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Syria and the Responsibility to Protect

By

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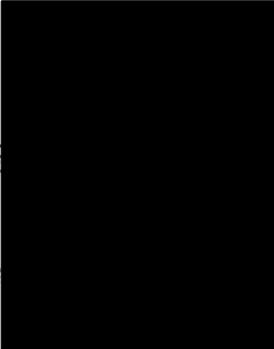
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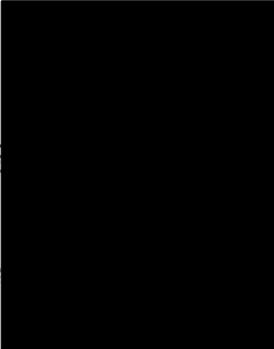
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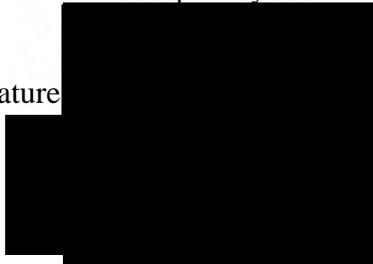
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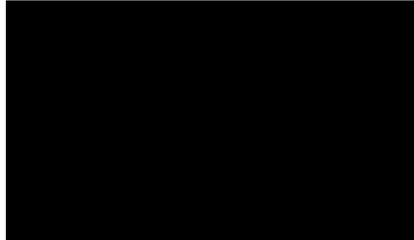
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Syria and the Responsibility to Protect

Karim Joseph Bayoud

ABSTRACT

The Arab Spring swept in 2011 igniting a process of regime change after decades of dictatorship and authoritarian rule. The revolutions in Tunisia and Egypt were relatively swift and painless and did not require humanitarian interventions. In the case of Libya, stiff and violent resistance from the Qadhafi regime prevented a peaceful transition. Subsequently, the North Atlantic Treaty Organization (NATO) drew on a Chapter VII UN Security Council resolution to undertake military action in order to end mass killings and other gross violations of human rights. In the case of Syria, although the casualties were significantly larger and the destruction greater, the UN Security Council was deadlocked, primarily because of the consecutive Russian and Chinese vetoes, and could not reach a decision authorizing humanitarian intervention. One aim of this thesis is to shed light on the underlying causes of this inconsistent international approach to humanitarian interventions. Stated otherwise, the thesis aims at exploring the motives behind the changed attitudes and conduct of Russia and China at the UN Security Council in the case of Syria. The paper further examines how this failure to interfere militarily to end the conflict intensified the need to provide aid to ever growing populations that have been affected by the ranging violence. This leads to an examination of the complex relationship between foreign military intervention and humanitarian aid. Arguing that the provision of aid is a substitute for humanitarian intervention when the political environment does not permit the latter, the thesis allocates ample space for discussing aid politics in the Syrian context.

Keywords: Humanitarian intervention, Responsibility to Protect, Humanitarian Aid, Aid Politics, Syrian Crisis, Liberal Internationalism, Realism.

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Glossary of Abbreviations Used

UN: United Nations

UNDP: United Nations Development Programme

UNSCR: United Nations Security Council Resolution

UNSC: United Nations Security Council

UNESCO United Nations Agency for Education, Science and Culture

UNHCR: United Nations high Commission for Refugees

GA: General Assembly

WFP: World Food Programme

GCC: Gulf Cooperation Council

NATO: North Atlantic Treaty Organization

US: United States

FSA: Free Syrian Army

GDP: Gross Domestic Product

IRGC: Iranian Revolutionary Guard Corps.

R2P: Responsibility to Protect

SIF: Syrian Islamic Front

SOC: Syrian Opposition Coalition/ National Coalition for Syrian Revolutionary and Opposition Forces

ICISS: International Commission on Intervention and State Sovereignty

NGO: Nongovernmental Organization

ICRC: International Committee of the Red Cross

AGOCO: Arabian Gulf Oil Company

WWII: World War Two

GNI: Gross National Income

ODA: Official Development Assistance

RRP: Regional Response Plan

PLO: Palestine Liberation Organization

Chapter One

The Syrian Crisis in the International Context

Introduction

What follows is a study of the reasons behind the failure of the international community represented by the UN Security Council to agree on a humanitarian intervention scenario in the case of Syria, despite the raging and escalating crisis in that country since March 2011. In addition to examining the motives of the permanent members of the UN Security Council, the thesis argues that the provision of aid to affected populations intensified because of the failure to end the crisis. I start with examining the theoretical and practical origins of the principles of humanitarian intervention and its realization in international norms and conventions such as the 1948 Universal Declaration of Human Rights and subsequent international conventions¹.

The Syrian Crisis in the International Context

The Arab Spring has become the catch phrase to capture the momentous and unprecedented transformations that the Arab World has been witnessing since 2011. After decades of dictatorship and authoritarian rule, the populations of different countries in North Africa and the Middle East finally called for fundamental and structural changes that would bring about democratic and Free states. The people

¹ “The Universal Declaration of Human Rights (UDHR) is a declaration adopted by the United Nations General Assembly on the 10th of December 1948 at the Palais de Chaillot in Paris. The Declaration arose directly from the experience of the Second World War and represented the first global expression of rights to which all human beings is inherently entitled”.

demanded an end to the long reigning dictators and their authoritarian regimes. They sought a political transition that would usher in democratic states that respond to the aspirations of the masses after decades of neglect. The revolt in Tunisia was swift and successful due to a combination of internal and external factors. On the internal front, the regime of Bin Ali crumbled when the military refused to fire at peaceful demonstrators. Equally important, the international community, especially France which had strong ties with the Bin Ali regime, adopted a pragmatic (even progressive) attitude acquiescing to the dynamics of change. In Egypt, the Mubarak regime manifested greater resilience resorting to limited violence to quell the protests. Similar to Tunisia however, the military opted not to enter into a direct confrontation with the masses and facilitated the ousting of Mubarak. As in Tunisia, the international community acted with pragmatism distancing itself from the ailing regime when it saw its internal weaknesses and inability to sustain itself without foreign backing and massive doses of violence. In both cases, the regimes were too weak and fractured to withstand popular pressure. In both countries regime change took place without any international intervention. (Panara, Wilson, 2013:87-88) In contrast the Libyan revolution lasted longer and the opposition was unable to overthrow the regime of Muammar Al Qadhafi. The regime responded with massive force utilizing the full power of its armed forces including its air force to crush the rebellion. For the first time since the onset of the Arab Spring, the international community represented by the UN Security Council had to come to a decision regarding Libya. Would it allow the Qadhafi regime to quell the revolt risking the lives of thousands and the possibility of localized pogroms such as in the rebel-held Province of Benghazi? Or would it authorize military intervention for humanitarian reasons (hereafter humanitarian interventions)? The Security Council opted for the

latter path through passing UNSC Resolution 1973². UNSC Resolution 1973 provided the legal ground for the NATO military intervention in Libya in the month of March Of the year 2011. NATO interfered through imposing a no-fly zone over opposition strongholds protecting thousands of lives. What allowed the passage of resolution 1973 was the decision of China and Russia to abstain from voting, instead of invoking their veto power. This is not the place however, to discuss the politics behind the passage of resolution 1973, it must be noted though, that the passage of the resolution represented the triumph of western diplomacy in softening the stances of Russia and China. This success was not to be replicated in the case of Syria partly because Russia and China were unhappy with the course of events that followed the adoption of the resolution. Both powers felt that NATO exceeded its mandate through a liberal interpretation of the authorization to establish a No-Fly Zone. This unease, and the feeling of being manipulated by the regional and western champions of the resolution, affected Russian and Chinese approaches to the Syrian crisis when the later was placed at the table of the Security Council. What must be stressed here is that no analysis of the Russian and Chinese approaches to UN Security Council discussions of the Syrian crisis can be properly conducted without understanding the significance of the damage caused (to Russia and China's relations with the West) by the Libyan resolution and its aftermath. (Sun, 2012:9)

With the Syrian Crisis, the Arab Spring took on a new dimension and even a new meaning. For some and especially because of the violence in Syria, the Arab Spring had become an Arab Autumn. What concerns us here, are the international dimensions of the Syrian crisis. Syria is different from Tunisia and Egypt where

² “UNSC Resolution 1973 demanded an immediate ceasefire in Libya, including an end to the attacks against civilians, which it said might constitute “crimes against humanity”, the Security Council imposed a ban on all flights in the country’s airspace — a no-fly zone — and tightened sanctions on the Qadhafi regime and its supporters”.

change took place rather quickly and peacefully. Syria is also different from Libya where at least in part change was imposed from the outside world through humanitarian intervention. In the case of Syria and despite massive casualties and unprecedented destruction to the economy and infrastructure, the international community was unable to act in unison and respond to the escalating humanitarian crisis. This is despite repeated acts of violence from government forces against innocent civilians and horrific violations of human rights. That being said; the world and the United Nations inconsistency in dealing with the Syrian crisis have become apparent; when none of the permanent members of the Security Council, agree to act, how are human rights maintained? (Evans, 2008:36) The international community represented by the United Nations, have although only in writing, made economic sanctions against the rulers of Syria, and directed strong criticism against the use of violence from the domestic military.

Syria has a number of similarities with the other countries that have been or are involved in the Arab Spring, but differs from, for example Libya, in an important manner, namely the lack of a UN endorsed humanitarian intervention. The economic sanctions and verbal denunciations have not shown efficacy. The international framework regarding interventions contains a number of criteria that should be met in order for the world to act. These criteria, however, are in certain cases not enough when the permanent members of the UN Security Council can ultimately use their veto and the resolution authorizing humanitarian interventions are not passed. Claiming that NATO had used UN Security Council Resolution 1973 to affect regime change in Libya while that resolution did not authorize such action. Russia and China opted to oppose a similar resolution on Syria out of concern that NATO would use it to carry out similar regime change. (Hall Findlay, 2011:24)

The permanent members of the UN Security Council play a crucial role in ensuring that human rights are protected, since their veto can determine whether an intervention with humanitarian goals can be performed or not. Motions for resolutions may have been rejected, as one of the permanent members considered that the proposal does not favor their own interests from a human rights perspective. These interests can thus risk innocent people's lives. In light of this philosophy, the Security Council permanent members' own interests should not affect their vote regarding a resolution. Having witnessed this development, a number of questions about the international community and the UN conduct in the case of Syria arise. Mainly, why did the international community fail to act when it is clear that human rights are violated on a daily basis in Syria? The United Nations Security Council is the body whose task is to strive to maintain world peace and the safety of human populations, but when the permanent members' own interests determine and set the agenda, the ability of the UN to fulfill its role in the area of protecting basic human rights erodes.

Aim of the study

The aims of this thesis are fourfold. First it elucidates the origins and evolution of the principle of humanitarian intervention, while shedding light on the major conventions that set the contexts for humanitarian intervention in the contemporary era. Second it elaborates on the complex relationship between humanitarian intervention and humanitarian aid with a special focus on the notion of Responsibility to Protect. In this regard, the thesis seeks to answer the following question: is humanitarian aid a substitute for humanitarian intervention. Third the

thesis explains the reasons behind the stalemate at the UN Security Council regarding Syria; namely the permanent members' inability to agree on a scenario for humanitarian intervention. Fourth it explains the role of humanitarian aid and aid politics when humanitarian intervention is not possible due to political considerations. Through addressing these pivotal questions with respect to Syria, it is hoped that the reader will be able to acquire a better understanding of the important international and humanitarian dimensions of the Syrian crisis.

Methodology

This study is based on a review of the secondary literature on humanitarian intervention, the right to protect, humanitarian aid and aid politics. This review is essential to understand why humanitarian intervention did not materialize in the case of Syria and how alternative approaches to alleviating human suffering particularly humanitarian aid were pursued. Additionally, the study examines primary sources in the form of United Nations Security Council resolutions, reports of international bodies, in particular the ICISS report, and pertinent international conventions and treaties. The approach adopted throughout this study is a qualitative one, highlighting the nuances and complexities of the concepts of humanitarian interventions, humanitarian aid and the right to protect as well as the contending state outlooks on these central notions. Through reviewing the stances of key players at the UN Security Council, the study underscores how the interests of the major powers affect their understandings of these concepts. The study further argues that the intrusion of interests into the realm of norms; as well as the priority states give to interests and their ability to interpret norms in a manner that serves their real politic objectives are all attestation to the continuous relevance of the realist tradition in understanding the basis of states international conduct. Through the careful examination of primary and secondary sources, the thesis seeks to illustrate the lack of universal operational definitions of the above notions despite their widespread usages. These conflicting understandings were significant impediments to reaching agreement at the UN Security Council regarding the Syrian crisis, the study argues.

Structure of the Thesis

Chapter 2 sheds light on the origins of the notion of humanitarian intervention and its development over the years to what it has come to represent today. It further examines the current legal framework on humanitarian interventions, and the different types or forms of intervention. The chapter also illustrates the criteria for an intervention to be justifiable on humanitarian ground from the vantage point of a key report issued by the “International Commission on Intervention and State Sovereignty” which was accepted by the UN World Summit in 2005. The chapter further discusses the collective responsibility of states to intervene and support the UN in responding to humanitarian crisis. Lastly, it explains the importance of norms in international relations and their significance in the development of the principles of humanitarian intervention.

Chapter 3 sheds light on the relationship between foreign military intervention and humanitarian aid. It highlights the shift in focus, from state sovereignty to human rights and the emergence of common principles on how the international community should react when human rights are violated. The Chapter further addresses the fundamental conflict between the protection of human rights and the protection of state sovereignty. It also examines the development of strong support for the principle of humanitarian intervention from the vintage point of a report issued by the International Commission on Intervention and State Sovereignty, (ICISS). Finally the chapter examines the raise of the concept of "Responsibility to Protect", which argues that states have an responsibility and an obligation to protect their citizens and civilians in other states from violations of human rights.

Chapter 4 sheds light on two attempted resolutions on Syria which failed to pass at the UN Security Council due to Russian and Chinese vetoes. The chapter seeks to explain the reasons behind the stances adopted by each of the United States, Russia and China with regards to humanitarian intervention in Syria. It investigates the underlying motives behind their conduct at the UN Security Council through interrogating pertinent UN documents as well as reviewing the secondary literature on the subject.

Chapter 5 sheds light on the history of aid politics and the changing international attitude towards aid assistance over the years. The chapter examines Aid politics in the case of Syria highlighting the intertwined relation between aid initiatives and political motives of external actors to the conflict. The chapter further explores Humanitarian aid initiatives in the absence of humanitarian intervention in the case of Syria and underscores that the principles of neutrality and impartiality are been hampered by political considerations of states on both sides of the conflict. The chapter concludes with a description of the UNHCR's Regional Response Plan for Syria and the various humanitarian programs and efforts UN agencies as well as national and international NGOs have put together to assist Syrian refugees.

Chapter Two

Humanitarian Intervention in Theory and Practice

Opening sentence

This chapter sheds light on the origins of the notion of humanitarian intervention and its development over the years to what it has come to represent today. It further examines the current legal framework on humanitarian interventions, and the different types or forms of intervention. The chapter also illustrates the criteria for an intervention to be justifiable on humanitarian ground from the vantage point of a key report issued by the “International Commission on Intervention and State Sovereignty” which was accepted by the UN World Summit in 2005. The chapter discusses the collective responsibility of states to intervene and support the UN in responding to humanitarian crisis. Lastly, the chapter explains the importance of norms in international relations and their significance in the development of the principles of humanitarian intervention.

Humanitarian Intervention: Its Origins, Evolution & Manifestation in International Conventions.

The notion of humanitarian intervention was first applied in the nineteenth century when European states intervened in the Ottoman Empire to protect the allegedly oppressed and vulnerable Christian minorities. (Linklater, 2011:35) It must be stated at the outset that the notion of humanitarian intervention represented an outgrowth of Western liberal-internationalist thought. (Linklater, 2011:22) Realist and Marxian

perspectives on international relations do not share this liberal-internationalist focus on humanitarian intervention. During the nineteenth century, European powers interfered primarily in the regions outside Europe frequently justifying such interventions under notions of civilizing and modernizing the Non-European populations. Humanitarian causes under the rubric of “white man burden” were often invoked to legitimate such interventions although it was evident that their motives were predominantly economic and geo-strategic. The balance of power in Europe and the doctrine of sovereignty acted in unison to deter European powers from interfering in each other’s affairs. The doctrines of sovereignty and humanitarian intervention coexisted in an uneasy tension. The sovereignty of the powerful European states was respected while that of weak and underdeveloped nations was stepped on. European interventions in the affairs of the Ottoman Empire were manifest proof of the limited application of the doctrine of sovereignty and the penchant of European powers to legitimate their interventions under humanitarian pretext. Among the European powers themselves, interventions in each others’ internal affairs were considered an act of war, as states were thought to have equal rights to protect their territorial sovereignty and citizens. Under prevalent norms about state sovereignty, states were expected to refrain from interfering in the internal affairs of other states regardless of the cause. (Kaldor, 2007:37) A more negative view of foreign interventions characterized the Post-World War II era that witnessed decolonization and the emergence of independent states. Imbued by a nationalist ideology, new states, mainly Third World countries, denounced interventions which to them resembled occupations that had occurred repeatedly throughout the colonial period by the great powers. (Finnemore, 2003:58) The newly independent states endorsed the originally European doctrine of state sovereignty and

non-intervention. In this respect, their perspectives on all forms of foreign intervention reflected an uneasy mix of Realist and Marxian elements blending realist attachment to sovereignty with a Marxian critique of all forms of western military interventions. The evolution of the notion of intervention continued during the Cold War era with the endorsement of the UN Charter in 1945 and the implications it incorporated on the rights of states to use force and intervene in the affairs of other states. A series of interventions took place during the Cold War, mainly by the two superpowers; the United States and the Soviet Union. However, these interventions were consistent with the standards that existed during that period, where interventions were primarily carried out to combat communism or capitalism, and were thus considered legitimate by the concerned superpower. Clearly though, such interventions had nothing to do with promoting humanitarian causes. They are best explained by realist theory of filling power vacuums in fear of being exploited by the rival superpower. (Kaldor, 2007:38)

More contemporary developments took place with the declarations of human rights that represented a paradigm shift in the direction of individual rights with the recognition of the inherent dignity and equal and inalienable rights of the “Human family”. The document was further developed through the various conventions on human rights that forbade states from the use of force against individuals, even if it was their own residents³. The end of the Cold War brought a mindset change when the humanitarian imperative became increasingly important in the international arena. The right to intervene on humanitarian ground did not exist in the UN Charter.

³ “The Universal Declaration of Human Rights set the foundation of international human rights law. Adopted in 1948, the UDHR has inspired a rich body of legally binding international human rights treaties that recognize that basic rights and fundamental freedoms are inherent to all human beings, inalienable and equally applicable to everyone, and that every one of us is born free and equal in dignity and rights”.

Accordingly, states had to legitimate humanitarian interventions (such as in the case of Kosovo) on different but related grounds, namely through their own interpretations of international conventions that appeared subsequent to the original UN Charter. (Reus-Smit, 2004:68) Consequently, the standards on human rights were modified and enhanced through the consecutive conventions leading to the emergence of common understandings of fundamental human rights, and so did the international laws regarding the UN responsibility to act become apparent⁴. On this ground, governments of major powers were ready to commit more resources and to modify their military postures to be able to respond more effectively to international crises that may warrant humanitarian intervention. (Falk, 2009:70)

While the UN Security Council has been the most logical arena for building consensus on humanitarian invention, its record in this regard has been inconsistent due to the political calculations of one or more of its permanent members. Disagreements on whether or not humanitarian interventions are warranted in specific cases have resulted in stalemate at the UN Security Council. Undoubtedly, this stalemate constituted a major hindrance to effective international responses to human rights violations. (Evans, 2008:175) A case in point is Syria where the international community, despite repeated attempts at the UN Security Council, has failed to develop a common response to the humanitarian crisis raging in the country since 2011.

While theoretically any state may seek to justify its interventions on humanitarian grounds, such interventions to be effective require the participation of one or more of

⁴“International human rights law lays down obligations which states are bound to respect. By becoming parties to international treaties, states assume obligations and duties under international law to respect, to protect, and to fulfill human rights. The obligation to respect means that states must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfill means that states must take positive action to facilitate the enjoyment of basic human rights”.

the major powers. Subsequently all cases of humanitarian interventions in the 20th century involved a major power or an international organization that is backed by major powers like NATO. The legitimacy of such interventions is enhanced when it is politically feasible to base them on enabling United Nations Security Council resolutions or when that is not possible on international conventions. In seeking legitimacy for international interventions, it is only natural to start at the UN Security Council. As aforementioned, Lack of concord among the major powers, however, curbs the role of the UN Security Council in the era of humanitarian interventions.

Humanitarian Intervention

Humanitarian interventions constitute one specific case of foreign military interventions. All military interventions involve the use of force without the consent of the state on whose territory the intervention is taking place. The only exception to the above is when the state itself is requesting the intervention in order to help it maintain internal order or to deter eminent external attacks. What sets humanitarian interventions apart from other forms of foreign military interventions is that they are carried out for humanitarian purposes. Humanitarian interventions are premised on the notion that the use of military force has become absolutely necessary to combat serious violations of human rights affecting large populations. This entails that other means for addressing these violations have been attempted but have failed. Stated otherwise, humanitarian interventions assume that under some rare circumstances the use of force against a sovereign state becomes necessary. Foreign military interventions can be justified on humanitarian grounds when they are undertaken for legitimate purposes: e.g. "Saving populations at risk". In this regard, advocates of

humanitarian interventions argue against considering them as “acts of war”. Foreign military interventions can be considered legitimate when they are endorsed by an enabling UN Security Council resolution on humanitarian rather than political ground. Examples of such interventions can be found in the cases of Somalia, Bosnia, and Rwanda. Those who favor interventions on humanitarian ground argue that such interventions are primarily implemented to comply with one of the United Nation's main goals, namely: respect for human rights. (Bring, Mahmoudi, Wrangle, 2011:167) A variety of factors are considered to legitimize an intervention, including genocide, ethnic cleansing, significant starvation and in cases where the government has collapsed, i.e. “failed states” and cannot take care of its people's most basic needs. (Karlsson, 2004:119) Furthermore, the report highlights the criteria that should govern how an intervention should be undertaken. These criteria were designed by the “International Commission on Intervention and State Sovereignty” (ICISS) in 2001. They were subsequently accepted by the UN World Summit in 2005, which is discussed below. (Weiss, 2007:116) These criteria highlight the following: 1) the grounds for intervening are legitimate, i.e. the intervention comes as a response to gross violations of human rights; 2) the interventions is a last resort measure being carried out only after other means have been exhausted; 3) the intervention is carried out with reasonable and proportional means; and 4) the intervention has a high chance of success. (ICISS, 2001)

Renowned international relations scholar Joseph Nye ranks humanitarian Interventions based on the degree of coercion involved from low to high. The different levels entail several possible actions that countries can use to combat the aforementioned human rights violations. At the lower rungs of the scale, these actions include verbal condemnations and public addresses to highlight gross human

rights violations. More escalatory measures feature the provision of financial support, the dispatching of military advisers and military support for aggrieved groups. Further steps involve blockades; limited military action and topping the list are full-fledged military invasion. (Nye, 2007:208-209)

Speeches and broadcasts, on the lowest end of the scale, are typically used to condemn certain behavior. Going beyond the above rhetorical devices, sometimes humanitarian intervention requires the provision of financial aid, military advice and the arming of aggrieved group in order to enable them to withstand the military might of the party carrying out the human rights violations. Further means of applying pressure on the latter may include imposing blockades which can be justified on the grounds of curtailing regime access to vital resources. This diminished access; it is argued, will curb the regimes ability to persevere in its violations of human rights. More escalatory steps involve limited military action through aiding the opposition with air or ground support, e.g. “no-fly zones and safe havens”. Topping the list are full scale military invasions that aim at overthrowing regimes that are accused of gross human rights violations. (Nye, 2007:206) While the international community has been and remains divided over the legitimacy of the 2003 US invasion of Iraq, apologists for the invasion invoked human rights violations by the regime as one albeit not the only reason for carrying it out. (Nye, 2007:208-210) The intervening state has a number of policy considerations to make before taking military action. These considerations include: the probability of success, the level of domestic and international public support for the military intervention, and whether or not all possible options have been exhausted prior to the initiation of the military action. (Reus-Smit, 2004:71) it goes without saying that

garnering public support for military action hinges on the ability of persuading publics that all other options have failed and that military action is truly a last resort.

At the United Nations World Summit in 2005, the participating countries agreed that all UN member states have a collective responsibility to protect their fellow citizens and those of neighboring states if there are civilian victims of injustice and human rights violations. (Nye, 2007:208-209) The document also refers to member states' collective responsibility and obligation to assist the United Nations in working towards these goals. (United Nations, 2005 World Summit Outcome) According to the document, pursuit of these goals shall be carried out through diplomatic and peaceful means when feasible in accordance with Chapters Six and Eight of the UN Charter. If these measures do not suffice, and if the domestic government is unable to protect its people, then the United Nations, through the Security Council, will be in a position to act in accordance with Chapter Seven of the UN Charter. (United Nations, 2005 World Summit Outcome). In the case of the Security Council inability to agree on a stance, or if a veto has been used, then there are other means to maintain international security such as referring the case to the UN General Assembly.

International Norms Governing Humanitarian Intervention

International norms constitute an integral part of the realm of international relations. Clearly, this thesis is not a study on international norms *per se* and their implications for international politics. What concern us here are those international norms that define the meaning, purposes and instruments of humanitarian intervention. In the absence of international norms it is impossible to distinguish between humanitarian interventions and acts of aggression.

In a seminal work on the subject, Jepperson, Wendt and Katzenstein define norms as "collective perceptions of appropriate behavior for a given identity". (Jepperson, et. al, 1996:54) This means that different identities can be expected to act according to different standards, as a police officer is expected to act in a particular way based on his/her identity as a police officer, for example. Norms are socially constructed and can evolve. Norms can also vary depending on the context. It is important to note that norms do not operate in a vacuum. They are to be viewed in relation to other pertinent norms and standards as they are interdependent. Accordingly, a change in one norm may also entail the strengthening or weakening of another norm. Alexander Wendt, the father of constructivism, has significantly advanced the study of norms and their importance in international relations. He argues that norms constitute an important part of the socially constructed environment or culture that shapes the states' behavior. Norms are shared beliefs about what constitutes right behavior that may manifest itself in acts. The effectiveness of norms is enhanced when they become widely disseminated and gain acceptance by the principal players in the international system. When internalized by international agents, norms become parameter setters of internationally acceptable behavior. (Wendt 1999:185) International norms gain strength when states act in accordance to them. Wendt exemplifies this by the principle of sovereignty. (Wendt 1999:185) Over the years, the notion of state sovereignty has come to be associated with state security. States define their safety based on the sovereignty principle. This approach to national security can be seen as natural but is actually an expression of the development of the sovereignty principle into an established international norm. (Wendt, 1992:414-415) On this ground, the constructivist explanation of why states comply with norms is

that the norms have become so integrated into systems that state defines their interest upon them. (Wendt, 1999:287-288)

States and norms interact and their relationship goes both ways. States adapt in order to comply with international norms, but also work simultaneously on adapting norms to their behavior. Martha Finnemore has studied the importance of norms, their emergence and spread within international relations. (Finnemore, 1996:24) She argues that the institutionalization of norms is important for their proliferation and stresses that international organizations have a pivotal role to play in enforcing them. For her, international organizations function as educators and mediators of norms insuring that states learn the meaning of the norms and the benefits of following them. (Finnemore, 1996:25) "Learning" is illustrated by Finnemore through the example of the United Nations Educational, Scientific and Cultural Organization: (UNESCO) which has influenced the change in states' views on the relationship between government and science. Before UNESCO's initiative, governments were interfering in science as a hindrance rather than aid, but the organizations' advocacy for "science thriving on government control" changed the setting. This was reflected in the creation of science bureaucracies in a considerable number of states around the world. (Finnemore, 1996:63) Organizations such as the Red Cross have had an impact on norm diffusion and change in the humanitarian spectrum. In 1864 at the Geneva Conference, participating states agreed to abide by the humanitarian principles set by Red Cross founder Henry Dunant. The values and principles set in the Geneva Convention and later the Universal Declaration of Human Rights have become goals within themselves. On this ground, Finnemore argues that norms and morality influence state behavior, because the reasons why states perform actions

dictated by norms do not always comply with their views of materialist theories of state interests. (Finnemore, 1996:72-73)

Nevertheless, tension and conflict between different norms are natural because norms tend to supplement rather than complement each other, and debates in politics are the tug of the war on norms. (Finnemore, 1996:135-136) A norms' attraction lies both in the norms' quality and the quality of those who advocate it. It is likely that norms that have been successfully propagated, gain a stronger international impact, which is why many "western values" are widely disseminated. Clear and specific norms have better possibilities of international penetration than ambiguous and vague norms. Even norms that make universal assumptions have good opportunities to spread when the values they advocate are cross-cultural. Therefore, the norms that would alleviate sufferings of vulnerable and innocent people have a head start because they are aligned with universal notions of what is right. (Finnemore & Sikkink: 1998: 179)

Humanitarian Aid

The 'humanitarian imperative', the ethical basis of most humanitarian organizations, states that there is an obligation to provide professional assistance unconditionally wherever and whenever it is needed. (Schweitzer, 2004:548) On this ground, this section sheds light on the theoretical framework behind the notion of humanitarian aid in the eyes of its advocates.

Humanitarian aid means, both at the conceptual and operational level, an unwavering commitment to primarily aid people in need and alleviate human suffering, as well as

provide assistance that puts the individual first. (Schweitzer, 2004:524) The individual's inherent right to live and enjoy vital resources is superior to other priorities in the arena of humanitarian aid. People have absolute rights. These are the right to life, liberty and property. Accordingly, the above precepts set the foundations for fair and ethical humanitarian aid work. (Badersten, 2006:24) In contrast, injustice occurs when absolute and inherent human rights are violated by individuals, groups or states. As per the Universal Declaration of Human Rights, human beings have a natural right to life and therefore a person's own value has precedence over other values. (Roberts, 2007:235) Directly linked to these ethical reasoning and values, lay the foundations of many humanitarian activities, explains the Red Cross founder Henry Dunant. His values were set when he had been an eyewitness to the Battle of Solferino, in 1859. During that period Dunant documented what he saw and thought of from his observations of how civil and military actors were treated in war. At a diplomatic conference in 1864, the Geneva Conventions were founded and established Dunant's values. Dunant's memoirs and conventions laid the foundation for the established humanitarian principles; humanity, independence, neutrality, voluntary help/service, unification and universality. (The Convention for the Amelioration of the Condition of Wounded in Armies in the Fields, ICRC:1864)⁵ while the latter three are for internal work of the Red Cross; the others are generally accepted principles that guide humanitarian organizations and act as an ethical framework for humanitarian work in general. After a Century and a half, the guiding principles that were set in Geneva, serve as a framework for humanitarian aid,

⁵“After the successful termination of the Geneva Conference of 1863, the Swiss Federal Council, on the initiative of the Geneva Committee, invited the governments of all European and several American states to a diplomatic conference for the purpose of adopting a convention for the amelioration of the condition of the wounded in war. The conference, at which 16 states were represented, lasted from 8-22 August 1864. The draft convention submitted to the conference, which was prepared by the Geneva Committee, was adopted by the Conference without major alterations. (ICRC)”

explaining how aid must be carried out fairly and ethically. The principles state that humanitarian work should be unconditional, impartial and be performed wherever and whenever there is a need. (Schweitzer, 2004:547) Accordingly, an individual in need is the overarching priority, regardless of location, political, religious or ethnic affiliations. It is important that these principles are applied, and humanitarian aid must always be separated from the military activities. The obligation to provide assistance based on the aforementioned principles is available in the Geneva Convention and the right to life is contained in the United Nations Universal Declaration of Human Rights. With regards to the protection of civilians in military conflicts, the humanitarian law states that there should be a clear distinction between civilians and military personnel in war situations. (Schweitzer, 2004:552)

The Red Cross and other organizations that advocate the importance of applying traditional principles of humanitarian aid place particular importance on respecting the neutrality principle. The principle that work should be performed neutrally means in practice that humanitarian workers can gain access to people in need, even in violent conflict areas. It also means that aid agencies are not to take sides in the conflict's context. It is important that humanitarian workers continue to maintain their status as neutral actors in conflict situations, just to be able to reach out to the people who need help the most, even if they are difficult to access and regardless of the role they play in the conflict. (Schweitzer, 2004:552)

The climate of the contemporary crisis and conflict is more complex, especially after events of September 11. That's when the humanitarian principles began to be seriously disputed after decades of progress. So how can the Red Cross (hereinafter referred to as ICRC, the international designation of an organization that stands for the International Committee of the Red Cross) motivate that the watchwords for

humanitarian aid still are and should be neutral, independent and impartial? As mentioned earlier, neutrality implies according to ICRC that the organization takes a neutral position in conflict-affected areas and tries to gain access to all parties to the conflict in terms of both relief and dialogue. With this approach, ICRC seeks to ensure that different parties to the conflict understand and respect the neutrality principle it adopts and ultimately humanitarian law. (Krahenbuhl, 2004:511)

Working under the principle of impartiality means that humanitarian organizations operate in vulnerable areas to support people in need, regardless of origin, religion, sex, or other variables. The principle points out that aid should be governed by humanitarian needs solely highlighting the importance of assisting and protecting individuals at all times. (Krahenbuhl, 2004:511)

Various forms of conditional assistance as the next section contains may mean that the principle of impartiality is not applied. Conditional aid, which may resemble political positions for or against one or another party to the conflict, risks leading to the creation of hierarchies among the victims. Serbs, Hutus, Iraqis and Afghans have all experienced the effect of political, humanitarian aid. These groups have automatically been undeserved for humanitarian assistance due to the violation of human rights orchestrated by their governments at a point in history. According to Fox, several aid organizations withdrew humanitarian aid in Afghanistan due to reservations regarding the treatment of women in that country. Fox writes that this shows how political rights are superior to human needs of vital resources. (Fox, 2001:282)

The principle of independent humanitarian assistance primarily means that humanitarian development organizations should stay away from political and military interests in all respects. The importance of applying this principle is that parties to the conflict often tend to repel humanitarian actors, or at worst, use

violence against them, when it is suspected that they have political purposes to assist with aid. (Krahenbuhl, 2004:511) Humanitarian assistance should aim for development, democracy and human rights. These arguments have grown strong in an increasing number of humanitarian organizations when experiencing serious problems in the application of humanitarian principles for aid work. There is, moreover, a quest for some kind of politically conscious assistance and the overall aim is to integrate human rights and peace building actions in the humanitarian sphere. (Fox, 2001:276) Proponents of reforming humanitarian assistance, both in principle and practice, thus have a wider and longer-term development perspective in mind. (Fox, 2001:280) The new humanitarianism aims to assess the long-term implications that these emergency situations lead to. (Fox, 2001:275) But how can one know when a humanitarian intervention is necessary? Bentham writes that it is almost always possible to figure out what is morally right to do in a particular situation when one can assess the expected effect of the action. Therefore, one can use the probability theory to calculate if humanitarian aid actions should be performed or not, and whether aid initiative will result in positive or negative consequences on the targeted populations. (Roberts, 2007:188)

The “Humanitarian Agenda 2015” is a concrete example of this approach.⁶ The project, which is part of a wider research on humanitarian intervention, maps out humanitarian assistance challenges and provides guiding principles on humanitarian conduct. The authors behind the project believe that it is time to revise the values that humanitarian aid stems from. (Donini, 2006:5) Organizations that echo these

⁶ “This report summarizes the findings of a major research project on the constraints, challenges, and compromises affecting humanitarian action in conflict and crisis settings. The building blocks are 12 case studies of local perceptions of humanitarian action, conducted in 2006 and 2007 in Afghanistan, Burundi, Colombia, the Democratic Republic of Congo, Iraq, Liberia, Nepal, northern Uganda, the occupied Palestinian territory (OPT), Pakistan, Sri Lanka, and Sudan.” For more on the Humanitarian Agenda 2015 please see: <http://www.alnap.org/resource/8761>

positions argue that it is essential to address the causes of a crisis while addressing its effects if we are to contribute effectively to the permanent alleviation of human suffering. Ethiopia is an example of a country that never had the chance to recover from the famine crisis in the 1980's in spite of the consistent humanitarian support it had received. Consequently, the country became persistently dependent on food aid. (Jamieson, 2004:153) So how should humanitarian assistance relate to the difficult humanitarian situations that violent conflicts contribute to?

The doctrine's positions (The Humanitarian Agenda 2015) are based on the consequences of human action being addressed. Proponents of the doctrine support those actions that they believe give the best expected consequences. The values that should be taken into account, above all else, are human welfare and human interests. In practice, this means a humanitarian aid that strives for democracy, development and human rights rather than the sole provision of life saving resources and services.

Chapter Three

Humanitarian Intervention and the Responsibility to Protect

Opening sentence

This chapter sheds light on the relationship between foreign military intervention and humanitarian aid. The chapter examines the shift in focus, from state sovereignty to human rights and the emergence of common principles on how the international community should react when human rights are violated. The Chapter further addresses the fundamental conflict between the protection of human rights and the protection of state sovereignty. The Chapter also examines the development of strong support for the principle of humanitarian intervention from the vintage point of a report issued by the International Commission on Intervention and State Sovereignty, (ICISS). Finally the chapter highlights the raise of the concept of "Responsibility to Protect", which argues that states have a responsibility and an obligation to protect their citizens and civilians in other states from violations of human rights.

The Relation between Humanitarian Intervention & Humanitarian Aid

Over the years, the International Community faced many challenges in its efforts to maintain peace in the world. An important goal of the United Nations is to promote human rights, while respecting the doctrine of state sovereignty. (Linklater, 2011:84)

The latter principle of state sovereignty has proven on several occasions to be a major obstacle for the UN to intervene and assist civilians subjected to human rights violations. (Linklater, 2011:77) This is due to the fundamental conflict between the protection of human rights and the protection of state sovereignty in the international system. Consequently, the problem was that very little was said on how the international community should react when human rights are violated in another state. Realism has for long been the dominant tradition in international politics emphasizing the centrality of the state in international relations and its sovereign right to manage its internal affairs. (Dunne & Smith, 2005:87) Nevertheless, there has recently been a shift in focus, from state sovereignty to human rights, the rights of individuals began to assume a more central space in debates at the international arena. The importance of the human rights aspect increased significantly over the years. (Hoffman, et al. 2012) Stated otherwise, the notion of humanitarian intervention has become more and more accepted by states when human rights are violated. Building on the above, the section attempts to answer the following basic question: What is the relationship between humanitarian intervention and humanitarian aid?

Foreign military Interventions for humanitarian purposes have always been controversial regardless to whether they do occur or not. The case of Bosnia in the 1990s, presents a good example of a situation where NATO intervened militarily on humanitarian ground without securing an enabling resolution from the UN Security Council to legitimize their intervention. (Dunne & Smith, 2005:94) It was during this period that the question of intervention assumed prominence on the international agenda igniting major debates between advocates and critics. (Global Centre for the Responsibility to Protect, 2008) Kofi Annan, UN Secretary General at that time had

been deliberately addressing the issue of humanitarian intervention and calling for reforms within the UN system in this regard. Annan argued for years that the UN system should allow intervention by the outside world in countries which do not live up to the commitment to protect their populations from genocide, mass killing, and massive and repeated violations of human rights. (Hoffmann et. al, 2012) In 1998, Annan had the following to say in a press release:

"State frontiers should no longer be seen as a watertight protection for war criminals or mass murderers." (Annan, 1998)

At the UN General Assembly's 54th session in September 1999, Annan challenged the international community to establish joint principles to clarify UN Charter provision on how to protect humanity. He warned that people can and will seek solutions to peace and justice elsewhere if the UN is not allowed the opportunity to offer these basic and essential existential rights. A year later, Annan wrote his "Millennium Report", and highlighted the following:

"If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violations of human rights that affect every precept of our common humanity?" (ICISS, 2001:2)

Building on that momentum, in September 2000, the Canadian government put together a commission, "the International Commission on Intervention and State Sovereignty" (ICISS), which would take on the task of trying to find a solution to the dilemma of humanitarian intervention⁷. The Commission (ICISS) would try to find

⁷ "The International Commission on Intervention and State Sovereignty (ICISS) was an ad hoc commission of participants which in 2001 worked to popularize the concept of humanitarian intervention and democracy-restoring intervention under the name of "Responsibility to protect". The

new common ground for the General Secretariat of the United Nations, so that political consensus could more easily be reached and thus the international community would get better at addressing human crises in the future. (ICISS, 2001)

The work they did resulted a year later in a report called "Responsibility to Protect".⁸

The concept of "Responsibility to Protect", as the report presents, means above all that the state has an obligation to protect its people against violations of human rights. If this is not achieved, the international community has an obligation to intervene to ensure the protection of the civilian population. The report highlights three specific obligations: 1) the obligation to prevent, 2) the obligation to respond and 3) the obligation to rebuild. (ICISS, 2001)

The obligation to prevent is one of the most important parts of the report and implies that causes for an internal conflict or crisis should be resisted. This applies to both the immediate and the underlying causes such as poverty or oppressive policies. The obligation to respond means that the action will take place in situations where people are in need of protection. This can be done through sanctions, diplomacy, and in extreme cases military intervention. Military intervention and humanitarian intervention could hence be on equal grounds, but more serious threats are required for military intervention to take place. It is this part that is most controversial. Responsibility to rebuild refer particularly to the period that follows a military intervention and means that support should be offered to the state in question to

Commission was founded by Gareth Evans and Mohamed Sahnoun under the authority of the Canadian Government and consisted of members from the UN General Assembly."

⁸ "The norm of Responsibility to Protect (R2P) was born out of the international community's failure to respond to tragedies such as the Rwandan genocide in 1994 and the massacre in Srebrenica in 1995. Kofi Annan, who was Assistant Secretary-General at the UN Department for Peacekeeping Operations during the Rwandan genocide, realized the international community's failure to respond was not accepted."

stabilize and find reconciliation and that solutions to the problems that led to the intervention should be sought. (ICISS, 2001)

Critical Analysis of the ICISS Report

While the report issued by the International Commission on Intervention and State Sovereignty suggests some solutions for the problem of interventions, there are still parts of it that can be criticized and questioned. To account for the relationship between humanitarian intervention and humanitarian aid, a critical analysis of ICISS's report is herewith presented. The report will be examined in order to analyze if the argument is sustained and thus be able to answer the question: What is the relationship between humanitarian intervention and humanitarian aid? Different interpretations will be presented with concrete examples in the form of selections from the report.

The most important of the three pillars of the ICISS report is described as the obligation to prevent conflict; i.e. "preventive support". In this regard the report states that: "Strong support from the international community to prevent conflict is needed." (ICISS, 2001:19)

However, there remains a gap between rhetoric and actual financial and political support for prevention." (ICISS, 2001:20-21) This can lead to uncertainty about who will be responsible for the financing of preventive support. Does this mean that UN member states have an obligation to contribute to the financing of aid to countries in need? It can also be problematic to determine which countries deserve support under the preventive support principle. The report further stresses the importance of

developing proper understanding of the dynamics in the country concerned as a prerequisite for an intervention to be effective and states:

"Conflict prevention measures, like other forms of assistance, are always best implemented when based on detailed knowledge and understanding, and maximum possible cooperation between the helpers and those being helped." (ICISS, 2001:23-24) But the question is how much information and understanding needs to be reached before it becomes accepted to act. Conversely, how long would it be acceptable to wait and gather information before undertaking action? This makes it difficult to interpret the boundaries between the peaceful and military means, which can both lead to an insufficient or disproportionate intervention of an outside party.

The report further sheds light on the problems that can arise when a foreign power uses means to prevent a deterioration of the situation in a different state and argues that: "It is overpriced critical in this regard that those wanting to help from outside completely recognize and respect the notion of sovereignty and territorial integrity." (ICISS, 2001:25)

But this argument is problematic and sets plenty of space for ambiguity. This notion implies going beyond being able to understand the state because the report is addressing the necessity of respecting state sovereignty from the lens of a humanitarian intervention. But this can ultimately lead to misunderstandings because it is hard to know where to draw the line between respecting sovereignty and respecting human rights. The report adds that it is important to have an operational strategy and someone who leads the campaign, a "lead player". This however, could also be problematic because it is not clear who should take on this leadership role, which could lead to conflict. (ICISS, 2001:26)

The report later delves into the second part of the principle of "Responsibility to Protect", which is the responsibility to react, explaining when military interventions are justified and arguing that: "The responsibility to react with military coercion can only be justified when the responsibility to prevent has been fully discharged." (ICISS, 2001:36) The report further argues that it is therefore not justifiable to use an intervention unless all peaceful means have been exhausted, indicating that: "The failure of either root causes or direct prevention measures to stave off or contain a humanitarian crisis or conflict do not mean that military action is necessarily required." (ICISS, 2001:29)

So this means that a great deal of conflict is necessary for an intervention to be justified. However, the report argues that there may be exceptions which then have to be justified as follows: "There must be reasonable grounds for believing that, in all the circumstances should, if the measure had been attempted it would not have succeeded." (ICISS, 2001:36)

The hard part however, is finding the balance between these two. A military intervention will not take place if peaceful means are not fully exhausted unless there are grounds to believe that further peaceful means would not succeed. This can lead to ambiguities in the decision-taking to go in with an intervention or not.

The report further notes that military interventions should have: "Reasonable chance of success". (ICISS, 2001:37) This begs the question of how to ensure that there are reasonable chances of success, and who will take a decision on whether or not this is the case. An intervention can always lead to unpredictable effects possibly altering the prospects for success.

When talking about interventions, the report advocates for internal solutions of humanitarian crisis as a primary means for addressing the issue. The report however states that there is reason to override the non-intervention principle in certain cases when the violence is of a magnitude that: "Shock the conscience of mankind" or when it creates a "clear and present threat to international security." (ICISS, 2001:31)

Nevertheless, it is difficult to define what can be classified as shocking human consciousness. The report clarifies this statement with two factors, namely major loss of life or ethnic cleansing on a massive scale. While shocking, these two phenomena cannot be easily operationalized. What precisely does "large scale" mean? It's hard to know where to draw the line. By large scale, ICISS means that the number of casualties varies from case to case and that it is the UN Security Council which is primarily designed to determine the magnitude of a crisis. Clearly however, the UN Security Council may not be able to reach agreement in specific cases. To clarify the scope of the shocking human consciousness, the report gives some examples that would fall within this concept. These include among others: "Situations of state collapse and the resultant exposure of the population to mass starvation and/or civil war; and overwhelming natural or environmental catastrophes, where the state concerned is either unwilling or unable to cope, or call for assistance, and significant loss of life is occurring or threatened." (ICISS, 2001:33)

This can be interpreted to mean that one should go in with military intervention at the instance of the state's collapse, when civilians are suffering. The report indicates, however, that the military intervention cannot occur when for example systematic discrimination occurs but then underscores the following: "The Commission's view is that the military intervention for human protection purposes should be restricted exclusively, here as elsewhere, to those situations where large scale loss of civilian

life or ethnic cleansing is threatened or taking place." (ICISS, 2001:34) There is a certain contradiction between these two criteria, which can lead to disagreement on a decision regarding military intervention. In such a situation, it may also be questioned who decides on the magnitude of the threats and their possible outcomes. (Hoffmann, et. al, 2012)

Subsequently, the report addresses the problems that arise when United Nations Security Council fails to act, in response to human rights violations, arguing that other players can step in, such as regional and sub regional organizations or a collection of states. The report stresses however, that such a situation would lead to the UN losing much of its credibility. Although the ICISS suggests such an approach may lead to undesirable effects and that the best authority is the UN, it also notes that a failure to act is unacceptable. This risk, however, just as the ICISS suspect, could be misinterpreted and lead to interventions done for the wrong reasons and in turn may harm the civilian population. (ICISS, 2001)

The report finally addresses the operational part of the intervention, emphasizing that: "If a military intervention is to be contemplated, careful advance planning is a prerequisite for success." (ICISS, 2001:58) However, this emphasis in the report on "careful advanced planning" conflicts with its earlier stress on prompt action in cases of gross violations to prevent mass violations of human rights.

In a nutshell, the ICISS report grapples with the relationship between humanitarian intervention and humanitarian aid, without offering satisfactory answers to where to draw the demarcation lines between these two related albeit distinct notions. However, the international community has agreed that humanitarian assistance is the first step in a situation that is escalating towards human rights violations.

Humanitarian aid should be the first action in such a situation. When the situation deteriorates to the extent that people are threatened and/or die in large numbers due to executions or climate disasters, military intervention should occur. (Hoffmann, et. al, 2012)

Despite these ambiguities, the ICISS report pioneered the notion of “Responsibility to Protect” as a bridge between humanitarian aid and humanitarian intervention. It is to this important and novel principle that we turn next.

Responsibility to Protect

As mentioned before, Responsibility to Protect is a report written by ICISS in 2001, and was accepted by the United Nation in 2005. The report provides suggestions on how the United Nations should respond when a state is unable or unwilling to protect its own population. According to Responsibility to Protect, the UN has an obligation to use diplomatic, humanitarian and other peaceful means to protect populations in danger. When this obligation cannot be fulfilled via peaceful means, the report suggests that the United Nations should be willing to contemplate the possibility of resorting to military intervention as long as it can be demonstrated that this is a last resort measure. (Hoffmann, 2012)

R2P or “Responsibility to Protect” has since its formulation in 2001 become increasingly accepted in the UN system. Actors within and outside the United Nations have worked to advocate the norm. R2P has, according to constructivist theory, good opportunities for international penetration. These opportunities have partly to do with the norm properties, since R2P applies to all people and appeals to

different cultures. R2P's good opportunities are also reflected in the quality of those who advocate the norm; who are often well educated and skilled to spread norms, not least through their professional roles, such as the UN Secretary General Kofi Annan. Currently there are very few cases of interventions under R2P to be able to draw valid conclusions about the norms effectiveness. Nevertheless, the prospects of growing acceptance of R2P by members of the international community are reasonably good. However, applying R2P on a broad scale can be problematic for a combination of normative and practical considerations. Normatively speaking, there is still resistance to R2P from a number of states because of the obvious tensions with the counter principle of state sovereignty. This resistance will probably grow if more cases are brought to the UN with demands for intervention under R2P. Practically speaking, state interests especially those of the major powers could hinder specific interventions under R2P when a major power has vested interests that would be compromised in case of an intervention. To elaborate on this idea, widespread resort to R2P can be more problematic because stronger practical establishment of R2P means changes in how states interact both within and outside the UN. There have not been many cases of R2P interventions to judge comfortably on the principle and its success in international conduct in the arena of human rights interventions. Burma and Darfur were interpreted by some as failed attempts to apply R2P. In reality, the R2P principle was not invoked in either case, subsequently the events in those two countries do not fall under the purview of R2P interventions.

While the World Summit in 2005 provided a boost for R2P, what the UN accepted at that juncture did not constitute an unqualified endorsement of the principle by the international community especially since two major powers, Russia and China abstained from voting. Without diminishing the significance of the 2005 World

Summit, what was agreed on did not amount to a watershed in the evolution of international norms regarding humanitarian intervention. This is the realistic reading of the World Summit which advocates of R2P challenge. Nevertheless, there is no clear framework on how long a norm-cascade lasts or how exactly significantly and intense it is. "One possible explanation for R2P can be a tipping point followed by a sort of norm drizzle rather than a norm cascade where the norm "drizzles" on the international community. But a long time of drizzle may also involve flooding."(Finnemore, 1996:142) For example, it took years for the sovereignty principle to crystallize and achieve the level of universal acceptance it has today. In a similar vein, the norms pertaining to R2P, including how to define the relationship between humanitarian intervention and humanitarian aid, are still being shaped. At this stage R2P has not yet gained the level of universal acceptance to overrule the sovereignty principle which many states including a number of major powers still adhere to as the principle norm to organize international relations. On another front, there is room for improvement when it comes to how R2P addresses specific questions, such as the circumstances that warrant an intervention and whether such intervention is to take the form of humanitarian intervention, humanitarian aid or the blend of both. Stated otherwise, when to give aid or when to bring out the military forces to resolve an international or national crisis, involving the breaking of human rights remains unclear. (Finnemore, 1996:143-144)

Responsibility to Protect in light of September 11

One cannot properly discuss R2P without placing it in its proper historic context. For shortly after its promulgation, the United States was subjected to the attacks of

September 11. The attacks of September 11 represented a major watershed in international relations. In "Humanitarian Intervention and the Responsibility to Protect after the 9/11" Molier argues that the attacks triggered major changes in international attitudes about humanitarian intervention and notes that R2P could not have come at a worse timing. (Molier, 2006) For shortly after its promulgation the international community became seized with the attacks of 9/11 and their repercussions as far as the US response to the attacks. The attention of the international community shifted from deliberating R2P to managing the consequences of 9/11. If coordination is important when introducing new programs, one cannot imagine a worse timing for R2P. R2P report was published just weeks before September 11, 2001. As aforementioned, R2P was born in response to the violent conflicts of the 1990s which the international community failed to address. Despite positive attitudes towards R2P, the repercussions of 9/11 on the political environment led to the resurgence of realism in responding to international crisis. What has changed the most was America's international conduct. On the first anniversary of 9/11 President George W. Bush inaugurated a new doctrine to guide America's foreign and defense policy: the so called Bush Doctrine.⁹ While the United States was one of the principle champions of R2P, its priorities and those of the western world shifted after 9/11. The War on terrorism took precedence over consensus building on humanitarian intervention. While R2P sought to improve cooperation in addressing international conflict, the United States under the Bush

⁹ "The Bush Doctrine is a phrase used to describe various related foreign policy principles of former United States president George W. Bush. The phrase initially described the policy that the United States had the right to secure itself from countries that harbor or give aid to terrorist groups, which was used to justify the 2001 invasion of Afghanistan. Later it came to include additional elements, including the controversial policy of preventive war, which held that the United States should depose foreign regimes that represented a potential or perceived threat to the security of the United States, even if that threat was not immediate; a policy of spreading democracy around the world, especially in the Middle East, as a strategy for combating terrorism; and a willingness to pursue U.S. military interests in a unilateral way. Some of these policies were codified in a National Security Council text entitled the National Security Strategy of the United States published on September 20, 2002."

Doctrine appropriated for itself the right to intervene unilaterally whenever it perceived a threat to its security. As Molier argues, the essence of the Bush Doctrine “was that the United States reserved for itself the right to use force, if necessary unilaterally, against potential threats to its national security.” (Molier, 2006:46)

September 11 is still challenging for R2P, although R2P was a concrete proposal, it was also an invitation for broader cooperation between state and non-state actors. 9/11 got almost all the attention in the media, which caused R2P to fall of the raider for a number of years until it was resurrected at the 2005 UN World Summit.

Chapter Four

The Failure of the International Community in Syria

Opening sentence

Building on the above this chapter sheds light on two attempted resolutions on Syria which failed to pass at the UN Security Council due to Russian and Chinese vetoes. The chapter seeks to explain the reasons behind the stances adopted by each of the United States, Russia and China with regards to humanitarian intervention in Syria. It investigates the underlying motives behind their conduct at the UN Security Council through interrogating pertinent UN documents as well as reviewing the secondary literature on the subject.

Draft UN Security Council Resolution 6627 of October 4, 2011

UN Security Council draft resolution 6627 was primarily intended to strongly condemn the “crimes” committed by the Syrian regime against protesters, and called for the human rights violations to cease immediately.¹⁰ Nine out of fifteen Security Council members voted for the resolution, these included: Bosnia and Herzegovina, Colombia, France, Gabon, Germany, Nigeria, Portugal, the United Kingdom and the United States. Four members abstained from voting; Brazil, India, Lebanon and South Africa. The two remaining nations, China and Russia, chose to use their veto

¹⁰ “Security Council failed to adopt a resolution that would have condemned “grave and systematic human rights violations” in Syria, and would have warned of options for action to be considered against the Government of President Bashar al-Assad if the unfolding situation warranted, including measures under the section of the United Nations Charter that allowed sanctions. The resolution further demanded that Syrian authorities immediately stop using force against civilians and allow the exercise of freedom of expression, peaceful assembly and other fundamental rights.”

power, which resulted in the resolution not going through. (United Nations News Centre, 2011)

Draft UNSC Resolution 6711 of February 4, 2012

UN Security Council Draft resolution 6711 was introduced by Morocco and was produced by the Arab League. The goal of this resolution was to carry out a political transition in Syria, towards a more open and democratic system. This would be done through dialogue between the regime and most of the opposition, with the supervision and guidance of the Arab League delegates. The transition also meant that the Syrian vice president would become the one in power. Furthermore, the violence against civilians was once again condemned, and the resolution would also require the Syrian military to withdraw its troops from the cities, and thus allow peaceful demonstrations to take place¹¹. (United Nations News Centre, 2012) The Members of the Security Council agreed at an early stage that the economic sanctions and other punishments against Syria would be repealed, in an attempt to persuade Russia, but China and Russia used their veto power again¹². (Sharp, 2012:16)

¹¹ “The Russian Federation and China vetoed Draft UNSC resolution that would have demanded that all parties in Syria — both Government forces and armed opposition groups — stop all violence and reprisals. That plan, outlined in the Council’s text, would have demanded that Syria immediately cease all violence and protect its population; release all persons detained arbitrarily; withdraw all military and armed forces from cities and towns; and guarantee the freedom to hold peaceful demonstrations. It would have called for “an inclusive Syrian-led political process conducted in an environment free from violence, fear, intimidation and extremism, and aimed at effectively addressing the legitimate aspirations and concerns of the Syrian people”.

¹² “Explaining his negative vote, the representative of the Russian Federation said that the draft resolution sought to send an “unbalanced” message to Syria. Moreover, no proposal had been made to end attacks by armed groups, or their association with extremists. Stressing that the violence and bloodshed must end immediately, he announced that the Russian Government was taking direct action by sending high-level officials to meet with Syrian President Bashar al-Assad on 7 February. Yet, while the Russian Federation was committed to finding a solution, some influential members of the

The Position of the United States in the Syrian Crisis

Prior to the onset of the Syrian crisis in March 2011, the United States has historically shown respect for Syrian sovereignty refraining from interfering in Syria's internal affairs while recognizing Syria's territorial integrity including its right to the Golan Heights. The escalation of the Syrian crisis and the regimes' resort to the use of disproportionate force in quelling the peaceful protesters prompt the United States to adopt a more interventionist stance versus Syria. (Guiora, 2012:41)

The American posture regarding Syria was, however, more guarded, even internally inconsistent, than in the earlier case of Libya. While the course of events in Libya produced a prompt US-backed intervention, America's conduct in the case of Syria has been characterized by a combination of verbal condemnations, cautious support for the opposition and an unwillingness to pursue unilateral action or even action with a few willing allies i.e. Britain and France. A statement by United States Secretary of State Hillary Clinton from July 17, 2011 underscored the cautious approach that the Obama administration adopted vis-à-vis Syria. Clinton stated: "Syria's future is up to the Syrian people, but of course the efforts by the opposition to come together to organize in order to articulate a political agenda is an important part of political reform." (Guiora, 2011:7) That said it looked like the Obama administration had not planned to interfere militarily in Syria and was hoping that political reform will result from an internal overthrow of the regime by the opposition. On another front, lack of clarity and high levels of unease towards various factions of the fragmented opposition groups, resulted in a passive US agenda for intervention in Syria. It was clear that the Obama administration imposed

international community had been undermining the possibility of a peaceful settlement by advocating regime change, he said."

certain requirements on the Syrian opposition as prerequisite for meaningful support. More clarity on post-Assad opposition agenda was needed and the formulation of a conservative led opposition that does not pose a threat to American interests in the region was a must for the US to raise the green light to regime change in Syria. In contrast, the US-backed intervention in Libya was encouraged by a united and relatively well armed opposition that would not cause a troublesome shake of US interests when compared with the gains of supporting regime change on humanitarian ground. For a variety of reasons, one may argue that the opposition in Syria needed US and international backing to a much greater extent than the Libyan opposition did. (Guiora, 2012:13) Nevertheless, the United States gradually increased pressure up until August 2011, when it came to the conclusion that regime change was necessary. The United States felt that the United Nations should play a central role in facilitating regime change though. The Obama administration had previously offered the Assad regime several chances to stop the violence and initiate political reforms but the regime resisted these pressures maintaining that they were triggered by US and Israeli interests in weakening and isolating Syria. (Sharp, 2012:3) It's difficult not to agree with US critics who maintain that its policy towards Syria has been largely shaped by Washington's concerns about Israel's security and other vital regional interests. "David Lesch" reasons about Israel's role in US policy formulation on Syria, arguing that Israel would rather see Assad remain in power than being set aside by force. This is because of the drastic risk such an event could cause to the security and stability of the entire Middle East region and ultimately Israel. The overthrow of Assad, could potentially lead to political instability in the region and the conflict spreading further. The risk is that the situation would escalate and come to resemble Iraq, in 2003, when Saddam Hussein was overthrown with

full-scale civil war ensuing. Additionally, Syria and Iraq share similar ethnic and religious dynamics. A situation of chaos resulting from the collapse of the regime in Syria can have drastic ramifications on America's interests in the stability of Iraq and the gulf in general. America has guarded and secured the border between the two countries during its military presence in Iraq but the majority of American troops had been withdrawn while the Iraqi government has not yet developed the military capacity to assume this task. (Lesch, 2012:27) The threat of an overspill of the conflict to Iraq may ignite a process of destabilization for other gulf states risking vital US economic, political and national security interests. Subsequently, the fact that the Lebanese armed group Hezbollah declared its support for the Assad regime in Damascus complicated the picture even further. The armed group had stated that an outside intervention in Syria would mean that the conflict could spread to the entire Middle East region, which includes threatening Israel, a risk that America is not ready to explore for the price of human rights. (Sharp, 2012:6)

Regarding the two failed resolutions, the United States has strongly criticized Russia and China's conduct and rhetoric that resulted in a deadlock at the Security Council. In Draft Resolution 6627 of October 4, 2011, America's UN Ambassador, Susan Rice, viewed Russian and Chinese actions as deliberately trying to influence and mislead other members of the Security Council by claiming that the resolution would only lead to a military intervention. (United Nations News Centre, 2011) In the case of resolution 6711 of February 4, 2012, Rice was once again critical of the conduct of the two powers and noted that they intentionally delayed the process of agreeing over a resolution at the UN Security Council for several months by making use of vague arguments and unrealistic proposals for amendments. (United Nations News Centre, 2012) Rice clearly pointed out that the draft resolution did not include

sanctions, arms embargoes or a discussion of military intervention. The goal of the resolution was only to stop the violence and facilitate political transition in line with regional and international proposals. (Embassy of the United States, 2012) After the failed attempt to pass the resolution in February 2012, the United States and other members of the international community called for an international conference, with the aim to further put diplomatic pressure on the regime. There has, however, been no sign of the Obama administration intending to involve itself militarily in Syria directly or indirectly by that time. (Sharp, 2012:8)

Based on the above, one can argue that America's conduct vis-à-vis Syria has been highly influenced by a variety of factors that were far more decisive in shaping its approach than the humanitarian imperative. Nonetheless, there is logic to the argument that US conduct in the case of Syria was more guided by real political considerations than by humanitarian interests. In the case of Libya, the United States had no interest in preserving the Qadhafi regime, equally important, the United States did not fear the repercussions of regime change there. Even in the case of turmoil in Libya, US interests in North Africa would not be adversely affected. In contrast Syria possessed significant threat to American interest in the Middle East region. A possible intervention in Syria can have ramifications on the entire region, increasing the risk that the conflict will spread to neighboring countries, including Israel. Such a scenario is not desirable from the American point of view, and can thus be considered a contributing factor behind the US lack of action in the case of Syria. (Sharp, 2012:17)

In the case of Syria, the US favored scenario was an intervention under UN auspices that would be short and surgical without directly involving the United States militarily in any major way. This aversion to direct military intervention in the

region, especially one that involves American boots on the ground is no doubt a corollary of the US occupation of Iraq. The Obama administration wanted to avoid even the appearance of mimicking its predecessor's penchant for unilateral military interventions. Furthermore, it is argued that even had the United Nations authorized military intervention on humanitarian grounds, it was not a foregone conclusion that the United States was going to commit resources to the intervention. However, sensing that Russia would block any attempt at the Security Council to pass a resolution authorizing humanitarian intervention in Syria, the United States could afford to take the lead in pressing the United Nations Security Council to adopt a firm resolution on Syria as it suspected beforehand that Russia would block its passage. The United States could thus gain the upper hand morally without risking a military intervention that may embroil it. In this context, it can be further argued that US stances versus Syria were primarily designed to please allies like France, Turkey, and the Gulf states that were grossly dissatisfied with the raging violence and the inability of the opposition to prevail in Syria. There is strong evidence to suspect that the United States was not at ease with an intervention in Syria due to the tremendous threat it posed to vital US interests. Without fully adopting the realist paradigm, one cannot but note that US interests in the Middle East have revolved and continue to revolve around three axes: the security of Israel, access to oil, and the survival and stability of Gulf monarchies. Equally important, rhetorical support for humanitarian intervention in Syria served the US image as the champion of democracy and human rights and was in line with how the United States viewed its international responsibilities. Said otherwise, the United States found itself in a delicate position as far as Syria; on the one hand, it sought a UN backed solution that would bring about change with the least possible amount of casualties and risks of

escalation; on the other hand, the United States was not confident that such a solution was a realistic one in light of: 1) the military power of the Assad regime, 2) its strong ties to Iran and Russia, 3) the scattered nature of the opposition and its overall ineffectiveness. Even during those few weeks that followed the chemical attacks on civilians, when the Obama Administration seriously contemplated military action in Syria, the statements of the President, Secretary of State, and other members of the administration sought to assure the American public that any intervention would be limited, multilateral and would not involve the commitment of US ground troops. But even with these assurances the US public was not assuaged and remained skeptical of any military operation. This lack of public support and the inability to find international partners in a military venture added to the Administration's own self doubts about the effectiveness of US military intervention. In a nutshell, the United States, despite the rhetoric and the need to please allies, did not have the stomach for a military operation so close in time and place to that of Iraq. Over all, the Obama administration lacked a clear vision on the appropriateness of humanitarian intervention in Syria as it was pulled by conflicting tendencies.

According to Dodd, critics of humanitarian intervention consider that the likelihood of an intervention is higher if the party who is accused of crimes against human rights does not enjoy significant military capabilities and or the backing of strong allies. (Dodd, 2007:62) This Scenario suggests that a humanitarian intervention will only take place if there is a discrepancy in the power relation between the party who is accused of crimes against human rights and the intervening party. There is no doubt that NATO has a stronger military power than either Libya or Syria. Nevertheless, the defense capabilities of Syria exceed those of Libya. This is partly due to Syria's significantly larger army and sophisticated Russian supplied aerial

defenses. Libya's defense spending in 2008 amounted to only 1.8 % of their annual GDP. (Dodd, 2007:67) According to the information gathered before the start of the conflict in Libya, the Libyan military consisted of about 100,000 troops, armed with heavy artillery, tanks, warplanes and a small navy. But before NATO's intervention, the Libyan military was drastically weakened by major defections in the army and loss of military material confiscated by the opposition. Furthermore, the military was considered to be in poor condition because of neglect and sanctions from the outside world. Many of Libya's warplanes and their defense system were ineffective and unable to defy the imposed no-fly zone. Additionally, in an attempt to improve its relations with the west, Libya had also destroyed its entire arsenal of chemical weapons and abandoned its nuclear weapons program in 2004. Equally important, at the time of the intervention, Libya's only allies were countries in Sub-Saharan Africa that relied more on Libyan support and oil money rather than being in a position to provide support. When it came to the resolution in the UN Security Council that enabled an intervention, 10 countries voted in favor, while China, Russia, Brazil, Germany and India abstained (UNSC, 2011).

In contrast, Syria's military expenditure in 2008 amounted to 3.6 % of its GDP (SIPRI 2013:2). Syria has a stronger military power than Libya and an effective air defense system. In 2010, it was calculated that the Syrian military consists of 325,000 troops, tanks, heavy artillery, air force and navy. (BBC 1:2013) There had been suspicions that Syria has attempted to acquire both nuclear and biological weapons. These suspicions, however, had not been confirmed but what has always been known is that Syria held one of the most advanced arsenals of chemical weapons in the Middle East and also one of the largest arsenals of ballistic missiles in the region. Syria and Iran have been allies for decades as they shared common

strategic goals and common enemies. (BBC 2: 2013) In light of the strength of the Syrian army, the robustness of its aerial defenses and its military ties to Iran and Russia, there is low probability of a successful surgical strike that would render the regime incapable of inflicting more harm on the civilian population. Equally important Syria's regional and international allies had expressed their strong opposition to any military action hinting at the possibility of them intensifying their military support to the regime and even the specter of them getting involved.

The above discussion sheds light on why NATO chose to intervene in Libya but not in Syria? Realism provides a succinct answer to this question. It is the power differential between Libya and Syria that decided the course of action. In addition to basic military calculations, the complex regional dynamics acted as a deterrent to action in the case of Syria. To start with, Syria's complex relationships with each of Lebanon, Israel and Iran, meant that a military campaign against Syria could trigger a major war in the Middle East. The complicated political situation in Syria, the sectarian divide, and conflicts between ethnic groups added to the complexity of the situation and the risks of regional contagion. This reality highlights that in the case of Syria, the criterion of reasonable prospect of success for an intervention may seem very distant. To conclude, the United States was pulled in different directions; and the Obama administration despite mulling extensively over the subject could not articulate a clear stance on Syria that provide the bases for international action.

The Position of Russia in the Syrian Crisis

Russia and China expressed their disapproval of NATO's conduct in Libya and argued that the intervening countries took liberties beyond their mandate to justify a

large scale military operation. Russia claimed that the intervention in Libya was merely an attempt to overthrow the regime, and that the stated humanitarian objectives only functioned as a cover. (Sharp, 2012:9) The mandate to a no-fly zone was established, but Russia and China believed that NATO-led troops actively participated and assisted in military operations aimed at regime change. (Emerson, 2011:24) Subsequently, in light of NATO's conduct following the adoption of UN Security Council Resolution 1973 on Libya, Russia and China came to regret their decision to abstain from voting against the resolution and adopted a more stringent approach vis-à-vis Syria at the Security Council.

Russia has historically valued its relation with Syria. In the Russian Realist reading of the international environment, there is no distinction between regimes, states, and people. The view from the Kremlin is that the government in power is the sole representative of the state irrespective of its domestic nature. Russia here represents a primary advocate of the sovereignty principle. Syria benefited from its historic ties with Russia and the Russian penchant to ignore how governments treated their citizens as long as the former adopted acceptable stances internationally. The Kremlin, especially with Putin at the helm, had no qualms about backing an authoritarian regime which served Russian interests, e.g. through hosting a major Russian naval base and buying large quantities of Russian arms. Russia feared that its vital strategic and economic interests would be compromised if the western-backed opposition assumes power in Damascus. For Russia, what mattered was Syria's international conduct and as long as Syria did not pose a threat to its neighbors or the international community, the latter had no right to interfere. Russia's opposition to UN Security Council Draft Resolution 6711 can be explained on two related grounds. First, the draft resolution was directed at a close ally of

Russia. Second, Russia was under no illusion that if passed the resolution would be the first step in the inevitable journey towards military intervention. (Sharp, 2012:12)

Russia's partnership with Syria provided it with concrete economic and strategic benefits. (Plate, 2012:9) Besides the marine naval base on the coastal shores of Tartouss, Russia has a number of economic links with Syria, particularly in the security industry and arms trade. (McDonnell, 2012) Russia is also Syria's main arms supplier, and reports showed that deliveries continued even during the most troubled times, even after the Arab League's observers witnessed and confirmed gross human rights violations in Syria. (Amnesty International, 2012) Arms trade between Russia and Syria is reported to be around 1.5 billion US dollars, over the past decade, making Syria Russia's seventh biggest client. (Trenin, 2012:3) Russia's total exports to Syria in 2010 amounted to 928.3 million Euros constituting 4.7% of Syria's total import. (European Commission, 2012) While this figure might have dropped due to the crisis, Syria remains a major market for Russian goods. While these economic interests played a role in explaining the Russian stance, they were not the primary factors. Arguably, the strategic calculations outweighed the economic ones although both sets pointed in same direction: maintaining the Assad regime.

To reiterate, Russia's opposition to UN Security Council draft resolution 6627, while grounded in Russian political and strategic interest, was also a function of Russian dissatisfaction with how the earlier resolution on Libya was interpreted. It also reflected lingering attachment to long established norms of sovereignty and non-intervention in the internal affairs of states. (Sharp, 2012:11) Russia's UN Ambassador, Vitaly Churkin, stated after the vote that his government stood behind Assad and his regime, and that the proposed resolution would not result in a peaceful settlement of the conflict. According to the Russian UN delegation at the Security

Council, their country's opposition to the resolution did not stem primarily from its proposed text but the likelihood of it being interpreted in a liberal fashion to justify military intervention on a scale similar to the Libyan with concealed motives of regime change. (United Nations News Centre, 2012)

Stated otherwise, Russia's support for Syria has been consistently strong since the onset of the crisis. Moscow's disappointment from the course of events that followed the UN Security Council resolution in Libya was a decisive factor in their conduct in the case of Syria. However Russia's economic interests should not be undermined, the Regime in Damascus had historically established strong economic and military ties with Russia.

The Position of China in the Syrian Crisis

The fact that China used its veto on two occasions when resolutions on Syria were presented at the UN Security Council has been met with strong criticism from many quarters, not least the UN Secretary General Ban Kimoon. (RTÉ News, 2012) However, strong connection can be seen in the conduct of the Chinese delegation surrounding negotiations for resolutions at the Security Council in the case of Syria and Libya. In the case of Libya, China was keen on expressing its disapproval of military intervention, but had to facilitate the passage of UN Security Council resolution 1973 under the mounting pressure of reports on gross violations of human rights orchestrated by the Qadhafi regime. Nevertheless, China later came to regret its lenient approach at the Security Council vis-à-vis resolution 1973. The Chinese had realized that the consequences of NATO's liberal interpretation of the resolution went beyond the no-fly zone mandate. The resolution had established for large scale

military action with the goal of regime change. As a result, China's economic interests in Libya were drastically hampered by the reality on the ground. Chinese companies had been heavily invested in Libya's oil industry as the country was not able in the past to attract investment from western companies due to the economic sanctions and trade boycott that the international community had imposed on the Qadhafi regime. During the course of the crisis in Libya more than 30,000 Chinese citizens had to be evacuated along with their major economic assets. On this ground, China's disappointment from the course of events in Libya established for a more stringent Chinese posture at the Security Council when the topic of human rights violations in Syria was brought to the table.

In comparison with Libya, China had fewer economic interests with an estimate of about 800 Chinese citizens living in Damascus and relatively much smaller investments in Syrian industries. Although the economic interests in Syria were of lesser significance to those in Libya, their role should not be undermined. China is Syria's third leading importer; in 2010, Syria's total imports from China were valued at more than 2 billion Euros constituting around 10.3% of Syria's total imports. (European Commission, 2012) While this figure is likely to have a lesser impact on China than it has for Syria, it was not left out from Chinese calculations when a decision had to be made at the Security Council.

China thus had much less to lose in the case of Syria in terms of economic interests, but saw an opportunity to gain much more by using its veto and demonstrating its rejection of western dominance over the Security Council. However, it is important to note that Russia was championing the opposition of the two draft Security Council resolutions while China played a secondary role backing the Russian position and saving the Russian delegation from an international isolation. (European

Commission, 2012) Nevertheless, draft resolution 6627 was criticized by China because it was considered to complicate the situation further due to the excessive pressure that Syria was subjected to by the economic sanctions and trade embargoes. (United Nations News Centre, 2011) When draft resolution 6711 was presented at the Security Council later in February of the year 2012, China rejected the resolution because it did not incorporate Russia's amendments and motions. Furthermore, China's UN Ambassador, Li Baodong, pointed out that Syria's sovereignty, independence and territorial integrity should be fully respected, which was not the case in the proposed draft resolution. (United Nations News Centre, 2012) However, in the case of Syria, China's conduct at the UN Security Council was a reflection of its consistent foreign policy record regarding state sovereignty and the decision not to intervene in other countries' affairs. (Plate, 2012)

From the above, it is clear that China's actions at the two UN Security Council draft resolutions may be seen partly as a coherent foreign policy approach, due to China's consistent record in adopting a non-interventionist policy in other countries' affairs. China has managed to demonstrate consistent respect for the principle of sovereignty in its international conduct in the past. However, one cannot neglect the magnitude of the experience of Libya in formulating China's approach vis-à-vis Syria not to exclude its economic and political interests. Nevertheless, the significance of China's rhetoric and conduct in the case of Syria should not be exaggerated. The magnitude of Beijing's resentment to the two resolutions at the UN Security Council ought to be downplayed as China played a secondary role backing Russia in its opposition of an intervention in Syria.

Chapter Five

Aid Politics and the Politics of Aid in the Absence of Humanitarian Intervention

Opening Sentence

This chapter sheds light on the history of aid politics and the changing international attitude towards aid assistance over the years. The chapter examines aid politics in the case of Syria highlighting the intertwined relation between aid initiatives and political motives of external actors to the conflict on either front. The chapter further explores humanitarian aid initiatives in the absence of humanitarian intervention in the case of Syria and underscores that the principles of neutrality and impartiality are been hampered by political considerations of states and other actors on both sides of the conflict. The chapter concludes with a description of the UNHCR's Regional Response Plan for Syria and the various humanitarian programs and efforts UN agencies as well as national and international NGO's have put together to assist Syrian refugees.

Aid Politics

While this section intends to look at aid politics from the perspective of the Syrian crisis, the notion is more commonly associated with economic development initiatives in Third World countries. However Aid politics in general is considered to be “part of a country's foreign policy that involves a transfer of resources to

countries in crisis whether economic or political on favorable terms”. The notion applies that giving aid is based on solidarity motives, strategic considerations, and economic and political self-interests. (Lundsgaarde, 2013:37) But how did the notion of aid politics emerge?

The history of aid politics goes back to the Second World War. After World War II, systematic international development work of a noticeable magnitude started with the Marshall Plan, what resembled at that time, the United States contribution to the reconstruction of Europe. When Europe was recovering from World War II, the victorious powers had strongly intended to avoid the miscalculations that occurred after the First World War, when victorious countries dictated on Germany enormous economic reparations that set stage for an unhealthy recovery that later contributed to a Second World War.

The Marshall Plan was successful, thanks to its 11.8 billion US Dollars; countries in Western Europe could rise quite rapidly. During the Marshall Plan, or what was officially called the European Recovery Program, the United States provided 13.3 billion US dollars to 16 countries in Europe from 1948 to 1952, which has been estimated at 88 billion US dollars in the value of money in the late 1990s. At that time, aid assistance was seen as a temporary measure aimed at reviving the economies of West European countries that suffered the most from the devastations of World War Two. The view at that time was that the temporary aid measures that were applied and succeeded in Western Europe would have the same positive impact on the economies of developing countries. The reality was however that aid initiatives in developing countries did not encounter a similar success and smooth transition to sustainable economies in the former colonies never materialized. (Lundsgaarde, 2013:57-59)

On this ground, international attitude towards aid assistance have changed over the years. Optimism and belief in a better future embossed the 1960s, as most of the African colonies became independent states. Aid assistance was first thought to increase investment in developing countries in order to increase economic growth there. But at the end of the decade, aid activities began to be criticized and often called "neo-colonialism". Criticism was also directed against developing countries' own elites who lined their pockets with aid money while their countries suffered in poverty. In the early 1970s, there was strong global criticism of the notion that economic growth was seen in the same lens with development. Instead, aid politics was believed need to focus on how resources are distributed, both within and between nations and agencies. The aid policy that took place in the 1980s was a reaction to the 1970s, when both the oil crisis and the debt crisis occurred. At this time, many aid projects proved not to work. Aid assistance was realized to be far more complicated with aid sometimes doing more harm than good. (Lundsgaarde, 2013:59-60)

That said international development organizations and agencies affect the spread of knowledge and ideas between countries and thereby altered the political, religious, economic and cultural systems in the host country. In the more restricted sense of the power of money transfers and knowledge, the role of international development assistance has changed over the approximately 50 years the phenomenon that has existed. Development aid had started in a context of decolonization and in a period that was characterized by significantly fewer international relations than there are today. At that time, aid assistance played a dominant role in bringing about flows and financial resources, as well as internationally available knowledge to developing

countries, and in countries that have been granted greater levels of freedom. (Lundsgaarde, 2013:64-68)

Half a century later, the situation is different. Aside from a small number of poor countries, especially those experiencing conflicts or post-conflict situation, there are now other large streams of money and knowledge relating to poor countries: international trade of goods, of services, money transfers from 'expatriates direct investment in countries' business, and for some countries also portfolio investments. Several of these latter phenomena is today often much larger in economic terms than development assistance. (Lundsgaarde, 2013:74)

On another front, commitment to aid has been conditional both in scope and magnitude, only a fraction of all the promises of aid have been met, for example, only five countries in the world live up to the UN's recommendation to give 0.7 percent of their GNI to aid. Aid assistance is a way to speed up the development of developing countries. However, aid assistance has also relatively limited opportunities to change the unjust structures that form the basis for many of the problems it works to tackle. (Lundsgaarde, 2013:37)

In 2012, the global official development assistance (ODA - Official Development Assistance) amounted to 125.6 billion US Dollars, constituting 0.29 percent of developed countries' gross national income (GNI). This figure resembles a decrease of 4 percent compared to the year of 2011, which in turn was down 2 percent from the 2010. It is the first time since 1996-1997 that aid levels have fallen for two consecutive years. In 2012, only Denmark, Luxembourg, the Netherlands, Norway and Sweden reached or exceeded the UN recommendation of 0.7 percent. The largest donors in monetary terms however, has been the United States followed by France,

Germany, the United Kingdom and Japan. Together, EU Member States and the European Commission provide more than half the aid in the world today. (Lundsgaarde, 2013:28-29)

As the ongoing crisis in Syria unfolds its third year, a lot of international aid had been directed to humanitarian programs targeting millions of innocent civilians affected by the brutal war. But aid has also been channeled to regime forces and the domestic military, in addition to many factions within the opposition armed forces. About 8.5 million people are in need of direct humanitarian aid in Syria today, of which 4 million are estimated to be internally displaced according to a report issued by the United Nations High Commissioner for Refugees (UNHCR). There are 2,363,892 registered refugees with UNHCR. Due to the violent conflict in Syria, humanitarian organizations have found it difficult to reach out to people in need especially in conflict-prone areas. Innocent civilians continue to suffer from severe shortages in basic necessities such as food, water, medicine and health care. The number of Syrian refugees in neighboring countries has increased significantly in 2013 exceeding the expectations of international humanitarian agencies by far. In response, the UN and other humanitarian organizations have, therefore, expanded their programs in Jordan, Iraq, Turkey, and ultimately Lebanon to respond to the growing humanitarian needs. (UNHCR: 2012)

Aid Politics in Syria, a Theatre for Regional Power Games

As the Syrian crisis unfolds its third year, the country has been scattered and torn apart in different directions and spheres of interests. The conflict in Syria, which had started as a brutal response to peaceful demonstrations calling for democracy, is

currently part of a larger political game, a power struggle that involves regional and international actors that are all trying to pull the balance of power in the Middle East to their advantage. (Maoz, Yaniv, 2013:67) Before the chemical attack on Syrian civilians took place, in the summer of 2013, the United States and other western countries had officially decided to expel their supply of weapons to the Syrian opposition. It became evident at that stage that the conflict had turned into a brutal ethnic and religious war that involved violations of human rights from both parties. But supplying the opposition with weapons has been taking place for a long time by America's allies in the region such as Turkey, Saudi Arabia, Qatar and others in an attempt to topple the Assad regime in Damascus. (Maoz, Yaniv, 2013:18)

Gulf States have been the most active supporters for regime change in Syria. Their support has occurred on many levels. The most obvious of course is their generous and relentless commitment to finance humanitarian aid emphasized mostly through aid summits such as the Kuwait donor conference and other international forums. (Maoz, Yaniv, 2013:19) Nonetheless, their direct support to opposition forces and the Syrian Free Army with military aid, training and financing along with political and diplomatic backing has been considerably massive. For example, Qatar openly funded an initiative with the objective of providing financial support to government military leaders with the hope that salary payments would encourage regime loyalists to switch sides and join the opposition. (Maoz, Yaniv, 2013:21)

There are competing interests however, amongst the Gulf States regarding the case of Syria and the notion of aid politics is being applied in a variety ways. The Sunni monarchies of the Arabian Peninsula see in the opportunity to get rid of the Shia backed regime in Syria, an opportunity to pull the breaks for Iranian hegemony in the

Arab World. Although this may be a common interest in mind, the respective Gulf leaders still pursue different paths in their approach in Syria. (Maoz, Yaniv, 2013:24-26) Qatar is supporting the Muslim Brotherhood in Syria, providing both humanitarian aid and military support to several extremist factions fighting the regime along with their support to the Syrian free army. In contrast, Saudi Arabia has been much more cautious than Qatar and worries about how Iran's role will come to play out as the war proceeds. Saudi Arabia has carefully chosen a few selected groups to support in Syria, trying to stay away from the Islamists, who may come to pose a threat to the kingdom at a later stage. Bahrain's population consists mainly of Shia, thus the kingdom has chose a more appealing tone in calling for Iran to stop its support for the Syrian regime. Kuwait was neutral for some time during the beginning of the war, but the tribes in the country, along with extremists, have ancient connections in Syria. For that reason, Kuwait has also been very cautious in their actions and has only focused on aid efforts.

The Gulf countries' approaches to the Syrian crisis are characterized mainly by the historic Sunni-Shia divide. Qatar has been most active among all the Gulf States, because their domestic stability doesn't rely on the consequences of its foreign policy in this case. In Qatar, there is no sectarian conflict, and no Shia population; therefore, the dangers of religious extremism aren't as severe as elsewhere in the region. (Lundgaarde, 2013:122-123) But the notion of aid politics in the Syrian crisis goes beyond these limited phenomena's as the countries in support of regime change associate humanitarian aid directed to innocent civilians affected by the ongoing struggle, with aid for both parties of the conflict. This dilemma is mostly emphasized in the intertwined relation between aid initiatives and political motives of external actors to the conflict on either front. On this ground, one can clearly draw reference

between the roles that members in the “Friends of Syria block” play in support of opposition factions militarily and politically, and their role in the consecutive UN lead humanitarian aid conferences, such as the latest Kuwait donor conference where the same member states put on a humanitarian hat in support of innocent civilians. Nevertheless, this notion also applies to regime allies such as Russia, China and Iran which under the pretext of state sovereignty, territorial integrity and fighting extremism, defend Assad at the UN Security Council while they continue to support his government with military assistance and aid that has ultimately led to a protracted crisis.

Humanitarian Aid in the Absence of Humanitarian Intervention

As the efforts for humanitarian intervention in Syria failed consecutively at the United Nations Security Council due to the conflicting interests of the major powers, humanitarian aid has been the major arena for international efforts until this moment. But there are many challenges incorporated with this path as well. Due to the violent conflict in Syria, humanitarian organizations have found it difficult to reach out to people in need in hostile areas. The principles of neutrality and impartiality that characterize the notion of humanitarian aid have also been hampered on the ground that agencies have not been able to work freely in Syria. While civilians are suffering from severe shortages of basic necessities such as food, water, medicine and health care in areas under siege, international aid agencies have not been able to reach out with support to affected populations in conflict zones. On another front, more than 2 million people have fled Syria since the beginning of the conflict in 2011 leading to one of the largest refugee exoduses in recent history. As a result, the United Nations

and other humanitarian organizations have therefore expanded their programs in Jordan, Lebanon, Iraq and Turkey to cover the increasing humanitarian needs in the refugee camps, but significant needs remain unaddressed due to shortages in funding and challenges in reaching out to conflict areas. In spite of the unprecedented size of humanitarian aid efforts in Syria, the needs associated with this protracted crisis remain far from covered. (UNHCR, 2014 Syria Regional Response Plan, Strategic Overview). As a matter of fact, few humanitarian crises receive the attention and engagement of the world that Syria has. States on both sides of the conflict have clamored loudly about the deplorable humanitarian situation and invested significant resources in aid efforts but none have been able to alleviate in full the ever-growing sufferings of millions of innocent civilians.

The dramatic increase in the number of refugees from Syria across the region continues to require a large-scale response to address the needs of both refugees already present in host countries and new arrivals who continue to pour into neighboring countries at a rate of up to several thousand a day. When the first Syria Regional Response Plan (RRP) was published in March 2012 by the United Nations High Commissioner for Refugees, (and subsequently revised twice) it initially planned for some 96,500 refugees to receive assistance over a period of six months. As part of the latest revision of the Plan in September 2012, agencies appealed for a total of 487.9 million Dollars to cover needs up to the end of 2012. As of 15 November of the year 2012, 51% of this amount had been funded. (UNHCR, Syrian Response Plan January to June 2013).

The current Regional Response Plan is based on the achievements and a lesson learned from previous plans and is designed to address existing and emerging needs.

Picking up from where the previous Response plan arrived to, the current Regional Response Plan (RRP 6) sets the strategic objectives and activities for the coming twelve months of 2014. The RRP 6 for 2014 is one of the largest appeals in history presented for a refugee emergency. Over 100 partners, UN agencies as well as national and international NGOs are working together to address the needs of Syrian refugees and assist the countries in the regions who have so generously taken them in. The Plan calls for further efforts to benefit host communities, who offer front-line protection and essential support to refugees. (UNHCR, RRP 2014).

While the Governments of Jordan, Lebanon, Iraq, Turkey and Egypt have continued to demonstrate their commitment to giving Syrian refugees' access to their territory to assure their safety and provide assistance, this generosity has undeniably come at a heavy price. Today, host communities in neighboring countries suffer the ramifications of the damage caused by the overwhelming number of refugees on their countries' resources and infrastructure but more importantly the stability of their states. At a time of social, political and economic upheaval in many host countries, further compounded by developments in Syria, RRP 6 aims at providing lifesaving assistance to refugees while ensuring that the cost of hosting them is not borne by the countries of asylum alone or by the many local communities which have already shown considerable generosity despite their limited means. (UNHCR, RRP 2014).

Nevertheless it should be noted that donor support has been generous, with a total of over 2 billion Dollars to refugee operations for 2013 alone. But as the conflict drags on, the response must continue, while finding additional means of financing is becoming an increasing challenge. The ability of humanitarian agencies to aid and respond effectively and in a timely manner, regardless of the many challenges on the

ground, will depend on close coordination but also on commitments from donors to express their solidarity with refugees without any planned agenda.

Today, many discussions among the NGO community suggest that the predominance of the political debate has probably discouraged many countries from providing enough attention towards humanitarian conditions in Syria. As some speculate sending aid would strengthen the Assad regime while the western strategy is to starve the regime and feed the opposition. In the same line, others suggested that helping people inside Syria will ultimately lead to coordination with the Syrian government which legitimizes it. Therefore humanitarian aid seems to be handicapped by the political considerations of the major powers and the notion of aid politics is being applied extensively.

Undeniably, Knorr argues that "a transfer of resources is 'aid' only if it is strictly unilateral and nothing material or specific is received in return, that is, only if it involves no element of mutuality, bargain or quid pro quo". (Knorr, 1975:315) but aid that is solely based on humanism is generally seen as a very small part of the total aid that is given throughout the world today. Only when the aid assistance takes the form of disaster relief, can one see the need for assistance as the biggest reason for lending a helping hand, but in reality beyond these natural disasters, there are other more strategic reasons to why aid is provided. (Knorr, 1975:169-170).

Morgenthau is on a similar line with Knorr with regards to the definition of aid. According to Morgenthau, Foreign aid acts primarily as a foreign policy instrument driven by political and economic interest rather than humanism. (Morgenthau, 1962:301) For Morgenthau, the transfer of money or the performance of services from one state to another performs the function of a price for political favors received or expected. This notion is justified by the argument that the money

provided in the form of aid will lead to economic development, democratic change, or the alleviation of human suffering in the recipient country. (Morgenthau, 1962:302) Subsequently, Morgenthau argues that the strategic interests of a given country can be served at a lesser cost through humanitarian aid than through military intervention. Undeniably however, some donors see a more beneficial investment in supporting through weapons and financial aid to the opposition, in an effort to help them win and finally end the conflict. Others worry that humanitarian aid will only prolong the conflict, by turning refugee camps into rest and recuperation stations for rebels.

Similarly, Sogge divides the case of aid in the following categories: socio-political, trade and humanitarian ethics. (Sogge, 2002:41) Short-term socio-political arguments for giving aid include that by providing the assistance, one can be assured of support in negotiations or crisis or political allegiance. Long-term socio-political arguments for aid are that you can get loyalty and access to the leadership in the recipient country, or gain acceptance of a strategy or development in a region. The short-term argument for the trade category is simply to get access to establishment opportunities in a new market, while the long-term argument is about expanding and protecting the financial interests of the recipient country. But the purely humanitarian and ethical argument for aid is about showing empathy for people in need, and to set a standard that involves constant respect for human rights and the alleviation of human suffering. (Sogge, 2002:41-42) In contrast, Easterly argues that: "Aid should be directed to where it can do well." Thus she stands skeptical of those who say that aid is primarily an instrument used by the donors to serve their interests. (Easterley, 2003:40) However, the question is not only what purpose the aid assistance is providing, but also how it can contribute most effectively. A comprehensive study by

Burnside and Dollar showed that aid assistance that is provided systematically and conditionally, actually increases the impact that aid have on the economic development of the recipient country. (Burnside & Dollar, 2000:765)

In the Syrian crisis, part of the problem was the original inclusion of humanitarian access in international envoy Kofi Annan's initial "six-point plan"¹³ for the resolution of the conflict. (IRIN, 2012) That inclusion integrated political reconciliation and humanitarian aid, not only at an operational level, as has been done in Somalia and Afghanistan, but at the strategic level, where humanitarian relief is seen as a way to bring an end to the conflict. This principle goes against neutrality. Funding is therefore contingent on the prospective of political solutions to the crisis and when there is no political improvement, humanitarian assistance suffers. Going further, unfortunately, the Syrian government has politicized the intervention of UN agencies working inside Syria as it dictated to the UN who to deal with and who to support. Sadly, the regime is fighting its own people and directing aid to government affiliates. Hence the polarization of the political context in Syria, where there is a very clear divide in terms of political support for one side or the other, by many who would traditionally be donors, is undoubtedly having an impact. (IRIN, 2012)

During the Kuwait donor conference for UN aid efforts in Syria, Western Countries and Gulf States pledged more than 2.4 billion Dollars on the 15th of January 2014. After a three year civil war that has left millions of civilians hungry, ailing or displaced, humanitarian aid continues to dominate international efforts in Syria in the

¹³ "Annan's six point plan called for a commitment to work with him to commence a political dialogue between the Syrian Government and "the whole spectrum of the Syrian opposition" On humanitarian access, his proposal calls for the immediate institution of a daily two-hour pause in fighting; intensify the pace and scale of release of arbitrarily detained persons; respect freedom of association and the right to demonstrate peacefully; ensure timely provision of humanitarian assistance to all areas affected by the fighting and for freedom of movement throughout the country for journalists and for accelerated release of arbitrarily detained persons." For more on Annan's Six point plan, please see: <http://www.un.org/News/Press/docs/2012/sc10583.doc.htm>

absence of more sustainable measures. Delegates from 69 nations and 24 international organizations attended the Kuwait summit that was chaired by the UN Secretary General, Ban Ki-moon. (IRIN, Syria fundraising appeal begins, 2014). The pledge arose from a UN appeal for 6.5 billion US Dollars in 2014, which was launched in December 2013 and is the largest in the organization's history. (UNHCR 2014) At the conference, The Kuwait ruling Amir, Sheikh Sabah al-Ahmed al-Sabah, committed Kuwait to 500 million Dollars in aid for the year 2014, while the United States announced a contribution of 380 million Dollars as stated by the Secretary of State on January 15, 2014 (USAID, Syria Crisis). Qatar and Saudi Arabia pledged 60 million each. The European Union pledged 225 million Dollars and Britain 165 million. (Reuters, Kuwait 2014) As a matter of fact when comparing the promised numbers in aid, the US is the largest single international donor to the Syrian crisis. In addition, the largest donations at that conference came from Gulf Arab governments, which have also been mainly backing the Syrian opposition in an attempt to oust Bashar al-Assad and bring regime change to Syria. Donors have gathered in Kuwait to raise aid money for 13 million Syrians affected by the war after the United Nations made a record appeal for 6.5 billion Dollars.

Not all NGOs and donors have identical positions towards the Syrian crisis; some distance and disassociate themselves like Oman; some soften and harden their enthusiasm depending on the power balance like Qatar; some channel their role in humanitarian aid, such as Kuwait; and some persevere in their position, such as the United Arab Emirates. However, all humanitarian donors have disregarded neutrality and have explicitly expressed their political views and interests in the conflict, whether to support the Syrian government or to oppose to it.

Aid Politics Supporting the Opposition

Although the common definition of aid is that it is neutral help, without an agenda other than to improve the quality of life for the recipients, it has been established that aid can also serve as a game changer in political conflicts. This has taken place earlier in history but whether or not it is taking place in the case of Syria is an interesting question.

One example of the phenomenon is Iran's support for Hezbollah, shortly after the Iranian revolution in 1979, spreading the Islamic revolution became the mission of the Iranian regime. Ayatollah Khomeini, Iran's religious leader orchestrated a plan to spread Iran's Islamist influence throughout the region through directing aid to Shia groups in Arab countries. The rhetorical motivation was about global justice through a righteous struggle against "tyrants," meaning Arab dictators, Israel and the United States. When Ayatollah Khomeini sent troops to Lebanon, the Iranians knew that the country was at war and in a state of anarchy. Therefore, they decided to start military training camps by the calm and quiet border areas between Lebanon and Syria. It was in these training camps that Hezbollah, the Lebanese Shia organization came to life in 1982. That same year, Israel invaded Lebanon, with the mission to crush the Palestine Liberation Organization. The Israelis had also intended to kill PLO leader Yasser Arafat, but after negotiations, Israel agreed to allow surviving PLO members (including Yasser Arafat) to leave Lebanon and settle in Tunisia. After this settlement, the Israelis withdrew from Beirut but chose to keep southern Lebanon as a buffer zone to protect its northern borders. Hezbollah quickly branched out to the southern Lebanese towns and villages. The major reason is that they, unlike other militias, undertook educational activities, supported hospitals and assisted with relief

supplies to war-affected villages. Iranian aid was a niche that made Hezbollah very popular. When the Hezbollah Manifesto came out in 1985, it declared a deep loyalty to Iran by swearing the country's leaders and policy fidelity. Iran had got what they wanted. Some argue that this was because Hezbollah had no significant income, making Iran's aid a necessity to Hezbollah's existence. (Lundsgaarde, 2013:146-152)

Throughout the course of the Syrian crisis, aid has been provided extensively to the opposition for other than purely humanitarian motives as the struggle evolved into a political war for regional hegemony. Since fighting began in 2011, the United States has sent large sums of money for humanitarian aid to affected population. But American aid changed the course of events in the Syrian War, when the US decided to support opposition forces with non lethal equipment and directed substantial increase in financial assistance to support public services in opposition-controlled areas. In the beginning, American aid was directed entirely to local governments and unarmed groups, but the United States later chose to draw direct support for the Free Syrian Army as the latter engaged in the outright conflict with the Assad regime's forces. While there are strong concerns that Islamist and extremist groups within the opposition, including a movement that goes by the name of Al Nusra are gaining ground and shifting the struggle away from its original objectives.¹⁴

In September 2013, the United States resumed military support to the Syrian opposition after a regime attack on civilians involving chemical weapons. Consequently, military support is seen by the Obama administration as a form of self defense against the brutal use of force by the forces of Bashar Assad. It is debatable

¹⁴ According to the United States Al Nusra was backed by the terrorist network al-Qaeda through taking advantage of humanitarian assistance Al Nusra is adopting a well known tactic often used by extremist groups to gain people's trust is distribution of Aid supplies and community support services, which the U.S. believes is a tactic extremist factions adopt similarly to Hezbollah in Lebanon.

however, whether or not these weapons can be viewed as necessary support for the protection of civilians in opposition strongholds. Today, it is argued that military aid is being used to serve the purpose of keeping refugees alive in opposition controlled areas rather than as a means to support the opposition overthrow the regime. But the armament of the opposition is clearly seen as a game changer that ultimately contributes to the balance of power in the civil war. Accordingly, the true motives behind the United States aid policy in Syria, whether or not support for the opposition is used as a deterrent for the protection of civilians or to overthrow the regime remain unclear.

Conclusion

On the relationship between humanitarian intervention and humanitarian aid, the thesis argues that the ICISS report grapples in explaining significant aspects of the relationship between humanitarian intervention and humanitarian aid, without offering satisfactory answers on where to draw the demarcation lines between these two related albeit distinct notions. In the same context, it notes that the relation between humanitarian intervention and humanitarian aid is quite complex and highly controversial due to the fundamental conflict between the protection of human rights and the protection of state sovereignty in the international system. However, the study underscores that the international community has agreed that humanitarian assistance should be the first step in a situation that is escalating towards human rights violations. The thesis further indicates that humanitarian aid should be the primary course of action in a humanitarian crisis while military intervention on humanitarian ground should occur when the situation deteriorates to the extent that threatens the lives of large numbers of civilians. The study presents three specific principles that relate to the relation between humanitarian intervention and humanitarian aid: 1) the obligation to prevent, 2) the obligation to respond and 3) the obligation to rebuild. The obligation to prevent implies that the causes for a crisis, whether immediate or underlying such as poverty or oppressive policies should be resisted. The obligation to respond implies that an intervention, (whether it takes the form of sanctions, diplomacy, and in extreme cases military intervention) should take place when preventive measures have been exhausted in full and in situations where people are in urgent need of protection. Responsibility to rebuild means that support should be provided after an intervention takes place to find reconciliation and solutions to the problems that led to the intervention at first place. To conclude on

the relationship between humanitarian intervention and humanitarian aid, the thesis indicates that "Responsibility to Protect", seen as the obligation to prevent in the ICISS report, explains when military interventions are justified in a humanitarian crises arguing that the "responsibility to react with military coercion can only be justified when the responsibility to prevent has been fully discharged." (ICISS, 2001:36)

With regards to Responsibility to Protect, the thesis argues that realism has for long been the dominant tradition in international politics emphasizing the centrality of the state in international relations and its sovereign right to manage its internal affairs. The study however indicates that there has been a recent shift in focus, from state sovereignty to human rights in international mindsets. It states that the rights of individuals began to assume a more central space in debates at the international arena, noting that with the emergence of the principle of the Responsibility to Protect, the notion of humanitarian intervention has become more and more accepted by states when human rights are violated. The thesis further argues that "Responsibility to Protect" acts as a bridge between humanitarian aid and humanitarian intervention. It also indicates that according to the "Responsibility to Protect" principle, the UN has an obligation to use diplomatic, humanitarian and other peaceful means to protect populations in danger. However R2P later highlights that when this obligation cannot be fulfilled peacefully, the United Nations should be willing to contemplate the possibility of resorting to military intervention as long as it can be demonstrated that such an intervention is a last resort measure. (Hoffmann, 2012) Subsequently, the study explains that applying R2P on a broad scale can be problematic due to state resistance resulting from the obvious tensions with the

counter principle of state sovereignty. The thesis demonstrates that this resistance will probably grow if more cases are brought to the UN with demands for intervention under R2P. It later indicates that state interests could hinder specific interventions under R2P when a major power has vested interests that would be compromised in case of an intervention. States otherwise, the study believes that widespread resort to R2P can be more problematic because stronger practical establishment of R2P means changes in how states interact both within and outside the UN. The study highlights that it took years for the sovereignty principle to crystallize and achieve the level of universal acceptance it has today. In a similar vein, the norms pertaining to R2P, including how to define the relationship between humanitarian intervention and humanitarian aid, are still being shaped. It states that R2P has still a long way to go to acquire the level of universal acceptance to overrule the sovereignty principle which many states adhere to as the principle norm to organize international relations. The paper indicates that there is room for improvement when it comes to how R2P addresses specific questions, such as the circumstances that warrant an intervention and whether such intervention is to take the form of humanitarian intervention, humanitarian aid or the blend of both. Stated otherwise, when to give aid or when to bring out the military forces to resolve an international or national crisis, involving the breaking of human rights remains unclear. The thesis finally concludes that the most basic question for Syria today concerning Responsibility to Protect is how to go from theory to practice and successfully implement the concept that would ultimately lead to the saving of thousands of lives and put an end to a long standing and contracted war.

On Aid Politics, the thesis notes that after a three year civil war that has left millions of civilians' hungry, ailing or displaced, humanitarian aid continues to dominate international efforts in Syria in the absence of more sustainable measures. However, humanitarian donors have disregarded the principle of neutrality in their aid agenda and explicitly expressed their political views and interests in the conflict. On this ground, the study underscores the role of aid politics in the Syrian crisis arguing that the notion is being applied extensively and in a variety of ways in Syria today. It argues that whether in supporting the Syrian regime or the opposition, political actors on both sides of the spectrum are using humanitarian aid for political motives that serve their interests. The study further explains that aid politics in the Syrian crisis is being applied extensively as the countries supporting the regime or opposing it associate humanitarian aid directed to innocent civilians affected by the ongoing struggle, with aid for both parties of the conflict in an attempt to take the struggle one way or another. This dilemma it argues is mostly emphasized in the intertwined relation between aid initiatives and political motives of external actors to the conflict on either front. On this ground, the thesis stresses that aid that is solely based on humanism generally plays a very small part of the total aid that is provided to countries in crisis such as Syria today. Consequently, it is believed that foreign aid acts primarily as a foreign policy instrument driven by political and economic interest rather than humanitarian considerations. The thesis further notes that the polarization of the political context in Syria, where there is a very clear divide in terms of political support for one side or the other, by many who would traditionally be donors, is undoubtedly impacting the notion of impartiality and neutrality which are the main pillars of humanitarian work. Although the common definition of aid is that it is neutral help, without an agenda other than to improve the quality of life for

the recipients, it has been established that aid can also serve as a game changer in political conflicts.

The thesis underscores that the underlying causes of the permanent members of the UN Security Council's lack of action in the case of Syria are open to speculation. The study argues that Russia's opposition to a UN lead humanitarian intervention in Syria, while grounded in Russian political and strategic interest, is strongly believed to be, also, a function of Russian dissatisfaction with the course of events that followed the adoption of UN Security Council resolution 1973 on Libya. The study indicates that in the case of Libya, Russia felt that NATO exceeded its mandate through a liberal interpretation of the authorization to establish a No-Fly Zone. The Kremlin expressed its disapproval of NATO's conduct in Libya and argued that the intervening countries took liberties beyond their mandate to justify a large scale military operation. Russia claimed that the intervention in Libya was merely an attempt to overthrow the regime, and that the stated humanitarian objectives only functioned as a cover. The thesis argues that this unease, and the feeling of being manipulated by the regional and western champions of the resolution, affected Russia's approach to the Syrian crisis at the table of Security Council. Equally important, the study indicates that Russia's conduct in the case of Syria arguably reflected the Kremlin's lingering attachment to long established norms of sovereignty and non-intervention in the internal affairs of states. The study also notes that Russia's fears that its vital strategic and economic interests would be compromised if a western-backed opposition assumes power in Damascus contributed to their stance on the crisis. The thesis concludes that the Russia

prioritized its strategic relationship with the regime in Damascus over international diplomacy and human rights in the case of Syria.

On another front the thesis underscores that China's conduct at the Security Council in the case of Syria can be seen partly as a coherent foreign policy approach, due to Beijing's consistent record in adopting a non-interventionist policy in other countries' affairs and its respect for the principle of sovereignty in its international conduct. However, study highlights that one cannot neglect the magnitude of the experience of Libya in formulating China's approach vis-à-vis Syria not to exclude its economic and political interests. It indicates that it is believed that China's disappointment from the course of events in Libya established for a more stringent Chinese posture at the Security Council when the topic of human rights violations in Syria was brought to the table. However the thesis concludes that the significance of China's rhetoric and conduct in the case of Syria should not be exaggerated. The magnitude of Beijing's resentment to the two resolutions at UN Security Council ought to be downplayed as China played a secondary role backing Russia in its opposition of an intervention in Syria. On this ground, the paper concludes that China's role at the UN Security Council and in the Syrian crisis in general is believed to be secondary, although it strengthened the Russian delegation's confidence and position.

With regards to the Role of the United States, as the literary findings proceed in this thesis, one can see more probable causes to the United States conduct in the case of Syria. The study underscores that United States, despite the rhetoric and the need to please allies, did not have the stomach for a humanitarian intervention in Syria. It indicates that the complicated dynamics of the Syrian conflict acted as a deterrent for the United States. The study further notes that the Obama Administration was not confident that an intervention in Syria had realistic chances of success. It argues that

the military might of the Assad regime; its strong ties to regional and international powers such as Russia, Iran and Hezbollah, and the scattered nature of the opposition and its overall ineffectiveness were major reasons for Obama's lack of action in Syria. Equally important, the thesis argues that Syria's regional and international allies had expressed their strong opposition to any military action hinting at the possibility of them intensifying their military support to the regime and even the specter of them getting involved. Additionally, the study stresses that lack of clarity and high levels of unease towards various factions of the fragmented opposition groups, resulted in a passive US agenda for intervention in Syria. It argues that more clarity on post-Assad opposition agenda was needed, and the formulation of a conservative led opposition that does not pose a threat to American interests in the region was a must for the US to raise the green light to regime change in Syria. However, the work indicates that the United States despite mulling extensively over the subject could not articulate a stance on Syria that provides the bases for international action. The Obama administration lacked a clear vision on the appropriateness of humanitarian intervention in Syria as it was pulled by conflicting tendencies. Nevertheless, the paper highlights that it's difficult not to agree with US critics who maintain that its policy towards Syria has been largely shaped by Washington's concerns about Israel's security and other vital regional interests. The thesis further underscores that US stances versus Syria were primarily designed to please allies like France, Turkey, and the Gulf states that were grossly dissatisfied with the raging violence and the inability of the opposition to prevail. It concludes that overall, America's conduct vis-à-vis Syria has been highly influenced by a variety of factors that were far more decisive in shaping its approach than the

humanitarian imperative. It is clear that US conduct in the case of Syria was more guided by real politic considerations than by humanitarian concerns.

In the case of Libya, the thesis argues that the United States had no interest in preserving the Qadhafi regime and did not fear the repercussions of regime change there. Even in the case of turmoil in Libya, the study indicates that US interests would not be adversely affected while the overthrow of Assad, could potentially lead to political instability in the entire Middle East region increasing the risk that the conflict will spread to neighboring countries, including Israel. It highlights that such a scenario is not desirable from the American point of view, and can thus be considered a contributing factor behind the US lack of action in the case of Syria. It further assumes that a military intervention in Syria could damage significantly US interests and unquestionably, the interests of America's allies' in the region. In conclusion the work indicates that the United States had a lot to gain however, in simply acting as if it wanted to intervene in the Syrian for to humanitarian motives arguing that even though the United States has officially acted for an intervention in Syria, there are more reluctant signs pointing in the other direction.

Significance

This study has shed light on a number of related theoretical and practical issues in contemporary international relations. It has illuminated the circumstances under which new norms have emerged; in particular the related notions of humanitarian intervention and responsibility to protect. It has also shed light on the lack of universal agreement on the precise meaning of these concepts and the implications of the divergent perspectives for the ability of the international community to act in unison in pursuit of these principles. Equally important, the study has delved into the implications of these conflicting understanding on the actual conduct of states when facing international crises. Explaining the failure of the international community to act in Syria at least partly in terms of the lack of a common understanding of the circumstances that prompt humanitarian intervention is one important contribution to the field. Shedding light on the complex links between interests and understandings of international norms in concrete situations is another related contribution. The study contends that state interests are not merely the goals that states act on even when they violate international norms. State interests play an even more important and subtle role: they influence how states come to understand international norms. Stated otherwise, the thesis highlights that states do often, even without being disingenuous, interpret norms in such a way that they do not contravene their interests. A case in point is the Russian and Chinese understandings of the humanitarian intervention and responsibility to protect principles and their conduct vis-à-vis these notions. The study reveals that the Russian and Chinese narrow construal of the circumstances under which these principles apply is shaped by their interests to maintain freedom of action on the international scene. This also applies to

the United States whose interests also influence its understanding of these international principles.

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