

ISBN 965-459-006-9

JCSS Studies
are published for the Jaffee Center
for Strategic Studies
by
The Jerusalem Post
POB 81, Jerusalem 91000, Israel
and
Westview Press
Boulder, Colorado 80301



© Copyright 1993
Tel Aviv University
Jaffee Center for Strategic Studies

All rights reserved. No part of this book may be reproduced in any form or by any electronic or mechanical means without permission in writing from Tel Aviv University

Contents

	Page
Acknowledgements	1
Map: Israeli-Syrian Armistice Agreement, 28 July 1949	2
Introduction	3
Part I. Negotiating an Armistice Agreement	13
Chapter 1. Initial Disagreements	15
Chapter 2. Preventing an Impasse	25
Chapter 3. Compromise	40
Part II. The Struggle over the Hula Project	49
Chapter 4. Elements of Dispute	51
Chapter 5. Military Confrontation	63
Chapter 6. Lessons of the Conflict	81
Part III. Reducing Tension	89
Chapter 7. Syria and the US Draw Closer	91
Chapter 8. Informal Meetings: 1951-1953	99
Chapter 9. Limited Agreements	119
Chapter 10. Secret High-Level Talks	132
Part IV. Confrontation	163
Chapter 11. Conflict over the Diversion of the Jordan	165
Chapter 12. Confrontation over Lake Tiberias	183
Chapter 13. Conclusion: Armistice and Peace between Israel and Syria	200
Notes	209
About the Author	255

0177
DS
119
.8
595
S531X
1993

it engendered, were one of the factors that eventually brought about the 1967 Six-Day War.

Chapter 12. Confrontation over Lake Tiberias

Background to the Dispute

Lake Tiberias (Kinneret) has always been a crucial water source for Israel. It was a cardinal issue during the armistice talks with the Syrians.¹ Under the terms of the Armistice Agreement, the line of demarcation in that area ran "along the Syrian-Palestinian border."² That border had been delineated in the Agreement signed in 1923 by Britain and France, the region's two dominant powers at the time. Accordingly, the boundary ran "from the mouth of the Jordan to the sulphur springs of Messifer, where is placed cairn 61, the frontier follows a line on the shore parallel to and 10 meters from the edge of Lake Tiberias, following any alteration of level consequent on the raising of its waters owing to the construction of a dam on the Jordan south of Lake Tiberias."³

Thus there was no place for Israeli-Syrian disagreement over the status of Lake Tiberias. From the outset the Israeli position was that the entire lake, including the 10-meter strip along its northeastern shore, was Israeli territory and that Syria had no rights on it. However, the Syrians did nothing to prevent their local inhabitants from entering the 10-meter area, fishing on the lake or watering their sheep and other animals. Persistent efforts by the Israeli delegation in informal discussions to put a stop to Syrian fishing on Lake Tiberias were unsuccessful. In June 1950 the UN noted that the Syrian fishermen "are still engaged in fishing and even increased their activities under the protection of armed Syrian soldiers."⁴

Fishing on the Lake

During the first year and a half after the signing of the Armistice Agreement the Syrians occasionally tried to interfere with Israeli fishing, notably by opening fire at fishing boats in the lake's

northeastern area. When Israel raised the problem before the Armistice Commission, the Syrian delegation accepted that Syria had no right to fish on the lake or to interfere with Israeli fishing, and in several meetings pledged that such incidents would not recur. On 1 March 1950 Israel complained to the Commission that on 16 February Syrian soldiers had kidnapped three officials of the Fisheries Office in Tiberias while they were out on the lake in a boat. The Syrian delegation promised that its authorities would ensure "that no fishermen should cross the demarcation line [from Syria]."⁵ On 12 July 1950 the Syrians shot at Israeli fishermen, killing one and wounding another. The Israelis returned fire. This time both parties lodged complaints. Following lengthy deliberations, a compromise was reached: the Syrian delegation declared that "all necessary steps will be taken to prevent any incident in the future."⁶ The Israeli delegation announced that it assumed responsibility for the return of fire by Israelis, and would "take all necessary measures to avoid any incident in the future."⁷

On 24 December 1950 seven Syrian fishing boats were spotted on the lake near the Zaki Creek estuary. In the discussion by the Commission on 10 January 1951 on the Israeli complaint, Jdid asserted: "I don't think it is necessary for the Syrian Delegation to repeat their statements concerning the interdiction of fishing in Lake Tiberias for the Syrian civilians and refugees living along Lake Tiberias.... We will renew our instructions very firmly, in order that no infraction of illegal fishing may happen on Lake Tiberias." Nevertheless, the Israelis were certain that as long as the Syrians living along the shore had fishing boats, illegal fishing would continue. Thus Israel proposed "to have these boats removed from the shore into Syrian territory." Rejecting this, the Syrians retorted: "All that the Syrian Delegation has to say on this subject is that, as we succeeded in the past, and for a long period, to prevent fishing in Lake Tiberias, we will renew our instructions and we will take all necessary measures to prevent such fishing."⁸

That same session also considered another Israeli complaint. On 26 December 1950 Syrian soldiers, at the order of an officer, had harassed Israeli fishermen by threatening to open fire on them. The Syrian officer who handled the incident reported that he had

immediately phoned the Syrian outpost concerned as well as all the Syrian outposts along Lake Tiberias, and gave them very strict instructions to leave the Israeli fishermen alone, so long as they did not go beyond the 10-meter strip."⁹ In February 1951 Jdid reiterated: "All that the Syrian Delegation has to say is that the necessary measures will be taken to prevent illegal fishing in Lake Tiberias."¹⁰

The 10-Meter Strip

While both parties accepted that the Syrians had no right to be on the lake or interfere with Israeli activity, there was disagreement about the 10-meter strip on the northeastern shore. The subject was first broached at a meeting of the Mixed Armistice Commission on 13 July 1950. According to the minutes, "The Syrian delegation doubts that the 10-meter strip along Lake Tiberias can be interpreted as being in Israeli territory." Moreover, the Syrians said, they had "never heard of such an elastic and variable border line since that line can be altered by such things as seasons, dams, melting snow, etc." Israel claimed the area as its own. The chairman asked both delegations to consult with their respective governments "in order to determine whether the 10-meter strip along Lake Tiberias is in Syria or in Israel."¹¹ A week later the Syrian delegation undertook to ensure that Syrians would not enter the area in dispute until the parties had agreed on its status. The Commission adopted the following resolution (in part): "The Syrian delegation is entrusted with the initiating of necessary orders to prevent any Syrian subject to enter the ten meter strip parallel to the water line of Lake Tiberias and to recommend strict adherence to orders by all Syrian army forces not to take any action against Israelis on the above ten meter strip or on the lake, pending final settlement of the ten meters question."¹²

The Syrians insisted that the strip was part of the DZ. Its status was much clarified when General Riley furnished his opinion at the end of August 1950. Riley did not accept the Syrian argument that the strip was part of the DZ, but noted that one limitation

applied to Israel: it was prohibited from maintaining forces there. "Unless you amend the Armistice Agreement," Riley said in an official meeting of the Commission, "it is impossible to make this ten-meter strip part of the demilitarized zone. However, if you read the Armistice Agreement, you will find that the Israelis should not make any move to occupy this strip or to bring troops into this strip, as it might bring into close proximity troops from both sides."¹³ In the following meeting the Syrians retracted their claims concerning the strip's status: "The Syrian Delegation pointed out it was true that there had been an agreement between the mandatory powers in 1923, also that the demarcation line followed the international boundary; however, this line was not steady since the 10-meter line followed the level of the water and such level was subject to changes through natural and artificial factors."¹⁴

The issue of the armistice demarcation line--whether it should be fixed 10 meters east of the highest water level, or vary with the changing water level--continued to engage the sides. On 3 October 1950 they reached an informal agreement, which required official endorsement, concerning the line. Among its provisions were the following:

- * Israeli forces will not enter the ten-meter zone;
- * Syrian forces in the ten-meter zone will withdraw and the Syrian outposts will be demolished;
- * Syria will issue orders to prevent fishing by Syrians on the lake, and likewise not to interfere with [activity] by the Israel Police;
- * The Israel Police patrol boat will not approach [closer than] 250 meters [from] the shore. If Syrians are discovered engaged in fishing, there will be cooperation between Syrian soldiers and the Israeli patrol boat;
- * Israeli fishermen will be able to enter the 10-meter strip for fishing purposes. They will not be able to be armed.¹⁵

However, in the next meeting, held on 11 October 1950, the Israeli delegation declared that "the Israeli Government was not ready to accept these proposals.... The Israeli Government was not ready

to accept any restrictions on this 10-meter strip beside the restrictions which are made in the Armistice Agreement, i.e., that this 10-meter strip is a part of the Defensive Zone."¹⁶

It was probably a mistake by the Israeli government not to accept this agreement, as it included both a Syrian undertaking to remove its forces and outposts from the strip and Syrian concurrence on the right of Israelis to enter the zone for fishing purposes--hence agreement that the strip was Israeli territory. The required Israeli concessions--no police forces in the strip and patrols no closer than 250 meters from the shore--were certainly tolerable, as the presence of protective forces was not the issue in dispute.

Confrontation

During the first year and a half after the signing of the Armistice Agreement both parties sought to avoid confrontations and clashes and to resolve problems through compromise and concession. The situation on Lake Tiberias began to deteriorate in late 1951. On 16 December two Israeli fishermen were killed when the Syrian outpost at al-Kursi opened fire at Israeli craft on Lake Tiberias. An emergency session of the Mixed Armistice Commission resolved, by majority vote, that "the act of the Syrian Army outpost of Kursi on 16 December 1951 which resulted in the killing of two Israeli fishermen constitutes a serious violation of Art. I, paragraph 2, and Art. III, paragraphs 2 and 3 of the General Armistice Agreement."¹⁷ From then until the end of 1953 a restrained struggle was waged over the northeastern part of Lake Tiberias, with a limited use of firepower.

At the end of 1953 the Syrians began fishing extensively on Lake Tiberias and firing at Israeli boats, especially police patrol boats. They cited two points to justify their actions: first, according to the French-British good-neighbor agreement of 2 February 1926, Syrian nationals had the right to fish in the lake.¹⁸ Second, Israeli boats, including fishing boats, "continue to come too near the eastern shore of Lake Tiberias, thus violating the security factor."¹⁹ The chairman of the Mixed Armistice Commission requested that the