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THE UNITED NATIONS: THE SYRIAN REFUGEE CRISIS

by

ZAHRA R. SYED

A thesis submitted in partial fulfillment of the requirements
for the Honors in the Major Program in Political Science
in the College of Sciences
and in The Burnett Honors College
at the University of Central Florida
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Thesis Chair: Dr. Houman A. Sadri

ABSTRACT

The main objective of this research paper is to analyze the international effects the Syrian Conflict has had to the global community. The United Nations High Commissioner for Refugees has declared this conflict to be the worst humanitarian crisis of our time. Millions of Syrians have fled their home country to avoid unjust persecution and are looking to not only neighboring countries, but the European Union for assistance in resettlement.

Since the outbreak of the conflict in Syria in 2011, more than 220,000 people have been massacred, leaving fifty percent of the population in unrest due to home displacement.

According to Amnesty International, apart from the twelve million Syrians who are in dire need of humanitarian assistance inside the country, there are about four million refugees fleeing to countries such as Turkey, Jordan, Lebanon, Egypt, and Iraq. These five countries are unable to maintain the capacity of refugees that are desperate to pour in from Syria. Further gulf countries such as Qatar, United Arab Emirates, and Saudi Arabia have refused to offer any resettlement venues for these migrants. Therefore, a plethora of European Union countries have received many asylum applications over the course of four years. Germany and Sweden have pledged resettlement locations for these refugees however relying on these two countries is not enough.

This paper provides a historical background of the civil war in Syria, along with what the United Nations has done thus far to end the conflict. It will also analyze similar refugee situations in other countries in the region and compare it that in Syria. Finally, it will provide possible solutions of how the Refugee Agency, Human Rights Council, and Security Council can operate as a whole to distinguish this horrifying hostility in the region.

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INTRODUCTION

The Three U.N Organizations

The three bodies of the United Nations known as the Refugee Agency (UNHCR), Human Rights Council (HRC), and the Security Council, together would allow for a resolution in Syria. Each agency has the ability to present and implement certain assistance programs that would allow refugees to seek safety away from their oppressed regime. Without international aid providing basic human necessities such as food, water, and shelter, thousands of Syrians will continue to die. While the HRC and UNHCR are able to accommodate refugee camps that will allow Syrians access to these necessities, the Security Council needs to utilize the true power it has to assist in bringing the Assad regime to justice. After proper procedures have been put in place to relieve these individuals, reconstruction of Syria and its actual government must be accomplished in order for citizens to continue to live in this country.

There is a strong correlation of how these United Nations entities can assist the refugees. The United Nations has the ability to create dialogue between its members regarding international affairs. When the United Nations holds sessions, member states work together to create potential resolutions for ongoing conflicts. This procedure allows for creative minds to hopefully create multiple solutions to the conflicts discussed at hand. The assistance of international aid will have a positive impact on the refugees that are seeking safety. Without such assistance, they are relying on neighboring countries such as Turkey and Jordan to openly house them. Because of this, these two countries have been extremely burdened, both economically and socially, to hold the influx of refugees trying to enter their respective countries.

The Conflict

For a substantial period of time, the country of Syria lived in peace. Despite the harsh punishments and living conditions, most Syrians lived in harmony with each other. However, we learn that the Syrian government only gives the illusion that it is providing security for its people. While Syrians in recent years have suffered through true corruption, those who wish to rise against the regime in hopes of change, have coined the term as the “opposition,” better known as the “rebels” to the government.¹

Numerous organizations and journalists have taken extreme interest in Syria. In their literature, we learn about the behavior between the Assad regime and his people, a number of human rights investigations, and certain biasedness between U.N members and the Syrian government. There are many things the United Nations has attempted to do in order to resolve this crisis, however, they have proved unsuccessful.

Now in its fifth year of armed conflict, Syria represents one of the most complicated challenges as it induces a refugee crisis that puts the United States and its allies in collision with other actors. What initially started out as a civil war, became a worldly conflict when a mix of alliances between the Middle East, Russia, and the Western powers held against the ongoing tensions in Syria. Though the United Nations made Syria a top priority, conflict within the Security Council have prohibited any action to actually be implemented.

As rebels continued to demand Assad’s departure, the government used armed forces to repress such protests, which quickly escalated fighting. A jihadist group, the Islamic State of Iraq and Syria (ISIS), saw this situation as an advantage and appealed to the opposition to use

¹ Erlich, Reese W. *Inside Syria: The Backstory of Their Civil War and What the World Can Expect*. New York: Prometheus, 2014. Print.

violence against those they saw fit, and encouraged to bring back the idea of a caliphate system in the region. Public executions of outside rebel groups, and foreigners began to greatly afflict the region, leading to U.S air strikes against the organization. Russia also presented itself as being one of Syria's main ally. Apart from the military base outside of what used to be the Soviet Union, Russia has one placed in Syria. Due to such a relationship, Russia has interest in keeping Assad in power to maintain its influence in the region. Russia initiated bombing missions in Syria targeting ISIS, however the United States believes the true targets are the opposition forces. The world is now focused on U.S-Russian military tensions as they are both involved in the armed conflict in Syria.

The Impact on the International Community

In order to fully understand the magnitude of changes these UN organizations need to make, we must look at numerous countries and other international organizations, such as the European Union, that have had a huge impact on this crisis. Turkey is a key player involved in the Syrian conflict. The EU has pressured Turkish President Erdogan to maintain the deal they have struck regarding the refugees that are migrating their way to Turkey. Not only did the EU promise Turkey six billion euros in migrant aid, but further advancement on talks regarding their membership into the EU, and visa-free traveling to and from Europe for Turkish citizens.

The EU believes that, "Erdogan hasn't scaled back tough anti-terrorism legislation,"² which is why the organization has yet to fulfill its promises. In response to this, Turkey has threatened the EU to deliver on its terms by October 2016 or else it will terminate the migration agreement it has made. However, European leaders are in no hurry to bow to such demands

² Wishart, Ian, and Radoslav Tomek. "EU Pressures Erdogan on Human Rights, Turkey's Role in Syria." *Bloomberg*. Bloomberg L.P., 2 Sept. 2016. Web. 3 Sept. 2016.

because of recent actions Erdogan has taken in Syria. On August 24, 2016, Turkey initiated its largest military operation in Syria that was aimed to steer ISIS militants away from the Turkish border and diminish any future advances by Syrian Kurds that are aligned with the Turkish separatists. President Hollande of France, "...expressed concern about Turkey's military intervention in Syria because it is aimed at both Islamic State and Kurdish forces that are fighting IS."³ Because the EU wants to ensure there is no long-term military conflict in Syria, this behavior was alarming. It is essential to get Turkey to comply with agreements that have been made with organizations.

Similar to Turkey, Russia has constantly involved itself with Syria. Both Russia and China have prevented, "...formal condemnation of the Syrian regime, any outside military intervention, or any sanctions against it."⁴ Russia's reasoning for its stance on Assad has to do with the importance of Syria to Moscow. The relationship between the two countries traces back to when diplomatic relations were first established in July 1944 with the Soviet Union. The Soviets supported the withdrawal of French troops from Syria, thus creating an independent state. Shortly after, they signed *Treaty of Friendship and Cooperation* provided constant consultations on issues, and responses during crises. This treaty remains in effect today and maintains a very close relationship between the two states. Russia's naval facility located in Syria is the only Russian facility in the Mediterranean region, as well as the only one outside of Russia. Russia pardoned \$9.8 billion of Syria's debt that was owed since the Soviet era, and quickly became the country's leading arms supplier. Because of this, Syria has allowed Russia to

³ Ibid.

⁴ Trenin, Dmitri. "Why Russia Supports Assad." *New York Times*. The New York Times Company, 9 Feb. 2012. Web. 3 Sept. 2016.

advance the naval base located in it's country so that the Russian naval presence in the region is further strengthened. President Assad allowed Russia to convert its base to allow for larger vessels to access the port, making it the permanent Middle Eastern base for Russian warships.

Clearly, Russia's deep interest in Syria is strategic based on the position of it's naval base. It also maintains major economic interests as well, as arms investments in Syria are valued over \$1.5 billion, making Syria, Moscow's seventh-largest client.⁵ With that being said, Russia understands the the U.S and other powers would want to militarily intervene in Syria if they were guaranteed zero losses. However, the Russians believe that assisting the Free Syrian Army is not substantial enough to defeat government forces, and instead will cause an even greater war between Syria and the Arab states. Russia suspects that the West is pressuring Assad in order to the rid the ally he has in Iran.

In addition to this competition with the West, Russia wants to maintain it's strategic interest in the Middle East to show the West, and the rest of the world that it is still one of the most powerful countries in the world. The Western support for Ukraine's leader, Viktor Yanukovich, who was a Russian supporter, caused Russia to annex Crimea in order to provide support for pro-Russia rebels in Eastern Ukraine. Due to Western sanctions in Ukraine, Russia is currently facing an economic crisis. According to the International Monetary Fund, low oil prices caused the economy to shrink by 3.7% in 2015, "...making it one of the 10 worst-performing emerging markets in the world."⁶ The Syrian civil war poses as a distraction of the

⁵ Ibid.

⁶ Chance, Matthew. "What Does Russia Want in Syria? 5 Reasons Putin Backs Assad." *CNN*. Cable News Network, 8 Feb. 2016. Web. 7 Sept. 2016.

economic pain Russia is currently facing and will boost not only support for the country, but overall national pride.

The Gulf States, especially Qatar and Saudi Arabia, are beginning to heavily influence the region. Russia feels that since Saudi Arabia is a rival of Iran, this growing tension may provoke Israel to strike Iran, thus creating another war within the region. Though Russian fears may be justified, delivering arms into Syria despite the civil war is detrimental to its survival.⁷ Distressed regions are susceptible to terrorist organizations taking control of the area. Key Gulf States have been suspected of aiding ISIS, which creates uncertainty for UN bodies attempting to work with them to create a resolution for Syria.

Saudi Arabia, a predominately Sunni state has participated in the US-led military coalition against ISIS targets located in Syria. It has shown support for Syrian rebel groups by providing training bases for the moderate rebel forces. Several Saudis have been known to have donated to certain groups that have fought in Syria, however the kingdom has rejected accusations from Iran that these donations were to ISIS militants. Instead, they expressed their concerns that ISIS will actually influence jihadists in Saudi Arabia to attempt to overthrow the current monarchy. Along with Saudi Arabia, Bahrain and Qatar have also fallen into suspicion of supporting IS in Syria. Though both countries cooperated with the military action organized by the U.S, they have been accused by Iraq's Shia government that financial aid was sent to Islamist groups in Syria. Instead, Qatar states that money and weapons were donated to Syria to help them fight off the jihadist group.⁸ In response to the growing terrorism within the Arab states, a

⁷ Trenin, Dmitri. "Why Russia Supports Assad." *New York Times*. The New York Times Company, 9 Feb. 2012. Web. 3 Sept. 2016.

⁸ "Islamic State: Where Key Countries Stand." *BBC News*. British Broadcasting Corporation, 3

communique was signed by Saudi Arabia, Qatar, Bahrain, Iraq, Oman, Kuwait, and Egypt. The communique stated that each state, “shared commitment to stand united against the threat posed by all terrorism,” and that they would provide both military and humanitarian aid to stop the “flow of funds” to IS.⁹

This ongoing humanitarian crisis has set the record for the largest number of refugees in the Middle Eastern region since World War II. Jordan, Lebanon, and Turkey have taken the immediate burden on themselves to host about four million refugees thus far, which raises the question of what other countries are willing to do. Though the United States has granted asylum to about 1,500 Syrians, most countries are still pressuring the U.S to do more. Currently, the United States annually welcomes approximately 70,000 refugees through its resettlement program. The international community needs to look to the United States as an example of how to deal with such crises, and with the help of the United Nations, at least attempt to implement similar procedures in order for the conflict in Syria to end.

A simple overview of major key actors involved in the Syrian conflict are outlined in the table below:

Country	Backing	Opposing	Actions taken
Iran	-Assad regime	-Free Syrian Army -ISIS -Sunni extremists	-Provided military support to Assad since start of civil war in 2011

Dec. 2015. Web. 3 Sept. 2016.

⁹ “Islamic State: Where Key Countries Stand.” *BBC News*. British Broadcasting Corporation, 3 Dec. 2015. Web. 3 Sept. 2016.

Turkey	-U.S coalition -Syrian rebel orces	-Assad regime -ISIS	-Allows U.S to use their air bases -Accepts Syrian refugees -Provided Free Syrian Army supplies and fighters
Saudi Arabia	-Few Syrian rebel forces	-Assad regime	-Funds Syrian rebels -Participated in U.S led air strikes against ISIS
Qatar	-Few Syrian rebel forces	-Assad regime	-Funds/trains Syrian rebels -Supports U.S led air strikes
France	-Moderate Syrian rebel forces	-Assad regime -ISIS	-Part of U.S led coalition -Conducted in air strikes
United Kingdom	-Moderate Syrian rebel forces	-Assad regime -ISIS	-Part of U.S led coalition -British pilots participated in air strikes
United States	-Free Syrian Army -Moderate Syrian rebel forces	-Assad -ISIS -Al-Qaeda	-Strikes using drones against ISIS -Trains and funds Syrian rebels -Creates coalitions with other states to strike
Russia	-Assad regime	-ISIS -Possibly Syrian rebel forces	-Long time ally of Syria -Has military base in Syria -Supplies weapons to Assad's forces -Launched air strikes against rebels

Table 1: Major Actors in the Syrian Conflict

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

About the UNHCR

Survival is the innate instinct every single organism on this planet possesses. When our lives are in danger, we resort to drastic measures to ensure that we are able to sustain ourselves. This judgment applies to refugees as well. Refugees are those who have been abruptly displaced by a variety of factors. Such include, but are not limited to, natural disasters, lack of food, water or shelter, and the most recent, traumatizing regimes. For over sixty years, the United Nations High Commissioner for Refugees (UNHCR), also known as the “Refugee Agency,” has been working with the United Nations General Assembly to mandate solutions for refugees resulting from all types of unfortunate circumstances. This body’s work has been dedicated to focusing on three human goals that connect the whole world together—saving lives, restoring hopes, and helping people.¹⁰

The UNHCR traces back to the 1956 Hungarian uprisings up until today’s post-cold war conflicts. It quickly responds to emergencies by providing immediate life-saving relief to people across the world. After providing essential needs of the refugees, this agency provides protection and assistance to those who are suffering from their home countries. Not only is this the agency’s longest process, but it is also the most demanding. This committee speaks for the people by reaching out to their home governments on what activities and solutions they can provide for their citizens. They remind governments that it is their country’s responsibility for the overall protection of what happens to their citizen’s within it’s borders. Apart from trying to reason with

¹⁰ “Refugees.” *UNHCR News*. United Nations High Commissioner for Refugees, 2015. Web. 13 Dec. 2015.

home governments, the Refugee Agency mediates with asylum-seekers and those facing possible deportation. By playing a prominent stance in monitoring borders, and offering training facilities for border police and immigration officials, refugees can feel somewhat safer than they previously were. UNHCR helps governments determine who has refugee agency and promotes a healthy environment for those individuals by protecting them from violence and oppression. The final solution to most uprooting problems is to essentially settle down and acquire security. UNHCR's most important goal is to find a home for refugees so they can continue reshaping their lives. Whether this means going back to their original home countries, or to start brand new in a host country, this agency helps thousands of refugees find their path every year.¹¹

The Refugee Crisis

The beginning of the 21st century has proven to be the toughest one for the United Nations as a whole. With the emergency of multiple uprisings, especially in the Middle East, the U.N has had to face many difficult tasks when called to control these situations. One of the most recent issues that the UN has continued to struggle with is the Syrian conflict and the refugee crisis it has brought. Since 2011, over 250,000 Syrians have died due to armed anti-government protests that have led to a complete civil war, "It was a year in which millions of people of all ages and backgrounds flooded on the streets to demand change."¹² At first, Syrian president, Bashar Al-Assad, who's family has been ruling for over forty years, obliged by agreeing to a number of reforms. Such reforms included the lift of a forty-eight year national state of emergency and the abolishment of the Supreme State Security Court that jailed those who spoke

¹¹ Ibid.

¹² "Amnesty International." *Middle East and North Africa*. Amnesty International, 9 Jan. 2012. Web. 13 Dec. 2015.

against the government. He also proceeded to allow demonstrations for a peaceful nature which motivated many; However, "...the legislative changes...fell far short of the protesters' demands and so protests continued."¹³

The Syrian Conflict lead off in March 2011 after a handful of teenagers were tortured for their pro-democracy, revolutionary remarks painted on a school wall. The punishment these teenagers faced sparked complete unrest as more protestors emerged pushing for the resignation of Assad. The government proceeded to resort to violence to crush these protestors, killing hundreds of thousands which lead to these opposition supporters being forced to use arms to not only defend themselves, but to remove security forces that were installed in their home towns. The violence quickly intensive into a civil war between the rebels and the government for control of their own cities. Security forces used, "...excessive...lethal force" and "...deployed snipers to shoot into peaceful crowds...in residential areas."¹⁴ In just under a year, the fighting escalated to the capital of the country, Damascus, leaving five thousand people dead, of those, were two hundred children.

This issue between the opposition and Assad's government is now more than a battle of power, it is the country's Sunni majority against the president's Shia Alawite sect. The emergence of the violent jihadist group, the Islamic State of Iraq and Syria (ISIS) has now stretched from Syria, and into neighboring countries. This extremist organization was born out of al-Qaeda that roots in Iraq, which then quickly took control parts of Syria and Iraq. Members of ISIS believe they are partaking in a "war within a war."¹⁵ The United States led a coalition of air

¹³ "Year of Rebellion." *Amnesty International*. London: Amnesty International, 2012. Print.

¹⁴ "Year of Rebellion." *Amnesty International*. London: Amnesty International, 2012. Print.

¹⁵ Rodgers, Lucy, David Gritten, James Offer, and Patrick Asare. "Syria: The Story of Conflict."

strikes against Syria in order to destroy ISIS and have also backed opposition groups such as the National Coalition for Syrian Revolutionary Opposition Forces, the Syrian National Council, and the Free Syrian Army. These opposition organizations have made their main mission to, “...overthrow President al-Assad’s government.”¹⁶ However, these groups and other moderate groups similar to it, are not recognized by the country, thus leaving the Assad regime to continue its rule. According to United Nations activist, by June 2013, 90,000 people had died to the continuation of this fighting. These numbers quickly rose and have most recently been estimated at 400,000 Syrians dead.¹⁷

The use and possession of chemical weapons have also plagued the conflict in Syria. In August 2013, nerve sarin rockets were fired at agricultural districts near Damascus killing hundreds of people. The West blamed the Syrian government for resorting to such means to diminish the opposition, however the government denied such accusations by putting blame on the rebels. Feeling threatened by the possibility of American military intervention, President Assad agreed to the UN led mission known as the Organization for the Prohibition of Chemical Weapons (OPCW). The OPCW called for the complete destruction of Syria’s chemical weapons, but since then, the use of chlorine and ammonia have reported to have been used by the government to attack rebel towns in 2014.¹⁸

Neighboring and foreign countries have had different reactions to the entire conflict as a whole leading to what is known as a “proxy war” between the world powers and other major

British Broadcasting Corporation. 11 Mar. 2016. Web. 10 May 2016.

¹⁶ “Year of Rebellion.” *Amnesty International*. London: Amnesty International, 2012. Print.

¹⁷ “Nearly 93,00 People Killed in ‘vicious’ Syria Conflict.” *UN News Center*. United Nations, 13 June 2013. Web. 10 May. 2016.

¹⁸ “Nearly 93,00 People Killed in ‘vicious’ Syria Conflict.” *UN News Center*. United Nations, 13 June 2013. Web. 10 May. 2016.

countries. Iran and Russia have reiterated their support for Assad. Iran has spent billions of dollars reinforcing Assad by supplying a plethora of military advisors, weapons, and oil transfers. Meanwhile, Russia has allegedly launched air strikes against the opposition in the name of killing “all terrorists.” The opposition, on the other hand, has had immense support from Arab states including Turkey, Saudi Arabia, and Qatar, as well as Western countries, the United States, United Kingdom, and France. The European Union and the United States began to fully enforce sanctions including a ban on Syrian oil imports which contributed to a negative impact on the country’s economy.¹⁹ With the escalation of ISIS against the West, the opposition has unfortunately faced a small set-back of western assistance.

The combination of these issues in Syria have caused more than four million Syrians to flee for their lives. Turkey, Jordan, and Lebanon have had an influx of these refugees and have had a difficult time accommodating so many. Apart from the ones fleeing their country, about twelve million are displaced internally are in dire need of basic humanitarian assistance. In response to such tragedy, the UN started a campaign to raise about eight billion dollars to provide assistance to Syrians. Unfortunately, the campaign was only able to raise less than half the desired amount which has led the UN to publish a report on the economic loss Syria has faced since the beginning of the conflict. Evidence suggests that four out of five Syrians are currently living in extreme poverty, a direct link to the decline in Syrian education and health.²⁰

¹⁹ “Year of Rebellion.” *Amnesty International*. London: Amnesty International, 2012. Print.

²⁰ “Nearly 93,000 People Killed in ‘vicious’ Syria Conflict.” *UN News Center*. United Nations, 13 June 2013. Web. 10 May. 2016.

The International Community's Reaction

With the severity of this conflict in mind, the international community declared that the best way to end the hardship in Syria is for the Arab League and the United Nations to work together. The two powers have been unsuccessful in starting dialogue on how to end this conflict. Due to this, the Geneva II convention assembled by the UN in January 2014 called for the formation of an intermediate government in Syria. However, due to Syria's pivot on destroying the rebels, this agreement completely failed, "...the Syrian government blatantly failed to implement its commitments, including to stop...all acts of violence."²¹ The Arab League punished the country by creating its own economic sanctions, thus only further deteriorating its economy. Secretary General Ban Ki-moon and UN Special Envoy Staffan de Mistura then proposed the idea of composing "freeze zones," which would allow negotiations between rebels and the government in regard to a ceasefire. Due to the ongoing fear the rebels have of being betrayed by the government and ISIS, the rebels rejected this notion in 2015. Despite the reluctance the world superpowers are facing from Syria, "...it is incumbent on the international community to pursue all available diplomatic options."²²

The UNHCR has declared that the Syrian conflict has brought the largest refugee calamity ever known. The numbers continue to grow as hundreds of thousands continue to be displaced from their homes and are looking to flee to host countries, especially Turkey, Jordan, and Lebanon. These countries are under extreme economic, and demographic pressures to hold the influx of Syrians coming into their country. Refugees fleeing conflict areas are at risk of being harmed or arrested in the event they are caught. Those who are unable to flee their country

²¹ "Year of Rebellion." *Amnesty International*. London: Amnesty International, 2012. Print.

²² Hashemi, Nader, and Danny Postel. *The Syria Dilemma*. Cambridge: MIT, 2013. Print.

due to lack of financial support, documentation, and security, face higher risks of being killed. With this overflow of refugees in neighboring states, a number of asylum applications have been sent by Syrians to European countries. The amount of Syrians resorting to travelling by sea have increased from 2013 and will continue to increase. Syrian refugees are in dire need of international protection until the humanitarian rights in Syria have severely improved. Any persons that have fled this country should be allowed entry in a safe place where their basic human needs can be met. The international community needs to allow admission to Syrians seeking asylum regardless of whether they have the appropriate documentation is presented or not. Due to the armed conflict in the region, hesitation on accepting these refugees is justified. However, host countries would need to tighten their border control when accepting those seeking asylum in their country. Border personnel of these host states would need to be trained on how to investigate who is seeking refuge in their country. If hosts countries have the right to turn away those who may seem to be a threat to their country.

What the UNHCR Needs to Do

Proper procedures will need to be put in place by host countries when accepting refugees. The requirements for one to be considered a refugee are defined in Article 1 of the *Convention relating to the Status of Refugees*. Any individual who is fleeing his or her home state out of fear of being persecuted due to a social class, ethnic origin, religion, financial status, political party identification, is considered to be a refugee. The UNHCR has the ability to assist in composing a strict outline of which individuals should not be considered for asylum due to certain criteria. Any individual that is known to support ISIS or other armed militant organization, and any person known to be a participant of any acts of violence and destruction, would be deemed

ineligible for asylum. Such cases are to be examined to their full extent by the the host government, who again, have the right to turn away such refugees who may pose a threat to the welcoming country.

Though there is a possibility of refugees returning to their home country, the change of such a reunion is highly unlikely until the situation in Syria has settled. Thus, the forcible return of these refugees back to Syria would be suspended. The UNHCR needs to work with this region to create and provide multiple safe zones for refugees within the host countries. The countries would need funding assistance to be able to properly accept these individuals and ensure they have the basic necessities provided to them. An organization of the United Nations that has experience with such calamities, such as the Refugee Agency has the financial means and man power to assist in this region.

It is imperative that such actions be followed through with in a timely, yet immediate manner. This conflict has not resolved, nor has it shown any improvement since it's emergence, and thus, needs to be dealt with accordingly. "Given the current refugee situation and the clear potential for destabilization of neighboring countries..."²³ the international community needs to work together as a whole to ensure that Syria and it's neighboring countries do not perish. The UNHCR needs to work directly with the Security Council to work on possible immigration reforms to assist with the displaced individuals. Reformed immigration policies would not only provide refugees with safe havens, but would be economically beneficial to host countries. Once the refugees are provided with proper documentation, they would be able to join the workforce, which means allowing a boost to the host country's economy. Familial, student, and employment

²³ Hashemi, Nader, and Danny Postel. *The Syria Dilemma*. Cambridge: MIT, 2013. Print.

visas should be extended to ensure that refugees do not have to rely on the host government for all financial means for an extended period of time.

The Refugee Agency needs to also call for humanitarian aid from the European Union to ensure that living conditions of these refugees are great than what they are fleeing from. The agency has recorded a number of refugees fleeing to European states, and will need assistance of the EU to provide basic necessities, as well as assistance in funding for these projects. It is with this funding that the basic human needs of asylum seekers can be met. If UN member states keep all lines of communication open in finding permanent solutions to this issue, Syria will be pressured to comply with demands. Without cooperation from a substantial amount of countries, combating the injustice Syrians currently face will be impossible. “While basic international commitments to provide humanitarian assistance to Syrian refugees and internally displaced populations have been honored,”²⁴ in the past, a more extensive set of plans needs to be put in place to extinguish this conflict once and for all.

There is a clear need for the United Nations to intervene in Syria. With the UN however, the Arab League needs to take a prominent stance in the region. The UNHCR and the Arab League will have to directly reevaluate the situation together and provide superior solutions to this ongoing conflict. The Arab League has resorted to ousting Syria as a member of it’s league, and has invited the Syrian opposition to hold a seat. Though it is a step on showing how the Arab League does not approve of Assad’s behavior, it is not enough. Syria has the unspoken support of Russia, a relationship that will be discussed in detail in a later chapter.

²⁴ Ibid.

Overall, the UNHCR's duty is to assist the best it can with the refugee crisis part of the Syrian conflict. The agency needs to focus on opening safe routes for these refugees, who would then have the opportunity to apply for visas in their new homes. Amnesty International estimates that if nations do not begin to offer resettlement in their countries, the 1.45 million asylum seekers will be left completely homeless by the end of 2017.²⁵

Refugees have resorted to far too many means of escaping the terror they've faced in Syria. The Refugee Agency needs to put in place areas of access in relation to where these displaced individuals are coming from—either by land or sea. This would ensure that host countries are not put in a situation of complete chaos, and instead, with the help of the UNHCR, welcome refugees in an organized fashion. Refugees would then be able to safely cross borders prior to investigation for acceptance. In October 2013, "...almost 7,000 people drowned in the Mediterranean alone...trying to cross a border."²⁶ With this knowledge in mind, search and rescue missions in surrounding waters should be formed in the event refugees are facing such distress.

Refugees are coming from a tension filled home, and have faced unspeaking injustices. They are purely trying to seek resettlement in a place of safety, where their basic human needs are met. The UNHCR's actions will begin to provide temporary solutions to the larger issue at hand. The Refugee Agency proved in 1951 that it was able to produce a convention that created a "refugee system" that allowed for refugees to apply for asylum, be treated with respect, resettle,

²⁵ "Amnesty International." *8 Ways to Solve the World Refugee Crisis*. Amnesty International, 16 Sept. 2015. Web. 13 Dec. 2015.

²⁶ Ibid.

and have access to education and healthcare. If such actions can be implemented for refugees over sixty years ago, they can be done for the millions of Syrians suffering today.

HUMAN RIGHTS COUNCIL

About the HRC

The Human Rights Council (HRC) is a body within the United Nations that is in control of protecting populations across the globe. When human rights violations are introduced to the council, it reviews the situation and makes recommendations on how to put an end to the apparent atrocities. The HRC meets at the UN office in Geneva to discuss human rights affairs throughout the entire year. This council was first appointed by the UN General Assembly in 2006 and later created a guide to follow future procedures known as the *Institution-building Package*. This package brings all UN member states, the Advisory Committee, and UN Special Procedures together who work towards finding the best possible solutions for ongoing situations. The HRC also implements a “Complaint Procedure” that allows possible human rights violations to be brought to the attention of the council.²⁷

Human rights are rights that are inherent to all human beings, no matter what their race, gender, ethnicity, religion, or social status. These rights are based on the fundamental expectation that everyone is to be treated with dignity and respect. An infringement upon these rights are considered to be a complete injustice. The United Nations Commission of Inquiry has been investigating human rights violations since the very beginning of Syria’s civil war. There is enormous evidence suggesting that both the opposition and Syrian government have committed war crimes that have resulted in more than just rape, murder, and, “...numerous forms of

²⁷ “Office of the High Commissioner for Human Rights.” United Nations Foundation. *United Nations Foundation*. United Nations, 2012. Web. 1 June 2016.

torture.”²⁸ Such torture includes physical beatings, electric shock, and burning of body parts, often against innocent civilians.

Assad’s Human Rights Violations

The Syrian government has blocked the opposition from basic human necessities such as access to healthcare, food, and water. After much investigation, in 2014 the UN Security Council constructed a resolution that called for the end of, “indiscriminate employment weapons in populated areas.”²⁹ Despite this mandate, over six thousand people continued to die by rebel bombs. The rebels have been purposely sighting out populated areas and targeting larger gatherings to ensure the death of greater numbers. The United Nations has also accused ISIS for conducting terror in Syria and parts of the Middle East. These fighters have killed armed groups that are trying to implement the UN mandate, and have beheaded those who support it.

The tremendous amount of human rights violations and violence being reported to the Human Rights Council since the breakout of the Syrian conflict has caused much unrest to the global community. The HRC has condemned this conflict and has called all necessary authorities to hastily implement some form of resolution to allow organizations to assist in the country. In its own resolution, the council states that it reprimanded, “...the widespread, systematic and gross violations of human rights, acts of violence, ongoing atrocities and indiscriminate targeting of civilians by the Syrian authorities.”³⁰ The council also holds the Assad regime and its militia accountable for these crimes because it has recognized the illegal killings, arrests, torture, and

²⁸ “Year of Rebellion.” *Amnesty International*. London: Amnesty International, 2012. Print.

²⁹ “Explosive Weapons in Populated Areas: Humanitarian, Legal, Technical and Military Aspects. Expert Meeting, Chavannes-de-Bogis, 24-25 February 2015.

³⁰ “UN Human Rights Council condemns violence in Syria.” *UN News Centre*. United Nations, 6 July 2012. Web. 1 June 2016.

mistreatment of Syrian citizens. For a short time, the HRC worked with the Arab League to create a six-point peace plan that called for, "...an end to violence, access for humanitarian agencies to provide relief to those in need, the release of detainees, the start of inclusive political dialogue, and unrestricted access to the country for the international media."³¹ After much concern about the damage the Assad regime has already bestowed amongst Syrians, and what now the opposition forces have resorted to, the council recommended that Syrians need to be asked on how to hold their authorities responsible. Navi Pillay, the UN High Commissioner for Human Rights has asked the Security Council to escalate this crisis to the International Criminal Court.

HRC's Investigations

The HRC has wasted no time in holding President Assad accountable for the plethora of brutal killings, torture, and bombings occurring in his country. According to their report on Syria for the HRC session in March 2012, women and children have been especially targeted for unjustified reasons. It is clear to the council that, "gross human rights violations were conducted pursuant to a policy of the State," along with, "...violations amounting to crimes against humanity, with the apparent knowledge and consent of the highest levels of the State."³² They find it apparent to keep a close eye on all activities going on in Syria by documentation of all violation evidence to ensure that those held responsible are accounted for. The report goes on to state that the council is unable to successfully resolve the conflict on its own. The international

³¹ Ibid.

³² *Human Rights Commission on the Human Rights Crisis in Syria* (2012) (written testimony of Maria McFarland). Print.

community needs to bring its assets together to help bring the ongoing violence to a complete halt.

Many resolutions have been adopted by the HRC that condemn the killing of children and overall violence to mass populations. It has also called for the government of Syria to be heavily investigated on the grounds of abusing and violating international laws put in place. The 2012 HRC report notes that the situation in Syria is, “Increasingly dire, with a terrible disregard, that amounts to almost to contempt, for the protections of civilians.”³³ Syria has intentionally disregarded protecting its citizens, and instead has ordered the actions reported. In response to this, the council has directly called upon the Syrian government to control the situation and assume responsibility.

What the HRC needs to Do

Furthermore, to guarantee a fairness to all of Syria, it is imperative that the HRC work directly with the International Criminal Court to finally put President Assad on trial for partaking in crimes against humanity. After a handful of debates, the first permanent ICC was officially created in July 2002 to, “help end impunity for the perpetrators of most serious crimes of concern to the international community.”³⁴ The ICC has an advantage as it is a separate body from all international organizations, including the United Nations. In the last thirteen years, the ICC has asserted its usefulness on numerous occasions.

The initial ICC outline that was established set precedent for it to be appealed by the international community. In order to fully attract membership, it needed to come across as a

³³ *Human Rights Commission on the Human Rights Crisis in Syria* (2012) (written testimony of Maria McFarland). Print.

³⁴ Chazal, Nerida. *The International Criminal Court and Global Social Control: International Criminal Justice in Late Modernity*. New York: Routledge, 2016. Print.

“complimentary institution” that would ensure domestic jurisdiction of the individual member states to prosecute criminals they have found a sufficient amount of evidence against. A functioning judicial body was carefully convened to ensure a “fair and just trial” by the court. The ICC only gets involved and proceeds with prosecution if certain criteria are met. First, if a country’s judicial system is questionable, the ICC is called on to step in. During the regime change in Libya, a new court was not officially established, and therefore unable to properly launch an investigation on Muammar Gaddafi. The case was handed over to the ICC, which then presided over his trial. Also, if certain circumstances call for a possible bias for or against the individual being put on trial, the ICC will allow itself to intervene. In the case of Sudan, when President AL-Bashir was being prosecuted for the crimes he committed in Darfur, the ICC was forced to take control of that trial as well.³⁵

The process of which the court makes a decision is common law, meaning decisions are to be made by multiple judges and not a jury. This ensures that the verdict will be based on individuals who have an immense knowledge on international law, and will make a decision based on legal precedence. The United Nations has developed the idea of International Law, in which the goal is, “to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained.”³⁶ Each UN member state has the responsibility to abide by international law which is encompassed with, but not limited to, issues such as human rights, international crime, migration, and refugees. In 1968, the General Assembly officially passed the resolution, *Prevention and Punishment of the Crime*

³⁵ Donovan, Daniel. “International Criminal Court: Successes and Failures.” *International Policy Digest*. Creative Commons, 23. Mar. 2012. Web. 4 June 2016.

³⁶ “International Law.” *Global Issues*. United Nations, 2016. Web. 4 June 2016.

and Genocide, which defines the term “genocide” and requires that all participating states to prevent acts of such an action, while punishing those who partake in it.

Article II of *Prevention and Punishment of the Crime and Genocide* calls for any, “acts committed with intent to destroy, in whole or in part of, a national, ethnic, racial, or religious group...”³⁷ to be deemed a genocide. On June 25, 1955, Syria accessioned to this treaty, thus agreeing to its entirety. Accession “is the act whereby a state accepts the offer or the opportunity to become a party to a treaty already negotiated and signed by other states.”³⁸ Syria has repeatedly broken this international norm that it had agreed to over sixty years ago, and therefore, needs to be held accountable for its deliberate actions against this resolution.

Government forces have resorted to executions, tortures, and arrests of protestors against the Assad regime. The civil war that has swallowed the country is in direct correlation to the break in treaty Syria signed many years ago. The Commission of Inquiry reported that Syria has conducted war crimes that include murder, and “extrajudicial killings and torture.”³⁹ In addition to the genocide many Syrians currently face, it was reported in August 2013 that the Assad regime began to plague Syria with the use of chemical weapons. The Organization for Prohibition of Chemical Weapons later confirmed that over 1,400 Syrians have been killed by such weapons.

It is no surprise as to why thousands of Syrians are seeking refuge elsewhere. The United States has supplied about four billion dollars to refugees, and has only been able to house about 1,500 of them during the first four years of this crisis. The Obama administration has often

³⁷ General Assembly. *Convention on the Prevention and Punishment of the Crime and Genocide*. United Nations, 1948. Print.

³⁸ “Library.” United Nations, 21 July 2015. Web.

³⁹ *Syria Background*. Rep. Washington D.C: United to End Genocide, 2016. Print.

pledged to provide more assistance, however it alone cannot tackle this conflict. The HRC has published several reports on the Syrian crisis and has not seen any advancement throughout the years. The HRC needs to work directly with the Refugee Agency and Security Council to implement certain policies that will ensure some improvement.

France, the United States, and the United Kingdom oppose the Assad regime due to the amount of atrocities it has bestowed upon Syrians. The opposition groups have a unified goal of seeking a total regime change. In order to be successful in such a change in power, the HRC needs the ICC to formally put Assad on trial, while an interim leader is put in place. Though the ICC comes highly recommended by the HRC, it is the Security Council that may oppose this action because of a constant veto from Russia and China, though more than fifty countries from all over the world support the idea of the ICC taking on Syria as a case.

The Syrian conflict continues to take the lives of many innocents. The Human Rights Council has repeatedly connected Assad to the current conflict in the country, thus making it clear that the ousting of Assad could lead to possible resolutions for the country. While this conflict draws on, we are reminded that, “The Syrian conflict is destroying the economy and creating a long-term economic crisis for Syria that will make a lasting peace in the future even more difficult.”⁴⁰ The economic instability is playing into the political instability in the country as well. While these prominent issues go unsolved, many more tragedies are to come. Without the long overdue, and immediate action that is needed by the bodies of the United Nations, this conflict will continue to create much more havoc for the international community. The death toll

⁴⁰ “The UN Human Rights Office and the Crisis in Syria.” *Middle East Policy Council* (2016). Web.

will continue to rise, along with a heavy increase in those attempting to flee from Syria and into other countries.⁴¹

Though it is uncertain whether indicting members of the Assad regime will be an overall benefit for Syria, it is important that the implications on human rights be taken into account when and if he is ever put on trial. The constant fighting between the opposition and government will not cease until a joint resolution is passed with the assistance of the United Nations.

⁴¹ Ibid.

SECURITY COUNCIL

About the Security Council

After World War II, on October 24, 1945, the United States, United Kingdom, Russia, China and France formed what is known as the Security Council and made themselves the only permanent members of this United Nations body. With this power, members have the power of issuing a type of check on resolutions with vetoing abilities. The council's purpose reads that its responsibility is to, "investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security."⁴²

The conflict in Syria is not one that should be left ignored, "barrel bombs packed with chemical weapons have been dropped from government helicopters while public beheadings and the attempted extermination of religious minorities by...ISIL have shocked the world."⁴³ The international community failed to protect Syria from such atrocities unfolding, as seen with Russia and China who vetoed the UN draft resolution in February 2012 that held the Syrian government responsible for crimes against humanity. The United States was clearly outraged by the veto of a resolution that was to end the horrid atrocities Syrians were going through. Following the veto, the killing rate of Syrians enormously increased, while a change in violence occurred. Due to the inability of the Security Council to hold President Assad responsible for his actions, he deployed even more armed forces onto the Syrian people. The increase in forces lead

⁴² United Nations Foundation. "What We Do: The UN Security Council."

⁴³ Adams, Simon. "Failure to Protect: Syria and the UN Security Council." *Global Centre for the Responsibility to Protect 5* (2015): 1-26. Print.

to an increase in armed opposition as well, making this conflict one of the world's, "worse case of ongoing mass atrocities, civilian displacement and humanitarian catastrophe."⁴⁴ The Security Council's failure to protect Syria makes it accountable for the scope of how this conflict has unfolded.

Issues Within the Council

The Security Council has proven that is clearly divided between member states who demand a forceful response, and those who simply do not. Though Russia and China vetoed the resolution of February 2012, thirteen member states voted for international sanctions with the goal of bringing the crimes in Syria to a halt. While the council was debating over this issue, the Arab League and European union worked with states in the region, such as Turkey, to condemn the Syrian government by diplomatically isolating the Assad regime. Exactly one year after the start of this conflict, approximately forty-nine countries issued bilateral sanctions against Syria, and fourteen countries closed their embassies in the country. The Human Rights Council and Refugee Agency worked tirelessly by passing multiple resolutions to document the violations of human rights that were occurring in Syria.⁴⁵ If the Security Council had passed its second draft resolution in 2012, the Syrian government and the armed opposition would have been notified that the international community was ready to work together to end these crimes via non-military measures. However, because there was an absence of such a message, increased violence was encouraged on both sides of the conflict and any hope of brokering a ceasefire or negotiations were diminished.

⁴⁴ Adams, Simon. "Failure to Protect: Syria and the UN Security Council." *Global Centre for the Responsibility to Protect* 5 (2015): 1-26. Print.

⁴⁵ Ibid.

On March 27, 2012, President Assad was presented a plan by the U.N-Arab League Special Envoy, Kofi Annan, known as the Annan Plan. This plan called for "...a ceasefire, withdrawal of government troops and tanks from cities, release of political detainees, freedom of movement for journalists, provision of humanitarian assistance to besieged civilians and initiation of a political negotiation process led by Syrians"⁴⁶ The Security Council affirmed support for this plan and a decrease in violence occurred temporarily in April, while deploying a ninety-day U.N Supervision Mission (UNSMIS) that had the job of overlooking the Annan Plan to be implemented correctly. However, the Syrian government was unwilling to actually follow through with any of the plan's goals. While the UNSMIS was put in place, it documented a number of atrocities by gathering photographic evidence at massacre sites, and collecting debris to verify damages that were caused by weapons. The organization questioned locals who claimed to have witnessed certain attacks and compiled accounts of the atrocities that occurred in the region. A few months later, the UNSMIS was set to withdraw from the country which led to the *Geneva Communique* being put in place. This Communique created an "Action Group" that consisted of the United Nations and Arab League secretaries-general, along with the Security Council members. However, because the UNSMIS operations were interrupted, the ceasefire between the government and opposition finished, which made it difficult for the Action Group to proceed with its duties.

The Security Council was again pressured into creating another draft resolution to hold the Syrian government responsible for its actions. Russia again showed some resistance when a

⁴⁶ Adams, Simon. "Failure to Protect: Syria and the UN Security Council." *Global Centre for the Responsibility to Protect 5* (2015): 1-26. Print.

draft was made, labeling the wording as being “unbalanced and divisive” (Adam, 12). The Council entered another round of heavy diplomatic debates within itself, resulting in failure. The United States, United Kingdom, France, and Germany had all demanded President Assad to step down from the start of the conflict in 2011. Assad immediately showed no signs of altering his behavior, let alone resigning from his position. Russia claimed that they proceeded with action that was in direct relation to defending Syria’s sovereignty. After yet a third veto from both Russia and China in July 2012, Annan resigned as the Special Envoy and the Annan Plan was officially terminated. The idea of military intervention in Syria was brought to the western democracies, however there was an unspoken agreement that doing so would exasperate the situation and may seem more detrimental to the suffering Syrians. Safe havens and “no kill zones” were also argued for to be created on the borders of Turkey, Lebanon, and Jordan. Apart for creating temporary safe locations, the debate of whether or not arming the rebels would provide positive outcomes came into question. The issue with such an action would be how the governments would know which opposition groups to fund. With the growing extremist Islamist groups, such as ISIS, it would be difficult to differentiate from the actual opposition and terrorist organizations. It was then decided in 2013, that arming the opposition may enable more violence and create much more havoc in the region. With ISIS expanding to neighboring countries, Iraq pleaded the United States for assistance in defeating the organization. President Obama allowed for increased military assistance to genuine Syrian opposition groups, and airstrikes against ISIS were authorized. The action of the United States still did not encourage other Western countries to agree on how to protect the Syrians and ultimately end Syria’s civil war.⁴⁷ Along with Russia,

⁴⁷ Adams, Simon. “Failure to Protect: Syria and the UN Security Council.” *Global Centre for the*

China vetoed the three draft resolutions the Security Council composed. It is unclear whether China did so due to its solidarity with Russia, or commitment to Syria. Though China's motivations are unclear, it is certain that China has always upheld its traditional execution of a "non-interference" policy in conflicts. Unlike China, Russia argues that their opposition to the draft resolutions presented by the Council is to defend Syria's sovereignty from Western intervention. The Russians do not believe that the international community should have the responsibility to protect all civilians in all cases when governments use force against their peoples. At the beginning of the Syrian civil war "...the Assad government had an estimated \$4 billion in active contracts with Russian arms dealers, making Syria one of the top five importers of Russian weaponry."⁴⁸ Apart from arms contracts were advanced missile defense systems that were enabling the Syrian conflict to escalate. Russia's president, Vladimir Putin, denies that the arms being supplied to Syria cannot be used in civil conflicts, but for defensive purposes only. Though supplies such as: spare parts, heavy weaponry, armored vehicles, drones, and bombs were sent to assist the government's war effort, it does provide a picture as to why Russia continued to disapprove of the Council imposing an arms embargo on Syria.

Russia has always felt uneasy about the revolutions that occurred in the Arab Spring. It was ready to keep the Assad government in Syria as an ally as it was one of the very few left in the Middle East. Not only do Syria and Russia have ties extending back more than four decades, but Russia has strategic interest in Syria in order to maintain a sense of balance in international order. When it came to the Annan Plan, Russia knew it needed to show support for it, however

Responsibility to Protect 5 (2015): 1-26. Print.
⁴⁸ Ibid.

when the Assad regime failed to properly implement the plan, Russia did nothing. By vetoing several Syria resolutions, Russia showed its continued support for Assad. As the war within the country worsened, Russia sent many shipments of arms and other supplies to Syria, such as extra banknotes that were printed to prevent the Syrian government from going into bankruptcy. The obstruction Russia has shown towards the Council has greatly impacted the Syrian civil war by encouraging the government do keep partaking in such atrocities. With the increase in killing, an influx of refugees have increased across Syrian borders. The Security Council's inability to enact on resolutions to assist the ending of the Syrian civil war has left three main unresolved priorities that it has been pressured to address, humanitarian access, a political solution, and ending impunity.⁴⁹

Millions of Syrians are in threat from not only the Assad regime, but those that have fled, have increased risks from contracting illnesses. If they aren't afraid of dying from murder, they're afraid of dying from starvation. The United Nations estimated that over nine million refugees are in need to humanitarian assistance.⁵⁰ In light of this, the Council issued a statement that called for "the obligation to distinguish between civilian populations and combatants, and the prohibition against indiscriminate attacks."⁵¹ They demanded that the Syrian authorities had the utmost responsibility to protect their populations, but also urged the international community to assist in "safe and unhindered humanitarian access to populations in need of assistance in all areas under their control and across conflict lines."⁵²

⁴⁹ Adams, Simon. "Failure to Protect: Syria and the UN Security Council." *Global Centre for the Responsibility to Protect* 5 (2015): 1-26. Print.

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

What the Council Needs to Do

Though little progress was made through the dictation from the Security Council, by February, over two million Syrian refugees moved into neighboring countries such as Turkey, Iraq, Jordan, Egypt, and Lebanon. Apart from those few million that made it, many more were still in desperate need to relocate from their displaced situations inside the country. Australia and Luxembourg took the initiative to work with Jordan to put forth a new resolution to assist with the refugee crisis. When presented to Russia, the draft was described as being “detached from reality” and stated that they would veto it if a humanitarian resolution was brought to an actual vote.⁵³

After much revision, the Council was able to adopt Resolution 2139 unanimously that called all surrounding sides in Syria to assist with humanitarian access to displaced civilians. All parties were asked to take all the appropriate measures to protect these civilians from the Syrian authorities. Now came the issue of actual implementation of this resolution. Since ISIS was growing quickly, the humanitarian situation worsened, despite the aid the United Nations brought to refugees.

The next priority for the Council should have been that of the Geneva II peace conventions. Instead of implementing versatile solutions to the conflict in Syria, it was focused on military intervention in the region. While the peace talks finally assembled in Switzerland on January 22, 2014, and both sides of Syria started dialogue, about 1,900 Syrians died in their country.⁵⁴ As predicted, the talks proved to be unsuccessful at their conclusion the following month due to

⁵³ Adams, Simon. “Failure to Protect: Syria and the UN Security Council.” *Global Centre for the Responsibility to Protect* 5 (2015): 1-26. Print.

⁵⁴ Ibid.

constant disagreements and unwillingness to compromise on issues between the government and the opposition.

In order for Geneva II to have been successful, key Arab powers such as Saudi Arabia, Iran, Turkey, and Qatar needed to have agreed to disengage their military forces in Syria. The United States, and Russia, should have worked closely with the Arab League to play as “potential guarantors” of any settlement that would have passed. If the Security Council had created a sense of authority by threatening to punish any violations that would have gone against a potential peace agreement, stronger commitments could have been made.

Lastly, failure to hold the Syrian government accountable for the crimes against humanity has been detrimental to the scope of the conflict now. The Human Rights Council has published a plethora of reports documenting the atrocities that have been committed from both the government and opposition sides of Syria. The HRC’s Commission of Inquiry has also reported a series of war crimes that have targeted religious minorities and executions. The HRC was willing to provide the International Criminal Court with a list of suspects responsible for the carrying out of such violence, if they had requested it. The HRC continued to present to the Security Council numerous images of prisoners who were brutally tortured and executed. This documentation known as the *Cesar Report* was officially submitted to the Council on April 15, 2014 which lead the ICC to take interest in the case against Syria.

The absence of liability for the crimes in Syria has lead to an absence of peace and justice in the country. Both sides of the conflict remain reluctant to work together to find common ground, which further shows that a higher authoritative power needs to play a mediator role. In May 2014, France recommended the ICC to investigate Syria however this draft resolution was

vetoed once again by both Russia and China. Russia claimed that such a resolution was played as a “publicity stunt” though of the sixty-five states that sponsored the resolution, three of them had been investigated by the ICC in the past. However, because Syria was not a member that helped the establishment of the ICC, the Security Council is required to refer its case to the court.⁵⁵

The International Criminal Court is not a guaranteed solution for Syria’s situation, however its involvement would not worsen the violence that is occurring in the country. There is a need for both, “Diplomatic and humanitarian activities...”⁵⁶ to resolve this crisis, which is something the ICC would be able to provide. Having the ICC investigate Syria will provide a message to the international community that committing such crimes will not be ignored, but will also be punished by grave consequences. Russia should have been pressured to reverse its veto on the ICC referral. Had the Security Council portrayed more of a unified stance behind the referral, Russia would’ve been forced to support the court’s involvement in the country. Instead, it referred the ICC’s efforts as being “ill-timed and counterproductive.”⁵⁷ However, past conflicts show that holding political leaders who engage in criminal activity against their people can enhance peace efforts. Without holding those individuals responsible for mass atrocities, the chances of future abuses rise, as seen in Syria.

The first step in holding the Assad regime accountable for its violent crimes is by referring Syria to the ICC. It would then be the court’s duty to examine all sides of the conflict, including but not limiting to, the opposition, government, militaristic forces, and jihadists. Along with the United States, Russia had initially endorsed the ICC as an entity that could be used “to address

⁵⁵ Jarrah, Balkees. “Why U.S. should back ICC role in Syria.” Human Rights Watch.

⁵⁶ Ibid.

⁵⁷ Jarrah, Balkees. “Why U.S. should back ICC role in Syria.” Human Rights Watch.

the fight against impunity,”⁵⁸ and gave the ICC jurisdiction to investigate Libya in 2011. Perhaps if Russia would not have vetoed Syria’s referral to the ICC, the Syrian people would have seen similar success shown in Libya.

The Security Council has often times portrayed itself to be unable to assist in ending Syria’s conflict. However, the issue is the relationship between the Council’s permanent members. One of the only things all the Security Council members agreed on was the need to infiltrate ISIS and Al-Qaeda that were threatening the security of the Syrian people. The Council has realized the danger these terrorist organizations caused and acted upon such threats, yet when it comes to the conflict in Syria, they are divided. Russia and China have shown hostility towards actions that would negatively effect Assad’s government. After the third veto the two countries issued in July 2012, several member states of the United Nations began to question the legitimacy and productiveness of the Security Council. The vetoing ability of the five permanent members of the Council was scrutinized due to the actions of Russia and China.

During a session of the General Assembly in September 2013, one-third of U.N member’s expressed their concern with the construction of the Security Council and suggested a reform of the body. Specifically, these 154 states called for a “restraint on the use of the veto in mass atrocity situations.”⁵⁹ Upon such criticism, France presented the Security Council the idea to instill a code of conduct where the all of the Council’s permanent members are to restrain from using their veto power during mass crimes situations. Within the coming year, numerous member states supported France’s proposition, especially as the civil war in Syria worsened.

⁵⁸ Ibid.

⁵⁹ Adams, Simon. “Failure to Protect: Syria and the UN Security Council.” *Global Centre for the Responsibility to Protect 5* (2015): 1-26. Print.

However, even if such initiative was supported by each permanent member, far too many Syrian lives have already been lost.

The formation of the Security Council was intended to not only maintain peace and stability, but to protect states from vulnerability. Due to this, the United Nations worked to create the Universal Declaration of Human Rights and the Convention on the Prevention and Punishment of the Crime of Genocide in 1948. Syria has become one of the biggest challenges for the U.N in the twenty-first century. The General Assembly believes that veto use during mass crimes is unstable, and that the idea of sovereignty should not be applied to situations during unchecked atrocities and genocides. The United Nations continues to be pressured to ensure that it is upholding the principles it has set for itself, preventing genocides, war crimes, crimes against humanity, and ethnic cleansing. The five permanent members of the Security Council should not have the right to veto when the international community is amidst outrageous crimes. The road to Damascus truly is through Moscow, and because of this, it is important that Russia stop undermining coalition action. Limiting veto power of the Security Council will dispel resistance from certain permanent members.

The Security Council has a duty to assist in ending heinous crimes that have continued to plague the country of Syria. There has been very little progress with humanitarian access, and resolutions to the civil war that have caused violent atrocities in Syria. The failure to resolve these issues after five years of this conflict has proven to question the power this Council claims to have. Therefore, there is much reason to believe that the Security Council needs to work with the different bodies of the United Nations, such as the Human Rights Council, and the Refugee Agency to find a solution for Syrians. Syria's civil war progressively is worsening, with no

means to an end in the near future. Without the Security Council taking a more influential role in this situation, victims and refugees of this Syrian conflict will not survive.

CONCLUSION

The United Nations' Security Council has been reluctant in the past to intervene in Syria, given Russia's positions. Russia and the other permanent Security Council members have increased tensions due to Russia's refusal to criticize the actions of Bashar al-Assad. It is no up to the other bodies of the United Nations, such as the Refugee Agency and Human Rights Council to pressure the council for further action. It is possible that certain Middle Eastern countries would be hesitant on the idea of foreign involvement, however, the Arab League has pleaded to the United States for assistance in the past, are is continuing to do so as the Syrian conflict within it's country, and the refugee crisis escalate.

This continuous militarized movement has launched one of the greatest humanitarian catastrophes known to man. The vulnerabilities of Syria have allowed it to be swallowed by terrorist organizations that prey on the less advantaged in this conflict. Current efforts towards resolving this crisis have proceeded to fail, one after another. Russia's strategy has been to exert military pressure on rebel groups to completely infiltrate them by reinforcing one political visions, and to destroy the ISIS. Though most Western states have followed Russia's agenda, intervention has not compelled countries such as Turkey and Saudi Arabia to also partake in military action.

Multiple negotiations between main players became mere discussions on possible political transition, and post-conflict key issues that could emerge if there was to be some form of resolution in Syria. Though it's not guaranteed that negotiations would create an ultimate solution, they would assist in reaching a regional consensus on the issues at hand. In order to create solutions that ensure peace, it is imperative that the solutions address, both the

humanitarian and political issues at hand. Assad clearly has no sense of incentive to end this conflict which is why economic sanctions and no fly zones will assist in intimating him to either step down or begin some action to bring these atrocities to a halt.

The displacement most Syrians currently face are due to the horrific violence they have endured within their country. Regular bombings and violence of armed groups in conflict areas have caused many to both flee for their lives if they have not died already. There is an extreme absence on, “how to address the refugee crisis,”⁶⁰ which is why neighboring countries are resorting to handling the situation completely on their own. Future generations of Syrians will be faced by extreme economic, political, and security disputes that will be detrimental to the country unless further action is taken by the international community.

Keeping the severity of this conflict in mind, there needs to be focus on the immense amount of terrorism that taken over the region. Though Assad is, “...a crucial part of the solution to end the Syrian conflict,”⁶¹ it’s important to realize that the Islamic State is also a very real threat. Between the opposition and Assad regime fighting, ISIS has gained control of one third of Iraq, and half of Syria.⁶² The policies that have been presented by the United Nations thus far have been contradictory, which will not help bring this conflict to an end. All parties involved in this conflict need to take a prominent position on the issue and be ready to settle on useful policies that are introduced. With that being said, the UN is unable to take full control of the situation unless all regional actors involved, “...put their minds and energy, in some sort of

⁶⁰ Abboud, Samer. “The Syrian Conflict Does Not End Here.” *Al Jazeera*. N.p., 15 Mar. 2016. Web. 2 July 2016.

⁶¹ Mousavian, Hossein. “How To Fix the Syrian Mess.” *The National Interest*. N.p., 24 March. 2015. Web. 3 July 2016.

⁶² Ibid.

coordinated work, to steer the situation away from further flaring up.”⁶³

Many questions arise when trying to piece together exactly how the UN and its bodies will be able to help in Syria. For instance, what would the true goals of intervention be? How can either body address the chemical weapons dilemma, in not only Syria, but surrounding states? What jurisdiction does the United Nations or Arab League have to implement refugee policies? What would the aftermath of Syria be once the refugees free from atrocities and al-Assad is ousted? To answer these questions, we see that there is a clear need for the UN to work directly with countries that have direct access to Syria—the major Arab states.

Following the failed Geneva I and II initiatives, the Security Council needs to work alongside the five Middle Eastern regional players: Egypt, Saudi Arabia, Iraq, Iran, and Turkey to create a brand new approach to the Syrian conflict. A series of steps need to be taken by all the parties involved to ensure mutual agreement on all sides. First, there needs to be a list of set principles in which all members abide by. For example, focusing on the preservation of Syria and its state institutions, including Syrian stakeholders in a peaceful political transition, creating a middle ground for both sides, locating and destroying terrorist safe havens, ending the provision of arms, but most importantly, increasing humanitarian assistance for those in need, are just a handful of standards the states need to abide by. Next, and a final declaration of ceasefire needs to be implemented and monitored by international observers to ensure it is fully carried out. Lastly, the United Nations needs to organize and supervise free elections for all Syrian citizens to participate in.⁶⁴

⁶³ Ibid.

⁶⁴ Mousavian, Hossein. “How To Fix the Syrian Mess.” *The National Interest*. N.p., 24 March. 2015. Web. 3 July 2016.

In conclusion, the United Nations needs the reinforcements of the Refugee Agency, Human Rights Council, and the Security Council in order to be successful in its quest to assist thousands of Syrians. Each body has the means to deliver specific actions, so that when combined together, is strong enough to help those in need.

Refugee Agency	Human Rights Council	Security Council
Encourage other states to become host countries for refugees and assist the creation of more refugee shelters	Investigate human rights violations via the Commission of Inquiry	Work with key players involved in this conflict, including major Arab states
Create stricter outlines of how refugees will be accepted and grant asylum visas as needed	Further recommend the International Criminal Court to put Assad on trial	Ensure a smooth political transition from a harsh regime into a true democracy
Not as effective body of the U.N because of resistance from Assad and host countries from receiving U.N aid	Most effective body of the U.N because of the amount of evidence they have found against Assad	Not as effective body of the U.N because is is more concerned with national interest and not international interest.

Table 2: United Nations Branch Reinforcement

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