

Women's International League for Peace and Freedom

Ligue Internationale de Femmes pour la Paix et la Liberté

Liga Internacional de Mujeres por la Paz y la Libertad

Consultative Status with UN ECOSOC, UNCTAD and UNESCO; Special Consultative Relations with FAO, ILO, and UNICEF



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Syria, chemical weapons, and avoiding military intervention

The Women's International League for Peace and Freedom (WILPF) welcomes the decision by the British Parliament to refuse the endorsement of military action against Syria. Parliament upheld the principle that the use of chemical weapons can never be justified, but reasserted the importance of international law and the UN Charter in dictating any response by the international community. However, media reports indicate that the US government is still intent on a military strike against Syria, even without UK support.

It has been WILPF's position since the first reports of use of gas that the use of chemical weapons is a serious violation of international law, regardless of which party to the conflict perpetrated the attack. But the use of chemical weapons, however abhorrent and illegal, should not be used as a pretext for military intervention. Other options are available and must be pursued.

Chemical weapons and international law

There is no doubt that the use of chemical weapons in armed conflict is a violation of international law. The [1925 Geneva Protocol](#) prohibits the use of chemical and biological weapons in war. Furthermore, the [Chemical Weapons Convention \(CWC\)](#) outlaws the development, production, acquisition, stockpiling, retention, transfer, or use of chemical weapons. While Syria is party only to the 1925 Geneva Protocol and not the CWC, [legal experts](#) and the [International Committee of the Red Cross \(ICRC\)](#) have pointed out that these agreements have created a principle against the use of chemical weapons through customary international law.

This means the prohibition against using chemical weapons is just as binding as a treaty and is [similarly binding on armed groups](#). Consequently, if either the government or a rebel faction that uses chemical weapons, they can be held accountable for this violation of international law. The alleged use of chemical weapons must not be used as a pretext for military intervention.

Against military intervention

Rather than rushing to military intervention or war, the international community must respond in conformity with international law. International legal obligations permit military intervention only under specific circumstances, none of which are applicable in this situation.

The rhetoric of the governments pushing for intervention is more akin to [retribution and punishment](#) than justice in accordance with international law. It presupposes both the “right” of Western governments to act as global police and the legitimacy of the use of force to resolve international problems.

The consequences of military intervention are inevitable: collateral damage, exacerbation of the conflict and suffering of civilians, radicalization of forces in the region, and making the prospect of a peaceful negotiation even more remote. Military intervention will not help the Syrian people secure relief from the violence nor will it result in a peaceful transition to a democratic and accountable government. A dialogue must happen and it must happen with the voices of those who advocate a nonviolent solution.

Alternative options

Alternatives to armed force have been carefully constructed over decades and there are systems in place that could and should be used.

1. Ensure effective investigation of the attack through an extension of the existing mandate of the UN inspections. The UN inspections must be allowed to be completed. The inspection team has so far collected samples and interviewed victims and witnesses. UN Secretary-General Ban Ki-moon has [argued](#) that the team must be allowed to do its job and establish the facts, pushing back against the US and UK government’s assertions of “[certainty](#)” about the facts of the case and their demands that the inspection team leave the country. Once the inspectors have determined whether chemical weapons were used and perhaps the origins of these weapons, the international community should then act in accordance with international law in its response.

2. Seek a UN Security Council resolution to secure the hand-over of any WMD in the possession of any party to the conflict. The first obligation on the UN Security Council is to ensure the prevention of further chemical weapons use. Consequently, it should promulgate a resolution to facilitate the seizure of the prohibited weapons. This could get the support of the Russian government, which has supported the prohibition of use of chemical weapons and which seems to have considerable influence over the Syrian government. Because of Russia’s strong participation in the Organisation for Security and Cooperation in Europe, (which has a larger geographical mandate than just Europe), the OSCE may also be able to secure the hand-over of the weapons.

3. Request the UN Security Council refer the matter to the Office of the Prosecutor at the International Criminal Court (ICC). The ICC has been established to bring justice when a state is unwilling or unable to do so, as would be the case here. There needs to be an investigation into the identification of the perpetrators and the nature of the command responsibility. Syria is not a party to the ICC but the UN Security Council can and should

refer the matter to the office of the prosecutor and ensure that funds are available for investigation and indictment.

4. Support a political solution through inclusive peace talks. The political process developed to provide a political solution to the Syrian crisis through “Geneva I” talks in 2012 and planned “Geneva II” talks this year have been established to provide a political rather than military solution to the crisis. The first set of discussions developed a plan for a transitional government in Syria involving both government and opposition members. This discussion needs to be continued in Geneva II talks with [strengthened support](#) from permanent UN Security Council members. Pressure also needs to be strengthened for an inclusive process involving women on all sides as well as nonviolent humanitarian and women’s groups to ensure a strong peace process and outcome.

In the meantime, arms transfers to the Syrian government and rebel forces must stop. These arms flows have achieved only more bloodshed. In calling for those providing weapons to either side to stop, UN Secretary-General Ban Ki-moon [notes](#), “The military logic has given us a country on the verge of total destruction, a region in chaos and a global threat. Why add more fuel to the fire?”

Moving forward

Some will question where the justice is in simply completing inspections and securing the weapons. Law is not about quick “fixes” often demanded by governments, or the immediate justice that is wanted by victims. However, it provides a process which is critical to engage with if we want to move away from violent retribution and towards processes of peace and justice.

WILPF calls, yet again, for choosing peace over violence, and political over militarized solutions. Sustainable peace cannot be built on more violence.