

The UN Process and the War Crimes of Assad

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Feb 11, 2021

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Brief Analysis

After the UN's failures regarding Assad, Syrians need a more forceful option to restore their dignity and rights.

This year marks a decade since the criminal Assad regime, backed by foreign terrorist militias, began its ruthless war on its own people for demanding basic human rights. For ten years now, Syrians have endured loss and hardship caused by this relentless and brutal war. Despite massive evidence of perpetrating crimes against humanity and war crimes, the Syrian regime seems to be in a state of impunity when it comes to international justice. At present, the UN peace efforts seem to be aiding Assad's attempts to legitimize himself rather than punishing him for war crimes. The Syrian Civil Movement, a group of tens of thousands of Syrian activists and civilians who have suffered the atrocities of the ongoing dirty war in Syria, call on all those involved in finding peace for Syria to remember the truth of the war's dynamics.

The UN efforts to resolve the Syrian crisis in Vienna currently appear to be driven by a misdiagnosis of the situation in Syria as a conflict between pro- and anti-regime groups. In fact, the conflict remains an authoritarian regime's heinous crackdown on its own civilians with a **horrifying number of human casualties, massive civilian displacement, and extensive destruction** (<https://www.cfr.org/global-conflict-tracker/conflict/civil-war-syria#:~:text=According%20to%20estimates%20by%20the,million%20have%20been%20internally%20displaced.>)

Contributing to this notion, the UN-led peace process began with rewriting the Syrian constitution, a step that should have been preceded by two essential elements, a transitional government and free and fair elections. A legitimate governing document cannot be produced by a group of illegitimate representatives who were never elected by the Syrian people, lack transparency, and are proxies of foreign powers. In the meantime, the UN-sponsored peace talks have given the regime and its backers time to regain territories across Syria.

Moreover, the UN Security Council has failed in its responsibility to enforce UNSC Resolutions 2118 and 2254. **UNSC Resolution 2118** (<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3->

[CF6E4FF96FF9%7D/s_res_2118.pdf](#))—adopted just two years into the war—condemned the Assad regime’s use of chemical weapons and required that Syria destroy its chemical weapons by mid-2014. Assad has failed to abide by this commitment according to the 2020 [UN Chemical Weapons Investigation Team’s report \(https://www.opcw.org/media-centre/news/2020/04/opcw-releases-first-report-investigation-and-identification-team\)](#), which should trigger the enforcement of Resolution 2118. Additionally, the Assad regime has failed to enforce UN Security Council Resolution 2254, which expressed support for free and fair elections in Syria in order to ensure that [“the Syrian people will decide the future of Syria \(https://www.un.org/press/en/2015/sc12171.doc.htm\).”](#)

The Assad regime is far from the only player that has failed to adhere to UN Resolution 2254. Russia, Iran, Turkey, and several Arab countries have pursued a systematic process to undermine the United Nations’ efforts to find a solution in accordance with the Geneva Communiqué and UN Security Council Resolution 2254. Iran in particular has played a crucial role in ensuring the survival of the Syrian regime and has been a partner in committing atrocities in Syria. It has also managed to [entrench itself in Syria \(https://www.atlanticcouncil.org/blogs/menasource/factbox-iranian-influence-and-presence-in-syria/\)](#) and has become an immovable force controlling the country. Syrians now need help in putting an end to the Iranian occupation and restoring their rights to self-determination.

But all these players have manipulated the representation of the Syrian people and authorized its agents to represent the opposition, thus the Assad regime is controlling both parties in the negotiation. These countries have also worked to disrupt the path towards democracy by skipping ahead to the issue of the constitution and forgetting about the authority they are expecting to implement it. A constitution should not be written by an unelected delegation, in which a large portion of the people have been excluded, including, for instance, the country’s Kurdish population.

Moreover, the seven-year suspension of the constitution has had other consequences; it has allowed sufficient time for Assad and his backers to impose a military solution in much of Syria, coordinated through other paths ignoring the UN process—Russia’s Syrian National Dialogue Congress in Sochi and the Astana Opposition conference. These processes pushed for serious concessions related to war crimes and crimes against humans from the opposition delegation, which itself has become pro-regime, to help restore legitimacy to the Assad regime.

Transferring negotiations to Damascus will allow the regime to renew itself, embarrass international efforts, and impose a fait accompli on negotiations. The result will also likely be a continuance of Iranian occupation, including its militias and criminals responsible for the people's tragedy, as well as killing all hope it has for a free life on its homeland.

The UN inspectors have now acknowledged that the regime has violated UN Resolution 2118 and is still developing chemical weapons with the help of experts from Iran and Hezbollah. These weapons have been used several times since the regime signed the pledge in Khan Sheikhoun and Al-Lataminah, as proven by the international investigation committee. [The \(https://www.opcw.org/media-centre/news/2020/04/opcw-releases-first-report-investigation-and-identification-team\) report by the \(https://www.opcw.org/media-centre/news/2020/04/opcw-releases-first-report-investigation-and-identification-team\) Inspection Committee of the Organization for the Prohibition of Chemical Weapons \(https://www.opcw.org/media-centre/news/2020/04/opcw-releases-first-report-investigation-and-identification-team\)](#) condemned the regime and provides justification for countries to act without returning to the Security Council, which has been disrupted by the Russian and Chinese vetoes. The chemical weapons will continue to threaten world peace as long as they are in the hands of criminals who collaborate with gangs and terrorist organizations.

With the UNSC’s most recent negotiations again stalled by Russia, it is important to acknowledge that the Security Council is no longer an adequate venue to address the realities of the war, and that justice for Syrians would require global superpowers to take punitive measures without returning to the Security Council to defend world peace and

international law. At present, the combination of military and secret intelligence pressures is likely the only effective means to remove criminals from power with the support of a transitional military council that works to form military pressure on the ground. Only if countries are willing to pursue these steps will there be an implementation of UN Resolution 2254 and the restoration of Syria to governance under the will of the people.

However, concerned countries can also help the Syrian people organize themselves politically and pressure the Arab countries and Turkey to stop giving a pass to the Assad regime's falsification of the will of the Syrian people. The Syrian people are searching for help and support, especially from the new Biden administration, to enforce the immediate implementation of the UN Security Council Resolution 2254. These representatives would reunite armies, free Syria from the gangs seizing control over the country, and support reconstruction and refugee return.

Only greater pressure would make it possible to remove the criminal Assad regime and hand power to a transitional military council composed of patriot officers from both sides—but the status quo is the rehabilitation of a war criminal. A successful political transition is one that excludes criminals from political decisions and fosters accountability and human rights. Though the Syrian people continue to bleed and suffer, they have not yet lost hope. ❖

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