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THE PROSPECTS FOR THE ISRAELI-SYRIAN PEACE NEGOTIATIONS

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Introduction

Since February 1996, the Israeli-Syrian peace negotiations have been at a standstill. With the focus on the Israeli-Palestinian negotiations, the Israel]-Syrian and Lebanese negotiating tracks seem to have become the forgotten agenda of the Madrid Peace Process initiated in 1991. While we have reason to believe that there have been intermittent contacts between the two sides, there have been no official, face-to-face negotiations and therefore no concrete progress. In the short run, this situation may be tolerable. But as time goes on, a failure to settle the issues at stake poses a threat to the peace and security of the region. There will be increased risk of miscalculation and polarization between the two countries, enhancing the chances of conflict between Israel, Syria, and Lebanon.

Despite this somber outlook, we believe there is still an opportunity to achieve a comprehensive settlement between Israel and Syria. This is suggested by the progress made in the past negotiations between the parties, by each side's perception that the other has impeccably implemented previous disengagement agreements, and by an analysis of their current and future interests. It is clear that achieving a settlement will require strong political will by the leadership in Israel, Syria, and the United States. We believe that it is crucial to the future of Middle East and to U.S. and

European interests to make such an effort.

In this study, we begin by discussing certain aspects of the past negotiations between Israel and Syria—the so-called “legacy.” We then move to discuss the internal and external constraints on A three major parties Israel, Syria, and the United States). Finally, we outline our policy recommendations on how to move the peace process forward on this track.

Past History

A great deal has been said or written about the past negotiations between Israel, Syria, and the United States. It is not our purpose to provide an extensive review of the previous negotiations. But the current situation cannot be understood, and the hope for a future settlement cannot be fulfilled without a review of what has transpired and an analysis of how the past legacy of the negotiations contributes to the current situation. Several points deserve note:

- On at least two occasions—August 1993 and November 1995—Israel and Syria came very close to an agreement, but the negotiations were not pursued to a successful conclusion.
- These negotiations have led to a general expectation of the contours of an agreement, and these contours are well known.
- These negotiations have produced a series of “lessons” - not necessarily positive ones—about the experience. Each of the three parties (Israel, Syria, and the United States) is perceived by another to have failed to deliver what was expected at key points in

the negotiations. Each party is seen by another to have lacked the requisite political will or determination.

- There are differences between the Israeli and Syrian narratives of the past negotiations. Israel asserts that Prime Minister Rabin made a hypothetical and conditional deposition that included the idea to exchange Israeli withdrawal from the Golan in return for Syria's accepting Israel's requirements for security and normalization of relations in the context of peace. This formula included a five-year timetable and a phased implementation in which a heavy dose of normalization would be given by Syria early on in return for a limited first phase of withdrawal. In the Israeli view, Rabin's expression of Israel's willingness to withdraw to the June 4, 1967, lines was not an absolute and unconditional commitment. Syria interprets this pledge as a firm Israeli commitment to full withdrawal to the June 4, 1967, lines, which, the Syrians maintain, was made both through the U.S. interlocutor and directly to the Israelis.

- While recognizing the essential role of the U.S. as the honest broker, Israelis and Syrians indicate that the U.S. made a number of mistakes during the negotiations and did not always play an effective role. In particular, both Israel and Syria referred to the lack of U.S. leadership and determination to pursue openings in the negotiations at key junctures (e.g., August 1993, November 1995).

- There has been no clear signal of strong presidential commitment to broker an agreement; consequently, the United States rarely played a role beyond that of facilitator. Both Israel and Syria felt that the United States should have been more assertive during critical points of the negotiation process.

- While both President Asad and Prime Minister Rabin were fully committed to the peace negotiations, each displayed hesitancy at key junctures in the negotiations, which hindered progress toward the consummation of a final agreement.

- Each party's perceptions about the other party's intentions to move the process forward created doubts at various stages of the negotiations.

- Nevertheless, much progress in the Israeli-Syrian negotiations was achieved from the time of the Madrid Peace Conference in 1991 to the Wye Plantation talks in 1996 on the key issues of land, peace, security, water, and the interrelationships of these

factors.

All three parties cannot ignore the fact that this legacy exists. The legacy—as interpreted by each of the three parties—exercises a strong impact on the current situation and over and future negotiations. A way must be found to overcome the negative elements of the legacy while making full use of the positive ones.

But while debate about the past is pertinent, the key challenge is how to get Israeli Syrian negotiations restarted today. The question is whether there is an Israeli government today that is willing and able to come to an agreement with Syria based on full withdrawal. The other side of this equation is whether President Asad, based on the experiences of the past **six** years, is willing to offer a Syrian counter package now that will make an agreement feasible for his Israeli counterpart.

The Internal Situation

It is important to understand the domestic factors in Israel, Syria, and the United States that have had an impact on the prospects for peace between Israel and Syria.

Israel

- Israel has a right-wing coalition government. Even if he wished to make dramatic moves, Prime Minister Netanyahu's freedom of action is constrained by the need to hold his coalition together. One variable factor is whether Netanyahu at some point will decide to form a national unity government to consolidate a national base of support to move forward on the peace process.

- While most Israelis want peace, public opinion polls show that a majority of Israelis are opposed to full withdrawal from the Golan Heights even in exchange for full peace and security. There are deeply held feelings about this that must be overcome if a settlement is to be achieved.

- Although current and former Israeli officials note that President Asad is a strong leader who keeps his word, there is a deep distrust of Syria's intentions among the Israeli public.

- If there is to be a final settlement, support for it

must be built among the Israeli people. Building such support is no simple task for any Israeli government. President Sadat of Egypt had the gift for undertaking gestures that were greatly appreciated by the Israeli people, and these gestures helped to build confidence in an Egyptian-Israeli settlement. President Asad believes that any major gesture of public diplomacy should only take place after peace has been made rather than as a way to build support for an agreement before it is signed. In addition, the limited attempts that Syria has made at public diplomacy have either passed virtually without notice in Israel or have backfired.

- The situation with regards to settlers and settlements on the Golan Heights is significantly different than on the West Bank. The West Bank is an area that has a deep ideological and biblical significance for important Israeli constituencies. This is a major complication for any settlement that involves giving up Israeli control over the West Bank to the Palestinians. The Golan Heights is not viewed in this same light. It is viewed as a very important security asset. But there are statements by previous Israeli governments and by leaders from both major parties concerning the exchange of the Golan for peace and security. In June 1967, the Israeli Cabinet approved a resolution stating that it would give up the Golan for peace and security (this statement also referred to the issue of water). Numbered among the Cabinet members voting in favor of this resolution were Menachem Begin and Moshe Dayan. As well, both Prime Ministers Yitzhak Rabin and Shimon Peres expressed their conditional and hypothetical readiness for full withdrawal from the Golan Heights in exchange for peace, security, and the other components of their respective packages.

- It is widely believed that a face-to-face meeting between the Syrian and Israeli leaders is a necessary condition for any Israeli leader to sway Israeli public opinion and for a coalition government to support a peace treaty involving full Israeli withdrawal from the Golan Heights.

Syria

- Syria is willing to make peace with Israel if it gets back all of the Golan Heights. This is what President Asad means when he states that Syria has made the strategic option for peace. The return of the

Golan is an issue of essential importance for Asad. He was Syrian defense minister during the Six-Day War of 1967, when Israel captured the Heights. It is personally important to him to preside over the return of the Golan, including the four Demilitarized Zones of the 1949 Armistice Agreement that had been under de facto Syrian control through June 4, 1967; three of these areas are Al Hamma, the Northeast shoreline of the Sea of Galilee, and the Banyas area. The fourth area—the Hulah Valley—was a subject of a brief military encounter in 1951, but afterwards no side laid specific claim to this area.

- Syrians are very suspicious of Israel's intentions about Syrian national security. They see Israeli possession of the Golan Heights as creating a springboard for an Israeli advance on Damascus. Israel's policy of retaining a military technological edge over all its neighbors to help insure its security looks to Syria as a policy of Israeli hegemony. The same applies to Israeli overtures for a "New Middle East" involving economic agreements and joint venture—they appear to the Syrian leadership as an attempt to replace military hegemony during the era of conflict with economic hegemony during the era of peace.

- A number of important groups in Syria benefit from the current status quo between Israel and Syria, including some of the national security apparatus and elements of the Ba'ath party.

- The Syrian economy has shown some recent signs of improvement, and there are expectations of further improvement if peace is made. But if the current stalemate continues, particularly if tensions are increased and there is pressure to increase arms expenditures, this will place a significant burden on the Syrian economy and reverse these recent gains. In conventional weapons, the burden may be considerable; after the fall of the Soviet Union and the democratization of the countries of Eastern Europe, Syria lost its major arms suppliers. This played an important role in the decision of President Asad to give up the quest for strategic parity with Israel. But this decision does not preclude the Syrian development of weapons of mass destruction. Syria already has a number of delivery systems (in particular surface to surface missiles) that could be used for such weapons; current estimates are that Syria has over 300 warheads for over 60 surface to surface missile launchers. If there is no

settlement with Israel, the development of weapons of mass destruction could be seen as a relatively inexpensive way to counter what Syria sees as Israeli hegemony. Further, recent reports of new arms sales to Syria by Russia and the first planned trip by President Asad to Moscow since the collapse of the Soviet Union demonstrate Syria's intent to keep all its options open.

- The question of succession in Syria is increasingly important for several reasons. First, Asad may devote more time and effort to this matter than to foreign policy. Second, it is unclear who would succeed Asad, but in all likelihood, a new leader would be in a weaker position to negotiate an agreement with Israel. Third, it is possible that in a struggle for power in the post-Asad Syria, the specter of an Israeli threat will be exploited by contenders attempting to consolidate their personal power bases. Fourth, the initial post-Asad government may feature some sort of coalition between a group of leaders, and it is hard to see how such a collective group could easily reach agreement with Israel, as Asad can now. A major element of our assessment that a window of opportunity for peace between Syria and Israel exists is that it is clear that Asad can deliver Syria if he reaches an agreement with Israel, but there are no similar assurances for whatever regime follows Asad. Thus, it is important to conclude an agreement in the near future before there is a change in leadership in Syria.

- Although the Islamic fundamentalist movement in Syria has not recovered from its stark defeat in 1982, there is the prospect, as part of a broader trend in the region, of a kind of "creeping Islamization" with a social and cultural dimension.

- The peace process carries risks for Syria's position in the region. President Asad is very sensitive to issues of security, sovereignty, and Syria's role in regional arrangements. As noted above, Syria is concerned about Israel's regional influence in technological, economic, and military terms. Any proposed agreement that is perceived as limiting Syria's sovereignty or impinging on its security interests will not pass muster; for example, Syria reacted negatively to the recent improvement in Israeli-Turkish military cooperation (this action probably helped to prompt Syria's recent limited rapprochement with Iraq). Consequently, an agreement that does not serve to safeguard an important regional role for Syria is Rely

to be rejected. Conversely, an agreement with Israel that is accompanied by economic inducements and accommodates Syria's regional interests is more likely to be accepted.

- Some would argue that Syria seeks not only an American embrace as a concomitant of making peace with Israel, but attaches equal importance to the buildup of new relationship with the United States; i.e., getting off the terrorism list, opening up Syria to Ex-Im Bank and World Bank loans and credits, as well as private investment opportunities.

United States

The United States is the third major actor in the negotiations with a key role to play as the valid interlocutor. Consequently, domestic political factors that affect the U.S. ability to play such a role in the negotiations can have an important impact on the prospects for an Israeli-Syrian settlement.

- The Clinton Administration has a number of domestic difficulties that can be a source of distraction from foreign policy.

- Divided government means that there is little bipartisanship in foreign policy. This makes any agreement that requires Congressional action (for example, to approve funding for programs) problematic.

- President Clinton may feel that it is not wise to expend the political capital and effort necessary to energize the Israeli-Syrian track and instead will devote his efforts to other domestic and foreign policy priorities.

- But conversely, President Clinton is said to believe that the politics are right for an Israeli-Syrian settlement to come to fruition, more so than a final Israeli-Palestinian agreement. Because of this assessment, he may be willing to play the leadership role required for a major U.S. effort to push for a settlement. Here it should be noted that the history of the Arab-Israeli peace process has demonstrated that when the president of the United States and his secretary of state have taken decisive leadership roles in the process, including the political will to take the heat resulting from leaning on both the Israeli and Arab parties, there has been progress, namely, Nixon and Kissinger in the disengagement agreements, Carter and Vance in the Camp David Accords, and Bush and Baker in the launching of the Madrid Peace Conference. Further,

the Carter and Bush administrations were able to deal with Likud prime ministers Menachen Begin and Yitzhak Shamir, respectively.

All Parties

- In the short run, continuation of the stalemate imposes few costs on the three parties. This is in contrast with the Israeli-Palestinian negotiations, which have a higher profile and a greater sense of urgency (for example, the deadline for the conclusion of final status negotiations specified in the Oslo agreement). However, the longer term consequences of a failure to achieve a settlement are serious for the stability of the region.

The External Situation

In addition to the internal characteristics of the Israeli-Syrian situation, there are a number of external factors that play an important role.

- Most observers see little prospect of war between Israel and Syria in the short run. But the danger will grow if no settlement is reached. The misunderstandings and suspicions that have developed between the parties will increase through time. The Israeli government will come under increasing pressure to maintain its technological edge in the regional military balance. Syria will be tempted to proceed with the acquisition of military equipment to modernize its force structure and to develop weapons of mass destruction. Given the delivery systems that Syria would use for these weapons (surface to surface missiles), such a situation would be destabilizing. Syria would fear that her weapons systems would be destroyed in an Israeli first strike and have a strong incentive to “use them rather than lose them.” The Israelis will reach the same conclusion and have a strong incentive to strike first before these weapons could be used. This would be the classic spiral of mutual distrust, tension, and escalation that is discussed in much of the arms race literature. In three or four years, Israel may have an effective antiballistic missile system in place (the Arrow), but given the technical difficulties involved in developing such a system, this is by no means a certainty. From a military point of view, the next three or four years entail a window of

instability in the strategic relations between the two states.

- Even if there are no changes in the military situation, stability is not assured. In August and September 1996, a series of Syrian deployments in Lebanon and in Syria caused a great deal of concern in Israel, with a counter reaction in Syria. Absent a peace settlement-and given the situation in which the Syrian and Israeli military forces face one another-the possibility of inadvertent escalation or miscalculation is a constant factor in the region, especially as it pertains to Lebanon where Syrian troops and the Israeli-supported Southern Lebanese Army (SLA) are stationed.

- The greater sense of urgency associated with the Palestinian track will tend to push the Israeli-Syrian negotiations into the background.

- As the political stalemate continues in Syrian-Israeli relations, and as Israeli-Turkish-Jordanian strategic cooperation increases, we can expect closer relations between Syria and Iran and an improvement in relations between Syria and Iraq.

- Given the current void in negotiations, the European concern over potential instability in the neighboring Middle East will rise and there will be increased European involvement in the region.

- Without a decisive change in the US. approach, the U.S. will continue to be a facilitator, but its prominent role in brokering a solution to the peace process may diminish.

Observations and Recommendations

Despite the many obstacles that exist to an Israeli-Syrian peace settlement, we do believe there is still potential to achieve this goal. Our recommendations are predicated on several fundamental observations:

- The resumption of negotiations and the ultimate achievement of a Syrian-Israeli peace treaty requires strong political will by all sides.
- The legacy of past negotiations must be acknowledged and serve as a foundation for new negotiations, both in terms of the understandings reached thus far, and in terms of the lessons learned from past mistakes.
- A critical element in restarting negotiations is finding a mutually acceptable way to tie the legacy of past negotiations to future negotiations. This may be

possible. The Netanyahu government has indicated that it can take note of the previous negotiations, but it places major emphasis on security considerations. The Syrians feel that the conclusions reached in the previous negotiations should be the starting point for resuming negotiations. There seems to be sufficient common ground to provide a starting point for resuming negotiations.

- The U.S. must play a key role in both restarting negotiations and bringing these negotiations to a positive conclusion. For that role to be assumed, full and constant presidential commitment and backing of U.S. efforts in the field is crucial.

- The basic foundations to any settlement are UN resolutions 242 and 338. These resolutions entail the inadmissibility of the occupation of territory by war, advocate mutual recognition, respect of the sovereignty and the territorial integrity of all the states in the region, and the right of all states to live in peace within secure and recognized borders. The Syrians interpret these resolutions as requiring the withdrawal of Israeli armed forces from occupied territories; i.e., the Golan Heights.

- Progress on the Israeli-Syrian track should not be used as an excuse to forestall progress on the Israeli-Palestinian track. The reverse is also true. This principle should be an explicit U.S. policy. As it appears now, the Syrian-Israeli track is on the back burner due to the crisis in Israeli-Palestinian relations.

- Forward movement on the Israeli-Syrian track should lead to parallel movement on the Israeli-Lebanese track and facilitate a settlement.

- Any Israeli-Syrian peace agreement should not be at the expense of Lebanon's political independence, sovereignty, and territorial integrity.

Flowing from these premises, the following ideas could be considered as means for restarting negotiations and raising the likelihood of their successful conclusion in a Syrian-Israeli peace treaty:

1. In order to help the parties return to the table, the U.S. could present a series of questions to Israel and Syria regarding the issues of (a) the willingness to consider and build upon the legacy of past negotiations (that the U.S. is custodian of, and (b) specific aspects of their positions regarding the substantive issues under negotiations (i.e., withdrawal, security

arrangements, the nature of peace, water, and the interrelationship of these issues with one another). The purpose of these questions is to clarify the parties' positions to better determine the specific agenda and content of negotiations. These positions should be exchanged between the parties (or indirectly) in order to reduce mistrust and suspicion through policy transparency. Such questions may also be in the form of a "what if" exercise. Such an approach was applied in the past and may have been instrumental in generating progress during 1993 and 1994.

2. An alternative possibility is that the answers to these questions or clarifications may serve as the basis for the drafting by the U.S. of a Single Negotiating Text (SNT) that can serve as the foundation for negotiations. This SNT may be useful in that it can build on the past legacy and incorporate new ideas and emphases by the parties. Parties will respond to the SNT by suggesting amendments, revisions, additions, etc. Using the SNT as the foundation of future negotiations may enable a more focused process.

3. As a confidence-building measure, negotiate a six-month truce in Lebanon entailing complete cessation of para-military and military operations on all sides, and use the existing international monitoring group in Lebanon to help assure compliance. During this period, parallel negotiations on the Lebanese-Israeli track should be resumed and the parties should make a sustained effort to reach a comprehensive Syrian-Israeli, Lebanese-Israeli agreement. Also during the period, we recommend a U.S. and international effort to rebuild villages in Southern Lebanon. This would have a beneficial humanitarian effect on the ground.

4. Focus the first stage of negotiations-following clarification of positions through "what if" questions-on security arrangements through sustained talks between teams of military and security experts. Consider initiating some provisions for security arrangements on a temporary basis prior to final agreement.

5. The United States should reiterate its willingness to guarantee, at the request of the parties, any security arrangements on the Golan that are agreed upon by all sides.

6. Coordinate efforts with Russia and the European countries to encourage the parties to engage seriously in negotiations. Russia and the European

should use their influence with the parties to develop “carrots” in order to provide additional incentives for negotiation and agreement.

7. Induce the Israeli and Syrian leaders to engage in public diplomacy and give press inter-views and issue public statements to help increase trust in both countries and facilitate the resumption of negotiations. Most importantly, both sides should avoid statements that hinder the prospect for resuming negotiations and reaching a settlement. Each side should make a significant statement to facilitate the restart of negotiations. For example, a statement by Netanyahu that, in principle, land for peace and security applies to the Golan and if Israel’s security and peace-related needs are met, Israel would be willing to make “painful” territorial concessions. In addition, he could acknowledge that the legacy of the Rabin-Peres negotiations are an acceptable basis for renewed negotiations, and that all options are open including full withdrawal for full security and peace. However, the issues discussed in the past will need to be elaborated upon and clarified with the Likud government. Likewise, President Asad should reiterate to the Israeli people that Syria has made the strategic choice for full peace with Israel, that Syria recognizes the need for an agreement that would insure the security and peace of both parties, and that each side’s security requirements need to be addressed fully within the agreement.

8. An Israeli-Syrian settlement should be followed by a series of economic measures to aid Syria. As a prelude, initiate U.S.-Syrian-European economic talks in parallel to renewed Israeli-Syrian negotiations.

9. In order to promote trust and reduce misperception, the parties should be encouraged to engage in informal discussions and meetings. These informal discussions can serve as a useful supplement to formal negotiations; for example, to allow for a more complete exploration of “what if” questions.

10. The United States must assume a more decisive and assertive role in the Syrian-Israeli track. This pertains both to efforts to restart direct negotiations and efforts to mediate issues at key junctures of the negotiation process itself. Thus, the following steps are recommended.

The president and the secretary of state express their willingness to become personally and actively

involved in the negotiating process and a willingness to take steps that may be unpopular with one or both sides. The critical element here is a serious and sustained commitment in word and deed by the president and the secretary of state to achieve a settlement.

If the calculation is made in Washington that the time commitment of a direct involvement by the president and secretary of state is too demanding, the president should consider the appointment of a single high level envoy with full authority to facilitate the peace settlement in the Middle East on the Syrian, Palestinian, and Lebanese tracks.

11. At the critical final stages of negotiations, direct presidential involvement should be considered. Again, it is important to note that in several instances in Arab-Israeli negotiations (e.g., Nixon in 1974, Carter in 1978-79, and Bush in 1991) direct intervention by the president was necessary to hammer out agreements.

12. In the final analysis, the political will of the leaders in Israel, Syria, and the United States will be the determining factor for progress toward a final settlement.

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