

UNA LASER Campaign Alert: April 2023

What took the aid so long? The UN Must Accelerate its Crisis Response

A recent investigation by the BBC uncovered some harrowing information regarding the United Nations' slow delivery of aid to Syria following the devastating February earthquake, which: killed approximately 4,500 people in the opposition-held north-west area of Syria; injured more than 8,700; and displaced thousands more. Now, there are fears among the international community that the UN's slow response to this crisis may not be a one-off event.

It took a week (after the devastating earthquake tore through Syria) before the UN got approval from Syria's president to open extra border crossings to allow access to the opposition-held north-west. At the time, the UN said that it was crucial to try and rescue quake victims within a 72-hour window post-tremor. Victims of the earthquake also voiced their concerns about the slow response from the UN saying they had been 'forgotten' by the organisation at a time when the Syrian economy had collapsed due to more than a decade of UN and Western imposed sanctions, which also applied to the rebel-held area of Idlib. Also, disease paralysed the few health structures remaining and human rights abuses were widespread.

Failure to provide timely aid and protection to Syrian earthquake victims cost the lives of many civilians caught in this catastrophic disaster, according to a UN-appointed commission of inquiry on Syria, which published findings at the end of March. The three-member independent body accused the Syrian government and other parties to that country's conflict, the international community, and the UN of abandoning millions of Syrian civilians in dire need.

"Syrians, for good reason, felt abandoned and neglected by those who were supposed to protect them in the most desperate of their times," said Paulo Pinheiro, chair of the commission. "Many days were lost without any aid to the survivors of the earthquake, which became an epicentre of neglect."

The UN disputed claims it was "too slow" to react, saying that decisions to act were based on national government decision-making. Nevertheless, Martin Griffiths, the UN's head of emergency relief, who visited the Bab al-Hawa border crossing that was eventually permitted to open to allow more aid to filter into Syria, acknowledged that "The UN has so far failed the people of north-west Syria. They rightly feel abandoned, looking for international help that hasn't arrived."

This is not the first time that the UN has faced criticism over its slow response to delivering aid and it would be worrying if the organisation found itself in the same position when a similar – or even more devastating – crisis occurs in the future. Sanctions may have hindered the response time, but they should not have done so. The UN Security Council passed a landmark resolution in December 2022 (*UNSCR 2664*), which allows the UN and Member States to deliver humanitarian relief without having to comply with sanctions regulations.

In adopting *Resolution 2664*, the Security Council decided that the provision, processing or payment of funds, other financial assets or economic resources or the

provision of goods and services necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs are permitted and are not a violation of the asset freezes imposed by that organ or its sanctions committees. In practice, as in the most recent case, in Syria, the UN effectively waits for permission to deliver much needed aid, despite the resolution allowing it to do otherwise.

Member states must collectively ensure that the clauses of the legislation are applied, especially if a crisis occurs in a sanctioned territory. They must continue putting pressure on the UN and affiliated agencies to act accordingly and rapidly in times of great crisis to ensure that no one gets left behind and that those on the ground are supported.

The Security Council may soon face another contentious debate over humanitarian aid to Syria. Since 2018, Russia has used its power in the Council to narrow this mandate's scope from four crossings to a single crossing – at Bab al-Hawa between Turkey and the rebel-held enclave of Idlib in north-western Syria. If the Council mandate were to lapse, many of Idlib's inhabitants would be left destitute, facing deepening hunger and loss of shelter, potentially forcing them to flee to Turkey or farther afield.

The Security Council unanimously decided in January 2023 to extend the use of the Bab al-Hawa border crossing for the delivery of aid into north-west Syria until 10 July 2023 although there are already calls from members of the Security Council that this must be extended even further into 2023 because of the impact of the earthquake. The representatives of the United Kingdom, France, Japan, and the United States urged the Council to extend the cross-border Mechanism in 12-month increments, cautioning against shorter mandates.

The UN must speed up its response to humanitarian crises. The UN should be prepared to act efficiently and ensure that no one is left behind by violence, disaster, or injustice. The United Kingdom must do its utmost to ensure the UN does not repeat the mistakes made in Syria.

We urge you to write to your local Member of Parliament as well as the Foreign Commonwealth and Development Office (FCDO) outlining the following:

1. Improve Coordination:

At present, the world community has limited options for responding to humanitarian crises. *General Assembly Resolution 46/182* formed guiding principles for the international community's response to humanitarian disasters and was central to the establishment of the Office of the Emergency Relief Coordinator (ERC) and the development of the Inter-Agency Standing Committee (IASC). However, as many experts have noted, these humanitarian clusters lack the resources to coordinate with the Office for Coordination of Humanitarian Affairs (OCHA) and they tend to manage information in a way that makes it difficult to share. Only by member states coming together in a transparent manner can serious faults be avoided.

2. Do not Ignore UNSC Resolution 2664:

The Security Council in December 2022 decided to provide a “humanitarian carve-out”, a standing humanitarian exemption to the asset-freeze measures imposed by UN sanctions regimes. This was a significant resolution, in part because it was developed to address the confusion around aid delivery in heavily sanctioned territories such as in Syria, Afghanistan, and Somalia. The United Kingdom has now adopted this resolution into its own domestic law and should encourage all signatories to do so as soon as possible. It is hoped that once this resolution has been fully integrated into member states’ national laws, it will remove some of the legal confusion around the timing of UN aid intervention in sanctioned territories. So far, like we have seen in Syria, questions remain.

3. **The R2P Framework Can Play a Key Role in Future Humanitarian Crises:**

A big challenge for the UN and its agencies is that they still have major difficulties in providing relief on neutral or balanced terms. In many cases, the Government or a powerful non-state actor denies them access to vulnerable communities. In 2009, towards the end of the civil war in Sri Lanka, the Government denied UN aid agencies and humanitarian workers access to camps for internally displaced persons and to civilians trapped in the ongoing conflict between the military and the terrorist group Liberation Tigers of Tamil Eelam. Also in 2009, al-Shabaab, a terrorist militant group controlling most of southern Somalia, banned several international aid groups from the region, resulting in widespread famine. To address the challenge of the international community’s responsibility to act in the face of grave human rights violations while respecting the sovereignty of states, the International Commission on Intervention and State Sovereignty was established in 2000. The Commission formulated the concept of ‘responsibility to protect’ (R2P), which states that the international community must protect the population of a state if its own Government fails to do so. Although R2P has had varying degrees of success since its creation, it is still looked on favourably by UN member states. If a situation gets seriously out of hand, member states should consider using this instrument.

4. **Keep Aid Flowing to Idlib:**

Specifically in the case of Syria, we encourage the FCDO to lobby the UN to keep aid flowing to north-western Syria. The UK should renew their call to urge the Security Council to extend the mandate by a further 12 months, which will give the Syrian people an improved sense of stability against the backdrop of an ever-deteriorating situation.