

# US NEGOTIATING POSITION IN LAVROV- KERRY DEAL DEPENDS ON EXPANSIVE COMMANDER-IN-CHIEF CLAIMS

Four weeks ago, our goal in Syria was regime change – to back the purportedly vetted rebels we’ve been training covertly in hopes they could defeat not only Bashar al-Assad, but also the more extreme (and better trained and more determined) Al Qaeda-tied fighters seeking to overthrow him.

Now, we are partners with Russia in ridding Syria of its chemical weapons. Congratulations to Putin on pulling this off (and to Obama for responding to a lifeline to at least get some positive benefit out of this, assuming Assad complies). May this save the lives of innocent Syrians.

While the framework that Sergei Lavrov and John Kerry just agreed to does allow the US to demand a UN resolution backing use of force in case Assad does balk,

The United States and the Russian Federation concur that this UN Security Council resolution should provide for review on a regular basis the implementation in Syria of the decision of the Executive Council of the OPCW, and in the event of non-compliance, including unauthorized transfer, or any use of chemical weapons by anyone in Syria, the UN Security Council should impose measures under Chapter VII of the UN Charter.

The proposed joint US-Russian OPCW draft decision supports the application of

Article VIII of the Chemical Weapons Convention, which provides for the referral of any cases of non-compliance to the United Nations General Assembly and the United Nations Security Council.

According to the AP the US does expect Russia would still veto such a resolution, and has instead made it clear it would act using Commander-in-Chief authority to protect “US interests.”

The resolution would come under Chapter 7 of the United Nations charter, which allows for military action, but U.S. officials acknowledge Russia would veto such a step and do not contemplate seeking authorization for the use of force. U.S. officials stress that President Barack Obama retains his right as U.S. commander-in-chief to conduct military strikes to defend American national security interests in the absence of U.N. authorization.

In other words, the US at least anticipates going to war unilaterally in any case. (For a laugh, read this John Bellinger piece which claims this makes this agreement **just like Iraq** because we went into Iraq because Saddam was insufficiently cooperative with inspectors looking for the WMD he didn't have.)

Unlike Saddam, Assad has at least the hypothetical ability to comply with this agreement (though I expect Jim will have a lot to say in coming days about the practicality of the plan to move and destroy the weapons).

But as Marc Lynch made clear in a piece written before this agreement, we continue to be captive to the Gulf sheikhs' demands.

U.S. President Barack Obama's missile strikes against Syria may be off the table for now as diplomatic attention shifts to talks with Russia and the U.N.

Security Council. But while negotiators from Moscow and Washington meet in Geneva, the **increasing tempo** of Washington's public commitment to a strategy of arming **parts of the Syrian opposition** continues, with the aim of forcing President Bashar al-Assad to the bargaining table. Such efforts come with a hidden price tag, though: They are not only unlikely to rapidly end the war, but they carry enormous opportunity costs.

When Washington talks about supporting the "moderate opposition," what it means is leaning on the Persian Gulf regimes to arm and finance its preferred proxy armies (and not the jihadists who have also benefited from Gulf funding). But the current strategy of **arming the "good guys"** to marginalize the "bad guys" likely means extending the long, grinding civil war with an ever-escalating civilian toll. We should not be fooled by overly rosy assessments of the size, ideology, coherence, or prowess of the Syrian good guys. The Syrian insurgency on the ground is localized, fragmented, and divorced from the external political leadership. Extremists typically thrive in the chaos of civil war, not moderates. And proxies, such as the **ever-ungrateful** Gen. Salim Idris, will never be satisfied with the aid they receive – nor be reliable allies down the road if a better offer comes along.

[snip]

The proxy-war strategy means that managing Syria's civil war will consume America's diplomatic and strategic agenda for the foreseeable future to the exclusion of many other important goals. That means giving up on pushing for important regional policy initiatives

that Riyadh or Abu Dhabi oppose, such as promoting democracy and human rights in the region or finding a diplomatic resolution with Iran.

And those Gulf-backed fighters – at least the ones with the guns – have already made it clear they have no intention of standing down or even allowing CW inspectors to do their work.

In Istanbul, the head of the opposition Syrian Supreme Military Council, General Selim Idris, said the rebels regarded the deal as a blow to their struggle to oust Assad. But they would cooperate to facilitate the work of any international inspectors on the ground, he told Reuters.

But another military council official, Qassim Saadeddine, said the opposite.

“Let the Kerry-Lavrov plan go to hell. We reject it and we will not protect the inspectors or let them enter Syria.”

If Assad successfully eliminates his CW, the rebels know, they’ll lose their leverage to force the US into the fight, which may make it impossible to overthrow Assad. But, because we exercise little leverage over them, we may not be able to prevent them from scuttling the disarmament process and therefore force the US back to the position of enforcing a policy it says it backs.

Which leaves Obama where he was: with his claim that he can go to war against a country where we’ve got only secondary national interest based on Commander-in-Chief authority. Perhaps a failed CW disarmament – even one thwarted by the rebels rather than Assad – will provide Congress with reason to approve a war in Syria, but I doubt it, especially not if it is clear the rebels were responsible (which I assume the Russians have every intention of ensuring).

I really don't know what will happen. Either we will be forced – after having taught, via Saddam and Qaddafi that disarming is a good way to be killed – to let Assad retain hold of power. Or we're going to be back where we were last week, where we threaten dubious authority to use force in a pyrrhic hope yet more regime change will actually solve the underlying issues we won't actually address.

In any case, I'm pretty sure I know what the Russians – who, after all, won this round – intend: that's to protect Assad's hold on power, via whatever means. And frankly, that's what we are – explicitly, at least – seeking as well, even while we continue to arm rebels trying to overthrow him.