



## Intervention in Syria

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- Chemical weapons have been used in Syria and have changed the position of major Western governments
- Their use in Syria was illegal under the 1925 Geneva Protocol, which Syria ratified in 1968, and under customary international law
- A UN inspection is under way
- The illegal use of chemical weapons does not affect the legality of outside intervention in Syria, which remains unclear without a Security Council resolution
- The options for military intervention are complicated and expensive
- Public opinion in the UK is firmly against intervention other than humanitarian
- Syria has one of the largest arsenals of chemical weapons in the Middle East

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# 1 The use of chemical weapons and the law

## 1.1 Geneva protocol

Syria is prohibited from using chemical weapons under customary international law and the [1925 Geneva Protocol](#) which it ratified in 1968. The protocol was drawn up at a conference on the arms trade held by the League of Nations. Although the arms trade convention that the conference adopted has not entered into force, the chemical weapons protocol has. Parties agreed to the ‘universally accepted’ prohibition of chemical weapons (and bacteriological weapons):

Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids materials or devices, has been justly condemned by the general opinion of the civilized world; and

Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

Declare: That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration.<sup>1</sup>

## 1.2 The *Chemical Weapons Convention*

The CWC aims to eliminate an entire category of weapons of mass destruction by prohibiting the development, production, acquisition, stockpiling, retention, transfer or use of chemical weapons by States Parties. States Parties, in turn, must take the steps necessary to enforce that prohibition in respect of persons (natural or legal) within their jurisdiction.<sup>2</sup>

Syria has neither signed nor ratified the 1992 *Chemical Weapons Convention*, a status it shares with Angola, Egypt, North Korea and South Sudan. Israel and Myanmar have signed but not ratified the Convention.<sup>3</sup> It entered into force in 1997.

One of the unusual features of the *Chemical Weapons Convention* is that States Parties commit themselves to accepting inspection at any time.

Not being party to the Convention does not diminish the prohibition on the Syrian government from using chemical weapons. The Organisation for the Prohibition of Chemical Weapons (OPCW), which is responsible for enforcing the convention, said in 2012: “as a party to the 1925 Geneva Protocol, Syria is obligated by international law not to use chemical weapons under any circumstances.”<sup>4</sup>

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<sup>1</sup> [Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare. Geneva, 17 June 1925](#)

<sup>2</sup> [Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction \(Chemical Weapons Convention\)](#), Organisation for the Prohibition of Chemical Weapons

<sup>3</sup> Organisation for the Prohibition of Chemical Weapons, [Non-Member States](#)

<sup>4</sup> [“statement by the OPCW on Syria”](#), OPCW, 5 December 2012

### 1.3 Customary law

The Max Planck Encyclopaedia of Public International Law explains that the use of chemical weapons is prohibited under customary international law (general practice accepted as law), which binds all states, including those that have signed no treaty on chemical weapons:

It has to be stressed that the prohibition of chemical warfare, based on solid evidence of State *opinio iuris* specifically relating to chemical weapons, is also rooted in customary international law, closely linked to the customary prohibition of the use of poison. This prohibition, which had already been developed in the 1920s and 1930s, not only covers lethal and incapacitating agents, but extends to irritants as well. Evidence of *opinio iuris* can be found in numerous declarations of State representatives and international bodies during the inter-war period, in particular related to the draft treaty discussed at the Disarmament Conference of the League of Nations in 1933. Furthermore, since World War I, chemical warfare has always met severe protest[s] from other States and the international community. *Opinio iuris* has been confirmed in many debates and numerous resolutions in the United Nations. It is noteworthy that States emphasized the continuing importance and validity of the prohibition included in the 1925 Geneva Protocol when adopting the Final Declaration of the Conference of States Parties to the 1925 Geneva Protocol [...] in 1979. Up until the adoption of the CWC in 1993, however, the customary prohibition of chemical warfare must, in light of declarations by States reserving their right to use chemical weapons as retaliation in kind, also be regarded as being subject to reciprocity.

The prohibition on chemical warfare is supported by general rules on methods of warfare. Among these rules, the prohibition of attacks against the civilian population, of indiscriminate attack[s], and of attacks causing excessive damage to civilian populations or civilian objects (in relation to the military advantage anticipated) are particularly relevant.

## 2 Chemical weapons use in Syria

### 2.1 Allegations of chemical attacks

Both the opposition and the government claim that the other side has used rockets armed with chemical warheads. On 19 March 2013 both the sides claimed nerve gas had been used at Khan al-Assal, near Aleppo. It is difficult to verify the accounts. With chemical weapons having the highest possible propaganda value, misleading stories about their use remain likely, especially since the US declared in August 2012 that the use or transfer of chemical weapons would constitute a clear 'red line'.

Newspaper reports suggested in April 2013 that MI6 had smuggled soil samples out of Syria and tested them at Porton Down, the government's Defence Science and Technology Laboratory. According to reports, analysis of the samples revealed traces of "some kind of chemical weapon", although no official statement has been made about the tests.<sup>5</sup> The soil sample analysed by the US administration was reportedly very small and contained traces of a chemical that could be related to sarin or to fertilisers.<sup>6</sup> Photographic evidence has also been studied, although pictures of victims foaming at the mouth conflict with accounts of the use of sarin; foaming at the mouth is not a symptom of nerve agents such as sarin.

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<sup>5</sup> ['British scientists find evidence of Syrian chemical attack'](#), *Daily Telegraph*, 12 April 2013

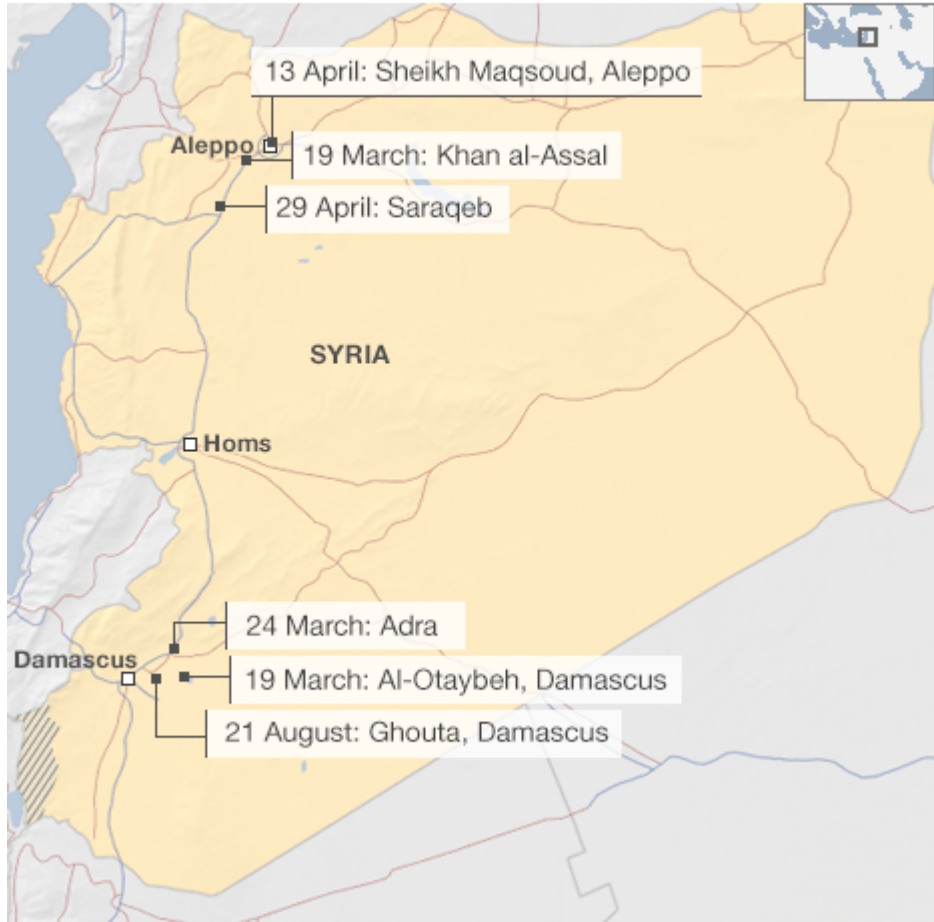
<sup>6</sup> ['Syria chemical weapons – Q&A'](#), *Guardian*, 27 April 2013

The latest alleged attack occurred on 21 August, reportedly killed more than 300 civilians including children in the Ghouta area outside Damascus. Pictures and video from the scene were widely judged to be consistent with the use of chemicals.

The Russian government has suggested that it could have been the opposition that conducted the attacks. Earlier, smaller incidents could indeed have been carried out by the opposition but it seems that the 21 August incident was too big for this to be the case. An article from *Jane's Defence Weekly* argues that "The apparent scale of the [21 August] attack undermines the Russian claim it was carried out by insurgents using improvised chemical weapons."<sup>7</sup> That still leaves the possibility of rogue elements among Syrian armed forces carrying out the attacks.

The United Nations inspectors are investigating three sites, the area around Ghouta, which includes several specific sites, and two others reported by Member States. David Cameron referred to 10 sites, while the BBC reports six sites.

**Possible chemical weapon attacks**



Source: [BBC](#)

**2.2 Red lines**

Since President Obama said that the use of chemical weapons would be a 'red line' which would change the administration's thinking about Syria, some have responded to the

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<sup>7</sup> "[Syria denies chemical attack took place](#)", *Jane's Defence Weekly*, 23 August 2013

possibility that they have been used by calling for more decisive action from the US and Western countries.

Obama's first mention referred to Syria's use or transfer of a "whole bunch" of chemical weapons<sup>8</sup>. Other mentions by the White House have talked about *the use of chemicals* rather than *any use*. It seems likely that this was intentional, a move to give the administration some flexibility. Other questions about the red line remain unanswered: does use by the rebels constitute a red line development? Does use by a renegade commander supporting the government? What would happen if the administration decides that the red line has been crossed? President Obama has indicated that he would value Security Council support in any action. The UK government has announced that it will table a draft resolution at the Security Council on Wednesday 28 August.

## Inspection

### 2.3 UN inspection team on the ground

On 21 August the UN Security Council had a special meeting and the next day the Secretary General sent a formal request for the UN mission in Damascus to be granted permission 'swiftly' to investigate the incident of the previous day. Western leaders said that the Syrian authorities needed to grant permission to the UN team, already in Damascus, to conduct the inspections quickly if they wanted to disprove allegations that they were responsible for the chemical attack.

Perhaps after pressure from Russia and Iran, the Syrian government granted access for the inspection team on 25 August and on 26 August the team, under Swedish scientist Dr Åke Sellström, spent its first day at the attack site on the outskirts of Damascus, despite being the target of sniper fire.

A problem for the inspectors will be the degradation of evidence. The area concerned was targeted by artillery fire in the days after the chemical attack, making it more difficult to discern exactly what happened and who was responsible for it.

### 2.4 Procedural basis

The UN Secretary-General is mandated to investigate any allegations brought to his attention by any Member State of the possible use of chemical or biological weapons by Security Council Resolution 620 (1988) and by General Assembly resolution 42/37 C of 1987. Paragraph 2 of UNSCR 620 states:

Encourages the Secretary-General to carry out prompt investigations in response to allegations brought to his attention by any Member state concerning the possible use of chemical and bacteriological (biological) or toxic weapons that may constitute a violation of the 1925 Geneva Protocol or other relevant rules of customary international law, in order to ascertain the facts of the matter and to report the results.<sup>9</sup>

The UN Secretary-General has requested the assistance of The Organisation for the Prohibition of Chemical Weapons (OPCW) in conducting the investigation. The OPCW is the implementing body of the Chemical Weapons Convention (CWC). It is responsible for

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<sup>8</sup> "We have been very clear to the Assad regime, but also to other players on the ground, that a red line for us is we start seeing a whole bunch of chemical weapons moving around or being utilized. That would change my calculus.", 'Five reasons the U.S. doesn't act on Syria chemical weapons reports', *Washington Post*, 21 August 2013

<sup>9</sup> [UN Security Council Resolution 620](#), 26 August 1988

ensuring compliance with the CWC and is responsible for verifying destruction programmes, inspecting all military facilities and civilian plants producing chemicals that could be used for armaments and carrying out routine monitoring and random checks on other civilian chemical installations. The CWC also provides for a “challenge inspection” by the OPCW if there are doubts over compliance by any State Party. Ultimately issues can be referred to the UN General Assembly and the UN Security Council.

### **3 The legality of intervening in Syria**

#### **3.1 Is Security Council authorisation needed?**

As in many areas of law, there are different opinions as to whether any military intervention in the Syrian conflict could be legal. However, for many legal experts, it is not clear that a strike that had no specific Security Council authorisation would be consistent with international law, even if the operation was designed to tackle illegal chemical weapons use. The fact that the use of chemical weapons is specifically ruled out in law does not change the legal situation regarding intervention, according to most experts.

#### **3.2 Would an opposition invitation legalise intervention**

Some have also discussed the legitimacy that could be achieved by an invitation to act by the Syrian opposition. The **Syrian National Coalition has been recognised** by many countries (although not by Russia or China) as the legitimate representative of the Syrian people. Other commentators have questioned this, arguing that the recognition of the National Coalition is not wide enough for an invitation for assistance to be accepted as a legal basis for intervention, nor does the National Coalition control much Syrian territory.

#### **3.3 Humanitarian intervention?**

The former legal adviser to the Foreign and Commonwealth Office, Daniel Bethlehem, suggests that the severe humanitarian crisis in Syria, worsened by the use of chemical weapons, would strengthen the argument for **intervention on humanitarian grounds**. This argument is related to the Responsibility to Protect doctrine (see below). Many have argued that the international community should intervene to stop gross humanitarian abuses and crimes against humanity if a state is failing in its duty to do that. However, it has never been resolved whether military intervention still needs authorisation from the Security Council; the US government has not specifically accepted humanitarian intervention without Security Council authorisation.<sup>10</sup>

#### **3.4 Self-defence?**

The pre-emptive defensive justification adopted by the George W Bush administration was controversial and not generally accepted to be consistent with international law. However, if there is an ‘imminent’ threat to US or UK security, and argument for **self-defence** could be used. This would not be easy to argue in the case of Syrian chemical weapons being used against Syrians, but would be far more convincing if Syria transferred the weapons to Hizballah, for example, which has a record of attacking Western targets.<sup>11</sup>

#### **3.5 Collective self-defence by NATO?**

At least one commentator has argued that a **collective defensive response** to threats to the security of Turkey could legally be made by NATO, as Turkey has been on the receiving end

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<sup>10</sup> Ashley Deeks, [Syria, Chemical Weapons, and Possible U.S. Military Action](#), *Lawfare blog*, 10 December 2012

<sup>11</sup> For more discussion of this point see Ashley Deeks, [Syria, Chemical Weapons, and Possible U.S. Military Action](#), *Lawfare blog*, 10 December 2012

of artillery fire from Syria.<sup>12</sup> The article suggests that Articles 52 and 53 of the [UN Charter](#), dealing with regional security, could justify a NATO intervention. NATO has already said that it will act to defend Turkey if necessary. However, the fighting across the Turkish border never appeared to amount to a serious threat to the Turkish state and has calmed down in 2013. Daniel Bethlehem also discusses the possibility of a collective self-defence rationale.<sup>13</sup>

### 3.6 UK government position

On 26 August 2013, William Hague outlined the UK Government's thinking on legality, basing his argument on the humanitarian distress in Syria. He said that the US and France shared this perspective:

Is it possible to respond to chemical weapons without complete unity on the UN Security Council? I would argue yes it is - otherwise it might be impossible to respond to such outrages, to such crimes, and I do not think that is an acceptable situation.

It is possible to take action based on great humanitarian need and great humanitarian distress. It is possible to do that under many different scenarios.

But anything we propose to do on this, the strong response we have talked about whatever form that takes, will be subject to legal advice, must be in accordance with international law.<sup>14</sup>

### 3.7 . The 'Responsibility to Protect'

In 2011 for the first time the UN Security Council (UNSC) issued a resolution – number 1973 on Libya – explicitly mentioning the responsibility to protect (R2P) while authorising states to use force. Was this a significant practical development or a unique set of circumstances that is unlikely to be repeated?

Resolution 1973 came at a time when R2P seemed to be in danger of withering on the vine, despite UN efforts to implement it. The doctrine was first endorsed by world leaders at the [2005 World Summit](#), who agreed that states had a responsibility to protect their own citizens but if they failed to do so the international community should take action, with the ultimate step being military force.

The biggest challenge with R2P is implementing it, as the UN Secretary-General recognised in his 2009 report, [Implementing the Responsibility to Protect](#). The subsequent debates on R2P in the UN General Assembly (UNGA) showed an almost universal acceptance of the principle of R2P, but the practical way forward was no clearer. The 2009 report did not require particular actions of the UN or Member States.

Resolution 1973 was the first UNSC resolution to authorise the final stage of R2P – the use of force by the international community to protect civilians – against the wishes of a functioning state. But the military action which followed was criticised by many for exceeding its mandate and seeking regime change. It has not been followed by a similar resolution on the situation in Syria: indeed, Russia and China have vetoed much weaker draft resolutions on Syria. Does this mean that R2P may never be applied again in the same way as

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<sup>12</sup> Jordan J Paust, 'Use of military force in Syria by Turkey, NATO and the United States, University of Pennsylvania Journal of International Law, 431-466 (2013)

<sup>13</sup> Daniel Bethlehem, [A Brief Reply on the Legal Bases for Intervention in Syria](#), *Opinio Juris*, December 2012

<sup>14</sup> ['William Hague: Military Action Against Syria 'May Be Only Remaining Response'](#), *Huffington Post*, 26 August 2013



Resolution 1973? Or in different circumstances will R2P again provide the basis for military action authorised by the UNSC?

The UK Government's declared strategy is to support military intervention to protect civilians in certain circumstances, as set out in a [2010 policy document](#). Its support for R2P is nuanced, and there is no clear statement that an R2P intervention does not need Security Council authorisation:

... if peaceful means are inadequate and national authorities are manifestly failing to protect their populations, collective action can be authorised by the UN Security Council.

The UK will continue to promote a shared understanding of R2P and is committed to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out. We will encourage and help States before crises and conflicts break, and work to ensure the R2P agreement is translated into a willingness to act speedily and appropriately.

The UK will consider R2P concerns in our work across conflict, human rights and development, and will support the EU and UN to implement a cohesive approach. We are also looking for ways to improve the range of tools available to the international community before, during and after conflict to minimise the potential for mass atrocities to occur.<sup>15</sup>

#### 4 Some options for military intervention

The practical difficulty of a military intervention in Syria has always been at least as much of an impediment as its debatable legality. US General Martin Dempsey, chairman of the joint chiefs of staff, wrote a letter in July 2013 to the Senate Committee on Armed Services detailing some possible options, with likely achievements and problems, which are summarised as follows:

- **Train, Advise, and Assist the Opposition.** Estimated at \$500 million per year initially, requires safe areas outside Syria as well as support from our regional partners. Risks include extremists gaining access to facilities and association with war crimes because of inadequate vetting, and cross border retaliatory attacks.
- **Conduct Limited Stand-off Strikes.** Costs would be in the billions. There is a risk that the regime could withstand limited strikes by dispersing its assets. Retaliatory attacks are also possible, and there is a probability for collateral damage impacting civilians and foreigners inside the country.
- **Establish a No-Fly Zone.** Estimated costs are \$500 million initially, averaging as much as a billion dollars per month over the course of a year. Risks include the loss of US aircraft, which would require us to insert personnel recovery forces. It may also fail to reduce the violence or shift the momentum because the regime relies overwhelmingly on surface fires—mortars, artillery, and missiles.
- **Establish Buffer Zones** for the organisation and training of the opposition and for the distribution of humanitarian aid. Lethal force required to defend them. Thousands of US ground forces would be needed as well as a limited no-fly zone, making the cost around

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<sup>15</sup> FCO, [UK Government strategy on the protection of civilians in armed conflict](#), 2010, p5

over one billion dollars per month. Risks are similar to the no-fly zone with the added problem of regime surface fires into the zones, killing more refugees due to their concentration. The zones could also become operational bases for extremists.

- **Control Chemical Weapons.** This option uses lethal force to prevent the use or proliferation of chemical weapons. We do this by destroying portions of Syria's massive stockpile, interdicting its movement and delivery, or by seizing and securing program components. At a minimum, this option would call for a no-fly zone as well as air and missile strikes involving hundreds of aircraft, ships, submarines, and other enablers. Costs over one billion dollars a month. Risks that not all chemical weapons would be controlled, extremists could gain better access to remaining weapons, similar risks to no-fly zone but with the added risk to US troops on the ground.

Another problem with targeting the chemical weapons arsenal is that it could be a signal to the Assad regime to use it or lose it, although a specific targeting of Syrian chemical weapons may not be the main thrust of the contemplated action. The letter did not mention arming the opposition, which the Central Intelligence Agency is already organising covertly.<sup>16</sup>

The general concluded with some cautionary observations:

I know that the decision to use force is not one that any of us takes lightly. It is no less than an act of war. As we weigh our options, we should be able to conclude with some confidence that the use of force will move us toward the intended outcome. We must also understand risk-not just to our forces, but to our other global responsibilities. This is especially critical as we lose readiness due to budget cuts and fiscal uncertainty. Some options may not be feasible in time or cost without compromising our security elsewhere. Once we take action, we should be prepared for what comes next. Deeper involvement is hard to avoid. We should also act in accordance with the law, and to the extent possible, in concert with our allies and partners to share the burden and solidify the outcome.<sup>17</sup>

The military was widely thought to be taking a particularly negative line on the idea of armed intervention, one not shared by all politicians. Some, such as Senator John McCain, have taken a much more positive line.

The most likely option appears to be limited stand-off strikes: missile attacks launched from warships deployed to the Eastern Mediterranean. These could be aimed at the command and control centres used to run the chemical weapons capability. Any attempt to destroy chemical weapons or stockpiles of chemicals remotely risks dispersing the chemicals and causing collateral damage, and in any case it would be difficult to make a decisive impact on chemical weapons capability with only cruise missiles; warplanes would be necessary and, for that, the Syrian air defences would have to be degraded.

There have been persistent reports that special forces are being readied, especially in Jordan, to enter Syria and take control of chemical weapons. The press has also said that Syrian rebels led by US and other foreign special forces are already operating in the country.

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<sup>16</sup> For more information on arming the Syrian rebels, see the Library Standard Note [Syria: The legality of arming the rebels after the lifting of the EU arms embargo](#), 18 June 2013

<sup>17</sup> [Letter from the Chairman of the Joint Chiefs of Staff to Carl Levin](#), Chairman US Senate Committee on Armed Services, 19 July 2013

## 5 Public opinion

The use of chemical weapons would not appear to be a ‘red line’ for the British public. Indeed, opinion against involvement may have hardened since August’s news. *YouGov* polled members of the public in Britain on August 22 and 23, after the reported chemical weapons attack. They found that opinion remains strongly against most forms of intervention in Syria, being in favour only of humanitarian supplies to civilians and protective clothing for anti-Assad fighters:

77% of the British public support sending “food, medicine and other humanitarian supplies” to Syria. However, only 9% support sending British troops, while 74% oppose the action. Support is equally minor (10%) for sending full-scale military supplies or even small arms (16%) to the Anti-Assad troops.<sup>18</sup>

Another *YouGov* poll was conducted for the *Sun* newspaper on August 26 and 27, adding questions about enforcing a no-fly zone and missile attacks from British ships in the Mediterranean. The results were as follows:

	Aug 22-23	August 26-27		
Attitudes to British options for military action	Net score	Support %	Oppose %	Net score
Sending defensive military supplies, such as anti-aircraft guns, to the anti-Assad troops	-34	23	50	-27
Sending full-scale military supplies such as tanks and heavy artillery to the Anti-Assad troops	-56	13	61	-48
Using British aircraft and missiles to enforce a no-fly zone over Syria and, if necessary, use them against aircraft and airports operated by the Assad regime	n/a	34	42	-8
Using British missiles, fired from ships off the coast of Syria, against military sites inside Syria	n/a	25	50	-25

Source: [YouGov](#)

## 6 Syria’s chemical arsenal

The Syrian weapons of mass destruction strategy was initiated by Hafez al-Assad, when he gained control of the country in 1970.

The programme is widely thought to have been developed with Soviet assistance during the 1980s.<sup>19</sup> As far back as 1983, the CIA stated in a (then) classified report that, along with Iraq, Syria had been set up with a CW capability by the Soviet Union:

Syria, also a major recipient of Soviet CW assistance, probably has the most advanced CW capability in the Middle East, with the possible exception of Egypt. Both Czechoslovakia and the Soviet Union provided the chemical agents, delivery systems and training that flowed to Syria.<sup>20</sup>

<sup>18</sup> [Send medicine to Syria, not guns or soldiers](#), YouGov, 25 August 2013

<sup>19</sup> James Blitz, “Concern grows over the fate of regime’s chemical arms”, *Financial Times*, 16 July 2012

<sup>20</sup> [Implications of Soviet use of chemical and toxin weapons for US security interests](#), CIA, 1983, p11

In an unclassified report, the CIA reported to Congress in 1997 that Syria had a stockpile of Sarin and was working on other agents, as well as missiles capable of delivering them.<sup>21</sup>

The US openly accused Syria of having weapons of mass destruction in April 2003, just after the invasion of Iraq. US officials feared that Syria was transferring weapons to Iraq. Sanctions were imposed on Syria in 2004 by the US *Syria Accountability Act*, partly in response to the alleged chemical weapons programme. The *Syria Accountability Act* stated that:

...the Government of Syria should halt the development and deployment of medium- and long-range surface-to-surface missiles and cease the development and production of biological and chemical weapons.<sup>22</sup>

In 2007, the US Treasury designated three Syrian bodies as weapons proliferators under an executive order. The three state institutions are divisions of Syria's Scientific Studies and Research Centre, which had already been designated by President Bush a "weapons proliferator" in June 2005 for research on biological and chemical weapons development.<sup>23</sup>

Damascus ratified the Geneva Protocol in 1968,<sup>24</sup> but is not a party to the *Chemical Weapons Convention*.

Reports emerged in July of Syria moving its chemical weapons to locations near the country's borders.<sup>25</sup> It was not clear whether the purpose of the move was to prepare for their use or to prevent them from falling onto the wrong hands. Israel said that it was prepared to take military action to stop Hizbollah from getting the weapons. There are also reasonable fears that the weapons may fall into the hands of extreme elements in the Syrian opposition movement, including violent *jihadis* who might use them against Western targets. Some analysts have argued, however, that the risk of terrorist use of chemical weapons should not be exaggerated.<sup>26</sup> There are many practical difficulties in their use. Various groups are known to have investigated using them in the past but there have been few instances where chemicals have been used effectively by terrorist organisations, apart from the Tokyo underground attack in 1995.

In a statement on 23 July, a Syrian government spokesman said that the weapons would never be used against internal opponents:

No chemical or biological weapons will ever be used, and I repeat, will never be used, during the crisis in Syria no matter what the developments inside Syria. All of these types of weapons are in storage and under security and the direct supervision of the Syrian armed forces and will never be used unless Syria is exposed to external aggression.<sup>27</sup>

The statement was the first open admission that Syria possesses weapons of mass destruction, and the last comment about external aggression was taken by many as a threat that they would be used if necessary.

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<sup>21</sup> [Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions, 1 July Through 30 December 1999](#), CIA, 2000

<sup>22</sup> [Syria Accountability and Lebanese Sovereignty Restoration Act of 2003](#), US Congress, Section 3 (5)

<sup>23</sup> [Armed Conflict in Syria: U.S. and International Response](#), Congressional Research Service, 12 July 2012

<sup>24</sup> This protocol to the Geneva Conventions prohibits the use in war of asphyxiating, poisonous, or other gases, and bans bacteriological warfare. It was opened for signature on 17 June 1925

<sup>25</sup> ["Syria moves chemical weapons before wider offensive: defector"](#), *Reuters*, 21 July 2012

<sup>26</sup> "The Specter of Syrian Chemical Weapons", *Stratfor*, 2 August 2012

<sup>27</sup> "Syria threatens to use chemical weapons in case of a foreign attack", *Washington Post*, 23 July 2012

## 6.1 Biological weapons

There have been widespread reports that Syria maintains a biological weapons capability. It is thought likely that Syria has stores of anthrax bacillus, botulinum toxin and the toxin ricin, but that its domestic production capabilities are limited and its weaponisation of biological weapons (the development of delivery systems) is not advanced.<sup>28</sup> Syria signed the *Biological and Toxin Weapons Convention* on 14 April 1972, but has not yet ratified it.

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<sup>28</sup> Nuclear Threat Initiative, Country profile, [Syria](#) [23 July 2012]

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Bruno Simma, [NATO, the UN and the use of force: legal aspects](#), *European Journal of International Law*, EJIL 10-99, pp1-22 (relates to the NATO action in the former Yugoslavia)

## **7.1 Past and present UK government’s approach to intervention**

FCO, [UK Government strategy on the protection of civilians in armed conflict](#), 2010

FCO, [UK National Strategy on the Protection of Civilians in Armed Conflict: 2011 Annual Report](#), 7 December 2011

FCO, [UK National Strategy on the Protection of Civilians in Armed Conflict: 2012 Annual Report](#), 19 December 2012

[HL Deb 30 June 2009 c191](#) (UN: Responsibility to Protect)

[HC Deb 9 February 2010 c213WH](#) (Conflict Prevention)

Oliver Daddow, [The use of force in British foreign policy: From new Labour to the coalition](#), *The Political Quarterly*, Volume 84, Number 1, January-March 2013 [online] (accessed 17 April 2013)

Oliver Daddow, [‘Tony’s war’? Blair, Kosovo and the interventionist impulse in British foreign policy](#), *International Affairs*, Volume 85, Issue 3, May 2009. [online] (accessed 17 April 2013)

[“How David Cameron's approach to foreign intervention is evolving”](#), *The Guardian*, 1 February 2013

[“Tony Blair: military intervention in rogue regimes 'more necessary than ever”](#)”, *The Guardian*, 1 September 2010

Department for International Development, [Saving lives, preventing suffering and building resilience: the UK Government's humanitarian policy](#), 2011.

[Humanitarian relief and Libya](#), [HC Deb 5 April 2011 c920-967](#)

[United Nations Security Council Resolution 1973 \[on Libya\]](#), [HC Deb 21 March 2011 c700-806](#)

[Speech by Tony Blair on the doctrine of the international community](#) to the Economic Club of Chicago, at the Hilton Hotel Chicago, Thursday 22 April 1999.

[Tony Blair speech to Chicago Council on Global Affairs](#). 23 April 2009.

## **7.2 Obama on interventionism**

Ron Paul.com

[Obama’s interventionism will lead to more undeclared wars](#)

3 February 2013

Ron Paul

President Obama last week began his second term by promising that “a decade of war is now ending.” As he spoke, the US military was rapidly working its way into another war, this time in the impoverished African country of Mali.

Daily Telegraph

[Obama needs to offer global leadership](#)

20 January 2013

Washington's use of force has been wary of late - but the crisis in North Africa may force Mr Obama to take a more active role

IISS: Survival

[Five pillars of American grand strategy](#)

1 October 2012

Paul D. Miller

For at least a century, US grand strategy has had five principle goals. It is in how they are pursued that foreign policy changes from one era to the next.

IISS: Survival

[The battle over America's foreign policy doctrine](#)

1 October 2012

Amir Stepak and Rachel Whitlark

Obama's foreign policies and rhetoric are a major departure from that which has prevailed in the United States for generations. Republicans have a different idea.

Time.com

[The Obama Doctrine: Syria vs. Libya Intervention](#)

1 June 2012

Michael Crowley

As the pressure grows on President Obama to take action in Syria, it's worth going back to re-read the March 2011 speech he gave explaining his intervention in Libya. In it, Obama made clear that that he was not raising the curtain on a new era of humanitarian intervention—that the criteria for U.S. action should depend on an intersection of our interests and our values.

Slate.com

[The New Interventionism](#)

19 October 2011

Fred Kaplan

How Obama is changing the way the United States wages war

Cato Institute

[President Obama: A Realist Interventionist?](#)

29 January 2009

Leon T. Hader

Figuring out the direction President Barack Obama's foreign policy will take has become a full-time job for pundits and foreign diplomats in Washington. And a key question on everyone's mind is how exactly Obama will seek to exert influence as the American Empire shrinks.

### **7.3 Lessons learnt from Iraq**

The Special Inspector General for Iraq Reconstruction (SIGIR) [website has a number of publications on lessons learned.](#)

[Learning from Iraq: a final report from the Special Inspector General for Iraq Reconstruction](#)

March 2013

*Spiegel International*

[Iraq Anniversary: 10 Lessons from America's 'Dumb War'](#)

Sebastian Fischer

20 March 2013

A decade on, polls suggest that a majority of Americans view the 2003 invasion of Iraq as a mistake. Right or wrong, the war has immensely influenced how America sees itself, is seen and conducts itself on the global stage.

*Los Angeles Times*

[\*Iraq war: Lessons learned?\*](#)

Doyle McManus

17 March 2013

The U.S. failures in Iraq may prevent foreign policy blunders in the short run, but don't count on that lasting.

Time.com

[\*Ten grim lessons learned from the Iraq war\*](#)

Tony Karon

16 December 2011

Despite the upbeat talk of the Obama Administration, the eight-year war that ended this week has done plenty of long-term damage to both Iraq and the United States. And it has bequeathed lessons worth considering ahead of future conflicts.