

## How International Law Addressed the Syrian Revolution: An Analysis of Challenges and International Shortcomings

The events of the Syrian revolution, which began in 2011, remain one of the most pressing legal and political challenges on a global scale, raising profound questions about the effectiveness of international law in managing such crises. This report aims to analyze the relationship between international law and the Syrian revolution by reviewing its key aspects, which reveal the challenges and shortcomings of international response to the crisis.

The report begins with an exploration of the principle of the international responsibility to protect populations, known as the "Responsibility to Protect" (R2P), and its role in the context of the Syrian revolution, tracing the extent of its theoretical and practical application. It also sheds light on UN Security Council resolutions related to Syria, emphasizing their weaknesses and real-world impact.



Moreover, the report examines the impact of international economic sanctions, with a focus on the Caesar Act and its effectiveness in altering political and economic dynamics. It proceeds to discuss the absence of judicial condemnation of the Syrian regime, highlighting the gaps in international legal frameworks, and concludes by assessing the role of international humanitarian organizations under international law in alleviating the suffering of the Syrian people.

Through this analysis, the report strives to present a comprehensive reading that unveils the gaps between international legal frameworks and their practical implementation as a mechanism of pressure against the Assad regime, evaluating their successes and failures.

### *The Principle of International Responsibility to Protect (R2P)*

The principle of international responsibility to protect populations (R2P) is one of the fundamental doctrines adopted during the United Nations World Summit in 2005. Its primary goal is to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. This principle ignited hopes for international intervention to safeguard civilians from severe violations amidst the outbreak of the Syrian revolution.

In 2015, R2P was explicitly raised in a Security Council session as a legal framework for addressing crimes committed against civilians by the Assad regime, particularly amid the use of chemical weapons and escalating violence. However, repeated use of the veto power by both Russia and China hindered any resolutions aimed at activating this principle, reflecting profound divisions within the Council regarding the Syrian revolution.

Despite the failure to implement R2P effectively, the Security Council continued to issue other resolutions seeking to pressure the Syrian regime and address humanitarian needs from various perspectives.

### ***From Condemnation to Sanctions: UN Security Council Resolutions Against the Syrian Regime***

As Assad's crimes in Syria escalated, the UN Security Council's responses evolved to align with the different phases of the revolution. Initially, resolutions condemned violations and emphasized the need to ceasefire, as seen in Resolution 2042 of 2012, which aimed to halt military escalation by implementing the Six-Point Plan.

As the situation worsened, the focus shifted toward documenting crimes and enhancing international monitoring, marked by the establishment of the UN mission under Resolution 2043 of 2012, creating a framework for organizing and analyzing on-ground data.

Later, mounting challenges, such as the use of chemical weapons, led to significant resolutions like 2118 in 2013. This resolution went beyond condemnation, demanding the elimination of Syria's chemical weapons program used against civilians under strict international supervision.

With the deepening humanitarian crisis, pressure intensified through Resolution 2165 in 2014, stressing the importance of delivering aid to millions of affected individuals while continuing to denounce widespread violations by the Assad regime. Simultaneously, Resolution 2209 in 2015 underscored the persistent documentation of prohibited chemical weapon usage, reflecting ongoing crimes despite international commitments.

These resolutions reveal a gradual approach reflecting the international community's challenges in dealing with a complex and obstinate regime. What began with condemnation evolved into attempts to enforce concrete commitments but faced significant implementation hurdles due to political complexities and the frequent use of veto power within the Security Council.

### ***Economic Sanctions and the Caesar Act: A Pressure Mechanism on the Syrian Regime***

With the emergence of the "Caesar Files," which documented horrifying violations inside Syrian prisons, the international community adopted a new approach to exert pressure on the Assad regime through economic sanctions. The Caesar Act, enacted in 2019, marked a strategic shift

by focusing on crippling the Syrian economy and forcing the regime to reconsider its policies by targeting its financial structures.

This law was designed to impose sanctions on critical sectors, such as oil, gas, and infrastructure, while placing restrictions on foreign companies conducting business with the Syrian regime. These measures were intended not only to weaken the regime's ability to finance its military operations but also to increase international pressure to isolate the regime both politically and economically.



While sanctions, including the Caesar Act, proved to be a powerful tool for exerting pressure, they sparked widespread debates over their impact on the living conditions of the Syrian people. These sanctions have exacerbated economic and social hardships, intensifying civilian suffering and increasing levels of poverty and unemployment.

Internationally, the sanctions were widely supported as an effective means of pressuring the regime. However, they also faced criticism from some parties, arguing that they worsen the plight of the Syrian people without achieving the desired outcomes.

### ***The Absence of Judicial Condemnation and the Role of International Organizations under International Law***

Despite the severe atrocities committed by the Assad regime since the Syrian revolution's outbreak in 2011, international courts have not been able to issue direct judicial condemnation against the Syrian regime. This judicial gap is attributed to profound legal and diplomatic barriers. Legally, Syria is not a party to the Rome Statute, which denies the International Criminal Court (ICC) automatic jurisdiction over crimes committed within Syrian territory. Diplomatically, Russia and China's repeated use of their veto power in the Security Council has been a major obstacle to referring the Syrian case to the ICC.

Moreover, the complexity of the international context and the intertwined interests of the conflict's parties have further impeded a global consensus on clear judicial accusations against the Assad regime.

In this judicial vacuum, international organizations have emerged as an alternative force under the umbrella of international law, striving to document violations and condemn the Syrian regime on the global stage. The "Independent International Commission of Inquiry on Syria" has periodically released detailed reports documenting the regime's crimes, including war crimes and crimes against humanity. Concurrently, the Human Rights Council has played a pivotal role

by creating specialized committees to collect evidence, investigate crimes, and pass resolutions aimed at shedding light on violations.

### *International Assistance: Between Humanitarian Obligations and Political Barriers*

Based on the principles of international humanitarian law and the Geneva Conventions, humanitarian crises such as the Syrian crisis necessitate comprehensive international responses to provide aid to affected civilians. The international community has played a significant role in attempts to deliver humanitarian assistance, relying on legally recognized mechanisms to offer relief to those in urgent need.

International Aid Measures under International Law Humanitarian aid has taken various forms, including food and medical supplies, housing support for internally displaced persons and refugees, and access to clean drinking water. UN agencies like the World Food Program (WFP) and the UN Refugee Agency (UNHCR) led these efforts. Key milestones include Security Council Resolution 2165 of 2014, which facilitated cross-border aid delivery to areas outside the regime's control without requiring its approval.

Donor countries also supported refugee efforts in neighboring states such as Jordan, Lebanon, and Turkey, allocating billions of dollars to bolster infrastructure and essential services. However, the implementation of aid faced significant legal and political challenges.



The Syrian Regime's Role in Obstructing Aid Under international humanitarian law, humanitarian aid must be delivered without obstacles. Yet, the Syrian regime played a major role in obstructing aid distribution through:

- **Control of Supplies:** The regime insisted all aid pass through its institutions, granting it control over distribution and using it to bolster its political and military gains.
- **Closure of Humanitarian Crossings:** The regime and its allies, particularly Russia in the Security Council, pushed to reduce the number of crossings allowed for cross-border aid delivery, hindering relief efforts in needy areas.
- **Politicization of Aid:** Humanitarian aid was weaponized politically, with opposition areas being deprived of assistance, while supplies were concentrated in regime-controlled areas.

- **Corruption and Manipulation:** International reports documented cases of aid exploitation by the regime, either by redirecting it to finance military operations or reselling it on the black market.

#### Efforts by International Organizations

Despite these barriers, international organizations continued documenting these violations, leveraging international law to hold responsible parties accountable for obstructing aid delivery.



Periodic reports to the Human Rights Council and the UN General Assembly exposed illegal practices by the Syrian regime to the global community.

The path to sustainable peace in Syria remains long, as the international legal system's role remains incomplete, facing major challenges that demand fundamental reforms to ensure effectiveness and fairness. Nevertheless, the Syrian revolution stands as a living testament to the importance of documentation and accountability as pillars of future justice, and to the role of the international community in supporting populations striving for dignity and freedom.

In addition to these efforts, international human rights organizations such as "Human Rights Watch" and "Amnesty International" have raised global awareness about the realities in Syria. Their work has exerted consistent pressure on the international community to adopt more serious positions regarding the crisis. These organizations have also enhanced humanitarian efforts by providing aid and highlighting the plight of affected civilians. While direct judicial condemnation remains absent, these collective efforts under international law have represented an important step in documenting violations, laying a foundation for any future accountability of the Syrian regime.

