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Pressure Not War *A Pragmatic and Principled Policy Towards Syria*

POLICY BRIEF



By Marc Lynch

The United States must respond urgently to address the growing bloodbath in Syria, where the Asad regime has killed more than 6,000 of its own citizens and risks unleashing a sectarian war that would kill thousands and destabilize a critical region. However, the United States should not intervene with military force, which is unlikely to improve conditions in Syria and instead threatens to make them worse. Though advocates of military intervention claim it is the moral choice, it is not. Military intervention will allow Americans to feel they are doing something. But unleashing even more violence without a realistic prospect of changing the regime's behavior or improving security is neither just nor wise.

Instead, the United States and its international partners should engage in a sustained, intense and targeted campaign of pressure against the Asad regime. This campaign should have several elements. First, the international community should present Asad with an ultimatum: Since Asad can no longer participate in a legitimate Syrian government, he, his vice president and a limited group of

top regime officials must resign or be referred to the International Criminal Court for War Crimes (ICC). Second, the international community should continue to tighten the economic and financial sanctions against the Asad regime, its senior leaders and the most senior members of the Syrian military. Third, the international community should conduct a sustained and vigorous effort to isolate the Asad regime diplomatically. Fourth, the international community should strengthen the opposition and encourage it to develop a unified political voice. Finally, the United States and its partners should support a strategic communications campaign to publicize the regime's atrocities, shame those who continue to support the regime and encourage regime members to defect. It should also reassure the Syrian public that abandoning its support for the Asad regime will not unleash the sort of sectarian war that killed hundreds of thousands of people in neighboring Lebanon and Iraq.

The Crisis in Syria

The growing bloodbath in Syria poses a sobering challenge to policymakers in the United States and the international community. What began as an astonishingly courageous and peaceful protest movement against a repressive Arab regime has evolved into an increasingly militarized struggle, and arguably a civil war.¹ The pace of the conflict has escalated dramatically in recent weeks, including

an extensive bombing campaign against Homs and escalating body counts across the country. Diplomatic efforts to resolve the crisis stalled in early February, when a double veto by Russia and China prevented the U.N. Security Council from endorsing the Arab League's initiative to promote a political transition in Syria. The United States and its partners then regrouped, took their case to the U.N. General Assembly and formed a group called the Friends of Syria. Meanwhile, the death toll continues to mount, the opposition is growing increasingly desperate and armed opposition groups are overtaking those favoring a political solution.

There is no obvious way to prevent Syria from descending into a violent civil war, nor any great hope that the Asad regime will collapse quickly on its own. The regime has lost control over significant parts of the country, but those areas are not yet controlled by the opposition. The Syrian military remains largely loyal, well-armed and willing to kill an opposition the regime portrays as a foreign, sectarian or Islamist conspiracy. While sanctions and an economic collapse fueled by the security situation have hurt the business community badly, it does not yet embrace the opposition. Many Syrians continue to back the Asad regime, whether out of genuine support, distaste for the opposition or fears for their future.

The opposition to the Asad regime has grown exponentially in the face of the sustained violent crackdown, but it is deeply fragmented and has struggled to translate anger with the regime into a unified political agenda. The failure of the diplomatic path at the U.N. Security Council undermined the Syrian National Council, the group of opposition leaders based outside Syria, and weakened the hand of those abroad and on the ground calling for non-violent political strategies. The Free Syrian Army (FSA) increasingly represents the public face of the armed opposition,

but it exercises little control over the many local resistance organizations fighting on the ground.² Moreover, even as the brutality of Asad's security forces drives more Syrians towards armed opposition, the harsh reality is that the regime enjoys an overwhelming military advantage.³

U.S. and other Western officials assert frequently that the collapse of the Asad regime is only a matter of time. Indeed, President Obama stated on February 6 that Asad's fall "is not going to be a matter of if, it's going to be a matter of when."⁴ But Asad's fall could take a long time. In the interim, many Syrians will die, and the conflict could evolve into an extended regional proxy war that victimizes the Syrian people.

A drawn out internal war could shatter the possibility of a peaceful resolution to the crisis in Syria and reverberate across the region. Within Syria, a civil war could entrench sectarian identities, shatter communities and stoke a desire for revenge that makes reconciliation after Asad impossible. A civil war would also destabilize Syria's neighbors, including Lebanon, Iraq and Turkey, and the political instability and movement of people and arms could create new security risks for both Israel and Iran. It might also create opportunities for jihadist groups to establish a foothold in Syria, a danger that U.S. intelligence fears is already beginning to materialize.⁵ If the peaceful Syrian uprising transforms into an insurgency backed and armed by outside powers against a ruthless but still viable regime, Syria could replicate Lebanon of the 1980s, on steroids.

Beyond these strategic concerns, there is a humanitarian imperative to help the Syrian people. The horrifying evidence of massacres and regime brutality make it difficult – and wrong – for the world to avert its gaze. Some critics accuse the United States of double standards and hypocrisy for focusing on Syria while turning a blind eye to abuses in Bahrain or defending Israel against

international pressure, but these accusations ring hollow given irrefutable evidence of massive human rights violations and the use of deadly force against thousands of civilians. The United States has a real interest in preventing atrocities, especially since the outcome in Syria will inevitably either strengthen or badly injure the international concept of the Responsibility to Protect and other more limited efforts to establish regional and international norms against impunity for those who commit atrocities against civilians.⁶

A growing chorus of analysts now argues for military intervention to protect Syrian civilians and, increasingly, to change Syria's regime by force.⁷ The U.S. government is reportedly reviewing its military options, even as it and its allies publicly rule out a direct intervention.⁸ But as argued below, none of the military options currently being discussed has a reasonable chance of improving the situation at an acceptable cost, and their failure would likely pave the way to something far worse.

Rather than continue to argue over military means, which are unlikely to be adopted and unlikely to help if they were, the United States should focus on developing an aggressive diplomatic strategy that seeks to push or entice the Asad family and key regime members from power while building a broad consensus on a political road ahead. The U.S. and international strategy has hinged all along on eroding regime support and reducing support from critical constituencies, promoting conditions in which the regime will be too weak to stand and vulnerable to a transition from within. Ultimately, a transition will take place, perhaps very suddenly, at the point when key constituencies decide that they do not wish to go down with a mortally wounded Asad and that their interests will be best protected through a transition. International efforts can accelerate that tipping point. Patience is needed to see this strategy through to the end.

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Military Options

The increasing calls for U.S. military intervention in Syria are misguided and dangerous. Advocates of any war face a high burden in demonstrating not only that the cause is just but that the available military options would have a reasonable chance of improving the situation at an acceptable cost. President Obama's explanation of the intervention in Libya lays out the calculus of selective, prudent humanitarian intervention well, for example.⁹ But too many proposals for military action in Syria rely on unrealistically optimistic assumptions about the efficacy of an intervention, the response of the Syrian regime and its international allies, the ability to manage the course of the insurgency, and the support that it would gain from Syrians and from the rest of the region.¹⁰ Perhaps the regime would crumble, Iranians would cower and Syrians and other Arabs would cheer the moment foreign bombs fell. But it would be foolish to base an intervention on such hopes. Most likely, any form of military intervention would alter, but not end, the dynamics of a long conflict.

Any proposal for military action must articulate the objective of the intervention and how it would achieve that objective. Would the goal be limited to civilian protection, or would the intervention explicitly aim for regime change? How would the intervention protect civilians? How would it increase the chances of a "soft landing" that avoids state collapse or civil war? How would it affect other possible courses of action? What resources would be required, and do those realistically exist? How would the intervention affect other regional

and international interests? Is there sufficient international consensus and domestic political support? What would be the next steps if the proposed action fails to change the regime's behavior? Though military options are now recommended across America's political spectrum, those advocating military options provide inadequate answers to these questions.

Additionally, any proposal for military action needs to be understood in a fully comprehensive manner. A no-fly zone (NFZ) cannot be established without some air strikes to eliminate air defenses. Any air strikes would require an NFZ that would allow freedom of action by the forces involved. Supporting ground forces or protecting safe areas or humanitarian corridors would also require an NFZ to provide the necessary mobility and operational support. None of the options usually proposed are truly discrete policy choices. While no prominent policy expert is currently proposing the deployment of Western ground forces into Syria, the debate over military action cannot ignore the prospect that the failure of less direct forms of intervention would lead to calls for an invasion.

All of the proposed military options, laid out below, risk escalating into a far more extensive intervention or occupation without adequately protecting the Syrian people from further atrocities.

NO-FLY ZONES

While popular among those who see parallels between Syria and Libya, an NFZ is largely irrelevant to realities on the ground in Syria. The Syrian regime has not yet used helicopters or airplanes in any major way to carry out its crackdown, and losing control of its airspace would not significantly affect its ability to act. Furthermore, as was the case in Libya, an NFZ cannot be created without first conducting a major air campaign against anti-aircraft capabilities. Syrian anti-aircraft capabilities may not be particularly formidable, but no country

would risk flying in Syrian air space until these capabilities are destroyed. Many of these capabilities are located in or near urban areas, which means that significant civilian casualties could result from any attempt to eliminate them. Additionally, the airspace over Syria – between Israel, Turkey, Iraq and Iran – is among the most politically sensitive areas in the world. This is particularly true at a time when Israel is openly speculating about a possible attack on Iran. Iran might mistakenly interpret planes flying over Syria as the beginning of an Israeli attack. Or, if such an attack does occur, Israeli jets would be operating in the same congested airspace as the planes enforcing the NFZ, which increases the chances of accidents and miscalculations. While any NFZ would presumably be coordinated with key neighbors to anticipate such problems, Syria's strategic location makes this a formidable task.

Should the Syrian military begin using aircraft against the opposition or civilians systematically, then an NFZ might be considered despite the problems above. But at this point, an NFZ would either be a rhetorical gesture or the almost inevitable first step towards more expansive action. It might boost the morale of the opposition and perhaps demoralize the regime, and promote defections, but this would be an expensive short-term gain with an uncertain outcome. The more serious effect would be to quickly pave the way to a more expansive air campaign targeting Syrian regime ground forces or defending designated safe areas – options to which I now turn.

AIR STRIKES

Air strikes against Syrian security forces or regime targets could take two different forms. First, the United States and its partners could conduct punitive and symbolic airstrikes, primarily to express moral outrage or international resolve. Such a display might force the regime to the bargaining

table, boost the morale of the opposition and demoralize regime supporters. Some believe that the Asad regime is highly brittle and would quickly crumble in the face of a show of military might, but those are extremely optimistic assumptions. Bombing simply to punish, boost morale or demonstrate resolve would be a risky gamble with fleeting benefits and would likely evolve into a longer-term commitment. There is little reason to believe that the regime would quickly crumble, or that more opposition would rally in the face of such strikes. Such “shock and awe” offensives, aside from risking significant civilian casualties, might well rally Syrians around the regime rather than turn them towards the opposition.

Second, the United States and its partners could conduct an extended tactical air campaign similar to the one conducted in Libya. Air power would function as a *de facto* air force for the FSA, targeting Syrian regime forces and evening the military balance in favor of the opposition. Those who want to establish safe areas (as discussed below) or break the siege of cities such as Homs find this approach attractive. However, this type of air campaign would be far more complex and difficult than advocates acknowledge, because tactical air strikes would first require establishing an NFZ and neutralizing air defense capabilities through larger strikes. Regime forces and the opposition are primarily clashing in densely packed urban areas. In contrast to Libya, there are no front lines to police, few tank convoys to destroy on desert highways and no offensives by rebel armies for which an air campaign would clear a path. Civilian casualties would inevitably result from a bombing campaign against ill-defined targets in urban areas with extremely limited human intelligence. Unless the opposition forces consolidate within clearly defined geographic zones, air strikes would be operationally difficult – which is why proponents of air strikes often also propose establishing safe areas.

SAFE AREAS

Some argue that air power could be used to protect civilians and defend the opposition within safe areas or humanitarian corridors. The Syrian National Council, for example, has proposed establishing safe areas and humanitarian corridors to protect refugees and to create a Syrian version of Benghazi, where the opposition could establish and build an alternative government.¹¹ Others suggest declaring safe areas around besieged cities such as Homs, or humanitarian corridors for refugees to flee. These proposals are problematic.¹² In practice, safe areas would require carving out a part of Syria from the sovereign control of the state and providing the military means to defend it. Safe areas could most easily be established and protected in open rural land, but the threatened civilians live in dense urban centers. Creating and protecting urban safe areas would require establishing military control over those areas, which is effectively equivalent to direct military intervention. Humanitarian corridors would be extremely difficult to protect, and could create a major refugee crisis if desperate civilians rush into designated safe zones or neighboring countries.

Declaring a safe area without defending it effectively would only repeat the painful mistakes of history. In Bosnia, thousands of people were murdered in Srebrenica and other designated safe areas when peacekeepers failed to protect them. Even historical successes are sobering. Operation Provide Comfort, for instance, was a relatively successful safe area established in northern Iraq after 1991. It was envisioned as a short-term crisis response, since U.S. policymakers assumed that Saddam Hussein would soon fall from power, but turned into a 12-year commitment that ended only when the United States invaded Iraq in 2003. Maintaining that safe area required some 20,000 troops, near-constant air raids and managing an increasingly contentious international debate at the

U.N. which consumed the Clinton administration's international diplomacy.

Creating and protecting a safe area in Syria would require a significant investment of troops and resources, and would likely lead to a longer-term and more expensive commitment than its backers usually suggest. It might provide the Syrian opposition with an opportunity to organize more effectively, but this would not occur through the indigenous efforts of a militarily and politically successful regionally-based opposition, as happened in Benghazi. The local groups that currently form the backbone of the Syrian opposition would be unlikely to leave for a safe area since they are actively protecting their own communities, and if they did, it would not bode well for local resistance efforts. Any leadership located in a safe area would risk becoming detached from local conditions and could ultimately come to resemble the Iraqi National Congress in the 1990s, which established a presence in the Kurdish areas and received a great deal of external support but which never proved capable of winning domestic support. There is little reason to believe that establishing such a safe area would hasten Asad's collapse or that it would help protect Syrian lives. Instead, it would most likely be perceived by Syrians as concrete, visible evidence of the foreign conspiracy to divide Syria about which Asad already speaks.

ARMED OBSERVERS

Another military option involves deploying armed observers who could separate forces, observe atrocities and protect civilians. The Arab League endorsed a version of this option on February 11 by demanding a ceasefire and requesting a joint U.N.-Arab League mission to observe it.¹³ Such an enhanced mission could provide real benefits, if it were truly able to monitor, report upon and prevent atrocities against civilians (discussed further below). But such a mission would be extraordinarily

difficult to execute without the consent and cooperation of the Syrian government. Sending armed observers before an actual ceasefire would mean placing them physically within active combat, and self-defense would quickly escalate to forcibly removing government forces from Syrian cities. Such an active combat mission would require far more than lightly armed peacekeepers. This option could only be seriously considered after a political transition agreement is reached, not before.

ARMING THE OPPOSITION

Some observers are calling on the U.S. government to arm the opposition, especially since Syrian opposition members began explicitly requesting this type of assistance. Advocates argue that providing the FSA with advanced weapons, communications equipment and other support would help to even the balance of power and would enable the Syrian opposition to defend itself.¹⁴ By fighting back more effectively, the Syrian opposition might be able to hasten the fall of the regime. While the United States, the United Kingdom and France have denied any plans to arm the opposition, many believe that arms will inevitably find their way to the Syrian opposition, so it would be better to shape that process.

Providing arms to the FSA might hasten Asad's fall, but at the cost of a far bloodier conflict, greater divisions among the opposition groups and a more difficult transition if Asad falls from power. First, the regime would respond by quickly escalating its attacks, and would likely discard whatever restraint it has thus far shown in order to avoid outside intervention. It is unlikely that arms will give rebels enough power to defeat the regime on the battlefield and overthrow it, given the immense imbalance in favor of regime forces. It would also be very difficult to stop Russia, Iran or others from supplying fresh arms and aid to Asad once the opposition's backers are openly doing so. Providing arms to a relatively weak opposition will not

necessarily close the military gap – it might simply lead to a bloodier conflict.

Second, this option would likely further divide the different opposition groups, rather than encouraging their cooperation. The Syrian opposition remains fragmented, disorganized and highly localized. The FSA remains something of a fiction, a convenient mailbox for a diverse, unorganized collection of local fighting groups. Those groups have been trying to coordinate more effectively, but remain deeply divided.¹⁵ However, providing weapons is not a politically neutral act. Those with greater access to the networks that distribute Western guns and equipment will grow stronger, politically as well as militarily. The arming of the Sons of Iraq in 2006, for instance, dramatically shifted the political power of competing Sunni tribes and families in unexpected ways, and the effects continue to unfold today. Better armed fighters will rise in political power, while groups that advocate nonviolence or advance political strategies will be marginalized.

Third, arming the opposition also would radically reduce the prospects for a “soft landing” if and when Asad falls. It could further frighten Syrians who – fearing large scale sectarian violence – continue to support the regime, and make them less likely to switch sides. Arming the weaker side in a civil war is a recipe for protracted, violent conflict, and it would be foolish to assume that an insurgency once launched can be easily controlled.¹⁶ If Asad does fall from power, the armed opposition groups are unlikely to demobilize or disarm quickly. Instead, these armed groups would operate in a political and security vacuum amid accumulated fears and rage, with every possibility of reprisal killings and clashing militias.

However, if arming the opposition fails to solve the crisis relatively quickly, which is likely, there will inevitably be calls to conduct the airstrikes

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discussed above. In other words, what appears to be an alternative to military intervention is actually more likely to be a step *towards* military intervention. Arming the opposition is therefore a misguided, risky and potentially disastrous option. That said, arms are likely to flood the country if the civil war continues, regardless of U.S. preferences. That flow of arms into Syria will increasingly work at cross-purposes with diplomatic and political efforts to find a managed transition that avoids the worst outcomes.

Forceful Diplomacy

The shortcomings of military options do not mean that the United States and its partners should abandon hope of preventing further atrocities in Syria or pressuring Asad to accept a transition. Instead, they should pursue an enhanced diplomatic strategy that supports the Syrian opposition, restrains regime violence and smooths the way towards a political transition. They must ensure that Syria will face diplomatic isolation, economic sanctions and the demands of international justice as long as Asad's regime remains in power. Constructing such a narrative – of endless isolation and economic disaster with Asad, or a rapid return to international society with economic revival and political guarantees without him – should be a top priority of international efforts.

Skeptics of diplomacy are correct that under current conditions, it is very unlikely that Asad or his regime will negotiate seriously. Yet they may prove willing to make a deal if local and international

conditions turn sharply against them. U.S. policy should seek to convince both the peaceful political opposition and parts of the ruling coalition to come together in a political bargain. The Asad regime cannot be rehabilitated at this point, but important sectors of the Syrian state and ruling coalition must be a part of the political transition to come. If economic elites, minorities and non-ideological civil servants cannot be incorporated into legitimate new political institutions, then the fall of Asad will only pave the way to a long-term civil war. The international community must therefore deliver a clear and credible message to reassure the many Syrians frightened about a post-Asad future that their lives and interests will be protected in a new regime, and begin serious planning for a transition that will, in fact, do so.

This enhanced diplomatic strategy should include the following elements: leverage the growing international consensus against Syria, promote a negotiated political transition, counter regime propaganda, support and encourage unity among Syrian opposition groups and seek international justice for regime officials.

LEVERAGE THE GROWING INTERNATIONAL CONSENSUS AGAINST SYRIA

Even though the U.N. Security Council failed to pass a resolution about Syria, there is a strong and growing international consensus against the actions of the Asad regime. Thirteen members of the Security Council voted to condemn the atrocities committed by the regime before the Chinese and Russian double veto. The U.N. General Assembly expressed overwhelming support for the U.N. High Commissioner for Human Rights Chief on February 13, when she reported on widespread attacks on civilians in Syria and broader crimes against humanity.¹⁷ On February 16, the General Assembly passed a resolution by a vote of 132-12 that condemned the Syrian regime

and endorsed the Arab League's political transition plan.¹⁸ Although General Assembly resolutions are not binding, this vote demonstrates the isolation of Syria and its few remaining backers. Even Iraq voted for the resolution, despite its ties with Iran and previous expressions of support for the Asad regime.

The United States should continue to work with its partners to mobilize attention to Syria at the U.N. General Assembly, the U.N. Human Rights Council and all available regional and international human rights organizations. Every week should see a new international forum where high-level representatives focus on the bloodshed in Syria and the regime's abuses – and if possible, should establish a regular reporting requirement for subsequent discussion and follow-up action. As many states as possible should expel Syrian diplomats to demonstrate the depth of the regime's isolation, although it may be useful to keep some foreign embassies open in order to maintain contacts with the opposition and regime supporters who might defect.

Diplomatic efforts at the Security Council should continue, including ongoing talks with Russia and especially China to explore prospects for reversing their positions. Diplomacy must continue with them, despite the anger over the vetoes, in order to at least neutralize their objections. China, which has significant interests in the oil-producing Gulf and few deep ties to the Syrian regime, seems to recognize the unexpected costs of its international and regional isolation on this issue.¹⁹ It cannot fail to understand that the fall of Asad's regime will affect its interests, while its conflict with the preferences of oil-producing Gulf states should have immediate costs. Russia's stance will be far more consequential and difficult to change, of course, given its close ties to the Asad regime, long-standing support for Syria and investment in its naval base.

A Friends of Syria group has been formed, and will meet for the first time on February 24 in Tunisia. This group includes the United States, key European states, the members of the Gulf Cooperation Council, Turkey and others. This group should facilitate even more coordinated policy responses towards Asad and the opposition and could help mobilize economic and political pressure. It will also help to block efforts by Asad to divide and distract his international opponents. It should be expanded to include as many states as possible, though not at the cost of weakening its sense of shared mission.

These international efforts should also include tightening and coordinating existing unilateral sanctions, and introducing more targeted sanctions against regime officials. Europe, the United States and Turkey have already imposed significant sanctions against Asad's regime, including unprecedented moves against Syrian oil exports.²⁰ Those sanctions, along with the broader effects of the war and the fears it causes with potential foreign investors or trade partners, have weakened the Syrian economy and undermined public confidence in the regime's ability to respond. New sanctions should freeze the assets of top regime officials and ban these officials from traveling abroad, and they should be directly linked to humanitarian issues, international justice and a political transition. The Friends of Syria group should send clear signals, especially to the crucial business community which still remains on the fence, that these sanctions will end after Asad's fall from power and their lives and economic prospects would materially improve.

PROMOTE A NEGOTIATED POLITICAL TRANSITION

The United States and its partners should not abandon hopes for a negotiated political transition and seek to change the regime by force. Instead, they should work to convince key parts of the ruling coalition and the political opposition to negotiate a

post-Asad political roadmap.²¹ This does not mean negotiating a deal with Asad himself – the magnitude of the crimes and abuses committed by the Syrian regime make it impossible for Asad or top regime officials to have any role in the new political order. Even the Syrian vice president, tapped by the Arab League to oversee a transition, is almost certainly too compromised to be viewed as a credible interim leader or to engage the opposition in such negotiations. The hopes for a political agreement should no longer permit the culture of impunity to continue or top regime officials to avoid responsibility for their crimes.

Instead, the United States should encourage the ongoing process of defections from the regime, reassuring minority communities about their future and nudging the remaining regime constituencies – especially the Sunni business community – to openly side with the opposition. The goal should be to bring as wide a cross-section of Syrian society as possible into the dialogue aimed at a post-Asad political transition. As hopeless as this now seems, efforts must continue to build contacts between Syria's opposition and those parts of the Syrian state and ruling coalition expected to play a continuing role in post-Asad Syria. They will all need credible guarantees that they will be fully included and protected in the post-Asad political order. The Friends of Syria group should help the Syrian opposition draft a constitutional framework that guarantees inclusion and tolerance, and provide as credible international commitments as possible that such pledges will be honored.

COUNTER REGIME PROPAGANDA

Opponents and supporters of the Asad regime have completely different narratives about the ongoing crisis, which contributes to political polarization and makes it much more difficult to build the political middle ground needed for serious dialogue. They receive different information, watch different

television stations (opposition members generally watch Qatar-based al Jazeera while regime backers prefer the Syrian state television station al-Dunya), and disagree about the fundamental dynamics of the conflict.²² Syrians who rely on state media believe that they are the targets of a foreign conspiracy, and either do not know about or do not believe the evidence of regime security force abuses. The propaganda efforts of the Syrian opposition have also stretched credibility at times, making it difficult for Syrians, as well as outsiders, to have a balanced picture of events.

The United States and its allies should try to break through this polarized information environment by broadcasting and distributing credible, reliable information about the violence. Information bubbles make it possible for Syrian regime supporters to ignore or explain away the evidence of atrocities that so galvanizes the opposition and the international community. Breaking through that information barrier could significantly affect their willingness to continue supporting the regime and to gamble on a transition. Credible information documenting the atrocities should be gathered through all available means, including videos and testimony as well as images collected through drones and other intelligence means.²³ The video and documentary evidence of atrocities should be publicized through both social media and broadcast media, preferably through outlets viewed as credible by both sides. Sensational but unconfirmable materials should be avoided in favor of evidence that will be difficult for even regime stalwarts to dismiss. This will be no easy task given the thick fog of information warfare and propaganda that already characterizes the Syrian conflict, but building some common set of beliefs among Syrians about what is actually happening will be a crucial step.

At the same time, the United States and its allies, along with the Syrian opposition, should continue their ongoing efforts to engage, inform and reassure

the Sunni business community, Alawis, Christians, and all other members of the frightened, remaining regime base. This might include publicizing the constitutional framework recommended above, for example, to show as clearly as possible that the fall of the Asad regime would help rather than harm their vital interests.

SUPPORT AND ENCOURAGE UNITY AMONG SYRIAN OPPOSITION GROUPS

Any discussion about the Syrian opposition must start by acknowledging that it is fragmented and divided. Even the strongest advocates of military intervention acknowledge the problems that this causes.²⁴ The rapid militarization of the conflict has increased the power and appeal of armed groups, including the FSA, while local coordinating councils continue to wield influence in most areas. The United States, with others, has tried to promote a more robust alternative, the Syrian National Council, but it has not yet become a unified, authoritative voice of the opposition.

The United States and the Friends of Syria group should urgently promote greater unity among the Syrian opposition groups. Its leadership should represent a range of Syrian views, particularly those on the ground in Syria rather than those prevalent primarily in the diaspora. It must establish legitimate control – or at least leadership – over the armed groups, to avoid the dangers of militias or warlords operating outside state authority after Asad falls. That leadership should be encouraged to focus on the political endgame rather than on military options, and to reach out consistently and effectively to the regime constituencies that will be part of any stable post-Asad political order. The key should be to maintain broad contacts across the Syrian political spectrum, and to try to empower a political leadership in order to avoid a future dominated by armed groups and protracted civil war.

SEEK INTERNATIONAL JUSTICE FOR REGIME OFFICIALS

The time has come to demand a clear choice from Syrian regime officials. They should be clearly warned that their names are about to be referred to the ICC on charges of war crimes.²⁵ It should be made clear that failure to participate in the political transition process will lead to an institutionalized legal straightjacket that would make it impossible for them to return to the international community. This should be feasible, even without Security Council agreement. Top regime officials should be left with no doubt that the window is rapidly closing on their ability to defect from the regime and avoid international prosecution.

To date, Syrian officials have not been referred to the ICC, in order to keep alive the prospect of a negotiated transition. Asad must have an exit strategy, by this thinking, or else he will fight to the death. However, Asad has shown no signs of being willing to take a political deal, and in any case, his crimes are now so extensive that he cannot have a place in the new Syrian political order. He should be forced to make a clear choice: He can step down and agree to a political transition now, and still have an opportunity for exile, or he can face international justice and permanent isolation. He should also be forced to make this choice quickly. Beyond Asad himself, the threatened indictments should be targeted to incentivize for those not named to rapidly abandon Asad and his inner circle in order to maintain their own viable political future.

Greater transparency of the regime's crimes may also help restrain the escalating violence in Syria. The recently proposed joint U.N.-Arab monitoring mission seems unlikely to ever materialize, but if it did it could significantly restrain regime violence, and would certainly help create an authoritative record of violence for future judicial action. Such a monitoring mission should avoid the mistakes of the original Arab League mission. It should be large

and professional enough to produce reliable reports, and should have a strong mandate, including access to all areas and subjects to interview. It should produce biweekly reports on its findings, and should disseminate those reports as widely as possible. There are many other ways short of an observer mission to more fully, effectively and authoritatively collect evidence and a public record of the atrocities committed against Syrian civilians. Such a record would greatly assist the efforts to counter regime propaganda recommended above, and would also facilitate international judicial action.

Conclusion

The ongoing slaughter in Syria poses a major challenge to the United States, both morally and strategically. The call for intervention in such a tragedy is understandable. But there are no realistic military options available that could improve the situation, and those calling for military intervention must demonstrate not only that it is just, but that it can work. They have not. Diplomatic options are no more likely to produce immediate results. However, they still hold out the best hope of pushing Syria towards a negotiated political transition without either making the situation worse through a poorly conceived military intervention. The diplomatic strategy outlined here will not end the violence or bring about a transition overnight, but it could help mitigate the worst of the current violence while laying the foundation for a transition to a stable, inclusive and peaceful Syria in the future.

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ENDNOTES

1. When a conflict becomes a “civil war” is a matter of debate within the literature on conflict. Most contemporary scholars, however, agree a conflict crosses the threshold into civil war when it results in at least 1,000 combat deaths. See Nicholas Sambanis, “A Note on the Data Threshold in Coding Civil War Events,” <http://www.yale.edu/macmillan/ocvprogram/licep/4/sambanis/sambanis.pdf>.
2. See “Nir Rosen on Syria’s Armed Opposition,” al Jazeera English, February 13, 2012, <http://www.aljazeera.com/indepth/features/2012/02/201221315020166516.html>.
3. The Syrian armed forces, for example, are believed to possess almost 5,000 main battle tanks, over 4,500 other armored vehicles and over 3,400 artillery pieces. See *The Military Balance 2011*, The International Institute for Strategic Studies, 2011.
4. Bradley Klapper and Elizabeth A. Kennedy, “US Closes Syrian Embassy As Diplomacy Collapses,” Associated Press, February 6, 2012, <http://abcnews.go.com/International/wireStory/activists-syrian-troops-pound-homs-neighborhoods-15519937#.Tz2BVvEgf-w>.
5. See comments by Director of National Intelligence James Clapper, February 17, 2012, <http://www.csmonitor.com/World/Middle-East/2012/0217/Top-US-official-Al-Qaeda-in-Iraq-joining-fight-against-Syria-s-Assad>.
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Syrian rebels march in a show of strength during a demonstration in Idlib, Syria, February 10, 2012.

(Associated Press Photo)