



# Syria: Unrest and U.S. Policy

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## Summary

Syria remains mired in political confrontation and violence, and is perched on the edge of civil war. U.S. officials and many analysts believe that President Bashar al Asad, his family members, and his supporters will ultimately be forced from power, but few observers offer specific, credible timetables for a resolution to Syria's ongoing political crisis. Some observers warn that the regime's staying power may be underrated. Intense violence generated demands from some international actors for an immediate mutual ceasefire and from others for military intervention to protect civilians or support opposition forces. The United Nations Security Council has endorsed a ceasefire and dialogue plan and granted a limited mandate to 300 military observers. Their presence in Syria has coincided with a lessening of the scope and pace of violence. However, continuing clashes and attacks on civilians and government forces suggest the ceasefire at the heart of the plan may remain elusive. The potential risks and rewards of other options for responding to the crisis are difficult to assess and are evolving with conditions on the ground.

In the face of intense domestic and international pressure calling for political change and for an end to violence against civilians, the Asad government has offered limited reforms while also meeting protests and armed attacks with overwhelming force. Nonviolent protests continue, but their apparent futility has created frustration and anger within the opposition ranks. An increasing number of Syrian civilians have taken up arms in self-defense, although armed rebel attacks alienate some potential supporters. The government accuses the opposition of carrying out bombings and assassinations targeting security infrastructure, security personnel, and civilians in Damascus, Aleppo, Homs, and other areas. Accounts of human rights abuses by both sides persist, with the majority attributed to security forces and military units.

President Obama and his Administration have been calling for Asad's resignation since August 2011, and have been vocal advocates for United Nations Security Council action to condemn the Syrian government and end the bloodshed. The United States has closed its embassy in Damascus, and Ambassador Robert Ford has left Syria. U.S. officials are actively participating in efforts to improve international policy coordination on Syria, such as the Friends of Syria forum that met in Tunis in February and in Istanbul in April. The Administration has given no indication that it intends to pursue any form of military intervention. U.S. officials and some in Congress continue to debate various proposals for ending the violence and accelerating Asad's departure.

After a year of unrest and violence, Syria's political crisis is characterized by dilemmas and contradictions. A menu of imperfect choices confronts U.S. policymakers, amid fears of continued violence, a humanitarian crisis, and regional instability. The potential spillover effects of continued fighting raise questions with regard to Turkey, Lebanon, Jordan, Iraq, and Israel. Larger refugee flows, sectarian conflict, or transnational violence by non-state actors are among the contingencies that policy makers are concerned about in relation to these countries. The unrest also is creating new opportunities for Al Qaeda or other violent extremist groups to operate in Syria. The security of Syrian conventional and chemical weapons stockpiles has become a regional security concern, which will grow if a security vacuum emerges. Many observers worry that an escalation in fighting or swift regime change could generate new pressures on minority groups or lead to wider civil or regional conflict.

Members of Congress are weighing these issues as they debate U.S. policy and the Syrian crisis.

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## Overview

Syrians have long struggled with many of the same challenges that have bred deep dissatisfaction in other Arab autocracies, including high unemployment, high inflation, limited upward mobility, rampant corruption, lack of political freedoms, and repressive security forces. These factors have fueled persistent opposition to Syria's authoritarian government, which has been dominated by the Baath (Renaissance) Party since 1963, and the Al Asad family since 1970. President Bashar al Asad's father—Hafiz al Asad—ruled the country from 1970 until his death in 2000. The Asad family are members of the minority Alawite sect (estimated 12% of the population), which has its roots in Shiite Islam. They and the Baath party have cultivated Alawites as a key base of support, and elite security forces have long been led by Alawites. The government violently suppressed an armed uprising led by the Muslim Brotherhood in the early 1980s, killing thousands from the majority Sunni Muslim community.

Since taking office in 2000, President Asad has offered and retracted the prospect of limited political reform, while aligning his government with Iran and non-state actors such as Hamas and Hezbollah in a complex rivalry with the United States and its Arab and non-Arab allies (including Israel). Syria's long-standing partnership with Russia has remained intact and is now the focus of intense diplomatic attention aimed at resolving the current crisis.

As unrest emerged in other Arab countries in early 2011, President Asad and many observers mistakenly believed that Syria's pervasive police state and the population's fear of sectarian violence would serve as a bulwark against the outbreak of turmoil. Limited calls in February 2011 to organize reform protests failed, but the government's torture of children involved in an isolated incident in the southern town of Dara'a in March provided a decisive spark for the emergence of demonstrations. The government's use of force against demonstrators in Dara'a and later in other cities created a corresponding swell in public anger and public participation in protests. The government organized large counterdemonstrations.

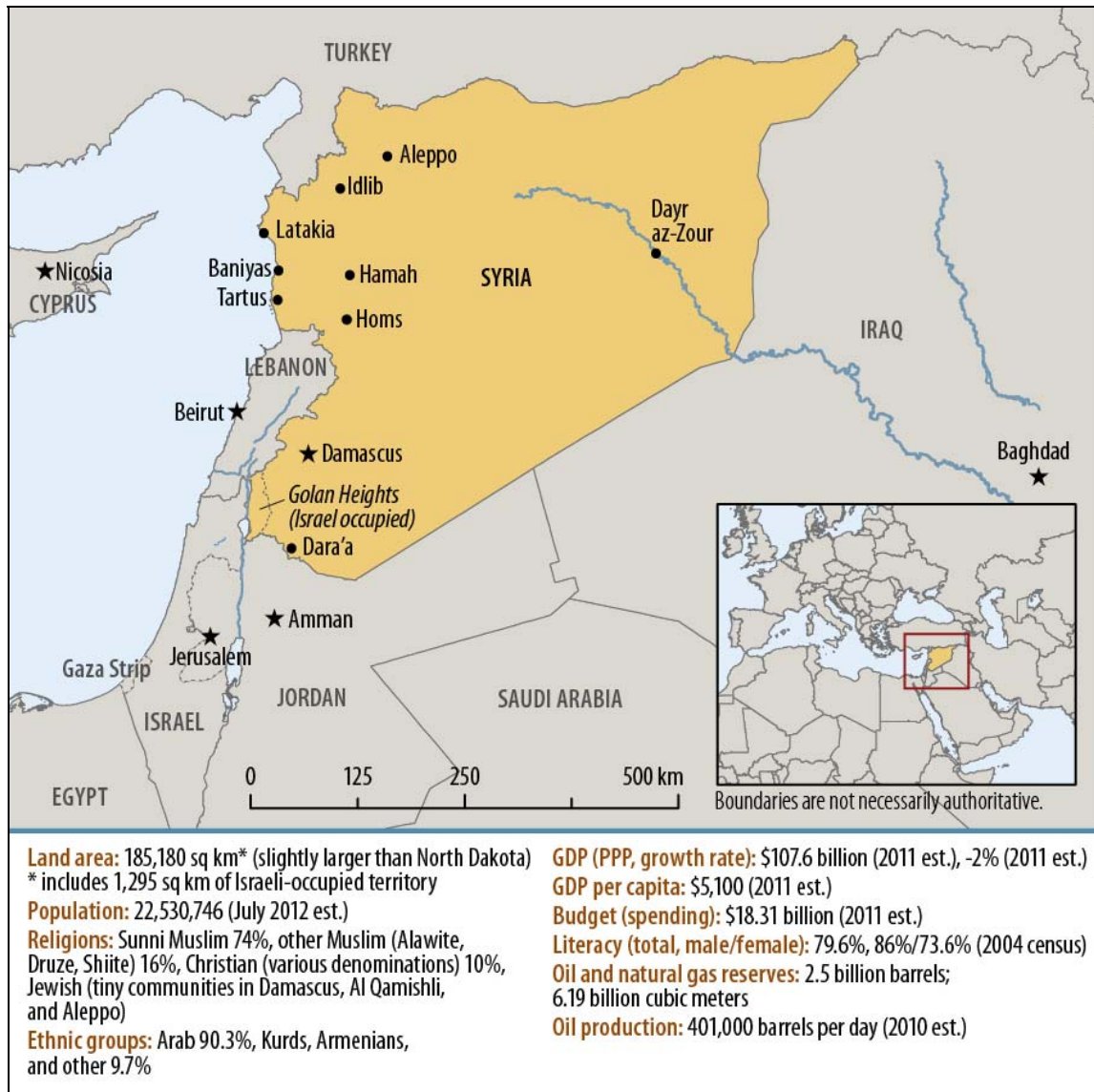
The Sunni Muslim majority has been at the forefront of the recent protests and armed opposition to the Alawite-led regime, with Syria's Christians and other minority groups caught between their parallel fears of violent change and of being associated with Asad's crackdown. Economic class dynamics also are influencing the choices of Syrians about the uprising: many rural, less advantaged Syrians have supported the opposition movement, while urban, wealthier Syrians appear to have more divided loyalties.

For much of 2011 and early 2012, a cycle of tension and violence intensified, as President Asad and his government paired limited reform gestures with the use of military force against protestors and armed opposition groups. Violence was initially limited to certain locations but now has affected most major cities, including Damascus. Key events in the escalation include:

- the emergence of opposition coalition groups such as the Syrian National Council and the Free Syrian Army;
- the veto by Russia and China of two U.N. Security Council resolutions seeking to condemn and sanction the Asad government and calling for a ceasefire;

- the introduction and withdrawal of Arab League monitors seeking to verify compliance with a failed peace plan; and
- the Security Council’s passage of Resolutions 2042 and 2043, which approved the deployment of U.N. observers to Syria and demanded that the Syrian authorities withdraw security forces from population centers and begin a dialogue with the opposition.

**Figure I. Syria at a Glance**



Source: CRS Graphics.

## Assessment

Now in its second year, the popular-uprising-turned-armed-rebellion against the Assad regime seems poised to continue in the absence of a political agreement or decisive military solution.

Close to 10,000 Syrians have been killed since protests started in March 2011. Pro-Asad forces have met the mostly Sunni-Arab resistance with force and brutality in what seems to be a deliberate attempt to fuel sectarian tensions, instill fear in the population, and confront ordinary Syrians with an unappealing choice: either continue to acquiesce to Alawite-minority rule or face the prospect of civil war and possible state collapse. This strategy, which also has included some limited political reforms, has so far generally kept middle class Syrians in Damascus and Aleppo and most religious and ethnic minorities from openly joining the rebellion. However, by exacerbating sectarian tensions, the government's strategy undermines the prospects for a viable political settlement and an eventual return to calm. While thousands of military personnel, including some senior officers, have defected, the number of defections and armed opposition volunteers to date does not appear to have reached a decisive point. Though defections continue from the army, the leadership of the regime is mostly intact, and many analysts believe that it can last as long as the military and political opposition arrayed against it remains divided and decentralized.

Opposition forces are united mainly by their shared desire to remove Asad and his supporters from power, and many have foresworn any compromise with the regime. The opposition continues to struggle to build strategic and organizational unity,<sup>1</sup> and the use of force by some opposition elements has alienated some potential supporters. To date, armed opposition groups have appeared too disorganized to defeat the regime's security forces on their own. Volunteer fighters have lacked a central command-and-control structure, funding, and heavy weaponry, although in recent weeks reports suggest that some rebel groups have "begun receiving significantly more and better weapons ... paid for by Persian Gulf nations and coordinated in part by the United States."<sup>2</sup> The United States government remains committed to providing nonlethal assistance to opposition groups and has confirmed that "others are pursuing different types of support."<sup>3</sup>

It is unclear whether the Obama Administration views such support as contradicting the will of the United Nations Security Council, which has called for "all parties in Syria, including the opposition, immediately to cease all armed violence in all its forms." In April 2012, the Syrian government accepted a U.N.-brokered cease-fire agreement and the Security Council's passage of Resolutions 2042 and 2043 established and deployed an observer mission. The observers' presence has coincided with a reduction in the worst types of violence, but few analysts expect the U.N.-endorsed process to end either the uprising or the Syrian regime's efforts to squelch it. In essence, the Syrian regime perceives the conflict as a zero-sum game in which it is fighting for its survival. Many observers consider the regime's acceptance of concessions such as the cease-

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<sup>1</sup> According to one U.S. Open Source Center (OSC) analysis, "Syria's internal opposition is comprised of local councils, which may represent anything from one neighborhood to an entire governorate. There are often multiple local groups within a neighborhood or governorate, but their websites often link to each other and to other councils throughout Syria, suggesting possible coordination among the disparate groups. Various overarching 'umbrella' organizations have attempted coordination among these groups at the national level, but no single group has yet emerged as a successful domestic representative." See, OSC Report GMP20120319442001, "Syria -- Guide to Local Opposition Groups and Activists," March 19, 2012.

<sup>2</sup> "Syrian Rebels get Influx of Arms with Gulf Neighbors' Money, U.S. Coordination," *Washington Post*, May 16, 2012.

<sup>3</sup> On May 16, State Department Spokesperson Victoria Nuland said, "We are providing our own nonlethal support. We are coordinating broadly with all the Friends of the Syrian People, including those who have made other decisions, about how we can best assure that maximum support goes to the civilian opposition that is preparing itself for a peaceful democratic transition when we can get to that point, and we hope that point is as soon as possible, and we hope Assad will get out of the way so it can happen."

fire to be tactical, and few expect the Asad family and its inner circle to reform themselves out of power. Similarly, opposition elements that have taken up arms may resist and fear submitting to a government that retains Asad or reflects his supporters' priorities.

As such, Syrians remain locked in a conflict driven by the logic of political and military attrition: the intensity, duration, and possible outcome of the conflict are likely to be determined by the capabilities and will of each side and the degree of international support each receives. Questions abound regarding the ability of local fighters to sustain their attacks, the ability of protestors to persist amid a brutal crackdown, and the ability of the opposition's leaders—both internal and in exile—to develop a common strategy and weaken the government's external benefactors. The Asad regime seeks to hold its forces together, overcome the economic effects of sanctions, and discredit the opposition and their international backers.

According to U.N. Chief Military Observer Major-General Robert Mood, “no volume of observers can achieve a progressive drop and a permanent end to the violence, if the commitment to give dialogue a chance is not genuine from all internal and external actors.”<sup>4</sup> Such commitment appears to be lacking, both within Syria and among the interested parties seeking to shape the course of the Syrian uprising. For the Obama Administration and Congress, these conditions raise fundamental questions about potential next steps and a return to the menu of imperfect choices that has confronted decision makers since the uprising began.

## The International Dimension of the Syria Conflict

Beyond the conflict's internal combatants, there are many international and regional dimensions to the fighting in Syria. At the United Nations Security Council, Russia and China have opposed foreign military intervention in Syria. Both apparently fear that authorizing another intervention along the lines of the 2011 NATO operation against the Qadhafi regime in Libya—which they view as having exceeded its initial U.N. mandate—could expand the scope of legal justification for future Western-led action in areas Russia and China view as lying within their respective spheres of influence. Russia and China argue that in Libya, the West pursued regime change under the

### Could Russia Broker a Solution in Syria?

Some observers suggest that while Russia has obstructed tougher international measures against the Syrian government, its policy toward Syria may be more flexible than initially thought, particularly if it perceives that the Asad regime may be at risk of falling.<sup>5</sup> In recent months, Russia has hosted both Syrian leaders and opposition delegations and is one of the few countries with open diplomatic channels to both sides of the Syrian conflict. According to one commentator, “The Russian objective is still to control regime change without the collapse of the state while preserving Russian interests via a new government composed of the opposition and a part of the current regime whose hands are not yet tainted with blood.”<sup>6</sup> However, if Russia were to attempt to foster a “managed transition” in Syria (if that is even now possible), its prestige could suffer should Russian diplomacy be stymied by Syrian actors on the ground, particularly those who would seek to spoil such a deal.

<sup>4</sup> U.N. News Center, “Presence of observers in Syria has ‘calming effect’ in areas deployed,” May 18, 2012.

<sup>5</sup> According to Russian Deputy Foreign Minister Sergei Ryabkov, “Any outcome of the political reform suitable for the people of Syria will be absolutely suitable for Russia. We are nobody’s advocates in that process....If the Damascus administration is transformed without bloodshed, foreign interference, arms supplies, incitement to the use of force and so on and so forth, an alternative will satisfy us irrespective of the outcome.” See, “Russia Doesn’t Mind Change Of Administration In Syria Without Bloodshed, Foreign Interference,” *ITAR-TASS World Service*, May 20, 2012.

<sup>6</sup> “Russia Talks to Syrian Dissident, Looks Beyond Assad,” *AlMonitor.com*, April 30, 2012.



guise of humanitarian intervention, a precedent they view as dangerous to their own national security. Moreover, for Russia, Syria is a longtime Arab client dating back to the Cold War, and Russian leaders would likely view the downfall of the regime as a serious blow to their diplomatic prestige and Middle Eastern/Mediterranean influence and military access. Although Russia has supported the recent U.N. cease-fire, it has blamed Syrian rebels for escalating the violence and has called on them to disarm and participate in a regime-led reform process.

The fighting in Syria also reflects the regional tensions between Sunni and Shia Muslims, Arabs and Kurds, and Arabs and Iranians that have shaped events in Iraq, Lebanon, and Bahrain in recent years. Gulf Arab states such as Saudi Arabia and Qatar have advocated openly for armed support to Syrian rebels, hoping that the overthrow of the Syrian government will empower Syrian Sunnis and break Syria's alliance with their rivals in Iran. On the other side, Iran, in an attempt to maintain its alliance with its strongest Arab ally, has reportedly given the Asad government ample support over the past year, including weapons, cash, training, Internet surveillance equipment, and assistance in evading oil sanctions.<sup>7</sup> Hezbollah in Lebanon also may be aiding the Asad government, and the Shiite-dominated government in Iraq may be purposely turning a blind eye to Iranian arms shipments crossing its territory or air space into Syria.<sup>8</sup>

The United States and members of the European Union have placed strong sanctions on the Syrian government, but have stopped short of offering direct lethal assistance to opposition groups out of fear that more weaponry will only exacerbate the violence. Overarching concerns about ongoing nuclear negotiations with Iran and about regional stability also are shaping U.S. and European calculations. The United States and the European Union supported the U.N.-backed Annan plan, but now appear to lack confidence in its ability to bring an end to violence in Syria. U.S. and European officials also appear divided with regard to potential next steps. The U.S. government appears to be acquiescing to the arming of Syrian rebels by other governments while remaining fearful of the consequences of a full civil war in Syria. Two paths lead toward the U.S.-endorsed goal of regime change in Syria, although the chances for negotiation may be jeopardized by the violence that continues to drive Syrians toward confrontation.

## **What Role for Turkey in Syria?**

Turkey is another important external player in Syria. Before the Arab Spring, Turkish-Syrian ties were strong, but over the course of several months in 2011, Turkey gradually turned against the Asad regime because its leaders perceived that Asad was essentially uncooperative with Turkish and other international efforts to help broker an end to violence through political reform.<sup>9</sup> Turkey also appears to have calculated that continued support for a regime perceived throughout the

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<sup>7</sup> "Tanker with Syrian oil passes through Egypt's Suez," *Reuters*, April 3, 2012.

<sup>8</sup> According to one report, the Iraqi government has refused U.S. requests to stop Iranian cargo flights to Syria, despite being aware of credible intelligence that the planes are transporting weapons. See, "Iraq resists U.S. prod, lets Iran fly arms to Syria," *The Washington Times*, March 16, 2012.

<sup>9</sup> Like the European Union and others, Turkey has imposed sanctions on Syria. In November 2011, Turkey suspended the Turkish-Syrian High Level Strategic Cooperation Council; introduced travel bans on several Syrian officials and businessmen and froze their assets in Turkey. It also canceled the sale of arms and military equipment to the Syrian military. Turkey suspended its ties with the Central Bank of Syria and the Commercial Bank of Syria, froze the financial assets of the Syrian Government in Turkey, and abolished a Turkish Ex-imbank loan agreement for the financing of infrastructure projects in Syria. In March 2012, Turkey recalled its ambassador to Syria and suspended all diplomatic work and services at the Turkish Embassy in Damascus. See, Open Source Center, "OSC Report: Annan Plan Dampens Turkey's Hopes of Syrian Regime Change," April 30, 2012, Document ID# GMP20120430744001.

region as brazenly repressing the will of its people could have harmed its regional prestige. Turkish leaders have approached Arab countries in transition by marketing Turkey as a possible model for democracy and liberal values in the Muslim Middle East.<sup>10</sup>

Although Turkey's leaders insist that they do not have sectarian interests in Syria and outwardly seek to counter sectarianism among other regional actors, many analysts assert that the stance of Turkey—a Sunni-majority country—is affected by the Asad regime's disproportionate targeting of Sunni Muslims.<sup>11</sup> Turkey currently hosts the leadership of the dissident Free Syrian Army as well as an estimated 23,000 Syrian refugees who have fled the fighting, primarily from Idlib governorate. Turkey hosted a Friends of Syria conference in early April 2012 (see inset) and reportedly favors the Syrian Muslim Brotherhood over other Syrian political opposition groups.<sup>12</sup> Some reports now suggest that Turkey-based opposition fighters may be receiving weapons and training, allegedly with the support of Turkish officials.<sup>13</sup> As of May 23, the Turkish government had not confirmed or denied the reports.

Some clashes between rebels and regime soldiers have spilled over the Turkish-Syrian border, leading Turkish Prime Minister Recep Tayyip Erdogan to warn Syria that his government was considering taking certain steps, including measures they [the Asad government] “don't want to think about.” As a NATO member, Turkey, if attacked by Syria, could invoke Article 5 of the NATO treaty, which relates to (but does not require) collective self defense by NATO members, including the United States. However, Turkey may be unwilling to initiate a military operation against Syria unless the violence there becomes so destabilizing that it feels compelled to act. A unilateral Turkish invasion of Syria, either to establish a safe zone/humanitarian corridor or to overthrow the Asad government, would present extremely complicated political and military questions regarding the scope and goals of the operation, its motives, and its potential justification. Such an operation could endanger Turkey's domestic security and economic well-being and further polarize its politics, while also damaging its regional and international profile. Military intervention in Syria could necessitate a massive commitment of resources to an open-ended operation, including a possible long-term occupation by ground forces. Turkey would not want to bear that burden alone.

Turkey may continue to support Syrian opposition groups, though some secular Syrian dissidents are wary of Turkish support of the Muslim Brotherhood. Moreover, Turkish leaders fear that the Syria uprising, no matter how it is resolved, may stir up feelings of Kurdish nationalism in Turkey—a major potential problem given the significant population of Kurds in Turkey's southeastern region and major urban centers (Kurds make up 15%-20% of Turkey's population).

The Erdogan government has worked on and off over the past nine years to accommodate Kurdish cultural, political, and economic demands and alleviate separatist sentiment, and hopes to resolve Kurds' grievances further within the next year through a new national constitution. It

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<sup>10</sup> See CRS Report R41368, *Turkey: Background and U.S. Relations*, by Jim Zanotti.

<sup>11</sup> In Turkey's Hatay province bordering Syria, there are hundreds of thousands of Arabic-speaking Alawi Muslims, a Turkish offshoot Shiite sect similar to the Alawite sect in Syria. Some fear that sectarian conflict in Syria could spill over into Turkey. Turkey also has millions of Turkish and Kurdish-speaking Alevi Muslims, another distant branch of Shiism with a mix of Sufi Muslim traditions. See, “Turmoil in Syria: Border Clashes Lift Turk Minority Fears,” *Wall Street Journal Europe*, April 10, 2012.

<sup>12</sup> Bayram Balci, “Turkey's Relations with the Syrian Opposition,” Carnegie Endowment, Commentary, April 13, 2012.

<sup>13</sup> Michael Weiss, “Syrian rebels say Turkey is arming and training them,” *Daily Telegraph Blog (UK)*, May 22, 2012.

would not want to see those efforts permanently unravel should Syria's Kurds, believed to be aided by the Asad regime in response to Turkey's support of the Syrian opposition, become more instrumental in rallying Kurdish separatist sentiment in Turkey.<sup>14</sup>

Finally, if Turkey were to act more aggressively toward Syria and violate its territorial integrity, President Asad could openly retaliate by hosting fighters from the PKK (Kurdistan Workers' Party, a U.S.-designated terrorist organization)—as his father did during the 1980s and 1990s—thus providing an additional safe haven (another is in northern Iraq) from which they could launch cross-border attacks into Turkey.<sup>15</sup> On May 23, Turkish Interior Minister İdris Naim Şahin said, “Syria is turning a blind eye to terrorist groupings in areas close to the border to put Turkey in difficulty and perhaps as a way to take revenge on Turkey.”<sup>16</sup>

### **The U.N.-Brokered Cease-Fire and Monitoring Mission (UNSMIS)**

With the United States, NATO, and the Arab League unwilling to militarily intervene in Syria and unable to force President Asad to step down through diplomatic pressure, many countries have somewhat skeptically backed a plan brokered by U.N. and Arab League joint Special Envoy Kofi Annan. The plan seeks to supply humanitarian relief to embattled population centers and establish a long-term cease-fire, monitored by an international observer mission. These measures would support the opening of a national dialogue on Syria's political future. On March 21, 2012, the Security Council endorsed Annan's Six-Point-Plan for Syria, which specifically calls for

- A Syrian-led political process to address the aspirations and concerns of the Syrian people;
- A U.N.-supervised cessation of armed violence in all its forms by all parties to protect civilians;
- All parties to ensure provision of humanitarian assistance to all areas affected by the fighting, and to implement a daily two-hour humanitarian pause;
- Authorities to intensify the pace and scale of release of arbitrarily detained persons;
- Authorities to ensure freedom of movement throughout the country for journalists; and
- Authorities to respect freedom of association and the right to demonstrate peacefully.

In mid-April, the Syrian government accepted the cease-fire, but reserved the right to respond to what it described as “terrorist attacks” and began withdrawing some heavy weapons from urban conflict zones. On April 14, the U.N. Security Council passed Resolution 2042, which approved the deployment of a U.N. advance team of 30 military observers to Syria. It also demanded that the Syrian authorities withdraw security forces from population centers and begin a dialogue with the opposition. The vote marked the first time since protests began that the Security Council was

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<sup>14</sup> Soner Cagaptay, “Syria and Turkey: The PKK Dimension,” Washington Institute for Near East Policy, PolicyWatch #1919, April 5, 2012.

<sup>15</sup> Ibid.

<sup>16</sup> Associated Press, “Turkey says Syria is helping PKK terrorists,” May 23, 2012.

united in demanding a halt to the violence. The limited size of the advance mission made it impossible to verify full compliance by the government or the rebel forces.

On April 19, U.N. Secretary General Ban Ki-Moon reported that “levels of violence dropped markedly” after the cease-fire went into effect, but added that the Syrian Government had “yet to fully implement its initial obligations regarding the actions and deployments of its troops and heavy weapons, or to return them to barracks.... The Government reports violent actions by armed groups. The cessation of armed violence in all its forms is therefore clearly incomplete.” The advance team of U.N. observers was initially banned by the government from visiting the war-torn city of Homs, but was given access on April 21.

The same day, the Security Council passed Resolution 2043, which established—for a 90-day period—a United Nations Supervision Mission in Syria (UNSMIS) with an initial deployment of up to 300 unarmed military observers under the command of a Chief Military Observer. The resolution also created a civilian team to help implement elements of the full peace plan, such as the start of a national political dialogue and the government's granting of the right to demonstrate. While Chief Military Observer Major-General Robert Mood (of Norway) observed that the deployment of the expanded UNSMIS teams has had “an immediate calming effect” in some areas, Special Envoy Annan has expressed alarm about continuing government attacks, opposition attacks on government forces, and bombings of government sites by unknown entities that U.N. officials are now characterizing as a “third force” in the Syrian conflict. Since the cease-fire nominally took effect, hundreds<sup>17</sup> of civilian and military casualties have been reported in engagements between government and opposition forces. As of May 24, the UNSMIS team was nearing its full strength of 300 unarmed observers, some of whom already have found themselves caught up in violence in different areas of the country since their deployment.

Some Syrian opposition groups, including the Muslim Brotherhood, are dissatisfied with the Annan plan, asserting that it should not be open-ended, but should require a timetable for the political transition it envisions. Most observers believe that President Assad has little to lose from a lull in the fighting. Adherence to the U.N. plan gains him favor with Russia and China, which support it, and the concessions the regime made (humanitarian access, permitting demonstrations) can be easily reversed. Furthermore, President Assad may be willing to host U.N. observers in the hopes that they hold the opposition partially responsible for any resumption of violence or breaking of the cease-fire. As referenced above, Resolution 2043 “calls upon all parties in Syria, including the opposition, immediately to cease all armed violence in all its forms.”

The Obama Administration has been cautious in its reaction to the passage of the resolutions. Reports suggest that the United States had sought to include punitive measures in either resolution should the Syrian government obstruct the observer mission or fail to adhere to the Annan plan. Ultimately, U.S. officials acceded to Russian drafts of the resolutions that excluded such measures. With Russia and China continuing to threaten a Security Council veto over any resolution that they perceive as unduly pressuring or punishing the Assad regime, the Obama Administration has pointed blame at Russia and China for allowing regime-instigated violence against Syrian civilians to continue. U.S. Secretary of State Hillary Rodham Clinton said,

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<sup>17</sup> According to one report, more than 200 people have been killed in Syria since the ceasefire went into effect. See, “11 killed in Syria violence,” *Agence France Presse*, April 21, 2012.

I think we have to do more to take tougher actions against the Assad regime. We need to start moving very vigorously in the Security Council for a Chapter 7 sanctions resolution, including travel, financial sanctions, an arms embargo, and the pressure that that will give us on the regime to push for compliance with Kofi Annan's six-point plan. Now, I'm well aware that at this point such an effort is still likely to be vetoed, but we need to look for a way to keep pressing forward.<sup>18</sup>

After passage of Resolution 2043, U.S. Ambassador to the United Nations Susan Rice threatened to withdraw U.S. support from future monitoring missions if the Syrian government fails to cooperate with UNSMIS, saying that "The Syrian people, like us, know that the deployment of 300 or even 3,000 unarmed observers cannot on its own stop the Assad regime.... What can bring a halt to this murderous rampage is continued and intensified external pressure."<sup>19</sup>

## U.S. Policy Toward Syria

U.S. policy toward Syria since the 1980s has ranged from confrontation and containment to cautious engagement. Successive Congresses and Administrations have sought to end Syria's support for Hezbollah and Palestinian extremists; encourage peace talks with Israel (which captured the Golan Heights from Syria in 1967); and address Syria's missile stockpiles, chemical weapons, and clandestine nuclear activities. President Obama and his Administration attempted limited rapprochement with Syria in 2009 and 2010 without lasting results.

U.S. officials have been calling for Asad's resignation since August 2011 and have been vocal advocates for U.N. Security Council action to condemn the Syrian government and end the bloodshed. Although the United States has closed its embassy in Damascus and Ambassador Robert Ford has left Syria, U.S. officials are participating in efforts to improve international policy coordination and support the Syrian people, such as the Friends of Syria forum that met in Tunis in February and Istanbul in April. The Administration has given no indication that it is planning to intervene militarily, although the U.S. government has offered nonlethal communications and medical support to some opposition groups, and acknowledges that other countries are offering lethal aid.

It is unclear how the United States or other parties can hasten an end to the violence in Syria. A commitment of major military and economic resources could prove decisive or could prolong the confrontation by leading others to offer counter-support for the Asad government. According to a Pew Research Center for the People & the Press poll released in March, almost two-thirds of Americans oppose any form of U.S. military intervention in Syria.<sup>20</sup> Critics of intervention

### Friends of Syria

In 2012, dozens of countries and multilateral organizations formed a contact group officially called the Group of Friends of the Syrian People. Their first meeting was held on February 24 in Tunis, where members pronounced the Syrian National Council (SNC) "a legitimate representative of Syrians seeking peaceful democratic change." During their second meeting in Istanbul on April 1, Arab nations pledged \$100 million to pay the salaries of opposition fighters. In addition to that pledge, the SNC claimed that they had received \$176 million in humanitarian assistance pledges, including \$12 million from the United States (bringing the total U.S. pledge for Syria humanitarian aid to \$25 million).

<sup>18</sup> Remarks at the Ad Hoc Ministerial Meeting on Syria, Remarks, Hillary Rodham Clinton, Secretary of State, Paris, France, April 19, 2012.

<sup>19</sup> "Security Council Approves More Monitors of Cease-Fire in Syria," *New York Times*, April 22, 2012.

<sup>20</sup> Pew Research Center, "Little Support for U.S. Intervention in Syrian Conflict," Released: March 15, 2012.

highlight the potential risks of becoming engulfed in another Middle Eastern conflict with no definitive time frame for the duration of U.S. operations. Other challenges could include uncertainty over the political goals of the opposition movement and understanding what might follow the Asad regime should it fall. Some U.S. officials believe that military intervention risks arming or otherwise empowering extremist groups. Some also are concerned about potentially unleashing a scenario that could jeopardize the Syrian military's control over large conventional and unconventional weapons stockpiles, including chemical weapons, surface-to-surface rockets, and shoulder-fired surface-to-air missiles (MANPADs).

Officials may view the Syria conflict as more of a humanitarian problem than as a direct threat to U.S. security as long as fighting in Syria remains somewhat contained. If fighting were to spill over into neighboring Turkey, Lebanon, or Jordan on a sustained or widespread basis, this perception could change rapidly. Violence in the northern Lebanese city of Tripoli and in Beirut in May 2012 amplified fears that Syria's conflict could lead to sectarian confrontation in Lebanon. Similarly, the trading of accusations between Turkish and Syrian officials over relationships with Syrian rebels and Kurdish PKK fighters highlights the danger of cross-border conflict.

## **Issues Before Congress**

U.S. officials have described the choices they face with regard to Syria as “extremely challenging.”<sup>21</sup> U.S. concerns about regional security and state-sponsored terrorism are exacerbated by the potential for inconclusive unrest or drastic political change in Syria. The continued spillover effects of the violence raise unique questions with regard to Turkey, Lebanon, Jordan, Iraq, and Israel. Larger refugee flows, sectarian conflict, and transnational violence by non-state actors are among the contingencies that concern policy makers in relation to these countries. A host of concerns stem from reports by U.S. officials that violent extremist groups are operating in Syria and seeking to benefit from the crisis. The security of Syrian conventional and chemical weapons stockpiles has already become a regional concern, which would grow if a security vacuum emerges. Many observers also worry that an escalation in fighting or swift regime change could generate new pressures on minority groups or lead to wider civil or regional conflict.

Members of Congress and Administration officials are now considering these issues as they debate U.S. policy options regarding the Syrian crisis. At the strategic level, the United States has faced the choice of seeking an immediate end to violence to protect civilians or embracing the opposition's calls for regime change in Syria as a guarantee of longer-term stability. The prospect of weakening Iran's regional influence also makes regime change attractive to some policy makers. The Obama Administration and some in Congress have already made the strategic choice to call for Asad's resignation and a political transition in Syria. While regime change in Syria may benefit the United States and its allies by weakening Iran, seeking it also may complicate efforts to achieve an immediate ceasefire and protect Syrian civilians, because it could encourage Syrian authorities and their allies to take a zero-sum approach to the crisis. However, the Asad government's rule in Syria has long been based on the actual or implied use of violence to suppress political opposition. As such, seeking an immediate end to the conflict may not defuse

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<sup>21</sup> U.S. Central Command Commander General James Mattis, Statement before Senate Armed Services Committee, March 6, 2012.

the domestic political crisis or end the threat of violence against Syrian civilians. Key policy questions at present concern how best to minimize threats to Syrian civilians while achieving political change conducive to stability in Syria and security in the region.

## **Humanitarian Conditions and Refugees**

In cities and governorates where fighting has been the most intense—namely Homs, Idlib, Hamah, and Dara'a (see **Figure 1** above)—numerous eyewitness accounts described besieged urban areas as humanitarian disaster zones, in which residents of entire neighborhoods have periodically been cut off from food, fuel, medical care, and water. Reports suggest that the government has deployed snipers, severed utilities and access to civilian areas, and used heavy weapons such as tanks and artillery to bombard residential areas. A three-member U.N. Commission of Inquiry reported to the U.N. Human Rights Council in February 2012 that Syria's top military commanders and officials have committed "widespread, systematic" rights violations that constituted crimes against humanity. The commission provided the Council with a sealed list of individuals and military units suspected of bearing the greatest responsibility for atrocities.

On March 14, Amnesty International released a report documenting the widespread practice of torture employed by pro-government forces against protestors in the last year. Human Rights Watch subsequently released an open letter to the opposition warning of kidnappings and torture by opposition forces. In a May 2012 update, the Human Rights Council Independent Commission noted the "increasingly militarized" situation in the country and described "large scale, military attacks" on areas hosting defectors and armed fighters. It further noted that armed opposition groups are carrying out extra-judicial executions of security force personnel and using improvised explosive devices on an increased basis.

As of May 21, 2012, there were approximately 61,000 Syrian refugees in neighboring countries registered with the Office of the United Nations High Commissioner for Refugees (UNHCR), and approximately 20,000 more Syrian refugees who are unregistered. The UNHCR named Panos Moutzis as Regional Refugee Coordinator for Syria and has launched an appeal for \$84 million to support operations for Syrian refugees.

Turkey now hosts nearly 23,000 registered refugees, including thousands who have fled there in the past few months. Most Syrians in Turkey are housed in camps in the southern provinces of Hatay and Gaziantep and in Kilis province. In Lebanon, more than 80% of the over 15,000 registered Syrian refugees are from Homs, the epicenter of the armed uprising against the government.<sup>22</sup> To date, some 200,000 Syrians reportedly have been internally displaced, and the World Food Program (WFP) estimates that 1.4 million people lack secure access to food as a result of the violence. Civilians continue to flee their homes and relocate within Syria and abroad.

To date, the United States has pledged a total of nearly \$40 million in humanitarian aid to international organizations seeking to provide relief to Syrians. This aid includes \$16.5 million to the World Food Program (WFP); \$8.5 million to the United Nations High Commissioner for Refugees (UNHCR); \$7.8 million to non-governmental organizations (NGOs); \$3 million to the International Committee of the Red Cross (ICRC); \$3 million to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA); and \$500,000 to the United

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<sup>22</sup> "Factbox-Syrian refugee exodus grows," Reuters, April 10, 2012.

Nations Office for the Coordination of Humanitarian Affairs.<sup>23</sup> It also includes \$12 million in assistance pledged by the United States to the Group of Friends of the Syrian People.

## Security of Syrian Weapons of Mass Destruction Questioned

U.S. and Israeli officials are publicly communicating their assessments of and concerns about the extent, security, and potential unrest-related implications of Syria's reported WMD programs and stockpiles. U.S. officials have expressed confidence that they have a reliable estimate of the quantities and locations of Syrian chemical weapons and have indicated that the "extensive network" of related facilities is being monitored via unspecified means.<sup>24</sup> Since late 2011, named and unnamed Israeli officials have voiced similar concerns about "huge stockpiles"<sup>25</sup> of chemical weapons in Syria and have warned that Israel will consider any indication that the Asad regime is transferring WMD materials to Hezbollah or other non-state actors to be an act of war.<sup>26</sup>

Open source reporting on Syria's chemical weapons program suggests that nerve gas and mustard gas production and storage infrastructure is concentrated at facilities in and around Al Safira (southeast of Aleppo), Damascus, Hamah, Latakia, and Homs.<sup>27</sup> Stockpiles also may be dispersed in other military locations around the country. As the recent discovery of undeclared chemical weapons material in Libya has shown, there are limits to the ability of international intelligence agencies and the Organization for the Prohibition of Chemical Weapons (OPCW) to understand and verify the extent of sensitive WMD programs, even when dealing with countries that have ratified international conventions on WMD—which Syria has not.<sup>28</sup>

The Asad regime likely places greater emphasis on ensuring the loyalty of military units involved in guarding elements of WMD programs because of the weapons' relevance as a potential deterrent against foreign attack. In the wake of any sudden regime collapse, efforts to find and secure stockpiles would be both a high priority and a difficult challenge. Neighboring intelligence services in Turkey, Jordan, and Israel may have more insight on the extent of these programs and related security challenges than the U.S. government. Elements of the Syrian military may be in a position to aid in securing materials and sites in the event of civil war or regime change, but it remains unclear whether an orderly or chaotic transition situation might ensue and whether such units would be cooperative or antagonistic toward outsiders. According to some press reports,

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<sup>23</sup> "Additional Humanitarian Assistance to Syria: Fact Sheet," Office of the Spokesperson, U.S. Department of State, May 10, 2012.

<sup>24</sup> In February, Assistant Secretary of State for Verification, Compliance, and Implementation Rose Gottemoeller said, "We have ideas as to quantity. We have ideas as to where they are." Quoted in Lachlan Carmichael, "U.S. concerned about Syrian chemical arms, missiles," Agence France Presse (AFP), February 15, 2012. Director of National Intelligence James Clapper referred to an extensive network of Syrian chemical weapons facilities in testimony before the Senate Armed Services Committee on February 16, 2012. See also Jay Solomon and Adam Entous, "U.S. Steps Up Watch of Syria Chemical Weapons," *Wall Street Journal*, February 15, 2012; and, Jay Solomon, "U.S., Israel Monitor Suspected Syrian WMD," *Wall Street Journal*, August 27, 2011.

<sup>25</sup> Major-General Amir Eshel, head of the Israeli military's planning division, quoted in "Israel Fears Syrian 'Chemical, Biological' Weapons," *NOW Lebanon*, January 17, 2012.

<sup>26</sup> U.S. Open Source Center Report GMP20120201736004, "Israeli Official: Chemical Weapons From Syria to Hezbollah 'Declaration of War,'" *Yisra'el Hayom* (Tel Aviv), February 1, 2012.

<sup>27</sup> Rachel Oswald, "U.S. Watching Syrian Chemical Arms Amid Fear of Attack, Diversion," *Global Security Newswire*, December 5, 2011.

<sup>28</sup> Syria has signed but not ratified the Biological and Toxin Weapons Convention (BWC). Syria has not signed or ratified the Chemical Weapons Convention (CWC).



internal U.S. government assessments estimate that as many as 75,000 military personnel could be required to fully secure various WMD-related sites in Syria.<sup>29</sup>

## Al Qaeda and Violent Extremists: New Opportunities in Syria?

U.S. officials state that the violence and disorder paralyzing Syria appears to be creating opportunities for Al Qaeda operatives or other violent Islamist extremists to infiltrate the country and conduct or plan attacks.<sup>30</sup> According to Director of National Intelligence James Clapper, “Sunni extremists” have infiltrated Syrian opposition groups, which may be unaware of the infiltration. These extremists may or may not be affiliated with Al Qaeda in Iraq, where reports suggest that violent extremist operations have declined in some areas, a trend which some Iraqi officials attribute to personnel moving from Iraq to Syria. Although Al Qaeda leaders have issued calls for Muslims to support the uprising against the Asad government, U.S. officials have stated that they have not yet seen evidence of major recruitment and travel by extremists. U.S. officials have warned that there is no readily identifiable successor or alternative to the Asad government and that violent extremist organizations could exploit a power vacuum in Syria. On May 10, 2012, near-simultaneous double suicide attacks outside a military intelligence building killed 55 people. A Sunni Jihadist group calling itself *Jabhat al Nusra li ahl al Sham* (The Front to Protect the Syrian People) claimed responsibility for the bombings. The same group has claimed responsibility for three other attacks in Damascus and Aleppo this year.

## Potential Next Steps?

As the strengths and weakness of the Annan plan and the United Nations Supervision Mission in Syria (UNSMIS) are becoming apparent, Congress, the Obama Administration, and their international counterparts are considering next steps. The U.N. Security Council endorsement of the plan and mission demonstrated a baseline consensus for international action to bring an end to the fighting. Should the plan and mission fail, such consensus may be difficult to resurrect, especially in light of strong differences of opinion about potential military intervention. The next round of international diplomacy regarding Syria may center on various proposals for strengthening the observer mission or creating penalties for failure to abide by the plan’s calls for ceasefire and political negotiations. Addressing the issue of arms shipments to both the Syrian government and rebel groups may prove particularly difficult.

Some U.S. analysts have argued that the United States and others should begin “concerted planning for more forceful measures, including military assistance to elements of the armed opposition and contingency preparations for armed intervention.”<sup>31</sup> Other observers counsel patience, suggesting that time is needed for sanctions to further isolate the Asad regime. One expert, Tamara Coffman Wittes of the Brookings Institution, also asserts that Russia may be willing over time and with sufficient international engagement to “acquiesce in efforts to move

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<sup>29</sup> Barbara Starr, “Military: Thousands of troops needed to secure Syrian chemical sites,” *CNN.com*, February 22, 2012.

<sup>30</sup> In April 2012, Abdel Ghani Jawhar, a leader of the Lebanese Sunni fundamentalist terror group Fatah al-Islam, died in the Syrian city of Qsair. Jawhar, who had recently traveled to Syria from Lebanon, had been preparing an explosive device to be used against the Syrian army. See, “In Syria, Lebanon’s Most Wanted Sunni Terrorist Blows Himself Up,” *Time.com*, April 23, 2012.

<sup>31</sup> Andrew J. Tabler, Assad Must Be Forced To Allow Peaceful Assembly, Policy Alert From The Washington Institute For Near East Policy, April 18, 2012.

toward a Syria without Assad. This shift would dramatically increase pressure on the Syrian regime, and itself might help induce key Syrian actors to seek a way out, and make political change possible.”<sup>32</sup> The Administration continues to stand adamantly against full scale military intervention in Syria. In April testimony before the House Armed Services Committee, Defense Secretary Leon E. Panetta told lawmakers:

We must also be mindful, as Secretary Clinton has noted, of the possibility that outside military intervention will make a volatile situation even worse, and place even more innocent civilians at risk. The United States has made clear that we are on the side of the Syrian people. They must know that the international community has not underestimated either their suffering or their impatience. The Defense Department has reviewed and is continuing to plan for a variety of possible scenarios should the President determine that further steps are necessary. In the meantime, our only clear path is to keep moving diplomatically in a resolute and deliberate manner with the international community to find a way to return Syria to the Syrian people.<sup>33</sup>

### Select Options in Focus

**Arming the Opposition:** Reports suggest that some countries already have begun arming Syrian opposition groups. U.S. officials spoke out against this option in 2011 and early 2012, fearing that the introduction of new weapons to the uprising would exacerbate and prolong the violence, rather than decisively ending it. By all accounts, Syrian military forces retain an advantage in heavy weaponry that is unlikely to be overcome by the introduction of small arms to the opposition side. If these conditions persist, the Syria conflict could devolve into a protracted battle between government forces and an array of militias. Some analysts fear that governance inside the country could erode to such an extent that Syria could become a failed state. According to Georgetown University Professor Daniel Byman, “A failed Syria would not be the world’s only humanitarian tragedy, but it would be among the world’s most dangerous.”<sup>34</sup> Some analysts also have suggested that rebel groups may form clandestine terrorist or insurgent cells and use tactics such as car bombings and improvised explosive devices to escalate the level of violence against better-armed government forces and civilians.<sup>35</sup>

**New Sanctions or Arms Embargo in Support of the Annan Plan:** Some governments have expressed their belief that the Annan Plan has failed to stem the violence and usher in political negotiations to resolve the conflict. In response, some observers suggest that the addition of conditions-based deadlines and specific sanctions could help make the plan more attractive and effective. Challenges associated with this proposal include Security Council members identifying agreed-upon measures that would increase pressure on both the government and opposition groups to halt fighting. An arms embargo similar to that placed on Libya during its uprising could limit the availability of resupply to combatants. However, opposition supporters could insist on an exception for the protection of civilians, while backers of Assad could insist on the Syrian government’s sovereignty and right to self defense.

**Direct Negotiation with Regime Members:** U.S. rhetoric regarding the irredeemable nature of the Assad government makes it difficult to envision a return to engagement or negotiation. This in turn may make the U.S. government ill-placed to convince disaffected members of the regime to defect or push for an inside coup. Officials in Moscow and Tehran may have more leverage in this regard, but it is unclear what events or factors might lead them to conclude that a change in the regime is the best means of preserving their interests.<sup>36</sup> Proposals for a negotiated solution such as those contained in the Annan plan could preserve a political role for some elements of the Assad regime and limit the strategic benefit of change to the United States by failing to fully disrupt the Iranian-Syrian alliance. However, leadership change in Damascus does not guarantee stability in Syria or a reorientation of Syrian foreign policy in a direction favorable to the United States.

<sup>32</sup> Options for U.S. Policy in Syria, Tamara Cofman Wittes, Director, Saban Center for Middle East Policy, Testimony before the Senate Foreign Relations Committee, April 19, 2012.

<sup>33</sup> Statement of Leon E. Panetta Secretary Department of Defense, House Armed Services Committee, April 19, 2012.

<sup>34</sup> Daniel Byman, “Preparing for Failure in Syria, How to Stave Off Catastrophe,” *Foreign Affairs*, March 20, 2012.

<sup>35</sup> For example, General Mattis argued: “the longer this goes on, the more potential there is for Al Qaeda and for basically a full scale civil war.” Testimony before Senate Armed Services Committee, March 6, 2012.

<sup>36</sup> Geoffrey Aronson, “Time for a rethink of U.S. policy towards Syria,” *ForeignPolicy.com*, April 26, 2012.

## Congressional Views of the Syria Conflict

The Syrian government's continuing use of lethal force against civilians refocused congressional attention on the basic tenets of U.S. policy toward Syria. This policy has traditionally shifted between confrontation and limited engagement, and now appears committed—at least rhetorically—to regime change. Some Members of Congress and nongovernmental observers argue that recent violence demonstrates the futility of expecting any substantive reform by Syrian authorities and suggests that U.S. policy should more aggressively move toward confrontation in pursuit of the stated U.S. goal of regime change. Others have expressed wariness about the potential implications of regime change for regional security, particularly in light of the delicate sectarian balance in the Levant and a lack of established U.S. relationships with government and nongovernment actors in Syria. Proponents and skeptics of regime change have urged a continuation of efforts to increase multilateral political condemnation of and economic pressure on the Asad regime, for example through U.N.-backed sanctions or arms embargoes. The Administration has continued to expand U.S. sanctions on Syria while advocating further multilateral sanctions.

### Debating Intervention and other Options

Members of Congress have outlined differing positions on the Syrian crisis, related U.S. interests, and preferred courses of action. Current debate focuses on the potential risks and benefits of various humanitarian or military intervention proposals and those of maintaining current sanctions and diplomacy policies. Some in Congress now argue that the United States should intervene militarily in the Syrian crisis in order to protect civilians and/or to bring about the stated U.S. goal of removing President Asad from power. Specific proposals from nongovernmental observers and Members of Congress variously call for conditionally providing weapons or other assistance to the armed Syrian opposition, carrying out air strikes to protect safe zones for civilians or armed groups, and/or establishing corridors to allow the delivery of relief.

Critics of intervention and arms supply proposals highlight potential risks related to arming opposition forces that are not unified and may include groups with extremist views or individuals who have committed human rights abuses. Others suggest that the establishment of “safe-havens” or “no-kill zones” may be viewed by the Asad government as a violation of sovereignty tantamount to a declaration of war, and thus would require the commitment of air assets and protective ground forces for an undetermined amount of time. Some organizations argue that military intervention could jeopardize the delivery of humanitarian relief by conflating relief operations with the political aims of the opposition.<sup>37</sup> Some in Congress oppose offering military support to opposition groups, but may favor targeting the Syrian government and its supporters with new U.S. or multilateral sanctions tied to progress toward the ceasefire and negotiated solution called for under the U.N.-backed Annan plan. Providing greater humanitarian support to Syrian civilians through neutral channels also remains an option, but may do little to change basic conditions in Syria or shape the calculations of combatants. The textbox below summarizes legislation introduced in the 112<sup>th</sup> Congress that seeks to address the unrest and conflict in Syria. **Table A-1** in the **Appendix** summarizes U.S. sanctions activity since the start of the Syria uprising in March 2011.

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<sup>37</sup> For a summary of these views, see Integrated Regional Information Networks (IRIN), “Briefing: Why humanitarians wary of ‘humanitarian corridors,’” March 19, 2012.

### **Syria Legislation in the 112<sup>th</sup> Congress**

The following legislation introduced in the 112<sup>th</sup> Congress addresses the current situation in Syria.

#### **Bills**

- H.R. 2105, The Iran, North Korea, and Syria Nonproliferation Reform and Modernization Act of 2011—States that it shall be U.S. policy to fully implement and enforce sanctions against Iran, North Korea, and Syria for their proliferation activities and policies. Would, among other things, prohibit U.S. nuclear cooperation agreements and related export licenses and transfers of materials, services, and goods with a country that is assisting the nuclear program of Iran, North Korea, or Syria, or is transferring advanced conventional weapons to such countries.
- H.R. 2106, The Syria Freedom Support Act—Would, among other things, sanction the development of petroleum resources of Syria, the production of refined petroleum products in Syria, and the exportation of refined petroleum products to Syria.
- S. 1048, The Iran, North Korea, and Syria Sanctions Consolidation Act of 2011—Amends the Iran, North Korea, and Syria Nonproliferation Act to include in the scope of such act a person that (1) acquired materials mined or extracted within North Korea’s territory or control; or (2) provided shipping services for the transportation of goods to or from Iran, North Korea, or Syria relating to such countries’ weapons of mass destruction programs, support for acts of international terrorism, or human rights abuses. Excludes from such provisions shipping services for emergency or humanitarian purposes.
- S. 1472, The Syria Sanctions Act of 2011—Denies companies that conduct business in Syria’s energy sector (investment, oil purchases, and sale of gasoline) access to U.S. financial institutions and requires federal contractors to certify that they are not engaged in sanctionable activity.
- S. 2034, Syria Human Rights Accountability Act of 2012—Imposes sanctions on persons who are responsible for or complicit in certain human rights abuses. Also prohibits procurement contracts with persons that export sensitive technology to Syria.
- S. 2101, Iran Sanctions, Accountability, and Human Rights Act of 2012—Imposes, among other things, sanctions with respect to certain persons who are responsible for or complicit in human rights abuses committed against citizens of Syria or their family members.
- S. 2152, Syria Democracy Transition Act of 2012—Imposes, among other things, sanctions on foreign financial institutions that conduct transactions with the central bank of Syria.
- S. 2224, To require the President to report to Congress on issues related to Syria — Directs the President to report to Congress regarding (1) opposition groups operating inside or outside of Syria to oppose the Syrian government, and (2) the size and security of conventional and non-conventional weapons stockpiles in Syria.

#### **Resolutions**

- H.Res. 296 (S.Res. 180 in the Senate), A Resolution Expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Asad Regime—Among other things, it urges the “President to continue to work with the European Union, the Government of Turkey, the Arab League, the Gulf Cooperation Council, and other allies and partners to bring an end to human rights abuses in Syria, hold the perpetrators accountable, and support the aspirations of the people of Syria.”
- H.Res. 632, A Resolution that, among other things, commends the leadership of the Government of Turkey in calling for an end to the violence in Syria and for its responsiveness to the humanitarian needs of Syrian refugees.
- S.Res. 370 (H.Res. 549 in the House), calling for democratic change in Syria, would state the Senate’s condemnation of “ongoing, widespread, and systemic violations of human rights conducted by authorities in Syria” and calls on Bashar al Asad to step down. The non-binding resolution would urge the President to support a democratic transition in Syria, establish a Friends of Syria Contact Group, develop a strategy to encourage further military defections, and “develop a plan to identify weapons stockpiles and prevent the proliferation of conventional, biological, chemical, and other types of weapons in Syria.”
- S.Res. 379, A resolution that, among other things, expresses strong disappointment with the Governments of the Russian Federation and the People’s Republic of China for their veto of the United Nations Security Council resolution condemning Bashar al Asad and the violence in Syria and urges them to reconsider their votes.

- S.Res. 391 (H.Res. 629 in the House), A resolution that, among other things, calls on Syria to (1) open the country to independent and foreign journalists and end its media blackout; and (2) release all detained journalists, videographers, and bloggers.
- S.Res. 424, A Resolution that, among other things, supports calls by Arab leaders to provide the people of Syria with the means to defend themselves against Bashar al-Assad and his forces, including through the provision of weapons and other material support, and calls on the President to work closely with regional partners to implement these efforts effectively; urges the President to take all necessary precautions to ensure that any support for the Syrian opposition does not benefit individuals in Syria who are aligned with al Qaeda or associated movements, or who have committed human rights abuses; and affirms that the establishment of safe havens for people from Syria, as contemplated by governments in the Middle East, would be an important step to save Syrian lives and to help bring an end to Mr. Assad's killing of civilians in Syria, and calls on the President to consult urgently and thoroughly with regional allies on whether, how, and where to create such safe havens.
- S.Res. 428, A Resolution that, among other things, urges the President to formally establish the Atrocities Prevention Board established by Presidential Study Directive-10 in August 2011, and for the Board to provide recommendations to the President concerning the prevention of mass atrocities in Syria.

#### **Amendments**

- H.Amdt. 1131 to H.R. 4310, the National Defense Authorization Act for Fiscal Year 2013, an Amendment to limit the availability of funds for Cooperative Threat Reduction activities with Russia until the Secretary of Defense can certify that Russia is no longer supporting the Syrian regime and is not providing to Syria, North Korea, or Iran any equipment or technology that contributes to the development of weapons of mass destruction.

Underlying the debate over Syria policy is a broader debate about the utility of military intervention as a means to protect civilians and whether or not such protection should be a consistent tenet of U.S. foreign policy. In broad terms, this debate reflects differences of opinion between those who embrace the principle of a so-called “responsibility to protect” and those who argue that such protection, while admirable and even desirable in some contexts, should not be endorsed in general terms because of the commitments it implies and the often unpredictable consequences of military intervention. Other broad debates concern the relative war powers and foreign affairs authorities of Congress and the President. All of these debates emerged during congressional consideration of the recent U.S. intervention in Libya and are now informed by the outcome of that conflict and the complexities of its aftermath.

## **Possible Questions**

- What are the ultimate goals of U.S. policy toward Syria? To protect civilians? To further the opposition cause of removing President Asad from power? Can these aims be separated in principle? On the ground? What might follow Asad's departure? Would a negotiated solution that preserved elements of the current government be acceptable to the United States? Why or why not?
- How are other countries responding to the crisis? Who is willing and able to implement various humanitarian or military intervention proposals? On what authority? With what specific resources or forces, for what period, and at what cost? How might direct or indirect military intervention affect ongoing relief and diplomacy initiatives?
- What potential risks and unintended consequences may stem from various proposals? What are the potential risks and consequences of refusing to intervene? How will regional security be affected?

## Background and Key Developments

### Demographic Profile and Political Dynamics<sup>38</sup>

The Syrian population, like those of several other Middle East countries, includes different ethnic and religious groups. Under the Asad regime strict political controls have prevented these differences from playing a divisive role in political or social life. A majority of Syrians, roughly 90% of the population, are ethnic Arabs; however, the country contains small ethnic minorities, notably Kurds. Of more importance in Syria are religious sectarian differences. In addition to the majority Sunni Muslims, who comprise over 70% of the population, Syria contains several religious sectarian minorities, including three smaller Muslim sects (Alawites, Druze, and Ismailis) and several Christian denominations. Despite the secular nature of the ruling Baath party, religious sects have been important in Syria as symbols of group identity and determinants of political orientation.

Within ethnic and sectarian communities are important tribal and familial groupings that often provide the underpinning for political alliances and commercial relationships. Socioeconomic differences abound among farmers, laborers, middle-class wage earners, public sector employees, military officials, and the political and commercial elite. Finally, geographic differences and local attachments divide Syrian society; for example, rivalries between Syria's two largest cities of Damascus and Aleppo, differences between rural agricultural communities and urban areas, and the isolation of Alawite communities beyond Syria's Mediterranean coast have had effects on political life. Despite being authoritarian, Syrian leaders have often found it necessary to adopt policies that accommodate, to some degree, the various power centers within the country's diverse population.

### The Asad Government and its Supporters

President Bashar al Asad was ushered into power in the wake of his father's death in 2000, and was the unopposed candidate of the ruling Baath party for seven-year terms in 2000 and 2007.<sup>39</sup> Prior to his time in office, he had no government experience and had trained as an ophthalmologist. Until 2011, his tenure was characterized by what some observers described as a "China-style" reform strategy; Asad's government promoted some economic liberalization while offering only fleeting political reforms and cracking down on all outspoken or organized opposition. The Asads sought with some success to attract support from beyond their traditional bases in the Alawite community and the Baath party. Nevertheless, most key positions, particularly in the security sector, have remained in Alawite hands.

President Asad's approach during the uprising has been to offer limited reforms that correspond to political grievances raised prior to the uprising. These include:

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<sup>38</sup> This material draws from the work of Alfred Prados, former CRS Specialist in Middle East Affairs.

<sup>39</sup> The Syrian Constitution of 1973, as amended in 1984, provided for a republican government consisting of a president, up to three vice presidents appointed by the president, a cabinet, and a 250-member one-house legislature elected by adult citizens including women. Under this system, the president has been nominated by the decision-making branch of the ruling Baath Party, agreed to by the legislature, and proposed to the electorate in a referendum. In practice, power has remained concentrated in the office of the presidency and key aides, particularly with regard to all security and defense issues. "Syrians Vote For Assad in Uncontested Referendum," Associated Press, May 28, 2007.

- In April 2011, President Asad lifted the formal State of Emergency declaration that had been in place since 1963. The emergency rule had been used to suppress domestic dissent and was widely criticized by Syrians and external observers. In the wake of the decision, the regime continued and expanded the raids, arrests, and detentions that had been common under the emergency rules, leading to criticism that the move was cynically designed to weaken public pressure rather than to implement real change.
- In February 2012, the government held a national referendum on a new constitution designed to open the political system to competition beyond the confines of the Baath party. The exercise was widely denounced by the opposition. The constitution was approved by 89.4% of voters who cast ballots, which the government claims was 57.4% of some 14.5 million eligible voters among Syria's 23 million people. It limits the president's tenure to a maximum of two terms of seven years, but is not applied retroactively, meaning that President Asad could run for reelection when his current term expires in 2014, and, if re-elected, he could serve until 2028.
- The new constitution provided the basis for May 2012 parliamentary elections, the first that were not restricted to the Baath Party and its National Unity List allies. Syrian officials reported that turnout among eligible voters was 51%.<sup>40</sup> However, most opposition groups and figures boycotted the election, and supporters of President Asad won over 90% of the 250 seats. A handful of opposition figures were elected, and one new party gained a seat in Aleppo.

The government's use of force against protestors, armed opposition groups, and civilians has galvanized some opposition groups' demands for steps beyond the limited reforms offered to date—namely for the ouster of Asad and a comprehensive transition to a new political order. However, the Asad family and the Alawite elite that supports it have shown themselves to be unwilling to peacefully abdicate power, and may believe they have no alternative but to fight as long as their command of the military and intelligence apparatus allows.

### **The Alawite Community**

The minority Alawite community has shown few signs of public discord, although some of its members have joined the opposition.<sup>41</sup> Some Alawites may feel caught between the regime's demands for loyalty and their fears of retribution from other groups in the event of regime change or civil war. Many foreign observers are debating the motivations for Alawite loyalty in this context. Some analysts suggest that fear of the military-intelligence apparatus has kept the Alawite community politically quiet if not loyal, while others posit that the growing sectarian nature of the conflict only reinforces confessional loyalties and fears. According to one Syria analyst, Professor Josh Landis at the University of Oklahoma,

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<sup>40</sup> OSC Report GMP20120515693006, "Syrian TV Announces People's Assembly's Election Results," Damascus Syrian Satellite Television, May 15, 2012.

<sup>41</sup> In January 2012, a group of Alawite intellectuals issued a statement urging "Alawite Syrians, religious and ethnic minorities afraid of the consequences of a possible fall of the regime, to participate in efforts to overturn the oppressive government and participate in the construction of a new Syrian republic based on the rule of law and citizenship." See, "Alawite intellectuals reject sectarianism in Syria," *Agence France Presse*, January 19, 2012.

The broader Alawi community is also likely to remain loyal to the regime, even as the economy deteriorates. Almost all Alawi families have at least one member in the security forces as well as additional members working in civilian ministries, such as education or agriculture. Most fear collective punishment for the sins of the Baathist era. Not only do they assume that they will suffer from wide-scale purges once the opposition wins; many also suspect that they will face prison or worse.... Many do not expect an orderly transition of power, just as many remain convinced that a spirit of revenge may guide the opposition, which has been so badly abused. In short, because the Syrian military remains able and willing to stand by the president, whether out of loyalty, self-interest or fear, the regime is likely to endure for some time.<sup>42</sup>

The opposition Syrian National Council (SNC, see below) released a statement in late February stating that its members “consider members of the Alawite sect to be an essential element of Syria’s cultural and ethnic fabric. The Alawites remain an important component of Syria, and will continue to enjoy the same rights as other citizens as we build one nation of Christians, Muslims, and other sects.”<sup>43</sup> Others have pledged that orderly trials and the rule of law will prevail in any post-conflict setting. However, the opposition leadership’s capacity to ensure that such sentiment guides its members’ actions is uncertain. According to Landis, “such assurances only go so far in calming Alawi anxieties.”

## Opposition and Armed Groups

Syrian opposition groups have grown more organized as the uprising has unfolded, but they remain divided over strategy, tactics, coordination, and leadership. In February, Director of National Intelligence James Clapper stated that “there is not a national movement ... there is not a unitary connected opposition force. It’s very local ... on a community by community basis.” According to one report:

The picture that emerges — partial and anecdotal — is of a highly decentralized, proudly local movement, distrustful of the expatriate opposition. Many activists said they wanted both Sunni empowerment and equal rights for all. If there was unanimity, it was in the fierce conviction that future leaders should come from their own ... not from exile groups, like the Syrian Muslim Brotherhood and secular movements.<sup>44</sup>

During the protest stage of the uprising, “Local Coordinating Councils” active in many areas inside Syria created an informal network linking activists around the country. At present, two opposition coalition groups continue to compete for political leadership (see below).

As the unrest has moved toward greater violence and confrontation, the focus of international attention has shifted to armed opposition activists. Press coverage and anecdotal reports suggest that thousands of mostly Sunni military soldiers (perhaps as many as 60,000) have defected or deserted rather than continue following orders to enforce the crackdown. Not all of these defectors have taken up arms. As of mid-March, a total of seven Syrian generals had defected from Syria to opposition groups based in Turkey.<sup>45</sup>

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<sup>42</sup> Landis, “The Syrian Uprising of 2011: Why the Asad Regime Is Likely to Survive to 2013,” *Middle East Policy*, January 2012.

<sup>43</sup> SNC Press Release, “SNC Extends Hand to Alawite Community in Syria,” February 26, 2012.

<sup>44</sup> “Though Disparate, Syria Rebels Tenacious Against Crackdown,” *New York Times*, May 9, 2012

<sup>45</sup> “Syrian Armed Forces Desertion Said to Surge to 60,000,” *Bloomberg*, March 15, 2012.



Divisions between internal and external opposition politicians parallel divisions between internal and external armed groups. On the ground, many volunteer fighters have organized themselves into neighborhood militias and nominally claim allegiance to the Free Syrian Army (FSA). However, it remains unclear whether FSA commanders outside Syria are able to command the loyalty of the many disparate and local resistance groups that have emerged.

More broadly, it also is unclear whether the armed resistance and the political opposition remain unified. The Assad government's assault on locally organized volunteers has led to angry recriminations by some activists inside Syria that external opposition leaders have abandoned them or are not delivering on promised assistance.<sup>46</sup> Some experts doubt whether either element of the opposition exerts any authority over the other.<sup>47</sup> Strong differences of opinion over the desirability of outside support also persist. This uncertainty complicates efforts by third parties to identify potential partners and plan a way forward.

- **The Free Syrian Army (FSA)** consists of lightly armed, dissident military personnel and officers who have defected and are targeting government security forces in armed attacks. It also represents a broader coalition of locally organized volunteer fighting groups who seek to affiliate themselves with the national opposition movement but lack integrated command structure, logistics, and intelligence.<sup>48</sup> Formal FSA forces are rumored to number in the low hundreds with possibly thousands of loosely affiliated supporters. Precise and verifiable estimates are not available. To date, the FSA's equipment has been mostly locally financed with fighters buying small arms and ammunition on the black market, and local supporters selling household valuables to raise money for the rebellion.<sup>49</sup> The FSA is nominally headed by a former colonel in the Syrian Air Force, Riyad al Asad (not related to the president), who defected to the opposition in mid-March 2011. FSA's military leadership is based in Turkey's Hatay province where Turkish forces maintain tight control over any cross-border activities for fear of Syrian retribution. Some observers believe that if FSA fighters were trained and equipped with more sophisticated equipment (portable and guided anti-tank rockets, Stinger missiles), they would prove to be a more formidable opponent against more heavily equipped pro-government forces.<sup>50</sup>

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<sup>46</sup> In Homs, where armed fighters had been under government siege for almost a month, one local commander of Homs Revolutionary Committee appeared in a YouTube video angrily criticizing the SNC for its insufficient support saying, "We gave you legitimacy, and we can take it away."

<sup>47</sup> For example, Peter Harling, a Syria analyst for the International Crisis Group, has said, "I don't think the Syrian National Council has much leverage over the Free Syrian Army, and I don't think the Free Syrian Army has much leverage itself over what is happening on the ground."

<sup>48</sup> Director of National Intelligence James Clapper recently referred to the FSA as "a blanket, generic name that's sort of applied to the collection of oppositionists." Open source reporting based on interviews with Syrian opposition activists, including FSA commanders and FSA affiliates, suggests that no central FSA command structure exists that encompasses the majority of armed groups in Syria, although the mostly Sunni, locally organized volunteers in Syria's armed resistance share similar immediate goals of ending the Assad government's assaults on them and civilians. See Emile Hokayem, IISS-US Roundtable Discussion - The Syrian Uprising Seen From The Arab World, January 24, 2012; and, Al Jazeera English, "Q&A: Nir Rosen on Syria's armed opposition," February 13, 2012.

<sup>49</sup> Derek Henry Flood, "Inside the Free Syrian Army," *Jane's Islamic Affairs Analyst*, February 24, 2012.

<sup>50</sup> One local militia calling itself the Farouq Brigade and fighting under the broader banner of the Free Syrian Army claims that it has been more effective in engaging government forces. According to a report, "What the Farouq fighters have found is that the Syrian army, as a force built for a potential conflict with Israel, is poorly equipped for the type of asymmetrical combat the guerillas engage in. That allows the guerillas to inflict heavy casualties on the military when (continued...)"

- The **Syrian National Council (SNC)** was formally organized in Turkey in October 2011 and brings together a range of mostly external activists, consisting of members of the Syrian Muslim Brotherhood,<sup>51</sup> secular elites, intellectuals, and independents. The Council has a general 270- to 310-person body and an executive committee made up of approximately 10 to 13 members. Although he recently submitted his resignation, the leader of the executive committee has been Burhan Ghalioun, a secular Sunni who teaches at the Sorbonne university in Paris.<sup>52</sup> On February 24, Western and Arab countries convened a “Friends of Syria” conference in Tunis, where they pronounced the SNC “a legitimate representative of Syrians seeking peaceful democratic change.” However, the international community has been frustrated by infighting within the SNC, its inability to attract more members of Syrian minority communities (especially Christians, Kurds, and Alawites), its inability to convince rival opposition groups to merge with it, and its perceived lack of legitimacy among Syrian protestors on the ground who remain subject to regime violence. In March 2012, several activists resigned from the SNC in protest of its decision making and a perceived lack of effectiveness. Turkey and Qatar are attempting to facilitate a new attempt at unifying the opposition. Unlike other opposition coalitions, the SNC has openly called for international intervention, though until recently it had not clearly defined what type of assistance it was seeking. This hesitation raised suspicions among some Syrians that the SNC is a tool of other regional players, such as Turkey, Saudi Arabia, and Qatar. Although the SNC had resisted calls to turn the protest movement into an armed struggle, it has endorsed the imposition of a no-fly zone; the establishment of humanitarian safe corridors and buffer zones; and “an organized and speedy operation to arm the Free Syrian Army.” The SNC leadership is scheduled to meet in early June to select a new leader.
- The **National Coordination Body for Democratic Change (NCB)** was formed in the summer of 2011 and is a Syria-based alliance of leftist groups, Kurdish activists, and individuals associated with the 2005 Damascus Declaration on political reform. The NCB has stated a willingness to negotiate with the Asad regime (predicated on an end to the use of force against civilians) and opposes foreign intervention. The SNC has criticized the NCB for these positions, and repeated attempts to merge the two coalitions have failed. According to one report, “The group is well positioned to play an important role going forward, since it has also invested in keeping channels of communication open with Russia, visiting Moscow as recently as April 17.”<sup>53</sup> The NCB is also referred to in

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(...continued)

the two sides engage in close combat. It is one reason the Syrian military prefers launching artillery attacks on rebel-held cities from long distances.” See, “Rare inside view of Syria’s rebels finds a force vowing to fight on,” *McClatchy*, April 23, 2012.

<sup>51</sup> The Syrian Muslim Brotherhood has remained in exile since the Hama massacre of 1982. Since then, membership in the group has been, according to Syrian law, a capital offense. Within the Syrian National Council, members of the Brotherhood hold 25% of the seats. Some Syrian opposition activists have accused the Brotherhood of funding its own militias on the ground. See, Yezid Sayigh, “The Coming Tests of the Syrian Opposition,” Carnegie Endowment for International Peace, April 19, 2012.

<sup>52</sup> In response to anger over his reelection to a third term as leader of the SNC, Ghalioun stated on May 17 that “I will not allow myself to be the candidate of division, I am not attached to a position, so I announce that I will step down after a new candidate has been chosen, either by consensus or through new elections.”

<sup>53</sup> Yezid Sayigh, op.cit.

some press reports as the Syrian National Coordination Committee for Democratic Change.

- The **Local Coordination Committees (LCCs)** were formed after the uprising in Dara'a in March 2011 and continue to organize daily protests. They also track opposition activity and try to disseminate information to the international media. There is some overlap between LCC and SNC membership. The international NGO Reporters Without Borders awarded its annual "Netizen Prize" for Internet activism in March 2012 to the LCC movement for its members' role in spreading news of Syria around the world.

## Non-Alawite Minority Communities

**The Kurds**—Although there are Kurdish members within the opposition coalitions noted above, by and large Kurdish areas in northeastern Syria have remained fairly quiet amidst the unrest. Since its independence in 1946, Syria has defined itself as an Arab state, despite the presence of a large, ethnically distinct Kurdish population in Damascus and in several non-contiguous areas along Syria's border with Turkey and Iraq. Syria's Kurds are the largest distinct ethnic/linguistic minority in Syria (7%-10% of the total population). They inhabit agriculturally rich areas, which also contain several of Syria's most valuable oil and natural gas fields. In an attempt to curb Kurdish demands for greater autonomy, successive Syrian governments since the 1950s have periodically arrested Kurdish political leaders and have co-opted certain Kurdish tribal leaders. They also have confiscated some Kurdish land and redistributed it to Syrian Arabs to try to "Arabize" Kurdish regions.

For the past year, the regime has resorted to these divide-and-rule tactics to keep Kurdish areas under control. According to Denise Natali, an expert on Kurdish politics at National Defense University, "to repress the Kurds violently would be another nail in the coffin.... It is one of the communities the regime is trying to co-opt."<sup>54</sup> Despite their problems under the Asad regime, Kurds are wary of supporting a potential Sunni Arab resistance movement that, should it come to power, may be no less hostile to Kurdish aspirations than the Alawite-led Asad government. According to Mahmoud Othman, a Kurdish member of the Iraqi Parliament, "the Kurds in Syria have their own problems.... They are against the Asad regime. They have been for years. They have no rights. But they are not sure about which people will come after."<sup>55</sup>

In May 2012, a delegation from the Syrian-Kurdish National Council (KNC), an umbrella organization consisting of several smaller Kurdish political parties, traveled to the United States for meetings with the U.S. State Department. The KNC has called for the creation of an autonomous Kurdish region within a federated Syria, a position that has put it at odds with the main Syrian opposition exile group, the Syrian National Council. It also has demanded compensation for historical Kurdish suffering and the removal of the word "Arab" from Syria's official name: the Syrian Arab Republic.

**The Christian Community**—Syria's various Christian communities fear that the uprising will lead to a sectarian civil war and that they could be subjected to violent repression, just as Islamist extremist groups have targeted Iraqi Christians since the U.S. invasion of Iraq in 2003. Syria's

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<sup>54</sup> "Syrian Kurds seen as revolt's wild card," *Washington Post*, March 8, 2012.

<sup>55</sup> "Syrian Kurds, facing tough options, flee into Iraq," *International Herald Tribune*, March 10, 2012.

Christians, consisting primarily of Greek Orthodox along with some smaller sects, comprise approximately 10% of the Syrian population. Most Syrian Christians speak Arabic and traditionally have identified with Arab nationalist movements, which they see as an alternative to Islamic fundamentalism. At the same time, like other Christians in the Middle East, many Syrian Christians feel some affinity for Europe and the United States on religious and cultural grounds. Christians have been well represented in Syrian government organizations under the Asad regime. At present, Christians appear to be taking a cautious approach to the uprising. While some have remained supportive of the Asad regime and grown more so as sectarian violence has increased, others are rumored to be assisting opposition movements, including local armed elements and the Free Syrian Army. Syria's Greek Orthodox Patriarch, Ignatius IV Hazim, patriarch of Antioch and All the East, has taken a cautious approach, recently arguing that "the harmful effects of any foreign intervention in our affairs would touch Christians and Muslims alike."<sup>56</sup>

## Syria's Economy and Sanctions

Reports indicate that the Syrian economy and national budget are suffering due to a steep drop in oil exports resulting from sanctions; a year of domestic unrest and the loss of tourism revenues; and new social and military spending aimed at quelling public anger. Estimates vary on the degree of contraction in 2011, ranging between 5% and 15%.<sup>57</sup> Urban areas are now experiencing daily power outages and fuel shortages;<sup>58</sup> inflation is rising; and the value of the Syrian pound has plummeted on the black market (from 54 pounds against the dollar to over 103 pounds as of early March), forcing the government to spend resources propping it up. Syria's stock market is down 40% since the unrest began in March 2011. Foreign exchange reserves held by the Syrian Central Bank have reportedly fallen from \$18 billion in the fall of 2011 to between \$5 billion and \$10 billion, and now lose about \$1 billion a month.<sup>59</sup> With the loss of European export markets due to a European Union oil import ban, Syria has been denied a major source of revenue and hard currency (25%-30% of total government revenue or \$4 billion a year). According to Syrian Oil Minister Sufian Alao, sanctions on Syrian oil exports have cost the country \$3 billion.

Before sanctions, the main buyers of approximately 150,000 barrels per day (bpd) of exported Syrian oil were Italy, Germany, France, the Netherlands, Austria, Spain, and Turkey. Syria produces about 380,000 bpd total. Foreign oil companies that have suspended operations in Syria include Tatneft (Russia), Royal Dutch/Shell Group, Total (France), Gulfsands (UK), Suncor (Canada), and INA (Croatia). In March 2012, Syrian officials announced that the Russian energy company Gazprom would take over INA's oil and gas operations in Syria. The operating status of two Chinese companies with investments in Syria, CNPC and Sinopec, is unknown.<sup>60</sup> Western countries also have banned new investment in Syria's oil and gas sector. Sanctions are having an impact on other aspects of Syria's energy sector as well, including financing and shipping.<sup>61</sup>

<sup>56</sup> "Syria's Greek patriarch opposes foreign intervention," *Agence France Presse*, March 1, 2012.

<sup>57</sup> "Cracks Widen in Syrian Economy," *IPS*, January 24, 2012.

<sup>58</sup> In May 2012, the Syrian government raised the price of subsidized fuel by 25%, just weeks after doubling electricity prices.

<sup>59</sup> "Syria Running out of Cash as Sanctions take toll, but Assad avoids Economic Pain," *Washington Post*, April 24, 2012.

<sup>60</sup> "Syria: Voting with their feet," *Economist Intelligence Unit - Business Middle East*, January 16, 2012.

<sup>61</sup> According to one oil products trader based in the Middle East, "I don't do Syria anymore. Sanctions appeared tougher, so I gave up.... The problem is getting a bank to finance it and a ship owner to go there." "Syria Cancels Fuel (continued...)"

European sanctions do not ban the export of liquid petroleum gas (LPG) to Syria, since it is widely used by ordinary households for heating and cooking.

Since new sanctions were enacted, many analysts have speculated about whether new investors and new foreign markets would arise for Syrian oil exports, albeit at lower prices due to sanctions and increased shipping costs. Some experts believe that both India and China are in a position to refine the heavy crude that Syria exports. However, others assert that some Asian buyers would find the prospect of purchasing Syrian oil too risky or politically problematic. In recent months, Venezuela has supplied Syria with at least three shipments of diesel fuel in exchange for Syrian naphtha, a refined petroleum product. According to Venezuelan Energy Minister Rafael Ramirez, “We have a high level of cooperation with Syria, a besieged nation, whom the transnational interests want to bring down.” Other reports suggest that Russia and Iran are exporting gasoil and diesel to Syria.<sup>62</sup>

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Export Tender, Sanctions Deter,” Reuters, November 3, 2011.

<sup>62</sup> “How Russia, Iran keep fuel flowing to Syria,” *Reuters*, April 26, 2012.

## **Appendix. U.S. Sanctions and Legislation**

### **Overview**

At present, a variety of legislative provisions and executive directives prohibit U.S. aid to Syria and restrict bilateral trade. Syria remains a U.S.-designated State Sponsor of Terrorism and is therefore subject to a number of general U.S. sanctions. Syria was placed on the State Department's State Sponsors of Terrorism List in 1979. Moreover, between 2003 and 2006 Congress passed legislation and President Bush issued new executive orders that expanded U.S. sanctions specifically on Syria.

- The table below reviews sanctions introduced since early 2011 in response to Syria's uprising.
- Syria-specific sanctions and general sanctions applicable to Syria are also summarized below.

### **Background on U.S. Assistance to Syria and Restrictions**

Because of a number of legal restrictions and U.S. sanctions, many resulting from Syria's designation as a country supportive of international terrorism, Syria is no longer eligible to receive U.S. foreign assistance. Between 1950 and 1981, the United States provided a total of \$627.4 million in aid to Syria: \$34.0 million in development assistance, \$438.0 million in economic support, and \$155.4 million in food assistance. Most of this aid was provided during a brief warming trend in bilateral relations between 1974 and 1979. Significant projects funded with U.S. assistance included water supply, irrigation, rural roads and electrification, and health and agricultural research. No aid has been provided to Syria since 1981, when the last aid programs were closed out. In the event of regime change, the Obama Administration and Congress would need to reevaluate any successor government's policies with regard to support for international terrorism in order to determine Syria's potential eligibility for U.S. assistance.

**Table A-I. U.S. Sanctions Against Syria in 2011-2012**  
(Implemented by Treasury Department’s Office of Foreign Assets Control [OFAC])

<b>Date</b>	<b>Sanctioned Individual/Entity</b>	<b>Sanction or Related Activity Description</b>
May 1, 2012	Foreign Persons/Foreign Entities that have violated, attempted to violate, conspired to violate, or caused a violation of U.S. sanctions against Iran or Syria, or that have facilitated deceptive transactions for persons subject to U.S. sanctions concerning Syria or Iran.	Executive Order 13608—Authorizes the Department of the Treasury to publicly identify foreign individuals and entities that have violated U.S. sanctions against Iran and Syria and generally bars their access to U.S. financial and commercial systems.
April 27, 2012		OFAC issued General License 4A, which authorizes the exports or re-exports to Syria of items licensed or otherwise authorized by the Department of Commerce and of exports and reexports of certain services. General License 4A replaces and supersedes General License 4, dated August 18, 2011.
April 23, 2012	Governments of Syria and Iran, Ali Mamluk (Director of the Syrian General Intelligence Directorate), Syrian General Intelligence Directorate, Syriatel, Islamic Revolutionary Guard Corps, Iranian Ministry of Intelligence and Security, Law Enforcement Forces of the Islamic Republic of Iran, Datak Telecom	Executive Order 13606—Blocks the property and suspends entry into the United States of certain persons with respect to grave human rights abuses by the governments of Iran and Syria via information technology.
March 30, 2012	General Munir Adanov (Deputy Chief of General Staff of the Syrian Army), General Dawood Rajiha (Minister of Defense)	Added to OFAC’s Specially Designated Nationals (SDN) List
March 5, 2012	General Organization of Radio and TV	Added to OFAC’s Specially Designated Nationals (SDN) List
February 23, 2012		OFAC issued General License 15 related to Syria to authorize transactions in connection with patent, trademark, copyright, or other intellectual property protection that would otherwise be prohibited by Executive Order 13582.
February 16, 2012	Iranian Ministry of Intelligence and Security	Added to OFAC’s Specially Designated Nationals (SDN) List
December 1, 2011	Muhammad Makhluף, Military Housing Establishment, Real Estate Bank	Added to OFAC’s Specially Designated Nationals (SDN) List
October 3, 2011		OFAC issued two general licenses related to Syria to authorize payments in connection with overflight or emergency landing and transactions with respect to telecommunications
September 27, 2011		OFAC issued a General License related to Syria to authorize third-country diplomatic and consular funds transfers and to authorize certain services in support of nongovernmental organizations’ activities.

<b>Date</b>	<b>Sanctioned Individual/Entity</b>	<b>Sanction or Related Activity Description</b>
September 9, 2011		OFAC issued four general licenses related to Syria to authorize wind down transactions, certain official activities of international organizations, incidental transactions related to U.S. persons residing in Syria and operation of accounts.
August 30, 2011	Walid Mouallem (Foreign Minister), Ali Abdul Karim Ali (Syrian Ambassador to Lebanon), Bouthaina Shaaban (Advisor to the President)	Added to OFAC's Specially Designated Nationals (SDN) List
August 18, 2011	Government of Syria	Executive Order 13582—Freezes all assets of the Government of Syria, prohibits U.S. persons from engaging in any transaction involving the Government of Syria, bans U.S. imports of Syrian-origin petroleum or petroleum products, prohibits U.S. persons from having any dealings in or related to Syria's petroleum or petroleum products, and prohibits U.S. persons from operating or investing in Syria.
August 18, 2011	General Petroleum Corporation, Syrian Company For Oil Transport, Syrian Gas Company, Syrian Petroleum Company, Sytrol	Added to OFAC's SDN List
August 10, 2011	Commercial Bank of Syria and its Lebanon-based subsidiary, Syrian Lebanese Commercial Bank, Syriatel, the country's main mobile phone operator	Added to OFAC's SDN List
August 4, 2011	Muhammad Hamsho (businessman with ties to Asad family), Hamsho International Group	Added to OFAC's SDN List
June 29, 2011	Jamil Hassan (Head of Air Force Intelligence), Political Security Directorate (PSD, domestic intelligence)	Added to OFAC's SDN List
May 18, 2011	President Bashar al Asad, Farouk al Shara (vice president), Adel Safar (prime minister), Mohammad Ibrahim al Shaar (minister of the interior), Ali Habib Mahmoud (minister of defense), Abdul Fatah Qudsiya (head of Syrian military intelligence), Mohammed Dib Zaitoun (director of political security directorate), Nabil Rafik al Kuzbari, General Mohsen Chizari (Commander of Iran Revolutionary Guard Corp Qods Force suspected of human rights abuses in Syria), Al Mashreq Investment Fund, Bena Properties, Cham Holding, Syrian Air Force Intelligence, Syrian Military Intelligence, Syrian National Security Bureau	Executive Order 13573 adds listed individuals and entities to OFAC's SDN List
April 29, 2011	Maher al Asad, Ali Mamluk (director of the Syrian General Intelligence Directorate GID), Atif Najib (former head of the Syrian Political Security Directorate for Dara'a province and the president's cousin), the General Intelligence Directorate, and Iran's Islamic Revolutionary Guard Corps – Quds Force (for allegedly assisting Syria in its crackdown)	Executive Order 13572 adds listed individuals and entities to OFAC's SDN List

**Source:** U.S. Treasury Department.



**Notes:** As part of its enforcement efforts, OFAC publishes a list of individuals and companies owned or controlled by, or acting for or on behalf of, targeted countries. It also lists individuals, groups, and entities, such as terrorists and narcotics traffickers designated under programs that are not country-specific. Collectively, such individuals and companies are called Specially Designated Nationals or SDNs. Their assets are blocked and U.S. persons are generally prohibited from dealing with them.

## **Specific Sanctions Against Syria**

Specific U.S. sanctions levied against Syria fall into three main categories: (1) sanctions resulting from the passage of the 2003 Syria Accountability and Lebanese Sovereignty Act (SALSA) that, among other things, prohibit most U.S. exports to Syria; (2) sanctions imposed by executive order from the President that specifically deny certain Syrian citizens and entities access to the U.S. financial system due to their participation in proliferation of weapons of mass destruction, association with Al Qaeda, the Taliban, or Osama bin Laden; or destabilizing activities in Iraq and Lebanon; and (3) sanctions resulting from the USA PATRIOT Act levied specifically against the Commercial Bank of Syria in 2006.

### **The 2003 Syria Accountability Act**

On December 12, 2003, President Bush signed H.R. 1828, the Syria Accountability and Lebanese Sovereignty Restoration Act into law, as P.L. 108-175. This law requires the President to impose penalties on Syria unless it ceases support for international terrorist groups, ends its occupation of Lebanon, ceases the development of weapons of mass destruction (WMD), and has ceased supporting or facilitating terrorist activity in Iraq (§§5(a) and 5(d)). Sanctions include bans on the export of military items (already banned under other legislation, see above)<sup>63</sup> and of dual use items (items with both civil and military applications) to Syria (§5(a)(1)). In addition, the President is required to impose two or more sanctions from a menu of six:

- a ban on all exports to Syria except food and medicine;
- a ban on U.S. businesses operating or investing in Syria;
- a ban on landing in or overflight of the United States by Syrian aircraft;
- reduction of diplomatic contacts with Syria;
- restrictions on travel by Syrian diplomats in the United States; and
- blocking of transactions in Syrian property (§5(a)(2)).

### **Implementation**

On May 11, 2004, President Bush issued Executive Order 13338, implementing the provisions of P.L. 108-175, including the bans on munitions and dual use items (§5(a)(1)) and two sanctions from the menu of six listed in Section 5(a)(2). The two sanctions he chose were the ban on exports to Syria other than food and medicine (§5(a)(2)(A) and the ban on Syrian aircraft landing in or overflying the United States (§5(a)(2)(D)). In issuing his executive order, the President stated that Syria has failed to take significant, concrete steps to address the concerns that led to the

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<sup>63</sup> Syria's inclusion on the State Sponsors of Terrorism List as well as SALSA requires the President to restrict the export of any items to Syria that appear on the U.S. Munitions List (weapons, ammunition) or Commerce Control List (dual-use items).

enactment of the Syria Accountability Act. The President also imposed two additional sanctions based on other legislation.

- Under Section 311 of the USA PATRIOT Act, he instructed the Treasury Department to prepare a rule requiring U.S. financial institutions to sever correspondent accounts with the Commercial Bank of Syria because of money laundering concerns.
- Under the International Emergency Economic Powers Act (IEEPA), he issued instructions to freeze assets of certain Syrian individuals and government entities involved in supporting policies inimical to the United States.

### **Waivers**

In the executive order and in an accompanying letter to Congress, President Bush cited the waiver authority contained in Section 5(b) of the Syria Accountability Act and stated that he wished to issue the following waivers on grounds of national security:

Regarding Section 5(a)(1) and 5(a)(2)(A): The following exports are permitted: products in support of activities of the U.S. government; medicines otherwise banned because of potential dual use; aircraft parts necessary for flight safety; informational materials; telecommunications equipment to promote free flow of information; certain software and technology; products in support of U.N. operations; and certain exports of a temporary nature.<sup>64</sup>

Regarding Section 5(a)(2)(D): The following operations are permitted: takeoff/landing of Syrian aircraft chartered to transport Syrian officials on official business to the United States; takeoff/landing for non-traffic and non-scheduled stops; takeoff/landing associated with an emergency; and overflights of U.S. territory.

### **Targeted Financial Sanctions**

Since the initial implementation of the Syria Accountability Act (in Executive Order 13338 dated May 2004), the President has repeatedly taken action to sanction individual members of the Asad regime's inner circle.<sup>65</sup> E.O. 13338 declared a national emergency with respect to Syria and authorized the Secretary of the Treasury to block the property of individual Syrians. Based on Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), the President has annually extended his authority to block the property of individual Syrians (latest on April 29, 2011).

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<sup>64</sup> According to U.S. regulations, any product that contains more than 10% *de minimis* U.S.-origin content, regardless of where it is made, is not allowed to be exported to Syria. For U.S. commercial licensing prohibitions on exports and re-exports to Syria, see 15 C.F.R. pt. 736 Supp No. 1. The Department of Commerce reviews license applications on a case-by-case basis for exports or re-exports to Syria under a general policy of denial. For a description of items that do not require export licenses, see, Bureau of Industry and Security (BIS), U.S. Department of Commerce, Implementation of the Syria Accountability Act, available at [http://www.bis.doc.gov/licensing/syriaimplementationmay14\\_04.htm](http://www.bis.doc.gov/licensing/syriaimplementationmay14_04.htm).

<sup>65</sup> According to the original text of E.O. 13338, the President's authority to declare a national emergency authorizing the blocking of property of certain persons and prohibiting the exportation or re-exportation of certain goods to Syria is based on "The Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.) (NEA), the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003, P.L. 108-175 (SAA), and Section 301 of Title 3, United States Code." available at <http://www.treasury.gov/resource-center/sanctions/Documents/13338.pdf>.

When issuing each extension, the President has noted that the actions and policies of the government of Syria continued to pose an unusual and extraordinary threat.<sup>66</sup>

The following individuals and entities have been targeted by the U.S. Treasury Department (Office of Foreign Assets Control or OFAC):

- On June 30, 2005, the U.S. Treasury Department designated two senior Syrian officials involved in Lebanon affairs, Syria's then-interior minister and its head of military intelligence in Lebanon (respectively, the late General Kanaan and General Ghazali), as Specially Designated Nationals, thereby freezing any assets they may have in the United States and banning any U.S. persons, including U.S. financial institutions outside of the United States, from conducting transactions with them.<sup>67</sup> Kanaan allegedly committed suicide in October 2005, though some have speculated that he may have been murdered.
- On January 18, 2006, U.S. Treasury Department took the same actions against the President's brother-in-law, Assef Shawkat, chief of military intelligence.
- On April 26, 2006, President Bush issued Executive Order 13399 that authorized the Secretary of the Treasury to freeze the U.S.-based assets of anyone found to be involved in the February 2005 assassination of former Lebanese Prime Minister Rafiq Hariri. It also affects anyone involved in bombings or assassinations in Lebanon since October 2004, or anyone hindering the international investigation into the Hariri assassination. The order allows the United States to comply with UNSCR 1636, which calls on all states to freeze the assets of those persons designated by the investigating commission or the government of Lebanon to be involved in the Hariri assassination.
- On August 15, 2006, the U.S. Treasury Department froze assets of two other senior Syrian officers: Major General Hisham Ikhtiyar, for allegedly contributing to Syria's support of foreign terrorist organizations including Hezbollah; and Brigadier General Jama'a Jama'a, for allegedly playing a central part in Syria's intelligence operations in Lebanon during the Syrian occupation.<sup>68</sup>
- On January 4, 2007, the U.S. Treasury Department designated three Syrian entities, the Syrian Higher Institute of Applied Science and Technology, the Electronics Institute, and the National Standards and Calibration Laboratory, as weapons proliferators under an executive order (E.O.13382) based on the authority vested to the President under IEEPA. The three state-sponsored institutions are divisions of Syria's Scientific Studies and Research Center, which was designated by President Bush as a weapons proliferator in June 2005 for research on the development of biological and chemical weapons.<sup>69</sup>

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<sup>66</sup> The President last extended the State of Emergency on April 29, 2011.

<sup>67</sup> See <http://www.treasury.gov/press-center/press-releases/Pages/js2617.aspx>.

<sup>68</sup> See <http://www.treasury.gov/press-center/press-releases/Pages/hp60.aspx>.

<sup>69</sup> See <http://www.treasury.gov/press-center/press-releases/Pages/hp216.aspx>.

- On August 1, 2007, the President issued E.O. 13441<sup>70</sup> blocking the property of persons undermining the sovereignty of Lebanon or its democratic processes and institutions. On November 5, 2007, the U.S. Treasury Department designated four individuals reportedly affiliated with the Syrian regime's efforts to reassert Syrian control over the Lebanese political system, including Assaad Halim Hardan, Wi'am Wahhab, and Hafiz Makhluaf (under the authority of E.O.13441) and Muhammad Nasif Khayrbik (under the authority of E.O.13338).<sup>71</sup>
- On February 13, 2008, President Bush issued another Order (E.O.13460) blocking the property of senior Syrian officials. According to the U.S. Treasury Department, the order "targets individuals and entities determined to be responsible for or who have benefitted from the public corruption of senior officials of the Syrian regime." The order also revises a provision in Executive Order 13338 to block the property of Syrian officials who have undermined U.S. and international efforts to stabilize Iraq.<sup>72</sup> One week later, under the authority of E.O. 13460, the U.S. Treasury Department froze the U.S. assets and restricted the financial transactions of Rami Makhluaf, a powerful cousin of President Bashar al Asad.

### Sanctions Against the Commercial Bank of Syria

As previously mentioned, under Section 311 of the USA PATRIOT Act, President Bush instructed the Treasury Department in 2004 to prepare a rule requiring U.S. financial institutions to sever correspondent accounts with the Commercial Bank of Syria because of money laundering concerns. In 2006, the Treasury Department issued a final ruling that imposes a special measure against the Commercial Bank of Syria as a financial institution of primary money laundering concern. It bars U.S. banks and their overseas subsidiaries from maintaining a correspondent account with the Commercial Bank of Syria, and it also requires banks to conduct due diligence that ensures the Commercial Bank of Syria is not circumventing sanctions through its business dealings with them.<sup>73</sup>

### General Sanctions Applicable to Syria

*The International Security Assistance and Arms Export Control Act of 1976* [P.L. 94-329]. Section 303 of this act [90 Stat. 753-754] required termination of foreign assistance to countries that aid or abet international terrorism. This provision was incorporated into the Foreign

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<sup>70</sup> On July 29, 2010, President Obama extended that National Emergency with respect to Lebanon for another year, stating that "While there have been some recent positive developments in the Syrian-Lebanese relationship, continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems serve to undermine Lebanese sovereignty, contribute to political and economic instability in Lebanon, and continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States." See, Notice of July 29, 2010—Continuation of the National Emergency With Respect to the Actions of Certain Persons to Undermine the Sovereignty of Lebanon or Its Democratic Processes and Institutions, Federal Register, Title 3—The President, [Page 45045].

<sup>71</sup> See <http://www.treasury.gov/press-center/press-releases/Pages/hp666.aspx>.

<sup>72</sup> A previous executive order, E.O. 13315, blocks property of former Iraqi President Saddam Hussein and members of his former regime. On June 9, 2005, the Treasury Department blocked property and interests of a Syrian company, SES International Corp., and two of its officials under the authority of E.O.13315.

<sup>73</sup> See, "U.S. Trade and Financial Sanctions Against Syria." Available at <http://damascus.usembassy.gov/sanctions-syr.html>.

Assistance Act of 1961 as Section 620A [22 USC 2371]. (Syria was not affected by this ban until 1979, as explained below.)

*The International Emergency Economic Powers Act of 1977* [Title II of P.L. 95-223 (codified at 50 U.S.C. §1701 et seq.)]. Under the International Emergency Economic Powers Act (IEEPA), the President has broad powers pursuant to a declaration of a national emergency with respect to a threat “which has its source in whole or substantial part outside the United States, to the national security, foreign policy, or economy of the United States.” These powers include the ability to seize foreign assets under U.S. jurisdiction, to prohibit any transactions in foreign exchange, to prohibit payments between financial institutions involving foreign currency, and to prohibit the import or export of foreign currency.

*The Export Administration Act of 1979* [P.L. 96-72]. Section 6(i) of this act [93 Stat. 515] required the Secretary of Commerce and the Secretary of State to notify Congress before licensing export of goods or technology valued at more than \$7 million to countries determined to have supported acts of international terrorism. (Amendments adopted in 1985 and 1986 relettered Section 6(i) as 6(j) and lowered the threshold for notification from \$7 million to \$1 million.)

A by-product of these two laws was the so-called state sponsors of terrorism list. This list is prepared annually by the State Department in accordance with Section 6(j) of the Export Administration Act. The list identifies those countries that repeatedly have provided support for acts of international terrorism. Syria has appeared on this list ever since it was first prepared in 1979; it appears most recently in the State Department’s annual publication *Country Reports on Terrorism, 2009*, issued on August 5, 2010. Syria’s inclusion on this list in 1979 triggered the above-mentioned aid sanctions under P.L. 94-329 and trade restrictions under P.L. 96-72.

*Omnibus Diplomatic Security and Antiterrorism Act of 1986* [P.L. 99-399]. Section 509(a) of this act [100 Stat. 853] amended Section 40 of the Arms Export Control Act to prohibit export of items on the munitions list to countries determined to be supportive of international terrorism, thus banning any U.S. military equipment sales to Syria. (This ban was reaffirmed by the Anti-Terrorism and Arms Export Amendments Act of 1989—see below.) Also, 10 U.S.C. 2249a bans obligation of U.S. Defense Department funds for assistance to countries on the terrorism list.

*Omnibus Budget Reconciliation Act of 1986* [P.L. 99-509]. Section 8041(a) of this act [100 Stat. 1962] amended the Internal Revenue Code of 1954 to deny foreign tax credits on income or war profits from countries identified by the Secretary of State as supporting international terrorism. [26 USC 901(j)]. The President was given authority to waive this provision under Section 601 of the Trade and Development Act of 2000 (P.L. 106-200, May 18, 2000).

*The Anti-Terrorism and Arms Export Control Amendments Act of 1989* [P.L. 101-222]. Section 4 amended Section 6(j) of the Export Administration Act to impose a congressional notification and licensing requirement for export of goods or technology, irrespective of dollar value, to countries on the terrorism list, if such exports could contribute to their military capability or enhance their ability to support terrorism.

Section 4 also prescribes conditions for removing a country from the terrorism list: prior notification by the President to the Speaker of the House of Representatives and the chairmen of two specified committees of the Senate. In conjunction with the requisite notification, the President must certify that the country has met several conditions that clearly indicate it is no

longer involved in supporting terrorist activity. (In some cases, certification must be provided 45 days in advance of removal of a country from the terrorist list).

*The Anti-Economic Discrimination Act of 1994* [Part C, P.L. 103-236, the Foreign Relations Authorization Act, FY1994-1995]. Section 564(a) bans the sale or lease of U.S. defense articles and services to any country that questions U.S. firms about their compliance with the Arab boycott of Israel. Section 564(b) contains provisions for a presidential waiver, but no such waiver has been exercised in Syria's case. Again, this provision is moot in Syria's case because of other prohibitions already in effect.

*The Antiterrorism and Effective Death Penalty Act of 1996* [P.L. 104-132]. This act requires the President to withhold aid to third countries that provide assistance (§325) or lethal military equipment (§326) to countries on the terrorism list, but allows the President to waive this provision on grounds of national interest. A similar provision banning aid to third countries that sell lethal equipment to countries on the terrorism list is contained in Section 549 of the Foreign Operations Appropriations Act for FY2001 (H.R. 5526, passed by reference in H.R. 4811, which was signed by President Clinton as P.L. 106-429 on November 6, 2000).

Also, Section 321 of P.L. 104-132 makes it a criminal offense for U.S. persons (citizens or resident aliens) to engage in financial transactions with governments of countries on the terrorism list, except as provided in regulations issued by the Department of the Treasury in consultation with the Secretary of State. In the case of Syria, the implementing regulation prohibits such transactions "with respect to which the United States person knows or has reasonable cause to believe that the financial transaction poses a risk of furthering terrorist acts in the United States." (31 CFR 596, published in the *Federal Register* August 23, 1996, p. 43462.) In the fall of 1996, the then chairman of the House International Relations Committee reportedly protested to then President Clinton about the Treasury Department's implementing regulation, which he described as a "special loophole" for Syria.

In addition to the general sanctions listed above, specific provisions in foreign assistance appropriations legislation enacted since 1981 have barred Syria by name from receiving U.S. aid. The most recent ban appears in Section 7007 of P.L. 112-74, Consolidated Appropriations Act, 2012, which states that "None of the funds appropriated or otherwise made available pursuant to titles III through VI of this Act shall be obligated or expended to finance directly any assistance or reparations for the governments of Cuba, North Korea, Iran, or Syria: Provided, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents."

Section 307 of the Foreign Assistance Act of 1961, amended by Section 431 of the Foreign Relations Authorization Act for FY1994-1995 (P.L. 103-236, April 30, 1994), requires the United States to withhold a proportionate share of contributions to international organizations for programs that benefit eight specified countries or entities, including Syria.

The Iran Nonproliferation Act of 2000, P.L. 106-178, was amended by P.L. 109-112 to make its provisions applicable to Syria as well as Iran. The amended act, known as the Iran and Syria Nonproliferation Act, requires the President to submit semi-annual reports to designated congressional committees, identifying any persons involved in arms transfers *to or from* Iran or Syria; also, the act authorizes the President to impose various sanctions against such individuals. On October 13, 2006, President Bush signed P.L. 109-353 which expanded the scope of the original law by adding North Korea to its provisions, thereby renaming the law the Iran, North

Korea, and Syria Nonproliferation Act (or INKSNA for short). The list of Syrian entities designated under INKSNA includes Army Supply Bureau (2008), Syrian Navy (2009), Syrian Air Force (2009), and Ministry of Defense (2008).<sup>74</sup> On May 24, 2011, the State Department designated the Industrial Establishment of Defense and Scientific Studies and Research Center (SSRC) under INKSNA.

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<sup>74</sup> See, State Department Press Releases And Documents “Near East: Iran, North Korea, and Syria Nonproliferation Act: Imposed Sanctions,” July 20, 2010.