

# Helping Syrian Earthquake Victims, Not Assad

by [Andrew J. Tabler \(/experts/andrew-j-tabler\)](/experts/andrew-j-tabler)

Feb 16, 2023

## ABOUT THE AUTHORS



[Andrew J. Tabler \(/experts/andrew-j-tabler\)](/experts/andrew-j-tabler)

Andrew J. Tabler is the Martin J. Gross Senior Fellow in the Program on Arab Politics at The Washington Institute, where he focuses on Syria and U.S. policy in the Levant, and Director of the Institute's Junior Research Program.



Brief Analysis

## Washington should take steps to ensure that the Treasury Department's latest general license does not create new loopholes for the regime, its patrons in Moscow and Tehran, or its foreign terrorist partners.

Earlier this week, the UN Security Council held a closed-door session on the Syria/Turkey earthquake, while Undersecretary-General for Humanitarian Affairs Martin Griffiths conducted a briefing on his visit to the disaster zones in both countries. Soon thereafter, Syrian representative to the UN Bassam Sabbagh announced that the Assad regime had agreed to a three-month opening of two additional humanitarian aid crossings: Bab al-Salam and al-Raii. He specifically mentioned UN aid delivered into northwest Syria and “from inside Syria,” a reference to “cross-line” aid from regime territory to opposition-held areas.

The announcement drew widespread praise from Russia, China, regional states, and Western governments alike. Yet despite the seemingly good news for those suffering from the devastation, Sabbagh's gesture is too little, too late. For one thing, the regime has not controlled many of the relevant areas for more than a decade. More important, three months' worth of assistance will hardly be enough to meet worsening humanitarian needs after an earthquake that has so far claimed over 4,000 lives in rebel-held areas and 1,400 lives in regime areas. This is especially true given the regime's track record of diverting and [weaponizing aid](https://www.foreignaffairs.com/world/weaponization-humanitarian-aid) (<https://www.foreignaffairs.com/world/weaponization-humanitarian-aid>) provided through Damascus—a category that has historically encompassed around 90 percent of total aid (<https://www.csis.org/analysis/politicization-aid-syria>) to Syria.

Crucially, the West has ample leverage to change this situation. The United States, Britain, the European Union, and Canada currently provide around 91 percent of the humanitarian that flows into Syria ([https://twitter.com/charles\\_lister/status/1625233118729740293?s=12&t=o5ibml5s6LXdZpKU5mr5jg](https://twitter.com/charles_lister/status/1625233118729740293?s=12&t=o5ibml5s6LXdZpKU5mr5jg)) (\$2.16 billion of \$2.38 billion annually). Washington should therefore take two immediate steps to alleviate suffering in

earthquake-affected regions of northwest Syria.

First, it should seek a Security Council resolution ensuring that the reopened crossings remain open for at least one year. Since 2020, cross-border assistance has become **a political football** (<https://www.washingtoninstitute.org/policy-analysis/russias-yes-vote-syria-aid-will-come-price>) at the UN, with Russia using veto threats to reduce the number of crossings to one (Bab al-Hawa) and shorten the aid mechanism's renewal duration to just six months at a time. The humanitarian liabilities inherent in these narrowed options have been demonstrated once again in the **hobbled response to the earthquake in Syria** (<https://twitter.com/UNReliefChief/status/1624701773557469184?s=20>).

Second, and far more complex, is the task of appropriately relaxing U.S. sanctions to support legitimate earthquake relief without fueling the regime's longstanding campaign to evade responsibility for its numerous violations—which now include everything from wartime atrocities to large-scale **narcotics production and trafficking** (<https://www.washingtoninstitute.org/policy-analysis/dethroning-lebanons-king-captagon>). This dilemma has been further complicated by the fact that some regional countries are pushing to normalize relations with the regime.

On February 9, the Treasury Department issued **General License 23** (<https://home.treasury.gov/news/press-releases/jy1261>) under the header “Authorizing Transactions Related to Earthquake Relief Efforts in Syria.” The third such license issued under the Biden administration, this one aims to ensure that U.S. sanctions do not impede emergency humanitarian activities. Yet it differs from the previous licenses in two key respects. First, it specifically addresses the physical toll of the earthquake rather than focusing solely on the ongoing destruction wrought by the Assad regime. Second, in light of the emergency situation, the license essentially permits transactions with official regime organs.

Under the Biden administration, the range of permissible humanitarian activities in Syria has previously been expanded to allow for specific “early recovery” efforts carried out in regime areas by regime entities (e.g., fresh water and sanitation projects). Waiving certain sanctions to enable these activities was understandably deemed necessary in order to ease civilian suffering, which has been worsened by the regime's continued resistance to political negotiations aimed at ending the war, as outlined under Security Council Resolution 2254. The **previous general license** (<https://home.treasury.gov/policy-issues/financial-sanctions/recent-actions/20220512>) likewise exempted more activities in support of civilians in the northeast and northwest—areas that have been outside the regime's control for nearly a dozen years.

Yet License 23 is far less specific. It simply and quite broadly authorizes “all transactions related to earthquake relief efforts in Syria” for the next six months, controversially including “persons who meet the definition of the term Government of Syria.” The license goes on to state that “U.S. financial institutions and U.S. registered money transmitters may rely on the originator of a funds transfer with regard to compliance...provided that the financial institution does not know or have reason to know that the funds transfer is not in compliance with...this general license.”

The crux of the problem is that transactions with the “Government of Syria” cannot be sufficiently differentiated from the activities of sanctioned individuals and entities affiliated with the Assad regime and its networks. Allowing financial institutions to accept originator descriptions of funds transfers will only exacerbate this problem by drastically lowering the threshold for permissible transactions. In other words, the new license has seemingly created a sanctions loophole that the Assad regime and its Iranian and Russian patrons will no doubt exploit, as they have every other loophole discovered throughout the war. The regime's connections to U.S.-designated terrorist entities operating in Syria, such as Lebanese Hezbollah, raise further concerns about broadly enabling transactions in this manner.

To properly execute the new license in keeping with U.S. sanctions, the administration should immediately order an intelligence assessment on the earthquake's destruction, using imagery resources to differentiate structures in Syria that have been toppled or damaged by the earthquake versus the war. This will give Washington a good baseline for determining where earthquake relief is spent and to what degree it is diverted to regime reconstruction activities. One area of particular interest would be East Aleppo, large parts of which have been destroyed by regime shelling and barrel bombing.

In addition, the administration should take steps to break the current cycle—one in which Washington and its allies are often caught flat-footed by unforeseen developments in Syria and backed into corners by Moscow, thereby reducing their options. Formulating a new approach would entail placing greater priority on Syria policy and thinking creatively about how best to achieve U.S. policy objectives, support the Syrian people, and counter the regime and its patrons.

One **[promising idea \(https://www.washingtoninstitute.org/policy-analysis/ease-syrias-energy-crisis-assad-must-return-negotiating-table\)](https://www.washingtoninstitute.org/policy-analysis/ease-syrias-energy-crisis-assad-must-return-negotiating-table)** is to create a “white channel” for humanitarian and incident-specific aid into Syria, similar to the approach taken with Iran in October 2020, when Washington announced that foreign governments and financial institutions could establish a payment mechanism for legitimate humanitarian exports to that country as long as no funds were transferred to the regime. Creating such a channel for Syria would require simultaneous decisions by like-minded governments to allow the mechanism, as well as the establishment of a sovereign clearinghouse to address transaction risk for shipments in Syria. This would help ensure that the Assad regime and designated organizations do not benefit from or manipulate assistance through the opening created by General License 23, while simultaneously helping Syrian civilians rebuild their homes and lives.

*Andrew Tabler is the Martin J. Gross Senior Fellow at The Washington Institute, former director for Syria on the National Security Council, and former senior advisor at the State Department. ❖*

---

## RECOMMENDED

---



BRIEF ANALYSIS

### [Raisi Visits China: More Symbolism Than Substance](#)

Feb 16, 2023



Henry Rome

[\(/policy-analysis/raisi-visits-china-more-symbolism-substance\)](#)



BRIEF ANALYSIS

## Iran's Mounting Missile Threats to Neighboring Countries

Feb 16, 2023



Mohammad Abu Ghazleh

(/policy-analysis/irans-mounting-missile-threats-neighboring-countries)



BRIEF ANALYSIS

## Morocco, Israel, and the Future of the Negev Forum

Feb 16, 2023



Mohamed Chtatou

(/policy-analysis/morocco-israel-and-future-negev-forum)

### TOPICS

U.S. Policy (/policy-analysis/us-policy)

### REGIONS & COUNTRIES

Syria (/policy-analysis/syria)