

# Syria in Transition



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Welcome to Syria in Transition (SiT), a monthly delve into policy-relevant developments concerning the Syrian conflict. Crafted by practitioners with a decade-long experience in the field, SiT offers informed perspectives tailored for diplomats and decision makers. SiT goes straight to the point and shuns unnecessary verbiage – just as we would prefer as avid readers ourselves.

Covered in the current issue:

- 1 **Staying the Course**  
What to expect from Brussels VIII
- 3 **Colliding with Congress**  
UN Country Team vs. Anti-Normalisation Act
- 5 **Upgrading aid and EU engagement in Syria**  
Exploring the Aid Fund for Northern Syria
- 5 **Breaking Bones but not taboos**  
How Syrian TV dramas help Assad deflect blame

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## Staying the course

What to expect  
from Brussels VIII

On 30 April and 27 May 2024 the European Union (EU) will host the eighth Brussels Conference on “Supporting the future of Syria and the region.” Close to 800 representatives of the UN, EU, EU Member States, regional governments, INGOs, and Syrian civil society organisations will participate. *Syria in Transition* unpacks what is in store.

### A conference in two parts

Unlike previous years, this year’s Conference will have two parts. The Day of Dialogue (where everyone discusses relevant Syria issues) will be on 30 April, while the ministerial meeting (where the financial pledges are made by major donors) will take place on 27 May. Participants have raised concerns about declining political interest, with speculation that this split may hinder hallway talks and other useful engagements between humanitarians, civil society, and ministers. The EU has promised high level participation at the Day of Dialogue, with Commissioner Janecz Lenarčič opening the event and many envoys and diplomats present. The EU’s Foreign Affairs Council meeting, also scheduled for 27 May, will likely boost the Syria file and therefore encourage more ministerial participation and greater financial commitment to the humanitarian response.

### European strategic patience remains intact

The EU will reaffirm its traditional ‘three noes’ stance on normalisation, reconstruction, and lifting of sanctions until significant political progress is made in line with UNSCR 2254. While the individual approaches of member states on engagement with the Assad regime may continue to stray from this broad position (Romanian security officials were reported to have visited Damascus this month), the fundamentals of EU poli-

cy on Syria are not being questioned in the way they were this time last year. Faltering Arab normalisation has served to silence the critics within the EU who had argued for an open and pragmatic engagement with Assad. Arab failure has given ammunition to principled European voices who argue that there is nothing to be gained by giving more freebies to the Syrian dictator.

### Greater emphasis on politics

This year, meanwhile, will be the first time that the implementation (or lack thereof) of UNSCR 2254 will feature prominently in discussions at the Day of Dialogue. The opposition Syrian Negotiation Commission (SNC) president Dr Badr Jamous will speak at a panel about the lack of progress at the political level – a first for an opposition representative. Traditionally, the Brussels conferences tried to maintain neutrality, with neither regime nor opposition representatives invited. This time, the EU has chosen the conference to signal publicly and unequivocally its support for the opposition.

This coincides with a recent call from the EU for a dedicated Security Council session to discuss the lack of implementation of UNSCR 2254. Doubling down on the UN resolution is good news for the political opposition, whose legitimacy is in part drawn from it; and also for Syrians in-country, who are increasingly coalescing around 2254 as the most acceptable solution.

The outcomes of the Brussels conference could be long-lived. After the European elections in June, there will be a new Commission and HR/VP who will inherit the agenda set by the current administration.

### Three main themes

This year's discussions are likely to see the return of two recurring themes (refugees and migration; and missing persons and detainees) and emphasis on a relatively new theme: early recovery.

**Early recovery:** With a decrease in funding despite growing needs, early recovery will likely take centre stage in discussions on humanitarian and development assistance. It promises more efficient use of resources and enhanced resilience of Syrian communities in-country. While the EU accepts that more early recovery assistance is needed, however, it is not wedded to any particular modality for delivering it. Early recovery has been part of development assistance from the EU's humanitarian arm, ECHO, for

years. The question now is how to scale it up while avoiding aid diversion and *de facto* legitimisation of the Assad regime.

As it looks for ways to harmonise international efforts on early recovery, the EU is adopting a wait-and-see approach to the UN's recently unveiled Early Recovery Strategy 2024–28. What the EU does not plan on doing is to put money into the UN's proposed Early Recovery Trust Fund (ERTF), which it regards as an unnecessary intermediary with high overhead costs and insufficient safeguards.

**Refugees and migration:** Traditionally this is a sensitive topic for European publics: 28 percent of Europeans believe it to be one of the two most important issues facing the EU. The refugee question is likely to feature prominently in the ministerial discussions, especially in light of European elections in June and recent European Council conclusions inviting the HR/VP and the Commission to review and enhance the effectiveness of EU assistance to Syrian IDPs and refugees.

While past Brussels conferences have always pledged financial support to IDPs and states in the region hosting significant numbers of refugees, the elephant in the room was always whether EU funds should be used to encourage refugee return. Europeans have so far (and for sensible and legal reasons) resisted funding such programmes – much to the annoyance of major host countries like Lebanon, which wish to see the back of their refugee populations. Rhetorical escalation against Syrians and widely publicised security incidents fuelling anti-refugee sentiment in the run up to Brussels conferences has sadly become an annual occurrence. The EU should signal that such tactics will not work, and insist on a safe, dignified, and legal returns process under the auspices of the UNHCR.

**Missing persons and detainees:** The EU is expected to use the Brussels conference to drum up support for the Independent Institution on Missing Persons in Syria (IIMP), which was established by the UN General Assembly in June 2023 to clarify the fate of an estimated 100,000 people who have disappeared since 2011. This reflects the EU's determination to raise awareness of a pressing issue that won't solve itself – and which will fuel future conflicts if left unaddressed. Without the cooperation of Damascus, however, little progress will be possible.

### Not taking Brussels for granted

Organising this year's Brussels Conference was not easy given the peak in donor fatigue and Syria being overshadowed by other, higher priority, conflicts. Despite the considerable administrative and political investment made and planned, success is not assured. Even Syrian civil society organisations (CSOs) – net beneficiaries of Brussels conference attention and funding – appear less engaged than before. A poll of CSOs held by the EU ahead of the conference revealed less interest; and a broad frustration with the perceived political deadlock.

The EU nevertheless insisted on convening Brussels VIII, not least because regional stability has gained added importance with the Gaza war. The millions of Syrian refugees in the region are seen as potentially destabilising, and the EU accordingly sees a clear need for new support pledges for countries like Lebanon, Jordan, and Turkey, to encourage them to keep hosting them. The EU itself has agreed not to decrease funding for Syria in 2024/25; but how long Brussels will maintain this line, given the pressures closer to home (i.e. Ukraine), is uncertain.

Brussels IX, meanwhile, is not a done deal. Future iterations of the conference will require a revamped format and a more optimistic goal than simply maintaining the status quo.

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## Colliding with Congress

### UN Country Team vs. Anti-Normalisation Act

US lawmakers' frustration with the UN's operations in Syria is profound. Almost 20 percent of the 3,000-word Assad Regime Anti-Normalisation Act that passed the US House of Representatives in February is about the UN. The UN's perceived inaction in addressing the decade-long systematic aid diversion and manipulation by Damascus has placed it squarely in the crosshairs of the powerful cross-party group in Congress that sponsored the Act, slated to pass the Senate later this year. For its part, the UN is adamant

that its approach thus far has been correct, and that it should be left alone to get on with the task of providing aid to Syrian civilians unencumbered by political agendas. The UN humanitarian and development agencies are now on a collision course with major Western donors like the US. This should worry those who see closer coordination and trust as essential for an adequate response to the worsening humanitarian crisis in Syria.

### Eye on the UN

The Anti-Normalisation Act explicitly states that the UN is being manipulated by the Assad regime. Consequently, Congress obligates any US administration to furnish an annual report that:

- Details access restrictions imposed by the regime and the UN's response to these constraints.
- Identifies UN officials with ties to the regime or sanctioned individuals.
- Examines how UN aid improperly benefits the regime and what the UN is doing to change that.
- Scrutinises partnerships with regime-affiliated entities such as Asma Assad's Syria Trust for Development (STD) or the Syrian Arab Red Crescent (SARC.)

Based on these reports, the US administration is obligated to devise strategies to curb the regime's ability to exploit the UN. In short, Congress is imposing unprecedented monitoring and reporting mechanisms on UN operations and pushing for full accountability. As this will be enshrined in US law, the executive arm will no longer have the luxury of looking the other way, as it has so far done with the Caesar Act.

### Parameters and Principles

Central to Western donor frustration with the UN is the perception that it has disregarded its own guidelines. In 2015 UN headquarters in New York recognised the troubled state of their operations in Syria and initiated a consultative process involving UN political, development, and humanitarian arms. This process culminated in 2017 with the "Parameters and Principles of UN Assistance in Syria" (P&Ps.) This document emphasised the need for human rights due diligence, the conditional nature of reconstruction (i.e. full implementation of UNSCR 2254), the imperative of cross-border deliveries, equitable assistance across all areas of control, and zero tolerance for aid diversion. It also called for a strict focus on the most critical humanitarian needs. Adherence to the P&Ps was

meant to be ensured by a multi-agency monitoring group reporting directly to the Secretary General; but the monitoring group was never set up. The P&Ps' implementation was undermined by the UN Country Team, headed at the time by Resident and Humanitarian Coordinators (RC/HC) Ali al-Zaatari (2016–2019) and Imran Riza (2019–2022.) One of Riza's gambits to stave off more independent monitoring and risk assessment mechanisms as set out in the P&P was the creation of the Regional Hub Dialogue in 2019. This is a UN Country Team-hosted roundtable to engage with donors that allows for dialogue but not oversight.

The P&Ps served as a benchmark for good practice, and Western donors regularly referred to it during the debate over the UN Strategic Framework 2022–24 and related UN agency programmes. Donors criticised the Framework for its bias, and urged the UN Country Team and agencies to adhere to a Whole-of-Syria approach. They demanded action to mitigate the risks of co-option and aid diversion, as well as clarity on the scale and scope of early recovery programming. The UN Country Team and agencies like UNDP responded to donor criticisms, however, by pointing to their participation in the Regional Hub Dialogue and claiming that activities like early recovery were implemented in line with the P&P guidelines.

#### Lessons not learned

The persistent expansion of the scope and scale of early recovery assistance pushed by the UN Country Team and UNDP on terms favourable to the regime hit the headlines with the recent announcement of the Early Recovery Trust Fund (ERTF.) As advertised, the ERTF will be a huge quantitative and qualitative upgrade to the UN's development work in Syria, and with it will come heightened risks. Western donors have so far reacted coolly, with multiple well-placed diplomatic sources saying that it was unlikely that any Western government would contribute to the Fund. That is no surprise considering that the ERTF and the Early Recovery Strategy 2024–28 foresee expanding early recovery without adequately addressing questions of equitable distribution, aid diversion mitigation, avoidance of regime legitimisation and normalisation, and sanctions busting. The plan to place the ERTF and its Risk Management Unit under the leadership of the Damascus-based RC/HC, for example, contradicts the P&Ps, which mandate that funding modalities must be as independent as possible from the Assad regime.

In response to critical inquiries, the UN Country Team has offered three main justifications. Firstly, it emphasises that the ERTF is for the whole of Syria. The reality, however, is that Damascus-run operations have performed poorly in reaching the whole of Syria – so much so that the UN had to set up a dedicated fund (SCHF) specifically for cross-border assistance. Secondly, the UN Country Team highlights that the ERTF's governing board is supposed to include representation from donors and NGOs. It doesn't note, however, that their role will be limited to giving advice, while decision-making will be solely in the hands of the RC/HC. Thirdly, the UN Country Team notes that the ERTF's secretariat will be located in Amman in order to insulate it from undue influence. This, however, is a feeble argument given that the secretariat falls under the RC/HC's office in Damascus. Overall, none of these responses are likely to assuage donor concerns. Crucially, Congress is unlikely to be swayed.

#### Race against time

The accumulation of years of shortcomings has propelled the UN into a collision course with Congress, resulting in the bi-partisan support for the Anti-Normalisation Act. While it may be tempting to look to the Gulf for alternative funding, the Gulf doesn't want to – and alone cannot – sustain the ERTF. This is especially so after the recent floods in the UAE that caused billions of dollars of damage and will likely focus Abu Dhabi's excess funds closer to home. It certainly won't resolve the chronic deficiencies of the entire UN humanitarian response that Congress is now ranged against.

The UN Country Team's recent lobbying blitz in Geneva and Brussels to sell its Early Recovery Strategy 2024–2028 and the ERTF to Western donors stresses that there's a race against time, and hints that the UN has secured a considerable pledge from at least one Gulf country. This, they hope, will persuade Congress and Western donors to drop their hesitations. The more likely scenario, however, is that no serious pledges are in prospect, and that the UN Country Team is conducting a major "fake it until you make it" operation aimed at getting the ERTF across the finish line before the Anti-Normalisation Act is passed into law and a less charitable Republican administration is obligated to play hard.

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## Upgrading aid and EU engagement in Syria

Exploring the Aid Fund for Northern Syria

The UN estimates that 16.7 million Syrians remain dependent on humanitarian assistance, and the Brussels VIII conference will be a litmus test for the flexibility and ingenuity of humanitarian actors. Major donors have already signalled funding cuts due to demands arising from Ukraine, Sudan and Gaza; and humanitarians are being urged to offer “more bang for the buck”-type solutions. In 2023 donors only covered about one-third of the budget that the UN had estimated as needed to meet the Syrian population’s basic needs that year. This was the lowest level of coverage of the Humanitarian Response Plan since 2011. The reality is that there is no end in sight to humanitarian needs in Syria because there is no end in sight to the civil war. Simply put, limiting engagement in a protracted conflict to the provision of life-saving humanitarian assistance means having to foot a recurring annual bill. This is the ‘Sisyphean task’ facing successive Brussels conferences.

An additional problem is that humanitarian aid delivery in Syria has long been afflicted by major problems that reduce its cost effectiveness.

To make a bad situation worse, the humanitarian situation in Syria is entwined with the politics of the conflict. Aid helps prevent further human misery and economic crisis that would enable even greater predation by the Assad regime and other *de facto* authorities; and it also keeps the door ajar for local reconciliation, which dampens the risk of future local and regional conflict that would cause greater outbound migration. If Syria fell off the international humanitarian agenda, it would likely disappear from the EU’s geopolitical radar too – until it returned with a vengeance. For all these reasons, reducing EU humanitarian involvement would be a grave mistake.

In an attempt to forestall such an eventuality, the Clingendael Institute and CMS produced a policy brief that addresses an audience of international humanitarian and Syria-oriented decision-makers by exploring the design and operations of the Aid Fund for Northern Syria (AFNS), a multi-donor pooled fund established

by the UK’s FCDO in December 2022. AFNS design and operations have features that can help resolve long standing problems with the delivery of humanitarian aid in Syria, make it more (cost) effective and enable continued EU humanitarian involvement despite shrinking aid budgets. As a bonus, the AFNS’ greater focus on early recovery can contribute to creating a ‘safe, calm and neutral environment’ (SCNE) – an innovative approach to local conflict management that can help stabilise northern Syria in the socio-economic sense. In other words, the AFNS might offer a pathway for more cost-effective delivery of humanitarian aid and act as a vehicle for geopolitical involvement that ultimately aims to implement UNSCR 2254.

“How the Aid Fund for Northern Syria can upgrade humanitarian aid and EU geopolitical engagement” is a policy brief produced by the Clingendael Institute and CMS, published on 29 April 2024. To read the full publication, [click here](#).

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## Breaking Bones but not taboos

How Syrian TV dramas help Assad deflect blame

With the holy month of Ramadan comes a bonanza of Arab TV dramas. The usually 30-episode telenovelas (known as *musalsalat*) are aired after the nightly *iftar* (breaking of the fast) – prime time – and have become an integral part of the Ramadan tradition, alongside overeating and visiting the mosque. Today, audiences are spoilt for choice as satellite broadcasters compete with streaming services for the best shows and the biggest share of advertising revenue.

For Syrians, the show that easily outperformed all others this year was season two of *kaser adem: al-saradeeb* (“Breaking Bones: the Dungeons.”) Building on the success of the first season aired last year, scriptwriters Hilal Ahmed and Rand Hadid and director Kinan Iskandarani worked with Iyad Najjar’s Clacket Media production company to release season two, which was aired on five separate satellite channels during Ram-

adan, including the semi-official pro-regime channel LTV and the Saudi-owned MBC. According to its social media blurb, the drama “delves deep into three social classes and showcases aspects of the abuse of power by the upper class, a journey of misery for a young woman from the middle class, and the search of three young men from the bottom class for an escape from poverty.”

Set in present day regime-held Syria, *Breaking Bones* is about a powerful and violent ring of corrupt *mukhabarat* officials desperately attempting to retrieve a hard drive containing incriminating evidence of their corruption, and the trail of human victims they leave behind in the process. Working to beat them to the evidence is Brigadier-General Kanaan Al-Sayegh, a spymaster (à la Ali Mamluk) tasked by “Higher Authorities” to investigate the ring and bring it to book. The show does not shy away from portraying in graphic detail torture in prisons (hence the “dungeons” in the title), or in showing how senior officials and criminals work together in the Captagon trade. The misery, violence, and humiliation of everyday existence in a lawless and mafia-infested collapsing state is accurately reflected in the show. On the surface, it is a highly critical work bordering on the seditious: the pro-opposition Syria TV also aired the show.

Look closer though and you notice what’s missing. In fact, dramas tackling corruption and malpractice by the government bureaucracy or the security forces have been a staple diet of Syrian dramas since the early-2000s. Indeed, the original storyline for *Breaking Bones* was written in 2011 and was based on the cliques and corruption of that period.

Dramas like this can be made in a totalitarian police state because there is a well-established formula for “artistic critique” that does not overstep ‘red lines’, which satirists Mohammed Maghout, Dureid Laham, and Yaser al-Azma perfected in the 1980s and 1990s. The formula is simple: keep the President and his family out of the script, and regard their unspoken existence as either benign, or irrelevant to the course of events in the drama. The Assads are thus treated like Roman gods: invisible, aloof, looking down on human folly and greed with a mixture of disdain and amusement. What really matters for the regime censors isn’t the bad things the government is shown to be doing (everyone knows what they are after all), but who is shown to be responsible. As long as wrongdoings can be blamed squarely on the weak morals of civil serv-

ants and their entourages – and not on the Assad family – artistic critiques are not only tolerated but sometimes even encouraged as a form of useful catharsis. It is known popularly as *tanfees*: “letting the air out.”

*Tanfees* is much needed in today’s Syria. The precipitous decline in state services, the collapse of the economy, and the exponential growth of corruption fuelled by warlordism and profiteering, have prompted sharp criticism from sections of the population that were hitherto loyal and silent. Against that backdrop, television dramas like “*Breaking Bones*” are a powerful tool for the regime to shape narratives and deflect blame.

The success of Syrian television dramas, however, has broader implications for Assad. By exporting these shows to other Arab countries and beyond, the regime presents an image of cultural vitality and creativity, challenging perceptions of Syria as a nation in crisis. This soft power projection helps bolster the regime’s legitimacy on the international stage, countering efforts by foreign governments and organisations to subject it to sanctions and isolation. Little wonder, then, that a day before the start of Ramadan Assad met a group of Syrian actors and directors and, according to the SANA news agency, “held a dialogue about the drama industry and the challenges of production, scripts, and photography, and the current role of dramatic works within society, and supporting their production in the future.” Photos of the meeting were widely circulated on social media. On 23 April, Assad issued a decree for the establishment of a new Ministry of Information whose goal was said to be: “*Establishing the foundations and controls necessary to regulate the media sector, in accordance with the general policy of the state, and cooperating and participating with the public and private sectors to invest in the media sector, drama production and documentary films in accordance with the applicable laws and regulations.*” This comes two years to the day after an Electronic Crimes Law was promulgated (Law 20/2022) that introduced harsher penalties for “cybercrimes” that target public officials or employees, entrenching impunity for corrupt and abusive officials and public employees.

As he moves to strengthen control over the media sector with the establishment of a new Ministry of Information, it becomes increasingly clear that Assad views cultural production as a strategic tool for maintaining power and deflecting blame. *Bones* may still be broken in regime dungeons, but taboos may not.