

Evaluating the Obstacles and Limitations of the United Nations Action in the Syrian Crisis within the framework of the Doctrine of the Responsibility to Protect

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1-Introduction

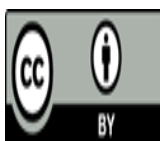
The international community has tried to cover the weaknesses arising from the humanitarian actions and to recognize the intervention as a tool for the response of the international community. The doctrine of the responsibility to protect is a principle that aims to prevent and respond to genocide, war crimes, ethnic cleansing, and crimes against humanity. Arab uprisings, including the Syrian crisis, have tested the application of this doctrine in real-world situations. In the case of Syria, the government of Bashar al-Assad's brutal crackdown on political opposition and civilians led to widespread human rights violations. Despite the obvious need for action to protect the Syrian population, there was no consensus within the international community for effective and decisive intervention based on the doctrine of responsibility to protect. This reflects broader geopolitical interests that often hinders decisive action in situations of mass atrocities. Therefore, it can be said that the Syrian crisis is one of the human rights disasters that have led to serious violations of these rights.

2-Theoretical Framework

The "doctrine of the responsibility to protect" as one of the important international issues seeks to reduce the damage caused by humanitarian interventions. The first step is the responsibility of prevention. The next step is the responsibility of response, which is the most challenging part of the doctrine of the responsibility to protect and has faced serious

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criticism due to the promotion of interventionism. The third step is the responsibility of reconstruction in the form of measures such as creating peace, establishing security, ensuring justice and reconciliation, economic measures and development.

The failure of the Responsibility to Protect doctrine can be interpreted within the framework of game theory. In game theory, each player strives to secure their interests at the highest possible level. Therefore, the underlying assumption of game theory is that players behave rationally. However, it is important to note that the achievements of players are not only influenced by their own actions but also by the actions of the opposing party. Therefore, the behavior of competitors should also be evaluated. Various models have been proposed in game theory, with one of the most practical being the "Deadlock Dilemma." In the Deadlock Dilemma, players come to the conclusion that if they do not cooperate, they will receive greater benefits. It is worth mentioning that the Deadlock Dilemma in game theory is contrary to the Prisoner's Dilemma. In the Prisoner's Dilemma, mutual cooperation yields the highest score for two players. The behavior of permanent members of the United Nations Security Council in implementing the Responsibility to Protect doctrine has been in accordance with the model of the Deadlock Dilemma in game theory. While this behavior has led to them gaining the highest score in the Syrian crisis, it has also resulted in the failure of the United Nations to fulfill its duties in the Syrian crisis.

3-Research Methodology

In this article, with a descriptive-analytical approach, the obstacles and limitations of the United Nations in the Syrian crisis have been investigated and the reason for the failure of the Security Council's performance despite the legal capacities has been evaluated based on the doctrine of responsibility for protection. The main goal of the article is to evaluate the inefficiencies of the legal mechanisms of the UN Security Council in the Syrian crisis from a political perspective.

4-Analysis

The Security Council had the legal capacity to intervene in the Syrian crisis but due to political considerations among permanent

members and disagreements on appropriate actions, no effective results were achieved. Russia and China vetoed Security Council resolutions due to perceived lack of impartiality and unilateral condemnation. On the other hand, armed opposition groups, supported by Turkey, Saudi Arabia, Qatar, or Western countries, committed Terrible crimes. Russia and China insisted that, in addition to the government, the opposition should also be condemned. There were differing views in the US on how to respond to the Syrian crisis. Some members of Congress and non-governmental observers called for regime change in Syria due to the lack of reforms by Syrian authorities. In contrast, the US President advocated for Bashar al-Assad's resignation without military intervention due to concerns about regime change consequences and regional destabilization. Subsequent sanctions against the Assad government were based on the latter approach, reflecting US national interests and a strategy of non-cooperation.

5- Conclusion and Suggestions

The primary responsibility for approving and implementing the Responsibility to Protect doctrine lies with the Security Council. However, permanent members are divided in their approaches to the Syrian crisis. Game theory and deadlock puzzle reasoning suggest that in such situations, a strategy of non-cooperation is the best solution for both sides. This has led to failure and inefficiency in implementing the Responsibility to Protect doctrine. The structure of the Security Council allows permanent members not to cooperate even in severe human rights cases. The right to veto poses a significant challenge to the UN's international community responsibility to protect people from war crimes, ethnic cleansing, genocide, and crimes against humanity. What matters to permanent members of the Security Council are political considerations and the national interests of their allied countries. This has hindered the international community from taking quick and effective action in fulfilling its responsibility to protect in Syria. Therefore, the lack of clear criteria for implementing the Responsibility to Protect has turned it into an ethical rather than a legal duty that faced inefficiency in the serious test of the Syrian crisis.

6- References

- A/HRC/19/69. (2012). Report of the independent international commission of inquiry on the Syrian Arab Republic, Available at: https://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69_en.pdf
- A/HRC/S-17/1. (2011). The Human Right Situation in the Syria Arab Republic, Available at: <https://www.securitycouncilreport.org/un-documents/document/golan-heights-a-hrc-res-s-17-1.php>
- A/HRC/S-17/2. (2011). Report of the independent international commission of inquiry on the Syrian Arab Republic, Available at https://www.ohchr.org/Documents/Countries/SY/A.HRC.S-17.2.Add.1_en.pdf
- Abbasi, M. (2007). The transformation of the concept of humanitarian intervention in the new millennium. *Political & Economic Ettelaat*, No 281-282 **(In Persian)**
- Acharya, A. (2011). Redefining the Dilemmas of Humanitarian Intervention. *Australian International Affairs*, Vol. 56, No. 3, pp. 373-381.
- Aljazeera. (2011). UN chief slams Syria's crackdown on protests, Available at: <https://www.aljazeera.com/news/2011/3/18/un-chief-slams-syrias-crackdown-on-protests>
- Aljazeera. (2012). Syria agrees to Annan's peace plan deadline, Available at: <https://www.aljazeera.com/news/2012/4/3/syria-agrees-to-annans-peace-plan-deadline>
- Anonymous. (2007). Ensuring a Responsibility to Protect: Lessons from Darfur. *Human Rights Brief*, Vol. NO. 2, pp 26-30.
- Asgar Khani, A.M. (2004). *International Regimes*. Tehran International Studies and Research Institute **(In Persian)**
- Bridgeman, T., Rosen, B. (2022). Still at War: The United States in Syria, Just Security: New York University School of Law, Available at: <https://www.justsecurity.org/81313/still-at-war-the-united-states-in-syria/>
- Cordesman, A. (2008). The Israeli and Syrian Conventional Military Balance. Center for Strategic and International Studies, Available at: <https://www.csis.org/analysis/israeli-and-syrian-conventional-military-balance>
- Daheshiar, H. (2010). Libya: a victim of humanitarian imperialism. *Political & Economic Ettelaat*, No 281-282 **(In Persian)**
- Darwich, M. (2023). *Saudi Policies in the Syria Crisis*. Durham Research Online, Available at: <https://durham-repository.worktribe.com/OutputFile/1636424>
- Dunne, T., Gifkins, J. (2011). Libya and The State of Intervention. *Australian Journal of International Affairs*, Vol. 65, No. 5, pp. 515-529.
- GA/11198. (2011). General Assembly Adopts More Than 60 Resolutions Recommended by Third Committee. Including Text Condemning Grave, Systematic Human Rights Violations in Syria, United Nations, Available at: <https://www.un.org/press/en/2011/ga11198.doc.htm>

Crisis Studies of the Islamic World

- GA/11206. (2012). General Assembly Adopts Resolution Strongly Condemning 'Widespread and Systematic' Human Rights Violations by Syrian Authorities, Available at: <https://www.un.org/press/en/2012/ga11207.doc.htm>
- GA/RES/A/60/1. (2005). Resolution adopted by the General Assembly on 16 September 2005, Available at: https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf
- Harzan, Y. (2022). Israel and the Syrian Crisis: Ardent Desire and Restrain Risk. *Jerusalem: Hebrew University*, Vol. 24 / No. 4 / pp. 83-103.
- Huffington Post. (2011). European Union Bans Oil Imports from Syria. Available at: https://www.huffingtonpost.co.uk/2011/09/02/european-union-bans-oil-i_n_946332.html
- Hussain, N. (2013). The Syrian Crisis and Regional Order in the Middle East, Islamabad: Quaid-e-Azam University, Available at: <https://www.researchgate.net/publication/340>
- ICISS. (2001). Report of the International Commission on Intervention and State Sovereignty, The Responsibility to Protect, Ottawa: International Development Research Centre.
- Kofi A. (2021). Appointed Joint Special Envoy of United Nations, League of Arab States on Syrian Crisis, Available at: <https://www.un.org/press/en/2012/sgsm14124.doc.htm>, Accessed on: 18/10/2021.
- Masters, J. (2014). The Arab league, Council on Foreign Relations, Available at: <https://www.files.ethz.ch/isn/185164/The%20Arab%20League%20-%20Council%20on%20Foreign%20Relations.pdf>
- Matthews, M. (2008). Tracking The Emergence of a New Intervention Norm: The Responsibility to Protect and Crisis in Darfurr. *Boston College International & Comparative Law Review*, Vol. 31, pp. 136- 152.
- S/2012/77. (2012). Bahrain, Colombia, Egypt, France, Germany, Jordan, Kuwait, Libya, Morocco, Oman, Portugal, Qatar, Saudi Arabia, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution, Available at: <https://www.securitycouncilreport.org/un-documents/document/syria-s2012-77.php>
- S/PRST/2011/16. (2011). Statement by the President of the Security Council. Available at: <https://www.securitycouncilreport.org/un-documents/document/golan-heights-sprst-2011-16.php>
- S/PRST/2011/16. (2011). United Nations Security Council. Available at: <https://undocs.org/S/PRST/2011/16>
- S/PRST/2012/6. (2012). Overview of Security Council Presidential Statements. Available at: <https://www.securitycouncilreport.org/un-documents/document/syria-s-prst-2012-6.php>

- S/RES/2042. (2012). deployment of 30 military observers to Syria. Available at: <https://www.securitycouncilreport.org/un-documents/document/syria-sres-2042.php>
- S/RES/2043. (2012). Adopted by the Security Council at its 6756th meeting, on 21 April 2012, Available at: <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Syria%20SRES%202043.pdf>
- SC/10403. (2011). Security Council Fails to Adopt Draft Resolution Condemning Syria's Crackdown on Anti-Government Protestors, Owing to Veto by Russian Federation, China, United Nations. Available at: <https://www.un.org/press/en/2011/sc10403.doc.htm>
- Seligman, L. (2019). Turkish-Backed Forces Are Freeing Islamic State Prisoners, Foreign Policy Magazine. Available at: <https://foreignpolicy.com/2019/10/14/turkish-backed-forces-freeing-islamic-state-prisoners-syria/>
- Sharp, J. (2012). Unrest in Syria and U.S. Sanctions Against the Asad Regime. Congressional Research Service.
- Shoori, M. (2011). Russia is Serious about Syria, Iranian Diplomacy. Available at: <http://www.irdiplomacy.ir/fa/news/13427> (In Persian)
- Smette, E. (2011). Special Advisers of the United Nations Secretary-General on the Prevention of Genocide, Francis Deng, and on the Responsibility to Protect, Edward Luck, on the situation in Syria. <https://www.un.org/en/genocideprevention/2011.shtml>
- UN News. (2011). Russia and China veto draft Security Council resolution on Syria. Available at: <https://news.un.org/en/story/2011/10/390412>
- UNHR. (2011). The UN Torture Fund assists fleeing victims of torture. United Nations Human Rights, Available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10958&LangID=E>
- UNHR. (2012a). UN Human Rights council holds a fourth special session to discuss the Syrian crisis, United Nation Human Right Office of the high commission. Available at: <https://www.ohchr.org/EN/NewsEvents/Pages/UNHRCholdsafourthSStodiscusstheSyriancrisis.aspx>
- UNHR. (2012b). More human rights abuses in Syria as conflict escalates - Commission of Inquiry, United Nation Human Right Office of the high commission. Available at: <https://www.ohchr.org/EN/NewsEvents/Pages/MoreHRabusesinSyriaasconflictescalatesCoI.aspx>
- UNHR. (2012c). Magnitude of human rights violations in Syria has dramatically increased - UN panel, UN News, Available at: <https://news.un.org/en/story/2012/09/419812-magnitude-human-rights-violations-syria-has-dramatically-increased-un-panel>

Crisis Studies of the Islamic World

Weise, T. (2011). Whither R2P?, In: The Responsibility to Protect: Challenges, Opportunities in Light The Libya Intervention. E-International Relations, Available at: <http://www.e-ir.info/wp-content/uploads/R2P.pdf>, Accessed on: 10/9/2021.