



SANCTIONS
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WHITE PAPER:

The fall of the Assad Regime: What is the future of Syria-based Sanctions?

By *Ian Bolton with input from Chloe Giasemidis*

3 January 2025



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Executive Summary

This White Paper examines the current state of affairs in Syria since the fall of the Assad Regime, how we got to this point, who HTS are and why they are proscribed. We explore the potential likely options for the future of the country and how third countries may impact this. We examine some of the key red flags that may raise significant concerns about the direction of travel for Syria and that could prevent it from being fully embraced as a part of the global community. We particularly examine the current sanctions regimes that apply to Syria, including the UN proscription of HTS and al-Sharaa, and explore some of the options for lifting sanctions and how these vary depending on whether sanctions are autonomous or multilateral.

Importantly, we consider how sanctions might be lifted in the case of Syria, and make recommendations for the UK government in regard to sanctions relief and how this can be delivered in an effective manner. Finally, we look at the implications for non-government sectors, especially the private sector, as sanctions are potentially lifted. We explore how sanctions compliance professionals should react and what action should be taken by the private sector to prepare, and then respond to, sanctions changes. The current situation in Syria represents a unique opportunity for real change but it is not without significant risks.

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Abbreviations

US - United State
 UK - United Kingdom
 HMG - His Majesty's Government
 FCDO - Foreign, Commonwealth and Development Office
 UAE - United Arab Emirates
 AL - Arab League
 AU - African Union
 EU - European Union
 GCC - Gulf Cooperation Council
 UN - United Nations

OPCW – Organisation for Prohibition of Chemical Weapons
OSCE – Organisations for Security and Co-operation in Europe
HTS - Hayat Tahrir al-Sham
ISIL – Islamic State in the Levant
IRGC – Islamic Revolutionary Guard Corps
JCPoA – Joint Comprehensive Plan of Action
SAMLA – Sanctions and Anti-Money Laundering Act
NGO – Non-Government Organisation
CDD – Customer Due-Diligence
KYC – Know Your Customer
EWRA – Enterprise-Wide Risk Assessment
FAQ – Frequently Asked Questions
SAR – Suspicious Activity Report
ESG – Environmental, Sustainable, Governance

Introduction

The fall of the Assad regime leaves behind a unique opportunity for real change in Syria, but there is significant uncertainty over what comes next, and how the international community will respond.

The events of December 2024 were the culmination of over a decade of conflict, which has seen significant human rights abuses, death and devastation. The conflict in Syria saw international red lines, such as the use of chemical weapons, including on civilian populations, being crossed by the Assad regime. The conflict saw the creation and fall of the largest Islamist territory under Dae'sh (ISIL) and the rapid growth of Islamist organisations including al-Qaeda and the creation of Hay'at Tahrir al-Sham (HTS). In response, sanctions were sought against those involved, including the Assad regime, at the United Nations (UN). When this was vetoed by Russia, a long-time ally of Assad, individual nations and regional organisations like the European Union and Arab League adopted their own sanctions. The sanctions regimes put in place on Syria were, in the main, extensive and cut Syria off from the West and the global economy.

Following the fall of the Assad regime, many countries and organisations are looking at what the future may hold and how to respond. Consideration is being given to sanctions relief, provision of humanitarian assistance, reconstruction efforts and ensuring that Syria becomes an inclusive society, respecting minority and women's rights. HTS, who have assumed responsibility for ruling Syria, have been seeking to provide stability and return the country to some degree of normality. HTS leader al-Sharaa has taken on the role of de-facto President in all but name. However, the future for Syria is far from clear. Conflict is still ongoing within the country and parts of it are being controlled by a number of different factions and neighbouring countries. How this is resolved will have a significant impact on the future.

The area of Syria currently controlled by al-Sharaa, HTS and the Transitional Government accounts for roughly 50% of the country, as of 2 January 2025. Roughly 30% of the country is held by Syrian Kurds, 10% by Türkiye and a further 10% is held by a collection of other groups and countries, from the US in the Al-Tanf deconfliction zone, to radical Islamist groups, such as Daesh.

The current territorial control in Syria, as of 2nd January 2025, can be seen in the image below, as assessed by the organisations ‘the Institute for the Study of War’ and ‘Critical Threats’.

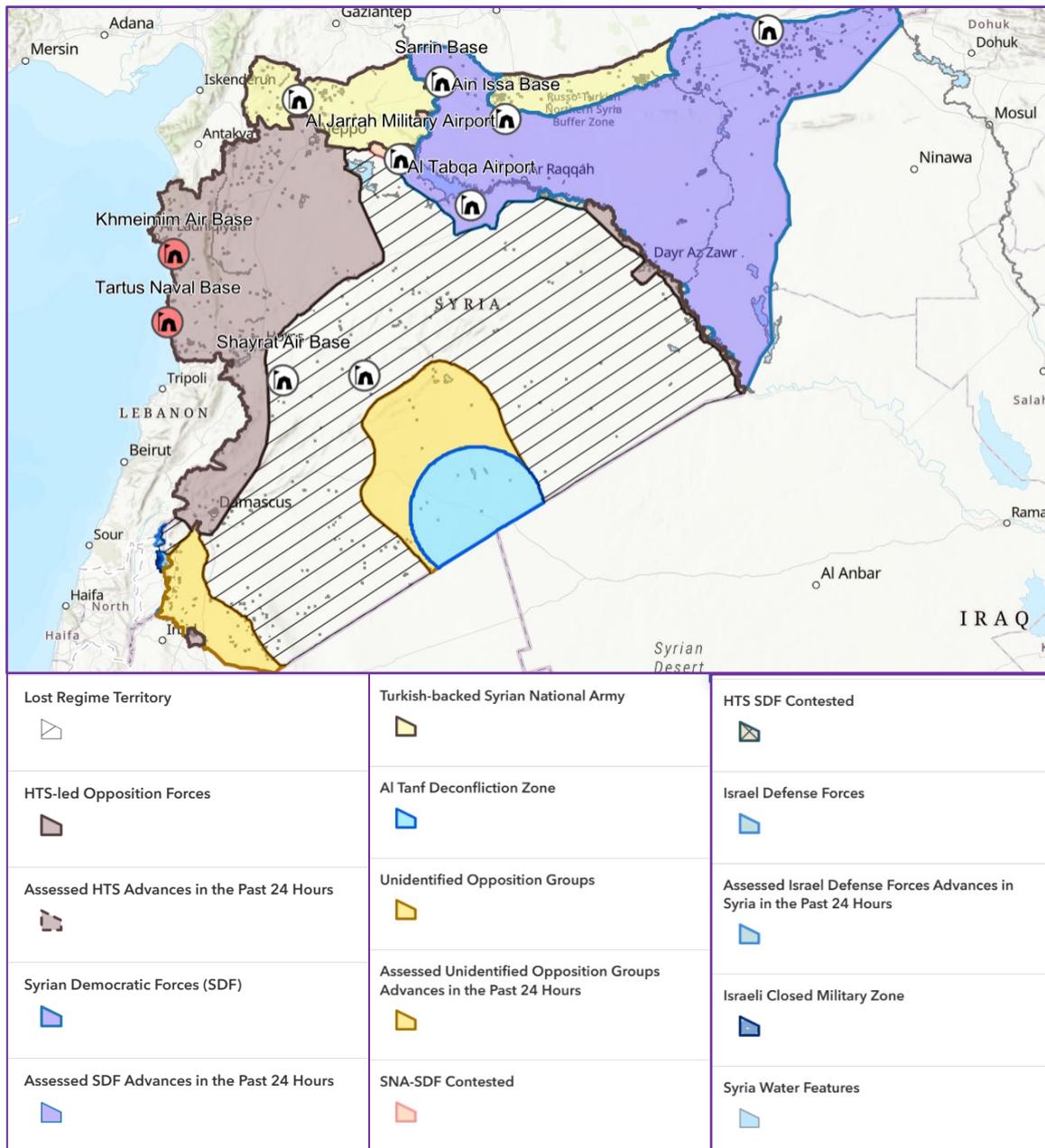


Figure 1. interactive Syria map by US organisations the ‘Institute for the Study of War’ and ‘Critical Threats’ accessible here:

<https://storymaps.arcgis.com/stories/1933cb1d315f4db3a4f4dcc5ef40753a>

As result of this varied control, whilst the focus at the moment is rightly on HTS and the new Transitional Government, there remain wider risks. It is likely that, if HTS and the Transitional Government are not able to assert their control across the whole of the country, some partition may remain. This is especially true with regards to the Turkish and Kurdish controlled areas. If the Transitional Government

and HTS are not able to unify the country, then sporadic fighting and sectarian violence may emerge. There is a risk that Syria could become a failed state like Libya. The international community will be working hard to avoid this scenario, and a key aspect may well be efforts to deliver humanitarian aid and reconstruction of the country.

The sanctions on Syria, particularly by Western countries, are extensive and cover exports, financial prohibitions, investments, as well as designations. In response, the private sector has developed significant compliance systems and infrastructure around the Syria regime. What happens with these sanctions, how sanctions relief is given (if it is given), and what the long-term future prospects are in Syria will potentially dictate both how Syria develops and the type of government, and the extent to which the global private sector re-invests in Syria.

In this White Paper, we will explore how we got to this point and what the implications are of the involvement of HTS. We will analyse the potential future pathways in Syria, what these may mean for the country's development, and what the main red flags will be. We will then analyse the existing sanctions regimes and provide our assessment of sanctions relief could look like and how this may be put into practice. Based on our analysis, we will make specific recommendations for the UK government on sanctions relief, how to do this in a way that supports the private sector in responding efficiently and tying this directly to achievements in Syria. Finally, we will examine how the private sector can respond to this rapidly developing situation to ensure they remain compliant with sanctions, whilst also potentially support efforts to rebuild and re-integrate Syria.

How did we get here?

On 15th March 2011, during the Arab Spring protests across the Middle East and North Africa, discontent with the continuing authoritarian rule of Syrian President Bashar al-Assad ignited into protests, focussed on demands for democracy and against the decades-long rule of the Assad family¹. At this time Syria was viewed as one of the most restrictive police states in the Middle East, and in 2010 was listed as the sixth worst country in the 2010 Press Freedom Index². Following the large-scale protests and pro-democracy rallies across Syria, the Assad government conducted months of violent suppression and crackdowns on its civilians. Resultingly, various armed rebel groups such as the Free Syrian Army and Islamic State of Iraq and the Levant (ISIL) formed across the country, and by mid-2012 the situation had escalated into a full civil war.

This escalation saw many rebel groups join the fighting against both Assad and each other. Foreign governments were also involved, with Russia and Iran backing the Syrian government. Different opposition powers were supported by a range of other countries including Türkiye, the US and some Gulf States³. The war saw rapidly changing frontlines, often fractured into skirmishes, across territory that was under shifting control. Early on in the conflict Assad crossed a globally

¹ <https://www.bbc.co.uk/news/world-middle-east-35806229>

² <https://web.archive.org/web/20230503103623/https://rsf.org/en/index?year=2010>

³ <https://shelterbox.org/where-we-work/syria/conflict/>

recognised red line by using chemical weapons against rebel groups and civilian populations believed to be supporting them⁴. Secret police and political prisons were used extensively throughout the conflict. The war sparked a major refugee crisis, with an estimated 6.6 million Syrians leaving the country and 6.7 million internally displaced⁵. Türkiye became the first stop on a migration route that saw the EU emerge as a key destination of choice for those fleeing the conflict.

Recent Developments

In November 2024, a coalition of opposition fighters launched a major offensive against pro-government forces. The offensive was spearheaded by Hay'at Tahrir al-Sham (HTS) and the Turkish-backed Syrian National Army. These forces captured Damascus 7th – 8th December, leading to the fall of the Assad regime. Assad and his family fled to Russia, where they were granted asylum.

HTS has announced a transitional government and a general amnesty for those conscripted into Assad's forces. Assad's fall was welcomed by many in the state and amongst many Syrian refugees abroad, but some minority groups, such as Syrian Christians⁶, Druze⁷, Kurds^{8,9}, and the Alawites¹⁰ have expressed concern over their safety in the country. Many are cautious about HTS's former affiliation with al-Qaeda and Daesh. Others are hopeful the rhetoric from HTS is true and that a new government and elections will feature the inclusion of women and minority groups such as people of different faiths and ethnic groups. Until the elections Mohammed al-Bashir has been appointed Prime Minister, whilst al-Sharaa continues to lead HTS and is acting as de-facto President.

HTS was set up under the name Jabhat al-Nusra in 2011. At the time they were a direct affiliate of al-Qaeda and seen as a fundamental Islamist group¹¹. Daesh leader Abu Bakr al-Baghdadi was also involved in the formation of HTS¹². The current leader, Ahmed al-Sharaa, who previously went by the alias Abu Mohammad al-Jolani (under which he is currently designated by the UN) publicly cut ties with al-Qaeda in 2016¹³. Al-Sharaa has tried to distance HTS from their old image since the fall of Assad and has undertaken a significant media campaign to project a message of inclusiveness and a rejection of violence. Al-Sharaa has given interviews to nearly all mainstream Western outlets from Le Monde and the Washington Post to the BBC and DW. However, there are doubts about whether this messaging will be borne out in the new Syria, especially as there are still significant groups of hardline Islamists within HTS. Currently, as of 2nd January 2025, HTS remains a proscribed terrorist group by the UN and, as such, are on the proscription lists of the US, UK, and EU.

⁴ <https://www.britannica.com/event/Syrian-Civil-War/Civil-war>

⁵ <https://www.unhcr.org/emergencies/syria-emergency>

⁶ <https://www.independent.co.uk/news/world/middle-east/syria-assad-aleppo-christmas-christians-b2668009.html>

⁷ <https://www.bbc.co.uk/news/articles/cx2yqnewxrpo>

⁸ <https://www.bbc.com/news/articles/cvgx3r4nd2mo>

⁹ <https://www.theguardian.com/commentisfree/2024/dec/23/assad-syria-kurds-future-hayat-tahrir-al-sham>

¹⁰ <https://www.bbc.co.uk/news/articles/cx2yqnewxrpo>

¹¹ <https://www.bbc.co.uk/news/articles/ce313jn453zo>

¹² <https://www.bbc.co.uk/news/articles/ce313jn453zo>

¹³ <https://www.bbc.co.uk/news/articles/ce313jn453zo>

Why is HTS proscribed?

HTS was proscribed as a terrorist group by the UN in May 2014. The Security Council Sanctions Committee, responsible for overseeing sanctions concerning ISIL (Da'esh) and Al-Qaeda, assessed that the group was a terrorist organisation with links to al-Qaeda. HTS's leader, al-Sharaa, has also been listed under the same regime since 2013 under his Islamist nom-de-guerre al-Jolani.

Reports from the UN, US, UK, the EU, and human rights organisations have documented the group's involvement in serious human rights violations and war crimes.

Reports by the US State Department¹⁴ and the EU Agency for Asylum¹⁵ recently stated that HTS has been involved in extrajudicial executions, arbitrary arrests and forced disappearances of political opponents, journalists, activists and civilians perceived as critical of HTS. The same US State Department¹⁶ report, and its earlier edition,¹⁷ stated that HTS was complicit in violence against women and girls. The reports state that HTS enforces strict, religiously motivated dress codes for women and girls, women are only allowed to travel when accompanied by a male relative and women face widespread discrimination and violence by the group. Additionally, female activists – especially those working in humanitarian or media roles, have been targeted by the group¹⁸. Other human rights violations include forced conversions, uncovered in a report by the United States Commission on International Religious Freedom¹⁹. Further allegations have been made regarding political oppression of dissenters²⁰, obstruction of humanitarian aid²¹ by blocking the flow of assistance and using children as forced participants of war^{22,23}.

According to the UN committee's Monitoring team, a report written in July 2024 stated that HTS is the predominant terrorist group functioning out of Northwestern Syria. As the current official position of the UN, having undertaken recent investigations, this should be given more weight than individuals such as the former head of MI6 Sir John Sawers, who appeared on Sky News stating "it would be rather ridiculous" if the UK is unable to engage with the new Syrian leadership because of a proscription dating back twelve years²⁴. This concept undervalues the work done by the UN Monitoring team on this committee and disregards all evidence they have presented over numerous annual reports. In addition, it highlights a general misunderstanding amongst many that, because HTS is a designated terrorist group the UK, or any other government, cannot engage directly with them in talks. This is not true, as diplomats and governments are covered by various conventions allowing such engagement. Therefore, the key question

¹⁴ <https://www.state.gov/wp-content/uploads/2024/03/528267-SYRIA-2023-HUMAN-RIGHTS-REPORT.pdf>, p.1

¹⁵ https://euaa.europa.eu/sites/default/files/publications/2024-04/2024_Country_Guidance_Syria_EN.pdf, p. 25

¹⁶ <https://www.state.gov/wp-content/uploads/2024/03/528267-SYRIA-2023-HUMAN-RIGHTS-REPORT.pdf>

¹⁷ https://www.state.gov/wp-content/uploads/2023/03/415610_SYRIA-2022-HUMAN-RIGHTS-REPORT.pdf

¹⁸ <https://snhr.org/wp-content/uploads/2023/11/R231106E.pdf>

¹⁹ <https://www.uscirf.gov/sites/default/files/2022-11/2022%20Factsheet%20-%20HTS-Syria.pdf>

²⁰ <https://documents.un.org/doc/undoc/gen/g24/133/77/pdf/g2413377.pdf>

²¹ <https://www.state.gov/wp-content/uploads/2024/03/528267-SYRIA-2023-HUMAN-RIGHTS-REPORT.pdf>

²² <https://www.state.gov/reports/2023-trafficking-in-persons-report/syria/>

²³ <https://www.state.gov/reports/2024-trafficking-in-persons-report/syria/>

²⁴ <https://news.sky.com/story/former-mi6-chief-explains-whats-next-for-syria-and-the-middle-east-after-fall-of-assad-13269444>

remains whether the proscription should be lifted, and the potential implications on sanctions.

The issue of HTS being proscribed by the UN may become irrelevant, as al-Sharaa has announced that, at a national congress meeting later this year, he will seek to disband HTS²⁵. This is despite the new Transitional Government being largely pulled from HTS's ranks. This is likely an attempt to create a new political party that will match the more moderate image currently being portrayed to the world. Whilst the disbanding of HTS would potentially solve some of the issues around engagement, assets and financial dealings, al-Sharaa's designation will continue to be a factor.

What does the future hold for Syria?

As a recent article in the Spectator set out, trying to predict what the future of Syria may look like is in some ways a "fool's errand"²⁶. However, it is vital that all potential options for Syria's future are considered and that there is a focus on helping Syria rebuild to become a democratic and inclusive state. There is a wide range of options, which may result in widely different outcomes. Whilst we could see a modern, inclusive state emerge, it is also possible that, should there continue to be a lack of unity across the country, and the promised inclusivity does not include groupings like the Syrian Kurds, there may remain ongoing conflict and, in the worst-case scenario, a failed state may emerge. In all but the first of these scenarios, there is unlikely to be much change in the sanctions picture.

There are, in our analysis, three scenarios which are more likely to transpire and will have a potential significant impact on the Syria sanctions landscape. In this next section we will assess these three potential futures and what each could mean for sanctions.

Democratic and Inclusive Syria

The first potential future for Syria is a completely democratic one, where women and minorities are granted full and equal rights with no restrictions. One of the first tests of this will be the promised elections, although there are concerns given the potential timing of these following the surprise announcement it may take four years for elections to take place. Election when they do come will be closely observed as to whether they are democratic. Key questions which will need to be answered are: who will be able to stand in the elections; who will be able to vote; who will observe the process; and whether there will be violence or voter interference. If free, fair and open elections are held, this could potentially mark the end of sanctions on Syria and most in the state, bar the likes of Daesh.

The victor of the elections will determine the future of any sanctions relief for Syria. If an extremist group is elected there could be a reluctance to lift sanctions. It is likely that, should there be a coalition or non-extremist government, there will be close monitoring of how the government functions and its decisions. The definition

²⁵ <https://www.reuters.com/world/middle-east/syrias-de-facto-leader-says-holding-elections-could-take-up-four-years-2024-12-29/>

²⁶ <https://www.spectator.co.uk/article/syrias-nightmare-isnt-over-yet/>

of extremism can vary significantly depending on the country or context in which it is being used, therefore will likely make the process of lifting sanctions complex. Given Syria's complex diversity, including its wide array of ethnic groups, religious backgrounds and political factions, how the government acts will be critical to sanctions relief.

Our assessment is that, with democratic elections involving all groups and resulting in a government that respects women and minority rights, sanctions on Syria will be lifted by most countries. There will remain a focus on terrorist groups, misappropriation of Syrian state funds by those from the Assad regime, and on human rights - including justice for those abused.

Echoes of Afghanistan/Libya

The second potential option, in our assessment, is where Syria's elections result in a perceived democracy, but where some groups and minorities may be excluded and where there are concerns over the party in power. These concerns are likely to stem from questions over human rights and either current or historic links to radical Islamist groups and terrorists. Such an option might be a Syria dominated by a group like HTS, where their current moderate rhetoric does not translate into reality on the ground, and hardliners within the group assert their dominance.

Discussion around sanctions relief for Syria is a top priority on the agenda for many Western countries following the fall of Assad. Aiding the Syrian people in reconstruction of both their country and society is the main aim of most states. It is hoped that doing so will reduce the chances of Syria being taken over by extremist groups, like in Afghanistan, or becoming a failed state, like Libya. Lifting sanctions will allow re-investment and an open economy in Syria for business and the economy to begin developing. But if the country is under a perceived democracy how will this be judged and managed?

In such a case, staged sanctions relief with a focus on reconstruction and humanitarian assistance is likely. Further sanctions relief would occur as key milestones are met, such as continuing inclusion efforts, and holding to a non-Islamist agenda. Whilst this policy of staged sanctions relief would be used, it is likely that certain individuals such as Assad and those who aided/served him in the regime at a senior level would be designated under Global Human Rights sanctions regimes and possibly anti-corruption ones to prevent the misappropriation of Syrian state assets. Indeed, even if sanctions are removed in a wholesale manner, it is likely we will still see individual designations such as these.

Renewed Dictatorship

The final potential option is one where the new government becomes as authoritarian in nature as the Assad regime, essentially resulting in a transferred dictatorship. In some ways, this can be viewed as a continuation of the status quo. Such a scenario would likely see the existing sanctions continue and, where necessary, be transferred from the Assad regime to the new regime. This scenario will result in continuing questions about how to maintain sanctions while trying to ensure Syrian civilians are not unduly affected.

Risks surrounding HTS, Transitional Government and post-election government

The current rhetoric coming from both HTS and the Transitional Government has been broadly encouraging. They have openly discussed with Western media the desire to be an inclusive government, involving minority groups and women as well as protecting their rights. They have been clear that they are not tied to an Islamist ideology and that they seek to establish a moderate and inclusive Syria. To this end they discussed overtures to different ethnic groups within the country, including Syrian Christians and Alawites.

There are a number of developments and possible futures that would represent red flags regarding the future direction of Syria.

If the transitional government, and eventually new government, focuses spending on military considerations this would be a significant concern. With the situation in Syria over the last decade, there are many other priorities for the country, in particular humanitarian assistance, reconstruction, education, and health. These priorities should be the focus of a new government. There are also questions as to what will happen with production of the amphetamine Captagon in Syria, as the Assad regime was accused by neighbouring countries of being the focal point of Captagon production in the Middle East, where it has become very popular. Analysts have estimated the regime made around \$5bn annually from the production and distribution of the drug²⁷. When the Assad regime fell, millions of pills were found in the production factory 20 minutes from Damascus, hidden in fake fruit ready for export. With such a lucrative business and opportunity for money to come into the state, it will be vital to ascertain whether HTS will start up this operation for their own gain, though Abu Hamzeh, a rebel leader in Deraa stated “The [militias] were exploiting the poor for smuggling and it brought a lot of drugs into our society. Now we need to create a plan to fix these things.”²⁸ Poor young people from southern Syria were often offered large amounts of money by the regime to act as drug mules across the Jordanian border.

Given the collapse of the Syrian army, and other Syrian state apparatus such as the police, there has been a focus on the role HTS fighters and militia are playing across the country. Reflecting the diverse nature of HTS fighters, there exist more radical and hardline elements. Al-Sharaa has stated he has considered disbanding the military wing of HTS to support the civil service and Syrian police/military with the transition. In particular, al-Sharaa has stated that this is part of a pathway to normalisation, at the same time the transitional government has announced an amnesty for Syrian civil servants, soldiers and police in the main. Al-Sharaa announced on 25 December al-Sharaa that the various military factions and rebel military groups have agreed to disband and merge under the Syrian military²⁹. This combined force will be under the new defence minister al-Sharaa has installed, Urhaf Abu Qasra, a leading commander in the HTS insurgency. He is considered a radical Islamist and so the appointment has raised some concerns, especially given

²⁷ <https://www.theguardian.com/world/2024/dec/16/syrias-captagon-trade-inside-a-damascus-amphetamine-factory>

²⁸ <https://www.theguardian.com/world/2024/dec/16/syrias-captagon-trade-inside-a-damascus-amphetamine-factory>

²⁹ <https://www.newarab.com/news/syria-police-investigate-attack-greek-orthodox-church-hama#:~:text=Nobody%20was%20killed%20or%20injured%20in%20the%20Hama,said%2C%20condemning%20the%20attack%20and%20calling%20for%20accountability.>

the stated aim of a moderate Syria. The unified force does not include Syrian Kurdish forces (SDF), or the radical Islamist groups from southern Syria, although there is limited information about which armed groups were included³⁰. The SDF have called for dialogue with al-Sharaa and the new Transitional Government to discuss the future and how the Kurdish area may reunite within Syria and the national armed forces, as this would make them stronger. However, so far there is no evidence of al-Sharaa and the Transitional Government seeking to engage with Syria's Kurdish population. Indeed, whilst sectarian violence has largely been isolated and less significant since the fall of Assad, and compared to what many might have expected, there has been some evidence of revenge killings and fighting. Indeed, over Christmas and the New Year period reports emerged of over 300 former Syrian army officers being detained and rumours of possible torture by HTS fighters have subsequently emerged³¹. This raises concerns and casts doubt over the amnesty HTS has announced.

Revenge killings aimed at the Alawite community have also raised concerns about this public message of inclusivity. Whilst Assad was from the Alawite community and relied on them for a lot of support, this cannot be allowed to justify violence against this minority group. Although this has been less significant than many would have predicted, attacks on the Alawites are not the only issues regarding the protection of minority groups in the new Syria. There are several reports of violence against Syria's Christian population, including reports of HTS fighters expelling Christian residents from their homes in Homs, and in Wadi al-Nasara two Greek Orthodox Christians were beheaded in an incident initially painted as a possible burglary, but part of an increasing pattern of anti-Christian discrimination and persecution in Syria since Assad's fall³². A Greek Orthodox church in Hama was attacked on 18 December by unknown gunmen. On 24 December a public Christmas tree on a major roundabout in Suqaylabiyah, Hama, was burnt down, leading to demonstrations by Syria's Christians demanding the new regime respect their rights and help protect them from violence. HTS has said that it has arrested a number of foreign Islamist fighters who they believe to be responsible for the incident³³. The speed of the arrests does indicate that they have taken the issue seriously but there are still concerns given the wider pattern. This is all despite al-Sharaa and the Transitional Government under Prime Minister Mohammed al-Bashir and Foreign Minister Asaad Hassan al-Shibani (the former founder of al-Qaeda in Syria³⁴), being very public about the need for Syria to be inclusive of minority groups. Indeed, this has been a central point of much of their media engagement, and on Christmas Eve there were even images shared with Western media of HTS fighters celebrating a Christmas-style lunch in the Presidential Palace. Again, this is an area where the rhetoric from the new Syrian government will need to be backed up by actions. It will be vital to see minority rights protected under Syria's current Transitional Government and potential future government post elections. It will also be essential, if there is to be significant sanctions relief, to see minority groups be able to not just vote in elections but play a full role, including fielding candidates for parliament.

³⁰ <https://www.france24.com/en/middle-east/20241224-syrian-authorities-say-armed-groups-agree-to-disband-merge-under-defence-ministry>

³¹ <https://www.globalsecurity.org/wmd/library/news/syria/2024/syria-241229-presstv01.htm>

³² <https://greekcitytimes.com/2024/12/16/shot-syrias-valley-of-the-christians/>

³³ <https://www.bbc.co.uk/news/articles/cx27yx1y0deo>

³⁴ <https://www.globalresearch.ca/former-al-qaeda-syria-founder-named-as-caretaker-foreign-minister/5875589>

Equally as vital as the inclusion of minority groups will be the role that women play in the future of Syria. Publicly, al-Sharaa and the Transitional Government have stated that women will play a role in Syria and will be included in the processes to create a new Syria. These public statements appear, so far, to have been taken at face value by much of the Western media, without any attempt to press for specific examples of what this will mean and look like. Indeed, the ambiguity is likely being used to avoid actually committing to concepts such as allowing women to play a full role in politics, and serve as parliamentarians and ministers. Beyond this, they have also been careful to avoid committing to allowing women to work, and hold roles such as educators, doctors and lawyers. Whilst al-Sharaa, when pushed, did commit to allowing women and girls to have educations³⁵, other leading voices within HTS have already stated that women will be limited to non-public facing jobs³⁶. Al-Sharaa has appointed Aisha al-Dibs as Minister for Women and, whilst this could be seen as a sign of women's involvement in public life, she is an outspoken hardliner who has already said that a woman's place is in the home. Al-Dibs has already spoken out several times against foreign influence, including Syrian diaspora women, leading to less moral women in Syria. She has previously backed Islamist terrorists like al-Qaeda and Hamas. She is, however, also known for humanitarian work in refugee camps in Türkiye. Her appointment runs the risk of being a token gesture to the women of Syria, and one that runs counter to the freedom of women and protecting their rights to education and playing a full role in Syrian life. After all, the Vice-President for Women and Family Affairs in the Islamic Republic of Iran is also a woman, Zahra Behrouz Azar, and yet it is considered one of the most repressive regimes for women in the world³⁷. There are real risks around the inclusion of women and there is a significant chance that, if significant sanctions relief is given by the West without progress on these issues, at the extreme end we could see women consigned to the roles they have in Iran³⁸ and Afghanistan³⁹.

Given these concerns around minorities and women it is important to note that HTS has not, as some media would like to portray, emerged from nowhere to now have power. They have controlled large sections of Syria for a significant period of time, following initial successes against the Assad regime, specifically Idlib, where HTS has ruled for around seven years. During this time HTS instituted an authoritarian regime enforcing Sharia Law. It is important to point out that, given the ongoing conflict, an authoritarian regime was not in itself a concern, nor instituting Sharia Law, which many countries across the Middle East abide by. However, this did mean that women were required to wear the hijab and alcohol was banned. Further to this, the more conservative form of Sharia Law adopted outlawed all music, and no opposition to HTS's edicts was permitted. Non-Muslims and women were not allowed to be present on representational bodies, and incarceration without trial was routine. Since the fall of Assad, we have already seen a number of public hangings, which raise concerns about the forms of justice that will be adopted by the country under the Transitional Government.

³⁵ <https://www.telegraph.co.uk/world-news/2024/12/19/syria-rebel-leader-womens-education-alcohol/?msockid=0b432e38685c6c51197d3de469976d10>

³⁶ https://www.timesofisrael.com/liveblog_entry/syrian-foreign-minister-vows-to-back-womens-rights-after-outcry/

³⁷ <https://news.un.org/en/story/2024/09/1154306>

³⁸ <https://www.dw.com/en/iran-tightens-hijab-laws-as-womens-resistance-grows/a-70947105>

³⁹ <https://news.sky.com/story/afghan-women-dare-to-dream-of-life-free-from-the-taliban-and-gender-apartheid-in-2025-13282160>

HTS has been keen to distance itself from Islamist terror organisations in recent years, especially associations with Daesh and al-Qaeda. Additionally, in an interview with the BBC's Jeremy Bowen on 19 December⁴⁰, al-Sharaa stated that Syria under the Transitional Government would continue to honour the terms of the 1974 ceasefire with Israel. There has even been some talk about a normalisation of the relationship between the two countries. However, both HTS' efforts to distance itself from Islamist terror organisations and its rhetoric on Israel must be viewed consciously. Whilst HTS may have distanced itself from many Islamist terror organisations, its own activity is what led the UN Monitoring mission for the UN Terrorism sanctions regime to state HTS was the predominant terrorist organisation in North-West Syria as recently as July 2024⁴¹. HTS' activities in areas it has held for nearly seven years remain subject to scrutiny and it is believed there are mass graves of those who disagreed with HTS, and also internally displaced populations in some of these areas for the same reason⁴². In terms of the relationship with Islamist groups, there is recent photographic evidence of Hamas-affiliated terrorists meeting with HTS leaders⁴³.

This photo was posted on X (formerly Twitter) by Hamza Howidy, an exiled Palestinian Human Rights and peace advocate based in Germany, on 22 December 2024:



⁴⁰ <https://www.bbc.co.uk/news/articles/cqx8zy8r8jro>

⁴¹ <https://documents.un.org/doc/undoc/gen/n24/191/91/pdf/n2419191.pdf>, p.24

⁴² <https://www.middleeasteye.net/trending/bbc-interview-hts-leader-sparks-online-backlash>

⁴³ <https://x.com/HowidyHamza/status/1870856701811065115/photo/1>

It was tagged with the following statement.



The individual circled in the photo is Salih Alzighari, a Hamas member from the West Bank. He officially works for Turkish TRT, a public broadcaster in Türkiye, although is known to be a Hamas operative holding a membership card. Since the fall of Assad he has been seen frequently in Damascus. Hamza Howidy fled Gaza when he refused to work for Hamas and was persecuted by them. This photo, naming Salih Alzighari and his association with Hamas, has been repeated by a number of other Palestinians in exile and Yazidi activists⁴⁴.

Although this link between the Syrian Transitional Government/HTS and Hamas may be surprising to some given the close links between Hamas and the Assad regime, as well as Hamas traditionally drawing support from Iran, Hamas is a Sunni Islamist group. As such, it may well be targeting the new Syria as an option for support. In terms of the relationship with Israel, whilst media reporting has focussed on the recent conciliatory messaging by al-Sharaa and the Transitional Government, it cannot be overlooked that HTS on social media celebrated the atrocities carried out by Hamas and other Islamist terrorists in Israel on 7th October 2023 under what they termed 'Operation Al-Aqsa Flood'⁴⁵. Given all of this, close attention will need to be paid to the actions of HTS and the Transitional Government, not just their rhetoric.

The role of Third-Party actors

A key factor in how Syria will develop over the coming months will be the role of third-party actors within the country. Pressure on Syria, and action within by countries such as Türkiye, Russia and the US, will likely have a significant impact on what type of future emerges from the fall of Assad.

⁴⁴ <https://x.com/AzatAlsalm/status/1870940754828562588>

⁴⁵ <https://www.facebook.com/photo/?fbid=323661013680060&set=a.265120076200821>

Türkiye has played an active role in Syria for years, directly fighting against Syria's Kurdish military forces. They have also provided military backing to both the Syrian National Army (Free Syrian Army) and indirect support to HTS. Since the fall of the Assad regime they have been quick to display their close relationship with HTS, and how they respond to developments in Syria will have a key impact. If Erdogan's regime backs the results of the elections, regardless of the result and whether these were democratic and inclusive, this will give significant legitimacy to the outcome. It is unlikely that a result backed by Türkiye, despite potential objections from Western countries and possible Gulf states, will not be the reality on the ground⁴⁶. Given the concerns surrounding Türkiye's own autocratic and non-inclusive nature, it may in fact be the outcome Erdogan would hope to see. It is worth noting that Türkiye is currently occupying a significant amount of land within Syria, and what happens with this will also likely have an impact on the future of the country.

Russia has played a leading role in propping up the Assad regime, along with Hezbollah and Iran. In this role they have used military hardware, specifically military aircraft, to keep the rebels at bay. With the fall of the regime, Russia has been left in a kind of limbo. Meanwhile, Hezbollah and Iran are having to re-evaluate their activities. Iran is looking for alternative routes to support its terror proxies across the Middle East, from Hamas and Hezbollah to the Houthis in Yemen⁴⁷ because, until the fall of the Assad regime, they were able to send military hardware by land through Iraq and Syria. Should a future Syrian government commit to supporting these efforts, there would likely be a reciprocal arrangement in providing legitimacy to whatever Syrian government was in power and potential practical support. At the moment, this seems very unlikely given HTS and other leading rebel groups hail from the Sunni Muslim tradition, whereas Hezbollah and Iran are Shi'ite, which the Assad regime loosely affiliated with. One potential avenue for finding common ground, however, is potentially Israel, with some HTS rebels and commanders already having openly talked about the removal of Assad being the first stage in an attempt to march on "Damascus, Jerusalem, and Mecca".

The Gulf States have largely avoided being drawn into the conflict in Syria up until the fall of the Assad regime, with most action taken focussed on combating terrorism within the country. This took the form of attacks on Daesh and al-Qaeda in an attempt to prevent these Islamist terror groups exporting their ideologies to other countries, including the Gulf States themselves. Support from the Gulf States would likely see significant investment in Syria and provide welcome assistance in reconstruction. Therefore, it is likely that recognition of the future government of Syria by these states would again have significant impact.

Whilst the US has largely not been that heavily involved in the fighting within Syria to-date, they have provided military aid to the Syrian Kurds, and focussed efforts on tackling Islamist terrorists in the country. The US currently has a military base in the South-East of the country, which maintains a substantial buffer zone. A future Syrian government will need to engage with the US regarding this area and possible support in tackling the rising problem of Daesh within the country. Likewise, the US will wish to engage with a future Syrian government, and it is likely that doing so where there is a free and inclusive Syrian government will be the easiest path.

The EU is home to the largest Syrian refugee community and Syrian diaspora outside of the Middle East, and this will play a major role in how the EU engages with a future Syrian government. There are already reports of Austria seeking to

⁴⁶ <https://www.cfr.org/expert-brief/what-role-Türkiye-playing-syrias-civil-war>

⁴⁷ <https://www.thetimes.com/article/3bc17925-853c-4166-aa87-c274d3d2ba22>

send refugees back to Syria, which will only be achievable if Syria is inclusive in nature and does not take action against minorities and dissidents. It is likely, therefore, that the EU will wish to play a major role in ensuring that elections are free and fair, and in recognising a government elected with such a mandate.

Israel's current relationship with Syria is characterised by a desire for security. Following the war in 1967 a ceasefire agreement was signed between Syria and Israel, and a buffer zone was established on the Syrian side of the Golan heights. This buffer zone was to prevent conflict from being re-ignited, and is policed by the UN. Since the fall of Assad, initial attacks on the UN force policing this zone by Islamist groups were repelled with the assistance of the Israeli military. Subsequently, Israel has remained in the buffer zone with the intention of remaining until there is agreement with the new Syrian government to honour the ceasefire terms, which will prevent further attacks on the area. Israel has previously also carried out military strikes within Syria on Hezbollah and Iranian Revolutionary Guard Corps (IRGC) targets. However, unless the future Syrian government welcome these groups back, this is likely to cease. As a result, Israel will likely be hoping for a Syrian government that is elected democratically and freely and can be a partner for regional security and peace. The relationship with Türkiye may, however, be a complicating factor.

Responses from the International Community

Since the fall of the Assad regime as well as significant media engagement, HTS has been undertaking a series of meetings with international interlocutors from around the world. Some of these have been on a bilateral basis, leading to some early decisions, and some have been through informal multilateral talks such as the recent talks on 21st December in Aqaba.

The US has held direct bilateral discussions with Transitional Government ministers and the leader of HTS, including in Damascus. Following these meetings, the US has lifted the \$10 million reward bounty on HTS leader al-Sharaa. The US has also been clear that it intends to increase aid to the country and to encourage direct humanitarian assistance.

With one of the largest communities of Syrian refugees, Germany has moved quickly to discuss what support it can lend the Transitional Government in Syria. It, too, has held bilateral talks in Syria with the Transitional Government and al-Sharaa. Focus has been on humanitarian relief and assisting those members of the Syrian diaspora that wish to return in doing so.

British diplomats including Ann Snow, the UK's Special Representative for Syria, have held meetings with al-Sharaa and other members of the Transitional Government. The UK government has been clear that, although HTS remains a proscribed terror organisation, and subject to sanctions, UK diplomats are free to engage with them as they would any other group. The UK has made various announcements regarding immediate action to support Syria. Chief amongst these is a focus on providing emergency support to Syria, which will initially be channelled through the UN and NGOs both inside Syria and providing assistance to Syrian refugees in Lebanon and Jordan. This includes an additional £30 million in the form of food, shelters and emergency healthcare. The UK has also announced that it is to provide an extra £120,000 to the Organisation for the Prohibition of

Chemical Weapons (OPCW), to assist them in their work relating to Syrian chemical weapons⁴⁸.

France has an historic relationship with the Middle East, in particular Syria and Lebanon, therefore will have particular interest in the fate of Syria. French diplomats have been sent to Damascus and the tricolore is once again flying over their embassy there, and French diplomats and ministers have begun to engage with the Transitional Government. In January 2025 France will host an international meeting to focus on reconstruction and aid⁴⁹. So far, despite pledges relating to increasing humanitarian aid going into Syria, French ministers and diplomats have been keen to play down the chances of EU sanctions being lifted swiftly. France is likely to be keen for a moderate state to emerge, which will not seek to interfere or intervene in Lebanon, as Syria has in the past.

On Saturday, 21 December, there were talks hosted in Aqaba, Jordan, attended by ministers and delegates from the US, France, Germany, the Arab Contact Group, Bahrain, Qatar, Türkiye, the United Arab Emirates (UAE), the EU and UN⁵⁰. These talks focussed on the possible futures facing Syria, how to ensure that there is significant humanitarian aid provided to those in Syria and Syrian refugees in the region, especially with the onset of winter. We understand that there were also early discussions about the proscribed status of HTS and the possible removal of this UN designation to assist in engaging with Syria and reconstruction efforts. There were also discussions around the importance of a “non-sectarian and representative government” and the need to protect human rights and investigate human rights abuses, such as the horrific evidence being found regarding torture prisons and mass graves. These talks also discussed the need for the safe destruction of chemical weapons and possible verification of this, as well as combatting any terrorism emerging in the country. This last point came at roughly the same time that news of a major plan by Daesh to break operatives out of prison in Syria emerged. Thousands of Daesh terrorists are in Syrian prisons and the risk of them breaking out has increased dramatically with the fall of the Assad regime⁵¹. Daesh recruitment and military strength has been increasing significantly in recent months and any such prison break would be an additional boon for the group. There are, as a result, serious concerns that Syria may once again become a hotbed of terrorist activity, as it was during the early years of the conflict when Daesh controlled significant swathes of land across the country.

It is believed that Russia has also held talks with HTS and the Transitional Government. It is understood that amongst the top issues being discussed is the continued leasing by Russia of the Russian Navy base at Tartus and the Russian Air Force base at Khmeimim. They also discussed Russia’s use of Syrian airspace to fly military missions. Russia, meanwhile, continues to host the Assad family, who fled Syria following the fall of the Regime.

As well as participating in the discussions in Aqaba, Türkiye has continued to engage bilaterally on a regular basis with the Transitional Government and the HTS leadership, including al-Sharaa. They continue to hold significant territory in Syria and are continuing to wage war on the Syrian Kurdish population of north-eastern

⁴⁸ https://www.gov.uk/government/news/uk-announces-50m-new-support-for-vulnerable-syrians?utm_source=miragenews&utm_medium=miragenews&utm_campaign=news

⁴⁹ <https://www.reuters.com/world/france-host-syria-meeting-cautious-aid-sanctions-lifting-2024-12-18/>

⁵⁰ <https://www.state.gov/joint-statement-on-syria-4/>

⁵¹ <https://news.sky.com/story/with-assad-gone-from-syria-there-are-fears-a-resurgent-islamic-state-could-fill-the-vacuum-13270559>

Syria. So far, Erdogan and the Turkish government have welcomed the fall of the Assad regime and continued to provide significant support to both HTS and the Syrian National Army (Free Syrian Army), the group backed by Türkiye during the conflict in Syria.

What about Sanctions?

Although the red line of chemical weapons was crossed, the UN was never able to agree sanctions on Syria. As a result, the sanctions picture on Syria is a complicated one. The US, UK, Canada, and Australia all currently have autonomous sanctions in place on Syria. The EU also has sanctions on Syria and, as a result, non-EU countries that are legally aligned because of treaty agreements (such as Switzerland and Norway), or those with EU accession pathways (such as Serbia, Albania, Iceland, and Moldova), also have EU-based sanctions in place. Beyond this there are UN sanctions on specific groups and individuals within Syria on the basis of terrorism designations, including asset freezes and travel bans. Following Syria's re-admission into the Arab League in May 2023, sanctions that had been adopted by the grouping, including financial asset freezes and the cessation of flights between a number of countries within the group, were lifted. Sanctions on Syria are therefore largely considered to be Western in nature.

Western sanctions on Syria, whilst having similarities across a number of jurisdictions, also have some key differences. The UK and EU sanctions regimes look most alike, in part as the UK's autonomous sanctions were adopted through 'The Syria (Sanctions) (EU Exit) Regulations 2019'⁵², created as part of the UK's exit from the EU. This SI replicated the legal effects of the EU sanctions at the time of the UK leaving the EU in 2020. It has subsequently received a couple of minor amendments, and those designated under the regime differ slightly from the EU, however in the main the two regimes contain the same restrictions. In the EU the sanctions are enforced through EU Council Decision 2013/255/CFSP⁵³ and EU Council Regulation No 36/2012⁵⁴.

The UK and EU sanctions include a number of provisions. Firstly, there is the usual asset freeze and travel ban provisions for those designated, as well as prohibitions on providing financial services to those designated. The financial provisions go beyond this to also include brokering services and prohibiting insurance and re-insurance involving Syria. There are also restrictions on an EU or UK credit or financial institution opening bank accounts or establishing correspondent banking relationships with those domiciled in Syria. EU and UK credit and financial institutions are prohibited from opening offices and subsidiaries in Syria. There are also prohibitions around supporting trade.

The restrictions include significant trade measures, including both import and export prohibitions. Critically, the trade prohibitions include military goods and technology, other goods relating to chemical and biological weapons, communications and surveillance equipment, goods and technology that can be used for internal repression, crude oil and petroleum products, including a focus on

⁵² [The Syria \(Sanctions\) \(EU Exit\) Regulations 2019](#)

⁵³ <https://eur-lex.europa.eu/eli/dec/2013/255/oj/eng>

⁵⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02012R0036-20240913>

aviation fuel. There are prohibitions around goods and technology relating to electricity production, and services connected to the construction and installation of new power in Syria. The prohibitions also cover luxury goods, gold, precious metals and diamonds. The export of goods also covers the export of UK goods through either a ‘third country’ or a ‘non-UK country’⁵⁵.

The regulations cover the import of arms, and related materiel, crude oil, and petroleum products that both originate from Syria and those consigned from Syria, as well as gold, precious metals and diamonds⁵⁶.

The final sets of restrictions cover technical assistance to the transport sector. There are restrictions covering the provision of technical assistance, including in relation to repairs, development, production, assembly, testing, and maintenance. In terms of the transportation measures, they prohibit any aircraft operated by Syrian Arab Airlines, and any aircraft owned/chartered/or operated by a person who is connected with Syria and is using the aircraft exclusively for transportation of air cargo.

The US has the most extensive sanctions regime in place on Syria, prohibiting almost all activity where there is a US nexus. The regime dates to 2004, and was built out further given Syria’s continued interference in Lebanon. As with the EU and UK sanctions regimes, it was in 2011 and 2012 that the regime was really expanded. The sanctions include asset freezes, travel bans and prohibitions on financial transactions involving those designated and new investment in Syria by a US person, the importation of Syrian origin petroleum products and direct/indirect exportation, re-exportation, sale of supply to Syria from the US or by a US person⁵⁷.

The US has provided a number of General Licences to allow very specific activities and transactions to take place despite the prohibitions. Amongst the licences are allowances for transactions in relation to property maintenance of any property in Syria owned by a US person. Also covered are transactions related to US persons residing in Syria, the export/re-export of humanitarian aid and other not-for-profit activities in Syria. The use of General Licences in this way has set a precedent that US authorities could use to deliver sanctions relief in Syria on a temporary basis. It also represents a useful way to attempt to influence the behaviours and activities of those in Syria by tying this to sanctions relief. We have seen such an approach used before in relation to Venezuela, where across 2023 and 2024 there was sanctions relief as part of a negotiated deal to hold free and fair elections⁵⁸. This sanctions relief came in the form of a General Licence allowing for significant activities, over a three-month period, and would be rolled over providing evidence of the Venezuelan government holding to their obligations could be verified. The US could potentially look to do something similar in relation to Syria, as a way of providing relief whilst not lifting sanctions in their entirety.

The Canadian sanctions regime is slightly less extensive than those in the UK, EU and US, but does include significant trade-based measures as well as extensive designations. The designations are for the purpose of asset freezes and travel bans and focus on the Assad regime and Islamist groups and supporters in Syria. The

⁵⁵ <https://www.gov.uk/government/publications/syria-sanctions-guidance/syria-sanctions-guidance>

⁵⁶

<https://sanctionsmap.eu/#/main/details/32,34/?search=%7B%22value%22:%22%22,%22searchType%22:%7B%7D%7D>

⁵⁷ <https://ofac.treasury.gov/media/6531/download?inline>

⁵⁸ <https://www.reuters.com/world/americas/us-easing-venezuela-oil-sanctions-response-election-deal-official-2023-10-18/>

trade-based measures focus on military-rated and dual-use goods – including chemical pre-cursors and surveillance and monitoring equipment. Also covered are luxury goods. The Canadian regime contains prohibitions around the provision of technical assistance, and some financial prohibitions such as on new investments in the country⁵⁹. According to reporting, the Canadian government is actively considering what sanctions it may be able to lift and is examining options for delisting HTS⁶⁰.

Australian sanctions largely replicate those of its Western allies, covering a range of financial prohibitions, including new investments, and banning Syrian financial services companies from opening in Australia. The regime includes travel bans and asset freezes for those designated, as well as a prohibition to not provide financial support or services to these designated parties⁶¹. The trade-related measures include: arms or related matériel; certain equipment and technology related to new electricity power plants, or for the oil and gas or petrochemical industries; surveillance and communication equipment; certain luxury goods; and certain materials, chemicals, micro-organisms and toxins, and equipment for processing these items. This last category is directly related to the manufacture and use of chemical weapons by the Assad regime. Finally, also covered are newly printed or unissued Syrian bank notes or coinage. The government of Syria is also prohibited from selling or purchasing gold, precious metals, and diamonds⁶².

As we can see from these, currently Western sanctions on Syria are significant, and when you consider that many private sector companies will apply these sanctions, even if they technically don't have a legal requirement, due to risk appetite, or their own links to jurisdictions applying sanctions, the impact on Syria of the sanctions is considerable. Indeed, if sanctions remain in place the chances of Syria being able to rebuild and re-establish itself on the world stage will be limited. Therefore, the lifting of sanctions is vital, but must be in line with the developments in the country under first the Transitional Government and then the new government following elections. Whilst the lifting of sanctions does not have to be permanent, the reality of wholesale lifting of sanctions is that, even if sanctions are re-instated, they can look very different, be less impactful and undermine private sector confidence in the ability to re-engage with a jurisdiction that was under sanctions. One only has to look at the examples of Myanmar and Iran. In the case of Myanmar, sanctions were lifted for a considerable period following the transition from the military Junta to the largely democratic Aung San Suu Kyi government. Following the lifting of sanctions, some Western firms sought to engage in Myanmar. However, there was some nervousness about this, which was borne out when the military first started persecuting the Rohingya population, and then seized power from the civilian government and new sanctions were put in place. In the case of Iran, following the agreement of the Iran Nuclear Deal (Joint Comprehensive Plan of Action – JCPoA) the Iran sanctions at the UN were lifted. Although an option for returning these sanctions exists through the 'snap-back' mechanism, to all intents and purposes the sanctions have been fully lifted. Despite reassurances from governments, most Western private sector companies refused to re-engage in Iran given the potential risks of new sanctions and wider financial crime risks. The reality is that the lifting

⁵⁹ https://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/syria-syrie.aspx?lang=eng

⁶⁰ <https://toronto.citynews.ca/2024/12/22/canada-sanctions-against-syria-removing-hts-from-terror-list/>

⁶¹ <https://www.dfat.gov.au/sites/default/files/sanctions-snapshot-syria-UNSC-and-autonomous.pdf>

⁶² <https://www.dfat.gov.au/international-relations/security/sanctions/sanctions-regimes/syria-sanctions-regime>

of sanctions works best as part of a staged process and based on specific conditions being met, over a consistent period of time. A regime which saw this type of staged lifting was the UN sanctions regime on Somalia/Al-Shabaab, which in 2023, following the Somalian government meeting their final obligations under the regime, saw it lifted from the Somalian government and re-focussed just on Al-Shabaab.

There are also distinct differences in how sanctions are lifted depending on whether they are autonomous or multilateral. Autonomous sanctions generally follow a simpler path to being lifted, being both removed and/or replaced quickly and flexibly, depending on the state using the sanctions. In the case of multilateral organisations, such as the EU, lifting sanctions tends to be more complex, whilst the re-imposition/replacement of sanctions will require intense negotiations across Member States. For example, in the case of the EU all 27 countries in the bloc will need to agree to lifting the sanctions, but this is likely to be straightforward in the right environment and circumstances. However, if sanctions need to be re-imposed then new legal instruments would need to be drafted and negotiated, and all countries would have to agree for any measures to be adopted, which would likely take time. In the case of Venezuela, for example, agreeing a sanctions regime at the EU took eight months of intense negotiations before it was signed off. This is a fact recognised by the EU in the current context of Syria, as we have already seen France being clear that sanctions relief needs to be staged and in response to specific actions. In addition to this, the EU's High Representative for Common Foreign and Security Policy Kaja Kallas stated on Monday 16 December 2024, that the EU should be ready to provide sanctions relief to Syria if the country's leadership takes "positive steps"⁶³. This raises the question of what "positive steps" should look like, as well as what Syria needs most, and how Western countries can gain comfort to lift sanctions.

What should governments/multilaterals be thinking about?

By far the biggest issue facing Syria at the moment is a desperate need for humanitarian aid, in the form of food, medicines, shelters, and winter clothing/blankets. Previously, when there has been an urgent need for aid in Syria, following the 2023 earthquake several Western countries, including the US and UK, used General Licences to cover aid activity and support for this, whilst the EU focussed on providing aid directly itself, given the lack of General Licencing provisions. This pattern of humanitarian relief can be replicated in the short term by Western governments to provide immediate assistance, but a more considered approach will be needed longer term if sanctions are not lifted in the main. This is especially true with regards to financial prohibitions, for example to support the establishment of correspondent banking relations to allow NGOs to operate in Syria, pay staff, and purchase materials, etc. Likewise with regards to trade-based sanctions and products covered which have a predominantly humanitarian function, to ensure that imports into Syria can take place uninhibited.

Alongside humanitarian aid the other main need in Syria is that of reconstruction, after over a decade of fighting and destruction. Basic infrastructure needs to be rebuilt, from water provisions, to energy, transportation and civilian accommodation. Türkiye has already committed to rebuilding the Syrian railway

⁶³ <https://www.reuters.com/world/middle-east/extremism-russia-iran-have-no-place-syrias-future-says-eus-kallas-2024-12-16/>

system from Damascus to the North-West of the country and linking it to the Turkish rail system⁶⁴. However, there will need to be significant other reconstruction efforts across Syria if the country is to return to a prosperous footing, and it is likely that such efforts may well directly impact the future direction of the country. The longer reconstruction takes, the greater the risks of more extremist groups gaining popularity over likely rising frustrations at the quality of life. It is also important to reflect on the fact that, even where reconstruction efforts are allowed by the potential lifting of relevant sanctions, the private sector is likely to need reassurance to re-engage.

Whilst undoubtedly the need for critical sanctions relief will dictate what happens in Syria going forward, it is also vital, as we have already covered, that this is done in line with HTS and the Transitional Government delivering on the commitments they have been making on inclusivity, free, fair and democratic elections, and playing a positive regional role. Therefore, sanctions relief can be used as part of the process for holding both HTS and the Transitional Government to their word on inclusion, minority rights, and allowing true democracy. In this scenario, sanctions relief should be tied directly to milestones that can be evidenced and reinforced by consistent delivery over a sustained period. When we consider milestones to support sanctions relief there are two critical ones, verification of election results, and verification of the state of Syria's chemical weapons. Both instances should involve verification by independent experts from outside of the Transitional Government and HTS. In the case of elections, utilising election monitors drawn from organisations like the OSCE, who have a well-established history of election monitoring⁶⁵, alongside others such as the Arab League, EU and the UN. When we think about the verification of Syria's chemical weapons programme, including their potential destruction, such as the military strikes by Israel following the fall of the Assad regime⁶⁶, the obvious choices for verification would be teams drawn from the OPCW. Syria's Transitional Government, HTS, and the new government following elections will need to co-operate with such a mission. Where verification can be gained this should allow for greater and quicker sanctions relief. It is important, however, that sanctions relief is not done prematurely and based only on the words of al-Sharaa, HTS and the Transitional Government, but rather on concrete actions.

Recommendations for handling sanctions on Syria

As we have seen, the current situation in Syria represents a unique opportunity, but for the desired outcome sanctions relief is required. There are various options for how this relief can come about.

In our opinion, the lifting of sanctions should be done gradually, in a measured and, where possible, coordinated manner across a number of Western countries. This will help simplify compliance for the private sector, and keep countries in lockstep with each other. The biggest difference will be whether sanctions are lifted permanently or temporarily, and whether licencing can be used to support sanctions relief.

In the EU, where licencing cannot be utilised to allow for prohibited activities to take place for a specific aim or over a temporary period of time, we believe

⁶⁴ <https://www.middleeasteye.net/news/turkey-restore-parts-hejaz-railway-syria>

⁶⁵ <https://www.oscepa.org/en/activities/election-observation/current-missions>

⁶⁶ <https://news.sky.com/story/israel-targets-chemical-weapons-sites-as-former-syria-pm-pledges-peaceful-power-switch-13270667>

sanctions could be temporarily suspended by EU Council Decisions and Regulations for a period of four months. This would enable sanctions relief between now and the scheduled Syrian elections, at which point a new assessment on whether the conditions allow for the wholesale lifting of sanctions can be completed. This would allow the EU to consider whether conditions such as free, fair and inclusive elections have been met, before taking a decision on whether to lift sanctions permanently. Where sanctions are lifted by the EU, they should consider the option for building in a snapback procedure for the sanctions to be put back on Syria, should there be rollback on commitments following the election, such as protection of minority groups.

In other Western countries like the US, Australia and Canada sanctions relief should be given in lockstep with allies and through an evidence-based process of verifying steps taken by the Transitional and then elected Syrian government. These countries could use General Licences to potentially negate the impact of sanctions in the first months of 2025, until after the elections. In this option we would expect General Licences covering humanitarian activity, reconstructions efforts, and around financial prohibitions to ensure private sector support for activity. These licences would allow for the immediate delivery of humanitarian aid and reconstruction efforts of key infrastructure projects such as schools/hospitals/power stations/transport links.

Additionally, Licences could be granted for certain goods and materials where verification of how these will be used can be gained and where there is verification that no negative action could result. For example, if the destruction of the Syrian Airforce can be verified, then granting a General Licence for aviation fuel would make sense, as this would be solely used for civilian purposes and allow for greater air traffic in and out of Syria including, critically, air cargo. Likewise, it would be possible to do the same for items caught by trade-based measures over their potential use in WMDs, should verification of the destructions of Syria's chemical weapons be completed by an organisation like the OPCW. In this way, using licencing would allow for a version of a suspension on sanctions temporarily for the duration of the licences. This would allow Western countries to assess whether al-Sharaa, HTS, the Transitional Government, and later a new Syrian government, are holding to their words on a free, fair and inclusive Syria. Should this prove to not be the case, the General Licences can be cancelled, allowing for sanctions to have immediate effect again. Equally, should Syria become a free, fair and inclusive society with democratic elections and no human rights abuses then countries can lift sanctions entirely. Meanwhile, should there still be some concerns, then sanctions could be rolled back piecemeal as these concerns are alleviated. All the while, activities such as humanitarian relief and reconstruction can be covered by renewed licences.

Whilst a process of lifting sanctions is followed, it will be essential for countries across the globe to consider new designations targeting Bashar al-Assad, his family and those who supported him. These designations should be under Global Human Rights sanctions regimes and Global Anti-Corruption regimes. Creating these new designations will allow for Syria-based sanctions to eventually be lifted in their entirety, whilst maintaining mechanisms for holding human rights abusers to account, and assisting in preventing the misappropriation of Syrian State funds by Assad and those who were loyal to him. This is especially important as there are already reports that during 2018-2019 a total of 21 planes were loaded with nearly \$400 million of Syrian assets and sent to Russia, due to the Russian support given

to the Assad regime⁶⁷. It is, however, likely that these planes may well have also included money that Assad put aside for his and his family's own use.

UK Recommendations

The UK government has already made it clear that it is seeking to support Syria and engage with the Transitional Government. The fact that the UK has significant sanctions in place on Syria is a potential barrier for humanitarian assistance and the reconstruction effort. However, there are risks around giving sanctions relief prematurely, or without evidence that things in Syria are changing and the commitments being given by al-Sharaa, HTS, and the Transitional Government will be upheld. Given that the UK enacts the sanctions on Syria through autonomous legislation, it will be able to create a strategy for lifting sanctions and enact this as it decides to. Only the terrorism-based designations coming through the UN will require the UK to seek action at a multilateral level.

A strategy for lifting sanctions should prioritise allowing the provision of humanitarian assistance, and then reconstruction efforts. Following this, sanctions relief should focus on lifting financial prohibitions as this will support these wider efforts. Other priorities should be based on verification of commitments given by the Transitional and subsequently new Syrian governments.

In our assessment, to provide immediate sanctions relief to allow for humanitarian activities and reconstruction efforts, the UK government should look to issue a General Licence covering this. There should also be a General Licence around financial service support for this type of activity, as this will give confidence to financial institutions connected to humanitarian relief and reconstruction efforts in Syria. Creating General Licences like this will allow for immediate relief, but will also allow the UK to keep sanctions in place until the Transitional and then subsequently new Syrian government demonstrate progress as a democratic and inclusive Syria.

It is vital that the UK government sets out a clear strategy on Syrian sanctions relief and milestones to be met by the Syrian Transitional Government, in the first instance, and then the elected Syrian government. Sanctions relief can be used as a means to assist in delivering a future democratic and inclusive Syria. These milestones should be directly tied to permanent sanctions relief. By ensuring these milestones, and the process for achieving them, is known by the Syrian government, and potentially the wider public/private sector, it will create clarity for achieving them. Milestones should include:

- ✚ free and fair elections, that are independently verified;
- ✚ inclusion of minority groups and women in all processes and all walks of life;
- ✚ commitments on the role and rights of women in Syria;
- ✚ commitments on the education of women and girls;
- ✚ commitments on the treatment of ethnic and religious minorities in Syria

These are just some of the milestones that could be included in a pathway to the permanent lifting of sanctions. In each case, specific achievements should be required in order to lift specific aspects of the sanctions on Syria. Other possible

⁶⁷ <https://www.afr.com/world/middle-east/how-assad-secretly-sent-21-planeloads-of-syria-s-cash-to-moscow-20241217-p5kywr>

milestones include commitments and verifications around Syria's chemical weapons, and potentially the Syrian Air Force.

The UK should seek to support verification efforts relating to the state of Syria's chemical weapons programme, and stockpiles. Where verification can be completed and shows no active programme or stockpiles, and where the Syrian Transitional Government commits to the Chemical Weapons Conventions, and other WMD conventions, consider General Licences for goods and materials prohibited from export to Syria under WMD related measures. These should only be fully lifted once the newly elected Syrian government also re-affirms commitments to the WMD Conventions and not developing such programmes. This verification could be done by organisations such as the OPCW.

If the UK can verify the state of Syria's air force and its destruction, then it could consider issuing a General Licence for aviation fuel to be exported to Syria. This would allow for greater flexibility in civil aviation into and out of Syria, aiding humanitarian and reconstruction efforts.

The UK should support work to monitor and verify the elections in Syria by independent experts. Such monitoring should seek to ensure that elections are free and fair, with minimal violence and that women and minorities are able to participate. The UK could potentially propose that an election monitoring mission from the Organisation for Security and Cooperation in Europe (OSCE) be deployed. Other options that could be proposed for election monitoring include regional organisations, like the Gulf Cooperation Council and Arab League, and/or working with like-minded countries to deploy diplomats to observe the elections. The UK should also seek assurances about the freedom of the press to cover the elections. Should the elections be democratic, free and fair then there should be further sanctions relief. This could be in the form of widening trade and financial sanctions relief, for example allowing financial institutions to open in Syria, and vice versa.

In addition to sanctions relief, the UK government must also take measures to hold to account President Bashar al-Assad and those who supported him in power and participated in human rights abuses. The UK should commit to new designations under both the Global Anti-Corruption Sanctions Regime and Global Human Rights Sanctions Regime. These designations should cover former President Bashar al-Assad and those who are either closely connected, such as his wife and other family members, or those who directly served him and played a role in the suppression of the Syrian people. These new designations would outlive the Syria sanctions regime and ensure that these individuals continue to face consequences for human rights abuses and limit their ability to misuse funds belonging to the Syrian people. As part of this work, the UK should consider stripping Asma al-Assad of her British citizenship. This would allow for a travel ban to be added to her designation already covering asset freezes. It would prevent her ability to return to the UK and stop the potential issue of her accessing funds in the UK for her and her family. This is an important step as currently, whilst she does not have a valid passport, she would be entitled to one should she apply, especially as she and her children have the right of abode in the UK. Denying her a passport to re-enter the UK would be more problematic for the UK government than if her citizenship is revoked. As a dual-citizen British national it would be perfectly legal for her British citizenship to be revoked as she would not be made stateless. It is important to note that, should

the UK government continue to deny a passport, they could face an uphill battle in the courts, especially if her return to the UK is tied to receiving cancer treatment⁶⁸.

It is vital that the Private Sector/NGOs and other organisations seeking to work in Syria and/or support work in Syria are given clear guidance by the UK government on what sanctions relief will look like and how to ensure compliance with sanctions restrictions. As such, the UK government should be as clear and transparent as possible about the form of sanctions relief in Syria and what remains prohibited, versus what is covered by potential licences. It is also important that there is clarity on any reporting requirements and any timeframes that apply. Giving confidence to non-government sectors, especially the financial sector, will be crucial to ensure that humanitarian work and reconstruction efforts are supported. It is also important that the UK government is clear about what issues may see sanctions being re-imposed or licences being revoked.

Proscription of HTS

Media in the West, especially in the UK and US, are currently mistaking an ability to lift the proscription of HTS as a terrorist organisation⁶⁹. At the moment, HTS remains proscribed under the UN and, as such, there is limited ability for autonomous action on this. A first step would be engaging with the UN to have the proscription lifted. There are risks with this approach as, once lifted, it is unlikely that it would be possible to re-designate should the activities of either HTS or al-Sharaa warrant it, due to the stagnation of the international rules-based system and the impasses within the UN Security Council. If the designations are not lifted, whilst this would cause complications, Syria is not the only country where an organisation in charge is currently a designated terrorist organisation, both Afghanistan and Yemen are examples of this. It will make operating in Syria complicated and will continue to provide headaches for compliance staff in NGOs and banks as they look to support humanitarian aid. However, as a recent piece by Conor Lennon for the UN website explains, the recent change to the HTS proscription has allowed for a carve out to the asset freeze measures against HTS specifically for humanitarian organisations⁷⁰.

As explored earlier in this paper, HTS was listed as a proscribed terrorist group by the UN in 2014. Their listing is included under UNSCRs 1267 (1999) 1989 (2011) and 2253 (2015). The listing states:

“UN Identifying Number: QDe.137

Name: AL-NUSRAH FRONT FOR THE PEOPLE OF THE LEVANT

Name (original script): جبهة النصرة لأهل الشام

A.k.a.: a) Hay’at Tahrir al-Sham (HTS) هيئة تحرير الشام (original script); Hay’at Tahrir al-Sham; Hay’et Tahrir al-Sham; Hayat Tahrir al-Sham; Assembly for the Liberation of Syria; Assembly for the Liberation of the Levant; Liberation of al-Sham Commission; Liberation of the Levant Organisation

⁶⁸ <https://www.dailymail.co.uk/news/article-14233573/Assads-critically-ill-wife-barred-returning-Britain-cancer-treatment-passport-expired.html>

⁶⁹ <https://www.independent.co.uk/news/uk/syria-home-secretary-president-uk-government-islamist-b2661259.html>

⁷⁰ <https://news.un.org/en/story/2024/12/1158126>

Tahrir al-Sham; Tahrir al-Sham Hay'at) b) جبهة النصرَة (the Victory Front; Jabhat al-Nusra; Jabhet al-Nusra; Al-Nusra Front; Al-Nusra Front) c) جبهة فتح الشام (Jabhat Fath al Sham; Jabhat Fath al-Sham; Jabhat Fatah al-Sham; Jabhat Fateh Al-Sham; Fatah al-Sham Front; Fateh al-Sham Front) d) Conquest of the Levant Front e) The Front for the Liberation of al Sham f) Front for the Conquest of Syria/the Levant g) Front for the Liberation of the Levant h) Front for the Conquest of Syria i) شبكة أنصار المجاهدين (Ansar al-Mujahideen Network - sub-unit name) j) مجاهدو الشام في ساحات الجهاد (Levantine Mujahideen on the Battlefields of Jihad - sub-unit name) F.k.a.: na Address: a) Syrian Arab Republic (Operates in) b) Iraq (Support network) Listed on: 14 May 2014 (amended on 7 Jun. 2017, 5 Jun. 2018, 15 Nov. 2021) Other information: Associated with Al-Qaida (QDe.004). Brought Syrian and foreign Al-Qaida in Iraq (QDe.115) and Asbat al-Ansar (QDe.007) fighters, along with other foreign Al-Qaida operatives, to join local elements in Syrian Arab Republic to carry out terrorist and guerrilla operations there. Previously associated with the Islamic State in Iraq and the Levant (ISIL), listed as Al-Qaida in Iraq (QDe.115), and its leader Ibrahim Awwad Ibrahim Ali al-Badri al-Samarrai (QDi.299) but separated from that group in 2013. In Jul. 2016, Abu Mohammed Al-Jawlani (QDi.317), the leader of Al-Nusra Front for the People of the Levant, announced the group had changed its name to Jabhat Fath al-Sham and was no longer affiliated with any external entity. Despite the announcement and attempts to distinguish itself from Al-Nusra Front for the People of the Levant, the group remains aligned with Al-Qaida and continues to carry out terrorist operations under this new name. In January 2017, Al-Nusra Front created Hay'at Tahrir al-Sham (HTS) as a vehicle to advance its position in the Syrian insurgency and further its own goals as Al-Qaida's affiliate in Syria. Previously listed between 30 May 2013 and 13 May 2014 as an aka of Al-Qaida in Iraq (QDe.115).

Review pursuant to Security Council resolution 2368 (2017) was concluded on 15 November 2021. INTERPOL-UN Security Council Special Notice web link:<https://www.interpol.int/en/How-we-work/Notices/View-UN-Notices-Individuals>

Date on which the narrative summary became available on the Committee's website: 14 May 2014 - 12:00pm

Date(s) on which the narrative summary was updated: 03 February 2016 - 12:00pm; 05 June 2018 - 12:00pm; 14 March 2022 - 12:00pm; 22 July 2024 - 12:00pm.”⁷¹

HTS leader al-Sharaa was listed under the same UNSCR in 2013 due to his involvement with Al-Qaeda. He is listed primarily under his Islamist nom de guerre of Abu Mohammad al-Jolani, with the name he is currently going by being given as a known alias. His designation at the UN states:

“UN Identifying number: QDi.317

Name: ABU MOHAMMED AL-JAWLANI

Name (original script): أبو محمد الجولاني

A.k.a.: a) Ahmed Hussein al-Shara (أحمد الشرع - original script)

Reason for listing

Abu Mohammed al-Jawlani was listed on 24 July 2013 pursuant to paragraphs 2 and 3 of resolution 2083 (2012) as being associated with Al-Qaida and other individuals, groups, undertakings or entities associated with Al-Qaida for “participating in the financing, planning, facilitating, preparing, or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of”, “supplying, selling or transferring arms and related materiel to”, and “Recruiting for”

⁷¹ https://main.un.org/securitycouncil/en/sanctions/1267/qa_sanctions_list/summaries/entity/al-nusra-front-for-the-people-of-the-levant

Al-Qaida (QDe.004), Al-Qaida in Iraq (QDe.115), Aiman Muhammed Rabi al-Zawahiri (QDi.006), and Ibrahim Awwad Ibrahim Ali Al-Badri Al-Samarrai (QDi.299).

Date on which the narrative summary became available on the Committee's website 24 July 2013 - 12:00pm

*Date(s) on which the narrative summary was updated 03 June 2014 - 12:00pm; 03 February 2016 – 12:00pm; 14 November 2023 - 12:00pm.*⁷²

As we can see, both al-Sharaa and HTS remain designated by the UN as of 2 January 2025. As a result, both are on countries' sanctions lists and may be captured separately on lists of proscribed terrorist groups.

Should the designation of al-Sharaa and HTS be lifted at the UN, then it would be for individual countries and other multilaterals to take a decision regarding how to respond. The options for countries would then be to lift entirely and re-designate under autonomous measures, or not re-designate immediately. Once the UN has de-listed, there would be a degree of flexibility for countries and multilaterals like the EU seeking to use sanctions in an agile manner in response to developments where, for example, there is evidence to support either de-listing or re-listing such measures.

We would advocate that, given the recent carve out relating to frozen assets, that countries seek to maintain the UN listings for now, and allow time for HTS, the Transitional Government and al-Sharaa to show that their actions match their words. The designation can be lifted in 2025 following peaceful, inclusive and democratic elections. At such time, individual countries would still have the ability to adopt autonomous measures, but this can be done as evidence emerges that supports a new designation and proscription as a terrorist organisation.

Compliance Perspective

From a compliance perspective, the developments in Syria will have significant effects on how compliance work is completed, whether the global private sector look to re-engage with post-Assad Syria, and how this is done. Depending on what happens in Syria with elections, and ultimately what type of Syria emerges from the ashes of the Assad regime, will dictate how compliance work is done and how complex this may be.

Across 2025, as outlined above, we expect there will be sanctions relief for Syria. This will create opportunities for business and engagement in the state, but not without risks. However, we also expect the sanctions to be lifted in stages, meaning there may be differences between different countries with sanctions in place. Engagement must be undertaken in a risk-based approach in line with the changing landscape and an organisation's risk appetite. Such an approach will help to minimise the risk of breaches for any remaining sanctions. This is particularly important where sanctions are lifted piecemeal or over a period of time, creating a complex operational environment. It is also vital to consider how getting re-engagement/engagement wrong may impact an organisation's reputation.

⁷² https://main.un.org/securitycouncil/en/sanctions/1267/qa_sanctions_list/summaries/individual/abu-mohammed-al-jawlani

A critical element for compliance professionals and organisations when considering Syria and the state of sanctions across 2025 will be horizon scanning, to understand as best as possible the developing situation. Horizon scanning is a critical skill for sanctions compliance professionals, but at a time of potential significant flux this skill will be more in demand than ever. Horizon scanning should involve examining news from a variety of sources, including government statements by both those in the region and those applying sanctions. Reports, analysis, and articles should also be examined to support efforts to understand the likely developments in Syria, and what the implications of these will be for the organisations they work for.

The first step for organisations to consider in order to manage the likely changing sanctions picture is to review their enterprise-wide risk assessments (EWRA). This review should be completed early, to establish any and all exposure to Syria. Organisations should review their risk appetite in relation to Syria and consider what this will look like if sanctions are lifted. The analysis should include an assessment of tools, training, and frameworks to ensure they are fit for purpose. As part of this, sanctions policies and procedures should be updated as necessary.

Organisations should proactively examine any and all frozen assets they hold to establish if they hold any related to Syria. They should give consideration as to what the likely options are for if sanctions on Syria are lifted. In particular, it will be important for compliance staff to ensure they understand when designations are lifted, and which these are. Where a designation being lifted means that an asset freeze no longer applies, organisations must lift any blocks/inhibits in place to allow those clients to access their assets.

The lifting of a designation should be a prompt to conduct fresh Customer-Due-Diligence (CDD) and Know-Your-Customer (KYC) information-gathering, and update customer records. In the first instance organisations should seek to contact the customer, and then complete wider open-source intelligence searching. This will also provide an opportunity to assess whether they wish to continue a relationship with these customers or whether to exit the relationship. Where this decision is taken, it should be clear that this is being done because of risk appetite and ensure that actions do not become discriminatory in nature.

Organisations should look to ensure that their sanctions compliance training is up to date, that staff have access to relevant training and consider getting specific briefings in relation to Syria, should the organisation have exposure or wish to re-engage should sanctions be lifted. Training should take the form of general refresher training on sanctions for all staff, more specific training for those working more directly on the region/Syria, and for those in sanctions compliance teams/legal teams, specific training on Syria should be sought.

Screening solutions will also likely need to be amended and updated regularly across 2025 as and when sanctions on Syria, and those connected to Syria, are lifted. Screening solutions will need to accurately reflect any and all for whom sanctions are lifted. Equally important will be ensuring any new sanctions are reflected appropriately in screening solutions as they are announced. Areas of particular complication will need specific oversight, for example where those already designated are added to other sanctions regimes, such as global human rights regimes, as the lifting of Syrian sanctions will not result in the lifting of restrictions on someone designated under multiple regimes. Additionally, there may be complications where the UN lifts terrorism designations, such as those on al-Sharaa and HTS, but where countries autonomously decide to keep these

designations, screening solutions will need to be updated carefully and accurately. It may well be advisable for those with Syria-related frozen assets to conduct manual screening on names being added or lifted from sanctions over the course of 2025 to minimise the risk of breaches.

Overall, it will be vital for the private sector, NGOs and other organisations to ensure that their sanctions compliance programmes are fit for purpose, meet the risks associated with activity they undertake and that they can be responsive to significant changes on the Syria sanctions landscape expected in 2025⁷³.

Conclusion

The current situation in Syria represents a once in a generation opportunity to deliver real change for the Syrian people. The paths chosen by the Syrian people and those currently ruling them, in al-Sharaa, HTS and the Transitional Government, will dictate Syria's future for the next decade. If the international community fails to support the growth of a free and democratic Syria, one re-integrated with the global financial economy, then we risk another failed state in the Middle East. A failed Syria will likely once again become dominated by Islamist extremists and become a breeding ground for regional instability. Most importantly, the people of Syria will be lost once again.

Even if the country does not become a failed state, as we have seen it faces many risks, and this could threaten the type of state Syria becomes and its role in the world. An inclusive Syria, with free and fair elections, that is inclusive of women and minority groups, represents the best scenario. Such a scenario will need to be supported by the global community, with a focus on rebuilding efforts, humanitarian assistance, and re-investment from the private sector. This can only be achieved through sanctions relief. Other scenarios, which see significant improvements in Syria, but still come with concerns over human rights, inclusivity, and regional activity, will still see a need for global support. In this circumstance, the form of this support and how it is delivered will be critical. The private sector will need reassurance that if it is to re-engage in Syria, the risks surrounding this are minimised.

There will need to be a clear strategy for how, when and if sanctions are to be relieved. This will need to be communicated clearly and succinctly to minimise the risks of regulatory and compliance breaches. The importance of governments considering the private sector when thinking about sanctions relief cannot be underplayed. It is also vital for the effectiveness of sanctions as a whole, and in relation to Syria, that sanctions relief for Syria should be directly tied to measurable targets and actions, such as holding free and fair elections.

Non-government organisations and the private sector must stand ready to re-engage and provide vital assistance and support. In order to do this, they must look at their compliance commitments, ensure they stay abreast of developments,

⁷³ Sanctions SOS can provide all sanctions compliance needs, from training and briefings, to risk assessments, framework creation and auditing, and consultation on particular issues. Should you be interested please contact us on: enquiries@sanctionssos.com

understand all of the potential implications and ensure that their sanctions compliance frameworks are fit for purpose.

At the first United Nations Security Council meeting about Syria since the fall of Assad the UN special envoy for Syria called on countries worldwide to lift economic sanctions on the state. Whilst the political shift has sparked hope for peace, the road ahead for Syria will likely be a delicate and fragile one. The future of sanctions on the state will depend on which path it takes.

ANNEX 1: Summary of Recommendations

UN

- ✚ Designations on HTS and al-Sharaa to remain in place until after free and fair elections in Syria. This would need to be verified by independent monitors and the elections would need to allow for full participation of women and minority groups. Failing such an outcome, designation to remain in place until the UN Monitoring Team's 2025 report to the Sanctions Committee.

OPCW

- ✚ OPCW should be engaged to send Inspection teams to Syria to work with the Transitional Government to verify the state of Syria's chemical weapons programme.

OSCE

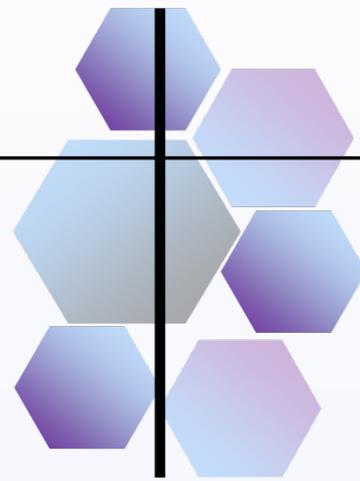
- ✚ Alongside other international organisations, such as the Arab League and UN, provide election monitors for the forthcoming Syrian elections. These monitors should be able to report on the nature of the elections, specifically whether they are free and fair and if they are inclusive of all minority groups, and women.

UK

- ✚ Issue immediate General Licences covering humanitarian relief and re-construction efforts. These General Licences should also include licences focussing on financial assistance to ensure NGOs and organisations can operate in Syria. This would serve to assure financial institutions in the UK that customers involved in such work in Syria would not result in breaches and potential fines, providing they meet the requirements set out in the licences.
- ✚ Set out clear and milestones for the Syrian Transitional Government, in the first instance, and then the elected Syrian Government to meet before permanent sanctions relief is given. Milestones should include free and fair elections, that are independently verified; inclusion of minority groups and women in all processes and all walks of life; commitments on the role of women in Syria, and their rights; commitments on the education of women and girls; commitments on the treatment of ethnic and religious minorities; amongst others. These milestones should be publicly stated and be clear in what needs to happen and what the result will be.
- ✚ Seek to support verification efforts relating to the state of Syria's chemical weapons programme, and stockpiles. Where verification can be completed and shows no active programme or stockpiles, and where the Syrian Transitional Government commits to the Chemical Weapons Conventions, and other WMD conventions, consider General Licences for goods and materials prohibited from export to Syria under WMD related measures. These should only be fully lifted once the newly elected Syrian government also re-affirms commitments to the WMD conventions and not developing such programmes.
- ✚ Look to verify the state of Syria's Air Force, with a view to issuing a General Licence for aviation fuel into Syria should there no longer be a Syrian Air

Force. This would allow for greater flexibility in civil aviation into and out of Syria.

- ✚ Actively monitor developments in Syria in relation to the treatment of minority groups and women. Ensure that messaging and actions relating to the inclusive nature of the future of Syria, including on girls' education and the role of women are monitored. Consider directly tying some sanctions relief to this.
- ✚ Support work to monitor and verify the elections in Syria. This should be done by independent election monitors to ensure that elections are free and fair, with minimal violence and that women and minorities are able to participate. Potentially propose an OSCE election monitoring mission.
- ✚ Where elections are democratic, free and fair further sanctions relief should be granted. This could be in the form of widening trade and financial sanctions relief, for example allowing financial institutions to open in Syria, and vice versa.
- ✚ Add designations to both the Global Anti-Corruption Sanctions Regime and Global Human Rights Regime covering former President Bashar al-Assad and those who are either closely connected, such as his wife and other family members, or those who directly served him and played a role in the suppression of the Syrian people. Such new designations would outlive the Syria sanctions regime and ensure that these individuals continue to face consequences for human rights abuses and limit their ability to misuse funds belonging to the Syrian people.
- ✚ Consider stripping British citizenship from Asma al-Assad. This would allow for a travel ban to be added to her designation covering asset freezes. It would prevent her ability to return to the UK and stop the potential issue of her accessing funds in the UK for her and her family.
- ✚ Provide clear guidance to the private sector/NGOs and other organisations regarding engagement within Syria, what is permissible, what sanctions relief will look like and how will it be delivered.



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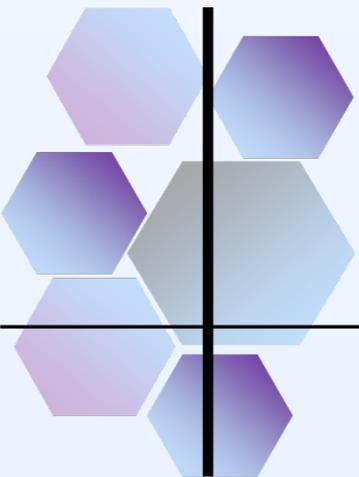
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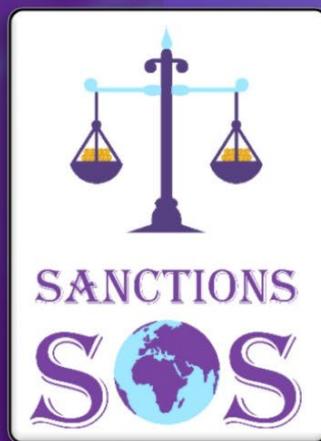
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