

# The United Nations Humanitarian Response in Syria

Modern Middle Eastern Studies

Master Thesis

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#### **Abstract**

Gaining access remains one of the main impediments to the United Nations humanitarian response in Syria. Since 2011, the Syrian government has systematically blocked the United Nations from accessing populations in opposition-held areas. In theory, the Humanitarian Principles Neutrality and Independence provide the framework for gaining impartial access to conflict settings. Ironically, however, in practice the need to gain access has pushed the United Nations to compromise the Humanitarian Principles and comply to President Assad's demands. While the United Nations' compromises enable it to access at least government approved areas, these compromises have also facilitated Assad's siege warfare tactic, population displacements and thereby re-shaped Syria's socio-political landscape. Analysis of the Syrian conflict often focuses on President Assad's role in perpetuating violence. Yet, the United Nations' aid operation plays a similarly crucial role in shaping the dynamic and political outcome of the Syrian conflict. This paper therefore asks; To what extent has the United Nations adhered to the Humanitarian Principles Neutrality and Independence in its operations in the Syrian conflict between 2011 and 2017 and what are the implications?

# **Table of Contents:**

Glossary of Terms	4
Chapter 1: Introduction	6
Methodology	10
Chapter 2: Literature Review	11
Chapter 3: Historical Context	17
Chapter 4: The United Nations Operational Decision-Making	24
The United Nations Contribution to Syria's War Economy	26
Political Partners and the United Nations Remote Response	30
Chapter 5: Contextualizing the United Nation's Operational Decision-Making	36
The Internal Politics of the United Nations	39
The United Nations Neglect of the Informal Humanitarian Response	43
Chapter 6: The Implications of the United Nations Operational Decision-Making	46
Sieges and Starvation	48
Reconciliation and Forced Displacement	50
Syria's Shifting Socio-Political Fabric	53
Conclusion	57
References	59

### Glossary of Terms

UN United Nations

UNHCR United Nations High Commissioner for Refugees

WHO World Health Organization

UNRWA United Nations Relief and Works Agency for Palestinian

Refugees

WFP World Food Programme

UNSC United Nations Security Council

UNICEF United Nations International Children's Emergency Fund

UNFPA United Nations Population Fund

UNDP United Nations Development Programme

NCC National Coordination Committee for Democratic Change

SARC Syrian Arab Red Crescent

IHL International Humanitarian Law

ICL International Criminal Law

IHRL International Human Rights Law

MENA Middle East and North-Africa

SNC Syrian National Council

PYD Kurdish Democratic Union Party

ISIS Islamic State of Iraq and Syria

AQI al-Qaeda in Iraq

ISI Islamic State in Iraq

ICCT International Centre for Counter-Terrorism

HRP Humanitarian Response Plan

SEA Syrian Electronic Army

ECHO European Commission Humanitarian Office

INGO International Non-Governmental Organization

NGO Non-Governmental Organization

HTS Hayat Tahrir al-Sham

ICRC International Committee of the Red Cross

SOHR Syrian Observatory for Human Rights

UOSSM Union of Medical Care and Relief Organizations

IDP Internally Displaced Person

IRGC Islamic Revolutionary Guard Corps

### **Chapter 1: Introduction**

As the Syrian civil conflict enters its eighth year still without a viable political solution an effective and sustainable humanitarian response is becoming increasingly important. While additional funding is certainly necessary to address short-falls, the protracted nature of the crises calls into question the effectiveness of the current humanitarian response. Often, effectiveness is measured by the number of people reached yet who is reached and what the implications are present equally crucial questions. Given the tremendous importance of aid in the context of scarcity, it is key to consider where aid is going and who is benefiting. Depending on the receiver, aid operations either contribute to stabilizing the status quo or to advancing social and political change.

In Syria, gaining unhindered and impartial access to populations presents one of the main impediments to the delivery of humanitarian assistance. The UN seeks to mitigate the possible political consequences of humanitarian aid by upholding the Humanitarian Principles: Neutrality, Independence. <sup>5</sup> In combination with International Humanitarian Law, which underlines the right to give and receive humanitarian assistance, these principles generate the 'humanitarian space' necessary to operate in conflict zones. Although the concept of 'humanitarian space' is subject to multiple interpretations, in this context humanitarian space refers to the physical access that humanitarian organizations have to populations in need. <sup>6</sup> In theory, adhering the Humanitarian Principles is central to establishing and maintaining access to affected populations. <sup>7</sup> In reality, however, the political nature of the conflict has pushed the UN to compromise the Humanitarian Principles in favor of gaining access. In the face of this contradiction this paper asks: To what extent has the United Nations adhered to the Humanitarian Principles Neutrality and Independence in its operations in the Syrian Conflict between 2011 and 2017 and what are the implications?

While the Humanitarian Principles offer behavioral guidelines to gain access in conflict settings, the right to access is also manifested in various legal documents. In June 2012 the International Committee of the Red Cross (ICRC) classified the Syrian conflict as a Civil War

<sup>&</sup>lt;sup>1</sup> Ammar Kourany and Martha Myers, "Assistance Funding to Syria: For Development or Strife?," Middle East Policy 24.2 (2017): 130

<sup>&</sup>lt;sup>2</sup> Harriet Grant, "UN agencies 'broke and failing' in face of ever-growing refugee crisis," *The Guardian*, September 6, 2015, https://www.theguardian.com/world/2015/sep/06/refugee-crisis-un-agencies-broke-failing

<sup>&</sup>lt;sup>3</sup> José Ciro Martinez, and Breng Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war, 2012–15," *International Affairs* 92.1 (2016): 158

<sup>&</sup>lt;sup>4</sup> Esther Meininghaus, "Humanitarianism in intra-state conflict: aid inequality and local governance in government- and opposition-controlled areas in the Syrian war," *Third World Quarterly* 37, no.8 (April 2016): 1458

<sup>&</sup>lt;sup>5</sup> Humanitarian Access in Situations of Armed Conflict (Bern: Federal Department of Foreign Affairs, 2014), 20

<sup>&</sup>lt;sup>6</sup> Humanitarian Policy Group, Humanitarian Space: Concept, Definitions and Uses Meeting Summary, (London: Overseas Development Institute, 2010), 1

<sup>&</sup>lt;sup>7</sup> "What are the Humanitarian Principles?" *United Nations Office for the Coordination of Humanitarian Affairs*, accessed on June 3, 2018, https://www.unocha.org/sites/dms/Documents/OOM\_HumPrinciple\_English.pdf

rendering International Humanitarian Law (IHL) stipulations for humanitarian aid applicable.8 According to IHL, the right to life calls upon the state to comply with its duty to provide humanitarian assistance to those in need. When the state is unable to fulfill this obligation, it must accept the provision of humanitarian aid from other actors. Specifically, Rule 55 of customary IHL states: "parties to the conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control." <sup>10</sup> The fourth treaty of the Geneva Conventions, signed by Syria on November 2, 1953, similarly states that each party shall "allow the free passage of all consignments of essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases." 11 Comparably, Article 70 of Additional Protocol 1, signed November 14, 1983, states "If the civilian population of any territory under the control of a Party to the conflict, other than the occupied territory, is not adequately provided with the supplies mentioned in Article 69, relief actions which are humanitarian and impartial in character and conducted without any adverse distinction shall be undertaken, subject to the agreement of the Parties concerned in such relief actions. Offers of such relief shall not be regarded as interference in the armed conflict or as unfriendly acts." <sup>12</sup> Article 70 highlights that such relief actions shall be undertaken, "even if such assistance is destined for the civilian population of the adverse Party." <sup>13</sup> Article 81 of Additional Protocol 1, reiterates the provisions of Article 70. The requirement of consent in both Article 70 and 81 raises the question of the degree to which a state is obliged to accept relief for its own population. While the clause of consent seeks to protect the national sovereignty of the receiving state this does not imply that parties concerned have "absolute and unlimited freedom to refuse their agreement to relief actions." 14 States cannot withhold consent on arbitrary grounds, as supported by the provision of Article 54, paragraph 1, that prohibits the "starvation of civilians as a method of warfare." 15

<sup>&</sup>lt;sup>8</sup> Frank Jordans and Albert Aji, "Red Cross now considers Syrian conflict a civil war," *Spokesman-Review*, published July 16, 2012, https://bit.ly/2KUGB2X.

<sup>9</sup> Meininghaus, "Humanitarianism in intra-state conflict," 1456

<sup>&</sup>lt;sup>10</sup> International Committee of the Red Cross, "Rule 55. Access for Humanitarian Relief to Civilians in Need," *International Committee of the Red Cross*, Accessed June 1, 2018, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1\_rul\_rule55

<sup>&</sup>lt;sup>11</sup> Geneva convention relative to the protection of civilian persons in time of war, 12 august 1949, United Nations, p.177, available from http://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33\_GC-IV-EN.pdf

<sup>&</sup>lt;sup>12</sup> Claude Pilloud, Yves Sandoz, Christophe Swinarski, and Bruno Zimmermann, eds. Commentary on the additional protocols: of 8 June 1977 to the Geneva Conventions of 12 August 1949 (Belgium: Martinus Nijhoff Publishers, 1987), 820

<sup>&</sup>lt;sup>13</sup> International Committee of the Red Cross, "Treaties, State Parties and Commentaries: Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977," *International Committee of the Red Cross*, accessed June 2, 2018, https://ihl-databases.icrc.org/ihl/WebART/470-750089?OpenDocument

<sup>&</sup>lt;sup>14</sup> Pilloud, Yves Sandoz, Christophe Swinarski, and Bruno Zimmermann, eds. Commentary on the additional protocols: of 8 June 1977 to the Geneva Conventions of 12 August 1949, 819

<sup>15</sup> Ibid., 651

While International Human Rights Law (IHRL) does not directly refer to humanitarian action when humanitarian assistance is a direct factor in the realization of fundamental rights IHRL can provide a framework for humanitarian access. <sup>16</sup> For instance, hijacking food convoys intended for the civilian population violates the minimum core obligation as regards the right to food. <sup>17</sup> Similarly, under International Criminal Law (ICL) "the intentional infliction of conditions of life, inter alia, the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population" constitutes a crime against humanity. 18

In theory, the Humanitarian Principles and international laws provide humanitarians with the means to ensure access to affected populations. However, in actual conflict settings there is no predetermined 'humanitarian space' in which humanitarians are protected from political fallout. Instead, the 'humanitarian space' and access to affected populations is gained through negotiation and humanitarians' "persuasive power and relevance on the ground." 19 Since the beginning of the conflict in Syria, the UN has been forced to negotiate with the Syrian government for access to affected populations. While the UN. seeks to provide aid impartially to all affected populations regardless of their political affiliation the Syrian government prioritizes the delivery of aid to government-held areas. <sup>20</sup> By threatening to expel the UN from Damascus if it violates the governments strict demand to operate exclusively through government approved partner agencies, Assad has gained considerable foothold over who receives aid.<sup>21</sup> Under pressure of losing access, the UN continually re-calibrates the balance between adhering to the Humanitarian Principles and taking a pragmatic approach to ensure access to affected populations. At times, pushing authorities on the Humanitarian Principles endangers rather than enhances access.<sup>22</sup> In these cases, the Humanitarian Principles may be compromised by the need to uphold relations with the Syrian government – a strategy that generates immediate benefits but may be harmful in the long-term. <sup>23</sup>

In conflict settings, humanitarian aid forms a fundamental part of the governance structure and determines the conditions for post-conflict peace negotiations and reconstruction.<sup>24</sup> Here distinction must be made between political intent, which the UN criticizes, and political

<sup>&</sup>lt;sup>16</sup> Humanitarian Access in Situations of Armed Conflict, 34

<sup>17</sup> Rebecca Barber, "Facilitating humanitarian assistance in international humanitarian and human rights law," International Review of the Red

<sup>18</sup> International Committee of the Red Cross, "Rule 55. Access for Humanitarian Relief to Civilians in Need."

Sarah Collinson and Samir Elhawary, Humanitarian space: trends and issues (London: Overseas Development Institute, 2012), 2
 Hussain Ibrahim Qutrib, "Useful Syria and the Demographic Changes in Syria" (Riyadh: King Faisal Center for Research and Islamic Studies,

<sup>&</sup>lt;sup>21</sup> The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria (The Syria Campaign, 2016),

<sup>&</sup>lt;sup>22</sup> World Food Program, Humanitarian Assistance in Conflict and Complex Emergencies (Rome: World Food Program, 2014), 15

<sup>23</sup> Ibid.,1

<sup>24</sup> Ibid.

impact; which is inevitably present. 25 Regardless of intentions, the UN's pragmatism and bypassing of the Humanitarian Principles for the sake of gaining access has given the Syrian government extensive control over the UN's humanitarian operation. As the principles lose ground and the Syrian government gains control, it becomes increasingly difficult for the UN to deliver aid impartially. 26 Under President Bashar al-Assad's control aid is primarily distributed to government-held areas, leaving thousands of civilians in opposition-held areas to suffer from starvation, malnutrition and lack of medical treatment. In this context, migration becomes predominantly needs-driven. Hundreds of thousands of Syrians have fled from opposition-held to government-held areas in search of better living conditions, regardless of political orientation. This movement has greatly re-shaped the social and political fabric of Syrian society and refashioned power relations in Assad's favor.<sup>27</sup>

To answer the research question and examine the implications of the UN's aid operation on the dynamics of the Syrian conflict, this paper is divided into three parts. The first part examines the operational dynamic of the UN in Syria, what compromises have been made and where. The second part looks at the broader context and examines why the compromises addressed in the first part have been made. The last chapter looks at the implications of these compromises on the current and future dynamic of the Syrian conflict.

In this paper, the UN refers to the UN agencies operating in Syria including the Office for the Coordination of Humanitarian Affairs (OCHA), the World Food Programme (WFP), the World Health Organisation (WHO), United Nations High Commissioner for Refugees (UNHCR), United Nations Relief and Works Agency for Palestine Refugees (UNRWA), United Nations Population Fund (UNFPA) and the United Nations Development Programme (UNDP). <sup>28</sup> Each agency adheres to the Humanitarian Principles to a varying extent however, for reasons of available information and length, each will be considered together under the wider umbrella of the UN humanitarian response.

<sup>&</sup>lt;sup>25</sup> Martinez, and Brent Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war, 2012–15," 154

<sup>&</sup>lt;sup>26</sup> Brent Eng and and Jose Ciro Martinez, "Why international food aid can actually make it worse for starving Syrians," The Washtington Post, January 26, 2016, https://wapo.st/2lsLpy4

<sup>&</sup>lt;sup>27</sup> Martinez, and Brent Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war, 2012-15," 169

<sup>&</sup>lt;sup>28</sup> Jenni Lee, "5 Years of Conflict in Syria: How You Can Support UN Efforts to Help Families in Crises," United Nations Foundation, published March 15, 2016, https://bit.ly/1Wphj9t

#### Methodology

Epistemology this paper takes an interpretivist approach according to which the social world cannot be studied using the same principles and procedures as the natural sciences.<sup>29</sup> Ontologically this paper takes a constructivist approach and places emphasis on actors' active involvement in constructing social reality. <sup>30</sup> Given this approach, this paper is primarily based on qualitative desk-based research using primary and secondary sources. In addition, four semi-structured interviews have been conducted via Skype or email with individuals that have worked in Syria and/or for an INGO concerned with the Syrian conflict.

The qualitative research approach provides "rich data" and thorough description and analysis of the research topic. 31 However, qualitative research carries ethical and methodological limitations related to "research control, power issues, and knowledge ownership." 32 Firstly, research control concerns the limited reliability of interviews due to personal bias and social desirability that may unintentionally encourage particular responses. Sensitivity of the topic and confidentiality agreements between interviewees and their current or former employment has further directed interviewee responses. In order to guarantee the safety of interviewees, their names and identity have been kept confidential. Despite potential bias and the limited number of interviews conducted, each provided vital information that either confirmed or challenged previous, desk-based, research. The second limitation of this paper concerns the possible influence of the researchers own position and emotional immersion in the topic on data collection and analysis. While attempting to remain objective, my personal experiences in Syria, close relation with several Syrians and occupation as translator for Syrian refugees may influence the conclusions of this paper. The last limitation concerns the extent to which the data is taken from the interviewee and re-casted by the researcher into a "new" historical, political, and cultural context.<sup>33</sup> In order to avoid the risk of misinterpretation unclear responses have been crosschecked with the interviewees.

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<sup>&</sup>lt;sup>29</sup> Alan Bryman, Social Research Methods (Oxford: Oxford University Press, 2012), 27

<sup>30</sup> Jonathan Grix, "Introducing students to the generic terminology of social research," Politics 22.3 (2002): 177

<sup>31</sup> Bryman, Social Research Methods, 491

<sup>&</sup>lt;sup>32</sup> Orit Karnieli-Miller, Roni Strier and Liat Pessach, "Power relations in qualitative research," *Qualitative health research* (2009): 280

<sup>33</sup> Ibid.,283

### Chapter 2: Literature Review

Humanitarian aid is generally portrayed as a benevolent international response to conflict. Several scholars, however, call this narrative into question. Increasingly complex social and political dynamics and the failure to respond effectively to crisis in Bosnia, Rwanda and most recently, Syria, have called for deeper examination of the unintended consequences of aid in the broader context in which humanitarian operations take place. 34 In the post-Cold War era humanitarian aid organizations increasingly found themselves in 'complex emergencies' defined by the United Nations as, "a humanitarian crisis in a country, region or society where there is a total or considerable breakdown of authority resulting from internal or external conflict." 35 The consequent collapse of domestic production forces actors to sustain and finance themselves through external assistance, making aid a highly desired and contested resource.<sup>36</sup> At the same time, the blurred division between the general population and military groups during complex emergencies often makes it difficult to ensure aid exclusively reaches the intended population. In this context, humanitarian aid operations face three main criticisms. Firstly, humanitarian assistance prolongs conflict by strengthening the position of warring parties, through diversion or misallocation. Secondly, strategic links between aid and international intervention serves foreign policy agendas and lastly, in conflicts considered less geo-politically important, humanitarian assistance is criticized for replacing and, at times, legitimizing political inaction.<sup>37</sup>

During conflict, food aid may provide perpetrators of violence with the means to sustain their war effort. <sup>38</sup> Macrae and Zwi highlight how warring factions are able to dominate and claim legitimacy over populations, facilitate ethnic cleansing and, ultimately, sustain the war effort through looting humanitarian resources. <sup>39</sup> As de Waal and Mary Anderson argue, by fulfilling welfare demands humanitarian aid reduces a faction's political accountability towards his supporters thereby enabling factions to redirect resources towards prosecuting war. <sup>40</sup> According to Prendergast, humanitarian aid bolstered the insurgent forces in Ethiopia in the 1980's, the factional leaders in Somalia in the 1990's and the Hutu's during the Rwandan genocide in 1994. <sup>41</sup> In the case of the Rwandan genocide, without the humanitarian aid provided to the Hutu's the

<sup>&</sup>lt;sup>34</sup> Neil Narang, "Assisting uncertainty: how humanitarian aid can inadvertently prolong civil war," *International Studies Quarterly* 59 (2015): 184
<sup>35</sup> United Nations High Commissioner for Refugees, "Coordination in Complex Emergencies," *United Nations High Commissioner for Refugees*,

September 1, 2001, https://bit.ly/2KgnbVS

<sup>36</sup> Adam Groves, "NGOs in New Wars: Neutrality or New Humanitarianism?" E-International Relations Students, E-International Relations

Students, accessed February 14, 2018, http://www.e-ir.info/2008/03/15/ngos-in-new-wars-neutrality-or-new-humanitarianism/
<sup>37</sup> Martinez, and Brent Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war, 2012–15." 153

<sup>38</sup> Nicholas Leader, The Politics of Principle: the Principles of Humanitarian Action in Practice (London: Humanitarian Policy Group, 2000), 2

<sup>&</sup>lt;sup>39</sup> Joanna Macrae and Anthony Zwi. War and Hunger: Rethinking international responses to complex political emergencies (London: Zed Books, 1994), 10

<sup>40</sup> Alexander de Waal, Famine Crimes: Politics & the Disaster Relief Industry in Africa (Indiana: Indiana University Press, 1997), xv

<sup>&</sup>lt;sup>41</sup> John Prendergast, Frontline Diplomacy: Humanitarian Aid and Conflict in Africa (London: Lynne Rienner, 1996), 10

genocide of the Tutsi's would "certainly have ground to a halt fairly quickly." <sup>42</sup> Neil Narang further illustrates how governments and local militia often profit from visas, import duties and airport charges paid by humanitarian organizations. <sup>43</sup> The tendency of humanitarian aid to sustain conflict and, inadvertently, prolong suffering is often identified as the central "paradox of humanitarian action." <sup>44</sup>

Apart from sustaining the war effort, strategic links between aid and international intervention often serve foreign policy agendas and the desire for regional and global influence. <sup>45</sup> In Afghanistan, Haneef Atmar argues, humanitarian assistance merely acts as a "fig leaf" to cover up the desire for political and social change and the attempt to isolate the Taliban. <sup>46</sup> Turkey and the Gulf States' recent humanitarian involvement in the Middle East illustrate similar efforts to secure regional influence. <sup>47</sup> Lastly, Nicholas Leader warns that humanitarian aid provides an effective substitute or "smokescreen" for powerful states to satisfy the public while "doing little" towards alleviating conflict. <sup>48</sup> Instead of admitting that civil wars or conflicts are political activities, political actors call these crises 'humanitarian' in order to avoid taking responsibility and exerting diplomatic efforts. <sup>49</sup> Often, NGO's are pushed to fulfill tasks that the international community is unwilling to fulfill. <sup>50</sup>

Despite David Rieff's assertion that it is "impossible to really do no harm," it is in the interest of humanitarian organizations to minimize the aforementioned unintended consequences and address the possibility that humanitarian aid may do more harm than good. Within the humanitarian field there are two approaches towards the aim of minimizing the unintended consequences of aid; Classical or 'Dunanist' Humanitarianism and New or 'Wilsonian' Humanitarianism. The fundamental difference underlying these approaches concerns the relationship between humanitarianism and politics. In other words, to what extent humanitarian organizations adhere to the four Humanitarian Principles Humanity, Neutrality, Impartiality and Independence. Description of the second se

The Humanitarian Principles were developed by Henry Dunant in 1859 in order to separate humanitarian assistance from activities of political nature. Since then the Principles have

<sup>42</sup> Linda Polman, "Does Humanitarian Aid Prolong Wars?" *The Guardian*, April 25, 2010, https://bit.ly/2MfnXjl

44 Narang, "Assisting uncertainty: how humanitarian aid can inadvertently prolong civil war," 186

<sup>43</sup> Ibid.,187

<sup>&</sup>lt;sup>45</sup> Barnaby Willitts-King, Sherine El Taraboulsi-McCarthy and Victoria Metcalfe-Hough, Foreign policy and humanitarian action: an agenda for inquiry (London: Humanitarian Policy Group, 2016), 2

<sup>46</sup> Duffield, Joanna Macrae and Devon Curtis, "Editorial: Politics and Humanitarian Aid," 273

<sup>&</sup>lt;sup>47</sup> Willitts-King, Sherine El Taraboulsi-McCarthy and Victoria Metcalfe-Hough, Foreign policy and humanitarian action: an agenda for inquiry, 2

<sup>&</sup>lt;sup>48</sup> Leader, The Politics of Principle: the Principles of Humanitarian Action in Practice, 6

<sup>&</sup>lt;sup>49</sup> Hitomi Tsunekawa, "The Interaction between Humanitarian Assistance and Politis in Complex Humanitarian Emergencies" (M.A. thesis., McGill University, 2001), 10

<sup>50 &</sup>quot;NGOs in New Wars: Neutrality or New Humanitarianism?"

<sup>&</sup>lt;sup>51</sup> Sarah Bradshaw, Gender, development and disasters (Northampton: Edward Elgar Publishing, 2013), 95

<sup>&</sup>lt;sup>52</sup> Duffield, Joanna Macrae and Devon Curtis, "Editorial: Politics and Humanitarian Aid," 270

been formally enshrined in two General Assembly resolutions.<sup>53</sup> The first three principles, Humanity, Neutrality and Impartiality, are defended in General Assembly Resolution 46/182 adopted in 1991: "Humanitarian assistance must be provided in accordance with the principles of humanity, neutrality and impartiality." <sup>54</sup> The principle of Independence was added in General Assembly Resolution 58/114 in 2004: "Recognizing that independence, meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented, is also an important guiding principle for the provision of humanitarian assistance." <sup>55</sup> The Humanitarian Principles are further enshrined in the 1994 Code of Conduct for the 'International Red Cross and Red Crescent Movement and other Non-Governmental Organizations in Disaster Relief.' <sup>56</sup> To date, the latter is signed by over 400 organizations.<sup>57</sup>

The objective of humanitarian action and a central component of humanitarian effectiveness is defined by the first principle Humanity: "Human suffering must be addressed wherever it is found. The purpose of humanitarian action is to protect life and health and ensure respect for human beings." 58 The universal relevance of the principle Humanity is embodied in the principle Impartiality which asserts that aid should be provided solely according to the severity of needs and in proportion to these needs. Together, Humanity and Impartiality form the "substantive principles" according to which humanitarian effectiveness should be measured. Neutrality and Independence are "derived principles" that "enable us to translate the substantive principles into factual reality." <sup>59</sup> As Hugo Slim reiterates, Neutrality and Independence help achieve the goal of assisting others according to the principles of Humanity and Impartiality in actual political conditions of conflict.<sup>60</sup> Neutrality underlines that humanitarian actors must not take sides in conflict and avoid engaging in any political, religious, racial or ideological controversies. 61 Independence calls for humanitarian action to be autonomous from the political, economic, military or other objective "that any actor may hold with regard to areas where humanitarian action is implemented." 62 Independence is closely related to Neutrality as it is often difficult for humanitarian actors to maintain neutral if they are not independent from political

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http://www.un.org/documents/ga/res/46/a46r182.htm

<sup>&</sup>lt;sup>53</sup> Leader, The Politics of Principle: the Principles of Humanitarian Action in Practice, 11

<sup>&</sup>lt;sup>54</sup> General Assembly Resolution 46/182. Strengthening of the coordination of humanitarian emergency assistance of the United Nations, A/RES/46/182 (19 December 1991), available from

<sup>&</sup>lt;sup>55</sup> General Assembly Resolution 54/114. *Strengthening of the coordination of humanitarian emergency assistance of the United Nations*, A/RES/46/182 (5 February 2004], available from https://www.preventionweb.net/files/resolutions/N0350142.pdf

<sup>56 &</sup>quot;What are the Humanitarian Principles?"

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>&</sup>lt;sup>59</sup> Ed Schenkenberg van Mierop, "Coming clean on neutrality and independence: The need to assess the application of humanitarian principles," *International Review of the Red Cross* (2015): 296

<sup>&</sup>lt;sup>60</sup> van Mierop, "Coming clean on neutrality and independence: The need to assess the application of humanitarian principles," 296

<sup>61</sup> Ibid.,298

<sup>62</sup> Ibid.

actors. Thus, while Humanity and Impartiality highlight the ethical obligation to help others, the principles of Neutrality and Independence offer the practical tools to achieve this goal in the actual politically charged environment in which humanitarians operate.

While there is consensus on what it means to be 'principled', the value of adhering to the Humanitarian Principles in operational decision-making varies between organizations. 63 Classical or 'Dunanist' humanitarians assert that humanitarian assistance must strictly adhere to the core Humanitarian Principles. The ability to gain access is based on a 'deal' with belligerents: in exchange for non-interference, i.e. following the Humanitarian Principles belligerents grant humanitarians permission to operate and respond to needs. <sup>64</sup> Among others, Pasquier and Dylan Hendrickson argue that a loss of Neutrality and Independence comprises humanitarian immunity and threatens access to victims. <sup>65</sup> This perspective of the Humanitarian Principles links to Rony Brauman's notion of a 'espace humanitaire' - "a space of freedom in which we are free to evaluate needs, free to monitor the distribution and use of relief goods, and free to have a dialogue with the people." 66 Together with IHL, dictating the conduct of warring parties and asserting the right to give and receive assistance, the Humanitarian Principles generate the 'space' necessary to operate safely in conflict zones.<sup>67</sup> According to Jean Pictet, while any humanitarian organization is necessarily "up to his neck in politics" he must "keep his head above water to survive." 68 One cannot, he adds, "at the same time be a champion of justice and charity. One must choose." 69 Even referring state actors to their international obligations could be seen as taking sides. 70 Nicholas Morris and Larissa Fast therefore assert the importance of "gauging" perceptions" and being 'seen' as neutral and independent in order to secure access.<sup>71</sup>

In the 21<sup>st</sup> century New or Wilsonian Humanitarianism emerged with the goal relegitimizing "the arena of aid" that faced criticism for fueling conflicts, sustaining war economies and staying neutral in the face of human rights abuses.<sup>72</sup> New Humanitarians reject the political naivety and "bed for the night" approach of Classical Humanitarianism and seek to use humanitarian aid as an instrument for removing the deep structural causes of suffering.<sup>73</sup> According to New Humanitarians, the Humanitarian Principles are irrelevant in the context of

<sup>&</sup>lt;sup>53</sup> Ibid.,300

 $<sup>^{\</sup>rm 64}$  Collinson and Samir Elhawary, Humanitarian space: trends and issues, 2

<sup>65</sup> Dylan Hendrickson, "Humanitarian action in protracted crisis: an overview of the debates and dilemmas," Disasters (1998): 286

<sup>66</sup> Kurt Mills, "Constructing humanitarian space in Darfur." The International Journal of Human Rights (2013): 608

<sup>&</sup>lt;sup>67</sup> Annie Sparrow, "Aiding Disaster, How the United Nations' OCHA Helped Assad and Hurt Syrians in Need," Foreign Affairs, published February 1, 2016, https://www.foreignaffairs.com/articles/syria/2016-02-01/aiding-disaster

<sup>68</sup> Leader, The Politics of Principle: the Principles of Humanitarian Action in Practice, 5

<sup>69</sup> Ibid.

van Mierop, "Coming clean on neutrality and independence: The need to assess the application of humanitarian principles," 300

<sup>71</sup> Ibid.

 $<sup>^{72}</sup>$  Fox, "New humanitarianism: does it provide a moral banner for the 21st century?"  $275\,$ 

<sup>&</sup>lt;sup>73</sup> Ibid.

'complex emergencies' and the breakdown of authority and state sovereignty. <sup>74</sup> Not only are the Humanitarian Principles ineffective for to securing humanitarian access, the Principles are also a moral liability whereby neutrality represents inaction and complacency with human rights abuses. <sup>75</sup> As Fiona Fox highlights, the principle Neutrality became a "dirty word" among New Humanitarians. <sup>76</sup> Any conflict includes victims and perpetrators meaning neutrality is never neutral but, conversely, "to be on the side of the criminal." <sup>77</sup>

Fundamental to New Humanitarianism is the assertion that humanitarianism and politics cannot be separated. As Mark Cutts and Rosalyn Higgens assert: any involvement by an outside party in a politically charged environment affects the political outcome of the conflict. Rumanitarianism is a "political project in a political world." Believing in the "idealized space" between humanitarianism and politics risks diverting attention away from the political nature of the challenges affecting humanitarian action in conflict contexts. In fact, political organs unwilling or unable to deal with political conflicts may abnegate their responsibility by labeling conflicts as humanitarian. Devon Curtis asserts, humanitarian assistance is expected to fill the empty space left by the withdrawal of diplomacy. In this way, as Daniel Warner argues, it is a very political move to separate the political from the humanitarian. Humanitarian assistance is not a substitute for policy but is itself policy. Thus, the problem is not that humanitarianism is a used "as a substitute for political action, but that bad politics is used as a substitute for good politics." In light of this critique, New Humanitarians opt for a 'coherence agenda' in which humanitarian action is part of a comprehensive political strategy.

Beyond politics, Classical and New Humanitarianism differently understand the relationship between moral principles and consequences. Classical humanitarianism takes the deontological approach and judges choices based on how well they confirm to independent rules or duties. New Humanitarianism takes a consequentialist, "primum non nocere" or 'doing no harm' approach and judges acts as morally righteousness based on their consequences. The consequentialist approach rejects the universal right to relief and argues that access to victims is not an end in itself and should therefore not be pursued at any cost. Rather, as Tess Kingham

<sup>&</sup>lt;sup>74</sup> Gordon and Antonio Donini, "Romancing principles and human rights: Are humanitarian principles salvageable?," 87

<sup>75</sup> Ibid.,80

<sup>&</sup>lt;sup>76</sup> Fox, "New humanitarianism: does it provide a moral banner for the 21st century?" 277

<sup>77</sup> Ibid.

<sup>&</sup>lt;sup>78</sup> Mark Cutts, "Politics and Humanitarianism," Refugee Survey Quarterly 17, no.1 (1998): 7

 $<sup>^{79}</sup>$  Collinson and Samir Elhawary, Humanitarian space: trends and issues, 3

<sup>80</sup> Ibid.

<sup>81</sup> Daniel Warner, "The politics of the political/humanitarian divide," The International Committee of the Red Cross, published March 31, 1999, https://bit.ly/2ywr8B6

<sup>82</sup> Duffield, Joanna Macrae and Devon Curtis, "Editorial: Politics and Humanitarian Aid," 270

<sup>83</sup> Warner, "The politics of the political/humanitarian divide."

<sup>84</sup> Cutts, "Politics and Humanitarianism," 3

<sup>85</sup> Duffield, Joanna Macrae and Devon Curtis, "Editorial: Politics and Humanitarian Aid," 271

asserts, access should be sought exclusively if doing so is the most effective way of alleviating suffering in the long term. 86 As Bryer and Cairns similarly assert, humanitarian organizations should not blindly adhere to the Humanitarian Principles but judge the 'net benefit' of their work.<sup>87</sup> Mary Anderson calls this the 'minimalist' position stating that, "at the very minimum, aid that is intended to help victims in war settings should not cause additional harm." 88 In Rwanda, for instance, many NGO's withdrew upon the realization that aid was unwillingly supporting alleged perpetrators of the Rwandan genocide.<sup>89</sup>

As the literature demonstrates, there is a wide "network of associated ideas" concerning the extent to which the Humanitarian Principles should be adopted in humanitarian operations. 90 Generally, the standard of proof for the aforementioned disputes concerning humanitarian aid is low. The claim, for instance, that aid prolongs war implies that the absence of aid would have shortened war. The obvious question remains, how do we know? As settling these disputes is beyond the scope of this paper this paper does not attempt to compare 'with' or 'without' scenarios in relation to the Humanitarian Principles. Rather, it seeks to provide a clear and thorough understanding of the dynamic underlying the UN's humanitarian aid operation in the Syrian conflict through the lens of the Humanitarian Principles.

<sup>86</sup> Fox, "New humanitarianism: does it provide a moral banner for the 21st century?" 280

<sup>87</sup> David Bryer and Edmund Cairns, "For better? For worse? Humanitarian aid in conflict," *Development in Practice* (1997): 372 88 Tsunekawa, "The Interaction between Humanitarian Assistance and Politis in Complex Humanitarian Emergencies," 15

<sup>89 &</sup>quot;NGOs in New Wars: Neutrality or New Humanitarianism?"

<sup>90</sup> Leader, The Politics of Principle: the Principles of Humanitarian Action in Practice, 7

### **Chapter 3: Historical Context**

Before examining the UN's humanitarian response to the Syrian conflict, it is important to consider the wider context in which the conflict took place. The Syrian conflict forms part of a wave of demonstrations that erupted throughout the Middle East in late 2010 and early 2011 demanding an end to the corruption, poor living conditions and lack of representative power that characterized these regions. 91 Alongside Tunisia, Yemen and Egypt protests erupted in Syria against President Assad's government. Despite the clear demand for change, the exact social, economic and political roots of the protest in Syria remain debated. 92 The dominant narrative blames the "artificial colonial borders" and consequent sectarianism across the Middle-East and North-Africa (MENA) region for inciting and legitimizing violence. 93 According to this argument, British and French decision-making in the MENA in the first half of the twentieth century created disparate religious and ethnic communities that lacked a coherent national identity. Social fragmentation destabilized political life and meant that when the Ba'ath party took over in 1963 it had to "compete for the loyalty of its citizens with sub- and supra state identities." <sup>94</sup> Alternatively, Hinnebusch argues that while the sectarian narrative helps explain the internationalization and longevity of the Syrian conflict, the conflict is ultimately rooted in developmental deficiencies. 95 As Paul Collier and Anke Hoeffler agree, highly fractured societies are not more likely to experience civil war than homogenous ones. 96 Instead, four variables: income, ethno-linguistic fractionalization, the amount of natural resources and population size, determine the probability of civil conflict erupting.<sup>97</sup>

Others assert that the Syrian uprisings resulted from a series of economic and political reforms including rapid economic liberalization and declining state subsidies and the resultant rural-urban divide, widespread corruption, unemployment and poverty. <sup>98</sup> When Bashar al-Assad became President in 2000 he sought to open Syria's economy to the world market. The goal, he argued, is progress and growth for "anyone who puts freedom ahead of stability is hurting growth." <sup>99</sup> Volker Perthes and Omar Dahi therefore consider Assad's endeavor a form of

<sup>91</sup> Sertif Demir and Carmen Rijnoveanu, "The Impact of The Syria Crisis on the Global and Regional Political Dynamic," Journal of Turkish World Studies (2013): 56

<sup>&</sup>lt;sup>92</sup> Shamel Azmeh, "Syria's Passage to Conflict: The End of the "Developmental Rentier Fix" and the Consolidation of New Elite Rule," Politics & Society (2016): 500

<sup>93</sup> Ibid.

<sup>94</sup> Raymond Hinnebusch, "Syria: from 'authoritarian upgrading' to revolution?" International Affairs (January 2012): 96

<sup>&</sup>lt;sup>95</sup> Rabie Nasser, Zachy Mehchy, and K. Abu Ismail, Socioeconomic roots and impacts of the Syrian crisis (Damascus: Syrian Centre for Policy Research. Damascus: Syrian Centre for Policy Research, 2013), 66

http://www.fao.org/docs/eims/upload/310686/SyrianCentrePolicyResearch%20SocioEconomicRootsAndImpactOfSyrianCrisisJan2013.pdf % Paul Collier and Anke Hoeffler, "On economic causes of civil war," Oxford economic papers (1998): 563

<sup>97</sup> Ibid

<sup>98</sup> Hinnebusch, "Syria: from 'authoritarian upgrading' to revolution?" 95

<sup>&</sup>lt;sup>99</sup> Shamel Azmeh, "Syria's Passage to Conflict: The End of the "Developmental Rentier Fix" and the Consolidation of New Elite Rule," *Politics & Society* (2016): 510

"authoritarian neoliberalism." 100 The transition towards a "social market economy" meant limiting the socio-economic role of the state by cutting subsidies as well as employment guarantees. Moreover, trade was liberalized, economic growth promoted and integrated into the global economy through private and foreign direct investment. 101 While these reforms resulted in short-term gains for Assad's government, it carried adverse long-term costs. Reforms depressed existing industries, lowered investment and growth in manufacturing, increased unemployment levels and shifted public funds to crony capitalist "networks of privilege." 102 Ultimately, Rabie Nasser explains, Assad's policies marginalized the poorer sections of society and failed to ensure "inclusive or pro-poor growth," bolstering rather than alleviating their harsh living conditions. 103 While the subsequent disconnection between the regime and Syria's smaller neighborhoods was filled by security forces these were largely "underpaid, corrupt and lax" and unable ensure control. 104 In short, through seeking to secure power within the regime he inherited, Assad socially, politically and economically isolated citizens and weakened his ability to maintain power over society. 105 According to Nasser, high but non-inclusive growth rates, few job opportunities, freedoms and accountability mechanisms are a perfect recipe for social movements. <sup>106</sup> In similar vein, Grossman and Azam argue that a government like Assad's that rewards supporters through exploitation of a poorer section of society will increase the incentive and likelihood of rebellion.107

In 2009 President Assad's internal advisory committee warned of the increasing frustration among Syrians who felt abandoned by the state for "the sake of the rich." <sup>108</sup> Assad denied these warnings and considered Syria to be "immune" to the protests breaking out in the region. <sup>109</sup> Nonetheless, by early 2011 inhabitants of Dara'a, Homs and Hama filled the streets protesting against the socio-economic policies that continued to deteriorate the livelihoods of workers and peasants. Protesters demanded civil liberties, accountable and participatory institutions, inclusive and monitored public policies and ultimately, the "fall of the regime." <sup>110</sup> In light of Assad's harsh governmental crackdown and foreign intervention, by March 2017 the Syrian civil war had caused over 300,000 fatalities, 4.5 million refugees and another 6.5 million

<sup>100</sup> Omar Dahi and Yasser Munif, "Revolts in Syria: Tracking the Convergence Between Authoritarianism and Neoliberalism," Journal of Asian and African Studies (2011): 327

<sup>101</sup> Ibid.

<sup>102</sup> Raymond Hinnebusch, "Syria: from 'authoritarian upgrading' to revolution?" International Affairs (January 2012): 95

<sup>103</sup> Ibid.,15.

<sup>104</sup> Ibid.,99.

<sup>105</sup> Dahi and Yasser Munif, "Revolts in Syria: Tracking the Convergence Between Authoritarianism and Neoliberalism," 325

<sup>&</sup>lt;sup>106</sup> Rabie Nasser and Zachy Mehchy, and K. Abu Ismail. Socioeconomic roots and impacts of the Syrian crisis (Damascus: Syrian Centre for Policy Research, 2013), 15

<sup>&</sup>lt;sup>107</sup> Collier and Anke Hoeffler, "On economic causes of civil war," 564

<sup>108</sup> Azmeh, "Syria's Passage to Conflict: The End of the "Developmental Rentier Fix," 516

<sup>109</sup> David W Lesch, "The Arab Spring - and Winter - in Syria," Global Change, Peace & Security (2011): 421

<sup>&</sup>lt;sup>110</sup> Nasser, Zachy Mehchy, and K. Abu Ismail, Socioeconomic roots and impacts of the Syrian crisis, 17

Internally Displaced Persons (IDP).<sup>111</sup> Moreover, the economy contracted in real terms by almost 60% since late 2010. Experts argue that even if the war ended today, it would take a minimum of two decades to recover pre-war gross-domestic product levels.<sup>112</sup>

As demonstrated, the cause of the Syrian conflict is widely disputed. While these arguments are important to consider, this thesis is not concerned with the cause of the Syrian conflict. Rather, this thesis addresses the humanitarian response to the conflict. In order to accurately evaluate the humanitarian response the next section examines the wider context of the Syrian conflict defined by territorial and political fragmentation. Together, Syria's territorial and political fragmentation provide a background for understanding the structure and challenges of the UN's humanitarian response.

Apart from the "human, economic and social toll" on Syria, one of the lasting consequences of the conflict is a deeper territorial and political fragmentation of Syria's landscape. 113 When the French dominated Syria after the collapse of the Ottoman Empire in the early 20th century they employed a strategy of divide and rule to maintain power. Minority groups including the Alawites (12%), Druzes (5%), Christians (13%) and Kurds (10%) were prioritized and appointed to fill government positions while the majority (70%) Sunni population were repressed. When Hafez al-Assad's coup succeeded in 1970 urban planning became an important tool for the Alawites to maintain political control. In order to fracture and weaken the social body and enhance the regime's power network the Assad family strategically manipulated and re-engineered Syria's social-spatial composition. The Sunni were marginalized and pushed towards impoverished rural areas while the Alawite and Shia citizens filled the upper and middle-class urban neighborhoods. 114 As external actors enmeshed in the Syrian conflict, Syria's territorial fragmentation became increasingly political.

Today, Syria is fragmented into four territorial entities that each correspond to particular political and ideological positions.<sup>115</sup> Firstly, the territory controlled by various opposition groups formed in an effort to depose Assad. The first opposition group called the National Coordination Committee for Democratic change (NCC) is a peaceful secular group calling for democratic transformation.<sup>116</sup> Despite its large pool of left-leaning parties, including the Kurdish Democratic

<sup>111</sup> Giovanni Pagani, "Between Patchwork Peace and Splintered Reconstruction: Assessing Post-War Challenges in Fragmented Syria," IE MED (2017): 247

<sup>113</sup> Jihad Yazigi, No Going Back: Why Decentralisation Is the Future for Syria (London: European Council on Foreign Relations, 2016), 2

<sup>114</sup> Zeina Khodr, "Syria's growing urban-rural rift," Al-Jazeera, July 31, 2012, https://bit.ly/2K2sIQH

<sup>115</sup> Pagani, "Between Patchwork Peace and Splintered Reconstruction: Assessing Post-War Challenges in Fragmented Syria," 248

<sup>&</sup>lt;sup>116</sup> Angela Joya, "Syria and the Arab Spring: The Evolution of the Conflict and the Role of the Domestic and External Factors," *Middle Eastern Studies* (2012): 33

Union Party (PYD), the NCC lacks political power and is relatively marginalized in the media. <sup>117</sup> The second opposition group is the Muslim Brotherhood, represented through the Syrian National Council (SNC) which was formed in Turkey in 2011 in order to strengthen the organization and representation of the opposition. The SNC is supported by Qatar, Libya as well as Western powers including the United States (U.S) and Turkey and allies with the Free Syrian Army (FSA) which holds its headquarters in Turkey. <sup>118</sup> Due to SNC's fractured structure in 2012 the U.S and Qatar set up the Syrian National Coalition. In the same year the Friends of Syria Group, consisting of over 90 countries, officially recognized the Syrian National Coalition as Syria's legitimate government. <sup>119</sup> Nevertheless, the opposition has been characterized by deep divisions. While the SNC supports working with FSA in an armed struggle against the opposition the NCC strongly opposes any resort to arms. Instead, the NCC prioritizes diplomatic and political solutions. <sup>120</sup> Moreover, the NCC fears an "Islamist takeover of Syrian society" if powerful and predominantly Sunni states supporting SNC consolidate power. <sup>121</sup> Since 2011 opposition groups have lost large amounts territory and today primarily control the Idlib province. <sup>122</sup>

The second group controlling parts of Syrian territory consists of various non-state entities. While many of these groups are small and only operate locally some have affiliates across the country and cooperate with other groups sharing a similar agenda. The biggest non-state actor is the jihadist group the Islamic State of Iraq and Syria (ISIS). ISIS stems from the jihadist group al-Qaeda in Iraq (AQI), founded by Abu Musab al-Zarqawi in 2004 after the U.S.-invasion in Iraq. When Zarqawi died in 2006 AQI created the umbrella organization called Islamic State in Iraq (ISI). 124 As ISI grew stronger it joined the opposition against President Assad and founded the Salafist jihadist organization called al-Nusra front. 125 In April 2013 Abu Bakr al-Baghdadi, the new leader of what was originally AQI, announced ISIS as the coalition of ISI and al-Nusra forces in Iraq and Syria. Ultimately, ISIS aims to establish a hardline Sunni Islamic state ruled by Islamic law. 127 To achieve this aim, ISIS employs notoriously brutal techniques including mass killings, suicide bomb attacks, abductions and beheadings. 128 ISIS quickly became one of the

<sup>117</sup> Ibid.,34.

<sup>118</sup> Ibid.,32.

<sup>&</sup>lt;sup>119</sup> Ibid.

<sup>120</sup> Joya, "Syria and the Arab Spring: The Evolution of the Conflict and the Role of the Domestic and External Factors," 35

<sup>&</sup>lt;sup>121</sup> Ibid.

<sup>122</sup> Alia Chughtai, "Syrian Civil war map: who's in control where?" Al-Jazeera, May 10, 2018, https://bit.ly/2FwYeAF

<sup>123 &</sup>quot;Civil War in Syria: Recent Developments," Council on Foreign Affairs, accessed March 21, 2018, https://www.cfr.org/interactives/global-conflict-tracker#!/conflict/civil-war-in-syria

<sup>124 &</sup>quot;What is 'Islamic State'?" BBC Online, accessed March 20, 2018, http://www.bbc.com/news/world-middle-east-29052144

<sup>&</sup>lt;sup>125</sup> Ibid.

<sup>126</sup> Ibid.

<sup>127 &</sup>quot;ISIS wants to establish a caliphate." Vox, accessed March 18, 2018, https://www.vox.com/cards/things-about-isis-you-need-to-know/isis-goal-theocracy

<sup>128 &</sup>quot;What is 'Islamic State'?"

greatest powers in the region and began recruiting fighters on an international scale. According to the International Centre for Counter-Terrorism (ICCT), between 2014 and 2017 over 4,000 fighters from Europe have joined ISIS in Iraq or Syria. <sup>129</sup> In attempt to abolish ISIS, the U.S., France, United Kingdom, Turkey, Saudi Arabia and other smaller Arab states have conducted over nine thousand airstrikes against ISIS targets in Syria. <sup>130</sup> The third group controlling parts of Syrian territory including Raqqa, Qamishli and Hasakah are the Kurdish forces militarily supported by the United States. <sup>131</sup> The last group controlling Damascus, Homs, Hama, Aleppo and large parts of the coastal regions are the Syrian Armed Forces.

In attempt to stabilize his regime in the face of Syria's fragmented landscape President Assad utilized his most loyal military force primarily made up of Alawites, the Islamic sect that comprises about 12% of the Syrian population and to which the majority of Syria's leadership belongs. 132 In 2013, Alawites made up around 140,000 of the 200,000 career soldiers in Assad's military of 300,000 active-duty personnel. Moreover, about 80% of Assad's officers are Alawites and nearly all of the other 20% are members of the regime's ethnic allies. 133 Soon after the uprising in early 2011 reports emerged of arbitrary detention, torture, ill-treatment and forced disappearance by government forces. <sup>134</sup> Between March 2011 and June 2016 reported incidents of death in government detention centers exceeded 12,679 people. 135 Others in opposition-held areas have been subjected to prolific cluster and incendiary-munitions as well as chemical weapon attacks. 136 Additionally, in 2017 an estimated 714,345 Syrians were living under siege in 33 communities in government-held Damascus, Rural Damascus, Homs, and Ghouta, among others as the Syrian government continued to employ the 'surrender or die' tactic. 137 Under the 'surrender or die' tactic Assad militarily besieges areas to the point of collapse, followed by surrender and forced displacement. <sup>138</sup> Regardless of the United Nations Security Council (UNSC) resolutions calling for the unimpeded humanitarian access and civilian projection the Syrian government, and to a lesser extent Syria's armed opposition groups, continue to besiege communities across Syria. 139

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<sup>129 &</sup>quot;The Foreign Fighters Phenomenon in the EU – Profiles, Threats & Policies," International Centre for Counter-Terrorism, International Centre for Counter-Terrorism, accessed March 18, 2018, https://icct.nl/publication/report-the-foreign-fighters-phenomenon-in-the-eu-profiles-threats-policies/

<sup>130 &</sup>quot;Civil War in Syria: Recent Developments."

<sup>131</sup> Chughtai, "Syrian Civil war map: who's in control where?"

<sup>132</sup> David W Lesch, "The Arab Spring - and Winter - in Syria," 423

<sup>133</sup> Ted Galen Carpenter, "Tangled web: The Syrian civil war and its implications," Mediterranean Quarterly (2013): 2

<sup>&</sup>lt;sup>134</sup> Human Rights Watch, "Syria Events of 2016," *Human Rights Watch*, accessed March 21, 2018, https://www.hrw.org/world-report/2017/country-chapters/syria

<sup>135</sup> Ibid.

<sup>&</sup>lt;sup>136</sup> The Syria Institute, "Siege Watch: Ninth Quarterly Report on Besieged Areas in Syria November 2017 – January 2018" (Utrecht: Pax for Peace, 2018), 7

<sup>&</sup>lt;sup>137</sup> Ibid.,10

<sup>138</sup> Ibid.139 Ibid.

To further weaken the opposition President Assad strategically manipulated existing sectarian tensions by presenting the opposition as Sunni extremists striving to eliminate minority groups including the Alawites. <sup>140</sup> This sectarianization, Angela Joya argues, internationalized the conflict and turned initially peaceful demands for democracy into a violent power struggle between regional actors. <sup>141</sup> Syria has become fertile ground for the proxy war between the Sunni Axis comprising Turkey, Saudi Arabia, Qatar and Egypt and the Shi'a Axis comprising Iran, Syria and Lebanon, the latter operating primarily through the Lebanese political party and militant group Hezbollah. <sup>142</sup> Beyond the Middle Eastern powers, the Syrian conflict has also split the international community in two opposing camps. On the one hand, China and Russia support Assad while on the other, the U.S., France and Britain among other European countries support the opposition. <sup>143</sup> This territorial and political fragmentation underlies the current quagmire in the humanitarian response.

As demonstrated, in Syria political "patterns of inclusion and exclusion" are reflected spatially with the majority of the rebellion either living in impoverished and politically sidelined rural communities or as disenfranchised inhabitants of urban areas. 144 As the Syrian map fragmented into opposition and government controlled areas it became increasingly difficult for humanitarians to reach opposition-held areas from government-held Damascus. In this way, Syria's territorial and political fragmentation has fragmented the humanitarian response and created four "humanitarian hubs" from which humanitarian operations are carried out. 145 In addition to the 'hub' in Damascus, three additional humanitarian hubs were established in Lebanon, Jordan and Turkey. 146 Thus, in Syria the humanitarian response consists of two modalities of operating: across frontlines by organizations based in Damascus and across international borders by organizations based in Lebanon, Jordan and Turkey. 147 Together, these four hubs work to implement the Syria Strategic Response Plan as part of the Whole of Syria approach. Each hub operates under different restrictions and conditions and must be analyzed independently. 148 To enhance the accuracy of the analysis, this paper therefore focuses exclusively on the government-held areas and the humanitarian operation from the Damascus hub. This

<sup>&</sup>lt;sup>140</sup> Lana Asfour, "A Very Modern Conflict," New Statesman, June 27, 2013, https://www.newstatesman.com/world-affairs/world-affairs/2013/06/syria-very-modern-conflict

<sup>141</sup> Ibid.

<sup>142</sup> Sertif Demir and Carmen Rijnoveanu, "The Impact of The Syria Crisis on the Global and Regional Political Dynamic," 61

<sup>143</sup> Ibid.

<sup>144</sup> Giovanni Pagani, "Between Patchwork Peace and Splintered Reconstruction: Assessing Post-War Challenges in Fragmented Syria."

<sup>145</sup> Neurosurgeon in Syria in opposition-held areas. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 18, 2018.

<sup>146</sup> Ibid

<sup>&</sup>lt;sup>147</sup> Eva Svoboda and Sara Pantuliano, International and local/diaspora actors in the Syria response: a diverging set of systems? (London: Humanity Policy Group, 2015), 5

<sup>148</sup> Neurosurgeon in Syria in opposition-held areas. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 18, 2018.

paper does not conside	r cross-border operation	ns from Lebanon, Jordan	and Turkey unless stated
exclusively.			

# Chapter 4: The United Nations Operational Decision-Making

At the core of the UN's mandate and mission stands the principle of Humanity, asserting that "human suffering must be addressed wherever it is found." 149 Satisfying the principle of Humanity requires access to vulnerable populations which, according to the UN Humanitarian Response Plan, remains "the main impediment to the delivery of humanitarian assistance." On the one hand, the UN's agenda and core interests are driven by the Humanitarian Principles and the obligation to address humanitarian suffering impartially "wherever it is found." 151 On the other hand, the Syrian government is driven by the desire to gain political, economic and military power and break "the opposition's neck." 152 Restricting humanitarian access functions as an important tool in this process that enables Assad to hit the opposition where it hurts most, namely: the stomach. Civilians are dependent on food for survival meaning that those who control the food control the people. 153 Therefore, Assad's policy making in respect to humanitarian assistance is directed towards gaining control over what, how much, where and when humanitarian assistance is distributed. 154 Ideally, a "principled agreement" is reached between the UN and Assad that allows both to achieve their objectives without making concessions. However, in Syria obtaining principled agreement is challenging as the values and interests of the UN - to assist impartially- profoundly contradict the political strategy of the Syrian government. In this context, access to affected communities is not an open-ended invitation but rather the outcome of negotiations between the parties to the conflict. 155 In these negotiations, compromise is a regular but undesired companion. Who and what concessions are made depends on the parties' leverage: the power each party has to influence the other.

In theory, the UN has two kinds of leverage to sway the Syrian government towards adhering to its humanitarian obligations namely, incentives and threats. IHL and IHRL legitimize humanitarian action and provide a "powerful humanitarian leverage." <sup>156</sup> Actors may take these legal commitments seriously to gain positive recognition within the international community or to avoid international isolation, condemnation or criminal prosecution. Unfortunately, these incentives have failed to influence President Assad's behavior. To push further, the UN may

<sup>149 &</sup>quot;What are the Humanitarian Principles?"

<sup>&</sup>lt;sup>150</sup> Saleem Haddad and Eva Svoboda, "What's the magic word? Humanitarian access and local organizations in Syria" (London: Humanitarian Policy Group, 2017), 2

<sup>151 &</sup>quot;What are the Humanitarian Principles?"

<sup>152</sup> Ibid.

<sup>153</sup> Fiona Terry, Condemned to repeat: the paradox of humanitarian action (New York: Cornell University Press, 2013), 2

<sup>154</sup> Deborah Mancini-Griffoli and Andre Picot. Humanitarian Negotiation: A Handbook for Securing Access, Assistance and Protection for Civilians in Armed Conflict (Switzerland: Centre for Humanitarian Dialogue, 2004), 11

<sup>155</sup> Haddad and Eva Svoboda, "What's the magic word? Humanitarian access and local organizations in Syria," 19

<sup>&</sup>lt;sup>156</sup> Claire Magone, Michael Neuman, and Fabrice Weissman, eds. Humanitarian negotiations revealed: the MSF Experience (Oxford University Press, 2012), 70

impose conditions for providing assistance and threaten to leave if these conditions are not met. <sup>157</sup> Since the UN "is feeding so many of [Assad's] own people" the threat of stopping assistance could sway Assad to make concessions. <sup>158</sup> Assad can't afford to expel the UN from Damascus, making it likely he would accept second-best options if the alternative means losing all assistance. However, to be credible humanitarians must execute threats, a step that would leave the affected population without assistance and contradict the principle of Humanity: a concession the UN is unwilling to make. <sup>159</sup> More subtle threats may include temporarily suspending operations or publishing public statements denouncing the government for denying access. While these tools are available, the UN has been unwilling to use them. Stalling operations to push the Syrian government to bow down contradicts the UN's principle of Humanity. <sup>160</sup> Fundamentally, the UN's failure to set a 'bottom line' and unfettered willingness to operate has undermined its negotiating power vis-à-vis the Syrian government and given Assad veto power to determine the UN's operative landscape.

Considering the UN and Assad's competing objectives, analysis must shift from a romanticized view of the uncompromised commitment to the Humanitarian Principles towards understanding the politics of humanitarian operations. In theory, the Humanitarian Principles as embedded in humanitarian and human rights laws are non-negotiable. In practice, however, the process of initiating humanitarian assistance is "far messier, far less effective and far more political." <sup>161</sup> Constraints imposed 'from above' and contingencies 'on the ground' present the UN with an operational paradox as they find themselves "negotiating *in practice* what is non-negotiable *in principle*." The UN must seek a balance between upholding the Humanitarian Principles while making certain trade-offs that guarantee continued operations. The next section examines the choices made by the UN in attempt to find this balance. More specifically, the next section examines to what extent the need to gain and maintain access has led the UN to compromise it's adherence to the two substantive Principles Neutrality and Independence. The first part examines how UN relief operations breach Neutrality by contributing to the Syrian economy while the second outlines how humanitarian access has become one of the most highly politicized aspects of the Syrian conflict.

<sup>157</sup> Ibid.,47

The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 9

<sup>159 &</sup>quot;What are the Humanitarian Principles?"

<sup>160</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>&</sup>lt;sup>161</sup> Paul Harvey, "Towards good humanitarian government: The role of the affected state in disaster response" (London: Humanitarian Policy Group, 2009), 6

#### The United Nations Contribution to Syria's War Economy

While gaining access to vulnerable populations satisfies the Humanitarian Principle of Humanity it often contradicts the substantive Humanitarian Principle of Neutrality. While humanitarian assistance can appear apolitical on the surface, by injecting substantial resources into a socio-political environment defined by scarcity, aid inevitably becomes implicated in the conflicts "inner workings." <sup>162</sup> The UN may be apolitical in its intent but it is not apolitical in its impact: aid forms part and parcel of Syria's war economy and thereby affects society, politics and power. 163 This reality places the UN under constant pressure to reconcile between contributing to Syria's war economy, jeopardizing the principle of Neutrality, and relinquishing access, jeopardizing the principle of Humanity. The next section examines this contradiction by identifying who are the main actors involved in the conflict, how they sustain and finance the conflict and where the UN's humanitarian operations fit into this context.

One of the fundamental challenges to the UN's neutrality is the firm control Assad holds over Syria's public institutions. Seven years of war has fed Syria's expansive war economy, defined by David Keen as "the continuation of economics by other means" that includes a complex web of traders, businessmen and armed actors that each benefit from the conflict.<sup>164</sup> The millions of dollars that the UN continues to pump into Syria offer Assad lucrative tools to facilitate the realization of his political and military objectives. While international actors continue to invest tremendous resources and diplomatic effort towards seeking a solution to the Syrian conflict, these efforts remain futile unless President Assad's monopoly over state institutions is broken. 165 The Syrian conflict has not caused the breakdown of society but rather it's restructuring and the emergence of new systems of governance.

The most publically recognized way in which the UN contributes to Syria's economy is through partnership with government-affiliated NGO's. In Syria, aid must be distributed through organizations approved by Syria's Ministry of Foreign Affairs. 166 These organizations closely tied to the Syrian government have profited substantially from the UN's operations in Syria, as have

<sup>2012–15,&</sup>quot; 171

<sup>162</sup> Martinez, and Brent Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war,

<sup>163</sup> Al-Jazeera English, "Inside Story - Starvation as a Tool of War in Syria," YouTube, accessed, 3 Jan. 2016, www.youtube.com/watch?v=D1AewGozXoo&t=451s.

<sup>164</sup> Hamoud Al-Mahmoud, "The War Economy in the Syrian Conflict: The Government's Hands-Off Tactics," Carnegie Endowment for

International Peace, December 15, 2015, http://ceip.org/2]ZyqCM

165 Kheder Khaddour, "Shielded by the State: Assad's Monopoly Over Syria's Public Institutions," Carnegie Endowment for International Peace, August 17, 2015, http://carnegie-mec.org/diwan/61027

<sup>166</sup> Martinez, and Brent Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war, 2012-15," 162

government departments and companies.<sup>167</sup> The UN has adopted various regime-run charities as implementing partners including the ABA, a charity foundation controlled by President Assad's ally Rami Makhlouf.<sup>168</sup> ABA is both on the EU and U.S. sanctions lists as it reportedly supports three pro-government *Shabiha* militias, one of which was involved in the protracted siege of Darayya in the Damascus suburb. <sup>169</sup> Nevertheless, UNICEF confirms granting \$267,933 in total direct cash transfers to ABA to supply water, sanitation and hygiene, education and winter clothes. <sup>170</sup> The close link between the Syrian government and ABA gives Assad effective control over active militias, casting doubt on whether UNICEF's donation is spent as intended or reported. Another partner, the Syria Trust for Development was launched in 2006 by Assad's wife Asma al-Assad who is similarly on EU and U.S. sanctions lists. According to the Guardian, between 2012-2016 the UNHCR handed a total of \$7.7 million to Asma's fund. <sup>171</sup>

The most important UN partner in Syria is the Syrian Arab Red Crescent (SARC), an organization that has strong ties to Assad's government and essentially functions as its auxiliary. <sup>172</sup> According to Joseph Sweid, State Minister for Red Crescent Affairs, SARC is an integral part of the Syrian Prime Ministry and essentially "a monopolistic bottleneck," deeply compromised by pressure from the government. <sup>173</sup> Between 2011 and 2016, SARC was responsible for distributing more than 60% of WFP's in-kind assistance. As a result of SARC's close relationship with the government, in November 2012, the Union of Medical Care and Relief Organizations (UOSSM) warned that 90% to 95% of the international aid sent to the SARC was "confiscated by the regime." <sup>174</sup> In 2015, Reinhoud Leenders asserted that \$900m (£688m) of the \$1.1bn aid in the UN 2015 Response Plan was funneled through Damascus and controlled by the Syrian government. <sup>175</sup> Moreover, Assad's ties to SARC's top echelon have meant that only 3 of the UN's 67 requests for cross-border aid delivery into opposition-held areas have been approved. <sup>176</sup>

Apart from partnering with government-affiliated entities, the UN contributes to Syria's war economy through purchasing goods and services controlled by actors connected to the

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<sup>&</sup>lt;sup>167</sup> Nick Hopkins and Emma Beals, "UN pays tens of millions to Assad regime under Syria aid programme," The Guardian, August 29, 2016, https://bit.ly/2bMeTTZ

<sup>&</sup>lt;sup>168</sup> Aron Lund, "The UN Enters Syria's Moral Labyrinth," Carnegie Endowment for International Peace, published September 9, 2016, http://carnegie-mec.org/diwan/64524

<sup>&</sup>lt;sup>169</sup> Nick Hopkins, and Emma Beals, "How Assad regime controls UN aid intended for Syria's children," *The Guardian*, August 29, 2016, https://bit.ly/2bE0TKl

<sup>171</sup> Ibid.

<sup>&</sup>lt;sup>172</sup> World Food Program, Humanitarian Assistance in Conflict and Complex Emergencies (Rome: World Food Program, 2014), 16

<sup>&</sup>lt;sup>173</sup> The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 30

<sup>&</sup>lt;sup>174</sup> David Kenner, "Assad's War on the Red Crescent," Foreign Policy, December 12, 2012, https://bit.ly/2MjiEzg

<sup>175</sup> Hopkins, and Emma Beals, "How Assad regime controls UN aid intended for Syria's children"

<sup>&</sup>lt;sup>176</sup> The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 32

Syrian government. As Stephane Dujarric, the UN's chief spokesman states, "We source locally and there are many places where the local economy is either state-owned or we have very limited options." <sup>177</sup> By 2016 the UN paid at least \$700,000 to Syriatel, a mobile phone network run by government affiliated Rami Maklouf known as the "country's poster boy for corruption." <sup>178</sup> In May 2017 Makhluf was placed on the U.S. Treasury Department's sanctions list for money laundering.<sup>179</sup> The UN's stay in the Four Seasons Hotel in Damascus that is one-third owned by Syria's Ministry of Tourism has further financially supported Assad. <sup>180</sup> In late 2016 the UN's peacekeeping operation monitoring the Golan Heights region between Syria and Israel paid 1.5 million dollars to Jupitor Investment Co. for office space and accommodation. 181 Jupitor Investment Co. is controlled by Muhammed Hamsho, a member of the Syrian Parliament and prominent businessman accused of "providing services in support of, and for acting for or on behalf of President Assad." 182 The WHO contributed an additional 5 million dollars to support Syria's national blood bank, which is controlled by Assad's Defense Department. 183 While the UN continues to invest millions of dollars into Syria, large amounts don't reach the intended populations and instead benefit organizations and individuals connected to Assad's family and friends." 184

On a more general level, the very presence of UN staff contributes to Syria's war economy for two reasons. Firstly, all UN employees purchase visas from the Ministry of Foreign Affairs to operate in the country, providing secure financial support to the Assad government.<sup>185</sup> Secondly, UN employees are paid in Syrian pounds meaning any transaction sent from abroad in U.S. dollars is exchanged to local currency with a rate set by the government. These exchanges grant the government more cash in hard currencies. 186 In addition to financially supporting government-affiliated NGO's and companies the UN contributes to the illicit activities of loyalist militias. 187 In besieged areas wealthy middlemen control and profit from the entry and exit of people, food, weapons as well as information. Businessmen with links to the government outside besieged areas form relationships with businessmen inside these areas from who they buy monopoly rights over access to certain goods. The government-affiliated businessmen hoard and release the goods at strategic moments to maximize their profits. In this context, the control over

<sup>177</sup> Bloomberg, "Allies received Dh66 million in UN Syria payouts," The National, August 1, 2017, https://bit.ly/2IivmMB

<sup>178</sup> Hopkins, and Emma Beals, "How Assad regime controls UN aid intended for Syria's children"

<sup>179</sup> Annie Sparrow, "Hypocritic oath: How WHO and other international agencies aid Assad's war against Syria's civilians," Foreign Policy, February 9, 2018, https://bit.ly/2CgKJC2

<sup>180</sup> Hopkins, and Emma Beals, "How Assad regime controls UN aid intended for Syria's children"

<sup>181</sup> Bloomberg, "What Sanctions? Assad Allies Got \$18 Million in Payouts," Fortune, August 1, 2017, https://for.tn/2yCjcyy

<sup>182</sup> U.S. Department of the Treasury, "Treasury Sanctions Prominent Syrian Businessman," U.S. Department of the Treasury, April 8, 2011,

<sup>183</sup> Hopkins, and Emma Beals, "How Assad regime controls UN aid intended for Syria's children."

<sup>184</sup> Sparrow, "Hypocritic oath: How WHO and other international agencies aid Assad's war against Syria's civilians."

<sup>185</sup> The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 28

Lina Sinjab, "How Syria's War Economy Propels the Conflict," Chatham House, July, 2017, https://bit.ly/2sUDnPZ
 William Todman, "Capitalising on collective punishment: Siege tactics in the Syrian conflict" (Thesis., Georgetown University, 2016), iv

humanitarian assistance becomes not only a military and political tactic but also an economic one. The high demand, lack of availability and monopolization of aid result in an exorbitant spike in prices. <sup>188</sup> In addition to a growing black-market, Syria has witnessed the rise of checkpoint personnel strategically imposing fees on goods and aid convoys. <sup>189</sup> One of the checkpoints in eastern Ghouta is named the "million pound checkpoint" as it is said to generate \$1 million a day in fees on goods and people coming in and out. <sup>190</sup>

Overall, by directing most assistance through SARC and other government-approved organizations and purchasing local government-controlled goods and services the UN has enabled the government to reduce expenditure on basic goods at the heart of its prewar social contract with Syrian citizens and focus funds on the military effort. This enables Assad to mitigate discontent due to lack of basic goods, as protests against fuel, food and electricity shortages in the government-held city Latakia demonstrated in 2014. <sup>191</sup> While the UN claims and intends to remain principled, by contributing to Syria's war economy the UN has moved beyond "the realm of neutral, impartial and independent humanitarian action." <sup>192</sup>

<sup>188</sup> Haddad and Eva Svoboda, "What's the magic word? Humanitarian access and local organizations in Syria," 2

<sup>189</sup> Sinjab, "How Syria's War Economy Propels the Conflict"

<sup>90</sup> Ibid

<sup>&</sup>lt;sup>191</sup> Martinez, and Brent Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war, 2012–15," 167

<sup>&</sup>lt;sup>192</sup> International Committee of the Red Cross, "Principles in action: How do neutrality and independence contribute to humanitarian effectiveness?" *International Committee of the Red Cross.* June 17, 2015. https://bit.ly/1LgFNMp

#### Political Partners and the United Nations Remote Response

The need for access to affected populations not only implicates the UN into Syria's war economy, challenging the Principle of Neutrality, but it also results in compromises to the UN's Independence. Throughout the conflict the government has sought to control the coordination and distribution of humanitarian assistance to obtain political power. <sup>193</sup> To do so, Assad imposed firm regulations and restrictions on humanitarian access and manipulated the threat of expulsing entire programs if they do not adhere the government's conditions. The awareness of Assad's power to withhold access and the drive to gain access and satisfy the Principle of Humanity has pushed the UN to adhere to the government's regulations and restrictions on humanitarian access.

Independence is defined as acting autonomously from the political, economic and military objectives of other actors. 194 Importantly, autonomy does not mean isolationism. Since the UN is an inter-governmental and multi-mandate organization, autonomy of the UN means maintaining relations with the government and simultaneously the freedom to "assess needs, deliver services and evaluate impact." 195 In Syria, however, the UN's close coordination with the government and government-approved organizations has led to an increasingly remote response in which the UN has limited presence on the grounds. 196 The UN's remoteness and restricted access has enabled Assad to infiltrate, control and coordinate aid operations. Consequentially, the majority of the UN's aid convoys have been directed towards government-held areas while the opposition remains deprived. 197 Between January and August 2015 the UN agencies reached on average 4% of the civilians in besieged areas (roughly 16,500 people) monthly with health assistance, 0.6% (2,500 people) with food and less than 0.1% with non-food items such as tents, blankets, and soap." <sup>198</sup> In April of 2016, only 12% of the food aid delivered went to areas outside government control. 199 For example, although the city of Madaya is less than an hour's drive from Damascus between July 1, 2015, and January 12, 2016, OCHA only delivered a single aid convoy to Madaya. <sup>200</sup> Similarly, the last convoy delivered to the 175,000 civilians besieged in Duma since November 2012 arrived on July 2, 2015. 201 When access is granted, the Syrian government decides how much and what kind of aid can enter. Before approved convoys are physically

<sup>193</sup> van Mierop, "Coming clean on neutrality and independence: The need to assess the application of humanitarian principles," 299

<sup>194</sup> Ibid.,298

<sup>195</sup> Ibid.,309

 $<sup>^{\</sup>rm 196}$  Qutrib, Useful Syria and the Demographic Changes in Syria, 15

<sup>&</sup>lt;sup>197</sup> Ibid.

<sup>198</sup> Sparrow, "Aiding Disaster, How the United Nations' OCHA Helped Assad and Hurt Syrians in Need,"

<sup>199</sup> BBC News, "Syria conflict: Report says UN has lost impartiality," BBC News, June 15, 2016, http://www.bbc.com/news/world-middle-east-36537214

<sup>&</sup>lt;sup>200</sup> Ibid.

<sup>&</sup>lt;sup>201</sup> Sparrow, "Aiding Disaster, How the United Nations' OCHA Helped Assad and Hurt Syrians in Need."

granted access the governments so-called Department of Preparedness removes items deemed inappropriate, medical supplies in particular. <sup>202</sup> In 2016 almost 50 tones of equipment including antibiotics and antibacterial medicines intended for besieged areas including Moadamiyah, Madaya and Zabadani were removed from convoys. <sup>203</sup>

While the UN "goes through the moves of trying to push for access," efforts are often trivial as the government rarely responds to access requests. <sup>204</sup> In 2015, almost 75% of all UN requests to deliver aid from Damascus were ignored meaning only one-tenth of the UN's requested operations were carried out. <sup>205</sup> Similarly, between May and December 2016 the UN was granted access to only 24% of the civilians living in besieged and 'hard-to-reach' areas. <sup>206</sup> Within the UN the debate "shall we stop, shall we reduce, shall we issue a public statement" often leads to the same argument: "what will you like us to do? To stop feeding the 7 because we cannot feed the other 2 or stop all 9 because we can't feed 2." <sup>207</sup> Given the choice between alienating the government and risking being denied access completely or allowing aid to be used "as a carrot to the Syrian army's stick" to obtain, at least some, access the UN has opted for the latter. <sup>208</sup> Clearly, there is a tension between the needs of victims to receive humanitarian assistance, the interest of the UN in providing assistance, and the power of the state to decide what and how much relief can enter. <sup>209</sup>

The UN's limited presence on the grounds and President Assad's "significant and substantial" influence over the UN's operations challenges the UN's ability to autonomously assess needs bereft of any political prejudices and aims. As OCHA states, needs assessments in Syria have been one of "the most problematic areas" of the response. The close coordination, "strained relationship" and "lengthy negotiations" between the UN and Syrian government to determine needs raises suspicion that the needs assessment is politically biased. In this context, OCHA asserts that when having to choose between providing aid to people despite lacking accurate data or withholding aid because "we are not confident down to the last percentage" of

<sup>&</sup>lt;sup>202</sup> Sparrow, "Hypocritic oath: How WHO and other international agencies aid Assad's war against Syria's civilians."

<sup>&</sup>lt;sup>203</sup> Nick Hopkins and Emma Beals, "Lifesaving UN aid regularly fails to reach besieged Syrians," *The Guardian*, September 12, 2016, https://bit.lv/2c5AUvE

<sup>&</sup>lt;sup>204</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>&</sup>lt;sup>205</sup> Lund, "The UN Enters Syria's Moral Labyrinth."

<sup>&</sup>lt;sup>206</sup> Elise Baker, Access Denied: UN Aid Deliveries to Syria's Besieged and Hard-to-Reach Areas (New York: Physicians for Human Rights, 2017),6

<sup>&</sup>lt;sup>207</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>&</sup>lt;sup>208</sup> Lund, "The UN Enters Syria's Moral Labyrinth."

<sup>209</sup> Felix Schwendimann, "The legal framework of humanitarian access in armed conflict," International Review of the Red Cross 93 (2011): 1006

<sup>&</sup>lt;sup>210</sup> Nick Hopkins and Emma Beals, "Aid groups suspend cooperation with UN in Syria because of Assad 'influence," *The Guardian*, published September 6, 2016, https://bit.ly/2cwzfP6

<sup>&</sup>lt;sup>211</sup> Lewis Sida, Lorenzo Trombetta and Veronica Panero. Evaluation of OCHA response to the Syria crisis (New York: United Nations Office for the Coordination of Humanitarian Affairs, 2016), 37
<sup>212</sup> Ibid.

needs the choice is clear: "people should be helped even when the risks (of being wrong) are high." <sup>213</sup> Once approved by the Syrian government, the UN's needs assessments are used to determine the Humanitarian Response Plan (HRP) and division of available funding. The skewed needs assessment, in which needs in Damascus are prioritized and exaggerated, means that funding for the HRP in Damascus is higher than in the other three hubs, regardless of actual needs on the grounds. 214 In this way, the UN's inability to independently judge the needs and evaluate response marks the bottom line beyond which "assistance for victims imperceptibly turns into support for their tormenters;" in this context, the Syrian government. <sup>215</sup>

In 2014 the 'Whole of Syria' information-sharing network was developed to enhance the coordination among humanitarians and ensure a principled humanitarian response. Despite enhanced coordination among numerous humanitarian organizations, the UN and it's main partner SARC made the final decisions. As Fadi Al-Dairi from the Syrian NGO alliance states: "we have been cooperating with OCHA, but we would add our points and OCHA Damascus would remove them." <sup>216</sup>This reality has led over 70 aid NGO's working in opposition-held areas to withdraw from the 'Whole of Syria' mechanism. Consequentially, the UN lost further sight on the humanitarian operations in opposition-held areas.

Independence demands not only freedom of movement and the ability to assess needs but also preventing politics from infiltrating and shaping internal organizational dynamics. Yet, a leaked document to the Guardian revealed that the UN has hired scores of Assad's political associates. In February 2016 the WHO office in Damascus employed Shukria Mekdad, the Deputy Foreign Minister Faisal Medad's wife. <sup>217</sup> Faisal Mekdad is considered the government's "mouthpiece" for addressing and denying war crimes and the use of chemical weapons. 218 Mekdad's affiliation with the government raises concern of the integrity of WHO's assessments. The UN defends its employment of government-affiliated staff by stating that the UN does not investigate prospective workers on their political affiliations. <sup>219</sup> Normally, the UN's desire to remain a-political would be applauded. However, in Syria's complex conflict overlooking the impact of staff's political affiliation on internal relations as well as external conflict dynamics is essentially accepting the politicization of the UN's operations. Government-affiliated staff grant

<sup>&</sup>lt;sup>213</sup> Ibid.

<sup>&</sup>lt;sup>214</sup> Neurosurgeon in Syria in opposition-held areas. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 18, 2018. <sup>215</sup> Jonathan Whittal, "Opinion and debate: The limits of humanitarianism in Gaza," *Medecines Sons Frontieres*, July 14, 2014,

<sup>&</sup>lt;sup>216</sup> Hopkins and Emma Beals, "Aid groups suspend cooperation with UN in Syria because of Assad 'influence"

<sup>&</sup>lt;sup>217</sup> The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 29

<sup>&</sup>lt;sup>219</sup> Nick Hopkins and Emma Beals, "UN hires Assad's friends and relatives for Syria relief operation," The Guardian, October 28, 2016, https://bit.ly/2ehPC2t

Assad significant 'insider information' that facilitate control over the distribution of aid.

The UNHCR's collaboration with the Syrian Computer Society [SCS] further compromises the UN's independence.<sup>220</sup> According to the Guardian, in 2013 the UNHRC had a contract with the SCS worth \$30,000 American dollars. 221 The SCS was founded by Assad's brother Basssel al-Assad in 1989 and remains one of Syria's main information and communications technology companies that regulates and supervises the internet in Syria. 222 Since the death of Bassel al-Assad, President Assad leads the SCS suggesting its close connection to the Syrian government. The SCS is closely affiliated with the Syrian Electronic Army (SEA): a group of online hackers and supporters of the "fabricated news" on Syria broadcast by foreign media registered by the SCS.<sup>223</sup> In fact, the SEA's domain name was hosted and registered by the SCS.<sup>224</sup> The SEA has conducted cyber attacks against opposition actors and companies said to undermine the legitimacy of the Syrian government.<sup>225</sup> The SEA is responsible for hacking the Facebook pages of President Obama and former French President Sarkozy, BBC's Arabic and Twitter pages as well as Al-Jazeera News.<sup>226</sup> While the SCS may only provide the SEA with "tacit support" that it requires to operate on Syrian networks it is necessary to consider the relationship between the UNHRC, Assad, the SCS and SEA given the importance of cyber control in the Syrian conflict. 227 Throughout the conflict the Syrian government has used SEA to serve two purposes: as one of its public relations tools to draw attention to the Assad's version of the conflict and, secondly, to counter the impact of the opposition. <sup>228</sup> Through supporting the SCS the UN has facilitated Assad's ability to maintain control over and regulate internet content in Syria.<sup>229</sup> Cyberspace is "just another battlefield" that the government seeks control over that the UN has financially facilitated. 230

The principle of Independence suffers from another compromise, namely, autonomy to determine the 'truth.' According to Siege Watch and The Syria Campaign, the UN underreports the number of civilians living under siege. For instance, in February 2016, Siege Watch found that there were over a million Syrians in 46 besieged communities, far more than the 393,700 in 15

<sup>&</sup>lt;sup>220</sup> "Syrian Computer Society," Facebook, published May 15, 2018, https://www.facebook.com/pg/scs.org.sy/posts/

<sup>&</sup>lt;sup>221</sup> Hopkins, and Emma Beals, "How Assad regime controls UN aid intended for Syria's children."

<sup>&</sup>lt;sup>222</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>&</sup>lt;sup>223</sup> Sarah Fowler, "Who is the Syrian Electronic Army?" BBC News, April 25, 2013, https://www.bbc.com/news/world-middle-east-22287326 <sup>224</sup> Ahmed Al-Rawi, "Cyber warriors in the middle east: The case of the Syrian electronic army," Public Relations Review 40 (2014): 420

<sup>&</sup>lt;sup>225</sup> Fowler, "Who is the Syrian Electronic Army?"

<sup>&</sup>lt;sup>227</sup> Ibid.

 $<sup>^{228}</sup>$  Al-Rawi, "Cyber warriors in the middle east: The case of the Syrian electronic army,"  $420\,$ 

<sup>229</sup> Stewart Kenton Bertram, "Close enough' - The link between the Syrian Electronic Army and the Bashar al-Assad regime, and implications for the future development of nation-state cyber counter-insurgency strategies," The St. Andrews Journal of International Relations, published February 8, 2017, https://cvir.st-andrews.ac.uk/articles/10.15664/jtr.1294/

<sup>&</sup>lt;sup>250</sup> Al-Rawi, "Cyber warriors in the middle east: The case of the Syrian electronic army," 421

communities reported in the January 2016 UN Report to the UNSC.231 In addition, the UN obscures the government's role in besieging civilians. According to UN estimates in February 2016 the government was responsible for 56% of the sieges while Siege Watch estimates for the same period are 85%. 232 Moreover after consulting with the Syrian government the UN altered pertinent information in the 2016 HRP putting President Assad's government in more favorable light. In the final document any reference to "sieged" or "besieged" areas were replaced with "locations listed in UNSCR 2139, 2165, 2191" referring to UNSC resolutions granting aid organizations access to besieged areas without governmental approval.<sup>233</sup> The HRP was meant to be an equal collaboration between the Syrian government, Syrian non-governmental organizations (NGO), international non-governmental organizations (INGO') and UN offices based in Damascus, Lebanon, Jordan and Turkey that oversee aid distribution in Syria. When the final draft was approved by the relevant NGO's and UN offices it was sent to the Syrian government for consultation; "it is standard procedure in each country for the UN to consult with the government of the country." <sup>234</sup> After government consultations the document is meant to return to the NGO's and UN offices for final approval. This did not happen: the changes made by the Damascus office were sent to the government for final approval without consulting the other NGO's and UN offices. 235 While consolidating with the Syrian government does not breach the Principle of Independence per se, editing the language of official UN documents does. Despite the UN's assertion that the HRP is a "technical and operation document that should not be interpreted as a political document" language is not politically neutral. 236 By replacing "sieged" and "besieged" with technical jargon the UN euphemizes the government's responsibility for human rights violations and thereby takes a political position; one siding with Assad. <sup>237</sup> Not only is language always involved in power, language is one of the systems through which power operates. By euphemizing human rights violations the UN deflects blame and puts Assad in more favorable light vis-a-vis the opposition.

Despite the rigidity of the Humanitarian Principles on paper, in practice the Principles are relative: adapted and applied according to context. In order to adapt to Syria's complex environment and continue humanitarian operations the UN has compromised the Humanitarian

<sup>&</sup>lt;sup>251</sup> The Syria Institute, "Siege Watch: Ninth Quarterly Report on Besieged Areas in Syria May-July 2016" (Utrecht: Pax for Peace, 2016), 8

<sup>&</sup>lt;sup>232</sup> The Syria Campaign, *Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 36*<sup>233</sup> Dania Akkad, "UN aid agency downplayed Syrian sieges as Madaya starved," *The Syria Institute, January 15, 2016, https://bit.ly/2Kes8eA* 

<sup>&</sup>lt;sup>234</sup> Roy Gutman, "How the U.N. Let Assad Edit the Truth of Syria's War," Foreign Policy, January 27, 2016, https://bit.ly/1JH6pKR <sup>235</sup> Jane Bradley, "UN Accused Of Allowing Assad Regime To Censor Syria Aid Plan," Buzzfeed News, January 22, 2016.

https://bzfd.it/2Kg1XEm

<sup>&</sup>lt;sup>236</sup> UN Office for the Coordination of Humanitarian Affairs, "2017 Syrian Arab Republic Humanitarian Response Plan: January - December 2017 [EN/AR]," Relief Web, published 12 Mar 2017, https://reliefweb.int/report/syrian-arab-republic/2017-syrian-arab-republic-humanitarianresponse-plan-january-december

<sup>&</sup>lt;sup>237</sup> Dania Akkad, "UN aid agency downplayed Syrian sieges as Madaya starved," The Syria Institute, January 15, 2016, https://bit.ly/2Kes8eA

Principles of Neutrality and Independence. Confronted with the choice of either securing goods from government-affiliated businesses or leaving civilians without life-saving assistance, the UN's choice is clear: "our duty is to the civilians in need." <sup>238</sup> The UN has prioritized the principle of Humanity; helping those in need, at the cost of the principles of Neutrality and Independence. As Claus Sorensen, director-general of the European Commission Humanitarian Office (ECHO), states "Comfortable, or not comfortable, we simply have to accept that situation, and probably live with some second-best options." <sup>239</sup>

With an understanding of the dynamic of the UN humanitarian response in Syria and the extent to which the Humanitarian Principles have been adhered to the next chapter considers the context in which the UN operates. Rather than seeking to justify the UN's behavior the next section focuses on drawing connections by outlining the push and pull factors and structural limitations that shape the UN's choices.

<sup>&</sup>lt;sup>238</sup> Hopkins and Emma Beals, "UN pays tens of millions to Assad regime under Syria aid programme"

<sup>&</sup>lt;sup>239</sup> "Principles or pragmatism? Negotiating access in Syria," *Irinnews*, published 8 June, 2012, https://bit.ly/2KoTfXP

# Chapter 5: Contextualizing the United Nation's Operational Decision-Making

Palpable disregard for the international human rights laws by the Syrian government is causing millions of Syrians to suffer. Through indiscriminate kidnappings, arrests, chemical weapon and barrel bomb attacks the government continues to punish the opposition. <sup>240</sup> This dreadful situation has been exacerbated by the UN's decision to channel aid through Assad's bureaucracy, leaving thousands of civilians in besieged areas in dire need of food, water and medical equipment.<sup>241</sup> The UN justifies the close cooperation with the Syrian government by the need to maintain a presence in Syria. However, the question remains whether the Syrian government would actually suspend the UN from operating in Syria if it tried to reach opposition-held areas. The Syrian government needs the UN's multi-million dollar operations to sustain and legitimize itself and cannot afford expelling the UN from Syria. 242 Yet, while Assad's reliance on the UN gives the UN considerable leverage to negotiate for access the UN has failed to use this leverage and accepted Assad's demands as to where aid can be distributed, how much and what kind. 243 The UN's operational choices are primarily shaped by three structural limitations, namely, the UN's dependence on Assad's security assessment, the political influence of UNSC members and the UN's reluctance to partner with local Syrian NGO's.

The UN's operational decision-making in Syria is critically influenced by the high levels of insecurity on the grounds. 244 The "ongoing shelling and sporadic fire" on aid convoys and humanitarian staff present constant barriers to aid operations. <sup>245</sup> By January 2016, over eightyfive of UN's staff had been killed. 246 Numerous others have been injured, hijacked or kidnapped.<sup>247</sup> However, the UN's operational choices are not only the result of actual security concerns. Perceived security concerns have similarly influenced the UN's operations and decision to avoid accessing opposition-held areas. Because the UN primarily works through governmentapproved bodies it lacks the ability to conduct independent security assessments on the grounds and relies on the government's security assessments. However, the concept 'security' is a not a fixed or 'a priori' fact but a representation of reality that cannot be disentangled from political

<sup>&</sup>lt;sup>240</sup> Mona Alami, "Bashar Al Assad's use of violence has crossed nearly every line," The National, published September 26, 2016, https://bit.ly/2tziNaV

<sup>&</sup>lt;sup>241</sup> Humanitarian Needs Overview 2018: Syrian Arab Republic. United Nations Office for the Coordination of Humanitarian Affairs, 2017. Accessed June 10, 2018. https://bit.ly/2Ecl.Rt9 
<sup>242</sup> Roger Hearn, "How the disunity among UN agencies is failing Syria," published July 5, 2016, https://bit.ly/2KEb5X6

<sup>&</sup>lt;sup>243</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>&</sup>lt;sup>244</sup> Mary Kaldor and Sabine Selchow, "From Military to 'Security Interventions': An Alternative Approach to Contemporary Interventions," Stability: International Journal of Security and Development (2015): 5

<sup>&</sup>lt;sup>245</sup> Justin Schuster, "UN decries 'increasingly shrinking humanitarian space' in Syria as aid convoy robbed at gunpoint," Syria Direct, published February 21, 2017.

<sup>&</sup>lt;sup>246</sup> "Failure in Syria not humanitarian but political, says senior UN relief official," UN News, published January 26, 2016, https://bit.ly/2tIvuPX <sup>247</sup> "Humanitarian Space in Syria Ever More Constrained Deputy Secretary-General Tells Informal Ministerial Consultation on Situation," United Nations, published September 25, 2013, https://www.un.org/press/en/2013/dsgsm702.doc.htm

objectives of the parties that produce it.<sup>248</sup> While security concerns certainly present a real barrier to the UN's operational movement, re-examining the processes shaping the perception of space uncovers the political roots of the security narrative often cited as justification for the UN's 'pragmatic' approach.

The government's representation of opposition-held spaces as 'insecure' is not always an accurate reflection of reality but forms a key part of Assad's political and military strategy to exclude the UN from assessing opposition-held areas. Apart from being socially produced, the perception of space is productive: the imaginative geographies of 'secure' and 'insecure' spaces underline the UN's everyday operational decision-making. 249 Without the ability to conduct independent needs assessment, the UN has to adopted a "risk averse subjectivity" and limited its movement to areas deemed 'secure' by the Syrian government. <sup>250</sup> As Physicians for Human Rights demonstrates, while the number of access requests approved by the Syrian government increased in 2016 due to real or perceived safety concerns the actual number of people reached decreased.<sup>251</sup> The fact that the UN. has driven through government besieged towns without delivering aid suggests that security concerns are merely a cover-up. <sup>252</sup> As UN advisor Jan Egeland said, "Convoys even go through Douma to Kafr Batna, why aren't they allowed to stay and offload in Douma?" <sup>253</sup> When the government banned UN agencies from going to Daraya, Maudaliya and Ghouta for months in a row all the evidence from inside suggested that there was little actual threat for UN workers on the grounds.<sup>254</sup>

While government-held security assessments may inaccurately reflect security concerns on the grounds, the UN's prior experience with real security threats makes testing Assad's claims of insecurity risky.<sup>255</sup> On the one hand, calling Assad's "bluffs" could risk getting it wrong and facing a real security threat. On the other hand, in the absence of an initial security threat, taking the risk to call the bluff could aggravate the government and risk retaliation. Even entering opposition-held areas with permission has proven dangerous. On 19 September 2016 a collaborative UN and SARC 31-truck convoy planned to reach 78,000 people was attacked by air

<sup>&</sup>lt;sup>248</sup> Ali Abdul Kadir Ali, "The Security Gap in Syria: Individual and Collective Security in 'Rebel-held' Territories," Stability: International Journal of Security and Development 4 (2015): 2

 <sup>&</sup>lt;sup>249</sup> Kaldor and Sabine Selchow, "From Military to 'Security Interventions': An Alternative Approach to Contemporary Interventions," 6
 <sup>250</sup> Richard Pelgrim, "Everyday Humanitarian Geographies: Security and Segregation in Beirut, Lebanon" (M.Sc. thesis., Utrecht University, 2016),

<sup>&</sup>lt;sup>251</sup> Elise Baker, Access Denied: UN Aid Deliveries to Syria's Besieged and Hard-to-Reach Areas (New York: Physicians for Human Rights, 2017), 8

<sup>&</sup>lt;sup>252</sup> The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 13

<sup>&</sup>lt;sup>253</sup> United Nations Security Council, "Note to Correspondents: Transcript of a press encounter with Jan Egeland, Special Advisor to the United Nations Special Envoy for Syria after today's meeting of the Humanitarian Access Task Force," United Nations, published March 17, 2017, https://bit.ly/2N4G39d

<sup>&</sup>lt;sup>254</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>255</sup> Ibid.

in Orum al-Kubra, killing over 20 people. <sup>256</sup> The attacked convoy had travelled from government-held areas to opposition-held Orum al-Kubra with government permission. <sup>257</sup> Nonetheless, warning reports, satellite images, forensic evidence and witness testimony suggest that the Syrian forces were implicated in the attack. The attack occurred at a critical time in which the U.S. and Russia successfully brokered a cessation of hostilities that would "allow unhindered and rapid delivery of aid to besieged areas." <sup>258</sup> In this context, the attack is likely to form part of a larger campaign to demonstrate that opposition-held areas are 'insecure' spaces that UN agencies must avoid accessing. <sup>259</sup> Assad's campaign to drive out the UN from opposition-held areas succeeded as the UN suspended the operation of all aid convoys in the region soon after the attack. <sup>260</sup> As the uneven distribution of aid in Syria demonstrates, the UN's reliance on the Syrian government's security assessments has proven counter-productive to the UN's overall aim of assisting the Syrian population in a principled fashion. <sup>261</sup>

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<sup>&</sup>lt;sup>256</sup> "UN officials condemn attacks against aid convoy and warehouse in rural Aleppo," UN News, published September 20, 2016, https://bit.ly/2Iu1HAb

<sup>&</sup>lt;sup>257</sup> "Syria, the Battle for Aleppo," Casebook ICRC, accessed July 28, 2018, https://casebook.icrc.org/case-study/syria-battle-aleppo

<sup>&</sup>lt;sup>258</sup> "UN officials condemn attacks against aid convoy and warehouse in rural Aleppo."

<sup>&</sup>lt;sup>259</sup> Neurosurgeon in Syria in opposition-held areas. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 18, 2018.

<sup>&</sup>lt;sup>260</sup> "UN officials condemn attacks against aid convoy and warehouse in rural Aleppo."

<sup>&</sup>lt;sup>261</sup> Lisa Smirl. Spaces of aid: how cars, compounds and hotels shape humanitarianism (London: Zed Books Ltd., 2015), 80

#### The Internal Politics of the United Nations

The formal humanitarian system dominated by the UN has struggled to gain access to populations in need due limited presence on the grounds and subsequent reliance on the governments potentially biased and inaccurate security assessments. The UN's ability to gain access is further weakened by the its reliance on the UNSC member states. Despite the UN's indispensible importance, the UN is no more than "the sum of its parts" and remains subject to the decisions of its member states. <sup>262</sup> Even in humanitarian crises the UN lacks the "teeth" to enforce member states to approve and abide by UNSC resolutions. <sup>263</sup> To pass, UNSC resolutions must be approved by an affirmative vote of nine UNSC members and at least one of the five veto members: Russia, China, France, the United Kingdom and the US. <sup>264</sup> Resolutions are automatically rejected with a negative vote from one of the five veto members, wielding these states a disproportionate amount of decision-making power. <sup>265</sup> The political divisions between member states on the Syria conflict therefore present an "insurmountable obstacle" to establishing an effective humanitarian response. <sup>266</sup> Fundamentally, states' unwillingness to budge has thwarted the approval of several UNSC resolutions calling for humanitarian access and reduced the UN to a mere "helpless spectator" in Syria's humanitarian crisis. <sup>267</sup>

As one of Syria's most influential allies with veto power, Russia presents a particular barrier towards the approval of UNSC resolutions calling for humanitarian access and the implementation of accountability mechanisms. Since 2011 Russia has vetoed twelve times to shield President Assad on issues of bombing, chemical weapon attacks, ceasefires and the delivery of humanitarian aid. In February 2014 Russia vetoed a UNSC resolution condemning human rights abuses committed by the Syrian government and calling for unrestricted humanitarian access. According to Russia, this resolution would lay the "groundwork" for future military intervention against President Assad. In December 2016 the UNSC again voted on a resolution that called all "parties to the Syrian conflict" to grant the UN and its partners "unimpeded humanitarian access." Russia vetoed against the resolution. A year later, in December of 2017, the UNSC voted to renew Resolution 2165 calling for cross-line and cross-

<sup>262</sup> Lakhdar Brahimi, "Did the U.N. Syria Fail?" The Elders, published April 4, 2017, https://theelders.org/article/did-un-fail-syria

<sup>&</sup>lt;sup>263</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>&</sup>lt;sup>264</sup> "Security Council fails to adopt three resolutions on chemical weapons use in Syria," *UN News*, published April 10, 2018, https://news.un.org/en/story/2018/04/1006991

<sup>265</sup> Ibid

<sup>&</sup>lt;sup>266</sup>Simon Adams, Failure to Protect: Syria and the UN Security Council (New York: Global Centre for the Responsibility to Protect, 2015), 3

<sup>&</sup>lt;sup>267</sup> Omar Aziz, "Can the United Nations Do Anything to Stop the Slaughter in Syria?" *The Atlantic*, published April 12, 2017, https://bit.lu/20018f

<sup>&</sup>lt;sup>268</sup> Christina Abraham, "Why has the International Community Failed Syria?" *The New Arab*, published April 18, 2018, https://bit.ly/2Kw2Xb7

<sup>&</sup>lt;sup>269</sup> Euan McKirdy, "8 times Russia blocked a UN Security Council resolution on Syria." CNN, published April 13, 2017, https://cnn.it/2tHDRLF <sup>270</sup> Ibid.

<sup>&</sup>lt;sup>271</sup> Ibid.

border aid deliveries to opposition-held areas in Syria from Turkey and Jordan without governmental approval. <sup>272</sup> Russia abstained its vote to the extension of Resolution 2165 and called for the gradual winding down of "this scheme" that divides the Syrian population. <sup>273</sup> According to Russia's ambassador to the UN Vassily Nebenzia, cross-border aid delivery impinges on Syria's sovereignty because it enables humanitarian organizations to deliver aid within Syria's borders without permission from the Syrian government. <sup>274</sup> For Nebenzia Resolution 2165 was an "unprecedented and extreme measure that must now be reassessed." <sup>275</sup> In February 2018 Russia again blocked a UNSC resolution intended to establish a 30-day ceasefire and grant humanitarian access to eastern Ghouta that had been besieged since April 2013. <sup>276</sup> Russia called the resolution "unrealistic" and suggested amendments that would ultimately allow the continued targeting of opposition groups. <sup>277</sup>

Furthermore, Russia's veto power has blocked the UN from implementing sanctions against the Syrian government for denying unrestricted humanitarian access. Although Resolution 2165 affirms that the UN "will take further measures" in the event of non-compliance the Resolution does not provide a trigger for the use of force or sanction meaning in reality nothing happens. <sup>278</sup> Only under pressure from Russia will Syria be compelled to comply. <sup>279</sup> When Russia supported UNSC Resolution 2118 calling for President Assad to hand over his chemical stockpile to the UN, Syria complied. <sup>280</sup> The message is clear: only if Russia supports a resolution will Syria be induced to comply. How the UN can influence Russia's thinking in favor of humanitarian access remains unclear. Even when Russia appears to be negotiating the UN may be working "towards a position Russia has already decided in advance." <sup>281</sup> Since 2011, Russia's veto power has trapped UN into a "disturbingly submissive role" and enabled President Assad to re-center the international humanitarian response in Damascus, thereby restoring his legitimacy and political control. <sup>282</sup>

The UN's reluctance to push Syria for access and subsequent compromise to the Humanitarian Principles Neutrality and Independence stems from a fear of jeopardizing its

<sup>&</sup>lt;sup>272</sup> "Security Council, Adopting Resolution 2191 (2014), Renews Authorization Allowing Agencies, Humanitarian Partners Continued Aid Access across Syrian Borders," *United Nations*, published December 17, 2014, https://www.un.org/press/en/2014/sc11708.doc.htm

<sup>&</sup>lt;sup>273</sup> The United Nations, "UN Security Council renews aid to Syria opposition areas, Russia abstains vote," *Daily Sabah*, published December 19, 2017, https://bit.ly/2Iwhyhr

<sup>&</sup>lt;sup>274</sup> Somini Sengupta, "Russia Balks at Cross-Border Humanitarian Aid in Syria," *The New York Times*, published December 6, 2017, https://nyti.ms/2AHnW5b

<sup>&</sup>lt;sup>275</sup> Sam Heller, "Syrian Humanitarian "Lifeline" Goes to Vote," *The Century Foundation*, published December 18, 2017, https://bit.ly/2Koy60P <sup>276</sup> Julian Borger, "Russia blocks UN resolution on eastern Ghouta ceasefire," *The Guardian*, published February 22, 2018, https://bit.ly/2ou5buy

<sup>&</sup>lt;sup>278</sup> Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

<sup>&</sup>lt;sup>279</sup> Mark Leon Goldberg, "Humanitarian Access in Syria is all about Russia," *UN Dispatch*, published February 11, 2014, https://bit.ly/2KbIloV <sup>280</sup> General Assembly Resolution 2118. *Adopted by the Security Council at its 7038th meeting, on 27 September 2013*, S/RES/2118 (27 September 2013),

available from http://unscr.com/en/resolutions/doc/2118 <sup>281</sup> Heller, "Syrian Humanitarian "Lifeline" Goes to Vote."

<sup>&</sup>lt;sup>282</sup> Reinoud Leenders, "UN's \$4bn aid effort in Syria is morally bankrupt," *The Guardian*, August 29, 2016, https://bit.ly/2tJ40uA

relationship with Assad and thereby the ability to access government-held areas.<sup>283</sup> As a sovereign power, the Syrian government is authorized to grant or withhold permission for the UN to operate from Damascus. President Assad has strategically used the threat of removing the UN's permission to operate within Syria to manipulate where, how, when and to whom the UN is able to deliver humanitarian assistance.<sup>284</sup> Assad has consistently asserted it would only cooperate with groups that respect Syria's sovereignty and do not work in opposition-held areas. At the start of the conflict when the government was on the verge of collapsing, President Assad largely overlooked aid groups operating in opposition-held areas. Once Assad gained dominance, aid organizations operating in opposition-held areas, that the regime considered to be controlled by "terrorists," were blacklisted. 285 Suddenly, the UN had to choose between operating in government-held areas reached from Damascus or opposition-held areas primarily reached from the Lebanon, Jordan and Turkey hubs.<sup>286</sup> The UN judges that "playing the government's game" and "negotiating behind the scenes for access" is necessary in order to continue operating in Damascus.<sup>287</sup> The dilemma is as follows: the UN does not want to antagonize the government, which rules between 55-72% of the population, in order to deliver aid to 17-34% of the population controlled by the opposition.<sup>288</sup> By disregarding Assad's demands and operating in opposition-held areas the UN would not only lose the ability to reach the majority of Syria's population but it would also impede the possibility of reaching a diplomatic solution between the government, the opposition and international actors. <sup>289</sup> The UN has taken the position that getting anything done in Syria requires greasing "the palms of the powerful," in this case: President Assad.<sup>290</sup>

The fear of being denied access to Damascus is not unjustified. In 2014 the NGO Mercy Corps - one of the only groups working on both sides of the conflict - was forced to choose between stopping operations in opposition-held areas or being evicted from Damascus.<sup>291</sup> Mercy Corps decided to close its operations in Damascus that reached fewer people and was more restricted than Mercy Corps' operations from Turkey. The scale of Mercy Corps' operations in Syria meant that their withdraw from Damascus caused a gap in the overall humanitarian

<sup>&</sup>lt;sup>283</sup> Annie Sparrow, "Aiding Disaster, How the United Nations' OCHA Helped Assad and Hurt Syrians in Need," Foreign Affairs, published February 1, 2016, https://www.foreignaffairs.com/articles/syria/2016-02-01/aiding-disaster

<sup>&</sup>lt;sup>284</sup> The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 4

<sup>&</sup>lt;sup>285</sup> Thanassis Cambanis, "Could aid to Syrians be prolonging the war?" Boston Globe, June 1, 2014, https://bit.ly/2yYiQ5m

<sup>&</sup>lt;sup>287</sup> The Syria Campaign, *Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria*, 9 288 Lund, "The Political Geography of Syria's War: An Interview With Fabrice Balanche."

<sup>&</sup>lt;sup>289</sup> Cambanis, "Could aid to Syrians be prolonging the war?"

<sup>&</sup>lt;sup>290</sup> Kambiz Foroohar, "How Assad's Allies Got \$18 Million From the UN," Bloomberg, published August 1, 2017, https://bloom.bg/2uSYoir

<sup>&</sup>lt;sup>291</sup> Martin Chulov and Emma Beals, "Aid group Mercy Corps forced to close Damascus operations," *The Guardian*, published May 23, 2014. https://bit.ly/2MCV5lk

response. Since 2013, Mercy Corps has delivered aid with government permission from Damascus into south-central Syria to over 350,000 affected civilians.<sup>292</sup> At the same time, Mercy Corps has delivered aid to over 1.7 million civilians in opposition-held areas in the north, making it the biggest relief provider to opposition-held areas.<sup>293</sup> Clearly, Assad would not hesitate to evict humanitarian agencies working without permission even if it meant depriving thousands of people of assistance, as it did in the case of Mercy Corps.<sup>294</sup> Yet, while this argument is compelling for single smaller-scale humanitarian organizations operating in Damascus critics argue it does not hold for the UN agencies. Assad simply could not afford to close down the UN's multi-million dollar operation.<sup>295</sup>

<sup>&</sup>lt;sup>292</sup> Martin Chulov and Emma Beals, "Aid group Mercy Corps forced to close Damascus operations."

<sup>&</sup>lt;sup>293</sup> "What happens when aid workers are kicked out of a country?" Medium, published March 03, 2015, https://bit.ly/2Nn4dff

<sup>&</sup>lt;sup>294</sup> Cambanis, "Could aid to Syrians be prolonging the war?"

 $<sup>^{\</sup>rm 295}$  Hearn, "How the disunity among UN agencies is failing Syria."

# The United Nations Neglect of the Informal Humanitarian Response

The Damascus-based formal humanitarian response in Syria has been dominated by five UN agencies, namely: WFP, UNICEF, UNHCR, UNRWA and WHO. <sup>296</sup> Due to real and perceived security concerns and the reluctance to operate without government consent the formal humanitarian response has avoided accessing opposition-held areas. Instead, the formal humanitarian response largely relies on the informal humanitarian response for implementation. <sup>297</sup> As stated, "we fool ourselves if we think that the UN agencies and INGO's can do the work. We need Syrian NGO's to do the work." <sup>298</sup> The informal humanitarian response consists of over 700 local organizations, charities and activist groups that have formed since 2011. <sup>299</sup> Damascus-based humanitarian operations are particularly reliant on SARC. Currently, SARC is the UNHCR's main partner in delivering core relief items and distributes between 50% and 60% of WFP's food. <sup>300</sup> In 2014 local actors working under the umbrella organization Syrian Relief Network and Syrian NGO Alliance were responsible for delivering 75% of the humanitarian aid. Despite the crucial role played by the informal humanitarian response, the UN has been unable or unwilling to establish inclusive partnerships and financially support Syrian NGO's.

The share of international funding received by the informal humanitarian response is incongruent with their fundamental role in the actual delivery of assistance. <sup>301</sup> In 2014, the combined UN agencies received more than 50% of the funding committed to the Syria response. On the other hand, Syrian NGO's received only 0.3% of the direct and 9.3% of the indirect cash funding available. <sup>302</sup> In 2015 direct funding to Syrian NGO's tripled from 0.3% to 0.9%. but remained insufficient to cover the full costs of the relief activities. <sup>303</sup> Local NGO's are treated as UN sub-contractors or 'second level donor recipients' and rarely receive the standard 7% support or 'overhead' coverage for transportation and distribution costs, except for a few cases where funding is obtained from the OCHA managed Humanitarian Pool Fund. <sup>304</sup> Unlike first level recipients who receive funding to cover their indirect overhead costs for implementing projects, second level recipients must pay for overhead costs individually or through other funding sources. This disparate 'entitlement' between first and second level donor recipients is evident in the contractual agreements between the UN and local NGO's. According to Syrian NGO's,

<sup>&</sup>lt;sup>296</sup> Christian Els, Kholoud Mansour and Nils Carstensen, Between Sub-contracting and Partnerships (Washington: Local to Global Protection, 2016), 6

<sup>&</sup>lt;sup>297</sup> Ibid.

<sup>&</sup>lt;sup>298</sup> Ibid.,9

<sup>299</sup> Svoboda, and Sara Pantuliano, International and local/diaspora actors in the Syria response: a diverging set of systems? 1

<sup>300</sup> Els, Kholoud Mansour and Nils Carstensen, Between Sub-contracting and Partnerships, 12

<sup>&</sup>lt;sup>301</sup> Ibid.,6

<sup>&</sup>lt;sup>302</sup> Ibid.

<sup>303</sup> Ibid.

<sup>304</sup> Ibid.

international NGO's including the UN, "have been using Syrian NGOs to make up for their own incompetency." <sup>305</sup> While the UN controls and dominates access to investors, local NGO's "deliver cheap labor." <sup>306</sup> Thus, while the UN has access to funding it has limited access to opposition-held areas. On the contrary, while Syrian NGO's lack funding they have access to opposition-held areas. <sup>307</sup> Thus, an effective and principled humanitarian operation requires collaboration between the formal and informal humanitarian responses.

Structural biases within the UN and subsequent lack of funding for the local humanitarian response continues to limit the extent to which the local NGO's are able to operate and deliver aid, especially in opposition-held areas. If the UN directed more funds to local NGO's that are delivering assistance on the grounds it would not only save overhead costs but also ensure higher numbers of civilians are reached in opposition-held areas. As the CEO of Syria Relief Network, Samah Bassas states "knowing that the funds allocated in crisis has been decreasing over the last few years, by turning the funding directly to the national NGOs it will empower them and at the same time be more efficient and effective for the response." <sup>308</sup> Given that the needs in Syria outweigh both the capacity and means available to the formal and informal humanitarian systems individually, they must work together. Rather than repeatedly seeking permission to opposition-held areas knowing that it will be denied, the UN should financially and logistically support local actors with access to opposition-held areas: The challenge remains how to establish effective cooperation in order to access opposition-held areas: the UN must swim "against a current that runs, inexorably, towards Damascus:" <sup>309</sup>

Uncertainty regarding the nature and capacity of local organizations to implement principled and well-managed humanitarian operations largely explains the UN's reluctance to strengthen cooperation. Most local NGO's were established at the start of the conflict and are unknown to the formal humanitarian system. Questions of their effectiveness, reliability, independence and impartiality remain unanswered. To mitigate the risk of sponsoring inappropriate actors the UN has developed numerous 'partner assessment tools' and 'risk assessments.' However, inconsistency of these measurement tools across UN agencies has made them ineffective for vetting out potential partners. In the face of these uncertainties, the UN has developed an institutional preference for working with officially recognized and well-

<sup>305</sup> Ibid.,12

<sup>306</sup> Ibid.

<sup>307</sup> Kimberly Curtis, "Can One "Grand Bargain" Fix a Broken Humanitarian Relief System?" UN Dispatch, published May 23, 2016, https://www.undispatch.com/grand-bargain/

<sup>308</sup> Curtis, "Can One "Grand Bargain" Fix a Broken Humanitarian Relief System?"

<sup>309</sup> Heller, "Syrian Humanitarian "Lifeline" Goes to Vote."

<sup>310</sup> Haddad and Eva Svoboda, "What's the magic word? Humanitarian access and local organizations in Syria," 1

<sup>311</sup> Ibid

functioning government bodies versus ad hoc and potentially ineffective local structures. For years the UN has justified their reluctance to support local groups with reasons including the lack of capacity and possible connection to terrorist organizations. <sup>312</sup> Apart from security concerns, the difficulty for local NGO's to meet staffing requirements and manage the bureaucracy of the formal humanitarian system further impedes the cooperation between the UN and local NGO's.

The policies underlining the distribution of funds from the initial donors to the UN and local NGO's are intended to filter out potentially harmful organizations to ensure quality and effectiveness. Yet, ironically, these policies have hampered the UN from working with the very local NGO's that are necessary to guarantee effective and principled humanitarian operations based on need, not politics. Despite evidence that local NGO's are leading the humanitarian response in opposition-held areas the UN has failed to implement local NGO's into the formal UN response. The based on the grounds makes such engagement indispensable. Taking into account the possibility of aid diversion and ineffective spending, it is certain that working with local NGO's can help the UN access opposition-held areas that the UN itself is unable or unwilling to reach, for safety or political reasons. Nevertheless, rather than navigating the fluid and complex network of local actors, the UN has chosen to work with the rigid and well-managed, albeit biased, government departments. On the grounds are such account the possibility of local actors, the UN has chosen to work with the rigid and well-managed, albeit biased, government departments.

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<sup>312</sup> Curtis, "Can One "Grand Bargain" Fix a Broken Humanitarian Relief System?"

<sup>313</sup> Neurosurgeon in Syria in opposition-held areas. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 18, 2018.

<sup>314</sup> Ibid.

# Chapter 6: The Implications of the United Nations Operational Decision-Making

Gaining and maintaining access presents one of the core challenges confronting the UN in Syria. Noting this challenge, the previous chapters have identified the choices the UN has made in order to gain access to affected populations and the logic underling these choices. It concluded that the UN has prioritized pragmatism and collaboration with the Syrian government over the Humanitarian Principles out of need "to maintain a foothold in Damascus." 315 Faced with the choice of either contributing to Syria's war economy and working with unsavory partners or neglecting Syrian civilians, the UN has opted for the former; albeit at the expense of the principles of Neutrality and Independence. While it cannot be certain that adopting a strictly principled approach would guarantee the UN humanitarian access, what is certain is that the compromises made by the UN to the Humanitarian Principles have detrimental long-term implications. 316 The Principles Neutrality and Independence are tools designed to enable humanitarians to translate the substantive principle Impartiality, "into factual reality." 317 Correspondingly, the failure to remain neutral and independent undermines humanitarians' ability to achieve the goal of Impartiality in the actual political conditions of conflict. 318 As demonstrated, the UN's close relationship to Assad's government both economically and politically has led to the uneven distribution of aid in favor of government-held areas. The unbalanced distribution of aid between 'governed' and 'ungoverned' space not only threatens the immediate survival of civilians but also shapes the conditions for Syria's post-conflict social and political dynamic.<sup>319</sup>

Amid deteriorating conditions humanitarian aid has become a crucial means of mobilizing political support: exerting pressure through denial and reward through access. The UN's pragmatic response and compromise on Neutrality and Independence enables it to operate and assist civilians in government-held areas. Yet, compromise also contributes to supporting new configurations of political order in President Assad's favor. By injecting necessary means to survival into Syria's collapsed economy and welfare system the UN is inevitably drawn into the role of either stabilizing the status quo or advancing change. Although Assad is the main architect of the uneven distribution of aid, he is not the sole perpetuator. The intentional manipulation of humanitarian assistance by the Syrian government and the UN's complacency to this

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The Syria Campaign, Taking Sides: The United Nations' Loss of Impartiality, Independence and Neutrality in Syria, 12
 Joanne Rose, "The Provision of Humanitarian Aid in Complex Emergencies: A Case Study of Somalia" (PhD Diss., University of

<sup>316</sup> Joanne Rose, "The Provision of Humanitarian Aid in Complex Emergencies: A Case Study of Somalia" (PhD Diss., University of Northumbria, 2013), 156

<sup>&</sup>lt;sup>317</sup> van Mierop, "Coming clean on neutrality and independence: The need to assess the application of humanitarian principles," 296.

<sup>319</sup> Meininghaus, "Humanitarianism in intra-state conflict," 1454

<sup>&</sup>lt;sup>320</sup> Martinez, and Brent Eng, "The unintended consequences of emergency food aid: neutrality, sovereignty and politics in the Syrian civil war, 2012–15," 153

manipulation have "played hand-in-hand." <sup>321</sup> By forfeiting Neutrality and Independence in favor of gaining access the UN's has unwittingly become a handmaiden to President Assad's strategy of besiegement and the forced displacement of civilians from opposition-held areas. <sup>322</sup> Therefore, in order to evaluate the implications of UN's humanitarian response it is not enough to highlight the number of people being reached. Rather, analysis must consider the uneven nature of the distribution process between government and opposition-held areas and the implications thereof on Syria's socio-political landscape. <sup>323</sup>

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<sup>321</sup> Hopkins and Emma Beals, "Aid groups suspend cooperation with UN in Syria because of Assad 'influence."

<sup>322</sup> Aron Lund, "Will Darayya Normalize the Expulsion of Civilians?" Carnegie Middle East Center, published September 7, 2016, http://carnegie-mec.org/diwan/64498

<sup>323</sup> Meininghaus, "Humanitarianism in intra-state conflict," 1469

# Sieges and Starvation

Since the onset of the Syrian conflict, the Syrian government has actively sought to eliminate the opposition and create a homogenous and loyalist Syria. As Assad states, "the homeland does not belong to those who live there, nor to those who hold a passport or are citizens. The homeland belongs to those who protect and guard it." 324 One of Assad's key counter-insurgency tactics to thwart the development of an alternative political order is besieging the opposition and cutting it off from access to goods crucial to its survival.<sup>325</sup> By primarily distributing aid to government-approved areas the UN has facilitated Assad's so-called 'siege and starve' counter-insurgency tactic. 326 While sieges are lawful warfare when directed at combatants, Assad's tactic of besieging civilians as a form of collective punishment is a war crime under IHL.327 Although the UNSC has underlined the importance of IHL in seven resolutions since 2014, Assad has continued besieging the opposition. 328 In November 2017 an estimated 714,345 people were trapped in over 33 besieged communities in Damascus, Homs, Aleppo and Idlib governorates while another million Syrians lived in "Watchlist" areas, under threat of intensified siege and abuse. 329 Despite adopting several resolutions calling for unimpeded delivery of aid to opposition-held areas, the UN has been unable to effectively deliver humanitarian aid to besieged opposition-held areas.

In the short-term, besiegement threatens the lives of civilians due to malnutrition, starvation and lack of access to medical care. The first siege imposed by the Syrian Arab Army on April 25, 2011 in Dera'a left over 500 civilians dead. <sup>330</sup> Similarly, the siege on the Yarmouk Palestinian refugee camp where no humanitarian aid was received between July 2013 and April 2014 resulted in 194 deaths. <sup>331</sup> More recently, in 2016, 65 people died in besieged town Madaya due to malnutrition, starvation and lack of access to medical care. <sup>332</sup> In January 2017 UNICEF noted that 11.9% of children in Eastern Ghouta suffered from acute malnutrition. <sup>333</sup> Apart from these devastating short-term implications, by creating new spatial possibilities for political victory

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<sup>324</sup> E. Picali, "Together With Its Allies, The Syrian Regime Is Forcing Demographic Change In Areas Of The Country - For Self-Protection And Self-Preservation," *Memri*, published November 15, 2016, https://bit.ly/2NaHCCe 325 Benedetta Berti, "Syria's Weaponized Humanitarian Space," *Carnegie Endowment for International Peace*, published July 06, 2016,

<sup>325</sup> Benedetta Berti, "Syria's Weaponized Humanitarian Space," Carnegie Endowment for International Peace, published July 06, 2016, http://ceip.org/29QMUhA

<sup>&</sup>lt;sup>326</sup> Sam Heller, "How Assad Is Using Sieges and Hunger to Grab More of the 'Useful Syria," Vice News, published January 14, 2016, https://news.vice.com/article/how-assad-is-using-sieges-and-hunger-to-grab-more-of-the-useful-syria

<sup>327</sup> Sparrow, "Hypocritic oath: How WHO and other international agencies aid Assad's war against Syria's civilians."

<sup>328</sup> Baker, Access Denied: UN Aid Deliveries to Syria's Besieged and Hard- to-Reach Areas, 5

<sup>&</sup>lt;sup>329</sup> The Syria Institute, "Siege Watch: Ninth Quarterly Report on Besieged Areas in Syria November 2017 – January 2018" (Utrecht: Pax for Peace, 2018), 6

<sup>&</sup>lt;sup>330</sup> Will Todman, "Siege Warfare in Syria," *Lawfare*, published July 13, 2016, https://www.lawfareblog.com/siege-warfare-syria.

<sup>331</sup> Todman, "Capitalising on collective punishment: Siege tactics in the Syrian conflict," 42

<sup>332</sup> Alami, "Bashar Al Assad's use of violence has crossed nearly every line."

<sup>333</sup> The Syria Institute, "Siege Watch: Ninth Quarterly Report on Besieged Areas in Syria November 2017 – January 2018," 30

the besiegement of opposition-held areas also has long-term implications. As the next section elucidates, the devastating material conditions in opposition-held areas due to the UN's imbalanced humanitarian response has enabled the Syrian government to take-over opposition-held areas, thereby expand territorial control and redraw Syria's socio-political landscape in Assad's favor.<sup>334</sup>

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<sup>334</sup> Todman, "Capitalising on collective punishment: Siege tactics in the Syrian conflict," 30

### Reconciliation and Forced Displacement

In an environment defined by scarcity and starvation migration is primarily needs driven: the presence or absence of humanitarian aid determines whether people stay or leave a particular area. In this way, aid imbalances not only threaten people's immediate survival but also shapes Syria's future socio-political landscape. In exchange for access to humanitarian aid civilians in besieged opposition-held areas agree to one-sided "reconciliation deals" with the government. 335 Under reconciliation deals the population in opposition-held areas are granted access to humanitarian aid, evacuated and then replaced with government loyalists. 336 The subsequent population increase in government-held areas feeds into Assad's narrative that the majority of the Syrian people are supportive of his government. 337 Assad strategically asserts that "the communities which embraced terrorists have become very small," without mentioning that a large part of Syria's population lives in government-held areas as consequence of Assad's punitive sieges and de-population campaigns. The willingness among opposition loyalists to evacuate to government-held areas is not due to sudden political shift and support for the Assad government but rather a coping mechanism for survival. After years of starvation, opposition loyalists shift in favor of security that only the regime can offer. 338 In this context, the WFP's increase in food distribution into Syria in 2014 is influenced by the rising number of Syrians fleeing from opposition-held into government-held and therefore accessible areas.<sup>339</sup> In this way, reconciliation deals are a coercive tool exploited by the Syrian government to re-take communities that have fallen outside its control.

Since 2011, the Syrian government has partially or completely displaced citizens in 136 areas including 111 predominantly Sunni Arab cities and 26 Turkmen towns.<sup>340</sup> In February 2014 the UN and the Syrian government reached an agreement on the evacuation of Syrian civilians from Homs and the entry of humanitarian aid. <sup>341</sup> In December 2015, ISIS and the Syrian government agreed on the departure of ISIS fighters and their families from southern Damascus neighborhoods towards Beer Qassab, Homs's eastern countryside or Raqqa city. <sup>342</sup> Similarly, after four years of siege in August 2016 the opposition-held city Darayya surrendered to the

<sup>335</sup> Josie Ensor, "UN attacked for giving control of aid 'to Assad regime' in Syria," *The Telegraph*, published June 15, 2016, https://bit.ly/2tTzy09

<sup>&</sup>lt;sup>337</sup> Christopher Kozak, "This is the Assad regime's military strategy for winning the Syrian civil war," *Business Insider*, published April 25, 2015, https://read.bi/2NfSJKf

<sup>&</sup>lt;sup>338</sup> Hinnebusch, Raymond and Omar Imady. *Syria's Reconciliation Agreements*. Unknown Publisher, 2017. Accessed June 1, 2018. https://bit.ly/2MHhJc8

<sup>&</sup>lt;sup>339</sup> John Hudson, "Exclusive: U.N. Docs Expose Assad's Starvation Campaign in Syria," Foreign Policy, published April 17, 2014, https://bit.ly/2lMbmZZ

<sup>&</sup>lt;sup>340</sup> Sinan Hatahet, "Forced Demographic Changes in Syria," *Al-Sharq Forum*, published September 26, 2017,

http://www.sharqforum.org/2017/09/26/forced-demographic-changes-in-syria/

Hinnebusch, Raymond and Omar Imady. Syria's Reconciliation Agreements. Unknown Publisher, 2017. Accessed June 1, 2018. https://bit.ly/2MHhJc8
 Ibid.

Syrian government.<sup>343</sup> Upon surrender 5,500 of Darayya's civilians were relocated to other suburbs in Damascus while the remaining 1,500 fighters surrendered their weapons and evacuated to opposition-held territory in Idlib. 344 The once thriving suburb of 250,000 people Darayya is now nothing more than a "rubble-strewn shell." 345 In September 2016 the Al-Waer Agreement was reached between the Syrian government and the opposition under the patronage of the UN.346 Under the agreement opposition fighters and their families would evacuate to Idlib and hand control over to the government. In return, the government allowed the entry of food supplies.<sup>347</sup> Most notoriously, in April 2017 the 'four towns agreement' was signed that outlined a tit-for-tat mechanism to evacuate wounded and sick civilians from Zabadani and Madaya, besieged by pro-government forces, and Foua and Kefraya, besieged by armed opposition groups. 348 Evacuation of citizens from besieged opposition-held areas had to wait until someone needed evacuation from the government areas where aid was available and the need for evacuation much less likely. 349 According to the Syrian Observatory for Human Rights (SOHR) at least 2,100 residents, including rebel fighters, were evacuated from Zabadani and Madaya and transported to Idlib.<sup>350</sup> The Yarmouk Palestinian refugee camp and Hajar al-Aswad district have also surrendered.<sup>351</sup> By July 2017, Siege Watch documented 12 communities to have been retaken in this manner.352 As a result, 6.5 million Syrians are currently displaced within Syria, the majority heading from insecure and impoverished opposition-held areas towards more stable and economically operative areas under government control. 353

The UN resident and humanitarian coordinator in Syria, Yacoub El Hillo, praised the reconciliation deal between the Syrian government and opposition in Al-Waer as an effective "peacemaking tool" <sup>354</sup> and "a truly good model to build on." <sup>355</sup> Indeed, in the short-term, reconciliation deals allow humanitarians to reach thousands of starving citizens in besieged areas and thereby satisfy the Principle of Humanity to alleviate suffering "wherever it is found." <sup>356</sup> However, placing these deals within Assad's larger strategy to overthrow the opposition brings

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<sup>343</sup> Lund, "Will Darayya Normalize the Expulsion of Civilians?"

<sup>&</sup>lt;sup>344</sup> Martin Chulov and Kareem Shaheen, "Syria: evacuation of rebels and families from Darayya under way," *The Guardian*, published August 26, 2016, https://bit.ly/2NcJ8Uo

<sup>345</sup> Ibid.

<sup>346</sup> The Syria Institute, "No Return to Homs: A case study on demographic engineering in Syria" (Utrecht: Pax for Peace, 2017), 28

<sup>347</sup> Ibid.

<sup>&</sup>lt;sup>348</sup> "Two years under siege, and it ends with displacement," Al-Jazeera, April 14, 2017, https://www.aljazeera.com/news/2017/04/exchange-residents-begins-evacuation-deal-170414051642212.html

<sup>350</sup> Ibid.

<sup>351</sup> Angus McDowall, "Insurgents south of Syrian capital surrender, says state TV," Reuters, published April 20, 2018, https://reut.rs/2yV3eje

<sup>352</sup> The Syria Institute. "Siege Watch: Seventh Quarterly Report on Besieged Areas in Syria May-July 2017," 55

<sup>353</sup> Aron Lund, "The Political Geography of Syria's War: An Interview With Fabrice Balanche," *Carnegie Middle East Center*, published January 30, 2015, http://ceip.org/2bJfd7a
354 Ibid.

<sup>355</sup> Tom Perry, "Ceasefire in Syria's Homs a 'good model' - U.N. official," *Reuter*, published December 11, 2015, https://uk.reuters.com/article/uk-mideast-crisis-syria-homs-idUKKBN0TU24S20151211

<sup>356 &</sup>quot;What are the Humanitarian Principles?"

into question whether Assad's reconciliation deals are a peacemaking tool or a strategic means to enhance territorial control and political power. Evacuating civilians from besieged areas is often a necessary protection measure and may be the only immediate option available to save lives. Yet, in the long reconciliation deals and subsequent evacuation to government-held areas has a decisive influence in the political outcome of the conflict. While for civilians reconciliation deals and forced displacement are a means to survival, for the Syrian government displacement is not a byproduct of conflict but rather a "sophisticated regime survival strategy." 357

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<sup>&</sup>lt;sup>357</sup> Hinnebusch, Raymond and Omar Imady. Syria's Reconciliation Agreements. Unknown Publisher, 2017. Accessed June 1, 2018. https://bit.ly/2MHhJc8

### Syria's Shifting Socio-Political Fabric

While reconciliation deals enable the UN to access and distribute aid in opposition-held areas, reconciliation deals similarly allow President Assad to strategically re-engineer Syria's sociopolitical fabric and stabilize his rule in the region. Due to reconciliation deals and subsequent population shifts, by 2015 the Syrian government controlled 50% of Syrian territory and between 55-72% of the population while the opposition controlled a comparative 45% of the territory but only 17-34% of the population. The opposition is particularly concentrated in Idlib, the last major opposition-held territory home to 1.1 million IDP's forcibly displaced as part of evacuation deals made in opposition-held areas throughout Syria. Syrian affaliate, Idlib has been readied to become a kill box where the opposition are funneled for final defeat. Funneling the opposition in Idlib is particularly effective given the presence of internationally condemned Al Qaeda's Syrian affiliate, Hayat Tahrir al-Sham (HTS). The difficulty of distinguishing the terrorists from the opposition enables Assad to target Idlib under the auspices of a counterterrorism operation. Ultimately, by facilitating the displacement and containment of the opposition in Idlib reconciliation deals engineer a new sectarian balance that serves Assad's goal of re-gaining control of Syria.

To consolidate the demographic changes instituted through reconciliation deals President Assad has imposed various "urban planning" laws.<sup>364</sup> Once the opposition has been evacuated, these laws enable Assad to legitimately strip political opponents of their property and property rights and thereby categorize populations on the basis of political allegiance. In September 2012, President Assad signed Decree (66/2012) intended to "redevelop areas of unauthorized housing and informal settlements [slums]" in two zones in Damascus governorate including Basatin al-Razi, Kafr Soussa, Qanawat, Basatin, Daraya, and Qadam. <sup>365</sup> In reality, however, Decree (66/2012) became a weapon to destroy and transfer property of citizens in opposition-held areas to those loyal to Assad's government without legal "process, compensation, or alternative

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<sup>358</sup> Lund, "The Political Geography of Syria's War: An Interview With Fabrice Balanche."

<sup>359</sup> Patrick Wintour, "UN warns Idlib could be next Syrian disaster zone in 'marathon of pain," The Guardian, published April 25, 2018,

https://www.theguardian.com/world/2018/apr/25/top-un-officials-voice-fears-of-new-aleppo-in-syrias-idlib-province

<sup>&</sup>lt;sup>360</sup> Jamie Dettmer, "Rights Groups, Rebels Warn Syria's Idlib Province Now a 'Kill Box," Voa, published September 28, 2017, https://www.voanews.com/a/syria-idlib-province-airstrikes/4048438.html

<sup>&</sup>lt;sup>361</sup> Arwa Damon, "In Syria's Idlib, a 'safe haven' that is anything but," CNN, published January 16, 2018,

https://edition.cnn.com/2018/01/16/middleeast/idlib-syria-intl/index.html

<sup>&</sup>lt;sup>362</sup> "Final de-escalation zones agreed on in Astana," Al-Jazeera News, published September 15, 2017,

https://www.aljazeera.com/news/2017/09/final-de-escalation-zones-agreed-astana-170915102811730.html

<sup>&</sup>lt;sup>363</sup> Aymenn Al-Tamimi, "Analysis: Why the War in Syria May Not Be About Demographic Change," *News Deeply*, published March 15, 2017, https://www.newsdeeply.com/syria/articles/2017/03/15/analysis-why-the-war-in-syria-may-not-be-about-demographic-change

<sup>&</sup>lt;sup>364</sup> Maha Yahya, "The Politics of Dispossession," Carnegie, published May 9, 2018, http://carnegie-mec.org/diwan/76290

<sup>365</sup> Daher, "Decree 66 and the Impact of its National Expansion."

housing." <sup>366</sup> Later in 2012 Decree (63/2012) was established that empowered the Finance Ministry to capture and transfer assets and property of citizens who fall under the Counterterrorism Law of 2012 to the Syrian government. <sup>367</sup> The broad interpretation of what constitutes terrorism under the Counterterrorism Law of 2012 allows Decree (63/2012) to criminalize a large section of society without fair trial. <sup>368</sup> In May 2016, President Assad issued another decree regarding the digitization of property, replacing past property records with new falsified records under ownership of the government. <sup>369</sup> The digitalization of property rights enabled Assad to "formalize," structure and coordinate the seizure of property from opposition-held areas. <sup>370</sup>

Following Decree (66/2012) and Decree (63/2012), in March 2018 the Syrian government enacted Law No.10 allowing the government to take property if the owner fails to provide proof of ownership within 30 days. 371 Assad's systematic destruction of Land Registry offices in opposition-held areas meant only 9% of refugees displaced inside Syria and 17% outside Syria possess property title deeds. 372 Additionally, 70% of Syrian refugees lack the identification documentation necessary to make a property claim.<sup>373</sup> Even before the war less than half of Syrian land was officially registered, making property claims highly subject to manipulation. 374 For those among the opposition that poses their property deeds approaching the authorities "is tantamount to a suicide mission" that often results in arrest. 375 Civilians inability to prove ownership has enabled the Syrian government to capture and re-populate opposition-held areas including the districts of Baba Amr, Sultaniyyeh, Jobar in Homs, Aleppo and Harasta in eastern Ghouta with dozens of loyalist Shia families. 376 The Iraqi Shiite paramilitary force Hezbollah al-Nujab, for instance, has granted Iraq families \$2000 dollars as well as a house for resettling in captured opposition-held areas. <sup>377</sup> Reportedly also, Syria's ally Iran has bought real estate around Damascus and Homs including houses of evacuated opposition loyalists. 378 Additionally, the Damascus Directorate of Migration and Passports

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<sup>&</sup>lt;sup>366</sup> "Q&A: Syria's New Property Law," Human Rights Watch, published May 29, 2018, https://www.hrw.org/news/2018/05/29/qa-syrias-new-property-law

<sup>&</sup>lt;sup>367</sup> "Q&A: Syria's New Property Law."

<sup>368</sup> Ibid.

<sup>&</sup>lt;sup>369</sup> The Syria Institute, "No Return to Homs: A case study on demographic engineering in Syria," page number

<sup>&</sup>lt;sup>370</sup> Ibid.

<sup>371 &</sup>quot;Q&A: Syria's New Property Law."

<sup>&</sup>lt;sup>372</sup> Emma Beals, "Assad's Reconstruction Agenda Isn't Waiting for Peace. Neither Should Ours," The Century Foundation, published April 25, 2018. https://bit.ly/2z4GKvU

<sup>373 &</sup>quot;Q&A: Syria's New Property Law."

<sup>374</sup> Ibid

<sup>375</sup> Yahya, "The Politics of Dispossession."

<sup>376</sup> Ibid

<sup>&</sup>lt;sup>377</sup> Albin Szakola, "Iraqi families moving into Damascus suburb: reports," *Now*, published September 6, 2016, https://now.mmedia.me/lb/en/NewsReports/567333-iraqi-families-moving-into-damascus-suburb-reports

<sup>&</sup>lt;sup>378</sup> Al-Souria Net, "Best of 2016: Iran's Plan to Seize Damascus Continues With Support From Assad Regime," *The Syrian Observer*, published December 30, 2016.

http://syrianobserver.com/EN/News/30775/Iran\_Plan\_Seize\_Damascus\_Continues\_With\_Support\_From\_Assad\_Regime/

has recently distributed 200,000 Syrian passports to Iranian militants transferred to Syria. <sup>379</sup> Shiite families moving to Syria from Afghanistan and Iraq are similarly granted Syrian passports to facilitate their permanent residency in Syria. <sup>380</sup>

President Assad's demographic engineering and expanding territorial control through reconciliation deals is further accompanied by a campaign of forced military conscription.<sup>381</sup> While the Syrian army was 300,000 strong in 2011 due to defections, death rate and "draft dodgers" by 2015 Syria's army was between 80,000 and 100,000 strong. 382 In this context, besieged and starving civilians desperate for humanitarian aid are considered the perfect "pool of people" to reconstitute Assad's "shortfall in human capacity." 383 384 Faced with the chose to "kill or be killed," besieged civilians in opposition-held areas, including FSA fighters, 'choose' to fight for Assad against former allies. 385 Surrendered opposition fighters have been recruited at recruitment offices set up by Iran's Islamic Revolutionary Guard Corps (IRGC) and Lebanese Hezbollah throughout Syria. 386 Another group of over 3,000 Bekara tribesmen who have converted to Shiite Islam have formed the Liwa al-Baqir' have been trained by the IRGC and Hezbollah.<sup>387</sup> In the case of Moadamiyeh and Aleppo, reconciliation deals specifically outlined regime demands that young men join Assad's army. 388 While officially men can pay between \$7,500 to \$15,000 to be exempted from military service in reality such exemptions are disregarded; even men that paid bribes are often forced to join the army by recruitment officers.<sup>389</sup> Ultimately, by instrumentalzing humanitarian aid to gain military support the Assad government has successfully turned the opposition against itself. In this way, reconciliation deals serve not only to demobilize the opposition but offer equally lucrative opportunity for Assad to mobilize support. On the surface, reconciliation deals may appear as a "peacemaking tool." 390 However, by displacing thousands of primarily Sunni civilians from opposition-held areas

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<sup>&</sup>lt;sup>379</sup> Zaman Al-Wasl, "Regime Issued 200,000 Syrian Passports for Iranian Militants: Sources," *The Syrian Observer*, published April 3, 2018, http://syrianobserver.com/EN/News/34041/Regime\_Issued\_Syrian\_Passports\_Iranian\_Militants\_Sources

<sup>380</sup> Bilal Salaymah, "The Legalization of Demographic Engineering in Syria," Suriye Gundemi, published April 16, 2018,

http://en.suriyegundemi.com/legalization-demographic-engineering-syria/

<sup>381</sup> Leila Al-Shami, "How the Syrian Civil War is Creating a Nation of Exiles," In These Times, published January 23, 2017,

http://in the setimes.com/article/19828/syria-civil-war-assad-exile-displacement-siege-aleppo

<sup>&</sup>lt;sup>382</sup> Abdulrahman al-Masri, "Analysis: the Fifth Corps and the State of the Syrian Army," News Deeply, published January 11, 2018, https://www.newsdeeply.com/syria/articles/2017/01/11/analysis-the-fifth-corps-and-the-state-of-the-syrian-army

<sup>383</sup> Ibid

<sup>&</sup>lt;sup>384</sup> Kristian Berg Harpviken and Benjamin Onne Yogev, "Syria's Internally Displaced and the Risk of Militarization," (Oslo: Peace Research Institute Oslo, 2016), 2

<sup>385</sup> Khatib, Hakim. "Compulsory Military Conscription in Syria Drives Many Males into Exile." MPC Journal. Published April 23, 2017.

http://mpc-journal.org/blog/2017/04/23/compulsory-military-conscription-in-syria-drives-many-males-into-exile/ 386 Al-Tamimi, "Analysis: Why the War in Syria May Not Be About Demographic Change."

<sup>&</sup>lt;sup>387</sup> Ibid.

<sup>388</sup> Patrick Hilsman, "Syria's young men face an impossible choice," *Quartz*, published December 14, 2016, https://qz.com/862890/aleppo-highlights-the-impossible-choice-faced-by-syrias-young-men/

<sup>&</sup>lt;sup>380</sup> Rochelle Davis, Abbie Taylor and Emma Murphy, "Gender, conscription and protection, and the war in Syria," Forced Migration Review 47 (2014): 35

<sup>&</sup>lt;sup>390</sup> Ibid.

reconciliation deals represent a strategic weapon for political cleansing. <sup>391</sup> Through reconciliation deals the Assad government is able to displace and demobilize the opposition, re-populate strategic areas with loyalists and gradually create a homogenous and loyalist socio-political landscape. <sup>392</sup>

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<sup>&</sup>lt;sup>391</sup> Ibid.

<sup>&</sup>lt;sup>392</sup> Hatahet, "Forced Demographic Changes in Syria."

#### Conclusion

This thesis has explored what compromises the UN has made to the Humanitarian Principles Neutrality and Independence in order to gain access and what the implications are on the dynamics and outcome of the conflict. Seven years into the Syrian conflict the UN must ask itself whether its operations in Syria are subsidizing Assad's efforts to overthrow the opposition and doing more harm than good. Generally, humanitarian operations focus on addressing the symptoms of conflict and overlook their role in sustaining the underlying causes. Yet, by pumping million of dollars into a government intent on starving and displacing the opposition the UN feeds the very the political system that causes the suffering the humanitarian aid is intended to alleviate. 393 Although analysis of the Syrian conflict often focuses on President Assad's role in perpetuating violence, the UN's operational decision-making in Syria plays a similarly crucial part in shaping conflict dynamics. While the UN may be neutral and independent in its intent, the UN is inevitably political in its effect. By prioritizing its relationship with President Assad and delivering aid at 'at all costs' the UN has facilitated Assad's siege tactic, pushed civilians to accept reconciliation deals and population displacements and thereby reshaped Syria's socio-political landscape in Assad's favor.

The UN's operations in Syria reveal the fundamental tension among the Humanitarian Principles in theory and in practice. If the UN seeks to satisfy the Principle of Humanity and reach as many people as possible it may serve in its interest to keep President Assad friendly, granted the assumption that President Assad will expel the UN from operating in Syria in case of non-compliance. However, allowing a political body to control aid operations clearly compromises the Principles of Neutrality, Independence and ultimately Impartiality in assistance. Operations the Humanitarian Principles in favor of a more pragmatic approach has the effect of bolstering the Assad government and its intent to wipe out the opposition. Yet, refraining from providing humanitarian assistance due to the inability to do so neutrally and impartially flouts the Principle of Humanity. Halting aid operations in order to prevent Assad from manipulating the distribution of aid would mean using civilians lives' as a bargaining chip to political negotiations and ultimately breach the UN's mandate to assist. The need to deal with

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<sup>393</sup> Annie Sparrow, "Aiding disaster: How the United Nations' OCHA helped Assad and hurt Syrians in need."

<sup>&</sup>lt;sup>394</sup> Colum Lynch, "Why Has the U.N. Given Assad a Free Pass on Mass Murder?" Foreign Policy, published November 17, 2013, https://bit.ly/2MAiFiG

<sup>395</sup> Tom Miles, "U.N. adviser Egeland says 'tremendous battles' still loom in Syria," Reuters, published March 14, 2018, https://reut.rs/2KC5Nez

<sup>&</sup>lt;sup>396</sup> Pierre Perrin, "The impact of humanitarian aid on conflict development," *International Committee of the Red Cross*, published June 6, 1998, https://www.icrc.org/eng/resources/documents/article/other/57jpcj.htm

this dilemma may push the UN to make the provision of humanitarian aid dependent on the condition that the parties to the conflict respect the Humanitarian Principles. While this approach encourages adherence to the Humanitarian Principles, it leaves victims "twice wronged as it amounts to stopping humanitarian aid to them because their rights are being violated." 397 Ultimately, the UN's pragmatic approach and close relationship with President Assad has strengthened President Assad's power and made the UN complicit in Assad's campaign to defeat the opposition.

<sup>&</sup>lt;sup>397</sup> Ibid.

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### **Interviews:**

Neurosurgeon in Syria in opposition-held areas. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 18, 2018.

Former employee at MSF and ICRC. Interview by Lisa Dorith Kool. Interview via Email. Netherlands, May 7, 2018.

Former employee at UN. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, June 5, 2018.

Professor Public International Law. Interview by Lisa Dorith Kool. Skype Interview. Netherlands, April 16, 2018.