



After the chemical attacks in Syria – now what?

by Jean Pascal Zanders

Since December 2012 several reports have alleged the use of chemical weapons (CW) in the Syrian civil war. On 19 March 2013, a chemical attack took place near Aleppo, which prompted the Syrian government to formally request the UN Secretary General to launch an investigation. France and the UK immediately called for an expansion of the investigative team's mandate so as to include earlier incidents, which they attributed to government forces rather than the insurgents. After months of diplomatic haggling, the team – headed by the Swedish scientist Åke Sellström and composed of experts from the Organisation for the Prohibition of Chemical Weapons (OPCW) and the World Health Organisation (WHO) – finally began its mission in Syria on 19 August.

Just two days later, however, several Damascus suburbs were hit with toxic substances that killed hundreds of people and left many more with clear outward symptoms of asphyxia. The density of witness statements, film footage and still images testified to the seriousness of the incidents. In contrast to the earlier allegations of chemical warfare, the hospital scenes of 21 August could not have been stage-managed. Russia accepted the need for an independent investigation, and as a consequence Syria, its *protégé*, has had to accept changes to the mandate of the UN team already inside the country. This team returned to the OPCW headquarters in The Hague on 31 August. OPCW-certified laboratories will analyse the samples the investigators brought back, and their in-depth reports may be expected in the second half of September.

Judgement over facts

Political leaders are not debating the chemical attacks in a vacuum. The Syrian civil war is now raging in its third year. Over 100,000 people are reported to have lost their lives, and a multitude have been injured or maimed for life. Millions have fled into neighbouring countries. Yet so far, despite pressure to act from humanitarian law considerations or doctrines such as the 'Responsibility to Protect', no single incident in conventional warfare has been seen as a sufficient trigger for acting. If those political leaders discern strong geopolitical interests of other countries opposed to intervention, they will naturally be reluctant to risk conflict escalation.

Chemical weapons typically lead to far fewer casualties, but their impact is demonstrably non-discriminatory – witness the many child and women victims in the video footage and pictures. There is also a direct correlation between the single chemical incident and the multiple casualties. Furthermore, CW and their use are internationally banned by international treaties. In this way, it becomes all too easy to instrumentalise chemical warfare allegations in pursuit of other policy priorities and to demonise an adversary.

Overselling limited evidence carries a real risk in this process: factual elements may be interpreted to serve a higher policy goal, and dissonant arguments brushed off. Decision-makers may tend to grant the data fragments a higher evidentiary value than they actually deserve. This is the essential concern with

the intelligence summaries published by the French, UK and US governments over the past week. For example, how representative are the samples from CW victims on which the Western governments base their accusations against the Assad regime? Lacking this knowledge, the matter opens the possibility of them having been passed on selectively to Western sources (or worse, assessed selectively by intelligence agencies). The real political risk in claiming that ‘all is sarin’ may become apparent if the UN analyses reveal the use of other chemical warfare agents or toxic substances, or sarin of low production quality. Too many voices would then rise up to exonerate the Syrian government. That type of outcome would be among the worst possible ones for the future of the norm and law against chemical warfare.

Major incidents of chemical warfare

1915-18	Generalised chemical warfare involving all belligerents in Europe
1921-22	UK and Bolshevik use of CW in the Russian Civil War
1921-27	Spanish aerial attacks in the Rif War (Spanish Morocco)
1935	Italian mustard gas bombings during the war in Abyssinia (Ethiopia)
1937-45	Japanese chemical attacks against Chinese forces
1963-67	Egyptian chemical attacks during the Yemen civil war
1960s and early 1970s	Widespread US use of herbicides and riot control agents in the Indochina war
1982-88	Iraqi chemical warfare against Iran during the first Gulf War
1983-88	Iraqi chemical attacks against Kurdish Pershmerga, culminating in the March 1988 bombardment of Halabja and the genocidal chemical campaigns of August and September 1988.
March 1995	The Japanese religious cult Aum Shinrikyo releases sarin in the Tokyo underground system
August 2013	Major chemical attacks in several suburbs of Damascus during the Syrian civil war

The unseen costs of military intervention

Military intervention always carries costs – for both perpetrators and recipients. Behind all the clamouring for war, one must also listen to the silence. While Russia – unsurprisingly – defends its interests

in Syria and resists military action against its *protégé*, it has accepted the fundamental normative principle against chemical warfare and even intimated that it could accept punishment against the Syrian government if the regime is proved to be responsible for the 21 August atrocities. Iran too, the most recent victim of major chemical warfare during the 1980s, has been restrained in its rhetoric against Western accusations, and some voices have even criticised the Syrian ally. The new political leadership has avoided issuing specific threats against the West and Israel. Tehran is most active in the OPCW in raising awareness for the victims of chemical warfare, and offers advanced expertise to the organisation regarding the treatment of victims: it simply cannot condone poison warfare by anyone. Even Hezbollah’s habitual verbal onslaughts are absent, despite its militias fighting in support of the Assad regime. Its political and military ties to Iran may be an important constraint.

For its part, the EU invests heavily in trying to defuse the nuclear standoff with Iran. Since its election last June, the new leadership has been laying the groundwork for more constructive engagement in the ongoing nuclear talks. Military action based on one-sided judgement of selective evidence may convince President Hassan Rouhani that air strikes against Iranian nuclear installations are also inevitable, irrespective of the proposals he may place on the negotiating table.

Similarly, as part of its neighbourhood policy and security interests in a Middle East free from non-conventional weaponry, the EU has a great stake in the organisation (and possibly success) of the disarmament conference mandated by the 2010 Review Conference of the Nuclear Non-Proliferation Treaty (NPT). Although the Syrian civil war and the political turmoil in Egypt have pushed the control and elimination of nuclear, biological and chemical weapons (as well as ballistic missiles) to the back burner, unilateral intervention by some Western states could derail the prospects for convening a meeting for many years to come. And failure of the next NPT Review Conference in 2015 will generate ramifications that affect global security in general, and future disarmament and non-proliferation in particular, and reach deep into regional geopolitics.

Waiting for the factual results of the UN investigative team that works according to procedures carefully negotiated and approved by the global community looks like the wisest possible option for all.

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