



## **Anti-normalization law with Assad regime Towards a Syrian Taif Agreement 2023**

The Anti-Normalization with Assad Regime Act denotes a legislative measure in the United States, specifically designed to impede any official acknowledgement or establishment of relations by the US government with a Syrian government led by Bashar al-Assad. Recently, the Foreign Relations Committee of the US House of Representatives granted approval for this bill, aimed at countering the normalization of interactions with the Syrian regime. The American Coalition for Syria, in conjunction with other organizations, initiated the voting process for the bill, <sup>1</sup> further emphasizing its significance. Within the Syrian context, this particular legislation is regarded as one of the most stringent punitive measures implemented by the United States, following the enactment of the Caesar and Captagon laws.

### **About the Legislation**

#### **The legislation**

The Anti-Normalization legislation pertaining to the Assad regime can be succinctly outlined through the following salient points:

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<sup>1</sup> The US Congress passes the Anti-Normalization Act with Assad. The vast majority (almodon.com)

1. Prevention of any dealings between the US government and Bashar al-Assad or any Syrian government sponsored by him.
1. Strict implementation of the Caesar Act and the imposition of tightened sanctions on Assad regime.
2. Reinforcement of economic measures targeting the Syrian regime, aimed at constricting its financial capabilities.<sup>2</sup>
3. Imposition of sanctions on all individuals involved in the management of the country under Bashar al-Assad's leadership, including deputies, ministers, and ambassadors.

### **Timing of the Decision**

- Undoubtedly, the approval of the resolution by the US Congress, although expected, is still pending. Once approved, the resolution allows for a 180-day period for its implementation. The expeditious submission of the resolution and the specified timeframe for its execution (if ratified) can only be comprehended within its current temporal context.
- The Arab League<sup>3</sup>, under the leadership of the Kingdom of Saudi Arabia, is actively intervening to bring an end to the Syrian crisis. This intervention follows a hierarchical approach, commencing with diplomatic engagement with the Bashar al-Assad regime and gradually progressing towards the establishment of a committee, entrusted by the Arab League,<sup>4</sup> tasked with achieving a resolution and settlement in line with the Geneva 2254 resolutions, which pertain to the formation of a fully empowered transitional government.<sup>5</sup>

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<sup>2</sup> The "Syrian Agency for Development" headed by Asma al-Assad.

<sup>3</sup> The initiative was launched by Jordan in May 2023, and aims to move the path of the Syrian settlement and activate the Arab role in resolving the Syrian crisis.

<sup>4</sup> Details of the official decision to return Syria to the Arab League | Sky News Arabia (skynewsarabia.com)

<sup>5</sup> Details of the official decision to return Syria to the Arab League | Sky News Arabia (skynewsarabia.com)

- The Arab initiative arises subsequent to the Iranian-Saudi agreement reached in China, aiming to address outstanding issues in the region, particularly the Yemeni and Syrian matters.<sup>6</sup>
- This Arab initiative is not far removed from the state of rapid normalization pursued by the Turkish side with the regime, facilitated by their allies, namely Russia and Iran. This may indicate an Arab apprehension regarding the potential loss of influence in Syria and the fear of it becoming an unrestricted arena for Turkish, Russian, and Iranian interests, with diminished Arab involvement.

**Behind closed doors**

### **Strategic changes**

A discernible shift away from complete dependency on the United States can be observed among regional countries, and this departure can be characterized along two dimensions:

The Turkish **Dimension**: The evolving relationship between the United States and Turkey has undergone notable changes, attributable to the following factors:

1. The substantial discord in Syria, as the United States provides support to the Syrian Democratic Forces (SDF), which Turkey accuses of posing a threat to its border security.<sup>7</sup>

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<sup>6</sup> <https://www.bbc.com/arabic/middleeast-65203145>

<sup>7</sup> US-Turkish Dispute, Background and Dimensions – Al-Badil Center for Studies and Research (albadeeljordan.org)

2. Turkey's alignment with Iran, which rejects the U.S. policy of imposing sanctions and maintains a steadfast political and economic association with Iran.<sup>8</sup>
3. Turkey's growing detachment from the American sphere is evident through various instances that highlight the Turkish-Russian rapprochement at the expense of the United States. For instance, Turkey's procurement of the Russian S-400 defense system, deemed by NATO as a security threat, led to the U.S. canceling the sale of F-35 aircraft to Turkey and imposing sanctions on its military sector. It appears that Turkey is gradually distancing itself from the American sphere of influence.
4. Turkey's diminished involvement in U.S.-led efforts in Syria is exemplified by its adoption of the Astana process, which also serves as a means to strengthen ties with Russia.<sup>9</sup>

The Arab **Dimension**: This shift is manifested in the following ways:

1. A shift in Arab orientation away from the American sphere is reflected in efforts to curtail OPEC production in the Arab world, a move that has unsettled the U.S. administration.<sup>10</sup>
2. The signing of the Iranian-Saudi agreement, facilitated by Chinese mediation, represents one of the consequences stemming from Arab concerns over potential U.S. disengagement from the region.<sup>11</sup>

## **U.S. Targets**

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<sup>8</sup> Three reasons behind the Turkish-American dispute over the safe zone (syria.tv)

<sup>9</sup> Turkish-American relations after congressional moves. governing determinants | Al-Istiqlal newspaper (alestiklal.net)

<sup>10</sup> Amid American anger over OPEC+'s decision. Saudi Energy Minister: Is the Kingdom using oil as a weapon? (cairo24.com)

<sup>11</sup> The Saudi-US relationship is entering the reset phase, so what are the risks? - BBC News Arabic

Given the historically strong relationship between the United States and the Arab nations, the scope for Arab agency outside the purview of American influence remains limited and relatively benign, at least during this current phase.

Conversely, Turkey, in response to its allegations that the United States supported the coup attempt against President Erdogan, has sought official engagements with Russia and Iran. This tactical approach can be interpreted as a practical reaction to Turkey's perception of American interference. The United States has repeatedly denied these accusations, and the Turkish response is further compounded by NATO's withdrawal of the Patriot missile defense system <sup>12</sup> during Turkey's conflict with Russia.<sup>13</sup> The incident involving the downing of a Russian aircraft reached a critical turning point, prompting Turkey to reevaluate its position and distance itself from the Western world, with a particular emphasis on a shift <sup>14</sup> away from the United States.

## **American Response**

The United States is expected to employ two strategic approaches in response to the Turkish situation, constituting distinct cards to be played:

1. The SDF Support Card: The United States will likely leverage its support for the Syrian Democratic Forces (SDF) as a means to hinder Turkey from initiating a military campaign aimed at securing the entire Syrian-Turkish border from the presence of the SDF. <sup>15</sup> This stance adopted by the United

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<sup>12</sup> US responds to Turkish minister's accusation of being behind 2016 coup attempt - 05.02.2021, Sputnik Arabic (sputnikarabic.ae)

<sup>13</sup> Why Were Foreign Patriot Air Defense Withdrawn from Turkey? | Turk Press (turkpress.co)

<sup>14</sup> What are the repercussions of Turkey's downing of a Russian fighter jet? - BBC News Arabic

<sup>15</sup> US rejects new Turkish military operation in Syria (ahram.org.eg)

States has resulted in Turkey rejecting America's condolences for the victims of the 2022 Istanbul attack.<sup>16</sup>

2. The Anti-Normalization Law: The recent enactment of the anti-normalization law assumes significance, primarily impacting Turkey rather than the Arab states, for two key reasons:

Turkey's Pursuit of Normalization: It is Turkey that seeks normalization,<sup>17</sup> while the Arab initiative has facilitated Syria's potential reintegration into the Arab League without mandating unconditional normalization. The conditions set forth entail the regime's acceptance of the implementation of the Geneva decisions.<sup>18</sup>

Potential Defiance of the U.S. Anti-Normalization Law: In light of the above, the remarks made by the Turkish Foreign Minister regarding ongoing efforts towards the gradual normalization of relations with the Syrian regime can be better understood, particularly in the event of apparent disregard for the U.S. anti-normalization law. The return of the Syrian regime to the Arab League should not be equated with normalization, as individual member states now have the autonomy to determine their own course of action in this regard.<sup>19</sup>

### **Objectives and effects of the legislation**

#### **Objectives of the Legislation:**

##### **Immediate Objective:**

Considering the limited enforcement capabilities of the Arab League's committee entrusted with resolving the Syrian crisis, the decision to oppose normalization

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<sup>16</sup> Turkish Interior Minister: We reject America's condolences for the victims of the Istanbul attack - CNN Arabic

<sup>17</sup> Çavuşoğlu talks about the map of normalization with Assad: 3 goals, military coordination, and refugees - Orient Net (orient-news.net)

<sup>18</sup> Is the Syrian regime's return to the League "conditional" on the Arab initiative? (alaraby.co.uk)

<sup>19</sup> Syria and the Arab League: Aboul Gheit says President al-Assad can participate in upcoming Arab summit 'if he wishes' - BBC News Arabic

serves as a significant leverage (with two dimensions) that the Arab League can utilize:

1. The law acts as a hindrance to certain countries exploiting the return of the Syrian regime to Arab and international legitimacy without incurring any costs.
2. It leaves Bashar al-Assad with no option but to agree to the Arab settlement initiative if he chooses to cease the confrontation.

**Long-Term Objective:**

1. Drawing upon the precedent set by George W. Bush, who utilized sanctions on Iraq as one of the justifications for invading and militarily toppling Saddam Hussein's regime in 1990, the existence of a law rejecting normalization grants the United States the ability to control the Syrian regime and employ it strategically in future endeavors.
2. Bashar al-Assad's reentry into the Arab League implies his official acceptance of the Arab League's conditions, thus ensuring the United States a presence at the Syrian negotiating table and enabling it to secure a share of the geopolitical landscape in Syria along two axes:

The first axis encompasses the eastern region, which falls under the influence of the U.S.-backed Syrian Democratic Forces (SDF).<sup>20</sup> The United States stands to benefit from this influence by:

1. Exerting pressure on Turkey.
2. Gaining control over oil resources estimated at a minimum of 80,000 barrels per day.<sup>21</sup>

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<sup>20</sup> According to the map of US military influence issued by the Jusoor Center for Studies on February 24, 2020, there are 25 US military bases and points in Syria, including 22 military bases and 3 points of presence. For more information: Map of military influence in Syria 01-01-2021 (jusoor.co)

<sup>21</sup> Syrian oil between 10 years. how much does the regime produce now, how much are its losses, and will Iran save it? (syria.tv)

3. Establishing a counterbalance against Iranian presence in the Eastern Province.<sup>22</sup>

The second axis encompasses the southern region, where the U.S.-operated Al-Tanf base is located,<sup>23</sup> supporting the Free Syrian Army's "Maghawir Al-Thawra" forces. The objectives in this region include:

1. Establishing a strategic foothold to contain Iranian and Russian influence, especially after the settlement that has significantly elevated their presence in the southern region.
2. Ensuring the security of Israel's borders.

### **Effects of the Legislation:**

- The legislation prohibiting normalization with the Assad regime has provided the Arab League with a crucial tool for gradually regaining influence in Syria. This law can serve as a significant leverage that the Arab League can employ against Assad whenever deemed necessary. The United States of America, not driven by an affinity for or acceptance of the Arab League's path, has granted this privilege in order to thwart Turkish normalization efforts.
- The U.S. legislation can be viewed as a lifeline for the Syrian opposition, which perceives that Turkey may soon abandon its support. As the Arab League seeks to bring together the opposition and the regime within a new Syrian Taif Agreement, Turkish normalization pursues a reconciliation that would render the opposition ineffectual in shaping Syria's future. Furthermore, the legislation opens avenues for the opposition to improve and strengthen its relationship with the United States, (given the erosion of

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<sup>22</sup> Iranian forces are present in the provinces of Albu Kamal and Deir ez-Zor. To see: In numbers... Iranian Expansion in Syria in 2021 | An-Nahar Al Arabi (annaharar.com)

<sup>23</sup> Al-Tanf is an American military base on the borders of 3 Arab countries and this is what we know about them | Political News | Al Jazeera Net (aljazeera.net)



its respect and prestige within the American administration), making it challenging to dissolve into a potential Turkish negotiation arena.

### **General assessment and recommendation**

#### **Assessment**

In light of the Syrian regime's responsiveness primarily to the language of force, and considering that Russian intervention halted its military decline by besieging and limiting its military gains, it becomes imperative to curtail its advantages in order to facilitate a viable solution to the Syrian crisis. This is particularly relevant as the Russian government finds itself embroiled in the Ukrainian conflict.

There exist two approaches toward resolving the Syrian crisis:

A. Turkish Normalization: The normalization efforts pursued by Turkey offer an alternative avenue for expanding the regime's influence as opposed to the expansion of the Syrian Democratic Forces (SDF). Although this may involve compromising the opposition through settlement arrangements, such as witnessed in the Daraa settlements, it should be recognized that there is no substitute for the northern region once it is lost.

B. Taif: Similar to the Lebanese Taif Accord that concluded the Lebanese Civil War under the auspices of Saudi Arabia, a Syrian counterpart can be pursued under the patronage of the Arab League, led by the Kingdom of Saudi Arabia. This approach entails the welcome return of Bashar al-Assad to the Arab League's fold and Syria's reinstatement within its ranks. Such an agreement would prevent the regime from attaining an outright victory but rather ensure its participation in an equitable settlement alongside the Syrian opposition to the greatest extent

possible. This approach serves to safeguard the opposition's continued existence while preventing its absorption within the Turkish option.

## **Recommendation**

Depending on the program and vision of the Syrian Prospective Movement, the following recommendations can be put forth:

1. Support any measures that restrict the return of the Syrian regime to international and Arab legitimacy without fulfilling the minimum acceptable standards demanded by the Syrian people, including supporters, revolutionaries, and opponents.
2. Embrace any solution imposed on the Syrian regime under the auspices of Arab or international legitimacy, aimed at curbing its obstinacy and compelling genuine political, constitutional, and legal reforms. These reforms should encompass the lifting of the emergency law, curbing the powers of security services, and implementing political and constitutional reforms that ensure the opposition's meaningful participation in governance in a free and secure manner.
3. Convey a message to the Turkish side that an alternative to the current normalization project exists, one that does not come at the expense of dismantling the opposition in favor of the regime.
4. Without resorting to military action, the opposition should focus on aligning with the American axis while maintaining a constructive relationship with Turkey. This approach allows the opposition to preserve its presence and diversify its alliances.
5. Understand the popular anger generated by Turkish normalization and Assad's return to the Arab League, and channel this sentiment towards

mitigating the potential damage arising from any future settlement. This task falls within the realm of the political opposition.

6. Finally, the Syrian Prospective Movement recommends that all factions of the Syrian opposition prepare for a new phase under a comprehensive national strategic agreement called the "Syrian Taif Agreement". This agreement aims to transition the Syrian situation from a military conflict stage to a political conflict stage, and to capitalize on international initiatives to ensure the implementation of the forthcoming settlement. This settlement should prioritize the release of detainees, curbing the powers of security services, abolishing the emergency law, discontinuing compulsory reserve conscription, and establishing a secure environment for the voluntary return of refugees. These crucial elements should not be overshadowed by a defeatist sentiment that fails to acknowledge the significance of the collective endeavor.

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