


FEBRUARY 2022



RESCUING AID IN SYRIA

Natasha Hall

A Report of the
CSIS Middle East Program

CSIS | CENTER FOR STRATEGIC &
INTERNATIONAL STUDIES

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ACRONYMS

- AANES** – Autonomous Administration of North and East Syria
- AFAD** – Disaster and Emergency Management Authority (Turkey)
- DTG** – Designated terrorist group
- HAO** – Humanitarian Affairs Office (AANES)
- HLP** – Housing, land, and property
- HTS** – Hay’at Tahrir al-Sham
- ICU** – Intensive care unit
- IDP** – Internally displaced persons
- INGO** – International nongovernmental organization
- ISIS** (when used in direct quotations)– the Islamic State
- MoU** – Memorandum of understanding
- NGO** – Nongovernmental organization
- PKK** – Kurdistan Workers’ Party
- PMA** – Public Monetary Authority (SSG)
- PTT** – Turkish Post Office
- PYD** – Democratic Union Party
- SARC** – Syrian Arab Red Crescent
- SDF** – Syrian Democratic Forces
- SNA** – Syrian National Army
- SSG** – Syrian Salvation Government
- TPM** – Third-party monitoring
- UN OCHA** – UN Office for the Coordination of Humanitarian Affairs
- UNDP** – UN Development Programme
- UNSCR** – UN Security Council Resolution
- WASH** – Water, sanitation, and hygiene
- WFP** – World Food Programme
- WHO** – World Health Organization

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EXECUTIVE SUMMARY

International aid to Syria is at an inflection point. As the number of Syrians in need continues to rise a decade into the conflict, the Assad government continues to use aid to reward its allies and punish its adversaries. The Syrian government has grown increasingly skilled at turning humanitarian assistance into a political instrument. Consequently, global efforts to support the Syrian people increasingly have the effect of politically and financially strengthening the Syrian government—the same government that is responsible for the suffering of millions of Syrians and the exile of millions more. Adding billions of dollars in aid to the current system will not save Syria; instead, it will entrench the government and nefarious actors, ensuring millions of Syrians, desperately in need of assistance, continue to suffer.

The Syrian government has succeeded in turning international concern for the misery of its people into a profit center. It skims, diverts, and redirects assistance to its own purposes, both in areas it controls and by shaping international access to areas it does not. As international donors increasingly seek to support Syria's recovery, they do so without addressing the myriad evaluations and reports noting the systematic manipulation of the aid system.

Humanitarian assistance has never been able to address problems that are essentially political. However, the limits of humanitarian assistance do not absolve aid agencies or donor governments from the need to understand the ways in which humanitarian aid influences the political environment and vice versa. In order to have any leverage to operationalize humanitarian principles and maximize the gains of assistance for Syrians, donor governments must incorporate aid into a larger strategy for Syria and the region. Donors have a responsibility to come together to shape a step-for-step process to ensure that aid gets to all those in need and not fall into the hands of warlords. Failing to do so will perpetuate instability.

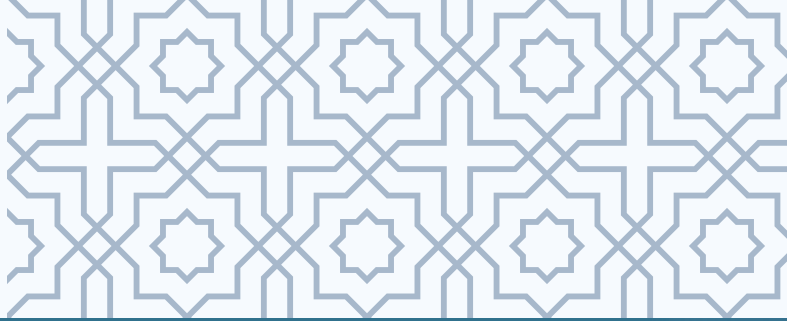
The international response to Syria's crisis needs to focus on four principle axes:

1. The aid community must put a greater emphasis on **informed action**. Donors must make it a greater priority to understand where aid is going and to whom, and they need to conduct a rigorous and contextual evaluation of the challenges to assistance from the community to the country level.
2. Donor governments with a stake in Syria should engage in more consistent and conscientious **diplomacy and negotiations**. They need to negotiate on behalf of the aid sector in northwestern and northeastern Syria, and they need to negotiate collectively with the Syrian government and outside powers to prevent interference in the aid response and secure ceasefires. There is also an important role to be played with neighboring countries on cross-boundary issues such as water, security, and refugees. As donor governments engage diplomatically with the government in Damascus, they need to realize that as long

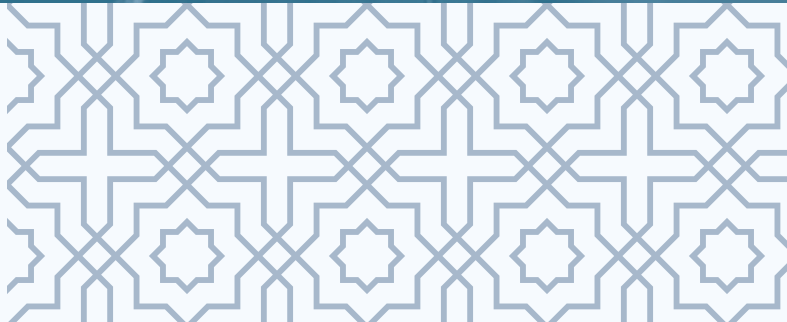
as it remains in power, many refugees may never feel safe enough to return; the current government does not want them to.

3. In areas where humanitarian principles and safety can be secured, the humanitarian community must put a greater **emphasis on resilience**, which would improve communities' abilities to withstand shocks to the emergency aid response. Such support is particularly important in the northwest and northeast, where millions of war-weary and displaced persons face bleak futures without this assistance. That said, there are legitimate concerns that "early recovery" assistance could effectively build state capacity and entrench demographic reengineering. Such efforts should be informed by the aforementioned comprehensive evaluation of the response and the social context of programming.
4. Donors must work much harder on the **facilitation of aid**. While sanctions and counterterrorism measures serve an important purpose, not only can they hamstring the provision of assistance, but they often increase the power of sanctioned actors. More direct assurances to banks or even creating a banking channel for aid and harmonizing regulations among donor governments, while ensuring due diligence to ensure that suppliers and partners are not involved in human rights violations, can ease these burdens.

The Syrian government's continued manipulation of humanitarian aid will entrench the deprivation and oppression that started the war, prolonging instability and displacement far into the future. While aid alone cannot fix Syria, conscientious investments in human security through the steps suggested here can alleviate suffering and give a traumatized population hope. If donor governments are able to break the rising pattern of abuse, the positive influence of donors and the benefits to the Syrian people would be enormous. If they are unable or unwilling to do so, the failure will haunt the Syrian people for decades to come.



INTRODUCTION





After more than a decade of conflict, Syria continues to draw billions of dollars in international assistance every year. The aid sustains hundreds of local nongovernmental organizations (NGOs) and civil society groups that have emerged to implement and deliver assistance to Syrians in need.

And yet, life for millions of Syrians feels ever more hopeless. More than half of the Syrian population has been forced from their homes, and few see much likelihood of return any time soon. Millions of children have grown up knowing nothing else but this conflict, and many of them do not remember ever being in a proper school. For hundreds of thousands, makeshift shelter offers little respite from fatally frigid winters. Clean water is often scarce, sewage systems are rudimentary where they exist at all, and farmland lays fallow.

When the conflict in Syria started more than a decade ago, it captured the world's attention. Videos of Syrian government atrocities shot around the internet. Photographs of skeletal children, victims of the government's sieges, appeared on front pages. Images of the victims of chemical weapons attacks, lined up in neat rows and wrapped in blankets, were etched into collective memories. The world rushed in assistance and counted the days until the Assad government would fall. Aid was perceived as just a stopgap. Syria soon would move on to its post-Assad reconstruction, and the world would join in.

Yet, the opposite has happened. The suffering in Syria has dragged on, and the Assad government has grown more secure in its rule. The government had always been good at diverting assistance to serve its own purposes, but it grew even more effective. For a decade, the government has manipulated aid deliberately and effectively in order to reward loyalists and punish alleged dissidents. Government-affiliated aid organizations grew to dominate the response. What had never been intended to be more than an improvised and short-term assistance mission morphed into an enduring source of Assad government revenue. Advocacy organizations and the United Nations commissioned countless evaluations and reports on the problems with the aid response, but to little effect.

Today, the situation in Syria is at an inflection point. The Syrian government is consolidating its internal control, and it is re-engaging with the world without accepting any reforms in the political and humanitarian arenas. In

the process, it is using the international aid effort to help advance its political goals and surveil the population. Millions of Syrians inside and outside of the country remain in dire need of humanitarian assistance, and that need is set to rise.

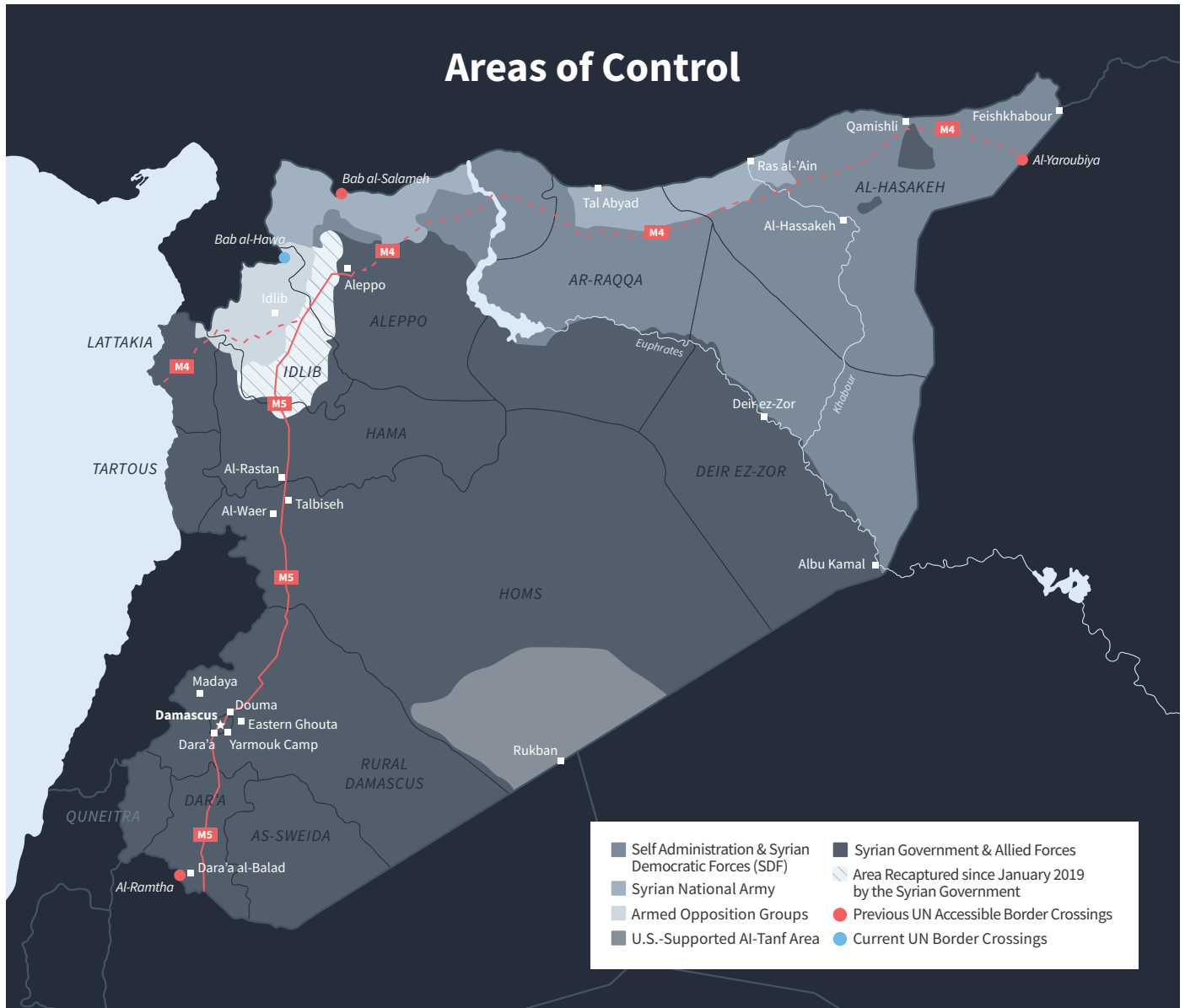
But separating that assistance from the Syrian government's broader political project is a puzzle. Those that understand the depths of that exploitation feel helpless to counter it. As one high-ranking UN official said of the Syria response, "How do you untangle 10 years of manipulation?"¹ As the donor community looks forward, that is precisely the task before it today.

The contributions of Western donor governments have amounted to over \$40 billion since 2011, with the European Union contributing \$25 billion and the United States another \$13.5 billion.² Canada pledged \$3.5 billion to Syria and the region between 2016 and 2021.³ Yet, despite 10 years of generous assistance, every part of the country is suffering. Meanwhile, donor fatigue is setting in and Syria is competing with emerging crises elsewhere in the world.⁴

The aid picture in Syria varies by area of control. The challenges to providing principled assistance in each area are neither equal nor the same. In northern and eastern Syria, which are largely beyond Syrian government control, donor governments and the aid community have more leverage to close gaps in coverage and reduce interference in the aid response. However, risk aversion amid continued local conflict volatility and persistent uncertainty overshadows donors' clear need to help communities cover their basic needs and become more resilient. In government-held areas, challenges to the response are more entrenched.

These challenges have culminated in a grim outlook for Syria and regional stability for the foreseeable future. Food security is under threat of complete collapse in the northeast—Syria's breadbasket—due to plummeting wheat harvests. Around 12.4 million Syrians now struggle to find a meal, over a 50 percent increase between 2020 and 2021.⁵ In the opposition-controlled northwestern corner of the country, the Russian and Syrian governments constantly threaten 4 million people with airstrikes, wiping out critical civilian infrastructure and any hope for stability. Even with current levels of aid, one out of three children under five suffers from stunted growth in northwestern Syria.⁶ Non-state armed groups and state-sanctioned groups have taken advantage of the lawlessness to pillage their way to prominence. In government-controlled areas, the regime

Areas of Control



Source: Based on author's previously created map and original research and analysis. Please reference the figure resources section for additional information.

continues to punish and deprive those living in formerly opposition-held areas. In the meantime, as the economy collapses, needs have drastically increased across the population, creating a new class of people dependent on aid. If the borders were opened tomorrow, millions more would spill across, fleeing relentless insecurity, hunger, and a devastating drought.

At the UN Security Council, Russia and China have already shut down three of the original four border crossings that allowed UN agencies to coordinate and fund assistance without the permission of the Syrian government. If Russia vetoes the United Nations' right to use Bab al-Hawa—the last UN mandated border crossing, serving northwestern

Syria—the entire UN response will be funneled through Damascus. Such an event would imperil millions in northwestern Syria, as the Damascus-based government has withheld aid to civilians in opposition-held areas throughout the conflict as a military tactic.

Across northern and eastern Syria, the persistent possibility of the Syrian government's return or another offensive hangs heavy over the response and impedes a shift to assistance that makes communities more resilient and less dependent on aid. Residents in northeastern Syria are now moving into displaced persons camps—not to escape conflict but to meet their basic needs. Islamic State cells continue to sleep and strike, taking advantage of commu-

nities' insecurity and deprivation. Waiting for an elusive hard end to the conflict does not solve ongoing challenges in the response or help to meet the population's needs.

The donor community needs to adopt a more sustainable approach to assistance. Doing so in a principled and effective way will require a far more comprehensive policy for aid to Syria. Untangling Syrian government manipulation and ensuring that aid reaches the Syrian people requires greater engagement from donor governments. As one shelved internal UN report noted, "humanitarian partners alone cannot overcome the political obstacles that hamper the timely and effective delivery of assistance."⁷

This paper articulates the current challenges to the aid response and describes how a more comprehensive approach can yield better outcomes. Each chapter will delve into challenges to aid programming in the three major areas of control: the Syrian Democratic Forces (SDF)-controlled northeastern and eastern part of Syria, opposition-controlled northwestern Syria, and Syrian government-controlled areas. By providing a snapshot of how aid is administered in each area and how de facto authorities facilitate, manipulate, or divert aid, each section will assess the strategic consequences of the status quo.

The siloed nature of the response requires input from a wide variety of stakeholders to assess the real impact of these matters on the response and verify that information from a number of sources. The author attempts to start this process, having conducted multiple interviews and five workshops with over 130 local and international aid workers, access negotiators, analysts, third-party monitors (TPMs), donor government representatives, and UN officials.

Aid cannot bring Syria to a just or acceptable political solution. It is not supposed to. However, a more holistic approach to aid and diplomacy can reverse damaging patterns and address donors' long-term interests. Donor governments working with allies in the region have the opportunity and an interest in making their \$40 billion investment pay off for the Syrian people, but time is running out.

The challenges described here are not insurmountable, but they will require stamina to overcome after more than a decade of war. Addressing these gaps will seal in the gains of assistance for Syria's people, improving their futures and encouraging stability in Syria and beyond its borders. Failing to address these problems does not merely threaten the Syrian peoples' hopes but may bring the entire region

to the brink of despair, creating intractable challenges well into the future.

METHODOLOGY

This paper is based on author interviews conducted between August 2020 and December 2021 with over 130 UN officials, aid practitioners, analysts, field monitors, diplomats, and mediators involved in the Syrian conflict. These interviews are verified and complemented by five workshops conducted with aid workers, analysts, and UN officials on aid challenges throughout Syria; desktop research of project evaluations; open-source documents and databases; internal reports that the author gained access to; and existing literature on the topic. This research was complemented by previous work in the humanitarian field in Syria and interviews with civil society activists, local governance actors, and aid workers. Due to the sensitivity of the work, nearly all interviewees preferred to remain anonymous so that they could speak more frankly. Their position and affiliation to the response are noted.



AREAS CONTROLLED BY THE SYRIAN DEMOCRATIC FORCES

D **iving into northeastern Syria from the** Iraqi border, the nodding heads of oil pumps punctuate the rocky landscape. As a country, Syria is relatively resource poor. But to the extent that the land can be coaxed to produce wealth, much of it comes from the northeast. Around 70 percent of Syria's wheat production and oil resources lie in this territory.⁸

But while the region has historically generated wealth for the government, the government has done little to reciprocate. In fact, the Syrian government neglected and mismanaged the area for decades. Disastrous agricultural and economic policies, combined with a record-setting drought from 2006 to 2009, shook the region.⁹ As more farmland lay fallow, unemployment surged and other economic sectors began to struggle. By 2010, UN agencies estimated that over 300,000 people migrated from the northeast and that Syrians had deserted between 60 and 70 percent of villages in the governorates of Hassakeh and Deir ez-Zor.¹⁰

One civil society activist from the northeastern city of Raqqa viewed the area's habitual neglect with dark humor. After surviving a grim period in which the Islamic State proclaimed his hometown as its capital and imposed an austere and harsh version of Islamic law on its inhabitants, he said, "ISIS [Islamic State] made my city famous. They made us a capital city. No one cared or knew about us before then."

Today, a decade of war has exacerbated the region's long-standing patterns of drought and displacement. Agricultural production has nearly collapsed. But in the wake of the defeat of Islamic State forces in 2019, the region also has drawn widespread international engagement. The local Syrian Democratic Forces (SDF) control most of the region, but clusters of Turkish, Russian, American, and Iranian soldiers also dot the landscape. The SDF has partnered with U.S. forces in the fight against the Islamic State since 2014. Dozens of local and international relief groups provide assistance. Millions of dollars flow into the area not only to the population but also to keep extremist groups at bay. Even so, the scars of years of Islamic State control—and the battles to end it—remain fresh. Infrastructure has been shattered, tens of thousands of children were either partially educated under the Islamic State's curriculum or not at all.¹¹ Makeshift oil refineries and dilapidated oil infrastructure pollute the air and precious water, ravaging the environment and the population's health and livelihoods.¹²

Uncertainty over the region's political future clouds actions to shape its present. While the de facto governing authority (formally called the Autonomous Administration of North and East Syria, or AANES) is nominally diverse, Kurds connected to the Democratic Union Party (PYD), with its own ideological affiliations with the Kurdistan Workers' Party (PKK), effectively control it. Both Turkey and the United States consider the PKK to be a terrorist group, and Turkey has launched a ground offensive and occupied territory in the northeast to counter what it perceives as a threat to its national security. As Turkey seeks to eliminate PKK influence from northeastern Syria, rumors abound that the AANES might make a deal with the Assad government to contain the possibility of further Turkish interventions.

Aid actors have a fine line to walk. They must avoid alienating any of the myriad actors who maintain a patchwork of influence and control in the area, remaining alert to the possibility that U.S. forces could withdraw, despite Biden administration statements of intent to remain, or that the AANES could accommodate the Damascus government to stave off another Turkish incursion. As a result, many relief efforts are short-term and opportunistic.

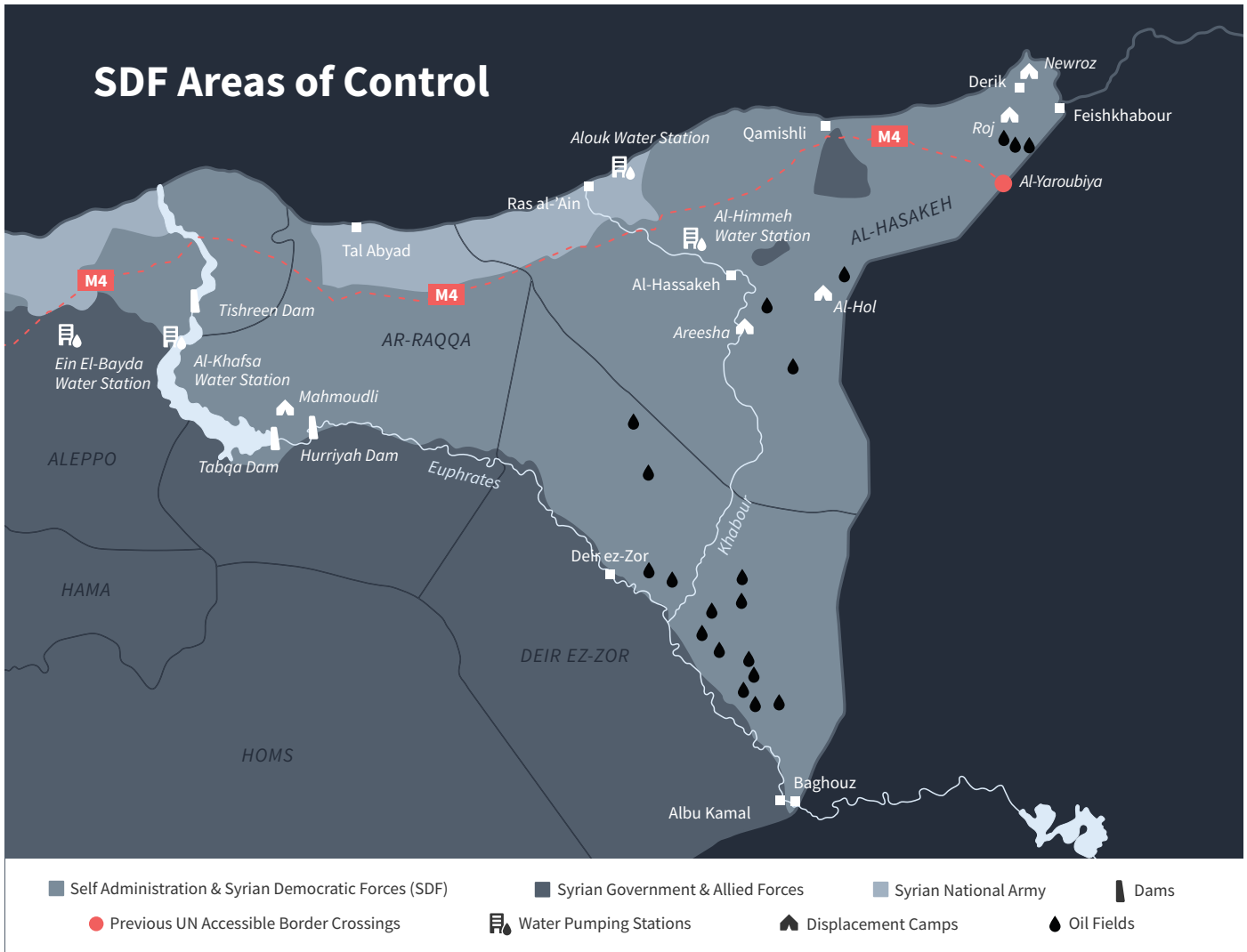
Though the AANES seeks to regulate relief work in the area, many of the more remote parts of the region are beyond its grasp due to insecurity and tensions with local communities. The United Nations' operations in the northeast are especially fraught. UN officials cannot easily work with NGOs or the AANES for fear of upsetting the Syrian government, which considers entities operating outside its control as threats, terrorist entities, or both—even if those entities are humanitarian organizations and health facilities. It means

“

ISIS [Islamic State] made my city famous. They made us a capital city. No one cared or knew about us before then.

Civil Society Activist

”



Source: Derived and zoomed in from author's previously created map and original research and analysis. Please reference the figure resources section for additional information.

that many of the United Nations' activities are carried out at arm's length, creating gaps and inefficiencies.

It is hard to stabilize the area without investment, and it is hard to invest without a clearer sense of who is in control now and who will be in control in the future. While the region has the resources to contribute to a stronger Syria, aligning the politics to do so remains a remote prospect.

AID RESPONSE TODAY

Even with literal and figurative land mines strewn throughout the region, international aid workers consider SDF-controlled areas to be more conducive to programming than many other parts of Syria. Though there are significant capacity issues in terms of infrastructure and human resources, as well as insecurity especially in Deir ez-Zor

and along frontlines, attaining approvals from donors and local authorities tends to be easier than in other parts of the country. Still, the aforementioned issues and gaps in funding and coordination between different players are negatively impacting local communities.

There are over 3 million people living in SDF-controlled areas today, with around 1.8 million in need of assistance, but the numbers of those in need of assistance are rising.¹³ A critical shortage of water and electricity has increased the prevalence of water-borne disease and depleted wheat and barley harvests to an all-time low. In Hassakeh, humanitarian agencies estimate that 2021 crop production was just 5 percent of 2020 yields in large parts of the province, devastating the livelihoods of 40 percent of the population that depend on agriculture and livestock.¹⁴ As the breadbasket of the country, water scarcity has impacted

food security for the rest of Syria. An NGO coordinator said they are starting to see alarming malnutrition figures.¹⁵

Regional and ecological factors combined with donor limitations on infrastructural improvements restrict how much aid can achieve alone. Ten years of war, neglect, and an extended regional drought—considered the worst of its kind in 70 years—have devastated the region’s water and hydroelectric infrastructure and supply.¹⁶ However, Turkish control of numerous dams along the Euphrates and the Alok water station in Syria has also exacerbated water issues. The combined effects threaten drinking water for 5.4 million people and electricity for over 3 million in the region.¹⁷ Humanitarian workers have noticed an increase in movement into internally displaced persons (IDP) camps due to poverty rather than conflict.¹⁸

Among the IDP camps, al-Hol and Roj are the most well known, housing those who fled Islamic State controlled-areas as the coalition took back territory. Despite diplomatic efforts to repatriate foreigners and SDF proclamations to return Syrians to their homes, al-Hol still houses nearly 60,000 people, 90 percent of whom are women and children.¹⁹ An NGO administers the overcrowded camp, but conditions are dire and extortion and murder eclipse numbers seen in the most infamous murder capitals of the world.²⁰

Aid organizations are limited in their capacity to address these complex issues in spite of a great deal of donor attention on the northeast and a more conducive operating environment for the aid community. Nearly 30 international NGOs, over 210 local NGOs and civil society groups, and limited staff from UN agencies operate in this territory.²¹ Northeastern and eastern Syria is the only area of control where donor governments fund significant humanitarian and stabilization programming and, to a lesser extent, development work. The ultimate goals of donor governments’ stabilization assistance are to prevent the reemergence of the Islamic State by supporting reintegration of displaced persons and rehabilitating the area, including infrastructure, services, and social networks.²² While stabilization and humanitarian work can be complementary, the lack of coordination between different actors makes it difficult to identify gaps and duplication in effort. As a result, in the words of one NGO worker, “no one knows what the other is doing.”²³

The AANES has tried to regulate aid programming, but this oversight does not amount to planning and coordination for various efforts. Some donor governments and the Syrian government restrict NGOs and UN agencies’ work with the

AANES—an unrecognized government entity—inhibiting more coordination and investment with local authorities.²⁴

That said, most humanitarian NGOs must, to some degree, coordinate with the AANES’s Humanitarian Affairs Office (HAO), which also includes around 10 local branches. The HAO registers NGOs and approves projects. A separate office for IDP affairs specifically oversees the administration of camps and informal settlements. The Raqqa and Deir ez-Zor Civil Councils also work with humanitarian and stabilization actors. At the more local level, NGOs often need to coordinate with People’s Municipalities (*baladiyah al-sha’biya*) and the communes (*kominat*—the smallest administrative units according to the AANES’s governance structure).²⁵

These AANES entities are strongest in Hassakeh governorate (close to the AANES leadership’s locus of power), followed by Raqqa, and are weakest in Deir ez-Zor.²⁶ According to some in the sector, this has positive and negative outcomes for the aid response in these governorates. There are far fewer bureaucratic impediments in Deir ez-Zor. As one analyst put it, “You are not swimming in the soup of high- and mid-level cadres [persons affiliated with the PKK] who are in competition with one another.”²⁷ However, the absence of a strong central authority creates risks for implementers on the ground.

The United Nations’ limited role in the region, due to Syrian government restrictions, has amplified gaps in the response, increasing the burden on NGOs. While the United Nations has offices in Qamishli in northeastern Hassakeh Province and conducts crossline shipments from government-held areas, UN officials are not able to openly work with NGOs on the ground or the AANES.²⁸ However, this was not always the case.

In 2014, UN Security Council Resolution (UNSCR) 2165 and subsequent renewals gave UN agencies a cross-border mandate to operate in partnership with northeast-based NGOs and without approvals from the Assad government. But in 2019, Russia and China vetoed the extension of the United Nations’ mandate to use al-Yaroubiya crossing from Iraq to northeastern Syria. This made UN agencies, already fearful of provoking Damascus’s ire, effectively beholden to the Damascus-based government, severely curtailing their ability to access populations, deliver needed supplies, and coordinate with implementers on the ground. The Syrian government views organizations, de facto governance bodies, and parts of the population in the northeast as “terrorists” and as infringing on its

sovereignty.²⁹ Today, without the United Nations' reliable procurement and transport capacity, aid organizations still struggle to maintain a stock of supplies and a cold chain for vital medications and vaccines.³⁰ While UN agencies ship supplies crossline, both the quantity and quality of these shipments have been lacking.³¹

In lieu of a UN-led coordinating and cluster structure, the Whole of Syria Strategic Steering Group mandated the Northeast Syria Forum (NES Forum) in 2017 to serve as a coordinating body for humanitarian NGOs operating in northeastern Syria.³² However, this mechanism has also created challenges. Without access to a donor pooled fund specifically designated for the northeast, the NES Forum struggles to get data on programming and funding from partners.³³ Such data collection is always sensitive in Syria, and without the power of the purse, asking NGOs to voluntarily provide information necessary for mapping the needs and programs around the region has been problematic. The forum also does not have access to UN resources for mapping programming and needs.³⁴ While the United Nations creates needs assessments for the area, NES-based NGOs say that the United Nations lacks the access and coordination with implementers to conduct such assessments.³⁵

Areas outside SDF-controlled territory in northeastern Syria pose their own set of challenges. The 120-km-long (75 miles) and 30-km-deep (19 miles) strip of Turkish-controlled territory—called Peace Spring, after the 2019 military operation to capture it—is inaccessible to aid agencies working in SDF-controlled areas and can be accessed solely through Turkey. Many of the original inhabitants remain in IDP settlements in SDF-controlled areas to this day.³⁶ After the operation, Turkey installed new local councils for Tel Abyad and Ras al-'Ain, the two largest towns in this territory, which are subordinate to the Turkish province of Şanlıurfa, the assistant governor for the affairs of the Peace Spring region, and two Turkish officials—the so-called “governors” of Tel Abyad and Ras al-'Ain.³⁷ Lack of coordination with the Turkish government and investment in this area inhibits leverage aid agencies and donor governments may have to shape the response in this area and negotiate with the Turkish government on the aforementioned water issues.

Though some refugees and IDPs returned to Peace Spring areas, continued attacks on SDF areas by Turkey and Turkish-backed factions are a constant reminder that a peaceful future is not certain, as multiple parties claim this land.

Within the strip of territory, locals frequently complain about looting and extortion by armed groups, who primarily hail from other parts of Syria.³⁸ NGOs also report that the presence of different competing armed groups and sporadic shelling inhibit their ability to reach SDF-controlled areas such as Manbij and Kobani. Rather than using the M4 highway (essentially straddling frontlines) or the Turkish border crossing, NGOs must navigate a 12-hour circuitous and potentially dangerous driving route down secondary roads, stifling more NGOs from pursuing programming there.³⁹ Such a journey also impacts contingency planning should aid workers need to extricate themselves quickly.

Compared to northwestern Syria, the security situation in the SDF-controlled northeast is relatively calm, allowing international aid workers far more freedom of movement. However, attacks on aid workers and AANES-affiliated persons, especially in Deir ez-Zor by both unknown perpetrators and Islamic State cells continue to be a deterrent to more aid programming and a reminder that the current situation is tenuous. Tensions between different communities are mounting in an environment of scarcity. As the current relative stability to operate in the area is primarily predicated on the U.S. military presence, hindering the Syrian military's full return, the predicament for programming is how to move forward. Such uncertainty prevents donor governments' and de facto authorities' strategic investment in this long-neglected region. Aid workers fear that failure will exacerbate already serious humanitarian and security concerns.

CHALLENGES AND OPPORTUNITIES WITH THE AUTONOMOUS ADMINISTRATION OF NORTH AND EAST SYRIA

The AANES is as diverse as the region itself but retains, at the center of control, a cadre dedicated to the teachings of the PKK's founder, Abdullah Ocalan. While Ocalan promotes a secular, decentralized government structure, the AANES has been reluctant to devolve real powers to Arab leaders.

Though aid workers believe northeastern Syria is a relatively permissive environment for humanitarian work, the difficulties that do arise are typically connected to



As the current relative stability to operate in the area is primarily predicated on the U.S. military presence, hindering the Syrian military's full return, the predicament for programming is how to move forward.



the core power imbalance between cadres and those not connected to the party's ideology. Civil councils and local governance actors continue to be shadowed by these cadres, or PYD-affiliated advisers, who exercise outsized, if informal, authority. Arab civil society activists and Arab employees of local government structures believe these individuals retain effective control.

This hierarchy has had varying impacts on aid operations. Civil society activists and NGOs believe that Kurdish areas are advantaged in competition for lucrative aid contracts. Aid work is particularly sought after in a region with low wages and diminishing job prospects. Early on, there were even instances of local fighters stripping aid workers of part of their salaries, failing to accept that they could earn so much more money than average government-salaried workers.⁴⁰ The discrepancy in salaries affects the response in numerous other ways. Skilled and educated local workers gravitate toward NGO work and away from local governance positions, increasing the region's economic dependence on the aid response and creating resentment among those who cannot get NGO jobs. This also increases the socioeconomic and entitlement gap between Arabs and Kurds.

Perceived inequity in aid programming deepens mistrust between communities, limiting the effectiveness of projects that are meant to build bridges. When Kurdish-led organizations implement social cohesion projects between Arabs and Kurds, Arab participants say they often feel subjugated to Kurdish concerns. In some cases, training materials even contained Ocalan quotes, further alienating

Arab and non-AANES-affiliated actors.⁴¹ Such a disconnect undermines the efficacy of these projects at best and creates social fissures at worst.

Social cohesion projects alone will not solve all of the tensions between communities. Forced military conscription into the SDF, the poor state of service provision, and the overall state of the economy in Arab-majority areas exacerbate hostility. SDF efforts to combat insecurity and corruption in Arab majority areas have often backfired, inflaming an already tense situation and providing succor to the Islamic State and the Syrian government as they seek to exploit this discontent.⁴² Such tensions demonstrate the challenges faced by the AANES and SDF, which must balance anti-corruption, security imperatives, and the need for good governance against the need to remain in the good graces of these Arab-majority communities.

While AANES and the HAO tend not to overtly interfere in aid programming, points of contention appear when aid programming is of a more political nature. The AANES has shut down civil society programs aiming to build dialogue between different members of the political spectrum. A State Department-supported civil society program with members of the Kurdish National Council (another Syrian Kurdish party) ended with participants getting expelled from the country.⁴³

Education has also become a major point of contention. In 2017, the AANES suspended the Syrian government curriculum and began to impose its own.⁴⁴ The AANES hopes to legitimize its governing bodies as well as teach Syrian Kurdish, Kurdish history, and Ocalan's teachings through its own curriculum. However, many community members favor the curriculum used in government-held areas, not out of any affection for it, but primarily because it is internationally recognized and, therefore, accredited. The lack of official recognition for its curriculum reflects the administration's broader challenges with obtaining international recognition as a governance body. Though the administration in the northeast took control of state institutions there in July 2012, the Syrian state and other countries have not officially recognized it, amplifying the education dilemma.

Efforts to enforce the curriculum have led to the arrest of teachers and students using the Syrian government's curriculum.⁴⁵ The administration has also forced teachers to serve in the SDF, which is part of a larger problem of forced conscription among Arabs who feel that they are being used as cannon



Syrian Kurds carry a large portrait of Kurdistan Worker's Party (PKK) leader Abdullah Ocalan as they demonstrate in Qamishli on June 10, 2021.

Photo Source: Delil Souleiman/AFP/GettyImages

fodder on the frontlines.⁴⁶ In a region where children have suffered numerous interruptions to their education, community members are particularly incensed, fearing that their children will fall even further behind.⁴⁷ Aid organizations noted that education programs have been delayed for months and then shut down.⁴⁸ On top of these issues, ongoing complaints and protests over child recruitment by the SDF and other local forces exacerbate concerns for this generation.⁴⁹

However, NGOs, for the most part, feel empowered to combat instances of interference, taking a hardline with local authorities if necessary. Names may be added to beneficiary lists, but NGOs can typically mitigate such interference with appeals to higher officials. In 2021, local authorities began pressuring humanitarian actors to provide greater support to IDPs displaced by Operation Peace Spring, or access would be cut off from al-Hol camp.⁵⁰ However, when humanitarian actors confronted the AANES, the leadership was contrite.⁵¹

Issues still emerge but the effective negotiating stance of NGOs and U.S. leverage on the AANES tend to mitigate the greater obstacles witnessed in other parts of the country.⁵² As one NGO noted, their U.S. donor has “resolved problems for them” in the past.⁵³ In fact, some donor governments

wished that the U.S. government would extend this clout for the benefit of non-U.S. funded programming as well.⁵⁴

While there can be bureaucratic delays and controversy over certain sectors, nearly all NGOs noted that they could get access to areas, implement projects, and conduct needs assessments and evaluations with relative ease. One stabilization actor even noted that they were able to negotiate on the controversial education sector, establishing a self-learning curriculum now adopted in schools all over Raqqa, Deir ez-Zor, and Tabqa.⁵⁵

The larger issue than individual instances of diversion or corruption is the lack of an integrated and coordinated plan for the area. For example, tackling issues in the water sector typically includes supporting water pumping capacities of selected communities rather than managing the larger scarcity issue in a more comprehensive and sustainable way.

With limited resources and local governance and implementation partners that do not necessarily represent community interests, NGOs often arbitrarily choose certain beneficiaries over others. The effect is that “Sometimes you are changing the power dynamics in a community because you inadvertently prefer one tribe or another.”⁵⁶ This problem extends to other sectors as well, ensuring that there are gaps in the response and further exacerbating tensions in the area. More community-based contextual analysis can help assess how programs are impacting the region.

It will take more than social cohesion programs to solve these issues. Aid workers note that more assistance is needed to lift communities out of poverty and prevent flashpoints. And the AANES is not necessarily the obstacle to making this happen even in Arab-majority areas. In fact, the AANES has, at times, widely publicized aid programming in Deir ez-Zor and Raqqa to improve its relations with these communities and its broader le-

gitimacy.⁵⁷ Lack of funding, insecurity, and corruption tend to be the main impediments to assistance in these areas. Outside of the humanitarian aid response, many still question how the AANES spends its revenues since its budget is not shared.⁵⁸

While donor governments may not have a clear vision of what the future of governance will be in the region, resolving these core issues cannot wait. Environmental and development problems threaten a collapse in food security and will have long-term consequences. Based on the Syrian government's attitude toward the region, pre- and post-conflict, things are unlikely to improve if the Syrian government fully returns to the area.

THE OUTSIZED INFLUENCE OF THE SYRIAN GOVERNMENT

A colossal photo of Bashar al-Assad with the words "Political Security Branch of Hassakeh" written below hangs over the town of Qamishli. Though the area is largely under SDF control, Syrian government troops maintain a presence. However, the smattering of Syrian military checkpoints and government offices in the northeast is not indicative of the Assad government's outsized influence—direct and indirect—in the region.

Indirectly, discourse on eventual Syrian government return curbs the power and legitimacy of local governance actors and inhibits a longer-term aid response. With wavering U.S. commitment and Turkish attacks in the northeast, the AANES must be prepared for all contingencies, the most important being reluctant or forced reconciliation with the Syrian government. Such uncertainty undoubtedly lessens the leverage the United States or any donor government has on the AANES to tackle corruption, social cohesion, and Islamic State pockets in areas further from Hassakeh. The same holds true for Arab communities, which must hedge their bets for any future political reality.

The Syrian government has directly impacted the response by creating pockets of insecurity for NGOs in the area, even detaining aid workers who walked into government-controlled areas for months.⁵⁹ Most NGOs simply avoid these government pockets in Hassakeh, Qamishli, and between Ain Eisa and Tel Tamr.⁶⁰

UN agencies, however, cannot avoid the Syrian government. UNSCR 2504, the compromise resolution that

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Based on the Syrian government's attitude toward the region, pre- and post-conflict, things are unlikely to improve if the Syrian government fully returns to the area.

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closed al-Yaroubiya to UN use, forced UN agencies to get approvals from Damascus for their work in SDF-controlled areas and inhibited their ability to effectively coordinate with other governance and aid actors in the areas. The UN offices, based in Qamishli, need to get approval from a Syrian government-aligned governor, who is not always forthcoming.⁶¹ Likewise, the Aleppo director of health, cited as a strong Assad government loyalist, has restricted access to areas such as Manbij and Kobani.⁶² These impediments mimic common obstacles for crossline assistance throughout the conflict.

The effects have negatively impacted the quality of the humanitarian response. UN agencies' relationship with Damascus has, in particular, affected the health sector. One of the starkest examples happened as Covid-19 entered northeastern Syria for the first time. The region is considered to have the weakest healthcare in the country. The Syrian government did not allow for the distribution of PCR machines to the area until April 2020, meaning PCR samples needed to be sent to Damascus for analysis.⁶³ However, when samples from the northeast were sent to Damascus for testing, the World Health Organization (WHO) did not report positive results for nearly two weeks. By that time, the patients had already died.⁶⁴ As one worker from a health-focused NGO noted, "This is a bridge too far. If [the WHO] were worried about the government, they could have at least sent us the results through informal channels. We had to get this information from a lab technician."⁶⁵

As the vaccines are rolled out across the country, issues remain. In the first phase of the vaccine rollout in February 2021, northeastern Syria received only 1 percent of the

1.02 million doses allocated to Syria.⁶⁶ Today, while the WHO celebrates receiving nearly 30,000 doses in north-eastern Syria, the reality is more complicated.⁶⁷ The Syrian government doled out vaccines based on demand rather than prioritizing healthcare workers. This effectively meant that only those who did not fear arrest by the government were vaccinated, not frontline workers. The government also refused to allow for those receiving the vaccine to remain anonymous. Some used fake names and did not return for the second dose. In fact, 60 percent of people who received the first dose did not return for a second dose in the northeast. Instead of compromising on privacy issues, the government opened a second round of first doses while closing the possibility of a second dose for those who had already received the first dose.⁶⁸

Reportedly, the WHO has also not applied for the “humanitarian buffer”—a 5 percent reserve of Covid-19 vaccines offered by Gavi, the Vaccine Alliance, meant for people in conflict zones or humanitarian settings who cannot be reached by government vaccination campaigns. Aid workers in the northeast say the lack of a reliable cold chain after the closure of al-Yaroubiya and the United Nations’ reluctance to upset Damascus have impeded the application for the buffer.⁶⁹ NGOs have also been forced to find their own PCR testing supplies, running out of materials every three months or so and scrambling to find and transport them to the area. Healthcare workers say the WHO should be responsible for sending these supplies, but the organization has not done so.⁷⁰ Some fear that the lack of coordination and restricted resources further inhibits visibility on the spread of the virus, putting a vulnerable region at greater risk.

UN crossline aid shipments to the northeast have also been problematic. They are often sent directly to local authorities without any monitoring, accountability, or acknowledgment of the needs.⁷¹ Along the way, items have been removed from shipments or have been distributed haphazardly. In 2020, trauma kits sent to the northeast were missing contents, rendering them useless. The United Nations sent intensive care unit (ICU) beds to a hospital with no plans to create an ICU, and incubators to a hospital in Tabqa without informing the NGO managing the maternity ward. In other cases, the United Nations deemed some facilities were reached with aid even when the aid delivered amounted to only a couple of disposable hospital gowns and shoe covers.⁷² As one donor representative said, “The response can’t just be about volume but also quality.

It can’t just be Panadol. The United Nations tends to bury the quality of the response in number of tons.”⁷³ Another healthcare coordinator noted that they receive incomplete trauma kits when what they really need for the region are non-communicable disease kits, which she estimates are just 2 to 5 percent of the kits they receive crossline. As she put it: “The government wants to keep supplies for itself and choke the [AANES] into submission.”⁷⁴

On top of these ubiquitous examples, moving supplies from Damascus to northeastern Syria entails extensive approvals and circuitous transport, delaying shipments and increasing costs associated with aid distribution.⁷⁵ The unreliability of crossline shipments makes the region extremely vulnerable since northeast-based NGOs are unable to fill the gaps on their own. They lack an emergency pooled fund for the northeast, resources to maintain contingency stocks, and an adequate cold chain.

In other instances, the United Nations has left gaps in the response, especially in camp settings, saddling NGOs with the burden without enough warning or funding. For example, the World Food Programme (WFP) waited six weeks to tell northeastern Syria-based NGOs that they would not be able to serve 40,000 households for two months.⁷⁶ In 2021, the United Nations did a rapid needs assessment of the Serekaniye and Washokani camps, concluding that they did not need to serve them because NGOs could respond.⁷⁷ This leaves many NGOs frustrated, as they are encouraged by donor governments to move away from a camp response but are then forced to expand their camp presence when the United Nations is unable to do so. As one NGO director said, “INGOs can’t fill this gap in two weeks. When the United Nations writes these pooled funding appeals, I just wish they would emphasize to donor governments that [north-eastern Syrian] NGOs don’t have access to these funds.”⁷⁸

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The United Nations tends to bury the quality of the response in number of tons.

Donor Representative

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An ongoing point of contention between NGOs and UN agencies answering to Damascus is the exaggeration of the United Nations' access and programming, which tends to be limited to government-controlled pockets. As one education NGO stated, "the regime is holding UNICEF hostage, and it is unable to meet the need. And we see that gap but can't fill it because the UN is supposed to."⁷⁹

The Syrian government does not control the area, but it has made its intentions known. While the government would likely prioritize revenue-generating infrastructure and investment in the region (to ensure better extraction of resources such as oil), it is unlikely to invest the profits in the region's people or allow for NGOs to continue to operate relatively unimpeded. Their restrictions on UN agencies and closures of NGOs operating in formerly opposition-held areas elsewhere provide some preliminary evidence. Without greater foresight in shaping the humanitarian response to help correct the government's behavior, a long-neglected population will be taken to the brink once again.

STRATEGIC CONSEQUENCES OF THE STATUS QUO

Funding limitations and uncoordinated assistance further widen the gap between met and unmet needs in the northeast. The uncertainty over the region's political future is impeding more holistic investments, catapulting the population toward an economic and agricultural collapse. These issues cannot wait for a concrete, universally acceptable end to a conflict, which may never come.

The current environment is open to greater assistance. While there are numerous challenges to the aid response in northeastern Syria, from security issues to corruption, most aid workers noted that the area was the most conducive environment for aid programming in Syria. In part, this is



A Kurdish fighter helps a Syrian child to board a truck at the Kurdish-run al-Hol camp after being released from the camp to return to their homes on October 28, 2020.

Photo Source: Delil Souleiman/AFP/GettyImages

because humanitarian and stabilization actors felt empowered to raise concerns with AANES offices and local authorities. While such negotiations were not always successful, they have contributed to increasing humanitarian space. Most of those interviewed believed that donor governments, especially in collaboration with the United States, have the leverage with local authorities to elicit an even more permissive approach.

The uncertain future of the region impedes better planning and long-term thinking around assistance. The response in the northeast is stymied by the decision from Western donor governments to avoid reconstruction in Syria without an accompanying political transition for Syria. That limbo, however, keeps donor governments from pursuing a more comprehensive strategy aimed at enhancing water, energy, and telecommunications infrastructure, or even regional negotiations over water and oil resources. Watching helplessly as more people move into IDP camps, one humanitarian worker said, "If calling that assistance 'stabilization' or 'development' funding is too politically complicated, call it 'early recovery' or whatever you need to."⁸⁰

The consequences of failing to fill this gap have considerable humanitarian and security implications. Islamic State cells continue to find refuge on both the SDF- and

government-held sides of the Euphrates and regularly conduct attacks. The organization has shown a growing capacity to adapt to changing military and social realities by feeding off of communities' insecurity. Some analysts suggest that Islamic State cells may be waiting for a full U.S. withdrawal to bounce back.⁸¹

Humanitarian and stabilization actors fear that the narrow strategy of donor governments will destabilize the region over the near to long term. Many argue that ongoing efforts to reintegrate the families of Islamic State fighters are ineffective or nonexistent.⁸² As one stabilization actor said, "If the objective is to prevent terrorism or ISIS 2.0, our programming doesn't match that. It doesn't address the core problems. In our education program, we are not allowed to target the children of ISIS fighters. Thousands of children in al-Hol camp are picking up garbage, and there are no programs to address drop-out children. There might be some small pilot projects, but it isn't enough."⁸³

No one knows how long the United States will stay and, therefore, how long the Syrian and Russian militaries will be kept at bay. For dozens of NGOs and stabilization actors, such an outcome would be the end of programming. While poor services, the deteriorating economy, and growing unemployment rates are fueling grievances within communities and the AANES, it is unlikely that the return of the Syrian government to the area would resolve such problems.

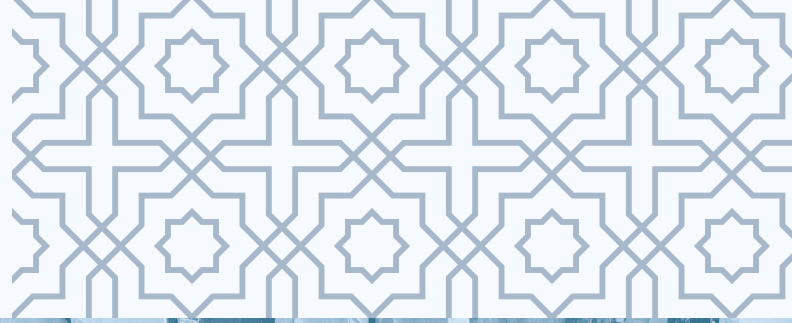
Allowing gaps to persist runs counter to the stabilization and humanitarian goals of Western donor governments. It also serves as a constant reminder to local governance actors and the population that their security is not guaranteed, risking any gains made in the aid response.

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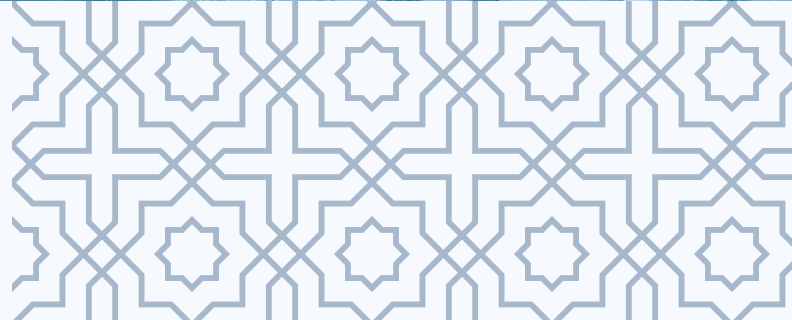
If the objective is to prevent terrorism or ISIS 2.0, our programming doesn't match that. It doesn't address the core problems.

Syrian NGO Worker

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OPPOSITION- CONTROLLED AREAS



A patchwork of worn white and blue tents stretches for miles in northwestern Syria. For months every year, floods and winter storms turn the small gaps between their tents into mud. Elsewhere, IDPs turn heaps of scrap wood and metal into informal settlements housing multiple families. The more fortunate take up shelter in crowded cities and towns, where rents have skyrocketed. Northwestern Syria hosts nearly 4 million people, two-thirds of whom were forcibly displaced to this last bastion of opposition control in Syria. Unable to live in government-controlled areas or smuggle themselves across closed international borders, the people living in this L-shaped pocket are literally backed into a corner. They have nowhere else to go, and there is little in the local economy to help them sustain themselves.

In a country where many have known despair, the population in the northwest has known despair more than most. According to a recent survey, 80 percent of displaced people in the northwest have been displaced at least six times, and some have been displaced up to 25 times.⁸⁴ Staving off another government offensive and creating more reliable sources of income are their near-term hopes, but they know that even this is uncertain. As Wafiq, a mother and teacher originally from a town outside Damascus now living in Idlib, said, “Even without war and without shelling, economic conditions are dire. There’s no money, and unemployment is terrible. I just hope there is less shelling and airstrikes.”⁸⁵

Ten years into the war, northwestern Syria is increasingly dependent on a tenuous ceasefire and unreliable emergency assistance. A more long-term approach for securing safety and supporting the resilience of communities is needed. But uncertainty and constant crises have thwarted a more robust and thoughtful approach to challenges.

Despite a shaky Turkish-Russian ceasefire agreement to prevent a major Syrian government offensive that entered into force in March 2020, the area has been subject to some of the most intense aerial bombardment by Syrian and Russian forces in the country. Those attacks continue to this day. Thousands of Turkish soldiers sprinkled along frontlines are blocking another Syrian military offensive, but it is unclear how long this will last. At the same time, Russia, a permanent member of the UN Security Council, continues to threaten the renewal of the United Nations’ mandate to deliver and coordinate aid cross-border from



Source: Derived and zoomed in from author’s previously created map and original research and analysis. Please reference the figure resources section for additional information.

Turkey. As a result, every few months, precious and diminishing aid resources are shifted toward a frenzied effort to prepare for a potential end to UN assistance and to advocate for the United Nations’ role to remain. The next deadline for the extension of the mandate arrives on July 10, 2022. Rather than being subject to the needs of the population and the efficacy of the aid modality, the essential UN cross-border mandate will once again be subordinated to Russian political motivations.

In addition to the constant uncertainty posed by Russia’s diplomatic and military attacks, the consolidation of governing bodies in the northwest affiliated with Turkey and Hay’at Tahrir al-Sham (HTS) has also impeded more sustainable solutions to the humanitarian crisis. Turkey’s military campaigns to take territory in northern Syria, especially Afrin, displaced tens of thousands of people.⁸⁶ International condemnation of Turkey’s intervention in Afrin and concerns over a de facto annexation of Syrian territory curtailed greater UN and donor engagement in the area. Likewise, the designation of HTS as a terrorist group reduced the willingness of aid agencies and donor

governments to engage with the group and its Syrian Salvation Government to more comprehensively protect humanitarian space and move past life-saving humanitarian aid. In fact, most donor governments have ceased nearly all stabilization assistance in northwestern Syria.⁸⁷

Donor restrictions on NGO contact with authorities in these areas had another unintentional consequence. They discouraged NGOs from reporting the challenges they faced, as any reports of interference could result in donors ending assistance. Many local aid workers fear the legal, financial, and even physical dangers of trying to negotiate with HTS one-on-one, and they fear donors will punish them for the concessions they make in those negotiations. While some donor governments have accepted this reality and provided NGOs with greater license to manage their operations alongside designated groups, all donor governments have not. These risks hindered efforts to collectively negotiate for more humanitarian space. In the meantime, Turkey and HTS have tightened management over the local economy and aid in their respective areas of control.

Another consequence of donor regulations is the region's heightened dependence on the tenuous UN cross-border mandate. Many donor governments continue to believe it is too risky to fund local NGOs directly in Syria, although local NGOs carry out the majority of aid implementation in the northwest.⁸⁸ Should the United Nations lose the ability to fund and supply these organizations, aid programming and the organizations' very existence would be jeopardized.

Continued aerial attacks on the northwest and sustained threats to the UN cross-border mandate remind the region's traumatized population that its future is in limbo. In the meantime, de facto authorities have filled the gaps, capitalizing on the propensity of donor governments and the aid community to react to crises rather than prepare for a new phase of the conflict. These challenges will have long-term ramifications for security and stability.

AID RESPONSE TODAY

As people from all parts of Syria cobble together a makeshift existence on this land, social networks obliterated, humanitarian aid is often their only respite. The response to meet the needs of the population in northwestern Syria is enormous but still lacking. Constant violence, large displaced populations, and surging Covid-19 cases have stretched the aid response to its limit.

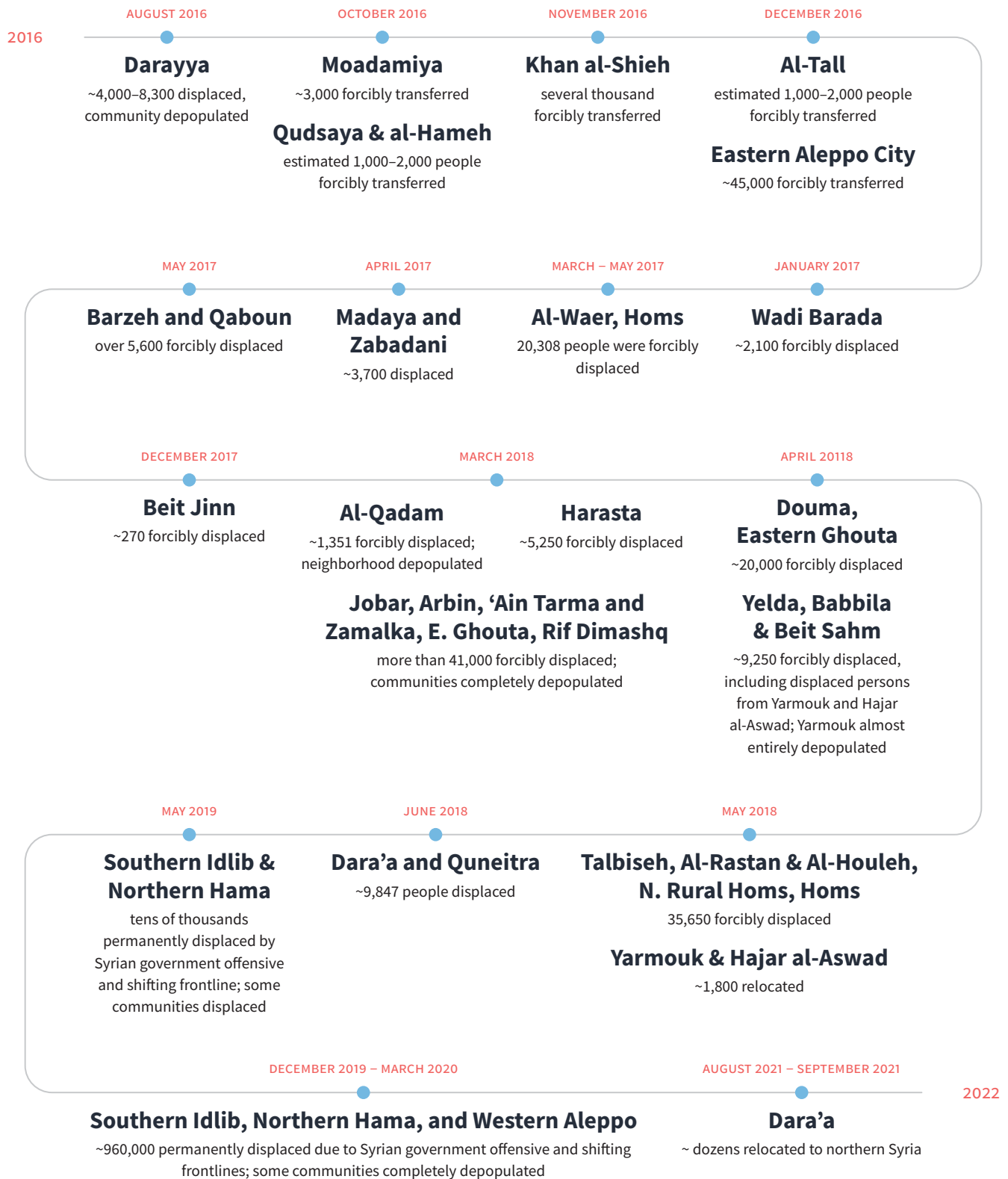
In 2019, the Syrian and Russian militaries launched an aggressive military offensive. The Turkish military eventually countered the assault with a surprisingly effective display of force in March 2020, but not before nearly a million people were permanently displaced, and the northwestern pocket lost much of its arable land.⁸⁹ Families left with what they could in freezing temperatures, finding refuge on the muddy ground of olive groves or against ancient ruins to buffet the winter winds.⁹⁰ Finding adequate shelter for the displaced continues to strain a humanitarian response coping with Covid-19 and an economic downturn. By October 2021, Covid-19 rates were soaring. Hospital beds and intensive care units (ICUs) were reaching full capacity, and personal protective equipment, medical supplies, and oxygen were running out.⁹¹

As a result of these compounding factors, the number of people in need increased from 2.8 to 3.4 million people between 2020 and 2021.⁹² Of the people in this territory, 75 percent depend upon the United Nations to meet their basic needs, and cross-border operations reach nearly 85 percent of them every month.⁹³ As one NGO worker said, "the economic downturn has given more importance to the NGO community. People would kill for a food basket now."⁹⁴

As the UN cross-border mandate perpetually faces the chopping block, hostage in the Security Council to Russia's veto, the need for the mechanism is greater than ever before. While the cross-border response predates the passage of UNSCR 2165 in 2014, allowing UN agencies to provide and coordinate assistance with NGOs cross-border, the resolution allowed the cross-border response to grow with UN support as needs rose in tandem.⁹⁵ Though it is difficult to parse out exactly how much overall aid funding there is for northwestern Syria given the myriad of actors and donors, it is possible to make estimates regarding the amount of UN aid involved. The UN Syria Cross-border Humanitarian Pooled Fund (SCHF) provided around \$190 million in 2020, making it the largest cross-border pooled fund in the world.⁹⁶ Adding UN bilateral funding and in-kind donations to the SCHF, UN assistance alone stood at over \$400 million in 2020.⁹⁷

The lack of stabilization or early recovery aid has also increased dependence on emergency life-saving assistance. The region once benefitted from significant stabilization funding, allowing local councils and civil society organizations to build capacity and coordinate with aid organizations. But in 2018, the Trump administration stopped \$230

Permanent Forced Displacement to Northwestern Syria



Source: Based on author’s original research and analysis. Please reference the figure resources section for additional information.

million in funding for Syria’s stabilization projects, except for assistance to the Syrian Civil Defense (internationally known as the White Helmets). The 2018 Turkish military capture of Afrin and the 2019 HTS consolidation of power in Idlib hampered other donor governments’ stabilization programming as well. While some stabilization support continues, it is very limited.

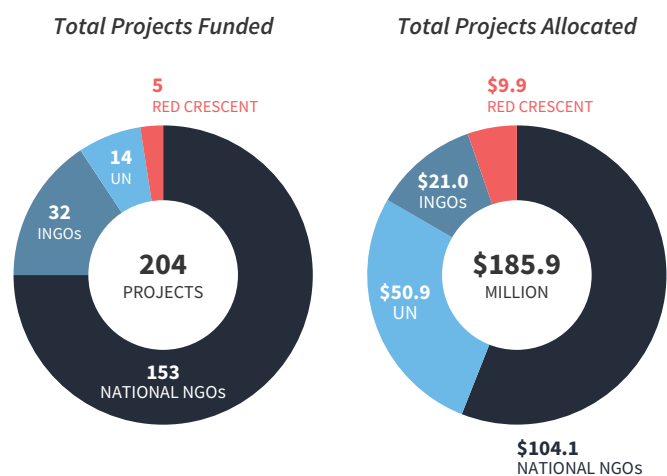
In the meantime, the Turkish government and HTS have developed their own governance structures to regulate assistance. Turkey maintains control over areas captured during its military operations—Euphrates Shield and Olive

Branch—through Turkish provincial governments and the Disaster and Emergency Management Authority (AFAD).⁹⁸ Aid organizations must obtain a permit from the Turkish government to work in the area, and only NGOs registered in Turkey can grant employees reliable mobility between Turkey and Syria.⁹⁹ To do so, organizations must register with the Turkish provincial government corresponding to the location in which they intend to implement programming. For work in western sub-districts such as A’zaz, Suran, and Mare’, aid actors register with the local government in Kilis, Turkey. Work permits for eastern sub-districts are obtained from Gaziantep and from Hatay for Afrin. Once permission is secured, NGOs must continue to coordinate on project implementation with the relevant Turkish provincial government or the Syrian municipal council department.¹⁰⁰

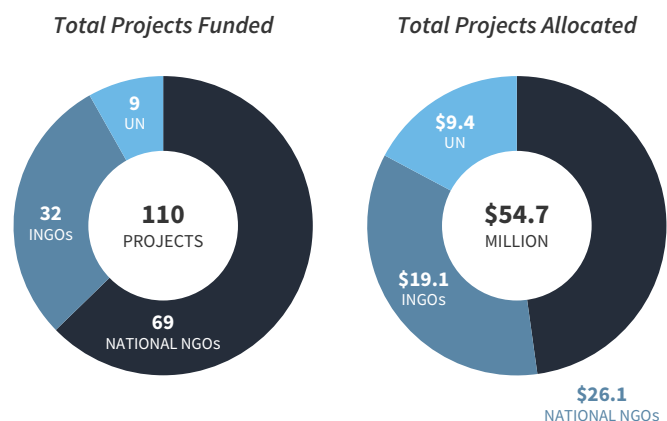
In HTS-controlled parts of Idlib and western Aleppo, the Syrian Salvation Government (SSG), established in November 2017, manages aid work.¹⁰¹ NGOs operating in the area typically register with the SSG’s Ministry of Development and Humanitarian Affairs and obtain a permit for each project. Usually, NGOs are required to sign a memorandum of understanding (MoU) with local councils in areas where they operate. NGOs may also be obliged to appoint members to attend regular coordination meetings with the SSG.¹⁰² Because this might not align with some donors’ requirements or an NGO’s own rules, some organizations may try to circumvent the SSG.

Subject to these administrative structures are two and half million people that will likely never be able to return home as long as the Assad government remains in power. Yet, in the current situation, they also will not gain the stability to rebuild their lives. Efforts to do so are curtailed by de facto authorities, a devastated economy, and the ever-looming threat of attacks from pro-government forces.

Syria Cross-Border Humanitarian Pooled Fund (2020)



Turkey Humanitarian Pooled Fund (2015)



Source: UN Office for the Coordination of Humanitarian Affairs. Please reference the figure resources section for additional information.

CHALLENGES WITH LOCAL AND TURKISH AUTHORITIES

Since the conclusion of the Euphrates Shield and Olive Branch operations, the Turkish government has dominated political, economic, and security dynamics in northern Aleppo province. Eager to make northern Syria livable for Syrians and secure for Turkey, the Turkish government heavily invested in the area. The Turkish government connected the area to the Turkish electricity grid, opened dual language schools, hospitals, and registered 500 Syrian

companies for cross-border trade.¹⁰³ Residents also typically use Turkish cellphones and currency.

The Erdogan government hopes to keep Syrians here who might otherwise escape to Turkey and even to boost Syrian refugee return. To do so, Turkey administers local councils (friendly to Turkey) and civil and military police forces. The military has also deployed thousands of Turkish soldiers to the northwest and formed an umbrella group of proxy forces called the Syrian National Army (SNA), composed of various Syrian opposition factions.¹⁰⁴ Though the Syrian Interim Government (the governance arm of the Syrian National Council, which represents the opposition in international negotiations) announced the establishment of the SNA in 2017, the armed groups, much like local councils in the area, are under Turkish supervision.

Turkish control has posed challenges to the aid response on both sides of the border. A 2016 coup attempt on President Recep Tayyip Erdogan instigated a Turkish crackdown on perceived enemies foreign and domestic, including international NGOs (INGOs) working on the Syria response.¹⁰⁵ Many INGOs downsized or relocated, increasing dependence on the unreliable UN cross-border resolution.

Since then, the Turkish government's firm control over the local economy and the aid apparatus in northern Aleppo has also limited the presence of NGOs and longer-term foreign assistance. The legacy of Turkey and the SNA's seizure of the area, particularly Afrin, which displaced 134,000 to 200,000 mostly Kurdish people, raised grave housing, land, and property (HLP) issues for aid programs seeking to revitalize the local economy and agriculture.¹⁰⁶ Rights groups have also accused the SNA of human rights violations.¹⁰⁷ The lack of a unified and coherent command and control structure exacerbates these issues, as factions compete for limited resources.¹⁰⁸

The Turkish government also limits greater international involvement. While the Turkish government knows that it cannot respond to all of the needs, it is still wary of the intentions and efficacy of INGOs. As one analyst noted, Turkey "thinks it can do a better job than the internationals."¹⁰⁹ This is, in part, why AFAD controls much of the aid distribution and programming in northern Aleppo and why deputy governors of Turkish provinces get final say over projects.¹¹⁰ Indeed, one of the main obstacles to greater international involvement in relief efforts is the strict parameters that the Turkish government and AFAD place on aid agencies.



A man points at his damaged tent following heavy snowfall at a camp for internally displaced people in Raju on January 19, 2022.

Photo Source: Aaref Watad/AFP/GettyImages

NGOs and those involved in access negotiations believe there was a missed opportunity to push for greater humanitarian space after Turkey took control of the area. According to several sources, many NGOs had to stop working in these areas due to Turkish regulations. When the Russians closed the Bab al-Salameh crossing (serving northern Aleppo) to UN-funded assistance, Turkish control over the aid sector increased, as numerous NGOs had to stop working in areas previously served by the Bab al-Salameh.¹¹¹ Rather than keeping up the pressure to deliver in these areas and work with the Turks to demand greater humanitarian space, many donors and aid agencies withdrew, allowing the Turks to monopolize the aid response.

This has allowed Turkish-backed SNA factions and local councils to interfere with programming as well. SNA factions have reportedly demanded services in return for aid or tried to add persons to beneficiary lists.¹¹² Without an overarching mechanism for accountability and oversight, these violations can become increasingly exploitative and inhibit assistance aimed at boosting the local economy.

It is the SNA's increasing control over aspects of the local economy which could prevent the move to early

recovery and the expansion of livelihoods assistance that the region so desperately needs.¹¹³ SNA control in Afrin, in particular, complicates assistance that could foster more resilience in communities. These groups often levy arbitrary taxes on various stages of manufacturing and agriculture, making it difficult for farmers to bring completed goods to market at reasonable prices. As one analyst noted, the groups control the olive oil presses and tax the oil. These taxes come in addition to whatever taxes the local council enforces, making it cost prohibitive to turn olive harvests, particularly famous in Afrin, into olive oil. Some families simply sell the olives for whatever they can get so they do not rot.¹¹⁴ And these issues do not even take into consideration the illegal seizure of some of this land from its original owners.¹¹⁵ While agriculture is an important livelihood in the area, such a moral hazard impedes greater international assistance in the sector.

Turkey is key to resolving many of these issues. The Turkish government has reason to keep these groups in check for the sake of security. For example, the Islamic State and Kurdish fighters bribe or smuggle their way into northern Aleppo to launch attacks.¹¹⁶ The stability of the region depends, in part, on SNA factions adhering to basic norms and finding more reliable livelihoods to support themselves.¹¹⁷

Negotiating with Turkey for greater humanitarian space and dealing with forced displacement concerns on both sides of the border will be essential. However, leverage to negotiate will be limited without more consistent high-level diplomacy with Turkey on Syria. While unpalatable for many Western governments, Turkey's ability to temper or aggravate tensions across northern Syria is undeniable and has concrete ramifications for the aid response.

Turkish troops are keeping the Syrian government and Russian forces at bay in the northwest, allowing for a modicum of security to the civilian population and the aid response. However, Turkish military guarantees may not outlast President Erdogan or extend to Idlib in the not-so-distant future. Turkey's lack of economic investment in Idlib—compared with northern Aleppo province—indicates the limits of Turkey's capacity and, perhaps, foreshadows its strategic intentions. Turkey may seek to trade parts of Idlib in exchange for regime and Russian border guarantees and acquiescence to a long-term Turkish presence in other areas.¹¹⁸

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With millions of people residing in HTS-controlled Idlib, such an outcome would hasten an unprecedented humanitarian crisis that would ripple through the rest of Syria and the region by stirring tensions and an inevitable displacement crisis.

CHALLENGES WITH HAY'AT TAHRIR AL-SHAM CONTROL

HTS has gradually extended its influence over Idlib. After defeating other rebel factions in northwestern Syria in 2019, nearly 2.6 million people have fallen under HTS control.¹¹⁹ As aid organizations struggle to serve a population in the persistently battered pocket of northwestern Syria, HTS developed sophisticated governance and revenue-generating mechanisms.

Some of these activities directly interfere with aid while other governance functions, such as regulation, and taxation raise alarm bells for donor governments and the aid community because of the designation of HTS as a terrorist entity by the United Nations, United States, and European Union. Strict donor government counterterrorism regulations envelop the response in secrecy. Donor governments have blacklisted NGOs and frozen operations over alleged HTS interference in their programming. Those dramatic withdrawals of lifesaving aid had a chilling effect on the response. That fear allows HTS to negotiate one on one with aid workers, strengthening its position.

COUNTERTERRORISM MEASURES

In 2017, a large humanitarian NGO operating in northwestern Syria closed its operations. The Office of the Inspector General in the U.S. Agency for International Development (USAID) concluded that aid workers from the organization “added fighters” of armed group Hay’at Tahrir al-Sham to lists of civilians eligible for food packages.¹²⁰ The investigation also revealed that staff submitted to HTS “under duress.”

Humanitarian aid organizations are often caught between a rock and a hard place when it comes to appeasing designated terrorist groups (DTGs) that preside over areas where humanitarian aid is needed and donor governments with strict counterterrorism legislation. Whether DTGs are stealing, deceiving, or taxing NGOs, aid organizations risk accusations of providing material support to designated entities, even unwittingly, and face large fines or even criminal liability.

In addition to member states’ individual counterterrorism legislative regulations, donor governments may also include burdensome reporting and vetting requirements in funding agreements (also called restrictive clauses). On top of donor governments’ individual laws, the UN Security Council has established a sanctions regime specifically focusing on the Islamic State, Al Qaeda, and affiliates.¹²¹ As of June 2021, 72 groups and 425 individuals were designated under this regime. These sanctions prohibit making funds, financial assets, or economic resources available directly or indirectly to designated persons or groups.

Exemptions have been made for humanitarian organizations to be able to operate without counterterrorism restrictions impeding their work, but they are often not broad enough in scope.¹²² Since donor governments can and have blocked projects, suspended programs, and blacklisted NGOs, humanitarian organizations may avoid working in areas where DTGs are located, even if the need is high. Such measures have also impeded a shift to cash assistance.¹²³

Aid workers’ fear of being held criminally and financially liable for conducting aid operations can sometimes result in self-censorship of their operations or reluctance to work in areas of high need. This issue has been particularly acute in northwestern Syria where the need for aid and the risks for operations are high. Yet, often donor governments choose to ignore the reality in which NGOs are working, instead choosing to pick and choose violations that come across their desk.

Finding more realistic solutions to the dilemma is particularly important if the UN cross-border mandate is not renewed. Many donor governments prefer to fund through the United Nations, which has less legal risk associated with it. Without UN funding, NGOs will be subject to more pressure from DTGs and donor governments, threatening aid programming.

NGO workers living in Syria risk their lives to confront armed groups on interference. Local aid workers are forced to shoulder the burden when the donor and aid community should be discussing these impediments collectively and taking a unified approach to negotiations with DTGs on interference.

A more collective donor and UN approach to negotiating with HTS leaders over regulatory frameworks for the aid response would protect humanitarian space and even allow for a shift to assistance promoting greater resilience. Because many partners receive funding from multiple donor governments, it would also help to better align donors' regulatory frameworks of engagement with local actors when it comes to working in the northwest. For example, while some donors would not see an MoU with the SSG as exclusionary criteria, others would. By better aligning regulatory frameworks for the aid response, donor governments and the aid community have greater collective leverage to check HTS behavior. Yet, compounding crises, donor governments' counterterrorism legislation, and the dire need for humanitarian aid seem to have constrained the will and ability of donor governments and UN agencies to consistently clarify redlines or negotiate with the group for expanded humanitarian space. As a result, HTS control has expanded in nearly every sector.

More recently, HTS and the SSG have tried to legitimize themselves to the international community. HTS seeks the resources and protection that greater legitimacy from the international community could bring for a population that is heavily dependent on aid. In 2016, Jabhat al-Nusra (HTS's earlier incarnation) publicly cut ties to Al Qaeda and rebranded as Jabhat Fatah al-Sham.¹²⁴ When Jabhat Fatah al-Sham became HTS, officials told humanitarian organizations that they would work with them to safeguard humanitarian principles. Spokesman Emad Din Mujahid said in an interview in 2017 that HTS would hand over

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administration of the territory it controls to “civilian parties.”¹²⁵ Several months later, HTS created the SSG.¹²⁶ Due to donor-government concerns, HTS tried to gloss over their connection to the SSG, acknowledging that its designation as a terrorist organization would be a hindrance to greater NGO coordination and cooperation.

Despite the rhetoric, Western donors immediately suspended some operations after HTS took control of the remaining non-Turkish-controlled parts of the northwest in early 2019.¹²⁷ The consequences were hair-raising for the aid response. The Idlib Health Directorate was essentially shut down. The opposition's Free Aleppo Medical Directorate implored that some 250,000 people would lose medical support after 43 facilities it ran ceased operations due to a drop in aid.¹²⁸

HTS leadership immediately sprang into action to alleviate donor fears of its influence on civilian administration in recently taken districts. Speaking through the HTS-affiliated channel Amjad Media, HTS leader Abu Mohammad al-Jolani emphasized the separation between HTS and the SSG.¹²⁹ Though the SSG announced that they sought to “unite the ranks and heal the wounds,” they also moved quickly to replace local councils who resigned in protest.¹³⁰ The SSG also tried to emphasize its civilian nature and democratic principles. On February 10, 2019, the SSG held a “General Conference of the Syrian Revolution” in Bab al-Hawa to lay out broad guidelines aiming to establish a unified civil administration for northern Syria.¹³¹

The population's dependence on this assistance and minimal HTS interference in the health and primary education sectors eventually allowed most programming to return, but stabilization funding nearly disappeared. Still, funding for the education and health sectors has been lacking. Catchup classes for children and young adults who have missed months, if not years, of formal education due to the conflict are in particularly high demand but lack support. One successful program in Idlib helping teenagers and young adults prepare for university was shut down due to funding constraints, with over 200 people on the waiting list.

During this period of uncertainty in 2019, it was not clear if the collective donor and aid community took the opportunity to clarify redlines with HTS to protect assistance. In the meantime, HTS and the SSG consolidated control and pursued other revenue-generating ways to sustain themselves, such as monopolizing electricity and fuel.¹³² Sometimes this interference drew a sharp donor response;



Members of Hayat Tahrir al-Sham (HTS) alliance parade with their flags in Idlib on August 20, 2021.

Photo Source: Omar Haj Kadour/AFP/GettyImages

other times it did not. As a result, HTS continued to test the waters. When HTS began taxing humanitarian aid convoys coming through Bab-al Hawa crossing in 2018, the United States and the United Kingdom forbade aid partners from using Bab al-Hawa.¹³³ The UN Office for the Coordination of Humanitarian Affairs (OCHA) told the SSG to lift the fees to allow the aid to flow once again. Due to Western and Turkish pressure, HTS relented almost immediately and agreed to stop levying taxes on humanitarian convoys.¹³⁴ Many local NGO workers believed that donor governments could have intervened sooner and stopped aid from grinding to a halt for two months, but many saw the outcome as a great success.¹³⁵ Collective leverage to protect aid over the long run won the day.

The choice to bring aid to a halt and shut down some programs succeeded in lifting the taxes. However, aid agencies felt they could not bring up any instances of interference or even interaction with the SSG without risking the entirety of aid operations. As one local NGO director put it, “Rather than risk management, the donors have a policy of risk transfer.”¹³⁶ From their perspective, the momentum should have been sustained, with consistent negotiations with local authorities and coordination with NGOs facing interference to curb problems at the outset.¹³⁷

Most often, instances of interference are negotiated on a case-by-case basis. By singling out the experiences of individual NGOs, these negotiations potentially put local aid workers in physical danger and NGO operations in jeopardy due to donor regulations. NGO workers have fought back and even been detained after they refused to allow HTS-affiliated individuals access to their warehouses. Other typical kinds of interference include adding persons to beneficiary lists or renting land.¹³⁸ UN OCHA and aid groups have been able to resolve some individual instances of ostensible interference, but often the decision to confront one mode of interference over another is arbitrary.¹³⁹

SSG’s penetration of local governance and the economy has also indirectly impacted the aid sector. HTS and SSG exercise influence over a variety of primarily revenue-generating sectors from grain silos to telecommunications.¹⁴⁰ Depending on one’s perspective, some of these SSG activities either fall into the category of governance or of extortion. And because of HTS’s terrorism designation, all of these activities potentially impact humanitarian assistance and any effort to increase stabilization and early recovery funding.

For example, in 2017, HTS announced that hawala agencies (local money transfer companies) needed to register with its Public Institution for Currency Administration and Consumer Protection to “administer and supervise the currency exchange market and financial transfers (hawalas).”¹⁴¹ At the time, HTS did not have the muscle to fully enforce this requirement.¹⁴² However, after HTS gained control of all of Idlib, the SSG appointed the Public Monetary Authority (PMA) as the sole committee authorized to buy Turkish lira from Turkey and distribute it into the local market through the SSG-owned Sham central bank in Idlib. In addition to monopolizing the distribution of the Turkish lira, reactivating the PMA has also been used to further consolidate control over hawala companies.¹⁴³ Some money transfer service providers have circumvented registration with the PMA by changing names or providing hawala services under other market activities, but the consolidation of SSG control has made such avenues riskier. The stated aims of this policy are to regulate money exchanges, curb the use of counterfeit money, lessen currency instability, and regulate the financial market in the area after multiple large-scale fluctuations in the exchange rate between the Syrian pound and U.S. dollar.¹⁴⁴ Though the benefits of using the Turkish lira have decreased since the steep decline in its

value especially in the past year, all of these stated goals seem reasonable, but when the SSG is the government, nothing is simple for NGOs.

The policy threatened aid programming in two ways. Local NGO workers feared this would allow HTS to know even more about NGO operations and salaries.¹⁴⁵ Data protection and security issues were compounded by registration fees imposed on hawala companies. Those fees could violate donor governments' policies about avoiding any material support to HTS in programming. Since then, registration fees have reportedly been rescinded.¹⁴⁶ The ability of Turkish-registered NGOs to receive financial transfers from the Turkish Post Office (PTT) branch in A'zaz has also alleviated some of the dependence on hawalas. However, some local NGO workers are frustrated that privacy concerns remain and that neither donor governments nor UN OCHA immediately addressed the issue when it first came up in 2017.¹⁴⁷

The lack of a more consistent dialogue with the SSG on redlines simply allows the group to continue to test the waters in other sectors. Efforts to regulate pharmacies, for example, have been fraught. The SSG Ministry of Health tried to regulate pharmacies, according to Dr. Ahmed al-Jark, the SSG minister of health, to mitigate the sale of expired or counterfeit and illegal drugs and ensure that pharmacists had the necessary credentials. But in doing so, they collected fees from pharmacies, demanded money for insurance, and closed at least 100 pharmacies.¹⁴⁸ The SSG developed a similar policy toward university education. After requesting that universities in the area be reviewed for a new license from its Council of Higher Education, students and teachers protested, even organizing classes outside the university buildings, but the SSG eventually won out.¹⁴⁹ It closed a dozen universities that did not immediately comply. When they reopened, they were under SSG control and fees to students increased nearly fivefold.¹⁵⁰ NGOs and donors previously supporting these facilities either moved to Turkish-controlled areas or shut down altogether.¹⁵¹

Though not all of the SSG's economic or political activities directly affect humanitarian aid work, they do increase the influence of HTS, which can limit the types of aid provided. The SSG's involvement in the agriculture sector, trade, and other basic services could impede the transition to assistance that makes communities more resilient because of donor regulations. However, continued dependence on

in-kind support, such as food baskets, water trucking, and non-food items, is both unsustainable and does not solve issues of interference. There still remains some space within these sectors in which HTS and the SSG is not involved. Limiting HTS's monopoly is vital not only for encouraging more inclusive economic activity but also political and humanitarian space more broadly.

The SSG's consolidation of power challenges the ability of beneficiaries, aid workers, and civil society to raise instances of interference. Some aid workers already noted pressures to positively review projects, target certain beneficiaries, hire NGO employees linked with HTS, and ensure favored contractors win tenders offered by NGOs.¹⁵²

Control is not as absolute as it is in government-held areas. Civil society is still strong in parts of Idlib, but the SSG and HTS have long sought to control civil society, even killing those who object to their policies.¹⁵³ Today, Kafr Takharim is one of the last bastions of anti-HTS activists. Some involved in stabilization work in the area believe that this has primarily to do with the continued support such areas received for civil society programming.¹⁵⁴

Without greater engagement to ensure principled assistance, HTS could further exploit the situation. Without more consistent aid diplomacy, instances of HTS interference will increase as freedom to criticize HTS activity decreases. Similar to government-controlled areas, donor governments' dependence on humanitarian aid to contain the crisis and a lack of longer-term planning inadvertently facilitate this manipulation. More critically, donor governments will struggle to move beyond life-saving assistance if they cannot establish clear guardrails for aid, security, and governance in the region.

STRATEGIC CONSEQUENCES OF THE STATUS QUO

Northwestern Syria is heavily dependent on aid. Any interruption in that assistance will have a dramatic effect on beneficiaries already walking a tightrope. Yet, 10 years in, there are still a number of factors that could jeopardize that assistance, including non-renewal of the UN cross-border resolution, another military offensive, or alleged aid interference by a designated terrorist group. That tenuous status quo is untenable for 4 million people stuck between the Turkish border and the frontlines.

MONEY TRANSFERS

“I didn’t leave Syria because of ISIS or barrel bombs, I left because someone tried to kill me and steal the \$50,000 I regularly had to carry into the country for our aid operations.”¹⁵⁵ Transferring money for aid operations in Syria is no boring logistical issue. Criminality, sanctions, counterterrorism measures, and a lack of reliable formal banking in parts of the country and the region threaten aid operations—physically, legally, and financially.

In government-controlled areas, 12 private banks are operational, but many of these banks are sanctioned, making it difficult for NGOs to use them.¹⁵⁶ ATMs in government-controlled Syria are also often nonoperational or lack funds. One INGO noted that their employees have to take a day off work to stand in line at ATMs to collect their salary.¹⁵⁷ On top of these issues, the Assad government enforces an unfavorable exchange rate, slashing the value of local salaries and project funding.¹⁵⁸

Working with banks in neighboring countries has also been challenging. Lebanon’s economic crisis froze accounts, further exacerbating the problem. Getting funds from Iraq into northeastern Syria has delayed programming as well.¹⁵⁹ In 2013, Turkey began enforcing greater compliance requirements for opening accounts and making transactions align with the provisions of the UN Convention on the Suppression of Financing of Terrorism.¹⁶⁰

Without a formal banking sector, NGOs in non-government-controlled areas need to rely on other modalities. Even in government-controlled areas, sanctions and the unregistered status of some NGOs force some aid organizations to use informal modes of money transfer. Humanitarian organizations may resort to hand carrying cash into the country, but this is exceedingly dangerous for aid workers.¹⁶¹ Another widely used mechanism to send both remittance payments and aid funds to Syria is hawala agencies—an informal value transfer system based not on the movement of cash or wire transfers between banks but instead on a network of trusted money brokers. However, hawalas also pose challenges.

In government-controlled areas, registered hawalas must provide details of the transaction—including the sender and receiver—causing problems if either is wanted by the government.¹⁶² In southern Syria, government-affiliated actors allow expatriates to send remittances via these networks, typically for a cut.¹⁶³ Private banks and registered hawala agents use an official exchange rate which significantly reduces the amount of the transaction (anywhere between 30 to 75 percent in 2020 and 2021).¹⁶⁴ While some smaller aid agencies use unofficial hawala agents, the government has been cracking down on these offices, posing risks for such transactions as well.

In areas outside of government control, donor governments typically restrict which hawala agencies can be used and how high the fee for a hawala transaction can be.¹⁶⁵ Usage of hawala brokers has been further complicated by Hay’at Tahrir al Sham’s (HTS) takeover of Idlib and the financial sector. In 2019, Turkey began allowing NGOs to transfer funds to Turkish-controlled areas in Syria through Turkish Post (PTT, under its Turkish acronym) branches, which started offering money transfer services. While PTT branches in northern Aleppo alleviated some of these issues, NGOs may still need to rely on hawalas to transfer money from Turkish to HTS-controlled areas.

In light of these challenges, some NGOs have called for donor governments to begin considering alternative means of money transfer, including setting up dedicated banking channels for humanitarian operations and the use of digital currency in Syria. The northeastern pocket of the country could serve as a pilot location for the implementation of digital currency pilot projects given its relatively good connectivity and telecommunications infrastructure. Amanacard and Redrose are companies that have tried to provide money transfer and voucher channels that provide more security and transparency.¹⁶⁶ Alternatives acceptable to donor governments could also facilitate the transition to cash assistance and e-vouchers to better secure humanitarian operations in a volatile environment.

Interference by local authorities in aid programming is undoubtedly an issue, but not one without remedy. HTS is highly susceptible to Turkish and Western leverage. The Turkish military impedes another Syrian and Russian military offensive on Idlib, and the Turkish government allows SSG's Sham Bank to distribute Turkish lira (though such privilege has diminished since the rapid devaluation of its currency). The population under HTS control is also heavily dependent on Western aid.¹⁶⁷ The group's leader, al-Jolani, has made a highly publicized push to gain greater international legitimacy.

While the group is a terrorist organization, that designation does not stop them from being prone to pressure. The UN OCHA Access Unit and Access Working Group, tasked with facilitating unfettered assistance, must work with NGOs to gather complaints and negotiate collectively on the aid community's behalf. Efforts have been underway to strengthen and reconstitute the working group to be more active than past years.¹⁶⁸ Some access negotiators suggest more consistent higher-level discussions to get to the bottom of rumors of aid interference before they trigger a cessation in assistance. NGO workers warned that failing to do so would allow de facto authorities to entangle themselves further into the aid machinery, mimicking the situation in government-held areas.

The status quo entrenches HTS's interference in the aid sector rather than capitalizing on donor governments' leverage. Leaving frontline aid workers to individually contend with local authorities is ineffective. It puts local humanitarian workers in danger and reduces the effectiveness and oversight of aid programming. The fear of donor governments' regulations shutting down an NGO or a program altogether further contributes to fears in the aid community.

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Despite these issues, access for humanitarian aid, needs assessments, and monitoring is fairly good in HTS-controlled areas if there are no active hostilities.¹⁶⁹ Third-party monitoring (TPM) companies said they are typically able to do their work unimpeded. The reality is that the aid community and analysts know about incidents of interference because civil society is still strong in the northwest. However, a more proactive negotiating stance is needed to protect the response and civil society. Empowering local civil society and economic associations to operate in this space will also reduce the monopoly of de facto governing actors.

Western states can also do more to curb interference and increase humanitarian space in Turkish-controlled areas, but it will likely need to be part of larger negotiations to address Turkey's numerous other concerns in Syria. This will not be easy. The Turkish government knows it cannot handle the response on its own, but it would like to manage it with international funding. Addressing housing, land, and property issues will be even more challenging. That said, there are several reasons to engage the Turkish government more on aid issues and its other priorities.

Turkey prioritizes its security above local civilians' lives, but in this case, those two interests go hand in hand. Turkey hosts roughly 15 percent of Syria's prewar population. While most Syrian refugees now want to stay in Turkey, the vast majority of Turks want them to go.¹⁷⁰ Another major Syrian government offensive would put considerable additional pressure on Turkey's borders and on Turkish domestic politics.

After all, Turkey is all that separates 4 million people and pro-Syrian government forces. It has been the only international actor willing to directly confront the pro-government forces to stop an offensive. Inhibiting the Syrian government's return to the area prevents an even larger displacement and humanitarian crisis from spilling over. Acknowledging that simple reality is critical for the response. Aid can only do so much if the gains are wiped out in another offensive or land swap.

Military attacks and interference are not the only immediate dangers to the response. UN agencies can withstand donor government scrutiny and fund local NGOs, but their continued operations are not guaranteed. Russia has continued to threaten UN assistance at the Security Council. The extension of the United Nations' cross-border mandate will be subject to Russia's approval once again in July 2022. Russia will continue to try to use the debate to

extract concessions from Western donor states on their other strategic priorities, namely expanding the Syrian government's control and legitimacy.

In 2021, Russia insisted that crossline convoys from government-held areas to opposition-held areas in Idlib begin. Per their demand, two crossline convoys were conducted between August and December 2021 but at great cost and to little effect. Crossline aid is dangerous, inefficient, and unreliable.¹⁷¹ During one of the shipments, a Syrian soldier was killed conducting mine clearance to clear the way. The event gave the Syrian government the opportunity to accuse terrorists of planting a mine that the Syrian military itself had planted earlier.¹⁷² UN officials know that such rhetoric or any unfortunate incidents could provide an excuse for another escalation in violence.¹⁷³

While most donor governments, UN officials, and NGOs agree that government-approved crossline aid is not a substitute for cross-border assistance, it is not clear how much resources will be devoted to crossline convoys, especially in the event of a non-renewal. For most of the people living in northwestern Syria, "crossline aid isn't just another modality, it's a Trojan horse."¹⁷⁴ Many of the people living in the northwest today lived under Syrian government sieges and are traumatized by the notion that the government could cut them off once again.

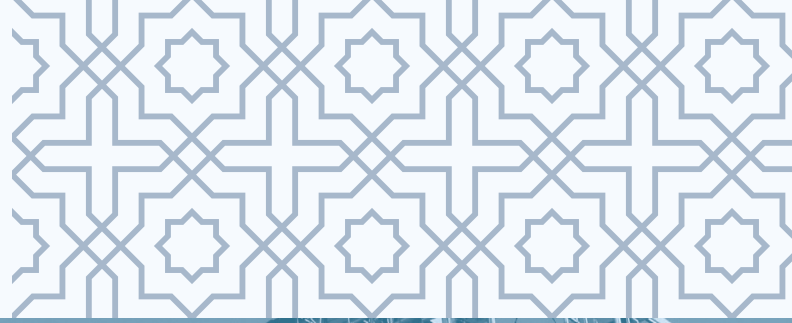
If Russia is not satisfied with progress on these crossline convoys or other offered concessions, UN officials and aid workers fear that this will be the last year of the UN mandate. Aid workers have confided that the response is in no way prepared for that contingency and are gravely concerned about the humanitarian consequences.¹⁷⁵ If the aid response for the area falls under the sway of the Assad government, acceding to the political machinations of the Russian and Syrian governments over humanitarian needs, UN officials and NGOs believe that it will have wide-ranging knock-on effects, from displacement to increased violence and instability.

The Syrian government's record of war crimes perpetrated against many of the people currently residing in northwestern Syria ensures that any scenario where the local population peacefully reconciles with the Syrian government is untenable. Marked as enemies of the Assad government or as terrorists, most residents would see it as a choice between death or flight. Unless longer-term security and sustainable aid and support can be granted, the future remains bleak for the civilian population and regional security.

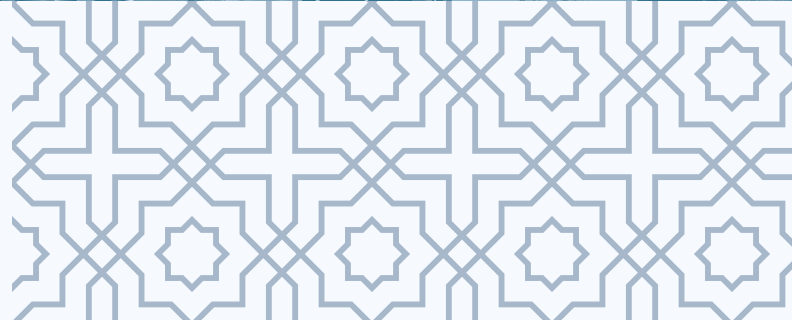
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Leaving frontline aid workers to individually contend with local authorities is ineffective. It puts local humanitarian workers in danger and reduces the effectiveness and oversight of aid programming.

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GOVERNMENT- CONTROLLED AREAS



In January 2010, Syrian first lady Asma al-Assad stood behind a podium welcoming civil society organizations, European ministers, and UN officials to the First International Development Conference of Syria under the title “The Emerging Role of Civil Society in Development.”¹⁷⁶ The number of UN agencies, NGOs, and foreign development agencies assisting refugees and the general population had grown exponentially since the young Assad couple came to power in 2000. The larger international community was starting to embrace Syria. UN high commissioner for refugees, at the time, António Guterres praised the Syrian government for its generosity to a million Iraqi refugees.¹⁷⁷ In March 2011, *Vogue* magazine published an article titled “A Rose in the Desert” about the first lady of Syria, calling Asma “the freshest and most magnetic of first ladies.”¹⁷⁸

Though the Assads put on a good show, economic and social reforms were superficial. Before the protests of 2011, the government had already cracked down on the Kurdish population in 2004 and on many activists in 2007.¹⁷⁹ The country was dealing with a severe housing shortage and an ongoing internal displacement crisis from the northeast.¹⁸⁰ Gaps were filled through informal housing primarily around large cities. These areas would be where many opposition strongholds took root.

While there were signs of potential unrest in Syria, few internationals based in Syria at the time, by their own admission, expected the extent of the protests or the severity of the government’s response.¹⁸¹ As protests broke out throughout the country, the government cracked down mercilessly, shooting at, arresting, and torturing protestors. Countries around the world condemned the government’s actions, but little was done to stop the ongoing human rights violations. Western government officials and aid workers have confided that they believed that Assad would either step aside, be toppled quickly, or negotiate with protestors on reforms.

But Bashar al-Assad did not fall or capitulate. As political negotiations stalled and violence mounted, the international response to a human rights crisis shifted to providing humanitarian aid. And between the first protests in 2011 and recognition that the Assad government may last, aid workers on the ground had to make decisions. Between 2011 and 2013, aid agencies had made numerous compromises with the Syrian government to stay and deliver whatever

assistance they could. Today, the response is living with a stronger regime and those same compromises, making adherence to the humanitarian principles of humanity, neutrality, impartiality, and independence nearly impossible. Yet, the international community remains committed to humanitarian aid as its solution to this crisis, and the government remains committed to ensuring that aid is used to its benefit.

The international community’s reliance on humanitarian aid, and the government’s familiarity with the aid system, allowed the government to manipulate humanitarian organizations early on. If there were problems with interference in aid work in other parts of the country, or indeed other parts of the world, the situation in government-controlled areas is unlike what most career humanitarian workers had ever seen. Nearly every UN official and NGO practitioner said the scale of the response in addition to the savviness of the government made Syria exceptional. As one UN official with a three-decade career said, “With all respect to those who think access is the same in Syria as other contexts, they don’t know anything about Syria or learned about it from a distance. I was inside Syria for years; it is an experience on its own.”¹⁸²

The Syrian government established the rules of the game at the outset, insisting that international aid agencies implement through the Syrian Arab Red Crescent (SARC). This effectively allowed the government-affiliated orga-

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Men walk outside the Central Bank of Syria headquarters in the Saba'a Bahrat Square of the capital of Damascus on June 17, 2020.

Photo Source: Louai Beshara/AFP/GettyImages

nization to deliver aid out of sight from the UN agencies providing the assistance. According to several high-level career UN officials, this was the first time they had ever seen the United Nations allow a government-affiliated agency to deliver UN aid alone.¹⁸³ One UN official noted that in all of the other conflicts in which he had worked, the United Nations also refused to allow state military escorts to supervise the delivery of aid. In the case of Syria, a government-affiliated actor was allowed to deliver aid with the state's military escorts.

Human rights organizations, analysts, journalists, and the United Nations extensively documented the Syrian government's diversion and manipulation. As early as 2016, a UN OCHA evaluation of the Syria response points out that a lack of analysis and proper needs assessments left the United Nations vulnerable to manipulation.¹⁸⁴ A 2017 review of the response by UN envoy Martin Griffiths, now the emergency relief coordinator, came to similar conclusions. He reported that there were "competing narratives" between hubs, concerns about "principles and practice," and unclear impacts of relief operations.¹⁸⁵ His recommendations were shelved due to pressure from Damascus.¹⁸⁶ Later that same year, the Under-Secretary-General for

Political Affairs Jeffrey Feltman's review produced the *Parameters and Principles of UN Assistance in Syria*.¹⁸⁷ The document is essentially a restatement of humanitarian principles: neutrality, impartiality, and independence. A monitoring group under the UN Syria Inter-Agency Task Force was supposed to facilitate the implementation, but the task force has yet to meet and the principles were never operationalized due to objections from the Syrian government, Russia, and some UN agencies.¹⁸⁸

As donor governments and aid agencies discussed these reforms, the government began retaking territory, causing more waves of forced displacement and persecuting or depriving those that remained.¹⁸⁹ Most of the NGOs working in these recaptured ar-

reas were dissolved, while their employees and volunteers fled due to the government's criminalization of their work.¹⁹⁰ At the same time, Russia cut off UN cross-border assistance, in effect granting the Syrian government greater power over the response. With one critical crossing remaining, Russia can and has successfully lobbied for more aid to be funneled through Damascus during the UN cross-border debates.

Today, people in government-held areas are more in need of assistance than ever before. However, aid agencies are not just in danger of not reaching those in need, but they could be contributing to long-term harm and surveillance of a war-weary population.

AID RESPONSE TODAY

Over 60 percent of the 13.4 million people in Syria in need of assistance live in government-controlled areas.¹⁹¹ The number of people in need in government-held areas has increased due to the recent economic downturn, exacerbated by Lebanon's financial implosion, Covid-19, sanctions, and the government's capture of opposition-held areas.



SANCTIONS

Between 2015 and 2020, Syria Relief and Development, a U.S.-based Syrian-American organization, had 11 bank accounts closed.¹⁹² The accounts were not closed because Syria Relief and Development had engaged in prohibited behavior but because of bank “derisking”—the phenomenon of financial institutions terminating, restricting, and delaying business with NGOs to avoid risks associated with violating sanctions regimes. NGOs, that can afford it, often spend thousands of dollars in legal fees to find a bank. Others who cannot find ways to bank and transfer money have even stopped operations.

In theory, all U.S. and EU sanctions permit trade in essential goods and allow for humanitarian activities in Syria. In practice, however, costs associated with ensuring compliance and overcoming derisking can be prohibitively high. Various levels of sanctions regimes, from the United States to regional (e.g., European Union) and international (e.g., United Nations) sanctions regimes, impose different restrictions and have varying exemption processes. The burden is particularly acute for smaller, local NGOs who do not have the capacity needed to navigate the lengthy process to apply for licenses in the first place.¹⁹³

In addition to indirect banking issues, U.S. and EU sanctions also place restrictions on “dual-use goods”—goods that can be used for both civilian and military purposes, including goods used in health, water, sanitation, and hygiene (WASH) operations, such as pipes, water pumps, spare parts for electrical generators, and essential construction and industrial equipment.¹⁹⁴ The Syrian government has manufactured sarin gas with dual-use chemicals such as isopropanol and has used chlorine gas on its own citizens.¹⁹⁵ There are legitimate reasons for these regulations, but according to NGOs, they have also restricted the import of supplies for the humanitarian response.

However, the blanket effect of sanctions on NGOs does not meet their goal of reducing the ability of human rights violators to gain from the aid system. The United Nations often works through government-affiliated businesses and organizations—many of them sanctioned or involved in human rights violations. Often, sanctioned individuals are buried under sub-contractors in UN programs, which do not have to abide by U.S. or EU sanctions. Due diligence would require a more granular investigation of sub-contracts. More direct communication from sanctioning governments with banks and suppliers would better ensure that humanitarian aid is unimpeded.

Dozens of UN agencies, INGOs, local NGOs, and charities serve this population today, though UN agencies dominate the international response. The Damascus hub has a UN-led cluster system, based on different sectors of the aid response (e.g., education and health).¹⁹⁶ Unlike other hubs in the Syria response or worldwide, the clusters are chaired exclusively by the United Nations because the Syrian government stipulates that INGOs cannot co-lead these sector coordination structures.¹⁹⁷ Nevertheless, INGO registrations have increased. According to the August 2021 UN secretary general's report on Syria, the Syrian government had registered 41 INGOs, up from 24 in February 2019.¹⁹⁸

Registering and acquiring subsequent permissions from Damascus to work in the country has been an uphill battle for aid organizations. The government's firm control over NGOs has a long history. According to the Law on Associations of 1958, the Ministry of Social Affairs and Labor must register and approve all associations, but the intelligence apparatus also has a major role in the registration process. Even prior to 2011, it could take years before organizations received official approval.¹⁹⁹ Once an organization was registered, it had several obligations, including sending minutes of meetings, accounts, and reports to the ministry and, sometimes, appointing a ministry-approved director.²⁰⁰ Organizations were even obliged to have a shared bank account with SARC from which both parties needed to approve any disbursement.²⁰¹

Today, NGOs are also required to have registration with different ministries according to the nature of their activities or identity. For example, those that receive funds from abroad are required to be registered at the Ministry of Foreign Affairs, and religious organizations need to be registered with the Endowments Ministry as well.²⁰²

Registration is no guarantee for project approvals or aid deliveries. Many INGOs initially registered with the government but then found that they were stifled from conducting needs assessments and implementing projects. While INGOs and UN agencies can negotiate for access with specific line ministries or political officials, they can still be stopped at multiple levels in the process. Some INGOs have sought approval for all projects at one time and claim to receive less pushback during the implementation phases.²⁰³

UN and USAID officials noted that even with these permissions, the whole mission could grind to a halt with one denial at the local level.²⁰⁴ Numerous aid workers noted that this could be personality driven. They might

not agree to the driver that day or use insecurity issues as an excuse at the last minute.²⁰⁵ Security forces, which differ depending on the area, can impede missions on the ground. One analyst broke down how it works: "Military Branch 220 manages Quneitra, and south of Quneitra is usually air force intelligence. In Northern Homs, military intelligence has a robust presence in Talbiseh and Rastan. In this way, no one has too much control, and everyone gets a piece of the pie."²⁰⁶

Control of much of aid programming is then directed by two government-affiliated organizations. Most registered INGOs and UN agencies' aid work is actually implemented through the SARC and Asma al-Assad's Syria Trust for Development (heretofore referred to as the Syria Trust), encompassing an umbrella of aid and, now, construction organizations such as Deyari.²⁰⁷ Most international organizations have to partner with SARC or the Syria Trust to register in Damascus. SARC is a member of the government's High Relief Committee and is the lead implementing partner of the United Nations, with branches in every governorate and 75 sub-branches across the country.²⁰⁸ After registration, SARC continues to be involved in the implementation process but also administrative procedures, including project approvals, visa requests to the Ministry of Foreign Affairs, and travel requests.²⁰⁹ Reportedly, SARC prioritizes working with international agencies with which they already have an MoU.²¹⁰ According to some estimates, between 60 and 80 percent of international aid is channeled through SARC, and the Syria Trust has also increased its role.²¹¹ However, at least one INGO noted that they were able to limit Syria Trust's implementation to just one of their projects.²¹²

The Syria Trust for Development was established in 2007 under the chairmanship of Asma al-Assad. With the UN Development Programme (UNDP), the Syria Trust started the NGO Platform, which aimed to develop and coordinate the NGO sector.²¹³ As the government has further accelerated centralization of the aid response, even formerly powerful actors such as Rami Makhlouf, the president's cousin, fell prey to these efforts. In 2020, Makhlouf's Al Bustan Charity was rebranded as al Areen and placed under the stewardship of Asma al-Assad.²¹⁴

Outside of the aforementioned organizations, religious charities have also played an important role in the response. The government even granted some faith-based organizations, such as Islamic and Christian organizations, more freedom to operate than other organizations prior

to 2011. However, as the conflict progressed, the government began enforcing more restrictions on these charities as well. Directors are typically closely affiliated with the government in order to monitor their activities.²¹⁵

In addition to organizations officially registered with the government, unregistered NGOs conduct some small-scale but important work under the government's radar. Some analysts noted that very small projects—around \$30,000—did not attract the attention of the government or its business affiliates because the benefit to them would be insignificant. While some donor governments and NGOs see this work as an essential complement to the work of registered aid agencies, some analysts saw it as incredibly dangerous for those working on the ground.²¹⁶

SYSTEMATIC MANIPULATION OF THE SYRIAN GOVERNMENT

As Iran, Russia, and proxy militias helped fill the Syrian military's dilapidated ranks on the battlefield, the government could concentrate on its oppressive bureaucracy, stymieing independent needs assessments, implementation, delivery, and monitoring. On top of that molasses bureaucracy, intelligence services, ministries, and government-appointed organizations carefully monitor the staff and projects of aid organizations. Unlike many countries facing crises, the Syrian government's institutions remained strong enough to institute a Rube Goldberg process for providing humanitarian assistance. As one UN official noted, "When I worked in Libya, I met with a minister of health with no staff. Whether you like it or not, the Syrian government did not fall apart."²¹⁷

Dozens of interviewees from NGOs, UN agencies, and analysts with in-depth knowledge of aid operations in government-controlled areas agreed: conducting independent needs assessments or monitoring and evaluation is virtually impossible in government-controlled Syria. This has allowed the government and its allies to gain from this system while large swathes of the population in need are left out.

The government is now consolidating its control over the response. At the highest level, Syrian diplomats are galvanizing support on the international stage for the government's position to subjugate humanitarian assistance to inviolable sovereignty. On the ground, the government

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Unlike many countries facing crises, the Syrian government's institutions remained strong enough to institute a Rube Goldberg process for providing humanitarian assistance.

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has worked to cleanse the ranks of the aid community and beneficiary lists to control every aspect of the aid response.

In 2019, the Syrian government lobbied to amend UN General Assembly Resolution 46/182, which effectively created the modern humanitarian system in 1991.²¹⁸ One of the guiding principles of the resolution is: "The sovereignty, territorial integrity and national unity of States must be fully respected in accordance with the Charter of the United Nations. In this context, humanitarian assistance should be provided with the consent of the affected country and in principle on the basis of an appeal by the affected country."²¹⁹

Ignoring the other articles in the resolution related to upholding the principles of humanity, neutrality and impartiality, the government advocated to change "consent" to "full consent" to bolster its rights to control and impede the response as it sees fit. Such logic also readily ignores Article 3, common to all the Geneva Conventions—and relating to non-international conflicts. The Article states that, "An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict." Furthermore, violence, hostage taking, extrajudicial executions, and "outrages on personal dignity" may not be inflicted on non-combatants. Article 3 also notes that "the wounded and sick shall be collected and cared for."²²⁰ The Syrian government, which ratified the Geneva Convention of 1949 and Additional Protocol I, has inflicted these punishments on humanitarian aid workers and medical personnel throughout the conflict, in addition to restricting their ability to care for civilians.²²¹ Therefore, much of the Syrian and Russian governments' diplomatic

efforts at the United Nations are meant to obfuscate clear international humanitarian law and norms.²²²

At the level of individual aid organizations, the government entices NGOs with the possibility of registration or access, but the government has numerous stipulations.²²³ At each step, from registration to implementation, the government promises more access if certain steps are made, constantly creating incentives for more compromises and good behavior. And government officials ensure that organizations know why they are not being given access. The government has told organizations who refused to stop openly working in non-government-controlled areas what is holding them back from registration in Damascus.²²⁴

Government officials also told UN agencies and INGOs that if they mentioned diversion from convoys, they would be denied future access.²²⁵ This policy toward UN OCHA in particular hindered the potential for greater coordination and collective leverage among aid agencies to gain access early on. One UN OCHA official said:

When we met with the Ministry of Foreign Affairs, they said OCHA is in a difficult position in Syria because of the language the emergency relief coordinator is using. They told us OCHA isn't getting access and visas because of what Valerie Amos or Mark Lowcock are saying about sieges and attacks. Those officials would also always complain about the cross-border response, even though we had a Security Council resolution. Then the government would avoid us as a coordinating body, preferring to negotiate separately with each UN agency.²²⁶

These psychological operations allow the government to divide and conquer the aid community. As one UN official said, "The government was very successful in dividing the UN country team. You had people reporting to the regime, and you had others who were declared persona non grata. The fear of getting thrown out of the country overcame everything else."²²⁷ It also effectively divided UN agencies and NGOs, encouraging each entity to negotiate with different ministries on their own rather than as a collective and united front. This strategy, along with the pressure on aid agencies to stay and deliver, led to self-censorship and effectively cleansed the ranks of troublemakers. As one UN official put it, "We used to have a leadership that was making bad compromises, but at least they understood that. We now seem to have leadership in some agencies that is almost admiring of the government."²²⁸

This manipulation has been even more consequential for Syrian NGOs and aid workers. While internationals have the option of leaving the country, Syrian aid workers are not extended such a privilege. In all of the existing local charity and aid organizations, including SARC, the government moved swiftly to eradicate the ranks of anyone straying from their policies. These written policies included removing certain items from aid convoys or bringing injured protestors to government-run hospitals, where many disappeared or died after entering with treatable injuries. Those who pushed for greater access were arrested or forced out of organizations. The torturous four-month detention of Mohamed Raed al-Tawil, a SARC board member and coordinator of first aid teams, in particular, served as a warning to his replacement and other aid workers.²²⁹ Even security officers charged with monitoring SARC and other aid agencies were subject to similar scrutiny and punishment.²³⁰ Recently, the formation of "security committees" has further tightened the hold on NGOs. Organizations are encouraged to attend meetings with these security committees, and many do, hoping to get approvals for projects.²³¹

Since the start of the conflict, Syrians have been on the frontlines negotiating access and putting their lives at risk. Access for aid organizations is near fully dependent on unprotected and closely monitored Syrian workers, researchers, and evaluators, who the government's security apparatus continues to threaten with arrest. While the United Nations boasts that its access has improved as sub-offices have littered the country, the August 2021 secretary general report states that "Across the Syrian

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UN Official

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Arab Republic, humanitarian aid is distributed and implemented primarily by national actors, including NGOs and the Syrian Arab Red Crescent.”²³² But since the government continues to arbitrarily detain and torture its nationals, Syrian aid workers have little motivation to report abuse. And those threats extend to family members after death. This past year, after employees of one registered local NGO were detained and killed in government detention, security knocked on their family members’ doors, telling them to evacuate by the end of the week or face arrest themselves.²³³ Local NGOs said this has been happening with greater frequency in the past year.²³⁴

In many cases, government-affiliated persons drove field monitors away from site visits. Others were reportedly forced into hiding.²³⁵ As such, it is difficult for implementing organizations to expect monitoring and evaluation to be conducted transparently or to raise issues without negative consequences. This also forces third-party monitors (TPM) to air on the side of caution. As one TPM organization noted, “We don’t want to put our enumerators in jeopardy. It’s not just altruism to protect employees, it is also about reputational damage if you are unable to provide confidential results and a safe work environment.”²³⁶ Some TPMs report such interference and see it as a finding in itself, but it is never clear to them how or if reporting such difficulties in any way affects operations in the future.²³⁷ The failure of this reporting to significantly reform the aid response further decreases the possibility of local or international aid workers exposing diversion or other abuses.

Getting access to formerly opposition-held areas is even more difficult. The UN secretary general’s updates on the situation in Syria consistently refer to these areas (e.g., Eastern Ghouta, Daraa, and Madaya) as difficult to access.²³⁸ One WHO official referred to Quneitra in the south as “basically the end of the earth.”²³⁹



Syrian men unload aid parcels provided by the UN World Food Programm (WFP) and the Syrian Arab Red Crescent in Al-Houla on May 25, 2016.

Photo Source: Mahmoud Taha/AFP/GettyImages

As aid agencies try to garner more access to these areas, the government cleanses them of alleged dissidents or those in any way related to them and NGOs previously serving these communities. In Eastern Ghouta, government efforts to re-secure the area amounted to holding tens of thousands of people in detention camps until they were cleared or disappeared.²⁴⁰ The government has completely cut off the 12,000 people remaining in Rukban camp from assistance since 2019. Those evacuated from the camp have reportedly lingered in government “transit centers” where many were tortured or disappeared.²⁴¹ In Daraa, most local NGOs that were operating while the area was opposition-controlled have since dissolved.²⁴² In Darayya and other areas that the government has retaken, families wishing to return to their homes must provide their biographical details and official documents to be cleared. Government officials or affiliates subsequently allow them to return, force them to pay bribes, or arrest them. There are a number of reports on people from formerly opposition-held areas and returning refugees who were detained even though they had officially “reconciled” their status with the government.²⁴³ Given that potentially fatal fate, many Syrians do not choose to engage in the process to return home.

Additionally, residents have to retain legal civil documentation and pass security clearances before the government allows them to return home or even be eligible for aid agencies' beneficiary lists. In early 2019, SARC employees admitted to denying World Food Programme (WFP) food baskets to beneficiaries. If the intelligence branch wrote the word "security" next to a beneficiary's name, the family had to visit a security branch before being eligible for aid.²⁴⁴ As one Syria analyst noted, the vast majority of people from these recaptured areas do not have documentation to prove their assets, are scared to apply for it, or cannot be cleared.²⁴⁵

The Syrian government has passed a raft of legislation to ensure that those residing in formerly opposition-held areas are never able to return, making attempts at future early recovery and reconstruction efforts problematic. With so many people residing in informal housing prior to the conflict, especially in what would become opposition-held areas, many will never be able to return and reclaim their property. The government has also enacted over 50 laws related to housing, land, and property (HLP) that allow the state to appropriate property, further complicating anyone's ability to claim assets.²⁴⁶ In the fertile northern Hama region, retaken by the regime in 2019, the military's infamous Fourth Division has simply taken peoples' land—either working the land themselves or auctioning it off. Some families report having to pay bribes to keep their land or to continue being able to access it.²⁴⁷ Now Syrian refugees avoiding conscription from abroad are reportedly forced to pay \$8,000 to the state or risk losing their property in Syria.²⁴⁸ These significant HLP issues have yet to be addressed.

Some aid workers and donor representatives relegated these concerns as human rights issues not relevant for the provision of unconditional humanitarian assistance.²⁴⁹ However, allowing the government to clear areas before providing access to aid agencies effectively decimates those people in need that can be reached at all. It also creates significant concerns for moving toward reconstruction under the umbrella of unconditional humanitarian assistance. Eventually, the government will no longer have to approve beneficiary lists because they will know that the population is secure, as all those deemed a threat or related to a threat will have been detained, evacuated, or stripped of assets.

As the government has learned to deprive certain segments of the population of assistance, it has also created ways

to use aid to its benefit, rewarding loyalists and supporting the military. One analyst with close ties to military officers stated the military now regularly diverts UN food baskets to soldiers. Since the 2019 economic crisis, they systematically use basic commodities such as pasta in WFP food baskets to feed troops when there are rice and wheat shortages.²⁵⁰ Even before programming is implemented or aid is delivered, UN agencies and registered INGOs must use an unfavorable official exchange rate for any Syrian pounds needed for programming in country. In 2020, this meant that 50 percent of any aid dollars exchanged in Syria were lost before programming could even be implemented, with half of those dollars going to the Syrian Central Bank.²⁵¹

Those responsible for human rights violations stand to gain from the destruction they caused while ensuring that the victims are not able to reap the benefits of aid and economic development. According to one human rights organization, the UNDP contracted militias such as the Aleppo Defenders, responsible for destroying areas in Aleppo city, to clear and rehabilitate the same neighborhoods.²⁵² Mohamad Hamsho, a businessman close to the Fourth Division and Maher al-Assad, the president's brother, has made a fortune stripping recently retaken areas of metals and reworking them for sale at his Hadeed Metal Manufacturing Company.²⁵³ Law Number 3 of 2018 essentially allowed neighborhoods to be closed off and razed, facilitating these efforts.²⁵⁴ These high-profile individuals, and many others, are perfectly placed to gain from further reconstruction and early recovery activities.²⁵⁵ Indeed, the UN has already contracted the

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Hamsho family’s company Jupiter Investments, which engages in rehabilitation, repair, and maintenance of buildings amongst other services.²⁵⁶ As the government reopens areas it destroyed to reconstruction and aid groups, these neighborhoods are either considered tabula rasa for the war’s nouveau riche, open to those living in government-held areas for much of the conflict, or left in ruins.²⁵⁷

It is unclear how many vendors and sub-grantees have problematic associations or links to human rights violations. UNICEF was supporting Rami Makhoul’s Al Bustan Charity, an organization also doling out salaries to militia members, until it was exposed in the media.²⁵⁸ Nearly 20 percent of UN vendors between 2019 and 2020 were “suppressed for security or privacy” reasons, and many project sub-contractors are unknown, making it impossible to decipher how this money is spent and who it is benefitting. All of these potential avenues for diversion and limited oversight make many analysts fear that diversion is well beyond what donor governments think it may be.

Donor representatives admitted that the United Nations can bury these figures as vendors or sub-contractors.²⁵⁹ As one analyst notes, “donors have come to understand that if you don’t work with sanctioned actors, you can’t do anything. The Syrian government understands this dynamic and knows how to exploit the grey areas.”²⁶⁰ But while the United Nations is not subject to U.S. or EU sanctions (which have exceptions for humanitarian activities), they are bound to their own supplier code of conduct, which stipulates that, “The UN expects its suppliers to support and respect the protection of internationally proclaimed human rights



Those responsible for human rights violations stand to gain from the destruction they caused while ensuring that the victims are not able to reap the benefits of aid and economic development.



and to ensure that they are not complicit in human rights abuses.”²⁶¹ Yet numerous suppliers and implementers are implicated in militia activities or the government’s war crimes. Samer Foz, a wealthy Syrian-Turkish businessman accused of funding the Quwwat Dir’ al-Amn al-Askari (the Military Security Shield Forces), a paramilitary force associated with Syria’s military intelligence service, has also gained in multiple ways from the aid apparatus.²⁶² He is a major shareholder in the Four Seasons Damascus, where UN employees stay, but also has his own charity and is prepared to gain from profitable aid contracts if he has not already. The United Nations also contracted Class Training, a company nominally owned by the son of Ali Mamlouk, a special security adviser to the president.²⁶³

Without more precise monitoring, determining how the aid response is impacting individuals or communities in need is challenging. Ambiguous humanitarian aid lingo does not help. “Access” is an imprecise term, which can obfuscate the actual impact of aid on the ground. According to UNGA 46/182, access comprises: (1) humanitarian actors’ ability to reach populations in need, and (2) affected populations’ access to assistance and services. However, access could be granted to Syrian aid workers who would be risking their lives reporting abuse. Even, the term “reach” could mean almost anything. Reaching a population could mean sending health kits with contents missing or sending supplies that are not needed at all, as has been the case with some crossline shipments to the northeast. These gaps can be buried in the number of tons shipped or number of people reached.

OCHA has created a new methodology for determining “access severity” using qualitative and quantitative data to better assess impediments. They use this data to categorize areas into three different levels of difficulty in accessing populations. According to this system and traditional understandings of restrictions to aid programming around the world, lower access constraints (Level 1) are when “Armed actors, checkpoints, or other impediments such as administrative obstacles may be present and may impede humanitarian activities. However, with adequate resources and clearances, humanitarian organisations can still operate and reach all or nearly all targeted people in need.” Higher levels of access restraints are regarded as logistical (e.g., road quality) or security issues (e.g., landmines).

However, throughout the conflict, these “lower access constraints”—bureaucratic impediments imposed by

the government—have been the primary obstacles to the response from Damascus.²⁶⁴ As such, aid workers in northeastern and northwestern Syria believe that such methodology exaggerates their access constraints—related to active hostilities and unexploded ordnance—while underestimating the effects of considerable bureaucratic impediments in government-controlled areas.²⁶⁵ According to a UN official, there is a second assessment, not for public consumption, which identifies areas where there are high needs and “low access constraints” that are not being reached. This assessment, called a gap analysis, is purportedly used to lobby for more access to neglected areas. Some UN officials wished it could be made public to apply further pressure on the government to open these areas for more programming and deliveries.²⁶⁶ This could open the door for greater transparency in the response, but without clearer definitions for access and reach, the government could still manipulate the outcome.

People residing in formerly opposition-held areas are trying to rebuild their lives, but often they are left on their own to do so. As individual aid agencies struggle to get access, the siloed approach to negotiations is leaving large segments of the population out of assistance while supporting those loyal to the Syrian government. Aid agencies need

the collective backing of donor governments to enforce principled parameters to assistance and reach these populations without putting them in jeopardy.

STRATEGIC CONSEQUENCES OF THE STATUS QUO

Ten years into the conflict, the approach to aid challenges in government-controlled areas continues to be piecemeal, allowing the Syrian government to systematically manipulate the response. While much criticism has been placed on UN agencies in Damascus for being too close to the Syrian government, the reality is that those who pushed back were thrown out, and donor governments, UN headquarters, or even INGO headquarters did little to reform the aid response. This inertia was not due to a dearth of information on the problems. Numerous reports and evaluations highlighted these issues and provided recommendations for addressing these challenges.²⁶⁷

The country is now at an inflection point. The government controls more territory, and more aid funds may be centralized through Damascus with the potential end of the UN cross-border response and moves toward early recovery and reconstruction. Yet, the ongoing fundamental challenges to the response risk embedding the deep socio-economic issues and oppression which led to the conflict. Western donor governments will soon lose their chance to change that trajectory.

The push to centralize all aid through Damascus is stronger than ever, in part due to the efforts of Assad’s ally, Russia. Russia has made inroads with regional actors hoping to reinstate relations with Bashar al-Assad as the United States has grown more hesitant to strategically and diplomatically invest in Syria. At the Security Council, Russia has threatened to eviscerate the entire UN cross-border mandate since 2019.

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The UN Security Council meets to discuss the situation in Syria on July 14, 2014 at the United Nations in New York.

Photo Source: Don Emmert/AFP/GettyImages

These political machinations could effectively funnel even more aid through the aforementioned system. Without a more comprehensive strategy for cross-border advocacy, Russia can continue to use the bi-yearly vote as an opportunity to extract concessions. Russia, not inclined to pay for Syria's estimated \$400 billion reconstruction, has been pushing for others to fit the bill. It could similarly use the cross-border vote to extract concessions on reconstruction-like assistance in the future. But they may not have to. Some UN officials have also been pushing for reconstruction activities to begin without implementing any of the basic recommendations to reform humanitarian assistance.²⁶⁸ One former UN official who worked in Syria for years was incredulous, noting the depths of corruption endemic in UN attempts to rehabilitate Palestinian areas even before 2011: "I don't think you can expect that the regime will have learned something in the past nine years and suddenly think, we just need to compromise a bit and be open to different opinions. They will be just as vindictive because it worked for them."²⁶⁹

The need to move away from emergency assistance is just as necessary in government-controlled areas as other parts of the country, but donor governments need to clarify these gaps at the geographic and beneficiary level to create principled parameters for assistance. As the international community sleepwalks into normalization and reconstruction-like activities, the Syrian government and its friends have carefully positioned themselves to gain, and many of those most in need to lose. As this process progresses, donor governments and aid agencies have even less visibility on the ground, making it difficult to gauge how assistance is impacting communities. Without that understanding, humanitarian aid (or any other kind of assistance) could harden the social inequalities and repression that led to the conflict, sowing the seeds for future decades of instability. Regional and human security will remain elusive unless there is a comprehensive evaluation of how aid programming is assessed and pressure to finally implement much-needed reforms.

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The ongoing fundamental challenges to the response risk embedding the deep socio-economic issues and oppression which led to the conflict. Western donor governments will soon lose their chance to change that trajectory.

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CONCLUSION

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id became one of the few tangible Western government policies to reduce suffering and contain one of the worst man-made humanitarian crises of this century. That dependence on aid has amplified its vulnerability to interference. For a decade,

the Syrian government has learned how to game the aid system. Other de facto authorities in Syria are learning as well.

The consequences of another decade of the disjointed approach to assistance run deeper than individual instances of diversion. Day-to-day crisis management forces donor governments, the aid community, and beneficiaries to muddle through choices that will have far-reaching ramifications for the future of Syria. If Western donor governments' desired end state for Syria is as conservative as reducing the chances of further displacement and an Islamic State reemergence, current policies fail to reach these goals.

Donor governments must fundamentally shift their approach to secure the gains made with aid response and mitigate the negative consequences. Shifting away from the emergency response in a principled way requires greater transparency, diplomacy, and security.

Greater transparency in the response is needed to identify the persistent gaps and the extent of the bleed. In government-held areas, the manipulation has reached a point where it is difficult to decipher how assistance reaches communities or beneficiaries in need and what gets diverted along the way. In other areas of control, fear of a suspension of aid has suppressed efforts to mitigate interference. Syrian beneficiaries, NGOs, and aid workers pay the price. Local aid workers are simultaneously responsible for reporting on interference and mismanagement and told to keep quiet. Donor governments have transferred many of the financial, legal, and physical risks to them as the major implementers and monitors on the ground. Such an environment is not only unethical, but it is not conducive to providing principled assistance.

Given the siloed nature of the response, donor governments will need to take on a joint evaluation of the current response. They are the only actors that can request confidential information from partners and collectively address the findings. Such a task will require far better coordination between humanitarian and stabilization actors and donor governments themselves.

For governments keen to stabilize the region, reaching people in need and enhancing human security should be a strategic imperative. If people are deprived, uprooted, and traumatized for another 10 years, there will be long-term consequences for regional and economic stability as that population grasps for alternatives. Authorities in the country have already exploited their desperation by using Syrians as mercenaries and human pawns in other parts of the world. Those who were children when the war started are now severely traumatized adults with little hope for their futures.

Aid alone cannot save Syria. Continuous negotiations to mitigate interference and violence must be an integral part of the plan to help Syrians. President Biden said in September 2021 at the UN General Assembly that “We [the international community] need relentless diplomacy” instead of military might. Relentless diplomacy is also needed to facilitate assistance and secure those gains for beneficiaries in Syria. Strengthened diplomacy will be needed on the ground and in Western capitals to maintain ceasefires and act upon the evidence-based recommendations developed in a joint evaluation of the response. On the ground, more consistent negotiations with de facto authorities could mitigate interference and allow the response to move beyond emergency assistance.

Through collective diplomacy, donor governments have more leverage than they think to implement reforms. Government-controlled areas are heavily dependent on foreign aid. A thoughtful “carrot and stick” approach with

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If Western donor governments' desired end state for Syria is as conservative as reducing the chances of further displacement and an Islamic State reemergence, current policies fail to reach these goals.

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the goal of providing genuine access to people in need is not just achievable but necessary given what is at stake.

In northern and eastern Syria, a united aid and donor community has the leverage to mitigate interference and allow the response to move beyond emergency assistance to early recovery. Hay'at Tahrir al Sham is looking to reform its image and acknowledges that it does not have the resources to secure its territory or assist everyone in need. Turkey also needs foreign assistance to contain the humanitarian crisis in the northwest, but donor governments will likely need to engage in more consistent discussions with the Turkish government on its other Syria-related concerns to rein in its interference in aid and local governance. In the northeast, donor governments, especially the United States, have the influence to decrease interference in the response and in service provision, notably education.

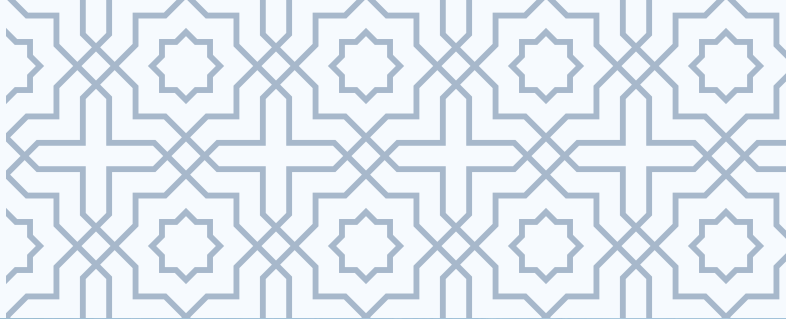
Consistent diplomacy is also necessary to seal gains in the aid sector and solve humanitarian problems that aid alone cannot. Furious negotiations every few months just before the cross-border vote at the Security Council hold the response in northwestern Syria in limbo, risking millions of lives and impeding a shift to more sustainable forms of assistance. Donor governments and the United Nations must find a way to reduce the dependence on the Security Council resolution. Otherwise, Russia will continue to use its veto card at the Security Council to weaken northwestern Syria, making the future of the aid response uncertain. They can also extract concessions from the P3 (the United States, the United Kingdom, and France) and other donor countries for its ally, Bashar al-Assad, at the expense of those in need. More regular high-level negotiations with Turkish officials on facilitating the cross-border response and on security in northern Syria are also needed to encourage the Turkish government to use their role as a facilitator, rather than as a spoiler.

Maintaining ceasefires is vital for moving past the emergency response. Needed infrastructural improvements across northern and eastern Syria will be lost if violence uproots populations. A decentralized but economically integrated Syria will also reduce dependence on tenuous and unreliable life-saving assistance. Waiting to make these improvements for a concrete conclusion to the conflict that may never come is also unacceptable.

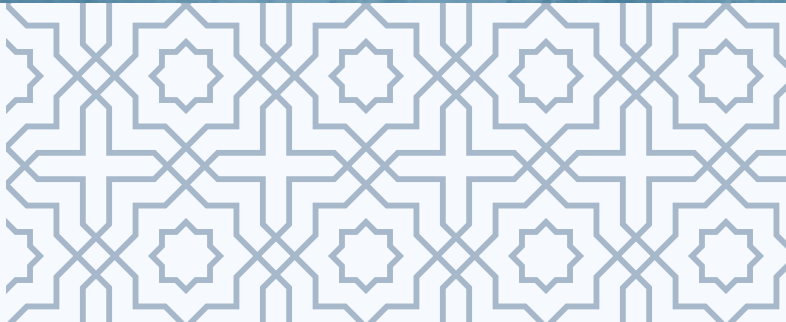
It may seem controversial to see aid as a strategic imperative. But not doing so endangers any possibility for donor governments to help Syrians and provide a modicum of

stability in Syria and beyond. While the world is eager to deprioritize Syria to confront emerging crises and threats worldwide, Russia is taking advantage of the donor governments' lack of a comprehensive plan. U.S. and EU officials continue to stress that a political solution to the conflict must be based on the principles of UNSCR 2254 and that reconstruction will not begin until a legitimate political transition is underway.²⁷⁰ However, as Steven Heydemann notes, Russia could convince the Syrian government to enter a nominal or symbolic power-sharing agreement. Such an arrangement would preserve the Assad government's authority, strengthen its claims to legitimacy, and meet EU requirements for the provision of financial aid for reconstruction.²⁷¹ Yet, it would still fail to address the core problems in the aid response.

The Assad government is reengaging with the world and is on the path to controlling more international assistance and territory. Western donor governments will lose the limited leverage they had to create better outcomes for Syrians if conscientious reforms as part of a more holistic strategy for the country are not made now. Abetting the Syrian government and human rights violators at the expense of those in need exacerbates the deprivation that is evident today, prolonging displacement and forcing further displacement for the foreseeable future.



RECOMMENDATIONS





piecemeal approach to aid in Syria will no longer suffice.

It has left catastrophic gaps in the response, potentially entrenching the injustice and deprivation which launched the protest movement and will destabilize the region for decades to come. A rethink is long overdue, and time is running out to repair the damage, prevent future crises, and ensure stability.

While aid cannot solve the Syrian conflict, it can enhance the resilience of communities if paired with a more strategic approach to diplomacy and negotiations. A new approach will require donor governments and aid agencies to collectively focus on four principle axes:

- 1. Informed Action:** Conduct a rigorous and contextual evaluation of the challenges to assistance from the community to the country level.
- 2. Diplomacy:** Negotiate with international and local stakeholders to mitigate interference and stabilize the country to secure gains of the response.
- 3. Resilience:** Improve communities' abilities to withstand shocks to the emergency aid response.
- 4. Facilitation:** Reduce unnecessary bureaucratic impediments and risks to assistance where possible.

INFORMED ACTION

An evaluation of the impact of the Syria response is long overdue. As Griffith's 2017 review noted, there is an "obvious planning need to look over the horizon and formulate joint, long-term positions to emerging issues that are likely to have significant implications on our core principles and values."²⁷² Ensuring that aid does not entrench nefarious actors' chosen demographic reality is essential for upholding basic humanitarian principles and the concept of "do no harm." This would entail an independent assessment of gaps in the response and systematic diversion. The ongoing work of such an evaluation would also seek to disclose more information on subcontractors, vendors, and hiring practices. Donor governments and aid groups could then more effectively target programming and advocacy for the future of aid in Syria.

Specifically, donor governments should:

- Create a donor government-led transatlantic working group for Syria, composed of regional experts and those experienced in various aid sectors, to inform the aid response moving forward and operationalize humanitarian principles in practice. Specifically, this group would:
 - Conduct an assessment of geographic gaps in the aid response at the sub-district level by identifying the types and quantity of projects and aid provided in each area. The UN OCHA-produced gap analysis could be useful in this regard.
 - Monitor how delays and impediments to certain beneficiaries skew the response.
 - Investigate sub-contracts—for vendors and implementors—to

ensure that aid is not being given to actors engaged in human rights violations.

- Conduct an audit of the response through randomly selected projects to identify how severe manipulation, corruption, and diversion is throughout the aid response. Calculate, as far as possible, how much of every aid dollar reaches beneficiaries.
- Explore secure and anonymous ways to collect feedback from beneficiaries throughout the country that do not depend on physical monitors.
- Use the results to inform priorities for the response, including discussions via the regional dialogue mechanism between the humanitarian coordinator and donor government representatives.
- Review, adapt, and better harmonize donor government regulatory frameworks of engagement with local actors on interference to both facilitate aid and create collective leverage to combat violations of humanitarian principles and aid manipulation.
- Support a coordination and information-sharing mechanism between stabilization, humanitarian, and development aid to reduce gaps and duplication of efforts as well as to harmonize the response.
- Prioritize an assessment of the local context before planning and implementing projects.
 - Work with local councils but also other local groups such as farmers' associations and civil society activists to identify beneficiaries and priorities. Ensure that such contextual analysis is complemented by experts in these communities outside the country.

DIPLOMACY AND NEGOTIATIONS

Donor governments with a stake in Syria should engage in more consistent and conscientious diplomacy and negotiations. This should occur at the local level to mitigate interference and at the regional and international level to maintain ceasefires. Reducing violence will help to stabilize the response and secure the gains made with foreign assistance. These stakeholders should understand the full humanitarian and international security implications of a full Syrian government return to northern and eastern Syria in the near future. Dialogue on a way forward in Syria should do everything possible to limit the return of the Syrian government's security apparatus and to promote a more integrated economy but decentralized federal structure.

At the local level, donor governments and the aid community should:

- Provide the Access Working Group and the NES Forum, or another empowered mediator, with the resources and backing they need to conduct negotiations on behalf of the aid sector in northwestern and northeastern Syria.
- Negotiate collectively to stop interference in the aid response. In government-held areas, the findings of the transatlantic working group

recommended in the previous section should inform negotiations with key actors, including the Syrian government and Russia. The Humanitarian Task Force and the new regional dialogue mechanism, which allows donor government representatives to discuss aid challenges with the UN resident coordinator and humanitarian coordinator in Syria, could be one avenue to elevate concerns.²⁷³

- Relieve humanitarian organizations from the burden of presenting redlines to the Syrian government and quasi-governmental organizations in Syria. This will capitalize on the collective leverage of donor governments and the aid community to ensure that humanitarian principles are prioritized and also protect aid workers on the ground from retribution.

At the regional level, hold consistent high-level diplomatic discussions with Turkey on Syria:

- Address water concerns, particularly in the northeast. Turkey has control over the Euphrates River, including the Alok water station, and to a limited extent the Euphrates' tributary, the Khabour River. While Turkey cannot control low rainfall, the government may be able to release greater amounts of water to mitigate the effects on electricity and water supply southwards, preventing the collapse of the Tabqa and Tishreen dams. Ensure that negotiations are evidence-based to understand Turkey's own ecological limitations to ameliorating water scarcity issues in Syria.
- Consult with Turkey on its security concerns and mediate negotiations between the Kurdistan Workers' Party (PKK) and the Turkish government. Turkish domestic politics may curtail the possibility for a comprehensive peace now, but ongoing dialogue could lower the intensity of the conflict, which has been a destabilizing factor in the response.
- Work with Turkey to address common security issues, including criminality and inter-factional fighting of Syrian National Army (SNA) groups.
- Address concerns over human rights and housing, land, and property issues in Turkey/SNA-controlled areas and create a framework for increased international engagement in these areas.
- Facilitate aid work cross-border for local and international NGOs.

Engage with neighboring countries on refugee issues and normalization. The countries neighboring Syria have been tremendously affected by the war in Syria from refugee influxes to economic repercussions. As such, they are looking to reengage with the Assad government in spite of sanctions.

- Work with these countries to safeguard non-refoulement. Syria is not safe, and often refugees have no home to return to.
- Rapidly expand third-country resettlement efforts. The U.S. government especially should prioritize the resettlement of Syrian refugees for humanitarian reasons and as a good faith effort with European and Middle Eastern countries that have been hosting millions of Syrian refugees.
- Work with Arab countries to better understand how their outreach to the Assad government could bring about behavioral change and help

to shape those discussions for the benefit of humanitarian conditions. Currently, the “step for step” process appears to be steps taken by donor governments and regional actors to be more flexible, with no gestures from the Syrian government to reciprocate. It will be difficult to take back advances toward normalization once they occur. Capitalizing on any steps now for the benefit of Syrians is essential and time sensitive.

- Work with regional allies such as Jordan to respond to crises within their power to address, such as Rukban camp, which straddles the Jordanian border.

At the international level, donor governments and other member states should:

- Work with member states to advocate for the renewal of the United Nations’ cross-border mandate and for the unalienable right to unfettered humanitarian assistance more broadly under international law.
- Secure ceasefires in negotiations with other members states.
- Find an acceptable solution to the issues of al-Hol and Roj camps. The issue is complex, but children growing up in these camps risk greater marginalization and radicalization every passing day.
 - Foreign governments, in collaboration with humanitarian organizations and social workers, should screen camp families in north-eastern Syria for potential repatriation or reintegration.
 - Provide additional resources for reintegration to better support and follow up with families once they leave the camp.

RESILIENCE

Stability is needed to shift to programming that promotes greater resilience in communities. In turn, more livelihoods and more sustainable shelter and water, sanitation, and hygiene (WASH) programming will enhance the stability of the response by reducing dependence on emergency assistance.

Recently, member states have refocused on the term “early recovery” to encompass these efforts. However, it should be noted that “early recovery” has varying definitions, with some alluding to building state capacities.²⁷⁴ There are legal and reasonable objections to pursuing that line of work for donor governments, especially in government-held areas, as the two most commonly cited definitions of early recovery mention stabilizing national capacities or building “core state capacity to manage political, security and development processes.”²⁷⁵ The Global Cluster for Early Recovery emphasizes that early recovery should base “interventions on a thorough understanding of the context to address root causes and vulnerabilities as well as immediate results of crisis [through] reducing risk, promoting equality and preventing discrimination.”²⁷⁶ Therefore, any shift to “early recovery” work should acknowledge these limitations and the broader debate on the efficacy of such programming during an ongoing conflict.²⁷⁷ Donor governments should avoid unconsciously walking into such activities where principled assistance is not possible.

- Shift from life-saving humanitarian assistance to activities that boost communities' resilience when possible to do so in a principled way. Specifically:
 - Increase support to the health and education sectors (as well as tertiary and vocational education).
 - Provide livelihoods support and electronic vouchers, especially in the northeast and northwest where UN assistance is uncertain. Vouchers that can be used with local businesses may avoid some of the risks associated with cash vouchers while also boosting the local economy.
 - Allocate stabilization or other types of early recovery funds to the northwest. Such projects can boost civil society and the education sector and provide a check on local governance actors.
 - Work toward more sustainable shelter solutions to withstand harsh winters and flooding for millions who live in formal and informal camps.
 - Conduct needs assessments to identify the best ways to move those out of camps in the northeast who have been displaced for economic reasons. Explore cash assistance as a stop gap for current livelihoods deficits due to drought.
 - Develop more environmentally sustainable solutions for service delivery. The water, waste, and energy infrastructure in the northeast, in particular, is dangerously lacking. Identifying near-term solutions to adapt to the drought and reduce dangerous levels of pollution cannot wait for the end of the conflict.
 - Evaluate weaknesses in the supply and cold chains in the northeast and the northwest (in preparation for the UN cross-border mandate not being renewed). Work to establish more reliable linkages that can withstand Syrian government or any other country's interference in the supply chain.
 - Reduce dependence on the Syrian government for the northeast's Covid-19 mitigation plan.
 - Work with the World Health Organization to anonymize vaccine recipients. Using single-dose Johnson and Johnson vaccines could be one way to ensure that recipients do not have to provide biographical information to receive a second dose.
 - Establish a separate cold chain to import vaccines and other medical supplies reliably cross-border.
 - Reduce northwestern Syria's reliance on the UN cross-border mandate by identifying gaps in the response should major UN agencies stop operations. Efforts should be made to clearly identify what individual UN agencies must continue and what operations could be reasonably handed over to other organizations.

- Member states should also explore ways to reduce the United Nations' dependence on the Security Council resolution, including adding operational caveats to a future resolution or identifying legal ways for some UN operations to continue.
- Build direct donor relationships with Syrian NGOs to reduce the dependence on the United Nations or INGOs.
- Stimulate economic development.
 - Consider opening the economy between different areas of control for limited concessions from the Syrian government. Such a move could reduce costs of raw materials for ordinary businesspeople and citizens.
 - Increase support to the livelihoods cluster and mitigate interference in tertiary and vocational education programs.
 - Explore alternative employment and training opportunities for IDPs in the aid sector. For example, train and employ former farmers or construction workers who lost their livelihoods to evaluate projects relevant to their field such as agricultural and rehabilitation programs. NGOs noted that they lack the technical expertise to evaluate such projects, and displaced persons may have relevant experience but struggle to maintain a livelihood.

FACILITATION OF AID

Sanctions and counterterrorism measures serve an important purpose. They attempt to eliminate aid diversion to odious characters. For donor governments, these laws also represent inescapable legal regulations, further complicating the response. However, banks have restricted NGOs operating in Syria from receiving and transferring funds, frozen or closed NGOs' accounts, and declined requests to open new accounts due to derisking. Regulations can also backfire, creating a climate of secrecy where organizations are punished for honesty. It may also prevent them from programming in certain areas. In order to avoid the ill and unintended effects of these regulations, donor governments should:

- Engage in a goodwill dialogue to provide assurance to all parties involved in supporting humanitarian activities (e.g., banks, insurance, suppliers, shipping companies, and money transfer agencies such as Western Union) that they will not be subject to sanctions by supporting humanitarian operations.²⁷⁸ This may also reduce the ill effects of these measures on remittances, which can be an even more important coping mechanism for Syrians than foreign aid.
- Develop legal protections for NGOs to negotiate and work alongside designated groups. While some donor governments have issued general licenses to partners working in northwestern and northeastern Syria, others have not. Aligning these regulations among donor governments could ease legal risks for implementers.

- Over the long term, donor governments should support the creation of a viable banking payment channel for swift movement of humanitarian funds into Syria. Such a move would not only benefit assistance in Syria but also other crises where counterterrorism measures and sanctions impede humanitarian programming.
- Allow humanitarian organizations to operate under the same umbrella as the United Nations—which has a broad mandate with different regulations and licenses that provide them with more freedom and space for their operations. This would also decrease dependence on the UN cross-border resolution for some donor governments.²⁷⁹ However, a general license should not prevent UN agencies or NGOs from providing information on their suppliers and sub-contractors. General licenses such as the U.S. Treasury’s Syrian Sanctions Regulations §542.516, which allow UN-funded programs and NGOs to avoid sanctions, should be used to facilitate assistance to those in need, not negate the necessity of vetting suppliers and implementing partners for involvement in human rights violations.²⁸⁰
- For regional organizations (e.g., the European Union), coordinate the standards that members use to assess sanctions compliance, enforcement strategies, and license-issuing processes.
- Create or better support hotlines to provide information and advice to aid organizations seeking humanitarian exemptions in a timely way for emergency operations to proceed.²⁸¹ The U.S. Office of Foreign Asset Control has a hotline, but it often takes up to six months to give a response.
- Verify vetting reports for local partners through multiple sources. Donor governments often hire organizations based outside the country to vet potential partners. Analysts noted that NGOs operating in northwestern Syria have been blacklisted using incorrect information from one of these organizations, severely impacting the response.²⁸²

ABOUT THE AUTHOR

Natasha Hall is a senior fellow with the Middle East Program at the Center for Strategic and International Studies. Natasha has over 15 years of experience as an analyst, researcher, and practitioner in complex humanitarian emergencies and conflict-affected areas, with a specialty in the Middle East. Most recently, she has worked on the Syrian conflict with the Shaikh Group, GIZ, Mayday Rescue, Center for Civilians in Conflict, and the U.S. government's Refugee Affairs Division. She has lived and worked in over 15 countries in the Middle East, Africa, Asia, the Southern Caucasus, and Europe. Her work has focused on conflict resolution, governance, displacement, environmental issues, aid, and civilian protection. Her reports have spurred congressional hearings and high-level donor responses on Syria. As a director with Mayday Rescue, she led these responses, working with the White Helmets to reinforce critical civilian infrastructure and protect civilians from explosive weapons and other consequences of the war. She is a commentator and contributor for a number of media outlets and think tanks, including CNN, BBC, and MSNBC. She has written articles and in-depth analyses for the *Washington Post*, *Newsweek*, *U.S. News & World Report*, the Atlantic Council, the United States Institute for Peace, and the Carnegie Endowment for International Peace, among others. Natasha is also the founder of Art in Exile. She earned her master's from Georgetown's School of Foreign Service and her BA from the University of Virginia in foreign affairs and Middle East studies. She did a Fulbright Fellowship in Jordan from 2006-2007 and a Boren Fellowship in Syria in 2010.

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and Stephanie Nebehay, “Exclusive: Situation in Syria constitutes international armed conflict - Red Cross,” Reuters, April 7, 2017, <https://www.reuters.com/article/us-mideast-crisis-syria-redcross/exclusive-situation-in-syria-constitutes-international-armed-conflict-red-cross-idUSKBN17924T>. Therefore, IHL applying to international armed conflicts, such as Additional Protocol I, may apply. According to Article 54(1) of Geneva Conventions Additional Protocol I, there are no valid reasons to refuse humanitarian assistance if there is a risk of loss of life due to starvation as was the case during the Syrian government-imposed years-long sieges on civilian populations. Article 70(2) of Additional Protocol I emphasizes that all states must “facilitate rapid and unimpeded passage of all relief consignments, equipment and personnel, . . . even if such assistance is destined for the civilian population of the adverse Party.” Furthermore, Additional Protocol I prohibits states from delaying aid deliveries and diverting them from intended beneficiaries. “Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977,” Treaties, States Parties and Commentaries, International Committee of the Red Cross, <https://ihl-databases.icrc.org/ihl/INTRO/470>. Additional Protocol II applies to non-international conflicts. Though Syria has not ratified it, Protocol II merely “develops and supplements Article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions of application.” “Protocol Additional to the Geneva Convention of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II),” United National Human Rights Office of the High Commissioner, <https://www.ohchr.org/en/professionalinterest/pages/protocolii.aspx>.

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CONCLUSION

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RECOMMENDATIONS

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- 278 Supporting efforts such as the United Kingdom’s Trisector Working Group for NGOs, government representatives, and banks or CSIS’s Multisector Working Group supported by USAID and bringing together NGOs and government departments could mitigate some of these issues. U.S. Treasury Department’s Office of Foreign Assets Control FAQ 205 provides some assurances to “U.S. depository institutions, U.S. registered brokers or dealers in securities, and U.S. registered money transmitters.” See “205. Who is authorized to send money to support certain nongovernmental organizations’ activities?,” U.S. Treasury Department’s Office of Foreign Assets Control Frequently Asked Questions, June 22, 2012, <https://home.treasury.gov/policy-issues/financial-sanctions/faqs/205>. Harmonizing these kinds of licenses with other donor governments could alleviate the chilling effect of de-risking for NGOs.
- 279 For example, the UN Federal Credit Union allows staff to collect salaries unimpeded. This has been more problematic for other NGOs who have to miss days of work standing in lines to collect their salaries from overburdened ATMs in Syria. Interview with INGO registered in Damascus, November 16, 2021.
- 280 “Frequently Asked Questions: 934. Are the United Nations and the U.S. government permitted to conduct stabilization and early recovery-related activities and transactions involving Syria? Does this apply to their contractors and grantees as well?,” U.S. Treasury, November 8, 2021, <https://home.treasury.gov/policy-issues/financial-sanctions/faqs/934>; and “Press Release: U.S. Treasury Expands Syria Nongovernmental Organizations General

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