Council in other situations that posed some risks to global peace and security.\textsuperscript{39}
It is however uncertain what consequences would have followed had the Security Council been unanimous in approving coercive intervention in the wake of the Syrian conflict. It is believed that the lack of accountability at each point of the conflict fuelled the extreme forms of deadly violent attacks as well as the failure of the Security Council to strengthen the efforts that had been made by the former UN Secretary General to broker peace and negotiate an end to the conflict.\textsuperscript{40}

### 3.5 Assessment of actions taken by the Government of Syria to protect its citizens

When similar incidents occurred in other dictatorial regimes of Tunisia and Egypt as well as Libya, only a few observers expected it to happen to Syria. Syrians appeared to support their President and his government despite bearing with over 40 years of dictatorial rule and facing similar economic and social challenges. However, when protests began in Syria there was a call on Assad to reform rather than resign. This call yielded no significant results and as such any faith vested in Assad diminished as the regime’s security forces responded to demonstrations with live fire resulting in various deadly clashes killing hundreds of people.\textsuperscript{41}

Syria is currently faced with an armed conflict between forces of President Bashar al-Assad and rebels who oppose his regime. Several killings have been reported since the conflict began in March 2011; some reports like the Strategic Research and Communication Centre, a research organization on Syria, reports that between 17,000 and 18,000 Syrians have been killed. The Assad government stated initially that protesters were being led by criminal armed gangs with the aim of erupting sectarian divisions within the country’s heterogeneous population. However, only the
Alawite sect were perpetrating the attacks and causing violence whilst innocent protestors remained peaceful and calm.\textsuperscript{42}

There had been several calls for permanent ceasefire to these atrocities, but the Assad government did not present any substantive reforms such as pairing limited reforms gestures to meet protests. The Assad government rather resorted to armed attacks with significant military force which caused the other oppositions to respond to the attack. Apart from armed opposition attacks, there were some unarmed protests which yielded no results. The death tolls of civilians continued to increase and as such it resulted in Syrian civilians taking arms as a form of self-defence.\textsuperscript{43} One major trigger of the conflict was the Assad government’s violent reaction to the first protests that led to the killings of over 850 civilians where the President enjoyed adequate personal support that could have helped in rescuing the situation.

The President gave a special speech after the first killings before Parliament in 2011. The President however failed to acknowledge the situation at hand by not proposing any kind of reform nor apologies to the people. Other speeches made by the President on subsequent occasions were not inspiring enough to bring some assurance to the people of Syria. In the wake of all these, the government forces continued to attack the increasing number of protesters across the country. This resulted in the occurrence of a snowball effect or simply reverse/revenge killings in the Syrian conflict.\textsuperscript{44}

Until 2012, the Syrian government had not used helicopters as part of their attacks, however, the number of helicopter attacks dramatically begun during June 2012 totalling approximately 70 in
July. Fixed wing aircraft were then reported to have been used for the first time on the 24th of July and by August, the government conducted more than 110 air strikes against the opposition. Amidst these air strikes civilians who were mostly found in residential areas harbouring armed opposition were strike in the attacks. Places like schools, bakeries and clinics were thus attacked and by mid-2012, the attacks against vulnerable civilians formed a significant part of armed hostilities in Syria. It is unfortunate that the actions of both the Assad regime and the rebel forces have plunged innocent civilians into despair and misery. It is reported that it will take approximately thirty years for the economy of Syria to be revived. Civilians offering assistance at medical facilities in Syria become unlawful targets of the ongoing conflict. It is estimated that almost sixty percent of hospitals and thirty eight percent of primary health clinics in Syria have been damaged. Adams has reiterated that because of the “veritable collapse of preventive health initiatives, childhood diseases, including polio, which were formally eradicated across Syria by 1995, have also made a devastating resurgence.”

In fact, it is believed by some people that the Syrian regime is the key party committing widespread atrocities and killings tantamount to war crimes and crimes against humanity. Mostly, the media gives high precedence to the killings of Islamic State of Iraq and the Levant (ISIL) and neglect the various crimes being perpetrated by the government forces. The Assad government also puts blames on Al Qaeda and other terrorists whilst remaining as the main culprit. It can be identified that both the rebels and the Assad regime did not have the civilians at heart as the deaths of more than 162,000 people could have been averted. The Syrian conflict presents a vivid situation of how governments or leaders could be inhuman due to the selfish need of improving their state-centric interest or the desire to stay or cling to power at the expense of their citizens.
3.6 Conclusion

The R2P indicates that the permanent members of the Security Council have the responsibility to avoid a veto at the time when the world is facing war crimes, crimes against humanity, ethnic cleansing and genocide. It can be concluded now that with or without reforms, the Security Council has the responsibility to take the necessary measures that will be aimed at ending the Syrian Conflict. It remains complex and fraught with political danger with issues that relate to humanitarian access, negotiation of political solution as well as the need to end the atrocities. However, the Security Council will be remembered for its unfortunate failure to resolve any of these atrocities if the best strategies are not successfully implemented after five years of conflict. It must be noted that there is no easy available solution to this conflict. However, this does not imply that the UNSC has to choose between either inaction or invasion to solve the atrocities.
Endnotes

2 Ibid.
6 Ibid.
8 Ibid.
10 Ibid.
11 Ibid.
12 Reuters (2013a) Assad says Syria has received Russian missile shipment: reports. Available at: http://www.reuters.com/article/2013/05/30/us-syria-russia-missiles-idUSBRE94T05S20130530 (accessed 20 May 2016)
16 Ibid.
17 CRS Report R41368, Turkey: Background and U.S. Relations, by Jim Zanotti.
26 Ibid.
27 Ibid.
28 Ibid.
29 Ibid.
33 Ibid
36 Ibid
41 Philips, C. (2014). Syria’s Bloody Arab Spring. FINAL_LSE_IDEAS__SyriasBloodyArabSpring_Phillip
42 Ibid.
43 Ibid.
44 Ibid.
47 Ibid.
49 SNHR report (2016). The main Parties who are killing civilians in Syria.
CHAPTER FOUR
SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

4.0 Introduction

This chapter forms the concluding part of the entire study as it summarises the findings gathered and concludes on them in accordance with the research objectives. The chapter will then present some recommendations for policy consideration.

4.1 Summary of Findings

- The study focused on assessing the Syrian conflict coupled with the influence of the USA and Russia. It further aimed at assessing the utilisation of the R2P in the Syrian conflict. Specifically, it sought to investigate the systematic actions and inactions of USA and Russia that has contributed to the Syrian crisis and also critically analyse the effect of UNSC’s approach on the current state of the Syrian conflict. Finally, it sought to assess the effectiveness of the actions taken by the Government of Syria in fulfilling its primary responsibility to protect its citizenry.

- The study has revealed that the Syrian conflict began in March 2011 in the wake of the “Arab Spring” where most Arab governments experienced some agitations and demonstrations from civilians. Significantly, several demonstrations in Syria erupted on the back of toppling of the governments of Tunisia and Egypt as well as the short lived civil war of Libya. It began with some protests in the Southern city of Daraa after the arrest of some teenagers who painted revolutionary slogans on a wall of a school. The protests
were thus centred on the removal of corrupt government officials, legalisation of political parties and the abolishment of the restrictive emergency law that allowed arrest without charge.

- These protests were mainly peaceful until government security forces opened fire on protesters thereby killing about 850 people and injuring others. This unrest intensified and the call for the resignation of the Assad government began with the opposition forces eventually taking up arms as a form of self-defence. These events have gradually escalated into the current war that Syria finds itself where several people including women and children have been killed and displaced over the five years of the civil war.

- Findings from the research revealed that the Syrian conflict was highly influenced by super power states like the USA and Russia. Other countries that have some influence on the conflict include Turkey, Iran, Israel, China and Saudi Arabia. However, the most significant amongst them are the USA and Russia. USA and Russia have remained rival power houses in the Syrian war. For instance, Russia vehemently opposed any form of foreign military intervention in the Syrian conflict where they claimed that an apparent intervention could result in the repetition of the 2011 operation against Colonel Gadhafi in Libya where a false humanitarian intervention act ended in a regime change. It is noted that both Russia and China have some respective influence on Syria politically and economically.
With several sanctions on Syria, the USA together with the EU on the other hand wanted a ceasefire after there were reports of the use of chemical weapons by Syria. The USA has not been able to offer any form of direct lethal assistance to the opposing forces due to the fear of aggravating the entire situation. The actions of the USA centred on brokering peace through a unifying opposition by taking actions such as the deployment of Patriotic Missile Batteries to the U.S. Military personnel to support the defence of Border States such as Turkey and Jordan.

In the case of the utilisation of the R2P, findings have indicated that the UNSC have failed the people of Syria by failing to uphold its basic function of making sure that its policy on R2P is endorsed. It was a general consensus at the UN World Summit in 2005 to guard people against war crimes against humanity. In the wake of the Syrian conflict, there was a debate on the need for a ban on arms embargo and targeted sanctions on the Syrian government when the situation worsened and the military intervention increased. Some suggestions were made by countries like India, South Africa and Brazil to enforce international diplomacy and multilateral sanctions to end the civil war. Despite several efforts to cease fire, the Security Council failed to effectively broker peace and negotiate an end to the conflict.

The study has further revealed that there have not been any frantic efforts by the Assad regime to effectively protect its citizenry. Several people are being killed and displaced as a result of attacks from both the opposition forces and the Assad government. The President and his officials have done little to protect civilians during the war. Several health facilities
have been destroyed, people are being displaced, children and women are dying in the wake of the conflict with no form of reform or intentions by the government to broker peace or protect its citizens.

4.2 Conclusion

The study has been able to achieve its objectives. It can therefore be concluded that there were several actions and inactions of both Russia and USA in the Syrian conflict. In the case of Russia, it remained a solid ally to the Assad regime by opposing any international military intervention in Syria. This is because Russia fear that any intervention by the international community could trigger a similar situation that occurred in Libya which could be used against it (Russia) as a failure on its part to respond to such situations. Specifically, Russia’s interest is believed to lie in the government of Syria regardless of its leadership.

The main interest of Russia is to preserve the influence it has on Syria’s regime. However, as much as Russia is resisting any form of punitive action against Syrian government, it is playing a more active role in mediating talks between the Assad government and the opposition forces. In the case of the USA, regardless of the long history it has with Syria in the area of terrorism, it is concentrated on brokering peace by calling for the government to step down. The USA continues to impose sanctions on Syria and adopting both unilateral and multilateral policies to control violence and ensure the removal of the Assad regime whilst making sure that there is a transition of the regime to a more democratic regime basically because of Assad’s violent attacks in the conflict. However, all efforts by the USA to ensure this course have proved futile due to the actions of Russia and China to oppose such moves. The USA has also provided some humanitarian support
to the UN agencies in Syria and the Syrian people as well as neighbouring cities whilst providing some limited, non-lethal assistance to the Syrian Opposition Coalition which had been formed among others. The opposition forces of Syria are also being helped by the USA to end the violence.

Considering the approach of the UNSC on the current state of the Syrian Conflict, it has been established that the Security Council failed to effectively broker peace and negotiate an end to the conflict. This is basically due to lack of a unified consensus among member states as there was a division among the majority who wanted a strong response in acknowledging R2P and a veto-considering minority who thought otherwise in the wake of atrocities, while the influential IBSA states acted to be withdrawing from the process of getting a solution both factually and symbolically. Some members imposed sanctions on Syria and the General Assembly also passed seven resolutions to denounce Syria and condemn the atrocities. Additionally, R2P was invoked by the UNSC in other situations that posed some risks to world peace and security. These included for example in Kenya when former Secretary-General Kofi Annan, with the assistance of the African Union (AU) and UN, stemmed the genocidal violence through a diplomatic mediation effort. The Security Council however failed to broker peace and negotiate an end to the conflict.

Finally, the study revealed that the Syrian government has been self-centred and only focused on maintaining power rather than protect its citizenry. The Assad government has not provided any policy or reform to ensure the safety of the Syrian people as mass killings and violence continue to displace people including women and children. The Syrian government continues to use arms on opposition forces thereby resulting in the casualties of several innocent lives. Opposition forces are being targeted at places like bakeries, hospitals and schools where innocent civilians are found.
Due to the collapse of health facilities and the collapse of preventive health initiatives across the country, childhood diseases which were hitherto eradicated have sprung up. The Syrian regime is therefore considered as the main perpetrators of widespread killings and atrocities. Looking at the situation at hand, it is difficult to predict when the Syrian conflict will end as both the opposition forces and the government forces have no intentions of ceasing fire as both sides are fighting to gain power. This is because, just like Saddam Hussein did, President Assad is holding on to the chagrin of the Gulf leaders and the Western as he (Assad) believes that his regime could contain the opposition forces and browbeat its people back to submission. Meanwhile, it is unclear if opposition forces would also surrender.

4.3 Recommendations Based on Findings

After achieving the research objectives, the study recommends the following for policy consideration:

- Since the Security Council failed to stop the violence in Syria, the Council must provide safe zones for the people of Syria where civilians can resort to, in order to feel protected from the daily shelling, shooting, and massacres.

- The Security Council must put pressure on the Assad regime and its allies like Russia, Iran and Lebanon’s Hezbollah mercenaries to stop equipping it with arms and military supplies after its confirmed involvement in crimes against humanity and war crimes. A further condemnation on the sides that provides weaponry must be made through the passing of a resolution.
➢ Just like those that occur in most African countries, the Syrian case must be taken to the International Criminal Court and all the perpetrators to the violence and crimes against humanity must be brought to book.

➢ With or without reforms, the Security Council must be effective in brokering peace in Syria to end the atrocities as it has the obligation, being the custodian of ensuring international peace and security, to protect and end the war. The council could resort to issues relating to humanitarian access and negotiating a political solution.

➢ Finally, more humanitarian aid must be expanded to residential population and those internally displaced, especially in the areas controlled by the rebels. This should also include the step up of the support given to the United Nations High Commissioner for Refugees (UNHCR) to improve its humanitarian efforts.
BIBLIOGRAPHY

A. Books


B. Journal Articles

Bellamy, Alex J. "Libya and the responsibility to protect: The exception and the norm." Ethics & International Affairs 25.03 (2011): 263-269.

Bellamy, Alex J. "The responsibility to protect—five years on." Ethics & International Affairs 24.2 (2010): 143-169.


Evans, Gareth. "The responsibility to protect: an idea whose time has come... and gone?." International Relations 22.3 (2008): 283-298.


### C. Documents/Reports/Papers


Kolb, Andreas S. "The responsibility to protect (R2P) and the responsibility while protecting (RwP): friends or foes." GGI Analysis Paper 6 (2012): 2012.


SNHR report (2016). The main Parties who are killing civilians in Syria.


(UN 2005)
Zanotti, Jim., CRS Report R41368, Turkey: Background and U.S. Relations.

D. Internet Sources


Reuters (2013a) Assad says Syria has received Russian missile shipment: reports. Available at: http://www. reuters.com/article/2013/05/30/us-syria-russia-missiles-idUSBRE94T05S20130530 (accessed 20 May 2016)


E. Online News/Newspapers/Magazines


F. Videos
