[Push to Sanction Syria for Using Chemical Weapons Hits Russian Resistance](http://foreignpolicy.com/2016/09/27/push-to-sanction-syria-for-using-chemical-weapons-hits-russian-resistance/)

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Russian airstrikes helped scupper the cease-fire in Syria. Now, Russian foot-dragging threatens to derail another diplomatic effort by the United States and its allies: sanctioning Damascus for using chemical weapons against its own people.

Although the “[Dresden-esque](http://www.nytimes.com/2016/09/24/world/middleeast/aleppo-syria-airstrikes.html?_r=0)” bombardment this past week of the besieged city of Aleppo by Russian and Syrian aircraft has dominated discussions about Syria, diplomats in New York are still grappling with recent U.N. findings that President Bashar al-Assad’s regime used chlorine bombs in attacks on northwestern Syrian towns in 2014 and 2015. Meanwhile, the world’s chemical weapons watchdog in The Hague, Netherlands, recently raised [suspicions](http://foreignpolicy.com/2016/08/23/u-s-and-europe-say-assad-may-have-kept-some-chemical-weapons/) that Syria may not have destroyed all its stocks of [nerve agents](http://foreignpolicy.com/2016/09/16/chemical-weapons-watchdog-continues-hunt-for-syrias-elusive-nerve-agent/), [mustard gas](http://foreignpolicy.com/2016/08/31/the-world-may-never-know-if-syria-really-destroyed-all-its-chemical-weapons/), and other chemical weapons.

On Aug. 24, a U.N.-mandated team of chemical weapons experts [concluded](http://www.un.org/ga/search/view_doc.asp?symbol=S/2016/738) that Syrian air force helicopters dropped chlorine barrel bombs on the towns of Talmenes and Sarmin in Idlib governorate between April 2014 and March 2015. The team — officially known as the Joint Investigative Mechanism, or JIM — offered the strongest evidence to date of Syrian complicity in chemical weapons attacks, handing the United States and its European allies ammunition to pursue penalties against the regime.

“The report confirms that the Syrian regime is responsible for the repeated use of chemical weapons in Syria,” Samantha Power, the U.S. ambassador to the United Nations, said last month, shortly after the report was presented to the Security Council.

Britain and France pressed last month for immediate sanctions, including a possible asset freeze on officials linked to Syria’s chemical weapons program, in the wake of the revelations. Although the United States seems to agree, Washington also wanted to wait until the end of October — when the U.N. chemical weapons team will present another report documenting three more cases of alleged Syrian chemical weapons use — before deciding on a response.

In the meantime, the United States has poured its diplomatic energy into forging, and then trying to salvage, the Syria cease-fire agreement. U.S. Secretary of State John Kerry did not raise the matter of Syrian chemical weapons in lengthy discussions last week with Russian Foreign Minister Sergei Lavrov, the top Russian diplomat said Friday. But with the cease-fire in tatters, the United States and its allies are now weighing whether and when to mount a push for a resolution sanctioning Syria at the Security Council, according to a senior European diplomat.

But a U.S. official said any action would have to wait. “As you know, the JIM’s work is not yet complete,” he said. “At the JIM’s request, the council extended its mandate to Oct. 31 so they could continue their work on the report, and we hope that in this additional time the JIM will be able to provide as much additional information as possible.”

The biggest potential obstacle to getting Security Council agreement for any sanctions seems to be Russia, which is pouring blood and treasure into the civil war in Syria to prop up Assad and his regime.

Russia is seizing on the thinnest shred of ambiguity in the mechanism’s findings to challenge efforts to sanction the Syrian government, according to Security Council diplomats and outside experts. Chief among them is the fact that the report never directly attributes the attacks to Assad’s regime; instead, it simply says Syrian government helicopters dropped the chemical bombs. That appears to be a smoking gun to most observers, but not for Russia.

Lavrov insisted Friday that the JIM never in fact accused Syria of using chemical weapons. “It is a good report, good quality,” he said at a press conference in response to a question by Foreign Policy. “It does not say that they confirm that the government and ISIL [the Islamic State] used the chemical weapons. They present evidence, which is not conclusive, and they recognize this.”

Behind closed doors, Russia’s U.N. ambassador, Vitaly Churkin, has proceeded to poke holes in the report, expressing apprehension over the experts’ methodology, according to diplomats. Russia has also raised concern that the JIM’s findings have been based, in part, on assessments from Western intelligence agencies, which Moscow views as biased.

That makes it unlikely the U.N. will be able to cobble together truly biting sanctions on Damascus, even as evidence mounts that the regime has unleashed prohibited weapons on its own people as the five-year civil war further intensifies.

One Security Council diplomat, who spoke on the condition of anonymity given the sensitivity of the issues, said countries supporting a tough response “should not hold back in putting a strong response down out of anticipation of the difficulties” they may face with the Russians. “If the Russians want to block it, they will have to be the ones to block it.”

Diplomats said the United States and its European allies are expected to resume discussions on a resolution in the coming weeks.

The United States and its allies have accused Syria of using chemical weapons since December 2012, when seven people died in Homs following an alleged government attack using Agent 15, a poisonous gas. Several months earlier, Syria acknowledged that it had possessed a secret chemical weapons program for decades and subsequently agreed to join the Chemical Weapons Convention and eliminate its program under international supervision. But even after its declared program was largely destroyed, reports continued to emerge indicating Syria had weaponized chlorine — a legal industrial cleaner — and used it multiple times in attacks on opposition-controlled towns.

In April 2014, the world’s chemical weapons watchdog — the Organisation for the Prohibition of Chemical Weapons — set up a fact-finding mission to determine whether or not chlorine was being used as a weapon. The mission found “[compelling](https://www.opcw.org/news/article/opcw-fact-finding-mission-compelling-confirmation-that-chlorine-gas-used-as-weapon-in-syria/)” evidence that chlorine had been used in multiple occasions. But it had no mandate to identify who used it.

That was the responsibility of a new team, the JIM, created by the Security Council in August 2015. The team examined nine cases, including eight alleged chlorine attacks by the government and one alleged use of mustard gas by the Islamic State.

Last month, the team announced it had collected “sufficient information” to conclude that on March 16, 2015, Syrian air force helicopters dumped a barrel bomb that released a “toxic substance, which match[ed] the characteristics of chlorine” on a home in Sarmin, killing all six members of the family residing there. It also concluded that a Syrian air force helicopter dropped a barrel bomb on a concrete building in Talmenes on April 21, 2014, that emitted a “toxic substance,” sickening hundreds of people. In addition, the team concluded that the Islamic State used mustard gas in an artillery attack on the opposition-held town of Marea.

Damascus claimed that opposition fighters in Talmenes had fired a “land-based projectile” that struck the building. But the report found that the extent of the damage and munition fragments were consistent with a barrel bomb attack.

Russia has also tried to discredit the inspectors’ report, suggesting that Islamist groups may have gotten their hands on Syrian helicopters. On Jan. 11, 2013, three different Islamist factions, including the al Qaeda affiliate formerly known as the Nusra Front, captured the Taftanaz air base in northern Idlib. Fleeing Syrian forces left behind 15 helicopters, including nine that were fully operational. Russian officials insist opposition pilots may have commandeered the Syrian aircraft. “They are saying it’s entirely possible that there were plenty of people who defected who could fly helicopters,” the council diplomat said. “It’s a ridiculous point. There have never been any reports of the opposition flying helicopters.”

But the JIM team shot down those arguments as well, arguing that opposition forces would likely be unable to fly helicopters long in the face of sophisticated Syrian air defenses.

“The modern air defence capabilities of the Syrian Arab Armed Forces make it very unlikely that an aircraft could take off and operate in the western Syrian Arab Republic without being detected and/or destroyed,” the JIM report stated. “After reviewing all the information gathered, the [JIM] found no evidence that armed opposition groups had been operating helicopters at the time and location of the cases investigated.”

The U.N. team also obtained a radio intercept of Syrian air force communications detailing the flight of a government helicopter over the site of the chemical weapons attacks in Talmenes and Sarmin. After dropping a barrel bomb on Qmenas, near Sarmin, the Syrian helicopter dropped “two items” on Sarmin itself before returning to base at Latakia, according to the JIM report.

“The pilot informed the base and said ‘Sir, the barrels are at the terrorist area,'” it added.

The JIM team also cited unidentified sources claiming that a Syrian helicopter operating out of Hama had dropped two devices on Talmenes at about the time witnesses saw the chemical weapon explode there.

There is “sufficient information” to conclude the impact was caused by a Syrian air force “helicopter dropping a device causing damage to the structure of a concrete block building house and was followed by the release of a toxic substance which affected the population,” the report concluded.

The United States is gambling that next month’s JIM report will strengthen the international case for holding Syria accountable for its use of chemical weapons. But other diplomats say they anticipate a diplomatic brawl between Russia and the West.

“I’m not sure the Russians would have any difficulty vetoing anything presented to the council,” the Security Council diplomat said. “It looks like they are in total regime protection mode.”