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SPECIAL REPORT

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ABOUT THE REPORT

Commissioned in mid-2008 by the United States Institute of Peace's Center for Mediation and Conflict Resolution, this report builds upon two previous groundbreaking works by the author that deal with the obstacles to Syrian-Israeli peace and propose potential ways around them: a 1999 Middle East Insight monograph that defined the phrase "line of June 4, 1967" in its Israeli-Syrian context, and a 2002 Israel-Syria "Treaty of Peace" drafted for the International Crisis Group. Both works are published online at www.usip.org as companion pieces to this report and expand upon a concept first broached by the author in his 1999 monograph: a Jordan Valley-Golan Heights Environmental Preserve under Syrian sovereignty that would protect key water resources and facilitate Syrian-Israeli people-to-people contacts.

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Frederic C. Hof

Mapping Peace between Syria and Israel

Summary

- Syrian-Israeli "proximity" peace talks orchestrated by Turkey in 2008 revived a long-dormant track of the Arab-Israeli peace process. Although the talks were suspended because of Israeli military operations in the Gaza Strip, Israeli-Syrian peace might well facilitate a Palestinian state at peace with Israel.
- Syria's "bottom line" for peace with Israel is the return of all the land seized from it by Israel in June 1967. This includes the Golan Heights plateau and small tracts in the Jordan River Valley—acreage that adjoins bodies of water vitally important to Israel's economy and of marginal use to Syria.
- Israel's "bottom line" for peace with Syria is the strategic reorientation of Damascus away from Iran, Hezbollah, and certain Palestinian organizations, most notably Hamas.
- Rejecting the argument that peace with Israel obliges it to break relations with others, Damascus has indicated that an American presence at the peace talks would produce direct Syrian-Israeli interactions and that a drastically improved Syria-U.S. bilateral relationship must be a by-product of Syrian-Israeli peace.
- Because the withdrawal process itself could take several years, the implementation phase of the treaty will be just as important (if not more so) than the drafting of it.
- If the parties could reach agreement on purely bilateral issues—boundary, water, frontier security regime, and normalization—and sign a treaty of peace, each side would have the needed time to measure the performance and gauge the intentions of the other.
- It will not be easy for any Israeli government to rally the requisite public and Knesset support to give Syria its sine qua non for peace. Among other things, withdrawal to the June 4, 1967, line would give Syria beachfront property on the northeastern quadrant of the Sea of Galilee, Israel's national reservoir.
- Beyond treaty provisions dealing specifically with water and demilitarization, one treaty-related gesture Damascus might consider making to ameliorate Israeli concerns

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about a new boundary in the Jordan Valley would be to create a Jordan Valley–Golan Heights Environmental Preserve under Syrian sovereignty.

- Such a preserve could help to protect sensitive and stressed water resources in the valley and on the heights. It could also facilitate easy access by civilians from Israel to the full circumference of the Sea of Galilee and perhaps up into those parts of the Golan Heights covered by the preserve.
- While there are many approaches to the creation, size, purpose, and functioning of such a preserve, the one suggested in this report would be based on existing parks and reserves created by Israel during the occupation, which would be transferred to and administered by Syria.
- In addition to mitigating Israeli concerns about the return of sensitive territories and providing a venue for informal people-to-people contacts, the Jordan Valley–Golan Heights Environmental Preserve approach would give the parties a good platform for practical bilateral cooperation even as the ink on a peace treaty is drying, allowing for a constructive, confidence-building start to the implementation phase of the withdrawal process.

Introduction

Although the Palestinian-Israeli “track” of the Arab-Israeli dispute remains at the heart of the conflict between Israel and its neighbors, the very complexity of that track (Jerusalem, refugees, borders, etc.) has led some to consider the Israeli-Syrian track to be relatively simple and straightforward. While simple it is not and straightforward it is only in relative terms, the Syrian-Israeli conflict can indeed be settled without prejudice to the central act of the Arab-Israeli drama. Indeed, Israeli-Syrian peace might well facilitate that main event: a Palestinian state at peace with Israel.

Yet there is a bilateral legacy of Israeli-Syrian violence, bitterness, and distrust to be overcome. For most Israelis, the image of Syrian gunners gratuitously raining shells down on Israeli settlements from atop the Golan Heights is a matter of literal historical truth. While most Israelis want peace with Syria, very few favor returning the Golan Heights, which was seized from Syria in June 1967. For Syrians, the historical image is reversed: they recall Israel aggressively violating the terms of the 1949 armistice and deliberately setting the stage for the conquest of land that was part of the original Zionist design for the Jewish homeland. While most Syrians welcome the prospect of a just and honorable peace with Israel, very few would disagree that the price of peace is the return to Syria of all land seized from it in 1967.

From July 1949, when an armistice was signed, until the June 1967 War, conflict between Syria and Israel centered on control of a disjointed, 66.5-square-kilometer “demilitarized zone” in the Jordan Valley. This was a “game of inches” in an area that was anything but demilitarized—a combat zone in which Israel tried to assert its sovereignty over areas assigned to the “Jewish state” by the 1947 UN partition resolution and Syria tried to retain tracts it had secured during the 1948 war and even before. By war’s end, this hotly disputed real estate adjoining vital water resources was well to the rear of the Israel Defense Forces (IDF), which had uprooted the Syrian Army from the Jordan Valley and driven it off the crest of the Golan Heights in two days.

Through much of 2008, Israeli and Syrian diplomats discussed—with the assistance of Turkey—terms for ending the state of war that has existed between them since 1948. Although the talks have been suspended due to fighting in the Gaza Strip, the parties indirectly discussed how, in the context of a formal peace treaty, the Israeli conquest of June 1967 might be undone in ways that satisfy the core interests of each side.

In support of this goal, this study reviews the bilateral components of Syrian-Israeli peace talks and offers a fresh perspective on what will likely be an important aspect of

any peace agreement between them: a provision that calls for the creation of a Jordan Valley–Golan Heights Environmental Preserve. The preserve, under Syrian sovereignty, would be open—all or in part, with minimal restriction—to visitors from Israel.

Context of Negotiations

The discussions of last year were not the first time that Israelis and Syrians discussed the possibility of peace. They met in Shepherdstown, West Virginia, in early 2000. Those talks ended in failure when then Israeli prime minister Ehud Barak concluded that he did not have the requisite domestic political support to withdraw from occupied territory to the extent required by Syria.

From 1993 until the Shepherdstown talks a major theme of indirect Syrian-Israeli communications (facilitated by the United States) was the Syrian “bottom line”: full Israeli withdrawal to the line that separated Syrian and Israeli forces before war broke out on June 5, 1967. As Syrian ambassador to the United States Walid Moualem stated in a 1998 interview,

When [Israeli prime minister Yitzhak] Rabin was forthcoming on the Syrian track, on 3 August 1993, he told [U.S. secretary of state] Warren Christopher that he [Rabin] was ready for a full withdrawal. Christopher went to Syria, and talked with President [Hafiz] Assad. Assad asked Christopher to clarify if Rabin was talking about a total withdrawal; whether Israel would have any outstanding territorial claims after such a withdrawal; and whether Rabin was talking about withdrawal to the line of 4 June 1967.¹

From the Syrian perspective, everything—water issues, security arrangements, and the details of full normalization—was negotiable provided Israel’s withdrawal from occupied territory went all the way to the line of June 4, 1967. Much of this study concentrates on steps that the parties might consider to accommodate this Syrian “bottom line” with core Israeli economic and political interests. As such, there is the risk that readers may see in this effort only a cataloguing of Israeli concerns and steps that might be taken to overcome them, without parallel regard to Syrian priorities and sensibilities.

It is certainly proper to acknowledge that there will be limits to Syria’s willingness and ability to accommodate itself fully to Israel’s desiderata. Syrian leaders must take their own public opinion into account—any peace treaty with Israel must be seen in Syria as honorable and just. Still, Syria has made the issue of the boundary the centerpiece of negotiations. Therefore, if this study focuses on possible ways to make that boundary politically palatable and economically acceptable to Israel, one should not read into it a disregard for Syrian concerns or an absence of balance. On the contrary, it accepts Syria’s full withdrawal demand as the basis for analysis.

Much has changed in the nine years since the failure of the Shepherdstown talks, including the following:

- Israel unilaterally withdrew its forces from Lebanon in May 2000 and Hezbollah—flush with victory and with Syria’s encouragement—disputed the completeness of the withdrawal and proclaimed ongoing “resistance.”
- Syrian president Hafiz al Assad died in June 2000 and was succeeded by his son.
- As the prospect of Israeli-Syrian peace faded, Syria’s alliance with Iran and its relationship with Hezbollah grew stronger. The Israel-Hezbollah “summer war” of July–August 2006 exposed Israel’s vulnerability to rocket and missile attacks and reawakened Israel’s interest in detaching Syria from the Iran-Hezbollah axis—interest heightened by Israeli suspicions of a covert Syrian nuclear program.
- Syrian-American relations—cool under the best of circumstances—turned to ice after the U.S. invasion of Iraq in March 2003 and in the wake of the murder of former Lebanese prime minister Rafiq Hariri in February 2005.

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By 2009, therefore, what had been in 2000 a relatively straightforward bilateral agenda centered on boundaries, water, security, and normalization involved all of those things *plus* Syria's fundamental strategic orientation.

Clearly, obligations pertaining to hostile acts by third parties inherent in a treaty of peace would require Damascus to alter its relationship with Tehran and, at the very least, to abstain from supplying weaponry to Hezbollah. Would Syria put these relationships at risk without an American presence at the peace talks, without American support for the security aspects of treaty implementation and without a bilateral relationship with Washington shorn of sanctions? Does Damascus want "process only" to mitigate its isolation while keeping present relationships intact? These are difficult issues for the Obama administration to sort out.

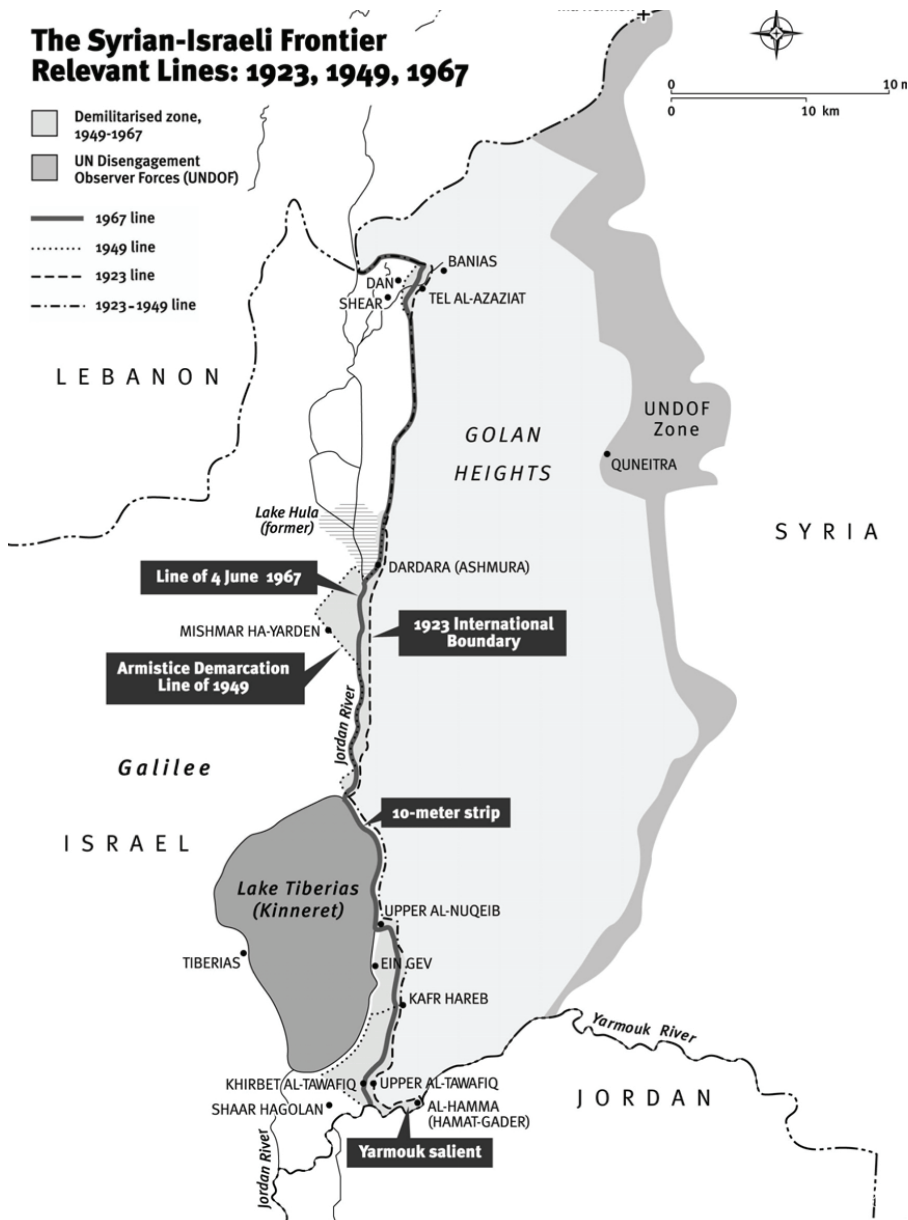
In late 1999—on the eve of the Shepherdstown talks—Middle East Insight (a now defunct organization) published a monograph written by the author of this study titled *Line of Battle, Border of Peace? The Line of June 4, 1967*. The monograph, reproduced electronically as part of the present study, was used by the parties at Shepherdstown and their U.S. facilitators, as it was the only systematic study extant of the "line" that formed the basis of Syria's boundary requirement. Among other things it suggested that the parties might mitigate the impact of restored Syrian control in areas of Israeli water-related sensitivities by devising a Jordan Valley Water Conservation District in that part of the valley returned to Syria; an idea later elaborated by other writers.

In mid-2002, at the request of the International Crisis Group, the author of this study drafted a Syria-Israel Treaty of Peace addressing key bilateral issues. Jordan Valley Nature Preserve was the phrase used to describe an area under Syrian sovereignty that would be readily open to visitors from both countries. The concept subsequently morphed into a broader "Golan Heights Peace Park" idea that was reportedly discussed during unofficial Swiss-sponsored Israeli-Syrian talks from 2004 until 2007.²

The basic idea—one addressed in the present study—is to try to accommodate the boundary desired by Syria with Israeli concerns centering on water, security, and civilian access to the full circumference of the Sea of Galilee (Lake Tiberias, Lake Kinneret) and perhaps to the Golan Heights. The assumption guiding this effort is that the central desires of the two parties are ultimately compatible. Pragmatic, boundary-related concepts that can be implemented on the ground will be offered in the hope that the parties will find some or all of them useful and worthy of pursuing.

Historical Background

The territorial aspects of the Syrian-Israeli dispute date to 1920–23, when Great Britain and France devised a boundary between Syria (then including "Greater Lebanon") and Palestine, two entities that would fall under League of Nations mandates. Often referred to as the "1923 international boundary," the line was drawn to keep the upper course of the Jordan River (between Lake Hula and the Sea of Galilee) and the Sea of Galilee itself entirely within Palestine and to give Palestine a few kilometers of frontage on the Yarmouk River (see map, page 5). Between Lake Hula and the Sea of Galilee, the boundary ran between fifty and four-hundred meters east of the Jordan River, just below the Golan Heights. Along the northeastern shore of the Sea of Galilee, it ran parallel to the shore and ten meters from the water's edge. Sovereignty over these water resources was vested in Palestine. Syrian access to them was upheld by the boundary convention and expanded by a 1926 treaty. The narrowness of the border strips east



of the Jordan River and along the northeastern quadrant of the Sea of Galilee placed them under the de facto control of Syria, “international boundary” notwithstanding. This situation prevailed throughout the mandate era, until the second week of June 1967.

During the 1948 Arab-Israeli War, Syrian troops penetrated Palestine-Israel in several areas. When an armistice was signed in July 1949, Syrian forces still held blocs of territory west of the 1923 international boundary. The parties agreed to a compromise: Syrian forces would withdraw from the farthest extent of their advance (the truce line—later the Armistice Demarcation Line [ADL]) to the 1923 international boundary, and Israel would refrain from introducing military forces into areas vacated by Syria. Thus was created a demilitarized zone consisting of three, noncontiguous blocs of land in what had been mandate Palestine totaling 66.5 square kilometers.

In some places the ADL corresponded to the 1923 international boundary, and in others it penetrated into the former Palestine mandate. The demilitarized zone was everything between the ADL and the 1923 international boundary. Syria—quite inexplicably—agreed that the ADL along the northeastern shore of the Sea of Galilee would correspond to the 1923 international boundary (i.e., the 10-meter strip), even

though its soldiers and civilians enjoyed access to the sea's waters before, during, and after the 1948 fighting. Therefore, any time a Syrian national—military or civilian—crossed the invisible line to swim or fish an armistice violation occurred.

Israel claimed sovereignty over the entire 66.5 square kilometer zone. Syria did not, reserving its claims for a future peace conference. Neither side lived up to its obligations. Syria retained pieces of the demilitarized zone, including the Palestinian Arab town of El Hamma on the Yarmouk River, and treated the 10-meter line paralleling the northeastern shoreline of the Sea of Galilee as if it did not exist. Israel introduced soldiers disguised as policemen and farmers into the demilitarized zone and gave practical effect to its position that the zone was part of Israel, pressuring Arab residents therein to leave and—in the testimony of Moshe Dayan and others—often provoking firefights with Syrian forces that rapidly escalated,³ usually to the advantage of the militarily superior IDF.

Secret talks in 1952–53 to partition the demilitarized zone failed. Between 1954 and 1967 there was a “game of inches” for control of the zone, always fought to the advantage of Israel. On the eve of war in June 1967, Syria still controlled the 10-meter strip and some 18 of the zone's 66.5 square kilometers, including El Hamma (along with a small salient to its west along the Yarmouk River), the east bank of the Jordan River between Lake Hula and the Sea of Galilee, some high ground overlooking the Sea of Galilee, and a small patch of land overlooking the Hula Valley. In the final phase of the June 1967 War, Israeli forces secured the demilitarized zone in its entirety and drove Syrian forces off the high ground of the Golan plateau.⁴

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Syrian Demands, Israeli Reservations

Despite a failed attempt by Syria in 1973 to regain its losses militarily, there was little or no diplomatic movement toward Israeli-Syrian peace until the 1990s. As a result of American shuttle diplomacy, Syria came to believe, by July 1994, that Israel would seriously contemplate full withdrawal “to the line of June 4, 1967” in return for a peace treaty satisfactorily addressing Israel's core concerns.⁵

Syria demanded that all land wrested by Israel from Syrian control in June 1967—18 square kilometers of demilitarized zone in the Jordan Valley and the 10-meter strip along the northeastern shore of the Sea of Galilee and the Golan Heights—be returned to Syria in its entirety. Egypt had obtained full Israeli withdrawal from lands it lost in 1967; Syria, for reasons of political legitimacy and national pride, wanted nothing less.

The problem, however, was that Israel and Egypt had a surveyed, recorded British mandate-era boundary on which to base the “full withdrawal” standard. Syria wanted a line that had, for the most part, not been demarcated: a line that, in several key areas, corresponded neither to the 1923 international boundary nor to the 1949 ADL. Syria wanted the eve of war (1967) status quo restored and a boundary drawn reflecting, in effect, a snapshot of who was where on June 4, 1967. Israel, as far as Syria was concerned, could keep those parts of the demilitarized zone it had brought under IDF control between 1949 and 1967. Syria wanted back those patches of the zone it still clung to before the outbreak of war, and it wanted its beachfront position on the Sea of Galilee restored.

For Israel—even if, in principle, the depth of withdrawal might accommodate the quality of a peace agreement—the Syrian demand for a return to the prewar status quo presented a number of practical problems. First, placing the boundary on the Sea of Galilee shoreline, the east bank of the Jordan River from the Sea of Galilee up to Lake Hula, and the Yarmouk River from Hamat Gader (the former El Hamma) three kilometers to the west might jeopardize water resources vital to Israel's existence by conveying legal, riparian rights to Syria. At the very least, Syrian nationals would, by virtue of

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such a boundary, enjoy ready access to water resources already subject to increasing demand (including treaty-related transfers to Jordan).

Second, parts of mandatory Palestine assigned to the Jewish state by the 1947 UN partition resolution would be handed over to Syria. Thus, one significant town within “Palestine” according to the 1923 international boundary—Hamat Gader—would have to undergo evacuation and transfer as if it were a settlement on occupied territory.

Third, depending on the stringency of Syrian border and customs controls, Israelis could be denied access not only to the Golan Heights but also to the full circumference of the Sea of Galilee. It would not be easy under any circumstances for Israelis (and not just settlers to give up the natural beauty of the Golan Heights and the sense of wide open spaces the area conveys to an otherwise small and often congested country. Public opinion polls in Israel routinely show that 70 percent of the respondents oppose returning the Golan to Syria under *any* circumstances.⁶ To be fenced off as well from part of the Sea of Galilee—the country’s national reservoir and an important recreational site—might make the treaty itself an even harder sell to the Israeli body politic.

Leaving aside Syria’s strategic orientation and the aforementioned practical problems, there have been other Israeli concerns having to do with withdrawal on the Syrian front generally, even a withdrawal not all the way back to the line of June 4, 1967. With respect to any land returned to Syria, Israel would want large tracts completely demilitarized and adjacent areas (at least on the Syrian side) subject to arms limitations. Israel would also want a third-party verification regime—presumably headed by the United States and ideally including Israeli participation. Israel would seek ironclad treaty provisions ensuring that no armed threat could emanate from lands returned to Syria. Israel would also want assurances that the return of territory to Syria would not harm its water supply, quantitatively or qualitatively.

With respect to water quantity, the big issue would be the return of the Baniyas spring and river to Syria—both of which were on the Syrian side of the 1923 international boundary. The Baniyas is one of the three sources of the Jordan River. Another source of the Jordan River—the Hasbani River—rises in Lebanon and passes briefly through occupied Syrian territory (adjacent to the village of Al Ghajar) before entering Israel proper. The Baniyas, Hasbani, and the Dan River (which rises entirely within Israel) account for nearly all of the waters that eventually flow into the Sea of Galilee. Lesser amounts flow into the sea by way of intermittent streams coursing down from the Golan Heights. Finally, there are intermittent streams flowing from the Golan Heights into the Yarmouk River, whose waters are used by Jordan (via the King Abdallah Canal) and by Israelis living just to the south of the Sea of Galilee. With respect to water quality, that which worries Israeli water experts is the prospect of Syrians settling in the Golan Heights in large numbers, sending household and industrial waste water down into the upper Jordan River, the Sea of Galilee, and the Yarmouk River. The Sea of Galilee is Israel’s national reservoir, the source of the National Water Carrier.

The above recitation of Israeli concerns is not meant to dismiss or minimize the Syrian side of the ledger. Damascus would want the return of land lost in 1967 to be unaccompanied (except for mutually agreed-upon security provisions) by restrictions on its sovereign prerogatives and may demand that demilitarized and limited forces zones extend into Israel. While it may not demand formal riparian rights to the waterways along which its desired boundary would run, it would almost certainly insist on access for its nationals thereto—access governed by treaty, not just Israeli regulations. Pumping water up to the Golan Heights from the Jordan Valley is prohibitively expensive, as Israel learned in the late 1960s. To the extent, however, that Syrians are present in those parts of the Jordan Valley returned to Syrian control, they would require water.

Although this study focuses on ways and means to reconcile Syria’s boundary demand with legitimate Israeli concerns, others have suggested that the “line of June

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4, 1967” is terminally problematical as a prospective boundary and that alternatives should be pursued. Is there any way Syria could be persuaded to accept a boundary that does not correspond in all respects to the forward-most positions of its soldiers on the eve of war in June 1967?

The weight of evidence suggests that the answer is no. Invited to Geneva, Switzerland, for a summit meeting with President Bill Clinton in March 2000 with the promise of “good news” in the context of the line of June 4, a dying President Assad abruptly broke off talks when Clinton presented a proposal of Prime Minister Barak, one that would have placed a boundary some 500 meters to the east of the Sea of Galilee. There has been no evidence since of any Syrian interest in alternatives to a boundary corresponding to the line of June 4, 1967.

There is, however, talk to the effect that a “shrunken” Sea of Galilee might permit the parties to finesse the most controversial aspect of the line in question. It has been asserted that the sea is not as large now as it was in June 1967; that if it is possible to compare Syrian positions as they existed on June 4, 1967, with the present size of the sea, one might actually accommodate a “June 4 boundary” with the idea of keeping Syria off the water. In effect, Syria would be beached some distance from the water itself. While the possibility of the parties coming to closure on the basis of this sort of formulation should not be discounted, there may be some difficulties worth considering.

First, the water in the sea expands and contracts in response to meteorological and man-made conditions affecting inflow, outflow, and evaporation. Despite constant changes in the size of the sea’s surface, it is quite possible that increasing Israeli withdrawals from the sea into the National Water Carrier (NWC) have, over four decades, decreased the *average* volume of water in the sea and its overall average size.

Second, there are times when heavy winter precipitation upstream causes the Sea to flood its banks, obliging Israeli water authorities to try to save property by releasing large quantities of excellent quality water into the thoroughly poisoned lower course of the Jordan River, where it flows ultimately into the Dead Sea.

Third, if a boundary were contrived on the basis of a shrunken sea, would Syria become a riparian during (for example) future February floods? Would its riparian status recede along with the waters of the lake? Would the boundary float to the east during floods only to return to its original position and, if so, why would Syria find this arrangement preferable to the 10-meter line of the 1923 international boundary? Would an approach of this nature eliminate Syria’s desire for access to the lake and other waterways?

The weight of evidence suggests that Syria wants the line of June 4, 1967, as the international boundary dividing it from Israel. The 1999 Middle East Insight monograph, using a combination of United Nations documentation, the views of prominent Israeli academicians and retired military officers, and Syrian testimony, created an approximation of the line’s location. As for establishing the exact trace of the line, an article by this author published in late 2000 in the *Middle East Journal* suggested that the chief cartographer of the United Nations might delineate the line on the basis of all available evidence⁷—a service performed in connection with the “blue line” confirming the withdrawal of Israeli forces from Lebanon in 2000.

The balance of this study focuses on offering practical ideas whose implementation might reconcile a boundary coincident with the line of June 4, 1967, (including the waterline of the Sea of Galilee) with Israeli core concerns.

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Key Provisions of the 2002 “Treaty of Peace”

The 2002 “Treaty of Peace” drafted by this author under the auspices of the International Crisis Group addressed key bilateral issues between Syria and Israel. While readers are

invited to consult the “treaty” itself, the following excerpt from the “treaty” explains the basic approach that was proposed:

The key issues to be resolved by Israel and Syria in the context of a peace treaty involve the boundary, water, security, and normalization 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 characterize peaceful, normal relations between neighbors.
- Finally, it envisions a major security role for the United States, one that will be costly and even labor-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.

Although the provisions of the “treaty” are self-explanatory, it is worth emphasizing that it embodies a fundamental trade-off: Syria gets the land and regulated access to the water, and Israel gets the water and regulated access to the land. The boundary would be consistent with the line of June 4, 1967. While the Baniyas spring and a short stretch of the Baniyas River would revert to Syria, sovereignty over the Sea of Galilee and the Jordan River between Lakes Hula and the sea would be vested in Israel. Israel would refrain from dismantling the water-capturing facilities it built over the years atop the Golan Heights, and Syria would limit its resettlement of the Jordan Valley and Golan Heights with a view toward mitigating environmental risks to water resources. Syrian extractions from key water resources—the Hasbani River, the Baniyas River, the Jordan River, the Sea of Galilee, and the Yarmouk River—would be restricted to servicing strictly local needs and the needs of the Jordan Valley–Golan Heights Environmental Preserve (see below). In return for agreeing to full withdrawal, Israel’s objectives in terms of security (demilitarized zones, zones of limited armament, international monitoring led by the United States) would be accommodated and Israeli civilian access to the full circumference of the Sea of Galilee—and perhaps beyond—would be guaranteed through the creation of the preserve.

The “treaty” embodies a fundamental trade-off: Syria gets the land and regulated access to the water, and Israel gets the water and regulated access to the land.

Jordan Valley–Golan Heights Environmental Preserve

A key aim of this study is to elaborate on the Jordan Valley–Golan Heights Environmental Preserve aspect of the draft “treaty,” a provision that has attracted considerable attention since 2002.

Objectives

The “treaty” provision pertaining to the preserve aimed to accomplish three objectives: minimize the Syrian impact on waters vital to Israel’s economy, facilitate Israeli civilian access to the full circumference of the Sea, and carve out an area where Syrian-Israeli people-to-people contacts might easily and informally take place. As the full provision states,

6. In order to facilitate good neighborly relations, the parties agree that the following special provisions shall apply to land and water resources in close proximity to their common boundary:
 - (a) A Jordan Valley Nature Preserve (hereinafter “the Preserve”), covering Syrian territory within the Jordan River Valley up to an elevation of zero meters 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.
 - (b) 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.
 - (c) 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 center at a location mutually agreed by the two organizations within the Preserve in the vicinity of Kinneret/Lake Tiberias [the Sea of Galilee]. The parties agree that the emergency services center 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.
 - (d) 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 [the Sea of Galilee] and the Jordan River pertaining to boat safety, fishing, and the like.⁸

That Israel places a higher value than Syria on the water resources in question seems beyond dispute. Israel’s NWC takes from the Sea of Galilee about 400 million cubic meters (mcm) of water per year. According to the Israel National Water Company (Mekorot), “The Sea of Galilee has become the NWC’s primary natural reservoir, and provides water to Israel’s dense population centers as well as to the South.”⁹

In an average year, the Sea of Galilee receives 850 mcm of water from its overall catchment area (of which about 300 mcm evaporates). The Jordan River contributes (on average) 520 mcm: 250 from the Dan, 150 from the Hasbani, and 120 from the Baniyas.¹⁰ About 50 mcm on annual average reach the sea from streams on the Golan Heights, with upward of 30 mcm captured annually on the plateau by fifteen small Israeli dams.¹¹

Although the Jordan River, its sources, and the Sea of Galilee are vital to Israel’s hydrological balance, they are much less so to Syria’s. While the water needs of Damascus are great and increasing rapidly, it is difficult to see how the Baniyas or any of the water resources lying within the Jordan Valley could service these needs. To pump these waters to Damascus would incur prohibitive costs. Indeed, Israelis themselves discovered early in their occupation of the Golan that it made no economic sense to pump water from the Sea of Galilee hundreds of meters uphill to settlements on the plateau.

Syria would, however, require water for the needs of current Arab residents of the Golan Heights and those settling on the plateau after Israel’s withdrawal. It is essential that Israel leave intact water-related facilities it has constructed on the Golan Heights as well as the vacated settlements themselves, including buildings and associated infrastructure. If Israel wants Syria’s reassertion of sovereignty to be accompanied by

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respect for Israeli concerns, then “poisoning the well” through gratuitous destruction must be avoided.

Although it is impossible to measure prospective Syrian water needs on the Golan Heights and in the Jordan Valley without knowing the extent and volume of resettlement, it is reasonable to expect all or some of the following:

- The administrative capital (Quneitra) will be rebuilt and resettled with up to 50,000 people, at least initially. Providing municipal and industrial water along with associated infrastructure will be a high priority.
- The town of Al Ghajar on the Hasbani River would be returned to Syrian civil authority. The town would presumably continue to receive water from the Wazzani Springs in the Hasbani. In its capacity as the occupying power, Israel has already taken into account the “subtraction” of water from the Hasbani River for Al Ghajar in its overall water balance.
- With regard to Hamat Gader’s transfer to Syria, withdrawals from the Yarmouk River and associated springs (affecting water available to Israeli agricultural enterprises south of the Sea of Galilee) are likewise already taken into account by Israel.
- The Baniyas spring and a short stretch of the river would be returned to Syria. Syria’s off-takes from the Baniyas prior to June 1967 were negligible. Given the expense of pumping water from this source up to the Golan plateau and the unlikelihood of the Baniyas area itself serving as an urban center, one might expect this water to continue to flow uninterrupted into the Jordan River—a matter that could be the subject of a peace-treaty undertaking.
- To whatever extent Syrians live in the Jordan Valley adjacent to the Jordan River or near the shoreline of the Sea of Galilee, human water needs would have to be taken into account in the context of agreed-upon, regulated access to water falling under Israeli sovereignty. The same might be said for Jordan Valley facilities of any Jordan Valley–Golan Heights environmental preserve.
- According to Hillel Shuval in 2000, “The Syrian press has reported plans to resettle the Golan with some 400,000 refugees after its return to Syria under a peace agreement with Israel. It is not possible at this time to validate how realistic such plans may be, but it is questionable that there is an economic basis for settling that many people in light of the limited agricultural resources of the Golan and the very high cost of pumping water to that area.”¹² The current population of the occupied Golan Heights is roughly 40,000, split nearly evenly between Arabs and Israelis. At the time the Golan was taken by Israel, the population was approximately 150,000.

The first objective of the water-related aspect of a preserve is this: by setting aside certain water-sensitive tracts of the Jordan Valley and Golan Heights—either as a contiguous entity or in discrete pieces—as areas largely free of permanent human habitation and fully dedicated to environmental good practices, Israeli concerns about water resources vital to the country can be mitigated and Israel’s willingness to accept the boundary desired by Syria can be enhanced. This is not to say, however, that it will be easy for Syria to accommodate Israel. Syria can take the position that, with the exception of mutually agreed-upon security measures, its recovery of occupied territory should in no way be subject to conditionality. Surely Syria’s leaders must take into account the views of the 1967 Golan Heights refugees and their descendants. It is inescapable, however, that the trade-off for a boundary reflecting the line of June 4, 1967, will involve a detailed Syrian-Israeli understanding on water. This study assumes that a Jordan Valley–Golan Heights Environmental Preserve can help implement and sustain that understanding.

The second objective implicit in the preserve idea is to facilitate Israeli access to the full circumference of the Sea of Galilee. This notion was *not* included in the 1999 monograph; the monograph merely proposed the idea of “leaving the Syrian portion

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of the Jordan Valley” unpopulated and within a “Jordan Valley Water Conservation District” to protect water resources. In the wake of the Geneva Summit of March 2000, however, Patrick Seale (a person known for enjoying remarkable access to Syrian leaders) proposed the following: Syrian sovereignty to the line of June 4, but UN administration of land returned to Syria adjacent to the northeastern shoreline of the Sea of Galilee. Access to this UN-administered zone would be open to Syrians and Israelis alike.¹³

Israelis from across the political spectrum seem to be of one mind when it comes to the psychological impact of the Sea of Galilee and the Golan Heights. In an otherwise cramped country, the sea and the heights represent natural beauty and open spaces profoundly valued by virtually all Israelis—not just Israeli settlers currently residing on land wrested from Syria. Again, without presuming any extraordinary obligations on the part of Syria, it would seem reasonable to expect that a willingness on the part of Damascus to permit unfettered access from Israel to the full circumference of the sea and perhaps even up into parts of the heights would give the government of Israel an important political tool to give Syria the boundary it wants. A Jordan Valley–Golan Heights Environmental Preserve can provide the territorial framework within which Israeli civilian access could be permitted.

The third preserve-related objective is tied to the second: carving out an area where Syrian-Israeli people-to-people contacts might easily and informally take place. Although this objective might strike some as Pollyannaish and is certainly not intended to substitute (for example) for Israeli tourism in Damascus and Syrian tourism in Haifa, it is clear that the best prospect for an actual “warm peace” between Israelis and Arabs involves formal peace supplemented by people-to-people interactions.

Paragraph 6 (c) of the 2002 “treaty” proposed that “the Syrian Arab Red Crescent and the Israeli Magen David Adom shall establish a joint Emergency Services Center at a location mutually agreed upon by the two organizations within the Preserve in the vicinity of Kinneret/Lake Tiberias [the Sea of Galilee].” This was in the context of a preserve covering only land returned to Syria up to the elevation of zero meters. If the preserve were extended into portions of the Golan Heights with easy access from Israel thereto, Syrian and Israeli visitor services might very profitably and effectively collaborate, albeit within the framework of Syrian sovereignty.

Dimensions

As the concept of a preserve has developed over the years, several approaches to its potential dimensions have been proposed: everything from incorporating some one-third of the plateau and most of the Syrian Jordan Valley into an international peace park, to setting aside under UN supervision a thin strip of land paralleling the northeastern shore of the Sea of Galilee. Professor Hillel I. Shuval has suggested that a “1 to 3 km water security zone along the Syrian side of the international border under joint and international monitoring and control would be an effective water security measure” and would obviate Israel’s need “to hold on to all or most of the Golan.”¹⁴ Additionally, there are proposals extant that would attempt to attract hundreds of millions of dollars of infrastructure investment for such a preserve—something that both parties might well welcome.

The approach taken here, however, is modest, minimalist, and relatively uncomplicated. There are already some two dozen parks and reserves that have been established by Israel on land that would, in accordance with the boundary under discussion, be returned to Syria. As a matter of sound environmental stewardship one might hope that Syria would maintain and even expand all of these facilities, which range from Susita Nature Reserve in the south to the Hermon Reserve in the north. The Israel Nature and National Parks Protection Authority now operates some of the more important of them.

There are already some two dozen parks and reserves that have been established by Israel on land that would, in accordance with the boundary under discussion, be returned to Syria.

Several of these parks and reserves cover or adjoin (at least in part) the most water-sensitive areas that would be returned to Syria. What the parties might consider would be to take the strip of coastline along the northeastern shore of the Sea of Galilee (including the highway currently running through it and all of the beaches fronting on the sea), add to it several existing parks and reserves, incorporate the existing road network providing access to them, and call it the Jordan Valley–Golan Heights Environmental Preserve.

The parties might consider for inclusion in or as a basis for a Jordan Valley–Golan Heights Environmental Preserve a number of current Israeli facilities:

- *The Yehudiya Forest Nature Preserve.* The 16,500-acre Yehudiya Forest Nature Reserve is located in the heart of the Golan Heights. The reserve is 400 meters above sea level at its acme and slopes down to 100 meters below sea level. The five most important rivers that flow through the reserve and down into the Beit Saida Valley (northeastern corner of the Sea of Galilee) are Meshoshim, Zavitan, Yehudiya, Gamla, and Daliyot. The rivers are fed by scores of springs, which drain into a network of rivulets. In the flat plains of the Beit Saida Valley, the streams form lagoons and marshes.
- *Majrase Nature Preserve.* This small preserve in the northeastern corner of the Sea of Galilee is within the Beit Saida Valley and is the largest freshwater preserve in Israel. Two major streams originating in the Golan Heights empty into the Sea of Galilee through the marshlands of this preserve.
- *Gamla Nature Reserve.* This reserve, which adjoins the Yehudiya Preserve to the south, contains several waterfalls (including the highest in the Golan Heights: 50 meters). Gamla is known for its population of wild birds and its place as the “Masada of the North” in the history of Jewish resistance to the Roman Empire.
- *Park Hayarden (Jordan Park).* This small park, administered by the Keren Kayemeth LeIsrael (Jewish National Fund), is located just to the north of the Beit Saida Junction (intersection of Highway 87 and Route 888) on the east bank of the Jordan River near kibbutz Khad-Ness. It could be the nucleus of an expanded segment of the Jordan Valley–Golan Heights Environmental Preserve covering the entire 11-kilometer stretch of the Jordan River from Bnot Ya’akov Bridge (Jisr Binat Yakoub) down to where the river empties into the Sea of Galilee. Such an expanded environmental zone might cover everything between the river and the current Israeli Route 888.
- *Hermon (Banias) National Park.* The Banias spring begins at the foot of Mount Hermon and its waters drop 190 meters in three and a half kilometers. After nine kilometers, the Banias River meets the Dan River and the two flow into the Jordan River. By folding this facility into the Jordan Valley–Golan Heights Environmental Preserve, a major source of the Jordan River would be afforded protection. The adjoining Nimrod Fortress National Park (containing the ruins of an Arab fortress dating to 1228) could also be enfolded within the preserve without significantly increasing its size.¹⁵

If the Jordan Valley–Golan Heights Environmental Preserve were based on the above existing facilities, access from Israel to the full circumference of the Sea of Galilee and perhaps to the Syrian side of the Jordan River and the Golan Heights could be configured in the following manner (see map, p. 14). The entirety of the existing Highway 92 paralleling the eastern shoreline of the Sea of Galilee would be open for essentially unrestricted vehicle (motorized and not) traffic and pedestrians/hikers, notwithstanding a new boundary crossing the highway at approximately the 13-kilometer point, between Ein Gev (Israel) and Kursi (Syria). Highway 92 becomes Highway 87 at the Yehudiya Junction, where it runs to the Arik Bridge (under which the Jordan River enters the Sea of Galilee and where the new boundary might be located). Along this stretch, civilian traffic from Israel would likewise be essentially unrestricted. Keeping Highways 92 and 87 open in this manner would accommodate easy access from Israel to the full circumference of the Sea of Galilee.

GOLAN HEIGHTS



If essentially unrestricted access from Israel to other parts of the Syrian Jordan Valley and Golan Heights were to be considered, one possible configuration would enfold key existing facilities within the existing road network. Using the intersection of Highway 92 and Route 869 as the starting point, the following inland loop would be open to civilian traffic essentially unrestricted: Route 869 east to Route 808; Route 808 north to Highway 87; Highway 87 west to the Katzrin Junction; the Katzrin Road north to Highway 91; Highway 91 southwest to Route 888; Route 888 south to the Arik Bridge on Highway 87; Highway 87 east to Highway 92; and Highway 92 south to the starting point at the intersection of Highway 92 and Route 869. Within the landmass formed by this loop, Highway 87 from the Yehudiya Junction northeast to the Ha-Mapolim Junction (Highway 87 and Route 808) would likewise be open.

[Note: the Bnot Ya'akov (Binat Yakoub) bridge on Highway 91 could also be an open border crossing point for entry to and exit from the preserve.] Access to the Hermon (Baniyas) section of the preserve would require that a short stretch of Highway 99 in the far north be open to Israeli visitors. If the Nimrod Fortress National Park were added, access to Route 989 from Highway 99 would be required.

Preserve Headquarters

The principal Israeli population center in the occupied Golan Heights is the town of Katzrin (Kazrin, Qatzrin). If and when a treaty of peace is signed and if that treaty were to include provisions for an environmental preserve or “peace park” similar in scope to what is proposed here, a Katzrin returned to Syria with all of its structures and facilities intact could be an ideal candidate for preserve/park headquarters.

A renamed Katzrin would likely be the principal Syrian population center west of Quneitra on the Golan Heights. It currently contains some impressive tourist attractions. There is a Golan Archaeological/Antiquities Museum. There is also a restored Byzantine-era Jewish village one kilometer to the east of the town. Katzrin’s Golan Heights Winery/Cellar is currently open to visitors on weekdays year round. Surely this is a facility (and an industry) well worth preserving if and when the Golan reverts to Syria.

All in all a Syrian town on the current site of Katzrin would be a logical place to establish a preserve/park headquarters and to locate eating and rest facilities for visitors. Indeed, once a treaty comes into force Katzrin could well be the place where Syrian and Israeli officials, environmental experts, and archaeologists meet to flesh out the physical and operational details of a Jordan Valley–Golan Heights Environment Preserve. Among the details to be discussed could be the possibility of attaching Israeli experts to the Syrian Preserve Authority to assist with the development and upkeep of tourist sites of particular interest to Jewish visitors.

Border Controls

If essentially unrestricted access from Israel to areas returned to Syria were to be granted, there would be many potential arrangements for border controls. The term “essentially unrestricted” can be defined in different ways, and the areas to which the term could be applied would be subject to agreement by the parties. At the minimum, “essentially unrestricted” might entail access to designated areas without the necessity of obtaining a visa. At the maximum, it might entail no restrictions whatsoever—not even so much as a “speed bump”—for vehicles (motorized or not) and pedestrians entering designated areas.

Indeed, if access were to be strictly limited to the circumference of the Sea of Galilee—Highways 92 and 87 and the shoreline (beaches and marshes) between those highways and the Sea—one might envision “Welcome to Syria” signs at the eastern end of the Arik Bridge on Highway 87 and at the point where the border crosses Highway 92 between Ein Gev and Kursi and nothing else, save admission fees to beaches and parks, which themselves might be waived (at least for Israelis) in return for Israel making the Sea of Galilee and Jordan River available for Syrian recreation. Under this option Syria would presumably establish formal passport control and customs stations at one or more of the significant highways leading up to the Golan Heights—that is, from Highway 87 at the Yehudiya Junction; Highway 91 at the Banat Yakoub (B’not Ya’akov) Bridge; and Highway 99 at the approaches to Baniyas.

One option for the parties to consider would be for free, unrestricted passage for visitors from Israel to the *entirety* of the Jordan Valley–Golan Heights Environmental Preserve, either as described above or however the parties agree, in the end, to configure it. If this approach is adopted (and using preserve dimensions as described above)

One option for the parties to consider would be for free, unrestricted passage for visitors from Israel to the entirety of the Jordan Valley–Golan Heights Environmental Preserve.

Syria, might establish passport control and customs facilities from north to south on Highway 99 (perhaps near the intersection of the T.A.P. Line Road or just beyond the intersection of Highway 99 and Route 989 if the Nimrod Fortress National Park is included in the preserve); on Highway 91 and the Katzrin Road; and where Highway 87 intersects with Route 808.

According to Akiva Eldar, Israeli, Syrian, and American participants in the Swiss-sponsored “track II” unofficial talks came to the following understandings with what they termed a “Golan Heights Peace Park”:

1. In order to safeguard the water resources of the Jordan River basin, Syrian territory east of the mutually agreed border will be designated as a park open to all and administered by Syria. The park is to be established in the Golan Heights upon completion of the Israeli withdrawal and application of Syrian sovereignty in accordance with the treaty of peace. The park will extend from the agreed upon border eastward to a line to be determined by mutual agreement.
2. Park characteristics:
 - Park is open for tourism.
 - Park will be policed by Syrian park service personnel.
 - The park will be free of permanent residents except for conservation and law enforcement personnel.
 - No visa will be required for entry into park [from Israeli territory].
 - Syrians will issue onsite official entry permit for a nominal fee.
 - Visitors wishing to enter other Syrian territory east of the park must have a proper visa and transit Syrian controls on the park’s eastern perimeter.
 - Entry to park is valid for one day during daylight hours.¹⁶

Most of the points regarding “park characteristics” are consistent with the 2002 draft “treaty” and with the contents of this study. The following comments are offered in an attempt to flesh out and supplement some of these points:

- The parties may well agree to institute unrestricted access from Israel to the preserve. As noted, one approach to border control in this context consists of “Welcome to Syria and the Jordan Valley–Golan Heights Environmental Preserve” signs at the designated crossing points. As a practical matter, however, *both sides* have an interest in ensuring that visitors to the preserve—from Syria and Israel—carry no weapons or contraband in with them and do not operate obviously unsafe motor vehicles. Although it would no doubt slow things down for visitors, perhaps the parties might require their respective police forces to undertake the requisite checks on their own side of the boundary before permitting visitors to pass into the preserve.
- In connection with weaponry, it is worth keeping in mind that the preserve would be part of a demilitarized zone, one in which armed international monitors would likely operate (at least for a mutually agreed period of time) with free rein. Other weapons would be limited to sidearms carried by Syrian police and Syrian preserve security personnel.
- It may be perfectly proper to collect fees that could contribute to the upkeep of the preserve and perhaps to the salaries of its Syrian employees. Perhaps it is worth noting, however, that if fees are to be collected, (a) collection would probably be most efficiently done at discrete preserve facilities rather than at easily congested highway entry points, and (b) Syrian recreational access to Israeli territorial waters might well be taken into account as a factor when determining fee structures.
- The idea of admittance to the preserve being limited to one day (during daylight hours) may prove mutually acceptable. Indeed, the views of Syria might well be accorded priority in this matter. It may be worth considering, however, whether such a limitation might prove gratuitously restrictive and contrary to the interests of legitimate Syrian service providers seeking revenue-generating opportunities from overnight and longer-term guests from Israel. Tourist lodging and dining facilities might usefully be concentrated in what is today Katzrin, where they could support the local Syrian economy and the preserve.

As a practical matter, both sides have an interest in ensuring that visitors to the preserve—from Syria and Israel—carry no weapons or contraband in with them and do not operate obviously unsafe motor vehicles.

In short, it is possible to envision a preserve that grants virtually uninhibited visitor access. Police checkpoints would be erected at all preserve entrances on the Israeli side of the border to check for weapons, contraband, and unsafe vehicles, and Syrian passport and customs facilities would be located at exit points designated by Syria where visitors exiting the preserve could continue to travel inside Syria. Although Syrian “welcome centers” might be appropriate and desirable on the Syrian side of the border at preserve entrances and exits facing Israel, there would be no Syrian passport or customs facilities on the border.

Implementation

When thinking about how the parties might actually implement a preserve/park approach of the scope and characteristics outlined herein, it is worth reflecting first on how Syrian-Israeli peace is likely to *unfold* if the parties agree on the terms of a peace treaty.

The word “unfold” is chosen deliberately, because the signing of a peace treaty will launch an extended period of time during which its terms and any side agreements or understandings will be implemented. For example, the 2002 draft “treaty” says that “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.” Regardless of what the parties themselves decide, Israel’s full withdrawal will be far from instant.

It is this element of time and gradual implementation that makes some of the debate (especially in Israel) about Syria’s strategic orientation almost surreal. Other Israelis have a more realistic view of what is obtainable from Syria near-term in the way of declarations. When some Israelis demand that Syria renounce its relationship with Iran *now* and turn instantly from friend to foe with respect to Hezbollah in return for a peace treaty, the inevitable reply from Damascus is some version of “friendship with one party should not require enmity toward another.”

In truth, Syria would be unable to uphold its end of normal, peaceful relations with Israel if Iran and Hezbollah remain committed (at least rhetorically) to Israel’s destruction and Syria nevertheless remains on good terms with them. Whether Syria would actually make the requisite adjustments should Iran and Hezbollah remain hostile toward Israel will not be determined anytime soon by ink on paper or the spoken word. It will be determined by Syrian actions—actions that will be influenced in turn by Israeli actions in a process that will unfold, for the most part, *after* a treaty of peace is signed.

To put things plainly, an Israeli withdrawal process spanning years may never achieve completion or even significant progress if (for example) Syrian arms shipments to Hezbollah continue. Likewise, steps Syria might consider taking (for example) within its own territory to expel elements whose presence might be contrary to treaty terms governing third-party hostility might not be taken if Damascus gets the impression that Israel is dragging its feet on withdrawing from occupied territory.

What this probably means, in practical terms, is that outside parties helping Syria and Israel come to closure on treaty terms might well also focus attention on aiding and orchestrating the timing and sequencing of implementation. Some of this post-treaty process can be defined in treaty terms and annexes/appendices thereto, but it is likely that not all contingencies—even important ones—will be identified in advance. Among other things, intelligence support for treaty implementation may be a vital American contribution.

If the parties adopt the preserve/park idea to surmount challenges inherent in a boundary corresponding to the line of June 4, 1967, they may well find early, intense discussions that flesh out the details of its implementation to be a convenient process through which each side might gain confidence in the ultimate positive intentions of

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the other. If, for example, the parties could agree quickly on the operational details of the approach outlined here (or elsewhere by others) and if they could, as soon as possible after treaty signing, begin to operate jointly in terms of accomplishing the requisite studies and surveys, each side may be progressively persuaded that the other is sincere and serious. This mutual perception could set in motion a positive, self-reinforcing process—quite the opposite of what has customarily transpired in the course of Arab-Israeli relations.

The Jordan Valley–Golan Heights Environmental Preserve concept embodies the idea that two parties—formally at war and periodically locked in deadly combat since 1948—are willing at long last to accommodate the vital interests and residual concerns of the other and give actual substance to spoken commitments to normal peaceful relations between neighbors. The concept—which can be fleshed out in treaty language—offers the parties the opportunity to take action before the ink dries on the instruments of any formal peace that they might exchange. By so doing, each party would be making a material commitment to the other that it fully expects and intends that all of the undertakings within a treaty of peace, taken together, constitute a one-way street to full and timely implementation.

Conclusion

As this study has argued, the Jordan Valley–Golan Heights Environmental Preserve would facilitate peace by producing five specific results. It would (1) grant Syria the boundary it desires on the basis of full Israeli withdrawal from lands it acquired by force in 1967, (2) safeguard water resources vital to Israel's economy while according Syria access thereto, (3) provide Israelis with unencumbered access to the circumference of the Sea of Galilee and perhaps up into parts of the Golan Heights, (4) provide an environment where Syrians and Israelis might interact informally and peacefully, and (5) give the parties a post-treaty signing opportunity to implement successfully something of substance as the broader implementation phase of their mutual commitments unfolds over time.

Although the idea for such a preserve was broached in the 1999 monograph and elucidated further in the 2002 “treaty,” this study has further fleshed out the idea and factored in the presence of existing parks and nature reserves established in the wake of Israel's 1967 occupation. The parks and reserves selected for inclusion in the preserve (or at least this study's version thereof) are those that (1) enfold or adjoin key water resources in the Jordan Valley and Golan Heights and (2) offer the prospect of easy yet circumscribed access to visitors from Israel.

There are several variations of this concept undergoing serious study by a variety of reputable and knowledgeable scholars. It is hoped that *all* of these studies taken together will provide the parties a deep reservoir of practical ideas that can bridge the chasm between the line demanded by Syria and the assurances required by Israel. Perhaps when all of the “peace park” proposals are put forward, the one contained in this study will be at the “low end” of complexity and expense. A decision by the parties to go “high end” with a larger preserve that absorbs significant infrastructure investment would be very welcome news indeed. Still, among the options they might consider is a modest proposal based on existing facilities. The approach offered in this study consciously seeks to fill (or at least address) that niche.

Even so, the modest proposal contained herein asks much of a country that seeks the return of territory occupied for more than forty years. Although the “price” might well be deemed “reasonable” in terms of what Syria wants in the way of a boundary, one should not underestimate the possibility of strong Syrian reservations. By the same token, one need not underestimate the reluctance of Israel to accord Syria regulated access to the

Sea of Galilee and the Jordan River. In the end, if a Syrian position of “no Israeli will ever easily round Tiberias or set foot in the Golan” is matched by an Israeli position of “Syrian toes will never touch Kinneret,” then the prospects for peace would not be promising.

Even if the parties can agree on all of the strictly bilateral issues, there will still have to be a meeting of the minds and commensurate actions on broad strategic issues. In this regard, the crucial issues have less to do with boundaries, water, security, and normalization than they do with the long-term strategic orientation of each party. For the new Obama administration, the challenge is to determine whether a different American approach to Syria can encourage Damascus to consider a strategic orientation different from the one it has pursued for many years. The jury will likely be out for quite some time on this question, but the successful conclusion of a Syria-Israel peace treaty would provide a substantial clue to the ultimate answer.

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Notes

1. Helena Cobban, *The Israeli-Syrian Peace Talks: 1991–96 and Beyond* (Washington: United States Institute of Peace Press, 1999) 49.
2. To view reproductions of the 1999 Middle East Insight monograph and the 2002 International Crisis Group draft “treaty,” please visit www.usip.org.
3. Rami Tal, “Moshe Dayan: Introspection,” *Yedi’ot Aharonot*, April 27, 1997, in Federal Broadcast Information Service, FBIS-NES-97-112, April 27, 1997.
4. For a more detailed analysis of how the territorial aspects of the Syrian-Israeli dispute evolved, see the reproductions of the 1999 monograph and 2002 “treaty” at www.usip.org.
5. Cobban, *The Israeli-Syrian Peace Talks*, 62.
6. Since 1993, the War and Peace Index Project conducted by organizations affiliated with Tel Aviv University has monitored the views of the Israeli public (Jews and Arabs) toward the prospects and desirability of peace with various Arab interlocutors. In the case of Syria, two base questions are posed: (1) what is your position regarding a full peace treaty between Israel and Syria in exchange for withdrawal from the Golan Heights and (2) do you believe that in the coming years there will be peace between Israel and Syria? The highest “pro-peace with Syria” percentage ever produced in this survey was 45.4 percent in 1996. At the onset of serious negotiations in December 1999, positive responses stood at 42.4 percent. In an April 2008 survey, 19 percent of respondents favored withdrawal from the Golan Heights in return for peace with Syria; 75 percent opposed it. See www.aftau.org (accessed February 7, 2009).
7. Frederic C. Hof, “A Practical Line: The Line of Withdrawal from Lebanon and its Potential Applicability to the Golan Heights,” *Middle East Journal* 55, no. 1 (Winter 2001): 25–42.
8. To view a reproduction of the Crisis Group draft “treaty,” please visit www.usip.org.
9. Mekorot (Israel National Water Co.), “Israel’s Water Supply System,” www.mekorot.co.il, (accessed February 7, 2009).
10. Shmuel Kantor, “The National Water Carrier,” <http://research.haifa.ac.il>, (accessed February 7, 2009).
11. Hillel I. Shuval, “Water and Security in the Middle East: The Israeli-Syrian Water Confrontations as a Case Study,” in *New Frontiers in Middle East Security*, ed. Lenore G. Martin (New York: Macmillan, 1998), 201, 205.
12. Hillel I. 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 and Southern Africa* (Geneva: Green Cross International, March 2000), 47.
13. See Frederic C. Hof and Patrick Clawson, “Who Will Control the Shore and Waters of the Galilee,” *Peace Watch* #254 (Washington: Washington Institute for Near East Policy, April 13, 2000). The following passage is quoted from Hof and Clawson: “In the April 8 issue of the respected pan-Arab newspaper *al-Hayat*, British journalist Patrick Seale—Asad’s official biographer and said to be well-informed about Syrian thinking—proposed a six-point plan as part of his proposed cooperative ‘Lake Tiberias tourism area’: (1) Israel will retain the sea and Syria will retain the northeast beach; (2) Syria will agree not to divert water from the sea or to pollute it, and Israel will give Syrians access to the sea for fishing and recreation; (3) no bureaucratic barriers will be established to access to the beach; (4) no country will establish police, customs, or search points on any area visible from the sea, nor will military presence be permitted; (5) UN or European police will supervise and control the area (presumably the beach area on the sea’s northeast); and, (6) Israel and Syria will establish a joint water committee to manage the Golan water.”
14. Shuval, “The Water Issues on the Jordan River Basin,” 39, 46.
15. These thumbnail descriptions are drawn from Israeli government informational sources and a variety of Israeli tourist publications.
16. Akiva Eldar, “Exclusive: Full Text of Document Drafted During Secret Talks,” *Ha’aretz*, January 16, 2007.



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