SSOAR

Open Access Repository
www.ssoar.info

Safe zone for Syria: mitigating the humanitarian crisis

Meininghaus, Esther; Heinemann-Grüder, Andreas

Veröffentlichungsversion / Published Version
Stellungnahme / comment

Empfohlene Zitierung / Suggested Citation:
Meininghaus, E., & Heinemann-Grüder, A. (2017). *Safe zone for Syria: mitigating the humanitarian crisis.* (BICC Policy Brief, 1/2017). Bonn: Bonn International Center for Conversion (BICC). https://nbn-resolving.org/urn:nbn:de:0168-ssoar-62056-9

Nutzungsbedingungen:
Dieser Text wird unter einer CC BY-NC-ND Lizenz (Namensnennung-Nicht-kommerziell-Keine Bearbeitung) zur Verfügung gestellt. Nähere Auskünfte zu den CC-Lizenzen finden Sie hier:
https://creativecommons.org/licenses/by-nc-nd/4.0/deed.de

Terms of use:
This document is made available under a CC BY-NC-ND Licence (Attribution-Non Comercial-NoDerivatives). For more Information see:
https://creativecommons.org/licenses/by-nc-nd/4.0

gesis
Leibniz-Institut
für Sozialwissenschaften

Mitglied der
Leibniz-Gemeinschaft

bicc \ POLICY BRIEF 1\2017

Safe Zones for Syria

Mitigating the Humanitarian Crisis

Esther Meininghaus \ BICC
Andreas Heinemann-Grüder \ BICC

RECOMMENDATIONS

\ Establish a countrywide no-fly zone

The protection of civilians remains an urgent task in Syria. Mass atrocities may resume if the political impasse is not overcome. While the government's allies have gained significant ground with the fall of Aleppo, those who remain in opposition areas, and the governorate of Idlib in particular, face an immediate risk of mass-scale assault. In these areas, targeted aerial attacks on civilian neighbourhoods and infrastructure persist notwithstanding the present ceasefire. A no-fly zone exempting the country's IS-controlled east is the only effective means of preventing a military resolution of the conflict, which may result in mass atrocities.

\ Achieve agreement on a UN mandate for peacekeeping troops

Given that all parties to the war have continuously violated the provisions of international humanitarian law, none of these actors should be entrusted with the task of preventing atrocities on the ground. While a conflict of interests is likely to erupt between Russia, Hezbollah and Iran as for their respective roles in Syria's political future, neither of these forces could secure that a renewed escalation of violence is prevented.

\ Regain an active role for the United Nations in present negotiations

The mission of the UN Special Envoy de Mistura can regain traction if supported by a new UN Security Council resolution and by offering to opposition forces and Russia as the main guarantor behind the Syrian government to freeze the military status quo through UN troops.

\ Ensure and monitor a needs-based distribution of humanitarian aid

The unprecedented scale of displacement has created a high dependency on aid, yet aid distribution has strongly privileged areas under government control. Pull-effects of populations towards those areas where aid is accessible have been the result. The presence of UN troops would not only safeguard safe return by those displaced, but it could also help ensuring a readjustment of imbalances in aid.

\ Refrain from establishing small-scale safe areas in the border territory

Small-scale safe zones could prompt unpredictable mass movement towards these zones, which would further enhance IDPs vulnerability to attack. Equally, small-scale safe zones would neither resolve the hardships of forced displacement nor would they protect millions of civilians at risk from attack throughout the country.

Upcoming peace negotiations in Geneva

The upcoming Syria negotiations in Geneva on 20 February 2017 may prove fundamental in deciding on its future. For Syria's armed and civilian opposition groups, which number in their thousands, the prospects are bleak. In the face of the recent fall of Aleppo, ongoing atrocities and profound exhaustion, the need for the protection of civilians has never been greater. Although officially, a ceasefire remains in place, attacks continue especially in the governorate of Idlib.

For the UN and the European Union, the Geneva talks represent a rare opportunity to regain a foothold in a process in which they have been sidelined. Russia is closer to enforcing the ceasefire than in previous rounds of negotiations due to military gains. But paradoxically, its collaboration with Iran and Hezbollah on the battlefield translates into looming conflict. Neither party could safeguard peace on their own. At this point, the renewed debate on establishing safe zones in Syria may prove key to reaching a compromise. The one option that would require significant commitment but also benefits to all sides but the government and so-called Islamic State, is the agreement on a countrywide no-fly zone secured by UN troops on the ground.

Forced displacement highlights vulnerability

Given the course of the Syrian war, the notion of safe zones does speak to overwhelming needs. In Syria, the brutality of war is expressed in the magnitude of forced displacement. While an estimated 470,000 are thought to have lost their lives due to the war, more than 10 million out of a pre-war total of 21 million people have been forced to flee. This is a scale unprecedented. Hard numbers of battle deaths, especially if including high numbers of civilians, could long have prompted a military response internationally, but denial of mass atrocities is part of the information war surrounding Syria. Mass displacement is much harder to assign responsibility for, and even the worst of human suffering affecting millions has not swayed any state power or international alliance in the international community to step in for their protection. Furthermore, the chaos triggered by millions on the move renders it much more difficult to gather evidence for the legal prosecution of war crimes.

In Syria, continuous and blatant violations of the obligation of belligerents to protect civilian lives have long reached a stage that requires urgent and efficient action. This includes mass displacement, a highly uneven distribution of aid disadvantaging opposition areas and the lack of protection for civilians and prisoners of war alike. As a result of pressing needs, safe zones are likely to pull highly vulnerable populations towards these areas.

Forced displacement in Syria has taken two major forms: Instances where locals are forced to flee, but where they take their decision on where to seek refuge and situations in which belligerents do not only force local communities to flee, but they also systematically orchestrate the selection of those expelled, their subsequent move, and forced relocation. Aerial bombardments of residential neighbourhoods by the Syrian and Russian air forces or ground demolitions bulldozing thousands of homes in different parts of the country thus aim to drive local populations out of areas under the enemies' control (UNITAR, 2014). Armed opposition groups do not possess the means for aerial attacks, but they have equally destroyed or occupied land and property or threatened to do so to enforce a pledge of political allegiance or religious conversion. In cases where belligerents are keen to maintain control over civilians, however, these have also found themselves forced to stay, and killings of those trying to flee have been documented throughout the war. Forced relocations, on the other hand, mostly occur in situations of siege, where starve-or-surrender-tactics continue to be employed as an illicit means of engineering "evacuations" (Siege Watch, 2016). As of now, 700,000 people remain under conditions of siege in the country. Of these, 13 sieges are currently held by the government and its allies, two by non-state forces, and one by so-called

IS.[1] Forced relocations have been utilized to separate civilians from fighters, but also to repopulate areas otherwise deserted in the newly gained territory to bolster control, e.g. when the IS group seized control of formerly Kurdish villages in northern Syria in 2013, settling the areas with Sunni Arabs (UN, 2014). This practice has recently been extended to include the settlement of foreign communities: About 300 Iraqi (Shi'ite) families were settled into areas formerly inhabited by Sunnis in Darayya and Muadamiyat al-Sham immediately after opposition forces had left (Picali, 2016). Civilians thus often face collective "punishment" with different triggers that can change between ethnicity, religion and political convictions depending on which armed group will seek or gain control. In Syria, displacement is thus no mere side-effect to war, but it has been utilized systematically to instrumentalize the composition and geographical distribution of Syria's local communities by sheer force.

A conscious lack of solutions: Aid imbalances and further protection needs

The Syrian government has most staunchly opposed the call for the establishment of safe zones. While it has established several collective shelters primarily in public buildings such as schools, the vast majority of 6.3 million IDPs remain in rented apartments or with hosts, often in severely damaged or unfinished buildings. By 2016, only about one million IDPs lived in collective shelters or small camps; 4.9 million had left the country as refugees altogether. Despite pressing needs, the government has not permitted the establishment of large-scale IDP camps. Where small camps do exist, these are often under the control of armed groups with no standards in place, with no regular access to humanitarian aid, and with no oversight by experienced INGOs. In short, the government has focused its efforts on improving the lives of populations under its direct control, while being responsible for targeting those living elsewhere and aggravating their plight. For the Syrian government, the direct or indirect enforcement of populations moving towards areas under its control is a paramount objective. It will, therefore, perceive safe zones as a threat.

Populations suffering forced displacement are particularly vulnerable because displacement increases their dependency on humanitarian aid. With regular livelihoods collapsing and social ties being cut, 13.5 million out of about 16 million remaining in the country are in need of humanitarian aid to survive. The humanitarian response has effectively been divided into humanitarian deliveries going to government areas and those reaching opposition territory largely through cross-border aid from Turkey, Jordan and Iraq. Owing to the fact that the government has systematically cut opposition-held areas off aid, UN Resolutions 2139, 2165, 2191, 2258 and 2332 have allowed for humanitarian aid deliveries even without the permission of the government, which has been in continuous breach of its legal responsibility to safeguard the survival of its own population even in the state of war. Nonetheless, the overwhelming majority of the international aid response continues to reach government-controlled areas, while the impact and reach of cross-border aid remains difficult to gauge. Though the government's impact on blocking aid is most severely felt through access denial for aid deliveries to areas it holds under siege, the withholding of safety guarantees, bureaucratic hurdles or government forces removing tens of thousands of medical equipment items from aid convoys each month, belligerents on all sides have interfered with aid deliveries, and so-called IS has largely denied deliveries altogether (Meininghaus, 2016).

Attacks on humanitarian convoys have so far claimed the lives of scores of aid workers, most recently in attacks on an Arab Red Crescent distribution centre in Hamadaniyya. In a similar vein, civilian infrastructure such as hospitals, schools and bakeries has been targeted throughout the war, leaving local populations

1 \ The categorization of what areas should be counted as being under siege, though, has been fiercely contested, and it excludes all those living in areas considered as hard-to-reach.

with little or no resort to seeking medical assistance, exposed to hunger and living in constant fear. Children continue to count among the victims of attacks, and they are at particular risk to suffer injuries and maiming from landmines and unexploded remnants of war with which 88 per cent of sub-districts surveyed by UNMAS were found to be contaminated in 2016. Child abuse and child labour are among the greatest protection concerns, as are different forms of gender- based violence for women, while boys and men face the constant risk of forced conscription or detention (Whole of Syria, 2016). In theory, safe zones would thus represent safe havens that end repeated cycles of displacement, offer physical protection and ensure that humanitarian needs can be met. In practice, however, the sheer scale of needs and the potential response of belligerents to the establishment of such areas raise severe protection concerns.

Safe areas: No-fly zones and ground forces

Aleppo signifies the failure of R2P as a norm and a set of practical measures, but the horror underscores the need to revive the concept. Below the level of direct military intervention for humanitarian purposes, which would legally require a UN Security Council resolution, more restrained, but effective measures need to be considered to prevent further atrocities from happening in Syria in the forthcoming months and years. The Syrian government did not fulfil its duty to protect its citizens according to the World Summit Outcome Document of 2005 on the Responsibility to Protect. When a state and its allies willfully slaughter civilians, they forfeit certain rights under state sovereignty. Due to Russia's and China's obstructionist policies in the UN Security Council, no protecting mechanisms could be enforced thus far. Thus other options need to be considered.

Since 2012, the Turkish government has repeatedly called for safe zones inside Syria to create safe havens for refugees and internally displaced persons. No-fly zones would be the least intrusive form of safe areas, which would prevent the aerial bombing of civilians. In the past, no-fly zones have been authorized by the UN Security Council in northern Iraq (1991, 2003), in Bosnia and Herzegovina (1993, 1995) and in Libya in 2011.

No-fly zones are relatively low risk for the intervening powers. A no-fly zone involves regular air sorties, missions flown either uninterrupted throughout the duration of the enforcement, during certain periods of the day or only on certain days of the week, and it might be assisted by unmanned aerial vehicles, i.e. drones. No-fly zones serve as an alternative to ground forces. Nonetheless, they can help friendly troops on the ground as air cover, too. Most importantly, they can function as a buffer between hostile groups or deter the intrusion of destructive military forces. If a no-fly zone works in a particular area, it could be expanded later on to larger parts or the whole country—wherever civilians need protection. Without ground forces, a no-fly zone is only effective when perpetrator forces are readily identifiable and targetable. There are thus limits to no-fly zones, too, for example, air superiority is not effective against light infantry units or militias in mountainous or densely populated terrain. But even in these circumstances, irregular armed forces or regular platoons on the ground would have to take the presence of air superiority into account—it has a deterring and thus potentially preventive effect.

A more intrusive form of protecting civilians is the empowerment of indigenous ground military forces, as happened with Kurdish Peshmergas receiving Western training and weaponry to protect Yazidis fleeing from IS attacks. As the Syrian experience shows, enabling "friendly" ground forces is risky, because arms may proliferate, empowered groups could be on the loose, and finally, there is limited control over the abuse of military power. Nonetheless, the kind of weaponry delivered and the interaction between the external air force and local ground forces may create mutual dependencies that inhibit ground forces to break lose. Finally, a safe area may also involve foreign troops on the ground, even though this is a prospect most countries currently loath due to intervention fatigue.

Safe areas in Syria?

In Syria, a no-fly zone covering all of the country but IS-controlled territory would protect civilians from aerial bombardment and inhibit massive ground assault. In this way, a no-fly zone could help breaking the cycle of multiple displacements and further mass-scale destruction. It would require a unified command among those air, ground or maritime forces enforcing it and rules of authorization in defined key situations. Further, the conditions, the duration and individual obligations under a no-fly zone mandate would need to be specified. In practice, a no-fly zone would pose the gravest threat to the Syrian government thus far for its ground advances have been strongly dependent on Russian air cover.

A no-fly zone in Syria would decisively depend on the active cooperation of Russia in its enforcement. Russia would be in a position to keep the Syrian air force grounded and to refrain from any aerial attacks—except eastern Syria, where the anti-IS alliance would still conduct air sorties against the Islamic State group. Given the military to military information sharing and even cooperation in Syria among otherwise non-cooperative outside powers—Israelis, Americans, Turks and Russians share information about their respective flight patterns in Syria—some logistical basis to build upon for a no-fly zone would already exist. While striving for being recognized as a broker of peace since the recent talks in Astana/Kazakhstan, Russia may take an interest in proffering a humanitarian image. If so, it may present itself as an inclusive protector rather than the perpetrator of one-sided violence. Otherwise, it is likely to become hostage to its alliance with the Syrian government and Iran—and the gains of these alliances are tactical, but not strategic in the long run.

At the same time, though, Russia is likely to only endorse such an approach if it can secure its vision of Syria, in which it competes as a protecting force of the same client as do Iran and Hezbollah: The government. The deployment of blue helmets would represent the only safe option for civilian protection from further atrocities, but it would also aid in stabilizing a country whose borders with the Lebanon, Iraq and Turkey have effectively collapsed. Russia may or may not continue to hold on to Assad if the costs for doing so become too high, but a decades-long drawn out war is certainly not in its interest. The opposition will not accept a government that is led by Assad or dominated by the old elites, but it may agree to lay down weapons rather than engaging in a protracted war if the worst of mass atrocities were ended, and the protection civilians was mandated and thus guaranteed.

A no-fly zone is effectively already in place in the border region with Turkey. Similar suggestions have been made for the border with Jordan. However, large-scale camps for civilians do not exist yet. Very small safe areas in Syria even incur significant risks. And one has to be aware that protection needs exceed potential capacities by far. It is unclear how many refugees would return to Syria if safe zones were to be established—they could be thousands or millions. Safe passage would have to be secured for those seeking refuge, or else their transit would leave them exposed to attack. The threat of mass atrocities by belligerents targeting safe zones would persist even if ground forces were put in place. In the case of Bosnia-Herzegovina, ground troops in the Operation 'Deny Flight' possessed neither heavy weaponry nor authority to contain the Serb forces. In one infamous instance, 350 UN peacekeepers were seized and handcuffed. In a separate incident leading up to the July 1995 Srebrenica Massacre, several hundred Dutch peacekeepers were taken hostage by Bosnian Serb forces. UN safe zones were, in fact, anything but safe (Benar, 2004). Small-scale safe zones might also be misused by opposition fighters to gain strength, to coordinate fighting or to recruit soldiers among those displaced. Where small-scale safe areas are maintained for an extended period of time, they exacerbate a process of territorial fragmentation.

A countrywide no-fly zone—except the anti-ISIS zone—is the only option that would help to secure civilian protection at a proportionate scale. The division of the country into four different zones—a government zone, a Free Syrian Army zone, a Kurdish zone and the

east currently controlled by IS—is no alternative, because it is unrealistic given the fragmentation of the terrain and competition among hundreds of military forces on the ground. It would further raise the question as to which air forces or, if it came to that, troops would act as protectors of the FSA and Kurdish groups. A no-fly zone with the purpose to protect civilians is costly and risky, but with a view on the long-term, if combined with the UN ground troops, it may be the best option on the table yet.

FURTHER READING

Benar, A. (2004). Lessons from Iraq and Bosnia on the Theory and Practice of No-fly Zones. *Journal of Strategic Studies 27*(3), 454–478 UNITAR. (2014). Four Years of Human Suffering. The Syria conflict as observed through satellite imagery. Accessed at http://unosat.web.cern.ch/unosat/unitar/downloads/SyriaFourYearsOfHumanSuffering.pdf

Meininghaus, E. (2016). Humanitarianism in intra-state conflict: aid inequality and local governance in government- and opposition-controlled areas in the Syrian war. *Third World Quarterly 37*(8), 1454-1482.

Picali, E.B. (2016). Together With Its Allies, The Syrian Regime Is Forcing Demographic Change In Areas Of The Country - For Self-Protection And Self-Preservation. Accessed at https://www.memri.org/reports/together-its-allies-syrian-regime-forcing-demographic-change-areas-country-self-protection

Siege Watch (2016). Fourth Quarterly Report on Besieged Areas in Syria. Accessed at https://siegewatch.org/wp-content/uploads/2015/10/PAX-TSI-Syria-SiegeWatch-report-4.pdf

UN. (2014). Report of the Independent International Commission of Inquiry on the Syrian Arab Republic - Rule of Terror: Living under ISIS in Syria. Accessed at http://www.refworld.org/pdfid/5469b2e14.pdf

Whole of Syria. (2016). 2017 Protection Needs Overview. Accessed at http://reliefweb.int/sites/reliefweb.int/files/resources/wos_protection_needs_overview_2017_oct_2016.pdf.

.

bicc \
Internationales Konversionszentrum Bonn
Bonn International Center for Conversion GmbH

Pfarrer-Byns-Straße 1, 53121 Bonn, Germany
+49 (0)228 911 96-0, Fax -22, bicc@bicc.de

www.bicc.de
www.facebook.com/bicc.de

Director for Research
Professor Dr Conrad Schetter

Director for Administration
Michael Dedek

AUTHORS
Dr Esther Meininghaus
Senior Researcher / BICC

Dr Andreas Heinemann-Grüder
Senior Researcher / BICC

EDITOR
Susanne Heinke

COPYEDITOR / LAYOUT
Heike Webb

Member of the

PUBLICATION DATE
17 February 2017

EDITORIAL DESIGN
Diesseits - Kommunikationsdesign, Düsseldorf

Except where otherwise noted, this work is licensed under:
cf. creativecommons.org/licenses/by-nc-nd/3.0/