



Resolving the Future of the Occupied Syrian Golan

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Introduction

Although pushed into the background by the horrors of the Syrian Civil War, the Golan dispute remains one of the most bitter in the region, a major barrier to lasting peace in the Middle East. Resolving the Golan would eliminate a major hurdle to regional cooperation, including cooperation on issues of mutual interests for Israel and Syria, such as counter-terrorism and natural resources sharing. It also remains a vital issue of principle for the Syrian Government and its many supporters in the United Nations. Solving the Golan dispute would be a major achievement, but it may not be possible. Reducing tensions may be ambition enough.



Since 1967: the Occupied Golan Heights.

Background

Israel currently occupies about two-thirds of the Golan Heights, originally part of Syria, which it conquered in the Six Day War of 1967. Annexing territory through war is no longer accepted as part

of international law. Return of the Golan has been a long standing demand of Syria, an essential part of any framework for Middle East peace. Syria has the long-standing support for the UN Member States of the Arab Bloc and the much larger 120 Member State Non-Aligned Movement (NAM), which regards Israeli's annexation of the Golan as an act of colonialism. Syria and its supporters have repeatedly insisted that Middle East Peace is impossible without resolving the Golan issue.

The occupation of Arab regions, and their subsequent unilateral annexation by Israel in 1981, is seen by Syria and its supporters as an attack on their sovereignty and the principle of territorial integrity. Although Syria is deeply divided since the start of civil war in 2011, this is one issue ally Syrians agree on. Several rebel groups have occupied the Syrian side of the Golan, using the land as a base to attack both Syria's government of Assad and Israeli military positions and settlements in the Golan.

The issue is tricky for other countries as well. Most—even governments normally supportive of Israel—do not wish to accept Israel's annexation of lands that were not historically part of Israel. Shortly after annexation Israel began settling the region, which now is home to many farming communities and light industry. Two generations of Israeli's have grown up knowing the region as home. Meanwhile, generations of Syrian refugees continue to demand the return of the land their families owned in the Golan, for which they have not been compensated.

Israeli leaders have previously suggested their willingness to consider returning the Golan to Syria, in a land-for-peace deal. After the failure of land-for-peace deals in Lebanon (2000) and Gaza (2005), which only seemed to empower anti-Israeli activists, there is little support for

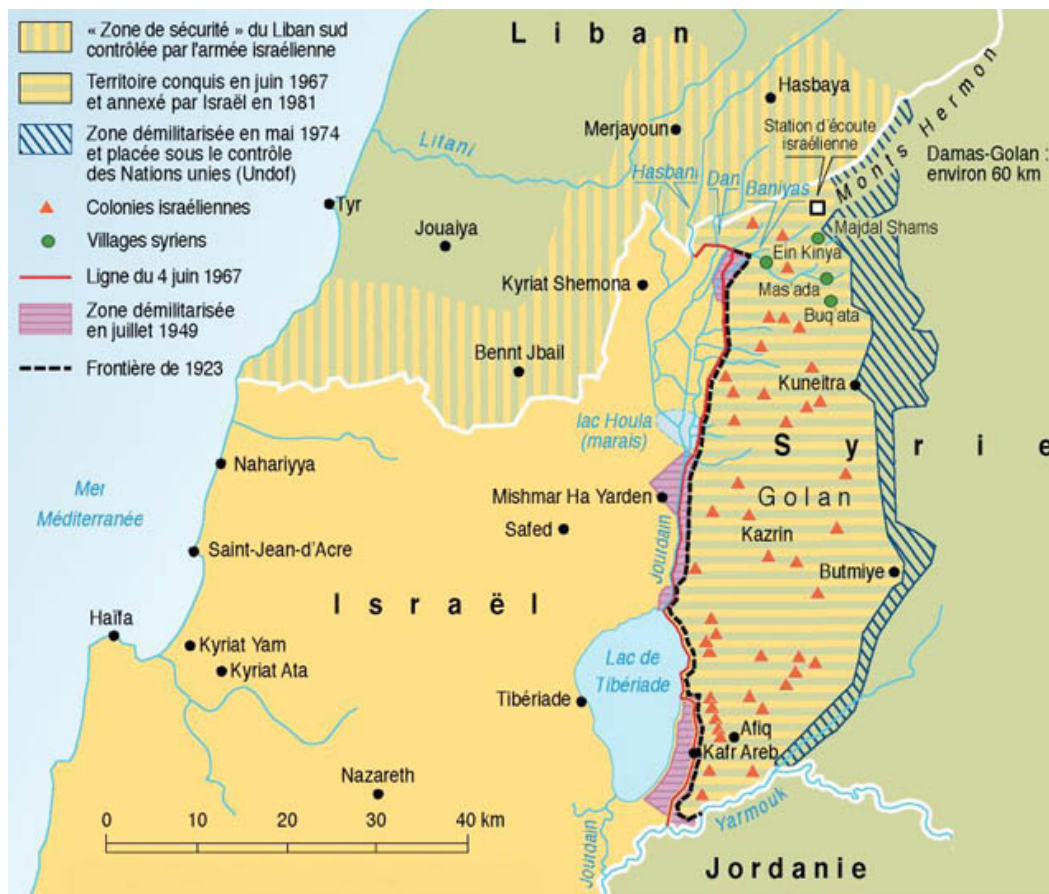
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further deal in Israel. Instead, Israeli leaders stress the strategic importance of the Golan as a buffer against invasion from the country's northeast, much as was in the 1973 war with Syria.

The Syrian Golan, or Golan Heights, is a region of the Levant straddling four borders. It sits between Lebanon and Israel to the North and Northwest, and Syria and Jordan to the East and South. A rocky plateau, it has only marginal agricultural value and no important natural resources. For Syria, its value is as part of the country's historic territory. For Israel it is a strategic buffer against attack. The high

mountains of the Golan—currently tourist attractions including Israeli's best-known ski resort on Mount Hermon—allow for easier monitoring of military activity by the side that controls it.

Water, however, is the most valuable commodity to control in the region. After occupying the Golan Heights in 1967, Israel promptly gained full control of the Sea of Galilee (also known as *Kinneret* or *Lake Tiberias*) just at the foot of the Golan, and its subsequent runoff into the River Jordan. The occupied Golan provides Israel with a third of all of its fresh water.



The Golan Heights showing Israeli settlements since 1973

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Role of the UN

The UN has maintained a ceasefire line since the armistice ending the Yom Kippur War of 1973¹. The United Nations Disengagement Observer Force (UNDOF) and United Nations Truce Supervision Organization (UNTSO) have maintained this peacekeeping mission for over three decades, with an extension agreed as recently as August 2016.² UNDOF has no mandate for military action, and only 927 personnel, civilian and military.³

Outbreak of civil war in Syria in 2011 limited the effectiveness of UNDOF as the ceasefire line became increasingly unsafe for the peacekeepers. When anti-Assad rebels fired upon the Golan in 2013, Israel responded and distanced fighting between the opposing factions garnered the attention of the Syrian Armed Forces. The ceasefire line has been violated by both the Syrian Armed Forces and rebels on multiple occasions since the original conflict, causing a strain on the UN's efforts of upholding peace and international law.

The UN is not an impartial observer. Rather its policies are the resolutions agreed by its 193 sovereign Member States. The UN also has the ability to offer its 'good offices' or a safe negotiating environment and encouragement for peaceful settlement of disputes. If the parties to a dispute are both willing, Under Chapter Six of the UN Charter, the UN can provide *peacekeeping* forces to help monitor and strengthen confidence in a settlement. Under Chapter Seven of the UN Charter, the UN also can authorize *peace enforcement* operations for collective security, including military support

¹ [UN Security Council Resolution S/RES/350](#)

³ UNDOF currently is authorized under [Security Council resolution 2294 \(2016\)](#)

for a Member State victimized through the unlawful annexation of its historic territory.

In the past, the UN supported the goal of 'Land for Peace', whereby Israel would gain assurances of security, possibly including peacekeeping deployments by the UN, in exchange for returning control of the Golan to Syria. This changed with the election of Binyamin Netanyahu as Prime Minister of Israel, who has adopted the visage of an immovable object in regards to the concession of any occupied territories. The issue before his election was down to how much land would be given up, and is a topic on which the UN could host discussion. Syria wanted more land than Israel was willing to concede, as the government did not want to lose control of the Sea of Galilee. Israel has time and again proved to refuse adherence to UN suggestions, especially if there is nothing to gain from it. In this endeavor, there will be very little to tempt Israel with in terms of gains.

Secondly, the UN can serve as a court of international law to deal with the human rights violations and disengagement violations committed in the Syrian Golan. Israel could be held to be at fault for human rights abuses, such as forcing citizenship and rule in a territory over which it is not sovereign. For the Government of Syria, led by Bashar al-Assad, blame could apply to moving heavy weaponry into the disengagement zone and violating the ceasefire that has been upheld for nearly fifty years. Also to be considered are the rebel groups fighting against the al-Assad government, especially the Free Syrian Army and ISIL, who have also violated the ceasefire and made it increasingly dangerous for the continued operation of UNDOF, United Nations Disengagement Observer Force.

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Tight spot: current UNDOF deployment in the Golan, separating the Israel and Syria militaries

A concern for UN action is the continuation of UNDOF, which increasingly is a target for attack from Syrian rebel groups. Sovereignty of the region is still under question, with the added immorality of awarding it to either side after both governments have had their actions regarding the region condemned by the UN. That ignores the fact that the UN cannot force a government into action with peacekeepers, and Israel will not back down despite international disapproval.

Country and Bloc Positions

Arab Bloc: the two-dozen states of the Arab Bloc are united in opposition to Israeli's control of the Golan. They strongly support Syria in its efforts to restore its national territory. Even Arab states that do not support the Assad government, support this position. Some are more willing to

compromise than others in the interests of regional peace with Israel, to facilitate cooperation on counter terrorism and suppression of armed groups, and facilitate reduced military spending and economic development. But these countries must be cautious not to get too far ahead of their allies.

China: Always stressing the importance of international law and the principle of national control over sovereign territory, China is supportive Syrian claims. But it is cautious about anything that might encourage the use of force in the region and resists initiatives that could draw China into regional security commitments.

European Union (EU): The EU strongly support land-for-peace and resolution for regional disputes As it comes under growing pressure to resolve the Syrian civil war and end refugee flows to Europe, the EU countries are increasingly interested in any program that promises to resolve the Golan Heights, restart the Middle East peace process. The EU refuses to acknowledge territorial gains by force, whether in the Golan, the former Yugoslavia or Ukraine. But it insists that solutions must be based on mutual agreement.

Israel: Since a period of relative optimism in the early 2000s, Israeli attitudes are increasingly skeptical of a settlement for the Golan. Residents in the contested region also have become more numerous, now numbering some 20,000, and outspoken. Under Prime Minister Netanyahu, the current government will not negotiate the concession of any more occupied territories. A cooperative agreement with Israel would require major security guarantees from Syria and the international community, as well as economic offsets to reduce the cost of compensating and relocating current residents.

Non-Aligned Movement (NAM): The 120 member States of the UN's largest bloc support

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Syria as part of its determination to rid the world of colonialism and imperialism. Most NAM members gained independence through rebellion against colonialism, and strongly sympathize with Syria's situation, even if they distance themselves from the current Syrian government due to atrocities in the civil war.

Russia: Military support to Syria in the civil war does not apply to Syria's border with Israel, which Russia avoids challenging. Russia strongly support the survival of the Syrian government, but is more cautious about the Golan claims, offering formal support, but not action.

Syria: While more concerned with the ongoing civil war, the Syrian government upholds that the Golan must be returned to Syria, up to the original 1967 border. The Syrian Government has made this a major goal of its foreign policy since 1967 and will not compromise on it. To do so would undermine its nationalist standing and risk undermining its remaining popular support. Currently the Syrian Government is distracted by civil war, unable and uninterested in challenging Israeli control of the region. Although the two sides have shared interests in reducing the threat of armed groups operating on the Syrian side of the line of control, cooperation must be informal, at best.

United States: It is difficult for American leaders to critical Israel. The United States generally accepts Israel's security-based claim to the region, although this weakens America's efforts to oppose Russian territorial conquest in Georgia and Ukraine, or Chinese assertion in the South China Sea. In 2009 then-President Obama tried to make progress toward an agreed solution, making Middle East peace a primary goal of American foreign

policy. This initiative received little support within the region. It was undermined by the chaos of the Arab Spring in 2011.

Proposals for further action

The role of the UN in a Golan settlement must be determined by the Member States. Options for action include:

- The UN can help the parties—Israel and Syria—negotiate a peaceful settlement. This might include specifying goals to achieved, and support that might be offered
- It can provide more and more robust peacekeepers with a stronger mandate for military action (although this would have to be financed and troops found),
- It could conceivably authorize a peace enforcement mission to change the status quo, or
- It could decide to do nothing that would alter the status quo, although for many Member States this would mean compromising basic principles of foreign policy, especially anti-colonialism.

The UN serves as the legislator, executive, and judge of international law, not the cartographer of international borders. If the Committee finds that a certain group is at fault more so than another, it may recognize this and broadcast it in their report. The General Assembly may not, however, force any Member States into action, although the GA can ask the Security Council to act. Supporting such a choice is a powerful thing, and it is best to remember that.



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