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INTERROGATING THE UNITED NATIONS HUMANITARIAN AND MILITARY INTERVENTIONS AS PANACEA TO THE SYRIAN CRISIS

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Abstract

The establishment of United Nations is to promote peace, security and development in the international space. The United Nations made use of principles to resolve crisis, war and threats to the international community through international laws. This study explored the humanitarian and military interventions of the UN as a panacea to the Syrian crisis. The study adopted qualitative research method in order to assess the extent to which the humanitarian and military interventions by the United Nations could be a solution to the Syrian conflict. Data for the study was sourced mainly from secondary sources such as desk top study, published books, internet sources, journals, international organisations documentaries, published reports and databases. The theoretical framework adopted for the research was the Responsibility to Protect (R2P) theory. The study found out that the initial peaceful protest movement against an oppressive regime in Syria had evolved to a complicated multi-layered war, which had further degenerated into a protracted Syrian crisis with no end in sight. The study further found out that the numerous initiatives of the United Nations in attempts to resolve the Syrian crisis only resulted in temporary ceasefire that could not be said to be altogether successful due to the counter aggression of the rebels. The study also established that the Humanitarian intervention which was one of the United Nations attempts in Syria to an extent was more successful due to the assistance it was able to give to the citizens through provision of food, shelter and medical personnel and relief. It was discovered that the military intervention on the other hand, further fuelled the crisis because of its means of force, as such, this did not yield the expected result of resolving the Syrian crisis, but rather it fuelled it. In the foregoing, the study concluded that the Syrian conflict took a totally different turn from its initial focus at inception due to the poor management of the conflict, and the resultant increase of casualties due to the military intervention. Therefore, the study recommended among other things, that the UNSC should prioritize what is important, which is international security rather than their self-interest. Member States of the United Nations should adhere to international customary law, international humanitarian law and international human right law in order to broker lasting peace in Syria.

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Introduction

The pursuit for peace and development has been one of the major roles for the United Nations. The United Nations is one of the most reckoned with intergovernmental organization in the world today. The United Nation was established in October 24, 1945 as an aftermath of the World War II and succeeding the first intergovernmental organization known as the League of Nations. During the war, there was a clear need for interdependence by States due to the catastrophe the war had left each State to be in. Hence, the emergence for a second multipurpose intergovernmental organization in the 20th century which was worldwide in scope and membership was needed (Rumki, 2004).

The United Nations has maintained peace in the international community so far, due to the non-occurrence of a World War III. However, the situation of some individual States in the international system cannot be said to be peaceful because a good percentage of such States are going through one national crisis or the other; if these crisis are not well managed, it may snowball into an uprising and become international threats.

However, with the fear of the potential rise of national crisis into international threats, the Syrian crisis is a vivid example of such national crisis. The Syrian crisis started as a peaceful protest between the citizens and the government, the escalation of a peaceful protest can be credited to the interference of the United States, Russia and China in their facade of fighting for peace to reign, which is more or less the furtherance of their own national interest in the land of Syria (Allison, 2013).

A plethora of contemporary challenges have exposed the United Nations to global criticisms regarding their ability to evolve with changes in the ongoing geopolitics, most notably the organization's responsive rather than reactive approach to addressing international crises and the increasing rise in nations that are disinterested in international consensus building (Tyyska, Blower, DeBoer, Kawai, & Walcott, 2017). The protection of civilians, the threat of violent extremism and the dilemmas of state building have presented obstacles that have forced both the United Nations General Assembly and the United Nations Security Council to re-evaluate their ability to comprehensively address today's global challenges (Averre & Davies, 2015).

The Syrian crisis which started in 2011 has led to the death of over 400,000 people, rendered over 7.6 million displaced and about 3.2 million people seeking for refuge in neighbouring countries (Berti 2015, Karim, 2017). It will not be an overstatement to refer to this situation as one of the worst humanitarian crisis since the Second World War (WWII).Berti (2015) and Karim (2017) characterized the conflict as a contentious one because of its multiple facets and strands, including proxy wars between forces (the US and Russia; Saudi Arabia and Iran), and wars against terrorism including Islamic fundamentalist and terrorist groups such as the Islamic State of Iraq and Syria (ISIS) and Al-Qaeda. The United Nations (UN) has been working to settle the dispute in compliance with the humanitarian intervention which was fully expressed in the Chapter VII, articles 39, 40, and 41 of the Charter. These attempts were

made in the form of resolutions, vetoed by a number of members of the United Nations Security Council (UNSC) (Ogunnowo & Chigozie, 2020).

Statement of the Problem

The Syrian conflict since the year 2011 is a bitter example where a sovereign state and the international community have manifestly failed in their responsibilities to protect civilians from mass atrocity crimes. What factors have prevented the international community from fulfilling its obligation under the principle of the Responsibility to Protect (R2P) to save Syrian civilians?

The Syrian government have failed its people without being responsible to protect the citizens. When a failed State cannot protect its own, it gives UN the right to intervene into the affairs of such State. Due to the death of more than 400,000 people, 5million of whom are refugees and 6.3 million that are internally displaced showed the rate at which Syria has failed her people (Pierini, 2016).Therefore, the United Nations Security Council's Resolution meetings led to Member States voting for Humanitarian intervention while some individual member States resolved to military intervention in an attempt to solve the conflict. The question is; how has the humanitarian and military interventions been successful in bringing peace to Syria and solving the conflicts in Syria? This constitutes the preoccupation of the study. Specifically, the conflation over time of political and humanitarian objectives has damaged the concept of impartial humanitarian action, without which as Syria shows innocent civilians are without protection (Moslemi & Babaeimehr, 2016).

The research adopted a qualitative method, which is descriptive and narrative in nature to assess the humanitarian and military intervention of the UN as a panacea to the Syrian conflict. In other to accomplish this, the study employed an exploratory design relying on secondary data which are entirely literature-based like textbooks, scholarly journals, news-paper articles, and reports as well as the internets.

The theoretical framework for the study was the Responsibility to Protect Theory (R2P).The emergence of this theory was a response to a real international problem: the international community's continued inability to effectively prevent or stop mass atrocity crimes, even crimes against humanity, such as genocide, ethnic cleansing, and other major crimes, despite the adoption of the Genocide Convention and many other international human rights standards after World War II (Evans, 2013).

The R2P doctrine was infused into the language and structures of international relations as a result of this radical coating, and the principle was endorsed by all UN Member States at the 2005 World Summit. R2P appeared to have become a well-established concept of international relations, and it appeared to be increasingly the hegemonic mechanism by which the role of the international community in crisis, war, and humanitarian emergencies is understood (Cuncliffe, 2011).

R2P was established on the principle of "sovereignty as responsibility." According to many UN officials who formulated the concept in the 1990s, sovereignty encompasses a dual responsibility: respecting and protecting the human rights of people within the state and respecting and protecting the sovereignty of other nations (Evans & Sahnoun, 2002). "Political

sovereignty implies accountability, and the primary responsibility for the security of its citizen's rests with the state itself," according to the International Commission on Intervention and State Sovereignty (ICISS) report. According to the ICISS report "Responsibility to Protect," R2P has three pillars: (1) states have the primary responsibility to protect their citizens from crimes against humanity, ethnic cleansing, genocide, and war crimes; (2) the international community has the responsibility to assist states in fulfilling their responsibility to protect citizens; and (3) the international community has the responsibility to prevent crimes against humanity, ethnic cleansing, genocide, and war crimes (International Commission on Intervention and State Sovereignty, 2001).

One of the pillars of R2P is to protect the people from mass atrocities, the conflict in Syria can be said to be tilting to the rage of mass atrocities. The citizen of Syria are not safe and will need humanitarian intervention to prevent from being victims of the conflict or casualties of the conflict. Therefore, the United Nations would intervene to protect the people of Syria due to the incapability of Syria protecting her people.

Discussion

The Humanitarian intervention was one of the resolve taken by the UNSC in other to avoid hardship or rage of war in the land. Humanitarian intervention is a means to avert a blatant violation of human rights in a State, where a State is not proficient or reluctant to defend its own people (Jayakumar, 2012). Therefore, Humanitarian intervention was one of the first resolution schemes that all Member States of the UNSC agreed to without any opposition from any member. Based on the United Nations Security Council Resolution (UNSCR) meetings done in previous times, the high rate of considering the international Human right and Humanitarian law was at its peak, which births the United Nations Humanitarian Intervention.

The Humanitarian Intervention has lots of theories supporting what constitute its purpose, relevance and meaning. One of such is the submission of El Taraboulsi-McCarthy et al. (2016), who explained that the humanitarian interventions comes to play when States fail to provide adequate safety for their citizens in times of conflicts. Humanitarian intervention is an old concept that predates the United Nations Charter era. Its foundation hinged on the Just war doctrines.

Therefore, the United Nations outlined certain procedures that must guide any humanitarian intervention before it can be implemented in order to ensure the needed peace. Hence any intervention must conform to the procedures already stated in the United Nations Charter (Foley, 2017). The UN Charter, Chapter VII, articles 39, 40, and 41 explained in detail, certain conditions that must be met before states can intervene militarily in other states. This implies that there are certain rules or criteria that must be in place before the Humanitarian intervention is considered. Humanitarian Intervention cannot be called out by the endangered State but it must be the duty of the UNSC to decree and see reasons why it is needed in any form of conflict. In the foregoing, the article of the UN charter that was duly considered before the Humanitarian Intervention in Syria was:

Article 39: The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations or decide what measures

shall be taken in accordance with Articles 40 and 41, to maintain or restore international peace and security. In this article, the Syrian conflict is an obvious threat to international peace. It was initially proclaimed as a domestic affair with political problems but as the conflict prolonged it escalated to an international threat which has been identified by the United Nations Security Council.

Article 40: To prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures. The birth of the Humanitarian intervention in the Syrian conflict is due to the meetings of UNSCR that has been taken place since the year 2012 which was the period in which the United Nations intervened. There have been considerable measures that has been considered in other to put the conflict the rest, however, due to conflict of interest among Member States of the United Nations Security Council, such measures have been unsuccessful. The Humanitarian intervention was one of the general agreement made by the UNSC member states with no one altering it. This article was therefore agreed upon by every party involve, hence, the possible consideration of the Humanitarian Intervention.

Article 41: The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the members of the UN to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations. The measures that would be carried out in other to solve the Syrian crisis has always been deliberated by the UNSCR meetings. They all gather to give deliberations before coming to conclusions and giving action plans. So far, the UNSC has further given humanitarian packages, first aids by medical personnel and negotiated for shelter from neighbouring States for the civilians.

The United Nations Charter sets out protocols for humanitarian actions to ensure world peace. As a result, States obtained mandates to interfere militarily in a dispute from the international community through its approved bodies, most notably the UNSC. As a result, the legitimacy of humanitarian actions is established when they follow the procedures outlined in the UN Charter. Articles 39, 40, and 41 of Chapter VII of the UN Charter spelled out specifically these standards and requirements that must be met before States can interfere militarily in other states (Folely, 2017; Ogunnowo & Chigozie, 2020) and one of such key standard is the recognition of human right. The Syrian conflict has been a great threat to international peace and has been prolonged for so long. It has also been one of the most dreadful humanitarian crisis since WWII, which has birthed the occurrence of the Humanitarian Intervention for the sake of peace from all perspective including all Member States of the UNSC.

One of the key guiding principles for humanitarian intervention is the Responsibility to Protect (R2P). The several doctrines, treaties, and other frameworks designed to safeguard human rights through humanitarian actions is the duty to protect. The R2P doctrine stressed the universality of human rights and advocated their unconditional security. It puts the blame for upholding human rights on the state, and if it fails, it falls to the international community

(Cohen, 2019). The Syrian government, its allies, and armed opposition groups have all carried out attacks on civilians and civilian facilities in flagrant violation of international humanitarian law over the last decade. Their activities could be classified as war crimes or crimes against humanity, and they continued to violate international humanitarian law (IHL) and international human right law (IHRL). The UN Security Council's (UNSC) failure to keep offenders responsible has contributed to the dire situation in Syria. Various UNSC resolutions have been directly breached by the Syrian government, and Russia has consistently protected Syria from international accountability measures. Syria's government has not only failed to protect its citizens, but it also shares primary responsibility for the continued war crimes and crimes against humanity (Bunche, 2021).

In 2013, the International Committee of the Red Cross (ICRC) while maintaining neutrality, cancelled on all parties to observe the rule of international humanitarian law and to permit humanitarian agencies to provide aid, including much needed medical supplies to all people that may be in need (Aaronson, 2014). Hence, the adoption of the Humanitarian intervention in Syria which has been a success due to the assistance given to the Syrian citizen. The Humanitarian intervention gave hope to the people of the Syria and provided food, shelter and medical assistance to them.

Moreover, military intervention that became an important aspect of a country's response to unlawful actions done against small and vulnerable countries by terrorist or militant neighbouring countries. Military intervention is usually a final choice because diplomacy is never considered by all parties involved in a diplomatic matter. Some individual States of the UNSC took laws into their hands like U.S and Russia.

In 2017, the United States of America launched missile strikes on the Shayrat military airbase in Syria, the US had taken an extraordinary move in its Syrian engagement to date. The use of chemical weapon by the Syrian government on its people was what led to the retaliation of the US in launching the missiles strike. The attack of the chemical weapon reported, at least 70 people, including 21 children, have died as a result of "exposure to highly toxic chemicals," according to the World Health Organization. Meanwhile, the US response has contributed to a debate about the right of States in the international community; international law's and institutions' limited capacity to respond to certain actions performed by individual States within their borders. The Security Council had reaffirmed that any breaches found by the Joint Investigative Mechanism (JIM) would be met with "measures under Chapter VII of the United Nations Charter," which include punitive measures including sanctions, blockades, and enforcement actions. Moreover, Syria called the US missile attack on Shayrat "blatant aggression," while Russia called it "aggression against a sovereign state in breach of international law." Syria is still not a signatory of the International Criminal Court (ICC), which would otherwise have jurisdiction over war crimes and crimes against humanity committed there (Naik, 2017).

As Western posturing and resolve to ‘do something' in response to Syria's use of chemical weapons hardens, one of the increasingly popular logics is that, with all other options exhausted, a military intervention of some kind is the last resort. The desire to flex and employ the West's immense military strength appears to have been overpowering, reflecting the frustration of political leaders and opinion makers in London, Washington, and Paris that

nothing else has succeeded so far (Wolff, 2014). The military intervention taken by the U.S aggravated the conflict in Syria and killed more people which was not a resolution but a fuel to the conflict.

Moreover, many people were surprised by Russia's military engagement in Syria's civil war in 2015, and it aroused concerns about the possibility of similar operations in other countries outside of post-Soviet Eurasia. By examining the elements that drove Russian intervention decision making, three political elements emerge as main drivers of the decision: the assumption that an undesirable military outcome, the collapse of the Assad regime was inevitable and could be avoided by interfering; the assumption that this outcome would have had significant security ramifications; and the sense that other alternatives (such as diplomacy) had failed (Charap, Treyger, & Geist, 2019).In September 2015, Russia also conducted air strikes against Syria, ostensibly to combat militant groups, according to Moskva. Russia's air attack in Syria was the country's most significant intervention in the Middle East in decades. Since then, Russia has emerged as a key player in the conflict, forcing the US to acknowledge that they are not the only power brokers in the region. Syria has devolved into a rivalry in which regional and global superpowers follow their own agendas as a civil war rages (Pettersson, 2019).

However, the UNSC came to conclusion that the use of force to resolve the conflict will not bring solutions but rather lead to more damage. Hence, the military intervention was nullified and the promotion of Humanitarian intervention was agreed upon. All Member States of the United Nations has therefore been obligated to support the Syrian crisis with their own resources in other to bring it to an end.

Conclusion and Recommendations

The study concluded that Syria is a failed state due to its inability to protect its citizens. The aftermath of this failure was responsible for the intervention of the UN and the incursion into Syria, activities of other non-State actors all in the guise of aid to the embattled State. The UN obligated all States to aid Syria with their resources under the umbrella of humanitarian intervention, all in a bid to protect the citizens. The study further concluded that due to Syria's violation on the international human right and international humanitarian law, the UN took charge of protecting the people from the rage of the war. From this dimension therefore, the study concluded that the humanitarian interventions of the UN was successful, as obvious by the responses of the various UN led humanitarian agencies coming to the aid of the people by providing medical assistance, shelter and food. The success was also obvious in their aligning with the guiding rule for humanitarian intervention under the responsibility to protect (R2P) which was what the UN has done in all their attempts to bring about peace in Syria. Furthermore, the responses of some UN bodies to the ongoing crisis in Syria such as the Human Rights Council, the General Assembly, and the Security Council (Barrow, 2012) are indications of the success of the humanitarian intervention to a large extent. On the other hand, military intervention does not qualify to be acclaimed to be successful. This is due to the counter aggression by the rebel to the nature of force employed in military interventions which had resulted to more casualties in Syria. This is evidenced by the records of the military intervention of United States and Russia which led to the affiliation of State rather than interest of Syrians. Furthermore, the Syrian conflict only aggravated through the means of force, that is, the peace protest from inception only became a conflict after the attack at Daesh. It became increasingly more difficult to resolve especially after the use of chemical weapons

by Syria itself, which provoked the people and member States of the United Nations. The Russian airstrike did not also resolve the issue of the conflict. All these are indicators of failure as regards military interventions in Syrian crisis.

The study therefore recommends that member States of the United Nations should adhere to international customary law, international humanitarian law and international human right law in order to broker lasting peace in Syria. Lastly, the first world countries should desist in using Syria as a pawn in the pursuance of their self-interest goals to the detriment of sustainable peace in Syria.

References

Abdenur, A. E., & Sochaczewski, M. (2016). Brazil in the field of humanitarian aid: mapping out its role in the Syrian conflict. Humanitarian Crises, Cooperation and the Role of Brazil, 67-101.

Aboualfa, S. (2016). *Foreign intervention in the Syrian Civil War under the scope of International Law.* Accessed from https://medium.com/@THE_CEO/foreign intervention-in-the-syrian-civil-war-under-the-scope-of-international-law-b076d4f504 on 08/04/2021.

Allison, R. (2013). Russia and Syria: Explaining Alignment with a Regime in Crisis. International Affairs, 89(4), 795–823. doi:10.1111/1468-2346.12046.

Averre, D., & Davies, L. (2015). Russia, humanitarian intervention and the Responsibility to Protect: the case of Syria. International Affairs, 91(4), 813-834.

Barrow, A. (2012). Summary of UN Effort In Syria. Women's International League for Peace and Freedom. Accessed from https://www.peacewomen.org/e-news/article/summary-un efforts-syria on 08/04/2021

BBC News. (2021). Why has the Syrian War Lasted 10 Years? Accessed from https://www.bbc.com/news/world-middle-east-35806229 on 08/04/2021.

Berti, B. (2015). The Syrian refugee crisis: Regional and human security implications. Strategic Assessment 17(5), 41–53.

Bunche, R. (2021). Syria: Global Centre for the Responaibility to Protect. Ralph Bunche Institute for International Studies. New York. Available at: https://www.globalr2p.org/countries/syria/#:~:text=The%20government%20of%20Syri%20has,crimes%20and%20crimes%20against%20humanity. [Accessed on 15/04/2021]

Charap, S., Treyger, E., & Geist E. (2019). Understanding Russia's Intervention in Syria. CA: Rand Corporation. https://www.rand.org/pubs/research_reports/RR3180.html

Cuncliffe, P. (2011) (eds). Critical Perspectives on the Responsibility to Protect: Interrogating Theory and Practice. Routledge: New York.

El Taraboulsi-McCarthy, S., Metcalfe-Hough, V., & Willitts-King, B. (2016). Foreign policy and humanitarian action: An agenda for inquiry [HPG Working Paper]. Overseas Development Institute

Evans, G. (2013). The Responsibility to Protect: Theory and Practice. China Institute of International Studies (CIIS). Conference on Responsible Protection: Building a Safer World, Beijing, 17

Evans, G. & Sahnoun, M. (2002) "The Responsibility to Protect." Foreign Affairs 81.6, p.102 International Commission on Intervention and State Sovereignty, (2001) The Responsibility to Protect. www.dfait-maeci.gc.ca/iciss-ciise/menu-en.asp

Jafarova, E. (2014). Conflict resolution in South Caucasus: Challenges to international efforts. Lexington Books.

Karim, S. (2017). Syrian crisis: Geopolitics and implications. BIISS Journal, 37, 107–132

Moslemi, B., & Babaeimehr, A. (2016). Principle of Sovereign Equality of States in the Light of the Doctrine of Responsibility to Protect. International Journal of Humanities and Cultural Studies (IJHCS) ISSN 2356-5926, 1(1), 687-697.

Ogunnowo O.E & Chigozie F. (2020). International Law and Humanitarian Intervention in the Syrian Civil War: The Role of the United States. Sage Journal, *10*(2). doi.org/10.1177/2158244020919533

Pierini, M. (2016). In search of an EU role in the Syrian war. Carnegie Endowment for International Peace.

Rumki, B. (2004). *The United Nations*: Structure & Functions of an International Organisation. Sterling Publishers Private Limited. 4th Ed. ISBN 8120727754, 9788120727755.

Scanlon, H. Eziakonwa, A & Myburgh, E. (2007). AFRICA'S RESPONSIBILITY TO PROTECT. The "Responsibility to Protect" Centre for Conflict Resolution. http://www.jstor.com/stable/resrep05139.6

Seeberg, P. (2015). The EU and the Syrian Crisis: The Use of Sanctions and the Regime's Strategy for Survival. Mediterranean Politics, 20(1), 18-35.

Tyyskä, V., Blower, J., DeBoer, S., Kawai, S., & Walcott, A. (2017). Syrian Refugee crisis in Canadian media. Ryerson Centre for Immigration and Settlement.

Wolff, S. (2014).Military Intervention in Syria: the worst or just one among many bad options? University of Birmingham. https://www.birmingham.ac.uk/research/perspective/syria military-wolff.aspx