



Unrest in Syria and U.S. Sanctions Against the Asad Regime

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March 26, 2012

Congressional Research Service

7-5700

www.crs.gov

RL33487

CRS Report for Congress

Prepared for Members and Committees of Congress

Summary

The confrontations and violence that began a year ago in Syria have escalated to the edge of civil war. U.S. officials and many analysts believe that President Bashar al Asad, his family members, and 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. At present, intense violence is generating demands from some international actors for an immediate ceasefire and from others for military intervention to protect civilians. Meanwhile, the complexities of the crisis and the overlapping risks and rewards of various options grow more intricate.

The Asad government's intransigence in the face of political opposition and its use of force against civilian protestors have transformed the Syrian uprising into an increasingly militarized conflict. The unrest has the potential to radicalize Syrians and destabilize neighboring countries. In the face of intense domestic and international pressure calling for political change and an end to violence against civilians, the Asad government has offered limited reforms and is 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, while 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 President 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. Conflict continued in the wake of the Security Council's March 21 endorsement of a ceasefire plan put forward by joint Arab League-U.N. Special Envoy Kofi Annan. 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 and support the Syrian people, such as the Friends of Syria forum that met in Tunis in February and is scheduled to reconvene in Istanbul in April. The Administration has given no indication that it is planning for any form of military intervention. However, with civilian deaths mounting, the Administration and some in Congress are debating new 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 violence raise unique 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 considering 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 would 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, 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 longstanding 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 demonstrations. The government organized large counterdemonstrations.

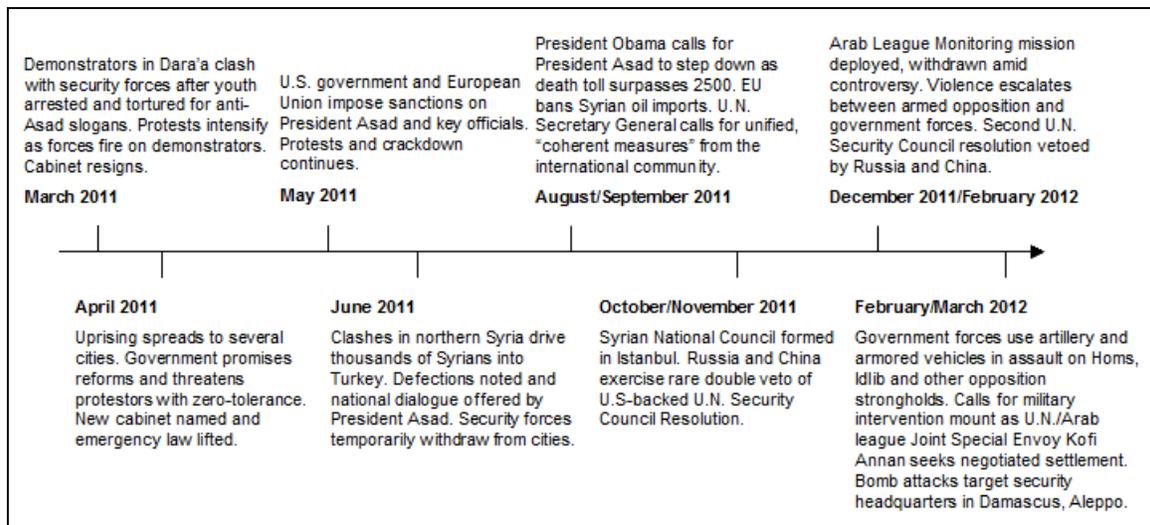
In the year since, a cycle of tension and violence has continued to intensify, as President Asad and his government have paired limited reform gestures with the use of military force against protestors and armed opposition groups. The Sunni Muslim majority has been at the forefront of the protests and 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. Violence has reached most major cities, including Damascus. Key events 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;
- the adoption by the Arab League and U.N. General Assembly of a transition plan that calls for a transfer of power, unity government, and elections; and
- the Security Council's endorsement on March 21, 2012, of U.N.-Arab League Joint Special Envoy Kofi Annan's ceasefire and humanitarian access proposals.

Elements of Annan’s six-part plan call for “an inclusive Syrian-led political process to address the legitimate aspirations and concerns of the Syrian people”; “an effective United Nations supervised cessation of armed violence in all its forms by all parties to protect civilians and stabilize the country”; and “timely provision of humanitarian assistance.” U.N. Secretary-General Ban Ki-moon has called for an “immediate ceasefire” and “an inclusive political solution,” stating that “it is urgent for the international community to stop the violence.” The failure of the Security Council to endorse a resolution on Syria since the uprising began has prevented a U.N.-mandate for collective action. The Syrian government has continued to use force in the wake of the Security Council’s endorsement of Annan’s proposals. The Syrian National Council said Annan’s plan “does not respond to the real needs of the Syrian people.”

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 occupies the Golan Heights), 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 is scheduled to reconvene in Istanbul in April. The Administration has given no indication that it is planning to intervene militarily. However, with civilian deaths mounting, the Administration and Congress are debating new proposals for ending the violence or accelerating Asad’s departure. U.S. officials suggest that, in addition to humanitarian assistance, the United States is preparing to expand efforts to supply nonlethal assistance to some Syrian opposition groups.¹

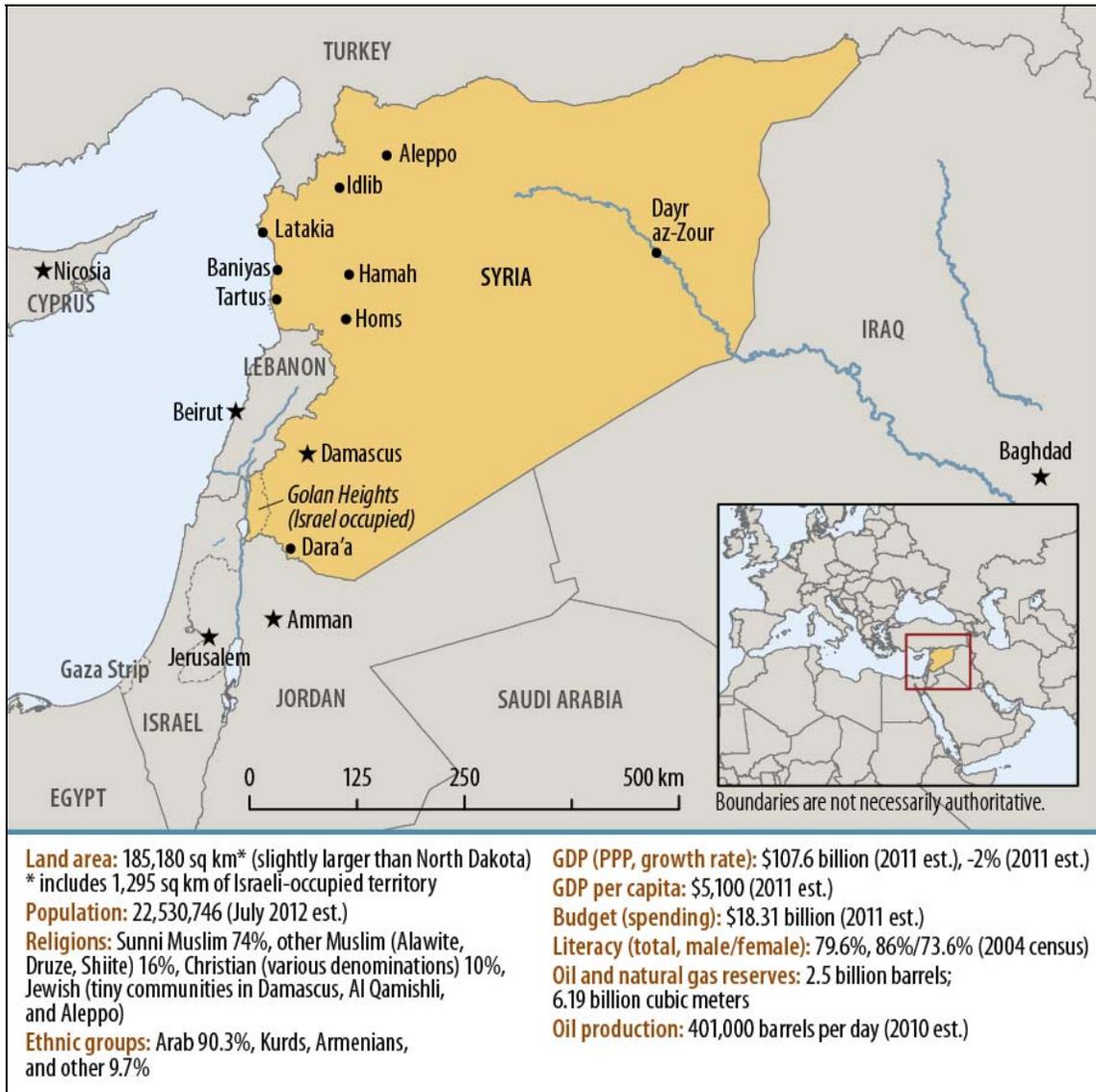
Figure I. Syria Conflict Timeline



Source: CRS.

¹ Anne Barnard, “U.S. and Turkey to Step Up ‘Nonlethal’ Aid to Rebels in Syria” *New York Times*, March 26, 2012.

Figure 2. Syria at a Glance



Source: CRS Graphics.

Assessment

After a year of unrest, Syria's political crisis is characterized by dilemmas and contradictions. President Asad and his supporters view both demands for political change and armed opposition as existential threats. The regime is unwilling to yield to demands for fundamental change and the balance of military power remains on its side. The government's use of force has hardened the opinions of many Syrians who sought political openness but now demand Asad's ouster. In spite of rising international pressure, Asad appears to believe that he has a free hand to crush dissent. Much of Syria's ethnically and religiously diverse population fears that conflict is exacerbating latent communal tensions and bringing long-suppressed grievances to the fore.

Opposition forces are united mainly by their shared desire to remove Asad and his supporters from power, and many have foresworn any compromise. The opposition continues to struggle to build strategic and organizational unity, and its use of force has alienated some potential supporters. Armed opposition groups appears too disorganized to defeat the regime's security forces on their own. Volunteers lack a central command-and-control structure, funding, and heavy weaponry. Although thousands of military personnel, including some senior officers, have defected, to date, the number of defections and armed opposition volunteers does not appear to have reached a decisive point.

As debate continues, fighting has escalated while unilateral action by outsiders continues and reflects regional rivalries. Some third parties, like Iran and Russia, support President Asad in order to preserve the benefits of long-established cooperation. Others, like Saudi Arabia, oppose Asad in part as a means to weaken Iran.

Violence against civilians is generating more demands for action, while the complexities of the crisis and the overlapping risks and rewards of options grow more intricate. Many analysts believe that the longer violence in Syria continues, the greater the likelihood of feared outcomes, such as the sectarian radicalization of the Syrian population or the strengthening of violent extremist groups.² On one hand, embrace of regime change as a strategic goal by the United States suggests that all options to achieve that goal should be considered. On the other hand, U.S. officials have raised concerns over the humanitarian and regional security consequences of various policy proposals to achieve that goal.

Some U.S. officials believe that immediate military intervention risks arming or otherwise empowering extremist groups or unleashing a scenario that could jeopardize the Syrian military's control over large conventional and unconventional weapons stockpiles, including chemical weapons and shoulder-fired surface-to-air missiles (MANPADs). Proposals for a negotiated solution such as those contained in the Annan plan could preserve a political role for some elements of the Asad 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. The result is a menu of imperfect choices for U.S. policymakers and the prospect of continued violence, a humanitarian crisis, and regional instability.

Issues Before Congress

In recent weeks, U.S. officials have described the choices they face with regard to Syria as "extremely challenging."³ U.S. concerns about regional security and state-sponsored terrorism are directly implicated 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, or transnational violence by non-state actors are among the contingencies that policy makers are considering in relation to these countries. A host of concerns stem from reports by U.S. officials that violent

² 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.

³ U.S. Central Command Commander General James Mattis, Statement before Senate Armed Services Committee, March 6, 2012.

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 security 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 and 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, it also may complicate efforts to achieve an immediate ceasefire and protect Syrian civilians by encouraging Syrian authorities and their allies to take a zero-sum approach to the current 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 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

The uprising against the regime of President Bashar al Asad continues, but the government crackdown has killed over 8,000 people, including at least 400 children.⁴ The Syrian Observatory for Human Rights, a non-governmental organization, said on March 16 that 9,113 people had died over the uprising's first year: 6,645 civilians, 471 rebels, and 1,997 soldiers and security personnel.⁵ Reports of alleged massacres carried out by pro-government militias have become more frequent in recent weeks during intense urban clashes.⁶ The government, on the other hand, accuses rebel fighters of bombings and assassinations targeting security infrastructure, security personnel, and civilians in Damascus, Aleppo, Homs, and other areas. Accounts of human rights violations by opposition forces and of sectarian attacks against members of the government-affiliated Alawite minority raise the prospect of wider violence and sectarian reprisals.

In cities and governorates where fighting has been the most intense, namely in Homs, Idlib, Hamah, and Dara'a (see **Figure 2** above), numerous eyewitness accounts have described besieged urban areas as humanitarian disaster zones, in which residents of entire neighborhoods are cut off from food, fuel, medical care, and water. Reports suggest that the government has deployed snipers, cut off 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 late February 2012 that Syria's top military commanders and officials have committed "widespread, systematic" rights violations that constituted crimes

⁴ "UNICEF says 400 children killed in Syria," *United Nations Radio*, February 7, 2012.

⁵ "Turkey Warns Of Military Action As Refugees Cross Border," *London Daily Telegraph*, March 16, 2012.

⁶ During the first two weeks of March, opposition groups reported the massacre of 46 women and children whose bodies were found in the Sunni neighborhood of Karm al Zaytun in Homs. Days later, reports surfaced that 23 bodies of victims who had been blindfolded and handcuffed before being shot dead were discovered outside of Idlib.

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.

U.N. Under-Secretary-General and Emergency Relief Coordinator Valerie Amos travelled to Syria in early March 2012 and spoke with “extreme concern” about the “devastation in the Baba Amr area of Homs” and the general conditions facing the Syrian population as a result of the conflict.⁷ She further warned that “as fighting, shelling, and other violence intensifies in Idlib, Homs and other places in Syria, the risk of a grave humanitarian crisis grows.” 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 both within Syria and abroad. According to the U.N. High Commissioner for Refugees (UNHCR), as of March 23, over 41,000 Syrians had fled to other countries, including Turkey (17,000), Lebanon (16,000), and Jordan (8,500).⁸ The UNHCR named Panos Moutzias as Regional Refugee Coordinator for Syria and has launched an appeal for \$84 million to support operations for Syrian refugees. U.N. experts have joined Syrian “government-led” assessment missions to several protest cities to identify urgent needs and provide emergency care and basic supplies.

The U.S. State Department reports that the United States is providing \$12 million in humanitarian assistance through the U.N. and other humanitarian organizations, including \$5.5 million to the U.N. High Commissioner for Refugees (UNHCR); \$3 million to the International Committee of the Red Cross (ICRC); \$3 million to the World Food Program (WFP); and \$1 million to non-governmental organizations.⁹

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 are being monitored via unspecified means.¹⁰ Since late 2011, named and unnamed Israeli officials have voiced similar concerns about “huge stockpiles”¹¹ of

⁷ U.N. OCHA, “Emergency Relief Coordinator’s Key Messages on Syria,” Issue Number 5, March 12, 2012.

⁸ UNHCR Briefing Notes, “U.N. appeals for US\$84 million to support Syrian refugees,” March 23, 2012.

⁹ U.S. Department of State, Humanitarian Relief for Syrians, Fact Sheet, Office of the Spokesperson, March 15, 2012.

¹⁰ Assistant Secretary of State for Verification, Compliance, and Implementation Rose Gottemoeller recently stated, “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.

¹¹ 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.

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.¹²

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.¹³ 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.¹⁴

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 or not any such units would be cooperative or antagonistic toward outsiders. According to some press reports, 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.¹⁵

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. 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.

¹² 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.

¹³ Rachel Oswald, "U.S. Watching Syrian Chemical Arms Amid Fear of Attack, Diversion," *Global Security Newswire*, December 5, 2011.

¹⁴ Syria has signed but not ratified the Biological and Toxin Weapons Convention (BWC). Syria has not signed or ratified the Chemical Weapons Convention (CWC).

¹⁵ Barbara Starr, "Military: Thousands of troops needed to secure Syrian chemical sites," *CNN.com*, February 22, 2012.

Congressional Views

The Syrian government's continuing use of lethal force against civilians has 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 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 against 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. The textbox below summarizes legislation introduced in the 112th 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.

Syria Legislation in the 112th Congress

The following legislation introduced in the 112th 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.

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.”
- 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.

Debating Intervention in Syria

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 humanitarian relief.

- An op-ed by former Obama Administration State Department official Anne-Marie Slaughter calls for the United States, working with allies, to “establish ‘no-kill zones’” near Syria’s borders to protect civilians.¹⁶ Her proposal calls for the conditional provision of assistance to the Free Syrian Army (FSA), including “anti-tank, countersniper and portable anti-aircraft weapons... tactical and strategic advice... and intelligence” to allow the FSA to defend and expand no-kill zones. Such assistance would be conditioned on its use being limited to defensive operations, with the goal being “to weaken and isolate government units charged with attacking particular towns” until a truce becomes imperative to the regime and a more equitable balance of forces makes a truce feasible.
- A joint statement issued by Senators John McCain, Lindsey Graham, and Joseph Lieberman on March 6, 2012 called for the Obama Administration to “organize an international effort to protect civilian population centers in Syria through airstrikes on Asad’s forces” and to “establish safe havens in which opposition forces can organize, rest, refit, and plan their political and military activities against Asad.”¹⁷ The joint statement said such action should come at the request of the Syrian National Council and the Free Syrian Army and “should include Arab partners such as Saudi Arabia, U.A.E., Jordan, and Qatar, and willing allies in the E.U. and NATO, the most important of which in this case is Turkey.”
- Other analysts have studied options such as indirectly supporting the opposition, using U.S. ground forces, and a NATO-led military effort to protect civilians.¹⁸

Critics of intervention 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 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.¹⁹

¹⁶ Anne-Marie Slaughter, “How to Halt the Butchery in Syria,” *New York Times*, February 23, 2012.

¹⁷ Statement By Senators McCain, Lieberman and Graham on the Situation in Syria, March, 6, 2012.

¹⁸ See for example, Brookings Institution, “Saving Syria,” March 21, 2012; and, Washington Institute for Near East Policy, “Indirect Intervention in Syria”, February 21, 2012.

¹⁹ For a summary of these views, see Integrated Regional Information Networks (IRIN), “Briefing: Why humanitarians (continued...)”

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, providing greater humanitarian support to Syrian civilians through neutral channels, or supporting an negotiated ceasefire and monitoring mission.

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

Syria’s Regional and Geopolitical Importance

Several factors make Syria and its political crisis uniquely consequential in comparison to some other countries and crises in the Middle East and North Africa. Syria’s location places it at the crossroad of the region, with U.S. NATO-ally Turkey to the north, U.S. allies in Lebanon, Israel, and Jordan to the south; and Iraq’s new democracy to the east. Syria’s strategic alignment with Iran, Hezbollah, and, until recently, Hamas also has made Damascus the center of a complex strategic rivalry. These factors lead Syria’s neighbors and global powers like Russia and the

(...continued)

wary of ‘humanitarian corridors,’” March 19, 2012.

United States to approach the current crisis with concern both for their own interests as well as for the wellbeing of the Syrian people.

Israel

Syria and Israel remain in a technical state of war dating from the June 1967 Arab-Israeli war that resulted in the Israeli occupation of the Golan Heights. Over time, Syria has sought to maintain pressure on Israel through sponsorship of Hezbollah and Palestinian terrorist groups such as Hamas. Efforts in the 1990s to broker a peace agreement made progress but fell short of reaching a final deal. Israeli-Syrian peace talks remained frozen from 2000 through 2007, when several rounds of Turkish-mediated talks began. These talks broke down in late 2008, with Syria faulting Israel's military strikes against Gaza during Operation Cast Lead and Israel insisting that any new negotiations with Syria should be conducted without preconditions (such as an Israeli pledge to withdraw fully from the Golan Heights). Given Turkey's break with the Asad government during the current crisis, it is unlikely that Turkey could reemerge as a broker for future indirect Syrian-Israeli talks unless President Asad and his government are replaced. However, Turkey's close relationship with Syrian opposition groups raises the prospect that a non-Asad government could view Turkey as a potential mediator.

Present Israeli security concerns focus on the potential for a security vacuum in Syria, which could provide opportunities for anti-Israeli extremist groups and jeopardize the security of Syria's chemical weapons and missiles. Regime change in Syria may not immediately produce a government more willing or able to pursue renewed peace negotiations with Israel. Israeli leaders also may be concerned that an Islamist-led or influenced government could remain hostile to Israel. However, broad Syrian nationalist demands for the return of the Golan Heights are not exclusive to the Asad government, its supporters, or their secular and Islamist rivals.

Turkey²⁰

Before civil unrest broke out in Syria in March 2011, Turkey had cultivated close relations with President Asad by holding joint military exercises, negotiating free trade and no-visa travel agreements, and mediating Syria's indirect talks with Israel in 2008. When unrest began in Syria, Turkish Prime Minister Recep Tayyip Erdogan and other Turkish leaders urged Asad to respond by implementing significant political reforms. Asad's failure to undertake serious reforms and the use of force led Erdogan to criticize Asad with increasing intensity. Erdogan called on Asad to step down in November 2011, following attacks against Turkish diplomatic installations in Syria and against buses carrying Turkish pilgrims returning from Mecca. Foreign Minister Davutoglu subsequently announced multiple military, financial, and diplomatic sanctions against Asad's government. Turkey closed its embassy in Damascus in March 2012 citing deteriorating security conditions. The Turkish consulate in the northern city of Aleppo remains open.

Events in Syria have prompted Turkish officials to state that they consider the ongoing unrest a matter of internal Turkish concern, not simply a matter of international affairs. In June 2011, security forces loyal to the Asad regime increasingly targeted alleged outposts of rebel sentiment and activity in northwest Syria near the Turkish border. As a result, over 20,000 refugees fled

²⁰ Prepared by Jim Zanotti, Specialist in Middle Eastern Affairs. For more information, see CRS Report R41368, *Turkey: Background and U.S. Relations*, by Jim Zanotti.

over the border into temporary camps maintained by Turkey. Over half of these returned to Syria, but additional refugee flows in late 2011 and early 2012 brought the number to approximately 17,000. Turkey also now serves as a base for exiled leaders in both the Syrian National Council (SNC) and the Free Syrian Army (FSA). Turkish officials maintain that they do not support violent means of opposition, but reportedly Turkey has agreed with the United States to provide nonlethal support to the Free Syrian Army.

Some reports state that Turkish officials might consider using military means to establish and maintain a buffer zone in northern Syria under an international mandate supported by the Arab League and United Nations Security Council. A buffer zone—similar to the one Turkey established in northern Iraq during the 1991 Gulf War—could provide a place of refuge for endangered Syrian citizens without involving Turkish territory. However, it also could be a staging area for defectors and oppositionists—possibly with future Turkish and other external assistance—to further an armed campaign against the Asad regime, similar to the role eastern Libya played for the NATO-backed opposition forces that toppled the Qadhafi regime in 2011. The potential for Syrian retaliation in response to such a step risks regional war.

Lebanon

A complex relationship exists between Lebanon and Syria as a result of geography, history, and networks of political, economic, and social ties that bind the countries' populations. Over time, Lebanese leaders have sought to manage the influence of their larger and more powerful neighbor while maintaining domestic stability and preserving strong bilateral economic ties. Syrian leaders have sought to influence developments in Lebanon in order to prevent forces hostile to the Syrian government from consolidating a position of strength there. This approach has often led to direct Syrian intervention in Lebanese affairs. At present, Syria continues to exert a great deal of influence in Lebanon through its patronage relationships with Hezbollah and the Hezbollah-affiliated, pro-Syrian March 8 governing coalition.²¹ The outsized role that Syria plays in Lebanon's affairs and its role as a lifeline for Hezbollah further raises the stakes of the crisis in Syria for both Lebanon and Israel. Hezbollah and the Asad government have warned that third-party intervention in Syria's crisis could lead to regional conflagration, widely interpreted as a message for Israel. The unrest in Syria and the ongoing spillover into Lebanon affect the current policy priorities of the United States, which include preserving regional peace, strengthening Lebanon's weak democratic institutions, limiting Iranian and Syrian influence in Lebanon's political process, and countering transnational threats from Hezbollah and other militant groups.

Russia

Russia's strategic partnership with the Asad government dates back to the Cold War era, and the current relationship has drawn increasing attention as the current crisis has unfolded. Russia values Syrian support for Russia's only naval base in the Mediterranean region at the Syrian coastal town of Tartus. Russian arms sales to Syria are an important factor in Syria's military capacity. Russia prominently vetoed two U.N. Security Council resolutions on Syria in October 2011 and February 2012 and has argued that the United States, the European Union, and some Arab countries are seeking authorization for regime change under the guise of humanitarian

²¹ Syria is an important interlocutor between Hezbollah and its main patron, Iran. Iranian weapons transit through Syria to Hezbollah caches in Lebanon.

intervention. Russia continues to state that it opposes any international intervention in the conflict, which critics contend is a calculated attempt to ensure the balance of power continues to favor Moscow's allies in the Asad government. However, since early March, Russian leaders are perceived to be taking an increasingly critical line toward Asad. This may be because they have decided that the risks of a protracted civil war in Syria and third-party military intervention outweigh the benefits of firmly encouraging Asad to negotiate a political transition agreement. Russian President Dmitri Medvedev recently said that Special Envoy Kofi Annan's ceasefire and transition proposals may be "Syria's last chance to avoid a protracted and bloody civil war."

Demographic Profile and Political Dynamics²²

As in several countries in the Middle East, the Syrian population includes different ethnic and religious groups, although strict political controls have not provided an opportunity for differences to play 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. Socio-economic 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. To retain legitimacy, Syrian leaders, while authoritarian, 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 presidency terms in 2000 and 2007.²³ 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

²² This material draws from the work of Alfred Prados, former CRS Specialist in Middle East Affairs.

²³ 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.

offering only fleeting political reforms and cracking down on all outspoken or organized opposition. The Asads have 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

- 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 political 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—of Syria's 23 million people. The new constitution ostensibly paves the way for multiparty elections now scheduled for May 2012. It limits the president's term to 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 government's use of force against protestors, armed opposition groups, and civilians has galvanized opposition 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. Nevertheless, the Asad family and the Alawite elite that supports it appear 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 opposition²⁴ and others 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 logic of 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:

²⁴ 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 a 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.”²⁵

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.”²⁶ 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 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.” 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.²⁷

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.

²⁵ Landis, “The Syrian Uprising of 2011: Why the Asad Regime Is Likely to Survive to 2013,” *Middle East Policy*, January 2012.

²⁶ SNC Press Release, “SNC Extends Hand to Alawite Community in Syria,” February 26, 2012.

²⁷ “Syrian Armed Forces Desertion Said to Surge to 60,000,” *Bloomberg*, March 15, 2012.

More broadly, it also is unclear whether the armed resistance and the political opposition remain unified. The Asad 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.²⁸ Some experts doubt whether either element of the opposition exerts any authority over the other.²⁹ 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.³⁰ 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.³¹ 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.
- 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, 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, the leader of which is Burhan Ghalioun, a secular Sunni who teaches at the Sorbonne university in Paris. On February 24, Western and Arab countries convened a "Friends of Syria" conference in Tunis, where they pronounced the SNC as "a legitimate representative of Syrians seeking peaceful democratic change." However, the international community has been frustrated by infighting within

²⁸ 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."

²⁹ For example, Peter Harling, a Syria analyst at 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."

³⁰ 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 Asad 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.

³¹ Derek Henry Flood, "Inside the Free Syrian Army," *Jane's Islamic Affairs Analyst*, February 24, 2012.

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, raising 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, recently 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 **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. The NCB is also referred to in 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, confiscated some Kurdish land and redistributed it to Syrian Arabs to try to “Arabize” Kurdish regions, and co-opted certain Kurdish tribal leaders.

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.”³² However, Kurds themselves are weary 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.”³³

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 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, reports suggest Christians have taken 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.”³⁴

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 international 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%.³⁵ Urban areas are now experiencing daily power outages, 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. Foreign exchange reserves held by the Syrian Central Bank have reportedly fallen from \$18 billion in the fall of 2011 to around \$10 billion at present. 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,

³² “Syrian Kurds seen as revolt’s wild card,” *Washington Post*, March 8, 2012.

³³ “Syrian Kurds, facing tough options, flee into Iraq,” *International Herald Tribune*, March 10, 2012.

³⁴ “Syria’s Greek patriarch opposes foreign intervention,” *Agence France Presse*, March 1, 2012.

³⁵ “Cracks Widen in Syrian Economy,” *IPS*, January 24, 2012.

sanctions on Syrian oil exports cost the country \$2 billion from September 2011 through January 2012.³⁶

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). The operating status of two Chinese companies with investments in Syria, CNPC and Sinopec is unknown.³⁷ 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.³⁸ 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 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 two shipments of diesel fuel. 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."

³⁶ "Syria says lost \$2 billion from oil sanctions," Reuters, January 20, 2012.

³⁷ "Syria: Voting with their feet," *Economist Intelligence Unit* - Business Middle East, January 16, 2012.

³⁸ 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 Export Tender, Sanctions Deter," Reuters, November 3, 2011.

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-1. U.S. Sanctions Against Syria in 2011-2012
(Implemented by Treasury Department's Office of Foreign Assets Control [OFAC])

Date	Sanctioned Individual/Entity	Sanction or Related Activity Description
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 Makhlef, 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.
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 Moullem (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

Date	Sanctioned Individual/Entity	Sanction or Related Activity Description
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 above³⁹) 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 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

³⁹ 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).

technology; products in support of U.N. operations; and certain exports of a temporary nature.⁴⁰

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.⁴¹ 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). 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.⁴²

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.⁴³ 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

⁴⁰ 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.

⁴¹ 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>.

⁴² The President last extended the State of Emergency on April 29, 2011.

⁴³ See <http://www.treasury.gov/press-center/press-releases/Pages/js2617.aspx>.

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.⁴⁴
- 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.⁴⁵
- On August 1, 2007, the President issued E.O. 13441⁴⁶ 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).⁴⁷
- 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."⁴⁸ One week later, under the authority of

⁴⁴ See <http://www.treasury.gov/press-center/press-releases/Pages/hp60.aspx>.

⁴⁵ See <http://www.treasury.gov/press-center/press-releases/Pages/hp216.aspx>.

⁴⁶ 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].

⁴⁷ See <http://www.treasury.gov/press-center/press-releases/Pages/hp666.aspx>.

⁴⁸ 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.

E.O. 13460, the U.S. Treasury Department froze the U.S. assets and restricted the financial transactions of Rami Makhluf, 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.⁴⁹

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 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*

⁴⁹ See, “U.S. Trade and Financial Sanctions Against Syria.” Available at <http://damascus.usembassy.gov/sanctions-syr.html>.

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).⁵⁰ 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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⁵⁰ See, State Department Press Releases And Documents "Near East: Iran, North Korea, and Syria Nonproliferation Act: Imposed Sanctions," July 20, 2010.