

Knowing What to Expect

Gershon Baskin and Khaled Duzdar, Co-Directors of IPCRI, the Israel/Palestine Center for Research and Information

Sunday, December 19, 2004

Prime Minister Ariel Sharon has made a fundamental and strategic change that is almost unexplainable and therefore very difficult to understand and to believe. After 37 years of the humming the same mantra: settlements=security and territorial control=security, Mr. Sharon is singing a new tune using words like occupation as being the antithesis to security. Once stating that Netzerim is equal to Tel Aviv now telling us that the sooner we leave Netzerim the more secure Tel Aviv will be.

No, Mr. Sharon has not joined "Peace Now", although parts of his recent speeches could have been written by many of the leaders of "Peace Now". Mr. Sharon's basic worldview and perception of reality has remained the same. Mr. Sharon fundamentally states that in order to achieve peace, first there must be security. This as opposed to most Israeli peaceniks or leaders of the EU who propose that the road to security goes first through peace, or in other words, real security can only be achieved once there is a peace agreement, herein the logic of negotiating under fire that Sharon completely rejects. These are not semantic differences; they are essential elements that make the possibility of compromise between them impossible.

Peace is not on the agenda of Mr. Sharon, security is. For Sharon, this means that there cannot be any real entry into the Road Map process of implementing Israeli commitments (beyond those that Sharon has promised to President Bush) until the Palestinians begin the implementation of their own commitments. For both Bush and Sharon, the issue of implementation of Phase I obligations are not parallel, they are sequential. This is in direct opposition to the viewpoint of the other members of the Quartet and of course of the Palestinians themselves. From the Bush-Sharon perspective, the new Palestinian Authority after elections must simply implement what they have committed to implement over and over again. For them, there is no question of negotiations on these issues. The Palestinians obligated themselves to fight terrorism when they signed every single agreement in the Oslo framework. This is not a new issue. They agreed to govern and not to allow militias to exist within the Palestinian territories under their control from 1993 onwards. This was re-iterated in the Mitchell report and the Tenet work plans which were issued after the al-Aqsa intifada erupted, and the Palestinians agreed to the terms of these documents as well. It is also more than clear in the text of the Road Map, which the Palestinians also agreed to. From the viewpoint of Bush and Sharon there can be no compromise on this issue. Israel will not enter into any real negotiations on further implementation of the Road Map until it is clear that there is one ruling authority in Palestine and that it is proving its commitments against terrorism, not by words, but by actions.

Knowing this very clearly is important in order to assess if it is worthwhile for the Palestinians to move forward in coordination and cooperation with the Israeli disengagement plan. The statements from Abu Mazen this past weekend indicated that the Palestinians would not cooperate and would not coordinate the disengagement if the Sharon statements of intent regarding the future do not change. Sharon spoke

about the commitments of the US not to impose the 1967 borders on a final status agreement, and to recognize and support Israel's position regarding no right of return for Palestinian refugees to Israel. Abu Mazen categorically rejected these statements and said that the Palestinians will never give up their legitimate claims for the 1967 borders, including East Jerusalem and for the right of return of Palestinians to the Palestinian homeland (an interesting nuance in Abu Mazen's statements) based on the UN Resolution 194. The question is now that both sides have made very clear their positions on final status issues, should this prevent coordination and cooperation on the disengagement questions?

In our assessment, disengagement without coordination and cooperation is not possible, unless there will be some kind of third party mandate over the Gaza Strip after Israel's exit. As it seems that this is not a real possibility, the question of who takes over Gaza after Israel's withdrawal does not have too many possible answers. Either the Palestinian Authority takes over or chaos takes over. If the Palestinian Authority takes over it must govern with a great deal of responsibility and authority. The PA must demonstrate, first to the Palestinian people that they are the responsible government and then only later to the world and to Israel, who is in charge in Gaza. If the Palestinian Authority fails to govern, if it maintains a situation whereby there is more than one ruling authority or whereby armed groups continue to act either against the will of the Palestinian Authority government or against the ability of the PA government to control them, the result will be a Gaza Strip closed to the world and closed to Israel. If on the other hand, the PA will govern, if it will assert its authority over the other factions and militia, if it will work to stop the launching of mortars and Qassem's, if it will work to put an end to smuggling through tunnels in Rafah, then it can fairly expect not only significant increases in political and economic support from the world, it can also expect that the relations with Israel will improve, including the increase in economic cooperation which is so essential for the survival of the people of Gaza.

There is little chance that Sharon will be the leader who will take Israel all the way to final status and therefore it is not even wise to begin dealing with final status issues right now. It is also true that there are a few people in Israel with the ability to make the first move of dismantling the occupation and removing settlements as the most vivid expression of this. In short, we need Sharon to begin this process. We need Sharon to take Israel out of Gaza and to end the occupation there and anywhere else in the West Bank where Israel may withdraw from. There is little sense in entering into the debate now with Sharon (or with Bush for that matter) about final status because we are simply not there yet. We also don't want to be there with Sharon as the Prime Minister in Israel. We have to continue to hope that once the time is ripe for final status negotiations, the geo-political realities will be more favorable than they are today for reaching agreements. There is no hope today that we can reach final status agreements. We need to focus on what is possible and on what is positive.

It is possible and positive for the Palestinian Authority to be rehabilitated and reformed in the national strategic interests of the Palestinian people. It is possible and positive for the Palestinian security forces to be unified under a single command that is subordinate to the Palestinian government. It is possible and positive that the Palestinian economy be able to trade much more freely with Israel and with other states. It is possible and positive (for the time being) that a significantly larger

number of employment permits be issued to Palestinians to work in Israel. It is possible and positive for the Palestinian Authority to share control over its international borders in Gaza with third party assistance and without Israeli presence. It is possible and positive for a passage to be re-established between the West Bank and Gaza for people and for goods. It is possible and positive for the Palestinian Authority to renegotiate with Israel aspects of the Paris Protocol such that the PA will collect its own customs at the international crossings in Gaza. There are many other possible and positive developments that could come out of agreeing to a coordinated Israeli disengagement from Gaza.

There is a real possibility that an uncoordinated Israeli disengagement could result with the following scenario – Israel will remove the settlements and the settlers, but as a result of continued Palestinian mortar and qassam attacks in addition to a continuation of smuggling and attacks via tunnels, the Israeli army will remain in Gaza. It is true that even after a full disengagement, if Israel chooses to re-enter Gaza, it could do so, on its own decision and the Palestinians will not be able to physically stop them. This question is mainly based on the extent to which the Palestinian government is effective and is honestly making efforts to prevent attacks against Israel. But if Israel does completely withdraw and if the Palestinian Authority is governing and is making real efforts to prevent attacks, there will be greatly reduced possibilities for Israel to justify any re-entry into Gaza.

A successful disengagement in Gaza will also raise many questions within the Israeli politics and public opinion regarding the question of why should the disengagement stop with Gaza? The possibility of continuing the rolling-back of the occupation increases with the success of disengagement from Gaza. Again, success here is defined as a political re-engagement between Israel and the Palestinian Authority on issues of governance mainly in Gaza but obviously on broader issues that impact directly on the West Bank as well (economic, movement, security, etc.). The disengagement then becomes a test, not only for the Palestinians, but for Israel as well.

It makes sense for the Palestinians to resist Israeli and perhaps US pressure to sign any kind of mid or long term interim agreements. The desire to reach final status as soon as possible must remain on the agenda. Negotiations and agreements should be limited to the disengagement and should not have any influence on or prejudice the possibility of getting back to the final status track in the future. Palestinians do not have to compromise on their final status demands and do not have to recognize the Bush-Sharon letters as anything that ties their hands or limits possibilities in future negotiations. Palestinians can remain loyal to their final status positions and still move forward on taking over control from Israel in any part of the occupied territories that Israel leaves or disengages from.

Ultimately the success of the disengagement will provide the Palestinians and the Israelis with great possibilities to get beyond the suffering and the violence of the past four bloody years. The adoption of new strategies by both sides that rule out violence as an option should be the immediate goal. Both sides should be interested in reaching a mutual ceasefire that would put an end to attacks and counter-attacks. A one-sided ceasefire undertaken by the Palestinians will not last unless there is also an Israeli commitment to cease the targeted killings. This will require an immediate mechanism

for security and intelligence coordination and cooperation. The only possible mechanism for such a task is a third party – responsible and trustworthy in the eyes of both sides. The best possible mechanism should be a balanced one which is US led but also involves British and Egyptian personnel. We are not talking about a large force to be deployed in the territories, but a rather small coordination mechanism which would serve as a means for transferring relevant intelligent information between the Israelis and Palestinians and would also serve as a kind of judge in determining Palestinian efforts and in pre-empting Israeli attacks. Without some kind of third-party mechanism of this sort, no real ceasefire will last beyond a very short period.

If the international community is truly willing to assist getting the process moving in the direction of the Road Map, there is not a real need now for international conferences in London, Washington or Tokyo. There is a need for the international community to see itself as real partners and to make a commitment not to sit it out as observers but to be on-the-ground to assist and to ensure that it will work. With all of the best will (which does not exist) the Israelis and the Palestinians can not do it by themselves. There must be a real change, not only in the words and actions of the Israelis and the Palestinians; it must also be demonstrated by the international community.

As we get closer to Palestinian Election Day on January 9, the next phase will rapidly be here before us with great expectations. There is no question that Abu Mazen will win the elections. The question is to what extent Abu Mazen will find a possibility to govern both from the cooperation and legitimacy he will receive from the Palestinian people, but also to what extent he will find partners in Jerusalem, Washington, London, Cairo and elsewhere. Palestinian and Israeli expectations should be carefully measured against the commitments they are willing to make and by the willingness of the international community to back those commitments with obligations of their own.