



 REPORT WORLD

Red Line Redux: How Putin Tore Up Obama's 2013 Syria Deal

FEBRUARY 3, 2017 — ARON LUND

The so-called “red line” episode in September 2013, when, in a last-minute decision, President Barack Obama called off U.S. air strikes in Syria,¹ has continued to shape his legacy. Instead of striking the Syrian government in retaliation for a nerve gas attack near Damascus, Obama took Russian President Vladimir Putin up on an offer to peacefully dismantle the Syrian chemical weapons program and craft a United Nations resolution² to make sure no gas attacks ever occurred in Syria again.

Alternately described as one of the former president’s greatest successes or as one of his worst failures, what remains of Obama’s red line deal is now under attack. After a UN-appointed panel determined that Syrian President Bashar al-Assad’s forces are still using poison gas, albeit at a much more limited scale than before, Putin refused to abide by the September 2013 deal, which promised joint U.S.-Russian efforts in the United Nations to punish all violators.

As newly inaugurated president Donald J. Trump takes the reins of U.S. Syria policy, he will have to decide whether to pursue Western efforts to hold Assad accountable and force Putin to uphold his end of the deal, at the risk of exhausting conflicts; or whether he should let Putin have his way and try to extract the United States from its entanglements in Syria. His choices, and Putin’s, will have important consequences not only for Syria but also for Russian-American relations and for global norms against the use of chemical weapons.

The Background: To Strike or Not to Strike

On August 21, 2013, the rebel-controlled Ghouta suburbs near Damascus were bombed with a powerful nerve agent known as Sarin, killing many hundreds of civilians, including children, in the most lethal chemical attack since Saddam Hussein gassed Iraqi Kurds in Halabja in 1988.³ Assad protested that he was innocent, but he was up against a mass of compelling circumstantial evidence and failed to produce any convincing alternative theory.

The Ghouta attack appeared to constitute a direct challenge to Obama, who had stated a year earlier that “a red line for us is we start seeing a whole bunch of chemical weapons moving around or being utilized.”⁴ Though Obama had never explicitly pledged himself to military retaliation, many anticipated that the United States would imminently launch air strikes on Bashar al-Assad’s forces. The problem, from a White House perspective, was that air strikes against Assad would have uncertain returns at best.

On the one hand, a response could be made strong enough to really rattle the Syrian government, wrecking airports and arms factories or paving the way for rebel advances in major cities. But that would leave the United States responsible for what followed, whether it was internal chaos, massacres, and potential chemical weapons proliferation, or retaliatory strikes against the opposition or allied countries. It would also invite counter-escalation from Russia and Iran, not to

mention that it could jeopardize the cornerstone of Obama's Middle East policy: his secret nuclear talks with Iran. To make matters worse, Obama's choices were sharply circumscribed by the original sin of his Syria strategy. That is, regardless of what he had said in public, the U.S. president did not really want Assad to fall as long as there was no politically palatable opposition leadership capable of keeping the country together. And there wasn't.⁵

On the other hand, an attack could be limited to bruising the regime, breaking some property or killing a few nonessential commanders. But judging by past behavior, Assad would then be likely to dig in his heels, taunt the superpower and perhaps fire off more rockets. This brought into play the issue of U.S. credibility, because, as Obama's deputy national security adviser Antony Blinken had put it, "superpowers don't bluff."⁶ Indeed, if Obama restricted himself to a symbolic slap or another raft of sanctions, both enemies and allies would be likely to interpret this as a sign of weakness and, rightly or wrongly, as a failure to follow through on his red line threat.

Last but not least, Obama was clearly uncomfortable with the idea that a nerve gas attack on civilian neighborhoods should go unpunished. The horrors of the First World War, when some ninety thousand men were killed with chlorine, mustard gas, and other poisons, had served to establish strong international norms against chemical warfare.⁷ Even at the height of the Second World War—the biggest carnage in human history, which produced the Holocaust, the burning of Tokyo and Dresden, the starving of Leningrad, the Nanking massacre, and the nuclear bombings of Hiroshima and Nagasaki—the ban on gas warfare was respected by all sides. A series of international treaties had then led to the creation of the 1997 Chemical Weapons Convention, which had been signed by almost every country on earth—though not by Syria.⁸ In other words, the gassing of the Eastern Ghouta did not merely challenge the red line laid down by Obama, but it also risked corroding the chemical weapons ban and setting a dangerous precedent far beyond Syria.

In other words, the U.S. president found compelling reasons for some sort of response, but there was little he could do that would not result in an unpleasant backlash of one sort or the other. The Pentagon appears to have gamed out a number of scenarios, but it had no faith in its own ability to hit a hypothetical Goldilocks zone of structural damage—grave enough to deter the Syrian regime from future gas attacks or provocations, but also not so severe that it could inadvertently break the regime or loosen Assad's grip on the chemical arsenal he already possessed. Targeting only the units thought to be involved in chemical warfare was also a poor option. At the time, the Pentagon estimated that it could only eliminate some 25–30 percent of Assad's arsenal through attacks from the air.⁹ That would have left hundreds of tons of lethal poisons at the continued disposal of a wounded and vengeful regime—or adrift in Syria's chaotic civil war, the day Assad lost his grip.

“We could not, through a missile strike, eliminate the chemical weapons themselves,” Obama later concluded, “and what I would then face was the prospect of Assad having survived the strike and claiming he had successfully defied the United States, that the United States had acted unlawfully in the absence of a UN mandate, and that that would have potentially strengthened his hand rather than weakened it.”¹⁰

Calling on Congress

The longer the debate dragged on, the more complicated it got. Obama’s half-hearted attempts to rally international and domestic support for some form of punitive strike was met with little success.

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Though France promised to send its own air force and Turkey’s Recep Tayyip Erdogan, true to form, declared that he would accept nothing less than a months-long campaign along the lines of the 1999 Kosovo War, the rest of NATO mysteriously disappeared from sight and the British parliament voted against air strikes.¹¹ Whatever the Gulf royals may have whispered behind the scenes, they lifted nary a finger on Obama’s behalf in public; nor would the Arab League call for air strikes. Although many Syrian exiles cried out for a U.S. intervention, the armed factions stayed silent, either for being hostile to a Western role in Syria or for being cowed by those who were. All in all, it was a thoroughly underwhelming show of support.

At home, the prospect of another military adventure excited many foreign policy pundits, but it met with unrelenting hostility from the constituencies that mattered most to Obama. The Republican-dominated Congress rose in protest, backed by a sizable number of Democrats who sensed that this would not go down well with war-weary voters. Indeed, an August 24 Reuters poll had found 60 percent of voters to be opposed to a U.S. strike in Syria, with only 9 percent in favor.¹² To understand just how tiny a slice of public opinion that is, it bears noting that a similar percentage of Americans worry about extraterrestrial hijackers.¹³

Obama thus found himself trapped between two unpalatable alternatives: he could either defy Congress and popular opinion to launch a war he didn’t believe had any chance of success, or he could back down and leave Assad the winner, be branded a traitor by his allies, and wait for the next nerve gas attack.

Challenged by his British allies to put the issue to a democratic vote, he ended up finding a third alternative that he hoped would, at least, share the burden more broadly: he threw himself at the mercy of Congress. So, on August 31, Obama announced that while he wanted to order military strikes, he would first send the issue to Congress for approval.¹⁴

The United States Congress proved as inhospitable to a broad consensus as ever. Most Republicans seemed to relish the chance to bloody a Democratic president by denying him the authorization he needed, despite the fact that some had previously demanded a harder line on Assad. And while many Democrats obediently lined up behind their leader, a significant number kept their eyes on the electorate, which, although somewhat mollified by Obama's pleas, remained strongly opposed to an intervention.¹⁵ Although the administration tried sincerely to persuade both politicians and the public to fall in line with its proposal for a punitive strike, these efforts were hobbled by the widespread assumption that Obama would be just as happy if Congress blocked an attack. In the end, though the White House did make fragile progress in swaying the Senate, the vote in the House of Representatives seemed impossible to win.¹⁶

Faced with the prospect of a defeat in Congress, the administration became increasingly desperate, pleading for at least some minimal level of approval. On September 8, Secretary of State John Kerry found himself arguing at a London press conference that the U.S. should conduct "unbelievably small" air strikes.¹⁷ "I think they're going for the homeopathic effect," quipped the British-Lebanese satirist Karl Sharro.¹⁸

After listening to Kerry's description of how small the Syria strike will be, I think they're going for the homeopathic effect.

— Karl Sharro (@KarlreMarks) September 9, 2013

The September Surprise

Then all of a sudden, fate intervened—and fate spoke in an unmistakably Russian accent. At the same London press conference, Kerry was asked by a CBS reporter whether there was, at this point, anything Assad could do to prevent an attack. "Sure," Kerry quipped, "he could turn over every single bit of his chemical weapons to the international community in the next week. Turn it over, all of it, without delay, and allow a full and total accounting for that. But he isn't about to do it, and it can't be done, obviously."¹⁹



FOREIGN MINISTERS JOHN KERRY AND SERGEI LAVROV PRESENT THEIR CHEMICAL WEAPONS AGREEMENT IN GENEVA ON SEPTEMBER 14, 2013. SOURCE: U.S. STATE DEPARTMENT.

The impossibility of averting air strikes thus established, the press conference continued—but in foreign ministries across the world, phones started ringing. Kerry later described what happened:

Within an hour, an hour and a half, I got a phone call from Sergei Lavrov of Russia suggesting that was a really good idea, why don't we work on whether or not we could do that? And President Obama and President Putin had actually talked about it a few weeks earlier in St. Petersburg, and I'd already talked to Lavrov—I'd actually talked to Prime Minister Netanyahu about it, who thought it was a good idea. And so all of a sudden, Lavrov and I were thrown together by our presidents in an effort to try to achieve that. And guess what? We did achieve it before Congress voted.²⁰

On September 9, Obama announced that he would postpone air strikes to give diplomacy a chance.²¹ Five days later, a deal was signed between Russia and the United States, later to be enshrined in a United Nations resolution.²² The strikes were called off as Damascus announced that it would finally sign the Chemical Weapons Convention and give up the banned weapons. On October 14, 2013, Syria's accession to the convention formally entered into force.²³

Amazingly, with minor delays but without any major upsets, the OPCW succeeded, eventually eliminating more than 1,200 metric tons of some of the worst weapons known to humanity from the Syrian battlefield.

The dangerous task of locating, collecting, removing, and destroying the chemical stockpiles—in mid-civil war—fell to the Organization for the Prohibition of Chemical Weapons (OPCW), which is the Chemical Weapons Convention's implementing body. Amazingly, with minor delays but without any major upsets, it succeeded, eventually eliminating more than 1,200 metric tons of some of the worst weapons known to humanity from the Syrian battlefield.²⁴

A Turning Point

As a disarmament operation, the OPCW mission was an astounding success, but it did not play out in a political vacuum. Since the OPCW worked hand in hand with the Syrian government, the United States was implicitly forced to suspend its demands for Assad's overthrow while the operation proceeded. That, in itself, began to change perceptions of what the United States was doing in Syria, and why.

In autumn 2013, Russian-American contacts intensified to the point where Syrian peace talks could be organized for the first time since the war began. But the so-called Geneva II negotiations, which took place in January and February 2014, were an exercise in bad faith on all sides. They ended in a dispiriting failure, and, soon after, Putin's invasion of Ukraine again threw U.S.-Russian relations off track.

To Obama's critics and Assad's opponents, it seemed as if a golden opportunity to remove or weaken the Syrian president had been lost—not merely because he had been spared American air strikes, but even more because of the way the political mood had changed. By early 2014, opposition hopes in a Western-backed military victory were deflated, Syrian government loyalists seemed to feel a new sense of security, and the U.S. intelligence community had begun to worry more about jihadi segments of the opposition than about Assad himself. In January 2014, the so-called Islamic State had finally split away from the rest of the rebellion, and, that summer, it seized large swaths of Iraq and Syria, decisively shifting international priorities away from Assad's overthrow.²⁵

For the Syrian opposition and many of its supporters, the red line controversy came to epitomize this shift. They have never ceased to damn Obama since.

Red Line or Green Light?

The September 2013 events have also been at the center of a different though closely related American debate over Barack Obama's foreign policy legacy, and over the role and standing of the United States in the world today.

To his critics, Obama's decision to go to Congress was a sign of weakness that dangerously undermined the credibility of the United States and damaged its deterrent power. According to this line of thinking, both friends and foes of the United States reacted to the September 2013 events in ways that ultimately harmed U.S. interests, with a Saudi, Qatari, and Turkish escalation that empowered Islamist rebels and an emboldened Russian and Iranian intervention on the side of the Syrian government. As all sides lashed out to protect their own interests, the United States was widely seen to lose some of its centrality to Middle Eastern affairs.

Critics continue to stress this point. Once a red line had been drawn, argued former defense secretary Leon Panetta in an interview in 2014, "it was important for us to stand by our word and go in and do what a commander in chief should do." He described Obama's decision as having "sent a mixed message, not only to Assad, not only to the Syrians, but to the world."²⁶ Indeed, the U.S. National Intelligence Council would later conclude that "unenforced red lines in Syria" had damaged U.S. influence in the Middle East.²⁷

On the other end of the debate, defenders of Obama like former assistant secretary of defense Derek Chollet argue that while the September 2013 deal may have been an "ugly win," it ended a massive proliferation threat and therefore "made us all safer."²⁸ According to this argument, it would have been foolish to refuse the Russian proposal, which secured a major gain at very limited cost and avoided the slippery slope of policing a civil war with no end in sight. Indeed, had nerve gas attacks continued after a strike, Obama would surely have faced calls for another show of force, leading him ever deeper into the Syrian labyrinth.

Kerry took a similar line, telling *The Atlantic* in April 2016 that rejecting the Russian offer would have been dangerous, since it would have left large stockpiles of weapons of mass destruction in the hands of a weakened Syrian regime, whence they could easily have slipped into Islamic State control. To Kerry, criticism of the deal "just doesn't make sense," although, he added, "I can't deny to you that this notion about the red line being crossed and [Obama] not doing anything gained a life of its own."²⁹

The red line dispute has remained the single most controversial and contested foreign policy decision in Obama's eight-year presidency, with the possible exception of the 2015 Iran deal. Even Donald Trump, a noted friend of Russia and not

much enamored of the Syrian rebels,³⁰ has taken shots at Obama over the events of 2013. Trump's secretary of state, Rex Tillerson, used his confirmation hearing on January 11, 2017, to attack Obama's "absence of American leadership," saying that the United States had "backtracked on commitments we made to allies, we sent weak or mixed signals with red lines that turned into green lights."³¹

The Security Council Tripwire

Three years after the deal, the controversy it started has not ended—and one red line remains in place in Syria.

By signing the Chemical Weapons Convention, Bashar al-Assad formally committed the Syrian government to never again use, produce, or stockpile chemical weapons. The United States, Russia, and the United Nations had all piled on by explicitly vowing to punish him if he broke that promise.

The original Russian-American deal in September 2013 had warned that "in the event of non-compliance, including unauthorized transfer, or any use of chemical weapons by anyone in Syria, the UN Security Council should impose measures under Chapter VII of the UN Charter."³²

Chapter VII is the "peace enforcement" part of the United Nations charter that authorizes the international community to impose boycotts or economic and diplomatic sanctions, and, ultimately, to use military force.³³ It is rarely used, due to the extreme political sensitivity of such intrusive measures and the difficulty in mustering support for coercive action from all five permanent members of the Security Council. But in this case, both the United States and Russia stated explicitly and unanimously that they would impose Chapter VII measures if Assad tried to wriggle out of the deal.

On September 27, 2013, the UN Security Council endorsed the Russian-American agreement, using it as a basis for the unanimously adopted Resolution 2118. The resolution copied the Chapter VII references in the Russian-American deal almost verbatim, saying that the Council had decided, "in the event of non-compliance with this resolution, including unauthorized transfer of chemical weapons, or any use of chemical weapons by anyone in the Syrian Arab Republic, to impose measures under Chapter VII of the United Nations Charter."³⁴

In other words, a decision to impose Chapter VII measures in response to any infraction was built into the resolution. There were no ifs or buts: "any use" of chemical weapons would trigger some form of collective response under Chapter VII, though the nature of it would of course have to be negotiated. This diplomatic tripwire would, so its authors hoped, suffice to spare Syria any future poison gas attacks. They were wrong.

The Chlorine Attacks Begin

On April 11, 2014, Syrian opposition activists in the village of Kafr Zita reported that poisonous gas had been dropped from a military helicopter. It was the first of many such reports, mostly emanating from Kafr Zita and a few other villages in the Hama-Idleb region. The allegations became increasingly better documented, including with photographic evidence of the attacking helicopters and of strangely colored gas clouds, as well as video tapes of patients choking or dying—including small children and infants, much too young to be coached to fake symptoms, as regime supporters alleged when confronted with video evidence of new chemical attacks. The gas seemed to arrive in what the opposition refers to as “barrel bombs,” meaning large welded metal drums stuffed with explosive materials. Now, they also contained chlorine gas canisters, creating a crude but functional chemical weapon.



A CHILD IN KAFR ZITA, SYRIA, IS TREATED FOR CHLORINE POISONING, 2014. SOURCE: AL-AAN TV (LEBANON).

Chlorine (Cl_2) is a commonly available chemical element mostly used for legitimate civilian purposes. The OPCW had not considered it to be part of the Syrian weapons program. According to Jean Pascal Zanders, a Belgian specialist in chemical arms and nonproliferation issues, chlorine “has widespread industrial and commercial use, such as in the manufacture of plastics, bleaching or water purification.” However, the chemical also has a history in warfare. “Chlorine was the agent used by the Germans in the first large-scale chemical attack near Ypres on 22 April 1915,” said Zanders, who went on to detail the effects of the poison:

It is generally classed as a choking agent. It is reactive in the human body, and therefore irritates the skin and the eyes. If inhaled in high doses, the irritation and injuries to the respiratory tract prevent breathing and any inhaled oxygen becomes increasingly difficult to be transferred to the blood. Liquid will build up in the lungs, basically ‘drowning’ the victim if that person is exposed to high doses or for a prolonged period. If a person survives exposure, chances are lungs have permanent damage. People may succumb years after exposure following a banal respiratory infection.

Though chlorine is far less lethal than substances such as VX, Sarin, or sulfur mustard, which had formed the bulk of Assad's chemical weapons arsenal, it is, Zanders said, "by all means a chemical weapon if used with the intent to harm people."³⁵ In other words, if it can be proven that the bombs in Kafr Zita or elsewhere contained chlorine, then their use would constitute a violation of the chemical weapons ban to which Syria is now a legal party, and it should therefore trigger a response according to UN Resolution 2118.

In late April 2014, the OPCW set up a Fact-Finding Mission to gather evidence on the use of chlorine. The reports of helicopter-borne gas attacks immediately dropped off, with a marked reduction in May, June, and July. But by August 2014, the reports of chlorine strikes picked up again. The following month, the Fact-Finding Mission stated that it now had "compelling confirmation that a toxic chemical was used as a weapon, systematically and repeatedly⁷ in several opposition-held villages in northern Syria."³⁶

However, the Fact-Finding Mission was not mandated to identify the perpetrators. This led to mounting pressure to establish a mechanism for such identification, with the OPCW's Executive Council expressing its "strong conviction" that the perpetrators must be held accountable.³⁷

The Joint Investigative Mechanism

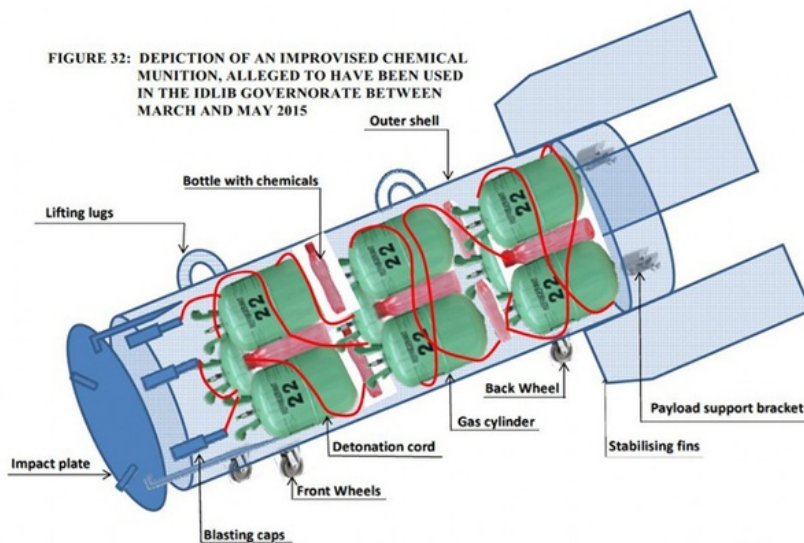
In August 2015, the Security Council issued Resolution 2235, building on the OPCW Fact-Finding Mission's conclusions. The resolution created a combined UN-OPCW panel called the Joint Investigative Mechanism (JIM), which would "identify to the greatest extent feasible individuals, entities, groups, or 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 Syrian Arab Republic." Since the resolution did not trigger any sanctions, the Russian government voted in favor, allowing it to be adopted with fifteen votes to zero.

Now armed with an unambiguous Security Council decision, the JIM set about collecting evidence and receiving testimony from all sides. In its first³⁸ two³⁹ reports, the JIM compiled documentation for several gas attacks, but could not yet determine who was behind them. But when the JIM issued its third report in August 2016, things took a dramatic turn.⁴⁰ The 104-page document weighed the evidence in nine cases between April 11, 2014 and August 21, 2015, and concluded that the perpetrating party could be positively identified in three of them.

One case concerned the so-called Islamic State, which had fired sulfur mustard in opposition-held Marea, north of Aleppo, on August 21, 2015. Politically speaking, this was of little significance, since the Islamic State was already at war with all nations involved and suffered from every conceivable economic sanction.

However, in the cases of Talmenes on April 21, 2014, and Sarmin, on March 16, 2015, the JIM concluded that chlorine bombs had been used by the Syrian government. Continued investigations by the JIM later led to the same conclusion regarding the village of Qmenas on March 16, 2015. All three villages are located in Idlib province. The source of these attacks, the reports concluded, was Syrian military helicopters flying from the Hama and Hmeymim air fields, which are used by the 63rd helicopter brigade of the Syrian Arab Air Force.⁴¹

The Syrian government, unsurprisingly, maintains its innocence and further alleges that Syrian rebel groups have used chemical weapons, but that the international community has failed to properly investigate those instances.



CHLORINE-LOADED BARREL BOMB. SOURCE: OPCW.

“These allegations are absolutely false, and they are being used as a political tool to pressure both the Syrian government and Russia,” a Syrian official told me. “The Syrian government has fully complied with United Nations Security Council Resolution 2118 and completed all its commitments. Meanwhile, Russian investigators definitively proved that the terrorist groups had used chemical munitions in Aleppo, but France, Britain, and the United States remain strangely silent about the issue. No international action was taken against the terrorists despite their confirmed use of chemical weapons against the Syrian army and Syrian civilians in Aleppo.”⁴²

The Russian Ministry of Defense has indeed issued several reports about rebel use of chemical weapons,⁴³ but the word of Russian investigators has no more weight in the United Nations than does that of American, Turkish, Saudi, Iranian, Swiss, or for that matter Syrian investigators. Rather, the JIM remains the only entity tasked by the Security Council with identifying perpetrators, and it continues to do just that. Its mandate was extended for one more year on November 16 and the group continues to look into allegations from all sides, including cases where Damascus or Moscow have reported that opposition groups used chlorine or other poisons.⁴⁴ So far, however, the JIM has only been able to

positively identify a perpetrator in the above-mentioned four cases—that is, one sulfur mustard attack by the Islamic State and three chlorine bombings by the Syrian government.

In the eyes of the Security Council majority, and of one of the parties to the 2013 deal, that settles the matter. Assad's government is now "responsible for the first-ever verified and documented use of chemical weapons by a State Party to the Chemical Weapons Convention," wrote Acting Under Secretary of State for Arms Control and International Security Thomas Countryman on January 10, accusing Damascus of being "in violation of its international legal obligations under the Treaty and United Nations Security Council Resolution 2118."⁴⁵

On January 12, the U.S. government duly imposed sanctions on several high-ranking Syrian officials. The list included the commander of the Syrian Arab Air Force Ahmed Balloul, Political Security Director Mohammed Khaled Rahmoun, and the newly appointed head of Air Force Intelligence's Aleppo office, Soheil al-Hassan.⁴⁶

"In a more just world, the same UN Security Council that created the JIM would have already responded to its conclusions by voting swiftly and unanimously to hold these people and institutions accountable, and they would already face investigation and prosecution by an independent and impartial tribunal," said U.S. Ambassador to the Security Council Samantha Power, promising that "the United States and partners will take up this cause and ensure the end of impunity for those who have gassed their own citizens."⁴⁷

The British-French Draft

When the JIM started naming perpetrators in autumn 2016, the United Kingdom and France began work on a draft Security Council resolution that seized upon its conclusions to impose Chapter VII sanctions on the Syrian government and specific officials.⁴⁸

According to a leaked draft dated December 19, the proposed new resolution determines that Resolution 2118 has been violated and sets out a response under Chapter VII.⁴⁹ However, it does not threaten military force, instead limiting itself to Article 41 of Chapter VII, which enables economic sanctions and diplomatic boycotts (military action would have to be launched under Article 42).⁵⁰ The proposed resolution would establish a global embargo on the sale of helicopters to the Syrian government and sanction number of officials and institutions, including Ahmed Balloul, Soheil al-Hassan, and Air Force Intelligence Director Jamil al-Hassan.⁵¹ The resolution would also impose additional inspections and declarations, in response to allegations that the Syrian government may have hidden and preserved some choice bits of its pre-2013 weapons program.

“The purpose of this resolution is to demonstrate accountability and consequences for those who use chemical weapons, and it also shows that the council is determined to uphold the nonproliferation regime and the commitments it made in resolutions 2118 and 2235,” said a Western diplomat involved in negotiations over the draft. “Whilst the Joint Investigative Mechanism has produced a good, strong report,” the diplomat said, the Security Council now needs to “give substance to the Joint Investigative Mechanism and the [September 2013] deal between Russia and the United States that the Council has blessed.”⁵²

The United States was not formally among the drafters of the resolution, but this was mostly a division-of-labor issue. The U.S. government “absolutely supports the efforts of the United Kingdom and France to pursue accountability through their draft UN Security Council resolution,” I was told by State Department Deputy Spokesperson Mark Toner in the last days of Obama’s presidency.⁵³ Whether that commitment will continue under President Trump is another matter.

Russia Attacks the Joint Investigative Mechanism

Faced with the threat of global UN sanctions on its Syrian ally, Moscow seems to be backpedaling from its 2013 agreement with the United States.⁵⁴

Despite having agreed to Chapter VII measures in 2013, Deputy Foreign Minister Sergei Ryabkov recently said sanctions would be “categorically unacceptable,” and despite having co-created the JIM to identify perpetrators in 2015, he now questions its competence to do so.⁵⁵ His predecessor, current Russian Ambassador to London Alexander Yakovenko, has further clarified that Moscow does not believe that the JIM is capable of identifying perpetrators, saying it has succumbed to “propaganda.”⁵⁶

It would certainly be within Moscow’s prerogatives under the 2013 deal and the ensuing UN resolutions to negotiate the type of Chapter VII measures to be applied. Russia could, for example, have restricted the UN response to very light or very narrow sanctions. But if the Kremlin has decided to veto any resolution on the subject, it means that the system created to identify perpetrators in Resolution 2235 (2015) is rendered inoperable, and the deterrence function in Resolution 2118 (2013) is defanged.

In other words, the 2013 agreement between Kerry and Lavrov is perhaps not dead, but unless the Russian government changes its mind, it will have been mutilated beyond recognition.

Paralyzing the Security Council

If it had been brought to a vote in January as planned, some version of the British-French draft resolution could probably have secured the required nine votes (from the United States, France, and the United Kingdom, joined by Italy, Japan, Ukraine, Sweden, Uruguay, and Senegal).⁵⁷ Egypt and Ethiopia appeared more likely to abstain, though Egypt engaged with Western diplomats in December and January to find common ground. On the other side, Russia, China, Bolivia, and Kazakhstan would probably have opposed the resolution or, at most, they would have abstained. Since both Russia and China enjoy a right of veto, Moscow could have stopped the resolution on its own.

With the veto threat in mind, the United Kingdom and France never had high hopes of passing a resolution. Instead, their diplomats sought to rally the maximum number of votes so as to at least embarrass Vladimir Putin (which may also be something of a losing bet). Some Western diplomats also seemed to pin their hopes on Donald Trump, arguing that the arrival of the new U.S. president could make Russia reluctant to veto an American-backed resolution for fear of spoiling an otherwise promising relationship. But Trump also brought new problems for the resolution's backers: given his friendly tone toward Russia, it wasn't clear that he would support it at all—and it still isn't.⁵⁸

Sources now say the United Kingdom and France have backed off from seeking a vote, preferring to instead wait and see where Trump comes down on Syria and how that plays out in the Security Council.

If so, it would mean that Russia has successfully thwarted the proposed Chapter VII measures without even having to veto them. It would also leave the Security Council in the uncomfortable position of having publicly identified the perpetrators of chemical attacks and vowed to punish them—only to then remain inactive, hands tied.

Not Every Chemical Weapon Is the Same

The fact that the September 2013 agreement has started to fall apart is not the same thing as it having failed altogether. Its primary purpose—namely, to exact a cost for the chemical attacks of 2013 and to eliminate a huge quantity of weapons of mass destruction—has already been accomplished. Even if it were to turn out that the regime has illegally kept a small amount of poisons, it has so far not dared to use them and the bulk of the stockpiles is gone.

The fact that the September 2013 agreement has started to fall apart is not the same thing as it having failed altogether.

Those successes are not unimportant. There is, in fact, a stark difference in lethality between chlorine and the types of weapons that previously filled Syrian military warehouses, including nerve agents Sarin and VX. The Eastern Ghouta attack on August 21, 2013, involved only a small number of short-range rockets that collectively dispersed less than half a ton of Sarin, or the rough equivalent of a single Scud-missile payload. Yet, this attack killed hundreds in just a few hours—more than 1,400 people according to a U.S. government estimate.⁵⁹ By contrast, an opposition-friendly tally of around 130 reported government chlorine attacks in the two following years counted only around seventy fatalities.⁶⁰

That's a dramatic difference, and however one rates the 2013 agreement, there is no escaping the fact that Assad's pre-deal arsenal represented an entirely different level of threat than the current situation. Simply put, an army that mixes household and industry chemicals into improvised bombs and rolls them out the back hatch of a helicopter is not the same as an army that can fire dozens of VX-tipped ballistic missiles at the press of a button.

"Chlorine is a minor league hazard compared to nerve agents," wrote Al Mauroni, director of the U.S. Air Force Center for Unconventional Weapons Studies, in a March 2015 piece where he argued that the helicopter attacks had been blown out of proportion by pro-intervention voices. In Mauroni's view, "nonproliferation regimes are not well-suited to address chemical terrorism or the state use of chemical weapons during internal civil unrest," and, he concluded, "what Assad is doing with his conventional forces is the real war crime."⁶¹

The Politics of Proliferation

However, while they may be of limited military or even humanitarian significance in the context of the Syrian war, the chlorine attacks do matter politically.

Assuming that the JIM's identifications hold true, they may tell us something about Bashar al-Assad's regime—though there are at least a couple of different interpretations.

If the chlorine attacks have been approved from high-up,⁶² they appear as an irrational exercise in authoritarian machismo: Bashar al-Assad challenging the United Nations, the United States, the European Union, and even Russia to a rematch of the 2013 crisis—for no discernible strategic purpose and with no other likely result than to waste precious political capital and raise the already sky-high reputational cost of treating with his regime.

If, on the other hand, the attacks are being committed by loyalist factions outside of Assad's control, and he is unable to enforce his will even on such a high-stakes issue, they would be *prima facie* evidence that the Syrian regime has started to come apart at the seams. In either case, the chlorine attacks are likely to strengthen an already widely held Western

understanding of Assad as an irredeemably extremist, bellicose, and unreliable actor, with whom a deal may not be possible and is almost certainly not worth the price.

The fate of the September 2013 deal will also matter outside Syria. For one thing, the red line affair will continue to color Barack Obama's legacy and, for better or worse, shape U.S. foreign policy in the future.

If the United States under President Trump is unable (or unwilling) to protect the agreements that Washington made with Moscow in 2013, that, too, will become part of the historical record. It may affect U.S. ties to some Middle Eastern nations, and, more importantly, it could add to the tension between the United States and Russia by weakening the case for diplomatic solutions in future crises. In that sense, it would seem to be in the interest of both Washington and Moscow to compromise and, at least, find a face-saving solution that helps preserve trust in negotiated deals. Of course, it remains to be seen how these questions will play out under Trump, who has made reconciliation with Russia a top-ranking item on the agenda and who may be willing to sacrifice other assets to achieve that.

Last but not least, there is the chemical arms issue itself. "In recent decades, chemical weapons have slowly been delegitimised as a currency of power," British chemical weapons expert Richard Guthrie told *The Guardian* after an August 2016 incident in Aleppo, where a woman and her two children were reported to have been gassed to death. "This latest allegation of use is another contribution to the slow and steady diminishing of the taboo."⁶³

Getting virtually every government in the world to sign the Chemical Weapons Convention was no small feat. It marked the high point of a humanitarian and diplomatic campaign dating back to the nineteenth century, and it codifies a taboo that has—with some exceptions, such as the Iraqi gas attacks in the 1980s—been respected for the better part of a century.⁶⁴ Indeed, the successful discouragement of chemical warfare through moral advocacy and multilateral diplomacy has been an inspiration to many supporters of international humanitarian law, suggesting that perhaps, one day, similar campaigns may succeed in curtailing other atrocities. But when chemical attacks continue to occur in Syria—in apparent defiance of the Chemical Weapons Convention, of great-power guarantees, and of several unanimous Security Council resolutions—that progress is called into question, challenging decades of diplomatic labor and threatening the renormalization of gas as a weapon of war.

A smattering of small-scale chlorine attacks in rural Syria is obviously not going to top the to-do list of President Donald Trump, who has clearly signaled that he has little interest in the war over Syria. Yet, as his predecessor discovered, this conflict has a way of imposing itself on those who try to escape it—and the undermining of one of the most pivotal U.S.-Russian diplomatic agreements in recent history, and of global norms against poison gas warfare, will be of consequence to whomever sits in the White House. Should chemical attacks continue in the absence of a United Nations mechanism to handle the problem, there will be a showdown in the Security Council sooner or later. How Donald Trump and

Vladimir Putin then decide to react will matter much to many—including Americans, Russians, and, most of all, Syrians.

Notes

1. Mark Landler and Jonathan Weisman, “Obama Delays Syria Strike to Focus on a Russian Plan,” *New York Times*, September 10, 2013, http://www.nytimes.com/2013/09/11/world/middleeast/syrian-chemical-arsenal.html?_r=0.
2. “Security Council Requires Scheduled Destruction of Syria’s Chemical Weapons, Unanimously Adopting Resolution 2118,” United Nations Security Council (2013), <http://www.un.org/press/en/2013/sc11135.doc.htm>.
3. “Syria chemical attack: What we know,” BBC, September 24, 2013 <http://www.bbc.com/news/world-middle-east-23927399>.
4. James Ball, “Obama issues Syria a ‘red line’ warning on chemical weapons,” *Washington Post*, August 20, 2012, https://www.washingtonpost.com/world/national-security/obama-issues-syria-red-line-warning-on-chemical-weapons/2012/08/20/ba5d26ec-eaf7-11e1-b811-09036bcb182b_story.html?utm_term=.6cef347918dd.
5. The Syrian exile opposition included many U.S.-friendly politicians and media commentators, but they had little influence inside the country. The armed rebellion on the ground was, according to a fresh estimate from the Defense Intelligence Agency, divided into some 1,200 factions. Many anti-government fighters were under the sway of Sunni Islamist preachers, and most of the large rebel factions were implicitly or explicitly hostile to U.S. influence. The opposition was not even remotely capable of constructing a functioning government, never mind one that would steer the country in a direction compatible with U.S. interests. For a snapshot of the insurgency’s makeup at the moment when Obama grappled with the red line affair, see Aron Lund, “The Non-State Militant Landscape in Syria,” *CTC Sentinel*, August 27, 2013, <https://www.ctc.usma.edu/posts/the-non-state-militant-landscape-in-syria>.
6. Adam Entous, “Behind Obama’s About-Face on Syria,” *Wall Street Journal*, June 15, 2013, www.wsj.com/articles/SB10001424127887324049504578545772906542466.
7. Marek Pruszewicz, “How deadly was the poison gas of WW1?” *BBC World Service*, January 30, 2015, <http://www.bbc.com/news/magazine-31042472>.
8. In 2013, the convention had been signed and ratified by every country on the planet except Egypt, Israel, North Korea, South Sudan, and Syria. For a list of signatories, see “OPCW Member States,” Organization for the Prohibition of Chemical Weapons, <https://www.opcw.org/about-opcw/member-states>. For a copy of the convention, click here.
9. According to Derek Chollet, who was Obama’s assistant secretary of defense at the time of the red line crisis, a campaign of air strikes would “at best,” according to the government’s estimates, “have taken out 25 to 30 percent of the chemical weapons.” Jonathan Capeheart, “Former Obama official on the Trump cabinet picks that are actually good hires,” SoundCloud interview upload, January 2017, <https://soundcloud.com/washington-post/former-obama-official-on-the>. (Quoted section starts at 07:40.)
10. Jeffrey Goldberg, “The Obama Doctrine,” *The Atlantic*, April 2016, <https://www.theatlantic.com/magazine/archive/2016/04/the-obama-doctrine/471525>.
11. Vincent Jauvert, “Exclusif. Comment Hollande avait prévu de frapper la Syrie,” *Le Nouvel Observateur*, September 29,

2013, tempsreel.nouvelobs.com/monde/guerre-en-syrie/20130927.OBS8824/exclusif-comment-hollande-avait-prevu-de-frapper-la-syrie.html; Gulsen Solaker and Nick Tattersall, "Turkish PM says Syria intervention should aim to end Assad rule," Reuters, August 30, 2013, www.reuters.com/article/us-syria-crisis-turkey-erdogan-idUSBRE97T0VZ20130830; "Syria crisis: Cameron loses Commons vote on Syria action," *BBC*, August 30, 2013, www.bbc.co.uk/news/uk-politics-23892783.

12. Lesley Wroughton, "As Syria war escalates, Americans cool to U.S. intervention: Reuters/Ipsos poll," *Reuters*, August 24, 2013, www.reuters.com/article/us-syria-crisis-usa-poll-idUSBRE97O00E20130825.

13. Ray Sanchez, "Nearly 80% of Americans think no one survived Flight 370, CNN poll finds," CNN, May 7, 2014, edition.cnn.com/2014/05/06/world/asia/malaysia-airlines-plane-poll.

14. Peter Baker and Jonathan Weisman, "Obama Seeks Approval by Congress for Strike in Syria," *New York Times*, August 31, 2013, www.nytimes.com/2013/09/01/world/middleeast/syria.html.

15. For example, see these three polls, made as Congress readied for a vote. Andrew Dugan, "U.S. Support for Action in Syria Is Low vs. Past Conflicts," Gallup, September 6, 2013, www.gallup.com/poll/164282/support-syria-action-lower-past-conflicts.aspx; "Opposition to Syrian Airstrikes Surges," Pew Research Center, September 9, 2013, www.people-press.org/2013/09/09/opposition-to-syrian-airstrikes-surges; "CNN/ORC Poll," CNN, September 9, 2013, i2.cdn.turner.com/cnn/2013/images/09/09/6a.poll.syria.pdf.

16. The positions of individual members of Congress just before the planned vote is recorded at "The Hill's Syria Whip List: Obama seeks to turn tide with House, public (video)," *The Hill*, September 9, 2013, thehill.com/homenews/administration/319933-the-hills-syria-whip-list.

17. "Remarks With United Kingdom Foreign Secretary Hague," U.S. State Department transcript, September 9, 2013, <https://www.state.gov/secretary/remarks/2013/09/213956.htm>.

18. Karl Sharro on Twitter, September 9, 2013, <https://twitter.com/KarlreMarks/status/377065257404887041>.

19. "Remarks With United Kingdom Foreign Secretary Hague," U.S. State Department transcript.

20. "Remarks at a Press Availability," U.S. State Department transcript, January 5, 2017, <https://www.state.gov/secretary/remarks/2017/01/266599.htm>.

21. "Remarks by the President in Address to the Nation on Syria," The White House (United States), September 10, 2013, <https://obamawhitehouse.archives.gov/the-press-office/2013/09/10/remarks-president-address-nation-syria>.

22. "Framework for Elimination of Syrian Chemical Weapons," U.S. State Department, September 14, 2013, <https://www.state.gov/r/pa/prs/ps/2013/09/214247.htm>; "Security Council Requires Scheduled Destruction of Syria's Chemical Weapons, Unanimously Adopting Resolution 2118 (2013)," United Nations, September 27, 2013, <http://www.un.org/press/en/2013/sc11135.doc.htm>.

23. "Syria's Accession to the Chemical Weapons Convention Enters into Force," Organization for the Prohibition of Chemical Weapons, October 14, 2013, <https://www.opcw.org/news/article/syrias-accession-to-the-chemical-weapons-convention-enters-into-force>.

24. For a primer on the disarmament operation, see "OPCW and Syria: Frequently Asked Questions," Organization for the Prohibition of Chemical Weapons, October 14, 2013, <https://www.opcw.org/special-sections/syria/frequently-asked-questions>. The OPCW was awarded the 2013 Nobel Peace Prize in recognition of its efforts.

25. On the Islamic State, see Aron Lund, "Why Islamic State Is Losing, and Why It Still Hopes to Win," The Century Foundation, June 17, 2016, <https://tcf.org/content/report/islamic-state-losing-still-hopes-win>.
26. Panetta interviewed by Katie Couric of Yahoo News "Panetta: Obama's 'Red Line' on Syria Damaged U.S. Credibility," Real Clear Politics Video, October 7, 2014, www.realclearpolitics.com/video/2014/10/07/panetta_obamas_red_line_comment_on_syria_damaged_us_credibility.html.
27. National Intelligence Council, "Global Trends: Paradox of Progress," January 2017, <https://www.dni.gov/files/images/globalTrends/documents/GT-Full-Report.pdf>.
28. Aron Lund, "The Long View," Syria in Crisis/Diwan, Carnegie Endowment for International Peace, December 6, 2016, carnegie-mec.org/diwan/66343?lang=en.
29. Goldberg, "The Obama Doctrine."
30. Aron Lund, "A Secondary Thought," Syria in Crisis/Diwan, Carnegie Endowment for International Peace, October 13, 2016, <http://carnegie-mec.org/diwan/64849?lang=en>.
31. Transcript of Rex Tillerson's Confirmation Hearing, CNN, January 11, 2017, edition.cnn.com/TRANSCRIPTS/1701/11/cnr.03.html.
32. "Framework for Elimination of Syrian Chemical Weapons," U.S. State Department.
33. "Chapter VII," United Nations, www.un.org/en/sections/un-charter/chapter-vii.
34. "Security Council Requires Scheduled Destruction of Syria's Chemical Weapons, Unanimously Adopting Resolution 2118 (2013)," United Nations.
35. Email from Jean Pascal Zanders to the author, January 13, 2017. Zanders's work can be accessed via The Trench website on <http://www.the-trench.org>.
36. "Second Report of the OPCW Fact-Finding Mission in Syria," Office of the OPCW Director-General, S/1212/2014, Organization for the Prohibition of Chemical Weapons, September 10, 2014, <https://photos.state.gov/libraries/netherlands/328666/pdfs/SECONDPOROTOFHEOPCWFACT-FINDINGMISSIONINSYRIAKEYFINDINGS.pdf>.
37. "OPCW adopts a decision on reports of the Fact-Finding Mission," Organization for the Prohibition of Chemical Weapons, February 4, 2015, <https://www.opcw.org/news/article/opcw-adopts-a-decision-on-reports-of-the-fact-finding-mission/>.
38. "First report of the Organization for the Prohibition of Chemical Weapons," United Nations Joint Investigative Mechanism, United Nations Security Council, February 12, 2016, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2016_142.pdf.
39. "Second report of the Organization for the Prohibition of Chemical Weapons," United Nations Joint Investigative Mechanism, United Nations Security Council, June 10, 2016, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2016_530.pdf.
40. First report: "Letter dated 12 February 2016 from the Secretary-General addressed to the President of the Security Council," United Nations, S/2016/142, February 12, 2016, www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/s_2016_142.pdf. Second report: "Contained in "Letter dated 10 June 2016 from the Secretary-

General addressed to the President of the Security Council,” S/2016/530, June 10, 2016, United Nations, www.securitycouncilreport.org/atf/cf/{65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9}/s_2016_530.pdf. Third report: “Letter dated 24 August 2016 from the Secretary-General addressed to the President of the Security Council,” S/2016/738, United Nations, August 24, 2016, <http://reliefweb.int/sites/reliefweb.int/files/resources/N1626975-1.pdf>.

41. In September 2015, the Russian government sent attack jets to Hmeymim, and the air field has since then functioned as the main base for Russia’s military intervention in Syria. In January 2017, the Syrian and Russian governments signed a deal that guarantees Russia the right to use the Hmeymim air base and a separate naval facility in Tartous for next 49 years. “Moscow cements deal with Damascus to keep 49-year presence at Syrian naval and air bases,” TASS, January 20, 2017, <http://tass.com/defense/926348>.

42. Comment provided in response to questions for this report, January 2017.

43. For an example of how this can be presented in Russian state media, see “UN chemical watchdog refused to send experts to Aleppo under Western pressure – Lavrov,” Russia Today, November 22, 2016, <https://www.rt.com/news/367797-lavrov-chemical-weapons-aleppo>.

44. “Security Council extends the mandate of joint UN-OPCW body on chemical weapons in Syria,” UN News Centre, United Nations, November 18, 2016, www.un.org/apps/news/story.asp?NewsID=55592#.WIexw5JcM0p.

45. Thomas M. Countryman, “We Must Never Accept the Use of Chemical Weapons Anywhere, Under Any Circumstances,” U.S. State Department, Medium, <https://medium.com/foggy-bottom/we-must-never-accept-the-use-of-chemical-weapons-anywhere-under-any-circumstances-be80ad466886#.71x0k5oh7>.

46. “Treasury Sanctions Syrian Officials In Connection With OPCW-UN Findings Of Regime’s Use Of Chemical Weapons On Civilians,” U.S. Department of the Treasury, January 12, 2017, <https://www.treasury.gov/press-center/press-releases/Pages/jl0701.aspx>. An Air Force Intelligence Directorate-backed field commander, Soheil al-Hassan’s appointment was reported by the pro-government news portal al-Watan Online on January 1, 2017, which also revealed that al-Hassan had been promoted from colonel to brigadier general. al-Watan Online, January 1, 2017, www.alwatanonline.com/archives/12479.

47. Samantha Power, “Statement on the Announcement of U.S. Sanctions against Syrian Officials in Connection with UN Findings of the Regime’s Use of Chemical Weapons on Civilians,” U.S. Mission to the United Nations, January 12, 2017, <https://usun.state.gov/remarks/7645>.

48. Edith Lederer, “UN resolution could ban helicopter sales, sanction Syrians for chemical attacks,” Associated Press/CTV News, December 27, 2016, www.ctvnews.ca/world/un-resolution-could-ban-helicopter-sales-sanction-syrians-for-chemical-attacks-1.3218674.

49. A PDF copy of the draft dated December 19, 2016, is available via Nabil Abi-Saab, “France, UK draft: Sanctions on Assad’s officers, helicopters,” UN Report, December 27, 2016, <https://un-report.blogspot.se/2016/12/france-uk-draft-sanctions-on-assads.html>.

50. For an explanation of Chapter VII articles and the actions they enable, see “Actions with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression (Chapter VII),” United Nations, www.un.org/en/sc/repertoire/actions.shtml.

51. On the role and importance of Jamil al-Hassan, see Aron Lund, "A Voice From the Shadows," Syria in Crisis/Diwan, Carnegie Endowment for International Peace, November 25, 2016, carnegie-mec.org/diwan/66240?lang=en.
52. Interview with the author by phone, mid-January 2017.
53. Email to the author from the U.S. State Department Press Office, January 11, 2017.
54. The Russian Ministry of Foreign Affairs did not respond to a request for comment.
55. "Russian diplomat slams French-British draft of UN resolution on Syria as unacceptable," TASS, December 28, 2016, <http://tass.com/politics/922952> "tass.com/politics/922952".
56. Alexander Yakovenko, "Russian position on OPCW-UN JIM report on Syria," Russia Today, October 5, 2016, <https://www.rt.com/op-edge/361650-chemical-weapons-syria-assad>.
57. For rules on Security Council voting, see "Voting System and Records," Security Council, United Nations, www.un.org/en/sc/meetings/voting.shtml. For a list of current members of the Security Council, see "Current Members," Security Council, United Nations, <http://www.un.org/en/sc/members>. Information on the position of various governments was provided by Western diplomatic sources with insights into negotiations over the draft resolution.
58. For a discussion of Trump's views on Syria, see Lund, "A Secondary Thought," and Sam Heller, "A Syria Policy for Trump's America," The Century Foundation, December 9, 2016, <https://tcf.org/content/report/syria-policy-trumps-america>.
59. "Government Assessment of the Syrian Government's Use of Chemical Weapons on August 21, 2013," Office of the Press Secretary, The White House (United States), August 30, 2013, <https://obamawhitehouse.archives.gov/the-press-office/2013/08/30/government-assessment-syrian-government-s-use-chemical-weapons-august-21>.
60. "A New Normal: Ongoing Chemical Weapons Attacks in Syria," Syrian American Medical Society (SAMS), February 2016, <https://www.sams-usa.net/reports/a-new-normal-ongoing-chemical-weapons-attacks-in-syria>. According to the SAMS report, the three attacks for which the Syrian government has been formally accused by the JIM killed a total of nine people, with a total of 450 injured or otherwise affected by the gas. The SAMS report listed the number of fatalities in the Eastern Ghouta attack on August 21, 2013, as 1242, with an additional 105 in a simultaneous gas attack against Moadhamiyeh in the Western Ghouta, for a total of 1347 dead.
61. Al Mauroni, "Not Crossing a Red Line: Chlorine Barrel Bombs In Context," War on the Rocks, March 24, 2015, <https://warontherocks.com/2015/03/not-crossing-a-red-line-chlorine-barrel-bombs-in-context>.
62. This was, apparently, the suggestion of an internal paper linked by Reuters to the JIM investigations. See Anthony Deutsch, "Exclusive: Assad linked to Syrian chemical attacks for first time," Reuters, January 13, 2017, www.reuters.com/article/us-mideast-crisis-syria-chemical-weapons-idUSKBN14X1XY.
63. Emma Graham-Harrison, "Chemical weapons attacks in Syria may normalise war crimes, experts warn," *The Guardian*, August 11, 2016, <https://www.theguardian.com/world/2016/aug/11/syria-suspected-chlorine-gas-attack-in-aleppo-kills-woman-and-two-children>.
64. Poison gas warfare was outlawed already in the Hague Convention of 1899, though the ban was soundly ignored in the First World War and, following that, by the United Kingdom and other European governments in colonial wars. In 1925, the ban was restated by most major nations through the Geneva Convention, though it was again violated by Italy in its campaign to subdue Abyssinia in the 1930s. After the ban largely held through the Second World War, the post-war years

saw only sporadic use of chemical weapons, always accompanied by much controversy. The most notable chemical campaigns were waged by Egypt in North Yemen in the 1960s and, especially, by Iraq against Iran and Iraqi Kurdish rebels in the 1980-1988 war.



Aron Lund, Fellow

Aron Lund is a Swedish writer on Middle Eastern affairs and a fellow at The Century Foundation who has published several books and reports on Syrian politics.
