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The UN Security Council on Syria: Radical Change or Continuity?

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The UN Security Council on Syria: Radical Change or Continuity?

Abstract

The Presidential Statement issued by the UN Security Council on August 3 condemning the widespread violation of human rights by Syrian authorities was hailed by some as signaling the collapse of the pro-Syrian "defiance coalition."

This "defiance coalition," comprised of the so-called "BRICs" (Brazil, Russia, India, China, and South Africa) along with Lebanon, did indeed relent, begrudgingly, to growing international pressure for action on Syria. However, whether a statement containing little actionable content signals the crumbling of defiance rather than a diplomatic maneuver as calculations are recalibrated in light of developments is another matter.

Keywords

Human rights, United Nations, Syria, United Nations Security Council, Responsibility to protect, Humanitarian intervention, Military action

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The UN Security Council on Syria: Radical Change or Continuity?

by Thomas Pegram

The Presidential Statement issued by the UN Security Council on August 3 condemning the widespread violation of human rights by Syrian authorities was hailed by some as signaling the collapse of the [pro-Syrian "defiance coalition."](#)

This "defiance coalition," comprised of the so-called "BRICs" (Brazil, Russia, India, China, and South Africa) along with Lebanon, did indeed relent, begrudgingly, to growing international pressure for action on Syria. However, whether a statement containing little [actionable content](#) signals the crumbling of defiance rather than a diplomatic maneuver as calculations are recalibrated in light of developments is another matter.

Recent history offers little comfort to those who suggest that there has been a [radical change](#) in stance among the countries on the Security Council regarding their responsibilities when faced with humanitarian crisis. Indeed, the defiance of the BRICs towards tougher action on Syria is as much, if not more, driven by "anti-interventionist" principles as narrow "pro-Assad regime" interests.

Despite endorsement by the UN General Assembly of the idea of Responsibility to Protect (R2P) in 2005, the Security Council—the sole UN body with the authority to sanction enforcement action—has proven deeply reluctant to combine words with action.

In particular, the more overtly coercive dimensions of human rights enforcement contained in R2P—be they military or non-military—are disputed by its detractors as running counter to the norm of [sovereign equality](#) affirmed by the UN Charter.

Recognition of certain fundamental principles enshrined in R2P—that sovereign states have a duty to prevent atrocity crimes—does not diminish the hard realpolitik of Security Council debate, which invariably subjugates such principles to the national interest of individual countries. States remain to be convinced that human rights crimes constitute a threat to their own or the collective's security.

The Security Council's hesitant response to the unfolding Rwandan genocide in 1994 is widely documented. Chinese and Russian opposition to the use of force in the Kosovo conflict led to the *de facto* outsourcing of responsibility to NATO, the [legality and legitimacy](#) of which remains disputed. The extra-legal Iraq intervention in 2003 has been widely perceived as an abuse of humanitarian justification for war.

In the post-Iraq era, difficulty in reaching consensus on the appropriate response to massive violations of human rights has confounded demands for decisive Security Council action on Darfur. Claims that Sudan had manifestly failed in its responsibility to protect were repeatedly rejected by the BRICs.

The failure of the Security Council to compel the Sudanese government to cease its genocidal policies led to an [estimated 300,000 civilian deaths](#) and is attributable in large part to the principled and self-interested objections of anti-interventionists.

Responsibility to protect may now be a mainstay in the [language of diplomacy](#). However, different interpretations of scope and threshold continue to dog its operationalization—especially with regard to the use of the UN's coercive apparatus.

Potential R2P crises in Kenya (2007), Sri Lanka (2009), Burma/Myanmar (2010), Guinea (2010), Kyrgyzstan (2010), Ivory Coast (2011), South Sudan (2010), and Congo (2011) have arguably served to muddy the waters further, resulting in little concrete action. Russia appropriated the language of R2P to justify its [unilateral intervention in South Ossetia in 2008](#).

It is against this backdrop of post-Rwanda inaction and the ill-fated hope of "never again" that the Libyan intervention has been seized upon as a possible game changer. The NATO action in Libya, under the auspices of UN Security Council [Resolution 1973](#), has been hailed by some R2P advocates as a vindication of "[military humanitarianism](#)."

However, with few exceptions, the action has provoked predictably strong opposition from the global south, with China, [Russia](#), the [African Union](#), and the [Arab League](#) (after initial endorsement of a no-fly zone) accusing NATO of acting outside the boundaries of the resolution and using humanitarianism as a pretext to engineer regime change.

What are the spillover effects on the Syrian situation? It is notable that the BRICs along with Germany abstained from the vote on Resolution 1973. Given this precedent, coupled with their professed alarm and surprise at NATO's actions in Libya, a resolution authorizing "all necessary measures" to protect civilians in Syria is [a remote prospect](#).

Making the judgement call that military intervention in Syria would do more harm than good, the Security Council might still impose non-military sanctions to apply pressure—also envisaged by R2P—such as arms embargoes, asset freezes, and the controversial ICC referral. However, the window for the UN to meet its R2P commitment to timely and decisive action is fast receding as the [death toll continues to mount](#).

Indeed, on this basis, we might also include the US in the coalition of defiance, with [Washington vacillating for months](#) before finally calling for Assad's departure. We might also question the US stance on other "[kingdoms of silence](#)" in the region that have experienced waves of civil unrest followed by (more successful) brutal crackdowns, notably in Bahrain and [Saudi Arabia](#).

Judging by the Presidential Statement of August 3, the Security Council stance on Syria is not so much one of [radical change](#), but rather one of continuity. In affirming a "[strong commitment to the sovereignty, independence, and territorial integrity of Syria](#)," the Security Council perpetuates its inconsistent and underwhelming record of response to human rights crimes perpetrated by states against their own populations. If Libya is ultimately deemed a glimmer of hope for humanitarianism over power politics, Syria may well prove a defeat.

[Thomas Pegram](#) is a lecturer in political science (international relations) at Trinity College, Dublin. He holds a DPhil in Politics from Nuffield College, University of Oxford. He has held research fellowships at Harvard Law School's Human Rights Program and New York University School of Law. His publications include Human Rights, State Compliance, and Social Change: Assessing National Human Rights Institutions (Cambridge University Press, forthcoming 2012) (edited with Ryan Goodman) and "Diffusion across political systems: the global spread of national human rights institutions," Human Rights Quarterly, vol. 32, No. 3, August 2010, pp. 729-760.