

A STRATEGY TO END THE SYSTEMATIC THEFT OF HUMANITARIAN AID IN SYRIA

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Aid poured into Syria after an earthquake on February 6 that registered 7.8 on the Richter scale. Reports emerged within days — frequently on social media — of government personnel diverting aid or manipulating relief efforts in other ways. In one video, a young woman narrates her inspection of goods for sale at an outdoor market in Damascus, filming labels that show which products derived from aid shipments.¹ In another clip on social media, an employee of the Kurdish Red Crescent describes how Syrian officials demanded her team surrender half the aid it sought to bring into a part of Aleppo under control of the Bashar al-Assad regime.² Both videos circulated under the hashtag #Assad_Loots_Aid and its Arabic equivalent, #الأسد_لص_المساعدات.

Individual testimonies provide only anecdotal evidence of misconduct in the aftermath of the quake. In contrast, both non-governmental organizations (NGOs) and individual scholars have for years compiled extensive reports on the systematic diversion of aid by the Assad regime. While some of the stolen aid simply disappears into personal bank accounts, much of it funds the regime's war effort and ongoing atrocities. Thus, over the course of 12 years of war, humanitarian assistance may have done greater harm than good by subsidizing some of the most grievous war crimes in recent memory.³

The United States has spent over \$14.1 billion on humanitarian assistance for Syria, more than any other donor.⁴ This money ultimately comes from the American people, so U.S. leaders ought to have a strong interest in ensuring it is spent responsibly. That outcome has never been likely. Furthermore, the Assad regime is on the U.S. list of state sponsors of terrorism. Damascus works closely with Hamas, Lebanese Hezbollah, and Iran's Islamic Revolutionary Guard Corps, all of which the State Department has designated as Foreign Terrorist Organizations. Thus, the diversion of aid represents a national security threat, not just a crime against the Syrian people.⁵ Nevertheless, the U.S. government, over multiple administrations, has failed to confront the problem, let alone fix it.

1. @OrientNews, *Twitter*, February 13, 2023. (<https://twitter.com/OrientNews/status/1625077890684534786>)

2. @OrientNews, *Twitter*, February 16, 2023. (<https://twitter.com/OrientNews/status/1626136294857269248>)

3. Reinoud Leenders and Kholoud Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War," *Political Science Quarterly*, Summer 2018, pages 232-238. (<https://academic.oup.com/psq/article/133/2/225/6848229>); Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes* (London: I.B. Tauris, 2021), pages 4, 121, and 142. (<https://www.bloomsbury.com/us/syria-and-the-neutrality-trap-9780755641383/>)

4. U.S. Agency for International Development, "Syria: Country Profile," 2022. (https://www.usaid.gov/sites/default/files/2022-08/USAID_Syria_Country_Profile_2022.pdf) The U.S. government does not specify what percentage of this funding has supported UN operations in areas under the control of the Assad regime. Much of it funds relief for Syrian refugees in neighboring countries. In addition to humanitarian aid, Washington has provided \$1.3 billion of "stabilization assistance," which is spent only on areas outside the control of the Assad regime.

5. For an example of cooperative terror financing that involved Damascus, Tehran, Hamas, and Hezbollah, see: U.S. Department of the Treasury, Press Release, "Treasury Designates Illicit Russia-Iran Oil Network Supporting the Assad Regime, Hizballah, and HAMAS," November 20, 2018. (<https://home.treasury.gov/news/press-releases/sm553>)

UN ACCEPTANCE OF ASSAD'S MANIPULATION

The evidence of aid diversion is extensive but still growing.⁶ It dates back to the early days of the war. In 2013, the former head of the UN humanitarian coordination office in Syria warned, “In government-controlled parts of Syria, what, where and to whom to distribute aid, and even staff recruitment, have to be negotiated and are sometimes dictated.”⁷ In other words, the UN has been aware of the problem for a decade but failed to address it.

In some instances, the outright corruption of senior UN officials is responsible for diversions. While COVID raged from 2020 through 2022, the World Health Organization's (WHO's) representative in Damascus, Akjemal Magtymova, gave cars, computers, and gold coins as gifts to regime officials, according to subordinates. She also reportedly gave jobs to unqualified relatives of government officials — some accused of human rights violations.⁸

The WHO placed Magtymova on leave, but she was only a symptom of the organization's entrenched culture. Previously, the WHO hired Shukria Mekdad, wife of Foreign Minister Faisal Mekdad, as a consultant on mental health issues even though she had no qualifications for the job.⁹ Similarly, the UN High Commissioner for Refugees hired Saleh Mekdad, the foreign minister's brother, to serve as a liaison with the Foreign Ministry. Other relatives of top officials found perches throughout the network of UN offices in Damascus.¹⁰

The leading cause of aid diversion is not the corruption of UN officials. Rather, it is their acceptance of manipulation by the Assad regime as the price of doing business.¹¹ UN leaders do not acknowledge this compromise of the organization's neutrality and independence. Aid workers are much more candid about these problems, especially in anonymous interviews, yet often insist the only way to deliver life-saving assistance is to accept the regime's conditions.¹² What they rarely acknowledge is how the regime's share of the proceeds finances further oppression.

One of the UN's costliest accommodations of Assad has been the acceptance of below-market exchange rates for the conversion of dollars into Syrian lira to pay for UN operations. Scholars at the Center for Strategic and International Studies found that the regime diverted more than \$100 million of aid money in less than two years via exchange rate arbitrage.¹³ Pressuring the UN to work with regime-controlled businesses is also lucrative. From

6. For a recent and comprehensive overview, see Natasha Hall, “Rescuing Aid in Syria,” *Center for Strategic and International Studies*, February 2022. (https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/220214_Hall_Rescuing_Aid_Syria.pdf?hG4dKipxCaBNDRDaezmDvn2lHVmr8937)

7. Ben Parker, “Humanitarianism Besieged,” *Humanitarian Exchange*, November 2013. (https://odihpn.org/wp-content/uploads/2013/11/HE_59_web.pdf)

8. Maria Cheng, “WHO Syria Boss Accused of Corruption, Fraud, Abuse, AP Finds,” *Associated Press*, October 20, 2022. (<https://apnews.com/article/WHO-syria-bce4ad6714a8b9e29b15c4db39f66720>)

9. Somini Sengupta, “U.N. Agency Hires Wife of Top Figure in Syrian War to Assist the Displaced,” *The New York Times*, February 24, 2016. (<https://www.nytimes.com/2016/02/25/world/middleeast/syrian-ministers-wife-named-to-assess-mental-health-of-the-displaced.html>) Mekdad was deputy foreign minister at the time of his wife's hire.

10. Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes* (London: I.B. Tauris, 2021), pages 97-98. (<https://www.bloomsbury.com/us/syria-and-the-neutrality-trap-9780755641383/>)

11. Human Rights Watch, “Rigging the System: Government Policies Co-opt Aid and Reconstruction Funding in Syria,” June 2019, pages 1-3. (https://www.hrw.org/sites/default/files/report_pdf/syria0619_web4.pdf)

12. Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes* (London: I.B. Tauris, 2021), pages 57 and 121. (<https://www.bloomsbury.com/us/syria-and-the-neutrality-trap-9780755641383/>)

13. Natasha Hall, Karam Shaar, and Munqeth Othman Agha, “How the Assad Regime Systematically Diverts Tens of Millions in Aid,” *Center for Strategic and International Studies*, October 20, 2021. (<https://www.csis.org/analysis/how-assad-regime-systematically-diverts-tens-millions-aid>)

2014 through 2021, the UN spent an extraordinary \$81.6 million to house its staff at the Four Seasons Damascus, which is jointly owned by the Ministry of Tourism and regime financier Samer Foz.¹⁴

The regime employs numerous other tactics that undermine humanitarian operations.¹⁵ For example, it prevents UN personnel from assessing the needs of the population to deliver assistance effectively. Government ministries arbitrarily deny permission to aid operations that do not serve the regime's interests. The regime also requires UN agencies to partner with Syrian organizations under its de facto control, such as the Syria Trust for Development, founded by Syrian first lady Asma al-Assad, and the Syrian Arab Red Crescent. To encourage acquiescence, the foreign ministry denies visas to individuals it considers unlikely to cooperate. Even if UN personnel navigate all these challenges, Syrian security forces may strip a convoy of the goods they want to keep.¹⁶

BUILDING A COMMITMENT TO REFORM

In 2016, in the wake of initial reports the United Nations was spending millions at the Four Seasons Damascus, UN leadership promulgated a plan for reform entitled *Parameters and Principles of UN Assistance in Syria*.¹⁷ The plan was a dead letter from the moment of its approval. One provision of the plan called for the establishment of a monitoring group to report on the plan's implementation. The group has not held a single meeting and business has continued as usual.¹⁸

In Congress, there is growing bipartisan concern about the diversion of aid. In a January 2022 letter to President Joe Biden, the chairmen and ranking members of both the Senate Committee on Foreign Relations and House Committee on Foreign Affairs asked the president to share within 60 days his "strategy to prevent such theft and to ensure U.S. and international aid ends up in the hands of those that need it most."¹⁹ The letter mentions the finding that Assad stole in excess of \$100 million of aid in 2019-2020 by manipulating exchange rates. So far, there is no sign of the strategy the letter requested from the administration.

Secretary of State Antony Blinken and U.S. Ambassador to the United Nations Linda Thomas-Greenfield have spoken frequently about the Syrian people's desperate need for foreign assistance. Yet neither Blinken nor Thomas-Greenfield has acknowledged the problems of diversion and corruption. On occasion, their staff have shown familiarity with the issues — Thomas-Greenfield's deputy observed that the Syrian regime has "a well-documented

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14. David Adesnik, "The UN has now spent \$81.6 million at the Four Seasons Damascus," *Foundation for Defense of Democracies*, July 18, 2022. (<https://www.fdd.org/analysis/2022/07/18/un-spent-816-million-four-seasons-damascus/>) The UN initially justified its choice of the Four Seasons as a security measure, given significant violence in Damascus, yet its staff remain at the hotel even though there has been little fighting in Damascus over the last five years.

15. Reinoud Leenders and Kholoud Mansour, "Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War," *Political Science Quarterly*, Summer 2018, pages 232-242. (<https://academic.oup.com/psq/article/133/2/225/6848229>)

16. For further details and sources, see the section below entitled, "Reforming Aid Operations in Syria."

17. The UN has never released the *Parameters*, but a Russian media outlet published the two-page document online. "Parameters and Principles of UN Assistance in Syria (October 2017)," *Kommersant* (Russia), accessed October 25, 2022. (<https://www.kommersant.ru/docs/2018/UN-Assistance-in-Syria-2017.pdf>)

18. Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes* (London: I.B. Tauris, 2021), pages 103-109. (<https://www.bloomsbury.com/us/syria-and-the-neutrality-trap-9780755641383/>)

19. Robert Menendez, et al., *Letter to President Joe Biden*, January 11, 2022. (<https://www.foreign.senate.gov/imo/media/doc/220111%20-%20TO%20POTUS%20-%20U.S.%20Syria%20Policy%20-%20SFRC%20and%20HFAC.pdf>)

history; a history of corruption, of stealing aid, and of denying it to communities in need.”²⁰ Yet like previous administrations, both Republican and Democratic, the current one has taken no action to fix the problem.

If and when the U.S. government decides to confront the diversion and theft of humanitarian aid in Syria, it will need a plan. To address that need, this memo identifies five essential components of an effective strategy as well as specific courses of action for both the executive and legislative branches in each of the five areas.

The problem of aid diversion is mainly political and diplomatic, not technical. Sustained leadership from the White House and Congress is necessary to overcome both Assad’s manipulation of the UN aid machinery and the inability of the UN to hold its own agencies and staff accountable. The United States and other UN donors are the only actors with the leverage necessary to implement meaningful reforms. In theory, Washington could stop funding UN humanitarian operations or even suspend other payments to the UN until it demonstrates a commitment to reform, yet cutting off aid would be unthinkable in the aftermath of February’s earthquake. Instead, this strategy lays out a program of diplomatic pressure that will test whether the UN is capable of reform when donors firmly press their concerns.

THE FIVE CORE COMPONENTS OF A STRATEGY TO PREVENT DIVERSION

- 1. Public Diplomacy** — The president, secretary of state, and other key officials should publicly identify the problem and declare that preventing diversion is a U.S. priority in Syria. Previous administrations, like the current one, have avoided candid discussion of this issue, lest it embarrass both donor states and UN agencies that have lost control of the aid process. Instead, Washington should make clear it will employ its leverage as the top donor state to hold accountable both the UN and the Assad regime.
- 2. Coordination with Allies** — The principal donors of humanitarian aid are almost all U.S. allies, mainly in Europe, who share an interest in preventing diversion. They have sometimes coordinated among themselves, but their efforts have had little impact, in part because of the absence of U.S. leadership. Together, the United States and its allies should leverage their role as donors to demand specific reforms.
- 3. Reviving Oversight Mechanisms within the UN** — In 2016, media coverage of Assad’s manipulation of the aid process prompted UN leaders to issue the *Parameters and Principles of UN Assistance in Syria*.²¹ The UN also established a group to monitor the implementation of the *Parameters*, but it has not met even once. It should convene immediately.
- 4. Reforming Aid Operations in Syria** — UN agencies must renegotiate the terms of their relationships with the Syrian government. Robust diplomatic support from the United States and its allies will be essential. Deference to sovereign authorities has become deeply ingrained over the past decade in Syria.

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20. Richard Mills, “Remarks at a UN General Assembly Meeting Following Russia’s Veto of a UN Security Council Resolution on the Syria Cross-Border Humanitarian Mechanism,” *Remarks Before the United Nations General Assembly*, July 21, 2022. (<https://usun.usmission.gov/remarks-at-a-un-general-assembly-meeting-following-russias-veto-of-a-un-security-council-resolution-on-the-syria-cross-border-humanitarian-mechanism/>)

21. Nick Hopkins and Emma Beals, “UN pays tens of millions to Assad regime under Syria aid programme,” *The Guardian* (UK), August 29, 2016. (<https://www.theguardian.com/world/2016/aug/29/un-pays-tens-of-millions-to-assad-regime-syria-aid-programme-contracts>)

5. Congressional Action — With its power of the purse, Congress can determine the conditions under which aid flows to the UN and other providers. So far, Congress has not imposed conditions despite Assad’s pervasive theft. In turn, the executive branch has exerted negligible pressure on the UN to reform the aid process. A sustained bipartisan commitment to oversight and reform will send a clear signal to the UN that America will no longer tolerate the status quo.

PUBLIC DIPLOMACY

Ending the expropriation of aid begins with breaking the official silence at the UN and among UN member states. The public diplomacy component of a reform strategy should consist of the following steps:

- **A Presidential Statement** — To demonstrate that the U.S. government is now serious about reform, the president himself should state clearly that the expropriation of aid is pervasive, that Assad has co-opted the UN aid machinery in Syria, and that reform is an American priority. A verbal statement is preferable to a written one in terms of signaling commitment. The president should also issue a National Security Study Memorandum directing the appropriate agencies to analyze this issue and recommend policy responses.
- **A Public Address by the Secretary of State** — In 2021, the National Security Council staffed a comprehensive review of U.S. policy toward Syria. The White House has yet to release a declassified summary of the review, but senior NSC officials have identified key objectives, including efforts to provide relief as the spread of hunger and disease continues.²² Even so, neither the secretary of state nor other key officials has acknowledged that theft undermines humanitarian operations in Syria. To signal a commitment to reform, the secretary should deliver a public address articulating U.S. policy toward Syria and diagnosing the extent and causes of aid diversion.
- **Monthly Updates to the UN Security Council by the U.S. Ambassador to the UN** — The Security Council convenes monthly to receive updates from senior UN officials on the humanitarian situation in Syria. These discussions routinely ignore the expropriation of aid by the Assad regime. Henceforth, the U.S. ambassador should provide updates on expropriation in her remarks, while encouraging allied envoys to do the same. Of equal importance, the United States should ensure that senior UN officials address the issue consistently.
- **Meetings With the Secretary-General and UN Humanitarian Chief** — For as long as the most senior UN officials avoid acknowledging the problem of large-scale diversion, the rest of the UN system has a license to ignore it, too. When the president, secretary of state, and other top UN officials meet with Secretary-General António Guterres, they should emphasize that aid diversion is a U.S. priority and that they expect Guterres to acknowledge the problem, wielding evidence already in the public domain. U.S. officials should convey the same message to the director of the UN’s Office for the Coordination of Humanitarian Affairs, the top UN aid official.
- **Meetings with UN agency heads** — The decentralized UN system grants considerable authority to agencies that jointly conduct humanitarian operations, including the World Food Programme and the WHO. Their headquarters are spread across the globe, so the State Department must coordinate efforts to broadcast a consistent message.

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22. The Arab Gulf States Institute in Washington, “UAESF – A Conversation with Brett McGurk,” *YouTube*, December 12, 2021, 35:49. (<https://www.youtube.com/watch?v=cEA9zxbQa70>)

COORDINATION WITH ALLIES

Secretary of State Antony Blinken and other senior officials have emphasized their commitment to multilateralism, including their belief that having a seat at the table is the most effective way to address the shortcomings of various international organizations.²³ This position should facilitate cooperation with U.S. allies, who are also frustrated with Assad's theft of aid but hesitant to criticize the UN sharply, lest they delegitimize the UN as a whole.

- **Establish a Consortium of Donor States** — At present, there is no standing body of donor state representatives capable of coordinating a campaign for reform. The UN ambassadors from each donor state should represent their respective governments, although an initial meeting at the level of foreign minister would send a clear signal of commitment. Although UN-focused, the consortium should not be a UN body, so it could be set up quickly without requiring permission from the UN. The Biden administration's readiness to stand up the council quickly will indicate of how serious it is about reform.
- **Coordinate Requests to the UN Secretary-General and Senior UN Officials** — The consortium should present a united front to the secretary-general and other UN officials to demonstrate that members cannot be played against each other. The consortium should identify specific anti-theft measures it expects UN agencies to implement in Syria and ensure the UN holds accountable all corrupt and complicit officials.
- **Coordinate Public Diplomacy** — Allied governments should signal their commitment to reform by having their heads of state, foreign ministers, and UN envoys break the taboo on public discussion of aid diversion. To that end, donor state foreign ministers should issue a joint statement providing a clear definition of the challenge and pledging sustained oversight of humanitarian operations.
- **Counter Disinformation Efforts** — Despite overwhelming evidence of Assad's use of chemical weapons, Damascus and Moscow continue to spread disinformation and conspiracy theories to blur the truth and deflect blame.²⁴ Donor states should expect a similar response to public statements about aid diversion; accordingly, they should coordinate efforts to expose such propaganda in key UN forums, especially Security Council meetings dedicated to the humanitarian situation in Syria.

REVIVING OVERSIGHT MECHANISMS WITHIN THE UN

As noted above, public pressure led to the issuance of the *Parameters and Principles of UN Assistance in Syria*, yet the committee charged with monitoring their implementation has not met once. Carsten Wieland, a former German diplomat who worked on Syria at the UN, has explained how the previous campaign for reform pitted donor states and pro-reform constituencies at the UN against the Kremlin and those UN constituencies that favor the status quo.²⁵ Reviving UN oversight mechanisms is not a technical challenge but a political and diplomatic one. The United States and its allies must demonstrate greater commitment while outmaneuvering their adversaries.

- **Publish the *Parameters and Principles of UN Assistance to Syria*** — Although a UN committee accidentally released a copy of the *Parameters*, which a Russian media outlet published online, the UN has never issued a

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23. Antony J. Blinken, "Secretary Antony J. Blinken on Release of the 2020 Country Reports on Human Rights Practices," *Remarks to the Press*, March 30, 2021. (<https://www.state.gov/secretary-antony-j-blinken-on-release-of-the-2020-country-reports-on-human-rights-practices/>)

24. Chloe Hadjimatheou, "The UK Professor and the Fake Russian Agent," BBC News (UK), March 26, 2021. (<https://www.bbc.com/news/stories-56524550>)

25. Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes* (London: I.B. Tauris, 2021), chapters 8-9. (<https://www.bloomsbury.com/us/syria-and-the-neutrality-trap-9780755641383/>)

certified version of the document.²⁶ Donor states should press the secretary-general to publish the *Parameters* along with a statement affirming that reform is a top priority. The UN should publicize the *Parameters* widely and encourage journalists to report on the campaign for reform.

- **Ensure Quarterly Meetings of the *Parameters* Monitoring Group** — The secretary-general should direct UN agencies to provide the monitoring group with the information necessary to perform its duties. The monitoring group should have a chair of sufficient stature to command institutional support, such as the under-secretary-general for peacebuilding and political affairs.
- **Press the Secretary-General to Appoint Reform Advocates to Senior Positions in Syria and the Middle East** — The need for honest and reform-minded leaders has become even clearer thanks to the investigation of Akjemal Magtymova. Yet there is ample precedent for Magtymova’s abuses. For example, the UN High Commissioner for Refugees’ (UNHCR’s) representative in Syria directed millions of dollars to (nominal) charities controlled by Assad’s wife then denied this was problematic.²⁷ While numerous UN personnel serve admirably in Syria under difficult circumstances, an internal UN assessment found that UN agencies muted criticism of flagrant regime abuses, choosing “access over advocacy.”²⁸

REFORMING AID OPERATIONS IN SYRIA

The UN subscribes to four principles — humanity, neutrality, impartiality, and independence — that ought to govern all humanitarian operations. Their purpose is to ensure that UN aid operations do not favor any side in a conflict, prioritize activities based on need, and remain autonomous from political authorities.²⁹ In Syria, violations of these principles were evident early in the 2011 uprising.³⁰ Addressing them was never a UN institutional priority, despite pledges from the secretary-general on down. The following are seven ways to address persistent challenges posed by the regime:

- **Sharply Limit the Assad Regime’s Ability to Deny Permission for Aid Operations** — The regime has created a Kafka-esque maze of procedures for delaying or denying requests to initiate operations.³¹ It exploits these procedures to prevent aid deliveries to populations it considers disloyal, a clear violation of humanitarian principles. At the height of the war, the regime imposed civilian sieges — a war crime — by denying the UN access to opposition strongholds. Reforms should ensure the regime can only block humanitarian operations if it presents clear evidence of security risk.
- **Ensure UN Agencies Can Select Personnel Free of Political Constraints** — The Assad regime has exploited its control of visa approvals to block the UN’s appointment of foreign employees likely to resist the regime’s pressure. The regime has also manipulated the hiring of local employees to embed friends and relatives of

26. “Parameters and Principles of UN Assistance in Syria (October 2017),” *Kommersant* (Russia), accessed October 25, 2022. (<https://www.kommersant.ru/docs/2018/UN-Assistance-in-Syria-2017.pdf>)

27. Khaled Yacoub Oweis, “UNHCR on aid to Syria: what’s important is to deliver,” *The National* (UAE), July 15, 2019. (<https://www.thenationalnews.com/world/mena/unhcr-on-aid-to-syria-what-s-important-is-to-deliver-1.886179>)

28. Lewis Sida, Lorenzo Trombetta, and Veronica Panero, United Nations Office for the Coordinator of Humanitarian Affairs, “Evaluation of OCHA Response to the Syria Crisis,” March 2016, page 12. (https://www.unocha.org/sites/dms/Documents/OCHA%20Syria%20Evaluation%20Report_FINAL.pdf)

29. “OCHA on Message: Humanitarian Principles,” United Nations Office for the Coordinator of Humanitarian Affairs, July 2022. (https://www.unocha.org/sites/unocha/files/OOM_Humanitarian%20Principles_Eng.pdf)

30. Ben Parker, “Humanitarianism Besieged,” *Humanitarian Exchange*, November 2013. (https://odihpn.org/wp-content/uploads/2013/11/HE_59_web.pdf)

31. The Syria Campaign, “Taking Sides: The United Nations’ Loss of Impartiality, Independence and Neutrality in Syria,” June 2016. (<https://web.archive.org/web/20170711061520/http://takingsides.thesyriacampaign.org/wp-content/uploads/2016/06/taking-sides.pdf>)

regime officials within UN agencies. These hires can both report back on the UN's internal deliberations and shape UN operations.

- **Ensure Freedom of Movement for Aid Providers** — The regime has prevented UN agencies from conducting rigorous assessments of the population's needs and from assessing whether operations were carried out properly. In some instances, the regime has employed security services to intimidate providers.
- **Let Aid Providers Choose Their Partners** — The Assad regime currently chooses the local partners that work with foreign aid providers. These local partners conduct surveillance and bend humanitarian operations to fit the regime's priorities. The leading partner for the UN is the Syrian Arab Red Cross (SARC). While SARC personnel have risked their lives or even died during aid operations, the regime exercises political control over the organization.³²
- **End the Regime's Manipulation of Exchange Rates** — Aid organizations must convert hard currency into Syrian pounds (or lira) to conduct operations. The regime compels UN agencies to accept below market rates of exchange, essentially confiscating UN assets. This resulted in losses of more than \$100 million over a two-year period.³³
- **Create a Transparent UN Procurement Process That Protects Human Rights** — UN agencies procured more than \$200 million of goods and services in Syria in 2020 and more than \$1.2 billion total since 2014. Known members and supporters of the Assad regime have received millions of dollars' worth of UN contracts. Recipients include individuals on the U.S. and EU sanctions lists, as well as human rights violators.³⁴ For example, the UN spent \$81.6 million to house personnel at the Four Seasons Damascus, a sanctioned business jointly owned by the Ministry of Tourism and a businessman close to Assad.³⁵ The need for independent auditing and screening is urgent. The UN should also require NGOs implementing UN projects to have transparent procurement processes and human rights safeguards.
- **Add Safeguards to Prevent Corruption in the Aid Supply Chain** — At the height of the war in Syria, pro-regime forces openly confiscated supplies from UN aid convoys. Reports of such actions are now less common, yet substantial amounts of aid continue to flow into the regime's warehouses. Last year, a news crew gained access to a facility captured from pro-regime forces. They found it stacked high with rations from the World Food Programme.³⁶ Greater transparency is necessary to prevent such wholesale diversion.

CONGRESSIONAL ACTION

Congress has the ultimate say over how much America spends on humanitarian aid and the conditions for that funding. By acting in concert with the executive branch, Congress can send an unmistakable signal to both the

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32. Ibid., pages 30-32.

33. Natasha Hall, Karam Shaar, and Munqeth Othman Agha, "How the Assad Regime Systematically Diverts Tens of Millions in Aid," *Center for Strategic and International Studies*, October 20, 2021. (<https://www.csis.org/analysis/how-assad-regime-systematically-diverts-tens-millions-aid>)

34. Syrian Legal Development Programme and the Observatory of Political and Economic Networks, "UN Procurement Contracts in Syria: A 'Few' Bad Apples?" October 2022, pages 16-18. (https://sldp.ngo/wp-content/uploads/2022/12/SLDP_OPEN-UN-Procurement-in-Syria-En.pdf)

35. David Adesnik, "The UN Has Now Spent \$81.6 Million at the Four Seasons Damascus," *Foundation for Defense of Democracies*, July 18, 2022. (<https://www.fdd.org/analysis/2022/07/18/un-spent-816-million-four-seasons-damascus/>)

36. Hawar Medya, "لماذا وصلت مساعدات الأمم المتحدة لمقرات مرتزقة الدفاع الوطني؟" (Why did United Nations aid reach the headquarters of National Defense mercenaries?), *YouTube*, April 25, 2021. (<https://www.youtube.com/watch?v=5taDVUh1zqg>)

UN and the Assad regime that Washington is fully committed to a root-and-branch overhaul of the aid process. Without decisive action by Congress, the executive branch will lose much of the leverage it needs to negotiate reforms at the UN.

- **Public and Private Diplomacy** — Like the executive branch, lawmakers can send clear signals of their commitment to reform. They should stress this in private meetings with both UN officials and representatives from allied donor states.
- **Hold Hearings on the Expropriation of Aid in Syria** — At hearings of the Senate and House foreign relations committees, members and witnesses have discussed humanitarian issues at length yet mostly bypassed the issue of aid diversion. To generate momentum for reform, the committees should now hold hearings focused on expropriation and how to prevent it.
- **Legislate Conditions on Aid** — Congress should pass measures requiring the administration to establish a consortium of donor states that share the U.S. interest in reform. Congress should also make clear to the secretary-general its expectation that he will convene the *Parameters* monitoring group on a regular basis and empower it to enact sweeping reforms. As the branch that holds the power of the purse, Congress should clarify that the continuation of aid depends on transparency and accountability.
- **Consider Alternate Channels for Humanitarian Assistance** — If Congress determines that funding UN aid operations benefits Assad more than it does the people he rules, it can redirect a share of U.S. aid to portions of the country Assad does not control, such as the northeast and northwest. It can also shift funding to Syrian refugees in neighboring countries who often live in dire poverty. If this does not incentivize the UN to enact reforms, Congress may increase the percentage of aid dispatched via alternate channels. The executive branch also has some discretion in this regard. For example, after the February earthquake, it provided direct support to the White Helmets, the Syrian civil defense group active in the northwest and renowned for rescuing civilians from the rubble of bombed-out buildings.³⁷

CONCLUSION: THE “RADICAL OPTION” AND THE SHADOW OF RUSSIAN INTIMIDATION

The UN must renegotiate the rules of humanitarian operations with the Assad regime. Syria is a failed state, yet the Assad regime maintains the privileges of sovereignty.³⁸ Barring authorization by the Security Council — where Moscow regularly employs its veto on behalf of Damascus — UN agencies cannot act without the regime’s consent. This raises the question of what threat or incentive would compel Assad’s cooperation. One possibility is to condition the delivery of aid on its full cooperation. Assad may not care how many of his people starve, but the regime’s dire financial situation still makes it desperate for any economic stimulus it can find.

Wieland, the former German diplomat, describes this as “the radical option.” Cutting off aid to millions in need is anathema to almost all advocates of humanitarian assistance. Amid the devastation wrought by last month’s earthquake, a suspension of aid is unthinkable. Yet as life returns to what passes for normal in Syria, the previous dilemma will rear its head once again: so much aid is diverted that the net effect of assistance is to worsen the people’s suffering. This could put the radical option back on the table, although not right away. For donor states, the first course of action should be to implement the five-pronged strategy this memo elaborates, which employs

37. @SyriaCivilDef, *Twitter*, February 17. (<https://twitter.com/SyriaCivilDef/status/1626637427270877189>)

38. Reinoud Leenders and Kholoud Mansour, “Humanitarianism, State Sovereignty, and Authoritarian Regime Maintenance in the Syrian War,” *Political Science Quarterly*, Summer 2018. (<https://academic.oup.com/psq/article/133/2/225/6848229>)

diplomatic pressure but no reduction of aid. In fact, donor states should begin to implement this strategy right now, since its core components are compatible with post-earthquake recovery efforts. There is no reason to postpone either candid discussion of aid diversion or the revival of UN oversight mechanisms.

Yet if the Syrian regime's intransigence persists amid concerted diplomatic pressure, donor states will once again have to choose between the radical option and the toleration of wholesale theft. Ideally, a threat to suspend humanitarian operations would compel Assad to cooperate. Yet the credibility of such a threat depends on the readiness of donors to follow through.³⁹

The primary argument against a suspension is that even if Assad expropriates some or most humanitarian assistance, the remainder still reaches those in need. But the diverted aid does not simply disappear into offshore bank accounts; rather, it bankrolls the forces that continue to commit atrocities on Assad's behalf. There is a point at which humanitarian assistance actually does more harm than good. In the regions of Syria under Assad's control, that point is long past.

The executive branch will have to lay the groundwork for employing the radical option, even if it remains a fallback policy. For its part, Congress should draft legislation to withhold funding for UN aid in the absence of certain reforms. The portion withheld should increase every six or twelve months on a fixed schedule if problems persist. As noted above, Congress would not deprive the Syrian people of assistance. Rather, it would redirect assistance to other Syrians in need, without constant obstruction by Damascus.

A final consideration to bear in mind is that Russia, as Assad's benefactor at the UN, is likely to wage a diplomatic counteroffensive to block UN assistance to the 4 million Syrians living in the country's northwest, the last region under control of factions that grew out of al-Qaeda. Aid to the northwest bypasses the Assad regime, arriving directly from across the Turkish border. By threatening to veto this aid, Russia has gradually whittled down from four to one the number of border crossings through which UN agencies can send relief. Moscow also reduced from 12 months to six the duration of Security Council resolutions that authorize cross-border assistance.⁴⁰ The threat to starve the northwest is clearly credible. If Washington and its allies buckle under such pressure, the campaign for reform may collapse. Instead, to pre-empt this threat, donor states should create a parallel aid channel that does not depend on UN authorization.⁴¹ The effort should begin immediately, since creating a supply chain will take time.

Changing the way the UN conducts humanitarian operations in Syria will be labor intensive, yet the benefits will extend to other war zones. Other authoritarian regimes have obstructed and manipulated foreign assistance like Assad has done. The UN's own reports have documented this, especially in Bosnia in the 1990s and in the Sri Lankan war that ended in 2012.⁴² In the wake of such self-criticism, UN leaders pledged to defend humanitarian principles more vigorously. Until the United States and other donor states exercise stricter humanitarian oversight, the cycle will repeat.

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39. Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes* (London: I.B. Tauris, 2021), pages 131-132. (<https://www.bloomsbury.com/us/syria-and-the-neutrality-trap-9780755641383/>)

40. David Adesnik, "How Russia Won the UN Showdown Over Syria," *The National Interest*, July 21, 2022. (<https://nationalinterest.org/feature/how-russia-won-un-showdown-over-syria-203745>)

41. Sahar Atrache and Sabiha Khan, "Transforming Syria's Lifeline: A Plan for Sustaining Cross-Border Aid in Northwest Syria," *Refugees International*, July 2022. (<https://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/62ec689a1481810fb6c1ca48/1659660442986/FINAL+-+Syria+Report+-+August+2022.pdf>)

42. Carsten Wieland, *Syria and the Neutrality Trap: The Dilemmas of Delivering Humanitarian Aid through Violent Regimes* (London: I.B. Tauris, 2021), pages 15-21. (<https://www.bloomsbury.com/us/syria-and-the-neutrality-trap-9780755641383/>)

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