Outrage but No Action:

The Obama Administration's Response to Syria's 'Caesar Photos'

by Adam Entous **(/experts/adam-entous)** , Michael Isikoff **(/experts/michael-isikoff)** , Josh Rogin **(/experts/josh-rogin)** , Cameron Hudson **(/experts/cameron-hudson)** , Andrew J. Tabler **(/experts/andrew-j-tabler)**

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ABOUT THE AUTHORS

Adam Entous (/experts/adam-entous)

Adam Entous is a national security correspondent for the Wall Street Journal.

Michael Isikoff (/experts/michael-isikoff)

Michael Isikoff, the chief investigative correspondent at Yahoo News, is an author specializing in national security, terrorism, money in politics, and political scandals.

Josh Rogin (/experts/josh-rogin)

Josh Rogin is a columnist for Bloomberg View and a political analyst with CNN.

Cameron Hudson (/experts/cameron-hudson)

Cameron Hudson is the director of the Simon-Skjodt Center for the Prevention of Genocide at the United States Holocaust Memorial Museum.

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

Andrew J. Tabler is the Martin J. Gross fellow in the Geduld Program on Arab Politics at The Washington Institute, where he focuses on Syria and U.S. policy in the Levant.

Brief Analysis

On March 19, journalists Adam Entous, Michael Isikoff, and Josh Rogin addressed a Policy Forum at The Washington Institute moderated by Cameron Hudson of the United States Holocaust Memorial Museum. The panel was introduced by Andrew Tabler, a senior fellow in the Institute's Program on Arab Politics. The following is a rapporteur's summary of their remarks.

ANDREW TABLER

This month marks the fourth anniversary of the Syrian uprising. In March 2011, four children scrawled a message on a wall in the southern city of Deraa: "The people want the fall of the regime," the same mantra that brought down governments in Tunisia and Egypt. After the Assad regime arrested the children, the people of Deraa responded with protests demanding reform on March 15, and the regime answered with live gunfire. With every death came a funeral and more protests, and popular outrage spread throughout the country. The protestors cried

out for international intervention to stop the regime onslaught, but none was forthcoming. Some began to pick up arms to protect themselves from regime gunfire, turning the uprising into an armed conflagration in which nearly a quarter million people have been killed and nearly half of the population displaced.

In addition to becoming one of the biggest humanitarian crises since World War II, the proxy war between the Assad regime and Iran on one side and the Sunni-supported opposition on the other has become a massive generator of Sunni vs. Shiite extremism. Yet U.S. policy toward the situation has relied heavily on nonlethal assistance; this includes President Obama's refusal to enforce his 2013 redline on regime use of chemical weapons even though such attacks continue to this day.

As the war worsened, a Syrian regime photographer -- currently identified only as "Caesar" -- fled the country with 55,000 images of nearly 11,000 bodies tortured and killed in regime detention centers. Today, a year-and-a-half after the photos were disclosed, the U.S. government continues to evaluate them. To discuss the administration's response to inquiries about the photos and its policy toward evidence of mass slaughter and war crimes, The Washington Institute hosted a panel discussion with genocide expert Cameron Hudson and three top journalists probing the Caesar story.

CAMERON HUDSON

The history of the Holocaust is replete with people like Caesar. Polish resistance fighter Jan Karski smuggled himself into the Belzec concentration camp and the Warsaw ghetto on more than one occasion so he could see for himself what was happening. He was a Catholic, not a Jew, but he was moved to visit Washington in the summer of 1943 to tell officials about the targeting of Jews across Europe.

When the Holocaust Museum's Simon-Skjodt Center for the Prevention of Genocide came across Caesar's story, it sought to help him tell that story and, in the words of museum founder Elie Wiesel, ensure that "his history does not become someone's future." Prosecution and accountability are central to this endeavor, but the message from U.S. officials is that the process of seeking justice and taking action on Caesar's photos is being delayed -- an apparent signal that the administration perceives some risk in pursuing the process. Syria's "Srebrenica moment" may have already passed in summer 2013, when chemical weapons were used but Washington took no action. Yet the Caesar team's efforts to unblur faces in the photos could trigger some international action, especially since several of the victims are foreigners. Such efforts could gain further impetus if the UN follows through on reports that it will release the names of individuals suspected of committing war crimes in Syria.

JOSH ROGIN

One of the most shocking things about the Caesar evidence is that it covers only a small portion of the atrocities committed in Syria. As Caesar testified before Congress in July 2014 **,** the photos span a limited amount of time (between 2011 and 2013) and a limited area near Damascus -- about 150,000 civilians remain in custody today around the country, and the atrocities continue.

There are several reasons behind the U.S. government's apparent desensitization to this glaring, straightforward evidence. First is the discord between the team of people helping Caesar and the team of U.S. officials handling this portfolio. Second is the discord between the White House, the State Department, and Congress. Third is the discord within the international community.

One of the Caesar team's first steps was to seek U.S. government help in verifying the evidence to be used in future war crimes prosecutions. One copy of the evidence was given to a third country for preservation, and another copy was given to the FBI under the State Department's supervision. Yet throughout the process, the Caesar team never felt that the FBI and State Department were moving quickly enough. There were disputes over which database would be used to confirm the identity of victims and over the FBI's subsequent report; in the end, the Caesar team was not

satisfied. Meanwhile, Congress said that the State Department resisted having Caesar give open congressional testimony, while the department argued that it was concerned about security arrangements. There are elements of truth to both arguments -- whatever the case, such bureaucratic politics contributed to overall skepticism about the government's willingness to take action.

On the international front, the Independent International Commission of Inquiry on the Syrian Arab Republic is about to release some of the names involved in the crimes, but Security Council action is not likely. In short, there is no clear path out of the situation, even though the Assad regime's machinery of death is the worst since the Nazis and its system of documentation similar to that of the Soviets.

In response to the stalemate, the Caesar team has adopted a new "name, shame, and blame" strategy, publishing thousands of the photos on Facebook and creating a highly publicized display at UN headquarters. But even that has not produced any shift in the Obama administration's approach. War-crimes prosecutions within individual countries would be the most actionable option, but the administration seems to believe that such legal action would make it difficult to negotiate a political solution with the Assad regime. Unlike the Caesar team, the Assad regime has sophisticated mechanisms to spread its messages.

Another likely reason for the ongoing hesitance is that some within the administration view Iran as a possible partner on Syria. According to reports of discussions inside the State Department, Tehran could be granted security responsibilities in Syria via an agreement with the U.S. government codified by the UN Security Council. The administration may therefore be concerned that Iran would view any international military action in Syria as an act of war, so it has been careful to take Iranian rhetoric on the matter into account.

As for reports of continued regime chlorine attacks, Washington and its partners included certain agents in the chemical weapons disarmament deal with Syria (e.g., sarin, mustard gas), but not chlorine. In doing so, they tacitly acknowledged that the regime would not be confronted if chlorine or other omitted agents were used.

ADAM ENTOUS

As the Caesar team works to increase pressure on President Obama, officials on the National Security Council team have essentially sought to reduce that pressure. The August 2013 chemical weapons controversy was a good example of how the president approaches these difficult problems: namely, delaying the tough decisions as much as possible when he believes no good course of action exists.

Since the war in Libya, the administration has been trying to buy time to look for more favorable outcomes in Syria, hoping to avoid what it fears might become another intervention gone awry. Washington does not want to trigger backlash from Iran, which some top officials have argued could take the form of Shiite militant attacks on American forces in Iraq. Congress is very divided on the matter, and the administration views the Hill through this partisan lens. Moreover, even if the Syrian opposition is able to get its house in order, there would still be many competing interests at play.

MICHAEL ISIKOFF

No serious questions remain about the authenticity of Caesar's photos, so how is it that very few Americans are even aware of them? Timing is everything when driving new stories, and ISIS has been the focus since Caesar testified before Congress last July. Moreover, the photos were inconvenient to the White House because some officials did not want a reminder of what could have been prevented had the president taken the advice of some of his top national security officials about providing aid to Syrian rebels. The photos were not especially convenient to anyone in Congress either. Aside from a few officials -- such as Sen. John McCain, Rep. Ed Royce, and others who have given Caesar's photos ample attention -- there is skepticism about further involvement overseas.

The Caesar evidence should shape everyone's thinking of what the American nation should be doing. The photos are inconvenient just as initial reports about the Holocaust were, and history does not judge well those who dismissed the latter reports. U.S. ambassador to the UN Samantha Power was holding back tears when the photos were shown at the Security Council, and she has made public comments about them. But people should still ask to what extent officials have really been talking about Caesar's photos. They should also question the apparent double standard in which principles that apply in the U.S. justice system are not carried over to the international arena. In short, the policy debate should not trump the power of Caesar's photos.

This summary was prepared by Oula Abdulhamid Alrifai. ❖

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