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Implications of Possible Chemical Weapons Use in Syria

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Brief Analysis

The Syrian regime has good reasons to both use chemical weapons and disguise what it has done. Having pegged out a firm stance on such weapons, Washington should respond vigorously with defensive measures while the investigation of reported use proceeds.

Claims that chemical weapons (CW) were used in Syria Tuesday center on two reported incidents. The first, claimed by the regime, was at Khan al-Asal in the northern Aleppo province; at least 25 people died (reportedly including 16 regime troops), and more than 110 were injured. The regime claims a rocket or missile with a chemical agent hit a government-controlled area. The second incident, claimed by the opposition, was in the town of Ataibah east of Damascus; it included "fierce shelling with chemical rockets" containing an agent that induced "suffocating and nausea cases" as well as "headache, vomiting, and hysteria cases." The two episodes occurred hundreds of miles apart.

According to Syrian information minister Omran al-Zoubi, the missile or rocket that struck Khan al-Asal came from Qatar or another Arab League country, a claim that may be possible to verify or refute through intelligence sources. He stated that those responsible "must be held accountable -- a king or a prince, a president or a minister." The Syrian regime has asked the UN to investigate. For their part, the military office of the National Coalition of Syrian Revolutionary and Opposition Forces (SOC) and other groups denied that they have the ability to deploy such weapons and instead blamed the regime, claiming it missed its original target of a police academy taken by the rebels.

Resolving the uncertainty about these incidents could take some time, but simple logic can shed some light in the meantime. First, the rebels are not known to have any CW capability. Second, it seems highly unlikely that they would use CW against a town (Ataibah) that they controlled in one of the centers of resistance in the Damascus area (East Ghouta). It also seems unlikely that the regime and the rebels would have conducted nearly simultaneous CW attacks. In short, context, capability, and motivation all point to the regime, and in this case the simplest answer is likely the best one.

These incidents are not the first alleged CW attacks in Syria. Opposition members still claim that the regime used Agent 15, a hallucinogen, against rebel forces on December 23 -- an accusation that has not been substantiated or completely rejected by the U.S. government. They also believe that the regime is now using second-tier chemical agents (i.e., weapons that are less lethal than sarin, mustard, and VX gases) to strike fear into the opposition and overall civilian population. This is in keeping with their claims that the regime has begun using artillery and surface-to-surface missiles at will.

WHAT ARE THE RULES ABOUT CW?

The March 19 episodes illustrate that CW use is not necessarily a black-or-white situation, and that skillful regime moves could exploit ambiguities. Syria is not a signatory of the Chemical Weapons Convention, under which states pledge to refrain from use of CW. It is a signatory to the 1925 Geneva Protocol on CW, however. That document holds that the regime cannot use CW unless it is first attacked with CW, a provision that seems applicable to internal conflict as well as declared wars. Thus, if the rebels used CW first, the regime would be free under international law to respond in kind. This issue could become important if Syrian friends such as Russia insist that no UN Security Council action be taken until there is convincing evidence that the regime used CW before the rebels did.

Another complicated issue is precisely defining what constitutes a chemical weapon. UN General Assembly Resolution 2603 (XXIV) of December 16, 1969, defined chemical warfare agents as "chemical substances, whether gaseous, liquid or solid, which might be employed because of their direct toxic effects on man, animals and plants." Despite that sweeping language, there are many types of weapons with a somewhat ambiguous status. Although riot-control agents such as CS gas (a.k.a. tear gas) are generally accepted as being nonlethal, some have challenged this classification and called for these agents to be recognized as CW. Incendiary-type weapons such as napalm and phosphorus are not classified as CW agents because their destructive power is primarily thermal. Smoke-producing obscurant rounds are also not viewed as CW.

Many past incidents in the Middle East have tested the boundaries of CW. For instance, al-Qaeda in Iraq has employed several truck bombs filled with chlorine, a readily available agent often used in industry (e.g., water treatment facilities). And in 1991, facing internal rebellions, the Iraqi regime used helicopters to drop sarin-filled bombs (obviously CW) to little effect. After a senior CW officer complained about the failure of the initial helicopter sorties, however, the military dropped up to 200 large aerial bombs with tear gas on rebel targets near Karbala and Najaf.

MILITARY UTILITY OF CW

Given all the risks and complications associated with the use of chemical weapons, why would the Syrian regime employ them? Part of the answer lies in the difficulties that regime forces are facing at this stage of the war. Increasingly well-armed and capable rebel forces are enjoying more success in both offensive and defensive actions. As a result, the regime has suffered recent setbacks in Raqqa, Aleppo, Deir al-Zour, Homs, Quneitra, Deraa, and Rif Damascus. It has lost positions and urban areas to advancing rebel forces and has been unable to make any significant gains of its own. Its increasing use of surface-to-surface missiles and growing reliance on irregular forces have not redressed the situation. The regime's pattern throughout the war has been to escalate its use of violence -- to go ever deeper into its arsenal in order to crush the rebellion. It is now reaching the end of what it can do, and chemical weapons are the last resort.

Chemical weapons also have tactical military utility. Assuming the units employing them are adequately trained and equipped, CW can be used defensively against rebel forces laying siege to regime installations, or offensively against rebels defending important urban areas and positions. Rebel units are currently laying siege to or assaulting a number of important installations (e.g., airfields, army depots). The regime's standard tactics and weapons have often failed to save such facilities, so using CW could help defend them. Similarly, the rebels' growing antitank capabilities have raised the toll of regime attempts to retake lost positions, so using CW to soften these targets makes sense from a military standpoint. Indeed, Tuesday's reported chemical attack on the Rif Damascus town of Ataibah may have been a case of offensive use.

Of course, chemical weapons are not a silver bullet that ensures success. Much depends on the capabilities of the troops using them. But the regime does not have good military options left -- nothing it has tried so far has worked consistently, and the rebels have only become stronger, both generally and tactically.

THE ISRAELI ANGLE

According to Israeli government sources, chemical agents were indeed used in Syria, most likely by the regime, though the type of agents employed remains unclear. Although the risks inherent in Syria's civil war were already high on the agenda of Prime Minister Binyamin Netanyahu's discussions with President Obama this week, these new reports highlighted Israel's concerns about the dangerous fallout from its crumbling neighbor.

From Israel's perspective, Bashar al-Assad's readiness to use CW and cross a U.S. redline, if confirmed, is in keeping with his previous decision to cross an Israeli redline by providing strategic weapons to Hezbollah (a move that reportedly spurred an Israeli airstrike in Syria in February). In other words, as the situation in Syria deteriorates, Assad is becoming an increasingly dangerous actor. Above all, Israel is concerned that the tumult could enable hostile elements (e.g., jihadists in Syria or Hezbollah in Lebanon) to acquire weapons from the Assad regime's huge strategic stockpile, whether chemical or conventional.

In Wednesday's joint press conference with Netanyahu following a lengthy meeting in Jerusalem, President Obama seemed to respond to these Israeli concerns and expectations by warning the Assad regime against "the use of chemical weapons or their transfer to terrorists." To Israeli ears, the latter addition implies U.S. backing should

Israel feel compelled to once again halt the transfer of strategic weapons from Syria to Lebanon.

U.S. POLICY IMPLICATIONS

The Assad regime may wish to test the firmness of U.S. redlines on CW use, and creating ambiguity about whether such weapons were used and by whom is an excellent way to do so. Employing second-tier agents or falsely claiming that the rebels are using CW could help Damascus confuse the issue and condition the international community to a growing role for CW in the war. If Washington does not respond vigorously, the regime might feel emboldened to expand its use of such weapons, including more-lethal agents.

Meanwhile, opposition members are becoming increasingly resentful of the United States for not responding to the regime's growing use of strategic weapons. They are also troubled by the stories that the White House leaked to the *New York Times* outlining the regime's loading of CW into bombs in or near airfields. These reports, combined with the Obama administration's refusal to arm the rebels, have led to growing resentment of Washington -- a sentiment harvested by increasingly influential extremist groups in Syria.

More broadly, one can assume that the new Israeli government will regard any chemical challenge from Syria as a test of whether Washington will deliver on firm statements. That is, if the United States will not enforce its stated redline on the Assad regime, can it be trusted to back up its commitments on Iran?

Given the strategic stakes of Tuesday's reported CW use, Washington should take the following steps:

- *Determine what happened.* Given the past controversy over weapons of mass destruction in Iraq, neither the international community nor the American people will uncritically accept U.S. intelligence assessments of CW use in Syria. Respected international bodies should therefore be asked to weigh in, perhaps by examining and interviewing victims to determine what agents may have been used against them. The International Committee of the Red Cross is one obvious agency to call upon, given its historical role in investigating claims of CW use by Iraq in the 1990s and Egypt in the 1960s, among others. The Assad regime's calls for an investigation provide an opportunity that should be seized -- the UN Security Council should give investigators the authority to look into whatever reports of CW use they deem worthy of checking out.
- *Defend the Syrian people.* NATO and the United States could deploy Patriot missile batteries in Turkey to defend northern Syria (including Idlib, Aleppo, and Raqqa) against missile attack. It could also provide Patriots with an anti-aircraft capability. Such actions would fall under the rubric of defending civilian populations and could reduce the regime's ability to use missile and air forces generally, not just for CW attacks. In addition, NATO may not require proof of CW use to deploy these defensive measures. Yet this approach would not be a comprehensive answer to the CW threat either; in particular, it would not address the regime's use of field artillery.
- *Prepare "consequences management."* In light of Tuesday's incidents, Washington and its allies should begin preparing for the consequences of large-scale CW use, such as stockpiling defensive clothing for distribution inside Syria and beefing up the capabilities of hospitals in surrounding areas to handle victims. If the regime's strategy is to scare the Syrian people, the international response should be to reassure them.
- *Plan for worst-case military options.* Given the president's firm statements about the unacceptability of CW use, Washington should accelerate military planning for potential strikes against the regime's chemical arsenal. The practical problems would be many. It is highly unlikely that the United States and regional states could identify all CW locations, much less seize or secure them. Yet many such locations could be identified and, if necessary, neutralized one way or another. If the administration clearly indicated its determination to act -- alone and from the sea if necessary -- the prospect of regional cooperation would be much greater than if it simply consulted with other governments about the problem in general terms. For example, Aegis cruisers could be used to provide additional defense capabilities, which would have the merit of showing that the United States can act on its own if its partners

are still debating what to do.

Furthermore, Washington could warn that if CW use is confirmed, the United States would strike both the forces involved in the attacks and Syria's military command-and-control (as distinct from the political leadership) if necessary to prevent further use. Such strikes could be conducted from the air without much difficulty. Although this approach might not directly halt additional CW attacks, it would eventually devastate the regime's entire war effort, making clear to Assad that the use of chemical weapons will bring down his regime.

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