The Priority Dilemma of Western Sanctions on Syria's Agricultural Reconstruction

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Abstract

The current relationship between Syria and the West cripples any real prospect for reconstruction. Western sanctions on reconstruction as a political tool seeking regime transition or concessions are aimed at accountability, influencing the direction of the war, and protecting civilians. In reality however they have wide-ranging negative impacts on the civilian population both within Syria and in exile--while having little hope of success. For agriculture the repercussions of Western sanctions on reconstruction are particularly severe, affecting refugee returns, livelihood recovery, food security and stabilization. This article examines the priority dilemma of Western sanctions on agricultural reconstruction, and argues that they are counterproductive, particularly given that the war is now larger and more problematic than what a reformed government's relationship with civil society could resolve.

Keywords: post-war recovery, Middle East, sanctions, stabilization, refugee return.

Introduction

With the war in Syria seeming to wind down—albeit not along the lines envisioned by the West—the difficult relationship between the government and Western donor countries precludes any conventional approach to stabilization and reconstruction. Prevailing approaches to postwar recovery commonly involve international support toward building the credibility of a recovering government along with engaging in Western financed and supervised reconstruction processes applying international conventions regarding return of displaced populations, livelihood recovery, rebuilding, reconciliation, human rights and rule of law (e.g., Paris and Sisk 2009; Das and van Houtte 2008; IBPCA 2006). But with Syria not conforming to the necessary conditions for conventional reconstruction approaches, Western governments are employing the conventional approach to recalcitrance—the application of sanctions (e.g. Decina 2019; Omar 2019; Cafarella 2020). And while a sanctions priority intends to weaken a recalcitrant state toward acquiescence, Syria has not complied with this logic. The country is not a standard case of postwar recovery, and as a result is useful for rethinking the usual assumptions about both sanctions and reconstruction; and more broadly about the West's reconstruction narrative in cases where the international community has limited reach.

With over 6.7 million refugees residing in the surrounding states and Europe (WV 2019), and an additional 6.2 million internally displaced persons (IDPs) (UNHCR 2020), there is increasing pressure in host countries and communities to expedite returns. While some countries are already pursuing heavy-handed approaches to this, others make life nearly unbearable for refugees so as

to encourage returns, and still others are experiencing significant internal political repercussions (e.g., ICG 2020; El-Gamal 2019; Zisser 2019). And while most refugees/IDPs desire to return home (e.g. El-Gamal 2019; WV 2019), a primary constraint is the lack of reconstruction in home areas. Dislocated populations will not contemplate returning to areas of origin in significant numbers without reconstruction and attendant recovery of livelihoods (El-Gamal 2019). As long as significant parts of the country continue to be uninhabitable, the dislocation crises in neighbouring countries, Europe and across Syria will likely exacerbate (Calamur 2019). In rural Syria, where half the population was employed in farming prior to the war (VOA 2018; Marsi 2019), much of the agricultural sector was purposefully targeted as armed groups cut down tree crops, burned field crops, killed livestock and destroyed a wide array of irrigation, breeding, seed production, storage, extension and fertilizer infrastructure. Both sides used food as a weapon, with starvation sieges and scorched earth techniques; and many of battle lines took place in and around farmlands, producing significant casualties, forced displacement and destruction (Alloush 2018). Meanwhile, '[a]griculture is a significant component of Syria's economy, culture and livelihoods, and without durable efforts to build back this industry in a sustainable way, Syrians may soon face a crisis of serious food insecurity and great unemployment, both triggers that will inevitably reignite the conflict' (Alloush 2018). UN Food and Agriculture Organization (FAO) Director Daniel Gustafson argues that reconstruction in Syria once peace prevails should center on agriculture to jump-start the broader economy and rapidly improve the livelihoods of the population (VOA 2018).

But the prospects for reconstruction of the agricultural sector are quite dim. Instead, agricultural and other forms of reconstruction have become the latest political battleground in an internationalized conflict over the terms of the political future of a post-war Syria (e.g., Cafarella 2020; Heydemann 2017b; El-Gamal 2019). The political use of Syria's reconstruction started as early as 2012, and by 2016 as the battle for Aleppo ended, it had accelerated rapidly, reaching full culmination with the passing of the Strengthening America's Security in the Middle East Act on February 5, 2019; the Caesar Act of June 17, 2020; and Russia’s 2019 attempt to use Syrian refugees in Europe as leverage by offering to facilitate returns in exchange for Western financial support for reconstruction (Vohra 2019). The prospect for reconstruction has thus became contested terrain for the economic and political empowerment of some factions and their alliances, and the disempowerment of others (e.g. Imady 2019; El-Gamal 2019).

At present the West finds itself in a bind with regard to reconstruction and associated refugee/IDP returns. As the war progressed, Western donor countries were intending to wait for the government to fall before providing reconstruction funds. With this scenario not having played out, the West currently has imposed a wide array of red lines and sanctions on Syria that prohibit reconstruction efforts at a scale that would entice refugees and IDPs to consider returning—with the thinking being that such prohibitions can be used as leverage to encourage a political transition in

the country (Omar 2019; Heydemann 2017b; Decina 2019).[1] In spite of the faint prospects for such a transition, there is nevertheless a strong sense among Western governments of not backing down and to maintain sanctions and red lines (Said and Yazigi 2018; Imady 2019; OFAC 2013).

But while the West's red lines and sanctions are designed to be a political tool, the greater repercussions are on local livelihood recovery and refugee/IDP returns. The situation this poses for agricultural recovery in the country is critical and the stakes are high. Refugee and IDP returns, food security crises, stability in civil society, thwarting the geographic ambitions of extremist groups, and economic recovery for millions, pivot on the recovery of agriculture (Said and Yazigi 2018; Itani 2019; Fathallah 2020). While the West's view focuses on the regime and its actions, the view from inside the country in a context of agricultural reconstruction is significantly different. This article describes the repercussions of the West's red lines and sanctions on agricultural reconstruction in the country from the latter perspective.

Primary data collection was undertaken in 2019 and included key informant and group interviews totalling 573 people. These included UN personnel in Syria attached to UNDP, UNHCR, WFP, OCHA and FAO (including FAO field officers from: Tartous, Hama, Aleppo, Dayr-Az-Zor, Hassakeh, and Homs); as well as officials in Syria representing Western donors, Syrian NGOs, and INGOs. Field visits in Syria were conducted in Homs and Damascus Governorates to a variety of farming areas; water reservoirs and government water rehabilitation projects; veterinary support locations; damaged irrigation canal works held publicly, privately and by communities; and grazing areas. In addition, Syrian farmers, herders and IDPs were interviewed, including female head of households. Secondary information was drawn from interviews with 142 Syrian refugees (separate from the 573 noted above) in Lebanon, Jordan and Turkey in 2014 and 2015. These included people of different socio-economic backgrounds and different relationships to their farms, lands and properties. Information was also collected from a separate household survey conducted by an independent third party in Syria in 2019. This sample of 762 households from the Governorates of Damascus, Homs, Hama, Tartous and Aleppo focused on beneficiaries of UN agricultural projects. Because this survey was subject to certain government restrictions, less use was made of this data. Within the Syrian government those interviewed included personnel with the Ministries of Water Resources and Agriculture and Agrarian Reform, including the Directorates of Agriculture for Homs, Hama, Tartous, Aleppo, Dayr-Az-Zor, and Hassakeh; and members of parliament. Syrian civil society agricultural associations canvassed included those with the Federation of Chambers of Agriculture, the General Organization of Land Reclamation, and local water user associations for irrigation in Homs, among others. In addition, a review of the relevant academic, donor, UN, grey literature and Syrian laws was conducted.

[1] While the the difference in the Syrian context between red lines (prohibitions on providing support to reconstruction) and sanctions (not providing support in addition to penalties on other countries and business interests for providing support, in order to cripple the economy) is important, both have a similar overall effect of deterring reconstruction. Thus the terms are frequently used together in the paper, except where the distinction is needed. In this context the terms, 'prohibitions' and 'sanctions priority' are also occasionally used to mean both red lines and sanctions.

The Destruction of the Agricultural Sector and Alternatives to Western Reconstruction Funding

While prewar agricultural problems in Syria were significant, the conflict has decimated what was once one of the most productive agricultural breadbaskets in the Middle East (Cooke 2019). As the war progressed, damage and destruction to the agricultural sector affected all components of the food system, including the natural resource base and its governance, infrastructure, institutions, productive assets, marketing, and entire rural livelihoods. By year six of the conflict, the destruction included farm equipment, storage facilities and irrigation systems, along with the despoilment of large areas of agricultural land—much of this targeted purposefully (Alloush 2018). Additionally, agricultural institutions have been almost completely depleted of qualified staff. The costs of lost production, and damaged and destroyed agricultural assets and infrastructure is estimated at USD 16 billion (Fathallah 2020). Meanwhile agricultural livelihoods have been pushed into a series of negative coping strategies, involving quick extraction and over-exploitation of natural resources.

With most of the country's infrastructure destroyed (Wintour 2019), there is no shortage of international construction interests willing to engage in agricultural reconstruction (Heydemann 2017a). While Syria itself lacks the money and capacity for reconstruction, Damascus has stated there is no need to depend on the West given its alliance with Russia and Iran (Calamur 2019). The reality however is that because of the size of the reconstruction investment needed, the government will not be able to depend exclusively on its allies. Russia and Iran face economic sanctions and challenges themselves, and do not have the financial capacity to engage in reconstruction at anything close to a scale that would have an impact on refugee/IDP returns (e.g. Itani 2019). Russia's position is that other world powers should be funding reconstruction (Hille 2017), and has sought financial assistance for this from Europe and the Gulf states (Asseburg et al 2017). And while the Western countries who are most financially able appear to have the most robust sanctions (US, Germany), India, China and the Gulf states will not violate Western sanctions with regard to involvement in Syria's reconstruction, for fear of jeopardizing their other business interests with the West (Stroul and Bauer 2020; E-CFR 2019). Thus the overall reality is that the West's sanctions and red lines do matter enormously for the prospect of agricultural reconstruction in Syria.

The Sanctions Landscape

The priority dilemma

The existence and operational format of the West's sanctions and red lines against reconstruction in Syria emerge from a perspective formed in Western capitals focusing almost exclusively on the Assad administration and its human rights atrocities, form of governance, and alliances with Russia and Iran. This perspective holds that the Syrian conflict comprises a contest over the political configuration of the country and the region, involving national and international alliances that are either for or against what the West is after. In order to achieve the desired national and international reconfiguration, the West's sanctions and red lines are seen as a tool to this end. At the same time a view espoused by the Assad regime and echoed in some international aid meetings warns that Europe will 'lose out' to Moscow and Tehran unless European nations assist in recon-

struction (Asseburg et al 2017; El-Gamal 2019). Much less emphasized on both sides are concerns about stability, the reality of refugee/IDP returns, reconstruction, livelihoods recovery or reconciliation, and the impact of sanctions and red lines on these (e.g. Cafarella 2020). At the operational end of the priority dilemma are the prohibitions against interacting in any way with the Syrian government with regard to reconstruction until there is a political transition that favours Western interests (e.g Asseburg et al 2017; Calamur 2019; Cafarella 2020).

But the supporting logic for the sanctions priority can be problematic. First, there is much more transpiring on the ground inside the country than what Western media, analyses and governments focus on. There exists a very large diversity of situations and scenarios in the country, including diversity in politics and alliances, nested and embedded conflicts; and village and household level struggles, alliances and aspirations, including desires for revenge and retribution. Second, the reluctance to interact with the Assad regime is contrasted with an apparent willingness to negotiate directly with a variety of other regimes and groups unsavoury to the West—the Taliban, North Korea and Iran among others. And third, as noted above the sanctions priority assumes that acquiescence will be the outcome of red lines and sanctions application on a recalcitrant state, followed then by application of conventional approaches to reconstruction. But Syria has not complied with this logic. Instead it has arguably become a 'fierce state' as opposed to a fragile state (Ayubi 1996; Almanasfi 2018). Such contradictions constitute important reasons supporting a rethink about the relationships between sanctions/redlines and reconstruction in the country and in similar cases.

Emblematic of the Western perspective are assertions that, 'the continued presence of Assad regime networks, and of state institutions totally penetrated by the regime, guarantees that regime cronies will capture, corrupt, and abuse for personal and political advantage any reconstruction program implemented through official channels' (Heydemann 2017b). While such a supporting logic to the sanctions priority is widely shared (e.g. Cafarella 2020; Vohra 2019; HRW 2019; OFAC 2013; Decina 2019), the reality inside the country is considerably less straightforward. The international development community and especially the peacebuilding community have long had techniques for preventing, minimizing and guarding against the forms of corruption advanced as reasons for employing sanctions. Kenny (2017) examines in-depth the often problematic Western perspective of corruption, and the debatable rationales, reasonings, expenses, and justifications a corruption argument can be used for. In the Syrian case such a logic assumes a nefariousness on the part of all ministries, all government employees and hence all reconstruction efforts, which the fieldwork carried out in connection to this article found to be inaccurate. This is especially the case in the technical ministries who would be responsible for carrying out reconstruction efforts, and which can differ markedly from the more political ministries. This logic also ignores how the Ba'athist party and the Syrian government operates and operated prior to the war with regard to its intersection with civil society. The Ba'athist party is highly integrated into civil society and did not allow any alternatives to itself, such that it is almost impossible to deal with civil society without interacting with the party and the government. In this regard the Ba'athist party is population-wide, as the 'party of the people', the 'avant guard'—which is a core belief of the party (Alloush 2018; UN worker pers. comm. 2019). This is similar to what other one-party

states pursue, where the population, the party and government are seen as fused (e.g., Kaplan 2018; World Bank 2001). In this regard Ba'athism has long had a significant socialist component to it, involving state ownership and control of important aspects of production (Kaplan 2018; Heydemann 2018).

For agriculture this means that most services and marketing across the country are heavily reliant on state support and management. The government provided subsidized agricultural inputs such as seeds, fertilizers and fuel, and set quotas for production and monopolized their purchase (Alloush 2018). The government also provided extensive technical support for planning, design and maintenance of on-farm irrigation works (World Bank 2001). As a result the distinction between ministries, their local directorates and farmers unions, are significantly blurred, particularly with regard to responsibilities and accountability (also Alloush 2018). Thus the government and party was and is deeply involved in almost all aspects of the agriculture sector, including the Ministry of Agriculture and Agrarian Reform and the Ministry of Irrigation (also World Bank 2001). While not palatable to the West, this form of governance existed prior to the war when the West's relationship with Syria, and its agricultural sector in particular, was profoundly different and even actively engaged with in international agricultural research. Thus While this governance approach is of course quite undemocratic, it is not new, and did provide for robust agricultural production prior to the drought immediately preceding the conflict. And while the government, party, and population are much more integrated than Western understandings (hence the West's caution), at the same time the West appears to confuse the regime with the government (UN worker pers. comm. 2019). There is in reality a distinction between the regime vs. the technical components of government. While perhaps a subtle nuance to Western perspectives that focus on the international political contest, it is important to Syrian society, agriculture and the prospects for reconstruction. Similar nuances are broadly recognized as fairly common and important in international development (e.g., Finney 1983; Stokke 2013). But for Syria this poses a significant problem. Being unable to parse regime from government means that the tools for engaging in reconstruction remain underdeveloped. This highlights the potential value of innovating new ways of approaching postwar reconstruction that are able to distinguish, and use independently, important and useful parts of government from a regime in cases where an recalcitrant regime appears—from the outside—to be blended with government, but—from the inside—opportunities for differentiation can be observed and techniques developed. In this regard the recent turn in conflict research toward subnational forms of governance in conflict contexts is useful (Raleigh and Linke 2018).

For UN agencies operating in Syria, the West's priority dilemma creates a significant tension. On one hand the UN is obliged to engage with the Syrian government as a member state. On the other, UN agencies are faced with dealing with the government as a violator of human rights, and having a non-representative governance model. Operationally this means that while Western donors attempt to control where and how reconstruction assistance is provided—prioritizing formerly opposition held areas—the Syrian government has its own priorities as a UN member state, as to where and for whom reconstruction should occur. While most UN agencies operating in the country declared an L3 designation (the most severe, large-scale humanitarian crisis) early in the

conflict, others did not (notably FAO), thus preserving, to some degree, their relationship with government in the hopes of having greater influence. In most circumstances a UN agency's good relationship with a national government and the technical ministries within it, is an indication of the agency's high capacity and ability, and attracts Western funding. But Syria is the opposite, where such a relationship with a technical ministry can be problematic, compromising funding and risking mistrust with some Western donors. Of fundamental importance for the Syrian population however, is that Western donors' perceptions and actions act against agricultural reconstruction and hence food production and refugee/IDP returns, thus the need for ongoing humanitarian food aid assistance. In this regard Achilles and Hemsley (2019) note that, '[t]here are growing concerns that political strategies and slogans are overshadowing necessary, technical discussions on transitioning from solely emergency responses to dignified, sustainable, cost-effective support for fragile communities.'

A problematic application

While the central priority of Western sanctions and red lines on reconstruction is a prohibition against working with any component of the Syrian government, in reality there is considerable ambiguity and confusion as to how, where, when and for whom they are applied—with this ambiguity a central, if unintended, feature of the West's approach. While red lines and sanctions can be topically, spatially and politically defined, this does not mean that they are technically delineated, coordinated, or communicated well. And there is no unified position among Western donor countries as to which specific sanctions and red lines are to be applied where, when and for whom and what they are for (also Achilles and Hemsley 2019). Western donor organizations do not provide UN agencies or their implementing partners with information that clearly maps out their particular red lines and sanctions. And while some donors have a database of the locations in the country where they will and will not fund reconstruction projects (which are not shared with UN agencies), others do not, preferring a case by case approach to deciding where to fund reconstruction projects. Such that a specific type of project, such as seed distribution, may be allowed by a certain donor in one area of the country, but not in an adjacent area due to differences in political affiliation; with the perceived boundary between such areas undefined, uncertain, or changing (also Brown 2018; Heydemann 2017b). And within pro-government or government held areas, certain reconstruction efforts can be funded and others not. For example irrigation infrastructure rehabilitation can be allowable if it supports privately held local community canals and water control infrastructure. But the same rehabilitation activity is prohibited if it is intended for or would benefit publicly owned irrigation works. This creates a significant problem because local community irrigation depends to a large degree on being connected to larger-scale publicly owned infrastructure for water at the proper volume, timing and quality. This includes primary and secondary canals, pumping stations, reservoirs and water control mechanisms. Further confusion arises depending on the label a donor or the UN puts on an activity, and how the label complies with certain sanctions or red lines. If an irrigation system is labelled 'government run' its rehabilitation is not funded, but if it is labelled a 'community irrigation scheme' then it can be. But if different donors provide different labels to the same portion of an irrigation system, the confusion is compounded.

However all determinations of where and what to fund, depend on what information donors have at any given time; and how current, accurate, reliable and spatially precise it is in a very information-fluid environment. This is complicated by the inability of donors, the UN and implementing partners to do assessments to attempt to clarify who is who and what is and is not government owned. All assessments must get approval from the Ministry of Foreign Affairs, which is extremely suspicious of UN, donor and NGO assessments in rural areas among agricultural and IDP populations; resulting in problems with access, security, permission and trust. Many Syrian government organizations cannot even meet with donors or the UN to share information without the approval of the Foreign Affairs Ministry, which can be difficult to obtain. This means that instead of clear communication and information regarding what reconstruction projects are fundable where, there is confusion, misunderstanding, and stopping and starting of reconstruction projects as information or reality on the ground changes. The Kurdish areas in the northeast of the country are an example. As an opposition held area working closely with the US over much of the conflict, such an area would have been preferred in terms of Western reconstruction efforts. However with US military support withdrawn in mid-2019, and the Kurds subsequently becoming allied with the Syrian government to prevent being overrun by Turkey, application of US sanctions would make ongoing reconstruction efforts difficult.

The EU in particular is divided over application of their red lines (El-Gamal 2019). Some EU countries have not made President Assad's departure a precondition for engaging in reconstruction. Instead certain EU states have acknowledged that Assad will likely play a role in a transition period and beyond. The EU is divided between those who take a strong position against any cooperation with what they perceive to be a regime unable to be reformed, and those more willing to work with the regime in the hopes of stabilization and/or participation in a purportedly lucrative reconstruction market (El-Gamal 2019). The result is that the EU itself has not been clear if it would participate in a transition (and reconstruction) if Assad and his immediate retinue were to remain in power (Asseburg et al 2017). The Japanese approach is different still. Japan has funded training for government personnel and will replace spare parts to Japanese-made agricultural machinery such as government operated irrigation pumps; but will not replace the entire pump as this would attract too much negative attention from the West, who already criticizes Japan for being too close to the Syrian government.

Adding to the confusion in how to apply red lines and sanctions are the myriad nuanced situations that do not readily align with one side or the other of any particular prohibition. What about a farmer that receives subsidized loans from a government bank? Or can the UN or a donor support community canal cleaning of public canals? And there is very often close coordination and cooperation between local community irrigation water user groups and government; with government representatives participating in the activities of these groups, and water user groups participating in regional and local government decisions that affect them. Such cooperation is exactly the kind of interaction the UN and other donors encourage and promote elsewhere in international development, and encouraged in Syria prior to the war as a form of good governance. However in a postwar reconstruction context, such local level power dynamics highlights the

uniqueness of the Syrian case with regard to the prevailing paradigm on the relationship between sanctions and reconstruction.

The confusion generated by attempting to apply sanctions and red lines to actual on-the-ground agricultural situations when their purpose is change in the broader political contest is broadly felt, affecting not just donors, but government, civil society, NGOs, CSOs and commercial endeavours. In aggregate the ambiguity and confusion in the application of red lines and sanctions is a primary feature of the West's priority dilemma, as opposed to an anomaly. The ultimate effect of such a feature is to make sanctions and red lines applications chaotic, open to manipulation, inconsequential in some areas and self defeating in others. This ambiguity and confusion can be situated within the literature on the tension emerging from the juxtaposition between the politics vs. the on-the-ground technical aspects of reconstruction. In this regard Hamieh and MacGinty 2010) write incisively about a similar tension in Lebanon's reconstruction, highlighting how a 'competitive dynamic' attached itself to reconstruction; between a Western preference for the reconstruction of governance, and Arab and Gulf state actors preferring physical reconstruction, with the latter proving more effective at connecting with the political culture within Lebanon. Goodhand and Sedra (2010) examine the problems of 'ownership' in reconstruction and how this can be violently contested with paradoxical outcomes that become involved in bargaining processes and contradictory objectives. And Peterson (2010) discusses the priority of Western 'rule of law' efforts in postwar reconstruction, highlighting the political nature of this priority and the creation of new socio-political tensions that can threaten the sustainability of peacebuilding. What the current analysis contributes to this literature is how this tension between the politics of reconstruction and the reality on-the-ground is manifested in states that are not aligned with conventional approaches to reconstruction, which in this case includes Syria's own red lines.

Prohibitions against interaction with government in reconstruction means that UN agencies and others rely much more heavily on 'implementing partners' (NGOs, INGOs, CSOs) to take on roles and responsibilities that would otherwise belong to government. But such implementing partners cannot operate at-scale compared to government because they are of limited size, organizational and technical ability, are uncoordinated, and lack the necessary capacity, equipment, and facilities, along with legal, personnel and distribution networks. While the government already has all this, complying with sanctions and red lines means duplication is pursued—at enormous cost and inevitable failure. In their enhanced role in Syria, a good number of implementing partners interfere with government provision of services to local communities, and insert themselves into ministries, making more difficult the ministries' own efforts at reconstruction and recovery. There is in reality no conceivable way that CSOs, INGOs and NGOs will be able to grow in number, size, reach and administrative, legal and technical capacity from the low and scattered state they are currently in, to that required to engage in even minor national reconstruction. This sets up an extremely problematic scenario once refugee/IDP returns begin in earnest. The local community component (community leadership, administration, institutions) needed by implementing partners consist of people who will become busy rebuilding their own livelihoods, and it will be virtually impossible to scale-up this component. For example, the heavily relied upon institutional position of 'Muktar' in civil society will become even more overwhelmed than it cur-

rently is with the onset of large-scale returns; and will be completely unable to handle the interface between government, donors, UN agencies, implementing partners and returnees as envisioned, so as to facilitate returns to agriculture as they are now relied on to do with the current returnee trickle. Similar problems affect a variety of agricultural reconstruction activities, including the production, distribution and extension needed for seed multiplication; livestock breeding; agricultural inputs; machinery and spare parts; provision of drinking water; and the processing and distribution of staple foodstuffs such as flour and cooking oil.

And the Syrian government has its own red lines; primarily positioned against working with certain donors, on specific topics and in certain areas of the country. These are of course very different than the topics, alliances and areas that Western donors are willing to support (Heydemann 2018). As an example, because the small-scale focus for irrigation rehabilitation supported by the West is not within the government's own near-term reconstruction plans (which is to focus on reconstruction of the larger-scale components first), they can attempt to block this, particularly if it is to take place in formerly opposition held areas favoured by Western interests. Such mutually opposed redlines, priorities and strategies puts a strong brake on irrigation reconstruction in particular, directly effecting food security and the prospect of refugee/IDP returns. Some refugee/IDP groups have indicated that they will return only if irrigation infrastructure is rehabilitated. This puts UN agencies operating in Syria in a difficult position. If Western governments perceive certain UN agencies and personnel as too close to the Syrian government they can seek to have them removed; as was the case with the former UN Country Representative for Syria. And if they are seen as working too close with certain Western donors then they run up against Syrian government red lines. Navigating such perceptions of 'closeness' is extremely delicate for UN agencies needing be seen as neutral and has the effect then of further prioritizing humanitarian programs and projects instead of reconstruction efforts, with the attendant problematic repercussions articulated below.

The distinction that Western sanctions make between humanitarian efforts and reconstruction is important—the former is funded, the latter, not—with sometimes nonsensical repercussions. As one UN worker inside Syria noted regarding drinking water supplies, 'if it arrives by truck then it's humanitarian and is fine, if it arrives by a pipe, then no.' Some UN agencies operate almost wholly with humanitarian funds (World Food Program) while others operate almost completely with development funding—making FAO and any agricultural recovery assistance much more difficult to carry out. Although subsequent to 2014 the government started requesting reconstruction funding instead of humanitarian assistance, the UN continues to be bound by Western prohibitions and deliver primarily short-term assistance (Westcott 2019). But importantly, ongoing support of the enormous humanitarian effort in Syria works against changing to a recovery and reconstruction operational mode by the UN and other international agencies—particularly given that such a change involves different people, operations, programs and money. As failure to shift from humanitarian to reconstruction assistance continues, the country is now arguably at the point at which continued humanitarian assistance undermines recovery and reconstruction of livelihoods, creating a dependency on humanitarian assistance.

Ambiguity on the ground: who is who and what is government?

Greatly compounding the difficulty of applying Western red lines and sanctions, is the substantial ambiguity and confusion regarding how the Syrian reality intersects with this application. Sometimes the prohibitions against 'working with government' includes intermediaries, sometimes not. Often what is a formal government activity, institution, or personnel is undefined even by government. And it can often be confusing for outsiders to determine who in government has responsibility for what, or even if government has responsibility for something. There is also a good deal of ambiguity regarding what is government owned and what is not in the agricultural sector, to the degree that government agricultural personnel are frequently unsure. Co-ownership and co-management between private and local community interests and government interests are common, and public and private parts of irrigation infrastructure are often interlinked. For the latter in particular, the ambiguity is pervasive. Primary canals can be controlled by government, but maintained by local communities. Local canals in the same network can be controlled by local government and local water users associations acting together. One of the more important resiliency characteristics of irrigation in Syria is that there exists considerable interaction between different forms of governance (administration, authority, legality, jurisdiction) in the management of water, irrigation infrastructure and lands—ranging from customary and informal, to religious, to private, to the more formal, and hybrids of these. In many circumstances these forms have become fused over long periods of time—with irrigation in Syria having a 2,000 year history (Caponera 1954). This interaction has allowed for mutual support, coordination, and ease of resolution of disputes and implementation of rules and policies.

And then there is the spatial ambiguity of applying red lines and sanctions. While a priority for Western supported reconstruction is to target opposition areas in the country, in reality it can be quite difficult to determine what and where such areas are or were. There are now a number of opposition areas that have officially reconciled with the government. And attempting to define who or which areas were pro-opposition and when, along with the definition of 'opposition' can be very subjective and confused. Even the regime's concept of who is an adversary is not always clear, and changes over time (ICG 2020). There is no reliable data on these issues and no ability or permission to collect such data. And categorizing the entire national population as either for or against government is problematic. The fieldwork has found that support for government vs. the opposition instead exists along broad a continuum. McGuiness (2020) likewise found that approximately 70 percent of the population is neither pro government nor pro opposition. And Westcott (2019) reports that by and large the population appears exhaustedly relieved that the violence has mostly ended, regardless of who they supported in the war. Meanwhile the approach of supporting reconstruction for some communities and not others creates inequalities, animosities and confusion in civil society. And opposition groups have been so fragmented and changing in terms of relationships with each other, government, domestic and international supporters, and actual control over territory, that no reliable mapping of such groups and areas is possible (also Asseburg et al 2017). For example Western donor support of the emerging 'local councils' in opposition areas (although they also exist in government areas) has suffered from considerable ambiguity regarding who is who, and who is doing what in the local councils. Such councils in op-

position areas often cooperated with armed extremist groups to fill service gaps. And many such councils were infiltrated by extremist elements representing various groups (also Brown 2018).

Further complicating the notion of who is who, is the reality that the similarity of economic activities and agricultural practices and hence the density of socio-economic networks between what were government and opposition held areas, facilitated coordination and cooperation between them during the war, despite their status as adversaries. There were and are informal, clandestine and tightly networked communication flows which eased interaction between different constituencies supporting different sides in the war (Heydemann 2018). This arrangement was further enabled by the porosity and changing location of boundaries between areas controlled by the government or pro-government armed groups, and areas that were pro-opposition, particularly in the collaboration of agricultural activities across conflict lines.

The Impact of Red Lines and Sanctions on Agricultural Reconstruction

While intended as a political tool, the specific impacts of sanctions and red lines on agricultural reconstruction in Syria are acute, contribute to further destruction of the sector, and degrade food security nationally and regionally. They also produce unintended repercussions counter to what the West is seeking to achieve regarding refugee returns, national and regional stabilization, and checking the ambitions of extremist groups—with impacts on crop agriculture and land and water resources being at the forefront of these.[2]

Crop agriculture

We start with seeds. The provision of seed inputs for farmers has collapsed with the destruction of seed multiplication centres in the country and prohibitions on importing equipment and material for their reconstruction, even with the government's own funding. As the government has traditionally supplied seed inputs to farmers, prohibitions against working with government effectively prevents this capacity from recovering. The major seed supplier and distributor in the country, 'The General Organization for Seed Multiplication' (GOSM) has for decades been the primary source of seeds, seed quality verification and distribution. With assistance to GOSM prohibited, Western donors instead prefer to distribute seeds via NGOs. However there is no germination or quality control capacity with NGOs. And because NGOs are only able to distribute seeds and inputs to relatively few beneficiaries compared to GOSM, this creates inequity and anger among those that do not receive them, with the unequal distribution interpreted as corruption. But as well NGOs can have difficulty even obtaining seeds. Oxfam was to purchase 100,000 kg of wheat seed, either directly through GOSM or through a third-party. However, because GOSM deposits funds in a sanctioned bank, Oxfam's donor was unable to authorize the purchase. Nor was the donor able to authorize cash support via Oxfam for farmers to purchase their own seeds because they would have to be procured through a state affiliated institution (Achilles and Hemsley 2019).

[2] While there is significant concern that the lack of reconstruction in rural areas will contribute to the re-emergence of ISIS or its progeny (e.g., ICG 2019; Hallaj 2017) a discussion of this aspect of sanctions and red lines on reconstruction is beyond the scope of the paper.

More broadly, Syria is a global center for genetic diversity of important crop varieties (Shoaib and Arabi 2006). The country has accomplished important research on crop genetic diversity over the decades, and it constituted the primary reservoir and seed bank for important genetically diverse varieties of wheat and barley (Bhattacharya 2016). This capacity has been extensively damaged due to the war and the primary seed bank operated by the International Center for Agricultural Research in Dry Areas (ICARDA) in Aleppo has been severely compromised.[3] Its reconstruction and recovery is not only a priority for agricultural recovery in Syria, but also important globally. Schapiro (2018) for example describes how Syrian wheat seeds could save US wheat from the threats of climate change.

Import prohibitions constitute a particularly important proscription for crop agriculture. Fertilizer, herbicides and pesticides cannot be imported. Neither can spare parts for existing irrigation pumps, gates, pipes, concrete for canals, and canal cleaning equipment; as well as equipment for processing agricultural products—much of which were destroyed, damaged or stolen during the war. Even bulldozers for removal of rubble from agricultural areas are prohibited. Prior to the conflict Syrian agriculture was highly mechanized, meaning that the prohibitions on importing spare parts and equipment are particularly crippling (Cooke 2019). Also prohibited is the importation of materials and equipment necessary to the recovery of the livestock sector. Fodder production centres, breeding facilities and veterinary centres, vaccines and medicines, dairy processing centres, logistical needs, and technical training are all affected. These prohibitions then have repercussions on employment in the agricultural sector. At the same time agricultural exports from Syria are also sanctioned (Cooke 2019).

The funding of capacity building for government technical personnel in agricultural research, extension and engineering is also prohibited—a particular problem given that most personnel working in the agricultural sector have fled and are not expected to return. Also banned is funding for vocational schools, colleges and universities that provide trained personnel for the agricultural sector because these institutions are seen as part of government.

And from a food and security standpoint, because humanitarian aid cannot feed everyone everywhere as local agricultural production can, large segments of the population are left unserved, making such people dependent on radical networks to support them (Hallaj 2017). And because humanitarian assistance is provided as a point source resource (convoys, distribution centres, storage facilities), it is easily hijacked and transacted. Local agricultural production on the other hand is much more dispersed over wide areas and so is more difficult to capture by militant groups.

Agricultural resources: land and water

The most direct impacts on land and water resources concern the status of explosive remnants of war (ERW); oil refineries; crises livelihoods; and water management. Import prohibitions on

[3] Crop seed banks store genetically diverse seed samples which can be used to replenish crops lost due to conflict, disaster, climate change and disease and to breed new traits into crops such as drought, pest and disease resistance.

equipment for removing ERW (land mines, improvised explosive devices, unexploded ordinance), along with prohibitions on training and funding for removal, poses risks to civilian populations and keeps ERW contaminated land out of agricultural production and prevents refugee/IDP returns. This then leads to degradation of adjacent lands not contaminated due to overcrowding and overuse for both crop and grazing lands. Such degradation is expected to worsen considerably once refugee/IDP returns begin in volume. Likewise the wartime destruction and damage to oil refineries and prohibitions on their reconstruction leads to land degradation through the operation of approximately 10,000 illegal refineries in the country. These use crude techniques to refine oil (burners) causing substantial damage to soil resources. It is estimated that tens of thousands of hectares of agricultural land in the eastern governorates of Deir ez-Zor, Raqqa and Hasakah have become uncultivable due to pollutants from these refineries (TAW 2016).

The pursuit of 'crises livelihoods' focused on short-term extraction and overuse of resources by millions of Syrians has been greatly exacerbated by prohibitions on agricultural reconstruction; resulting in ongoing degradation of forests, croplands, rangelands and aquifers (Priestly 2019). Millions of trees have been cut across the country, particularly in the forest areas on the coast for heating and cooking purposes, along with opportunistic sale of wood and charcoal. As well crude water-use techniques for quick and extractive agricultural production has led to salinization, contamination and water scarcity, making some soils uncultivable (also TAW 2006; Priestly 2019). And the inability of communities to irrigate leads to overuse and degradation of lands which reside over aquifers through the use of numerous illegal boreholes—degrading these aquifers. Earlier in the conflict, Western donor involvement in 'cross border' support from neighbouring countries in the south, provided the resources and means for digging such boreholes. Restrictions on agricultural reconstruction that would facilitate re-entry into stable and sustainable livelihoods greatly worsens these processes, which will become much more difficult to reverse once refugee/IDP returns begin to take place at-scale.

Options?

Two realities combine to produce a limited space for possible options to the current priority dilemma, 1) the Syrian regime will not be able to depend only on itself and its allies for reconstruction due to the size of the investment needed and the limited financial capacity of the country and its allies, and 2) Western interests will not be able to use sanctions and red lines on reconstruction as a tool with political ends as originally planned. The remainder of this section briefly suggests three options within this space—with varying degrees of palatability for the West.

Segmentation

One of the most straightforward options would be to separate the more technical ministries—agriculture, water, health, etc.—from the more political ministries, with the focus of sanctions on the latter. A similar approach would be to shift the focus to sanctions on specific entities or individuals as opposed to all reconstruction efforts (HRW 2019). This option would entail the West needing to move beyond the reluctance to have the prospect of the Assad regime deriving legitimacy from development assistance, although there do exist approaches to mitigate this.

Focus on specific parts

Still another approach being proposed, is a focus by the West on only specific parts of Syrian society, topics or regions as a way to engage in some form of reconstruction along the priorities of the West, while not engaging directly with the Syrian government. In this approach, local councils may form the foundation of a form of local post-conflict government that the West may be willing to engage with. The local councils have broad legitimacy, but their powers and roles would have to be clearly defined. The councils are supported by the Local Administration Law which devolved a number of political responsibilities from Damascus to a combination of appointed and elected officials operating at local and regional levels. Certain activists and reformists have come to see this law (Decree 107) as potentially being a catalyst for further change in the country due to the perceived legitimacy and empowerment of local councils (Araabi 2017). The Local Administration Law is also seen as desirable to many opposition-affiliated groups as well as acceptable to the government in Damascus. As a result it has come to be seen by some as central to ceasefire negotiations in certain areas of the country (Araabi 2017). Observers argue that some form of political decentralization will ultimately form a key component of a final agreement with the opposition (Said and Yazigi 2018; Araabi 2017). A focus on this option for reconstruction by the West could be seen as a form of 'middle way' for reconstruction, in order to exert influence on reconstruction in the country, give more credibility and attention to local authority structures over central government, and support and assist local community reconstruction and economic recovery despite the government's discriminating rules (Said and Yazigi 2018; Araabi 2017). Questions with this approach however include, 1) will it be able to engage in reconstruction at sufficient scale to have national level impact, 2) local councils could also become new bases for patronage politics—with negative and positive outcomes, and 3) will the government in reality allow meaningful devolution.

Along similar lines, Fathallah (2020) argues for a focus on the topic of food security irrespective of a political settlement, which may then serve as a basis for a halt to the fighting and the pursuit of common interests for reconstruction. And El-Gamal (2019) argues for pursuing reconstruction in certain areas of the country first, perhaps in concert with Russia, in order to test if Assad would be willing to do enough to justify wider support for reconstruction; while showing a readiness to walk away if such willingness is not forthcoming.

Transactions

Apart from the proposed deal by Russia to facilitate refugee returns in exchange for Western financing of reconstruction noted earlier, a separate option has a few European countries (with Russian assistance) achieving modest political concessions from the Assad government in order to move forward with reconstruction. Another transactional option would be to deal directly with the Syrian government whereby the deficits in transparency, oversight, accountability, and even-handedness on the part of government are treated as known; with techniques to then control the direction and purpose of reconstruction (HRW 2019). This proposal suggests that Western interests create a funding consortium for reconstruction, available only to organizations that adopt criteria for transparency and fairness; and involves the threat of walking away if the West is not free

to pursue this. The option sees the West as having a realistically losing hand, but without the West's participation, financing and pressure, Damascus is unlikely to burden itself with reconstruction that engages returns and livelihood recovery (Decina 2019).

Conclusion

The Syrian case departs from conventional views of post-conflict reconstruction as a process that should, 'transform state, society, and economy, address grievances that led to war, forge an inclusive social contract, and establish economic normalcy in place of dysfunctional, abnormal, conflict-based economies' (Heydemann 2018). With the difficult reality that this is not going to happen becoming increasingly clear, Western governments are stuck in a priority dilemma regarding whether and how to participate in Syria's reconstruction without the long demanded political transition. For countries most affected by the presence of large numbers of refugees, this is a fundamentally fraught but important deliberation. Migration, refugee return and stability will be at the center of these discussions. Faced with a lack of reconstruction and the resulting deficit of livelihood and economic opportunities, refugees will not willingly return; and with the surrounding states resisting their integration, many may decide to move on to Europe (Decina 2019). While fewer returns would mean less pressure on the Syrian regime to attend to the needs of the overall population (El-Gamal 2019), the reverse is also true—effective reconstruction, drawing back significant numbers of refugees/IDPs would pressure the regime to meet the needs of its postwar population, in reconstruction, livelihood recovery and potentially politically.

At this point the the war, it is becoming clear that Western countries will not be able to use the prospect of reconstruction as political leverage through the use of sanctions and red lines (also Said and Yazigi 2018; Heydemann 2017b). Such conditionality is conventionally applied in peace accords between near equals, not a near complete victory by one side (Omar 2019). And the current Russian-dominated approach of resolving the conflict is very unlikely to bring about the economic, administrative, political and security changes that the West envisions as necessary for a reformed Syria (Asseburg et al 2017). At the same time however the international community, is not likely to allow Syria to become a 'black hole,' devouring financial, social and moral capital and propelling refugees and extremists abroad (Heydemann 2017b; also Rath 2017). Thus having a reformed Syria be the end goal of the West's red lines and sanctions at this point in the conflict seems unrealistic given the now strong military position of the Syrian government; but it is also a problematic goal given the nature of the conflict. The war is now much, much larger, more amplified, complex and problematic than what a reformed government and its relationship with civil society could resolve. The humanitarian calamity, the millions of displaced, the horrific way the war was conducted, the presence of extremist groups, the tangle of alliances and multiple proxy wars, and the political repercussions of millions of refugees scattered throughout parts of the Middle East and Europe, is now well beyond the original cause of the conflict and well beyond what a reformed Syria could manage. Thus the ongoing rationale for preventing reconstruction—that to do so would return the country to its prewar structures of clientelist political economy, corruption, and imbalances of power, and give the regime 'a pass', need to be reconsidered. Connecting punishment of the regime for war crimes through sanctions and red lines on agricultural reconstruction, punishes the wrong people—the victims of the conflict and not the perpetrators

(also Omar 2019). While the way the war has been conducted is certainly deserving of a strong reaction, a political transition was not enough of a reason by itself for establishing sanctions and red lines prior to the war. And the concern that reconstruction assistance would be siphoned off by the regime and used to tighten its hold on the country while legitimizing the current government (Heydemann 2017b), while certainly justified, can draw a number of techniques developed over the past decades to minimize such siphoning of aid, criminality and problematic legitimacy in postwar scenarios. The UN monitoring approach for keeping track of construction materials in Palestinian areas is one example (MEMO 2014).

An important distinction regarding the West's current approach is the domain in which it is intended to operate vs. the domain that it actually impacts. Reconstruction prohibitions are intended to operate at the political level, to achieve a political outcome—to coerce the government into a political transition or political concessions. As a result the focus from outside the country on state control, the activities of the Syrian government, the role of foreign players, and aggregated counts of atrocities and human rights violations, depends on sanctions and red lines being a vehicle whose purpose and goal, is a change in this domain (Cafarella 2020; Heydemann 2018; 2017b; Kaplan 2018; Imady 2019). While unlikely at this point, such a focus however does have a profoundly negative effect on the processes of returns, livelihood recovery and actual on-the-ground stabilization. As Said and Yazigi (2018) note, 'a bad sanctions policy could feed political polarization in favour of Assad.' Omar (2019) likewise observes that '[s]anctions empower the well-connected while others suffer.' Instead of conflating regime, government, country and pro-government peoples and places with the outcomes of reconstruction, the West's approach to at least agricultural reconstruction, would do well to separate these into more manageable lines of thinking, with clear, realistic, technically achievable objectives. The implications for such an approach may include not just the possible resolution of the priority dilemma and exploring latent political opportunities, but advancing Western interests in refugee returns, stabilization, and thwarting extremist endeavours. Otherwise, as Heydemann (2017a) notes, '[u]nless external actors choose to link their participation in reconstruction to principles that will improve the prospects of durable peace, the regime's probable military victory will likely be only round one in a much longer cycle of violent conflict.'

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