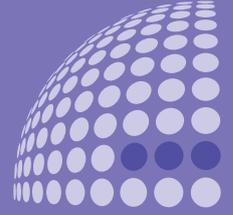


# SETA Policy Report



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## Reclaiming Israeli-Syrian Talks

Ufuk Ulutaş



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CIHAN

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## RECLAIMING ISRAELI-SYRIAN TALKS

Ufuk Ulutaş

### UFUK ULUTAŞ

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## ABSTRACT

The Israeli-Syrian track has been an important component of the Arab-Israeli peace talks due to its integral role in reaching comprehensive peace in the Middle East. The latest round of indirect peace talks between Israel and Syria was initiated under the sponsorship of Turkey on May 21, 2008, and by the end of 2008 both sides were ready to start the direct talks. However, in protest of Israeli aerial and ground offensive in Gaza in December 2008, Syria halted the indirect talks with Israel. Several factors, including the lack of American endorsement; Olmert's weak prospect in Israel due to the ongoing corruption investigation; approaching early elections, and the rise of rightist parties in Israel, topped by the Israeli offensive in Gaza, rendered the conciliation efforts futile.

The Syrian side has been consistently clear about their principal demands from their Israeli counterparts: "the line of 4 June 1967." While security concerns have been shaping Israeli demands from Syria in the peace negotiations. Many in Israel consider the Golan Heights as Israel's first line of defense against Syria and see retaining of the water sources in the Golan as strategic and existential.

The Iranian threat has been a crucial factor motivating Israel to reconsider the peace talks with Syria; on the other hand, Syrian determination to end their international isolation has made Syria a willing party for the peace talks. While Syria prefers a comprehensive Arab-Israeli peace that include Israeli-Palestinian track side by side with the Israeli-Syrian track, Israel wants to deal with the Palestinian question and peace with Syria separately.

Israeli-Syrian peace has the potential to be a turning point in the history of the Middle East, on the condition that it produces a viable solution for the border disputes and security concerns and that both sides comply with implementation of the solution. While facilitating the end of decades-long hostilities between Arab states and Israel, it could also have a positive impact on Iranian-American and Iranian-Israeli relations. Consequently, it could prevent a serious armed conflict between Iran and Israel in the Middle East.

Third parties will have to play a more active role during all stages of the peace process: indirect talks, direct talks, and implementation of the agreement. While such countries as Turkey could bridge the gap between the two countries in earlier stages and lay the foundations of an agreement, the U.S. involvement into the process would be critical in later stages. Having Israel and Syria comply with the terms of the agreement would be as much important as bringing them to the table and having them sign the agreement.

# RECLAIMING ISRAELI-SYRIAN TALKS

## I. INTRODUCTION

The Arab-Israeli conflict consists of several interrelated disputes of different multitudes and complexities. One could argue that the dispute between Israel and Syria is relatively more straightforward; and reaching a solution for it is relatively more doable when compared to other disputes that constitute the backbone of the Arab-Israeli conflict, such as Palestinian statehood, the Palestinian refugee problem, the West Bank and East Jerusalem settlements issue, and the final status of Jerusalem. The Israeli-Syrian track has been an important component of the Arab-Israeli peace talks due to its possible facilitating effect on the solution of other components; some policy makers, including the U.S. Middle East special envoy George Mitchell, have started lately to attribute to it an integral role to play in reaching comprehensive peace in the Middle East.<sup>1</sup> The latest round of indirect peace talks between Israel and Syria was initiated under the sponsorship of Turkey on May 21, 2008, and by the end of 2008 both sides were ready to start the direct talks<sup>2</sup>. However, in protest of Israeli aerial and ground offensive in Gaza in December 2008, Syria halted the indirect talks with Israel.

Since December 2008, two major developments which would have a direct effect on the future of the halted Israeli-Syria peace talks occurred: one negative and one positive. On June 29, 2009, Barack Obama, who had hinted that he would embark on a new and constructive Middle East diplomacy, was inaugurated as the 44<sup>th</sup> president of the United States. In Israel on the other hand, a Likud-led rightist coalition composed of ultra-nationalist, religious Zionist parties and the “leftist-centrist” Labor Party, was formed under the premiership of Benjamin Netanyahu, and the controversial, ultra-nationalist Avigdor Lieberman became the new Foreign Minister.

Obama’s presidency has indeed brought a new momentum to the relations between the United States and some Middle Eastern countries, including Syria. George Mitchell has visited Damascus twice and underlined Syria’s key role for peace in the Middle East. The United States also announced that it will send an ambassador to Syria after a four-year hiatus since the assassination of Lebanese Prime Minister Rafiq al-Hariri in 2005.<sup>3</sup> The amelioration of relations between Syria and the United States and a strong emphasis on Syria’s role in the Middle East hinted at an American

1. “Mitchell meets Assad: Syria has a significant role” in Hebrew, *Yediot Aharonot*, (June 13, 2009)

2. Zvi Barel, “Week before Gaza op, Israel and Syria were ready for direct talks”, *Haaretz*, (February 23, 2009) This was confirmed by the Turkish Prime Minister Recep Tayyip Erdoğan.

3. See Barry Schweid, “U.S. Withdraws Ambassador From Syria,” Associated Press, February 16, 2005, and “Obama Will Restore U.S. Ambassador To Syria”, *The Washington Post*, (June 24, 2009)

willingness to broker an agreement between Israel and Syria with an ultimate aim of achieving a comprehensive peace in the Middle East.

Since the suspension of the indirect talks, both Damascus and Tel Aviv have made accusatory statements regarding one another, complaining that they do not have a partner for peace.<sup>4</sup> However, both countries also stated their varying amount of desire to resume the peace talks. According to Damascus, the talks should start again as indirect talks, preferably under Turkish sponsorship and American supervision, and can transform into direct talks only if Israel pledges to end its occupation of the entire Golan Heights. Therefore, central to the Syrian willingness to start direct talks with Israel is the 695 sq mile (ca. 1800 sq km) strategic plateau, two-thirds of which has been occupied by Israel since the Six Day War in 1967.

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According to Damascus, the talks should start again as indirect talks, preferably under Turkish sponsorship and American supervision.

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For Tel Aviv, Syrian insistence on indirect talks is merely a strategy to extricate Syria from the international isolation it has been subjected to for several years. In Deputy Foreign Minister David Ayalon's words, "Assad just wants peace process, not peace."<sup>5</sup> Therefore, Tel Aviv currently favors direct talks initiated without preconditions. The current government has announced that it is not bound by the pledges given by Olmert government, making the restart of the talks where it was left almost impossible. In other words, the Golan Heights, from which Olmert was considering seriously to withdraw, is seemingly not on the negotiation table for Israel. This unwillingness to compromise on the Golan Heights is an anticipated move for the rightist Israeli government, since all political parties that formed the coalition, with an exception of the Labor, had taken staunch positions on the Golan in their party platforms and promised their constituencies not to give up on it. For many Israelis who voted for the parties of the current government, except for many Labor supporters, the "land for peace" approach has been replaced by either "peace for peace" or an ambiguous and non-existing "economic peace plan."<sup>6</sup>

## II. A. HISTORICAL BACKGROUND AND CONTEXT

The boundary between Syria and Palestine was devised by Great Britain and France at the onset of the mandate period. This boundary, often referred to as the 1923 international boundary, left the entire Sea of Galilee and the upper course of the Jordan River within the borders of the British Mandate of Palestine. It ran between fifty and four-hundred meters east of the Jordan River between the Lake Hula and the Sea of Galilee and also ran parallel to the northeastern shore of the Sea of Galilee and ten meters from its edge.<sup>7</sup> Since the border strip east of the Jordan River and the northeastern shore of the Sea of Galilee were very narrow, Syria had the de facto control over that strip during the Mandate period until the Six-Day War.

Syria was among the Arab countries which declared war against Israel after the latter's declaration of independence in 1948. The Israeli-Syrian General Armistice Agreement, the first legal agreement between the two states, was

4. See "Lieberman: I don't see in Syria a partner for an agreement" in Hebrew, *Yediot Aharonot*, (April 25, 2009) & "The President Assad: There is no Israeli counterpart for peace" in Arabic, *Syrian Arab News Agency (SANA)*, (May 16, 2009)

5. "Deputy F.M.: Assad just wants peace process, not peace," *Haaretz*, (May 17, 2009)

6. Supported by Netanyahu's Likud Party, the economic peace plan aims to create the conditions for peace by building up the West Bank's economy.

7. Frederic C. Hof, *Mapping Peace between Syria and Israel*, USIP Special Report, 2009, p.4

signed on July 20, 1949. The armistice agreement designated an Armistice Demarcation Line (ADL) and created three noncontiguous blocs of demilitarized zones (DZ) to minimize the possibility of friction and incident.<sup>8</sup> The ADL mostly corresponded to the 1923 international boundary, and kept the previous border in the northeastern shore of the Sea of Galilee intact on paper. In other words, Syria affirmed the boundary that left the entire Sea of Galilee within Palestine. The ADL left the Golan Heights under Syrian sovereignty, except for the DZ's. Both the ADL and the DZ's were meant to be temporary and not to finalize the ultimate border between two states. As Article IV of the agreement states:

"It is emphasized that the following arrangements for the Armistice Demarcation Line between the Israeli and Syrian armed forces and for the Demilitarized Zone are not to be interpreted as having any relation whatsoever to ultimate territorial arrangements affecting the two Parties to this Agreement."<sup>9</sup>

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**Syria was among the Arab countries which declared war against Israel after the latter's declaration of independence in 1948.**

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Problems stemming from the temporal armistice lines and the ambiguity regarding the sovereignty over the DZ's laid the foundations for intermittent scale clashes between the two states which lead to the outbreak of the Six-Day War in 1967, fundamentally changing the nature of the relationship between Israel and Syria.

During the Six-Day War, Israel expanded its territories at the expense of Egypt, Jordan and Syria. It captured the Gaza Strip and Sinai Peninsula from Egypt, the West Bank from Jordan, and the Golan Heights from Syria. Therefore, with the Six-Day War, a new dimension was introduced into the Israeli-Syrian relationship: occupation. In the aftermath of the war on November 22, 1967, the UN Security Council unanimously adopted the infamous Resolution 242 to establish "a just and lasting peace in the Middle East"<sup>10</sup>. Initially denounced by Syria, the Resolution 242 set the premises for future negotiations between Israel and Arab countries, including Syria. The resolution called on Israel to withdraw armed forces from territories occupied in the recent conflict. In addition, resolution 242 asked all sides to terminate all claims, or states of belligerency, as well as to respect and acknowledge the sovereignty, territorial integrity and political independence of every State in the area. This includes their right to live in peace within secure and recognized boundaries free from threats or acts of force.<sup>11</sup>

The Resolution 242, which was previously denounced by Syria, proposed "land for peace" model. This model of negotiations was recognized by Syria when it formally accepted UN Security Council Resolution 338, the cease-fire agreement after the Yom Kippur War, in 1973. Resolution 338 embraced Resolution 242, and called upon the parties concerned to start "the implementation of UNSCR 242" immediately.<sup>12</sup>

Since Israel pushed even beyond its pre-1967 borders with Syria during the Yom Kippur War, the pre-1967 borders started to be regarded as the preferred alternative by Syria. Negotiations for the separation and disengagement of forces between Israel and Syria following the Yom Kippur War were held in February and March 1974 in Washington. They were followed by the shuttle diplomacy between Jerusalem and Damascus by Henry Kissinger; finally on May 31, 1974 Israel and Syria reached a disengagement agreement. According to the agreement, Israel was to withdraw

8. See the Map I. <http://www.mideastweb.org/israel-syria-demilitarized.gif>

9. Israeli-Syrian General Armistice Agreement, (July 20, 1949) [http://avalon.law.yale.edu/20th\\_century/arm04.asp#b3](http://avalon.law.yale.edu/20th_century/arm04.asp#b3)

10. UN Security Council Resolutions, Resolution 242, (November 22, 1967) [http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/RES/242%20\(1967\)&Lang=E&Area=RESOLUTION](http://daccess-ods.un.org/access.nsf/Get?Open&DS=S/RES/242%20(1967)&Lang=E&Area=RESOLUTION)

11. Ibid.

12. UNSCR 338, (October 22, 1973) <http://domino.un.org/UNISPAL.NSF/0/7fb7c26fcbe80a31852560c50065f878?OpenDocument>

from all the territory it had captured during the Yom Kippur War, as well as from some other areas occupied since the 1967 war. Limited-force zones were established on either side of a central buffer zone in which contingents of the UN Disengagement Observer Force (UNDOF) were stationed to maintain the cease-fire and to see that it was scrupulously observed.<sup>13</sup>

In 1981, Israel passed the Golan Heights Law, through which it extended Israeli law and administration throughout the occupied Golan. In other words, Israel annexed the Golan Heights, although the law itself avoided the word “annexation.” The law was condemned internationally, and declared as null and void and without international legal effect by the UN Security Resolution 497, which demanded Israel to rescind its decision.<sup>14</sup> The law, although not internationally recognized, made the Golan part of the northern district of Israel, therefore distinguishing it from the other occupied territories as far as the Israeli jurisdiction is concerned. (Sinai, withdrawal 1982; the Gaza Strip, 2005; the West Bank is still under occupation)

Israel passed the Golan Referendum Law in 1999 which requires that any concession involving sovereign Israeli territory, i.e. the Golan Heights, can be given by a majority of 61 Knesset members, and such a decision must be approved by national referendum. The law, however, needed an additional basic law to be passed on its procedures before taking effect, which has not yet completed to this day. A bill was voted on after its first reading on July 17, 2008; it was passed by a majority of 65 to 18, and was conceivably aimed at preventing Ehud Olmert from turning over the Golan Heights as part of a deal with Syria.<sup>15</sup> The early elections interrupted the legislative process, but the supporters of the bill, such as Netanyahu, kept it alive and recently brought it forward again to curb international pressure on the withdrawal from the Golan as part of an agreement with Syria. On July 22, 2009 the debates over the proposed law revived as the constitutional committee of the Israeli parliament approved a proposal which stipulates a national referendum, or a two thirds Knesset majority, or a general election held within 180 days of the Knesset approving the cabinet decision prior to a withdrawal from the Golan Heights.<sup>16</sup> The proposal now passed on to the Knesset for debate will begin after the summer recess. The high rate of Israeli public disapproval of the withdrawal from the Golan Heights means that if the bill passes in the Knesset, it will bring the Israeli-Syrian track to yet another deadlock.

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The Resolution 242 set the premises for future negotiations between Israel and Arab countries, including Syria.

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## II. B. GEOGRAPHY AND DEMOGRAPHICS

The Golan Heights’ strategic location, its natural resources – most prominently water--and its topography have made it a source of conflict between Syria and Israel, who have controlled two third of it since 1967. Bordering Israel, Jordan, Lebanon and Syria, the occupied parts of the Golan Heights include a small portion of the Jordan River Valley in the northwest, as well as higher mountainous areas in the north, which descend to the southeast from Mount Hermon.

13. Separation of Forces Agreement Between Israel and Syria, ( May 31, 1974) [http://avalon.law.yale.edu/20th\\_century/pal04.asp](http://avalon.law.yale.edu/20th_century/pal04.asp)

14. UNSCR 497, (December 17, 1981) <http://www.cfr.org/content/publications/attachments/SC497.pdf>

15. Olmert was dealing with the indirect talks with Syria at the same time with serious corruption charges against him at home. Many thought then in Israel that he had legitimacy problems, and was in no position to give substantial concessions, i.e. the Golan Heights, which he seemed to be willing to withdraw from.

16. “Knesset Committee to debate Golan bill”, Jerusalem Post, 22 July 2009, <http://www.jpost.com/servlet/Satellite?pagename=JPost/JPArticle/ShowFull&cid=1246443877127>



In addition, it borders the Sea of Galilee, Israel's only freshwater lake and major water resource. The highest point is Mount Hermon, a multi-peaked mountain rising to 2814 meters, offering a commanding position overlooking southern Lebanon, the Golan plateau, and much of northern Israel and southern Syria up to the Damascus Basin to the east- only some 60 kilometers away.<sup>17</sup>

The Golan is also infamous for its regional water resources. The headwaters of the Jordan River, in the area of Mount Hermon, constitute one of Israel's main sources of fresh water. Additionally, the Baniyas spring, a major Jordan River source, is located on the lower slopes of the Golan, thus enhancing the latter's importance. To the south, the Sea of Galilee and the Yarmuk River constitute two more important regional water sources.<sup>18</sup> In a region with as scarce of water resources as the Middle East, the Golan's rich supplies of water render the territory indispensable for countries which claim it for themselves, i.e. Israel and Syria.

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The headwaters of the Jordan River, in the area of Mount Hermon, constitute one of Israel's main sources of fresh water.

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Prior to its occupation by Israel, the Golan had a population of approximately 130,000 Syrians living in 139 villages and on 61 farms.<sup>19</sup> According to some Syrian sources, this number was 147,613 in 1966. Around 80 percent of the population was Arab, and the majority of the remaining were from other Caucasian ethnicities (e.g., Circassian, Daghestani, and Chechen).<sup>20</sup> More than a hundred thousand of Syrians fled or were driven out during the Six-Day War. Israeli sources report that much of the local population fled as a result of the war<sup>21</sup>, whereas the Syrian government indicated that a large proportion of it (about 130, 000) was expelled.<sup>22</sup> The displaced Syrians from the Golan were resettled into 10 villages close to the Golan and into housing compounds in the suburbs of Damascus, Dara, and Homs.<sup>23</sup> The remaining displaced Syrians and their progeny now number about 500,000.<sup>24</sup>

By 2008 about 22,300 people remained in the five Arab villages in the occupied Golan, and the Druze constituted the majority of the remaining Arab population. On the other hand, there were thirty-two Jewish settlements, with an estimated population of 17,300, in the Golan. Many of these settlements are on the southern approaches above the Sea of Galilee, in the middle and southern Golan.<sup>25</sup>

### III. A. PAST INITIATIVES, NEGOTIATIONS, AND PEACE PLANS

A fundamental shift in Arab-Israeli negotiations was witnessed during the early 1980's in the sense that major Arab states presented peace plans and initiatives that amounted to an implicit recognition of the State of Israel for the first time. The first plan in these lines was proposed by the Saudi Crown Prince Fahd in 1981. The plan was loosely

17. David Eshel, "The Golan Heights Remains a Vital Strategic Asset for Israel" Defense Update, <http://defense-update.com/newscast/1206/analysis/analysis-101206.htm>

18. "Golan Heights", *Encyclopedia of the Modern Middle East and North Africa*.

19. Ibid

20. The Arab Center for Human Rights in the Golan Heights, NGO Report (January 25, 2007) , pp. 2-3

21. National Council for the Golan, December 1997, Golan Heights – Background, [http://web.archive.org/web/20010320053612/www.mygolan.org.il/quickfacts/quickfacts\\_2.html](http://web.archive.org/web/20010320053612/www.mygolan.org.il/quickfacts/quickfacts_2.html)

22. The Arab Center for Human Rights in the Golan Heights, NGO Report.

23. U.S. Committee for Refugees (USCR), Country Report: Syria, 2002

24. JoMarie Fecci, "A View from Damascus: Internal Refugees From Golan's 244 Destroyed Syrian Villages" Washington Report on Middle East Affairs, June 2000

25. Israeli Central Bureau of Statistics, Statistical Abstract of Israel 2008, [http://www1.cbs.gov.il/shnaton59/st02\\_08.pdf](http://www1.cbs.gov.il/shnaton59/st02_08.pdf)

based on UNSCR 242 and 338, and prominently called on Israel to withdraw to the pre-1967 borders in return for peace with the Arab states, including Syria, therefore implicitly recognizing Israel's right to exist. The Fez Initiative of 1982 was a reworking of the Fahd Plan adopted during the 12<sup>th</sup> Arab Summit Conference in Fez, and repeated implicit recognition of Israel. Both plans were rejected by Israel on the basis that they failed to propose guarantees that would satisfy Israel's security concerns. Although both initiatives failed, they still presented a novel approach by the Arab states, including Syria, towards peace with Israel.

Transformations in the world order during the last days of the Cold War, such as the emergence of the United States as the world's only superpower, created new possibilities for peace in the Middle East. The United States monopolized the power to impose peace upon the region. At the same time, peace for countries which had previously enjoyed Soviet support, such as Syria, became strategic options.<sup>26</sup> Within this context, the Madrid Conference was convened with the sponsorship of the United States and USSR in 1991. With the Madrid Conference, Israel entered into official face-to-face, direct talks with Syria for the first time. At the three day conference, Israel and Syria conducted several bilateral negotiations which later continued in Washington.

From 1991 until 2000 (with an interval between 1996 and 1999), Israeli and Syrian delegations, including Israeli and Syrian chiefs-of-staff and foreign ministers, met several times to discuss normalization of relations, boundaries, and water-related issues within the framework of "the land for peace."<sup>27</sup> On December 1999, Israeli Prime Minister Ehud Barak and Syrian Foreign Minister Farouk Al-Shara resumed peace talks in Washington, and on January 3, 2000, both ministers met again at Shepherdstown, WV under the auspices of Bill Clinton.

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For Syria, full sovereignty over the Golan Heights was the highest priority; meanwhile, the Israeli delegation was most concerned with security and water-related issues. The American President at the time, Bill Clinton, remarked that the two sides were not that far apart on the issues. Syria wanted Golan back and gave Israel a small strip of land, 10 meters wide, along the Sea of Galilee, but Israel wanted a wider strip of land. Israel wanted to stay in the early-warning station, but Syria wanted U.N. and/or U.S. personnel to replace the Israelis. Israel wanted guarantees on the water quality and quantity; Syria agreed and wanted the same guarantees on its water flow from Turkey.<sup>28</sup> Clinton found the Syrian side "in a flexible and positive frame of mind, eager to make an agreement."<sup>29</sup> As for the Israeli side, he wrote, "By contrast, Barak, who has pushed hard for the talks, decided, apparently on the basis of polling data, that he needed to slow-walk the process for a few days in order to convince the Israeli public that he was being a tough negotiator."<sup>30</sup> His observations on Israel highlight the domestic constraints and political fragmentation in Israel which constitute serious obstruction to peace negotiations in Israel. It also underlines the difference between Syrian and Israeli political systems: Israeli leaders have to pay relatively more attention to public opinion than leaders in

26. Neill Quilliam, *Syria and the New World Order*, (Reading: Ithaca Press, 1991) pg.4

27. See Helena Cobban, *The Israeli-Syrian Peace Talks 1991-96 and Beyond* (Washington DC: US Institute for Peace Press, 1999)

28. Bill Clinton, *My Life: The Presidential Years*, Volume II, (New York: Random House, 2005) pp.557-558, Also see Martin Indyk, *Innocent Abroad: An Intimate Account of American Peace Diplomacy in the Middle East*, (New York, Simon & Schuster, 2009)

29. *Ibid.*, p. 558

30. *Ibid.*, p. 558

authoritarian regimes, such as Hafez al-Assad. The talks collapsed at the last minute over “border disputes” which was at the center of the Shepherdstown talks between Israel and Syria.

From the death of Hafez al-Assad on June 10, 2000 until early 2008, the Israeli-Syrian track was officially suspended; however, there have been rumors of a series of secret meetings held in Europe between September 2004 and July 2006, in which Israeli and Syrian representatives formulated an understanding of a peace agreement.<sup>31</sup> According to Israeli sources, this “understanding” ended up creating a “non-paper” document that is not signed and lacks legal standing.<sup>32</sup> The document proposes Israeli withdrawal to the line of June 4, 1967, gives Israel control over the use of the waters of the Jordan River and the Sea of Galilee, creates a natural reserve park in Golan, established

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After an eight year “official” break, on May 21, 2008, Damascus and Tel Aviv announced simultaneously the resumption of peace talks under the sponsorship of Turkey.

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demilitarized zones along the border, and requires Syria to end its support for Hezbollah and Hamas, and distance itself from Iran.<sup>33</sup>

During his June 2004 visit to Ankara, Syrian President Beshar al-Assad and Turkish Prime Minister Recep Tayyip Erdoğan discussed a possible Turkish mediation for the peace talks with Israel.<sup>34</sup> The first contact between the two countries was established in Turkey through the Turkish ambassador to Israel, Feridun Sinirlioglu. Later that year a Syrian-American, Ibrahim Suleiman, allegedly held secret meetings with former Foreign Ministry director-general Alon Liel, sponsored by a European country which Suleiman said must remain unnamed. When the meetings went public, both Israeli and Syrian government denied “secret dealings,” and questioned the veracity of the Suleiman-Liel duo.<sup>35</sup>

### III. B. TURKISH SPONSORSHIP

After an eight year “official” break, on May 21, 2008, Damascus and Tel Aviv announced simultaneously the resumption of peace talks under the sponsorship of Turkey.<sup>36</sup> In their official announcements, both sides set their goals as achieving comprehensive peace in accordance with the Madrid Conference, and thanked Erdoğan and Turkey for their role in the peace process. In an interview with the Qatari newspaper *Al-Watan*, President Assad emphasized Erdoğan’s role in the process and praised his efforts that intensified since April 2007.<sup>37</sup>

During the period from May 21, 2008 until the beginning of Israeli offensive in Gaza on December 27, 2008, Turkey hosted five rounds of indirect talks between Israel and Syria. Turkish mediation offered an entirely new platform for the Israeli-Syrian track; and both sides benefited from the unique mediation that Turkey provided. By the time the indirect talks began, Turkey was one of the few countries that maintained close relations with and had considerable leverage over both countries.

31. Eldar, Akiva, “Israeli, Syrian representatives reach secret understandings,” *Haaretz*, (January 16, 2007), <http://www.haaretz.com/hasen/spages/813817.html>

32. *Ibid.*

33. *Ibid.*

34. *Ibid.*

35. “Abe Suleiman has zero credibility,” *Jerusalem Post*. (April 14, 2007) <http://www.jpost.com/servlet/Satellite?cid=1176152791759&pageName=JPost%2FJPArticle%2FShowFull>

36. Israel Ministry of Foreign Affairs, “Syria and Israel Start Peace Talks” (May 21, 2008) <http://www.mfa.gov.il/MFA/Government/Communiques/2008/Syria+and+Israel+start+peace+talks+21-May-2008.htm> & “Syria and Israel start indirect peace talks under Turkish sponsorship” in Arabic, SANA, (May 21, 2008) <http://www.sana.sy/ara/2/2008/05/21/175419.htm>

37. SANA (May 21, 2008)

Turkey was the first- and for a long time the only- state with a predominantly Muslim population that recognized the State of Israel. Although the Turkish-Israeli relations was kept at a minimum level for decades, the end of the Cold War gave a new *raison d'être* for the relations, and starting from the 1990's, several economic, military and educational treaties were signed between the two states. Parallel views about the Middle East,<sup>38</sup> and most importantly perception of a common enemy (this includes Syria, which was harboring the terrorist organization, PKK, as well as having a row with Turkey over water-related issues) carried the Turkish-Israeli relations to the next level: a strategic partnership.

Since the early 2000's Turkish foreign policy has experienced a fundamental change; Turkey's regional and global role, its relations with the countries in the Middle East, and its long lasting international disputes have been redefined. Examples of this ongoing process include a strong emphasis on full membership to the EU, Turkish rapprochement with Armenia and Syria, friendly relations with Iran, overtures toward the solution in the Cyprus issue, increasing interest in the Middle East affairs and the Arab-Israeli peace talks. With the adoption of the new Turkish foreign policy, the Turkish-Israeli "strategic partnership" has lost much from its *raison d'être*, and the strategic partnership lost its basic motivation since the perception of a common enemy has disappeared for the Turkish side (it remained unchanged for the Israeli side). Nevertheless, Turkey and Israel maintain their "warm" relations, especially in the form of military and intelligence cooperation, as well as trade.<sup>39</sup>

The Syrian-Turkish relationship, which was once strained because of Syria's support for the PKK and water related issues, began to ameliorate in the early 2000's even before AK Party era began. Turkish President of the time, Ahmet Necdet Sezer, participated in Hafez al-Assad's funeral in 2000; this positive gesture was reciprocated by Beshar al-Assad, who visited Turkey in 2004 and became the first Syrian president in-office to visit Turkey. Shortly after the assassination of Lebanon's former Prime Minister Rafiq al-Harriri, Sezer paid an official-- and controversial-- visit to Damascus. This visit was not only aimed at improving bilateral relations, but also voiced Sezer's "displeasure at Washington's policies towards the Middle East, especially Turkey, since 2003."<sup>40</sup> Parallel views on critical regional issues, such as the Iraq War, helped to heal the long-time tension between the two countries.

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### Turkey and Israel maintain their "warm" relations, especially in the form of military and intelligence cooperation, as well as trade.

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Already improving relations with Syria got even better starting with the AK Party's coming to power in 2002. The new Turkish foreign policy vision, which was described above in the context of Israel, brought a new dynamism to the relations. One of the important aspects of this burgeoning Syrian-Turkish relationship has been the strong rapport established between Beshar al-Assad and Tayyip Erdoğan.<sup>41</sup> Since coming to power, Erdoğan furthered the rapprochement between two countries through his personal efforts by visiting Damascus several times, giving diplomatic support to Syria at critical junctures<sup>42</sup>, and in a way providing Syria with an alternate alliance to Iran.

38. See Efraim Inbar, 'The Resilience of Israeli-Turkish Relations,' *Israel Studies*, Vol. 11, No.4, October 2005, pp. 591-607.

39. Turkish-Israeli relations was strained occasionally during this period. In 2002, Turkish Prime Minister of the time, Bulent Ecevit, for example, accused Israel of genocide against the Palestinians. <http://www.radikal.com.tr/haber.php?haberno=33996>

40. Sami Moubayed, "Turkish-Syrian Relations: The Erdoğan Legacy" SETA Policy Brief, October 28, No: 25.

41. See Sami Moubayed, "Turkish-Syrian Relations: The Erdoğan Legacy" Syrian Ambassador to the United States, Imad Mustapha, also emphasized the importance of this rapport in a private conversation I had with him, and pointed out that the level of trust that Assad has for Erdoğan is a key factor for Syria's preference for Turkish mediation.

42. For example, as Moubayed writes "In the midst of all the noise being made against Syria, a Turkish people's delegation visited Syria in March 2005, and gave a press conference at the gates of the Syrian parliament expressing solidarity with Damascus, much to the displeasure of Washington." Sami Moubayed, "Turkish-Syrian Relations: The Erdoğan Legacy"

All aforementioned factors made Turkey an agreeable mediator for the talks between Israel and Syria. Thanks to Turkey's effective mediation and both sides' varying commitment to the peace talks, a deal was going to be brokered by the end of 2008. Turkish diplomatic sources noted that disagreements were only on small details about the border and security arrangements and as Erdoğan stated several times, both sides were on the verge of signing the deal. However, the Israeli offensive in Gaza on December 2008 reversed the positive atmosphere and breached Israel's relations not only with Syria, but also with Turkey. Consequently, Damascus halted the peace talks, and Ankara directed sharp criticism against Tel Aviv due to the offensive, which, according to both countries, was unjustified and disproportionate. The gap widened further in Davos, where Erdoğan and Peres clashed over the Gaza offensive.

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Thanks to Turkey's effective mediation and both sides' varying commitment to the peace talks, a deal was going to be brokered by the end of 2008.

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Despite the effective Turkish mediation and both sides' commitment to the peace talks, there were several factors that had indicated the failure of the talks earlier, for example: the lack of American endorsement, especially due to the fact that a change of administration was about to take place; Olmert's weak prospect in Israel due to the ongoing corruption investigation; approaching early elections, and the rise of rightist parties in Israel. These factors, topped by the Israeli offensive in Gaza, rendered the conciliation efforts futile, and the future of the talks is still uncertain.

#### IV. A. SYRIAN DEMANDS: THE LINE OF 4 JUNE 1967

The Syrian side has been consistently clear about their principal demands from their Israeli counterparts: "the line of 4 June 1967." Any peace scenario that does not include full Israeli withdrawal to the 4 June lines means that there could be no peace process between the two countries. This insistence has been repeatedly declared by Syrian officials, including the late President Hafez al-Assad.<sup>43</sup> This line refers conceptually to the confrontation line between Israel and Syria before the outbreak of the Six-Day War (June 5-10, 1967), and does not correspond to the 1923 international boundary and 1949 Armistice Demarcation Line, which were explained previously in this report.

Syrian insistence on the 4 June lines derives from two objections directed against two of the earlier lines. First, Damascus thinks, the international border of 1923 was a product of British and French imperialism, and was demarcated principally to keep the water resources, the Sea of Galilee and the upper course of Jordan River, within Palestine, therefore denying Syrian rights on the water. Second, the 1949 Armistice Lines created territorial ambiguities, such as the issue of sovereignty over DMZ's, and left an unrealistic strip of land along the northeastern shore of the Sea of Galilee. The line of 4 June 1967, however, places Syria on the northeastern shore of the Sea of Galilee and along the eastern coast of the upper course of the Jordan River between the Sea of Galilee and the former Lake Hula.

As far as the land security is concerned for both countries, there would be minimal, if any, difference between any of the three lines. Two exceptions would be the tiny, 10 meter strips along the northeastern shore of the Sea of Galilee and along the eastern coast of the upper course of the Jordan River between the Sea of Galilee and the former Lake Hula (drawn between 50 and 400 meters east of the Jordan River). As previously mentioned, both strips are unrealistic and almost impossible for Israel to control. This is how and why Syria had the *de facto* control over that strip until the Six-Day War.

43. See Patrick Seale, "The Syria-Israel Negotiations: Who is Telling the Truth?," *Journal of Palestine Studies*, Vol. 29, No. 2 (Winter, 2000), pp. 65-77

The line would definitely create water concerns on the Israeli side, and Israel will demand assurances concerning Syrian access to and use of water from the Sea of Galilee and Jordan River, as well as Syrian control of the Baniyas Spring, one of the main feeders of the upper course of the Jordan River. Unless Israel demands the water from these bodies only for its own usage, it seems that a middle ground could be found. This solution might include, "as it did during the British Mandate period and during the secret talks of 1952-53, Israeli ownership of this water combined with access and use provisions for Syrian nationals."<sup>44</sup>

#### IV. B. SYRIAN DOMESTIC POLITICS AND THE ISRAELI-SYRIAN TRACK

As opposed to their Israeli counterparts, Syrian President and negotiators have had considerably stronger standings at home. This renders Syrians more consistent in their demands and more legitimate when making concessions. This is of course partly due to the authoritarian political regime in Syria which prevents emergence (or survival) of strong opposition to the ruling authority.<sup>45</sup> Hence, all the decisions given by the Syrian state regarding the Israeli-Syrian negotiations would be definitive, and would receive minimal political opposition at home.

As a matter of fact, rapprochement with the United States and a fair peace with Israel would strengthen the regime's hand even more *vis-à-vis* the already weak opposition. The rapprochement would increase the international legitimacy of the Syrian regime as well as its legitimacy at home, due to potential economic recovery after the lifting of economic and political restrictions. It would get harder for the Syrian opposition to find U.S. and E.U. backing in the case of Syrian reorientation with the West, since neither United States nor key European countries would want to be identified with the opposition which-- in the eyes of the Assad regime-- is a destabilizing factor in Syria.

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As opposed to their Israeli counterparts, Syrian President and negotiators have had considerably stronger standings at home.

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On the people's level, Syria's concept of a just and fair peace would be summarized as full Israeli withdrawal to the line of 4 June 1967. This would be embraced by the majority of Syrians who would feel relieved from the burden of the state of war with Israel, which would reflect positively on the economy of the country. On the other hand, for Syrians, a peace can only be sustainable if it is accompanied by a fair solution to the Palestinian question.

One possible opposition to the peace with Israel, however, might come from the Syria's oldest and most respected Islamist party, the Muslim Brotherhood. One of the regime's main political opponents and largest opposition bodies, the outlawed Muslim Brotherhood would be a "formidable political force if it were allowed to mobilize"<sup>46</sup> due to its considerable influence over the Sunni majority. In the case of signing a peace agreement with Israel, the minority Alawite-Baathist leadership would have to seek ways to maintain its credibility and minimize popular opposition which would be orchestrated by the Muslim Brotherhood.

To this end, the Syrian regime has reportedly been engaging in private negotiations with the Muslim Brotherhood in Syria.<sup>47</sup> The negotiations, according to a report by TRATFOR, focus on "working with the more moderate elements

44. Frederic C. Hof, "The Ongoing Dispute over the Line of 4 June 1967", The Palestine Center, Information Brief No. 30, 29 March 2000, p.3

45. See Joshua Landis and Joe Pace, "The Syrian Opposition", *The Washington Quarterly*, Winter 2006-07

46. Joshua Landis and Joe Pace, "The Syrian Opposition", p.51

47. There are also reports in the Turkish media which claimed that the Syrian Muslim Brotherhood asked for Turkish help for reconciliation between the Syrian regime and the MB during their visit to Turkey. This was later denied by the MB bureau in London. <http://www.ikhwanweb.com/article.php?id=19451> It was also denied by Syrian sources.

of the Muslim Brotherhood as a way of containing the Islamist populace.”<sup>48</sup> Therefore, while inching away from the radical trend due to its will to reengage with the west and pursue peace negotiations with Israel, Syria is also mending ties with the moderate Islamist groups to maintain its credibility at home. The report rightly concludes that, “Negotiations over allowing the Syrian MB a legal and possibly political presence in the country are still in progress, but if the Syrian regime can demonstrate that it has the support of the Syrian MB, it will have more legitimacy to pursue a peace agreement with Israel without having to worry overmuch about risking its stability.”<sup>49</sup>

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One of the main demands by Israel regarding the peace talks with Syria is Israel’s request that Syria distance itself from Iran and ceasing support of Hamas and Hezbollah.

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## V. A. ISRAELI DEMANDS AND CONCERNS

Security concerns have been shaping Israeli demands from Syria in the peace negotiations; security essentially means peace for Israel. Therefore, Israeli withdrawal from the Golan Heights would take place only if Syria responds positively to the security needs of Israel. Many in Israel consider the Golan Heights as Israel’s first line of defense against Syria, and Israel has been enjoying the topographical advantage it gives since 1967.

In order to avoid being vulnerable to a surprise attack from Syria, Israel would seek to establish a “defensible border” with Syria. Some of the key components of this defensible border are a demilitarized Golan, buffer zones located in the middle section of the Golan, and an early warning intelligence station on Mt. Hermon with which Israel identifies the movement of Syrian forces in real time. Israel also plans to stretch the demilitarized zone beyond the Golan Heights, well into southern Syria. Indicating a stretched demilitarized zone, Dore Gold, Israel’s former ambassador to the U.N., writes that in the past negotiations with Syria, Israel made it clear they would need sufficient depth for them to provide security.<sup>50</sup> There are also some experts in the Israeli military establishment that see the present border line, which provides strategic depth and exerts eastward control deep into Syrian territory, as the only “defensible border” for Israel. Therefore, any movement westward by Israel “would create depreciation of Israel’s defensive capability.”<sup>51</sup>

Israel sees retaining of the water sources as strategic and existential. As mentioned earlier, the 4 June 1967 borders place Syria on the northeastern shore of the Sea of Galilee, Israel’s largest fresh water reservoir, and on the eastern cost of the upper course of the Jordan River. Israel, however, wants to prevent the Syrian access to the water sources by proposing the 1949 Armistice lines, which placed a strip of land between Syria and water sources. Control over the upper course of the Jordan River between the Sea of Galilee and the former Lake Hula is critical for Israel in order to safeguard the volume and quality of the water flowing into the Sea of Galilee. In addition to these two water sources, Israel would also try to bind Syria to a legal commitment not to undertake diversion projects on the Baniyas Spring/River<sup>52</sup>, which is one of the main tributaries of the Jordan River. All the water sources in the Golan correspond to more than 55% of Israel’s fresh water needs, and this fact makes Israel think twice about the withdrawing from the Golan and/or accepting the 4 June 1967 lines.

48. “Syria: Working to Increase Stability and Reach,” STRATFOR, 27 January 2009. [http://www.stratfor.com/analysis/20090126\\_syria\\_working\\_increase\\_stability\\_and\\_reach](http://www.stratfor.com/analysis/20090126_syria_working_increase_stability_and_reach)

49. Ibid.

50. Dore Gold, “The Golan Heights and Israeli-Syrian Negotiations,” Jerusalem Center for Public Affairs, Vol. 8, No: 1, May 2008

51. Giora Eiland, “Defensible Borders on the Golan Heights,” Jerusalem Center for Public Affairs, 2009, p.17

52. See Frederic Hof, “The Water Dimension of the Golan Heights Negotiations,” in *Water in the Middle East: A Geography of Peace*, ed. Hussein A. Amery and Aaron T. Wolf (Austin: University of Texas Press, 2000) p. 152

One of the main demands by Israel regarding the peace talks with Syria is Israel's request that Syria distance itself from Iran and ceasing support of Hamas and Hezbollah. The Iranian-Syrian alliance was formed in the 1980's, due particularly to the mutual antipathy that both countries had for the Saddam Hussein regime in Iraq; it is more of a strategic alliance than a natural one. During the last decade, the alliance became one of convenience, considering both countries' varying degrees of isolation from the international community. Syria's support for Hezbollah is mainly motivated by the Syrian desire to dominate Lebanese politics, while its support for Hamas is aimed at gaining prestige in the Arab world and popular support at home.

## V. B. DOMESTIC POLITICAL CONSIDERATIONS AND CONSTRAINTS

In a country like Israel, where fragile multi-party coalitions are almost the rule, there are several domestic factors that political leaders must take into consideration, such as their constituencies and the platforms of their partner parties. The fact that the current coalition is composed of several political parties with different approaches to the peace process and varying ideas about the priorities of Israel creates substantial difficulties for Israeli decision makers.

During their election campaigns, key figures of the current Israeli government, such as Benjamin Netanyahu and Avigdor Lieberman, have repeatedly voiced their support for the Golan settlements, emphasized the importance of Israeli presence in the Golan, and ruled out the possibility of withdrawal from the Golan. When the new coalition was formed, Netanyahu stated that the commitments of the previous Olmert government during the last round of indirect peace talks with Syria did not bind the new government.<sup>53</sup> Therefore, the new Israeli government has so far kept the words that they gave to their constituencies before the elections. Due to domestic political considerations and to keep the fragile right-wing coalition intact, Netanyahu would want to keep rejecting any proposals of peace talks preconditioned with substantial concessions, such as the Golan Heights.

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The settlements are a highly sensitive and explosive issue in Israel, and the settlements movement has successfully established a significant niche within Israel's political establishment.

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Consistently high rate of Israeli disapproval of total withdrawal from the Golan Heights in return for a full peace agreement is one of the most important aspects of the current stalemate between Israel and Syria. This opposition seems to be derived from the widespread contention among Israeli public (85 percent) that in the context of such an agreement Syria would not be prepared to cut its ties with Iran and Hezbollah or end its support for Hamas and other armed anti-Israel groups.<sup>54</sup> Additionally, The Golan Heights' appeal to the Israeli public can also be explained by the exceptional recreational value it provides for the Israelis with its gorges, waterfalls and mountain peaks on which Israel's only ski resort is located. According to the Peace Index Project, conducted at the Tami Steinmetz Center for Peace Research and the Evens Program in Mediation and Conflict Resolution of Tel Aviv University in 2007, the rates of opposition to the withdrawal from Golan is 63%, and only 20 percent support the withdrawal. Fourteen percent are ambivalent and the rest do not know.<sup>55</sup> Disapproval rate stood at 50% in 2003, at 35% and 31% in 1996 and 1997, respectively, and 50% in 1995.<sup>56</sup>

53. "Ayalon: Israel Nixes Turkey-Mediated Talks with Syria", Arutz Sheva (12 August 2009) <http://www.israelnationalnews.com/News/News.aspx/132875>

54. Ephraim Yaar and Tamar Hermann, "Peace Index Survey 2007", by the Tami Steinmetz Center for Peace Research and the Evens Program in Mediation and Conflict Resolution of Tel Aviv University (June 2007)

55. Ibid.

56. Asher Arian, "Israeli Public Opinion on National Security 2003", Jaffe Center for Strategic Studies, Memorandum No: 67, October 2003. p.11

The settlements are a highly sensitive and explosive issue in Israel, and the settlements movement has successfully established a significant niche within Israel's political establishment. Accordingly, the movement has gained both implicit and explicit support from Israeli successive governments, and they have continued their expansion as well as new construction projects in a consistent manner. In the Golan Heights, the settlements started to be built immediately following the occupation of the territory in 1967, and through well-organized settlement projects the Jewish population, which was 600 in 1972, reached to 17,300 in 2008.<sup>57</sup> A decision to withdraw from the Golan Heights would predictably spawn a serious backlash among the settlers in the Golan and the settler organizations in Israel. This backlash would find sizable support among the Israeli public opinion that is immeasurably more than the support given to the anti-withdrawal movement during the withdrawal from Gaza in 2005. The current government, therefore, would try hard to avoid any confrontation with the settler movement regarding the withdrawal from the Golan Heights.

Name	Population <sup>58</sup>							Date Established
	2007	2006	2005	2004	2001	2000	1999	
Afiq	216	215	210	235	226	219	203	1967
Allone Habashan	286	271	255	251	214	192	181	1981
Avne Eitan	468	418	357	337	324	290	276	1978
Ani'Am	462	414	384	379	300	293	277	1978
Bene Yehuda	1,036	1,021	991	971	929	917	887	1972
Eli Al (Eli Ad)	272	264	256	247	235	242	233	1968
El Rom	271	274	269	267	272	288	292	1971
En Ziwan	213	216	229	214	217	233	251	1968
Geshur	204	215	226	192	134	139	145	1971
Giv'at Yo'av	452	436	397	398	352	466	-	1968
Had Nes	510	482	461	439	394	365	332	1987
Haspin	1,369	1,312	1,273	1,262	1,170	1,170	1,170	1973
Kanaf	333	319	302	285	246	219	201	1985
Katzrin (Qazrin)	6,444	6,479	6,535	6,357	6,100	6,160	6,060	1977
Kefar Haruv	312	306	285	239	231	241	240	1974
Ma'ale Gamla	357	340	309	306	260	253	254	1976
Merom Golan	497	495	469	411	365	384	361	1967
Mevo Hamma	339	336	329	325	343	363	356	1968
Mezar	65	56	52	44	52	55	48	1981
Ne'ot Golan	350	334	303	291	241	219	207	1967
Neve Ativ	175	174	173	167	184	156	153	1972
Nov	529	510	504	484	424	413	382	1973
Odem	103	103	95	93	93	93	-	1981
Ortal	238	243	254	258	255	248	226	1978
Qela	154	106	71	58	59	62	N/A	1984
Qeshet	526	517	524	501	468	441	445	1974
Qidmat Zevi	373	371	353	341	300	276	273	1985
Ramat Magshimim	517	500	487	483	439	436	445	1968
Ramot	487	478	480	472	468	476	457	1970
Senir	450	424	414	384	272	280	-	1967
Sha'al	225	230	229	230	222	216	206	1976
Yonatan	353	352	347	344	271	250	236	1976
Total:	18,692	18,105	17,823	17,265	16,020	15,955	15,313	

57. Israeli Central Bureau of Statistics, Statistical Abstract of Israel 2008. Also, see the table I.

58. Source: List of Localities: Their Population and Codes. Jerusalem: Central Bureau of statistics, 1999-2008.

## VI. TURKEY, UNITED STATES AND THE ROLE OF THE THIRD PARTIES

Since the suspension of the peace talks on December 28, 2008, both Israel and Syria repeatedly announced that they are “ready” to resume the peace talks. While Syria is persistent about its demands and preconditions to resume the talks with Israel, the new Israeli government has changed Israeli approach to the peace talks. Israel now wants direct talks by skipping a third party’s mediation-- especially that of Turkey’s-- and refuses even to negotiate on the withdrawal from the Golan Heights at this moment due to the reasons mentioned above. Syria, on the other hand, insists on a third party’s involvement, preferably Turkey’s and ultimately United States’, in order to assure that Israel follows through on its commitments.

Turkey has also announced that it is ready to resume its role as mediator in suspended indirect talks between Israel and Syria.<sup>59</sup> In addition, Erdoğan had said that requests to resume the talks have started to come in, but did not mention which country made the request.<sup>60</sup> Arab media, including the Qatari daily *Al-Watan*, reported, based on Turkish diplomatic sources, that during his meeting with Al-Assad in Aleppo last July, Erdoğan briefed Al-Assad on the content of the messages that he received from Israel, which urge Erdoğan to restart his mediation efforts to resume the suspended indirect talks with Syria.<sup>61</sup> Prime Minister Benjamin Netanyahu’s Office announced in response to Erdoğan’s remarks that “the prime minister previously said that he is ready to renew negotiations with Syria without preconditions. The Israeli Prime Minister said that he is prepared to go to anywhere necessary for this sake, and that every channel, the Turkish or the American one, is legitimate.”<sup>62</sup>

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However, some in Israel have reservations about the Turkish mediation in the peace talks, arguing that Turkey lost its credibility as mediator due to its harsh criticism of Israel during the last Israeli offensive in Gaza. Some senior Israeli officials commented on the Turkish initiative in the Israel Radio and stated that “while negotiations should indeed be held; they should not be handled by Erdoğan.”<sup>63</sup> Benny Begin, a Netanyahu confidant, also spoke in the same lines to the Israeli radio. The Deputy Foreign Minister, Danny Ayalon, declared that Israel will not resume Turkish-mediated peace talks with Syria, which, according to him, are a failure because of Syrian intransigence. Netanyahu recently said he objects Turkey’s role as mediator in view of the current crisis in relations between Israel and Turkey.<sup>64</sup>

The current crisis between Israel and Turkey was triggered by Turkish cancellation of an international air-drill planned to be held in Konya with the participation of Israel and a drama aired in a Turkish channel depicting Israeli soldiers executing Palestinians. Although Netanyahu stated his objection to Turkey’s role as mediator, he would most probably soften his position once the crisis between the two countries eases. In an interview with CNN, Turkish FM Ahmet Davutoglu has recently referred to the link between the peace process and the Turkish-Israeli relations,

59. “Turkey ready to resume Israel-Syria mediator role”, Reuters, 22 July 2009, <http://www.reuters.com/article/worldNews/idUSTRE56L4-RT20090722>

60. “Suriye-İsrail hattında yeniden arabuluculuk sinyali” Zaman, 23 July 2009, <http://www.zaman.com.tr/haber.do?haberno=872417>

61. Mahmud Zaruf, “Erdoğan to Assad: I received messages from Israel to renew the [Turkish] mediation” in Arabic, *Al-Watan*, 23 July 2009, [http://www.al-watan.com/data/20090723/innercontent.asp?val=outstate1\\_3](http://www.al-watan.com/data/20090723/innercontent.asp?val=outstate1_3)

62. “Erdoğan in Syria: Ready to start Israeli-Syrian negotiations” in Hebrew, Yedioth Aharonot, 22 July 2009, <http://www.ynet.co.il/articles/0,7340,L-3750565,00.html>

63. “Israeli Officials: Turkey too extreme to moderate Syrian talks,” Haaretz, 22 July 2009 <http://www.haaretz.com/hasen/spages/1102100.html>

64. “Netanyahu: Turkey can’t be honest broker in Syria talks”, Haaretz, 20 October 2009. <http://www.haaretz.com/hasen/spages/1121723.html>

and indicated that advances in the diplomatic track in the Middle East will help creating a new atmosphere for the bilateral relations between Israel and Turkey.<sup>65</sup> One could argue that the link that Turkey establishes between the peace process and the Turkish-Israeli relations could also make Israel, which considers its partnership with Turkey a strategic asset, to reconsider its position on Turkey's mediation for the talks with Syria.

In fact, Turkey is still one of very few countries which can bridge the gap between Israel and Syria, especially during the indirect talks. Considering the relative success of the previous five rounds of talks under Turkish sponsorship, there is no substantial reason to bypass that channel to reignite the talks, despite the current crisis between Israel and Turkey.

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In fact, Turkey is still one of very few countries which can bridge the gap between Israel and Syria, especially during the indirect talks.

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When both sides get ready to proceed to the direct talks to finalize an agreement, active involvement of the United States will be a *sine qua non* for the sustainability of the agreement. High level Syrian diplomats notes that the United States will have to work on confidence-building measures between the two states and use its leverage over them to facilitate the implementation of the agreement. This would necessitate the U.S. military presence, as well as those of other countries, in the demilitarized zones for peace-keeping purposes. Also, the early-warning station located in the Mt. Hermon would have to be staffed by a select group of international personnel, especially Americans, who would identify the movement of Israeli and Syrian forces in real time and report violations. Both during the direct talks and at the implementation stage of the agreement, the United States and preferably a number of other countries, including Turkey<sup>66</sup>, would have to work together to make sure that both sides will follow through on their commitments.

## VII. A. AMERICAN-SYRIAN RELATIONS & ITS IMPLICATIONS ON THE ISRAELI-SYRIAN TRACK

Several central issues have affected the Syrian-U.S. relations in the eyes of the American side, including Syria's support for international terrorism, interference in Lebanese politics, a strategic relationship with Iran, opposition to U.S. occupation in Iraq, and the Arab-Israeli conflict. These issues, especially Syria's designation by the U.S. State Department as a sponsor of international terrorism, have caused the United States to pass several legislative provisions and executive directives that "prohibit direct aid to Syria and restrict bilateral trade relations between the two countries."<sup>67</sup> Because of these restrictions and sanctions, Syria has not been receiving U.S. foreign assistance since 1981.

Over the last decade, several key events determined the course of American-Syrian relations: the breakdown of the Shepherdstown talks; the intifada in 2000 and the Syrian support for Palestinian factions, which are designated as

65. "Turkey plays down tensions with Israel" CNN, 12 October 2009. <http://edition.cnn.com/2009/WORLD/europe/10/12/turkey.israel.tensions/index.html>

66. A number of other countries have been trying to contribute to the peace process. For example, France has been trying, with little success, to take a role in the Arab-Israeli peace process, including the Israeli-Syrian track, through Sarkozy's personal diplomatic efforts aimed at increasing France's—and EU's— influence over Israel and Arab States, especially Syria. However, Israel does not seem to receive Sarkozy's "tough love" approach (being a true friend of Israel but publicly criticizing it on key issues, such as the settlements) with great favor.

67. Some examples are the International Security Assistance and Arms Export Control Act of 1976 [P.L. 94-329], The Export Administration Act of 1979 [P.L. 96-72], Omnibus Diplomatic Security and Antiterrorism Act of 1986 [P.L. 99-399], and The Anti-Terrorism and Arms Export Control Amendments Act of 1989 [P.L. 101-222]. See Jeremy M. Sharp, "Syria: Background and U.S. Relations," CRS Report for Congress, 11 March 2009, p.10.

terrorists by the United States, such as Hamas; the U.S. invasion of Iraq, and finally the assassination of the former Lebanese Prime Minister Rafiq Hariri which aggravated the tension between the two countries, and affected Syria in the forms of economic restrictions and political isolation. On the other hand, Syrian-U.S. share of intelligence after the September 11 attacks brought the relations a semblance of normalcy for a short period of time. Sectarian violence in Iraq, the Doha Agreement of 2008, which “solidified the position of Syria’s ally, Hezbollah, in Lebanese domestic politics and exposed the weakness in U.S., European, and Saudi attempts to neutralize Syrian influence in Lebanon”<sup>68</sup>, and the Israeli-Syrian indirect talks under Turkish sponsorship made some of the policy makers in the United States to admit Syria’s integral role for peace in the Middle East and to consider engaging it constructively.

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Syrian-U.S. share of intelligence after the September 11 attacks brought the relations a semblance of normalcy for a short period of time.

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There are a number of unresolved problems between the two states, and it will take time to address these problems wholly. In Ambassador Imad Mustapha’s words, “The Obama administration doesn’t have a magic wand with which it can undo the effects of the Bush administration’s policies on Syrian-American relations.”<sup>69</sup> In fact, neither Syrian nor Israeli administrations have magic wands to quickly normalize bilateral relations. However, some concrete steps ought to be taken to create a positive chain reaction that would end up bringing a sustainable peace to the Middle East. Such concrete steps have been taken lately by the Obama administration, aiming at promoting diplomatic engagement with Syria. The decision to send an ambassador to Syria and Mitchell’s official visits to Damascus are indicative of the Syrian-U.S. rapprochement, which would not only accelerate the peace process between Syria and Israel, but also promote peace between Israel, Palestinians and other Arab countries.

In order to normalize its relationship with the United States<sup>70</sup> and lift economic restrictions that it has been suffering from for years, Syria would have to address central issues that have been straining its relations with the United States. If it can satisfactorily address those issues, Syria will accomplish two things at once, due to the fact that those issues include major Israeli demands from Syria in return for withdrawal from the Golan Heights, such as the reorientation of Syrian foreign policy away from Iran and severing ties with anti-Israel armed groups. However, this also raises the necessity for Syria to carry on peace talks with Israel together with rapprochement with the United States. Otherwise, it would have lost some of its most effective bargaining tools (Iran, Hezbollah, Hamas) vis-à-vis Israel.

## VII. B. ISRAELI-SYRIAN PEACE AND ITS REGIONAL IMPLICATIONS

A peace deal between Israel and Syria would create paradigm shifts in the Middle East, and have strong implications for several key issues, including but not limited to the Arab-Israeli conflict in general, unity talks between Fatah and Hamas, Hamas’s incorporation into the peace talks, and Iran’s regional standing.

The Israeli-Syrian and Israeli-Palestinian peace processes are complimentary to each other in the sense that a just deal for either of them would predictably accelerate the other’s process. The Israeli-Syrian peace would help solve some of the key problems of the Israeli-Palestinian track. Syria, which has very close relations with Hamas, whose leader--

68. Ibid, pp.1-2

69. “Breaking the Ice,” Syria Today, April 2009. <http://www.syria-today.com/index.php/april-2009/269-politics/675-breaking-the-ice>

70. Syrian Deputy FM Fayssal al-Mekdad’s recent visit to Washington is an encouraging sign of normalization of relations between the two countries.

Khaled Meshaal-- resides in Damascus, would help in moderating Hamas and transforming it into a partner for peace. Syria could act as a supplementary party to Egypt for the reconciliation talks between Fatah and Hamas, and help bridging the gap between the two factions. A Palestinian unity government formed by Fatah and Hamas through Syrian and Egyptian mediation would first give Hamas the opportunity to enjoy a certain amount of international legitimacy, transform the organization into an important party to the peace talks with Israel, increase the legitimacy of the Palestinian delegation in the peace talks, and ultimately facilitate the establishment of a Palestinian state.

The end of 61 years of belligerence between the two countries could potentially turn the "implicit" recognition of Israel by Arab countries into an "explicit" one. Syrian recognition of Israel through a "fair" and "just" peace agreement would remove the psychological barrier between the other Arab countries and Israel, and could lead to the normalization of relations in the region. The other Arab countries might follow the example of Syria, the country which has been carrying the banner of Arab opposition against Israel since Egypt's and Jordan's recognition of Israel in 1979 and 1994 respectively. An agreement between Israel and Lebanon, for example, would quickly follow if and when a peace between Israel and Syria is reached, leaving the border between Israel and a future Palestinian state the only border dispute between Israel and its neighbors. It would ultimately energize the Israeli-Palestinian track, and give policy makers the opportunity to concentrate wholly on that track.

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The Israeli-Syrian and Israeli-Palestinian peace processes are complimentary to each other in the sense that a just deal for either of them would predictably accelerate the other's process.

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When combined with the Syrian-U.S. rapprochement, the Israeli-Syrian peace would put considerable pressure on Iran, whose nuclear program, Israelis believe, poses "existential threat" for Israel, and would remove the perceived need of interdependency between Iran and Syria, therefore cracking the alliance of convenience between the two countries. The Israeli-Syrian peace would transform Israel's security priorities by removing Syria from the list of military threats to Israel and give Israel the opportunity to wade into the Iranian threat. However, unlike some analysts have suggested, it would do less than what has been anticipated to isolate Iran in the region and force it to comply with the demands of the West and Israel. This is partly because Syria would not want to end its relationship with Iran; rather, it would try to reconcile Iran and the West and Israel. Hence, instead of isolating Iran, Syria would want work on bringing the latter back to the international community. As Robert Pastor, a former National Security Council official who has visited Damascus with former President Carter, said: "They [Syrians] also believe their relationship with Iran could be of help to the Obama Administration. They believe they could be a bridge between Washington and Tehran."<sup>71</sup> On the other hand, Iranian rapprochement with the West and a satisfactory settlement on its nuclear program may also accelerate the Israeli-Syrian track by strengthening international community's hand to direct Israel to a "peace for land" deal with Syria.

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71. Seymour M. Hersch, *Syria Calling*, The New Yorker, 6 April 2009, [http://www.newyorker.com/reporting/2009/04/06/090406fa\\_fact\\_hersh](http://www.newyorker.com/reporting/2009/04/06/090406fa_fact_hersh)

## VIII. CONCLUSION

While the Israeli-Syrian track is relatively more straightforward and reaching a solution for it is relatively more doable than other major disputes of the Arab-Israeli conflict, Syrian insistence on the full Israeli withdrawal from the Golan and current Israeli unwillingness for the withdrawal makes the situation a stalemate. The Iranian threat has been a crucial factor motivating Israel to reconsider the peace talks with Syria; on the other hand, Syrian determination to end their international isolation has made Syria a willing party for the peace talks. While Syria prefers a comprehensive Arab-Israeli peace that include Israeli-Palestinian track side by side with the Israeli-Syrian track, Israel wants to deal with the Palestinian question and peace with Syria separately. As mentioned before, the Palestinian and Syrian tracks are complimentary to each other, and full normalization of Israeli-Syrian relations would be unsustainable without a solution to the Palestinian problem.

Although Israel gave the Israeli-Syrian track priority over the Palestinian question until the end of 2008 in part due to the Iranian threat, it recently changed its priorities and became more preoccupied with the Palestinian question. This is primarily because of the fact that at the moment the Israeli-Syrian track necessitates a bigger concession (full withdrawal from the Golan Heights) than the Palestinian track (temporary freeze of settlements in the West Bank). Israel, which has so far defied the U.S. calls for the freeze of the settlement activity in the West Bank, is currently not eager to commit for a full withdrawal from the Golan Heights.<sup>72</sup> The high rate of Israeli public disapproval of total withdrawal from it in return for a full peace agreement is an important factor which makes Netanyahu reluctant for the peace talks with Syria. One solution would be to hold secret talks, securing minimal dissemination of information regarding the details of the talks, and to emphasize publicly Israel's obligations under international law.

Israeli-Syrian peace has the potential to be a turning point in the history of the Middle East, on the condition that it produces a viable solution for the border disputes and security concerns and that both sides comply with implementation of the solution. While facilitating the end of decades-long hostilities between Arab states and Israel, it could also have a positive impact on Iranian-American and Iranian-Israeli relations. Consequently, it could prevent a serious armed conflict between Iran and Israel in the Middle East.

Third parties will have to play a more active role during all stages of the peace process: indirect talks, direct talks, and implementation of the agreement. While such countries as Turkey could bridge the gap between the two countries in earlier stages and lay the foundations of an agreement, the U.S. involvement into the process would be critical in later stages. Only the United States could press the two countries to the negotiation table and guarantee both sides' compliance with the agreement terms. Without an effective U.S. supervision, even if an agreement is signed between the two countries, there is still a high probability of failure during period of its implementation. Therefore, having Israel and Syria comply with the terms of the agreement is as much important as bringing them to the table and having them sign the agreement. The former will require serious work by the United States and other international organizations.

72. Uzi Arad, a close aide to Netanyahu, underlined this unwillingness in an interview to Haaretz newspaper and said that "The majority of Israel's governments insisted that Israel would stay on the Golan Heights. That is also the position of the majority of the public and most MKs. The position is that, if there is a territorial compromise, it is one that still leaves Israel on the Golan Heights and deep into the Golan Heights." <http://www.haaretz.com/hasen/pages/1099064.html>

Based on the demands and concerns of both parties, a future deal between Israel and Syria will have to be built on the following key elements:

1. Israeli withdrawal to the lines of 4 June 1967: Since these lines are not previously demarcated<sup>73</sup>, a demarcation committee, led by the U.N, would have to work on defining the lines in a way that leaves no ambiguity.
2. Israeli security concerns: demilitarized zones, limited forces zones, and zone where only non-offensive capability should be positioned would have to be created in a way that answers Israeli security concerns, but not infringes upon Syrian sovereignty.
3. Water: Both Syrian locals' and Israeli needs for water resources must be met. Both parties would have to cooperate on protecting the critical resources with projects, such as Jordan Valley-Golan Heights Environmental Preserve.<sup>74</sup>
4. Full normalization of relations: the deal must include establishment of embassies, treaties facilitating trade and tourism between the two countries, open borders, and intercultural protocols. Both sides would have to give concrete assurances on each other's undeniable and inviolable right to security and right to live peacefully.
5. International monitoring: A UN-led peace keeping force would have to be deployed to monitor aforementioned zones. The early warning stations would have to be staffed by a select group of multinational personnel.

73. Former Syrian Ambassador to the United States and current Foreign Minister Walid al-Mouallem argued that Syria and the UN possess identical maps of the status of Syrian and Israeli forces just before the outbreak of war in June 1967. See Frederic C. Hof, "The Ongoing Dispute over the Line of 4 June 1967", The Palestine Center, Information Brief No. 30, 29 March 2000

74. For a more detailed analysis see Frederic C. Hof, *Mapping Peace between Syria and Israel*, USIP Special Report, 2009





The Israeli-Syrian track has been an important component of the Arab-Israeli peace talks due to its integral role in reaching comprehensive peace in the Middle East. The latest round of indirect peace talks between Israel and Syria was initiated under the sponsorship of Turkey on May 21, 2008, and by the end of 2008 both sides were ready to start the direct talks. However, in protest of Israeli aerial and ground offensive in Gaza in December 2008, Syria halted the indirect talks with Israel. Several factors, including the lack of American endorsement; Olmert's weak prospect in Israel due to the ongoing corruption investigation; approaching early elections, and the rise of rightist parties in Israel, topped by the Israeli offensive in Gaza, rendered the conciliation efforts futile.

The Syrian side has been consistently clear about their principal demands from their Israeli counterparts: "the line of 4 June 1967." While security concerns have been shaping Israeli demands from Syria in the peace negotiations. Many in Israel consider the Golan Heights as Israel's first line of defense against Syria and see retaining of the water sources in the Golan as strategic and existential.

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