

# At a Glance

AN EDUCATIONAL TOOL BY THE INTERNATIONAL COALITION FOR THE RESPONSIBILITY TO PROTECT

## Q&A: THE RESPONSIBILITY TO PROTECT (RtoP) AND SYRIA

*Note: For more details on the crisis, as well as sources and links for all the information provided below, please visit our “Crisis in Syria” page at [www.responsibilitytoprotect.org](http://www.responsibilitytoprotect.org).*

### **Q: What is going on in Syria?**

**A:** In March 2011, peaceful protestors demanding the release of political prisoners were met with brutal violence from the Syrian government. President Bashar al-Assad, who refused to respond to calls to cease attacks and implement meaningful reforms, instead countered by arbitrarily detaining and torturing civilians (who he dismissed as terrorists), as well as deploying and using heavy artillery. Opponents of Assad began to loosely organize into opposition groups, eventually resorting to violence in August 2011 with the goal of overthrowing the Syrian government and ending the attacks on civilians. Reports then emerged that these opposition groups were committing grave human rights violations as well. Though opposition forces came together to create the National Coalition for the Syrian Revolutionary Force and Opposition Force in November 2012 (which has steadily gathered international recognition as the legitimate representative of the Syrian people), managerial gaps, ideological barriers between members, and the steady gain of extremist Islamist groups (the Al-Nusra Front and the Islamic State in Iraq and the Levant (ISIS)) have increasingly fragmented the opposition.

The conflict has divided Syria, the region, and the entire international community, impeding any serious action to end the crisis. Many members of the United Nations Security Council (the most powerful body on matters pertaining to international peace and security) have attempted to pass various resolutions to find a solution to the crisis, which have included measures such as reviving a UN peacekeeping mission and passing sanctions against the Syrian regime. However, both China and Russia, who hold veto power on the Council, have struck down three separate resolutions on Syria, and much of the international response to the crisis has accordingly languished.

### **Q: Why does the international community have a Responsibility to Protect Syrians?**

**A:** In 2005 (see box at right), UN Member States agreed that they had a collective responsibility to protect populations from genocide, war crimes, crimes against humanity, and ethnic cleansing. In September 2011, the Human Rights Council established an independent International Commission of Inquiry to investigate alleged human rights violations in Syria. The Commission has since produced seven reports, concluding that both the Syrian regime and rebel forces had committed war crimes and crimes against humanity.

### **Q: How has the international community upheld its RtoP in Syria?**

**A:** Though many have pointed to Syria as a clear case in which “RtoP has failed”, citing the ongoing crimes against humanity, many in the international community have assumed their RtoP and tried to protect civilians by taking strong actions within their mandates. The Human Rights Council has passed 12 resolutions since the outbreak of the crisis, while the General Assembly has passed five.

As noted above, the veto power held by the five permanent members of the Security Council, some of whom have perceived national interests in maintaining the old status quo in Syria, has prevented the Council from taking more robust action to prevent mass atrocities. Nevertheless, members did briefly overcome internal divisions to pass Resolution 2118 in September 2013, which required Syria to destroy its current stockpile of chemical weapons and prohibits Syria from using, developing, stockpiling, and transferring chemical weapons. Furthermore, in February 2014, the Security Council passed Resolution 2139 to ensure access for humanitarian aid in Syria.

The Arab League and the Organization of the Islamic Conference suspended Syria in November 2011 and August 2012, respectively. Several states, including Norway, U.S. Switzerland, Japan, Australia, Canada, Turkey and the EU have passed sanctions on Syria. Meanwhile, neighboring countries, particularly Lebanon, Jordan, and Turkey, have absorbed millions of Syrian refugees, despite the heavy economic and social toll on their countries.

## THREE PILLAR FRAMEWORK OF THE RESPONSIBILITY TO PROTECT

United Nations (UN) Secretary-General Ban Ki-moon established the three-pillar framework of the Responsibility to Protect (RtoP, R2P), in his 2009 Report *Implementing the Responsibility to Protect*:

- **Pillar One:** The state bears the primary responsibility to protect their population from genocide, war crimes, crimes against humanity and ethnic cleansing.
- **Pillar Two:** The international community, i.e. the UN, regional organizations, governments and civil society, must assist states in fulfilling their protection obligations.
- **Pillar Three:** When a state manifestly fails to protect its population or is in fact the perpetrator of these crimes, the international community has a responsibility to take collective action in a timely and decisive manner to prevent or halt the commission of mass atrocities. Such action must be on a case-by-case basis using a broad range of political, economic, and humanitarian measures, and should peaceful means prove inadequate, coercive measures, including the use of force as authorized by the Security Council and in accordance with the UN Charter.

In addition, UN Secretary-General Ban Ki-moon has sent observers, chemical weapons investigators, and a Special Representative. Both he and other various high-level UN officials have repeatedly reminded Syria of its responsibility to protect its populations.

Civil society groups have consistently monitored the crisis, with the Syrian Observatory for Human Rights serving as the only organization keeping a death toll after the UN announced it could no longer verify reports. ICRtoP member Human Rights Watch has tracked human rights violations, including through, inter alia, the use of torture in 27 detention facilities and the use of barrel bombs and cluster munitions on civilians. Amnesty International uncovered the use of starvation as a tactic of war by the Syrian regime. ICRtoP member Permanent Peace Movement held a training for Syrian activists on civilian protection and conferences on the possession/use of small arms and light weapons in Syria. Additionally, civil society organizations were very active ahead of the third anniversary of the start of the crisis on 15 March 2014. A social media movement used the Twitter hashtag, #withsyria, and a Banksy artwork. The United States Holocaust Memorial Museum reminded states of their commitment to 'RtoP' and urged them to act to prevent the tragedy of Rwanda from repeating itself in Syria. Over 30 leading arts and entertainment figures signed a statement, endorsed by the Hoping Foundation and UNRWA, to the United Nations General Assembly to ensure access for humanitarian aid to besieged refugee camps.

**Q: How has the international community failed to uphold its RtoP in Syria?**

A: Nevertheless, the ongoing crimes against humanity, the 2.6 million refugees, and the estimated 150,000 death toll in Syria make it clear that the above actions have not been sufficient to protect Syrians. Both the Assad regime and the many rebel groups in Syria have continued to commit war crimes and crimes against humanity in what has become a deadlocked civil war. In addition to the parties involved, many place the blame for the ongoing stalemate on the Security Council and its inability to send hardly any clear, forceful messages to the parties, due to the veto power of the five permanent members. In addition, despite the measures listed above, many actors, including the League of Arab States, the OIC, and regional states failed to take early preventive action when the conflict was in its nascent stage.

However, as RtoP is a norm intended to steer action, saying that "RtoP has failed" is misguided. Rather, it is the international community which has failed to meet its obligations and live up to its RtoP. This failure further highlights the need for swift, preventive action before a crisis devolves into a state in which consensus by an often-divided international community is needed.

**Q: Why don't states bypass the Security Council to stop the bloodshed?**

A: Over the past three years, states have allegedly considered bypassing the Security Council for a unilateral intervention in Syria, as Russia and China would be certain to veto any resolution authorizing military force under Chapter VII of the UN Charter. However, the Responsibility to Protect norm, as agreed to in the World Summit Outcome Document of 2005, **does not sanction unilateral interventions or an intervention by a "coalition of the willing."** Any military response under RtoP must be authorized by the Security Council in accordance with the UN Charter. The Responsibility to Protect norm should also not be equated with humanitarian intervention, as it implies military action without collective UNSC authorization; is ill-defined in terms of what is considered "humanitarian"; and is only focused on military measures.

Moreover, the use of force is only one tool under the RtoP norm. As it is unclear whether a military intervention would ensure that Syria would uphold its responsibility to protect both in the present and in the future, many have noted the importance of continuing to prioritize diplomatic measures. In the long-term, accountability for those who have committed war crimes/crimes against humanity, an inclusive political peace and reconciliation process, and ensuring the protection of the human rights of all ethnic groups will be needed to protect against future mass atrocities.

# ICRtoP

INTERNATIONAL COALITION FOR THE RESPONSIBILITY TO PROTECT

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The International Coalition for the Responsibility to Protect convenes and collaborates with civil society, Member States, and regional and sub-regional organizations to continue close scrutiny of the consistent implementation of the third pillar and develop effective methods to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.

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