

RESTARTING ISRAELI-SYRIAN NEGOTIATIONS

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RESTARTING ISRAELI-SYRIAN NEGOTIATIONS

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Abruptly interrupted in 2000, Israeli-Syrian negotiations seem only a distant possibility but a renewal is urgent and would have a real chance of success. The obstacles appear daunting, including a weak Israeli government and a U.S. administration intent on isolating Syria. However, Syria's President Bashar repeatedly has stated his desire to resume talks, and in recent conversations with Crisis Group in Damascus, senior officials have clarified these could take place without any precondition – thereby removing what had been a principal hindrance. Peace negotiations between Israel and Syria would profoundly alter the regional atmosphere; a peace deal between them would fundamentally transform it. This opportunity may not last long and should not be wasted.

The conflict between Israel and Syria is no longer the costliest – the border has been Israel's quietest since 1974 – but it is harmful all the same. It has taken the shape of bloody proxy wars, involving Lebanese territory and both Lebanese and Palestinian groups, and the opportunity costs have also been substantial. It has prevented broader normalisation of Israel's relations with the Arab world and helped maintain regional tension which could degenerate – directly or, once again, through Lebanon – into another armed conflict.

In Israel, a government discredited by its performance in the Lebanon war and tarred by myriad scandals will think long and hard before taking on the powerful settler lobby backed by a public that has grown accustomed to controlling the Golan Heights, sees little incentive to part with it and whose suspicion of the Syrian regime – which has provided rockets to Hizbollah – has grown with the Lebanon war. Contrary to the conventional wisdom of the 1990s, withdrawal from the relatively quiet Golan today likely would trigger stronger public opposition than would withdrawal from a violent and burdensome West Bank.

U.S. hostility to any dialogue with Damascus – with the recent, limited exception of the regional conference on Iraq – is a further significant obstacle. Although Washington denies it, there is every indication it has signalled to Jerusalem its opposition to resumed negotiations with Damascus which, in its view, Syria

would use to break out of isolation, cover up greater intrusion in Lebanese affairs and shift focus away from the investigation into former Lebanese Prime Minister Rafiq Hariri's assassination. As U.S. officials see it, Damascus might like to recover the Golan but desperately wants to recover Lebanon; since that is not something Washington is prepared to concede, there is little to be gained by discussions. Given their highly strained relations with Syria, even leading Arab countries such as Saudi Arabia and Jordan are said to have privately counselled the U.S. against any move that would relieve pressure on Damascus.

As a result of these domestic and foreign factors, and due to scepticism regarding Syria's intentions, Israel has conditioned any dialogue on broad, prior change in Syria's policies: cutting ties to Hamas, halting any assistance to Hizbollah and fundamentally altering its relationship with Iran.

This is a mistake which is fast on its way to becoming a missed opportunity. In March 2007, Crisis Group engaged in a series of high-level discussions in Israel and Syria in order to assess the two parties' positions and the prospects for renewed talks. While official resistance to negotiations was clear in Israel, it waned rapidly among both senior military and intelligence figures and members of the political establishment who recognised the value of testing Syria's overtures and the risks entailed in ignoring them. In Syria, appetite for peace talks may have diminished – a function of repeated Israeli rebuffs and of unwillingness to appear to be begging – but persists nonetheless. Most importantly, officials in Damascus provided their clearest indication to date both that they would resume negotiations without any precondition and that the country's regional posture and relationships with Hamas, Hizbollah and Iran inevitably would change following a peace deal. In other words, what Israel demands could potentially be achieved, but only as part of a final deal, not as preconditions for it.

Even assuming Syria is more interested in the process than the outcome – itself a debatable proposition – the mere fact of Syrians negotiating with Israelis would produce ripple effects in a region where popular opinion

is moving away from acceptance of Israel's right to exist. The onset of a peace process also would affect the behaviour of militant movements close to Syria; Hamas and Hizbollah are not mere tools of Syrian policy but they are adept at reading the regional map and would likely adapt their policies in response to signs of a changing Syrian-Israeli relationship. The same holds for Iran: Syria would be unlikely to break ties with its closest ally for two decades but Tehran would have to adjust its behaviour as it faced the prospect of a peace agreement.

Resuming talks with Syria is all the more imperative given ongoing efforts to revive the Arab (Beirut) peace initiative in the wake of the 28 March 2007 Arab League summit. While both the U.S. and Israel may prefer to give precedence to the Palestinian over the Syrian track, lack of movement on the latter inevitably will hamper the former. Damascus possesses multiple ways of undermining Israeli-Palestinian talks, whether by encouraging Hamas or Islamic Jihad to resort to violence; vocally criticising Palestinian concessions; or, in the event of a peace deal, obstructing the holding of a referendum among Palestinian refugees in Syria. Likewise, unless it makes a deal with Syria, Israel cannot achieve normalisation with the Arab world – a core objective without which its leaders will find it far more difficult to convince their public to endorse historic concessions to the Palestinians.

The outlines of a solution by now are well known. They were put forward in a 2002 Crisis Group report and recently restated in the context of an unofficial peace initiative involving two private Israeli and Syrian citizens. Under such conditions, there is little justification for Israel to put off peace talks – and even less justification for the U.S. to oppose them.

RECOMMENDATIONS

To the Government of Israel:

1. Respond positively to Syria's unconditional offer to resume peace negotiations.
2. Halt efforts to augment settler presence in the Golan.
3. Facilitate family reunions for Syrian nationals living in the Golan and lift restrictions on visits to Syria by Israeli nationals.

To the Government of Syria:

4. Support Arab League efforts to explain and market its peace initiative to Western and Israeli audiences.

5. Engage in public diplomacy by:
 - (a) restating clearly that Syria is ready to negotiate without any precondition;
 - (b) giving select Syrian officials a clear mandate to disseminate both Syria's version of past negotiations and its current position;
 - (c) committing to provide information on Israeli soldiers missing in action and return the remains of executed Israeli spy Eli Cohen in the early stages of resumed negotiations; and
 - (d) facilitating access to Syria for Israeli nationals with relatives or ancestral roots in Syria, including Israelis of Palestinian and Syrian origin.

To the Members of the Quartet (UN, U.S., EU and Russia):

6. Press for renewed Israeli-Syrian negotiations, beginning by holding parallel discussions with both sides.

**Jerusalem/Damascus/Washington/Brussels,
10 April 2007**

RESTARTING ISRAELI-SYRIAN NEGOTIATIONS

I. INTRODUCTION

For 40 years, Israel's frontier with Syria has protruded some 25km east, over a rocky 70km-long plateau that was occupied in 1967. To the east, it looks down on the Syrian capital, some 40km away. To the west are Israel's Galilee towns and main water reservoir. Within this territory of approximately 1,000 sq. km lie some 32 Jewish settlements housing 20,000 people and a similar number of Syrian nationals concentrated in five northern villages.

As justification for its continued occupation, Israel principally cites security needs. The slopes, crowned by the Hermon/Jebel al-Sheikh massif, are seen as a buffer against invasion from the east; in the past, areas of Israel adjoining the Tiberias basin had been vulnerable to Syrian shelling from atop the Golan scarp. Water is another vital concern to Israelis, who fear that withdrawal from the Golan would give Syria the ability to extract, deplete or contaminate the vital watershed of the Jordan Valley.

The conflict between the two countries has been particularly bloody and bitter, marked by military confrontation in 1948-1949, 1967 and 1973 and, since then, by repeated wars fought on neighbouring Lebanese soil either directly or by proxy. The 1974 disengagement agreement established a de facto barrier consisting of an Area of Separation ranging in width between 10km and a few hundred metres, manned by about 1,000 lightly-armed peacekeepers, the UN Disengagement Observer Force (UNDOF). The frontline has acquired humdrum trappings some 30 years on. It is marked by a dirt track and a rusting metal fence which vanish altogether in the Golan's northern reaches on the upper slopes of Mt Hermon. So reduced are tensions at the border that the forces deployed within the 25km Area of Limitation that extends either side of the Area of Separation rarely approach the stipulated maximum for each army of 6,000 soldiers.¹

According to a UN officer, "even during the recent crisis in Lebanon, the situation in the Golan was calm".² "Syria's border has been Israel's quietest since 1974", says an Israeli general. "UNDOF fulfils 100 per cent of its mission because both parties have an interest in ensuring it does so".³

While maintaining calm on its own border, Syria has supported armed groups in neighbouring states, most notably Hizbollah in Lebanon and a range of militant organisations in Palestine. Unlike the Israeli-Palestinian relationship, Syrians and Israelis have had little human interaction; with only rare exceptions, Syrian officials balk at meeting their Israeli counterparts.

During the 1990s, the two states sought to resolve their border dispute through negotiations, a by-product of the 1991 Madrid conference. Under the sponsorship of U.S. President Bill Clinton, President Hafez al-Assad and Prime Minister Yitzhak Rabin (and, after his assassination, Prime Minister Shimon Peres) conducted four-and-a-half years of talks, which ended in March 1996. They led to a significant breakthrough – a "deposit" made by Rabin to the U.S., committing to full withdrawal if all Israeli needs were met – but not to an agreement. Under Benjamin Netanyahu's premiership, discussions were held through a secret channel involving an American businessman and influential Jewish community leader, Ron Lauder. These stumbled chiefly on the issue of the scope of territorial withdrawal.

In the last months of Hafez al-Assad's life, an energetic attempt was initiated by Prime Minister Ehud Barak and Clinton. The parties made rapid progress, Syria showing unusual flexibility and eagerness to conclude a deal; according to most U.S. negotiators. Barak, however, had become far more cautious, fearing a negative domestic reaction.⁴ The negotiations collapsed in March 2000 at a Geneva summit between Clinton and Assad, when Barak's offer, conveyed by the U.S. president, was rejected by his Syrian counterpart. At that point, differences had

¹ During the 2006 Lebanon war, Syria reinforced its positions 5km from the Area of Separation with 2,000 additional troops on battle-ready alert but neither side exceeded the 6,000 limit set by the 1974 Disengagement Agreement. Crisis Group interviews, Israeli military reserve expert and UN officials, Golan, October 2006.

² Crisis Group interview, UNDOF official, Tiberias, October 2006.

³ Crisis Group interview, Jerusalem, September 2006.

⁴ See Crisis Group Middle East Report N°4, *Middle East Endgame III: Israel, Syria and Lebanon – How Comprehensive Peace Settlements Would Look*, 16 July 2002, p. 4.

narrowed to within a few hundred metres inland from the Kinneret/Sea of Galilee.⁵

The Geneva summit and subsequent death of Hafez al-Assad closed the chapter on these stop-start negotiations. New leadership in Syria (President Bashar al-Assad), Israel (Prime Minister Ariel Sharon) and the U.S. (President George W. Bush) further hindered any dialogue. The 11 September 2001 attacks precipitated a paradigm shift in Washington, which made changes in Syrian policy toward Hizbollah and other armed groups a condition for engagement, rather than accepting that such changes would result from engagement.⁶

The U.S. invasion of Iraq, presented by some in Washington – and perceived by many in the region – as the first in a series of regime-changes planned for the Middle East, added to strains in U.S.-Syrian relations. In October 2003, Washington backed an Israeli raid on a Palestinian refugee camp in Syria in reprisal for an Islamic Jihad attack against Israel, while in Baghdad U.S. officials threatened military action if Syria continued to provide Iraqi insurgents a haven and cross-border access. In February 2005, Syria ended its military presence in Lebanon following the outcry at the killing of former Prime Minister Rafiq Hariri, for which many held it responsible. Increasingly pressured, the regime communicated directly⁷ and through intermediaries its desire to resume peace negotiations with Israel. Sharon, opposed to a Golan withdrawal, suspicious of Syria and reluctant to ease growing pressure on it, rejected such overtures; instead, reportedly prodded by Foreign Minister Silvan Shalom, President Katsav and parts of the defence establishment, he is said to have acquiesced in Track II informal talks.⁸ These ended as Israel – sensing Syria's

increased isolation – allegedly rejected requests to raise the level of representation.

Western interest in engaging Syria revived in the wake of the July 2006 Lebanon war. On a range of regional issues – Iraq's future; Iran's regional influence; the role of Hamas in Palestine and of Hizbollah in Lebanon – European leaders in particular increasingly see Damascus as a swing-player, able to nurture greater stability or stoke increased turmoil. While the U.S. has remained broadly opposed to renewed dialogue with Syria – only recently agreeing to its attendance (and Iran's) at a regional conference on Iraq – and has by all accounts counselled Israel not to resume peace negotiations,⁹ and while several Arab leaders have voiced the same views, influential individuals outside the administration have argued for a different course.¹⁰ This was most evident in the Baker-Hamilton report, in which a distinguished bipartisan group called for U.S. engagement with Syria and a resumption of Israeli-Syrian talks,¹¹ and in Speaker Nancy Pelosi's highly visible trip to Damascus in April 2007. In Israel itself, ministers, members of the defence establishment and large segments of the press echo this view.

II participants, October 2006. These talks were leaked to *Haaretz*, which revealed that more than half a dozen meetings took place. Mediated by Swiss officials, these involved Ibrahim Suleiman, a Syrian-American businessman who comes from the same village as Assad, and Alon Liel, a former director general at the Israeli foreign ministry. *Haaretz*, 16 January 2006. The Israeli and Syrian government have denied these discussions had any importance or that they had any involvement in them. See also Akiva Eldar, "The Syrian secret Sharon did not reveal to Olmert", *Haaretz*, 20 March 2007.

⁹ Crisis Group interview, U.S. and Israeli officials, Washington DC, November-December 2006.

¹⁰ Among prominent Democrats, Senator Hillary Clinton stated her support for a "track with Syria", *The New York Times*, 14 March 2007); Senator Barack Obama proposed "opening dialogue with both Syria and Iran", remarks at the Chicago Council on Foreign Relations, 20 November 2007, <http://obama.senate.gov/speech/061160>); and Senator Joe Biden, chairman of the Senate Foreign Relations Committee called for direct diplomatic engagement with Syria, *The Boston Globe*, 28 July 2006. Among Republicans, Senator Chuck Hagel repeatedly has advocated talks with Syria.

¹¹ "The United States cannot achieve its goals in the Middle East unless it deals directly with the Arab-Israeli conflict and regional instability. There must be a renewed and sustained commitment by the United States to a comprehensive Arab-Israeli peace on all fronts: Lebanon, Syria, and President Bush's June 2002 commitment to a two-state solution for Israel and Palestine. This commitment must include direct talks with, by, and between Israel, Lebanon, Palestinians (those who accept Israel's right to exist), and Syria", Executive Summary, Iraq Study Group, 6 December 2006. See also Crisis Group Middle East Report N°60, *After Baker-Hamilton: What to Do in Iraq?*, 19 December 2006, pp 23-24.

⁵ For a history of Israeli-Syrian negotiations, see *ibid*, pp. 2-5.

⁶ This change in U.S. policy eventually led to the imposition of unilateral sanctions against Syria. For a discussion, see Crisis Group Middle East Report N°23, *Syria Under Bashar (I): Foreign Policy Changes*, 11 February 2004.

⁷ In a 1 December 2003 interview with *The New York Times*, Bashar called for resumption of peace negotiations with Israel. In a subsequent meeting with a U.S. Congressional delegation, he went further, stating that while it would be a waste of time to start from scratch and ignore all that had been achieved in the past, "if that's what the Israelis want, all right", *Haaretz*, 13 January 2004.

⁸ Attempts by Turkish Prime Minister Recep Tayyip Erdogan to revive official talks in early 2004 following a visit by President Bashar to Ankara in January of that year were rebuffed by Prime Minister Sharon. Sharon also overruled Israeli President Moshe Katsav, who publicly and privately called for talks with his Syrian counterpart, and in April 2005 shook hands with Bashar at Pope John Paul II's funeral. See *The Washington Post*, 7 April 2005. However, a series of Track II unofficial talks had begun in mid-2004, reportedly with Sharon's knowledge, and continued into early 2006. Crisis Group interviews, Israeli Track

Within weeks of the Lebanon war, Bashar launched a new diplomatic initiative. In a series of interviews with leading international media organisations, he offered a vision of Israel and Syria living “side-by-side in peace”.¹² Negotiations could resume without preconditions, a deal could be concluded within six months,¹³ normalisation under the terms of the Arab League (Beirut) initiative would result, he said. In an interview with *Der Spiegel*¹⁴ – which some Israelis hailed as “remarkable”¹⁵ – Syria distanced itself from Iran and its president’s call for Israel’s destruction.¹⁶ “What more could you ask for?”, a veteran Israeli diplomat wondered.¹⁷

Prime Minister Olmert quickly dismissed the appeal. “As long as I am prime minister, the Golan Heights will remain in our hands forever because it is an inseparable part of Israel”, he allegedly said – though he privately denied that was what he meant.¹⁸ The prime minister subsequently explained that Israel would resume talks once Syria met certain conditions. In an interview with *Newsweek*, he said: “I would be happy to negotiate with Bashar Assad, but on the basis of a certain environment, where you stop your support of terror and of Hizbollah. Assad doesn’t show any sign that he’s ready to do this”.¹⁹ Since then, Israel’s position has not varied, and Syrian appeals continue to fall on deaf ears. This may partly be explained by Olmert’s own precarious position. Awaiting the verdict of the Winograd Commission, which is looking into the conduct of the 2006 Lebanon war, and anticipating challenges to his leadership, whether from within his party, Kadima, or from the right-wing Likud, Olmert apparently has opted against taking any diplomatic initiative.

This might change. Should the Winograd report not bring him down, Olmert may decide that a bold gambit offers

him the best chance of long-term survival and may at that point see merit in exploring the Syrian track. Alternatively, Olmert may be forced out, and his successor – assumed by most to be either Foreign Minister Tzipi Livni or the Likud leader, Benjamin Netanyahu – could feel less constrained vis-à-vis Syria. Certainly, any attempt to achieve a breakthrough in relations with the Arab world will require a peace agreement with Syria. Though far from guaranteed, there also could be a change in Washington’s posture toward Syria – dictated, perhaps, by its continued failure in Iraq and on the Israeli-Palestinian front or by realisation that progress in negotiations between Israel and Syria would significantly help its flagging Middle East fortunes in general.

¹² BBC News, 9 October 2006.

¹³ *El Pais*, 1 October 2006.

¹⁴ *Der Spiegel*, 24 September 2006.

¹⁵ Crisis Group interview, Avi Primor, former foreign ministry deputy director-general and Israeli ambassador to Germany, October 2006.

¹⁶ “He insisted he did not want to see Israel wiped off the map. When I asked him if Syria and Israel would one day be able to live side-by-side in peace, each accepting the other’s existence, he answered promptly: ‘Yes, the answer is yes’”, BBC News, 9 October 2006. “I don’t say that Israel should be wiped off the map. We want to make peace - peace with Israel”, *Der Spiegel*, 24 September 2006.

¹⁷ Crisis Group interview, Avi Primor, October 2006.

¹⁸ Olmert was quoted in the Jerusalem-based Orthodox magazine, *Mishpacha*; see Jewish Telegraphic Agency, 27 September 2006. He subsequently has told an Israeli political leader that he was misquoted. Crisis Group interview, Israeli political leader, Jerusalem, March 2007.

¹⁹ Olmert interview, *Newsweek*, 11 November 2006.

II. EXPLAINING ISRAEL'S RESISTANCE

A. OFFICIAL RATIONALE

1. Can Syria be trusted?

In explaining their objection to renewed talks, Israeli officials typically offer two rationales, one relating to Syria, the other to the U.S. As to the former, they argue that peace negotiations cannot take place with a country that is simultaneously waging (indirect) war on Israel. "They are arming Hizbollah while aiding and abetting violent Palestinian groups. We can trace terrorist attacks in Israel to directives issued by such groups in Damascus. We cannot at the same time extend our hand and accept civilised talks".²⁰ Only once Syria has halted these hostile activities will Israel take its offers seriously and respond accordingly. More specifically, Prime Minister Olmert's advisers list three key pre-conditions for engagement: taking steps to curb Palestinian militant groups hosted in Syria and in particular closing the bases of five armed organisations;²¹ ceasing Syria's role as both a conduit and supplier of arms to Hizbollah;²² and reconfiguring Syria's relationship with Iran. (An official added a fourth – ceasing support for the Iraqi insurgency – which reflects more a U.S. than an Israeli priority).²³ In summary, says a prime

²⁰ Crisis Group interview, Israeli official, Jerusalem, March 2007.

²¹ The five are Hamas, Islamic Jihad, the Popular Front for the Liberation of Palestine, the Democratic Front for the Liberation of Palestine and the Popular Front for the Liberation of Palestine – General Command.

²² An Israeli security official said: "All efforts to rebuild Hizbollah by Iran go via Syria. It must be different". Presentation by Major General Amos Gilad, director, military/political and policy bureau, Israel ministry of defence, attended by Crisis Group at the Jerusalem Centre of Public Affairs (JCPA), 13 November 2006. Israeli analysts argue that most of Hizbollah's rockets, including the Grad-type 122mm Katyusha, the Grad 122mm Multi-launch Katyusha, 220mm rocket and its 302mm rocket, are Syrian-manufactured and supplied. Uzi Rubin, "Hizbollah's Rocket Campaign against Northern Israel", JCPA, August 2006.

²³ Crisis Group interview, Israeli official, Washington DC, November 2006. In response to a claim by U.S. House of Representative Speaker Nancy Pelosi during her visit to Damascus that Prime Minister Olmert had indicated his willingness to negotiate with Syria, Olmert's office offered the following clarification: "In order to conduct serious and genuine peace negotiations, Syria must cease its support of terror, cease its sponsoring of Hamas and Islamic Jihad organisations, refrain from providing weapons to Hizbollah and bringing about the destabilisation of Lebanon, cease its support of terror in Iraq, and relinquish the strategic ties it is building with the extremist regime in Iran. The Prime Minister clarified that by these measures it would be determined whether Syria is sincere about attaining

ministerial adviser, "we don't talk with all Arab leaders, only moderate ones who do not support terror. We're not seeking regime change, but a policy change".²⁴

In the wake of the Lebanon war, the relationship with Hizbollah is cause for particular concern. A defence official said: "Bashar is supplying Hizbollah with long-range rockets. In the Lebanon war his rockets reached Hadera and killed Israelis. Damascus is also sending terror and weapons that might cause a deterioration in the [occupied Palestinian] territories. He's playing a very negative, destructive role".²⁵ Another added: "Without Syria, most of the arms couldn't be in Lebanon. More than 95 per cent of arms came by flights from Iran to Damascus Airport, then by land to the Bakaa, and from there on small trucks to South Lebanon".²⁶

Some Israeli officials and analysts add that Syria today is not interested in recovering the Golan; instead, they claim, the occupation is the regime's lifeline, which it uses to maintain the state of emergency, postpone domestic reforms and silence opposition. Others go further and say that Syria is committed to its ideological alliance with Iran and question whether a 25-year old relationship can be easily reversed. In the words of a military official, "Syria relies on Iran. The basis of this alliance is the basis of the Assad regime's existence. He's isolated in the Arab world but he has the strategic backing of Iran".²⁷ An official in the prime minister's office said: "Ever since Bashar arrived in power in 2000, he has chosen his relationship with Hizbollah and Iran over his relationship with Arab states".²⁸

Critics of a Golan pullback cite more general concerns over the regime's sincerity and longevity. Yuval Steinitz, a Likud member of the Knesset and foreign policy expert, says: "If there will be a real peace, of course it's good for security. But if instead of peace, there is tension and

genuine peace with Israel". "Clarification from the Prime Minister's Bureau regarding quotes attributed to U.S. House Speaker Pelosi", 4 April 2007.

²⁴ Crisis Group interview, Israeli official, Jerusalem, October 2006.

²⁵ Crisis Group interview, defence official, Tel Aviv, March 2007.

²⁶ Crisis Group interview, defence official, Herzliya, September 2006.

²⁷ Presentation by Amos Gilad, op. cit.

²⁸ Crisis Group interview, Jerusalem, November 2007. For Ephraim Sneh, the deputy defence minister, "the real rift in the region is between the quartet of evil – Iran, Syria, Hizbollah, Hamas – and all the rest. There is a strong axis of moderate countries: Egypt, Jordan, the Saudis, and the Emirates. They are all against Islamic extremism... It's good for Israel to join with these countries that are all afraid of Iran", *Jerusalem Post*, 10 November 2006.

terrorism, and Syria will interfere with the Palestinians, then its value is greatly diminished. Syria has no real peace with any of its other neighbours, so it seems unrealistic to expect Syria will give Israel a stable, lasting peace".²⁹ Giora Eiland, a former national security adviser, parted company with many of his colleagues in the security establishment (who favour renewed talks), focusing on the heavy costs and uncertain gains of a peace deal. He argued: "Even if Bashar is serious and peace is achievable, Israel has to reject it. Such an agreement will be dangerously fragile and both the concessions required of Israel and the risks it will have to bear will far outweigh any possible benefit".³⁰ Moreover, "contrary to the peace agreement with Egypt and Jordan, this peace agreement may not be respected by the Sunni majority who sooner or later will replace a regime whose dictates its successor will likely consider illegal and illegitimate".³¹ This view was echoed by a defence official who doubted "whether Assad is ready or capable to deliver the goods".³²

2. A U.S. veto?

Rarely mentioned in public, but invariably raised in private, is Washington's position. Some Israelis cite it as a principal reason not to respond to Bashar's overtures.³³ "We can afford to ignore U.S. preferences on some issues but not on issues that are defined as central to U.S. foreign policy. Isolating and pressuring Syria has become one such issue".³⁴ While U.S. officials deny that they are obstructing Israeli moves, the Bush administration's opposition to renewed talks with Syria has been clearly expressed and is confirmed by senior Israeli officials.³⁵ Asked about this, a senior U.S. official explained:

If Syria is serious and Israel wants to engage with it, we will not object. But the real problem today with Syria is unrelated to the Golan. It has to do with Lebanon. Syria is as single-minded on this as possible: they want to stop the tribunal [related

to the al-Hariri assassination] and reassert their influence in Lebanon. They will do what they can to achieve both, so there is a cost to any of us dealing with Syria because a deal on any other issue – Iraq or the Golan – necessarily would come at Lebanon's expense.³⁶

When further pressed as to why Syria's intentions – and priorities – should not at least be tested, the official replied: "If Syria is tested – by us or others – it will send a clear message to the March 14 forces in Lebanon that we are considering a deal and that that deal will be cut behind their backs".³⁷ It is, of course, unclear whether Prime Minister Olmert would act differently in the absence of U.S. objections. His own highly precarious political situation coupled with strong domestic opposition to a Golan withdrawal (see below) might in any event preclude a bold move on the Syrian front. Still, Washington's position at a minimum provides him with a convenient justification. The rationale does not satisfy everyone in Israel. As a former Israeli official remarked, "in all my lifetime in Israel, we've never rejected a proposal from an enemy state to come to the negotiating table without conditions, and now we're the ones setting conditions".³⁸

Another, less publicised factor must be mentioned, relating to Syria's position in the Arab world. Estrangement between President Assad and counterparts from so-called moderate Arab countries – Egypt, Jordan and, especially, Saudi Arabia – has grown since Hariri's murder and the 2006 Lebanon war.³⁹ Although openly supportive of Israeli-Syrian negotiations, leaders from these countries privately have backed a policy of isolating and pressuring Damascus. In the words of a U.S. official:

Even if we were inclined to relax the pressure and engage Syria – which we are not – we would face strong opposition from its nominal allies – other Arab governments. The last thing they want to see right now is a deal that would empower the Syrian regime. They feel it needs to be put back in its place".⁴⁰

²⁹ Crisis Group interview, Yuval Steinitz, Jerusalem, March 2007.

³⁰ Crisis Group interview, Giora Eiland, former national security adviser and member of the Institute of National Security Studies, Tel Aviv University, March 2007.

³¹ Ibid.

³² Crisis Group interview, Israeli defence official, Tel Aviv, March 2007.

³³ Crisis Group interview, Israeli official, Washington DC, November 2006. A U.S. official confirmed that the Bush administration had advised Israel not to accept Bashar's overtures. Crisis Group interview, Washington DC, December 2006.

³⁴ Crisis Group interview, Israeli official, Washington DC, November 2006.

³⁵ Crisis Group interviews, U.S. and Israeli officials, Washington DC, Jerusalem, February-March 2007.

³⁶ Crisis Group interview, U.S. official, Washington DC, February 2007.

³⁷ Ibid.

³⁸ Crisis Group interview, Jerusalem, November 2006.

³⁹ Already significantly damaged by Hariri's assassination, relations between Syria and other Arab states further deteriorated after the Lebanon war. On 15 August 2006, a day after Lebanon and Israel agreed to a ceasefire, Bashar described those Arab leaders who had criticised Hizbollah and Syria as "half-men", a personal attack that caused deep offence. The official transcript of the speech can be found at www.sana.org/eng/21/2006/08/15/57835.htm.

⁴⁰ Crisis Group interview, U.S. official, Washington DC, February 2007.

Syrian officials bitterly noted that in his 7 March 2007 speech to a joint session of the U.S. Congress, Jordan's King Abdullah spoke eloquently and expansively about the need for Israeli-Palestinian peace but uttered not a word about Syria.⁴¹

Israel has taken note. In recent months, Olmert has focused much of his Arab diplomacy toward Saudi Arabia, convinced that both countries share a fear of Iranian ambitions and an interest in curbing them. Reports of secret meetings between officials are widespread, and – at a more public level – Israeli officials have taken a far more positive stance toward the Arab (Beirut) peace initiative, initially authored by Saudi Arabia's King Abdullah.⁴² If a breakthrough with the Arab world is to occur, reason some Israeli officials, it will involve Riyadh, whose preferences, therefore, ought to be taken into account. Responding to Syria's overtures, in other words, would alienate those Arab countries Israel is most interested in cultivating.

This could change. By bringing together representatives from the U.S., Syria and Iran, the Baghdad regional meeting on Iraq could be read as a first opening toward engagement with Damascus. Moreover, according to some reports, the U.S. recently signalled to Olmert that it would not "object" to an Israeli decision to engage Syria – a position that is still short of the requisite support but nonetheless a relative softening.⁴³

Still, there remains considerable room for scepticism. Hostility to the Syrian regime runs deep within the U.S. administration, and although there are increasing signs of American pragmatism in the region and worldwide, a significant reorientation of policy toward Damascus appears unlikely. Even were it to occur, the Israeli government would have to overcome obstacles to a peace agreement that transcend present U.S. or Arab resistance and that go well beyond current doubts about the longevity or sincerity of the Syrian regime.

⁴¹ Crisis Group interview, senior Syrian official, Damascus, March 2007. In an interview with *Haaretz*, 3 March 2007, King Abdullah advised against engaging with Syria prior to re-launching a Palestinian process and cautioned that "the other tracks" could be "a smokescreen".

⁴² Olmert described the Saudi plan as a "convenient basis for future talks between us and moderate Arab elements.... The Saudi initiative is interesting and contains many parts I would be ready to accept...[but] not all of them", BBC News, 22 March 2007.

⁴³ Crisis Group interview, Israeli official, Washington DC, March 2007.

B. DOMESTIC CONSTRAINTS

Although Olmert has stated his determination not to withdraw from the Golan, past Israeli prime ministers have agreed to territorial compromises after having decisively excluded them. Ariel Sharon dismantled all Gaza settlements after vowing not to do so.⁴⁴ Yitzhak Rabin also spoke of the inconceivability of an Israeli pullout from the Golan. In his 1992 electoral campaign, he said: "To raise the thought that we descend from the Golan Heights would be tantamount to abandoning, I repeat, abandoning the defence of Israel"⁴⁵ – only a short time before giving President Clinton a commitment to "withdraw from the Golan to the June 4, 1967 borders as long as Israel's concerns were satisfied".⁴⁶ Olmert himself has said:

The worst thing that can happen to any leader is to fall in love with what he has said in the past, overlook changed circumstances and continue to repeat what he said in the past only because he once said it. I am not made this way. I am ready to re-examine my premises every day, and see whether they are still applicable.⁴⁷

And, as he correctly and pointedly noted, four of his predecessors – Rabin, Peres, Netanyahu and Barak – agreed in principle to a Golan withdrawal.⁴⁸ That in the end they

⁴⁴ Israel "will not evacuate one settlement. Such an evacuation will only encourage terror and increase pressure upon us. The fate of Netzarim [a Gaza settlement] is that of ... Tel Aviv", Ariel Sharon in statement to the Knesset Foreign Relations and Defence Committee, 23 April 2002. Similarly the Likud electoral platform of 2003 read: "The Jewish communities in Judea, Samaria and Gaza are the realisation of Zionist values. Settlement of the land is a clear expression of the unassailable right of the Jewish people to the Land of Israel and constitutes an important asset in the defence of the vital interests of the State of Israel. The Likud will continue to strengthen and develop these communities and will prevent their uprooting". www.knesset.gov.il/elections/knesset15/elikud_m.htm.

⁴⁵ Election campaign statement, Katzrin, quoted in Yossi Ben Aharon, "Negotiating with Syria", *Middle East Review of International Affairs*, June 2002. For further statements see *Haaretz*, 13 September 1994.

⁴⁶ Bill Clinton, *My Life* (New York, 2004), p. 883.

⁴⁷ *The Jerusalem Post*, 28 September 2006.

⁴⁸ Olmert reportedly told the Foreign Relations and Defence Committee that "according to documents, the prime ministers from 1993 to 2001 [a reference to Yitzhak Rabin, Benjamin Netanyahu and Ehud Barak] had all held negotiations with Syria during which it had been clear that any agreement would entail Israel completely ceding the Golan and withdrawing to the 1967 border", *Haaretz*, 12 February 2007. "Peres continued Rabin's commitment to withdraw from the Golan Heights, Netanyahu was almost the same and Barak was fully aware of it", Crisis Group interview, former chief of staff Amnon Lipkin-Shahak, Tel Aviv, October 2006.

balked at demarcating a border consistent with the June 1967 lines is, of course, related to Syria's own conduct and inability to reach out to the Israeli public. But it also relates to important domestic considerations.

Throughout the 1990s, U.S. and Israeli leaders took it almost as an article of faith that a Golan pullout would be far easier to sell to the public than a West Bank one. West Bank settlers far outnumber their Golan counterparts – some 200,000 compared to 20,000 – are far more determined and invoke far deeper and resonant biblical ties to the land. Moreover, the border with Syria has remained quieter than that with any other neighbour; a majority of the military, diplomatic and academic establishment publicly favours a land-for-peace deal. Prime Minister Barak in particular made clear that he considered a peace deal with Syria both of greater strategic importance and of lesser political cost than a peace agreement with the Palestinians. Surveys conducted during earlier rounds of negotiation suggest that half the Golan settlers are willing to abandon the territory in return for compensation.⁴⁹

Yet, while the public seems willing to relinquish the West Bank, it remains attached to the Golan. The Golan may have been considered less valuable in religious terms, but it also has been much safer and, it follows, less of a physical burden and more of a strategic and recreational asset. Just as many Israelis have grown accustomed to the notion that they eventually will have to part with the West Bank, they have grown used to the idea that they will be able to keep the Golan heights – to which, importantly, Israeli laws were extended in 1981⁵⁰ and whose Jewish inhabitants Israelis refer to as “*mityashvim*” (literally “those settled in the *yishuv*”, the Zionist term for Jewish settlement prior to 1948 statehood) not “*mitnahalim*” (literally “those who settle in the *nahala*, or Biblical plot of land”) which for many has pejorative connotations and is reserved for their West Bank counterparts.

Today, only 30 of 120 Knesset members publicly favour an Israeli withdrawal,⁵¹ far short of the 61 required to revoke the 1981 law annexing the Golan and ratify a potential agreement. Among the wider population, the percentages appear similarly lopsided. According to a September 2006 opinion poll, only 14 per cent of Jews

(as opposed to 77 per cent of Israeli Arabs) favour a full withdrawal from the Golan Heights in exchange for a full peace; 70 per cent of Jews opposed it, up from 58 per cent four years earlier.⁵² A settler leader who favours a peace agreement commented: “Prime ministers fear public opinion. This is the biggest obstacle to a deal”.⁵³ Several factors explain this apparent paradox: the Golan is seen as a security barrier, as evidenced by three decades of quiet on the Syrian front; it is the source of precious water resources; it does not represent a demographic threat; the Golan settlers enjoy a relatively popular image; and the Golan offers Israel a comfort zone and rare feeling of open space.

1. Military and water security

Most Israeli military and security officials and experts interviewed by Crisis Group questioned security arguments for retaining the Golan.⁵⁴ Their number includes former chiefs of staff, heads of the security agencies, military intelligence chiefs and diplomats, confident of Israel's long-term military superiority over Syria. “From the point of view of military requirements, we could reach an agreement with Syria by giving up the Golan”, said Moshe Yaalon, a former chief of staff. “The army could defend Israel's borders wherever they are”.⁵⁵

Contrary to the popular image of an unbroken ridge of cliff-tops, much of the Golan north of the Sea of Galilee rises gently from the Jordan Valley; in the past, even when Syria's military was a more effective force, capturing the plateau overlooking the Sea was not a particularly vexing challenge.⁵⁶ In addition, many Israeli security experts argue

⁴⁹ *The New York Times*, 14 June 1999.

⁵⁰ The Golan Heights Law, ratified by the Knesset on 14 December 1981, applies Israel's “law, jurisdiction and administration” to the Golan Heights though it does not declare the Golan to be sovereign Israeli territory, www.israel-mfa.gov.il/peace/golan.html. Security Council Resolution 497 stated that “the Israeli decision to impose its laws, jurisdiction and administration in the occupied Syrian Golan Heights is null and void and without international legal effect”.

⁵¹ Estimates provided by foreign ministry officials, Crisis Group interviews, Jerusalem, October 2006.

⁵² Peace Index compiled by Tami Steinmetz Centre for Peace Research at Tel Aviv University, December 2006. Crisis Group interview, Professor Tamar Hermann, Raanana, October 2006. See also *The Jerusalem Post*, 12 October 2006.

⁵³ Crisis Group interview, Yigal Kipnis, Maale Gamla settlement, October 2006. In his memoirs, President Clinton argues that Prime Minister Barak had a last minute change of heart at the Shepherdstown summit because he “began to worry about the political consequences of giving up the Golan without having prepared the Israeli public for it”, *My Life*, op. cit., p. 885.

⁵⁴ “The leaders of Israel's defence establishment are currently united in recommending a full peace deal with Syria”, Crisis Group interview, *Yediot Ahronot* commentator Sever Plotzker, October 2006.

⁵⁵ Interview, *Yediot Ahronot*, 13 August 2004. Another vocal advocate of a deal with Syria is Brig. General Yossi Ben-Ari, a former senior military intelligence officer. See Ben-Ari, “Bush should surprise Syrian leader with invitation to summit with Israel”, *Yediot Ahronot*, 28 October 2006.

⁵⁶ “Israel was better able to defend itself from invasion in 1967 than it could in 1973, when the front-line was 20km inside the Golan Heights”, Crisis Group interview, Yitzhak Abadi, retired Israeli intelligence officer, Degania, October 2003.

that the benefits of deeper defences would be outweighed by the safeguards of a peace agreement creating a demilitarised Golan under which Syrian forces would remain 35km or more from Israel's border. In the words of Shlomo Gazit, a former military intelligence chief, "our frontiers may have been more defensible when Israeli troops controlled the west bank of the Suez Canal but we are better protected with an agreement from Egypt".⁵⁷ According to another expert:

Israel's strategic posture would be better if we got down from the Golan, leaving a large demilitarised zone between the armies. Syria's war option would be more difficult than it is today, because their forces would have to cross more terrain to reach the Israeli border, thus exposing them to Israeli attack from the air. Syria's ability to attack Israel would be much less.⁵⁸

Martin van Creveld, a respected military historian, comments:

If Israel is seeking to defend itself from a Syrian invasion, it is better off without the Golan. Atop the Golan, it is relatively easy for the Syrians to launch an attack on Israeli positions. But the Syrians would be constrained on their way down to the Sea of Galilee by the small number of access routes; I would not want to be a Syrian tank commander trying to descend the Golan against an Israeli arsenal. It's suicide.⁵⁹

The value of territorial control has depreciated in an age of rockets and missiles, when a 20km-wide buffer hardly represents a genuine barrier. Syria's missile capability and range far exceed that of Hizbollah, enveloping all Israel's population centres. According to a retired Israeli intelligence officer and Syria expert, "We're not talking about Hizbollah's scale of munitions with a Katyusha warhead of 50kg Syria has a jungle of locally assembled ballistic missiles. The Scud-C can reach any part of Israel with 1,000kg of explosives".⁶⁰

And yet, such arguments must contend with deep-seated popular sentiments about the Golan's strategic value. For over a generation, Israelis have been raised on the doctrine of strategic depth and defensible borders provided by the Golan Heights. An Israeli high-school teacher asked:

"Why should we abandon a territory that has brought half a lifetime of peace?"⁶¹ School textbooks evoke both the existential danger of border skirmishes and bombardments that originated in the Golan Heights prior to 1967 and the security benefits deriving from Israel's expanded frontiers thereafter;⁶² more nuanced historical narratives in which other factors – such as Israeli incursions in the demilitarised zone in the period preceding 1967⁶³ – are acknowledged to have played a part in triggering the conflict so far have not seriously affected public opinion.⁶⁴ By extension, much of the public attributes the calm that followed the war to the conquest. While two Palestinian uprisings and a large number of terrorist attacks have brought home the costs

⁶¹ Crisis Group interview, Jerusalem, November 2006. Opponents of a full withdrawal also fear the loss of intelligence gathering benefits and a concomitant gain for Syria. While a demilitarised zone is effective at containing conventional forces, the presence of non-state actors potentially backed by Iran and either overlooking or on the shores of the Sea of Galilee could pose a future threat. "Giving back the Golan just so Iran could establish observation posts and early warning stations in our place makes no sense", said an Israeli military analyst, Crisis Group interview, Jerusalem, October 2006.

⁶² For instance, under a section titled "Israeli Achievements of the Six-Day War", a textbook approved by the education ministry and widely taught in secondary schools cites the first achievement as follows: "The direct danger of the destruction of the state of Israel was removed. The ceasefire lines were [shifted] far from the centre of the country and its defensive borders enlarged. . . . The conquest of the Golan Heights increased Israel's topographic advantage. This situation enabled the Israeli Defence Forces to reposition their military outlook. . . far from Israeli settlement", Avraham Hadad, *History of the People of Israel and [other] Peoples in the Period of the Holocaust and the Recovery [1939-1970]*, (2004), p. 634 (in Hebrew) .

⁶³ In the words of General Mordechai Makleff, an Israeli chief-of-staff in the mid-1950s, "on the Syrian front we represented a rousing [provocative] element by wishing to fill a vacuum in the DMZ, by establishing Israeli settlements there and evicting them [the Syrian peasants] from the region. . . . Very harsh things occurred then; fields were divided, they [Syrian peasants] sowed in winter and came to harvest in summer. We reaped their fields or burnt them", quoted in Moshe Maoz, *Syria and Israel* (Oxford, 1995), p. 50. See also the posthumously published testimony of Moshe Dayan, Israeli defence minister during the 1967 war when the Golan Heights were captured: "The kibbutzim saw the good agricultural land [in the DMZ]. . . . They didn't even try to hide their greed for the land. . . . We would send a tractor to plow some area where it wasn't possible to do anything, in the demilitarised area. . . . If the Syrians didn't shoot, we would tell the tractor to advance further, until in the end the Syrians would get annoyed and shoot. And then we would use artillery and later the air force also, and that's how it was", Associated Press, 11 May 1997.

⁶⁴ "There's a big gap between history and memory. People don't know what happened. They have demonised Syria. You have to inform the public", Crisis Group interview, Golan settler and academic, Yigal Kipnis, Maale Gamla, October 2006.

⁵⁷ Crisis Group interview, Shlomo Gazit, Tel Aviv, October 2006.

⁵⁸ Crisis Group interview, Prof. Uri Bar-Joseph, Haifa University, March 2007.

⁵⁹ Crisis Group interview, Prof. Martin van Creveld, military historian, Hebrew University of Jerusalem, March 2007.

⁶⁰ Crisis Group interview, Yitzhak Abadi, Degania, October 2006.

associated with the occupation of the West Bank and Gaza Strip, no such pressure has come from the Golan.

Israel often portrays Mt. Hermon/Jebel al-Sheikh as the “eyes of the state”.⁶⁵ Its early warning stations – two dense clusters of antennae, satellite dishes and Buckminster Fuller radar domes clearly visible not only from the ski resort below but from Damascus 40km (26 miles) to the east – provide unimpeded surveillance of Syrian skies and military bases and signal intelligence on a range of activities taking place in the country. Such a security cordon, claims an anti-withdrawal film commissioned by Golan settlers and on permanent viewing at the newly-opened visitors centre in the settler town of Katzrin, should not be sacrificed in return for “a piece of paper from Assad”.⁶⁶

Israelis also view the Golan through the prism of their water concerns – a national priority since the state’s birth. Irrigated by the melting snows of Mt Hermon/Jebel al-Sheikh and nearby springs, the Golan supplies Israel with about a quarter of its annual water needs of two billion cubic metres. Should it withdraw from the Golan, Israel fears that Syria would extract valuable water from rivers flowing below and to the west of the Golan plateau (the Hasbani and Baniyas), particularly if a large number of Syrians were to resettle in the area. The advent of desalination plants has somewhat, though not fully, alleviated this concern. A former chief of staff and current chairman of Israel’s national water corporation explains: “The matter is not as difficult as it was. 30 years ago, when we had no access to desalination, it was crucial. Now when we can produce water from the sea at 60 cents a cubic metre it is no longer an existential matter”.⁶⁷

⁶⁵ See, for instance, the entry for the Golani Brigade at www.jewishvirtuallibrary.org.

⁶⁶ For further details, see <http://english.golan.org.il/ts.exe?tsurl=0.356.24441.0.0>.

⁶⁷ Crisis Group interview, Amnon Lipkin-Shahak, former Israeli chief of staff and chairman of Mekorot, Tel Aviv, October 2006. Israel operates one major desalination plant producing over 100 million cubic metres per annum along the Mediterranean coast. A second is under construction, and several more are planned. Once operational, they will produce more fresh water than currently flows from the Golan into Israel, estimated variously between 300 to 500 million cubic metres annually: “The only exclusively Golan source that Israel might have to forgo if it withdraws from the Golan is the Baniyas, which provides 180 million cubic metres per annum, and perhaps some of the run-off, which varies annually but may be another 100 million”, Crisis Group interview, Hillel Shuval, professor of environmental sciences, Hebrew University of Jerusalem, April 2007. Much of that will continue to run-off into Israel after a future handover, and even the water from the Baniyas may be too costly for Syria to pump 800 metres up to the Golan plateau. Total replacement costs for Israel would depend on the amount of water Syria would

2. Settler advocacy

Though few in number, the 20,000 settlers of the occupied Golan arguably have been “the single most effective political lobby in Israel”.⁶⁸ This is not a matter of direct political strength; they have only minimal representation in the Knesset, and their electoral participation is below the national average.⁶⁹ Yet for over a decade they have successfully mobilised public opinion against a withdrawal, tapping into strong attachment to the Golan with country-wide campaigns during the tenures of both Rabin and Barak. Unlike some of their West Bank counterparts, who often are seen as political outsiders and religious extremists, the public largely perceives the typically unarmed Golan settlers as members of the mainstream and a source of much of the country’s internal tourism and agricultural produce.⁷⁰ A veteran settler lobbyist from the Golan said: “Our major resource is not our political leaders, but the Israeli public”.⁷¹

divert for its own use but the current cost for desalinated water is less than the standard rate Mekorot, Israel’s water company, charges domestic customers. “The Temple Mount may not be replaceable for a price, but water is. Water will not be an obstacle to peace”, Crisis Group interview, Shuval, April 2007. Former Prime Minister Shimon Peres said: “Years ago it was thought that the main problem in the region was in the area of water but today we have learned to desalinate water, and it is no longer a scarce resource”, quoted in *Haaretz*, 10 November 2006. For further discussion, see Prof. Hillel Shuval, “The Water Issues on the Jordan River Basin between Israel, Syria and Lebanon can be a Motivation for Peace and Regional Cooperation”, in *Water for Peace in the Middle East* (Amsterdam, 1994).

⁶⁸ Crisis Group interview, Ehud Yaari, Israeli journalist, Jerusalem, October 2006. At the height of negotiations with Syria in 1995, 75 per cent of Israelis polled said they were sympathetic to the Golan settlers, Geocartographia Institute poll, 23-24 August 1995. Gaza’s settlers attracted far less enthusiasm. A Peace Index poll ahead of the Gaza disengagement reported that 58 per cent of Israelis supported their removal by force if necessary. Peace Index, January 2005, www.tau.ac.il/peace.

⁶⁹ Effie Eitam, leader of the National Religious party, is the only parliamentarian whose primary home is in the Golan. The electoral turnout in the Golan was below average in the 2006 parliamentary elections, itself a historic low.

⁷⁰ Unlike in the West Bank, Gush Emunim – a political movement which believes that the messianic age can be hastened by Jewish settlement – played no role in the Golan settler movement. “In the West Bank, four fifths of settlers outside the commuter settlements of Ariel and Maale Adumim are religious and one fifth are secular. In the Golan the figures are the reverse”, Crisis Group interview, David Spellman, head of the population department at the Golan Regional Council, the umbrella organisation administering the Golan’s settlements, Katzrin, October 2006. Like the coastal plains and unlike the West Bank, the Golan is marginal to the biblical narrative.

⁷¹ Crisis Group interview, Romana Bar-Lev, Golan Residents Committee, a settler lobby group, Katzrin, October 2006.

Veteran settlers are at pains to describe their movement as law-abiding, peaceful and devoid of religious militancy. In contrast to many founders of the West Bank settlements, the Golan settlers came from and were nurtured by the Labour Party. Along with East Jerusalem, the Golan was the prime focus of the settlement project during the occupation's first decade under Labour rule. The first Jewish settlement in the Golan was established a month after the 1967 war; by early 1969 there were fourteen, although following the 1973 war, West Bank settler activity quickly outpaced its Golan equivalent.⁷²

A steady rate of migration to the coastal plains – including of children of some of the most ardent settlers – coupled with the precedent-setting Gaza withdrawal, has begun to instil some doubt. “The young are not staying. There's nothing to do”.⁷³ To stem the attrition and court the public, settler organisations have sought to attract fresh recruits. Boosted by increased official support since the 2000 breakdown of peace talks, Katzrin – the only Golan settler-town – has experienced a government-sponsored influx of Russian immigrants, resulting in a 20 per cent population increase between 2001 and 2005.⁷⁴ The demographic growth rate has been even higher in the largely agricultural settlements, up more than a third from 2001 to 2006.

Three quarters of the newcomers have been lured by the “Build Your Own House” campaign, through which the Golan settler authority provides free land to Jews who build a house (at subsidised rates applicable to government-designated “development zones”) within three years.⁷⁵

⁷² According to a Knesset member and former head of the internal security agency, “no Israeli government wants to invest in a territory they know they will have to forfeit in negotiations”, Crisis Group interview, Israel Hason, Jerusalem, October 2006. Settler leaders attribute the slow pace of growth to their comparatively greater distance from the nation's urban centres, pointing out that the main West Bank settlements serve as residential spillovers for Jews working in Jerusalem and Tel Aviv, Crisis Group interview, David Spellman, head of population department, Golan Regional Council, Katzrin, March 2007.

⁷³ Crisis Group interview, Yigal Kipnis, Maale Gamla settlement, October 2006. “Without new members we are finding ourselves with a demographic problem, with nurseries and junior schools having to close”, Crisis Group interview, David Spellman, Katzrin settlement, October 2006. “Many founders are over 50 and running out of steam, and their children don't want to be farmers. So we're importing Thai labourers”, Crisis Group interview, Hassia Ben Ayahu, Avnei Eitan settlement, October 2006.

⁷⁴ Katzrin's population has grown from 6,000 in 2001 to 7,500 in 2007. 40 per cent of the current population is composed of new immigrants, the majority Russians, Crisis Group interview, Katzrin Mayor Sami Bar Lev, March 2007.

⁷⁵ Crisis Group interview, David Spellman, Katzrin, March

Using a Tel Aviv public relations firm, the local council of Golan settlers has placed full-page advertisements in the daily press showcasing the scheme and boasting of low prices – a fraction of the Tel Aviv cost – and a comfortable country life.⁷⁶

3. Demographic comfort: a land without people

The public's remarkable evolution concerning withdrawal from occupied Palestinian territory stems largely from demographic concerns. Maintaining a Jewish majority requires relinquishing these territories, as illustrated by Ariel Sharon's decision to withdraw from Gaza (home to some 1.3 million Palestinians).⁷⁷ Ehud Olmert's 2006 election promise to disengage from considerable areas of the West Bank was justified on similar grounds.⁷⁸

No such argument applies to the Golan, which was emptied of all but some 6,000 of over 100,000 Arab inhabitants during the 1967 war.⁷⁹ Forty years on, the Syrian

2007. Encouraged by the Council, 760 Jewish families have settled in the Golan outside Katzrin over the past five years, and the numbers continue to rise by an average of 250 families per year.

⁷⁶ A small number of privately-funded yeshivas combining religious study with military training – of a type commonly found in the West Bank – also have emerged in the Golan. These tend to be populated by more militant, arms-carrying settlers. Crisis group interviews, religious seminary students, Avnei Eitan settlement, Golan, November 2006. Boosted by funds from Jewish philanthropists (particularly from the U.S. and Australia), such schools inculcate religious attachment to the Golan. “The religious schools put a lot of effort into showing that approximately all the territory conquered in 1967 is part of the promise God gave Abraham and his people and that they have to keep all the territory under Jewish sovereignty”, Crisis Group interview, Yohannan Tzoref, former religious school teacher and military analyst, Jerusalem, November 2006.

⁷⁷ “Gaza cannot be held onto forever. Over one million Palestinians live there, and they double their numbers with every generation.... The unilateral Disengagement Plan, which I announced approximately two years ago, is the Israeli answer to this reality”, Ariel Sharon, televised address to the nation, 15 August 2005.

⁷⁸ Olmert repeatedly quotes former Prime Minister David Ben Gurion: “When we were faced with the choice between the entire land of Israel without a Jewish State, or a Jewish State without the entire land of Israel, we chose a Jewish State without the entire land of Israel”. Olmert's most recently referred to this during a Ben Gurion memorial, Sde Boker, 27 November 2006.

⁷⁹ “On the West Bank highlands and the Gaza Strip it [the demographic upheaval of the 1967 war] was not of unusual dimensions, involving less than 25 per cent of the pre-war population.... In the Golan and the West Jordan Valley, settlement desertion [elsewhere termed the exodus] was almost total”, W. W. Harris, “War and settlement change: the Golan Heights and the Jordan Rift, 1967-1977”, in *Settlement and Conflict in the Mediterranean World, Transactions of the Institute of British*

population is estimated at 20,000.⁸⁰ The landscape is still dotted with the remnants of its Syrian past, but black basalt villages – some still standing, most mere piles of stone – are fading memories of the sizeable community that once lived there.⁸¹ The total current population (including Jews and non-Jews) is approximately one third of what it was on the eve of the war. Non-Jews in the occupied Golan account for a negligible 0.002 per cent (as opposed to 35 per cent in the West Bank and Gaza)

Geographers (Royal Geographical Society, 1978), pp. 309-330. Israel claims that all except 5,875 Druze, 385 Alawis and 300 mostly Circassian Kuneitra residents fled with the retreat of the Syrian army on 9-10 June 1967. Syria asserts that large numbers remained behind in agricultural villages after the ceasefire but that over subsequent months they were gradually forced to move as a result of physical and psychological pressure from the Israeli army. A report by the UN Special Representative on the Golan noted: "There are strong indications that the majority...had left before the end of the hostilities", but also that residual residents [number unspecified] had been "frightened by the incidents such as shooting in the air or the rounding up of civilians. The Special Representative felt that it was likely that many such incidents had taken place, and that the Israeli Defence Forces had not viewed unfavourably the impact on the movement of the population". Gussing Report, United Nations, 15 September 1967. Israel did not allow the refugees to return and subsequently destroyed their villages, using some for military training. Syria and Israel heavily mined the area on both sides of the armistice line. Crisis Group interviews, Israeli academics and Druze activists, Golan, March 2007.

⁸⁰ Crisis Group interview, International Committee of the Red Cross official, Damascus, March 2007. In 2002, Nawaf al-Faris, governor of Quneitra, put the figure at 25,000, quoted in Muhammad Abdul Ibrahim, *Al-Julan Bayn Matrakat al-Ihtilal wa Sindan al-Talawwuth* (Damascus, 2002).

⁸¹ Following the war, the UN estimates that between 105,000 and 110,000 Golan residents, including 16,000 Palestinian refugees, "moved from the now occupied part of Syria into non-occupied areas", report by the Secretary-General under Security Council Resolution 257 (1967), 18 August 1967. According to the *Encyclopaedia Judaica*, vol. 13 (Jerusalem, 1972), p. 1,534, the "population included Sunnite Muslims, as well as Circassians, Druze, Alawi[te]s, a small Christian minority and others". Assuming an annual growth rate of 5 per cent, the total population of displaced and their offspring today exceeds 500,000. According to Yigal Kipnis, an Israeli settler who has researched pre-1967 Golan, on the eve of the 1967 war there were two towns, 139 villages and 61 farms housing 128,000 people. Crisis Group interview, Kipnis, Maale Gamla settlement, October 2006. Only four Druze villages and a single Allawite village, al-Ghajar, remain. A fifth village, Sehita, was dynamited by Israeli forces in 1969. Syrians offer similar estimates. According to them, 148,000 inhabitants lived in the Quneitra governorate, essentially in the now occupied Golan, on the eve of the 1967 war. *Majmu'at al-Ihsa'at* (Damascus, 1966). Given the birth rate, the displaced Golani population was estimated at 425,000 in 2002, according to Nawaf al-Faris, governor of Quneitra, quoted in Muhammad Abdul Ibrahim, op. cit.

of the ten million people between the Jordan River and the sea. In the words of an Israeli diplomat:

Olmert based his entire rationale for a unilateral withdrawal on the demographic problem but in the Golan there is no problem. There are virtually no Arabs on the Golan Heights, so most Israelis see no reason to give it up.⁸²

4. A place for rest and relaxation

The Golan's appeal also emanates from its open expanse of land, a commodity Israelis highly value as an escape from the commotion of the plains below. Replete with gorges, waterfalls and at times snow-capped mountain peaks, it has become one of Israel's favourite playgrounds. For over two decades, the vast majority of Israelis who have crossed the Green Line into occupied Palestinian territory have done so on military service.⁸³ The Golan presents an entirely different reality. Settlements are rural hamlets, devoid of the obtrusive fortifications and walls that scar their West Bank counterparts; Katzrin has no barbed-wire enclosure. Israelis mingle with Syrian nationals without fear, and the settlers themselves generally are perceived as less threatening by the occupied population, reminiscent of secular kibbutzniks.

There are no nervous soldiers manning checkpoints and verifying identity cards, no separation barriers searing the horizons, no anguished confrontation with the occupied population, and no armed national movement with which to contend. The continued, albeit severely restricted, traffic of apples, Druze pilgrims, students and even brides across the Israeli-Syria ceasefire line has enhanced the feeling of normalcy.⁸⁴ As a journalist put it, the Golan is Israel's "trouble-free real estate".⁸⁵

The Golan has become a privileged tourist spot. Hundreds of thousands of Israelis visit it annually, attracted by the relatively vast landscape and stunning vistas which stretch far into Lebanon and Syria. There is a ski resort as well

⁸² Crisis Group interview, Avi Primor, Jerusalem, October 2006.

⁸³ Since the early years of the second Intifada, Israelis have been barred from entering populated areas in the occupied Palestinian territories.

⁸⁴ The traffic is facilitated by the International Committee of the Red Cross. In 2006, 8,000 tons of apples, 780 students, 506 pilgrims visiting Abel – a Druze shrine – and three grooms crossed the ceasefire line from the occupied Golan into Syria. In 2007, the traffic of apples is expected to reach 10,000 tons. For the first time in four years, a bride also crossed into Syria after a wedding ceremony in no-mans-land attended by Crisis Group in March 2007.

⁸⁵ Crisis Group interview, Ehud Yaari, Jerusalem, October 2006.

as opportunities for wine tasting, pony trekking and relatively safe hitchhiking. In advertisements placed by settlers in the national press, the area comes across as a virginal “Wild West” of cowboys wearing Stetsons, cantering on horseback over freshwater brooks under the slogan “Freedom to Live”.⁸⁶

The Golan also holds valuable resources. Water flows in abundance. Its 100 sq. km of cultivated land supply 40 per cent of Israeli’s exotic fruits, pears, beef and wines for export. This provides alternative pastures for a coastal agriculture business that increasingly is being squeezed by real estate development. Cows, which in the rest of the country are densely packed, roam freely. The open space also has turned the Golan into the military’s main training ground for combat operations and firing practice.⁸⁷ In the words of a journalist, “on the Golan the water is sparkling, the Cabernet luscious and the climate pleasant. Even the most peace-seeking Israelis are prone to the heretical thoughts that perhaps there are some things preferable to a peace treaty”.⁸⁸

C. POLITICAL SENSITIVITY TO FLUCTUATING PUBLIC OPINION

As noted, polls indicate 70 per cent of Jewish Israelis oppose full withdrawal from the Golan.⁸⁹ Leaders enjoying far greater popular support than Olmert have flinched from confronting the public mood on this issue;⁹⁰ with his standing at rock-bottom, there is reason to doubt the current prime minister will want to take this risk. During previous negotiations with Syria, some 60 per cent supported full withdrawal in exchange for a full peace.⁹¹

Several factors contributed to the collapse in support: the breakdown in peace talks in 2000 over what many Israelis believe was an unreasonably rigid Syrian position; the perception that withdrawals from South Lebanon and Gaza jeopardised Israel’s security; and Syria’s support for violent groups, especially Hizbollah which, during the 2006 war, fired a barrage of katyusha rockets into Israel.

⁸⁶ See, for instance, the settler advertising campaign in *Maariv*, October 2006.

⁸⁷ Crisis Group interview, military reserve expert, Golan, October 2006.

⁸⁸ *The Jerusalem Post*, 9 October 2006.

⁸⁹ See the Peace Index poll cited in fn. 68 above.

⁹⁰ “We have been in control for 40 years. When we felt strong, we told ourselves we didn’t have to make peace, and when we felt weak we said we couldn’t make peace”, Crisis Group interview, Israeli political observer, Jerusalem, March 2007.

⁹¹ Poll conducted by Tel Aviv University’s Yafeh Institute for Strategic Research, July 2000, www.tau.ac.il/~reinhardt/political/HowBarakFailedWithSyria.html. Other polls at the same time yielded different results.

Moreover, after 40 years of occupation, the price for maintaining the status quo is perceived as low while the benefits of changing are uncertain.⁹² The absence of any Syrian public relations diplomacy – no handshakes, little interaction, rare symbolic gestures – also undoubtedly plays a part. The recent unofficial “Madrid + fifteen” conference, co-sponsored by Crisis Group, was notable precisely because Syrians were prepared to sit at the same table as Israelis. Virtually all Israelis who attended were impressed by what the Syrians had to say precisely because they had seldom heard that side of the story.⁹³

That said, public views that have changed abruptly in the past can change again – especially if a peace agreement were reached and presented to the Israeli people. The same polls that suggest resistance to withdrawal show a majority favouring dialogue with Damascus and a positive response to Bashar’s peace overtures.⁹⁴ “It’s one thing to ask Israelis in the abstract, after a war in which they saw Syrian-provided rockets fired on their land, whether they are prepared to withdraw from the Golan. It is another thing entirely to ask them to approve a peace deal in which Syria pledges to honour security arrangements and in which it is understood that Damascus will alter its attitude toward Hizbollah”.⁹⁵ In the words of a political leader, “It’s true that only one third is for giving up the Golan, but once they see the agreement and the options and the benefits, and once they see the prime minister and Assad shaking hands, everything will change”.⁹⁶

Israeli public opposition to a Golan withdrawal is a state of mind. It can be changed. If it’s a good agreement I believe Olmert can achieve the 61 Knesset votes required. You cannot produce a cake overnight – it takes time to bake. Even Lieberman [the extreme, hawkish leader of the Israeli Beiteinu party] might be ready in six-months time.⁹⁷

⁹² In repeated polls, over 50 per cent of Israelis expressed the view that the situation on the Golan would hold “for many years to come”. See, for instance, Peace Index, Tami Steinmetz Center for Peace Research, Tel Aviv University, 28 December 1999.

⁹³ Crisis Group interviews, Israeli participants in the “Madrid + fifteen” conference, Madrid, January 2007. One such participant confided to Crisis Group that he was completely taken off-guard by the Syrian presentation. “As an Israeli, I felt embarrassed. We felt cornered”, Crisis Group interview, Madrid, January 2007.

⁹⁴ According to the Marketwatch poll, 57 per cent favour negotiations with Syria. *Haaretz*, 22 November 2006.

⁹⁵ Crisis Group interview, Israeli political leader, Madrid, January 2007.

⁹⁶ Crisis Group interview, Israeli political leader, Jerusalem, March 2007.

⁹⁷ Crisis Group interview, Member of the Knesset Israel Hason, number three in Lieberman’s party, Jerusalem, November 2006. Comparisons have been drawn with South Africa: according to a poll conducted in 1986, 97 per cent of white South Africans

Comparisons also can be drawn with attitudes toward peace with Egypt:

Prior to Begin's agreement on Sinai in 1978, an overwhelming majority of Israelis refused to return the whole Sinai to the Egyptians. Never return Sharm al-Sheikh and the Rafah area, they cried. Following a change in Begin's stand and Sadat's visit to Jerusalem, 70 per cent of Israelis were ready to give back the last grain of sand. I would assume that once there's a meeting between an Israeli prime minister and a Syrian president, and once we see signs of peace, there will be a similar sea-change.⁹⁸

III. SYRIA'S POSITION

A. GENERAL MOOD

Officials in Damascus display a mix of supreme confidence and genuine concern. It is a paradox in appearance only. Convinced that the regional tide is turning against the U.S. in Iraq, Palestine and Lebanon, they believe that any American attempt to destabilise the regime has become a thing of the past. Yet, they simultaneously are alarmed that the same regional tide threatens. Sandwiched between civil strife in Iraq and Lebanon and caught in the midst of growing sectarian polarisation, the regime is finding it difficult to manage a series of contradictions.

By supporting Hizbollah in Lebanon at a time of confessional tensions, it alienates its own Sunni majority; by backing Sunni insurgents in Iraq, it fuels instability which could spill over into Syria and places itself on a collision course with Iran;⁹⁹ by reaching out to the Shiite-

⁹⁹ The U.S. continues to accuse Syria of helping Sunni insurgents, in particular by allowing their transfer through Damascus airport. In March 2007, David Satterfield, State Department coordinator on Iraq, asserted that "85 to 90 per cent of all suicide bombers come across one border – Syria", with many allegedly arriving at Damascus airport and then traveling through Syria into Iraq. See *U.S. News and World Report*, 27 March 2007. However, there is evidence of a significant evolution in Syrian policy over time. In the early stages of the war, Syria openly backed Iraqi militants, and buses were overtly chartered, with the Syrian *mufiti*'s blessings, to transport militants willing to fight coalition forces in Iraq. This stopped long ago, largely as a result of U.S. pressure. A more pronounced shift appears to have taken place in 2006 as Syria grew increasingly wary of the spill-over and destabilising effects of an Iraqi civil war. Informal networks along the border may still provide lower-level support to militants but Syria's new approach has not gone unnoticed by major Iraqi insurgent groups, which have issued harsh communiqués denouncing it. Virtually all insurgent groups reacted strongly to Syria's offer to "help stabilise Iraq" made during Iraqi President Jalal Talabani January 2007 visit to Damascus. See the communiqués of all major groups with the exception of the Islamic Army, January 2007. Several examples were offered in the 28 March 2007 edition of the Jamestown Foundation's *Terrorism Focus*: "A March 15 posting in the *Tajdeed* forum [a website *jihadis* use to communicate and circulate their views] highlighted the difficulties that some *jihadis* are experiencing when trying to make their way to Iraq from Syria (<http://tajdeed.org.uk>). The user explained that upon reaching the border area, the 'tyrants' of Syria were not allowing the [crossing]. In response, another user posted a more formal letter on the *Tajdeed* forum addressed to Sheikh Omar al-Baghdadi, the leader of the Islamic State of Iraq, urging him to assist the mujahidin in crossing the Syria-Iraq border. [It] reads: We were distressed by the tyrant of Syria, Bashar al-Assad and his gang,

opposed the idea of "one man one vote". Six years later, they approved it in a referendum by a two to one margin.

⁹⁸ Crisis Group interview, Uri Bar-Joseph, professor of international relations, Haifa University, March 2007.

led government in Baghdad (as it has done in recent times), it angers some of its allies in Iraq as well as its own Sunni population. And, of course, hovering over this is the ongoing investigation into the assassination of former Prime Minister Hariri, which, should it implicate high-level Syrian officials, would put the regime in a very difficult spot. In short, while regional dynamics may well have become a losing proposition for Washington, they also are a no-win one for Syria.

One potential way out of this uncomfortable status could be a breakthrough with Israel. There is evidence the regime was moving in this direction, indicating its willingness to negotiate and allowing back-channel discussions. Yet, coming after a long period during which President Bashar felt he had made clear peace overtures, the mood in Damascus has turned decidedly sceptical, and the regime is reverting to its more cautious habits. Mirroring Israeli doubts concerning Syria's seriousness, officials say they are deeply disillusioned with Israel, questioning its ability and readiness to negotiate in earnest. "We negotiated seriously throughout the 1990s with five different Israeli governments, representing the two major parties. We came very close to a deal", a senior official said, "but none of them showed the leadership required to achieve peace. I am sure some in Israel favour peace but I am doubtful this can ever translate into policy".¹⁰⁰

Pressed by Crisis Group to take the initiative – aggressively market the Arab peace plan; empower Egypt and Jordan to explain it to the Israelis; or begin a dialogue with peace-oriented Israeli political leaders – a Syrian official replied: "President Assad shook the Israeli president's hand at Pope John Paul II's funeral in April 2005, he offered to resume talks, he tried to reach out to the Israelis. But it had no positive effect. The Israeli and U.S. governments are weak and divided. Weakness and division are recipes for war. They cannot produce peace".¹⁰¹

Expectations for Olmert were particularly low, both because of his unpopularity – officials often volunteered that he was the "most unpopular leader Israel has ever known"¹⁰² – and because he was not about to defy

who have arrested many of us ... on the borders that separate us from you. We cannot find a way to reach you. Many of the journeys to you have been hindered, and many of the young men who were on their way to you have been taken prisoners".

¹⁰⁰ Crisis Group interview, senior Syrian official, Damascus, January 2007. Some officials go further: "Israel will never reach a peace agreement. It implies making concessions Israel will never make", Crisis Group interview, Syrian official, Damascus, March 2007.

¹⁰¹ Crisis Group interview, Syrian official, Damascus, March 2007.

¹⁰² Ibid.

perceived U.S. objections to Israeli-Syrian negotiations.¹⁰³ To advance new overtures after earlier ones had been ignored would convey an impression of desperation. "We cannot keep begging, or we will pay a price. There is a Syrian saying: if a merchant displays over-eagerness, he will sell his goods for less. We have to show patience".¹⁰⁴

Government and Baath party officials also invoked constraints imposed by public opinion, claiming that Syrians were questioning why their president repeatedly spoke of peace when Israel did not and that the people would not accept any step toward normal relations with Israel so long as the Golan was occupied.¹⁰⁵ The Assad/Katsav handshake is said to have generated unease and confusion, with some Syrian analysts volunteering it was a mistake. When the Israeli daily Haaretz leaked the existence and content of the Liel-Suleiman talks,¹⁰⁶ Syrian officials – embarrassed by the allegation that at the height of the Lebanon war they were simultaneously reaching out to Israel and mobilizing public support for Hizbollah – felt compelled to dismiss the discussions as insignificant rather than use them as a means of demonstrating Syria's seriousness and of pressuring Israel.

Prior to that leak, a senior official with close ties to the president but apparently unaware of the channel, told Crisis Group:

Syria would be hesitant to even consider direct contacts with Israelis. There is an ideological dimension to this: We don't engage in dialogue with the enemy, only in negotiations – we are not friends but parties in conflict. There also is a practical dimension. We fear leaks, because they cause us great damage and bring us little benefit. In this regard, our past experience has been sobering. Finally, there is a strategic dimension. The perception that the U.S. is opposed to any opening toward us leads us to the conclusion that if we display excessive good will, we will lose face.¹⁰⁷

¹⁰³ "The U.S. prevented Israel from responding to our peace overtures; we know that", Crisis Group interview, Syrian official, Damascus, March 2007.

¹⁰⁴ Crisis Group interview, Syrian official, Damascus, March 2007.

¹⁰⁵ "There can be no normalisation, no routinisation of relations with Israel before we get something in return; that would be condemned by the people in general and the Baath party in particular", Crisis Group interview, Syrian official, Damascus, March 2007. Using more colourful language, another official commented: "I don't mind kissing Rice. But hugging Olmert – that's impossible", Crisis Group interview, Damascus, 17 February 2007.

¹⁰⁶ With respect to these talks, see fn. 7 above and discussion below.

¹⁰⁷ Crisis Group interview, senior Syrian official, Damascus, November 2006.

For similar reasons, Syria has been highly reluctant to undertake confidence-building measures, even of the smallest and most symbolic type. Gestures – such as turning over the remains of Eli Cohen, an Israeli spy executed by Syria in May 1965; providing information on missing Israeli soldiers; meeting with opposition Israeli politicians or giving interviews to Israeli media – generally are seen as both costly and ineffective, a waste of assets that could be valuable during negotiations.¹⁰⁸ According to a Syrian official:

One could imagine different things, such as a public relations campaign. But it is just not the Syrian style. Plus, it would lead to criticism from both within Syria and the wider Arab world. It automatically would be seen as a sign of weakness and it's hard to see what we would get in exchange. For historical reasons, it is much easier for this country to talk to a Bush or even a Chirac than to an Israeli.¹⁰⁹

The Haaretz leak has led to even greater caution; in its wake, even a rather modest initiative – an attempt to disseminate more widely Syria's account of past Israeli-Syrian negotiations as presented at the "Madrid + fifteen" conference – reportedly was put on hold.

Of late, officials have voiced a broader concern, a reflection of growing tensions in the region. Alluding in ways that had not been heard before to increased Sunni-Shiite polarisation, fuelled by crises in Lebanon and Iraq, and to the rise of radical Islamism, more than one official cautioned that Syria's margin of manoeuvre had been reduced, and the leadership had to tread carefully, lest it trigger further instability. "The real problem today is regional fragility and the deepening confessional split. We have to be very careful, for otherwise everything can break. That limits what we can do".¹¹⁰ For now, restoring regional stability and avoiding all-out chaos appears to be Syria's priority.

Officials expressed guarded optimism that relations with the Arab world, and particularly with Saudi Arabia, could improve in the wake of the 28 March 2007 Arab League summit in Riyadh.¹¹¹ They even – albeit more guardedly

still – saw a possible opening in U.S.-Syrian relations following the Baghdad regional meeting on Iraq. According to a Syrian diplomat:

The U.S. representatives approached us and said they were willing to work with us on Iraq. We answered that we were willing to work with them, too, but not exclusively on Iraq and not in Baghdad. If they want to talk, it should be about everything, and it should be in Damascus. They said they'd get back to us. We are waiting.¹¹²

Doubt persists, fed by past experience with the U.S. administration. "Talking to us was positive but we still are not sure what precisely was behind the U.S. decision. Was it because pressure to show some movement was building domestically and from the outside? Was it in response to Iraqi pressure? Was it intended to prove that the U.S. can obtain Syrian and Iranian cooperation on Iraq cost-free? Or was it a genuine step toward broader engagement?"¹¹³

The net outcome is a Syrian leadership that appears to have given up on the prospect of a direct breakthrough with Israel in the foreseeable future, convinced that without strong U.S. involvement – and pressure – Israel will not move. Only minor hope is invested in the U.S., the more likely scenario being a two-year hiatus until presidential elections bring in a new administration. President Bashar hinted at this in a recent interview: "The main obstacle in my opinion, regarding the peace process, is the ... American administration's rejection of the peace process". Evoking attempts by international envoys to promote talks between the two sides – a clear reference to the Swiss-sponsored, unofficial peace talks between Alon Liel and Abe Suleiman – he said: "They [the envoys] openly said, quoting Olmert, that the decision is in Washington". His conclusion: "The issue of peace in at least the next two years doesn't call for optimism unless there are unexpected changes".¹¹⁴

disintegration, growing Iranian influence and, more generally, disillusion with U.S. policy, are prompting Saudi Arabia to reach out to Syria. Crisis Group interviews, U.S. analysts, Washington DC, April 2007. However, while the Saudi king met with President Bashar during the Riyadh Arab League Summit, there is as yet no evidence of a genuine rapprochement.

¹¹² Crisis Group interview, Syrian official, Damascus, March 2007.

¹¹³ Ibid.

¹¹⁴ Interview in *Al-Jazeera*, quoted by the Associated Press, 19 March 2007. The Liel-Suleiman episode generated obvious discomfort in Damascus, where some Syrian officials denied the regime had any official input whatsoever. As one official put it immediately after the *Haaretz* leak, "we negotiated for ten years as a state, with all that implies in terms of resources, and we failed. Why would we rely on an old American-Syrian, working with an outcast Israeli, to cut a deal?", Crisis Group interview,

¹⁰⁸ Asked why Syria is not willing to reach out to the Israeli public in such fashion, an official remarked, only half tongue-in-cheek, "we are not good at public relations. So our target is not really public opinion", Crisis Group interview, Syrian official, Damascus, March 2007.

¹⁰⁹ Crisis Group interview, Syrian official, Damascus, February 2007.

¹¹⁰ Crisis Group interview, senior Syrian official, Damascus, March 2007.

¹¹¹ Crisis Group interviews, senior Syrian officials, Damascus, March 2007. Some analysts speculate that the threat of Iraq's

B. RESPONSE TO SPECIFIC CONCERNS

1. Negotiations: with or without preconditions?

In Israel, Crisis Group was told by several officials that Syria continued to impose pre-conditions on the resumption of talks, namely that they resume from where they were left off in 2000 – a stance taken as code for a demand that Israel reiterate its commitment to a full withdrawal. Yet, while they clearly will accept nothing less than full withdrawal in a final deal – and negotiations are bound to fail if Israel does not ultimately agree to this – Syrian officials insisted they have no preconditions for talks. All officials interviewed by Crisis Group were, on this point, unequivocal:

It would be a waste of time for all of us to ignore what was done in the 1990s. We both know that a peace agreement will require a return to the 1967 lines on the one hand and meeting Israel's security needs on the other. But if Israel wants to begin from scratch, so be it. We have no preconditions, so long as the terms of reference of our negotiations are those of the Madrid conference: UN Security Council Resolutions 242 and 338, land-for-peace.¹¹⁵

In other words, Israel's willingness to withdraw to the 1967 lines remains a condition for an agreement, not a precondition for negotiations. As one official put it, "how can returning the Golan be defined as a precondition? Regaining our land is the purpose of these negotiations. It's not a condition, it's our basic right".¹¹⁶

2. Lebanon or the Golan?

Syria's aspiration to recover the Golan often is questioned in Israel, the U.S. and even within Syria, particularly among the displaced Golani population, frustrated by their government's apparent lack of urgency in addressing their plight. A widely shared view is that Israel's occupation has become a convenient tool for the regime, allowing it to maintain a permanent state of emergency and postpone long-overdue domestic reforms. Regaining control over Lebanon and its resources constitutes, under this logic, a higher priority.

The notion that Syria is more interested in re-establishing its influence over Lebanon – and halting the international tribunal – than in recovering the Golan is, of course, roundly and predictably dismissed in Damascus. "That's a rewriting of history. Just go back and look at the president's speeches: he called for a resumption of talks both before the Hariri assassination and after it. Recovering the Golan is not a tactical position. It is a constant".¹¹⁷ Officials likewise reject the thesis that the regime needs the conflict with Israel to perpetuate its rule. Some, like several European diplomats in Damascus, point to the important political benefits a peace agreement would bring to a leadership facing critical longer-term challenges: sectarian polarisation in the region, particularly in Iraq and Lebanon, with inevitable ripple effects at home; decline in political legitimacy; and, most of all, acute economic problems linked to the loss of external subsidies (from illicit Iraqi-Syrian trade prior to Saddam Hussein's fall, from Lebanon during the years of military occupation and from wealthy Gulf countries), the expected drying up of its own oil resources over the next several years and the sclerosis of the economic system.

The implication for a regime acutely aware of its domestic political constraints is, under this analysis, twofold: a deep desire to recover the Golan; and an inflexible insistence on recovering it all. In the words of a European diplomat: "What the Alawites lost, they want to regain. A return to the 1967 lines would significantly empower the regime. But a return to anything less than that could fatally wound it".¹¹⁸

The President undoubtedly has consolidated his power, having placed many loyalists throughout the system. But he can see the future, and he knows it will be difficult. Recovering the Golan – and thereby achieving what his father could not – would represent a significant boost. It would help him politically at home and in the region and open the gates to foreign investment. People who point to the regime's minority status and fear of being criticised as obstacles to peace miss the point: it makes it important that the regime get the Golan

Damascus, January 2007. However, participants all assert that senior Syrian officials saw the various drafts of the agreement and offered comments on it. As explained above, the talks reportedly ended when Israel turned down a Syrian request for official involvement. Crisis Group interviews, Washington DC, Jerusalem, January-March 2007.

¹¹⁵ Crisis Group interview, senior Syrian official, Damascus, March 2007.

¹¹⁶ Crisis Group interview, Syrian official, Damascus, March 2007.

¹¹⁷ Crisis Group interview, Syrian official, Damascus, February 2007. The importance Syrian officials invest in the Golan is further underscored by their reaction to various statements. When Olmert said the Golan would forever remain in Israeli hands, officials expressed outrage at the West's silence; they expressed genuine satisfaction at EU Foreign Affairs High Representative Javier Solana's March 2007 statement that the EU was committed to an Israeli withdrawal from the Golan. See www.sana.org/eng/21/2007/03/14/107864.htm.

¹¹⁸ Crisis Group interview, European diplomat, February 2007.

back while at the same time making it imperative that it get it *all* back.¹¹⁹

Syrian officials also reject any link between achieving peace with Israel and meeting Syrian interests in Lebanon – though they are quite clear about the importance they attach to the latter.

We want Lebanon as an independent, sovereign country, but we also cannot accept an enemy government. Strategically, security in both countries is intertwined; it is in our interest to stabilise both. We know Lebanon has become important for the U.S. for a simple reason: they have failed everywhere and see the government in Beirut as their one success. But let's be clear: we cannot have Lebanon become a centre of anti-Syrian activity or conspiracy.¹²⁰

From an economic standpoint, some officials argue that the benefits derived from peace with Israel – which presumably would mean normalisation with key Western investors and commercial partners – far outweigh those associated with control over Lebanon and would be spread far more widely. A European diplomat agrees:

The regime desperately needs economic development to rebuild its legitimacy. It needs to redistribute wealth. From this perspective, the conflict with Israel is a real obstacle. Because of it, the regime is trapped in the resistance paradigm. It is fundamentally secular. It is inherently opposed to al-Qaeda. Its human rights record is not worse nowadays than Saudi Arabia's, Jordan's, Egypt's or Tunisia's. But as long as it has not recovered the Golan and remains the target of hostile Western policies, the regime chooses to play up the "resistance". That is what it advertises, mainly for domestic consumption. The problem is that it advertises the very thing that really pisses the Americans off.¹²¹

Some Syrians go so far as to challenge Lebanon's economic importance to the regime. As they see it, although a handful of officials enriched themselves thanks to their activities there, they were promoting personal rather than regime or national interests. In fact, their actions are now

considered by many as having endangered the country as a whole. Given Lebanon's power structure and the prevalence of patronage and corruption, they say, Syrians could still extract financial benefits without having to engage in intrusive, and ultimately costly, forms of intervention.¹²²

Paradoxically, in the eyes of some analysts, dim prospects of recovering the Golan are what make Lebanon such an appealing alternative for the regime. For Shlomo Ben-Ami, Israel's foreign minister under Barak, "of course, the Syrian regime wants to recover its influence in Lebanon. But it also wants a deal on the Golan. The Alawites lost both. They want, at a minimum, to recover one".¹²³

3. Will peace mean a new Syrian posture in the region?

Syrians are adamant they will not comply with Israeli or U.S. demands to alter their regional policies as prerequisites to talks. Though they claim they already are displaying considerable restraint – encouraging unity between Fatah and Hamas and paving the way for the Mecca agreement,¹²⁴ building ties to the Iraqi government and promoting national reconciliation, albeit "not for Bush's sake, but because we fear the effects of sectarian conflict"¹²⁵ – they reject calls to cut ties to Hizbollah, Hamas or Iran. They insist they are about to relinquish their few remaining "cards" (a word more than one official used) in advance of a deal. "To get Israel and the U.S. to engage with us and take account of our needs, we must play with our cards. Otherwise, we will get nothing".¹²⁶ They also point out that Israel is putting forward preconditions at a time when Syria has agreed not to impose its own, sarcastically asking why Damascus could not insist that Israel, too, alter its strategic posture – downgrade its relations with the U.S. or withdraw from occupied Palestinian territories – as a requirement for resumed negotiations.

This is not about a "peace in heaven" in which we will conform to Israeli desires and present ourselves

¹¹⁹ Crisis Group interview, European diplomat, March 2007. Another European diplomat offered this assessment: "It's true that some within the regime have a vested interest in perpetuating the state of war. But the president himself and the regime as a whole have too much at stake in the return of the Golan", Crisis Group interview, Damascus, February 2007.

¹²⁰ Crisis Group interview, Syrian official, Damascus, March 2007.

¹²¹ Crisis Group interview, European diplomat, Damascus, February 2007.

¹²² Crisis Group interviews, Damascus, January and February 2007.

¹²³ Crisis Group interview, Shlomo Ben-Ami, March 2007.

¹²⁴ According to a Syrian official, "we are the ones who proposed the content of the Mecca agreement. But we knew we could not sell it to the West, so we left that to Egypt or Saudi Arabia", Crisis Group interview, Damascus, March 2007.

¹²⁵ Crisis Group interview, Syrian official, March 2007.

¹²⁶ Crisis Group interview, Syrian official, March 2007. The point was made most insistently with regard to Hizbollah. "If we disarm Hizbollah, Israel will have no obstacle to war. We need a form of deterrence, and so does Hizbollah. I don't want war. To get Israel and the U.S. to admit this and work with us, we must play with our cards", *ibid.*

as angels. We have our interests, we have our cards, and this is about negotiating. If we began by complying with everything Israel demands of us, what then would be the need for negotiations? Israeli preconditions can only lead to a vicious cycle: we also could ask Israel to change its policies, which we view as extremely harmful to us and to the region. We could ask Israel to do a lot to clean itself up before we start negotiating. We could ask it to reach out to our public opinion by changing its policies toward the Palestinians. But this would amount to setting preconditions, and we have clearly and repeatedly stated our willingness to negotiate without them.¹²⁷

At the same time, officials were eager in talks with Crisis Group to leave no doubt about the impact of a peace agreement on Syria's regional posture. In the words of one, "the entire dynamic of Syria's regional policy will change once we are sure we are on path to regaining the Golan".¹²⁸ On every issue of concern to Israel, they sought to describe a possible different future. On Iran, for example:

Our relationship is not ideological. It is political. It was born out of a specific regional balance after the 1979 [Iranian] revolution, and recent attempts to isolate Syria have only strengthened our ties. A successful peace process that delivers a just and comprehensive peace would shift the strategic balance and, therefore, would affect our priorities. Politics is a matter of pragmatism. It is absurd to expect Syria to sever its ties as a precondition for negotiations. If Syria was not isolated, our relations would change. Let me put it this way: if you only have one or two friends, you tend to visit them more than if you have ten.¹²⁹

Asked specifically whether the Syrian-Iranian alliance would obstruct peace negotiations, the official pointed to the 1990s, when President Hafez al-Asad dealt with Israel. "He knew the initiative would not please the Iranians. But the president told them it was necessary to defend our national interests. It is still the case today. It is not that we don't care about their feelings, but it is our territory so it is our problem and must be our decision".¹³⁰

Likewise, officials stressed that peace between Israel and Syria would lead to a similar arrangement between Israel and Lebanon. "At that point, if a comprehensive

peace is reached, why should Hizbollah feel the need to pursue resistance? As long as resistance is needed, we won't stand against them. But if there is a comprehensive settlement, why should Hizbollah retain its arms?"¹³¹ Any peace agreement presumably would include a clause barring assistance from one party to a group intent on harming the other; continued weapons transfers to Hizbollah would violate the deal and jeopardise all benefits enjoyed by Syria. If, as Israeli and U.S. officials themselves repeatedly claim, the Syrian regime is above all intent on self-preservation, it is unlikely to sponsor militant groups once an agreement has been reached. In short, while Israel's demands cannot be satisfied as preconditions, they could well be satisfied as part of a final deal.

¹²⁷ Crisis Group interview, senior Syrian official, January 2007.

¹²⁸ Crisis Group interview, senior Syrian official, Damascus, March 2007.

¹²⁹ Crisis Group interview, senior Syrian official, Damascus, February 2007.

¹³⁰ *Ibid.*

¹³¹ Crisis Group interview, senior Syrian official, Damascus, February 2007.

IV. THE CASE FOR RENEWED NEGOTIATIONS

The case against responding to Syrian overtures is based on the conviction that the Syrian regime has no intention of concluding a peace deal and is merely seeking a respite from international pressure. The U.S. administration sees them as disingenuous attempts to break out of increased isolation, cover up greater intrusion in Lebanese affairs and shift focus away from the investigation into the Hariri assassination. Instead, the argument goes, pressure should be maintained to strengthen Lebanon's sovereignty and maximise the chances that the regime will modify its behaviour there as well as in Iraq and Palestine.

As a result, a resumption of Israeli-Syrian negotiations is seen as futile and even counterproductive, an escape hatch for a regime that will only respond – if at all – to pressure. In the absence of such pressure, it is believed, Syria is unlikely to act on issues of interest to the U.S. and Israel (cutting ties to Hamas, Hizbollah and Iran; fully respecting Lebanese sovereignty; and taking steps to curb the Iraqi insurgency). Renewing talks with Damascus before it has moved positively in these areas would only validate the regime's view it can play these cards to extract valuable concessions. As evidence, U.S. officials claim that the parade of foreign (essentially European) visitors to Damascus has produced little other than greater Syrian self-confidence in their strategy.¹³² Officials in Washington and Jerusalem also dismiss the argument that Syria would moderate its policies if return of the Golan were on the table.

Mere resumption of negotiations, it is feared, would send a signal to worried U.S. allies in Lebanon (the March 14 forces) that a deal was being prepared behind their backs while threatening the unprecedented consensus that currently exists between the U.S., major European and especially Arab (Saudi Arabia, Egypt, Jordan) countries vis-à-vis Syria, Lebanon and the tribunal.¹³³ Significantly, U.S. officials point to strong Arab pressure on Washington *not* to soften its position toward Damascus or focus on Israeli-Syrian talks as a key argument for maintaining current policy.

¹³² Crisis Group interview, U.S. official, Washington DC, February 2007.

¹³³ "Talking to Syria now is like decapitating Siniora: why should Israel do it? If we want stable state-like neighbours, if we want the government of Lebanon to implement UN resolution, why should we turn our backs on it? We used to talk about Syria being the boss of Lebanon – but suddenly Lebanon has shown it has a backbone of its own, and we prefer a Lebanon with a backbone to Syria", Crisis Group interview, Prof. Asher Susser, Tel Aviv University, March 2007.

A. OPPORTUNITIES FOR PEACE

All that said, ignoring President Bashar's calls for unconditional talks would be a major missed opportunity for peace – and create a not negligible risk of war.

- For all the doubts regarding Syria's sincerity, one cannot but note its acceptance of negotiations without preconditions – a position made clear to Crisis Group as recently as March 2007. This is an important change which may not last forever and should not be met with new, Israeli conditions.
- Most issues already having been resolved, and the outlines of a peace agreement being well-known, a breakthrough between Israel and Syria is well within reach. Of course, the two sides ultimately may not be able to overcome their substantive differences – essentially the question of sovereignty over a strip of land east of the Kinneret's north-east shoreline¹³⁴ – and there are serious questions about whether either is politically capable of sealing the deal. But if a deal is reached, it would fundamentally transform the Middle East landscape, reversing the dangerous trends of past years.¹³⁵
- It is possible that Syria is interested in "a process for the sake of a process",¹³⁶ and that what it is seeking is to unfreeze ties with the U.S., improve relations with Europe and, more generally, relieve pressure on a regime that faces the prospect of greater international opprobrium as a result of the investigation into the Hariri assassination. Still, regardless of Syria's intentions, and even assuming it is more interested in process than outcome – a debatable proposition – the mere fact of Syrians negotiating with Israelis would produce ripple effects in a region where popular opinion is moving

¹³⁴ According to one Israeli participant in recent Track II talks, the suggestion from these discussions is that Bashar will be "more flexible than his father. His father lost the Golan in 1967; as a commander in the armed forces, he remembered the Golan Heights personally, and swam in the Sea of Galilee. The son has no such personal attachment", Crisis Group interview, Jerusalem, October 2006. The flexibility concerned issues such as security arrangements and the pace of normalisation, but not boundaries.

¹³⁵ As Shlomo Ben-Ami, former Israeli foreign minister and Crisis Group Board member, put it, "from Israel's point of view, [a] cold peace is a worthy strategic objective. The processes taking place in the region are not working to our benefit. The American presence in Iraq has a direct, negative effect on Israel, since it backs the concept that terror and resistance can challenge mighty powers, and that in asymmetric wars, superior force does not offer an advantage. Both Hizbollah and Hamas have learned this lesson well", *Haaretz*, 6 December 2006.

¹³⁶ Crisis Group interview, U.S. official, Washington DC, December 2006.

away from acceptance of Israel's right to exist and where Syria is allied with parties that oppose a negotiated settlement.

- The onset of a peace process inevitably would affect the behaviour of militant movements close to Syria. To some extent Damascus would exercise its influence to restrain them, though the notion that Hamas or Hizbollah merely follow Syria's lead or that Syria can cut them off is simplistic. More importantly, however, both movements are adept at reading the regional map and would adapt their policies in response to signs of a changing Syrian-Israeli relationship. The same holds for Iran: Syria would not likely break ties with its closest ally for two decades but the regime in Tehran might well need to adjust its behaviour as it faced the prospect of an Israeli-Syrian peace agreement.
- While the U.S., Israel and other Arab states understandably may prefer to give precedence to the Palestinian over the Syrian track, the former will remain extremely vulnerable without genuine movement on the latter. Damascus possesses multiple ways of undermining Israeli-Palestinian talks, whether by encouraging Hamas or Islamic Jihad violence; vocally criticising Palestinian concessions; or, in the event of a peace deal, obstructing the holding of a popular referendum among Palestinian refugees in Syria. Likewise, without an Israeli-Syrian deal, Israel cannot achieve normalisation with the Arab world – a core objective without which its leaders will find it far more difficult to convince their public to endorse historic concessions to the Palestinians.¹³⁷

There is, of course, no guarantee of success. But there are reasons for hope. Syria contemplates an uncertain future, particularly on the economic front. Regaining the Golan and reviving prospects for an equitable agreement with the EU – not to mention better relations with the U.S. – remain critically important to a regime that, both politically and economically, needs breathing space. President Bashar recently confided to various interlocutors that recovering the Golan – thereby achieving what his father could not –

would make him a hero in his citizens' eyes,¹³⁸ and, as seen, his advisers fear the consequences for Syria of continued regional deterioration. Moreover, the outlines of a solution are, by now, well known. They were put forward in a 2002 Crisis Group report¹³⁹ and recently confirmed in the unofficial discussions between a private Israeli (Liel) and a Syrian-American citizen (Suleiman).

B. RISKS OF WAR?

Strikingly, in recent Crisis Group meetings, both Israeli and Syrian officials adamantly denied they had any intention to go to war, while just as adamantly asserting their adversary did. This is partly – but only partly – commonplace propaganda. In Israel, defence officials watch apprehensively what they claim to be accelerating Syrian efforts to rearm Hizbollah and periodically assert that Damascus is boosting its own military preparedness with Russian support.¹⁴⁰ In mirror image, Syrian officials appeared genuinely convinced that Olmert might seek to recover his political standing through military means. Said one: "Many among us are convinced that Israel will launch a war this summer to make up for its disastrous Lebanon experience".¹⁴¹ When Crisis Group pointed out that, precisely in light of that experience, it was highly unlikely Olmert would – short of being provoked – seek a repeat, Syrians responded: "A weak government does not have the capacity to make peace. It can only make war".¹⁴²

In reality, there are good reasons to doubt either side's actual appetite for military confrontation. As noted, Israel has yet to fully absorb the lessons and implications of the Lebanon war, and the threat posed by Hizbollah – launching rockets into populated Israeli areas – would be magnified several fold should Syria be directly involved. Most Israeli political leaders, including from the opposition, ruled out any short- to medium-term military action against either Hizbollah or Syria.¹⁴³

Prospects that Syria will provoke a military confrontation in the absence of negotiations are similarly weak. From a military perspective, Syria is no match for Israel. Its air force has not been replenished since 1988, and its tank battalions are perceived as so lacking in spare parts that,

¹³⁷ On the issue of sequencing between the two tracks, a Syrian official had this to say: "We think that a Syrian-Israeli peace will create a dynamic that will set the pace for a Palestinian-Israeli deal. There's no problem with having the Syrian track moving ahead – although I would like to stress that our objective is to regain our territory in the context of a comprehensive peace process, which is the key to stability and prosperity throughout the region. In terms of sequence, the Palestinian track inevitably will take time. There are many complicated issues to resolve. In contrast, the Syrian track is just about completed", Crisis Group interview, Syrian official, Damascus, February 2007.

¹³⁸ Crisis Group interviews, former U.S. officials, European diplomats, Washington DC, January-February 2007.

¹³⁹ Crisis Group Report, *Middle East Endgame III*, op. cit.

¹⁴⁰ Crisis Group interview, Israeli defence official, Tel Aviv, March 2007. The official had particularly harsh words for Russian support for Damascus.

¹⁴¹ Crisis Group interview, Syrian official, Damascus, March 2007.

¹⁴² Ibid.

¹⁴³ Crisis Group interview, Israeli political leaders, Tel Aviv, March 2007.

according to an Israeli security official, they could “do little more than roll down the Heights”.¹⁴⁴ Given the current military balance, a war essentially would oppose Syria’s missile arsenal to Israel’s powerful air force, with possible incursions by ground forces into Syrian territory. While Israel would no doubt suffer damage, Syrian losses would be far larger, with little if any possible territorial or political gain. While Hizbollah’s performance may have emboldened Syrian officials, a sober assessment would counsel great caution: the Lebanese movement could claim a symbolic, even tactical victory in fending off the Israeli assault but it secured no significant concession and suffered damage on a scale that would have been extraordinary for a state.

Some Syrian officials have suggested that spontaneous resistance (*muqawama*) or guerrilla warfare could erupt¹⁴⁵ but this would be very hard to carry out in light of territorial and demographic realities. The 20,000 Druze and Alawites in the occupied Golan are a small, isolated and questionable pool of potential support as are the 1,500 Allawites in al-Ghajar, an isolated village strategically located where the Israeli, Syrian and Lebanese borders meet. Though IDF intelligence chief Amos Yadlin warned that Syria was assembling a Hizbollah-like group in the Golan,¹⁴⁶ neither UN nor Israeli security personnel interviewed by Crisis Group saw any real evidence indicating either the presence of militant groups in the Golan or a Syrian invitation to regroup there.¹⁴⁷

For now, activities of putative guerrilla groups appear largely confined to cyberspace and the airwaves. In June 2006, ahead of the Lebanon war, reports emerged of a hitherto unknown group calling itself the Front for the Liberation of the Golan Heights, allegedly consisting of volunteers from the Syrian border with Turkey and Palestinian refugee camps near Damascus. A state-run Iranian television station, *Al-Alam*, broadcast an interview with the Front’s purported leader, who claimed he led hundreds of fighters dispersed among several training camps. Another group calling itself Men of the National Syrian Resistance faxed statements to news agencies threatening to kidnap Israeli soldiers in the Golan Heights.¹⁴⁸

News agencies also received communiqués from a third group claiming to have adopted Hizbollah’s tactics, the Popular Organisation for Liberation of the Golan.¹⁴⁹

In actual fact, the border has remained remarkably calm, and most Syrians roundly dismiss this cyber-resistance as mere bravado. More generally, few ordinary Syrians give credence to the possibility of any type of military action originating from their country, convinced of the utter lack of discipline, dedication or ability to act in secrecy of the nation’s armed forces.

While all this greatly diminishes the risks of war, it does not entirely exclude it. In Israel, “the fact that the government fared so poorly in the second Lebanon war means the government has no desire to provoke another one. But it also means the government will feel compelled to react forcefully if provoked by others”.¹⁵⁰ Moreover, pressure is growing on it to do something about putative arms build-ups in both Lebanon and Gaza. Syrian officials, as noted, are persuaded an Israeli attack will come within months, perhaps as part of a broader U.S.-Israeli effort to neutralise Iran’s nuclear potential.¹⁵¹

Should the political stalemate continue and Syria see no prospect for a diplomatic breakthrough, many Israelis believe, the regime in Damascus may be tempted to provoke a conflict in order to unlock the situation. In the words of former Foreign Minister Shlomo Ben-Ami, “it is precisely because they know that Olmert has no intention of resuming negotiations with Syria that members of the Israeli defence establishment fear that Bashar may seek to ignite a military confrontation. It would be a classic Clausewitzian move”.¹⁵² According to a defence official, “if these trends continue, it will become dangerous. Syria is acting as if preparing for war. And if things go on like this, war may well break out”.¹⁵³

Leading Israeli politicians and security personnel draw a comparison with Egyptian President Anwar al-Sadat’s tactics on the eve of the October 1973 war. Like Sadat, Bashar has called for peace but warned of war: “My personal opinion, my hopes for peace, could one day change”, he told *Der Spiegel*. “If this hope disappears, then war may really be the only solution”.¹⁵⁴ A former

¹⁴⁴ Crisis Group interview, Israeli security official, Tel Aviv, October 2006.

¹⁴⁵ Crisis Group interviews, Syrian officials, Damascus, March 2007.

¹⁴⁶ *Ynet*, 24 August 2006.

¹⁴⁷ Crisis Group interviews, UN Truce Supervision Organisation and Israeli security experts, Golan and Tel Aviv, October 2006. “The Syrian border around the Golan Heights is extremely secure, and it would be almost impossible for a non-government-sanctioned group to infiltrate it and reach IDF forces”, Crisis Group interview, former Israeli military intelligence official, Tel Aviv, November 2006.

¹⁴⁸ *Ynet*, 1 September 2006.

¹⁴⁹ Kuwaiti daily *Al-Rai al-Aam*, 25 August 2006.

¹⁵⁰ Crisis Group interview, Israeli analyst, Jerusalem, March 2007.

¹⁵¹ Crisis Group interviews, Syrian officials, Damascus, March 2007.

¹⁵² Crisis Group interview, Shlomo Ben-Ami, March 2007.

¹⁵³ Crisis Group interview, Israeli defence official, Tel Aviv, March 2007.

¹⁵⁴ *Der Spiegel*, 24 September 2006. Ahead of the 1973 war, President Sadat was quoted as saying “we are prepared for peace with Israel. But if Israel rejects I will mobilise a million soldiers and go to war”, repeated in *Haaretz*, 6 October 2006.

Mossad chief remarked: “What is the Syrian president supposed to think when he hears Olmert declare that the Golan ‘will remain in Israeli hands forever?’ Perhaps he will be tempted to follow Sadat’s lead and initiate a limited military campaign that will cost us dearly”.¹⁵⁵ Israel Hason, a member of Avigdor Lieberman’s right-wing Beiteinu party, said:

The question is do we begin negotiations now or in six-months time, after an increase in tension and the looming threat of war. It won’t have to be a conventional military confrontation or a guerrilla attack, for Syria has many ways of increasing the tension – a mere threat of missiles, for instance. The question is do we need a confrontation to get us to the same endgame, or can we do it without.¹⁵⁶

Under this scenario, Israelis fear, Damascus may try to borrow Hizbollah’s tactics. An Israeli military historian explained:

If Hizbollah had the capacity with 1,500 soldiers of holding out for a month against four ground divisions and the Israeli airforce and still launching more rockets on the last day against Israel, there’s a good chance Syria will take the risk. If they can do it, the Syrians will say, we can do it much better. The question is how long it will take them to absorb those new Russian weapons.¹⁵⁷

Israeli military analysts also do not wholly preclude lower-intensity combat, such as raids from Syria into the Israeli-occupied Golan aimed at abducting either settlers or soldiers or a more far-reaching offensive launched from al-Khadr on the Syrian side of the Golan south of Mt Hermon/Jebel al-Sheikh aimed at holding a Druze town in the Israeli-occupied Golan for a few hours. They express concern that a build-up of the population inside the UN-secured Area of Separation between Israeli and Syrian frontlines could serve as cover for guerrilla operations much as it did in southern Lebanon.¹⁵⁸ And they point to President

Bashar’s reply, when asked whether Syrians were ready for armed resistance: “There are always different currents and opinions. Some people talk enthusiastically about getting into this today, while others say we must prepare ourselves. However, this war [in Lebanon] has emphasised that option”.¹⁵⁹

Perceptions can become a self-fulfilling prophecy and as each side warily watches the other, the possibility of a miscalculation cannot be dismissed. Aware of Syrian fears of being attacked, Israel has been preparing for a possible Syrian strike while simultaneously conveying a message to Damascus that it has no offensive plans of its own. In Olmert’s words:

The Syrians, according to their statements and those of others recently appear to be saying that there is an American plan to attack Iran in the summer, and at the same time, and in coordination with Israel, to also attack Syria and Lebanon. I can tell you that there is no such plan that we know about, and in any case, there is no reason for the Syrians to prepare for such an eventuality. There is always concern that when one side prepares for war, and the other side is preparing to counter the other side’s preparations, then the first side interprets the preparations of the other side as if it is the manifestation of its fears, and the situation goes into a spin, and control is lost.¹⁶⁰

In this context, and though the risk of war may be relatively low, for Israel to resist and for the U.S. to oppose a Syrian call for direct, unconditional peace talks is both unprecedented and costly. Within weeks of the Lebanon war, Defence Minister Amir Peretz (Labour), Public Security Minister Avi Dichter (Kadima), Education Minister Yuli Tamir (Labour) and Knesset Speaker Dalia Itzhik (Kadima) all publicly called on Olmert to accept President Bashar’s offer of negotiations.¹⁶¹ Likewise, the

¹⁵⁵ Crisis Group interview, Danny Yatom, November 2006. See Yatom and Moshe Amirav, “The Golan in the role of Sharm”, *Haaretz*, 6 October 2006.

¹⁵⁶ Crisis Group interview Israel Hason, Jerusalem, November 2006.

¹⁵⁷ Crisis Group interview, Prof. Martin van Creveld, military historian, Hebrew University of Jerusalem, March 2007. See also Van Creveld, “War clouds gather over the Golan”, *The Forward*, 9 March 2007.

¹⁵⁸ The Syrian population in the towns within the Area of Separation is estimated by the United Nations at between 60,000 and 100,000, with particularly rapid growth in Jabal al-Kharb and on the fringes of Quneitra, the provincial capital largely destroyed between the 1967 war and the 1974 Israeli withdrawal. Crisis Group interviews, UNDOF commander and Israeli military reserve expert, Golan, October 2006. According to Nawaf al-

Faris, governor of Quneitra, 70,000 live in the “liberated zones”, quoted in Muhammad Abdul Ibrahim, op. cit. See also Avraham Tal, *Haaretz*, 6 October 2006.

¹⁵⁹ Dubai TV, 23 August 2006.

¹⁶⁰ He continued: “We have no intention to attack the Syrians. We prefer to make peace with the Syrians but it is a fact that the army is carrying out very intensive training in all systems, all branches, all units, in all areas, and it will continue doing so as part of its annual plans, and it will be ready for any eventuality – including the possibility of what is called miscalculation... But we take into account everything and hope that the things that should not happen, do not happen”, quoted in *Haaretz*, 1 April 2007.

¹⁶¹ See “Peretz: Prepare for negotiations with Syria”, *Ynet*, 15 August 2006; “Dichter: Golan Heights for peace”, *Ynet*, 21 August 2006; “Tamir: Israel must talk to Syria”, *Yediot Ahronot*, 25 September 2006. Itzhik asserted: “Syria is sending signals all the time, and I am not sure that we have the luxury of

new chief of staff, Gabi Ashkenazi, whose mother was born in Syria, is reported to have advocated a resumption of negotiations.¹⁶²

The argument was most eloquently put by David Grossman, a prominent Israeli writer who lost his son during the July 2006 Lebanon war. Speaking at a rally marking Rabin's assassination, he said:

By the way, Mr Prime Minister, perhaps I need to remind you that when an Arab leader sends a peace signal...you must check immediately how serious he is. You have no moral right to ignore such a signal. You owe it to those from whom you will ask to sacrifice their lives if another war breaks out. So, if President Assad says that Syria wants peace, even if you don't believe him – and we all suspect him – you must offer to meet him the same day. Don't wait even one day. When you went into the last war, you did not wait even for an hour. You charged right ahead, with all weapons, with all the destructive might. Why, when there is a glimmering of peace, do you immediately reject and erode it? What have you got to lose?¹⁶³

V. THE SHAPE OF A FUTURE DEAL

In 2002, Crisis Group put forward its proposal for a fair and comprehensive Israeli-Syrian deal. It has since discussed the ideas in Israel and Syria and, on the basis both of these consultations and the recent Liel-Suleiman Track II effort, remains convinced it can be accepted by both sides. Regional developments, including in particular the Lebanon war and re-launching of the Arab peace initiative, have made an Israeli-Syrian agreement altogether more urgent, more important and more attainable. For that reason, Crisis Group has chosen to reiterate its own proposal,¹⁶⁴ the key points of which are:

- ❑ the boundary between Israel and Syria to be the line of 4 June 1967; a commission headed by the chief cartographer of the United Nations to demarcate the precise line;
- ❑ Syria to have sovereignty over the land up to the Kinneret/Lake Tiberias and the Jordan River and access to the adjoining water; Israel to have sovereignty over the Kinneret/Lake Tiberias and the Jordan River and access to the adjoining land;
- ❑ demilitarised zones and areas of limitation in armament and forces in Syria and in Israel;
- ❑ a U.S.-led multinational monitoring, inspection and verification mechanism to verify implementation of the security arrangements, and the U.S. to operate an early warning station on Mount Hermon; and
- ❑ the parties to rapidly establish diplomatic ties once the treaty has come into effect and implement steps that characterise peaceful, normal relations between neighbours.

The full Crisis Group proposal can be found in Appendices A-C below.

**Jerusalem/Damascus/Washington/Brussels,
10 April 2007**

wasting opportunities like those. Imagine a new alliance with Syria. It is possible. Should we miss it?", *The Telegraph*, 30 September 2006.

¹⁶² See *Haaretz*, 23 January 2007.

¹⁶³ For a full translation of the 5 November 2006 speech see www.haaretz.com/hasen/spages/784034.html.

¹⁶⁴ Crisis Group Report, *Middle East Endgame III*, op. cit.

APPENDIX A

AN ISRAEL-SYRIA TREATY OF PEACE: EXPLANATION AND COMMENTARY¹⁶⁵

The key issues to be resolved by Israel and Syria in the context of a peace treaty involve the boundary, water, security and normalisation of bilateral relations. The draft presented here represents an attempt to reconcile and accommodate the central concerns of each party. Although the focus of this treaty, like its Israeli-Palestinian companion, is on resolving the consequences of the June 1967 War, their resolution would, in the Syria-Israel context, also resolve issues that plagued the bilateral relationship from its beginning in 1948.

In essence, this draft treaty is built on the following key elements for a workable, sustainable compromise between the parties:

- ❑ It meets Syria's political requirement for a specific border based on the lines of 4 June 1967. Because that border is not specifically defined, the treaty vests in a UN-led demarcation committee the responsibility to carry out that task. In so doing, it injects an aura of international legitimacy into the process of demarcation.
- ❑ It meets Israel's water requirements in a way that reflects Israel's critical need for resources that are of marginal utility to Syria, the geographic and topographic realities of the area in question, and the need for full bilateral cooperation to preserve a vital and scarce natural resource.
- ❑ It outlines security arrangements that address Israel's core concerns without unduly infringing upon Syria's sovereignty or sense of dignity.
- ❑ It entails the quick establishment of diplomatic ties and the systematic implementation of those steps that characterise peaceful, normal relations between neighbours.
- ❑ Finally, it envisions a major security role for the U.S., one that will be costly and even labour-intensive. Yet the price of an American-provided security regime should, in the end, be measured in two ways: against the alternative of a continued danger of war; and in terms of the value attributed to being the only party in whom Israel and Syria both would repose such an extraordinary level of trust.

The following is a brief rationale for the approaches offered in the key articles of the Israel-Syria Treaty of Peace.

1. Boundary

In 1923 Great Britain and France instituted a boundary between Palestine and Syria that kept Kinneret/Lake Tiberias and the upper Jordan River entirely within Palestine by a matter of a few metres; in the case of the lake's north east quadrant, ten to be exact.¹⁶⁶ During the mandate period, however, Syrian access to these water resources was guaranteed by treaty and topography. In effect, the water resources were basically indefensible given Syrian control over the Golan Heights that stood right above them. For all practical purposes, Mandate Syria's political jurisdiction extended across the border to the northeastern shoreline of the lake and the east bank of the Jordan River north of the lake.

In 1948 independent Syria and Israel went to war. Syria maintained its positions on the shoreline of the lake and the east bank of the Jordan River. It also occupied more territory in what had been Palestine, most notably the Yarmouk River town of Al-Hamma and a salient extending westward across the Jordan from the Banat Yaqub bridge. The parties agreed in their 1949 armistice that Syrian forces would withdraw from what had been Palestinian territory, and that the vacated land would be a demilitarised zone. There was no mutually recognized boundary between these two states remaining in a legal state of war, only an armistice demarcation line. Between 1951 and June 1967 the parties sporadically fought to dominate the demilitarised zone, which fell between the armistice demarcation line and the expired mandatory boundary. On the eve of war (4 June 1967), Syria was in control of Al-Hamma, the northeastern shoreline of the lake, the east bank of the Jordan flowing into the lake, and a small patch of land west of Baniyas, in the north. One week later Israel was in control not only of these small Jordan Valley tracts, but of the Golan Heights as well.

¹⁶⁵ Crisis Group Report, *Middle East Endgame III*, op. cit., pp. 5-9.

¹⁶⁶ See Appendix C, Map 1.

In discussions between the parties that took place in the 1990s and early 2000, it was clear that while Israel would evacuate the high plateau of the Golan Heights in the context of a peace treaty, it was not prepared to withdraw fully to the line of 4 June 1967. Indeed, Prime Minister Barak proposed a border running several hundred metres *inland* of the lake, through territory indisputably Syrian prior to 1967. Barak also insisted on Israeli sovereignty over a strip running several metres east of the Jordan River. In short, Israel wanted to keep Syria away from water resources essential to the economy of the Jewish State. Yet a fundamental tenet of the Syrian “price” for peace was complete Israeli withdrawal to the “line of 4 June 1967”. Negotiations never seemed to get to the point where mutual accommodation was seriously discussed.

The approach taken in this draft treaty may be summarized as follows: *Syria gets the land and regulated access to the water; Israel gets the water and regulated access to the land.* Syria gets its cherished “line of 4 June 1967”; Israel gets full title to the water resources west of that line. In order to endow the entire arrangement with a sense of international legitimacy, the “line of 4 June 1967” would be demarcated by a commission headed by the Chief Cartographer of the United Nations, who oversaw the drawing of the “line of withdrawal” between Israel and Lebanon in 2000. The boundary line itself would correspond to the Chief Cartographer’s determination of the extent of Syrian control as of 4 June 1967.

In order to help safeguard the water resources of the Jordan Valley and facilitate mutual access, key portions of the Syrian side of the boundary would be designated a “Jordan Valley Nature Preserve” under Syrian administration.¹⁶⁷ This Preserve would extend eastward from the boundary to an elevation of sea level (bearing in mind that Kinneret/Lake Tiberias is more than 200 metres *below* sea level). It would be free of permanent residents except for a resettled town of Al-Hamma and Syrian conservation and law enforcement personnel. Visitors from Israel would be free to enter; Syrian border and customs posts would be east of the Preserve. The practical effect of this arrangement would be that visitors from Israel would continue to have 360 degree access to Kinneret/Lake Tiberias, an important psychological boost for Israelis who have enjoyed such access for the past 35 years and who would probably oppose a treaty barring them from the lake’s northeastern shores. In return, visitors from the Syrian side would be granted recreational access to the lake, an important psychological boost for Syrians who enjoyed access to its waters before the creation of Israel and even during the 1949-1967 period, when access was often limited to the military because of periodic combat. The Jordan Valley Nature Preserve might also provide the parties a venue for a “warm”, people-to-people peace to take root.¹⁶⁸

This draft treaty would direct that the boundary be demarcated and filed with the UN within one year of the treaty coming into force. Evacuation of all Israeli military and civilian personnel from territory returned to Syria would be completed within two years of the treaty coming into force. The draft does not call for phased withdrawals, each one of which could be the occasion for disputes and misunderstandings. Rather it gives the parties a clear horizon and deadline for the transfer of all territory up to their common boundary.

2. Water

The approach taken to the water issue complements the boundary accommodation. It establishes a Joint Water Consultative Committee that would focus on safeguarding the water resources of the Jordan River watershed and sets forth some water-related commitments that meet both sides’ needs in this vital sector.

The basic operating principle is that water resources below and to the west of the Golan plateau flowing naturally into the Jordan Valley and Kinneret/Lake Tiberias¹⁶⁹ will, with limited, specified exceptions, continue to do so notwithstanding the return of territory to Syria and the placement of the boundary. This principle accommodates Israel’s concerns about the quantity and quality of water flowing to it after its withdrawal. It does so by acknowledging that Syria’s objective water needs atop the Golan Heights and in the country’s interior cannot, for reasons of geography and topography, be met economically by water pumped up (at great expense) from areas of lower elevation west of the heights and down in the valley.

¹⁶⁷ See Appendix C, Map 2.

¹⁶⁸ An analogous approach was suggested in the wake of the failed Geneva summit by Patrick Seale, Hafez al-Asad’s official biographer. Under his proposal, the Kinneret would remain under Israeli sovereignty, and Syria would get formal sovereignty over the Golan Heights and the north east coastline of the lake. The United Nations would be asked to administer the area on the northeast corner of the lake, which would be open to Israelis and Syrians.

¹⁶⁹ See Appendix C, Map 3.

The water-related commitments are as follows:

- Israel would refrain from dismantling the water-capturing infrastructure it has built on the Golan Heights. Syria would limit resettlement with a view toward mitigating environmental risks to Jordan Valley water resources. In this way the treaty would seek to avoid both spiteful destruction of efficient water-capturing facilities and the over-population of a key part of the Jordan River watershed.
- Syria would limit its extractions from rivers flowing below the Golan plateau (the Hasbani and Banias) to the servicing of local needs, and would pledge to manage the catchment area of the Yarmouk River in a way that respects the needs of downstream riparians.
- Israel would make available to Syria water from the Jordan River and the lake sufficient to meet the needs of the Jordan Valley Nature Preserve.

3. Security

The article on security draws on previous discussions between the parties as well as precedents rooted in the 1974 Agreement on Disengagement between Syrian and Israeli Forces and the 1949 General Armistice Agreement. The basic operating principle is that a combination of demilitarisation, additional limits on armaments and forces, and third-party early warning and monitoring would give both parties an enhanced sense of security while political normalisation between them takes root. A key element in providing the parties the requisite level of mutual security would be a robust American role in providing early warning, surveillance and monitoring services to both sides.

The demilitarised zone¹⁷⁰ (in which police with side arms would be authorised) consists of three elements: all territory occupied by Israel and returned to Syria; the currently demilitarised “Area of Separation” to the east of the occupied Golan Heights; and, to the west of the Golan Heights, those parts of the 1949 demilitarised zone that will remain in Israel once the Syria-Israel boundary is demarcated by the UN. The idea is to create distance between military forces and remove the chronic insecurity that plagued the bilateral relationship during the 1949-1967 time frame – insecurity that once again came to the fore during the October 1973 war.

The demilitarised zone would be further insulated by “Areas of Limitation in Armament and Forces” on its eastern and western flanks. To the east, the two ten-kilometre areas established by the 1974 Agreement between the parties would remain in effect, but with one amendment: all armour (tank) units would be removed. To the west of the demilitarised zone, a single ten-kilometre zone would be established with the same limitations that would apply to the two western zones. The narrower zone on the Israeli side is justified by (a) Israel’s lack of strategic depth in comparison with Syria; and (b) Israel’s need to secure its border with Lebanon, a frontier zone whose security will require a *convergence* of security forces instead of their *separation*. (See section III of this report.)

Within the demilitarised zone the U.S. would run for the benefit of both parties an early warning ground station on the slopes of Mt. Hermon, operated by American personnel. In addition to having its own organic surveillance assets, the ground station would receive data from unmanned aerial vehicles operated from within the region by U.S. personnel. The U.S. would share with Israel and Syria, as appropriate, data from its intelligence collection. The entire “surveillance and early warning security system” would have a duration (“sunset”) provision of five years, unless extended by the parties.

Within the demilitarised zone and the flanking Areas of Limitation in Armament and Forces, a multinational “monitoring, inspection and verification mechanism” would operate to ensure the implementation of these security arrangements. The U.S. would design the team in consultation with the parties, and personnel would be provided by the U.S., the European Union, Russia and others as agreed. Although there is a clause allowing for mutual agreement on other contributors – including, hypothetically, monitors provided by the parties themselves – this multinational approach is intended to bridge differences articulated by the parties in past discussions. It is neither an Israeli-Syrian mixed team approach favoured by Israel, nor an international/UN approach favoured by Syria. The monitoring mechanism would have a five-year “sunset” provision.

(An alternative that could be considered would be to expand the limited forces zones on both sides of the border, in line with what Israel had in mind in the 1999-2000 discussions. It would mean that southern Syria outside Damascus and the Galilee outside Haifa would have limited military forces, probably only a division each of armour, to be monitored by

¹⁷⁰ See Appendix C, Map 4.

the U.S.-led force. The question would be how to square this with Israel's requirement to secure its northern border with Lebanon, which would be covered by this expanded limited forces zone. Even in the context of a peace agreement with Lebanon (see below), the past three decades have taught that "limited forces" is the wrong medicine for the Israel-Lebanon frontier; there, it is the absence of the Lebanese army in the south that has been destabilising.)

Finally, the parties would establish a Mutual Security Working Group to facilitate the implementation of the foregoing security arrangements.

4. Normalisation

In previous contacts between the parties, Israel expressed a strong interest in fast-paced normalisation of relations, while Syria articulated a firm preference for a "go-slow" approach to a process that would open borders and facilitate, among other things, Israeli tourism throughout Syria.

The approach suggested in this draft treaty is to mandate the speedy establishment of full diplomatic relations (exchange of resident ambassadors within 72 hours of the treaty coming into effect), to "front-end load" some stabilising elements of normalisation, and to tie other steps to the implementation of mutual commitments enumerated elsewhere in the treaty. For example:

- Within 90 days of the treaty coming into force, economic boycotts of a bilateral nature would be removed. Normal communications services would be in place within 180 days. Indeed, there would seem to be no objective reason why acts reflecting past hostility or preventing the establishment of normal communications could not be rectified quickly.
- Other, more controversial aspects of normalisation – the unimpeded flow of people, goods and services, the full opening of land, sea and air transportation links, and cooperation to promote tourism – would be fully in place within 90 days of the removal of Israeli military forces and civilians from occupied Syrian territory. Although the implementation of these steps would be deferred pending the end of occupation, the "short fuse" implementation deadline thereafter would mandate active planning and communication between the parties well in advance of the deadline itself.

APPENDIX B

AN ISRAEL-SYRIA TREATY OF PEACE: DRAFT NEGOTIATING TEXT¹⁷¹

The Government of the State of Israel and the Government of the Syrian Arab Republic:

Aiming at the achievement of a just, lasting and comprehensive peace in the Middle East based on United Nations Security Council Resolutions 242 and 338 and within the framework of the peace process initiated at Madrid on 31 October 1991;

Reaffirming their faith in the purposes and principles of the Charter of the United Nations and recognising their right and obligation to live in peace with each other, as well as with all states, within secure and recognised boundaries;

Desiring to establish mutual respect and to develop honourable, friendly and good neighbourly relations;

Resolving to establish permanent peace between them in accordance with this Treaty;

Have agreed as follows:

ARTICLE I – Establishment of Peace and Security within Recognised Boundaries.

The state of war between Syria and Israel (hereinafter “the Parties”) is hereby terminated and peace is established between them. The Parties will maintain normal, peaceful relations as set forth in Article III below.

The international boundary between Israel and Syria is the boundary to be demarcated as set forth in Article II below.

To enhance the security of both Parties, agreed security measures will be implemented in accordance with Article IV below.

ARTICLE II – International Boundary

The boundary between Israel and Syria will be based on the line of 4 June 1967.

The Parties agree on the need to precisely demarcate their boundary. To that effect, the boundary will be demarcated by an International Boundary Commission (hereinafter “the Commission”) organised and chaired by the Chief Cartographer of the United Nations. The Parties shall participate as members of the Commission and shall facilitate its work fully. Final demarcation decisions shall be made by the Chief Cartographer in consultation with the Parties and in a manner consistent with the precedents, principles and special provisions agreed to by the Parties as enumerated below. Boundary demarcation shall be completed within one year of this Treaty entering into force, and a full record of the demarcation including maps and other supporting documentation shall be annexed to it as an integral part of the Treaty and filed with the United Nations.

Israeli military and civilian personnel shall fully vacate all territory returned to Syria no later than two years after this Treaty enters into force. Israel will leave intact the housing and infrastructure in territories it evacuates.

The boundary to be demarcated by the Commission shall take fully into account the following principles:

Syrian sovereignty shall extend to all land areas occupied by Israel as a result of Israeli-Syrian combat during the June 1967 War.

Israeli sovereignty will apply to all bodies of water lying to the west of the boundary.

The boundary to be demarcated by the Commission shall take into account the following historical precedents:

The provisions of UN Security Council Resolution 242;

¹⁷¹ Crisis Group Report, *Middle East Endgame III*, op. cit., pp. 10-15.

The locations of Syrian and Israeli nationals in the Jordan River Valley as of 4 June 1967;
The terms of the 1949 General Armistice Agreement between the Parties; and
The 1922 Anglo-French Boundary Commission Report.

In order to facilitate good neighbourly relations, the Parties agree that the following special provisions shall apply to land and water resources in close proximity to their common boundary:

A Jordan Valley Nature Preserve (hereinafter “the Preserve”), covering Syrian territory within the Jordan River Valley up to an elevation of zero metres above sea level, shall be established under Syrian administration. Within the Preserve all permanent human habitation, except for Syrian residents of Al-Hamma and Syrian conservation and law enforcement personnel and their families, shall be excluded. Syria shall refrain from establishing border and customs posts within the Preserve.

The Preserve shall be accessible to visitors from both sides without restriction, except for Syrian rules and regulations within the Preserve designed to protect the ecology of the Jordan River Valley and to maintain law and order.

Irrespective of the placement of the boundary, access by motor vehicles from Israel to roads and highways lying within the Preserve shall not be impeded. In order to ensure the timely provision of emergency services to motorists and other visitors within the Preserve, the Syrian Arab Red Crescent and the Israeli Magen David Adom shall establish a joint Emergency Services Centre at a location mutually agreed by the two organisations within the Preserve in the vicinity of Kinneret/Lake Tiberias. The Parties agree that the Emergency Services Centre shall be empowered to summon appropriate emergency assistance from either Party. The Parties further agree to provide emergency medical assistance to visitors within the Preserve solely on the basis of medical exigency, without regard to the nationality of any person requiring emergency medical assistance.

The recreational access of Syrian citizens to bodies of water adjacent to the boundary shall likewise be unrestricted, except for Israeli rules and regulations for Kinneret/Lake Tiberias and the Jordan River pertaining to boat safety, fishing and the like.

ARTICLE III – Normal Peaceful Relations

The Parties will apply between them the provisions of the Charter of the United Nations and the principles of international law governing relations among states in time of peace. In particular:

They recognise and will respect each other’s sovereignty, territorial integrity, political independence and right to live in peace within secure and recognised boundaries; and

They will establish and develop friendly and good neighbourly relations, will refrain from the threat or use of force, directly or indirectly, against each other, will cooperate in promoting peace, stability and development in their region and will settle all disputes between them by peaceful means.

The Parties will establish full diplomatic and consular relations, including the exchange of resident ambassadors. The exchange of resident ambassadors shall be completed within seventy-two (72) hours of this Treaty entering into force.

The Parties recognise a mutuality of interest in honourable and good neighbourly relations based on mutual respect and for this purpose will:

Promote beneficial bilateral economic and trade relations including by enabling the free and unimpeded flow of people, goods and services between the two countries; remove all discriminatory barriers to normal economic relations; terminate economic boycotts directed at the other Party; repeal all discriminatory legislation; and cooperate in terminating boycotts against either Party by third parties.

Promote relations between them in the sphere of transportation. In this regard, the Parties will open and maintain roads and international border crossings between the two countries, cooperate in the development of rail links, grant normal access to ports for vessels and cargoes of the other or vessels or cargoes destined for or coming from that Party, and enter into normal civil aviation relations.

Establish normal postal, telephone, telex, data facsimile, wireless and cable communications and television relay services by cable, radio and satellite between them on a non-discriminatory basis in accordance with relevant international conventions and regulations; and

Promote cooperation in the field of tourism in order to facilitate and encourage mutual tourism and tourism from third countries.

The Parties undertake to ensure mutual enjoyment by each other's citizens of due process of law within their respective legal systems and before their courts.

The Parties agree that the commitments enumerated in Article III, Sections 3 and 4 above, shall be implemented in full no later than ninety (90) days following the implementation of Article II, Section 3 above, with the following exceptions:

Economic boycotts of a bilateral nature shall be terminated within ninety (90) days of this Treaty entering into force.

The provisions of Article III, Section 3c above shall be implemented within one-hundred-eighty (180) days of this treaty entering into force.

ARTICLE IV – Security

The Parties undertake to refrain from cooperating with any third party in a hostile alliance of a military character directed at the other Party and to ensure that territory under their control is not used by military forces of a third party (including their equipment and armaments) in circumstances that would adversely affect the security of the other Party.

The Parties undertake to refrain from organising, instigating, inciting, assisting or participating in any act or threats of violence against each other, the citizens of each other or their property wherever located, and will take effective measures to ensure that no such acts occur from, or are supported by, individuals on their respective territory or territory under their respective control. In this regard, without prejudice to the basic rights of freedom of expression and association, the Parties will take necessary and effective measures to prevent the entry, presence and operation in their respective territories of any group or organisation, and its infrastructure, which threatens the security of the other Party by use of, or incitement to the use of, violent means.

Both Parties recognise that international terrorism in all its forms threatens the security of all nations and therefore share a common interest in the enhancement of international cooperative efforts to deal with this problem.

Each Party recognises that the security of the other is an essential element of permanent peace and stable bilateral relations. The Parties have agreed, therefore, drawing upon historical precedents, to the following special security arrangements:

A demilitarised zone will be established. It will cover the following areas:

The territory to be vacated by Israeli military personnel and civilians.

The Area of Separation established under the Agreement on Disengagement between Syrian and Israeli Forces of 31 May 1974.

The demilitarised zone established by the Israel-Syria General Armistice Agreement of 20 July 1949.

No military forces, armaments, weapons systems, military capabilities or military infrastructure will be introduced into the demilitarised zone or its airspace by either Party. The Parties agree that civil police may be deployed into the demilitarised zone, but that all weaponry beyond police side arms will be excluded.

Areas of Limitation in Armament and Forces shall be established in Syria and Israel on territory adjacent to the demilitarised zone. To the east of the demilitarised zone, the First and Second Areas of Limitation in Armament and Forces as designated and defined by the Agreement on Disengagement between Israeli and Syrian Forces of 31 May 1974 shall remain in effect, except that armour (tank) units shall be excluded. To the west of the demilitarised zone, there shall be an Area of Limitation in Armament and Forces ten (10) kilometres in depth, with limitations on armaments and forces equal to those of the Area of Limitation in Armaments and Forces to the east of the demilitarised zone.

A comprehensive surveillance and early warning security system shall be designed and implemented by the United States in consultation with the Parties. The system shall include an early warning ground station on Mt. Hermon to be operated by American personnel and shall also employ unmanned aerial vehicles operated in the region by the United States. The United States will share with the parties, as appropriate, the information gathered through its collection efforts. The surveillance and early warning security system shall become operational within ninety (90) days after the completion of the boundary demarcation referred to in Article II section 2 above. It shall remain in effect for five (5) years from the date it becomes operational, unless the Parties mutually agree on its extension.

A monitoring, inspection and verification mechanism to oversee and ensure the implementation of the foregoing security arrangements shall be designed and implemented by the United States in consultation with the parties. The mechanism shall be multinational in composition, with personnel provided by the United States, the European Union, Russia and elsewhere, as agreed by the Parties. The mechanism shall become operational immediately upon the implementation of Article II, section 2 of this Treaty and shall remain in effect for five (5) years from that date, unless the Parties mutually agree on its extension. Pending the commencement of operations by the monitoring, inspection and verification mechanism, the United Nations Disengagement Observer Force (UNDOF) will, with the full cooperation of the Parties, continue its mission.

A Mutual Security Working Group shall be formed by the Parties within thirty (30) days of this Treaty entering into force to facilitate the implementation of the foregoing special security arrangements.

ARTICLE V – Water

In order to promote communication, cooperation and good neighbourly relations in the water sector, the Parties will establish a Joint Water Consultative Committee [hereinafter “the Committee”]. The Committee will be comprised of three members from each country. It will, with the approval of the respective governments, specify its work procedures, the frequency of its meetings and the details of its scope of work. The Committee may invite experts and/or advisers as may be required.

The principal mission of the Committee will be to facilitate bilateral cooperation in the protection of water resources. The Parties acknowledge their individual and joint responsibilities for the prevention of contamination, pollution and depletion of water resources in the watershed of the Jordan River, which includes territory of each. They recognize that the subject of water can form the basis for practical cooperation between them, and therefore jointly undertake to ensure that the management and development of their water resources do not, in any way, harm the water resources of the other Party.

The Parties further agree that their mutual undertakings in the water sector will be governed by the following commitments:

With respect to the Golan Heights, Israel agrees to leave undisturbed the water-related infrastructure it has constructed during its presence and to make available said infrastructure without charge for use by Syrian citizens. Syria, in turn, agrees to regulate the resettlement of lands returned to its sovereign control in such a way as to mitigate the risks of contamination, pollution and depletion to the Jordan River and its sources, Lake Tiberias/Kinneret, and the Yarmouk River.

With respect to the Baniyas River, Syria agrees to limit its extraction of water to that amount needed to service resettlement of Syrian citizens in the village of Baniyas and its immediate environs, and to allow the balance to flow freely into Israel.

With respect to the Hasbani River, Syria agrees to limit its extraction of water to that amount needed to service the Syrian residents of the village of Al-Ghajar and its environs, and to allow the balance to flow freely into Israel.

With respect to the Yarmouk River, Syria takes note of the Jordanian-Israeli undertakings contained in Annex II of the Jordan-Israel Treaty of Peace and pledges to manage the catchment area of the Yarmouk basin in a manner respectful of the interests of all downstream riparians.

With respect to the Jordan River and Kinneret/Lake Tiberias, Israel agrees to make available to Syria sufficient amounts of water to service the requirements of the Jordan Valley Nature Preserve (see Article II, Section 6 above).

ARTICLE VI – Rights and Obligations

This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter of the United Nations.

The Parties undertake to fulfil in good faith their obligations under this Treaty, without regard to action or inaction of any other party and independently of any instrument external to this Treaty.

The Parties will take all the necessary measures for the application in their relations of the provisions of the multilateral conventions to which they are Parties, including the submission of appropriate notification to the Secretary General of the United Nations and other depositories of such conventions. They will also abstain from actions that would curtail the rights of either Party to participate in international organisations to which they belong in accordance with the governing provisions of those organisations.

The Parties undertake not to enter into any obligation in conflict with this Treaty.

Subject to Article 103 of the United Nations Charter, in the event of a conflict between the obligations of the Parties under the present Treaty and any of their other obligations, the obligations under this Treaty will be binding and implemented.

ARTICLE VII – Legislation

The Parties undertake to enact any legislation necessary in order to implement the Treaty, and to repeal any legislation inconsistent with the Treaty.

ARTICLE – VIII – Settlement of Disputes

Disputes between the Parties arising out of the interpretation or application of the present Treaty shall be settled by negotiation.

ARTICLE IX – Final Clauses

This Treaty shall be ratified by both Parties in conformity with their respective constitutional procedures. It shall enter into force on the exchange of instruments of ratification and shall supersede all previous bilateral agreements between the Parties.

The Annexes and other attachments attached to this Treaty shall constitute integral parts thereof.

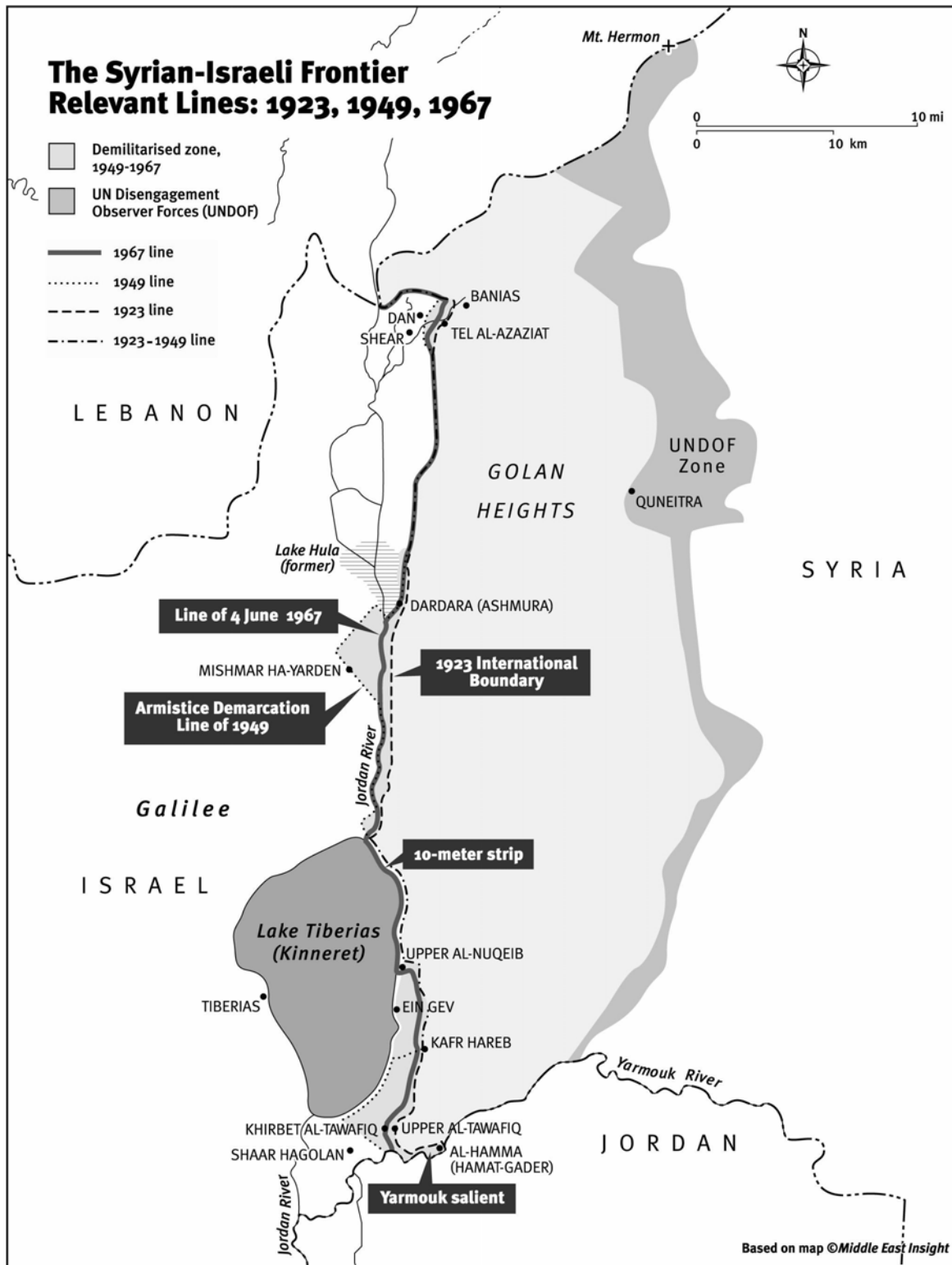
The Treaty shall be communicated to the Secretary General of the United Nations for registration in accordance with the provisions of Article 102 of the Charter of the United Nations.

DONE THIS DAY ----- IN ----- IN THE ENGLISH, HEBREW AND ARABIC LANGUAGES, ALL LANGUAGES BEING EQUALLY AUTHENTIC. IN CASE OF ANY DIVERGENCE OF INTERPRETATION, THE ENGLISH TEXT WILL BE AUTHORITATIVE.

APPENDIX C

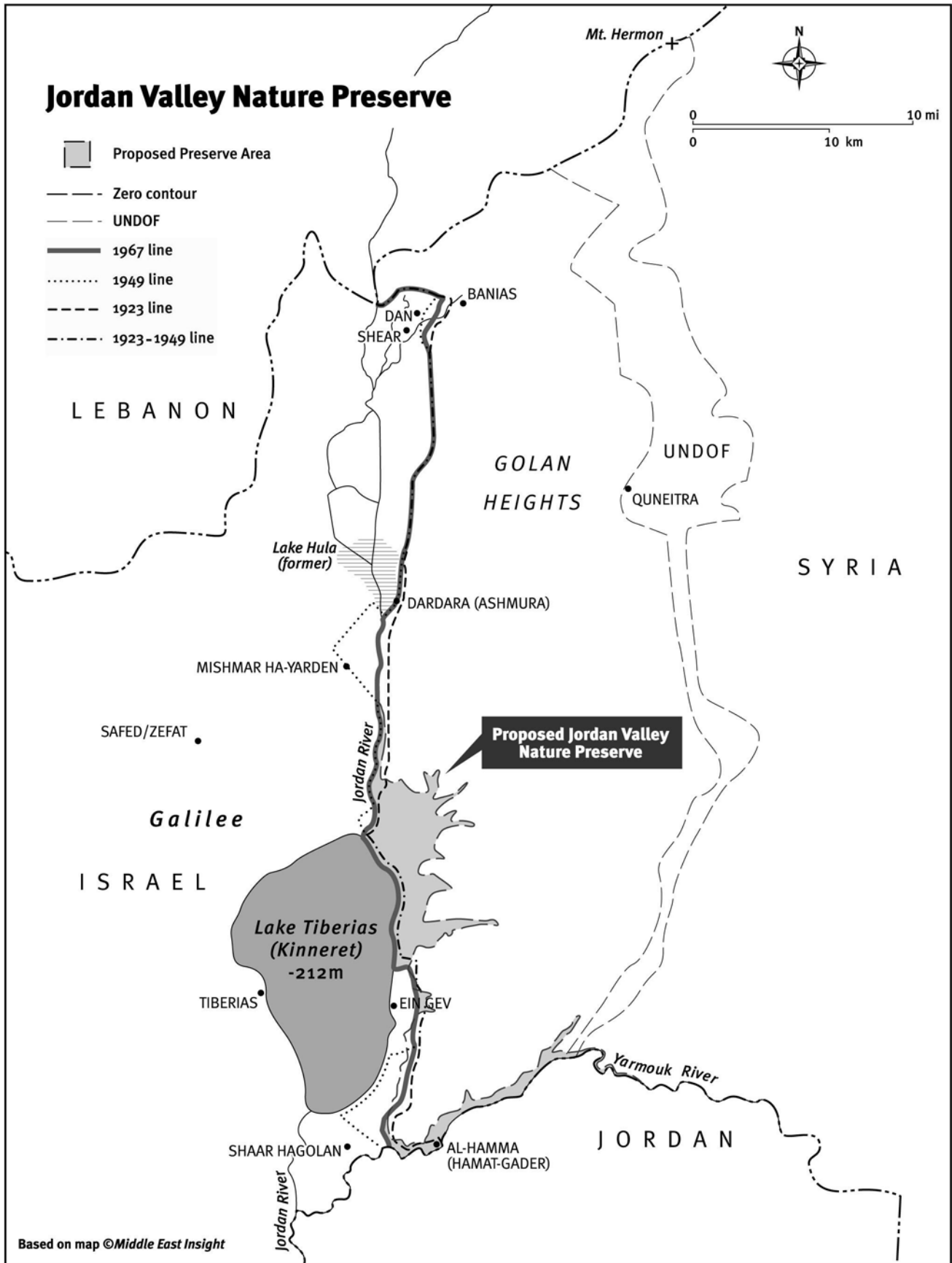
MAPS RELATED TO AN ISRAEL-SYRIA TREATY OF PEACE¹⁷²

MAP 1: THE SYRIAN-ISRAELI FRONTIER, RELEVANT LINES: 1923, 1949, 1967

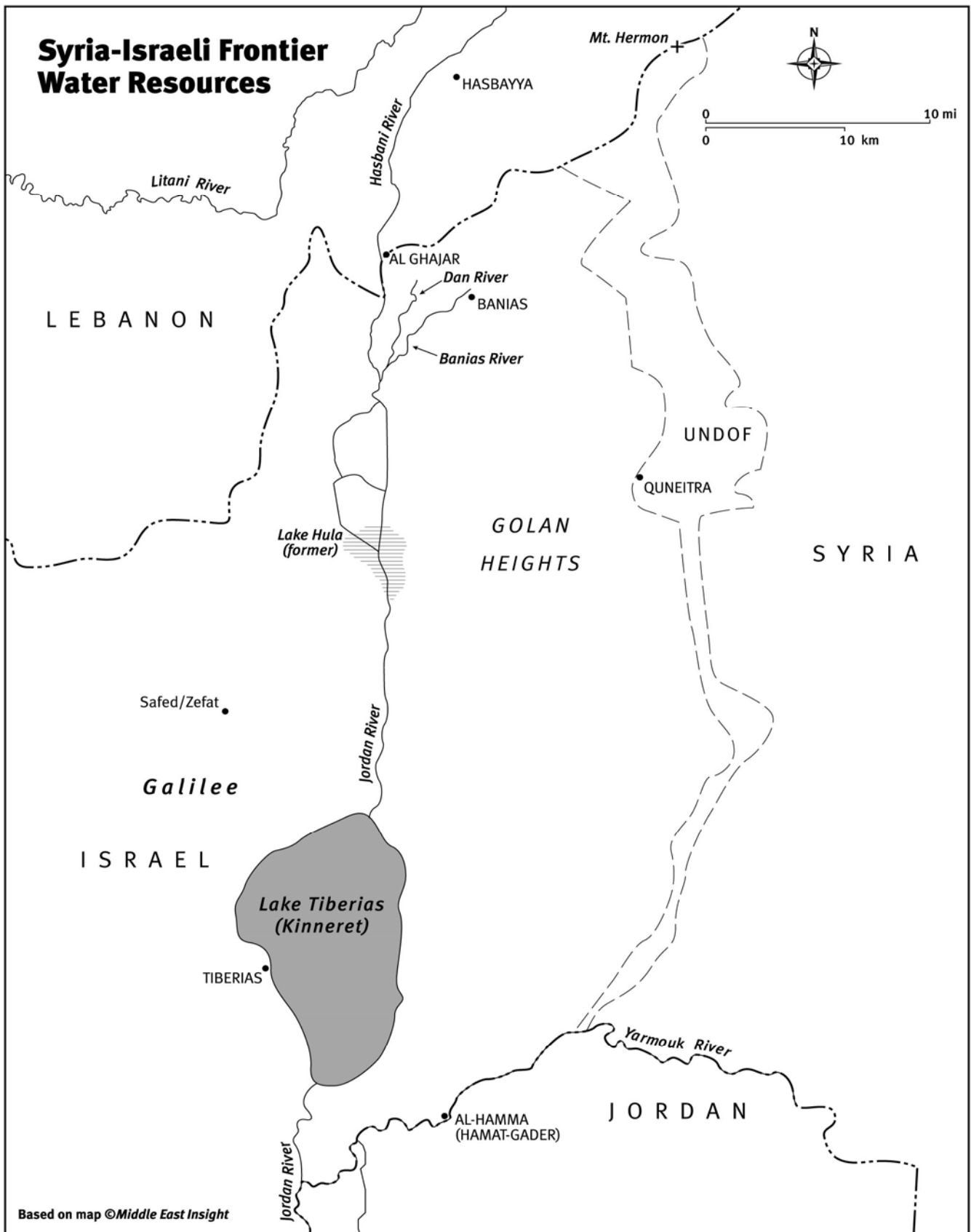


¹⁷² Crisis Group Report, Middle East Endgame III, op. cit., pp. 25-28.

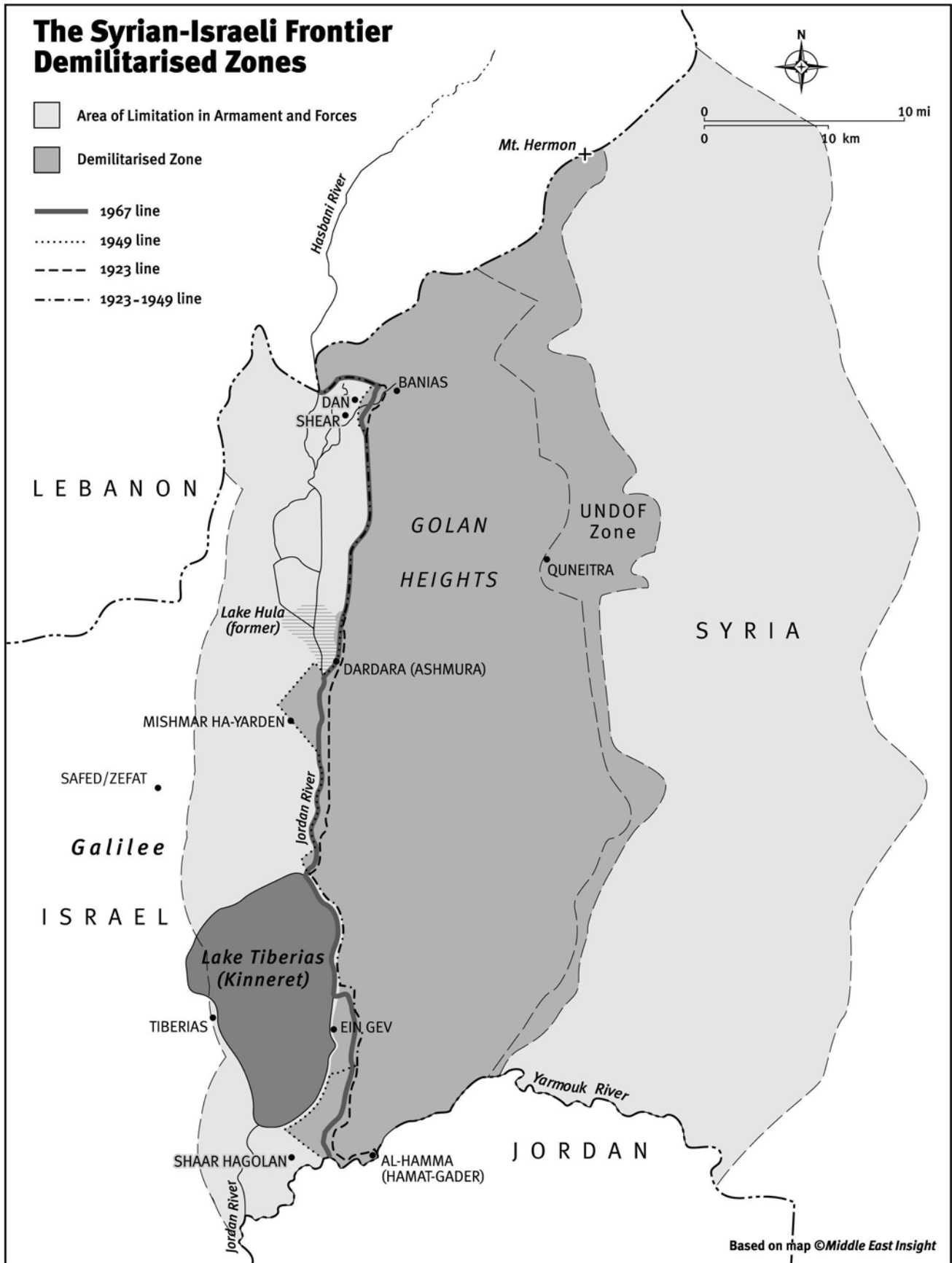
MAP 2: JORDAN VALLEY NATURE PRESERVE



MAP 3: SYRIAN-ISRAELI FRONTIER WATER RESOURCES



MAP 4: THE SYRIAN-ISRAELI FRONTIER DEMILITARISED ZONES



APPENDIX D

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Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

Crisis Group's international headquarters are in Brussels, with advocacy offices in Washington DC (where it is based as a legal entity), New York, London and Moscow. The organisation currently operates twelve regional offices (in Amman, Bishkek, Bogotá, Cairo, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina, Seoul and Tbilisi) and has local field representation in sixteen additional locations (Abuja, Baku, Beirut, Belgrade, Colombo, Damascus, Dili, Dushanbe, Jerusalem, Kabul, Kampala, Kathmandu, Kinshasa, Port-au-Prince, Pretoria and Yerevan). Crisis Group currently covers nearly 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia,

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April 2007

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