



## SYRIA CONFLICT AND OTHER STATE INTERVENTION, WHERE IS INTERNATIONAL LAW?

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### Abstrak

*Konflik di Suriah menyita perhatian masyarakat internasional, bukan hanya karena jumlah korban yang sangat banyak, juga karena banyaknya negara yang ikut mengambil bagian dari konflik bersenjata dimaksud, bahkan anggota tetap Dewan Keamanan PBB (Amerika Serikat, Perancis, Inggris, Rusia, dan Tiongkok) yang memiliki hak veto ikut mengambil bagian dari konflik bersenjata di Suriah, sehingga hukum internasional seolah tidak berdaya. Konflik bersenjata di Suriah menjadi fakta mengesankan di era masyarakat modern saat ini, dimana kekerasan dan pembantaian menjadi momok menakutkan di zaman peradaban perkembangan ilmu pengetahuan manusia yang semakin maju, sehingga dibutuhkan peran dari negara-negara netral yang dapat membantu konflik bersenjata di Suriah segera berakhir dengan memfasilitasi perjanjian gencatan senjata antar pihak-pihak yang bertikai.*

*Kata kunci : konflik, Suriah, intervensi, negara lain.*

### I. INTRODUCTION

Syria is capitalized in Damascus is one of 18 countries located in the Middle East (The United Nations/UN calls it officially as Southwest Asia. The Middle East region is a land between the Mediterranean Sea and the Persian Gulf as well as an area extending from Anatolia, the Arabian and the Sinai Peninsula). Iraq is a country bordering Syria in the East, the Mediterranean Sea in the West, Jordan in the South, and Turkey in the North. In general, it is known that the Middle East region has a huge amount of crude oil reserves, so this area is the attention of the world business people, not only to invest but also to own or control the areas that hold the reserves of crude oil. The fact is that Syria is currently experiencing domestic chaos as reported in various international media.

According to the author's reading, there are at least 9 countries involved in the conflicts that occurred in Syria, Russia and Iran on the official government of Syria, while the United States/US (the US as one of the federal states is becoming quite important today, read more in the Book Michael Akehurst, 1970:54), Britain, France, Turkey, Saudi Arabia, Jordan and Qatar supporting and being behind the rebels. Some media reported that the conflicts in Syria were conflicts based on religious/faith differences, and others reported that the conflict was triggered by

public anger over an authoritarian government regime (This is the continuation of a series of events known as "the Arab Spring". Many terms from various writings that interpret the Arab Spring events, some of which mean the rise of the Arab world, the Arab spring, or the Arab uprising. The Arab Spring is a wave of protests taking place in the Arab world beginning in late 2010, call it revolutions in Tunisia and Egypt, civil war in Libya, civil rebellions in Bahrain, Syria, and Yemen, major protests in Algeria, Iraq, Jordan, Morocco and Oman, as well as minor protests in Kuwait, Lebanon, Mauritania, Saudi Arabia, Sudan and Western Sahara. Unrest on the Israeli border in mid-2011 was also inspired by the rise of the Arab world. The protests use civil rebellion techniques in campaigns involving attacks, demonstrations, parades, and the use of social media. The slogan of protesters in the Arab world is "*Ash-sha`b yurid isqat an-nizam*" Which means "People want to overthrow this regime", as reported in various media, including: *The Tropic Post [the News Behind the News]*, *Christian Science Monitor*, *The Telegraph*, *The Toronto Star*, *Der Spiegel*, *The New York Times*, *CBC News*, *The Washington Post*, *Al Jazeera English*, *Afrol News*, *Gulf News*, *Middle East Online*, *Reuters*, *Yahoo*, *BBC News*, *IR: Press TV*, *Fox News*, *Wikipedia*, dan *The Huffington Post*). Even more extreme is reported that the conflict in Syria became the world's attention because of the many interventions of other countries to over-throw the Syrian official government who is accused of having chemical weapons (As in the 2003 US invasion of Iraq's "Operation of Liberation" aimed at disarming Iraq's weapons of mass destruction, ending Saddam Hussein's authoritarian regime in support of terrorism and liberating the Iraqi people. Although until now 14 years have passed the invasion is over, but no one can prove that the Iraqi government under the command of Saddam Hussein currently has weapons of mass destruction and is involved with terrorism Al-Qaeda as the Americans heralded, Even the US itself has not been able to prove its allegations to date, whereas the allegations are the basis for the invasion of Iraq and has claimed 4.895-6.370 inhabitants from the Iraqi side, While the invading party (the US assisted by Britain, Poland, Australia, Romania and some other American allies) only claimed the lives of 183 people as published by Carl Conetta on October 20, 2003), This is because other countries want world peace so that all forms of weapons that are not justified by international rules and developed by a country must be terminated immediately.

The question that is quite time-consuming authors is whether all the news for reasons of the outbreak of armed conflict in Syria is true? or indeed there are other reasons behind the conflict, such as economic reasons, but the reasons are not revealed to the public because the majority owners of mainstream media are countries that also participate hostile to Syria. It is also very important to know that the public gets the right news, so as not rush to judge the party to blame behind the outbreak of armed conflict in Syria, without analyzing in terms of scientific and sufficient references.

Regardless of how the situation of armed conflict is currently taking place in Syria, the main focus of the author is the role of international law that Syrian society awaits in particular and the international community in general. Because the suffering of the Syrian people will be a little overcome if international law can resolve the armed

conflict as soon as possible so that suffering is not prolonged, and bring the guilty parties before the international trial. The international law agreed by countries through the UN forum is key to the armed conflict resolution procedure in Syria. States involved either directly or indirectly must be compliant and consistent in following mutually agreed international rules, and neutral states may offer themselves (if not directly requested by the official government of Syria) to protecting power (Protecting power in this context the author refers to a protective state, meaning neutral states that have no interest in the conflict, but are concerned about resolving the conflict, particularly in areas of the country that are perpetrating conflicts by means of violence such as in Syria. So the role of countries that are willing to be involved in protecting power for conflicting countries is in need, whether requested or not requested by either party [or in the request of all parties] in order for a country willing to become a protecting power for the conflict between them. Kadarudin, 2014:33]. While the neutral state according to Starke [1984 and see also Huala Adolf, 1991:27] is a country whose independence, politics and territory are firmly guaranteed by a collective agreement of the big powers, and these countries will never fight with other countries, except for self-defense, and will never enter into an alliance agreement which can lead to war) for Syrian peace.

International law as the law governing its legal subjects (in many literatures it is mentioned that the subjects of international law include, state, international organization, international committee of the red cross [ICRC], the holy see, multinational corporation [MNC], belligerent, and individuals. See full explanation in Malcolm N. Shaw [2008 and see also Nirkah Latif and Kadarudin, 2013: 39-56] to obey (Read more about compliance with international agreements in Birkah Latif and Kadarudin [2013:55]).

The rules it agrees create a dilemma, because on the one side many think that international law is not a law but only moral or termed as positive morality as proposed by John Austin as quoted by Scwarzenberger (Read more about compliance with international agreements in Birkah Latif and Kadarudin [2013:55]), it is quite reasonable to see two things. First, the international legal system does not have a legislative body, and Secondly, sanctions in international law can not be imposed instantly, This is due to constrained international political influence of a state over the other state, and the existence of a veto (the veto is the right of cancellation of a policy, rule, sanction or resolution of a particular country and event. This right is owned by 5 countries as the winner of the second world war, and the initiator of the establishment of the UN organization) owned by the United Kingdom (UK), France, Russia, China and the US that can annul the sanctions to be imposed on a country or the policies to be taken in response to an event. However, the author does not agree that international law is said to be a positive morality just like Austin's opinion, because international law is not only limited to customary law as a reflection of morality, but also has international written legal instruments (Read more about the international binding power in Alma Manuputty, et.al. [2008:18]) which regulates and appeals (soft law) and written legal instruments that are regulatory and force (hard law) through mechanisms of ratification.

Humanitarian Law (International humanitarian law formerly called the law of war, or armed conflict law has a history as old as human civilization, or as old as war itself. Generally the rules of war are contained in the rules of behavior, morals, and religion. Arlina Permanasari, et.al. [1999:1]) which in its establishment as one of the branches of international law became a leading sector for the settlement of armed conflict in the world, its role is significant not only to prevent the occurrence of armed conflict and to overcome the conflicts that have occurred, it is also important to stop and prosecute the parties behind the conflict and those who violate the rule of humanitarian law when the armed conflict is taking place, it is also no exception in the case of armed conflict taking place in Syria. Yet no matter how many branches of international law (such as international humanita-rian law, international environmental law, international human rights law, international economic law, international trade law, and many other branches of law that make international law the foundation of its formation), Then generally international law as the core of scientific studies of law on international issues should still be projected as a unified term. Therefore, the issue to be discussion in this paper is: What is the classification of armed conflict in Syria under international law? and What are the views of international law on the intervention of other countries in the conflict in Syria?

## II. DISCUSSION

### A. Internationalized Internal Armed Conflict in Syria

Before discussing further the armed conflict that occurred in Syria, then first identified is the classification of armed conflict that occurred, whether the armed conflict in Syria is international (international armed conflict), non-international (non-international armed conflict), or whether it is internal but changes internationally (internationalized internal armed conflict)? This classification is based on the 1949 Geneva Conventions and the 1977 Additional Protocols that fall under the international humanitarian law regime.

The term Humanitarian Law or its full is called International Humanitarian Law Applicable in Armed Conflict Started from the term laws of war, Which later developed into a laws of armed conflict, which is finally known today as the term humanitarian law. Haryomataram (1994:1 in Arlina Permanasari, et.al., 1991:5-6) Dividing humanita-rian law into two main rules, namely: 1. Laws governing the means and tools that may be used for war (The Hague laws), 2. Laws governing the protection of combatants and civilians from the effects War (Geneva Laws). While Mochtar Kusumaatmadja (Haryomataram, 1994:2-3 in Arlina Permanasari, et.al., 1991:6) divide the laws of war as follows: 1) *Jus ad Bellum*, the law of war, regulates on how the state is justified in using armed violence, and 2) *Juice in Bello*, the law of war, is subdivided into two: Which governs the conduct of war, this section is called the Hague Laws, and the laws governing the protection of people who are victims of war, this is commonly called the Geneva Laws.

International humanitarian law distinguishes two types of armed conflicts, namely international and non-international armed conflicts. If the armed conflict involves two or more countries, then it is called an international armed conflict or *international armed conflicts*. The understanding of international armed conflict is then extended by Protocol I Year 1977 that also categorizes CAR conflict as an inter-national armed conflict. Disputes that occur within the territory of a country are called internal armed conflicts or non-international armed conflict. This provision concerning non-international armed conflict is governed by Article 3 of the Geneva Conventions 1949 and Additional Protocol II Year 1977. In certain situations a non-international armed conflict can be transformed into an international armed conflict, the latter being called internationalized internal armed conflict (Arlina Permanasari, et.al., 1991:3). Of the three classifications, by looking at armed conflict in Syria, the conflict can be categorized as an internationalized internal armed conflict, since the beginning of the conflict only within the territory of Syria (internal armed conflict) between rebels who want to overthrow the legitimate government.

One of the important principles in humanitarian law is the principle of protection. The form of protection afforded by humanitarian law to those engaged in combat is broadly divided on two points. First, the combatants were given protection and status as prisoners of war, and Secondly, to civilians a prohibition was made to target them. One important aspect of humanitarian law is the enforcement mechanism in the event of a violation. This mechanism is regulated in the Geneva Conventions by means of national legal mechanisms. Later in Protocol I, an International Fact Finding Commission performs this mechanism. In addition, the mechanisms of humanitarian law can also be made through international judicial institutions, whether ad hoc or permanent courts (Arlina Permanasari, et.al., 1991:3-4). Thus, in theory and academic studies, humanitarian law as part of international law can take a role in the armed conflict that occurred in Syria. Then what is the root cause of the armed conflict in Syria?

Based on several news confirmed by the parties in direct contact with the armed conflict in Syria, data obtained that the Syrian Government never slaughtered the Sunni, the results of the Syrian presidential election overseen independent institutions in June 2014, Assad was reelected with 88.7 per cent of the popular vote, while the Sunnis are the majority (74 per cent) in Syria, meaning the absolute majority of the Sunni Syrian people and whatever its background still believes in Assad to lead the Syrian State. The majority of the government cabinet in Syria is filled by Sunnis, important positions such as Vice President, Vice President 1, Prime Minister, Deputy Prime Minister, Minister of Foreign Affairs, Minister of Information, Minister of Internal Affairs, Minister of Education and others filled Sunnis. The official Grand Mufti of Syria Sheikh Ahmad Badruddin Hassun was a great Sunni scholar. Even Bashar's wife Asma Al Assad is a Sunni Muslim from Homs. This confirms the news that the Syrian regime is a Syi'ah regime is an incorrect message. Furthermore, the news that calls Assad massacred the Sunni newly spread 5 years, precisely since the invasion of tens of thousands of foreign militants to Syria. In fact, before that had never been heard of these issues. Bashar Al

Assad has been in power since 2000 and to this day Sunni is still the majority in Syria (74 percent). Another fact that was revealed was that the Syrian majority rebels were not Syrians, but foreign militants (Even SOHR sites [Syrian Observatory for Human Rights] affiliated with the opposition also admits > 70 percent of rebel militants in Syria are foreign militants/import jihadists [not Syrians]. The statement of the Syrian Alumni Association [Syam] Indonesia [Al-Syami] which revealed the facts about Syria that had been covered by many media, released by NU Online, Al-Syami Ungkap 10 Fakta Suriah yang Ditutup-tutupi Media Takfiri, see <http://www.nu.or.id/post/read/68187/al-syami-ungkap-10-fakta-suriah-yang-ditutup-tutupi-media-takfiri>; This is also in line with what was reported by the national news media merdeka.com and the statement of Djoko Harjanto [Ambassador of the Republic of Indonesia to Syria]). After knowing these facts, the next question arises about what the interests of other countries are so helping the rebels to overthrow the official Syrian government? And what it actually has in Syria that attracts many countries to participate in intervening both directly and indirectly.

In 2009, Qatar submitted a proposal for Assad to legalize its natural gas pipeline through Syria and Turkey to reach Europe. Bashar Al Assad rejected this proposal, and again in the period of 2011-2012 after Basyar Al-Assad rejected Turkey's proposal to build oil and natural gas pipelines between Qatar and Turkey via Syria. The refusal made Turkey and its allies the 'main architects of the Syrian conflict'. The gas pipeline proposal, if realized, will cut gas supplies from Russia to Europe, which has been dominated by Russian gas company Gazprom. With the condition of the Middle East increasingly torn apart because of the oil and gas pipeline plan, which is then banded with an increase in religious or religious differences. The situation is certainly used by the parties who want a regime change that will be more willing to open the pipeline of oil and gas to the highest bidders interested. On the other side, in fact in the year 2011 Syria established cooperation with Iraq and Iran to build a pipeline to the East. Thus, Qatar, Saudi and Turkey are the most hurt and disadvantaged by this decision. Their plans to earn billions of dollars of oil and gas exports are instantaneous, so it is not surprising that Saudi, Qatar and Turkey are the most active countries to sponsor and arm militants/rebels who want to overthrow Syria's official Government under Assad (NU Online and see also Pandasurya Wijaya, Kilas Balik Akar Penyebab Konflik Suriah Setelah Lima Tahun, <https://www.merdeka.com/dunia/kilas-balik-akar-penyebab-konflik-suriah-setelah-lima-tahun.html>). Based on these facts, then the question arises again, why the US and North Atlantic Treaty Organization (NATO or North Atlantic Treaty Organization Is an international organization for the joint security of the US, the Netherlands, Belgium, Great Britain, Denmark, Iceland, Italy, Canada, Luxembourg, Norway, France and Portugal as forms of support to the North Atlantic Treaty established and signed in Washington, DC on April 4, 1949. It also affirmed the defense forces of the attacks of Soviet, Bulgarian, Romanian, East German, Hungarian, Polish, Czechoslovakia and Albanian countries incorporated in Warsaw Pact Countries established in 1955. Unlike NATO, Existed in the midst of an international struggle, the

Warsaw Pact was officially terminated in 1991) take part in armed conflict in Syria? Whereas both are not directly harmed by Syria's rejection of Qatar and Turkey's proposals.

The US, NATO, Qatar, Saudi and Turkey are allies and key business partners. Assad's decision to strengthen Iran's economic and political position in the oil and gas mining market in the Middle East and undermine the influence of the US and its allies. Since the Arab-Israeli war in 1948 until the third edition of war in 1967, Syria has never been absent in sending its military forces against the Zionists. Syria along with Egypt, Iraq and Jordan at that time (1967) sent 547.000 troops against the Zionists in Sinai and Golan. Even when the Arab countries is at peace with Israel, Syria is the only Arab regime that to this day is unwilling to sign a peace treaty with Israel. Until the Syrian and Israeli wars continued at Yom Kippur Year 1973 on the Israeli occupation of the Golan. To this day the UN should deploy its peacekeeping forces in the Golan and set some of the territory as a neutral zone (In Libya there is not even a Syi'ah, but in fact there was a war for 4 years there. The rebels in cooperation with NATO and the US finally succeeded in killing Sunni leader Muammar Qaddafi heinously. NU Online, *Loc.Cit.* while Syria's position as the only Arab regime that has so far been unwilling to sign a peace treaty with Israel is certainly reasonable, The number of violations committed by Israel not only against Palestine but also other countries including Indonesia, can be seen in Kadarudin dan Sri Wahyuni Kadir, 2016).

Syria to this day is the largest reservoir of Palestinian refugees in the Middle East. The Syrian Government has accepted millions of Palestinian refugees with open arms since 1948 in Yarmouk refugee camps, Neirab, Handarat, Aleppo and others. They are given School facilities, Hospitals like residents themselves. Even Assad was nicknamed as the Father of Palestinian Refugees. They are hereditary in Syria until now. And it is not surprising that Palestinian fighters from the PFLP-GC in Yarmouk (Gaza-based PFLP branch) and the al-Quds Brigades (the military wing of the Palestinian Islamic Jihad in Gaza) from the beginning of the conflict served Syria and joined the Syrian Arab Army against the terrorists. A new military strategy has begun in Syria. This has transformed Syria over the last 15 years to a real military force that will again threaten Israel, especially at the level of rocket development and other military weapons. Israel sees this as a major threat. Syrian-made Khaibar M-302 rockets have helped Hezbollah in the 2006 war against Israel in southern Lebanon to pepper Haifa and other cities in Israel. Even the same rockets have also been used by Palestinian Muqawwamah fighters such as Hamas, Islamic Jihad and PFLP in Gaza which made it the first time in the history of 1.5 million Zionists into bunker protection bombs. Syria is not just a gate or bridge of transport and communication between Muqawwamah and Iranian fighters, but Syria is a real supporter of resistance fighters in Lebanon and Palestine. Syria is a vital part of the struggle against the Zionists. After Hamas was expelled from Jordan in 1999, at a time when Arab countries ostracized and ignored Hamas. Syria opened its hands and provided the country's capital to become Hamas's headquarters. Bashar Al Assad woke the Hamas headquarters in Damascus in 2001,

through this base Syria routinely coordinates ways of supplying weapons to Muqawamah groups in Gaza, not just Hamas (Even Muhammad Najih Arromadloni (Al-Syami's Secretary) in his release explained that who could mention the fact that the Saudis, Turks and Qatar ever supplied weapons or a single bullet for Palestinian fighters? see NU Online).

Regardless of the economic politics behind the armed conflict in Syria, it is clear that an appropriate classification according to humanitarian law (international law) that armed conflict in Syria is a non-international conflict between pure rebels (citizens of Syria), whose proportions are less than 30 per cent (non-international armed conflict) but turned into an internationalized internal armed conflict, as many countries actively involved in funding and even supplying paid militants to overthrow the Syrian government.

#### B. The Intervention of Other Countries in the Conflict in Syria: International Law Perspective.

When almost no hope of life for the nation of Syria even more half the embassy has closed, the Indonesian Embassy to Syria is still active in the conflict-infested country. There is a reason strong enough, why the Government of the Republic of Indonesia, until now still put ambassadors in Syria. In fact, half of the 63 embassies in the conflict-ridden nation are out of operation (According to Djoko Harjanto (Ambassador of the Republic of Indonesia to Syria), Syria is a country that has a lot of support for Indonesia. When Syria joined Egypt in the United Arab Republic, Syria was the first country to recognize the independence of Indonesia. In addition, when the East Timor issue arises, Syria's support to the Government of the Republic of Indonesia is very strong. The results of an interview by Republika reporter Nashih Nashrullah with Djoko Harjanto, see <https://se.tribunnews.com/2016/03/22/fakta-yang-terungkap-dari-perang-suriah-dan-bashar-assad-wawancara-eksklusif-dengan-duta-besar-indonesia-untuk-suriah/>). Looking at the facts, we can imagine how disruptive a country when half of the embassy in its country is not in operation, of course the withdrawal of ambassadors and diplomats of a country from Syria is a form of state concern about the security conditions of its messenger. Although there are indeed some countries that are politically official messengers are in *persona non grata* (is an act of expulsion by the state, because there is something that is considered to harm the interests of the country where the official envoy of a country is placed. Concerning the full description of *persona non grata* can be seen in Kadarudin, *Persona Non Grata dalam Praktik Hukum Internasional*, 2013, And the official reason for a state to conduct *persona non grata* under international law can be seen in Kadarudin, *Praktik Spionase, Antara Kebutuhan Nasional Dengan Pelanggaran Internasional*, 2013) by the Syrian Government, and 13 countries that withdrew its diplomatic mission from Syria as a form of protest over the conditions. Even international Red Cross volunteers (ICRC) protected by international law as a neutral party of six people are missing. Thus, where international law is in armed conflict in Syria?



The involvement of many countries as a form of intervention is essentially prohibited by International Law (Intervention is one way the state to fulfill its will to other countries. Parry and Grant, 1986:190), in a simple case in Syria it can be mapped between rebel militants (backed by the US, Qatar, Turkey, Britain, France, Jordan and NATO) against the official Syrian Government (backed by Russia and Iran). The prohibition of such intervention relates to the Principles of State Sovereignty and Non-Intervention Principles, in the main UN Charter of Article 2 paragraph (1), paragraph (4), and paragraph (7):

- All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Charter.
- All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.
- Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter.

The intervention, although it can be run at any time in the stage of development of disputes between countries, but usually run at a time when between the parties to the dispute will erupt the war. So if so, the intervention in this case intends to prevent the outbreak of war, meaning not to side with one of the parties to the dispute (Ali Sastroamidjojo [1971:191], although J.L. Brierly [1963:292] explains that the real intervention is not the right of a country, but rather the sanction of rights owned by another country). Oppenheim Lauterpacht (1952:137) explains that:

That intervention, as a rule, forbidden by international law, which protect the international personality of the state, there is no doubt, on the other hand, there is just a little doubt, that this rule has exception, for there are intervention which take place by right, and there are other which, although they do not take place by right, are nevertheless permitted by international law.

J.G. Starke (1988:137 in Anonim, 2015) assumes that state intervention on the sovereignty of another country is not necessarily an unlawful act. He argues that there are certain cases where intervention action may be justified under international law. The intervention action is:

1. The collective intervention set out in the UN Charter.
2. To protect the rights and interests, and the safety of its citizens in other countries.
3. Self-defense. If intervention is needed immediately after an armed attack. The conditions of self-defense are: instant, overwhelming situation, leaving no means, no moment of deliberation (Anonim, 2015, adopted from the

case of the ship *Caroline* [1837] is a case in which the British burnt a Canadian rebel ship sailing in the territorial waters of the United States. These conditions were adopted from the case of the ship *Caroline*. Source: [avalon.law.yale.edu](http://avalon.law.yale.edu)).

4. Related to the protectorate state over its dominion.
5. If the country to be intervened deemed to have committed grave breaches of international law.

The implementation of such intervention, in addition to not being a threat or use of violence against territorial integrity or political independence, must also be licensed or not violating the provisions of the UN Charter. So for this an intervention must get permission from the UN through the Security Council. This permit is in the form of a recommendation, which contains considerations of the circumstances under which the intervention precedes and whether the intervention is necessary against those, circumstances (Anonim, 2015). In Chapter VII about Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression, Particularly in Article 39, Article 41, Article 42, and Article 51 shall be regulated as follows:

- The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.
- The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.
- Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.
- Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Thus in international law, intervention does not mean widespread as all forms of foreign State interference in the affairs of one country, but rather narrow, ie a foreign state intervention which is suppressing by means of violence or with threat of violence, if the desire is not fulfilled (Wirjono Prodjodikoro, 1967:150). Intervention can be interpreted as the intervention of a state in the internal affairs of another country by using force or threat of force, while humanitarian intervention is defined as an intervention by the international community to reduce human rights violations within a country, Even if it violates the principle of state sovereignty as stipulated in Article 2 paragraph (2) of the UN Charter. Seeing that understanding, the interventions of the US, Qatar, Turkey, Britain, France, Jordan and NATO on the part of rebel, Russian and Iran on the side of Syria's official government are justifiable interventions or can not be justified by international law?.

Interventions by the US, Qatar, Turkey, Britain, France, Jordan, Russia, Iran, and NATO can not be justified in international law, Because the rebels who want the overthrow of official and legitimate rule of government in Syria is a domestic problem in Syria, so that other countries can not intervene in accordance with the rules of the UN Charter. Interventions committed by states and organizations mentioned above are not justified even if for the purpose of protecting the interests of their country (both in economic and security), because without any other state intervention the authors believe the Syrian government can solve its internal problems well, it is based on the results of a very dominant vote acquisition when the Syrian presidential election 3 years ago.

For what has happened in Syria today, it is almost as if other countries withdraw from the intervention they have done on humanitarian and good faith grounds, seeking a ceasefire to prevent the increasing number of victims, and respecting the investigation effort as a stage of the truth seeking process and punishing the guilty party for armed conflict already occurring in Syria in accordance with applicable international legal procedures. But seeing the conditions at the UN is difficult to do, because the conflicting countries are the owners of the veto so that they will defend their arguments and reasons, politically there will be no country that will surrender before other countries follow their will, because surrender means they will recognize the power of other countries and this will affect the image of his country as a superpower in the presence of other countries.

In accordance with international legal procedures, the Security Council must take a stand by issuing a resolution to form a fact-finding team so that it sees the real issues and the wrong parties can be revealed in the public, After the guilty party is found it will be further processed before the International Court of Justice, for individuals (both military and civilian) may be suspected as perpetrators of crimes against humanity included in the regime of the International Criminal Court for breaches of the Rome Statute 1999 on condition that Syria is unable or unwilling to prosecute criminals who have committed crimes against humanity by attacking regardless of the circumstances of large numbers of civilians. Countries that have intervened directly and assumed an active role in the turmoil in Syria (especially those whose country supports the

rebels) must be prosecuted, held accountable and compensated for the loss of the victim state before the International Court of Justice (since legitimate Governments are legally respected by international law as a sovereign country so that it can not be interfered by any country) in accordance with procedures established by the Statute of the International Court of Justice.

This issue becomes interesting because the conflict is the entire permanent member of the UN Security Council (United States, Britain, France, Russia and China which later supported Russia in assisting Syria's official Government). Thus, the Security Council cannot do much because every step that is being initiated will surely get veto from some of its members regardless of the number of vetoing states (This distinguishes the voting system) and ignores 10 other non-permanent members of the UN Security Council. What can only be expected today is the role of neutral countries that can help the armed conflict in Syria come to an end by facilitating a ceasefire agreement between the rampant parties that prevents more victims from falling in the future. The role of a neutral country is also expected to disclose the facts and publicly announce them to the public because the existing news media has also been very difficult to be expected again its independence in reporting the actual situation in the armed conflict that occurred in Syria.

### III. CONCLUSION

According to the international law, the classification of armed conflict in Syria is a non-international conflict between pure rebels and the Syrian government but turned into an internationalized internal armed conflict as many countries are actively involved in financing and even supplying paid militants to over-throw the Syrian government. Interventions by the United States, Qatar, Turkey, Britain, France, Jordan, Russia, Iran and NATO cannot be justified in international law, because insurgent militants who want the overthrow of Syrian official rule are internal problems, so that other countries can not intervene in accordance with the rules of the UN Charter. Interventions committed by states and organizations mentioned above are not justified even with reasons to protect the interests of their country, because without any other state intervention the authors believe the Syrian government can solve its internal problems well, this is based on the results of the vote that is very dominant when the Syrian presidential election in 2004. International law cannot do much because the conflict is all permanent members of the UN Security Council so that every step that is being initiated will certainly get veto from some of its members. What can only be expected today is the role of neutral countries that can help the armed conflict in Syria come to an end by facilitating a ceasefire agreement between the rampant parties that prevents more victims from falling in the future.

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