

Urge Damascus to Come Clean on Nuclear Activity

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Feb 26, 2009

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Brief Analysis

The International Atomic Energy Agency's (IAEA) recent progress report on its investigation into Syria's nuclear activities reinforces concerns, voiced most prominently by the United States, that the al-Asad regime was secretly building a nuclear reactor until it was destroyed in late 2007. With the March 2 meeting of the IAEA Board of Governors (BOG) just around the corner, the world is watching carefully to see what stance the Obama administration takes on this issue. The extent to which the United States can persuade Syria to change its attitude toward the IAEA investigation from one of recalcitrance to one of voluntary cooperation will serve as a concrete test of Damascus's willingness to change its ways and mend fences with the international community.

Background

On February 19, the IAEA released its second report concerning Syria's alleged nuclear activities, centering on the facility near Dair al-Zour that was destroyed on September 6, 2007. This latest report is as remarkable for its brevity as it is for its substance. It conveys three vital pieces of information: first, continued exploitation of environmental samples obtained in the IAEA's one and only visit to the site revealed additional anthropogenic (man-made) uranium particles, of a type not included in Syria's declared nuclear inventory; second, there exists only a "low probability" that these particles could have been introduced at the site by Israeli munitions, as Syria has asserted; and finally, Syria has not cooperated with the investigation, providing only partial responses to IAEA requests and not permitting further IAEA visits to Dair al-Zour or other potentially related sites. The report reaches no conclusions about the Dair al-Zour site, and IAEA director General Mohamed ElBaradei asserted recently that the agency will not "jump the gun" in doing so. The report's findings, however, appear to discredit Syria's official explanation of the site's purpose and thus lend credence to suspicions that Syria was covertly building a nuclear reactor in contravention of its Nuclear Nonproliferation Treaty (NPT) Safeguards Agreement obligation to notify the IAEA in advance of such work.

Implications for U.S. Policy

One month into its tenure, the Obama administration has already signaled that it intends to take a different approach toward Damascus than that pursued during President Bush's second term. Both President Barack Obama and Secretary of State Hillary Clinton have indicated their preference for direct engagement with the al-Asad regime and have signaled their intent to ease sanctions on Syria by granting a license for the export of spare parts for a Syrian

government-owned airline. In doing so, they have adopted a policy similar to that pursued during the first term of the Bush administration, where high-level envoys and the U.S. ambassador in Damascus conveyed concerns about Syrian policies directly to Syrian officials, to little avail.

As the United States pursues this outreach, the IAEA investigation could prove be double-edged. On the one hand, the IAEA BOG could eventually refer Syria's apparent flagrant violation of its NPT obligations to the UN Security Council. The Security Council could then impose sanctions on Syria, as it has in the cases of Iran and others. In this sense, the IAEA investigation might prove a powerful point of leverage in persuading Syrian president Bashar al-Asad to finally revise policies long decried by Washington, such as Syria's support for Hamas and Palestinian Islamic Jihad. If al-Asad refuses to do so, the IAEA's findings could serve to rally international support for sanctions, which has not been forthcoming in the past.

On the other hand, even as it provides the United States with leverage, the IAEA investigation also limits U.S. flexibility in pursuing a rapprochement with Damascus and constrains the Obama administration's policy options. Like the Hariri Tribunal (the UN investigation of the 2005 killing of former Lebanese premier Rafiq Hariri), the international inquiry into Syria's nuclear activities is not a bilateral matter between the United States and Syria. As a result, the administration could face a dilemma arising from the mounting evidence of Syria's deception of the IAEA. The United States may conclude, if it believes its outreach to Damascus is making progress, that there is no benefit to pursuing the matter further: the Dair al-Zour reactor, after all, is no more. In this case, the United States could likely prevent further international action on the matter simply by doing nothing: an IAEA BOG referral to the UN Security Council is unlikely to take place without active U.S. advocacy, judging from the tenor of the November 28, 2008, BOG meeting on the issue.

Such an approach, however, would incur significant costs. First and foremost, it would further tarnish the credibility of an already shaky global nonproliferation regime. The Syrian nuclear episode suggests that this regime must be strengthened -- for example, by seeking broader observance of the IAEA's Additional Protocol and by developing tighter and more innovative export controls. Failure to take action in response to Syria's apparent violations of its NPT requirements would have the opposite effect, pushing would-be proliferators to increase their risk taking and responsible countries to rely less on the international regime and more on ad hoc efforts to stymie those proliferators.

Failing to pursue the case against Syria could also send a negative signal to Iran and North Korea. At a time when both of these regimes are taking the new U.S. administration's measure and gauging its toughness, laxity on Syria could be misinterpreted as a lack of commitment to countering Tehran and Pyongyang's own nuclear programs. At the last meeting of the IAEA BOG, U.S. representative Greg Schulte suggested that Syria, in seeking to "sanitize" the Dair al-Zour site, was adopting tactics honed by Iran. It is unlikely that this learning flows in just one direction -- if the Iranian regime sees that al-Asad was excused his nuclear improprieties, it may be emboldened to seek the same dispensation.

Finally, giving Syria a pass at the IAEA could paradoxically damage efforts by the Obama administration to improve relations with Damascus. Al-Asad has a reputation in the region for overreaching in response to a perceived advantage. A typical example is his August 2006 speech in which, likely emboldened by what he saw as a favorable outcome to the Israel-Hizballah conflict earlier that summer, he unwisely lambasted his fellow Arab rulers as "half-men." Following this pattern, it is highly possible that al-Asad would see a U.S. decision not to pursue Syria's case at the BOG as a sign of weakness and correspondingly harden his positions in talks.

The Way Forward

The Obama administration will face an uphill climb in its apparent drive to improve U.S.-Syria relations. According

to the U.S. intelligence community's publicly released 2009 threat assessment, the al-Asad regime, despite its professed desire for better relations with Washington, has maintained its interference in Lebanon, support for Palestinian terrorist groups, and close ties with Iran; further, it has "increased substantially" its military support for Hizballah. It is in this inauspicious environment that the new administration must formulate its position on the IAEA's investigation into Syria, with the knowledge that aggressively pursuing the case could derail any outreach to Damascus, while deemphasizing the investigation could impair the administration's national security agenda on multiple fronts.

If the administration wishes to avoid these negative outcomes, a potential solution is for the United States to stress in any talks with Syrian officials -- who continue to deny any nuclear wrongdoing despite mounting evidence -- the need for Damascus to voluntarily cooperate with the IAEA. Doing so would mean sharing with investigators the information and documentation noted in the February 19 report and allowing them to visit the additional sites to which they have requested access (eventually dismantling those sites should they prove to be nuclear related).

Voluntary disclosure and cooperation by Syria has a nearby precedent in Libya and could actually serve to strengthen, rather than weaken, the global nonproliferation regime. This approach would support a broader effort to rehabilitate Damascus as a responsible member of the international community without compromising other vital [whose?] national security goals; additionally, it would provide a more concrete measure of Syria's sincerity than would vague pledges by Damascus to be more constructive on other regional issues. In a recent interview, al-Asad said that he would "wait for the reality and the results" in dealing with the United States. Washington would be wise to do the same in its dealings with Syria.

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