

Chapter III

United States of America Pressure in Implementing No Fly Zone in Libya and Syria

The previous chapter has described the No Fly Zone and how the decision-making mechanism to drop the resolution. The third chapter explains about how the United States of America views the phenomenon that needs to be treated by No Fly Zone Resolution. This chapter also describes clearly the form of No Fly Zone proposed by the United States of America, the resolutions, and the United States of America attitude towards the crisis in Libya and Syria.

A. No Fly Zone Policy of the United States of America

United States of America as a country that has a strong and stable force has a very central role of control over the world. After the end of the cold war era, the United States of America has become a superpower yet again there is no balance of power. As a superpower, the United States of America has a strong hegemony to lead the world. This is evidenced by the attitude of the United States of America after the collapse of the Soviet Union, including when submitting the proposals to support the implementation of No Fly Zone in certain areas.

As mentioned in previous chapters, No Fly Zone Resolution will be run when it

Council. In the previous cases, it has been applied to three areas, two of them are in Iraq and one in Bosnia-Herzegovina in the early 1990s. In the implementation of the No Fly Zone, the United States of America became the central actor behind the resolution issued by the United Nation Security Council. United States of America is a party that proposed, ran, and also oversaw the implementation of No Fly Zone in Iraq and in Bosnia-Herzegovina, although in the case in Bosnia-Herzegovina, the United States of America remained under the authority of NATO.

Decision-making mechanism to file and run the No Fly Zone is not made unilaterally by the executive or the president of the United States of America. In addition to international authorization, the United States of America also require an authorization from the Congress of the United States of America before then proposes and participates in the operation in enforcing the No Fly Zone in certain areas. Before submitting a Proposal of No Fly Zone to the United Nations Security Council, there are some considerations that are described as the "Grand Strategy". Grand Strategy is a clear articulation of the purpose of the strategy to be taken by the United States of America. For any given situation, there are several considerations that need to be explained as follows:³⁸

- a. a clear statement of the U.S. national interests at stake
- b. a vision of the political endstate—the strategic-level outcomes—that would help secure those interests

³⁸ Gertler, J., No-Fly Zones: Strategic, Operational, and Legal Considerations for Congress. 2011. Congressional

c. a clear articulation of the major steps—the ways and means—including diplomatic, political, and economic as well as military ways to be employed in order to accomplish the desired endstate, including each objective designed to achieve

d. a consideration of the nature and extent of political “risk” in the proposed approach—including the potential impact of proposed actions on the civilians in the targeted country, on the region, on broader international partnerships, and on the perceptions of the U.S.A. Government both at home and abroad.

Besides the military strategy will also be taken into consideration by the United States of America prior to submitting a proposal of No Fly Zone Resolution of a region.

Military strategy is proposed based on several considerations, which include:³⁹

a. The operational-level military objectives need to be Achieved to support the overall grand strategy

b. the extent to which a no fly zone, as one set of means, helps Airways and achieve those objectives. Recent operational experiences suggest that the establishment of a no fly zone, in Itself, is unlikely to achieve the full set of military objectives, such as protecting civilians, let alone the grand strategic objectives, such as restoring or removing a regime.

³⁹ Ibid

After obtaining a clear intention on the direction of submission of No Fly Zone Resolution, the Congress will assess whether the United States of America is eligible to participate in running the operation of No Fly Zone. But since the War Powers Resolution was issued in 1973 by the United States of America Congress, the President of the United States of America became the Supreme Commander of the right to take military action without congressional approval within 60-90 days. This step can be taken by the President of the United States of America by doing; (1) Declare War, (2) Authorization of Certain Laws, (3) National emergencies that occur as attacks on the United States of America or its forces.⁴⁰

The resolution was made after the previous President of the United States of America and the Congress grew more contradictory when addressing an important case. However, the President of the United States of America could use military force without congressional approval within 60-90 days before the Congress approved the President's action. If no agreement is given by the Congress, then the troops should be pulled back to the United States of America. In addition, the President of the United States of America also must report to Congress about the military action as soon as possible.

The history of disagreement between the U.S. President and Congress made the President of the United States of America have the authority to take military action as soon as possible. But it also then has the potential to be controversial. Moreover, in fact there is no direct military threat to the United States of America. Since the legalization of the War Powers Resolution, the President of the United States of America can run a

military operation with only an international authorization. It is intended that such events that occurred during World War I and World War II would not happen again. At that time, the President of the United States of America was very hard to send troops overseas as the result of a very large role of Congress in foreign policy of the United States of America.⁴¹

No Fly Zone operation is also included in the military action that may be taken by the President of the United States of America without congressional authorization. As an example, the one in Bosnia-Herzegovina in a joint operation involving NATO was also operating in the United States of America.

In the implementation of No Fly Zone operation, there are several forms and types that can be used. In practice, however, it must be based on the following considerations:⁴²

a. The nature and amount of power of the Enemy Air Defense

War and the advance of technology have created many different types of weapons. There are many types of weapons used by countries that can be freely chosen. Almost every country creates weapons. Several variants of these weapons were made by several major countries involved in World War I, World War II, as well as the Cold War.

Similarly, air defense weapons possessed by each country also has a different kind. Sophistication of enemy's air defenses should be considered by the United States of America before determining the form of No Fly

Zone. There are many types of air defense, ranging from the nature of Individuals, Anti-Aircraft Artillery, to the Surface-to Air Missile weapon used in Iraq in the 1990s. Characteristics of air defense weapons will determine the type of No Fly Zone used.

This will determine the strategy to be taken to carry out the initial attacks on enemy's air defenses. In addition, consideration is also used to determine the type of weapon to be used in carrying out this operation.

b. The Quantity and Quality of Adversary Air Assets

The number and quality of enemy's air guns should also be suppressed to protect the civil, military and humanitarian aids that have landed and the air patrol duty to uphold the No Fly Zone in the region. It is also necessary to reduce the number of air bases and other air assets that can be used to threaten humanitarian operations, civilian and military who served in the Zone. Besides the command, control systems, and the effectiveness of the operation in keeping the No Fly Zone is also a consideration. It is necessary to maintain a balance between offensive and defensive actions in the overall operation.

c. Geographic

The geographical shape of the region is also a benchmark in determining the type of troops and military equipment being used. For example, for

kind of terrain, it is sufficient to use air assets owned

by the United States of America Navy, and does not require tactical aircraft used to penetrate enemy's air defense region.

Similarly, the applicable airspace of No Fly Zone is the densely populated areas or large urban areas, and does not cover entire country's airspace, such as the ones in Bosnia-Herzegovina and Iraq, which only protects a specific region. In addition, the areas are close to the sea that makes the area easy to be approached by the cruise-missile and the carrier which transport the air assets used to protect the No Fly Zone.

d. Availability of "Friendly" Assets

No Flying in the operation zone, then all the countries involved in the operation will unite and make a plan in running the entire operation. The principles of demand for assets are also influential in determining the assets that the troops should be sent to a specific area to run the operation of No Fly Zone. The role of the United States of America allies and partners in running an operation may reduce the demand on U.S. forces in a particular field. The whole country will share in the form of troops to be sent in No Fly Zone operation, depending on the scenario together.

e. Strategy and Tactics of the enemy

Knowledge about the enemy's strategy and tactics will help to determine the operational level and goals of No Fly Zone. Understanding and knowledge about the enemy's strategy can come from a precedent. For example, when

in the No Fly Zone of Somalia, the operation in Iraq was conducted. The Iraq

government under Saddam Hussein ordered to attack the population in northern Iraq Kurds in 1988 with the use of chemical weapons, and attacked the Shiite population in southern Iraq with the use of fixed wing aircraft and rotary wing to shoot them.

In addition, knowledge and understanding of enemy's strategy and tactics are also informed by the Intelligence and assets. Strategy and tactics of the enemy will be considered as the priority of the no fly zone operations.

f. Response from the enemy

No Fly Zone operation planning also considers the response of the enemy. Overall planning of the operation must consider the possibility of threats and dangers of the response may be indicated by the enemies of the operation. Consideration of the likely response will make a judgment about the enemy's strategy, scope, scale and capabilities that will be taken to the operating target.

g. Concept of Operation

When the ban on fixed wing aircraft have been sufficient to achieve the strategy and the strategic level is desired, then the "water-caps" can be maintained on enemy air bases, and standoff weapons to deter the use of the runway by the enemy. This strategy will reduce the likelihood of civilian casualties or damage. Minimizing the use of force such as by not destroying

is completed more quickly when the conclusion of an effort Resolution No Flying Zone has been achieved.

But if Operation of No Fly Zone also includes a rotary wing aircraft for the ban, then a more complex and significant No Fly Zone operations will be needed. Interdicting physical facilities, hangars, runways, rural roads have a much more limited effect on rotary wing operations. Because the helicopters are not tied to a large base, they are harder to find when on the ground, require more assets to detect them and to monitor changes in potential locations. In addition, helicopters are also very difficult to detect than a fixed wing aircraft. Moreover, if the pilot of the helicopter is highly skilled to fly very low under the radar catches, as well as other aviation techniques, the radar of the helicopter will not be caught.

To destroy the rotary-wing is also very difficult. To destroy the rotary-wing assets requires a very close range of target. Of course this is much more difficult than shooting a fixed-wing asset. Shooting a helicopter is just as difficult as detecting it. His usual scenarios that require an emphasis on rotary-wing activity of assets, are not enough to suppress air defenses or coast local area. The helicopter can be the enemy anywhere in the region

1. To destroy the rotary-wing assets, have full access to all enemy's airbases to enforce

B. United States of America Outlook Toward The Case in Libya

Early 2011, the political atmosphere in Libya began to heaten. The increasing political tension in oil-rich country's politics was triggered by warming in the eastern-central. Prior to Libya, there has been a revolution that overthrew regimes had of the governments in Tunisia and Egypt. Passion for democratization was raging in Libya. Democracy activists passionately inspired success in Tunisia and Egypt Revolution to overthrow the ruling regimes.

Libya, occupied by Muammar Gaddafi, was turbulent. The Libyan leader, who had led since 1969, refused to back down. Gaddafi even intended to fight to defend Libya, not for power, but for fight against foreign forces trying change Libya to be like Iraq. Constantly demonstrators urged Gaddafi to retreat. Gaddafi later described the protesters as country traitors. Gaddafi actually declared war against the rebels in the country. To reduce the rebels, Gaddafi did repressive action by attacking his citizens.

Loyalist forces continue to attack Gaddafi protesters who supported by pro-democracy civilians. Gaddafi loyalists even used military weapons to silence the protesters who want Gaddafi down. In addition to using a ground offensive, Gaddafi also deployed the Libyan air force to disperse the protesters' action. Gaddafi was really determined to defend Libya.

Gaddafi's action of using his military force to fight the protesters drew criticism over the world. The International community urged the United Nations to take

immediate action against Gaddafi. At the UN, the UN ambassador Ali Sulaiman

Aujali, the death toll has reached 2000 people until early March 2011.⁴³ United Nations Security Council then passed Resolution 1970 which in essence is an arms embargo against Libya. Arms embargo imposed by UN Security Council is to force the Libyan military weapons used to attack the Civil.⁴⁴

In addition, the Court of the United Nations conducted an investigation to violence in Libya carried out by the Gaddafi regime. Gaddafi was increasingly pressured by the international condemnation. United States of America has one of the very vocal condemning violence in Libya. Some leaders and politicians in the U.S.A. Congress urged the Government of the United States of America to support the Resolution of No Fly Zone for Libya. Senator John Mc Cain said in a statement on March 11, 2011 that the No Fly Zone should be immediately applicable to all aircrafts owned by Libya.⁴⁵

U.S. congressmen were united unanimously to support the efforts of the United States of America to enforce the No Fly Zone in the region of Libya, although there were some who argued the need for a full agreement and consent of Congress before the United States of America Government sent its troops in the operation of No Fly Zone .

President Obama clearly stated that the United States of America believed that Gaddafi had lost his legitimacy on the Libyan people. Obama also called on Muammar

⁴³ "Mahkamah PBB selidiki Kekerasan di Libya" retrieved from <http://dunia.vivanews.com/news/read/207469-mahkamah-pbb-selidiki-kekerasan-di-libya> on February 5, 2012 at 22.20 LT

⁴⁴ "United Nation Security Council Resolution 1970" retrieved from <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/245/58/PDF/N1124558.pdf?OpenElement> on February 5, 2012 at 22.23 LT

⁴⁵ "Statement by Senator John McCain and Lieberman Regarding U.S. Policy on Libya" retrieved from http://mccain.senate.gov/public/index.cfm?FuseAction=PressOffice.PressReleases&ContentRecord_id=a on February 4, 2012 at 17.15 LT

Gaddafi to immediately withdraw for the good of the Libyan people as a whole. The U.S.A. government also supported United Nations Security Council Resolution 1970 on arms embargo against Libya. U.S.A. Ambassador to the United Nations, Susan Rice on March 16, 2011 stated that the United States of America strongly supports the efforts of the UN Security Council to issue No Fly Zone Resolution in the region of Libya. Rice argued that civilians in Libya need to be protected from attacks that could cause massive civilian killed.

Then on March 17, 2011, United Nations Security Council passed Resolution 1973. The resolution is a continuation of resolution 1970 issued in February 2011 for an arms embargo of Libya. The Resolution 1973 clearly emphasized on the No Fly Zone. Besides, the UN Security Council also called on member states to take all actions it deems necessary to protect civilians in Libya.⁴⁶

Ambassador Rice then reasserted that the attitude of the Government of the United States of America to support Resolution 1973 was to protect innocent civilians. Meanwhile, Chief of General Staff of the United States of America Air Force, Norton Schwartz also reinforced the seriousness of the United States of America to establish a No Fly Zone in Libya by declaring that the Government of the United States of America sent troops to the region soon to cripple Libya's Anti-Aircraft site.

The United States of America and NATO began planning to establish a No Fly Zone in the region of Libya. Congress also approved the sending of U.S. troops to join

⁴⁶ "United Nation Security Council Resolution 1973" retrieved from <http://daccess-dds->

NATO in operations mandated by the UN Security Council. The plan was built based on the consideration of the target operation.

Libyan air defense equipments identified were still using Soviet and Russian-made equipment, the technology estimated to have left behind many years of technology today. Similarly, the aircraft quality owned by Libya, it can be said, was outdated. They just had a French-made Mirage aircraft which was the most advanced aircraft owned by the Libyan military. Even so, there were approximately 180 combat aircrafts and over 100 helicopters owned by Libya and believed to still operate properly.

In addition, Libya was also believed to geographically support the operation of No Fly Zone undertaken by the United States of America with NATO. Urban location of Libya in the northern region bordering the Mediterranean Sea, as well as air defenses which were mostly located on the shores of the Mediterranean Sea helped U.S.A. and NATO forces to establish and enforce the No Fly Zone in Libya. In addition, Libya's military air base was also located in the northern region that borders the Mediterranean Sea. Thus carrier fighter jet that brought the United States of America could easily set up a No Fly Zone in the region.

In addition, NATO facilitated and assisted the United States of America in carrying out operations on the No Fly Zone in Libya. The United States of America also had some base courses which can be operated when needed

Commander of the United States of America Marine Corps, James F. Amos said that Operation No Fly Zone in Libya requires a more complex treatment.⁴⁷ Amos states that, Libya's helicopter is a very dangerous threat to the strength of the opposition. No Fly Zone was not only to close the Libyan airspace of to fixed-wing aircrafts in Libya, but it should also be applied to rotary-wing. No Fly Zone operation, according to Amos, should cover all areas throughout Libya to neutralize Libyan airspace from possible aerial attacks to the citizens of the Civil Libya.

United States of America was really serious in preparing the operations against Libyan No Fly Zone. The seriousness of the United States of America from the support of all political actors in Washington to send troops and establish a No Fly Zone in Libya.

Pressure from domestic U.S. officials have made Obama administration take the supports the UN Security Council Resolution 1973 on the situation in Libya. As mentioned earlier, the U.S.A. ambassador to the United Nations, Susan Rice called the voice of the people and even the United States of America to support the No Fly Zone Resolution to protect the innocent people of the Libyan. Until later when the resolution was set by the United Nations Security Council, the United States of America is also eager to involve directly to support the operation of No Fly Zone in Libya.

⁴⁷ Rizzo.J. "Libya's Helicopter Forces are the Greatest threat, U.S. Marine chief says" retrieved from http://articles.cnn.com/2011-03-08/politics/senate.hearing.libya_1_helicopters-fighter-jets-amos?_s=PM:POLITICS on February 5, 2012 at 23.57 LT

C. United States of America Outlook On Syria Crisis

Not long after the crisis in Libya, the wave of democratization re-evoked the Middle East region. In March 2011, there were massive demonstrations in Syria. Demonstrators protested and wanted President Bashar Al-Assad to resign. Before the outbreak of demonstrations in Syria, Damascus was viewed as internationally managed to build a country with prosperous and comfortable people. But dissatisfaction with the government continued to spread in the country to overthrow Al-Assad.

A similar step was taken by Bashar Al-Assad in dealing with demonstrators to Gaddafi. Repressive attitude as that of Gaddafi was taken by Al-Assad to quell protests of the Syrians. As of December 2011, the United Nations Commission on Human Rights reported at least 5000 people were killed in the Syrian crisis since protests began in March 2011.⁴⁸

Assad family has controlled Syria since 1970. Bashar Al-Assad, like his father, Hafez al-Assad, led Syria with absolute control in domestic politics, as well as played an important role in politics in the Middle East region. Despite the lack of resources and the size of a small state, Al-Assad played a big role in the Middle East.

In addition to the 5,000 people killed in a wave of protests from the country since March 2011 to December 2011, there were still tens of thousands of Syrian citizens who were arrested for participating in protests planned to overthrow the Government of Syria. Besides, tens of thousands of other Syrian citizens fled abroad to

⁴⁸ "PBB: Korban Tewas di Suriah Capai 5000 Orang" retrieved from

avoid the cruel actions of the government. Violence in Syria will not end quickly. Some observers argue that the violence in Syria will not end in a short time.

Despite the violence conducted in Syria, unlike when addressing the crisis in Libya and Egypt before, the United States of America looked more carefully and limited its interference to the Syrian government. The crisis is still going to last longer. The rebels are now united in an umbrella organization. Syrian National Council (SNC) is an umbrella organization of opposition who struggles to overthrow the regime Al-Assad in Syria. Syrian National Council tried to protest the government Peacefully.

On the contrary, the Syrian government and the supporters of Bashar al-Assad's regime immediately ended the insurgency and regained absolute power to control Syria. Military power was used to defend Al-Assad regime in Syria. Meanwhile, overseas condemnation and protests were addressed to the officials in Damascus. International public urged the United Nations to take decisive measures against the crisis in Syria. Some countries even withdraw its ambassador from Syria.

Jordan's King Abdullah condemned the violence in Syria. King Abdullah also demanded President Bashar al-Assad resign peacefully. King Abdullah hoped to end the violence in Syria. But even so, supports for Bashar Al-Assad would still come from the international world. Russia and China vetoed a resolution draft that the United Nations Security Council should demand the government of Syria under Bashar al-Assad to immediately conduct a dialogue with the opposition for the peace and order in Syria. Russia and China did not agree with the other countries in the UN Security Council

the problem of domestic in Syria is the problem to be solved alone by the Syrian government.⁴⁹

United States of America did not stay silent about violence in Syria. Countries that claim to uphold freedom and human rights condemned the violence in Syria in the year 2011. Spokesman of the U.S. State Department, Victoria Nuland in November 2011, said that the United States of America remained in position to condemn the violence in Syria and urged President Bashar Al Assad to immediately resign from office.⁵⁰ However, the United States of America also asserted that military intervention would not be taken by the United States of America, given that most of the oppositions were still trying to peace talks. Cautious attitude was shown by Obama Administration.

However, the United States of America also criticized Bashar al-Assad by withdrawing Ambassador Robert S. Ford from Damascus. This time, the United States of America Congress was a little harder against Syria. Congress was also worried about the continuation of the Syrian government's attitude towards the opposition. Members of Congress worried that such a massacre as in Libya happend.

And then the United States of America gave Economic Sanctions on Syria. The U.S. government forbade its citizens to engage any transactions with residents or the Syrian government. In addition, the United States of America also prohibited any form

⁴⁹ "Rusia dan Cina Veto Resolusi untuk Suriah" retrieved from <http://www.detiknews.com/read/2011/10/05/145014/1736975/934/rusia-dan-cina-veto-resolusi-untuk-suriah> on December 15, 2012 at 7.26 LT

⁵⁰ "U.S. Cautions On Syria Deals, Says Assad Must Go" retrieved from <http://www.detiknews.com/read/2011/11/02/145014/1744201/1102> on February

of investment in Syria. Even so, there is still no sanction that was really firm from the United States of America to end violence against civilians in Syria.

When compared to what happened in Libya, then it is very decent when military sanctions given to Syria to protect civilians in Syria. Although the opposition still wanted a peaceful way, the government of Bashar Al-Assad refused. Al-Assad ordered the Syrian military to continue to fire on the opposition to quell the rebellion. This repressive action had also been claimed not a few. Syria really is in poor condition.

This is in contrast to the attitude of the United States of America when it so enthusiastically supported the implementation of Resolutions 1970 and 1973 against Libya. When Libya began to heaten, just within a period of one month, a resolution for an arms embargo against Libya and No Fly Zone Resolution sponsored by the United States of America which believed to protect civilians in Libya. It is quite surprising, considering that in Syria there has been a similar case, when the government attacked the citizens of the civil for months but it just got economic sanctions. Without any attempt to pressure Syria militarily, the violence will continue to happen in Syria. Not to

... 11 by Syria either by Land, Sea, or air might