

CHAPTER III

THE UNITED STATES IMPLEMENTATION OF 'RESPONSIBILITY TO PROTECT' IN THE SYRIAN CIVIL WAR

This chapter discusses Barack Obama's foreign policy in the United States' intervention towards Syria. This chapter also explains the timeline of United States' intervention based on the concept of Responsibility to Protect (RtoP) and UNSC Resolution 2254, also the United States' effort to implement RtoP in the Syrian Civil War.

A. BARACK OBAMA FOREIGN POLICY TOWARDS SYRIA

Ever since the 911 attack on the World Trade Center and Pentagon Building, US foreign policy has changed drastically. The perspective of the United States underwent significant changes in security, the political economy, and human rights since the end of the Cold War. (Walt, *Beyond Bin Laden: Reshaping U.S. Foreign Policy*, 2002)

At the beginning of the 21st century, the United States became a superpower country with a bad image related to the issue of Human Rights. The sympathy given to the United States after the 9/11 attacks seemed to vanish with the bad image, including the United States utilitarian policies that prioritize military options and excessive intervention in Afghanistan and Iraq, make the United States get a bad image to criticism from various countries, as well as the behavior of the United States in dealing with groups and people deemed involved in terrorism as revealed in the Abu case Garib and Guantanamo. However, changes in US policy and views on global politics, especially those related to human rights issues experienced significant

changes after the fall of George W. Bush and the election of Barack Obama as President of the United States in 2009.

On January 20, 2009, Barack Obama was sworn in as the 44th President of the United States and at that time Barack Obama's presidency began. Four years later, Barack Obama won the US presidential election again. Obama was the first African American president, the first multiracial president, the first non-white president, and the first president to have been born in Hawaii.

Barack Hussein Obama was a Democrat from Illinois. The Democratic Party itself was a party with a liberal ideology. The ideology of the Democratic Party was quite different from the Republican Party which has a conservative ideology. The ideology adopted by the Democratic party greatly influenced President Obama's political vision, so that the policies made by the Obama administration were quite contrasting and different from the era of George W. Bush which incidentally came from the Republican party.

Barack Obama behaved as if he wanted to restore the United States' image as a democracy and human rights enforcer, the United States government in the Barack Obama's era moved quickly to campaign for the promotion of human rights and democracy. US foreign policy under Barack Obama, through the Obama Doctrine, Obama wanted to return US policies that were pro to human rights.

However, Barack Obama wanted to maintain the existence of democratization in the Middle East. This was in accordance with his speech in May 2011 regarding the developing situation in the Middle East

and North Africa, President Barack Obama said that promoting reforms and supporting the transition to democracy was a US policy in the region, as Obama said *"it will be the policy of the United States to promote reform across the region, and to support transitions to democracy."* (The New York Times, 2011)

Related to the issue of human rights, Barack Obama also firmly opposed ways of repression in upholding human rights. Barack Obama stated:

“The promotion of human rights cannot be about exhortation alone. At times, it must be coupled with painstaking diplomacy. I know that engagement with repressive regimes lacks the satisfying purity of indignation. But I also know that sanctions without outreach – condemnation without discussion – can carry forward only a crippling status quo.” (The White House, 2009)

However, Barack Obama was trying to restore the good image of the United States as a superpower country in the world. These efforts included Barack Obama's policy regarding Guantanamo prison, which holds many prisoners during the Bush administration suspected of being involved in acts of terrorism. Guantanamo was indeed in the international spotlight because it was considered to violate human rights by various actions that undermine human values, likewise the United States policy in Iraq and Afghanistan. In addition, Barack Obama was trying to restore the United States' commitment to policy paths to promote democracy, as well as efforts to embrace Middle Eastern countries, including in Syria.

The promotion of human rights is not only carried out domestically but internationally. Human Rights have played an important role in foreign policy

throughout the history of the United States. Therefore, Barack Obama intervened against Syria on the basis of human rights violations committed by the Assad Government against its citizens. In the Syrian Civil War, Barack Obama tried to intervene in the conflict because of a concrete human rights violation case; it was the use of chemical weapons carried out by the Assad Government against civilians in Syria.

The United States was one of the countries that often intervene. The United States intervention was common to the international community. The United States intervened in several countries before the Cold War. After the Cold War, the US intervened in Kuwait, Somalia, Haiti, Afghanistan, Yugoslavia, Pakistan, Yemen, Libya, Iraq and now Syria. In fact, the United States intervened more frequently in the Middle East. But in the era of Barack Obama was different from the previous presidency, where Barack Obama intervened purely on the basis of humanity, not in the national interest of the United States.

Basically, in the era of President Obama, the United States had a significant influence in the political constellation of the world including the Middle East, with that status America has many interests that must be fulfilled such as economic, military, and the spread of democratic ideologies through its foreign policy, US foreign policy is made to maintain its existence in a region, both its interests, the interests of its allies and allied US rulers in the Middle East and to ensure the ease of exploration and transportation of oil to all corners of the world. (Jatmika, 2014)

In its foreign policy, President Obama has the same approach as President Nixon's era in taking the foreign policy, especially in the Middle East region

where the two Presidents use the *Detente* policy; this policy was used to reduce the escalation of American forces adventurism in the Middle East. The United States was presented in the Middle East with the motivation to spread its democratic ideology, the US considered itself as "*the champion of democracy*" and "*the guardian of democracy*", this became US motivation to intervene in various conflicts in the Middle East.

The Assad regime which abuses its power, responded to violence against its civilians, and carried out protracted slaughter created a heartbreaking dilemma for the Obama administration. Where Libya was a '*do-able*' operation, Syria represented a much more formidable opponent. Initially, Obama was reluctant to involve the US in war and further intervention. There was a dilemma that aid sent by the US will fall into the wrong hands and strengthen Al-Qaeda affiliated groups, but the number of victims is increasing rapidly. Then the Syrian opposition was illegible and complicated. The use of chemical weapons carried out by the Assad Government paid great attention to Obama.

Obama stated:

"We have been very clear to the Assad regime, but also to other players on the ground, that a red line for us is we start seeing a whole bunch of chemical weapons moving around or being utilized. That would change my calculus. That would change my equation." (Brady, 2012)

In accordance with the "Report on the Alleged Use of Chemical Weapons in the Ghouta area of Damascus on 21 August 2013," (S/2013/553, dated 16

September 2013) prepared by the United Nations Mission to Investigate Allegations of the Use of Chemical Weapons in the Syrian Arab Republic, dated 16 September 2013, which concluded that:

“Chemical weapons have been used in the ongoing conflict between the parties in the Syrian Arab Republic, also against civilians, including children, on a relatively large scale”. (United Nations Security Council, 2016)

After the report on the use of chemical weapons by the Syrian Government from the United Nations, Obama, who previously only demanded the resignation of Syrian President Bashar Al-Assad, said that the use of weapons by the Assad government would cross the “red line” and would require US military action. The statement about the "red line" intended by Obama was an ultimatum for the Assad Government to stop the use of chemical weapons. Thus, the Obama administration officially blamed the incident on Bashar Al-Assad and immediately sought the approval of the Congress for military action in Syria and sought support from Britain and France for the attack on Syria.

At the end of August 2013, the US Government had anticipated a military attack to punish Syria with the use of its chemical weapons, which resulted in American forces and their allies launching more than 100 missiles into Syria. (Peterson & McCormack, 2013)

In addition, the US Navy brought four destroyers to position in the eastern Mediterranean to reach targets inside Syria. In early September 2013, the aircraft carrier group USS Nimitz was transferred to Syria. Then, Russia and United Kingdom among other

countries began to evacuate their citizens in anticipation of bombing.

The G20 Summit held on September 6, 2013, Vladimir Putin and Barack Obama discussed the idea of placing chemical weapons under international control. On September 9, 2013, in response to a question from a journalist, Kerry stated that air strikes could be avoided if Syria surrendered "every single bit" of its chemical weapons stockpile within a week, but Syria would not do so. Hours after Kerry's statement, Russian foreign minister Sergey Lavrov announced that Russia had advised Syria to give up its chemical weapons, and Syrian foreign minister Walid al-Moallem immediately welcomed the proposal.

US-Russia negotiations lead to the "Framework for the Elimination of Syrian Chemical Weapons on September 14, 2013," which calls for the abolition of Syrian chemical weapons stocks in mid-2014. After the agreement, Syria agreed to the Chemical Weapons Convention and agreed to implement the convention temporarily until it entered into force on October 14, 2013. On September 21, Syria seemed to provide an inventory of chemical weapons to the Organization for the Prohibition of Chemical Weapons (OPCW), before the deadline determined by the framework. The destruction of Syria's chemical weapons began under an international agreement with Syria which established a deadline for the destruction of the beginning of June 30, 2014.

In late September and early October 2011, the U.S. pushed strongly for the United Nations Security Council to pass a resolution condemning the Syrian government's measures to suppress the rebellion and adopting economic sanctions against Syria. UN

Security Council Resolution 2118 on September 27, 2013, required Syria to assume responsibility and follow a time frame for the destruction of chemical weapons and its chemical weapons production facilities. Security Council resolutions bind Syria to the implementation plan presented in the OPCW decision.

On June 23, 2014, the last chemical weapon declared to leave Syria. Destruction of the most dangerous chemical weapons was carried out at sea over Cape Ray, a ship from the United States Marine Administration Reserve, which was escorted by sailors of US civilian merchants. The actual destruction operation carried out by a team of civilians and US Army contractors destroyed 600 metric tons of chemical agents in 42 days.

After describing how Barack Obama was very pro to human rights, the desire to spread his democratic system, several events such as the use of chemical weapons by the Assad Government against opposition groups including civilians, as well as how the United States negotiated with Russia about the use of chemical weapons, it can be concluded that foreign policy United States in Syria as follows:

- 1) February 2012 (Barack Obama suspends Embassy Operation), when the United States suspended its Embassy operations in Damascus and withdrew US Ambassador to Syria Robert S. Ford;
- 2) April 2012 (US support for United Nations involvement), On April 14, 2012, the UN Security Council passed Resolution 2042, which approved the deployment of a UN advance team of 30 military observers to Syria. It also demanded that the Syrian authorities withdraw security forces from population centers and begin a dialogue with

- the opposition. The vote marked the first time since protests began that the UN Security Council was united in demanding a halt to the violence. On April 21, the UN Security Council passed Resolution 2043, which established for 90 days a United Nations Supervision Mission in Syria (UNSMIS). The resolution also created a civilian team to help implement elements of the full peace plan, such as the start of a national political dialogue and the government was granting the right to demonstrate;
- 3) June 2012 (US-Russia Endorsement of the Geneva Communique), On June 30 in Geneva, Switzerland, the Action Group on Syria (a group of countries which included the United Nations) issued a communique endorsing a UN proposed peace plan and calling for a transitional government of national unity in Syria that could include members of opposition and current regime. Such a transitional government would be charged with overseeing the drafting of the new constitution and national elections. To secure Russian support for the final statement, the Action Group stated that any transitional government “shall be formed based on mutual consent”, a phrase that would give supporters of Assad and the opposition veto power over the selection of unity government leaders;
 - 4) Summer 2012 (Barack Obama report rejection of lethal aid), Various US media sources have reported that in 2012, then-Secretary of State Hillary Rodham Clinton and then CIA Director David Petraeus proposed a plan to provide lethal aid (with the assistance of some neighboring countries) to vetted rebel groups. Subsequent testimony that then-Secretary of Defense Leon Armed Conflict in Syria: Background and US Response Congressional Research Service 18 Panetta also was in favor of this proposal, which reportedly ultimately rejected by the President;

- 5) August 2012 (The President on Regime Use of Chemical Weapons, On August 20, President Obama said, *“we have been very clear to the Assad regime, but also other players on the ground, that a red line for us is we start seeing a whole bunch of chemical weapons moving around or being utilized. That would change my calculus. We're monitoring that situation very carefully. We have put together a range of contingency plans.”*);
- 6) December 2012, (Recognition of the Syrian Opposition), In other, to help unify the log divided Syrian opposition, the United States and others facilitated the formation of the Syrian Opposition Coalition in November 2012 in Doha, Qatar. The United States extended recognition to the Syrian Opposition Coalition as the “legitimate representative of the Syrian people,” though it has not been legally recognized as the government of Syria;
- 7) December 2012 (Designation of Al Nursa Front as an FTO), The United States designated Jadhat al Nursa, a Salafi Jihadist militia and reported affiliate of Al Qaeda in Iraq, as Foreign Terrorist Organization, indicating that US interests were not only threatened in the short term by the effects of the current fighting but could be threatened over the long term by the empowerment of extremist groups in Syria;
- 8) January 2013 (Barack Obama on the prospect of US military intervention in Syria, In January 2013, interview with the New Republic, President Obama responded to a question on how he views the violence in Syria by saying: *“And as I wrestle with those decisions, I am more mindful probably than most of not only our incredible strengths and capabilities but also our limitations. In a situation like Syria, I have to ask, can we make a difference in that situation? Would a military intervention*

have an impact? How would it affect our ability to support troops who are still in Afghanistan? What would be the aftermath of our involvement on the ground? Could it trigger even worse violence or the use of chemical weapons? What offers the best prospect of a stable post-Assad regime? And how do I weigh tens of thousands who have been killed in Syria versus the tens of thousands who are currently being killed in the Congo?”;

- 9) April 2013 (On alleged Syrian regime chemical weapon usage), On April 25, 2013, the White House issued a letter to Congress stating that “*our intelligence community does assess with varying degrees of confidence that the Syrian regime has used chemical weapons on a small scale in Syria, specifically the chemical agent Sarin.*”;
- 10) May 2013 (Humanitarian Aid), On May 9, 2013, Secretary Kerry announced that the United States was contributing an additional \$100 million in humanitarian assistance, brought total US humanitarian assistance for those affected by the violence in Syria to nearly \$510 million;
- 11) June 2013 (Chemical Weapons Confirmation), On June 13, White House official confirmed the US intelligence community’s assessment that “the Assad regime has used chemical weapons, including the nerve agent Sarin, on a small scale against the opposition multiple times in the last year.” In response to the assessment, the White House signaled its intent to expand US assistance to the Syrian opposition, including the provision of unspecified support to the Supreme Military Council of the armed opposition;
- 12) August 2013 (Barack Obama Request to Congress for Authorization of Use of Force), On August 31, President Barack Obama submitted a draft resolution requesting that Congress authorize the use of force for military operations “against Syrian

regime targets” to “hold the Assad regime accountable for their use of chemical weapons, deter this kind of behavior, and degrade their capacity to carry it out.” (Davis, 2011)

The points above show some of the US foreign policies towards Syrian issue. After the end wave of the Arab world revolution, several countries have successfully made changes to their country. Syria faced the same thing; however, unlike Tunisia, Libya, and Egypt, the Syrian regime remained very strong.

B. THE UNITED STATES’ EFFORT TO IMPLEMENT ‘*RESPONSIBILITY TO PROTECT*’ IN THE SYRIAN CIVIL WAR

The United States and its involved allies felt the regime's resilience in dealing with problems. Various policies were issued by the United States both in the form of criticism, conflict resolution, and even military pressure. The Arab Spring that ended the Syrian conflict has entered a new phase that attracted the attention of international actors.

The International Syria Support Group (ISSG), the United Nations, The League of Arab States, European Union, and other countries had agreed to help these atrocities. Therefore, they made the implementation of UNSC Resolution 2254, which increased the delivery of humanitarian aid, as well as a nationwide cessation of hostilities, was required in order to help those in need. (United Nations Security Council, 2015) Furthermore, UNSC Resolution 2254 was the US foundation for humanitarian intervention in Syria.

In 2011-2012, RtoP has strived to be implemented in the humanitarian crisis in Syria by humanitarian actors. Efforts to implement RtoP were divided into several actions including termination of political relations and diplomacy with Syria, the peace agenda through the Joint Special Envoy on Syrian Crises led by the United Nations and the Arab League, economic embargo, military embargo and also the opening of humanitarian access through the Syria Regional Response Plan initiated by UNHCR.

The effort to implement RtoP was following The Mass Atrocity Toolboxes reference submitted by Gareth J. Evan. This implementation was also following the three pillars in RtoP, there were preventive, react and rebuild. It was stated that the implementation of RtoP, the international community should create an early warning system as well as assistance for norm violating actors to change their attitudes. Warnings and also time frames are needed to be put in place if early warning and assistance no longer function.

The ongoing conflict in Syria was no longer talking about fighting between opposition groups against the government of Bashar al-Assad, but the conflict was spreading by joining the two major powers of the world namely the US and its allies as well as Russia and its allies. Not only that until the Syrian conflict was also enlivened by the presence of opposition groups such as the Islamic State of Iraq and Syria who want to eliminate the border between Iraq and Syria with the aim of establishing an Islamic state.

Based on the concept of Responsibility to Protect (RtoP) by all member states of the United Nations at the 2005 World Summit, the United States tried to implement three pillars in the concept of

Responsibility to Protect such as; *first*, emphasizing a state's obligations to protect all populations within its own borders, where Barack Obama condemned Bashar Al-Assad for exceeding the limits of violence committed against opposition groups and his own people.

Second, outlining the international community's role in helping states to fulfill this obligation, where the United States requested support from the United Nations to issue a resolution on Syria in the form of sending health assistance, military training, and others as an international community with assistance from other countries such as Turkey, United Kingdom, and others.

Third, identifying the international community's responsibility to use appropriate diplomatic, humanitarian, peaceful or coercive means to protect civilian populations where a state manifestly fails to uphold its obligations, where President Barack Obama began a joint diplomatic and military approach to force President Bashar al-Assad to leave the office and end the massacre, encourage Russia and Iran to a ceasefire, limit the cycle of the killing of civilians, and establish a timeline for the transition of power.

However, the Obama administration focused on providing humanitarian aid, and on promoting a ceasefire and political negotiations aimed at Assad's departure. One of the United States' biggest efforts in implementing RtoP in Syria was the collaboration with Turkey to build a "safe zone area" in the Turkish-Syrian border. The purpose of why the United States was building a "safe zone area" with Turkey on the Turkish-Syrian border was conducted military intervention against ISIS and build an ISIS free zone, also protected Syrian civilians and repatriated Syrian immigrants from Turkey.

"World peace affairs" are actions that would be carried out by western countries in intervention. In opposing the Assad Government and siding with opposition groups, the United States used methods that demonstrate its power to the world, which intervened militarily in ISIS-controlled territories while simultaneously carrying out humanitarian interventions to help victims in Syria including refugees. In addition, the United States also built anti-ISIS coalitions in Middle Eastern countries. On September 10, President Barack Obama said:

"America will lead a broad coalition to roll back this terrorist threat. Our objective is clear: We will degrade, and ultimately destroy, ISIS through a comprehensive and sustained counterterrorism strategy." (Bipartisan Policy Center, 2014)

In addition, ISIS spread its ideology to several Western countries which resulted in refugees from Syria fleeing to Europe. Turkey responded by making various efforts as a neighboring country in Syria. For two years, Turkey initially did not want to be involved in the war against ISIS. But in the end, Turkey launched an attack on Syria because many of the victims died as many Syrian refugees took refuge in other countries including Turkey, and Turkey decided to join the US-led anti-ISIS coalition.

Responding to the UNHCR Refugee Convention 1951, there were several responses or actions from the Turkish Government pursuant to Article 33 concerning the prohibition of expulsion or return ('refoulement'). The Turkish Government is responding as stated in the convention:

"No Contracting State shall expel or return ('refouler') a refugee in any manner whatsoever to the frontiers of

territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion."

In Article 33, the Government of Turkey complies with the UNHCR Convention on the Return of Syrian Refugees. They repatriated Syrian refugees in a good and safe manner. In fact, the Turkish government ensured that Syrian refugees returned safely by building infrastructure for refugees in "safe zones" so that they have a decent place to live. The safe zone was protected and controlled by the Turkish army.

Turkey was hosting the world's largest refugee population. According to a new Policy Note prepared by the World Bank, the Government of Turkey (GoT) calculated that there were 2, 225,147 registered Syrians under Temporary Protection (SuTPs). (World Bank, 2015) Facing a record influx of displaced, the GoT was setting a global precedent for a refugee response with two unique features:

- 1) A non-camp approach. Only 12 percent of the total number of SuTPs are living in tents and temporary shelters; the rest are settled in urban areas, where they seek their own accommodation and work opportunities;
- 2) A government-financed approach. By September 2015, the GoT had spent an estimated \$7.6 billion on its response to Syrian refugees. (World Bank, 2015)

The second point is the most important part of this case, because Syria's population is the most refugees who have fled to Turkey, and the Turkish government has spent billions of money on Syrian refugees. Turkish government has a response in the form of strategies and principles for displacement crisis

for Syrian refugees, management of the socio-economic displacement dimension, the remaining critical policy issues and the way towards Turkey, as well as repercussions on the efforts made by other countries for their refugee response.

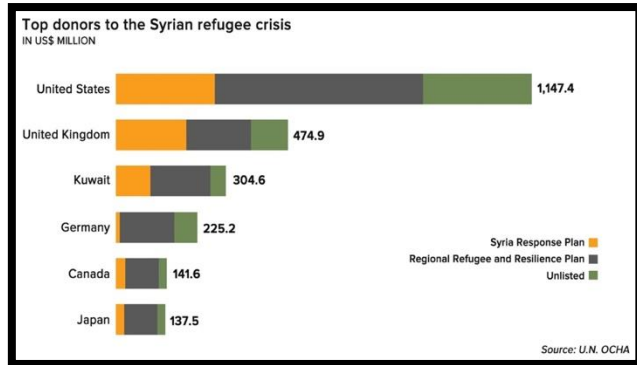
However, President Obama announced over \$300 million in additional life-saving humanitarian assistance to help feed, shelter, and provide medical care for children, women, and men affected by the ongoing conflict in Syria. The United States remains the single-largest contributor of humanitarian assistance for the Syrian people, and this new contribution brings total U.S. humanitarian assistance for the Syria crisis to nearly \$815 million since the crisis began. In the Obama era, the United States helped Turkey by adding \$ 22 million in direct funds to Syrian refugees. The United States supported the costs of registering urban refugees and provided tents, blankets, kitchen burners and kitchen equipment for Syrians fleeing to Turkey. Additional funding included food stamps for 69,000 refugees living in the camp. (The White House, 2013)

In fact, In September 2015, Secretary of State John Kerry announced the United States will give \$419 million in humanitarian aid, brought the total U.S. donation to \$4.5 billion since the Syrian conflict began in 2011. Obama's G-20 claimed that the U.S. was the largest donor of humanitarian aid to Syria, and Obama stated:

“On the humanitarian front, our nations agreed that we have to do even more individually and collectively to address the agony of the Syrian people. The United States is already the largest donor of

humanitarian aid to the Syrian people, some \$4.5 billion in aid so far.” (Lee, 2015)

Figure 3.1
Top Donors to the Syrian Refugee Crisis



Source: U.N. Office for the Coordination of Humanitarian Affairs

Based on figures provided by the U.N. Office for the Coordination of Humanitarian Affairs, the United States has contributed \$1.1 billion so far for Syrian refugees in 2015, or just slightly less than one-third of the total humanitarian funding. Out of this amount, the majority — \$574.4 million — went into the 3RP. An additional \$273.9 million went into the Syria Response Plan while even more — \$299.1 million — went into projects not listed in either appeal. Large projects funded by the United States include an \$86.5 million food assistance program within Syria, coursed through various NGOs, and a \$70 million multi-sector operation — also within the country — covering agriculture and food security, economic recovery, health, nutrition, water and sanitation, logistics, protection, shelter and settlements, and humanitarian coordination. (Barcia, 2015)

In addition, the aid supports United Nations operations and international and non-governmental humanitarian groups to Syrians who have been displaced from the country or have become refugees. Much of the latest donation will be given to groups working with refugees, Washington Post's Carol Morello reported. The largest share of the donation will go to UN operations that provide medical care, safe drinking water, food and shelter for refugees. Nearly \$2.3 billion of the US humanitarian aid supports relief programs within Syria, according to the State Department. (USAID, 2016)

A portion of the humanitarian aid is given to refugee-hosting countries to help them cope with the influx of Syrians entering their countries. Host communities use this money to build and maintain infrastructure, buy supplies and equipment, expand community programs, and more. (USAID, 2013)