



APPRAISAL OF THE UNITED NATIONS' PRINCIPLE OF 'RESPONSIBILITY TO PROTECT' IN THE SYRIAN CIVIL WAR

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Abstract

This study analyzed the United Nations application of the principles of 'Responsibility to Protect' (R2P) in the Syrian Civil War. The Syrian conflict which started in 2011 has raged on for over twelve years, with thousands of people killed, maimed, millions displaced, and large-scale properties destroyed. Despite Syria being a member of the United Nations (UN), the UN has not been able to intervene to bring the conflict to an end. A qualitative research design was adopted for the study. Findings show that several factors are aiding the continuation of the Syrian civil war, and the inability of the UN to apply its principles of R2P effectively in the Syrian war. The study found that the two leading countries of the United Nations Security Council (UNSC), Russia and the United States of America, have vested interests in the Syrian conflict by supporting and arming opposing sides of the war. Also, the UNSC, which is the arm of the UN responsible for peace and security in the world, is currently weakened by internal politics and indiscriminate use of veto powers. However, the study recommends that the United Nations General Assembly should take unilateral decisions to end the Syrian conflict. Also, Russia and the United States of America should desist from arming and supporting the opposing sides.

Keywords: Appraisal, Conflict, Failure, Protect, Responsibility, United Nations.

Introduction

Two devastating world wars, World War I (1914-1918) and World War II (1938-1945) almost led to the extinction of the human race. The carnage of the First World War resulted in the formation of the League of Nations in 1919 to prevent future wars. However, the league was faced with issues and was dissolved in 1928, and the league therefore was unable to prevent the outbreak of World War II in 1938. The unprecedented level of destruction, maiming, and killings of the Second World War led to the emergence of the United Nations Organization (UNO) in 1945. The UNO was formed by countries of the world to avoid the pitfalls of the former League of Nations. Article 1(1) of the UNO Charter reads that the purpose of the UN is to

maintain international peace and security and to that end: to take effective collective measures for the prevention and removal of threats to the peace and for the suppression of acts of aggression or other breaches of the peace.

According to Weiss (2014), the UN has an established principle of 'Responsibility to Protect' (R2P), which was unanimously adopted by all members of the United Nations General Assembly at the 2005 UN World Summit. The UN R2P stipulates that each State of the UN has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means (Weiss, 2014). Syria, which is a ratified member State of the United Nations, has been engulfed in civil war which started in 2011. The country headed by a dictator, Bashir Al Assad, is vehemently fighting its opposition who have voiced their dissatisfaction and disenchantment with Assad's regime, hitherto accused of corruption, tyranny, and human rights abuse. According to Murray and McKay (2014), the Syrian war has the recorded killing and maiming of thousands of people, and displacement of millions within and beyond the borders of Syria. The crisis became more intractable with the emergence of different foreign interests; the biggest is America and Russia who have contributed immensely to the continuation of the conflict (Murray and McKay, 2014). In this vein, scholars such as Weiss (2014) pointed out that the UN, with its mandate of world peace, and vested principle of R2P, has been inadequate in its intervention in the Syrian civil war. According to Weiss (2014), the R2P model of the UN was not activated in the conflict, as it became a tool for the actualization of national interests of UN member States, especially Russia and the United States of America; who are key members of the UN Security Council (UNSC). It is based on this notion that this study aims to analyze the United Nation's application of the principles of 'Responsibility to Protect' (R2P) in the Syrian Civil War. Findings will be of utmost importance in finding a lasting solution to the conflict.

Conceptual framework

Conflict: According to Afzalur (2010), there is no universally accepted definition of conflict, but many of the widely accepted definitions have a common connection, which is the incompatible goals between parties to conflict. Fischer & Ferlie (2013) see conflict as an activity that occurs when individuals or groups carry out acts that are incompatible with their wants, needs, or obligations. While scholars like MacDonald (2009) described conflict as a struggle and clash of interests. Disputes between people happen every day, but as different as the causes of disputes are, so are the solutions (MacDonald, 2009). From the perception of scholars identified above, conflict is seen not to be static, however, it is universal, transcending beyond boundaries and cultures. Conflict is seen not generally as a negative phenomenon, but it offers parties the opportunity to discover the main interests of counterparts and thus, to respond in ways that can directly address the issues. Conflict only becomes contentious and violent when the parties try to close opportunities for dialogue and further communication.

The Syrian Conflict: The causes of the Syrian Civil War were as a result of the high rate of human rights violations by the Assad Regime that made the opposition decide to revolt against the regime. This led to large scale destruction of lives and properties. This was further noted when the world's attention was drawn to what happened on March 15, 2011, after a group of children were tortured for writing anti-governmental graffiti on a wall in the city of Dar'a along with the slogan, 'the people want to overthrow the regime' (The UN Refugee Agency, 2024). The protests were the outgrowth of long issues of deprivation, poverty, inequality, restrictions on human

rights, the desire for democracy, and demand for better conditions of living. The protests quickly reached Homs and Hama and continued despite the hasty reforms which made Al-Bashir deploy an army backed by armored personnel carriers to quell them, leading to the death of more than 100 people and turning the demonstration into a full blown civil war.

Responsibility to Protect (R2P)

According to Hehir & Cunliffe (2011), the Responsibility to Protect (R2P) is a global political commitment that was endorsed by the United Nations General Assembly at the 2005 World Summit to address its four key concerns to prevent genocide, war crimes, ethnic cleansing and crimes against humanity. Hehir & Cunliffe (2011) noted that the R2P is based upon the underlying premise that sovereignty entails a responsibility to protect all populations from mass atrocity crimes and human rights violations. It is based on a respect for the norms and principles of international law, especially the underlying principles of law relating to sovereignty, peace and security, human rights, and armed conflict. According to Welsh (2019), the R2P has three pillars:

- i. Pillar I (The Protection Responsibilities of the State): This states that each State has the responsibility to protect its population from genocide, war crimes, ethnic cleansing, and crimes against humanity (Welsh, 2019).
- ii. Pillar II (International Assistance and Capacity-Building): Accordingly, States should pledge to assist each other in their responsibility to protect (Welsh, 2019).
- iii. Pillar III (Timely and Decisive Collective Response): This states that if any State is manifestly failing in its protection responsibilities, then other States should take collective action to protect the population (Welsh, 2019). Welsh (2019), however, noted that while there is agreement among States about the R2P, there is also persistent contestation about the applicability of the third pillar in practice. The R2P provides a framework for employing measures that already exist (i.e., mediation, early warning mechanisms, economic sanctions, and Chapter VII powers) to prevent atrocity crimes and to protect civilians from their occurrence. The authority to employ the use of force under the framework of the R2P rests solely with the United Nations Security Council (UNSC) and is considered a measure of last resort (Global R2P, 2016).

Conflict Resolution

According to (Forsyth, 2009), conflict resolution is seen as the methods and processes involved in reaching a peaceful ending of a conflict situation. It involves committed parties attempting to resolve their misunderstanding by actively engaging in communication with each other (Forsyth, 2009). Conflict resolution is a social process where the conflicting parties enter into an agreement to end hostilities with each other. They decide to live peacefully and cease to use arms against each other (Wallensteen, 2015). The "conflicting parties" in this definition are formally or informally organized groups engaged in national or international conflict. The incompatibility here refers to protracted disagreement between the conflicting parties, where their demands cannot be met by the same resources at the same (Wallensteen, 2015).

Mayer (2012) describes conflict resolution as a process by which people who are in disagreement, dispute, or war reach an agreement to resolve their differences. It involves approaches that depend on the kind of social and cultural context it occurs. Lundgren (2016) noted that many major international non-governmental organizations have seen a growing need to engage practitioners trained in conflict analysis and resolution, just as different scholars are equipped with different approaches to handling conflicts. This is further analyzed below:

The collaboration approach according to Bayazit and Mannix (2003) involves attempts to work with the other party involved in a conflict to find a win-win solution to such conflict, or at least to find a solution that most satisfies the concerns of both parties. The win-win approach of conflict resolution creates opportunities for parties to reach mutually beneficial outcomes, and it includes identifying the underlying concerns of the opponents and finding alternatives which mean each party's concerns (Bayazit and Mannix, 2003). For instance, the parties have historical and cultural links, which enable them to address their shared interests like ancient trade, Islamic heritage, and modern cultural exchange. (Irwin, 2010 (ed)). The strategic relationship between the parties strengthened the sense of cooperation and mutual understanding hitherto. This approach is best suitable for the Syrian conflict, which ensures that all parties to the conflict meet, identify issues, and proffer solutions that best address their needs.

From the foregoing, conflict resolution is seen to be an expanding field of professional practice around the world. The escalating costs of conflict have increased the use of third parties who may serve as conflict specialists to resolve conflicts. In fact, relief and development organizations have added peace-building specialists to their teams.

Complexity Theory

This study adopts the complexity theory as its theoretical basis. The major proponent of the theory is Kauffman (1992) who attempted to explain the rationalized behavior of large and complex systems that operate at the edge of chaos. Other scholars like Burnes (2005) state that the complexity theory proposes the idea that systems are in unpredictable mode, as they are also constrained by order generating rules. It uses complex systems to emphasize interactions and the accompanying feedback loops that constantly change systems (Eisenhardt & McKelvey, 2011). Complexity theory has been used in the fields of strategic management and organizational studies. Its application areas also include understanding how groups adapt to their environments, and how they cope with conditions of uncertainty. According to Grobman (2005), groups have complex structures in that they consist of dynamic individuals with networks of interactions, and their relationships are not aggregations of individual static entities. They are adaptive because the individual and collective behavior mutate and self-organize corresponding to a change-initiating collection of events.

In light of these postulations, the complexity theory helps to better explain the nature of international security which the United Nations Security Council (UNSC) has been entrusted to maintain since after the cold war. The actions and inactions of the UNSC as regards global security continue to be controversial in line with complex systems. This is also as it is identified that States need power, that is why Syria, led by Assad, has been asserting such power in its territory of influence. It helps to explain the uncertainty faced in the Syrian conflict situation, thereby presenting the situational dilemma for conflict resolution practitioners on which steps to take in order not to escalate a conflict situation. Also, the part of the disputants, presents an environment where miscalculated steps by the parties could trigger escalatory actions and continue the progression in the stages of conflict escalation.

Hence, complexity theory is used to better understand new ways of carrying out conflict management, as it has been difficult for traditional models to observe and explain the collective behavior that promotes the Syrian conflict, as a result of the complex dynamic networks of interactions.

Syrian Civil War and the United Nations Principle of Responsibility to Protect

According to Granville (2014), the international community has failed in its responsibility to Syria. As a security provider, the Security Council has long been expected to act decisively and

promptly in the Syrian crisis to protect the helpless Syrian population who are daily killed by unrepentant Assad and his supporters, including Russia and its allies (Granville, 2014). The norm Responsibility to Protect (R2P) was greeted with cheers from well-meaning scholars and advocates of peace when it was successfully applied in Libya to stop Gaddafi from entirely getting the Libyan population interred as cockroaches as he called them. With the same amount of high expectations raised that the Security Council would replicate the same feat in Syria, such expectations have been dashed as the Security Council continues to demonstrate high levels of indifference as genocide, ethnic cleansing, war crimes and crimes against humanity are daily committed by Assad regime, its supporters and terrorist groups. As seen in the works of Evans (2014), *The Consequences of Non-Intervention in Syria*, a major opportunity to break the cycle of violence breeding violence was completely lost with the failure of the UN Security Council to even condemn the behavior of the Assad regime, let alone take more robust measures, when it first became obvious that unarmed protesters were being savagely attacked, and for many months thereafter. That gave the regime a sense of untouchability and impunity, leading to further repressive behavior which energized a fight back by opposition forces, helped by military defections and some external support, which spiraled quickly into the full-scale civil war we have been watching, with horror, unfold ever since (Evans, 2014).

Responsibility to Protect is a State creation amidst myriads of conflicting national interests. The Security Council is polarized into two groups with mutual antagonistic moves and interests with Russia spearheading one group and the United States heading the other. No time has the Security Council shown enough commitment to protect the Syrian population let alone halting the Syrian war. Though, there are moves made by the Security Council at the incipience of the civil war, lack of concerted efforts and willingness rendered such earlier moves impotent. Notable among the moves was the Annan Plan 2012 which contained a six-point plan proposed by the joint UN-Arab League Special Envoy, Kofi Annan. The Plan included the implementation of a ceasefire, withdrawal of government troops and tanks from cities, release of political detainees, freedom of movement for journalists, freedom of association and the right to demonstrate, provision of humanitarian assistance to besieged civilians, and initiation of a political negotiation process led by Syrians (Adams, 2015). Further, the United Nations Mission (UNMIS) was also created to monitor the ceasefire and implement Annan's Plan. But, as Robert Mood, the Norwegian Head of (UNMIS) later argued that "my deployment was unarmed, had a weak mandate, followed passive rules of engagement, and operated within a political six-point plan that was challenging to translate to field realities without full commitment from all parties, including the UN Security Council (Adams, 2015). The consequence of their inactions in Syria is the death tolls that continue to rise.

Major External Influencing Factors in the Syrian Conflict

According to Venturi (2013), the United States interest in Syria is largely oil. Syria, a part of the Middle East falls entirely within the US geostrategic interest of dominating the region. To effectively achieve this motive, the States within the region need to be structured in such a way as to align with the actualization of such interest. This is the more reason it wants Bashar Al-Assad down as Al-Assad is pro-Russian. It is claimed for instance, that the invasion of Afghanistan and Iraq was to achieve and satisfy its thirst for oil. However, the real nightmare of US in the region in achieving this objective is Russia. The US wants to end European Union's dependence on Russia's oil and gas and possibly diversify its energy supply. Already, three major Russian pipelines are supplying energy to Europe and Russia has further planned two new pipelines (Venturi, 2013). The proposed 1,200km Arab gas pipeline which will fall within the

interest of the US and to the detriment of Russia and its allies touched Syria. Syria was meant to become an integral part of pipeline construction from Kilis or Kalas in Turkey to Lebanon and Israel and finally to Aqaba on the Persian Gulf, and from there to Taba and Arish (Venturi, 2013).

Taylor (2014) contends that Syria's refusal of the proposal for the running of the pipeline is one of the major reasons it was attacked by the US and its allies in the region because Al-Assad is seen as an unreliable partner. Furthermore, the agreement signed by Syria, Iraq, and Iran in 2011 to run a pipeline eastward which will allow these Shia-dominated States access the European natural gas market while denying access to Sunni Saudi Arabia and Qatar does not fare well with the US, Saudi Arabia and Qatar (Taylor, 2014). Part of the US interest in Syria is to protect its allies in the region and one of such allies is Qatar. The US believes that ousting Al-Assad will allow Qatar to have direct access to the Western European markets through a new gas pipeline to be constructed, thus undermining the interest of Russia's energy conglomerates. On the part of Russia, Calcuttawala (2017) noted that Russia desires to increase European gas dependence on its resources and the best way it believes will actualize this is to limit the presence of America and its allies in the region by backing Assad's regime and Iran. With Iran, Iraq, and Syria on its side, Russia would succeed in maintaining its hegemony in the region, and European Union member states rely on Russia's oil. The Nabucco pipeline agreement signed in Turkey with other European states, supported by the US tended to limit the European Union's dependence on Russia's oil and gas, undermining its influence. The project has been successfully brought to a halt as Iraq and Iran under the interest of Russia pulled out (Venturini, 2013). Also, part of Russia's interests in Syria is to protect a deal it struck with Syria in 2016 on Syria's fossil fuel which Russian companies have been contracted for a possible workable deal (Calcuttawala, 2017). From the view-point of Rafizadeh (2014), Iran's encroaching influence on actors in the Syrian civil war presents an opportunity to assert and consolidate its stance in the region and deepen its alliance with the Syrian government. There have been ideological and geo-strategic rivalries between Iran and other Sunni Arab countries. To this effect, allowing the Alawite-dominated State of Syria and President Al-Assad Bashir to be overthrown will tip the regional balance against Iran and in favor of Sunni majority states such as Saudi Arabia, Kuwait, and Qatar. Therefore, since the birth of the Syrian civil war, Iran's foreign policy towards Syria has been to concretely stand by the Syrian government and fight armed rebels and government opposition. Thus, Iran thinks of accomplishing this through robust financial, military, intelligence, and advisory assistance to the Syrian government. As echoed by the UN reports, "Iran has continued to defy the international community through illegal arms shipments. Two of these cases involved shipment to Syria, as were the majority of cases inspected by the panel during its previous mandate, underscoring that Syria continues to be the central party to illicit Iranian arms transfers (Rafizadeh, 2014).

The United States and its allies, the United Kingdom and France have pushed for regime change in Syria. Though they failed to act militarily in Syria when compared with their actions in Libya, the reasons for their push for regime change in Syria are not far-fetched. First, the change of the Syrian Government which will result in the fall of Al-Assad and possibly the end of Alawite rule would likely tip the balance of power in the region in their favor (Friedman, 2012). Second, if the government is overthrown, the Republic of Iran would lose a strategic ally in the region and weaken the Islamic Republic of Iran and its connections with non-State actors like Hezbollah to the favor of the United States and its Western allies. Third, the fall of the regime would most likely mean that the Sunni majority is installed as Syrian government which will be closer to the United States and its Western allies. Fourth, bringing down Assad and installing a pro-United

States government would allow for a holistic fight against extremist groups in the region, further guaranteeing their national security, and reduction in the influx of refugees in their States.

Conclusion

This study analyzed the United Nations' principle of Responsibility to Protect (R2P) and its application to the Syrian civil war. It is found that the international community has failed in its responsibility to Syria. As a security provider, the United Nations Security Council (UNSC) has long been expected to act decisively and promptly in the Syrian crisis, to protect the helpless Syrian population who are daily killed by the War. International influences including the two heavy-weights of the UNSC - Russia and America, have long been intervening in the conflict by providing weapons and logistical support, thereby prolonging the crisis. A major opportunity to break the cycle of violence breeding violence was completely lost with the failure of the UN Security Council to even condemn the behavior of the Assad regime, let alone take more robust measures when it first became obvious that unarmed protesters were being savagely attacked, and for many months thereafter. This gave the regime a sense of untouchability and impunity, leading to further repressive behavior which energized a fight back by opposition forces, helped by military defections and some external support, which spiraled quickly into a full-scale civil war which the international community and the UN have been watching with horror unfolding ever since.

Recommendations

Based on the findings made in this study, the following recommendations appear necessary:

- i. The international community and especially, the United Nations, should ensure quick intervention to implement the R2P principle to stop the high rate of human rights violations going on in Syria.
- ii. Russia and America, the two great powers should use their leverage and influence on all sides of the conflict to adhere to a peaceful resolution of the conflict.
- iii. The intervention States, regional organizations, and most especially, the United Nations should garner efforts to rejuvenate their humanitarian responses to the Syrian people who are daily increasing in number needing humanitarian assistance.
- iv. It should be mandated that the United Nations Security Council intervene in the Syrian crisis and protect civilians in dire need of safety.

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