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**The American University in Cairo
School of Global Affairs and Public Policy**

**EVALUATION OF THE STRENGTH OF THE NORM AGAINST CHEMICAL
WEAPONS USAGE THROUGH THE INTERNATIONAL REACTION
CASE STUDY: CHEMICAL WEAPONS USAGE IN SYRIA**

**A Masters Project Submitted in partial fulfillment
Of the requirements of for Global Affairs**

By

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Fall 2019

**The American University in Cairo
School of Global Affairs and Public Policy
Department of Public Policy and Administration**

**EVALUATION OF THE STRENGTH OF THE NORM AGAINST CHEMICAL
WEAPONS USAGE BASED ON THE INTERNATIONAL REACTION**

Omnya Yassin

Completed in conjunction with Prof. Ghada Barsoum

Masters Project (fall, 2019)

Abstract

The purpose of this research is to evaluate the strength of the existing norm and conventions banning the usage of chemical weapons through the international reactions. Although it is agreed by many scholars that chemical weapons were banned due to moral, military and political reasons, this research will examine the political expediency behind the existing norm; due to the lack of efficient, strong and decisive international reactions. The paper will go through the background on Syria's chemical weapons program and will provide a brief on the Syrian civil war where the chemical weapons were used. Also, the paper will go through the chemical attacks that took place during the civil war until the accession of the Syrian regime to the chemical weapons convention and the process of the special elimination of the Syrian chemical weapons program, it will also discuss the verification and monitoring measures that were undertaken. Finally, this research will attempt to examine the different international reactions by international organizations and states, thus it would be able to draw a conclusion on the future of the norm.

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1. Chapter One

1.1 Introduction

Norms are standards and behaviors that are shared and recognized by actors. They inevitably have inherited moral constraints. At the same time, actors measure the cost and benefit of the norm, thus choose to adhere to the norm based on their own interests. On other words, under norms states choose to act or not to act according to their own interests. The recent alleged chemical weapons attacks in Syria, has revived the discussion on the strength of the norm against the usage of chemical weapons. CWs are the only type of weapons of mass destruction that have been used since the end of World War II.

This research will argue that international reaction to events in Syria suggests the norm is more driven by political considerations than morality. In Syria, the response was politically driven, and gaps in legal protocols used to prevent perpetrators from being held accountable for using weapons. Also the international reaction to the violation is not sufficient enough to preserve the norm or deter the perpetrators; because decisions would be motivated by geopolitics and states national interests, disunity in the decision making will take place, political alliances would affect the decision making and resolution, and the accountability would be hard to achieve.

Syria is the first state to use chemical weapons against its own citizens since the establishment of the CWC 1993, and also the first member state to violate the CWC. It is also the first time, chemical weapons have been verified that they were used by terrorist organizations. As the chemical weapons elimination in Syria is far from complete. Based on process tracing methodology, this research is going to evaluate the strength of the norm banning chemical weapons usage the international reactions to the CWs attacks in the Syrian Civil war. The paper will also discuss the norm is based on political expediency; due to the lack of sufficient and decisive international reaction. The research will demonstrate the inability of the Security Council to reach a resolution to stop the chemical weapons usage by the Syrian regime and terrorist organizations, also that the responsibility to protect was not invoked, however there was a strong clue to be used. The paper will also discuss the US and Russian position and also the non-reaction of the League of Arab state as the only regional organization where Syria is a member. The research will argue

that the international reaction to Syria's use of chemical weapons shows that enforcement of the norm is subordinate to political interests.

Chemical weapons have been used several times throughout history, and whenever there is wide scale usage, there is an international community to put constraints to their usage. Over the years, norms prohibiting the use of chemical weapons on moral and humanitarian grounds have evolved and been codified in different treaties. For example, there is evidence of prohibition of using chemical weapons in warfare dates back to 570 BC in Hindu laws to Manu putting constraints of using poison weapons (Jefferson, 2014) However, the Hague convention of 1899 is generally recognized as the first, international instrument to ban formally the usage of asphyxiating gases in warfare. The Geneva protocol 1925 was the second international attempt after the wide usage of chemical weapons in World War I. The second, was more restrictive than the first; as it banned usage of any asphyxiating and poisonous gases in any international conflict. The third attempt to ban the chemical weapons was the chemical weapons convention, that came into existence almost 70 years after Geneva. As chemical weapons were still used after WWII, they were not only used by state against the other, they were used by state against its own citizens such as Iraqi government in 1988 against its Kurds in Halabja, while Geneva protocol was still active. In the Third, the ban on chemical weapons was more expanded to limit building or using chemical weapons in any armed conflict (Jefferson, 2014) (Şener and Zimmermann, 2014) (Asada, 2015). The debate on the drives behind the norm against chemical weapons was divided between two arguments. The first argument is that the ban is morally driven because chemical weapons are brutal and causes unnecessary suffering to humans. It is generally accepted that the norm has both moral constraints and political expediency Müller and Harald (2013) Müller, Becker Jakob and Seidler -Diekmann (2013) Jefferson (2014). The other argument is that chemical weapons are of no military utility, and they are inherently perceived as crucial were as other conventional weapons could be as harmful as chemical weapons and are not banned. And because states measure the political cost against the military cost and which one would supersede, that's why chemical weapons were banned Price (1997) Legro (1997) (Karsh, Navias & Sabin (1993) Martin (2016).

1.2 Client Selection

My project will be useful if carried out to those organizations.

The Organization for the Prohibition of Chemical Weapons (OPCW)

Because the OPCW is the implementing body of the Chemical Weapons Convention and the body responsible for verification and elimination of chemical weapons. My project will be one of their concerns as it carries out the evolution of the norm banning chemical weapons and the past and present challenges to the norm. The norm was the basis for the codification of laws prohibiting chemical weapons; accordingly, anything that endangers the norm might endanger the role and presence of the OPCW and CWC.

The United Nations Security Council (UNSC)

The chemical weapons are considered weapons of mass destruction and they are threat to international peace and security. Therefore, the UNSC according to UN charter Chapter VII is responsible for maintaining international peace and security; consequently, it shall provide recommendations, or decide whether to use force or not under Articles 41 or 42; if there is a breach to international peace and security.

Thus, this project might be useful as chemical weapons and the alleged uses in Syria could trigger other states in the region to develop more weapons if felt threatened. These actions might jeopardize the international peace and security. I will examine the coherence of the norm and international law prohibiting chemical weapons through and the international reactions to the usage of chemical, and that it will give recommendations to enhance the norm that could be a useful platform for the UNSC to keep the norm consistent.

The League of Arab States (LAS).

Syria and Iraq are both members in the LAS, however, the membership of Syria is suspended but it is still a member. Two of the LAS members developed and used chemical weapons against their own citizens. Given the fact that LAS the only regional organization that both states are members in. Therefore, my project will be one of their concerns because it examines if the norm would be affected or not and this may threat the peace in the region and the integrity of the LAS.

The United Nations Office for Disarmament Affairs (UNODA)

The UNODA's role is to support the multilateral efforts to achieve disarmament of WMDs such as Nuclear, Chemical, Biological and non-conventional weapons under the existing international control system.

One of the UNODA current schedule is the upcoming conference for establishing a Middle East Zone Free of Nuclear Weapons and Other Weapons of Mass Destruction, thus this project might useful as it is drawing a pattern on how the norm evolved, the challenges and recommendations for the future to strengthen the existing norm.

2. Chapter Two

2.1 Literature Review

This literature demonstrates how the legal framework governing chemical weapons has evolved, and the influence of morality, ethics and expediency on the norm in response to their usage. In addition to discussing the chemical weapons usage in World War I and WWII, it will discuss the norm and conventions through two incidents, the first when CWs were used for the first time by government against its own citizens in Iraq against Kurds in Halabja 1988-1989, and the second was 25 years later by the Syrian government against own citizens why the norm evolved, how it evolved through history, what is banned due to the current convention and what is violation using Halabja as an example of the change of the dynamics of the norm which will frame the argument about Syria which showed that there is still gaps, how do we fill in the gaps, who to hold accountable and what does the Chemical weapons usage in Syria tell us about the norm. The literature is based on two major arguments, first that chemical weapons have been banned because of political expediency and that they have no military significance but are inherently perceived as brutal and immoral, however there are conventional weapons that are more brutal than chemical weapons and are not banned Price (1997) Legro (1997). The second argument is that chemical weapons are brutal and causes unnecessary harm to humans, thus the norm has moral constraints and that all proliferation and disarmament norms are based on morality that legal norm could be considered as moral law Müller, Becker Jakob and Seidler - Diekmann (2013). Others argued that the norm is banned because it has both moral constraints and political expediency that sometimes the political cost supersedes the moral arguments and chemical weapons are used to satisfy these political needs Jefferson (2014), Martin (2016). As chemical weapons have been always perceived as brutal and inhumane, Müller, Becker Jakob and Seidler -Diekmann (2013) supporting the moral argument, stated that the norm start at a tipping point, when state complies with such a norm determining that other states will comply as well. They also argued that "regimes are created to serve the creators" Müller and Harald (2013) and that norms are created based on interests but these interests are morally driven in order to limit the use of weapons of mass destruction, but at the same time enforce supremacy,

deterrence, and economic development. They also stated that the regime is unjust and unequal, but state managed to create moderate adjustments and more collaboration but on the other hand it may impede the norm from development.

Norm in international law means, standards and behaviors that are shared, recognized and accepted by states and cannot be modified unless by subsequent norm having the same character.¹ Norms inevitably carry ethical and moral contents (Muller & Wunderlich, 2013). They also have a big role limiting states' practices. It is also argued that norms under perfect information emerge as an equilibrium to states' behaviors, thus violations only occur as a result of miscalculations. Norms are also an expected shared behavior. Therefore, when accepting a norm, it is expected that actors would behave consistent with the norm (Stremitzer, 2009). Norms can also limit states' exercise of power (Sikkink & Finnemore, 1998). Norms are argued to be created by actors. For example, when a state behaves certain practice, other states will follow. States also measure the norm motivated by their cost and benefit calculations. Rationalists argue that there is a hegemonic norm which is used by powerful actors to preserve their superiority. Other actions adhere to those norms while they do not benefit but there would be sanctions and bad reputation. Thus, states abide by norms because it is in their interests or forced to comply. (Muller & Wunderlich, 2013)

Contrary to Muller, Becker, and Seidler-Diekmann (2013), Price (1997) argued that the rules prohibiting the usage of chemical weapons on warfare have emerged not just they are brutal or immoral, but because they of a limited military utility. In a sense, they were easier to ban than other weapons of mass destruction, because their military impact was not decisive. Price's main argument is that why there is a norm, and international law prohibiting the usage of chemical weapons while there are weapons that could be more brutal, indiscriminate and could cause no less harm than chemical weapons but still not prohibited Price (1997). Also, chemical weapons are perceived useful when used against unprotected targets. Usually in civil wars targets are naïve, unprotected and their numbers are relatively smaller, thus chemical weapons could be significant. On the contrary if used against rich military who wears protected masks against chemical weapons,

¹ Vienna Convention on Law of Treaties, Article 53

thus CWs can barely cause harm Karsh, Navias & Sabin (1993).

Price (1997) in his book *The Chemical Weapons Taboo*, viewed the origins and the development of the chemical weapons prohibition since The Hague conference 1899 until the Chemical weapons convention and why they were not used in WWII, trying to understand why such weapons are delegitimized and others of the same brutality and immorality are not prohibited. Three factors Price (1997) mentioned why chemical weapons were not used in WWII. First, when both military sides told each other not to use. Second, the fear of bigger retaliation such as; when Germany failed to employ gas weapons against the Allies in their invasion of Normandy because they feared a bigger retaliation from the Allies in German cities. Third, the public opinion anger against the usage because of the genealogy those chemical weapons are brutal and not ethically accepted. But also stresses the question why they were not used even when the opponent did not have retaliatory power and chemical weapons were the ultimate and favorite option to use in certain situations. Price (1997) argues that despite norms tend to fade; the fate of chemical weapons will not be the same. To answer his question Price suggested that chemical weapons are banned because they are not military useful and they have been subject to politicized and socialized interpretation that made them immoral and brutal, and because their genealogical aspect; people tend to perceive them as inhumane. However, he supported his argument with examples of situations where weapons are relatively brutal as chemical weapons but had more military utility and were not subject to the same fate as chemical weapons. In addition, CWs military utility could be diminishing with regard to nuclear weapons, but their political utility is increasing to some leaders. Karsh, Navias & Sabin (1993)

Between these lines of reasoning Martin (2016) argues that the military utility and norm existence both played a crucial role on the usage of chemical weapons by USA in Vietnam War. She addressed debate between the realists who argued that we live in an anarchic international system and USA used the weapons because of their military utility that superseded the political cost at the time of the war. On the contrary, the constructivists argued that USA stopped using CWs because of the norm binding and considered the usage of chemical weapon in Vietnam was wrong although USA was not a signatory of the Geneva protocol. On the other hand, when chemical weapons were not used widely in WWII not as the WWI, it was because of the fear of

public pressure and the less willingness of states to violate the norm, and also the situation did not need the usage of chemical weapons. Hence, the moral cost superseded the political cost during WWII, unlike the US-Vietnam War Legro (1997).

In the same vein, Jefferson (2014) argues that the norms have moral constraints and that states adopted the norm because chemical weapons are inhumane and causes unnecessary suffer. She also mentioned that Russia was the first to introduce the norm of gas weapons disarmament in Hague conference in order to maintain internal development; as it was close to bankruptcy. Despite the norm have been broken in WWI, states widely used chemical weapons, all military leaders felt bad about it, this shows that the moral behind the norm still exist. However, according to Jefferson, during WWI the number of deaths because of chemical weapons were less than those with bullet guns. In the point she agrees with Price (1997) she argues that bullet guns and other weapons were more brutal than chemical weapons and were not banned. She continues to go through the main conventions and protocols that made difference to the adherence of the norm against CW until the Syrian regime alleged attacks on citizens, stating that if the international community stayed silent such as what happened in Halabja and no one was held accountable, henceforth, the norm against the usage of chemical weapons will fade.

The previous arguments differ whether the norm was evolved because CWs are brutal and immoral, or there is no military utility of it or there because their political cost is higher than their utility that's why states abandoned the weapons. In order to understand the different interpretations, the following literature is about the historical background on how the norm evolved.

The origins of the ban of the norm against the usage of chemical weapons in war took place even centuries before the Hague Conference 1899. She stated that it had been norms against usage of weapons dated back to 570 BC in Hindu laws to Manu putting constraints of using poison weapons. The article discusses the negotiations during the Hague conference until the norm codified a law of war against usage of gas weapons Jefferson (2014).

Along with the same line of Jefferson (2014), Şener and Zimmermann (2014) listed how the laws against the usage of chemical weapons evolved over the centuries and that chemical prohibition was present before The Hague conference; as they were partially banned amongst the

oldest prohibitions in warfare in international; as in Article 70 of the 1863 Lieber Code had stated that the “use of poison in any manner, be it to poison wells, or food, or arms, is wholly excluded from modern warfare” and then it was followed by the prohibition of asphyxiated gases in warfare in the Hague conference. But this was undermined in World War I and after chemical weapons were widely used, they were prohibited again in treaty of Versailles.

Asada (2015) provides a chronology of how the norms prohibiting the use of chemical weapons have evolved over the time. Asada addressed that the first time there was international endeavor to restrict the use of chemical weapons was The Hague convention 1899 concerning the asphyxiating gases. The state parties to The Hague declaration agree upon abstaining from the use of projectiles the "sole" aim of it is the diffusion of asphyxiating or harmful gases; and that this prohibition is only binding to the state parties to the convention. The convention did not only prohibit the use of poison gases it also prohibited the establishment of poison arms and projectiles

The term "sole" created controversies; some interpretation said that gases from an explosion that is not chemical can cause death while it's not the sole aim, other interpretation said that they should not look at the declaration and interpret it literally because the declaration was to strength and codify the past condemnation against the usage of chemical weapons. Fifteen years after the Hague, World War I took place and there were cases of in-compliance. Chemical weapons were widely used, because industrialization took place, weapons were more advanced. Mustard, chlorine and nerve gases were introduced during several wars around the world. The efforts to CWs disarmament continued through the 1920s. The Geneva protocol was more restrict about the chemical weapons usage and came as a response to the large scale of the usage of CWs, in which it prohibited the usage of asphyxiating, poisonous or other gases in armed conflicts, and of all analogous liquids, materials or devices The protocol simply prohibits the usage of chemical weapons in any international armed conflict.

Chemical weapons were used again during the interwar period but with a noticeable smaller scale. In many times and incidents, the international legal law been considered unreliable, because chemical weapons were used by other states even after WWII however, there still was not a complete ban introduced; For example Geneva protocol did not ban the use of chemical weapons during civil wars and only banned in international armed conflicts..

Despite using CWs in international conflicts was prohibited in Geneva Protocol, Iraqi

government has used chemical weapons against the Kurds in internal conflict. After the atrocities in Halabja 1988, the international system reaction was dramatic; as it resulted in the creation of the Chemical Weapons Convention in 1993.

The Chemical Weapons Convention formally prohibits all state parties from acquiring, developing, producing or transfer of chemical weapons, and it has its own international monitoring and verification body which is the organization on the prohibition of chemical weapons OPCW. State parties to the Convention agreed to provide general plan to destroy all chemical weapons it acquires and their production facility. They also declare its CWs, specify their location and may also report any CWs whether on their territory or not. The OPCW is functioning as the safeguards and verification body of the CWC. For the verification process, the CWC classifies the toxic chemicals into three schedules that state parties has to declare, the first one includes chemicals that have high risk for the convention and are barely used outside chemical weapons, and they are more lethal than others such as; Sarin, Mustard, Tabun and nerve gases. Schedule II, chemicals that can be used to develop chemical weapon and can have other peaceful uses but on small scale, they are chemicals that can have lethal and significant risk to the Convention such as; Thiodiglycol which can be used to manufacture chemical agents. Schedule II, chemicals that can largely be used in manufacture chemical weapons on one hand and on the other it has several uses in other industries such as Phosgene and Hydrogen cyanide.²

Moreover, Colombia Constitutional Court banned them in both international armed conflict and non-international armed conflict as a sort of customary international law. Until the Rome Statute which in article 8 prohibited the usage of poisonous gases and chemical weapons in warfare and then amended to be in both international and non-international armed conflicts, not all states agreed on the amendments, thus the International Criminal Court decided that the states who are signatories to this amendment will the court will have jurisdiction over their actions and state who are not signatories will not fall under the jurisdiction of the court. Şener and Zimmermann (2014) argues that this is problematic and overlaps with the UN security council Chapter VII; as evident in the text of Syria, when the UNSC resolution 2118 stated that

² Chemical Weapons Convention, Article I, Article II, Annex on chemical "A"
Annex on chemical "B"

the usage of chemical weapons perceived as threat to international peace and security thus, this could open up chapter VII and council might take the necessary measures. In other words this they argue that this make the ICC role limited in issues related to chemical weapons with regard to other states except for the few states that signed and agreed on the amendment.

- **Chemical Weapons use and Norm Interpretation**

However, the usage of chemical weapons in Halabja was not considered a violation of international law or Geneva Protocol. Geneva only prohibited the usage of chemical weapons in international armed conflicts. Although such actions were not prohibited, it was morally unacceptable; little action could be taken because use of Chemical Weapons in a civil war was not covered. The chemical weapons attack by the Iraqi regime against the Kurds in Halabja took place between 1987 till 1989 during the Iran Iraq War remarking the first time in history CWs where used by regime against their own citizens. Iraq used CWs against Iran which proves efficiency, while at the same time Iran was achieving significant success in Northern Iraq; making separate deals with the Kurds to support them against their own regime. To suppress the chaos on the North, Saddam assigned his cousin Ali Al Majid to eradicate the resistance, thus al Majid carried out set of chemical attacks against the Kurds through Al Anfal campaign. In April 1988 at least 40 chemical attacks have been reported. Al Majid used bombs, projectiles and missiles that contained Sarin, Tabun, and Mustard Gas. What began as counterinsurgency ended as genocide; people where immediately killed, other got blinded, birds dropped out of trees and children tried to escape the wind. The campaign ended killing at least 5000 Kurds and more than 7000 were injured and suffered long term diseases. Moreover, the international system stayed silent as most of the superpowers such as USA were supporting Iraq against Iran, Saddam Hussein was never tried for his CWs attacks, he was only sent to death penalty because of Dujail massacre Kelly (2008). Asada (2015), as a result the Chemical weapons convention came into existence and was open to signature in 1993 and entered into force in 1997 by 192 states excluding Syria. On the other hand, Syria was not a member of Geneva protocol or CWC, thus it did not violate any treaty when it started using CWs in 2013

The period during the Iran-Iraqi war showed how the international community was politicized.

Ali (2001) Iraq launched chemical attacks against Iran while the international community only blamed and criticized Iraq and did not do more than this, henceforth; Iran was encouraged to develop chemical weapons. Not only because of the international system reaction but even military men have seen in the battlefield the effect that chemical weapons can do, they were inspired. The Iraq-Iran war demonstrated the short comings of the Geneva protocol and Ali (2001) argued that the norm was eroded in Geneva protocol; as it did not provide verification mechanisms or ways to punish violators. Ali (2001) described the weakness of legal regime after the Geneva protocol 1925 and cases of non-compliance starting with Egypt in Yemen, USA in Vietnam, and USSR in Afghanistan until Iraq-Iran war. Not only the usage of chemical weapons was the only shortcoming of Geneva Convention but also the proof that many western states benefit a lot from trading and manufacturing technologies of chemical weapons.

Standing with Ali (2001) argument, Hiltermann (2007) argued that the lack of US vigorous response when Iraq used Chemical weapons against Iran; shed the green light to Iraq to continue use the gas against own civilians. He also added that the US administration after conducting investigation said that "there's no conclusive evidence" that Saddam Hussein used chemical weapons during 1983-1984 and that their diplomatic relationships has recently reached maturity thus they didn't want to deteriorate them, that's why the military action was not the most convenience solution. On the contrary, Karsh, Navias & Sabin (1993) argued that the Iraqi government stopped using chemical weapons because they proved inefficiency and that's why Iraq stopped using them in Iraq-Iran war, and that they could only be proficient when used on small scale against unprotected targets such as what happened in Halabja. They stated also that only rich military could be protected, and civilians cannot, but on small scale. They also added there is a dichotomy in the proliferation it's either the military and political utility; and that there are political and military utility of chemical weapons, thus governments test its military utility. If states still develop and use CWs then their benefits surpass the political costs which they addressed that could be national security issues. They argued that it is misleading to describe CW as poor man's atomic bomb, despite that in some situations it was regarded as atomic bomb.

Along with the same vein, Butler (2000) the head of the UN special commission to disarm Iraq WMDs 1991, in his book "the Greatest Threat: Iraq Weapons of Mass Destruction and the Crisis of Global Security" he addressed that although the UNSCOM was sophisticated and unique commission, they failed, and Saddam won. Butler (2000) argued that the failure of

the world attempts to disarm Hussein was more alarming than it may appear to be, and their failure to deal effectively with man who can bear all costs to obtain and stockpile and use WMDs in order to obtain his own political goals is a crisis in global security management. He also added that Iraq continuous violation of international law and treaties, has shaken those agreement and their faith held by nations. WMDs treaties offer a lot of mechanisms for detection, whilst Hussein has been detected but was not stopped, and if he gets away with it the whole international structure could collapse.

The literature has been divided whether the norm based on morals or the insignificance of the chemical weapons in warfare, as there are more destructive weapons than CW but are still not subject to same regimes. Moreover, argued that the lack of international response to Iraq usage of chemical weapons against Iran encouraged Iran to develop weapons and encouraged Iraq to use them against their own citizens, others viewed that the chemical weapons were insufficient, that's why Iraq gave up using them.

To test the strength of the norm Legro (1997) argued that norms stands in between the two polarized arguments one that, norms have substantial impact on the conduct of international relations and that the world is anarchic, and institutions and norms play a little role. According to Legro (1997) norms indeed matters but not in a term that the norm supporters utter. Legro (1997) decided to take a comparative approach between strong norms like those targeting the CW and less strong norms such as norms concerning submarines. He used three criteria to measure the strength of the norm; specificity, durability and concordance. The more the norm is specified and concordance, the more likely to succeed. Legro (1997) also saw norms have moral formation, but somehow are ineffective in critical situations.

3. Chapter Three

3.1 Conceptual Framework

Norms are standards and behaviors that are shared, recognized and accepted by actors. Although, they carry moral content, actors choose to abide to norms serve their interests. The norm banning chemical weapons is not new. Based on the literature there is two arguments where the chemical weapons ban morally driven and based on *jus cogens*, because they are brutal and causes unnecessary harm. The other argument is that the norm banning chemical weapons is based on political expediency because chemical weapons are inherently perceived brutal while they can be as brutal as some conventional weapons, and the fact that they are of no military utility, that's why they are banned.

However, this report will argue that international reaction to events in Syria suggests that norm is more driven by political considerations than morality. In Syria, the response is politically driven and gaps in legal protocols used to prevent perpetrators from being held accountable for using weapons

Also the international reaction to the violation is not sufficient enough to preserve the norm or deter the perpetrators; because decisions would be motivated by geopolitics and states national interests, disunity in the decision making will take place, political alliances would affect the decision making and resolution, and the accountability would be hard to achieve.

3.2 Methodology

Syria is critical case to evaluate the norm against chemical weapons usage because it is the first time chemical weapons were used by state actor against their own civilians since Halabja 1988-1989, In addition, it is also the first time the taboo is violated since the establishment of the Chemical Weapons Convention CWC. Weapons were also used even though, after the US President Obama issued a statement indicating a military response if they were used against civilians.

In addition, Syria also introduces usage by non-state actors against other non-state actors in civil war – which has the same humanitarian impact but is not covered by the CWC.

Lastly, the materials used are both covered by the CWC and not covered by the CWC. Banned chemicals have been allegedly used such as nerve agents, Sarin, Mustard and choking gases on one hand, and on the other hand, other gases that have been used as a weapon while they're not banned or even mentioned in the CWC such as Chlorine gas.

This research is conducted through process tracing. It is necessary to define the relationship between independent variables and dependent variables. Independent variables such as; morality, *jus cogens* expediency. Dependent variables are coherence and the strength of the norm against the usage of chemical weapons. This research will evaluate the norm depending on one case study which is the chemical weapons usage in the context of the Syrian civil war since late 2012.

In this case I am tracing whether the ban of chemical weapons is based on morality and *jus cogens*, thus, I am expecting a strong international response; guided by the Responsibility to protect RtoP, there would be condemnations from all international actors, there will be unity and consensus in decision making regardless the political alliances, there will be accountability measures taken, also it would be expanded verification, thus a more expanded ban of the chemical weapons in which there would be no gaps and no violations to the norm, henceforth, the norm will remain stronger. Alternatively, if the ban is based on expediency then the international reaction will not be sufficient enough; decisions would be motivated by geopolitics, differences in the decision making would prevail, political alliances would affect the decision

making and resolution, accountability would be hard to achieve, there will be condemnations by some states and others might not condemn, also, there will always be gaps in the norm, different factors would still be challenging and violations thus the norm might be weakened.

Evidence on the reaction to the use of chemical weapons in Syria was gathered from, news articles, documents, speeches, UN resolutions, OPCW reports and other sources documenting events during the conflict.

4. Chapter Four

Case Findings

4.1 Background on Syria's Chemical Weapons Program

According to the Chemical Weapons Convention, a chemical weapon means any toxic chemical that can cause injury, irritation, and death to animals and humans regardless the original purpose of acquiring or building them. CWs are deployed via delivery system such as; artillery shells, stockpiles, rockets or ballistic missiles.³

There are several types of chemical agents such as, nerve agents, and choking and blister agents. The deadliest type is the nerve agents such as Sarin and VX. They are usually in liquid or gas forms; they cause severe damage to the central nerve system and result in immediate death (Arms Control Association, 2018).

The second type is the blister agents, are less deadly than the nerve agents, they are usually in gas, liquid or aerosol forms, and causes severe burns and blistering of the skin and complications for the respiratory system if inhaled, common forms of blistering agents include Sulfur Mustard and Nitrogen Mustard. Third type is the choking agents, they are agents that attack the respiratory system such as chlorine and phosgene, choking agents if inhaled can cause respiratory failure. (Arms Control Association, 2018)

All these weapons can cause immediate death, short- and long-term illness for humans. During the Syrian civil war nerve, blistering, and choking agents have been used against civilians by the Syrian government and by other non-state actors.

Syria's chemical weapons program is thought to be the largest CWs program in the Middle East and regarded the fourth largest around the world; however, it has built its CW program in complete secrecy. Despite the secrecy of the program, allegations that Syria possess chemical weapons program have been made in various proliferation status reports. After the

³Chemical Weapons Convention, Article 1

defeats of some Arab military especially between the period of the 1960s and 1980s by Israel, consequently, the Syrian military began to restructure, expand and modernize its military. Although Syria invested a lot in its military, they couldn't compete with their strategic enemy Israel due to economic difficulties at that time and the decline of the Soviet Union power. On the other hand, Syria started to support proxy groups in the Middle East, such as Iran. Syrian Government started to build its chemical weapons program and so do Iran due to the significant chemical weapons impact which they witnessed during the Iran-Iraq war. For Syria, they acknowledged building chemical weapons is not significant in the battlefield and is not threat to Israel; otherwise the utility of chemical weapons is the ability to cause terror, stress, and disruption. ⁴

When Syria started to develop its own CW program in the 1960s, they received assistance from North Korea, USSR, Egypt and some European firms have been involved in trading some dual use agents to Syria. Not only that Syria has one of the largest programs, it also contains variety of the most dangerous agents such as Mustard gas, Sarin, VX and other nerve agents, blistering and choking agents, however VX is a more dangerous agent than sarin as it stays more in the environment as well as cyanide gas. Despite the severity of the weapons Syria acquired, the government back then did not do single statement or declaration about the chemical weapons and did not enter the CWC until 2013.⁵

4.2 Civil War in Syria

In order to understand why chemical weapons were used, under what circumstances and why and when the international community started to intervene in Syria.

Chemical weapons were used during the period of the Syrian Civil war between late 2011 until present inspired by the events in Tunisia, Egypt and Libya. Libya was another thing where the all the international attention was shifted to as there was a military intervention to oust Geddafi. (Philips, 2016)

⁴ Unease grows over Syria chemical weapons, International Institute for Strategic Studies (2012)

⁵ ibid

The uprising in Syria started in March 2011 through peaceful protest in the city of Dera'a. When the protesters were met with violence, bigger number of people started to protest from different cities, however Damascus and Aleppo remained quiet at that time. When the violence escalated during July and August 2011, as more than 160 citizens were killed at once in the city of Homs. That's when Syria grabbed the international attention; different actors intervened for different agendas, geo-strategic, economic or political.

The USA intervened while it was criticized for Obama's non-interventionism policy and it was considered as a signal that USA polarity moment would be over and it is challenged by China, Russia and other EU states, thus USA had to intervene when Obama said "We have consistently said that President Assad must lead a democratic transition or get out of the way. He has not led. For the sake of the Syrian people, the time has come for President Assad to step aside" (Philips, 2016). Russia intervention was for geo-strategic reasons, to go back to the region it had abandoned and to leave no room for USA to act, given that the past USA interventions were not successful, in Iraq, Libya and Sudan. Also, Russia wanted to gain allies in the region, and to have access to waters. The Middle East region also has witnessed the rise of new actors such as Turkey, Iran and Gulf states. Qatar and Turkey have been always allying to Assad, but after the violence escalated, Turkey and Qatar abandoned Assad and allied with the protesters. Turkey thought that they could talk with Assad and solve the conflict and when that seemed not possible Ankara took a dramatic shift against Assad that had more impact than Saudi Arabia and Qatar. Turkey wanted secured borders and feared the spill over; also, Turkey wanted to gain influence in the region. Turkey miscalculated the events, as the relationship between Syria and Turkey were based on economic, soft power and personal relationships and while those relations didn't seem sufficient enough to stop Assad violence, Turkey did not want to be viewed as coupling with a tyranny, neither by its own population nor by the international community. (Philips, 2016)

Iran have always backed Assad and took it as an opportunity to reinforce influence in the region again, where Saudi Arabia took the side of the protesters to counter the Iranian influence in what so called the Middle East cold war and also to ensure its safety and most importantly that Saudis would not get inspired. Therefore, each of the actors participated for a certain agenda and not for the sake of the Syrian people themselves which were the core of the conflict.

As the alliances took places and proxies were on the battlefield the situation in Syria turned out to be more violent than ever. The regime precisely claimed that they're facing armed rebellions that are supported from outside (Philips, 2016).

4.3 Chemical weapons usage in Syria

The Issue of chemical weapons emerged in July 23, 2012 when the Syrian ministry of foreign affairs spokesman Jihad Makdissi declared in a press conference for the first time that Syria possesses weapons of mass destruction specifically chemical weapons.

He also added that "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" (Hart 2012).

Those allegations intensified the debate on should the international community intervene in Syria military or not. President Barack Obama on August 21, after almost a month from Syria's declaration; stated that if chemical weapons were used by Assad or other players on the ground is a red line for USA and this would change his calculations significantly and there would be enormous consequences.⁶

Chemical weapons were used in several occasions in Syria, whereas the international community have known about, but did not have efficient method to prove nor to hold people accountable. Also, there was no serious move until Ghouta incident which is considered the biggest chemical attack in Syria in terms of death tolls and injuries, also in terms of media attraction and pictures and videos that went viral around the world. All the allegations and international reaction started after Syrian regime reported to the UN of possible chemical weapons attack in March 20, 2013, also to note that throughout all the chemical attacks that took place in Syria which were about 200 chemical attacks and numerous incidents, the opposition and regime kept accusing each other of the incidents.

⁶ The Telegraph (2012), US President Barack Obama in "red line" Warning Syria over Chemical Weapons, <https://www.youtube.com/watch?v=avQKLRGRhPU>

4.4 The First Chemical Usage Report

The first-time chemical weapons were used was in Homs, in December 2012, when seven people were killed by alleged poisonous gas attack. France, UK and the US sent a report to the UN requesting to verify the incidence on March 2013. The second allegations of chemical weapons usage took place in March 19, 2013 in Khan Al- Assal, a neighborhood in Aleppo and in Ateibeih in Damascus, where 25 persons were killed, and tens were injured. The regime claimed that the attack was carried out by the opposition forces.⁷ The same day the Permanent Representative of the Syrian Arab Republic to the United Nations, informed the UN Secretary General Ban Ki Moon and the President of the Security Council that armed terrorist groups had fired a rocket from the Kafr De'il area towards Khan Al Assal in Aleppo. According to the report, the rocket had travelled around 5 kilometer and fell 300 meters away from a Syrian Arab Republic army position. Following its impact, a thick cloud of smoke had left anyone who had inhaled it unconscious. The incident reportedly resulted in death toll of 25 people and injured more than 110 civilians and soldiers (A/RES/68/663, 2013).

In March 20, the deputy Syrian Prime minister sent a letter to UNSG requested the establishment of a "specialize, impartial, independent mission to investigate the alleged uses of chemical weapons in Khan Al-Assal area" (A/RES/68/663, 2013). Also, in the same day president Obama stated in a conference that the "usage of chemical weapons is a game changer" (Hart, 2012).

France and United Kingdom sent letters to the UN Secretary General Ban Ki moon asking him to conduct investigation in the three incidents. On March 24, Syrian opposition reported another chemical attack from rockets in the city of Adra, Northeast Damascus that killed two people and caused 23 injuries. Other allegations were reported of two gas bombs in Aleppo, killing two civilians and twelve were injured. The UN Secretary General is authorized to conduct investigation under the UNSC resolution 620 which was adopted 1988 states that, the

⁷ Arms control Association, Timeline of Syrian Chemical Weapons Activity, 2012-2019
<https://www.armscontrol.org/factsheets/Timeline-of-Syrian-Chemical-Weapons-Activity>

UNSG could carry out investigations based on any member state report to the UN of any violations to the Geneva protocol 1925 and any other international customary law regarding the chemical and biological weapons called the Secretary General Mechanism SGM.

(A/RES/68/663)

Ban Ki-moon announced that an investigation in Syria will take place in collaboration with the World Health Organization and the Organization of Prohibition of Chemical Weapons by March 21, 2013. (A/RES/68/663)

The SGM was triggered in March 2013 after Syria, which is a State Party to the Geneva Protocol, reported allegations of CW use in the Khan al-Assal area. Teams from OPCW and WHO, were gathered but, remained on standby in Cyprus until the terms of reference between the UN and Syria were agreed on (Vestergaard, 2016). US, UK and France governments in various statements, stated that there was no doubt that the Syrian regime used chemical weapons. UNSG wanted to investigate the three incidents to take other member states allegations into consideration (Arms control association, 2019), whereas the Syrian regime wanted investigations to be conducted on Khan Al- Assal incident only (Vestergaard, 2016). By April 2013, Ban Ki-moon stated that the Syrian regime has impeded the UN investigation as it failed to agree to the scope of investigation (Arms control association, 2019). Therefore, the SGM team was sent off to Syria four months later in August 2013 to investigate Khan Al-Assal and two other incidents at Sheikh Maqsood and Saraqeb (Vestergaard, 2016). Henceforth, the team was allowed to investigate whether chemical weapons were used or not and was not mandated to investigate who used them (Arms control association, 2019). Between December 2012 and August 2013, more than ten chemical incidents have been reported to the Secretary General mainly by USA, UK, France, and Qatar such as Homs, Darraya, Adra, Saraqueb and Jobar. Other reports were also submitted by Syrian regime, such as Khan AL Assal, Ashrafaiah Sahnaya, (A/RES/68/663) however, most of these incidents were minimal with respect to Ghouta and also, they were hard to verify and identify the death tolls due to security reasons and opposition held territories. However, in some cases such as Saraqueb, UK and France presented information to the UN that sarin has been used (A/RES/68/663).

The biggest scale chemical attack in Syria took place three days after the SGM team arrived in Ghouta, in August 21, 2013 killing over 1,000 people and at least 3,600 injured (SIPRI, 2017),

thus the SGM team has to prioritize their focus on Ghouta first.

Again, the international community was confident that chemical weapons were used in Syria, and there was international debate whether military action should take place or not, meanwhile, the regime denied and claimed that those claims are "politically motivated". To end the hassle, the UN inspection team submitted its first report stating that chemical weapons were largely used in Syria and nerve agent Sarin was used in Ghouta against civilians and children. Also, the report stated that sarin was used through surface-to-surface rockets, there were also able to calculate the path of the rockets as they were adapted 33mm surface-to-surface artillery rockets (A/RES/68/663). The SGM also believed that those weapons were possessed by the Syrian military not the opposition forces. The Russian inter alia the Syrian regime pointed out that these attacks were conducted by the opposition, while US and France accused the regime (Vestergaard, 2016). Notwithstanding, the international community inaction, the Russian foreign minister Sergey Lavrov announced a deal; if the Syrian regime agreed to dismantle its weapons and place them under the international regime, thus US would not take military action against Syria. The day before the publication of the report on Ghouta chemical attack, the Director General of the OPCW Ahmet Uzumcu, received a letter from the Syrian Ministry of Foreign Affairs stating the regime willingness to join the CWC. Hence, by September 27, 2013 the Executive Council of the OPCW decided that Syria should complete the elimination of all chemical weapons material and equipment within the first half of 2014. This time frame for destruction was unusually short for any multilateral disarmament and arms control regime. However, the maritime removal of chemicals implied a shorter than normal destruction time frame. (Hart, Verbruggen & Maletta, 2017)

5. Chapter Five

The Monitoring and Verification

The OPCW is a technical organization, wherefore working in a highly politicized environment was challenging. The Syrian case would have determined the future of OPCW whether to a better or worse. Ad hoc bodies were established to ensure the credibility of the disarmament process.

5.1 Russia-US Joint Framework

Following the incident of Ghouta, Russian foreign minister offered a deal which was based on the US secretary of state John Kerry statement; when a reporter asked him how Syria could avert a military intervention, he replied the unscripted reply "Syria could handover its entire chemical forthwith" notwithstanding the answer was seen as cliché, it was the basis for the Russian proposal (Fitzpatrick, 2013).

The deal negotiations between Us and Russia took few days, as in 14 September 2013, the agreement have been made on the "Joint Framework" to the accounting, inspection, control and elimination of Syria's chemical weapons. Russia agreed with America's estimation that Syria acquired about 1,300 tons of chemical agents, including 300 tons of the blister agent Sulphur mustard and hundreds of unweaponized precursors for the nerve agent sarin and VX (Fitzpatrick, 2013).

When the Syrian regime agreed to join, declare and dismantle all of its chemical weapons this was supposed to be a dramatic change, owing to the fact that until few month ago Assad kept denying he even used chemical weapons, and kept the SGM for months on hold due to his refusal to inspections terms. Hence, this was one of the rarest occasions where international community coercive diplomacy worked in Syria and also where Syria and Russia in one hand become in agreement with USA on the other hand.

Nevertheless, the success of international community to respond, it was still challenging.

On 27 September, when the UNSC adopted the Russian–US joint framework. The agreed

timetable was extraordinarily pressured; one week to initially declare the weapons, and one month to destroy all of the production equipment, starting on October 1, and nine months only to destroy, dismantle or deliver into safekeeping all of the chemical weapons program in Syria. The schedule was pressed and challenging with regard to the Libyan case for example, where it started in 2004 and was still working on 85% by 2013, giving that it was halted 1 year due to the civil war in Libya. (Fitzpatrick, 2013)

Syria's initially declared its chemical weapons on 21 September, meeting the one-week timeline that was given in the Russian-American framework. The declaration even included one surprise: ricin agent, a highly lethal poison, while Syria apparently had not been able to find a way to transfer it into weapon. Syria initially declared a lower than expected number of locations, as it declared 23 sites out of 45, based on the number of locations some western intelligence gave. Syria apparently was consolidating the CW into fewer sites, which is also could positive development; the fewer the sites, the less complicated the verification and destruction process would take place (Fitzpatrick, 2013).

5.2 UN-OPCW Joint Mission

The deal that was mediated by Russia to dismantle Syria's chemical weapons and accession of Syria to the CWC, this deal witnessed a moment of diplomatic triumph between USA and Russia where the military intervention was in the background, international community averted using force and accepted Russia's offer. Resolution 2118 was adopted unanimously on September 27, 2018, based on the Russian-American Framework after Syria had joined the CWC. The resolution assured the destruction of Syria's chemical weapons, where it assured that "the location of all of its chemical weapons, chemical weapons storage facilities, chemical weapons production facilities, including mixing and filling facilities, and chemical weapons research and development facilities, providing specific geographic coordinate" S/RES/2118 (2013) also assuring the right of UN-OPCW personnel to access to any location for inspection immediately and without prior notice. The resolution also stated that, any allegations and violations of the CWC by state and non-state actors should be reported to the UN S/RES/2118 (2013).

The CWC entered into force for Syria on 14 October 2013, one month after the accession. The First Syrian declaration of its CW to the OPCW was submitted on October 25th was challenged by some states as being incomplete. For example, Syria made available little documentation on its chemical weapons program, stating that most of the related documents had been destroyed so that they would not fall into the hands of the opposition forces (Hart, Verbruggen & Maletta, 2017).

On 16 October 2013 the UN–OPCW Joint Mission to eliminate Syria’s chemical weapons was established on the basis of a UN Security Council resolution 2118 and OPCW decision. It operated until September 2014 and was headed by the UN Special Coordinator Sigrid Kaag of the Netherlands. Normally, countries are responsible for destruction of their stockpiles under its own jurisdiction and control. However, given the fact that Assad did not exercise full control over all of Syria’s territory, governments agreed to a general understanding that the toxic chemicals and their precursors should be removed from the country.

The UNSC declared that they will apply measures of chapter VII of the UN charter which states on imposing sanctions or military intervention on the state party if found that Syria is not complying with the CWC. Syria was obliged to submit a full and detailed declaration under the CWC of its chemical weapons within a period of 30 days S/RES/2118 (2013).

The plan sets timeline for the OPCW to destroy and neutralize Syria's Chemical weapons; the agreement proposed that if possible the destruction and neutralizing of chemical weapons would be more effective if it's done outside the Syrian borders however this is opposing the CWC, the UN and OPCW agreed on that (Ham, Ellahi & et.al 2017).

Therefore, it was decided to hydrolyze "a process that break down the chemical agent with hot water and other compounds to neutralize the agent" (Arms control, 2019) the Sulphur mustard and DF (a precursor for sarin), at the sea on board of the US vessel MV Cape Ray. Other chemicals were shipped to Finland, Germany, the UK and the USA for treatment and final disposition. The maritime chemicals removal operation from Latakia was carried out by Denmark and Norway, while security escorts were provided by a NATO combined task force stationed just outside Syrian territorial waters. Chinese and Russian ships provided additional

security within the Syrian territorial waters to the south of Latakia. Other governments, including the Netherlands, as well as the EU, provided financial and other support via a UN trust fund the OPCW Syria Trust Fund and in-kind multilateral and bilateral contributions, although the final consolidated numbers appear not to have been published (Hart, Verbruggen & Maletta, 2017).

After Syria declared that it had an extensive chemical weapons program, a fact that it had denied for decades. With resources and support from the international community, 1300 metric tons of chemical weapons and their precursors that Syria declared under the CWC were safely removed from Syrian President Assad's control and destroyed subject to international verification requirements (Hart, Verbruggen & Maletta, 2017).

During the inspection program, the inspectors were not able to verify all locations due to the insecure environment and the government was not in control of all the areas. Syrian Deputy Foreign Minister Faisal Mekdad said on 7 October, that the Syrian government could not ensure the safety of weapons inspectors in areas where government forces and rebels are fighting; the UN teams would have to protect themselves. But the UN security guards who are accompanying the inspectors are unarmed. Thus, there were still doubts that Assad did not declare all his facilities. However, it is logical to see violations and other incidents of chemical usage even after the dismantling of the CW process took place. The OPCW work was in a highly politicized environment, the civil war was covered with hostilities and no trust, also the timetable to dismantle was very tight, thus violations would still take place (Hart, Verbruggen & Maletta, 2017).

As a result, during the mission work in April 2014, other allegations of chemical attack took place in Kafr Zika, that chlorine gas bombs. As a result, the fact-finding mission by OPCW was created on April 29, 2014.

5.3 Fact-finding mission FFM

The mission was established as response to investigate the possible usage of chlorine in rebel held areas, as the SGM mission has ended in December 2013. The FFM mandate was to investigate whether the chemical weapons were used or not, through interviews, examining samples and do onsite inspections. The mission was declared by the UN as an independent body that reports solely to the OPCW, however, provided the mission with cooperation and support (S/1191/2014)

As the FFM was the first OPCW-led mission, they were that they could be physically subject to aggression. During the FFM first visit when the team was trying to conduct an investigation of Kafr Zika, the team was subject to an attack and aborted the mission for safety reasons. The FFM team were aware that the security environment in Syria will not lead them to clear evidences and chlorine is widely used and available so it would have been hard to decide the allegations so it relied on visiting Syria several times and conduct investigations and on-site inspections reported that the mission confirmed that it is with "high degree of confidence" that chlorine and mustard have been used repeatedly and systematically in Syria, but still could not verify by who. And confirmed that chlorine has been used three times in northern Syrian villages, (S/1191/2014) therefore the FFM continued its work with the full support of the executive council of the OPCW to detect the alleged chemical attacks in Syria and any usage of toxic chemicals as weapons and reports to the OPCW (Barnet & Thranert, 2016).

5.4 Declaration Assessment Team DAT

The DAT was established along FFM by the decision of the OPCW director general, as its mandate was to assess whether Syria is complying with the declaration or not. The DAT was also reporting solely to the OPCW.

The DAT held meetings and interviews with Syrian officials, visited past chemical weapons sites and reported to the OPCW Director General. Uzumcu has informed the Executive Council "that the Technical Secretariat was not able to resolve all identified gaps, inconsistencies and

discrepancies in Syria's declaration and therefore could not fully verify that Syria had submitted a declaration that could be considered accurate and complete in accordance with the Chemical Weapons Convention and Executive Council decision." (Ham, P., Meer, S. et.al 2017)

Inconsistencies in the declaration were also found with regard to other chemical agents including sarin, ricin, mustard gas and VX. The public report also points to a possible role in the chemical weapons program by the Scientific Studies and Research Centre (SSRC) (Adams, 2017)

In this case, shows the in compliance of the Syrian regime, but still the DAT and other Ad hoc bodies couldn't prove it. On the other hand, the international community could not prove it as well, and in this case coercive diplomacy did not work and imposing sanctions under chapter VII did not take place as well.

5.5 UN-OPCW Joint Investigative Mechanism JIM

FFM created controversies, it was not mandated to assign the blame or perpetrators, and consequently the joint investigative mechanism was created under the UNSC resolution 2235. The JIM is a joint investigative ad hoc body that was created in cooperation between UN and OPCW that was mandated to "identify to the greatest extent feasible individuals, entities, groups, or governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syria" S/RES/2235 (2015) and to investigate in the incidents where the FFM reported that chlorine and toxic chemicals were used, the resolution also requests the FFM to cooperate with the JIM and submit any possible document from their investigations that JIM sees necessary. The resolution added that sanctions under chapter VII of UNSC would be imposed if there's a proof of possible use of chemical weapons by the regime. The JIM started its mandate in November 2015 for one year with possible future renewal. The JIM would conduct investigations between incidents that took place between the periods of April 2014 till August 2015. The UNSC abandoned the major attack, which was Ghouta in August 2013, where it could've posed a higher chance to improve accountability.

Uzumcu the OPCW director general assured that since the establishment of FFM in 2014 until late 2016, there has been at least 45 chemical attacks took place in Syria suburbs. In spite of the high number reports of chemical weapons usage, the Syrian regime denied they have used any,

and stressed out that the work of the JIM should be transparent and neutral and shouldn't be influenced by any other forces outside Syria, and accused the JIM of being politicized (Ham, Meer and et.al 2017).

So, the JIM was introduced as non-judicial containing a three leadership panels. The political panel located in New York, the investigative panel in Hague Netherlands and another small communication and cooperation panel in Damascus. UN asserted that all parties and groups in Syria should help and facilitate the JIM work and the JIM should have a full access to all locations in order to reach clear evidences including areas that are not in control of the Syrian government to assist the JIM and FFM (Ham, Meer and et.al 2017). The JIM work started in November 2015, was mainly to assign the blame of the chemical weapons usage, also it was debated whether or not the perpetrator would be referred to the international criminal court ICC, given that Syria is not a member of the Rome Statute. The JIM worked on the reports provided by FFM, investigating groups, individuals, NGOs and collecting satellite pictures according to these investigations they held. The JIM reported on August and September 2016, that there were nine incidents of toxic chemical usage where the Syrian regime was responsible for three; the Talmenes April 2014, Qmenas and Sarmin on March 2015 where Assad was accused of using CWs. Another report conducted that ISIS were responsible for one chemical attack using Mustard gas in August 2015. While other six chemical incidents the panel was not able to draw a conclusion (Ham, Meer and et.al 2017).

Following the JIM reports, international reaction was provoked; when the Russian ambassador said to the UN that the JIM was not only flawed but also inconsistency and politicized and later on February 2017 the Russian head of department of non-proliferation and arms control Mikhail Ulyanov described the work of the JIM as low quality, and accused them of using second or third hand investigation, he also added that the testimonies the JIM used, were witnesses from opposition forces and NGOs(Ham, Meer and et.al 2017). In Oct 2016 the JIM requested another one year extension to its mandate in Syria because the dangerous effects that might happen as terrorist groups are now being able to use Chemical weapons, Russia, Syria and China favored the approach that the terrorists are using chemical weapons and didn't veto the decision and the UNSC agreed to extend the mandate.

Also, the International society has raised concerns on the usage of chemical weapons by non-state actors and terrorist groups such as ISIL who are an armed group creating a state that is not recognized by the international community and taking over territories at which no one has control on. So, this might be a real threat to international peace and security and to the CWC. When non-conventional weapons fall in the hands of terrorists and non-state actors, which all they care about is intimidations and the impact they would impose by using such weapons not the number of people being killed or the real impact of the weapon in the battlefield. This might affect the whole world not only Syria and this also weakening the CWC and making it look insufficient because those attacks could take place under no control of any government because there's no international government or institution to cover the use of weapons by non-state actors or terrorists. In other words, the gap that still appears when it comes to CWs proves however, a deficiency of the norm itself, and that the ban was not for humanitarian or moral case. (Hart, Verbruggen & Maletta, 2017)

The JIM reported that Syria destroyed its stockpiles but there still some agents they didn't declare or still present and the OPCW referred that the DAT also found gaps and inconsistency with the declaration that Syria provided but couldn't conduct an action or do in site inspections because of the security and safety procedures in Syria (Ham, Meer and et.al 2017). In October 26, 2017 the Jim has submitted the report accusing Assad regime for being responsible to Khan Shaikhoun April 2017.

6. Chapter Six

Assessing the Strength of Norm against Chemical Weapons through International Reactions

“The only thing necessary for the triumph of evil is for good men to do nothing”

Edmund Burke

The international community did not only fail to stop the tragedy in Syria, but also failed to take action and to react effectively, within the given powers. If the norm ban is driven by morals and jus cogens, thus, the international community could have a way to solve the problem no matter who are the perpetrators. But in this case, the ban is based on political expediency; this chapter will discuss the elements that proved the expediency norm through international reactions.

6.1 Obama's Redline was not credible.

Since Obama declared his redline if chemical weapons were used in August 2012, the following atrocities have placed him under pressure of intervention. In March 2013 the US intelligence was convinced that the Syrian Regime had used chemical weapons against its citizens even before Ghouta, as in April 2013 the White House wrote a letter urging the UN mission to examine further as they're having varying degrees of conflict that CW had been used (A/RES/68/663, 2013). Obama team thought that a rhetoric statement such as Redline would be sufficient and deterrent. It is argued that while Assad withdrawal was an official US policy towards Syria, there was no guarantee that the coming government would not be more extremist given the presence of Hezbollah, Qaeda and ISIS and other terrorist groups on the ground (Philips, 2016).

In fact, the Ghost of Libya has been always there, the failure in Libya's intervention or the catastrophe that occurred, made intervention in Syria skeptical.

Ghouta was a turning point in the events of Syria, after Ghouta everyone in the White House was convinced that Obama should take action. Not only to preserve and reinforce the norm against chemical weapon, but also to gain back the US standing in the Middle East after it has been criticized for Obama's non-interventionism policies. Also, if USA did not intervene in Syria, the whole Syrian conflict would be in the hands of Russia and it would humiliate US position. The media and public opinion were also another element that was pushing Obama for an action. Notwithstanding that Obama condemn the attacks, stating that it is "the worst chemical weapons attack of the 21st century" (Philips, 2016), what happened is that Obama backed off and said he would seek congressional approval. In fact, When USA intervened in Libya under Obama himself, he did not seek congress approval, but he acted under the UN resolution 1973 unilaterally. USA reaction possibly encouraged Assad to commit more atrocities, it also made him feel free to be more brutal against his citizens and also he and his allies would feel free to deploy any conventional and non-conventional weapons without a fear or US military intervention not on the short term, but on the longer terms. Assad used chemical weapons again, the non-US reaction led to an inflation of the number of refugees after Ghouta. It also affected the position of the USA, as their threat is no longer credible (Philips, 2016)

The non-intervention policy encouraged more extremism and terrorism in Syria, as there's not military threat in the background. Not only inside Syria, but Saudi Arabia and Turkey who were ready to support the US military intervention, felt betrayed by Obama's action. In other words, leaving the Ghouta attack, this killed over than 1000 person in one single chemical attack, at which Obama himself described as the worst chemical attack of the 21st century made things worse. A credible red line and military intervention could have changed the calculus since 2012, but it did not. USA interests were not in Syria, they also feared a more extremist government than Assad's

6.2 Trump Missile Attack.

Things were a little different under Trump administration. During the work of the JIM, another major chemical and a turning point attack took place in Khan Shaikhoun a town in Idlib city in April 7, 2017. The attack killed around 100 persons and more than 500 were injured, Khan Shaikhoun was the second deadliest attack in Syria after Ghouta 2013. The incident took place around 6:30 am, where streets were empty but most of the affected people were children pupils heading to school and women. After the incident the FFM confirmed that sarin had been used (S/1510/2017). The JIM confirmed that based on the evidence they collected to this complex situation, there is no way the regime is not involved (S/1510/2017). On the contrary Assad and his allies denied the report as he claimed it was "fabricated" and it was caused by the opposition and terrorists, while Russia vetoed the UNSC resolution backed by USA to consider it a chemical attack.

In response to the incident, the US under president trump launched its first military attack to Syria. Although the OPCW has been actively engaged in Syria since 2013, a breakdown may have been reached during the night of 6 April 2017, when the United States launched cruise missiles hitting a Syrian air base in response to a suspected CW attack that had reportedly killed more than 70 civilians two days before the attack in Khan Shaikhoun. Fifty -nine Tomahawk land attack missiles were fired from two US navy ships in the Mediterranean marking the first direct US military action against the Syrian government (Ham, Meer, & et.al 2017).

President Trump argued that he had acted in the “vital national security interest” to prevent the use of chemical weapons, whereas Dmitry Peskov, spokesperson for Russian President Putin, called the US strike “an act of aggression against a sovereign nation” (Ham, Meer, & et.al 2017).

As President Trump argued after the missile strike: “There can be no dispute that Syria used banned chemical weapons, violated its obligations under the Chemical Weapons Convention and ignored the urging of the UN Security Council, tonight I call on all civilized nations to join us in seeking to end the slaughter and bloodshed in Syria and also to end terrorism of all kinds and all types”⁸ ·The missile attack in fact did not change any of the dynamics of the conflict; it was done once and was not followed by any other attacks. It was also a unilateral action, without the

⁸PBS NewsHour (2017) President Trump announces missile strikes on Syria, <https://www.youtube.com/watch?v=yGYZHtfJEYg>

permission of the UN which might weaken the multilateralism of the UNSC. This response could've been taken back in 2013 in Ghouta, but I wasn't. It did not also encourage any other state intervention by France or UK, however, Trump himself called for it. This might be that the UNSC state are not willing to intervene military or not willing to deepen the conflict with Russia, because if there were repetitive military attacks, Russia would have retaliated. It is also clear that the intervention was not for preserving the norm or for human cause, beside the reasons mentioned above also the military attack was launched toward an abandoned military base in Khan Shaikhoun not for example a chemical facility or against large number of troops. Also, the attack had killed civilians, which were the core of the conflict in Syria.

6.3 Responsibility to Protect was Invoked

When looking at Syria, the international community seems to be very weak and indecisive, with regard to what happened in Libya when the R2P was provoked. The UNSC resolution 1973 did not utterly say that the intervention is based on R2P but it was considered to be.

R2P means the right of the UNSC to intervene in state even against the wishes of the sovereign state, if the state failed to protect its citizens against, war crimes, genocide, crimes against humanity and ethnic cleansing (Evans, 2014). Obviously, if the Syrian population was not subject to war crimes by Assad, it is subject to crimes against humanity by using chemical weapons. What strikes that in the day of Ghouta in only one day around 1400 person were killed. This is a striking number that needed an immediate intervention. People were suffering, hospitals and schools are destroyed, refugees' crisis and all other elements in Syria were clear and that Syrian situation was ripe for an intervention for the humanity not political causes. The problem that R2P requires approval from the five permanent members of the UNSC, and Russia would always veto.

This shows how the international community stood silent and did not act effectively; neither to protect the norm nor to protect the international peace and security. Not only Syria would be affected by non-interventionism but also the whole world; chemical weapons became accessible to non-state actors that can be used in any place of the world as their manufacture is not sophisticated and could be done at home.

When Putin was asked about his support to Syria, he said that “we are not protecting the Syrian government but international law. We need to use the United Nations Security Council and believe that preserving law and order in today’s complex and turbulent world is one of the few ways to keep international relations from sliding into chaos. The law is still the law, and we must follow it whether we like it or not. Under current international law, force is permitted only in self-defense or by the decision of the Security Council. Anything else is unacceptable under the United Nations Charter and would constitute an act of aggression”(Adams, 2017).

6.4 Russia's Position

Russia used its veto 12 times to block any decision to accuse or punish the Syrian regime for its violations of the international law during the conflict. For example, Russia blocked the decision to refer Assad to the ICC, also blocked another decision to intervene under chapter VII. Another veto they used was to block the decision not to extend another year for the JIM mandate inside Syria.

Russia along with the Syrian regime claims the mandate should not be politicized and accused the OPCW of bias charging. And denied all the reports they were submitting claiming that they only relied on testimony from individuals opposed with the Syrian regime and asking the JIM and USA to avoid politicization in finding a solution to the Syrian problem.

Russia interests in Syria are mainly geopolitical, basically it wants to secure Tartus port as its only gate to the Mediterranean, the Russian air force base northeast Latakia and it wants to impose influence in the Middle East too. Additionally, there are other agreements with the regime so if the regime falls there would be no agreements and it might lose its influence in Syria, as there is no guarantee that the upcoming regime would be pro-American.

Russia military intervened in Syria upon a request from the government to help it against the terrorists and Jihadist groups since 2015 but soon Russia had announced that its not only fighting against Jihadists but also to gain the territory from opposition groups who are allied to the

USA. Russia did not intervene to stop the chemical weapons usage, as they accused the opposition for using them, but when they stepped in Syria military, it was for their own interests (Barnet & Thranert, 2016).

Nikki Haley accused Russia for switching the green light for the use of chemical weapons and said that Russia is responsible too.

6.5 The UNSC is not United

Since the start of the Syrian civil war in 2011, the UN Security Council has failed in its mandate to maintain global peace and security, and to protect the Syrian people. The only time that the Security Council took an important decision and passes a unanimous resolution on the conflict in Syria was resolution 2118, which calls to dismantle Syria's chemical weapons. Other than this, and few ceasefire resolutions have been vetoed by Russia or China. This proves that the norm is politically driven, because of the inability of the Security Council to agree on measures to prevent the usage of CWs or hold the perpetrators accountable.

China and Russia blocked the resolution S/2014/348, which called for referring the Syrian government and pro-government militias to the International Criminal Court because war crimes are likely to have been committed in Syria. Russia justified its veto by referring to the situation in Libya as like throwing oil on the fire, also added that the resolution should include list of terrorist groups and it did not, that's why Russia casted negative vote. In the same line China casted its veto arguing that the international community should remain patient and that referring any state to the ICC should be based on respecting the judicial sovereignty of states. The also added that the referral to the ICC at that time would impede the political solution and may halt Geneva talks. The resolution was rejected because of two votes against 13 S/RES/348 (2014). Also, in February 2017, Russia vetoed resolution 172. The resolution was proposed by USA, France and UK; responding to the JIM reports which stated that the regime was responsible for three cases of chemical attacks and one case by ISIS. The resolution was called creating special sanctions regime to the Syrian regime and the establishment of a sanctions committee, also called for embargo on sensitive chemicals and materials. Russia casted a negative vote stating

that the resolution is based on Western capitals anti Syrian regime doctrine and that the JIM conclusion was not based on convincing facts S/pv.7893 (2017).

After Khan Shaikhoun incident, France, UK and USA proposed a resolution to the UNSC asking the Council to act under chapter VII of the UN charter for the violation of resolution 2118. Russia cast a negative vote, stating that the air strikes against Syrian airbase, did not acquire UNSC approval and a violation of international law. Safronkov, the Russian representative also pointed out that the work of the FFM is not accurate and they work from remote areas, and that after eight days of the incident of Khan Shaikhoun no concrete steps have been taken S/2017/315.

Another chemical attack took place in Douma in April 2108, which resulted in the death between 60 to 70 people and more than one hundred were injured. The JIM work was over since November 2017 under UNSC resolution 970 when Russia vetoed the renewal of the JIM. Thus, the resolution S/2018/321 which was proposed by USA requested an establishment of the United Nations Independent Mechanism of Investigation UNIMI for a period of one year since the OPCW FFM is not mandated to assign accountability. Russia also casted a veto to this resolution, stated that this investigative mechanism is almost the same of the JIM. Russia also accused the JIM as being a puppet in the hands of the opposition forces in Syria and that it had lied on dubious evidences S\pv.8228. Instead, Russia presented a proposal were it also seeking to investigate a mechanism where the Security Council is the body to assign accountability. The resolution was rejected by seven of the fifteen members of the UNSC, as Russia will keep using its veto to protect the Syrian regime (Barber, 2018).

Following the rejection of the draft resolution on Douma, USA, France, and UK conducted a military attack against Syrian chemical weapons facilities without even seeking authorization of the UNSC. The attackers launched more than 100 missiles. Despite the fact the intervention was illegal, it was supported by world leaders, and it was regarded as a hope for the Syrian people (Barber 2018). Many states declared their approval of the military strike such as Denmark, Turkey, Israel, Germany and Canada; all these viewed the attacks as proportionate, on target and saw it as preserving the norm against chemical weapons (Barber, 2018). Furthermore, when

Russia drafted resolution to the UNSC condemning the attacks, 12 of the fifteen members voted against or abstained. In other words, not only was the UNSC incapable of agreeing on a solution to the conflict, it could also agree on what actions are illegal. Despite the widespread approval of the military attacks on Syria, the attack could be a negative sign to the UNSC and international law, it reinforces the failures of the council to reach solution and that states on their own could be more effective and decisive than the Security Council.

In Syria, states' political interests superseded preventing human atrocities, and crucially, superseded the ability and willingness to preserve the norm against chemical weapons. If the council continued to act the same way of its incapability and inefficiency to maintain its basic role and protect people against war crimes and threats to international peace and security and with this acceptance of the unilateral action by the states as the only suitable solution, the council would suffer and those actions might undermine the political well for collective action by the UN security council.

The purpose is not to say that the military action is the utmost end, but in practice the trend of the unilateral illegal military strikes without authorization from UNSC even since the end of the cold war not only Syria, is threatening to the UNSC. Owing to somehow it is violation of international law but on other ways it seemed necessary. Intervention could've been in other ways; such as being able to hold perpetrators accountable or protecting civilians which are the core of the problem. Event though, the military strikes was considered a reaction, but one cannot guarantee that it would prevent future violations.

Unlike the UNSC, decision making for the OPCW requires a consensus and no state hold veto power. In order to end the inaction that undermines the CWC, the OPCW voted two-thirds majority to impose more sanctions on the Syrian regime when it was shown responsible for chemical attacks and violator of the CWC (Barnet & Thranert, 2016). When the UNSC failed to condemn the chemical attacks and take action against Syria by the Russian veto, it was the responsibility of the OPCW executive council to take action in order to prevent the CWC. During the OPCW EC sessions, it reached deadlock when Russia refused an American proposal that went a bit far, thus Spain came out with a proposal calling for inspections of all sites

identified by the JIM and facilities of Syrian scientific research studies center with full access to the buildings and sites and the elimination of Syrian chemical weapons program would be on the future agenda for the EC. Henceforth, the decision was taken based on 2/3 majority to avoid other states disapproval and proceed the work in Syria, while Russia, china and Iran voted against the Spanish proposal; it was adopted (Barnet & Thranert, 2016). In this case the OPCW did not want to fail, did not want the CWC to be in problem, because this might lead other state to proliferate because the governing body is not able to sanction the perpetrators. The OPCW decision showed that other measures could be taken because of the specialty of the Syrian case, and for the greatest cause exceptions could take place.

There is another attempt could've preserved the norm; the UN General Assembly could interfere and override the UNSC and it did not. United Nations General Assembly resolution 377 known as uniting for peace U4P stated that "if the Security Council, because of a lack of unanimity of the permanent members, fails to exercise its primary responsibility for the maintenance of the international peace and security in any case where there appears to be a threat to the peace, breach of the peace, or act of aggression, the General Assembly shall consider the matter immediately with a view to making appropriate recommendations to members for collective measures, including in the case of a breach of the peace or act of aggression the use of armed force when necessary"⁹ while the UNSC failed to fulfill its main role, and the veto is being used in bad faith; that for example Russia has used its veto power twelve time in the security council whom of six were chemical weapons related (Barber, 2018). The resolution allows the general assembly to present recommendations in matters of breaching peace and security, the case in Syria was obvious that the UNSC could not fulfill its role, and for eight years it was not able to solve the problem is Syria. The general assembly may also give recommendations on using force, and the voting in the UNGA is two-thirds majority. A referral to the General Assembly could be an alternative if the reactions are morally driven, but it wasn't. Beside the use of force, the General Assembly could recommend referral to the ICC or destruction of chemical weapons facilities or establishment or an investigative mechanism to

⁹ UNGA Res 377 (A) 1950

hold perpetrators accountable which the Security Council failed to reach.

6.6 The League of Arab State Reaction

In the beginning of the Syrian conflict, the LAS decided on an action plan to Syria based on national dialogue and political solution. Syria Sent a mission to monitor and try to solve the situation in Syria. When violence escalated between regime forces and civilians, the LAS decided to refer the Syrian case to the UNSC; due to the inability and in efficiency of the mission. The LAS decided to suspend the membership of the Syrian regime in November 2011 S/2012/142. The fact that the LAS suspended Syria, cannot justify its complete silence regarding the issue of the chemical weapons usage in Syria.

Throughout the conflict in Syria, the LAS condemned the usage chemicals only once in during Sharm Al Sheikh summit meeting in 2015, the condemnation stated: “Underscores Security Council Resolution 2209 (2015) that condemned use of toxic chlorine gas in Syria and stressed the importance that all the conflicting parties shall not use, develop, produce, stockpile, retain, or transfer chemical weapons, stressing that those individuals responsible for use of such weapons must be held accountable”. Other resolutions by the LAS condemned the usage of lethal weapons against civilians.

Being the only regional organization where Syria is member, the LAS were expected to respond. The reason why there is no condemnation against the usage of WMDs against civilians is that some member states still acquires chemical weapons. For example. Libya is still under the process of elimination of its chemical program, also Iraq still acquires chemical facilities regardless its oldness. In the same line, Egypt and South Sudan are not party to the CWC. Egypt refuses to join the CWC until Israel ratifies the convention (Arms control, 2018). The action plans for Syria were only based on political transition. In the meantime, LAS members are seeking to return Syria’s membership again and normalize their relations with Assad (Mckernan & Chulov, 2018). Therefore, the failure of the LAS to condemn chemical weapons usage in Syria supports the political expediency behind the norm.

7. Chapter Seven

7.1 Conclusion and Moving Forward

The case of Syria illustrates how the enforcement of the norm against the usage of chemical weapons is more of a product of political expediency than moral constraints. The Syrian case is unique, in terms of the political environment, political alliances and the process of monitoring and verification of the elimination of the Syrian Chemical weapons program. More than 200 chemical attacks had been reported. The OPCW did challenging job in Syria, given the rich political environment that had to work under, the massive chemical arsenal, and the unusual tight schedule for elimination. At the same time, the UNSC failed to establish resolution that can decisively stop the chemical attacks and hold perpetrators accountable. The political interests of the states were far important than a resolution stopping a state from using WMD and violating international law. For example, the excessive use of the veto by Russia gave a green light the perpetrators to commit more atrocities. Intervention for humanitarian cause against war crimes was not undertaken, even after chemical weapons were used. When military strikes were authorized two different incidents; Ghouta and Douma, they were not decisive. The first, did not even target chemical facilities, but only targeted the air base where the chemicals were deployed. Moreover, there was no follow through after the single strike. The latter was collective unilateral action without even seeking UNSC approval that cannot also guarantee that full destruction of Syria's chemical facilities and that CWs will not be used again. The disunity of the UNSC was the main factor for its failure. The practice of states in this instance suggests that enforcement of international law is not a priority, and perpetrators have reason to believe they will not be punished for what atrocities they commit.

The OPCW's verification and monitoring measure were insufficient to eliminate chemical weapons from Syria. Moreover, dual usage agents that were used in the Kafr Zika incidents were not removed because they are not listed on the CWC. The insufficiency of the OPCW's mission in Syria also suggests efforts to eliminate chemical weapons in Libya and Iraq is also incomplete and there could be other undeclared facilities.

In addition, because non-state actors are not included under the CWC, there is no mechanism to impose punitive measures on groups that use them in internal conflict. In the Syrian conflict there were reports that chemical weapons were used by terrorist organizations, with the intention of signaling their capacity and intimidating the population.

If the governing body of the CWC is not able to enforce the convention, then the world is a place where political interests supersede the morals and humanity, and the norm of the chemical weapons will continue to weaken; as the international community could not hold the perpetrators in Syria accountable. And was not able to limit or punish military strikes by states of the P5. As a result, states will not be deterred to proliferate or even use CWs against their own citizens. Also states that do not afford to acquire nuclear weapons could use the opportunity to build chemical weapons that can easily go undeclared. The norm is in danger, and this is not a case of invasion or inaction, it is a case where effective and deterrent measures should take place, in order to preserve not only norms governing WMDs but also the respect to the international law.

7.2 Recommendations

Given the imperfect verification system of the OPCW, Syria likely still has undeclared chemical weapons. To strengthen the restrictions and credibility of the OPCW, I would recommend the adoption of an additional protocol similar to the additional protocol to the safeguard regime agreement that took place between states and International Atomic Energy Association.

The additional protocol could include the following:

- Verification measures under the CWC applied to the State's declaration of its CWs program. Thus, under the additional protocol there should be inspections of all declared and undeclared sites. This could help the OPCW inspectors to do comprehensive inspections and could ensure a complete destruction of CWs.
- Agreement of states to allow OPCW team to collect samples at locations that are not declared.
- States should allow the OPCW inspectors fully to all to the CWs facilities in prior to a short notice.
- States should provide the OPCW with information on the imports and exports of chemicals that used for manufacture.

Another aspect that could enhance the credibility and strength of the CWC, is giving the OPCW executive council punitive measures, or the OPCW might give recommendations to the UNSC on what should be done.

Viral videos of the victims and destruction caused by Chemical Weapons attack in Ghouta, generated widespread public anger which in turn. Thus, an international awareness campaign on the human impact of the chemical weapons includes shared stories by the victims in Syria and also the long-term sufferings of the people of Halabja. This could reinforce awareness of the harm and damage caused by of chemical weapons, prompt citizens to pressure their own state to take effective response within international law.

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