

UN Security Council Vetoes Undermine Accountability for Chemical Weapons Use in Syria

For the sixth time since the conflict began in 2011, a double veto by Russia and China has blocked diplomatic efforts to protect civilians and pursue justice for the commission of mass atrocity crimes in Syria. This is the seventh time Russia has vetoed a UN Security Council resolution on the conflict.

The draft resolution put forward today in the UN Security Council would have imposed sanctions under Chapter VII of the UN Charter on Syrian government officials and entities linked to chemical weapons attacks that have taken place in Syria; placed an embargo on arms sales and chemicals intended to be used as weapons; and established a sanctions committee and panel of experts to monitor the implementation of these measures.

The prohibition of chemical weapons is one of the oldest norms of the international community, dating back to 1899. The Geneva Protocol of 1925 reinforced the strict prohibition of chemical weapons under international law. Chemical weapons remain inherently immoral, indiscriminate and illegal.

The Organisation for the Prohibition of Chemical Weapons-UN Joint Investigative Mechanism, established in August 2015, has determined that the Syrian government has used chemical weapons on three separate occasions since 2013, while the so-called Islamic State in Iraq and the Levant (ISIL) has used them on one occasion. The use of chemical weapons in these cases is a clear violation of International Humanitarian Law and constitutes a war crime. Russia and China's vetoes today not only ensure impunity for the Syrian government, but also shield ISIL from accountability for its use of chemical weapons against men, women and children.

Two weeks from now, 15 March 2017, will mark six years of deadly conflict in Syria. Throughout the course of Syria's civil war, every major principle of international law has been violated. All parties to the conflict have deliberately targeted civilians and civilian infrastructure, and used besiegement and starvation of civilians as a weapon of war. However, the Syrian government has far greater military capacity to inflict suffering on civilians and bears a greater burden of responsibility for war crimes and crimes against humanity. As a result, more than 400,000 people have been killed, over 11 million displaced from their homes and 13.5 million people remain in dire need of humanitarian assistance.

For six years the UN Security Council has been consumed by internal political divisions that have crippled its ability to meaningfully respond to the Syrian crisis. As we approach the seventh year of this devastating conflict, the UN Security Council and the wider international community must finally take proximate steps to end the civil war.

The only viable solution in Syria is a political one. Syrian government forces, their international allies, and armed opposition groups need to expand the current partial ceasefire and engage in meaningful negotiations over how to end the civil war. Additionally, in keeping with various UN Security Council resolutions, all sides must immediately facilitate unimpeded humanitarian access to civilians trapped or displaced by fighting, and establish neutral humanitarian corridors for besieged civilian populations.

Finally, the pursuit of justice for atrocities committed in Syria is essential. The Impartial, Independent, International Investigative Mechanism for Syria that was recently established by the UN General Assembly provides an alternative route to accountability. All UN member states should cooperate fully with the Investigative Mechanism, and facilitate its work through the provision of voluntary funding and technical assistance. The international community must hold all those who use chemical weapons and commit other atrocities accountable under international law, regardless of their position or affiliation.