



LEVANT & EASTERN MED May 2019

Israel-Lebanon maritime border: new disputes

According to Saudi Asharq al-Awsat, Lebanon reiterated its request to the US to mediate in the maritime border demarcation issue between Beirut and Tel Aviv. The request was made while US Secretary of State Mike Pompeo was present in Beirut last March. During his visit Pompeo reportedly made a proposal to Lebanese authorities according to which a tripartite committee (UN, Israel, Lebanon) has to be established to solve the long-lasting dispute.

Last Tuesday the Lebanese Foreign Ministry made a statement confirming the news by saying that the two countries are close to establishing a framework for negotiations on demarcating the countries' land and maritime borders. The statement followed the Israeli Energy Minister Yuval Steinitz one who said (after a meeting with US Deputy Assistant Secretary of State for Middle Eastern Affairs, David Satterfield) that an agreement over the border could be "*for the good of both countries' interests in developing natural gas reserves and oil*", signalling Israel's readiness to negotiate under US supervision. [Sunniva Rose, "Israel open to talks on Lebanese maritime border", The National, May 27, 2019].

The dispute concerns an overlap of a triangle-area that is about 856 km² in size, extending the edge of three of Lebanon's energy blocks and claimed to lie within Beirut's Exclusive Economic Zone (EEZ). The issue is a recurring one since vast amounts of gas and oil reserves were detected by the Israeli oil company Delek and the US Noble Energy firm in 2009 and 2010 off the shores of Israel and Lebanon. The discovered oil and gas reserves are predicted to generate up to \$600 billion over the next few decades. It is estimated that with the recent discoveries Israel has the potential of becoming an energy-independent country and even an energy exporter.

The quarrel was brought back to the fore when, in December 2017, Beirut signed a contract with a consortium composed of energy giants (Total, ENI and Novatek) that was awarded two of Lebanon's 10 exploration blocks. The drilling in block 4 is set to start in December and shall proceed to the disputed area of block 9. Block 9 covers 1.742 km², out of which around 145 km² fall within the disputed area

(circa 8%). Lebanon is hastening to solve the issue before that date to ensure a smooth hydrocarbon exploration off its coast.

Israel and Lebanon are technically at war. Although Israel withdrew its last remaining troops from southern Lebanon in 2000, the two countries have no diplomatic relations and are in conflict on many fronts. While both parties submitted their geographical coordinates for the delimitation of their maritime borders earlier to the UN Convention on the Law of the Sea (UNCLOS), both agreements are not binding since they are bilateral ones, lacking the consensus of the involved third party of conflict. Hence, both agreements include the standard clause that the geographical coordinates of the first and last markers of the maritime borders may be adjusted in the light of future delimitation of the EEZ with other neighbouring states. Moreover, Israel is not a signatory member of the UNCLOS, further underlining the unbinding character of the UN law.

The recent acknowledgement to involve the UN in the process is a Lebanese demand that is due to Lebanon's mistrust towards Washington as an unbiased mediator. Israel, on the other hand, has long rejected any UN involvement which it feels to have an anti-Israel bias. However, it seems that both parties have agreed on a common negotiation framework under a US-mediation hosted by the UN.

Pompeo's current initiative partly leans on a former proposal by Amos J. Hochstein in November 2013, under the Obama Administration, being the Special Envoy and Coordinator of International Energy Affairs. He proposed to draw a maritime "Blue Line" similar to the one established by the UN in June 2000 to demarcate the Israeli-Lebanese land border. Such a line should have been temporary in nature and meant to reduce tensions between the two countries by prohibiting any exploration within the disputed area until a solution was reached. It also made room for a limited role for the UN, acknowledging the Lebanese demand to involve it in the process.

However, with the new administration the setting changed again. David Satterfield re-proposed an old plan by Frederic Hof (Hochstein's predecessor), already refused by Beirut. Against Frederic Hof's suggestions, who proposed giving Lebanon 60% of the disputed area, Beirut urged the involved stakeholders to recognize its full rights over that area, especially bloc number 9 [Khalil Fleihan, "Lebanon asks America to mediate maritime border demarcation with Israel", *Asharq al-Awsat*, May 11, 2019].

From this perspective, the acceptance of Lebanon's counter-proposal by the involved parties to demarcate the border via a trilateral committee including Lebanese, Israeli and UN representatives – in addition to experts and American diplomats – can be seen as an achievement [Mohamed Shabaro, "Satterfield's visit to Beirut paves way before border demarcation between Lebanon, Israel", *Al Araby*, May 21, 2019]. Beyond that, Beirut is in urgent need of income sources. In this line, on the 5th of April Lebanon invited international consortia to bid for five more blocks, that include two additional ones adjacent to Israeli waters.

Questions remain on how the UN shall be involved since the issue of maritime demarcation is outside UNIFIL's mandate under Security Council Resolution 1701. Should UNIFIL be involved in maritime border negotiations, its mandate would have to be amended, probably when it will be extended next August.

However, it lies also in the geo-strategic interests of Tel Aviv to find a solution to the conflict. Israel sits on the Levant Basin in the eastern Mediterranean (along with Cyprus, Egypt, Lebanon and Syria – where a big number of gas fields have been discovered since 2009. Israel is hoping to enlist several European countries in the construction of a 2.000-kilometre pipeline linking vast eastern Mediterranean gas resources to Europe through Cyprus, Greece and Italy at a cost of \$7 billion. In January, Israel and eastern Mediterranean countries agreed in Cairo to set up a forum to create a regional gas market, cut infrastructure costs and offer competitive prices.

It is no coincidence that Israeli Prime Minister Benjamin Netanyahu's announcement that "in a few days, the leaders of Cyprus and Greece will come here, together with Pompeo, to advance a gas pipeline from Israel to Europe via these countries," fell in the same time when Pompeo visited Lebanon to talk about the maritime border dispute [Reuters and Israel Hayom Staff, "Lebanon warns against using Israeli pipeline in disputed waters", Israel Hayom, March 31, 2019].

Above that, according to Lebanese sources knowledgeable about the backstage of the Lebanese-US contacts, the file has been prepared for months to weaken Hezbollah through depriving it of exploiting the subject and strengthen the Lebanese state. A policy which goes hand in hand with Trump's current initiative to contain Iran and its regional allies through intense sanctions and isolation at a time in which Hezbollah holds more power than ever in parliament and government. Any attempt to weaken Hezbollah is a major interest of Tel Aviv.

Moreover, taken into consideration that the international community is waiting for Donald Trump to announce, within the next few weeks, his so-called "Deal of the Century" that should pave the way for solving the Israeli-Palestinian conflict through changing land borders in the region, it might be a common rationale of both Washington and Tel Aviv. Demonstrating willingness to solve pending border disputes at such a critical time, might hint to an Israeli eagerness to go on whole hog in the Israel-Palestine conflict.

Whatever the rationale might be, in a region paralyzed by unsolved border demarcation quarrels, this is a step in the right direction.

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