

TESTIMONY OF AMBASSADOR FREDERIC C. HOF  
Atlantic Council, Rafik Hariri Center for the Middle East  
United States Senate Committee on Foreign Relations  
October 31, 2013

Chairman Menendez, Ranking Member Corker, Members of the Committee: I am deeply honored by your invitation to testify today on the situation in Syria. It is a situation for which the word “appalling” barely suffices. The crisis in Syria has, for more than 30 months, been destroying a country of 23 million people. It has been destabilizing a neighborhood containing important allies and friends of the United States. It has been raising questions about the ability of the postwar international system to halt or at least mitigate politically inspired mass murder. As Americans we have a special interest in how the United States responds to an example of what Ambassador Samantha Power characterized as “a problem from hell” in her Pulitzer Prize winning work.

What I would like to emphasize at the outset, Mr. Chairman, is the humanitarian catastrophe that has resulted from the March 2011 decision of the Assad regime to choose lethal force as its response to peaceful protest. Government witnesses will provide you the latest numbers of deaths, refugees, internally displaced, and Syrians requiring nutritional, shelter, and health assistance. This grotesque situation will only worsen with the onset of winter. Members of this Committee who have visited refugee camps have seen the despair of adults and the terror imprinted in the minds and on the bodies of children. The Independent International Commission of Inquiry on Syria, reporting to the United Nations Human Rights Council, has identified the Assad regime’s practice of indiscriminate artillery shelling and aerial bombardment of civilian residential areas as by far the predominant cause of this catastrophe. It is, as the Commission has indicated, a program that features war crimes and crimes against humanity. Bringing this loathsome practice to an end and focusing on civilian protection in Syria should be our top diplomatic priority. Twenty-three million Syrians and all of their neighbors will thank us if we succeed.

We are, Mr. Chairman, at a diplomatic turning point in this crisis. There is no need for me to recite the chain of events that began on August 21, 2013, when the Assad regime employed sarin gas to kill over 1,400 Syrian citizens, including many children. Suffice it to say that the chemical weapons framework agreement reached by the United States and Russia, endorsed by the United Nations Security Council, and now being implemented by United Nations inspectors, is a good thing; good, but far from sufficient.

Taking from the hands of Bashar al-Assad and his criminal associates their toxic tools of trade will be a gift of great value to Syrians and all of their neighbors. Yet the mass murder continues, even as we speak, albeit without chemical munitions. We have addressed the tip of a deadly iceberg. It is the iceberg itself — a regime policy of mass terror — that threatens to sink all attempts to arrest and reverse Syria’s slide into Somalia-like failed statehood. What is needed is a bridge from the chemical agreement to something that can address the Syrian crisis directly.

Syria is not, after all, an arms control problem. It is, quite literally, a threat to regional and international peace. As matters now stand an informal partition is taking hold, with the Assad regime consolidating its grip on the western part of the country adjoining Lebanon and the Mediterranean Sea. Kurds are trying to defend themselves in the northeast, and much of eastern Syria is dissolving into chaos, with Al Qaeda affiliates and other jihadists seeking to impose their ideas of governance on unwilling populations. This axis of co-dependency — the Assad regime and its jihadist enemies of choice — has been lavished with arms and money. Syrian nationalists trying to stand up to both sets of terrorists have not. Left on its present course a dying Syria with a dead economy will be hemorrhaging refugees and exporting terrorism for many years to come.

Since May of this year the Obama administration has sought to resurrect a political transition formula for Syria agreed to by the Permanent Five members of the United Nations Security Council and others in June 2012, under the chairmanship of Kofi Annan. The Final Communiqué of the Action Group on Syria called for negotiations between the Syrian government and its opponents; negotiations that would produce, on the basis of mutual consent, a transitional governing body to exercise full executive power in Syria for an agreed period of time in accordance with human rights standards. The objective of this transitional governing body would be to set the stage for what two United Nations Security Council resolutions called “a democratic and pluralist” political system for Syria.

The formula for political transition arrived at in Geneva did not mention the name “Assad.” It did not mandate, as a precondition, the resignation of the Syrian president or his departure from the country. Yet the mutual consent and full executive power clauses of the agreement made it clear that an ongoing role in Syria’s governance for the current president and his circle of enablers would be possible only if the opposition agreed to it. Furthermore, the transitional governing body eventually established would wield full executive power, displacing those elements of the regime and its subservient government not preserved via mutual consent.

The challenge faced by Secretary of State Kerry as he tries to resurrect the Geneva formula for near-term political transition in Syria is multifaceted, daunting, and perhaps a mission impossible.

First, the Assad regime has made it clear that it has no intention to cooperate in its own transition. Indeed, early in his service as Secretary of State, Mr. Kerry identified this as a key problem, noting that steps would have to be taken to change Bashar al-Assad’s calculation with respect to the desirability of a negotiated political transition from violent clan rule to something civilized. If Assad’s calculation has changed at all over the past few months it has moved in the wrong direction. He has been confident of Iranian and Russia assistance and he now regards himself as an essential party to a long-term contract having to do with the disposal of chemical weapons. His Foreign Minister has made it clear that the person, power, and prerogatives of Bashar al-Assad will not be up for discussion in a “Geneva 2” conference.

Second, Iran and Russia support the Assad regime in its rejection of the Geneva political transition formula. Iran needs the Assad regime for two things: Syria’s logistical and political support of Lebanon’s Hezbollah, whose missiles and rockets are regarded by Tehran as its first

line of defense against Israel; and the willingness of Bashar al-Assad to facilitate Iran's political penetration of the Arab world. Tehran fully understands that neither a transitional governing body nor a freely elected Syrian government would sustain these policies. It is, therefore, "all in" for the preservation of Mr. Assad. Russia, meanwhile, has taken the position that the Geneva formula simply does not apply to the Syrian president. Instead Geneva, according to Moscow, should produce a national unity government — a prime minister and council of ministers — to replace the current lineup, leaving Mr. Assad in place at least until the elections scheduled for May 2014. Clearly Moscow wants Assad to stay in power. This is why it moved with alacrity on the chemical weapons front. It realized that the regime's use of toxins was the only thing tempting the President of the United States to bring military force to bear against Russia's sole remaining Arab World partner.

Third, the Syrian opposition — fragmented, fearful, and dysfunctional — is disoriented by the prospect of engaging the regime in Geneva and undecided about whether or not to do so. The term "opposition" itself is not terribly illuminating. Clearly Al Qaeda and other jihadist elements in Syria are not interested in seeing the Assad regime replaced at Geneva by a body representing non-sectarianism, reconstruction, reform, and reconciliation. They need the Assad regime as a foil just as surely as the Assad regime needs them. For the purpose of the discussion today I will be referring mainly to the Syrian National Coalition when I speak of the opposition, even though this reference itself is inadequate, as there is no single organization that can claim to represent all or even most of the millions of Syrians opposing the Assad regime.

Nevertheless, in December 2012 the United States and other national members in the Friends of the Syrian People Group recognized the Syrian National Coalition as the legitimate representative of the Syrian people. The logical next step would have been for the United States and others to have helped prepare the Coalition to establish an alternate government on liberated Syrian territory: one that we, as part of a broad coalition, would have recognized diplomatically, supported economically, and helped to defend. That never happened.

Instead the United States and the United Nations continue to recognize the Assad-led government, a situation that has had enormously bad humanitarian consequences for the people of Syria. And without an alternate government providing services and reflecting the values of non-sectarianism and citizenship, many Syrians who still stick with "the devil they know" have been denied an alternative they can see and evaluate. The recognition accorded last December seems now to be meaningless.

The result is that the Syrian National Coalition remains, in its essence, an exile organization. It has sought to create an interim government deployable to Syria, but the United States has made it clear it will not recognize it. Some 13 jihadist organizations in Syria have announced their non-recognition of the Coalition itself. Is it any wonder that the Coalition hesitates to grasp the presumed opportunity being offered by Geneva? Is it any wonder that Secretary Kerry and his colleagues in the London 11 core group of the Friends of the Syrian People find it hard to secure the trust of the Coalition?

Consider for a moment what this Coalition — an organization not quite sure of its popularity and legitimacy anywhere in Syria and acutely aware of the failure of the West to support nationalist

resistance forces affiliated with it — is being asked to do. It is being invited to attend a Geneva conference while its putative constituents are being pounded night and day by Assad's artillery and air force. It is being offered the opportunity to listen to a mocking sermon delivered by Assad's chief of delegation about the inviolability of Bashar al-Assad's status. What exactly would this troubled Coalition get for attending such a meeting? What it fears getting is its political coup de grace. On top of this Russia and the regime are seeking to pack the opposition's Geneva delegation with house-broken, regime-recognized "opposition" figures.

Secretary Kerry and his London 11 colleagues have tried to reassure the Syrian National Coalition, in an effort to secure its attendance at Geneva. They have said, in a communiqué issued on October 22, that the opposition delegation would have the Coalition in the lead and as its "heart;" that assistance to the mainstream opposition and its military forces would be stepped up; that the purpose of Geneva is political transition, and that the formula agreed to in June 2012 all but rules out continuation of the Assad regime; and that the regime and the opposition alike should publicly affirm their commitment to complete political transition. This wording implies that a "Geneva 2" conference may not take place absent the requisite commitments.

The Syrian National Coalition will soon decide whether or not to attend Geneva in light of these reassurances. On balance I believe it should. Yet one thing is certain: the Coalition does not trust the United States. Pledges of increased assistance have been made and heard before. Questions about the actual desire of the United States to see Assad step aside have been raised. Obviously the Assad regime and its Russian and Iranian supporters want Geneva to be the death knell for what is left of the mainstream, non-sectarian opposition. The threat posed to the Syrian opposition is real. And yet it must take into account the possibility that Washington and Moscow may prevail upon Special Representative Lakhdar Brahimi to convene the meeting, and it should measure the consequences for the Syrian opposition of not showing up.

If it appears that Geneva 2 is going to take place, the Syrian National Coalition should take advantage of the forum to showcase some real leadership. It should come armed with a list of names to present to Special Representative Brahimi representing its idea of the composition of a transitional governing body. It should make that list public. The names should reflect excellence, experience, integrity, and patriotism: a non-sectarian all star team that might well include members of previous and even the current Syrian government, provided they are people who have tried to render honest service in spite of the regime. By taking this step a long-awaited alternative to the Assad regime would, at last, come into focus for 23 million Syrians.

The Syrian National Coalition has its work cut out for it if it is to attend a Geneva conference in late November. It will have to appoint and empower a small, cohesive team to make key decisions quickly to avoid crippling, endless debates. It will have to reach deep inside Syria to include in its delegation men and women who have borne the brunt of hardship and sacrifice from the beginning. Indeed, it should make a special effort to insure that Syrian women and young people play leading roles. Women have suffered and struggled more than anyone. Geneva 2, if it happens, should be used as an opportunity by the Syrian National Coalition to earn the legitimacy it was symbolically granted by the Friends of the Syrian People.

Syria on its present course is becoming the worst of all conceivable scenarios: a failed state divided between international terrorists; a carcass being devoured by violent criminals. People of decency maintain there is no military solution to Syria's travails, and act accordingly in their devotion to non-violent diplomacy and dialogue. People of a different sort — starting with the regime itself — see things differently: they are unashamed about seeking a military victory. The latter have a significant advantage over the former: they act on the ground to terrorize and kill and they perceive no credible military threat to anything they do, provided they do it without chemicals.

This is why the London 11 communiqué implies that Geneva 2 should not happen absent meaningful commitments to Geneva's mission: real political transition. Yet even with such commitments a transitional governing body would not likely be created in a single session, even one that lasts beyond a few days.

Our diplomatic effort, therefore, should focus on the real challenge: ending or significantly mitigating the humanitarian nightmare engulfing Syria and all of its neighbors. This means leaning hard on Russia and Iran to get their Syrian partner to stop the slaughter of innocents. The shelling and bombing of population centers simply must stop. For a few days in August of this year it appeared that the United States might stop it: that we might neutralize the tools of terror that rain down ordnance — some of it chemical, but nearly all of it conventional — on unarmed civilians who are targeted simply because they do not live under regime occupation. Kofi Annan recognized by late 2011 that there could be no progress toward a political settlement unless de-escalatory steps initiated by the regime were taken: hence his six-point plan. The recent communiqué of the London 11 recited elements of that plan as listed in the June 2012 Geneva Final Communiqué. How can a peace conference produce anything useful in terms of political transition when vulnerable civilian populations are being set upon by packs of wolves? With the prospects for transition so low, the United States should pivot diplomatically in the near-term to protection of Syrian civilians as its number one priority. The objective of ending the Assad regime's artillery, air, missile, and rocket attacks on residential areas should be our top near-term priority whether Geneva 2 takes place or not.

While pressing Moscow and Tehran to put a leash on their client, the United States and its allies simply must get serious about arresting and reversing the marginalization of armed Syrian nationalists willing to follow the lead of the Coalition-affiliated Supreme Military Council. These elements need the means to defend their people against regime attacks — supplemented by Lebanese and Iraqi militiamen organized by Iran — and stand up to jihadists working with the Assad regime to divide Syria.

There are those who argue it is too late to make Syrian nationalist military leaders the magnets for patriotic Syrians willing to resist the regime and Al Qaeda; that the United States long ago missed this opportunity. Whether or not it is really too late cannot be known without trying. The last thing we need is an unintended consequence of inaction; a prophecy of impotence that becomes self-fulfilling.

People of good will can and do disagree on matters of objectives, strategy, and tactics in Syria. What should be beyond dispute, however, is a key finding of the Independent International Commission of Inquiry: “Government and pro-government forces have continued to conduct widespread attacks on the civilian population, committing murder, torture, rape and enforced disappearance as crimes against humanity. They have laid siege to neighborhoods and subjected them to indiscriminate shelling. Government forces have committed gross violations of human rights and the war crimes of torture, hostage-taking, murder, execution without due process, rape, attacking protected objects and pillage.” Without overlooking or excusing the depredations of jihadist elements, the Commission spelled out a powerful indictment of the Assad regime. Unless we can succeed in obliging this regime to abandon its crime spree against vulnerable populations, the prospects for a negotiated political settlement, whether at Geneva or any other place, is nil.