

## A Decade of Conflict in Syria: An Analysis of International Law

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*The Syrian crisis has been persisting for more than eleven years, but shows no signs of resolution or end yet. Various reports from the United Nations and other reputable organizations have extensively documented a multitude of atrocities perpetrated by all factions involved in the conflict. This article examines the Syrian crisis from a perspective of international law. The author analyses the legal justifications put forward by the parties involved in the conflict, including humanitarian intervention, the responsibility to protect, etc. This research paper employs an analytical and descriptive research methodology. The finding concludes that the Syrian Civil War is not likely to be over for the foreseeable future in spite of many efforts under international law. The author also finds that there have been numerous violations of international law by both sides in the conflict related to human rights and humanitarian protection.*

### Keywords

Syrian Civil War, Humanitarian Intervention, R2P, Armed Conflict, Human Rights Violations

## 1. Introduction

Since the Syrian Civil War started twelve years ago, Syria has faced unrest, civil war, and protests. After father Hafez al-Assad passed away in 2000, his son Bashar Al-Assad assumed control of Syria and carried on his father's legacy. The Syrian opposition movement has strengthened the legitimacy of Bashar Assad's regime. A number of the main opposition groups came together in November 2012, and a

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All the websites cited in this article were last visited on November 10, 2023.

coalition of Syrian revolutionary and rebel groups (also known as the National Coalition) was established. During the period, there was an Arab uprising going on in the countries of Yemen, Egypt, and Tunisia.<sup>1</sup>

In 2011, the Arab Spring uprisings led to the downfall of Presidents Hosni Mubarak of Egypt and Zine El Abidine Ben Ali of Tunisia.<sup>2</sup> In March, 2011, protests in favor of democracy emerged in the southern city of Deraa after three adolescents, who had painted revolutionary slogans on a school wall, were detained and subjected to torture. This is when the Syrian crisis began. The resulting situation led to protests around the country advocating for President Assad's resignation. In view of the demonstrators' tenacity, the government used force to quell (stop) the unrest, but unfortunately, they were unsuccessful.<sup>3</sup> Due to the large number of deaths and destruction of large amount of property, as well as the numerous interventions that have led to the establishment of different fronts in the fight, the Syrian civil war has emerged as one of the most catastrophic conflicts of the 21st century.<sup>4</sup>

The conflict in Syria has been identified as one of the worst humanitarian disasters since the end of World War II, which has a variety of negative effects on people's health, including widespread deaths, displacement, and devastation. Up until today, over 585,000 people have been killed in this conflict, and there are 6.2 million internally displaced people (IDPs) and 6.7 million refugees. In 2017, more than 400,000 houses were demolished and more than 500,000 were damaged.<sup>5</sup>

The struggle in Syrian civil war is between its long-reigning government and those who want to overthrow it. Large portions of the nation's infrastructure have been devastated since the beginning of the conflict. Prior to the city's recapture by government forces in 2016, according to the UN satellite investigation, around 35,000 buildings had suffered damage in Aleppo alone.<sup>6</sup> The main factors contributing to these crises were insufficient regulatory framework, lack of transparency, inadequate

<sup>1</sup> Daniel Strashun, *The Recognition of the Syrian National Coalition under International Law: Whether the National Coalition Can Receive Arms* 4 (Seton Hall University, 2013), [https://scholarship.shu.edu/cgi/viewcontent.cgi?article=1312&context=student\\_scholarship&httpsredir=1](https://scholarship.shu.edu/cgi/viewcontent.cgi?article=1312&context=student_scholarship&httpsredir=1).

<sup>2</sup> Faisal Mahmood & Mohd Javed, *The Role of the U.N. in the Syrian Conflict: Success or Failure*, in *DEVELOPMENT OF NATIONS: AN INTERPLAY OF ECONOMICS, POLITICS AND SOCIETY* 82 (2017), [https://www.researchgate.net/publication/350819027\\_The\\_Role\\_of\\_the\\_UN\\_in\\_the\\_Syrian\\_Conflict\\_Success\\_or\\_Failure](https://www.researchgate.net/publication/350819027_The_Role_of_the_UN_in_the_Syrian_Conflict_Success_or_Failure).

<sup>3</sup> *Id.*

<sup>4</sup> Oluwaseyi Ogunnowo & Felix Chidozie, *International Law and Humanitarian Intervention in the Syrian Civil War: The Role of the United States*, 10(2) *SAGE OPEN* 1-11 (2021).

<sup>5</sup> Samer Jabbour et al., *10 Years of The Syrian Conflict: A Time to Act and Not Merely to Remember*, 397(10281) *LANCET* 1 (2021), <https://www.sciencedirect.com/science/article/pii/S0140673621006231?via%3Dihub>.

<sup>6</sup> Ahmed Alameldeen, Erik Beuck & Tayyab Sagheer, *Violations of International Humanitarian Law: Threats to Non-Combatants in the Syrian Crises*, 8(10) *INT'L J. SOC. SCI. & HUMAN. INVENTION* 4 (2021).

employment prospects, corruption, and state violence. The judicial institutions were also political and corrupt.<sup>7</sup>

This article examines the Syrian crisis from a perspective of international law. The author analyses the legal justifications put forward by the parties involved in the conflict, including humanitarian intervention, the responsibility to protect, etc.

## 2. The Belligerents (Parties) in the Syrian conflict

Different groups of belligerents are involved in Syria's complex conflict, each exploiting it to further its predetermined goals and objectives. The parties to the Syrian conflict are listed below.

### A. Pro-Government Forces

This group of troops supports and is devoted to the Assad government. The conflict started in March 2011 when it violently reacted to protests. The majority of the combatants in this group are members of the Syrian military forces. The air force and air defense command are the main components of this group. Russia, Iran, and Hezbollah are among the foreign nations that assist the pro-Assad troops, who are mostly the Syrian army forces.<sup>8</sup> A pro-government militia known as the National Defense Force (NDF) supports the Syrian army during the war. Iran's Quds force established the NDF to help forces that were in favor of Assad. The NDF employs 200,000 people as an umbrella organization, the majority of whom are from various religious groups. The Syrian military provides financial support and military equipment to the NDF.<sup>9</sup> Numerous people have been the victims of arbitrary arrests, extrajudicial killings, torture, and even execution by the government. Syrian government-paid armed gangs, the Shabiha and the Mukhabarat, are all accused of carrying out these crimes (Syrian intelligence). Peaceful protesters, activists, lawyers, and journalists are among the individuals who have been imprisoned.<sup>10</sup>

### B. Opposition Forces (Anti-Assad Forces)

<sup>7</sup> Valeria Scuto, *The Syrian Conflict: An Analysis of the Crisis in the Light of International Law* 8 (Luis Thesis, 2015/16), [https://tesi.luiss.it/17597/1/072682\\_SCUTO\\_VALERIA.pdf](https://tesi.luiss.it/17597/1/072682_SCUTO_VALERIA.pdf).

<sup>8</sup> Ogunnowo & Chidozie, *supra* note 4, at 6.

<sup>9</sup> *Id.*

<sup>10</sup> Mahmood & Javed, *supra* note 2, at 3.

The opposition groups in the Syrian conflict, also known as the anti-Assad and anti-government groups, are made up of a number of militias and groups that are opposed to the Assad Regime's rule.<sup>11</sup> The Syrian non-jihadi opposition and the Syrian jihadi opposition are the two separate categories into which scholars have classified the rebel factions. Different paramilitary and militia organizations make up each classification.<sup>12</sup> According to Sofer and Shafroth (2013), the opposition factions consist of multiple units, which are the Free Syrian Army (FSA), the Syrian Liberation Front (SLF), the Syrian Islamic Front, and various independent rebel groups.<sup>13</sup> The Syrian Opposition Movement aimed to unite the political elements of the Syrian opposition around a provisional administration that would rule Syria after the Assad regime is overthrown.<sup>14</sup>

### 3. Syrian Crisis and International Humanitarian Law

International Humanitarian Law (IHL) is a body of binding rules to alleviate the effects of armed conflicts in both International Armed Conflict (IAC) and Non-International Armed Conflict (NIAC). IHL sets restrictions on the means and methods of warfare to protect the civilian population, sick and wounded, and prisoners of war.<sup>15</sup> All parties involved in the Syrian conflict have committed widespread violations of IHL. Both parties are specifically responsible for attacking civilians. Sexual assault and rape are typical forms of combat tactics.<sup>16</sup> During the armed conflict, these specific groups violate the IHL rules in many instances. For Instance, they torture aid workers and their convoys. Similarly, health workers have also been attacked many times during the crisis. These are serious violations of IHL under which a non-combatant must not be exposed to danger.<sup>17</sup>

The UN Human Rights Council's Report (2019–20) shows pro-government forces

<sup>11</sup> Ogunnowo & Chidozie, *supra* note 4, at 7.

<sup>12</sup> *Id.* at 6.

<sup>13</sup> Ken Sofer & Juliana Shafroth, The Structure and the Organization of the Syrian Opposition, Center for American Progress (CFAP) (May 14, 2013), <https://www.americanprogress.org/article/the-structure-and-organization-of-the-syrian-opposition>.

<sup>14</sup> *Id.* at ¶ 3.

<sup>15</sup> International Committee of the Red Cross [ICRC], What Is International Humanitarian Law? (Apr. 6, 2022), <https://www.icrc.org/en/document/what-international-humanitarian-law>.

<sup>16</sup> Iffat Idris, International Humanitarian Law and Human Rights Violations in Syria (2017), K4D Help Desk Report, at 1, <https://gsdrc.org/publications/international-humanitarian-law-and-human-rights-violations-in-syria>.

<sup>17</sup> Alameldeen, *supra* note 6, at 5-6.

frequently targeted hospitals and medical staff. More than 16,000 doctors have left the nation as a result of these attacks, and even those who remain frequently hide.<sup>18</sup> The United Nations High Commissioner for Human Rights (OHCHR) published a report in June 2022, which estimated that 306,887 civilians were killed in Syria between March 1, 2011, and March 31, 2021, as a direct result of the conflict.<sup>19</sup> This is the highest estimate of civilian casualties in Syria to date. It found that the majority of civilian deaths were caused by airstrikes, shelling, and ground attacks. The report also found that the conflict has had a devastating impact on the Syrian people. In addition to the loss of life, millions of Syrians have been displaced from their homes, and the country's infrastructure has been severely damaged.<sup>20</sup> Also, the Syrian Network for Human Rights (SNHR) stated that more than 227,180 civilians were murdered in the conflict between March and December 2011. The SNHR found that there were 11,520 incidences of sexual violence committed by both sides. The Network further found that there were at least 8,020 sexual assaults committed by regime forces, including 879 in prisons and 443 against children under the age of 18.<sup>21</sup>

Throughout the period of the conflict, both the Syrian government and non-state armed groups have used unlawful weapons and tactics which have worsened the suffering of the Syrian people. Numerous attacks employing chemical weapons have been documented by a Commission formed in relation to prohibited weapons. It has also been demonstrated that non-state armed organizations failed to distinguish their own forces from civilians in a proper manner.<sup>22</sup> The Geneva Convention of August 12, 1949, relating to the protection of civilians during times of war, was violated by the conflicting parties.

It is unlawful to treat civilians in a manner that is humiliating or degrading their personal dignity. They should not be subjected to any acts that endanger their lives, their health, their bodies, or their minds, such as torturing, killing, or mutilating them. In times of armed conflict, it is illegal for civilians to be moved against their will or to vanish altogether. Specifically, Article 27 of Geneva Convention relative to the (Protection of Civilian Persons in Time of War of 12 August 1949) applies that all

<sup>18</sup> *Id.*

<sup>19</sup> U.N. Doc. A/HRC/50/68 (June 28, 2022), <https://www.ohchr.org/en/documents/reports/ahrc5068-civilian-deaths-syrian-arab-republic-report-united-nations-high>. For details, see OHCHR, Report on Civilian Deaths in the Syrian Arab Republic, at 7, <https://www.ohchr.org/en/press-releases/2022/06/un-human-rights-office-estimates-more-306000-civilians-were-killed-over-10>.

<sup>20</sup> *Id.*

<sup>21</sup> US Department of State, Tanzania 2020 Human Rights Report, at 4, <https://www.state.gov/wp-content/uploads/2021/03/TANZANIA-2020-HUMAN-RIGHTS-REPORT.pdf>.

<sup>22</sup> OHCHR, *supra* note 19, at ¶¶ 1 & 20.

parties to a conflict have an obligation to respect and protect civilians from the effects of hostilities.<sup>23</sup>

## 4. Is It an International or National Armed Conflict?

### A. *International Armed Conflict (IAC)*

The 1949 Geneva Conventions Common Article 2 establishes the generally recognized criteria for the existence of an international armed conflict and states the following:

The present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting Parties, even if the state of war is not recognized by one of them. The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance.

Article 2 of The Hague Convention 1907 concerning the Laws and Customs of War on Land, marked a significant shift in the way that hostilities between states are governed. Unlike the previous requirement for a formal declaration of war, Article 2 mandates that all conflicts be governed by the laws of armed conflict, regardless of their intensity, duration, or scale. This change in wording has had a profound impact on how nations engage in warfare, emphasizing the importance of adhering to international laws and regulation.<sup>24</sup>

According to the International Committee of the Red Cross (ICRC), an international armed conflict occurs when there is a dispute between two or more states that leads to the use of armed forces, even if one of the parties of the conflict are not recognized.<sup>25</sup> In such cases, the four Geneva Conventions shall apply providing protection to those who are not taking part in hostilities, including civilians and prisoners of war.

Meanwhile, the International Criminal Tribunal for the former Yugoslavia (ICTY) broadly defined international armed conflict as “an armed conflict ... when there is a use of armed force between States.”<sup>26</sup> The definition implies that the use of force must

<sup>23</sup> MOHAMMAD JAN & ABDULRASHID HARUNA, *INTERNATIONAL HUMANITARIAN LAW* 161 (2015).

<sup>24</sup> Geneva Convention Relative to the Treatment of Prisoners of War [Geneva Convention], Aug. 12, 1949, 6 U.S.T. 3316, 75 U.N.T.S. 135, art. 2.

<sup>25</sup> ICRC, How is the Term “Armed Conflict” Defined in International Humanitarian Law? (Mar. 2008), at 2, <https://www.icrc.org/eng/assets/files/other/opinion-paper-armed-conflict.pdf>.

<sup>26</sup> Prosecutor v. Tadić, Case No. IT-94-I-A, Decision on Defence Motion for Interlocutory Appeal on Jurisdiction, ¶ 70

involve two or more States, and it does not necessarily require a formal declaration of war.<sup>27</sup> It was established in the *Tadic* case<sup>28</sup> and has since been used as a standard for determining the existence of international armed conflicts. This means that the conflict is not limited to one country or region, but rather involves multiple nations with differing interests and objectives.<sup>29</sup>

## ***B. Non-International Armed Conflict***

The IHL rules applicable to non-international armed conflict are found in Common Article 3 of the Four Geneva Conventions of 1949 and the Additional Protocol II to the Geneva Conventions of 1977 which states and applies situations when non-international armed conflict exists.

Common Article 3 states: “In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties.” It shall be applied in the case of an armed conflict not having international characters.<sup>30</sup> According to the ICTY, NIAC is a: “prolonged armed violence between governmental authority and organized armed groups or between such organizations within a state.”<sup>31</sup> This definition helps us identify an NIAC when it occurs.<sup>32</sup>

In April 2011, the US requested a special session of the Human Rights Council (HRC) to discuss the human rights situation in Syria. The Council was unable to confirm how intense the fighting was between the Syrian military and opposition forces. Likewise, it was not able to verify the degree of organization of armed groups like the Free Syrian Army. Therefore, the HRC did not take international humanitarian law into consideration for the events taking place in the Syrian Arab Republic after March, 2011 in their report.<sup>33</sup>

In contrary, the ICRC stated that IHL applied to the Syrian situation. The ICRC explicitly referred to the unrest in Syria as a “non-international armed conflict” in their operational update from July 27, 2012.<sup>34</sup> Likewise, Human Rights Watch has

(Int'l Crim. Trib. for the Former Yugoslavia, Oct. 2, 1995).

<sup>27</sup> *Id.*

<sup>28</sup> ICTY, *Tadić* (IT-94-1), <https://www.icty.org/en/case/tadic>.

<sup>29</sup> Louise Arimatsu & Mohbuba Choudhury, *The Legal Classification of the Armed Conflicts in Background and Methodology* 1-43 (Chatham House International Law PP 2014/01, 2014), [https://www.chathamhouse.org/sites/default/files/home/chatham/public\\_html/sites/default/files/20140300ClassificationConflictsArimatsuChoudhury1.pdf](https://www.chathamhouse.org/sites/default/files/home/chatham/public_html/sites/default/files/20140300ClassificationConflictsArimatsuChoudhury1.pdf).

<sup>30</sup> Geneva Convention art. 3.

<sup>31</sup> Prosecutor v. *Tadić*, *supra* note 26.

<sup>32</sup> ICRC, *supra* note 25, at 3.

<sup>33</sup> Scuto, *supra* note 7, at 24.

<sup>34</sup> ICRC, Operational Update ICRC and Syrian Arab Red Crescent Maintain Aid Effort amid Increased Fighting (July

been claiming since April 2012, that the violence in Syria constitutes as NIAC and is therefore subjected to IHL.<sup>35</sup> In general, a conflict retains its non-international status in the case of an armed intervention in support of government troops. However, if a third state decides to intervene in the conflict alongside non-state armed organizations, the conflict takes its international character.<sup>36</sup>

Abdul Ghafur Hamid argued that when considering armed conflict as internal, it is generally accepted that the status of the conflict is unaffected if a state uses its military forces to intervene into the side of another state in a non-international armed conflict. However, if a foreign state sends its armed forces to intervene on behalf of the rebels engaged in combat against government forces, then the conflict shall be considered an international armed conflict.<sup>37</sup>

As a result, we would conclude that the crisis in Syria constitutes a non-international armed conflict between the state and opposition groups. The support that Syrian government is receiving from Russia and Iran cannot internationalize the conflict. The conflict still remains as NIAC.

## 5. Violation of IHL by Multiple Parties

The Syrian government and its non-state entities have violated a wide range of IHL since the civil war began. The UN Human Rights Commission (2020) reported that pro-government forces often target hospitals and medical workers. More than 16,000 doctors have left the nation as a result of these armed attacks, and even those who remain in the country frequently hide themselves.<sup>38</sup> The pro-government forces intentionally violate Customary Rule 31, 32, of the (ICRC) of the customary international humanitarian law (IHL), and as well as Article 20 of the fourth Geneva Convention 1949, which directly prohibited the killing and abusing of the health workers.<sup>39</sup>

Numerous reports of torture and sexual assault committed by the Syrian

17, 2012), <https://www.icrc.org/en/doc/resources/documents/update/2012/syria-update-2012-07-17.htm>.

<sup>35</sup> Human Rights Watch, “They Burned My Heart” – War Crimes in Northern Idlib during Peace Plan Negotiations 32 (2012), <https://www.hrw.org/sites/default/files/reports/syria0512WebVersionReduced.pdf>.

<sup>36</sup> Scuto, *supra* note 7, at 26.

<sup>37</sup> ABDUL HAMID, PUBLIC INTERNATIONAL LAW: A PRACTICAL APPROACH 482 (2019).

<sup>38</sup> OHCHR, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, U.N. Doc. A/HRC/43/57, [https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A\\_HRC\\_43\\_57\\_AEV.docx](https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A_HRC_43_57_AEV.docx).

<sup>39</sup> Alameldeen, Beuck & Sagheer, *supra* note 6, at 7. See also Jean-Marie Henckaerts, *Annex. List of Customary Rules of International Humanitarian Law*, 87(857) INT’L REV. RED CROSS 7 (2005).



government personnel during the fighting have also been reported. Syrian army soldiers violently raped more than 400 women. Pregnant women are also the subject of torture and murder by the Syrian government forces. According to data provided by an independent Syrian research organization, the Syrian Centre for Policy Research, the conflict has resulted in more than 470,000 deaths and millions of injuries in Syria.<sup>40</sup> According to the OHCHR, a total of 3,500 people died during the period from March to November in 2011.<sup>41</sup> This report highlights the gravity of the situation and the significant loss of human life that occurred during this time frame.

## 6. The Concept of Humanitarian Interventions

The definition, applicability, and goal of humanitarian interventions are subsequent outcomes of a debate about whether or not states have the authority to use force to interfere in the internal affairs of other states in order to stop and repress widespread human rights violations.<sup>42</sup> Advocates of the humanitarian intervention argue that the protection of fundamental human rights is of utmost importance, which justifies intervention on behalf of oppressed citizen of another state. They argue that when a state commits cruelties against its people or persecutes them, humanitarian intervention becomes legally permissible.<sup>43</sup>

Conversely, opponents of the humanitarian intervention argue that such interventions often lead to the removal (overthrow) of the existing government. For example; the intervention carried out by Vietnam in Cambodia in 1979, as well as the Indian intervention in East Pakistan (now Bangladesh) in 1971, resulted in the forcible removal of the established governments in the respective intervened states. It was widely recognized that the primary objective of the invading forces was to safeguard their own self-serving socio-political or other vested interests, rather than prioritizing the protection of the fundamental human rights of the inhabitants of the invaded states.<sup>44</sup> Contemporary legal opinion is generally against the idea of humanitarian

<sup>40</sup> Mahmood & Javed, *supra* note 2, at 82.

<sup>41</sup> OHCHR, *supra* note 38.

<sup>42</sup> Ogunnowo & Chidozie, *supra* note 4, at 3.

<sup>43</sup> Ahmed Rashid, Is Humanitarian Intervention Ever Morally Justified?, E-International Relations (Mar. 13, 2012), <https://www.e-ir.info/2012/03/13/is-humanitarian-intervention-ever-morally-justified>. See also Tovie Oba, The Legality of Humanitarian Intervention, *Academia*, at 3-4, [https://www.academia.edu/34423441/THE\\_LEGALITY\\_OF\\_HUMANITARIAN\\_INTERVENTION](https://www.academia.edu/34423441/THE_LEGALITY_OF_HUMANITARIAN_INTERVENTION).

<sup>44</sup> MOHAMMAD JAN, PRINCIPLES OF PUBLIC INTERNATIONAL LAW: A MODERN APPROACH 408 (2015).

intervention due to three main reasons:

1. The UN Charter and the corpus of modern international law do not seem specifically to incorporate such a right.
2. Over the past two centuries, particularly since 1945, there have been only a few truly substantiated instances of humanitarian intervention according to the available records, and according to most evaluations, there have been none at all.
3. The potential for the misuse of such a right presents a compelling argument against its existence. Furthermore, engaging in humanitarian intervention without the consent of the intervened state can be seen as contradictory to the principle of state sovereignty.<sup>45</sup>

Humanitarian interventions generally happen when states fail to safeguard and protect their citizens during armed conflict. Therefore, intervening nations serve a variety of roles in conflicts as service providers, partners with international organizations, and contributors of humanitarian aid to parties at conflict. Some countries may argue that their intervention in Syria is justified on humanitarian grounds.<sup>46</sup> With regards to the Syrian crisis, however, there is no international legal ground for the humanitarian interventions justified by certain countries, except when authorized by the UN Security Council.

## 7. Responsibility to Protect

The “Responsibility to Protect” (R2P) refers to an intervention in a state by the international community (preferred to be carried out by the United Nations) for the purpose of preventing genocide, ethnic cleansing, mass killings, and other breaches of human rights from occurring in a government that is either unwilling or unable to stop these violence.<sup>47</sup> R2P highlights the obligation of every state to prevent severe human rights and humanitarian violations as occurred in Rwanda, Bosnia and

<sup>45</sup> United Kingdom Foreign Office, *Foreign Policy Document No. 148*, BRITS. Y.B. INT’L L. 614 (1986).

<sup>46</sup> Ogunnowo & Chidozie, *supra* note 4, at 3.

<sup>47</sup> Mohd Salleh & Usman Duguri, *The Legitimacy of “Responsibility to Protect” (R2P) in International Relations: A Conceptual Review*, 9(3) INT’L J. ACAD. RES. BUS. & SOC. SCI. 2 (2019).

Herzegovina (Srebrenica), and Sudan (Darfur) in past decades.<sup>48</sup> R2P has three main pillars:

1. Every state is legally bound to safeguard its citizens
2. The international community undertakes that obligation where state failed to protect its citizens.
3. It is the duty of the larger international community to support and encourage sovereign nations dealing with R2P situations.<sup>49</sup>

A question may arise whether the R2P doctrine may apply in Syrian crisis. The ongoing revolutions in the Arab world have brought about significant changes in geopolitical arrangements and foreign policies. The issue of a potential humanitarian intervention in Syria has become a point of contention in the international community. The situation in Syria is highly complex and challenging for any potential military intervention due to the guerrilla fighting and sectarian ties of both the rebels and government forces. The urban nature of the conflict also makes it difficult to avoid collateral damage if any form of intervention is used. In Syria, therefore, any sort of intervention will not be able to easily fix the complex issues at hand.<sup>50</sup>

Another issue is the veto power held by Russian Federation against the Security Council resolution regarding Syria. The deputy chairman of the Security Council, Dmitry Medvedev declared that Russia would veto and block any resolution and action in Syria.<sup>51</sup> As a result, R2P in the Syrian crisis is a challenging and intricate task due to the complexity of the conflict, involvement of multiple parties, and lack of consensus among international actors, all of which make it difficult to apply R2P effectively.

## 8. Conclusion

The Syrian civil war has become the longest and gravest conflict of the 21st century. Although millions of Syrians have been displaced with widespread destruction and human rights violation, it does not seem to end soon yet. Several attempts have been

<sup>48</sup> RESPONSIBILITY TO PROTECT: FROM PRINCIPLE TO PRACTICE 13 (André Nollkaemper & Julia Hoffmann eds., 2011).

<sup>49</sup> Minerva Nasser-Eddine, *How R2P Failed Syria*, 28 FLINDERS J. HIST. & POL. 3 (2012).

<sup>50</sup> Salleh & Duguri, *supra* note 47, at 8 & 9.

<sup>51</sup> HAMID, *supra* note 37, at 432.

made to resolve the crisis, but a lasting solution is yet to be found. One of the main challenges in finding a solution to the Syrian crisis is the involvement of multiple actors with competing interests. The Syrian government, opposition groups, regional powers, and international players have all been standoff maintaining their own irreconcilable stance in the conflict. The potential solution of the Syrian crisis can be found through negotiations between the government and opposition groups. This approach has been attempted before but has not been successful due to disagreements over key issues such as the role of President Bashar al-Assad.

The author would suggest the international community to continue providing humanitarian aid and support in order to rebuild Syria; promote stability; and address the urgent needs of the people. It is also important to empower local civic society and community leaders to take the lead in initiating peace-building from the grassroots level. This approach ensures the peace process inclusive responding to the Syrian people. Additionally, enforcing conflict resolution mechanisms such as peacekeeping measures and no-fly zones is essential to reduce violence and create a conducive environment for meaningful dialogue and reconciliation.

It is worth mentioning that achieving peace in Syria will require a long-term commitment from all stakeholders involved. The international community must work together with regional actors, neighboring countries, and relevant international organizations to find a sustainable solution that take away the root causes of the conflict involving diplomatic negotiations, mediation efforts, and fostering trust-building measures among conflicting parties.

Received: August 1, 2023

Modified: September 15, 2023

Accepted: November 1, 2023