

# CRS Issue Brief for Congress

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## **Syria: U.S. Relations and Bilateral Issues**

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## Syria: U.S. Relations and Bilateral Issues

### SUMMARY

Syria, governed by President Hafiz al-Asad from 1970 until his death in June 2000, is a prominent player in the Middle East scene. Within the region, a number of border disputes, problems of resource allocation, and + political rivalries have caused frequent tensions between Syria and its neighbors. In particular, the Syrian Golan Heights territory, which Israel occupied in 1967, has been one of the most intractable issues in the Arab-Israeli dispute.

Syria participated in U.S.-sponsored bilateral peace talks with Israel between 1991 and 1996, when talks were suspended. A few months after the election of Israeli Labor Party leader Ehud Barak as Prime Minister of Israel, Syrian-Israeli talks resumed briefly under U.S. auspices in December 1999 and January 2000 but stalled again as the two sides disagreed over the sequence of issues to be discussed. A March 26, 2000 meeting in Geneva, Switzerland, between then Presidents Clinton and Asad failed to produce an agreement on restarting the talks. Asad's successor, President Bashar al-Asad, has expressed support for the peace process but has not been willing to make concessions on territorial issues.

An array of bilateral issues continue to affect relations between the United States and Syria: the course of Arab-Israeli talks; questions of arms proliferation; Syrian connections with terrorist activity and previous involvement in narcotics traffic; Syria's human rights record; Syria's role in Lebanon; and a warming trend in Syrian relations with Iraq. A variety of U.S. legislative provisions and executive directives prohibit direct aid to Syria and restrict bilateral trade relations

between the two countries. Syria has reportedly cooperated with the United States in investigating Osama bin Laden's Al Qaeda organization in the aftermath of the September 11 attacks but has been unwilling to sever connections with some other terrorist organizations. U.S. Secretary of State Colin Powell warned Syria to withdraw support from terrorist organizations during a visit to Damascus on May 3, 2003.

On April 18, 2002, similar bills were introduced in the House (H.R. 4483) and Senate (S. 2215), that would have imposed further U.S. sanctions against Syria unless it halts support for international terrorism and takes other specified actions. (The 107<sup>th</sup> Congress adjourned without floor action on either bill.) Largely similar bills, H.R. 1828 and S. 982, were introduced on April 12, and May 1, 2003, respectively. After Operation Iraqi Freedom began in March 2003, senior U.S. officials warned Syria to stop permitting transit of military supplies and volunteer fighters through Syria to Iraq (Syria denies these allegations).

An issue for U.S. policy makers is the degree to which the Administration should go in seeking to enlist Syrian support for U.S. endeavors in the Middle East. Many U.S. observers believe removal of legislative sanctions should be contingent on evidence of improvements in Syria's human rights record, a clear renunciation of terrorism, and reversal of other policies injurious to U.S. interests. Others favor quiet diplomacy aimed at encouraging Syria to play a constructive and responsible role in the Middle East.



## **MOST RECENT DEVELOPMENTS**

On June 20, 2003, Secretary of State Colin Powell said the Syrians “took some limited steps” against terrorism but went on to say that “these limited steps are totally inadequate.” In an interview published by the State Department on August 1, Secretary Powell told an Israeli newspaper that there are areas of cooperation that the United States would like to pursue with Syria, but that until Syria changes its policies on terrorism and several other issues, “we are not going to do anything that would improve the [U.S.-Syrian] relationship right now.” He went on to say that Syria risks isolation as the Middle East peace process moves forward without the Syrians and added that “I think there are opportunity costs in this for Syria if they don’t change their policies.”

During an attack on an Iraqi convoy that U.S. officials suspected of carrying former Iraqi officials seeking to escape, U.S. forces captured five Syrian border guards in the vicinity of the Iraqi-Syrian border on June 18. U.S. forces released the Syrians on June 30, despite what an unidentified U.S. military official called circumstantial evidence that the Syrians were helping Iraqis escape. On July 14, the commander of a Syrian border post near Iraq told *New York Times* reporters that U.S. helicopters and planes routinely enter Syrian air space and frequently fire across the border into Syria. The officer said Syrian forces had not returned the fire.

## **BACKGROUND AND ANALYSIS**

Although U.S.-Syrian relations improved somewhat in the 1990s, further strains appeared after the breakdown in Syrian-Israeli negotiations in 2000 and Syria’s opposition to a U.S. military campaign in Iraq. Members of Congress have periodically introduced legislation to tighten U.S. sanctions against Syria or to condition relaxation of existing restrictions on further changes in Syrian policy. Recent U.S. Administrations, though not inclined to lift sanctions on Syria at this time, tend to believe it is in U.S. interests to encourage Syria to play a positive role in the Arab-Israeli peace process and support other U.S. initiatives. The issue for U.S. policy makers is the degree to which the United States should work for better relations with Syria in an effort to enlist Syrian cooperation on regional issues.

### **Syrian Politics and External Relations**

**Internal Situation.** The death of Syrian President Hafiz al-Asad in June 2000 removed one of the longest serving heads of state in the Middle East and a key figure in the affairs of the region. A former air force commander and Minister of Defense, the late president exercised uncontested authority for almost 30 years through his personal prestige and his control of the principal pillars of the regime: the ruling Ba’th Party, the armed forces, and the intelligence apparatus. President Bashar al-Asad, who succeeded his father in a smooth transfer of power, has pursued some political reforms, but many observers believe he remains circumscribed by power elites who have a vested interest in maintaining the status quo. Observers have described President Bashar al-Asad’s modernization program as



war. The latter boundary line, among other things, would give Syria access to the northeastern shore of the Sea of Galilee (also known as Lake Kinneret or Lake Tiberias).

After a hiatus of almost 4 years, teams headed by then Israeli Prime Minister Ehud Barak and Syrian Foreign Minister Faruq al-Shar'a held two rounds of talks in Washington and West Virginia in December 1999 and January 2000, respectively, at the invitation of then President Clinton. Further talks, however, failed to materialize as the parties disagreed over the sequence of discussions. Syria wanted to address border issues before dealing with other topics, while Israel wanted to concentrate first on security, water, and future bilateral relations. A meeting in Geneva between then Presidents Clinton and Hafiz al-Asad in March 2000 produced no agreement; Israeli territorial proposals conveyed by Clinton were unacceptable to Asad, who insisted on full Israeli withdrawal to the June 1967 border. In his inaugural address in July 2000, President Bashar al-Asad stated that "we are in a hurry for peace, because it is our option," but added that "we are not prepared to concede territory." Other Syrian officials have reiterated this position.

At an Arab summit conference on March 27-28, 2002, Syria joined other Arab states in endorsing a peace initiative by Saudi Arabia's Crown Prince Abdullah involving full Israeli withdrawal from Arab territories occupied since 1967 in return for normal relations with Israel in the context of a comprehensive peace. In elaborating on Syria's position, President Bashar al-Asad described the initiative as a "first step" and said "what is required is a mechanism" to implement the plan. He also demanded that Israel commit itself publicly to returning occupied Arab lands and maintained that "for us, terrorism comes from Israel." Meanwhile, Syria abstained on U.N. Security Council Resolution 1397 (March 12, 2002) and boycotted the vote on a follow-on resolution (Resolution 1402, March 30), both calling for cessation of violence in Israel and the Palestinian territories. Syria objected to the resolutions on grounds that they did not meet Arab concerns and did not condemn Israeli attacks on Palestinians. Later, on March 27, 2003, President Asad criticized current and previous U.S. peace plans, saying that all of them are "destined for failure because they do not meet the aspirations and restore the rights of the Palestinian people."

In early May 2003, the Israeli press carried reports that a Syrian emissary (a brother of President Asad according to one source) had met with a former Israeli government official in March and offered to re-open negotiations without preconditions — a longstanding Israeli demand. Israeli Prime Minister Ariel Sharon reiterated his readiness for negotiations with any Arab country including Syria without preconditions; however, he indicated that such talks should take place later to give the United States more time to pursue its own initiatives. A Syrian spokeswoman denied that Syria had held secret talks with Israel and said it would be unacceptable to interpret previous U.N. resolutions and terms of reference at the international peace conference held in Madrid in 1991 as "preconditions." President Asad, in an interview published on May 11, 2003, reiterated this denial and said any peace talks with Israel should be based on U.N. resolutions, the 1991 Madrid conference, and the March 2002 Saudi plan.

Meanwhile, an Israeli-Palestinian peace plan put forward by the "Quartet" (the United States, the United Nations, the European Union, and Russia) and made public on April 30, 2003, includes a Syrian-Israeli peace settlement as one of the goals it is designed to achieve. President Asad, however, in an interview with a Kuwaiti newspaper on May 25, commented that the Quartet's plan (known as the "Road Map") was directed at Israeli-Palestinian issues

and added that “Syria and Lebanon are mentioned only in passing” in the Road Map. On June 4, following summit conferences held in Egypt and Jordan at the initiative of President Bush to start implementing the Road Map, a spokeswoman from the Syrian Foreign Ministry described the plan as “a Palestinian-Israeli affair” and commented that “Syria did not expect to be invited to the summit and did not wish to [attend]....” On August 1, the State Department published the text of an interview Secretary Powell gave to an Israeli newspaper *Ma’ariv*, in which he emphasized that “the President’s vision includes a comprehensive settlement that deals with the issues of interest to Syria and to Lebanon.”

## Syrian and Israeli Roles in Lebanon

Syrian Army units moved into large parts of northeastern and central Lebanon shortly after civil strife began in that country in 1975. Syrian forces have remained in there since 1976, ostensibly under an Arab League peace-keeping mandate. Meanwhile, Israel occupied a portion of Lebanon between 1982 and 1985 in an operation designed to root out armed Palestinian guerrillas from southern Lebanon. From 1985 until May 2000, Israel maintained a 9-mile wide security zone in southern Lebanon, enforced by Israeli military patrols and an Israeli-funded Lebanese militia called the Army of South Lebanon (ASL). At an Arab League sponsored meeting at Taif, Saudi Arabia in October 1989, the Lebanese Parliament agreed on a revised formula for power sharing within the Lebanese government; it also adopted a plan for reestablishment of central authority and phased Syrian redeployment to the eastern Biqa’ (Bekaa) Valley within two years of the agreement’s implementation, after which Lebanon and Syria would agree on the ultimate status of Syrian forces in eastern Lebanon.

U.S. Administrations and Members of Congress have expressed the view that Syrian forces should have redeployed in accordance with the Taif Agreement by 1992, and have also criticized Syrian toleration of the presence of the pro-Iranian Hizballah militia in southern Lebanon. Syrian officials and pro-Syrian Lebanese have countered that not all conditions of the Taif Agreement have been met so far, and that the Lebanese armed forces are not yet capable of maintaining internal security. Prior to May 2000, Syrian and Lebanese leader also argued that Syrian forces should remain in Lebanon as long as Israel maintained its security zone in southern Lebanon, and that Hizballah activity constituted legitimate resistance activity in southern Lebanon as long as Israeli forces were present.

On May 24, 2000, Israel unilaterally withdrew its forces from the security zone in southern Lebanon. On June 7, then Secretary of State Albright noted that Israel had fulfilled its obligations by withdrawing from Lebanon and said “I think that the Syrians should do so also.” Lebanon and Syria claim that a complete Israeli withdrawal should have included a small enclave at the eastern end of the Israeli security zone called “the Shib’a (Chebaa) Farms,” which they assert is part of Lebanon but Israel considers part of the Golan Heights. (For further information, see CRS Report RL31078, *The Shib’a Farms Dispute and its Implications*, August 7, 2001, by Alfred B. Prados.) The Shib’a Farms enclave remains a source of tension, as Israeli forces periodically target Hizballah, as well as Syrian, positions in retaliation for Hizballah raids on Israeli forces in the Shib’a Farms area. (For further information on the Syrian role in Lebanon, see CRS Issue Brief IB89118, *Lebanon*, by Clyde R. Mark.) More recently, in the July 2003 *Ma’ariv* interview, Secretary Powell urged Syria to encourage Lebanon to deploy its armed forces into southern Lebanon (presumably in the areas evacuated by Israel in May 2000).

For some years, Syrian troop strength in Lebanon ranged from 25,000 to 35,000. Since mid-2001, Syria has carried out troop redeployments or withdrawals, in June 2001, April 2002, and February 2003. According to news reports, in some cases troops were redeployed to more distant parts of Lebanon and in others troops were withdrawn all the way to Syria. The February 2003 withdrawal reportedly resulted in a reduction of Syria's force presence in Lebanon from approximately 20,000 to approximately 16,000. Lebanese and Syrian sources described the troop movements as another phase in implementing the 1989 Ta'if agreement, but other analysts speculated that these movements were designed to mollify Lebanese opponents of Syria's presence in Lebanon, win favor with the United States (which welcomed the troop withdrawals), avoid provoking Israel, and deal with potential unrest on the Syrian-Iraqi border as the likelihood of a U.S.-led campaign against Iraq increased. In a possibly related development, Lebanese sources in January 2003 indicated that the Syrian regime has urged Hizballah to reduce attacks on Israeli targets. A *Reuters* news wire story, quoting Lebanese security sources and eye witnesses, reported on July 15, 2003, that approximately 1,000 Syrian troops had evacuated at least four large military positions in northern Lebanon and returned to Syria, leaving approximately 15,000 Syrian military personnel in Lebanon.

## Relations with Iraq

**Trade Trends.** A marked improvement in Syria's relations with its former adversary Iraq after 1997 created new concerns on the part of U.S. officials. Since 1997, the two countries have exchanged diplomatic missions, though not at the ambassadorial level, and trade relations have expanded. According to news reports, bilateral trade increased from \$500 million in 2000 to \$1 billion in 2001, and estimates range from \$1 to \$3 billion for 2002. Bilateral trade largely ended in early 2003 as U.S. forces mounted Operation Iraqi Freedom and Syria reportedly closed border crossings to Iraq in April 2003 under U.S. pressure. (See below.) According to news reports in the summer of 2003, however, the United States has not objected to the resumption of Syrian trade with Iraq in the post-war period, and the head of the federation of Syrian chambers of commerce estimated that bilateral trade in early August at an annual equivalent of between \$100 million and \$200 million, still only a fraction of reported pre-war levels. ("Syria Resumes Trade with Iraq Unhindered by U.S. Regional Ties," *London Financial Times*, August 6, 2003.) Syrian exports to Iraq reportedly include food, plastics, generators, refrigerators, and formerly banned items such as satellite dishes. Syrian business people hope to gain some contracts for the reconstruction of Iraq; however, in his *Ma'ariv* interview published on August 1, Secretary of State Powell predicted that Syria would have to improve its relationship with the United States and with the interim Iraqi authorities if it wants to play a role in rebuilding Iraq.

**Operation Iraqi Freedom.** As the United States began to move toward confrontation with Iraq, Syria expressed opposition to the use of military force against Iraq and called for lifting economic sanctions, while publicly urging Iraq to comply with pertinent U.N. Security Council resolutions. In an interview published on June 18, 2002, President Bashar al-Asad warned that any military attack on Iraq would be a mistake and said "[n]o country in the world has the right to change the system [of government] in another country." On November 8, 2002, Syria joined the other members of the U.N. Security Council in voting for Resolution 1441, which cited Iraq as remaining in "material breach" of its obligations and mandated an enhanced weapons inspection regime in Iraq, despite widespread predictions

that Syria would vote against or abstain on the resolution. A Syrian official told Reuters news agency on November 9 that Syria voted for the resolution “with the aim of saving Iraq from a military strike and safeguarding its (Iraq’s) interest.” On November 13, the Syrian Foreign Minister took the position that Resolution 1441 did not automatically authorize an attack on Iraq and said Syria would not participate in any strike against Iraq “outside the framework of the United Nations.” Subsequently, Syria worked with like-minded members of the Security Council to avert passage of a second resolution that would authorize use of force against Iraq.

After the United States and its allies launched Operation Iraqi Freedom on March 19, 2003, Syria became a leading critic of the U.S.-led campaign against Iraq. On March 30, Syrian Foreign Minister Shar’at told the Syrian parliament that “Syria has a national interest in the expulsion of the invaders from Iraq.” These and similar Syrian statements drew strong criticism from senior U.S. officials, who accused Syria of facilitating shipments of military equipment to Iraq (see below) and of allowing volunteer fighters from other Arab countries to transit Syria on their way to Iraq to join in the defense of Saddam Hussein’s regime. On March 28, Secretary of Defense Donald Rumsfeld told reporters that “[w]e have information that shipments of military supplies are crossing the border from Syria into Iraq, including night vision goggles.” He went on to say that “[t]hese deliveries pose a direct threat to the lives of coalition forces. We consider such trafficking hostile acts.” On March 30, Secretary of State Colin Powell told a Washington audience that “Syria’s leadership faces a critical choice .... Syria can continue direct support for terrorist groups and the dying regime of Saddam Hussein, or it can embark on a different and more hopeful course.... Either way, Syria bears responsibility for its choices and for the consequences.”

After the conclusion of Operation Iraqi Freedom, in an interview on May 25, President Asad drew a distinction between Syria’s stand on the former regime of Saddam Hussein and on the country of Iraq. Asad maintained that “we are not with Saddam” but called for “the unity of Iraqi territory, withdrawal of the foreign occupation forces as soon as possible, ... freedom of the Iraqi people to determine their future, and preservation of the funds and resources belonging to the Iraqi people.” On July 14, the commander of a Syrian border post near Iraq told *New York Times* reporters that U.S. helicopters and planes routinely enter Syrian air space and frequently fire across the border into Syria. The officer said Syrian forces had not returned the fire.

**Escapees and Money.** As the regime of former Iraqi President Saddam Hussein began to collapse, there were reports that Syria had provided safe haven to Saddam himself and other high-level Iraqi officials fleeing from the U.S.-led coalition. In late April, U.S. officials credited Syrian leaders with helping seal the border with Iraq and two visiting Members of Congress said President Bashar al-Asad had promised to expel high-ranking Iraqis seeking refuge in Syria. During his visit to Syria on May 5 (see below), Secretary Powell said he had given Syria the names of Iraqis suspected to have fled to Syria but added that he thought the Syrian President “has no interest in serving as a haven for any of these individuals.” In an interview with *Washington Post* journalist Lally Weymouth published on May 11, 2003, President Asad said Iraqi officials who approached the Syrian border had been turned back, except for some who had come to Syria before Operation Iraqi Freedom began. He said Syria also permitted entry by female relatives and children of would-be escapees. There have also been allegations that currency illegally withdrawn from Iraqi banks by Saddam Hussein and his agents has passed through Syria, as well as Jordan,

possibly in conjunction with oil trading. Some commentators think it will be very hard to track money reaching Syria from Iraq, because the Syrians reportedly have commingled such funds with their own monetary assets.

On June 18, during an attack on an Iraqi convoy that U.S. officials suspected of carrying former Iraqi officials seeking to escape, U.S. forces captured five Syrian border guards in the vicinity of the Iraqi-Syrian border. U.S. forces released the Syrians on June 30, despite what an unidentified U.S. military official called circumstantial evidence that the Syrians were helping Iraqis escape. Commenting on the June 18 skirmish on June 30, Secretary Rumsfeld said the role of the Syrian guards remained unclear.

**Oil from Iraq.** Between November 2000 and March 2003, there were reports that Iraq has been shipping between 120,000 and 200,000 barrels of oil per day through a recently reopened 550-mile pipeline through Syria; some recent estimates were as high as 230,000. Analysts believe Syria was buying Iraqi oil at a discount of \$2 or \$3 per barrel and selling its own oil at international market prices. According to a *Los Angeles Times* article of January 29, 2002, Syria may have been earning \$50 million or more per month from these oil transactions, while a *Washington Post* article of May 12, 2003, cited somewhat higher profits ranging from \$1 billion to \$1.5 billion per year. Syrian and Iraqi officials maintained that the pipeline was only being tested for future use. In February 2001, President Asad told visiting Secretary Powell that Syria would handle any future oil shipments from Iraq in accordance with the U.N. oil-for-food program; however, there is no evidence that Syria fulfilled this commitment. Commenting on Syria's unfulfilled pledge on the eve of his May 2003 visit to Damascus, Secretary Powell remarked that "I will always have that in my background software and on my hard drive." ("Powell to Detail Concerns to Syria", *Washington Post*, May 3, 2003.) A Kuwait newspaper reported that U.S. forces blew up the pipeline from Iraq through Syria in late March 2003, after the United States launched Operation Iraqi Freedom.

**Military Equipment to Iraq.** During 2002 there were increasing reports that Syria had become a conduit for shipments of military equipment from eastern European countries to Iraq. Alleged suppliers include Ukraine, Belarus, the Czech Republic, Hungary, Bulgaria, and Serbia. In late April 2002, three recent Iraqi military defectors told a British newspaper (*The Guardian*, April 29, 2002) that the first of three arms consignments bound for Iraq had arrived in the Syrian port of Latakia on February 23. The defectors said the shipment came from the Czech Republic and contained anti-aircraft missiles, rockets, and guidance systems for SCUD surface-to-surface missiles. According to an article by one of Israel's foremost military journalists in the Israeli newspaper *Haaritz* on July 15, 2002, Syria was facilitating the transshipment to Iraq of Russian-made jet engines and refurbished tank engines, Czech anti-aircraft guns, radar, and engines bought from the Ukraine for Russian-manufactured MiG-29 fighter aircraft and other equipment from Hungary and Serbia. A leading U.S. defense expert told a congressional committee on July 31, 2002, that deliveries of military equipment to Iraq through Syria have "become significant since mid-2001," mainly consisting of spare parts and weapons assemblies for MiG and Sukhoy combat aircraft, for armored equipment, and for ground-based air defense weapons. He commented that so far these shipments have probably had "only a limited impact on the overall readiness of Iraqi forces." Both the Czech and Hungarian governments denied that they had exported military equipment to Syria in recent years, although the Czech spokeswoman did not rule out the possibility of smuggling. In an interview quoted by Associated Press on July 16, 2002,

Syria's U.N. Ambassador accused Israel of fabricating the *Haaritz* story in an effort to damage U.S.-Syrian relations.

U.S. officials issued fresh warnings to Syria over its alleged involvement in resupply of Iraqi military forces after Operation Iraqi Freedom began. Also, Israeli sources have referred to reports that Iraq has shipped some of its missiles and its chemical and biological weapons to Syria for safekeeping. On April 7, 2003, however, U.S. General Richard B. Myers, Chairman of the Joint Chiefs of Staff, told reporters that there is no evidence that weapons of mass destruction have been moved from Iraq to another country ("For Some, Syria Looms as Next Goal," *Washington Post*, April 8, 2003).

## Arms Proliferation

In a speech to the Heritage Foundation on May 6, 2002, Undersecretary of State for Arms Control and International Security John R. Bolton grouped Syria with Libya and Cuba as rogue states that support international terrorism (see below) and are pursuing the development of mass destruction weapons (WMD). On October 9, 2002, Undersecretary Bolton reportedly told the Senate Foreign Relations Committee that "[w]e remain very concerned that nuclear and missile programs of Iran and others, including Syria, continue to receive the benefits of Russian technology and expertise." The allusion to nuclear programs prompted a complaint from the Syrian Foreign Ministry, which averred that Syria has been calling for a WMD-free zone in the Middle East since 1987. Previously, a CIA report covering the period from January to June 2002 stated that access to Russian expertise could provide opportunities to expand its indigenous capabilities, should it decide to pursue nuclear weapons. Later, according to a *London Financial Times* report on January 16, 2003, Russian government sources indicated that Russia is negotiating to build a nuclear power plant in Syria, but Syrian officials said they could neither confirm nor deny the report. According to a *New York Times* article of July 18, 2003, a briefing on Syrian WMD capabilities by Mr. Bolton scheduled for presentation to Members of Congress on July 15 was postponed after the CIA and other agencies objected to Bolton's planned testimony, on grounds that it overstated Syrian capabilities. A State Department spokeswoman attributed the postponement to scheduling problems.

Russian officials have talked of reviving former Syrian-Soviet military links and helping Syria modernize its inventory of older Soviet equipment, much of which is now obsolescent. On April 2, 1999, the Clinton Administration imposed sanctions on three Russian firms — Tula Design Bureau, Volsky Mechanical Plant, and Central Research Institute for Machine Tool Engineering — for supplying antitank weapons to Syria. The Administration also determined that the Russian government was involved in the transfer but waived sanctions against the Russian government on grounds of national interest. The CIA report mentioned above noted that Syria continued to acquire small amounts of advanced conventional weapons mainly from former Soviet bloc countries and added that Syria wants to acquire Russian-made air defense missiles, combat aircraft, and tanks, along with upgrades of older equipment; however, Syria's outstanding debt to Russia has hampered negotiations toward this end.

U.S. officials are concerned that Syrian acquisition of additional weapons including improved missiles will cause further regional tensions, increase potential threats to Israel,

and undermine arms control efforts. Syria resents what it regards as U.S. interference in its attempts to resupply its armed forces.

## **Terrorist Activity**

Allegations of Syrian involvement with terrorist groups have been a longstanding point of contention between Washington and Damascus. Some observers believe Syria was involved in the 1983 bombing of the U.S. Marine barracks by Shi'ite Muslim militants in Lebanon; others have blamed Iran, which had closer ties with the group responsible for this atrocity. Syrian intelligence was implicated in an abortive attempt to place a bomb on an El Al airliner in London in 1986, after which the United States withdrew its ambassador to Syria for a year. Initial reports indicated that the destruction of the Pan American Flight 103 over Lockerbie, Scotland in December 1988 was the work of a Palestinian group headquartered in Damascus and responsive to Syria; however, subsequent international police investigations led the international community to charge Libya with responsibility. Syria agreed to expel PKK leaders in late 1998 at Turkey's insistence (see above).

Since 1979, Syria has appeared regularly on a list of countries which the State Department identifies as supportive of international terrorism (see below). According to the State Department's April 2002 report on terrorism, Syria continued to provide safe haven and support to several Palestinian terrorist groups maintaining camps or facilities in Damascus or in Lebanon's eastern Biqa' (Bekaa) Valley. Moreover, Syria has continued to facilitate resupply of the Lebanese Shi'ite Muslim militia Hizballah, which has conducted raids against Israeli forces in southern Lebanon and sometimes against northern Israel (see above). The State Department adds that Syria appears to have maintained its long-standing ban on attacks launched from Syrian territory or against Western targets. Syria maintains that maintains that the Palestinian offices in Damascus are engaged only in political and informational activities rather than terrorism. Syria acknowledges its support for Palestinians pursuing armed struggle in Israeli occupied territories and for Shi'ite Muslim militias resisting the former Israeli military presence in southern Lebanon; Syria claims that such operations constitute legitimate resistance activity, as distinguished from terrorism.

**Reaction to Terrorist Attacks on the United States.** Since the September 11 attacks, a number of reports indicate that Syria has cooperated with the United States in investigating Osama bin Laden's Al Qaeda organization and persons associated with it. In June 2002, press articles reported that Syria had provided the United States with information gained from the interrogation of a key figure in the September 11 planning, Muhammad Hayder Zammar, who was extradited from Morocco to Syria, where he faced pending charges. (Sources quoted in a *Washington Post* article of January 31, 2003 alleged that Zammar had been tortured by Syrian authorities.) In mid-June, President Bashar al-Asad told reporters that Syria had provided information to the United States in recent months on a planned Al Qaeda operation that would have killed U.S. soldiers had it succeeded. On June 18, U.S. Assistant Secretary of State William Burns told a congressional panel that "the cooperation the Syrians have provided in their own self-interest on Al Qaeda has saved American lives." The State Department's 2003 report on terrorism notes that Syria has discouraged any signs of public support for Al Qaeda including in the media and at mosques. According to a subsequent news report ("Syrian Reforms Gain Momentum In Wake Of War," *Washington Post*, May 12, 2003), Syria helped unravel a plot by an Al Qaeda group in Canada to attack U.S. and Canadian government institutions.

On the other hand, Syria remains unwilling to sever its ties with Hizballah and with militant Palestinian organizations such as Hamas and Palestine Islamic Jihad (PIJ) that have carried out suicide bombings in Israel and the West Bank. In a speech on April 4, 2002, President Bush noted that "Syria has spoken out against Al Qaeda. We expect it to act against Hamas and Hizballah, as well." In his speech on June 24, 2002, President Bush said nations committed to peace must halt the flow of money, equipment, and recruits to terrorist groups seeking the destruction of Israel, including Hamas, Islamic Jihad, and Hizballah. President Bush added that "Syria must choose the right side in the war on terror by closing terrorist camps and expelling terrorist organizations." In a subsequent interview published on July 1, 2002, President Bashar al-Asad said Syria supports "the Lebanese national resistance, including Hizballah ... politically and in the media because the brothers in the Lebanese resistance do not need military support from Syria." Regarding Palestinian groups, Asad said "their work is limited to political and media activities" and "their offices in Damascus provide political representation to the 400,000 Palestinians living in Syria...." More recently, in an interview published on May 25, 2003, reiterated his previous position that Hizballah is a Lebanese resistance party and asserted that Israel rather than Hizballah is responsible for provoking attacks in this area.

**Secretary Powell's Visit.** Secretary Powell addressed current U.S. concerns during talks with Syrian President Bashar al-Asad in Damascus on May 3, amid earlier speculation that Syria might be a future target of U.S. military action. Powell subsequently described the May 3 talks as a "good, candid exchange of views" but went on to say that there would be consequences to Syrian actions, especially if Syria continued supporting terrorist organizations or attempted to harbor escapees from Iraq. After the talks, Powell told reporters that Syria had closed some Palestinian offices linked to terrorism; however, representatives of the affected organizations and Syrian government officials did not confirm the closures, and some commentators thought Syria was scaling back the offices rather than closing them entirely. In the *Washington Post* interview mentioned above, President Asad drew a further distinction, stating that "I talked with Mr. Powell about stopping 'activities,' not closures." Commenting on alleged promises by Asad during the May 3 meeting, Powell said "[o]bviously, I welcome what he said he was going to do. And I hope he, on reflection, is willing to do even more. But the only thing that really counts is performance."

Since the May 3 meeting, Secretary Powell has expressed dissatisfaction with Syria's failure to take meaningful steps against terrorism. On May 11, Powell warned that President Asad "will find that he is on the wrong side of history" if he does not move against terrorism, help round up key aides of Saddam, and discourage the spread of weapons of mass destructions (WMD). At a press conference on June 20, he said the Syrians "took some limited steps, those limited steps are totally inadequate." He went on to say that the United States will continue to press the Syrians on the issue of terrorism and make clear to them that "until they move in this more positive direction ... there will not be a better relationship with the United States, and ultimately it will affect their interests." He added that "Syria can either be a contributing member to this process [peace in the Middle East], or continue to be a terror-supporting regime that does not want to be a part of this process, in which case there will be consequences...."

In the *Ma'ariv* interview published on August 1, 2003, Secretary Powell said that there are areas of cooperation that the United States would like to pursue with Syria, but that until Syria changes its policies on terrorism and several other issues, "we are not going to do

anything that would improve the [U.S.-Syrian] relationship right now.” He went on to say that Syria risks isolation as the Middle East peace process moves forward without Syrian participation and added that “I think there are opportunity costs in this for Syria if they don’t change their policies.” Powell also warned that “Syria can either be a positive force or it can be a negative force.”

## **Syria’s Human Rights Record and Related Issues**

Syria has been under a state of emergency tantamount to martial law since 1963, except for a brief interval in 1973-1974. In its annual 2002 report to Congress on human rights practices (published in March 2003), the State Department commented that the human rights situation remained poor, and the government continued to commit serious abuses. It notes that citizens do not have the right to change their government and that the government used its powers to prevent any organized political opposition. According to the report, serious abuses include the use of torture in detention; poor prison conditions; arbitrary arrest and detention; prolonged detention without trial; fundamentally unfair trials in the security courts; an inefficient judiciary that suffers from corruption and, at times, political influence; and infringement on privacy rights. The report states that the government significantly restricted freedom of press and placed some limits on freedom of religion and movement. Although the law does not provide for freedom of assembly, the government did allow some meetings of unlicensed civil society forums in 2002, according to the State Department report.

In November 2000, the government declared a general pardon for non-political prisoners and an amnesty for 600 political prisoners as well; the State Department believes this is the first time the Syrian government has acknowledged holding prisoners for political reasons. The current number of political detainees is unknown; Amnesty International estimated the number at 1,500 in July 2000 (before the November 2000 releases). Another 140 were reportedly released late in 2001. But two Syrian members of parliament were sentenced to 5-year jail terms in 2002 for hosting discussion forums without permission, and at least eight other prominent dissidents had been arrested and sentenced to jail as well as of late August 2002.

Syria supports freedom of religion and women’s rights to a greater degree than do many Middle East governments. Aside from Lebanon, Syria is the only Arab-speaking country whose constitution does not establish Islam as the state religion, although it does require that the President be a Muslim. In accordance with the largely secular philosophy of the ruling Ba’th Party, the country’s Christian community and tiny Jewish minority (see below) have been free to practice their religion without interference; some Christians have held high-level positions in the government and armed forces. Syrian law specifies equal rights for women; government policies stipulate equal pay for similar work; the government discourages conservative religiously based restrictions on women; and women serve in governmental and diplomatic posts. (Twenty-six women won seats in the most recent parliamentary elections.)

Syria’s Jewish community, estimated at 3,770 in early 1992, were targets of discrimination and periodic oppression in the past; however, their situation gradually improved under the regime of the late President Hafiz al-Asad. In 1992, then President Asad issued an order lifting travel restrictions and real estate controls on the Syrian Jewish community. According to the State Department human rights report published in February

1995, the Syrian government had “completed issuance of travel permits to all Jews wishing them.” In early 1997, U.S. officials said only a few hundred Syrian Jews remained in Syria.

## U.S. Aid and Sanctions

Since 1950, the United States has provided a total of \$627.5 million in aid to Syria: \$34.0 million in development assistance, \$438.0 million in economic support, \$155.4 million in food assistance, and \$61 thousand in military training assistance. Most of this aid was provided during a brief warming trend in bilateral relations between 1974 and 1979. Significant projects funded under U.S. aid 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. At present, a variety of legislative provisions and executive directives prohibit U.S. aid to Syria and restrict bilateral trade. Principal examples follow. (For a more comprehensive list of sanctions applicable to Syria, see CRS Report RL30644, *Syria: Sanctions and Aid*, August 20, 2000.)

### 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 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 re-lettered 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 “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 *Patterns of Global Terrorism: 1998*, published in April 1999. 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].

*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 prescribed conditions for removal of 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 (Section 325) or lethal military equipment (Section 326) to countries on the terrorism list, but allows the President to waive this provisions 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 Appropriation 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 Chairman of the House International Relations Committee reportedly protested to then President Clinton over the Treasury Department's implementing regulation, which he described as a "special loophole" for Syria. Several subsequent measures were introduced in previous Congresses to forbid virtually all financial transactions with Syria but were not enacted.

Section 531 of the *Consolidated Appropriations Act, 2003* (P.L. 108-7) bans aid to countries not in compliance with U.N. Security Council sanctions against Iraq. This ban

would be applicable to exports of Iraqi oil through Syria or to reported shipments of military equipment via Syria to Iraq; however, it may be moot following the collapse of Saddam Hussein's regime in Iraq.

## Specific Sanctions against Syria

In addition to the general sanctions listed above, specific provisions in foreign assistance appropriations enacted since 1981 have barred Syria by name from receiving U.S. aid. The most recent ban appears in H.J.Res. 2, the *Consolidated Appropriations Resolution, 2003* (P.L. 108-7, February 20, 2003). Section 507 bans direct U.S. assistance to seven named countries including Syria. Section 527 bans U.S. aid to countries identified as supporting international terrorism, while Section 543 bans aid to countries that provide lethal equipment to such countries.

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. Section 512 of H.J.Res. 2 (P.L. 108-7), sometimes known as the Brooke Amendment after an earlier version of this provision, bans assistance to any country in default of to the United States for over a year. As of December 31, 2001 (latest figures available), Syria owed the United States \$237.8 million (including \$116.3 million in arrears) in principal payments, mainly on loans under the Commodity Credit Corporation or from the U.S. Agency for International Development (USAID) remaining from the period when Syria received U.S. assistance; Syria also owed \$138.8 million in interest arrears.

Drawing on appropriate legislation, U.S. Administrations have imposed detailed trade restrictions on exports to Syria. Under Section 6(j) of the Export Administration Act of 1979, trade controls were instituted after Syria was designated as a country supporting international terrorism in 1979, and further controls were imposed after Syrian intelligence was implicated in an abortive airline bombing in 1986. At present, the Department of Commerce list 31 categories of exports requiring a validated license for shipment to Syria; these include aircraft, vessels, most vehicles, parts, machine tools, computer equipment, and other high technology goods. (Routine exports like foodstuffs are exempt from these controls.) Moreover, the Commerce Department generally denies export licenses for dual use equipment or to military end-users in Syria. In 2002, Syria ranked 94<sup>th</sup> among U.S. trading partners, with \$112.4 million in U.S. imports from Syria (mainly mineral oils and fuels, antiques, apparel, spices) and \$269.4 million in U.S. exports to Syria (mainly cereals, machinery, appliances and parts, tobacco, and electronic appliances). These figures represent a decrease in U.S. imports from Syria (\$142.9 million in 2001) and an increase in U.S. exports to Syria (\$224.0 million in 2001).

## Recent Congressional Action

**The Syrian Accountability Acts.** On April 18, 2002, largely similar bills were introduced in the House (H.R. 4483) and the Senate (S. 2215), both entitled *The Syria Accountability Act of 2002*, that would have imposed additional U.S. sanctions against Syria unless it halted support for international terrorism, ended its occupation of Lebanese territory, stopped the development of mass destruction weapons, and ceased illegal imports of Iraqi

oil. In press interviews on September 3 and 4, 2002, a U.S. State Department official said the Bush Administration disapproved of the proposed legislation; the official was quoted as saying it would restrict the President's maneuverability in dealing with Middle East affairs. Hearings on H.R. 4483 were held by the House International Relations Committee, Subcommittee on the Middle East and South Asia, on September 18, 2002. The 107<sup>th</sup> Congress adjourned without floor action on either bill.

On April 12, 2003, Representatives Ileana Ros-Lehtinen and Eliot Engel introduced the *Syria Accountability and Lebanese Sovereignty Restoration Act of 2003*, which is largely similar to the predecessor bill H.R. 4483. According to a statement by Representative Engel's office, this bill "holds Syria accountable for its support for terrorism, occupation of Lebanon, and possession and continued development of weapons of mass destruction." The bill would require the President to impose penalties on Syria unless it ceases support for international terrorist groups, withdraws all military and security personnel from Lebanon, ceases the development of WMD, and is no longer in violation of U.N. Security Council resolutions imposing trade bans on Iraq (Section 5(a) and 5(d)). Sanctions would include bans on the export of military items (already banned under other legislation) and of dual use items to Syria, and there would be no provision for waiving these bans (Section 5(a)(1)). In addition, the President would be 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 (Section 5(a)(2)). With the partial exception of the ban on Syrian aircraft, the sanctions listed on this menu represent new sanctions over and above those already in effect against Syria. The President would have the authority to waive Section 5(a)(2) on grounds of vital national security interest.

Another provision of H.R. 1828, Section 5(c), sets additional requirements for resumption of U.S. development aid to Syria and Lebanon: fulfillment of the conditions in Section 5(d) above; substantial progress toward peace treaties between Israel and Syria and between Israel and Lebanon; and respect by Syria for the sovereignty, territorial integrity, and independence of Lebanon.

H.R. 1828 is similar in most respects to its predecessor bill in the 107<sup>th</sup> Congress, H.R. 4483. However, H.R. 1828 omits two sanctions contained in the predecessor bill, H.R. 4483: a ban on U.S. government assistance to U.S. businesses investing in Syria; and a ban on the conduct of programs of two small agencies — the Overseas Private Investment Corporation and the Trade Development Agency — in Syria. These bans already effectively exist under other legislation and related U.S. government guidelines.

On May 1, 2003, Senators Barbara Boxer and Rick Santorum introduced a companion bill, S. 982, which imposes largely similar sanctions to those contained in H.R. 1828. The Senate bill, however, does not contain one item on the menu of sanctions listed in H.R. 1828, namely, the ban on Syrian aircraft landing in or overflying the United States.

Although the Administration opposed the predecessor bill in the 107<sup>th</sup> Congress (H.R. 4483), it has not taken a public position on H.R. 1828. Secretary Powell, however, while

discussing U.S. concerns over Syrian policies, mentioned that this bill is gathering support in Congress.

**Other Legislation.** On May 14, 2002, President Bush signed H.R. 3525, the *Enhanced Border Security and Visa Entry Reform Act of 2002* (P.L. 107-173), which bans non-immigrant visas to any alien from any country that sponsors international terrorism unless the Secretary of State and other senior U.S. officials certify that such alien does not pose a threat to U.S. national security.

An amendment incorporated as Section 3002 of the House version of H.R. 1559, the *Emergency Wartime Supplemental Appropriations Act, 2003*, stated that no funds made available in this act for reconstruction efforts in Iraq “may be used to procure goods or services from any entity that includes information on a response to a Request for Proposal (RFP) that indicates that such entity is organized under the laws of France, the Russian Federation, or Syria.” The Senate version did not contain this provision, and it was not included in the conference report.

## Alternatives and Implications

Debate has continued within U.S. Administrations and Congress over the lengths to which the United States should go in seeking to enlist Syrian support for U.S. endeavors in the Middle East. According to one theory, normal bilateral relations should be contingent upon improvements in Syria’s human rights record, a clear renunciation of terrorism and narcotics trafficking, and reversal of other policies deemed inimical to U.S. interests. Advocates of this view are particularly concerned over any possibility that the Administration has made promises to ease sanctions (for example, removing Syria from the terrorism list) to obtain Syrian cooperation in regional affairs. They tend to discourage bilateral contacts such as visits by Syrian officials, which they see as a potential vehicle for trapping a U.S. Administration into premature concessions. They favor continued legislation to ensure that relaxation of sanctions can occur only with congressional approval.

According to a second theory, quiet diplomacy aimed at encouraging Syria to play a constructive and responsible role in regional affairs could yield benefits. Proponents of this approach do not advocate the immediate termination of sanctions (such as removing Syria from the terrorism list) without further action on Syria’s part; however, they support wider contacts between diplomatic and security officials of the two countries to discuss sensitive issues, seek common ground, and identify possible areas of cooperation. They favor a series of small, reciprocal steps that could lead to a warmer relationship over time. Rather than legislative sanctions, they generally prefer an arrangement under which the Administration has the flexibility to apply or ease sanctions in accordance with the current state of bilateral relations.