



DON'T FAIL US NOW

Ireland's vital opportunity to make a difference in North West Syria on the United Nations Security Council

March 2021

Summary

- March 15th 2021 marks the tenth anniversary of the beginning of the Syrian war.
- As co-penholder of the humanitarian brief for Syria on the United Nations Security Council, Ireland can now make the difference for 13 million people dependent on humanitarian assistance.
- Across the whole of Syria (Government of Syria-controlled areas, Northeast Syria and Northwest Syria), multiple modalities are required if 13 million people are to benefit from principled humanitarian aid.
- Cross-line aid is not an option in North West Syria, where GOAL operates. In North West Syria, up to 3.5 million people are dependent on the Security Council to authorise cross-border aid.
- In spite of the political interests at play, Ireland must prioritise humanitarian imperatives and ensure principled humanitarian access to North West Syria.
- At a minimum, resolution 2533 must be renewed for 12 months by July 2021.

On March 15th 2021, Syria will mark the 10th anniversary of a conflict which has seen the country go from a relatively stable middle income state to near-total devastation. A site of intense regional and international conflict since 2011, the war has more recently dropped off the global news cycle. While the world looks elsewhere, half of Syria's population remains displaced outside the country's borders, with no prospect of safe return. Of those remaining, it is estimated that 13 million are now dependent on humanitarian aid¹.

GOAL is working in North West Syria, where an uneasy ceasefire has held for the past year. Renewed fighting is widely expected, and if it comes, it will add further waves of displacement and destruction to an already-devastated territory. Multiple crises are underway: ten years of war are compounded by economic collapse and the global pandemic². Support from cross-border operations based in Turkey are critical to ensure timely and efficient humanitarian relief can reach Northwest Syria. The United Nations Security Council is responsible for authorising cross-border relief from UN agencies and their partners, by way of a resolution. **If Resolution 2533 is not renewed in July of this year, a wholly preventable humanitarian crisis will result**, on top of the multiple crises already underway.

On the United Nations Security Council Ireland has been appointed the co-penholder, alongside Norway, with responsibility for securing humanitarian access throughout Syria. The moment that will define this role in 2021 is the vote for the renewal of the cross-border mechanism which expires on July 10th.

This briefing paper describes the three different modalities for delivering aid in Syria which have emerged in an attempt to provide principled humanitarian aid, and especially the cross-border mechanism on which North West, Syria relies. It explains why cross-line aid is not an option in the North West, and the devastating impacts that non-renewal of the cross-border mechanism would bring. GOAL recognises the complex negotiations underpinning this question. Nonetheless, responsibility for the lives and wellbeing of civilians rests wholly with the UN Security Council. We call on Ireland to ensure that the resolution is renewed.

¹ <https://www.unocha.org/syria>

² See GOAL's briefing paper: North West Syria and Ireland on the United Nations Security Council

Principled humanitarian aid

Ten years of conflict have left thirteen million Syrians reliant on humanitarian actors for essential assistance. In North West Syria, GOAL works with local Syrian organisations, other international NGOs, and UN agencies to provide sustainable clean water, affordable food and emergency assistance for displaced people. This humanitarian system is essential to the survival of roughly 3.5 million people in North West Syria³.

Across Syria, aid is delivered according to three distinct modalities:

- **regular programming by agencies based in Government of Syria-controlled territory;**
- **cross-line assistance delivered by agencies based in government-controlled areas to North East Syria; and**
- **UN and commercial cross-border assistance delivered to parts of North East and especially North West Syria, where target populations are behind opposition lines.**

GOAL's assistance to North West Syria is cross-border in nature, with 600 operational staff based throughout North West Syria and in Turkey and Jordan.

The provision of aid and services in divided Syria is complex. Basic humanitarian principles demand that people receive aid on the basis of need in a way that is humane, impartial, neutral and independent⁴. However, in Syria parties to the conflict have used humanitarian aid as a tactic of war, controlling humanitarian access and using their control to reward supporters and punish opponents⁵. There is currently no functioning means of seeking accountability for such breaches of international humanitarian law.

When it comes to delivering aid across lines of control ("cross-line"), including front lines, different complications arise. In North East Syria, cross-line aid involves challenging and time-consuming approval processes and highly complex negotiations with sponsoring entities. In the North West cross-line aid has not proved possible (see section below). For this reason, humanitarian

actors are agreed that multiple modalities of aid (cross-line, cross-border, and programming within government-held territory) are necessary. Only the United Nations Security Council can authorise the cross-border modality for UN agencies.

Origins of the cross-border mechanism

The complexities of delivering essential services in the context of a fierce conflict ultimately led to the solution that is the cross-border aid mechanism. Earlier in Syria's civil war, parties to the conflict including the Government of Syria trapped civilians in besieged areas blocking aid convoys from accessing them: this approach was referred to by the UN Assistant Secretary-General for Humanitarian Affairs as systematic starvation by siege⁶. Humanitarian aid became caught up in the pursuit of conflict. This is the opposite of principled humanitarian assistance.

It was Government of Syria obstruction of humanitarian access, and use of such access as a political weapon, that led to the Security Council voting unanimously in 2014 to authorise cross-border deliveries of aid⁷. At the time, four border crossings were enabled for the use of United Nations agencies and humanitarian partners without the prior authorisation of the Damascus-based government: two on the Turkish border (Bab al-Salam and Bab al-Hawa); one on the border with Iraq (Al Yarubiyeh); and one on the border with Jordan (Al-Ramtha).

As the conflict has shifted over time, Russia has increased its opposition to the cross-border mechanism, and stepped up its use of the resolution to support its Syrian allies at the Security Council. In December 2019, only two of the four crossings were renewed: those accessing North West Syria over the border with Turkey; these were only renewed for six months. Since July 2020 there has been just one crossing with authorisation of the Security Council. Bab al-Hawa/ Cilvegözü is the final crossing from which UN agencies can deliver aid and support without the prior authorisation and vetting of the Damascus government.

The situation in North West Syria today is very different to when the border crossing mechanism

³ UNOCHA February 2021: 'Northwest Syria: Areas not under the control of Government of Syria'

⁴ https://www.unocha.org/sites/dms/Documents/OOM-humanitarianprinciples_eng_June12.pdf

⁵ See e.g. Human Rights Watch 2019 Rigging the System: government policies co-opt aid and reconstruction funding in Syria; Haddad, S. and Svoboda, E. 2016 What's the magic word? Humanitarian access and local organisations in Syria Overseas Development Institute HPG working paper

⁶ <https://www.un.org/press/en/2016/sc12203.doc.htm>

⁷ <https://www.un.org/press/en/2014/sc11473.doc.htm>

was first put in place in 2014. As government forces take more ground in Syria, people have little option but to flee the conflict to the North West, which is now host to 2.7 million internally displaced people as well as the host community. Before the first resolution, government manipulation of cross-line aid was used to besiege opposition-held communities: the memory of this persists across the North West and adds to the difficulty of introducing a cross-line mechanism. Since 2014, the cross-border resolution has allowed UN actors, principally OCHA, to negotiate and advocate for the NGO community including GOAL and our partners. Without that UN presence, the remaining humanitarian actors will be unsupported in their dealings with armed groups.

Cross-line aid is not an option in North West Syria

For the 3.5 million Syrians in need of humanitarian assistance in North West Syria, there is no alternative to the cross-border mechanism. Although the operational context is very different, some sense of the challenges of cross-line aid can be seen by observing what happened in North East Syria after the closure of the al-Yarubiyeh border crossing at Iraq. Since January 2020, a limited amount of aid has been conveyed from government-controlled areas to North East Syria. This imposes immense challenges at every stage of the programme cycle: from the ability of specific agencies to be funded; through approval for each separate mission; to coordination with local authorities and partners. It hampers the predictability, efficiency and timeliness of cross-line activity into North East Syria. The closure of the border crossing at al-Yarubiyeh in January 2020 directly resulted in the closure of nineteen health facilities and has also seen Syrian authorities stripping medical supplies headed across the lines⁸. All of this has had a devastating impact on the COVID-19 response in that part of the country.

The cross-line aid mechanism currently in place in North East Syria is a poor compromise given the closure of cross-border access; as a modality it is challenging but not impossible. North West Syria is a completely different context, where there is very little openness to aid coming from Damascus. The ceasefire in place in the North West is fragile, and the likelihood is that if the ceasefire breaks down the frontlines will shift once again, as they have with every new outbreak or escalation of conflict. Insofar as cross-line aid is possible, it requires that the frontlines are fixed and a stable ceasefire is in place – this is not the case in North West Syria.

If the UNSCR 2533 is not renewed, UN

operations in North west Syria will drastically reduce, creating gaps that cannot be replaced by NGOs. A cross-line modality is not a realistic option in this area nor is it likely to sustain a principled, timely response at scale.

Impacts of non-renewal

Russian diplomats have made it clear that come July they will oppose renewal of the cross-border mechanism at Bab al-Hawa. The veto of the five permanent members of the UN Security Council means that Russia, a party to the conflict and supporter of the government of Syria, can prevent renewal by itself. GOAL and other humanitarian actors watch this situation keenly in the hope of positive developments. The impacts of non-renewal will be stark.

Because cross-line aid is not a viable option for North West Syria, essential humanitarian aid will continue to be delivered by NGOs but not UN agencies, from across the border in Turkey. Many Syrian NGOs working inside Syria will lose the direct support of the UN.

Non-renewal will change the context entirely:

1. Direct implementation of aid by UN agencies based in Turkey including the World Food Programme and the World Health Organisation will cease. The large-scale emergency relief provided by UN actors since 2014 to the ever-worsening crisis will stop entirely. UN agencies operate in camp settings where they have been the primary actors providing large-scale direct support including water and sanitation, medical clinics, emergency food kits and shelter. People currently receiving aid will stop receiving it, and any new demands for assistance will not be met.
2. The loss of direct UN implementation will be compounded by the loss of \$300 million in funding from the UN, including the multi-donor Syria Cross-Border Humanitarian Fund (SCHF), worth \$190 million. This support is largely channelled to local Syrian organisations. Without such a source of funding, local expertise will not be fostered, the opportunity to build resilience and sustainability will be lost, and crucially, the nascent leadership of North West Syria's youth and women will be destroyed.
3. It is large UN agencies who secure and transport most in-kind assistance, meaning that in addition to the loss of \$300 million

⁸ Don't leave us behind Interagency Paper June 2020

in available funds, displaced and poverty-affected Syrians will be unable to access emergency food kits, tents, medicine or fuel.

4. Given the demands for scaling up to meet the gap, INGOs including GOAL have stressed that their current capacity is already overstretched. It could take months to increase carrying capacity, and even if we do succeed in doing this, it will not prove possible to fill the gap left by the UN agencies.
5. If the gap of \$300M/year is left unfilled or not replaced for months after non-renewal, the humanitarian needs of 3.5 million people will deepen. In a context of multiple crises, we are already seeing individuals and families turning to harmful coping mechanisms including early marriage among girls and child labour among boys. This crisis of protection will worsen alongside other crises.
6. In the event that the border crossing is renewed, but for a shorter period of time as happened in January 2020 with a six-month renewal, new difficulties will be imposed. Humanitarian work operates according to a programme cycle involving a system of fundraising, planning, implementing, monitoring and adapting. It is not possible to implement a full programme cycle in six months, and so projects and programmes will go unfunded owing to the uncertainty imposed by a short renewal period.

The politics of non-renewal

The United Nations Security Council is the only body that can guarantee safe access for principled humanitarian aid to North West Syria. The Security Council is trusted with guaranteeing the implementation of international humanitarian law. Yet when the Security Council debates aid modalities in Syria, the debate is not about sustaining life and protecting civilians and humanitarian workers. Rather, it is a debate about which actors have legitimate control over the national territory - which side of the war should win. From the shifting battle lines around Idleb right up to the UN headquarters in New York, humanitarian relief has been turned into a political tool of this brutal ten year old conflict. As both a party to the conflict on the government side, and one of the five permanent members of the Security Council, Russia has a unique interest in derailing these negotiations, though there are many other interests at play.

GOAL appreciates the political nature of this debate and understands that these are the interests dominating discussions in the Security Council. GOAL is acutely aware of the politics underlying the cross-border resolution: the conflict is, after all, the reason that we are operating in Syria. Humanitarian agencies all over the world are forced to do their essential work in areas controlled by warring parties⁹. Our objectives are securing the rights and dignity of civilians. If a political dispute results in the non-renewal of the border crossing, responsibility for the lives lost will lie with the United Nations Security Council.

Conclusion

As Syria enters a second decade of war and destruction, Ireland has the opportunity to reassert the rights and dignity of the Syrian people at the highest levels. As the co-penholder of the humanitarian brief, Ireland must insist on principled humanitarian access for all Syrians who need it. In the case of the North West, this can only mean the continuation of cross-border humanitarian aid, at a minimum through the renewal by July 10th of UNSCR 2533.

A feature of this ten-year-long war has been the co-option of its many local struggles for international political gain. GOAL is calling on Ireland to place principled humanitarian aid at the absolute heart of its priorities on the UN Security Council, and to acknowledge that the delivery of principled aid requires commitment, effort, and the highest level political support.

Any arguments against the renewal of the resolution must present clear evidence of how principled aid could be provided without a cross-border mechanism, in the context of ongoing active conflict. There is an abundance of evidence that it cannot. We are hopeful that peace negotiations will ultimately bring about a change in this situation. Until such time as they do, cross-border aid is essential for North West Syria. Ireland must prioritise this, and ensure that at a minimum, Resolution 2533 is renewed for a period of at least 12 months.

⁹ Haver, K. and Carter, W. (2016) "What it takes: Principled pragmatism to enable access and quality humanitarian aid in insecure environments"

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