

Testimony by Robert Malley, Middle East and North Africa Program Director,
International Crisis Group to the Senate Committee on Foreign Relations Subcommittee
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Mr. Chairman: First, let me express my deep appreciation for the invitation to testify before this Subcommittee. The question of how to deal with Syria is of high importance to US interests at a time when we face a dangerous and virtually unprecedented situation in the Middle East. We should no more underestimate the gravity of regional circumstances than we should overrate our nation's current capacity to address them alone. Simultaneous and interconnected crises in Iraq, Iran, Lebanon and Palestine, increased sectarian polarization throughout the region, the absence of an overarching security framework or of robust American diplomacy together with diminished US influence and credibility threaten to unleash a far wider and unmanageable conflagration.

Syria is not a central or decisive actor in all of these crises. But it undoubtedly can have a significant impact on each. It may do so by taking on a spoiling role or a stabilizing one. How Washington deals with Damascus will go a long way toward determining which part the Syrian regime ultimately chooses to play.

To be sure, there is no guarantee that a change of course by the US administration and a decision to genuinely engage the Syrian regime will succeed in altering its behavior. Reasons for skepticism abound, related to the nature of the regime, the regional balance of power, the depth of mutual distrust, as well as fundamental differences on several important matters. But a sober analysis, rooted in the International Crisis Group's presence and unique access in Syria, suggests there is far more potential than the administration believes and a far more promising approach than the one it has adopted.

1.

Mr. Chairman, at the outset it is important to accurately assess Syria's capacity to influence regional events. On the Israeli-Palestinian front, the process that will be launched at the forthcoming Annapolis meeting is fraught with both opportunity and risk. For the first time since 2000, the parties have agreed to negotiate permanent status issues; there is also greater confidence between the respective political leaderships than at any time since the early days of Oslo. That said, divisions among Palestinians threaten to undermine any progress; while Hamas may be weakened, it remains strong and retains the ability to torpedo the process. This could take the shape of escalating violence from the West Bank or from Gaza, either of which would overwhelm any political achievement, increase the political cost of compromises for both sides and negate Israel's willingness or capacity to relax security restrictions.

The notion that Hamas or Islamic Jihad blindly follows Syria's lead is simplistic and highly misleading; nonetheless there is little doubt that Damascus exercises important influence given how few allies the Islamists enjoy. Syria is unlikely to cut its Palestinian

allies off, let alone expel their exiled leadership, in exchange for renewed engagement or a revived peace process. But it can almost certainly moderate their behavior; what is more, the Islamists are adept at deciphering the regional map and would have to adapt their policies to signs of shifting regional and international dynamics.

Similar dynamics apply to Hizbollah which depends on Syria for arms transfers and territorial depth. In the event of renewed Syrian-Israeli or Syrian-US talks, Damascus will not wish to jeopardize either and therefore is likely to restrain the Shiite movement's activity at the southern border. Conversely, and in both instances, Syria could encourage its Palestinian or Lebanese allies to intensify or renew their attacks against Israel.

Finally, the fact that Syria did not instigate the Iraqi crisis does not mean it is unable to sustain it if it so desired nor that it can be resolved without its help. The absence of an effective Iraqi central state, coupled with the country's growing fragmentation and the increased power of autonomous groups and militias, has enhanced the role of outside actors both as potential spoilers and as needed partners in any effort to stabilize the country. Given how dire the situation has become, it will now take active cooperation by all foreign stakeholders – Syria included -- to have any chance of redressing the situation.

In this context, Syria would bring important assets to the table. Unlike virtually all other involved actors – whether the US, Turkey, Iran or other Arab states -- Damascus is perceived as being relatively neutral by the full range of Iraqi actors; it has old ties with ex-Baathists and tribes that straddle the Iraqi-Syrian border as well as new ones with Sunni insurgent groups; it has significantly deepened its relationship with the Maliki government; and it enjoys a good relationship with Muqtada al-Sadr. Sadr's office in Damascus faces that of a Shiite foe, Grand Ayatollah Sistani, and fiery anti-Iranian speeches by Sunni representatives are delivered uncensored even as Damascus' ties with Tehran continue to grow. Well positioned to act as a mediator, Syria could – if given proper incentives – play a more helpful role by enhancing border control; use its extensive intelligence on and lines of communication with insurgent groups to facilitate negotiations; draw on its wide-ranging tribal networks to reach out to Sunni Arabs in the context of such negotiations; and serve as an intermediary with Iran.

2.

Powerful arguments typically are made against renewed engagement. These are offered not only by the Bush administration, but also by a number of Lebanese as well as (more privately) several of the United States' closest Arab allies. Because they are serious, and because they clearly have resonance in this country, they deserve being addressed in turn.

At its core, the case against engaging Syria at this time is based on the conviction that the regime merely is seeking a respite from international pressure rather than a genuine change in its regional posture. Syria is seen as committed to its old ideological alliance with Iran, raising doubts as to whether such a long-term relationship can be easily

reversed. In this context, the U.S. administration considers any overture by President Bashar – and particularly his calls for renewed Israeli-Syrian peace negotiations -- as disingenuous attempts to break out of increased isolation, cover up greater intrusion in Lebanese affairs, and shift focus away from the investigation into former Prime Minister Hariri's assassination. Engagement with Syria is seen as futile or, worse, damaging, an escape hatch for a regime that only responds – if at all -- to sustained pressure.

Many also dismiss the argument that Syria would moderate its policies if return of the Golan were on the table. As U.S. officials put it, Damascus may like to recover the Golan, but its core interests lie elsewhere: resuming its hegemony over Lebanon and scuttling the international tribunal. Since Washington is not prepared to concede on either, there is little to be gained by discussions. Some go further and maintain that occupation of the Golan has become the lifeline of a regime that has lost legitimacy; the occupation provides justification for maintaining the state of emergency, postponing domestic reforms and silencing opposition. The mere initiation of a high-level dialogue would send a signal to worried U.S. allies in Lebanon (the March 14 forces) that a deal was being cooked behind their backs. In like manner, engagement would threaten the unprecedented consensus that currently exists between the U.S., major European and Arab (Saudi Arabia, Egypt, Jordan) countries on the issue of Lebanon and the tribunal.

Finally, US officials question how important a role Syria can play in assisting efforts in Iraq: the conflict has become self-sustaining, and Damascus purportedly enjoys only very limited leverage on the parties. Insofar as Iraq's breakdown is of concern to the regime, it will do what little it can out of self-interest, not to please the US.

As their strongest piece of evidence, administration officials state that engagement was tried, tried again, and failed. In successive visits, then-Secretary of State Powell and Deputy Secretary of State Richard Armitage made clear what was expected of Syria: to halt any support for the Iraqi insurgency; cease interfering in Lebanese affairs; and stop supporting violent organizations such as Hamas, Islamic Jihad and Hizbollah. More recently, a parade of foreign (essentially European) visitors to Damascus is said to have produced nothing but greater Syrian self-confidence that their strategy was working. Anything other than very limited and circumscribed discussions with the U.S. (chiefly on the question of Iraq) merely would validate the regime's conviction that it can play these cards in order to extract valuable concessions.

3.

Although the arguments have some merit, the conclusion does not stand up to scrutiny.

1. *Syria's sincerity about wanting to recover the Golan should be tested rather than dismissed out of hand.* For some time, President Bashar has conveyed a willingness to resume negotiations with Israel. In interviews, he offered a vision of the two countries living side by side in peace; claimed that negotiations could resume without preconditions and that a deal could be reached within six months; and stated that normalization under the terms of the Arab Peace Initiative would result.

Interpretations of the Syrian President's motivations differ. Some see a genuine desire to recover the Golan. Some believe it is an attempt to break out of isolation. Others are persuaded he wants to distract attention from the investigation into Prime Minister Hariri's assassination. Whatever the intent may be – and there is reason to believe it is a combination of the three – the signals are worthy of note. Indeed, that Bashar may be prompted by multiple reasons and see more than one benefit accruing from a reinvigorated peace process makes it all the more important to pursue.

The argument that the occupation serves the regime's interests overlooks what it stands to gain by recovering the Golan. While there is widespread agreement that President Bashar's position has been bolstered as a result of both the 2006 Lebanon war and personnel changes he has been initiating over the years, he contemplates an uncertain future. The regime faces sectarian polarization in the region, a decline in its political legitimacy and, most of all, acute economic problems linked to the loss of external subsidies, the expected drying up of its oil resources within the next few years and the sclerosis of its system. Although in his early 40s, he has inherited an aging regime for whom cautiousness increasingly is akin to inertia. Confronted with the real possibility of regime stagnation and gradual decline, President Bashar needs a major achievement of his own to revive its legitimacy. Regaining the Golan, with all the attendant diplomatic and economic benefits – most notably normalization with the West – could be critically important in that respect. Indeed, the president has confided to various interlocutors that recovery of the Golan – thereby achieving what his father could not – would make him a hero in his citizens' eyes.

Even assuming that Syria is more interested in the process than the outcome – a debatable proposition – the mere picture of Syrians negotiating with Israelis would have a ripple effect in a region where rejection of Israel's right to exist is gaining ground and where Syria's allies (Iran, Hizbollah and Hamas) are on record as opposing a negotiated settlement. Moreover, the onset of peace talks would affect the behavior of militant groups close to Syria. In other words, whatever Bashar's intent, his offer of direct talks with Israel should be seized. Even if the US is leery of direct engagement, for it to express doubts about the prospect of direct talks between an Arab nation and Israel is both unprecedented and short-sighted. The onset of the Annapolis process is one more opportunity to jumpstart Israeli-Syrian talks.

2. *Lebanon's sovereignty should not be sacrificed; rather, the challenge is to assess whether Syria is prepared to pursue its interests differently, consistent with Lebanon's independence.* Syria's relationship with Lebanon has long been highly problematic. Historically and ideologically, it still views its neighbor as part of Greater Syria and the notion of "two countries for one people" continues to resonate widely. Damascus also sees Lebanon exclusively through the prism of its national security interests: it perceives Hizbollah as a critical asset in its struggle with Israel; the Bekaa valley as its strategic soft belly from where Israel has launched attacks; Lebanon as inevitably falling under Israel's influence if it escapes its own; and a pro-Western government (such as the current one) as a mere American tool designed to

destabilize the regime. During the 1990s, the relationship became one of wholesale domination. Syria mastered and manipulated Lebanon's politics, plundered its economic resources, and arrested and detained its citizens at will.

This hegemonic relationship ended after Hariri's assassination, but not without exacting a heavy price: Syria was forced to a precipitous and humiliating withdrawal; it has endured considerable international pressure and isolation; and it has witnessed an alarming deterioration in the two nations' relations. Many Syrian officials most closely identified with the experience of the 1990s have since been either removed or marginalized. All in all, a growing number of Syrians now challenge the assumption that the benefits of domination were worth its cost. In their eyes, although a handful of officials enriched themselves thanks to their corrupt activities, they were promoting personal rather than regime or national interests. In fact, their actions are now considered to have endangered the country as a whole.

The question many Syrians now ask is whether their country could defend its core interests through legitimate means (for example its strong ties to Lebanese allies and Lebanon's dependence on Syria for trade example) while forsaking direct political, security or military interference and normalizing ties with its neighbor. It is the question serious US engagement with Syria should be designed to elucidate.

3. *The international tribunal should continue unimpeded but in a manner that protects rather than threatens Lebanon.* The question of the international tribunal arguably looms as the most difficult obstacle to improved US/Syrian relations. The Syrian regime undoubtedly considers it a mortal threat and will go to great lengths to eliminate it. That outcome is just as plainly unacceptable to the US.

The purpose behind the tribunal should be clear: to offer justice and accountability but also, and no less decisively, ensure that Syria turns a page in its relationship with Lebanon. Given current US/Syrian relations, the tribunal will do nothing of the sort. Even if Syria's implication in Hariri's murder were firmly established, under existing circumstances Damascus would refuse to hand over any culprit. At best, it would handpick its own suspects – or scapegoats – before trying and convicting them for high treason. At that point, Syria would face calls for greater sanctions and isolation; some in Lebanon and the US would renew pleas for forcible regime change.

And then what? Such an outcome would not serve any parties' interests. A tighter embargo would hurt Lebanon more than Syria, given Beirut's economic frailty and dependence on its neighbor for trade and commerce. Seeking regime change would leave Lebanon more vulnerable than ever, as Syria is far from having fully exploited its destabilizing potential. A successful effort to oust the regime would represent a mortal threat to a fragile and multi-confessional Lebanon. In short, pursuit of the current course of action will not deliver the guilty, protect Lebanon or lead to the kinds of changes in Syria the US would like to see.

The tribunal should continue and might even become a useful tool in altering Syria's behavior toward Lebanon, but only by avoiding a head-on confrontation with Damascus which inevitably would come at Lebanon's expense. The key in this respect is to demonstrate that its purpose is not to overthrow or destabilize the Syrian regime, but rather to alter its Lebanon policy. Empty rhetorical pledges will not do; rather, concrete indications that the US harbors no such intent are needed. Even as the tribunal proceeds, adopting a policy of careful but serious US engagement with Syria, putting the Golan and improved economic ties on the table, and cooperating on Iraq-related issues, such as the refugee inflow, could achieve three important results.

First, it would send the message that Washington considers the regime a legitimate interlocutor. Second, it would provide the regime with significant political and economic resources, allowing it to absorb the consequence of a putative guilty verdict – and to turn over culprits -- without risking de-legitimizing at home. Third, it would heighten the cost to the regime of resisting the tribunal's verdict, since Syria would stand to lose whatever benefits derived from engagement. Conversely, to make the tribunal a question of life or death for regime is the surest way to destroy Lebanon.

4. *Ties to Iran are strong, but are neither tension-free nor inalterable.* For the past quarter century, Iran has been Syria's most loyal, most dependable and, at some points, only ally. Damascus will not abandon this relationship for the sake of renewed dialogue with the US or as an entry fare for negotiations with Israel.

That said, Syrian officials are equally clear that different relations with the US or a peace agreement with Israel would change the regional picture – the country's alliances and policies – and that relations with Iran are fraught with tensions. These contradictions run deep and are at play in all major regional theatres. Whereas Iran has ruled out any dealings with Israel and openly calls for its destruction, Syria repeatedly asserts its willingness to negotiate and, should a deal be reached, normalize relations. Since the Iraq war, Iran has heavily supported Shiite groups and militias; Syria, though it recently has strengthened ties with the central government, has provided aid to Sunni insurgent groups and former Baathists for whom Tehran is the principal foe. Finally, the two countries have divergent priorities in Lebanon. Syria, intent on stopping the tribunal at virtually any cost, appears willing to destabilize its neighbor even if it means greater polarization and, therefore, Hizbollah's further identification as a sectarian party. Iran's aspiration to pan-Islamic leadership along with its desire to salvage its years-long investment in Hizbollah requires avoiding a dangerous domestic, confessionally-based confrontation.

Reports of a deepening strategic alliance have led to various reports on Syria's so-called Shiitisation. Some are true but exaggerated (Iran has engaged in more active proselytizing but it is narrowly focused on poorer Syrians and is far less widespread than claimed); much is pure fabrication (the Syrian regime has not promoted recent Shiite converts to positions of responsibility in the security apparatus). Most of the promised Iranian investments have yet to materialize and pale in comparison to the billions spent by the Gulf. Perhaps most importantly, the relationship is largely

unpopular among average Syrians, prompting outright hostility among Sunnis and relative discomfort within the regime. In one indication of how low Iran's standing dropped in response to heightened sectarian polarization throughout the region, posters of Bashar flanked by Nasrallah and Ahmadinejad which were put up after the 2006 Lebanon war have largely disappeared.

The question, for now unanswered, is whether the relationship would survive if and when vital interests were to clash, for instance in the event of an Israeli-Syrian peace agreement. Far less uncertain is that their ties – from the outset a function of the regional context – will strengthen in the context of greater regional tension.

5. *There is significant common ground between the US and Syria on Iraq, but common action will require a change in bilateral ties.* That Syria does not wish to rescue the US under existing circumstances is self-evident. The Iraq war was conceived from the outset as part of a broader effort by the administration to remake the region at Syria's (and Iran's) expense. To this day, US strategy is viewed by Damascus as inherently hostile, seeking to isolate, impose sanctions, curtail its regional role and prevent resumption of Israeli-Syrian negotiations.

This helps explain, in part, what Syria is *not* doing, like detaining Iraqis the US specifically asks it to detain. The regime is convinced any such gesture would be viewed as a sign of weakness and would intensify rather than diminish American pressure. That said, there already are abundant signs of a shift in Syrian policies. During the early stages of the war, Syria overtly backed Iraqi militants as buses carrying armed militants were openly chartered by the regime. This stopped long ago in response to US pressure, only to be replaced by a phase of covert support.

A more profound transformation took place in 2006 as Syria's threat perceptions changed. Whereas 150,000 American troops at the border once were considered an existential threat, they came to be seen as harmless; due to the Iraqi quagmire, their presence in Iraq became an insurance policy against regime change rather than a tool to promote it. Instead, the regime saw Iraq's collapse as the graver menace.

The country's breakup and Kurdish independence could destabilize Syria; already, in 2005, the experience in Iraq emboldened Syria's Kurdish population, leading to sharp confrontations with security services. A full scale Iraqi civil war would deepen sectarian tensions throughout the region, threatening to undercut the Syrian regime's domestic legitimacy, heighten popular dissatisfaction with its Hizbollah and Iranian alliance and bring to the fore contradictions inherent in Syrian foreign policy – claiming a pan-Arab mantle, yet strongly allied with Persian Iran. The extraordinary inflow of Iraqi refugees confronts the regime with severe economic and security problems, leading the regime to wish for their prompt return. The war has bolstered salafi *jihadists* who cross over from Iraq, a generation of more experienced, organized and better armed fighters who engage in almost daily (albeit unreported) clashes with Syrian security services. More broadly, the war places the regime in an increasingly uncomfortable bind: it cannot abandon Sunni insurgents, lest it anger its Sunni

majority; cannot side against the Shiite-led government, lest it alienate Iran; and does not wish to oppose Iraq's Kurds lest it inflame its own Kurdish population.

All this has led to an undeniable policy reappraisal. The regime recognized and dealt with the Iraqi government; tightened border surveillance; arrested a number of important insurgency-linked figures; postponed a planned conference of the armed opposition; and offered support for tribal elements fighting against al-Qaeda in Iraq.

Such steps remain cautious, improvised and at times erratic; if accepted as a genuine partner by the US, the regime could do more and better. Syrian officials acknowledge Iraq offers the most promising arena for improved bilateral relations. But as long as the administration's paradigm remains fixated around regime change or remodeling the Middle East, Damascus will not be willing to offer genuine assistance.

4.

Of all the administration's arguments, the claim that Syria knows precisely what to do to improve relations is the most powerful and most disingenuous. Sitting down with Syrian officials and handing them a list of demands will not alter their behavior. The belief that mere engagement is the ultimate reward the US can offer its foes is the flip side of that other costly myth – that isolation is the decisive penalty that the US can inflict on them.

Syria will not cut its links to Hamas or Hizbollah before resolution of its conflict with Israel is in sight. It will not abruptly sever ties to Iran nor stop interfering in Lebanon's affairs, at least as long as it believes the only alternative to a subordinate, pro-Syrian government is an assertive, anti-Syrian one. And it will not help the US in Iraq under circumstances where it is convinced the US is seeking to destabilize it.

The question, in short, is not whether to engage but how and to what end. Another attempt to reopen dialogue devoid of substance risks putting off the Syrian regime and convincing it that the context is not yet ripe for real negotiations. Conversely, US advocates of engagement are likely to be discouraged by Syria's response, which will only validate the view that Syria is not serious in its calls for a new relationship.

The alternative is to begin genuine US/Syrian discussions focusing on interests and potential reciprocal steps. The goal would be to define a possible regional end state acceptable to both, which might include:

- a multilateral effort, including Syria, to bring about a more equitable and inclusive Iraqi compact leading to a united, federal country that respects the rights of all constituents, is non-aligned, devoid of US bases and enjoys normal relations with all its neighbors.
- A genuinely sovereign, independent Lebanon whose government is non-aligned, neither dominated by nor hostile to Syria and agreement by Damascus to forsake

direct military or political interference, open an embassy, demarcate final borders and provide information on the fate of the many Lebanese disappeared

- Continuation of the Hariri investigation to ascertain responsibility and achieve accountability but with an understanding that the ultimate objective is not to destabilize the current regime but to ensure Syrian hegemony is a thing of the past;
- Support for renewed Israeli-Syrian negotiations under U.S. and Quartet auspices;
- Syrian pressure on Hamas and Hizbollah to maintain calm, avoid provocations and, in Hamas's case, allow President Abbas to conduct negotiations with Israel, submit any accord to a referendum, and abide by its results.

5.

Mr. Chairman, engagement with Syria undoubtedly would be a difficult endeavor, and should be undertaken with eyes wide open. The regime is confident, convinced that the regional tide is turning against the US and believes that any hope to oust it has ended.

But as anyone visiting Damascus these days doubtless will notice, the regime's supreme confidence coexists with outright anxiety. Sandwiched between civil strife in Iraq and Lebanon, facing increasing sectarian polarization throughout the region, losing political legitimacy at home and confronted with acute economic problems, the regime is eager for renewed domestic popularity and international investment.

It also is facing increasingly complex regional contradictions. By supporting Hizbollah in Lebanon at a time of confessional tensions, it alienates its own Sunni majority; by providing support to Sunni insurgents in Iraq, it places itself on a collision course with Iran; by reaching out to the Shiite-led government in Baghdad, it angers some of its allies in Iraq as well as segments of its own Sunni population. And of course, hovering over it all is the investigation which, should it implicate high level Syrian officials, would put the regime in a very difficult spot.

Syria will not give in to US demands but it just as surely is seeking a way out. This creates a real and important opportunity for the United States. Yet, hobbled by the view that engagement is a sign of weakness and doubting its ability to make pragmatic compromises while protecting core principles, it is an opportunity the administration has been loathe to seize. Given the perils the US faces in the Middle East, there is no conceivable justification not to try.