



Syria Alert Issue XI: Don't Fail Syria

15 April 2013

Executive summary

Bold steps must be taken to stop the massive killing and suffering of Syrian civilians, to prevent further regional destabilization, and to assist the Syrian Opposition Coalition¹ (SOC) to protect civilians under continuous threat of war crimes and crimes against humanity.

In this Syria Alert, IKV Pax Christi argues that the Syrian regime has lost any credible and legitimate claim to sovereignty over Syrian territory. Sovereignty implies accountability to two separate constituencies, internally to the Syrian people; and internationally to the community of responsible states and in the form of compliance with human rights and humanitarian agreements. A government that intentionally kills its own citizens cannot claim sovereignty in an effort to keep the outside world from stepping in to offer protection and assistance. When a government massively abuses the fundamental rights of its citizens its sovereignty should be suspended². Like other analysts and human rights organizations, Human Rights Watch concluded in its recent report "Death from the skies"³ that the Syrian regime has committed gross violations of Human Rights and International Law since "The Syrian Air Force has repeatedly carried out indiscriminate, and in some cases deliberate, air strikes against civilians."

The SOC, including the temporary government under formation and the Free Syrian Army (FSA), is the only party in the Syrian conflict that at least expresses a genuine willingness to accept responsibility to protect civilians from massive human rights violations and atrocities, and thus has a far better claim to sovereignty.

IKV Pax Christi proposes – in summary – the following strategy for the EU and the Friends of Syria to end the ongoing stalemate:

- Choose unambiguously to engage politically with the SOC and to provide material support, enabling the coalition to form a functional executive and to perform administrative functions, when feasible, within Syria. Also agree upon a roadmap towards recognition of the SOC as representative of *the Syrian state*, with a perspective towards full membership in the United Nations
- Use the aforementioned roadmap as a means of pressuring the Assad government, granting it a last chance to engage in a true effort to find a political solution.
- Do not arm the opposition at this stage, but start preparing military options to stop the regime's aerial bombings and ballistic missile attacks on civilians. These options may include limited airstrikes and/or a limited no-fly zone as potentially the most effective ways to protect civilians in liberated areas against the most severe crimes against humanity and violations of the laws of war.
- Address the current humanitarian aid imbalance – which is the result of extremely limited access to areas under opposition control – by looking for ways to circumvent the legal blockade and exploring opportunities for cooperation and coordination with the Assistance Coordination Unit (ACU) of the SOC in order to reach civilians most in need in opposition-held areas.

¹ In this Alert we refer to the shorter "Syrian Opposition Coalition" to refer to the formally named "National Coalition for Syrian Revolutionary and Opposition Forces."

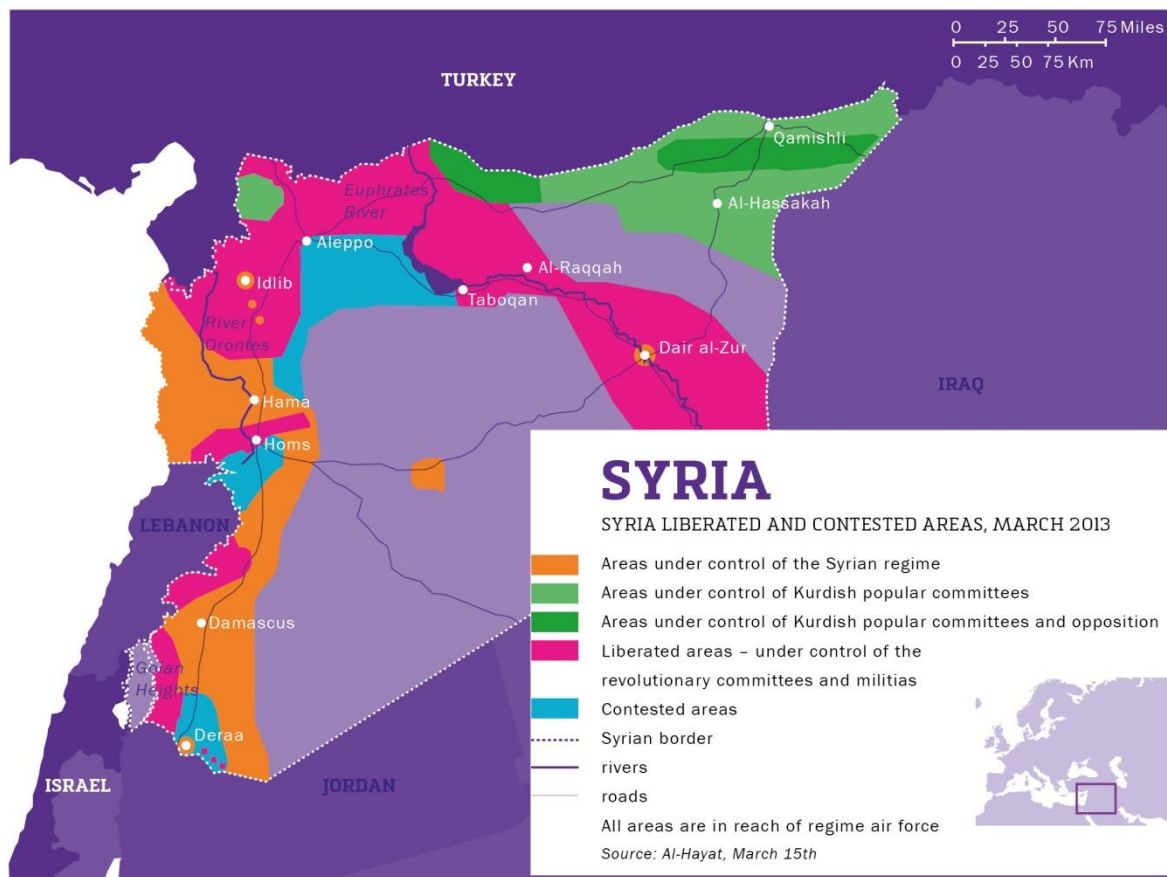
² Francis M. Deng et al, *Sovereignty as Responsibility*, Washington 1996

³ http://www.hrw.org/sites/default/files/reports/syria0413webwcover_1.pdf

1. The Syrian Revolution turning into civil war

More than two years ago the Syrian Revolution started as a popular and largely peaceful protest against the brutal dictatorship of the Assad regime and the Baath Party. Even now, although the revolution has turned into a violent struggle for power, the popular call for rights, human dignity, and a free and inclusive Syria is still part and parcel of the revolutionary movement. Yet the Revolution has turned in two years' time into a civil war.

Although the Assad regime still clings to power in part of the country, in particular in Damascus and coastal regions, the struggle for the future of Syria after Assad has already started. The SOC, led by Mouaz al Khatib, has broad support among civil activists and can count on the loyalty of armed groups loosely organized under the umbrella of the Free Syrian Army (FSA). Yet other armed groups, including Salafist and specific Kurdish armed groups, do not share this loyalty to the SOC. The Salafist armed groups, in particular Jabhat al-Nusra, although still a minority in the revolutionary movement, are better armed and gaining ground. Clashes between different armed groups have already taken place in parts of the country. The Assad regime itself is withdrawing its army and focusing on the Damascus region, the coastal areas, and main roads to the coast and Beirut, leaving other parts of the country to regime-loyal armed groups. The United States and Jordan have accelerated training of SOC forces amid concerns that moderate forces may be overtaken by extremist forces in southern Syria. Even if the Assad regime loses its power in Damascus, the role of the regime-loyal armed groups, the Shabiha, might not be over.



The price of inaction

The international community has been unable and unwilling to intervene militarily in Syria for fear of getting entangled in a war similar to those in Iraq or Afghanistan, and being fully aware of the well-armed Syrian government forces fighting in densely crowded neighborhoods. However, the current situation in Syria underlines that the choice not to intervene also involves enormous risks. Firstly, the ongoing humanitarian crisis has reached a level where the bloodletting is simply too awful to ignore. Neighboring countries are reaching the limits of what they can handle in terms of refugees and spill-over risks. Inaction also enabled radical and criminal groups to establish a presence on the ground in Syria.

The rise of Jabhat al-Nusra is directly related to the lack of consensus within the United Nations Security Council, risk aversion after Iraq and Afghanistan, and hesitation to support the divided opposition. Moreover, regional powers such as Iran and Saudi Arabia have gained ground inside Syria and this brings a risk of another proxy war similar to Iraq or Lebanon. The sectarian dynamics of the conflict also become stronger the longer the conflict lasts. To conclude, the West's inaction directly contributed to the prolonging and deepening of the conflict and to increasing risks for the whole region. Syrians increasingly have the feeling that the international community and in particular western countries have failed them.

2. The SOC has a strong case for claiming sovereignty over Syria

Sovereignty is granted to a government by its people; it is conditional and not a given⁴. Sovereignty implies accountability to two separate constituencies, internally to the Syrian people; and internationally to the community of responsible states and in the form of compliance with human rights and humanitarian agreements. Any state has the responsibility to protect its own civilian population from gross violations of human rights and threats to their human security. A government that commits war crimes and crimes against humanity and violates fundamental human rights cannot claim sovereignty in an effort to keep the outside world from stepping in to offer protection and assistance. When a government massively abuses the fundamental rights of its citizens its sovereignty has to be suspended.

IKV Pax Christi posits that the SOC has a far stronger case for claiming sovereignty over Syria and its people. With the increasing threat to human security coming from some of the armed rebel groups, the SOC headed by Sheikh Mouaz al Khatib is the only party in the conflict who at least has the willingness to protect the civilian population.

The continuing demands of the international community for the opposition actors on the ground and the SOC to adhere to certain standards, to guarantee a united state and an inclusive society, and to establish civil control over its armed forces have reached a limit. No further gains, just prolonged suffering, can be expected by not granting a roadmap to recognition of the SOC as representative of the Syrian state. The SOC needs this recognition to further implement these justified demands and be effective. Rather than putting even more preconditions on the SOC, the international community should take further steps in engagement with the SOC to prepare it for its role as the future government of post-conflict Syria. In order to enable the SOC to take its role as *de facto* governing body and to perform administrative functions in the liberated areas, the SOC needs substantial support to ensure the protection of civilians in these regions.

Roadmap for full recognition of the SOC⁵

So far, more than 100 countries have recognized the SOC as the legitimate representative of the Syrian people. This political recognition gives political legitimacy to the struggle of the SOC against the repression of the Syrian regime; allows the group to speak for the Syrian people at international fora; creates space for the SOC to open "representation offices"; and opens channels for giving financial and humanitarian support. However, this political recognition leaves intact the international legal status of the Assad regime being the *de jure* government of the Syrian state. Many states as well as the EU now combine political recognition of the SOC with maintaining diplomatic relations with the Assad led state. The Assad regime's membership of international organizations such as the UN remains intact.

⁴ <http://responsibilitytoprotect.org/ICISS%20Report.pdf>

⁵ For more info: "International Recognition of Governments in Exile; Legal Memorandum; Prepared by the Public International Law & Policy Group; February 2013

In this respect, the League of Arab States (LAS) took an interesting step in upgrading its recognition of the SOC when adopting, on March 6th, a resolution inviting the SOC to take a seat in the LAS, after it had expelled the Syrian regime from the LAS in 2011. Another unprecedented step is the opening of Syria SOC's first embassy in the Qatari capital Doha.

Western states have so far been reluctant to take similar steps and create a future perspective for upgrading their political recognition of the SOC to recognition of the SOC as (future) representatives of the Syrian state. Such steps could include bilateral recognition⁶, EU recognition or even UN membership for the SOC. Recognition of the SOC representing the Syrian state implies a *de facto* de-recognition of the actual Syrian regime. Reluctance to do so is understandable. An important factor is that de-recognition of the regime might make dialogue initiatives between the opposing parties less likely. However, time is running out for waiting for a conciliatory move by Assad. Suspension of the legal representative status of the present government of Syria leaves sufficient room for Assad's associates to open backchannels for dialogue. The time has come to further increase pressure on Assad and to develop a strategy of further marginalizing his regime by enabling the SOC to begin acting as the interim government of Syria, as a precursor to a fully-empowered transitional government

In practice, states of the international community will only extend recognition of the SOC as representing the Syrian state if the SOC achieves *effective control*, which means that its executive has the power and ability to effectively govern administration and policies of (a part of) the Syrian population and territory. While behind the scenes hard work is being done to establish an SOC government, it remains to be seen if this government will in practice be able to gain control over the so-called liberated areas in the short term. Protection from airstrikes by the regime's army is one of the crucial conditions for establishing effective control by the SOC.

So, while full recognition of the SOC is premature at this stage, on a mid-term basis, IKV Pax Christi believes that United Nations member states should create a clearer perspective – a roadmap – for the SOC to develop into a viable government, which can replace the Assad government as the sole legitimate representative of the Syrian state.

Developing a roadmap towards future recognition of the SOC representing the Syrian state would have the following advantages:

- It shows a clear commitment by the EU and the Friends of Syria to the Syrian people – and its representative, the SOC – that they hold the future, and the Assad regime does not.
- By doing so, it would provide leverage for the SOC to build a transitional government based on values such as inclusiveness, gender equality and respect for international humanitarian and human rights law,
- It will clear the way to jointly invest in developing an executive “on the ground” in Syria's liberated areas, including its ability to protect civilians.
- It would increase pressure on the Assad regime to take the last opportunity to enter into a dialogue for a political solution, as being proposed by special UN/LAS envoy Brahimi, while also sending the message that patience is running out.
- Future United Nations membership of the SOC would increase the political weight of its calls for support to protect the civilian population in areas under its control. UN status for the SOC in itself would not contribute to the *legality* of military assistance to the SOC. However, UN status could increase the *legitimacy* for a coalition of states (for example NATO) to provide military support, if invited by the SOC.

Working towards legal recognition of the SOC as representing the Syrian state in the future and further marginalizing the Assad regime, including at the UN level, is an important strategic choice the EU and the Friends of Syria should make at this point.

⁶ As an interesting recent precedent, legal status was granted by a number of states, including Italy and France, to the Libyan National Transitional Council, eventually leading to its acceptance by the UNGA in September 2011 as representing the Libyan state and denying the Kaddafi government any authority over Libyan territory.

3. Humanitarian aid

At present many UN and other international agencies are responding to the humanitarian disaster that is a result of the repression and civil war in Syria. The challenges are huge. The United Nations Refugee Agency UNHCR recently announced it had registered 1 million Syrian refugees, about half of them children. High Commissioner for Refugees Antonio Guterres added to that, that this number could go up to 3 million by the end of the year if the war in Syria is not stopped. The number of internally displaced persons (IDPs) in Syria is estimated to be 2.3 million and almost 4 million are in urgent need for humanitarian assistance. A substantial part of the population in urgent need lives in the regions where the regime has lost all control.

Major obstacles are preventing the increase of aid to both government and opposition-held areas:

- The government is limiting humanitarian aid, keeping tight control on any aid that flows through Damascus and refusing to allow aid organizations to cross the frontlines from the capital or to cross its borders from neighbouring countries. Aid organizations are required to distribute aid through local organizations that are already operating at full capacity and whose scope of operations is limited geographically.⁷
- These constraints significantly limit the capacity of aid agencies tolerated by Damascus to reach people in the opposition-held north of Syria. According to Valerie Amos, UN under-secretary-general for humanitarian affairs, other options for aid distribution, such as humanitarian operations led from neighbouring countries, are not currently feasible without government authorization or a separate UN Security Council resolution. UN agencies are not allowed to work across borders without Syria's consent, unless the UN Security Council authorizes such efforts. UN involvement in the cross-border deliveries would help ensure a more effective and coordinated aid effort.
- Several countries involved in the Friends of Syria, including the Netherlands, are cooperating with the Assistance Coordination Unit (ACU) of the SOC. The Netherlands Government supports the ACU with capacity development. In this way there is at least a better chance to reach the civilian population in the opposition held areas. There will be a serious challenge for the ACU to guarantee free access to humanitarian aid for civilians most in need, but at least the ACU is making a serious effort. Success in providing (or helping to provide) humanitarian assistance will also raise the legitimacy of ACU and the SOC.
- The UN should call for all parties, including the Syrian regime, to agree to cross-border aid, a step likely to be more acceptable to Syria's allies than a resolution authorizing such aid without Syria's agreement. The UN should conduct thorough vetting of the organizations it works with, and should be transparent about the organizations with which it is partnering.

Many aid organizations are legally restricted from working with unrecognized entities, which includes the SOC and the ACU set up by the SOC. Humanitarian agencies and the UN must address the current humanitarian aid imbalance and should, as the Netherlands do, look for ways to circumvent the legal blockade, and explore ways to start cooperation and coordination with the ACU as to reach civilians most in need in opposition held areas.

4. Protection of civilians in Syria

The Assad regime has lost effective control over substantial parts of the country and population, but still continues to threaten the security of civilians in these areas with airstrikes and bombardments. Since the beginning of the year, the regime fired up to 90 Scud missiles on residential areas, according to the Turkish Foreign Minister Davutoglu.⁸ The Syrian Observatory for Human Rights has recorded 40 ballistic strikes

⁷ *Syria Two Years On: The failure of International Aid*, Doctors Without Borders, March 6, 2013

⁸ <http://www.turkishweekly.net/news/147801/syria-fired-up-to-90-scuds-says-turkish-fm.html>

since last December. Human Rights Watch researchers on the ground have confirmed some of these missile attacks on civilian areas under opposition control. Cities that liberate themselves are collectively punished with shelling, as happened recently in Raqqa, the first provincial capital to come under full control of the opposition. Amnesty International has documented evidence that the airstrikes do not serve any military purpose, but target civilians and fighters alike.⁹ Human Rights Watch concluded in its recent report “Death from the skies”¹⁰ that the Syrian regime has committed gross violations of Human Rights and International Law since “The Syrian Air Force has repeatedly carried out indiscriminate, and in some cases deliberate, air strikes against civilians.”

The SOC and local revolutionary coordination committees and armed factions supporting it are at least willing to protect the Syrian civilian population, but are currently not capable to do so. Newly-elected Prime Minister of the SOC Ghassan Hitto has two important tasks that will determine his ability to win support of the people inside Syria. The first is to secure service delivery to the areas under control of the opposition. This is a huge challenge given the ongoing bombardments and missile attacks by the Assad regime. As long as Assad continues to bomb, reconstruction and service provision will continue to become extremely difficult. As long as Assad enjoys air supremacy, the transitional government will not be able to build a real presence in the liberated areas. The second key task is to unite the political and military approaches and formulate a unified political-military strategy to ouster Assad and to protect Syrian civilians. In recent months steps have been taken to unite armed groups, bringing them under control of the SOC. But the opposition will only be able to succeed if it is able to develop a unified strategy to transform Syria into a democratic state for all its citizens. It needs to combine political strategies to make the Assad regime irrelevant with trustbuilding with the people in the liberated areas. Its military strategies should focus on the protection of civilians. In the liberated areas it needs to start replacing Assad regime institutions with democratic ones.

Arming the opposition?

Some countries in the Friends of Syria have determined that the EU arms embargo has in fact mainly hurt the position of the SOC and the armed groups recognizing its authority. With supply of weapons from respectively Russia and Iran or the Gulf States, neither the regime nor the jihadist armed groups have been touched seriously by the EU weapons embargo. France and the United Kingdom have proposed lifting or amending the EU arms embargo for the Syrian opposition and to start arming the Free Syrian Army in a “very carefully controlled” way as stated by UK Foreign Secretary William Hague. France and to some extent the UK have expressed however their commitment to operate within European consensus. In fact, there have been already arms supplies through Croatia.¹¹ Other European countries, most notably Germany and also Austria with 400 soldiers participating in the UN peace force in the Golan Heights, Czech Republic, Finland, Luxembourg and Sweden remain very reluctant to amend the EU embargo.

The Center for Civilians in Conflict has considered different options for military involvement or intervention in Syria focussing specifically on the costs and benefits for human security.¹² The options include:

- a. Train and equip the armed opposition;
- b. Conduct limited airstrikes targeting military objectives, in particular Syrian aircraft on the ground and the Syrian regime’s runways;
- c. Deploy patriot batteries close to the Syrian border to potentially engage Syrian aircraft;
- d. Stand-off no-fly zone (enforcing a no-fly zone without crossing into Syrian airspace) or full no-fly and no-drive zones; and
- e. Deployment of an international security force post-conflict.

⁹ <http://www.amnesty.nl/sites/default/files/public/mde240782012en.pdf>;
<http://www.amnesty.org/en/library/info/MDE24/009/2013/en>

¹⁰ http://www.hrw.org/sites/default/files/reports/syria0413webwcover_1.pdf

¹¹ <http://brown-moses.blogspot.nl/2013/02/more-background-on-croatian-weapons-in.html>
http://www.nytimes.com/2013/02/26/world/middleeast/in-shift-saudis-are-said-to-arm-rebels-in-syria.html?pagewanted=all&_r=0

¹² Civilians in Conflict (2013). Syria: Minimizing Civilian Harm during Military Intervention. Roundtable Outcome Document. February 2013. <http://civiliansinconflict.org/resources/pub/syria-roundtable-document>

All options contain the risk of retaliatory escalation by the regime. Therefore examination of potential negative impact on civilians is a minimum requirement for all military options. From the different options, the option of arming the opposition was considered the worst military intervention option for minimizing harm to civilians, mainly due to misuse and unintended proliferation. Additionally, weapons become almost impossible to track and might pose an increased risk for post-conflict proliferation and facilitate post-conflict violence. Moreover, the lack of a unified command structure and uncontrolled arms provision might form an extra risk to civilians. However, one could imagine that providing arms to the FSA would be part of a process of recognition and engagement with the SOC, and would in fact be the start of a process of security sector reform. The SOC should clearly express it aims to transform the armed groups into an army with respect for human rights and international law and willingness to put mechanisms for accountability in place. The FSA is developing into a better organized and coordinated revolutionary army, yet it still has many characteristics of irregular local armed groups. Amnesty International documented serious human rights violations and crimes by opposition armed groups, including some connected to the FSA.¹³

IKV Pax Christi fully understands the call for armament by the SOC and FSA. Yet under the present circumstances we believe that the SOC and FSA cannot meet the minimal criteria for arms delivery in a responsible way, not so much because the SOC and at least some of the commanders of the FSA are unwilling to do so, but because they lack effective control over armed groups on the ground.

Intervention to protect civilians

Meanwhile several NATO countries are working on contingency plans for possible military action, apparently including limited airstrikes, deploying the NATO Patriots deployed in Turkey, and a no-fly-no-drive zone. However, prior to NATO involvement, American officials emphasized, there would have to be a UN Security Council resolution, a regional agreement, and agreement among the alliance's 28 nations so that, "within NATO channels, what we are focused on is defending that border with Syria".¹⁴

In an earlier stage of the conflict, France and Turkey, individual analysts, and many Syrian activists proposed a no-fly zone as a way to protect civilians in liberated areas. Russia and China, still shocked by the effects of a no-fly zone in Libya, immediately opposed this in the UN Security Council. But most other countries in the region and in the West also show very little appetite for a costly and risky operation. Contingency planning for military intervention may however add to pressure already on the Assad regime.

The air supremacy the regime holds forms an unacceptable threat to the civilian population in liberated areas in cities such as Raqqa, Deir Alzour and Aleppo. The regime's indiscriminate and disproportional air strikes are clearly violating fundamental norms of International Humanitarian Law as civilians are deliberately targeted. The increasing use of ballistic missiles and continuing air bombardment intentionally targeting civilians and aid distribution must and can be stopped. Limited air strikes or no-fly zone would considerably improve human security.

A careful but determined escalatory political-military strategy should be considered by the EU and the Friends of Syria. This strategy should aim to disable the regime's capacity to harm its own people by denying the regime airspace access over at least the liberated areas, with the inclusion of halting ballistic missile attacks. The political message should be determined, unambiguous and clear, with the military and political capital to back it up and see it through when necessary. NATO has already placed Patriot missiles at the Turkish border. At the Arab Summit in Doha in March 2013, SOC leader Mouaz al Khatib indeed called for the deployment of the Patriots, which so far has been rejected by NATO. Using the Patriots would have sent a clear message to the Assad regime, that the use of ballistic missiles and aerial bombardments are no longer accepted. The risk of causing more civilian harm would have been very low, but with the limited range, the positive effect of protection by Patriots would have been limited.

¹³ <http://www.amnesty.org/en/library/asset/MDE24/008/2013/en/21461c90-3702-4892-aa3c-4974bba54689/mde240082013en.html>

¹⁴ <http://www.defense.gov/news/newsarticle.aspx?id=119565>

A more effective step would be limited air strikes, starting with the targeting of major Syrian airfields and surface-to-surface missile facilities, well chosen as to minimize civilian casualties. These strikes are possible without prior campaigns to disable Syrian air defense systems deployed in residential areas. Analysts, however, emphasized that these limited strikes require extensive intelligence and would likely have only moderate success rates. Limited airstrikes will not be effective in proactively and completely stopping civilians from being killed, injured and threatened but could significantly reduce the capacity of the regime to harm its citizens. The Civilians in Conflict report considers limited airstrikes as the most effective option for the protection civilians with the least risk of causing more harm.

This option may be the most feasible from a political point of view. But even limited airstrikes is not a 'light version' of intervention; it would in fact demand active involvement of the Turkish Army and other NATO allies, including the US, to realize the airstrikes effectively and would bring high material and economic costs. One should also realize that limited airstrikes would certainly lead to responses by the Syrian regime and possibly its allies. The operation should be politically backed also by Arab States and the League of Arab States.

However, the positive effect on the human security situation would be considerable. If the liberated areas are secured from air strikes, it could give the Syrian opposition a better chance to start rebuilding these towns and cities.

IKV Pax Christi believes that countries in the Friends of Syria coalition and other supportive countries should seriously consider the option of limited airstrikes to protect the civilian population in at least the liberated areas, and allow the SOC to start rebuilding civil institutions on the ground. Turkey and NATO countries should start seeking for legality or at least legitimacy for such an operation. Ideally Russia and China should cooperate. In the present circumstances that would be unlikely, and an alternative form of legitimization of such an operation would need to be investigated.

Legality and legitimacy of an intervention

IKV Pax Christi is well aware that current international law provides no legal basis for an intervention in Syria as long as the UN Security Council is unwilling, for political reasons, to intervene by force to protect Syrian citizens. As a peace movement, we believe that due to large-scale violations of fundamental rights in Syria and their effect on regional stability, the time is approaching that it may no longer be possible to ignore the increasing need to intervene in Syria.

The concept of state sovereignty, as incorporated into the UN Charter when it was drawn up in 1945, is changing considerably in practical terms. IKV Pax Christi attaches great importance to the responsibility of the international community to protect Syrian citizens against grave war crimes and crimes against humanity. At the same time, the ban on the use or threat of force has remained firmly anchored in the UN Charter and has proved a vital contributing factor to the international peace and stability of relations between states. IKV Pax Christi is also aware that an explicitly recognised justification for intervention without a UN Security Council mandate may be abused by states to further their own political aspirations.

We acknowledge the occurrence of situations involving such grave, large-scale violations of human rights that states feel compelled to intervene militarily to protect civilians. The intervening states will then have to be accountable to the UN for their intervention, for in international law such intervention constitutes an infringement of the international rule of law. Such an infringement can only be justified if the intervening states can demonstrate that they had to act as they did in order to prevent or oppose a far graver infringement of that selfsame rule of law.

The foregoing implies that, if the permanent members of the UN Security Council are unable to reach agreement on the protection civilians in Syria, the maximum degree of legitimacy must be obtained by other means. The soundest procedure for doing this is that states should first of all attempt to obtain formal UN Security Council authorisation for the use of force for protection of civilian purposes by means of a draft resolution. This should have as detailed terms of reference as possible. Should this attempt to obtain UN Security Council authorisation fail, the next logical step is to submit the matter to the UN General Assembly, taking the procedure laid down in the Uniting for Peace resolution as a basis.

5. Recommendations

- Develop together with the Friends of Syria and the SOC a roadmap towards recognition of the SOC as representative of *the Syrian state*, including a future perspective towards full UN General Assembly membership. This roadmap should include steps towards the establishment of an inclusive, humanitarian law- and human rights-observing, gender equality-oriented and truly representative governing body based on effective control in the liberated areas.
- Use this roadmap as a means of pressuring the Assad government, granting it a last chance to engage in a true effort to find a political solution.
- The UN should call for all parties, including the Syrian regime, to agree to cross-border aid, a step likely to be more acceptable to Syria's allies than a resolution authorizing such aid without Syria's agreement. The UN should conduct thorough vetting of the organizations it works with, and should be transparent about the organizations it is using as partners.
- Humanitarian agencies, including the UN, must address the current aid imbalance and should, as the Netherlands does, look for ways to circumvent the legal blockade, and explore ways to start cooperation and coordination with the ACU as to reach civilians most in need in opposition-held areas.
- The SOC and FSA are at present not prepared to be armed and the EU arms embargo should not be lifted.
- Start preparation of, and building consensus on, contingency plans for military options to stop the regime's aerial bombings and ballistic missile attacks on civilians. These plans may include options for limited air strikes and/or a limited no-fly zone as potentially the most effective ways to disable the regime's capacity to harm its own people and to protect Syrian civilians in liberated areas against the most severe crimes against humanity and violations of the laws of war.
- If the permanent members of the UN Security Council are unable to reach agreement on the protection civilians in Syria, the maximum degree of legitimacy must be obtained by other means. Should an attempt to obtain UN Security Council authorisation fail, a next logical step for example could be to submit the matter to the UN General Assembly, taking the procedure laid down in the Uniting for Peace resolution as a basis.

*Syria Alert is a policy letter published by the Dutch peace movement IKV Pax Christi
www.ikvpaxchristi.nl*

For further information please contact Jan Jaap van Oosterzee, Advisor Public Affairs Middle East, Netherlands (+31) (0)6 48981486, vanoosterzee@ikvpaxchristi.nl