

Judging Kerry's 'Secret' Syria Agreement with Russia

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Brief Analysis

While maintaining secrecy might be a way to get the agreement off the ground, convincing the parties to implement its terms, fight terrorism, and end the war will require much more transparency, particularly regarding Assad's future.

On September 10, Secretary of State John Kerry and Russian foreign minister Sergei Lavrov concluded an agreement to restore last February's "cessation of hostilities" (COH) and deliver humanitarian aid to besieged areas in Syria, most notably the country's largest city of Aleppo. If the parties are able to implement these provisions and adhere to them for seven days, Washington has agreed to establish a controversial "Joint Implementation Center" (JIC) with the Russian military to target the Islamic State (IS) and al-Qaeda-affiliated rebel groups.

The text of the deal has yet to be released to the public, which Lavrov said on September 13 was at Washington's request. He added that the five-part agreement should not only be released, but also enshrined in a new UN Security Council resolution. After reviewing COH violations by both sides on September 14, Kerry and Lavrov essentially reset the clock, announcing that the COH would be extended another forty-eight hours and implying that the JIC could be established as soon as September 21.

The American goal in the negotiations is to leverage Russia's deep desire for military cooperation in order to extract concessions. Specifically, Moscow will now be expected to pressure Bashar al-Assad's regime on restoring the COH and humanitarian access, with the eventual goal of resuming political negotiations that end the war and keep Syria as one country.

Despite the secrecy, enough of the agreement's details have emerged to judge its efficacy and the merits on which the JIC would be established:

Restoration of the COH. Implementing the COH is the key litmus test for the agreement's viability. Official details on the mechanism for doing so remain sketchy but are partially outlined in a September 10 Arabic letter from U.S. Special Envoy Michael Ratney to the Syrian opposition. Officials say the rule of thumb that will be used to measure compliance is reducing violence to levels last seen following the first COH implementation in early March, when State Department officials claim the fighting was "reduced by 90%." The exact number of total deaths in Syria during that period is difficult to establish, but the approximate death toll for March hovers around 600 according to various sources.

Based on private conversations with officials, the Associated Press has distilled several of the provisions that must be implemented and held for seven straight days in order for the agreement to work. Key details from the Ratney letter and AP include:

- As of September 12, regime and opposition forces should have ceased all attacks with any weapons, including aerial bombardments, rockets, mortars, and antitank guided missiles.
- None of the parties can seek to acquire territory.
- The regime and opposition should allow rapid, safe, unhindered, and sustained humanitarian access to all people in need.
- In cases where self-defense is required, proportionate force should be used.
- Forces in Ramouseh south of Aleppo should be frozen. (This provision has been undermined by the fact that regime forces have regained territory in the area.)

Humanitarian Access. Washington claims that no deal with Russia can occur without provision of humanitarian aid and access to besieged areas, especially Aleppo. In July, the regime and its allies surrounded the city, only for the siege to be broken shortly thereafter through an operation spearheaded by Jabhat Fatah al-Sham (JFS), the al-Qaeda affiliate formerly known as Jabhat al-Nusra. The AP report detailed various provisions regarding access points:

- Two checkpoints on Castello Road, an Aleppo artery, will be established and operated by the para-governmental organization the Syrian Arab Red Crescent, with no more than twenty armed personnel (it is unclear whether this means twenty personnel each). Security arrangements will be determined by mutual consent of regime and opposition forces and will be monitored by the UN.
- Regime forces must withdraw personnel, heavy weapons, and other arms away from Castello Road. In some places, tanks, artillery, and mortars must be pulled back at least 3.5 kilometers (about 2 miles). Elsewhere, soldiers with lighter weapons must retreat at least 500 yards from the road. Other requirements concern crew-served machine guns and observation posts.
- Opposition forces must withdraw from Castello Road as well, in many places equidistant to the regime pullback. East of the road, their withdrawal will depend on the actions of Kurdish forces. If the Kurds retreat 500 yards, opposition forces should do likewise. Other requirements concern heavy weapons, including infantry fighting vehicles, tanks, and crew-served machine guns.
- The opposition must make every effort to prevent al-Qaeda-linked militants from advancing into demilitarized areas.
- All Syrians should be able to leave Aleppo on Castello Road, including opposition forces with their weapons. Fighters must coordinate any such departures with UN officials ahead of time.

Separating the Opposition from al-Qaeda. As per the Ratney letter, opposition fighters must begin separating themselves from JFS immediately. This process is often called "demarbling," referring to maps of opposition forces mixed with extremist groups that appear similar to veins in marble. The United States and Russia have reportedly drawn up intelligence maps of where opposition and JFS forces are currently located.

The letter states that the opposition must avoid cooperating with JFS, and that failure to do so could have consequences. It also states that opposition forces can defend themselves from attacks, but it is vague on whether that applies to attacks by just JFS, or by the regime and its allies as well (e.g., Iranian-supported Shiite militias such as Hezbollah).

JUDGING, AND FUDGING, THE DEAL

Kerry's insistence on keeping the full text secret is being cast as a way to avoid giving JFS and IS advance notice of possible operations against them. But just as likely, the White House and Kerry are placing themselves as the ultimate judges of compliance -- a similar tactic used with success in the run-up to the Iran nuclear deal. Given Kerry's repeated cries of "What's the alternative?" -- a bizarre tactic given that he has characterized himself as a proponent of several "Plan Bs" for Syria this year alone -- the administration may seek to fudge compliance in a bid to save face. But Kerry no doubt knows this would be an exercise in self-deception, since he reportedly recognizes that the Syria agreement has far more moving parts and parties than the Iran deal. Lavrov seems to understand this as well given his unexpected demand to make the agreement public. While maintaining secrecy might be a way to get the agreement off the ground, convincing the parties to implement its terms, fight terrorism, and end the war will require much more transparency from Washington -- particularly on the issue of Assad's future.

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