

House of Representatives Foreign Affairs Committee

Hearing of June 17, 2015

The Use of Chemical Weapons in Syria

Testimony by Ambassador (ret) Robert Ford, Senior Fellow at the Middle East Institute

Mr. Chairman, Ranking Member Engel, distinguished members of the Committee,

It is an honor and a privilege to be with you today. I would like to express my appreciation for the Committee holding this hearing about the use of chemical weapons in Syria.

This hearing can help build consensus in the United States about the need to deter use of chemical weapons around the world.

And this hearing can help show Syrians, who so often feel abandoned by the United States and the larger world community, that many people do care and want the atrocities to stop.

If we want to help cut recruitment by the awful Islamic State, we have to show Syrians there are ways to stop the Syrian government's atrocities without their joining extremist movements.

I won't repeat what the Organization to Prohibit Chemical Weapons has said, in addition to detailed reports from credible organizations such as Human Rights Watch and Amnesty International, about the Syrian government's use of chemical weapons.

I instead would like to address the question of the Syrian government's credibility, the problem of deterrence and what the United States, acting in partnership with regional states and key members of the international community, can do.

The Syrian government of course long denied it had any chemical weapons program in the years leading up to the attack in the eastern suburbs of Damascus in 2013. It blocked entry of any investigative teams and answered no questions.

Its egregious chemical weapon attack in August 2013 in the eastern suburbs of Damascus, part of a tactical operation to recapture a neighborhood that had long held out against government assault, changed the dynamic due to the high number of casualties. I would note here that some people claim the opposition carried out this August 2013 attack, but the totality of information available to us in the US Government made very clear that the Syrian government carried out the attack. The armed opposition in Syria has committed many atrocities, but it did not carry out this attack.

The Syrian government only acknowledged its secret CW program after Russia intervened to stop a possible US military strike and instead played a helpful role in convincing the Syrian government finally to accede in September 2013 to the Chemical Weapons Convention and agree to the destruction of chemical weapons stocks and CW-related facilities.

It is a matter of record that the Syrian government did not make a full disclosure of its facilities as required by UN Security Council Resolution 2118 of October 2013. The OPCW told the UN Security Council in September 2014 that it had determined there were at least four additional facilities, three for research and development and one for production, involved in the Syrian government's CW program.

And in recent months, Syrian President Bashar al-Asad has repeatedly claimed that his forces do not use barrel bombs despite overwhelming eyewitness testimony and even repeated, often high-quality videos of such attacks from Syrian helicopters.

In short, the Syrian government has no credibility when it denies complicity in chemical weapons attacks.

It has paid little price for its egregious behavior. As the tide of the horrible war of attrition has slowly, steadily turned against it, the Syrian government has increased its use of chemical weapons, sometimes as a tactical military weapon, sometimes to terrorize local civilian populations. It is committing war crimes without major punishment. It is not deterred. Let me

repeat this: it is not deterred. It will continue deploying chemical weapons because the worsening military situation spurs it to do so.

And other countries that also have chemical weapons and other weapons of mass destruction, such as North Korea, must be watching and absorbing the example of Syrian impunity as they consider their strategies. The international consensus against CW use forged after the horrors of World War One is being eroded with each new chemical attack in Syria. This is a risk to our own soldiers' safety and our broader national security.

In thinking about the American response, we should commend the efforts of Ambassador Power in New York who is trying to restore that international consensus and hold the Syrian regime accountable. She and her team helped pass UN Security Council Resolution 2209 in March of this year with Russian support. That resolution, which warns plainly of Chapter VII action if chemical weapons attacks continue, was a step forward.

Now Ambassador Power and her team are trying to craft a way for an investigative team to go to Syria and determine who is using chemical weapons so that the UN Security Council can finally act. The OPCW's technical expertise is very helpful, but the UN Security Council needs a solid determination of responsibility, and so far the OPCW's mandate has not required it determine responsibility. The OPCW thus has carefully avoided any direct statement in that regard.

The Russians so far have gone along with an effort to determine responsibility, and this is a rare example of our two countries working together on a Syria issue. I sincerely hope this continues. If the Syrian government is officially determined responsible for chlorine gas attacks, Russian suspension of helicopter and aircraft parts would be very painful to the Assad government and demonstrate the cost of using chemical weapons.

If Iran, whose soldiers suffered terribly from Iraqi chemical weapons attacks in the bitter Iran-Iraq war, could also press the Assad government to stop using these weapons, that would perhaps be useful. I have met Iranians who have told me of their terrible experience during Iraqi CW attacks, and the Iranians understand far better than most the evil of these weapons.

I worry that the international community will not be able to achieve that deterrence. We need to think about what to do if it cannot.

Some want a no-fly zone to stop the attacks. This might be useful, but a no-fly zone is a major new American commitment in the Syrian civil war. We had a no-fly zone over parts of Iraq for 12 years. We don't know how long a no-fly zone over Syria would last. If we decide to pursue a no-fly zone with the laudable goal of protecting Syrian civilians, we ought to negotiate with Turkey, Saudi Arabia, Qatar and Jordan, and the Syrian armed opposition, the terms of the no-fly zone so that such a military operation is used as a tool to help reach the larger national political negotiation that Syria so desperately needs.

Since we and Syrian armed opposition commanders often know which Syrian government air units conduct chemical attacks, there should be ways without providing surface-to-air missiles for us and our regional allies to help Syrian rebels hit with rockets or mortars from a distance the Syrian government airfields where the aircraft are based.

In this regard that if the Washington Post report is true that the House Select Committee on Intelligence reduced funding to Syrian armed groups this is not helpful. I recognize this issue is not within the purview of this Committee. That said, I hope members of the Foreign Affairs Committee will agree that the Congress can't condemn the administration's strategy in Syria and then cut funding to one key component, especially one that was successfully increasing pressure on the Syrian government.

It would be regrettable if the international community represented at the UN Security Council couldn't agree on firm steps to compel the Syrian regime to stop using chemical weapons. The most important goal in this should be to reestablish deterrence. Deterrence requires that the Syrian government suffer material setbacks; mere moral shaming will have no impact. This Committee, the broader Congress and the Administration need to focus on how to penalize the Syrian government, hopefully with international community support, and reestablish deterrence.

Thank you again for the invitation to appear before the Committee, and I look forward to any questions you may wish to raise.