

A Year of Arab Engagement with Assad Has Failed

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Brief Analysis

The “carrots” approach only emboldened the regime to increase its smuggling of Captagon and weapons, but Caesar sanctions remain a potent stick.

Syrian president Bashar al-Assad is scheduled to [attend \(https://www.reuters.com/world/middle-east/syrian-president-assad-receives-invitation-attend-arab-league-summit-bahrain-2024-03-26/\)](https://www.reuters.com/world/middle-east/syrian-president-assad-receives-invitation-attend-arab-league-summit-bahrain-2024-03-26/) the Arab League summit in Bahrain this week, nearly a year after his country was readmitted to the organization at the 2023 summit in Saudi Arabia. Yet a quick look at the proceedings of the league’s Arab Ministerial Liaison Committee on Syria—coupled with a recent spike in Jordanian military strikes against cross-border Captagon smuggling networks—shows that Arab engagement with Assad has failed to rehabilitate the regime. As tougher measures against Damascus come [under consideration \(https://www.newarab.com/news/us-lawmakers-pass-anti-assad-syria-anti-normalisation-act\)](https://www.newarab.com/news/us-lawmakers-pass-anti-assad-syria-anti-normalisation-act) on Capitol Hill, it is imperative that the United States find bipartisan consensus on extending the “Caesar sanctions” to ensure accountability for the Assad regime’s mass atrocities. Washington must also take urgent steps to facilitate vital humanitarian access in Syria and consult with its Arab partners on developing a strategy for what comes next—including a comprehensive plan for combating drug and weapons smuggling out of Syria.

Arab Normalization, U.S. Response

In 2021—ten years after the Arab League suspended Syria’s membership due to the regime’s brutal suppression of the uprising that ignited the civil war—Jordan and Egypt initiated a conditional rapprochement with Damascus. Desperate to reopen the northern border, boost trade, and facilitate the return of Syrian refugees, Amman produced a white paper on engagement that included a [complicated plan \(https://www.washingtoninstitute.org/policy-analysis/power-people-scrutinizing-us-arab-effort-supply-energy-lebanon-syria\)](https://www.washingtoninstitute.org/policy-analysis/power-people-scrutinizing-us-arab-effort-supply-energy-lebanon-syria) for moving Jordanian electricity and Israeli and Egyptian natural gas through Syria to Lebanon. Standing in the way were Assad’s regional isolation and U.S. sanctions mandated by the Caesar Act, which restricts reconstruction investment in Assad-

controlled parts of Syria until regime figures are held accountable and a viable political settlement is reached.

At the time, the Biden administration supported the energy initiative as a means of improving the local humanitarian situation. To get around congressional sanctions, administration officials reportedly determined that the deal's terms—transmitting gas and electricity across Syria in return for in-kind payments to Damascus amounting to 8 percent of the energy transferred—did not constitute a “significant transaction” under the Caesar Act. Ultimately, the idea did not come to fruition, in part because the administration was unable to provide firm written assurances that planned transactions would be exempt from sanctions.

Even as Arab officials were attempting to implement this energy deal in 2022-23, Assad regime networks were dramatically increasing their production of the highly addictive synthetic stimulant Captagon and smuggling massive quantities of it throughout the region. Precisely tallying how much revenue this operation netted (and still nets) for the regime is difficult, but Assad-controlled areas of Syria were producing the vast majority (<https://apnews.com/article/captagon-syria-assad-drugs-jordan-saudi-arabia-10920ac4cb80eda181835f9a64bf7dc0>) of the world's illicit Captagon trade, worth an estimated \$5.7 billion (<https://www.dw.com/ar/%D8%AA%D8%AD%D9%82%D9%8A%D9%82-%D9%83%D9%8A%D9%81-%D8%AA%D9%88%D9%91%D8%B1%D8%B7-%D9%86%D8%B8%D8%A7%D9%85-%D8%A7%D9%84%D8%A3%D8%B3%D8%AF-%D9%81%D9%8A-%D8%AA%D8%AC%D8%A7%D8%B1%D8%A9-%D9%85%D8%AF%D8%AF%D8%B1%D8%A7%D8%AA-%D8%A8%D8%A3%D8%B1%D8%A8%D8%A7%D8%AD-%D8%AE%D9%8A%D8%A7%D9%84%D9%8A%D8%A9/a-62233063>) in 2021. In Saudi Arabia alone, 107 million (<https://newlinesinstitute.org/wp-content/uploads/20230525-Dossier-Syrian-Regime-Captagon-NLISAP-1-1.pdf>) pills were seized in 2022, which would have amounted to a whopping \$2.7 billion at the approximate street price of \$25 per pill (https://www.unodc.org/res/wdr2022/MS/WDR22_Booklet_4.pdf). In 2023, the United States and European Union sanctioned Assad's brother Maher for using the Syrian Army's 4th Division to facilitate Captagon production and trafficking with help from Lebanese Hezbollah and other Iranian militias.

With the Captagon problem spiraling out of control, the humanitarian situation in Syria worsening after the major February 2023 earthquake, and zero progress being made toward a Syrian political settlement, Saudi Arabia decided to reestablish relations with Assad and support his country's readmission to the Arab League at the 2023 Jeddah summit. First outlined by the United Arab Emirates, this approach was intended to solve several intractable problems at once by giving Assad positive incentives to change his behavior. Accordingly, the Arab Ministerial Liaison Committee on Syria (<https://www.middleeastmonitor.com/20230816-arab-liaison-committee-meets-in-egypt-to-discuss-syria/>) was established at the summit, composed of the Arab League secretary-general and representatives from Egypt, Iraq, Jordan, Lebanon, Saudi Arabia, and Syria. The committee was charged with four main tasks: (1) curbing Captagon production and smuggling, (2) returning refugees to Syria, (2) advancing the Syrian political process via the constitutional committee, and (4) forming a “regional security coordination” committee. Unspecified but baked into the initiative was the goal of undermining Iran and Hezbollah's expanding influence in Syria, including but not limited to Captagon networks.

In response to Syria's readmission, U.S. legislators in the House of Representatives introduced the Assad Regime Anti-Normalization Act (<https://www.congress.gov/bill/118th-congress/house-bill/3202>), which sought to limit or close the loopholes and exemptions that enabled U.S. support for initiatives like the Jordan-Egypt energy plan. The bill has yet to be passed by the Senate, however, becoming a source of significant debate between aid groups (https://www.washingtonpost.com/documents/562faa1a-c3a2-4dbc-a5e9-e7b907049ddc.pdf?itid=lk_inline_manual_20) concerned about its impact on humanitarian issues and Syrian American organizations (<https://www.washingtonpost.com/documents/70e360c4-f547-41c9-b5ac-1e3589b20434.pdf?>

[itid=lk inline manual 20](#)) demanding accountability for Assad's atrocities.

Captagon Spikes, Jordanian Strikes

Following its inaugural meeting in Cairo last August, the Liaison Committee was essentially stillborn due to continued Captagon outflows that forced Jordan to take increased military action. By the end of September, the kingdom's forces had shot down four drones originating from Assad-controlled territory and conducted airstrikes against drug production facilities near the Syrian border village of Umm al-Rumman. In response, Jordanian foreign minister Ayman Safadi—who had vocally supported engaging Assad—publicly [admitted](#) (<https://arabi21.com/story/1539556/%D9%88%D8%B2%D9%8A%D8%B1-%D8%A3%D8%B1%D8%AF%D9%86%D9%8A-%D8%AA%D9%87%D8%B1%D9%8A%D8%A8-%D8%A7%D9%84%D9%85%D8%AE%D8%AF%D8%B1%D8%A7%D8%AA-%D8%B2%D8%A7%D8%AF-%D8%A8%D8%B9%D8%AF-%D8%A7%D9%84%D8%AD%D9%88%D8%A7%D8%B1-%D8%A7%D9%84%D8%B0%D9%8A-%D8%B9%D9%82%D8%AF%D9%86%D8%A7%D9%87-%D9%85%D8%B9-%D8%A7%D9%84%D8%AD%D9%83%D9%88%D9%85%D8%A9-%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%8A%D8%A9>) that drug smuggling had only increased in the years since Amman opened normalization talks. This activity expanded even further in subsequent months, as the onset of winter fog helped smugglers evade patrols and border cameras.

On January 17, a Jordanian airstrike against drug warehouses in Syria's Suwayda province [killed ten civilians](#) (<https://www.reuters.com/world/middle-east/suspected-jordan-strikes-southern-syria-kill-10-monitors-local-media-2024-01-18/>), sparking a rare public war of words between Damascus and Amman. The Syrian Foreign Ministry expressed “surprise” at the “unjustified” strikes and accused Amman [of ignoring](#) (<https://sana.sy/?p=2035048>) the regime's supposed outreach on smuggling and border security issues. The ministry also noted that Jordan had previously allowed “[terrorists](#) (<https://alwatan.sy/archives/376319>)” to cross into Syria—the regime's code word for armed opposition elements during the civil war. In response, Jordan's Foreign Ministry reiterated that drugs and weapons trafficked from Syria pose a threat to the kingdom's national security, noting that Damascus had not taken any action to neutralize these problems despite receiving [detailed intelligence](#) (<https://www.almamlakatv.com/news/134568-%D8%A7%D9%84%D8%A3%D8%B1%D8%AF%D9%86-%D9%8A%D8%A4%D9%83%D8%AF-%D8%B1%D9%81%D8%B6%D9%87-%D8%A3%D9%8A-%D8%A5%D9%8A%D8%AD%D8%A7%D8%A1%D8%A7%D8%AA-%D8%A8%D8%A3%D9%86-%D8%AD%D8%AF%D9%88%D8%AF%D9%87-%D9%83%D8%A7%D9%86%D8%AA-%D9%8A%D9%88%D9%85%D8%A7-%D9%85%D8%B5%D8%AF%D8%B1%D8%A7-%D9%84%D8%AA%D9%87%D8%AF%D9%8A%D8%AF-%D8%A3%D9%85%D9%86-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7>) from Amman (e.g., the names of known smugglers and their supporters; the locations of manufacturing and storage facilities; maps of smuggling routes).

In total, Jordan has reportedly conducted at least eight air and artillery strikes in southern Syria since last August alone. Its forces have also been involved in several major [border clashes](#) (<https://apnews.com/article/syria-jordan-smuggling-drugs-captagon-fa63104e71651f13a8219cec45a1f55e>) with drug smugglers, whose raiding parties can number as many as 400 gunmen. Over the same period, the Assad regime has reported seven drug seizures—a paltry total given the massive spike in smuggling activity, which now involves a dizzying array of tactics to evade interdiction (e.g., flocks of carrier pigeons).

Weapons Smuggling

Jordanian authorities are even more worried about the increasing seizure of weapons smuggled from Syria. Any arms that slip through the border could be used domestically or transferred to the West Bank to [further inflame](#) (<https://www.washingtoninstitute.org/policy-analysis/avoiding-west-bank-explosion-during-ramadan>) Israeli-

Palestinian tensions amid the war with Hamas.

This week, Jordanian sources **revealed** (<https://www.reuters.com/world/middle-east/jordan-foils-arms-plot-kingdom-caught-iran-israel-shadow-war-2024-05-15/>) an apparent Iranian role in facilitating such transfers. Reporting on a cache seized in March, the sources indicated that weapons had been sent by Iran-backed militias in Syria to a Hamas-linked Muslim Brotherhood cell in Jordan. In light of these details, Amman may no longer be able to remain cautiously silent about Iranian complicity in the array of threats emanating from Syria.

Last Diplomatic Gasp?

Originally, Arab diplomats planned to address this escalation at the Liaison Committee's second ministerial meeting scheduled for March 7. Yet the meeting was canceled after Damascus failed to answer the committee's questions on Captagon and other issues. Instead, the regime sent Foreign Minister Faisal Mekdad to Riyadh to address these matters in person **via talks** (<https://english.enabbaladi.net/archives/2024/03/the-fourth-visit-mekdad-meets-bin-farhan-in-riyadh/>) with his Saudi counterpart Prince Faisal bin Farhan and the recently installed Syrian ambassador Ayman Soussan.

The ministerial meeting was then rescheduled for May 8 in Baghdad, but Syria once again failed to provide a written response to the committee's questions, spurring officials to cancel the event **at Amman's behest** (<https://syrianobserver.com/foreign-actors/who-is-behind-the-postponement-of-the-meeting-of-the-arab-liaison-committee-on-syria.html>). On May 13, Mekdad met with Safadi directly, but a subsequent **Jordanian statement** (<https://twitter.com/ForeignMinistry/status/1790120632752980139>) implied that no progress had been made on any of the committee's longstanding requests.

Policy Recommendations

Regardless of how the Manama summit unfolds, the Assad regime has proven that positive inducements will not change its behavior on Captagon trafficking, weapons smuggling, and other threats. This problem has persisted even when Damascus is permitted to pursue its preferred channel of discrete, top-down diplomatic engagement with Riyadh instead of responding to the conditions-based approach led by Jordan. The Biden administration should use the ample evidence supporting this conclusion to dissuade its Arab partners from continuing down the normalization path with Assad, instead helping them develop an effective joint strategy for combating Captagon production and trafficking, among other issues.

In Washington, Caesar sanctions are due to expire in December, while the Assad Regime Anti-Normalization Act is still awaiting floor time in the Senate after the House passed it by an overwhelming margin in February. The Republican House leadership **reportedly** (<https://www.washingtonpost.com/opinions/2024/04/30/biden-assad-syria-sanctions/>) intended to include the bill in the supplemental aid package that Biden signed on April 24, but the Democratic House leadership apparently removed it at the White House's behest to avoid complicating the ongoing quest for a **diplomatic megadeal** (<https://www.washingtoninstitute.org/policy-analysis/president-bidens-middle-east-squeeze-play>) with Saudi Arabia. In recognition of the growing smuggling problem, however, text from the **Illicit Captagon Trafficking Suppression Act** (<https://www.voanews.com/a/biden-signs-measure-aimed-at-targeting-captagon-trade-in-syria/7583874.html>) of 2023 was included in the supplemental.

Going forward, U.S. policymakers should do what is needed to extend the Caesar Act to the Anti-Normalization Act's proposed date of 2032. And barring an unexpected change in Assad's behavior, they should close any loopholes that allow the reopening of the Arab Gas Pipeline across Syria. At the same time, Congress needs to be sensitive to continued "de-risking" activities by banks who shun transactions with NGOs providing aid to Syria for fear of violating U.S. sanctions. This means thinking more creatively about sanctions, including a potential "white channel" for humanitarian aid that establishes a payment mechanism for legitimate exports to Syria while avoiding

manipulation by the Assad regime. A longer and smarter Caesar Act remains the best means of producing the leverage needed to advance a viable solution to the Syria war.

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