

Limited Relaxation of US Export Controls on Syria Leaves Many Restrictions in Place

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On August 28, 2025, the U.S. Commerce Department's Bureau of Industry and Security (BIS) published a rule relaxing certain restrictions on Syria under the Export Administration Regulations (EAR). But unlike the much broader lifting of U.S. sanctions on Syria, which we previously discussed, BIS has retained significant parts of the longstanding restrictive export control regime on Syria.

While BIS has provided important new and expanded license exceptions for Syria, and much more favorable license application review policies, BIS has retained the longstanding requirement to have authorization in place under the EAR to send to Syria **any** item subject to the EAR (except food and medicine designated as EAR99, *i.e.*, not subject to any Export Control Classification Number (ECCN) on the Commerce Control List (CCL)). BIS is required by statute to restrict all items on the CCL for Syria,^[1] but the executive branch has some flexibility when it comes to requiring licenses for EAR99 items.

Accordingly, while BIS continues to require authorization for Syria for all items except EAR99 food and medicine, it has added new License Exception Syria Peace and Prosperity (SPP) in § 740.5 of the EAR to authorize exports and reexports to Syria of all EAR99 items, provided that there are no applicable end use or end user restrictions under Part 744 of the EAR. Deemed exports and reexports to Syrian foreign nationals in the U.S. or third countries continue to be restricted only when it comes to technology on the CCL (but not EAR99 technology).

The net effect of these changes is that the broad licensing requirement that continues to apply can be satisfied in many cases by confirming that the transaction meets the requirements of a license exception, in which case no actual license from BIS would be needed. But this structure remains more cumbersome and complex than simply removing the broad underlying licensing requirement, which BIS has not done. Additionally, Syria remains listed in the EAR's Country Group E:1, alongside North Korea and Iran, which, among other impacts, requires filings in the Automated Export System (AES) for all exports from the U.S.

Additionally, BIS has set out much more favorable license application review policies for Syria. So, when an actual license from BIS is needed, one can be obtained in most cases. With that said, there has been widespread reporting recently that BIS is experiencing a significant licensing backlog, so processing times may be extended. Additionally, any lack of clarity or potential concern around a particular license request (*e.g.*, unknown or problematic end users, inadequate controls around diversion, etc.) is likely to lead to significant delays and potential denial. So, those wishing to obtain a license from BIS should be thorough and thoughtful about drafting the request in a way that will satisfy the U.S. government.

Syria remains designated as a State Sponsor of Terrorism (SST), and, despite the broad lifting of sanctions, there remain a number of restricted parties, groups, etc. within Syria. Therefore, license exceptions for Syria include limitations when there are restricted parties or restricted end uses involved, and BIS licensing officers will carefully review those issues in considering license applications. In general, transactions that could make a significant contribution to Syria's military potential, including its military logistics capability, or that could contribute to acts of international terrorism, will continue to be restricted.

Newly Available or Expanded License Exceptions

In addition to adding License Exception SPP to the EAR for EAR99 items, BIS has made available or expanded the availability of several other license exceptions for Syria. However, all of these exceptions continue to be subject to the general restrictions on the use of license exceptions in § 740.2 of the EAR. The details of some of the key new or expanded license exceptions for Syria are as follows:

- License Exception Consumer Communications Devices (CCD) in § 740.19: CCD was not previously available for Syria, but has now been made available. Moreover, the restrictions for Syria under CCD are much simpler and narrower than those that apply to Russia, Belarus, and Cuba. There are no specific end user restrictions for Syria under CCD, although this exception does not apply when any end user or end use restrictions under Part 744 of the EAR apply.
- License Exception Aircraft, Vessels and Spacecraft (AVS) in § 740.15: AVS was previously available, but only for foreign flagged/owned/operated aircraft reexported to Syria on temporary sojourn. This has been expanded to authorize vessels and U.S. flagged aircraft. It does not, however, change any FAA restrictions on U.S.-registered civil aircraft operating in Syria. There remain important restrictions under AVS, including that the transaction cannot support Syrian police, military, or intelligence end users or end uses, and equipment and spare parts are only authorized if they are designated as EAR99 or controlled on the CCL exclusively for anti-terrorism reasons.
- License Exception Temporary imports, exports, reexports, and transfers (in-country) (TMP) in § 740.9: Previously, TMP was available for Syria only for items for use by the news media, but this has been expanded to cover exports to a U.S. person's foreign subsidiary, affiliate, or facility, as well as shipping containers, and other listed types of items.
- License Exception Servicing and replacement of parts and equipment (RPL) in § 740.10: RPL was not previously available for Syria, but parts of this exception have been made available, provided that the transaction would not support Syrian police, military, or intelligence end users or end uses.

In addition, other license exceptions have been expanded, including GOV and TSU, and BAG remains available as well.

License Application Review Policies

BIS has for many years maintained a general policy of denial for license applications for Syria, with limited exceptions such as case-by-case reviews for items necessary for the support of the Syrian people, to ensure safety of civil aviation, telecommunications, and a few other areas.

BIS has now provided a much more favorable licensing policy for Syria, including a presumption of approval for a

broad range of commercial end uses to support economic and business development in Syria and to support the Syrian people, including through the improvement or maintenance of telecommunications, water supply and sanitation, power generation, aviation, or other civil services that “support peace and prosperity in Syria without making a significant contribution to the military potential of Syria or the ability of Syria to support acts of international terrorism.” So, while the government will generally issue such licenses, they can still deny a request if they have doubts about these restricted areas. Accordingly, applicants should provide as much information as they can about the limited utility of what they are seeking to provide, and/or controls in place around unauthorized diversion.

Looking Ahead

These changes take effect today, September 2, and mark a significant shift in U.S. export control policy toward Syria, opening new opportunities for trade in civilian goods and services. The regulatory landscape, however, remains complex, and organizations considering entering or expanding in the Syrian market should carefully review their compliance posture.

Troutman Pepper Locke’s [Sanctions + Trade Controls team](#) will continue to monitor for developments in this area. In the meantime, please reach out to a member of our team for guidance.

[1] See Section (5)(a)(1) of the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Pub. L. 108-175).

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