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2. The Jordan Waters Iss

a. <u>Background</u>

A major point of US involvement in the Middle East as the Johnson Administration assumed office resulted from efforts of previous administrations to support a unified plan for the development of the Jordan Valley, a focus of Arab-Israeli conflict.

President Eisenhower had sent Ambassador Eric Johnston to the area in 1954, and the latter spent several years endeavoring to develop a unified water plan acceptable to the various riparian states.

While Johnston managed to develop a substantial measure of agreement, the riparian states did not accept his proposal as last formulated in late 1955, and indeed some uncertainty existed with respect to some of its elements. Johnston negotiated separately with both sides, and his papers remained classified, so the respective riparians were not privy to details of his negotiations with the other. Among specific points which were unresolved at the time his mission terminated

Authority NLL 83 - 223 By Les Nime, 19, 12-683 in late 1955 were the division of Yarmuk River water in the Adasiya area, the division of high saline content water, and the role of a watermaster. Due in part to the way the negotiation had evolved, plus the circumstance that the negotiation was never completed, there was uncertainty by 1963 as to which of several drafts in the Johnston papers should be taken as "the Johnston Plan", later referred to as the "Unified Plan". The last official formulation prepared by Johnston, and therefore presumed to contain his position at the time negotiations broke off, was one he had submitted to the Arab Foreign Ministers on September 30, 1955.

Despite these questions regarding the status of Johnston's proposal, the "Johnston Plan" came to have a positive status in American thinking which carried over into the Administration of President Johnson. In an effort to maintain momentum toward eventual acceptance of the Plan, the United States had indicated that it would consider worthy of support individual water projects of the various riparians which were "consistent" with the Plan. On January 2, 1964, President Johnson addressed

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a letter to Israeli.Brime.Mihister.Eshkol.which stated, <u>inter</u> alia,

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Among the major problems which we will have to consider in the near future is that of the Jordan waters, on which we stand behind you in your rights of withdrawal in accordance with the Unified Plan.

It was clear that Israel placed great stress on continued US support for Israeli water projects, and in a real sense the Johnston effort necessitated a US interest in the Jordan water problem in view of Israeli action in proceeding with certain projects, in particular one involving diversion of a significant quantity of water from Lake Tiberias outside of the Jordan Valley Basin. The Arab States, which had not accepted the Plan as a political matter, contested the right asserted by Israel to carry out the project.

The United States also sought during the period in question to cooperate with the Government of Jordan in projects considered "consistent with the Unified Plan". Specifically, t took the form of assistance in development of the East

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Ghor canal system.

b. Revived US Interest in Plan

Early in 1964, in an effort to resolve the unagreed portions of the Unified Plan, discussions took place with Israeli officials in an effort to clarify the respective positions. In the course of the meeting "the United States conveyed to Israel the fact of the existence as well as the text of the US-Arab Memorandum of Understanding of October 11, 1955. The United States informed Israel that this Memorandum represents the US position on disputed points." (Subsequently it was ascertained that the October 11, 1955, paper was a purely internal Johnston-delegation document -- it had not been given to the Arabs and was not a "US-Arab Memorandum of Understanding". The document given to the Arabs was the September 30, 1955 memorandum.)

> <u>1</u>/ Memoranda of Conversation between Israeli Embassy and Department of State officials, January 7-9 and 16, 1964 (SECREP).

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As a result of the January 1964 talks it was clear that differences existed with regard to certain aspects of "the Plan". However, it was agreed that the United States would propose to the Arab States a "formula" designed to clarify the division of saline and Yarmuk water. This technicalformula approach, however, proved to be unacceptable to the Arab States.

c. Israeli Diversion and Arab Counter-Diversion Plan

Israel began diverting water from Tiberias in May 1964. While the Arab States continued to protest that the diversion was a violation of international water law, the issue became only one of the numerous issues of contention between the Arab States and Israel, with the Arabs focusing on the possibility of blocking the diversion. At an Arab summit conference in Alexandria in early September 1964 it was decided to proceed with a counter-strategy involving diverting the headwaters of the Jordan through Syria and into Jordan.

The announcement of the Arab Diversion Plan ushered in a period of rising tensions marked by reports of some progress on

the Arab side and of presimed intentions of the Israelis to prevent completion of the counter-diversion project. The Arab plan was implemented to the point where construction work was commenced in Syria, and to a certain extent in Lebanon; and the project was viewed by Israel with greatest concern. Representations of the strongest nature were continually made to the United States to oppose the Arab project.

d. Disposition of Saline Water

/ In addition to the diversion issue, a new problem began to develop during the fall of 1964 as a result of Israeli plans to capture saline springs in the Lake Tiberias area and to channel the saline effluent into the lower Jordan. Israeli officials considered that such action was envisaged in the Johnston Plan, although the United States did not find that the Johnston proposal had clarified what disposition of the saline springs was considered appropriate. The Israelis completed preparations and begun releasing the saline effluent

in October 1964 masking it with an increased outlet of Tiberias water. Whether due to this masking or to the development of more immediate problems, the discharge did not result in challenge by Jordan.

e. Status of Plan

In a January 11, 1965, press conference, Israeli Prime Minister Eshkol said "there are commitments in the world toward us, in the wake of the Johnston Plan. The accomplished fact, which was laid down by Johnston, created a certain situation." On May 17, he was quoted as stating that the Johnston Plan was "regarded as agreed from an international point of view." The Department of State prepared (but did not use) contingency press guidance giving its current position as follows:

> ...We have never regarded the Johnston Plan as an international agreement. Neither Israel nor the Arab States gave formal agreement to it. In our policy, we regard it simply as a yardstick, a standard for the most efficient and equitable development of the waters of the Jordan Valley.

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Tension and Hastilities f.

On February 10, 1965, the State Department indicated to the Israeli Embassy that it "would be difficult to justify any preemptive strike against the Arab diversion project unless Israeli basic water interests are affected and all other recourses exhausted."

On February 27, the Department transmitted a message stating: "We conclude that unless there is some sudden and entirely unexpected collapse Arab resolve in this matter or most forceful outside peace making initiative, there is very real possibility Israel will undertake military action designed to check Arab efforts." The message proposed taking the matter to the Security Council, seeking a resolution which would: "1) call for peaceful solution of the dispute; 2) call for suspension by both sides of work on diversionary installations; 3) request ICJ advisory opinion on legal aspects of international river in this case; and 4) call upon the SYG to establish a three nation impartial committee to study on

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a technical basis the water usage plan of the riparian states and submit recommendations for peaceful settlement of any conflicts between these plans."

On March 2, our Tel Aviv Embassy replied: "At present stage of discussion with Israel I can say immediately that script proposed Deptel 838 for reference problem to the UN would be entirely unacceptable to Israel." Similarly, the Embassy in Amman replied: "We believe resolution outlined in reftel has no chance acceptance by Arabs..." Embassies in other Arab capitals also reported uncertainty regarding the acceptability of the proposal.

On March 17, 1965, a heavy exchange of artillery and tank fire occurred along the Israel-Syrian frontier. During the course of this exchange the diversion project in Syria came under fire resulting in the destruction of two tractors and two bulldozers. On May 13, 1965, another incident involving

> 3/ Department of State Circular Telegram 838 to Tel Aviv et al., February 27, 1965 (SECRET):

4/ From Tel Aviv, Telegram 1088, March 2, 1965 (SECRET); from Amman, Telegram 509, March 2, 1965 (SECRET). the diversion project occurred when Israeli artillery fired across the yrian frontier at construction equipment. The Department informed the field: "All reports we have received indicate Israeli forces primed for action in central DZ prior commencement firing, that Israelis fired first and Syrians did not return fire. We reiterate our opposition to use force areb diversion project."

Subsequently, the issue of the Arab diversion diminiched in importance. The project was not dropped but the view was accepted by the Arab State that it must be deferred until they were in a eilitary position to protect the construction workers and equipment, and accordingly the matter receded in imposed in the equipment, and accordingly the matter receded in imposed in the state of the confrontation exponent in this particular matter is involvement in the problem was not a major element in the Middle complexity.

> Department of State Telegram 1181 to Tel Aviv, May 18, 1965 (CONFIDENTIAL)

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