

# Syria, Yemen and Ukraine: Oscillating Between Preventive Diplomacy, Conflict Resolution, and Countenance of the United Nations

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*I believe we have only begun to explore the full potentialities of the United Nations as an instrument for multilateral diplomacy, especially the most useful combination of public discussion on the one hand and private negotiations and mediation on the other.*

–Dag Hammarskjöld

The writing is clearly on the wall—preventive diplomacy under the United Nations (UN) stewardship has failed to prevent the civil war in Syria, Yemen, Ukraine, and elsewhere. The world watched helplessly as the Syrian conflict that unfolded in 2012 is now entering its sixth year with no solution in sight. The conflict has taken a heavy toll with 11.5 per cent of the Syrian population killed or injured, 6.3 million internally displaced, and 4.81 million rendered as refugees in different parts of the world sparking a refugee crisis in its wake.<sup>1</sup> Similarly in Iraq, Yemen and South Sudan, there has been an associated rise in humanitarian emergencies which has led to depletion of the UN's capacity to respond to

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**NB:** The views expressed in this article are those of the author in his personal capacity and do not carry any personal endorsement.

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such crisis. Ukraine has been sitting on the verge of a full blown civil war since the crisis began. This has the potential to destabilise the entire region or worse lead to an armed confrontation between NATO and Russian Confederation.

The UN was formed post-Second World War in 1945 to prevent another catastrophe of that magnitude and to promote international peace and cooperation. While the UN could be credited for its role in preventing another World War from happening; the world has witnessed a sharp surge in the number of civil wars and a new form of warfare perpetrated by the religious fundamentalism of the non-state actors and terrorism, for which the UN so far has not even coined a definition. While the primary responsibility of conflict prevention lies with Member States and these efforts must be nationally owned to have a lasting impact; however, UN has a unique, vital and indispensable role to play in light of deteriorating situation globally. This sadly has not happened with the UN doing very little about conflict prevention and constructive mediation. Conflict-related sexual violence continues to be used as an instrument of warfare, which is destroying the fabric of societies, there is mass displacement of people both externally and internally. According to The United Nations High Commissioner for Refugees (UNHCR) figures of 2015, there are 65.3 million persons who were forcibly displaced, 21.3 million refugees and 10 million stateless people, which is an all-time high in the history of record keeping.<sup>2</sup> How did we come to this? Is it the failure of preventive diplomacy, the main focus of which is to identify and respond to looming conflicts in order to prevent the eruption of violence?

## **Conflict Prevention and United Nations in the Contemporary World**

During the 1960s, the then UN Secretary General Dag Hammarskjöld first used the term 'preventive diplomacy' which was meant 'to keep local conflicts from being entangled in super power rivalry'. This concept of preventive diplomacy was largely to keep the two super power blocks

from getting into a conflict. With the end of Cold War, this aspect of preventive diplomacy lost its relevance and needed to be redefined in its new parameters. This was defined in *An Agenda for Peace: Preventive Diplomacy, Peace-Making and Peace-Keeping* by the then UN Secretary-General Boutros Boutros-Ghali in 1992 as 'action to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflict and to limit the spread of the latter when they occur'.<sup>3</sup> This view was all encompassing and was not limited to preventing a conflict between the two rival blocs. Since then the definition and understanding of the term has undergone transformation with Kofi Annan calling it 'preventive action' with greater emphasis on preventive deployment, preventive disarmament, preventive humanitarian action, and preventive peace building. This includes wider engagement in area of good governance, human rights, and economic and social development parameters. Ban Ki-moon emphasised on building and strengthening partnership with all stakeholders. Although the momentum and the efforts in conflict prevention have intensified in the last decade but these have failed to translate into tangible results.<sup>4</sup>

The most vital mission of preventive diplomacy is to arrest the spread of violence. The nature of conflict has undergone a fundamental shift with non-state actors, terrorism, transnational organised crime, and hybrid warfare taking centre stage. The conflict has shifted from being traditional inter-state issues to protracted complex multi-dimensional intra-state issues along sectarian, communal, and regional fault lines. This has resulted in increasing levels of violence with civilian population especially the vulnerable groups like women and children being targeted deliberately and regularly. These states themselves have been unable to protect its citizens from multitude of human rights violations that are brought to bear on them by the perpetrators. Terrorists, transnational crime cartels, and non-state actors have found suitable breeding grounds in the abject poverty and social upheaval that usually predates such conflicts. Technology, social media and globalisation has made borders non-existent or in better cases permeable. Flow of illicit funds into such conflict situations has further fuelled the conflict.

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The UN has not been able to come out with a credible action plan to deal with such threats effectively. Response to such emergencies, therefore, has evolved to include facilitation, reconciliation, peace-making, peace-building, and effective regional arrangements as possible tools to engage with parties to conflict. Ambassador R.S. Kalha in *The Dynamics of Preventive Diplomacy* remarks, 'Preventive diplomacy is now thought of as also a progression towards building a consensus towards reconciliation, a rebuilding of shattered societies and creating situations where it is possible to build an atmosphere where peace

can endure.<sup>25</sup> The deteriorating global situation has put enormous stress on the on-going UN peace-keeping operations, overstretching already scarce resources while severely hampering capacity to respond to such emergencies. The world has been witnessing serious humanitarian crisis unfold due to failure of the UN to prevent conflict in Syria, Yemen and Ukraine unleashing untold miseries on the people caught in these conflicts. There is a need to examine why the collective will of the UN

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failed to prevent these catastrophic events. And above all, the obfuscating agendas at the Security Council which time and again plunge the world into such turmoil need to be looked into. The same have been examined by way of case studies of Syria, Yemen, and Ukraine in this article.

### **Crisis in Syria: No End in Sight**

As anticipated the Arab Spring did not leave Syria untouched and neither was it peaceful. The first few months did pass in restive calm but this soon changed with brutal repression of those who expressed dissent. Bashar al-Assad's

regime committed internecine atrocities to contain the uprising while it

was still in its nascent stage, largely inspired by past precedent of Hama massacre in 1982 with senior Assad being at the helm. Bashar may have also been insecure with happenings in the Arab world and wanted to avoid a repeat of Egypt and Tunisia at all costs. Carving of Syria by colonial British and French cartographers in 1916, an attempt blotched with ethnic and religious anomalies resulted in fractured demographic patterns which naturally lent itself to virulent sectarian strives. The bulk of Sunni population (78 per cent) is unrepresented in a minority Alawite Shias (12 per cent) ruled state with Christians making the rest (10 per cent) to complete the numbers.<sup>6</sup> With immediate neighbours taking sides, West expressing its clear disdain for Assad and providing tacit support to armed groups and Russian interests in the region, the cocktail for the Syrian disaster was being readied. Finally, what started as a small unorganized street protest transformed into a full-fledged rebellion. Either side would not settle for any compromise or concede from their well-entrenched positions.

The West, emboldened by the regime change in Libya it affected through the Security Council, expected a similar fate for Syria. However, Russian strategic interests in the Middle East, particularly Syria, came in its way. The US in 2012 was wary of a direct military action against Assad owing to domestic factors and the unraveling of the Libyan situation particularly the assassination of its Ambassador at Benghazi. The UN Secretary General, aware of the Syrian quagmire and the far-reaching consequences it may have on the region, sent two envoys, Kofi Annan and Lakhdar Brahimi consecutively, to contain the situation spiraling out of control. While Annan, through his good offices, was able to convince the parties to agree to a six-point peace plan which included an inclusive political process to address various issues, the UN supervised ceasefire and de-escalation measures, provision of humanitarian assistance, release of political detainees, granting full and unconditional access to the media and finally, restoring the basic human rights guaranteed in the Syrian constitution. However, it soon became clear that neither of the parties were interested in keeping their side of the bargain. The Free Syrian Army launched an offensive to ouster Assad while the latter refused to de-escalate citing these reasons. Frustrated by stalemate at the UN Security Council to reach a consensus

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and resumption of hostilities in Syria, Kofi Annan resigned.

Lakhdar Brahimi worked towards achieving a political solution as 2 years of bitter fighting yielded no results, with neither side claiming decisive military victory. The opposition to the Assad regime was also deeply divided with no clear leadership or agendas. Brahimi's plan included stoppage of all military aid to warring parties, united opposition leadership, bilateral consultations without any foreign intervention, and cessation of all hostilities by Assad. The international community, particularly, the Security Council remained deeply divided after the Libyan experience. With the Arab League recognising Syrian Opposition groups and inviting them to Arab League Council meetings, Brahimi's position as a UN envoy became untenable. In Syria, what really began as a battle for restoration of democracy soon turned into a bitter battle for power with regional and global powers throwing their hats into the arena.

The power play at the high table of the Security Council was evident with Russia and China vetoing all the draft resolutions continuously. Russia's strategic access to the warm waters of the Mediterranean Sea through its naval base in the port city of Tartus in Syria was being challenged. Access to the Mediterranean Sea means access to the world for Russia and this has largely defined its relationship with Syria and it looked at rest of the Middle East through that same prism.<sup>7</sup> The nexus of Russia and Iran with Syria and the ensuing power play probably made the resolve of the US, France, and the UK stronger in acting against Assad regime in the way it did both at the UN high table and through other means. During the most in 2012, the follies of Libya began to show explicitly. With the then US President ruling out any military intervention, direct or otherwise, and no coalition of the willing stepping forward, the UK and France increasingly looked at the UN Security Council for a mandate for use of force.

Ambassador Hardeep Singh Puri in *Perilous Interventions* makes the following observation: "The lack of appetite in Washington for military

intervention and the complete reluctance of Moscow and Beijing to countenance a Libya-like authorisation for the use of force in Syria are the starting points in understanding the current mess in Syria. But the entrenched long-term historical factors also need to be listed in order to comprehend why the developments in Syria have unfolded in the manner they have, leading to the virtual dismemberment of the country.<sup>8</sup>

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Russia's direct involvement in the Syrian conflict in September, 2015 totally changed the regional and global dynamics. It was clear that Russia was trying to protect its interests in the region as and also bolster Damascus. This action pre-empted the West's plan to topple Assad regime whose grip on power seemed to be waning by the protracted conflict. At the UN high table, during much of 2015 and 2016, the US and Russia were at loggerheads on the way they perceived the possible solution to the Syrian quagmire. The overhang of the Crimea and Ukraine quandary (discussed later) made the US increasingly suspicious of Russian ambitions. For the first time in four decades, the US dominance in the Middle East was being challenged. By way of inaction to reach a political solution to the crisis, the UN failed to address the Syrian people's concern and pushed them further into unprecedented horrors as the conflict drags on.

The tectonic shift in policy with regard to the US direct military intervention in Syria seem to be unraveling following the egregious pre-dawn chemical weapon attack on rebel held town of Khan Sheikhoun in Idlib Province by Assad on 4 April, 2017 which left more than 72 dead, including women and children. The US President Donald Trump said that the attack changed his views on both Syria and Assad. World Health Organisation (WHO) concurred that the attack was likely the result of a nerve agent, such as sarin gas. Fifty-nine Tomahawk cruise missiles, launched from guided-missile destroyers USS Ross and USS Porter in the eastern Mediterranean struck its intended target—the Al Shayrat airbase in western Syria, where the chemical weapons attack were believed to have originated as part of punishment handed over to Assad by the US.<sup>9</sup>

This by far is the most robust action Trump has taken since assuming the office. The UN Security Council held an emergency meeting but didn't vote on a resolution. The American Ambassador to the UN, Nikki Haley said the US 'took a very measured step' and 'we are prepared to do more'. She added that Iran and Russia bore 'heavy responsibility' for the chemical attack, either by allowing Assad to use such weapons or through 'incompetent' oversight of their ally's obligations. 'The world is waiting for Russia to reconsider its misplaced alliance with Bashar al-Assad', she said. 'The United States will no longer wait.'<sup>10</sup>

While the Russian version that the death of civilians in Khan Sheikhun resulted from Syrian forces hitting a rebel chemical arsenal is highly implausible as nerve gas agents are very difficult to produce even under ideal conditions. As the conflict drags on, Russia has used its veto power as a permanent member of the Security Council at least seven times on Syrian resolutions. The direct US military intervention within 63 hours of the chemical attack has once again changed the dynamics in the Syrian conflict. It also signals to the UN Security Council that the US is prepared to go alone, should the Council be handicapped to act due to Russian and Chinese objections.

### **Yemen: The Cauldron of Humanitarian Catastrophe**

In the trademark Arab Spring-type protest, the residents of Sana'a took to streets in 2011 demanding for a better life. This soon translated into an ouster call for the former President Ali Abdullah Saleh. The President under tremendous pressure, internal and external, acquiesced to abdicate power in favour of the former Vice President, Abd Rabbuh Mansur Hadi; clearly a conciliatory choice by any means. With Saleh stepping down, the doors soon opened for an inclusive dialogue process to start. However, many did not feel represented at the National Dialogue Conference. The optimistic UN Secretary General and Security Council did encourage the peace process and were willing to offer additional measures to support the process further. The process included reconfiguration of the armed forces, security sector reforms, kick-starting electoral process among others.

The fault lines of the deeply splintered sectarian dissension embedded in its history, however, soon began to exacerbate. Absence of effective

leadership at the helm led to total paralysis of the state. The long-rebelling Houthis in the north, who follow Zaidi sect of Shia Islam and claim 40 per cent of Yemen's demographic share, gained ground amidst rising Salafist influence. Al-Qaeda, on the other hand, became emboldened operating without impunity in the inaccessible areas. The blatant Saudi military's intervention in Yemen further brought the conflict to a boil. Saudi Arabia has always seen Yemen as a red line in its power struggle with Iran. The rise of Houthi movement certainly had the Saudi worried and desperate. The house of Saud cannot tolerate a Shia-ruled country in its own backyard. Not only does it open a Pandora's Box with serious prospects of a minority Shia rebellion in their own country or worse losing the great power game to Iran. Saudi Arabia has been trying unsuccessfully to contain the growing Iranian influence in Lebanon, Syria, Iraq, and Yemen may have been the last straw. Another reason for intervention was the change in guard at the house of Saud with octogenarian King Salman bin Abdulaziz Al Saud entrusting power to Deputy Crown Prince Mohammad Bin Salman Al Saud. The Crown Prince, a novice at political dynamics in the region, chose to ignore the long-established traditional methods of engagements by way of tribal leaders and interlocutors to deal with regional politics.<sup>11</sup> In his exuberance to hand a quick and decisive defeat to the Houthis and thus consolidating his position in Riyadh, he expedited the Saudi military intervention into Yemen.

The Saudi military intervention brought untold miseries to the Yemeni people with hundred thousands dead or incapacitated. The infrastructure in many cities lay in ruins with basic amenities destroyed; prevention of humanitarian aid further complicated the issue. The intervention was illegitimate both under Yemen national laws and established international laws. More importantly, it was carried out with utter disregard to the UN Security Council and does not augur well for UN's future. America's tacit support to Saudi campaign was based on its perceived fight against the common enemy—the Al-Qaeda. However, this only made the Al-Qaeda stronger as the only real competitors to them—the Houthis were stifled out by the Saudis in the bargain. Meanwhile, Yemen continues to spiral down deeper into a humanitarian catastrophe as the UN watches

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helplessly. The UN has placed Yemen as a level 3 emergency which is the higher possible of UN classification. Despite calls for funds to this chronic and growing tragedy, the UN has received vastly inadequate amounts severely impacting its response capacity.

The UN mediation attempts in Yemen have not yield any positive results, Yet, although Jamal Benomar, the then UN Special Representative of the Secretary General for Yemen came very close to striking a deal in September 2014. The dead is called for the escalation at all levels. Unfortunately, the changed power dynamics in Riyadh and the Houthis continued consolidation

and expansion of territory, further escalated the conflict. The only silver lining was the fact that Benomar could secure a political mission. However, the UN approach towards Yemen is marred with reluctance and inaction. It somewhat mirrors the US attitude which is disenchanted and static. What makes matters worse is the fact that Saudi Arabia seem to have gotten away, which in itself is a dangerous precedent. While Yemen burns, the UN Security Council has been taking steps under Ismail Ould Cheikh Ahmed, the Special Envoy for Yemen, to broker a peace deal. The failure of these peace talks are mainly attributed to hardening of positions by the parties to conflict and UN's lack of will to use force even when the humanitarian disaster continues to deepen. The UN with its righteous ideals to save the succeeding generations from the scourge of war, the protector of universal human rights is today an inert spectator as Saudi Arabia breaks international law without any reprisals and Yemen cascades into catastrophe.

### **Ukraine: The Game of Thrones**

The surprise 'assimilation' of Crimea into the Russian Federation set the ball rolling for greater assertion of Russian hegemony in the region. Russia has never made any bones about its interests in Ukraine and

breakaway Baltic states. Crimea, a peninsula, acts as a buffer separating Ukraine mainland from Russian Federation. Crimea has majority of ethnic Russian speaking population who have always gravitated towards Mother Russia. Owing to these factors, it was hard for Russia to ignore historical, strategic and demographic factors while setting the stage which eventually led to 2014 annexation of Crimea by Moscow. Here too, as was the case in Syria and Yemen, the Security Council watched helplessly as two permanent members (the US and Russia) clashed at the high table while another Member State (Ukraine) got dismembered. This also set the stage for greater Russian assertion into Ukraine, particularly eastern parts of Donetsk.

Breakup of the USSR in 1991 was sudden and unexpected. This left a power void and unresolved issues particularly between Russia and breakaway Ukraine. Both countries mutually, through constructive dialogue, resolved many of the outstanding issues and contentions between themselves; however, Crimea figured prominently on the Russian radar for the reasons elucidated earlier. Things began to turn in Russia's favour with nomination of Viktor Yanukovich as the fourth President of Ukraine in February 2010. The pro-Russian President slowly began to side with Moscow by extending undue concessions causing much dissatisfaction among the Ukrainian people who clearly favoured better incorporation within the European Union than Moscow for a better life and economic gains. Given that Ukraine itself has a certain chunk of population that still owe allegiance to its Russian roots, the fault lines in the social fabric soon emerged. What started as street protests against corruption in capital Kiev in November 2013, resulted in Yanukovich being impeached and in exile in Russia. This also left the Ukrainian society bitterly divided over pro-Russian and pro-EU lobbies as the violence spread. The stage was, thus, set for Crimean drama to unfold in early 2014, contrived from the Russian military base at Sevastopol. The first reaction to the Ukrainian crisis from the Security Council came in the form of draft resolution calling to reaffirm Ukraine's territory and quash the referendum on Crimean secession to Russian Federation. While China abstained, Russia vetoed the draft resolution at the Security Council. A similar Resolution

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was moved in the UN General Assembly which was adopted.

Following Crimea's secession into the Russian Federation, the separatist movement in the Donbass territory in Ukraine which comprises Donetsk and Luhansk administrative divisions became more vigorous by March 2014. Local pro-Russian 'self-defence' groups organised themselves with tacit support from across the border. This led to skirmishes with Ukrainian troops which only escalated with heavy weaponry and artillery fire being exchanged as a routine. As the conflict lumbered on, the Security Council

continued to be inert. Military aircraft were also targetted during the on-going conflict which led to accidental shooting down of Malaysian Airlines flight 17 (MH 17) over Torez in Donetsk Oblast (erstwhile Soviet era administrative division) on 17 July 2014 killing all on board. The Security Council requested for an independent international investigation immediately. However due to the on-going conflict, investigators could not gain access to the crash site. There were many reports of tampering with the evidence by the armed groups. The Organisation for Security and Cooperation in Europe (OSCE) brokered a ceasefire commonly known as Minsk Protocol with the stakeholders in September 2014. This, however, soon collapsed due to lack of trust and support measure. A similar wider ranging agreement called Minsk II was worked out with support of Security Council which was partly effective. Many attempts, since, have been made to enforce Minsk II ceasefire; however, it remains shaky with sporadic violations leading to heated exchanges. Ukraine's prospects seem grim with economy in tatters, a full blown civil war in the East and part of its territory nibbled away along with a huge humanitarian cost. The almost bloodless annexation of Crimea by the Russian Federation, with UN being reduced to a mere bystander, once again, exposes the weakness of the UN to deal with state-aggression when initiated within the elite five.

## Looking Ahead

The world has moved quite a distance from the time when preventive diplomacy was thought to be the main driver to prevent any conflict from arising between the two super powers during the height of the Cold War. The broader view that emerged after the end of the Cold War was to include peacekeeping and peace-building as an integral part of preventive diplomacy for a sustainable peace process. The three-tiered progressive primary tasks of preventive diplomacy are to prevent conflict to arise, prevent the conflict to escalate and lastly, to put in place all measures to arrest the spread of conflict. Complexities and challenges have pushed the UN to adopt multi-dimensional approach towards conflict resolution. Additional tasks such as sustenance and governance, conduct of elections, protection of civilians, combating sexual violence, etc., have been added.

Lasting peace is not achieved or sustained by military engagements but through political solutions. Military intervention must be carried out as part of a broader strategy in support of a political process.

The ambivalence of Security Council seems to be peaking with relevant stakeholders (P-5) exercising their veto from time to time. This very vacillating vulnerability as elucidated by way of the three case studies has made the UN quiescent. This has the potential to plunge the world into perennial abysmal conflicts or worse start another world war. We need to ask ourselves if the UN is going the League of Nations way or willing to introduce reforms in the Security Council structure, which is no longer an option but a necessity. Conflict prevention is the paramount function of the UN; however, it depends on the political will and consensus that the UN can muster. Lasting peace is not achieved or sustained by military engagements but through political solutions. Military intervention must be carried out as part of a broader strategy in support of a political process. Successful preventive diplomacy requires availability of direct inputs from the ground, a pro-active role for an 'inclusive' negotiated peaceful solution, involving all legitimate parties by placing the right people and resources on the ground at the right time. The permanent members have

taken to drafting the Council's mandates in a non-transparent manner. The UN Security Council is antiquated and continues to gloat over post-World War II glories and no longer represents the world we live in today. It does not acknowledge the emerging world order and refuses to invite into deliberations the countries which have emerged as potential global players, while debating on mandate formulation. The Security Council burdened by individual agendas of the P-5 nations also completely ignores direct inputs from ground while considering the actual situation on the ground which leads to abject or partial failure. With little or no peace to keep, stretched political support, increased gap between expectancy and delivery, more intractable conflicts, intra- and inter-state radicalised transnational agendas, the UN needs to come up with new conflict resolution strategy. The strategy should be inclusive, transparent, and devoid of individual agendas. There must be more representation of developing countries, where the bulk of international crises occur, in both categories of the Council, permanent and non-permanent.

The existing UN Secretariat structure has to be made more effective, responsive, and accountable. The UN General Assembly should compile a pool of experienced negotiators for preventive diplomacy for conflict resolution, which should be drawn upon when the Secretary General appoints Special Envoys or Special Representatives. Consensual priorities, capability-driven force, and committed leadership are the recipes to success. The UN Security Council and the UN Secretariat should prioritise these while embarking on missions to ensure greater dividends. World peace cannot be allowed to get hijacked by the power play among elites at the horse shoe high table of the UN Security Council, while the people of nations such as Syria, Yemen, and Ukraine pay the ultimate price. Today it is them, tomorrow it might well be us.

## Notes

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