

Israel and Lebanon: A Bridge Over Troubled Waters?

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Amidst a deep political and economic crisis in Lebanon, accelerated by the Beirut port explosion in August last year, the end of 2020 witnessed a surprising round of talks regarding the demarcation of the Israeli-Lebanese maritime border. These bilateral negotiations - mediated by the U.S. and the U.N. - are the first non-security talks held between the two countries since the 1990s. Of course, Lebanon and Israel have no diplomatic relations and are technically in a state of war. The incentives for progress in the talks are strong as they could pave the way for lucrative oil and gas deals on both sides, though there still appear to be significant obstacles on the Lebanese side. Speaking with John Desrocher, the most recent U.S. mediator for the negotiations, in December 2020, Lebanese President Aoun was quoted as saying that Lebanon wants the talks to succeed because “this will strengthen stability in the South and allow us to invest in natural resources of oil and gas.”¹ Could a maritime border agreement between Israel and Lebanon be feasible, despite the otherwise toxic atmosphere between the two countries and the recent escalating threats of Hizballah? In a region full of surprises, this, too, might be a part of a changing reality.

Originally based on the 1923 Newcombe-Paulet agreement between France and Britain, Israel’s de-facto land border with Lebanon is embodied by the so-called Blue Line, largely demarcated by the U.N. after the agreed withdrawal of IDF forces from Lebanese territories in 2000. That line was marked with more border pillars following the 2006 second Lebanon War and UNSCR 1701, which reaffirmed the de-facto land border between Israel and Lebanon. The agreement, however, did not stop border tension and cross-border attacks

¹ Bassam More, “Lebanese president keen to solve Israel maritime border dispute,” *Times of Israel*, December 2, 2020, www.timesofisrael.com/lebanese-president-keen-to-solve-israel-maritime-border-dispute/

between the two countries due to fact that Hizballah, a radical Shi'fi political party and militia which maintains a significant armed presence in Lebanon, has never recognized any documents signed by Lebanon and Israel. UNSCR 1701 did not address the issue of territorial waters and the maritime border, which remained an open issue (as in the time of French and British mandates), and later became a source of additional tension between the two countries.

The maritime dispute between Israel and Lebanon stems from the demarcation methods used. Israel marks the border as being at a 90-degree angle to the coastline while Lebanon marks it as a continuation of the land borderline. It also stems from disagreement regarding the point on land from which the line is drawn. These together create a disputed area of 860 sq. km. claimed by both countries (see the map below). The dispute is reflected by a map registered with the United Nations in 2011, and which serves as one of the bases for negotiations. However, Lebanon recently changed its position, claiming an additional 1,430 sq. km., which reflects a much larger gap of 2,290 sq. km. in total.²

In April 2009, a Lebanese commission tasked with defining the coordinates of Lebanon's Exclusive Economic Zone (EEZ) completed its work, identifying the southernmost point of its EEZ. The coordinates were approved by the Lebanese cabinet on 13 May 2009, and by the Parliament on 4 August 2011. In accordance with the 1982 U.N. Convention on the Law of the Sea (UNCLOS), Lebanon submitted the relevant charts and lists of coordinates to the UN in 2010 and 2011 (Israel is not a party to UNCLOS). Israel objected to the southernmost coordinates submitted by Lebanon, arguing that they derive from the maritime border claimed by Lebanon and disputed by Israel. Less known is the fact that Syria also objected to the delineation provided by Lebanon in a letter transmitted to the U.N. Secretary General in 2014, saying that it does not have "any binding legal effect on other States. It remains only a notification, and one to which the Syrian Arab Republic objects."³

The dispute continued to unfold in December 2010, when Cyprus and Israel signed a maritime border agreement that was denounced by Lebanon, claiming it encroached on parts of its EEZ. In an effort to protect its claims to offshore territories, the Israeli cabinet approved a map of Israel's northern maritime border on 10 July 2011. Two days later, Israel's mission to the United Nations submitted a list of geographical coordinates for the delimitation of the northern limit of Israel's territorial sea and EEZ. Some of the points

² Orna Mizrah & Oded Eran, "The Negotiations between Israel and Lebanon on the Maritime Border," *INSS Insight* No. 1180, June 24, 2019, www.inss.org.il/publication/negotiations-israel-lebanon-maritime-border/

³ See: Bashar Ja'afari, "Permanent Mission of the Syrian Arab Republic to the United Nations," 2011; "Lebanon complains to UN over sea border dispute with Israel," *Jerusalem Post*, September 5, 2011, www.jpost.com/Breaking-News/Lebanon-complains-to-UN-over-sea-border-dispute-with-Israel; "The maritime border dispute between Lebanon and Israel explained," *Middle East Strategic Perspectives*, March 5, 2018, www.mesp.me/2018/03/05/maritime-border-dispute-lebanon-israel-explained/

defined in the Cypriot-Israeli agreement and submitted later to the U.N. overlap with the reported Lebanese EEZ.⁴

On 17 January 2017 Lebanon signed a maritime border agreement with Cyprus. It followed standard procedure outlined in UNCLOS, marking a series of points that are equidistant from Cyprus and Lebanon (median line). The agreement was never ratified by the Lebanese Parliament, largely due to pressure by Turkey, which denounces all maritime border agreements signed by the Republic of Cyprus with its neighboring countries. As such, the agreement never entered into force.

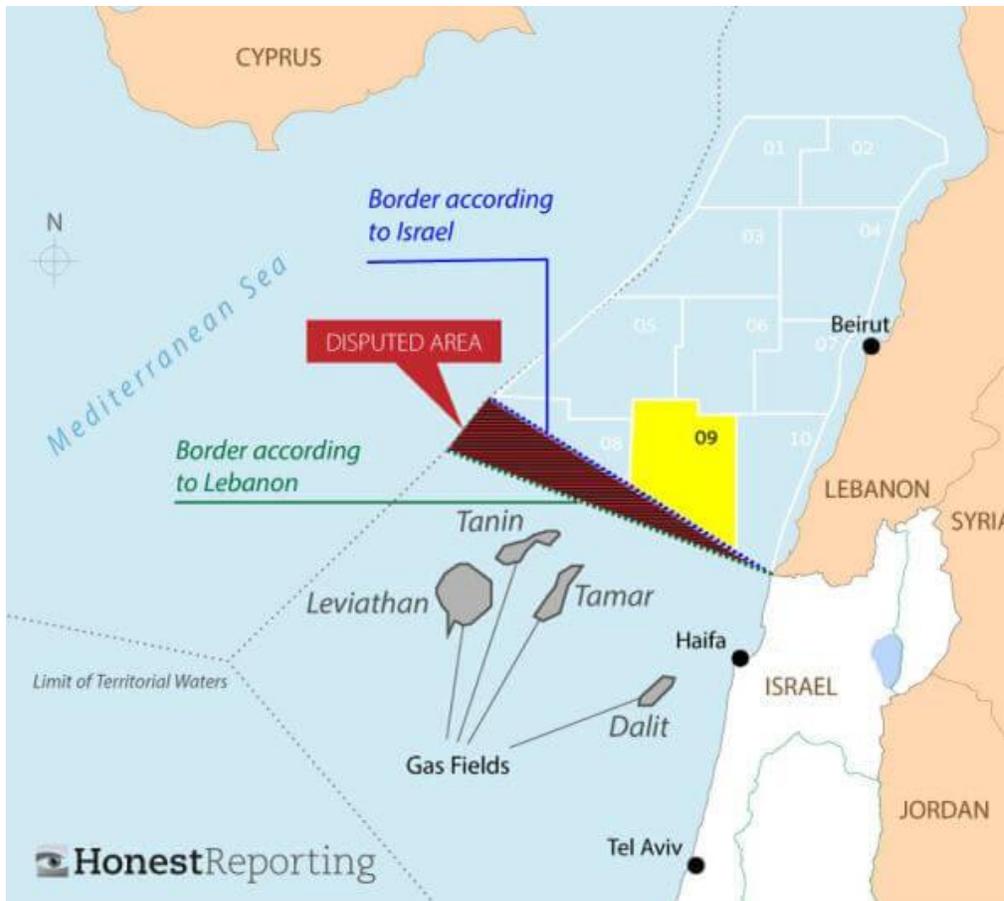
At the end of 2020, Israel and Lebanon engaged in indirect, U.S.-mediated talks to demarcate their common maritime border. The last round of talks was held in November and hosted by the U.N. in a UNIFIL position near Naqoura, in southern Lebanon.⁵ The fourth session took longer than the previous ones, and was aimed at completing the discussion of the Lebanese positions. The Lebanese side presented a newly declared area of 2,290 sq. km. to the south, which contradicted the initial framework of negotiation based on an area of 860 sq. km, linked to the memorandum sent to the United Nations in 2011. Lebanon bases its claim for 2,290 sq. km on the geographical line that continues from the location of Rosh Hanikra, as reportedly stipulated in the Paulet-Newcombe Agreement of 1923, and claimed that “wrong estimates” have led to the 2011 memorandum.⁶ Israel refused to link the maritime and land border issues and has not accepted the Lebanese claims arguing that the maritime border should be demarcated based upon the Blue Line.⁷

⁴ Ibid.

⁵ Ilan Ben Zion & Bassem Mroue, “Israel-Lebanon maritime border talks postponed”, *AP*, November 30, 2020, <https://apnews.com/article/israel-beirut-lebanon-b10be010b93465a459d0926bf0a34af5>

⁶ “Explained: what is Lebanon and Israel’s maritime border dispute?,” *The National*, October 29, 2020, www.thenationalnews.com/world/explained-what-is-lebanon-and-israel-s-maritime-border-dispute-1.1101629

⁷ Lahav Harkov, “Israel says Lebanon talks to only be on maritime, not land borders,” *Jerusalem Post*, October 4, 2020, www.jpost.com/middle-east/israel-says-lebanon-talks-to-only-be-on-maritime-not-land-borders-644473



Source: "[Understanding the Israel-Lebanon Maritime Border Dispute](#)," *HonestReporting*.

Economic interests

The discovery of offshore gas reservoirs (Tamar and Leviathan) by Israel in 2009-2010 prompted new concerns regarding the maritime border with Lebanon. These concerns were additionally elevated due to the discovery of the Karish gas field in April 2019, located in proximity to the disputed territory (Karish is actually located inside the new, expanded Lebanese claim).⁸ The location of the maritime border should not directly influence the work around the Israeli gas reservoirs, but it has relevance regarding their security and the EastMed project, which seeks to connect Israel, Cyprus, and Greece via an undersea gas pipeline. Lebanon has similar concerns following the discovery of potential gas reserves in its Blocks 1, 4 and 9, the latter located partially within the disputed area with Israel. Lebanese geophysical studies have found significant potential for oil and gas depositories located in the border region with Israel. In a 2014 conference, the Lebanese Petroleum Administration (LPA) outlined estimates with high confidence levels for these three blocks: A potential of several hundreds of million barrels of oil and dozens of trillion cubic feet of

⁸ "Karish North Gas Field, Israel", *Offshore Technology*, www.offshore-technology.com/projects/karish-north-gas-field-israel/

gas in each block.⁹ Lebanon has already given rights to explore these blocks to the consortium of Total (operator, 40%), ENI (40%) and Novatek (20%).¹⁰

After the talks, Lebanon's caretaker Energy Minister Ghajar announced in January that the international consortium on oil and gas exploration will continue offshore operations under the leadership of Total and has said that the exploration for gas in blocks 4 and 9 has been extended to August 2022 following delays due to the Covid-19 crisis and the Beirut port explosion in August 2020.¹¹

Lebanon's struggling economy would clearly benefit, in the long term, from the revenues of the extraction of oil and gas from the different blocks, especially those in the disputed area with Israel, should the two countries reach a border demarcation agreement.¹² Furthermore, by doing so, Lebanon would also be able to limit its energy costs when faced with a collapsing electricity infrastructure; reduce pollution; lower its foreign debt (one of the highest in the world); and create jobs.¹³ This is especially significant at a time when its political class is being attacked for capturing the economic benefits of national resources, to the detriment of the state and the public.

Political imbroglio

Lebanon has suffered continuous waves of instability, recently due to the Syrian civil war and the ensuing flood of refugees, an ongoing political crisis between two rival camps, and a deepening economic crisis further exacerbated by the Covid-19 pandemic. In recent months, following the Beirut blast of 4 August 2020, Lebanon has been on the verge of collapse, with its lira losing 80 percent of its value last year. Frustrated Lebanese came back to the streets in recent months, despite the rising number of Covid-19 cases. Prospects appear to be bleak.

⁹ Jeremy Arbid, "High expectations", *Executive Magazine*, October 8, 2014, <https://www.executive-magazine.com/economics-policy/oil-and-gas-expecting-a-lot>

¹⁰ "Total strengthens its position in the Mediterranean region by entering two exploration blocks offshore Lebanon", *Total*, February 9, 2018, www.total.com/media/news/press-releases/total-strengthens-position-in-mediterranean-region-by-entering-two-exploration-blocks-offshore-lebanon

¹¹ "Energy Minister Says Companies to Continue Offshore Oil Exploration in Lebanon," *Asharq Al-Awsat*, January 7, 2021, <https://english.aawsat.com/home/article/2727296/energy-minister-says-companies-continue-offshore-oil-exploration-lebanon>

¹² "Border deal with Israel to aid ailing Lebanese economy by allowing oil drilling: Official," *Economic Times*, October 12, 2020, <https://energy.economictimes.indiatimes.com/news/oil-and-gas/border-deal-with-israel-to-aid-ailing-lebanese-economy-by-allowing-oil-drilling-official/78617723>

¹³ Udi Evental, "Stormy Waters: Israel and Lebanon negotiate their maritime border," MENASource, The Atlantic Council, November 20, 2020, <https://www.atlanticcouncil.org/blogs/menasource/stormy-waters-israel-and-lebanon-negotiate-their-maritime-border/>

On the background of the Abraham Accords, and Israel's renewed ties with Morocco, timid voices in Lebanon have raised the possibility of peace with its southern neighbor: on 15 August 2020, Lebanon's President Aoun hedged over eventual peace with Israel during an interview with French news channel BFMTV.¹⁴ Indeed, in theory, reaching an agreement with Israel would allow Lebanon to take part in different fora, such as the Eastern Mediterranean Gas Forum (EMGF) alongside Cyprus, Egypt, Greece, Israel, Italy, Jordan, and the PA. Unfortunately, the prospects of peace between Israel and Lebanon, as opposed to limited agreements stemming from shared interests, seem far off, due to the extent of Hizballah and Iranian influence on Lebanese political decision-making, and the continued military threat they pose to Israel's security.

Security interests

Israel's economic waters continue to grow in strategic importance, and the Israeli government has tasked its Navy to defend them. As it assessed its new role in securing strategic assets in the EEZ, Israel's Navy determined that it can only defend offshore rigs using warships. Consequently, Israel decided to acquire Sa'ar 6-class corvettes, to be equipped with advanced air defense systems and radars. The threats to Israel's EEZ are mainly coming from Hizballah and Iran in Lebanon or Syria. These destabilizing actors are building up ballistic missile, PGM, UAV, cruise missile, and anti-ship missile capabilities, which can threaten Israel's offshore rigs. For example, Iran's Quds Force could deploy its own direct strike capabilities on the Syrian coastline, disregarding the Syrian regime's authority or the Russian military presence in the country, thus posing a threat to Israel that is further removed from Lebanon.¹⁵

An agreement on the demarcation of the maritime border would contribute to reduction of tensions between Lebanon and Israel. Indeed, Israel's potential benefit could be on a strategic level: negotiations, if continued, let alone an agreement, would consolidate stability with Lebanon and make it more difficult for Hizballah to escalate the situation along the land and maritime borders.

The Biden Factor

While Lebanon may not figure prominently in U.S. President Joseph Biden's policy toward the Middle East, dealing with it will be a function of how the new president addresses relations with Syria, Israel, and Iran, as Lebanon will continue to be the focus of many important regional crosscutting currents.¹⁶ The U.S. has provided nearly 4.9 billion dollars

¹⁴ "Liban: le président Michel Aoun s'exprime en exclusivité sur BFMTV," *BFMTV*, August 15, 2020, https://www.bfmtv.com/international/liban-le-president-michel-aoun-s-exprime-en-exclusivite-sur-bfmtv_VN-202008150094.html

¹⁵ Yaakov Lappin, "Arrival of Sa'ar 6 Ships Marks Evolution of Israeli Naval Doctrine," *BESA*, January 19, 2021, <https://besacenter.org/perspectives-papers/saar-6-israel-naval-doctrine/>

¹⁶ Diana Moukalled, "Lebanon and the Biden Administration: Détente or More Sanctions?," *Arab Center DC*, December 8, 2020, http://arabcenterdc.org/policy_analyses/lebanon-and-the-biden-administration-detente-or-more-sanctions/

in bilateral assistance to Lebanon over the past 20 years, of which more than two billion dollars in security assistance has been provided since 2010.¹⁷

President Biden has twice visited Lebanon in the past - in 2005 as a Senator and in 2009, as Vice President - and is therefore familiar with the country to some extent.¹⁸ Lebanon will likely be among the tools of pressure that the U.S. will use in the negotiations on the nuclear issue with Iran, and therefore, the resumption of the maritime border talks could be linked to progress in the U.S.-Iran track.¹⁹

Conclusion

In October 2020, Lebanon and Israel began indirect maritime border demarcations talks under U.S. and U.N. auspices. While the talks began on a positive note, with encouraging statements during the second round of the talks, the Lebanese delegation offered a new map that pushes Lebanon's maritime claims for an additional 1,430 sq. km. of sea farther south. The claim, allegedly based on the land border point ratified in 1923 by France and the UK, claiming a total marine area of 2,290 sq. km. which includes part of Israel's Karish gas field²⁰, was flatly rejected by Israel. The fourth round of talks, which was scheduled to take place on 2 December 2020, was postponed until further notice.²¹

Resolving the maritime border issue could pave the way for lucrative oil and gas deals on both sides. Former U.S. Secretary of State Pompeo voiced regret over the stalemate in the talks and offered Washington's mediation: "Regrettably, despite goodwill on both sides, the parties remain far apart."²² The economic interest of both Israel and Lebanon provides an incentive to solve the maritime border issue with the hope that gas deposits (proven on the Israeli side and assumed on the Lebanese side) could be further developed and connected to Cyprus and Europe. Thus, the central issue is not, in the end, the political aspect of the maritime border demarcation, but rather its economic implications. Although interest on both sides appears solid enough to push for a resolution, the recent Lebanese move to expand Beirut's claim seems to have derailed the current process. Unfortunately, further regional entanglement, Lebanon's political crisis rooted in sectarianism, as well as Israel's upcoming fourth elections, may again hinder or postpone even further the renewal of the mediation and talks in the foreseeable future.

¹⁷ <https://lb.usembassy.gov/u-s-provides-additional-assistance-to-lebanon-to-respond-to-covid-19/>

¹⁸ Rami Rayess, "A Biden policy on Lebanon must reflect its sovereignty, unique role in region," *al-Arabiya*, November 12, 2020, <https://english.alarabiya.net/en/views/news/middle-east/2020/11/12/A-Biden-policy-on-Lebanon-must-reflect-its-sovereignty-unique-role-in-region>

¹⁹ Samar Kadi, "US stances on Lebanon to hinge on Biden's Iran policies," *The Arab Weekly*, November 11, 2020, <https://theArabweekly.com/us-stances-lebanon-hinge-bidens-iran-policies>

²⁰ "Pompeo regrets Israel-Lebanon stalemate on maritime border, offers US mediation", *The Times of Israel*, December 22, 2020, <https://www.timesofisrael.com/pompeo-regrets-israel-lebanon-stalemate-offers-us-mediation/>

²¹ "Aoun Expresses Hope for Israel Border Talks", *Asharq Al-Awsat*, December 2, 2020, <https://english.aawsat.com/home/article/2660326/aoun-expresses-hope-israel-border-talks>

²² Ibid, and "Pompeo regrets Israel-Lebanon stalemate ..."

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