

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 Decluttering the European toolbox**
Humanitarian exemptions and Early Recovery
- 3 The Guilt Trip**
How to get money from the West
- 4 Enemies with benefits**
Convergence between north west and north east Syria
- 5 Pedersen's Frankenstein**
Step-for-step goes rogue
- 7 Eastern approaches**
Washington and Riyadh consider military options

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Decluttering the European toolbox

The European Council's decision to extend humanitarian exemptions issued in response to the February earthquake has raised uncomfortable questions. If sanctions are designed not to impair the humanitarian response, why are exemptions needed? Moreover, if the special circumstances of the earthquake disaster justified unusual means, isn't the permanent state of humanitarian suffering in Syria reason enough to make the exemptions permanent?

The decision to extend the exemptions for only a limited period of six months is a half-hearted response that fails to incentivise banks to change their de-risking policies and provides little in the way of long-term assurances for aid organisations. From the perspective of humanitarians, extensive and open-ended exemptions should be provided, or sanctions should be lifted altogether. The political perspective is more intricate, however, and includes factors that humanitarians conveniently overlook in their supposedly apolitical stance. After all, sanctions are part of the EU's official tool kit that is based on the three no's, and which aims to deal with a major crime of this still-young century. If one element crumbles, the established consensus might erode, greatly assisting the Syrian dictator to re-consolidate power unconditionally. That will only lead to more instability.

That said, sanctions in their current form have not been a powerful tool of European leverage able to change the Assad regime's behaviour. The US, meanwhile, maintains the toughest sanctions but does not use them as leverage to advance conflict management and resolution. Every good toolbox needs to be decluttered from time to time; and perhaps it is time to modify the sanctions to reflect the conflict realities of 2023. This is also an ethical matter: in effect, sanctions are merely being used to maintain a status quo that involves hardship for the most vulnerable civilians.

In any event, a solo European effort in modifying debatable sanctions such as sectoral ones would not be worth the costs and risks of unintended consequences given that EU sanctions have little impact compared with those of the US. In light of the bipartisan support it enjoys in Congress, the Caesar Act will continue to dictate wider sanctions policy.

A reasonable path for Europeans might therefore be to give the recent humanitarian exemptions an unlimited timeframe to ensure that life-saving assistance can be provided as effectively as possible. This should by no means be understood as a free concession, but rather as a prelude to an overhaul of the entire humanitarian response. Such an overhaul might concede on life-saving assistance but strengthen the line on everything else.

Getting aid priorities right

Aid that goes beyond life-saving – fancily termed “Early Recovery” (ER) – is all the rage right now. But what its advocates seem to overlook is that the war persists with an intensity that makes “recovery” perhaps too strong a word to describe what realistically can be achieved. Should donors open their wallets to an expansion of ER funding, under the current circumstances, the UN would likely take the lead in coordinating with the Assad regime’s ministries and favoured GONGOs such as Asma al-Assad’s Syria Trust for Development. Humanitarians demand that the West “depoliticise” its assistance and eases restrictions on ER; but they have no answer on how to deal with large-scale manipulation of ER assistance by the regime. Aid diversion, profiteering and embezzlement are regularly excused by humanitarians as the price of doing business in a conflict zone, losing sight of their commitment to Do No Harm. Without doubt, the regime will use ER assistance as a weapon by diverting funds and prioritising the rehabilitation of loyalist areas at the expense of others. As long as the UN is unwilling and unable to operate in the north west and north east without regime interference, donors and the UN will become complicit in supporting a party to the conflict that has committed the most heinous war crimes. That cannot be justified on any ground.

It is disconcerting that after a decade in which billions of euros have been pumped into the humanitarian response, and during which the heavy meddling of the Assad regime has been normalised, humanitar-

ian principles seem to apply more to donors than to the recipient authorities. Aid – and especially ER – is not “neutral” in Syria. Counter intuitively, a European overhaul of humanitarian policy might seek actively to politicise everything beyond life-saving assistance. That would not be a renunciation of humanitarian principles but a last ditch effort to save them. USAID’s June decision to suspend food assistance in Ethiopia after discovering systematic diversion shows that withdrawing even life-saving assistance is not necessarily a red line. That line hasn’t yet been crossed in Syria; but it must be acknowledged that every euro allocated to ER means less money for life-saving assistance. The arguments of hardcore humanitarians that ER is more cost-effective and supports local community resilience may only hold true in theory. In reality, rehabilitation projects of the scale needed to have substantial impact demand significant budgets, timeframes, and political will that are simply not available right now. Presently, Western donor money is insufficient both to maintain life-saving assistance and increase ER funding. Communities faced with a reduction in health services, food-baskets and cash assistance are highly unlikely to develop increased resilience; rather, they will seek salvation beyond Syria’s borders.

Indefinitely extending humanitarian exemptions while actively politicising ER would be strategically smart – both ethically and politically. Today’s ER definition includes everything from the rehabilitation of sewers to building power plants – and must be done in coordination with regime institutions. Humanitarians have failed to define where humanitarian aid ends and development assistance begins. Politicians must now step in. Life-saving assistance is a humanitarian imperative; but to justify budgets and activities beyond that, a political price is required in the shape of movement on implementation of UNSCR 2254. That might not be what hardcore humanitarians want to hear, but it might be the only way for donor governments to proceed with any sort of coherence and credibility.

The Guilt Trip

A few weeks after his assignment ended in May 2023, UN Resident Coordinator and Humanitarian Coordinator in Damascus, El-Mostafa Benlamlih, posted a harsh critique of Western donors on his LinkedIn profile:

“(Syrians) need the recovery of the systems essential to life: water, energy, mobility, and a functional local administration so that they can recover and rebuild their lives. These were exactly the systems that the donors refused to support on the pretext that they would benefit and legitimize the “Regime”. It was clear that we, the UN and our humanitarian partners, had to do other things than what we have been doing. We could only do this with the support and adherence of the same partners who had constantly imposed restrictions and red lines on our action.”

The quote was picked up by Nikolaos van Dam, the former Dutch Envoy for Syria, who, with Harmoon, a Syrian think tank, published a similar piece. Both reflect a broader narrative about what has happened in Syria over the past decade and what the West should do now. In effect, this narrative attempts to blame the opposition for destroying the country and to emotionally blackmail the West into restoring the pre-2011 status quo. It is so prevalent and well-rehearsed among senior UN staff, humanitarians, and some diplomats that it deserves a name: the Western Guilt Theory (WGT). It has two parts and goes something like this:

Part 1: Crime

Those who opposed Assad picked a fight they could not win. The regime had entrenched itself deeply in its over 50 years in power, and had demonstrated its readiness to use extreme violence to crush its opponents, for example in the 1982 Hama uprising. Despite this obvious truth, the Syrian opposition did not back down even when it became clear that its external backers were not willing to provide the military assistance needed to achieve victory. When Russia intervened in 2015, the war was lost; but the slaughter continued because the opposition stuck to its maximalist demands instead of simply giving up for the greater good of the country. The external backers, mean-

while, are co-responsible for this because they raised false hopes, pursued their vested interests and thereby prolonged the suffering.

Part 2: Redemption

The anti-Assad camp is unwilling to accept the reality of the regime’s victory. Assad has won the war and it is time to move on. At any rate, the prospect of Syria being ruled by Islamists was always unpleasant, which means that there were only ever bad options. But instead of helping to rebuild a country it helped to destroy, the West prefers to sit on its moral high horse and maintain devastating sanctions that hurt innocent civilians and prevent Syria from recovering economically. Early Recovery (ER) must therefore be the policy of the hour. If donors are too proud formally to cooperate with the Syrian government on large-scale reconstruction, they should at least fund expanded ER via the UN. Only by spending billions on rebuilding Syria can the West redeem itself.

Useful narrative, flawed history

The WGT works for one glaring reason: the West still has a conscience. Other external actors who have had a far more pernicious effect on the course of the conflict, like Iran and Russia, are immune to emotional blackmail and so are left out of the blame game. It also neatly overlooks the many attempts by Western and Arab states to convince Assad to defuse the crisis throughout 2011. It further disregards the decades-long meddling that Syria undertook in the internal affairs of its neighbours Lebanon, Jordan, Turkey, Iraq, Israel, and Palestine, which explains why governments of those states sought redress when the opportunity presented itself, as it did in 2011. If Assad’s Syria was a victim, it was the victim of its own machinations.

More than this, the WGT narrative comprises assumptions that insult millions of Syrians who risked everything to resist a genocidal regime. In light of Ukraine’s much-lauded fight against Russian aggression (that also led to a great deal of humanitarian suffering and the destruction of large parts of the country), condemning Syrians for having entered into a similarly unequal fight is strange. Popular resistance movements don’t arise with guaranteed prospects of success: the Republican side in the Spanish Civil War was doomed when Germany and Italy intervened on Franco’s behalf, but no one seriously suggests that they should have given up. It is anyway inaccurate to

describe the Syrian conflict as decided and Assad as its winner; US and Turkish boots on the ground suggest otherwise. Besides, the Syrian revolution is a process, and what it has achieved already is a guarantee that there can be no “back to normal.”

Holding responsible the weaker side, whose decision-making was highly diffuse, for all the woes that befell Syria in the past decade, while implicitly giving Assad a pass for some of the worst atrocities committed this century, is intellectual cowardice cloaked in cheap humanitarianism. It will not survive examination when the serious history of the Syrian conflict is written. For the time being though, the WGT narrative shapes broader soul searching while justifying budgets and promotions for Damascus-based UN bureaucrats.

Enemies with benefits

How to deal with the de-facto authorities of north east Syria has become an increasing obstacle to effective conflict management. It is common wisdom that any political process requires the participation of all relevant parties. However, the PYD, the political arm of the Peoples' Protection Units (YPG) and leading party of the Autonomous Administration of North and East Syria (AANES), has so far been excluded from political talks despite controlling a third of Syria's territory.

While Ankara is usually blamed for this exclusion, solely attributing it to Turkish objections overlooks important conflict dynamics. From the perspective of the mainstream Syrian political opposition, the PYD did not choose a neutral “third way” but sided with the Assad regime at an early stage. In the first months of 2012, when the regime began withdrawing from north east Syria to consolidate what it referred to as “useful Syria”, the *mukhabarat* arranged a discreet non-aggression pact with the PYD. The regime reduced its physical presence to urban strongholds in Qamishli and Hasakah and gave the PYD relatively free reign over Kurdish-majority areas in return for preventing the region from joining the popular uprising. Numerous efforts between 2012–14 to mend relations with

Syrian Kurdish parties close to Barzani's KDP failed. As a result, the Syrian branch of the KDP sided with the mainstream opposition.

Relations between the mainstream opposition and the YPG-led Syrian Democratic Forces (SDF) ultimately deteriorated sharply in early 2016 when the SDF coordinated with the regime and its Russian and Iranian backers to seize territory in north west Syria that rebels had seized from the Islamic State. Particular outrage was caused by footage of dozens of dead Free Syrian Army fighters that the YPG paraded in Afrin city. Later that year, the SDF cut off vital rebel supply lines and helped facilitate the siege of rebel-held east Aleppo.

Against the 2011–14 background, it is no surprise that the mainstream opposition rejected the inclusion of the PYD in the High Negotiations Committee that was established in December 2015 and later became the Syrian Negotiation Commission (SNC), the principle political umbrella of the mainstream opposition. Despite being the *de facto* authority of one of the three major zones of influence in Syria, the PYD had no representation in the UN-sponsored process. Including it as a third party was never considered, not only because of Turkey's veto but also because ultimately no one wants to see the PYD, or whatever label an AANES-delegation would have, at the international negotiation table. UNSCR 2254 is designed for two negotiation sides only. The PYD is unpalatable because it is considered a local branch of the PKK with its terrorist designation; and because the PKK's transnational secessionist agenda challenges the sacred idea of nation state sovereignty.

Leverage existing ties

Totally ignoring the PYD, however, is not a viable option. The US, the PYD's guarantor, has provided the political and military backing for it to establish itself as the ruler of north east Syria. But despite a number of intra-Kurdish dialogues it initiated, Washington has not prioritised a political role for the PYD, instead focusing on military cooperation to secure its presence on the ground in the north east. Enhancing the PYD's political profile is nonetheless necessary for effective conflict management and to create an environment conducive for a sustainable peace process.

The key word is convergence. Areas controlled by the AANES in the north east and by the opposition in the north west are territorially separated; but their populations are deeply interconnected by family and tribal bonds. IDP movements are also a significant factor. While large numbers of Kurds have fled opposition areas, Arabs from the north and east have found refuge in opposition areas in the north west. Agreements are in place that allow civilian travel between the areas of control, which is particularly crucial for Kurds who want to visit relatives in Afrin or vice versa. Despite the hostilities, meanwhile, there is a bustling overland trade including in oil that travels westwards and goods from Turkey eastwards.

Although already a reality, these exchanges are poorly organised and tend to occur in the shadows, without being politically leveraged. This offers scope for pragmatic diplomacy: trade agreements can be formalised to increase the volume of exchanges; advanced mechanisms for civilian travel can be established; and incentives could be created for better management of such frontline-transcending matters as supplies of electricity and water. If successful, such pragmatic steps could pave the way for more substantial talks.

This could be of particular relevance for the north east, where Turkey shuns any accommodation with the AANES. But in the past – prior to 2015 – Turkey showed a willingness to adopt pragmatic policies. It was only when the US put its full weight behind the SDF, which subsequently gained control over large parts of northern and eastern Syria, that Ankara concluded that matters had got out of hand. Turkey might accept a contained presence of the PYD and its armed wing again, concluding that some form of PYD/YPG presence would anyway persist. Convergence facilitated by smart cross-line diplomacy could produce a stable ceasefire and improvement of conditions for civilians.

In the longer term, such convergence could form the basis for comprehensive negotiations which, apart from any other considerations, could nullify the inherent fragility from which the AANES project suffers. In many respects, the PYD finds itself at an impasse. If it submits to Assad, the dream of autonomy is over. If it relies solely on US protection, the AANES remains a project built on repressive one-party rule and vulnerable to the vicissitudes of US administrations. Currently, the Kurdish representation in the political pro-

cess is limited to KNC delegates in the SNC. Despite their differences and the mistakes that have been made, the mainstream opposition is the ally of Syria's Kurds, and the fates of the north east and north west are intertwined. As one ex-diplomat put it, "actors in non-regime areas should disagree less in order to agree more." To achieve a tacit understanding with Turkey, the PYD will need to demonstrate its commitment to a "radical experiment in democracy and self-rule" by sharing power in deeds rather than just rhetoric.

Pedersen's Frankenstein

When in May 2023 a number of Arab states started embracing 'step-for-step' terminology to frame their re-engagement with Assad, Western governments concluded that even their lukewarm support for the UN Special Envoy's initiative was over. The ill-fated story of step-for-step began in late 2019, when Geir Pedersen introduced it as a response to a 'no-war-no-peace' scenario that he saw unfolding. Tangible and reciprocal steps on the ground would be needed to build trust and confidence, the Envoy argued, and he called for concrete actions from Assad and the West in a step-for-step manner. So far, so good. But what Pedersen and his team tried to sell as a proactive initiative was in reality a moonwalk. Instead of approaching the conflict parties confidently – something that had actually proven to be fruitful in the context of negotiations over the Constitutional Committee's terms of reference – the Envoy blinked first.

Step-for-step is simply a label for the essence of any mediation. A mediator discreetly fathoms what conflict stakeholders are willing to put on the table, and what they want in return. The problem, of course, was that after seven years of diplomatic disaster, no one was willing to put anything on the table without knowing what they would get in return in terms of concessions or at least a concrete negotiation process with clear milestones. The milestones that UNSCR 2254 defined, namely free and fair elections and reformed governance, were deemed unrealistic. Instead, Pedersen introduced a bazaar for minor regime concessions

on non-strategic issues that no one believed would bring about tangible change; in return for Western concessions on strategic issues such as sanctions and reconstruction-lite marketed as “humanitarian” Early Recovery assistance.

Step to nowhere

Given the inequity of the trade, the lack of traction was understandable; but it tempted Pedersen and his team to give their approach a new lease of life in ways politically expedient but ethically questionable. According to well-placed sources, in the first half of 2022 the Envoy advocated for a pilot project involving the return of a limited number of Syrian refugees from Lebanon. The rationale was that demonstrating the Assad regime’s willingness to compromise on refugee return would go down well in Western capitals and encourage them to offer goodies in return. Given the absurdity of politicising refugees by treating them as tradeable commodities, and the huge protection concerns, the United States and UNHCR intervened and put a stop to it. The initiative died after only three months, but it survives in the Arab discourse on refugee return: the Amman declaration suggesting an entirely similar project. In another step aimed at reinvigorating step-for-step, Pedersen tried to convince the regime to declare the April 2022 amnesty as a confidence-building measure, sources with direct knowledge of the matter said. This was even though more people were newly- and re-arrested after the amnesty than had been freed; and the Assad regime was so disinterested in working with the Envoy that it did not trouble to inform his office about the releases at all.

Since the launch of the step-for-step initiative, Pedersen and his team have kept the Syrian opposition at arm’s length. The Syrian Negotiations Commission (SNC) initially rejected step-for-step, seeing it as a blank cheque for Assad and a route towards Western normalisation. Furthermore, it felt sidelined because step-for-step appeared to focus on the West’s relationship with Russia and Assad while ignoring the opposition. In late 2022, SNC representatives told Pedersen privately that they would be open to a reassessment of their position if the Envoy shared an outline paper with them that the UN had shared with the P3+1 and others. He has yet to do so. While secrecy is part of diplomacy, putting the SNC, which is mandated to negotiate on behalf of the Syrian opposition in Geneva, on the backfoot is incompatible with UNSCR

2254’s provision for a Syrian-led and Syrian-owned process. Effectively, the Office of the Special Envoy has been reducing the legitimacy of the opposition as a negotiating partner while strengthening that of the regime by implicitly treating the latter as the only viable Syrian interlocutor.

Finders keepers

By January 2023, the step-for-step initiative was in a state of suspended animation. It hadn’t produced any momentum; but given that it was too vague to be rejected out of hand and allowed stakeholders to frame their positions (including simple inaction) as aligned with the UN approach, it enjoyed cautious support. Its very vagueness proved to be its downfall. Step-for-step had become a container term that anyone could adopt for their diplomatic initiative, regardless of their merits or of the UN copyright. When Arab reengagement with Assad accelerated in the spring, it was chosen by Jordan and others as the ideal label to bestow international legitimacy. By failing to define in clear terms how it should work, what it hoped to achieve, and where it would lead, the UN lost control of step-for-step and stood idly by while others appropriated it for their vested interests.

Pedersen continues to advocate for step-for-step, but the West doesn’t want to buy into an initiative that is now most famous for justifying unconditioned Arab normalisation with Assad. Russia, meanwhile, dismissed step-for-step bluntly in April 2022 when its UN Ambassador Vassily Nebenzia asked Pedersen to adhere to his mandate. “We have a growing number of questions about the Special Envoy’s attempts to advance his step-for-step initiative, whose specific content, participants and added value are still unclear. After all, both Damascus and the opposition reject his ideas.” Notably, Pedersen had himself observed in 2021 that a “concerted, sustained, and robust diplomatic dialogue (...) particularly between the US and Russia” was a “prerequisite” to his step-for-step approach — a prospect that has been buried with Russia’s invasion of Ukraine.

Taking back control

The Envoy now finds himself between the evolved Astana track (whose precursor was endorsed by his predecessor, Staffan de Mistura) and the Amman process, which verbally anchors itself in step-for-step/

UNSCR 2254 without really involving the UN. The Envoy was not even invited to attend the Arab League committee on Syria meeting held in Cairo on 15 August. With the Constitutional Committee being terminally dysfunctional due to a Russian blockade, diplomacy under the step-for-step label now constitutes the main thrust of Pedersen's efforts. But he has lost control of his creation, and it has already started stalking his mission, albeit that the mission was always going to be a challenge.

Potentially, the Envoy still has cards to play. Exploiting the failure of the Arab normalisation drive, he could take back ownership of step-for-step by outlining a clear conflict management mechanism whose first goal was a "safe, calm, and neutral environment" as per UNSCR 2254. That would allow him to reinvent his office as a principled thought leader that made full use of the UN's soft power in shaping diplomatic initiatives. Western governments might want to do their bit by throwing their weight behind such an approach, but only after parity between the regime and opposition has been re-established and the step-for-step approach has been put back in the lab and reconfigured.

Eastern approaches

Arab normalisation with Assad is not running smoothly. Despite the fanfare surrounding Syria's readmission to the Arab League, little of substance has been achieved on any of the key issues for Arab states: return of refugees, combating drug trafficking, and limiting Iranian influence. The Syrian foreign minister's visit to Tehran on 31 July and the new trade agreements signed caused discomfort regionally. So did the spats with Jordan on trade, and with the UAE on real estate investments, which suggest that the cash-strapped Assad wants money for nothing. Op-eds have recently appeared in the Saudi press criticising Assad's complacency: "If you don't help yourself, no one can help you" was the message from one Riyadh newspaper.

Well-placed sources suggest that Riyadh may go beyond words to get what it wants in Syria. According to these sources, a plan to create a 20km "safe

zone" along Syria's border with Jordan is being actively pushed by Saudi Arabia and is the subject of discussions in Amman, Ankara, and Washington. The plan, which Saudi Arabia would bankroll and take a leading role in, would see thousands of Turkish-trained Syrian National Army (SNA) personnel deployed to the Syrian side of the border with Jordan, from Tanf in the east to Quneitra in the west, with the goal of putting an end to cross-border drug smuggling. The sources added that the spread of illegal drugs in Saudi society is a major concern for Crown Prince Mohammed bin Salman, and that he has demanded concrete actions on the ground should Assad persist in failing to deliver on his promises. A news report on 31 July disclosed active SNA recruitment in northern Syria for a so-far unspecified mission.

The Saudi plan comes at a time of heightened speculation about US intentions in eastern Syria. Sources within US-backed rebel groups have said that there is a parallel American plan to put the squeeze on IRGC militias in Deir Ezzor by creating a so-called "Sunni belt" along the border with Iraq. This plan would see thousands of Sunni Arab fighters from eastern provinces deployed along the Bukamal-Hasakah axis, thus cutting off Iran's only land route to Syria. The plan would involve Arab elements from the SDF such as the Deir Ezzor Military Council and the Sanadeed tribal militia, in addition to non-SDF elements such as the Tanf-based Free Syria Army. If put into action, the plan would be seen by Tehran as a major escalation and would likely result in a kinetic response. Whether the US and its local allies are ready for a prolonged war of attrition with the IRGC in "sand and death" Syria is yet to be seen. "The US is still testing the idea", said one source. "It is linked to progress on the Iran nuclear talks."

The challenges to both the Saudi and American plans are considerable. It is unclear whether Jordan, whose cooperation would be essential to the Saudi plan, would be willing to support what would amount to a war against Assad and the IRGC. It is unclear if Sunni Arab groups in eastern Syria have the capacity to coalesce and cooperate effectively. Already, rivalries between these groups over the potential spoils have led to a spate of kidnappings and armed clashes. The position of the YPG-led SDF is also uncertain, given its longstanding reluctance to confront Iranian militias and the informal cooperation that the PKK mother organisation has with the Iran-backed Popular

Mobilisation Forces (PMF) in Iraq. Whether any of the plans are implemented depends ultimately on whether a modicum of trust can be re-established between Arabs, Turkey, and the US. If it can, it might be a good day for Syria and a bad day for Assad and Iran.

Groundhog Day

Contrary to urban myth, Saudi Arabia was not particularly enthusiastic about unseating Assad. According to the former Saudi intelligence chief, Prince Bandar bin Sultan, the kingdom tried hard in the first months of 2011 to get Assad to see sense. Prince Bandar's recollections of what happened, broadcast in 2019, make instructive reading for Arab normalisers of today:

“King Abdullah sent an envoy to Bashar with a message stating that he must take urgent political measures to calm things down before they become excessive. Bashar promised him that, but unfortunately Bashar continued his repressive policy. King Abdullah sent an envoy for the second time to warn Bashar of the continued deterioration of the situation, and his response was that he was aware of what is happening and he will take urgent political reforms, but this requires economic reforms and raising the salaries of the army. So King Abdullah sent him 200 million US dollars as urgent assistance to calm the situation and deal with matters politically and economically. But Bashar, with his amazing intelligence, believes that he can deceive everyone including his own people, took the money without doing anything.”

Saudi Arabia's current ruler, King Salman, was intimately involved in this discreet diplomacy and is well-aware of Assad's duplicity and betrayals. “I am not a fool, nor a fool deceives me,” goes the Arab saying. That's a good organising principle when it comes to dealing with Assad.