

July, 2007

Steering Committee

Mr. Uzi Baram Chair
Dr. Yossi Beilin, MK
Mr. Hermann Bünz
Ms. Amira Dotan, MK
Mr. Gilad Erdan, MK
Mr. Shai Hermesh, MK
Ms. Nadia Hilou, MK
Ms. Orit Noked, MK
Mr. Ephraim Sneh, MK

Former members of the steering committee

Former Chair,
The Late President
Chaim Herzog
Former Chair,
The Late Mr. Haim J.
Zadok
Dr. Yehuda Lankry,
Mr. Michael Eitan, MK
Adv. Yossi Katz
Dr. Winfried Veit
Mr. Gideon Saar, MK
Mr. Isaac Herzog, MK
Minister
Ms. Eti Livni, MK
Mr. Eitan Kabel, MK
Minister

In cooperation with:

Friedrich Ebert Stiftung

Sponsors:

Moshe Kornik

צוות ההיגוי

מר עוזי ברעם, יו"ר
ח"כ גלעד ארדן
מר הרמן בונץ
ח"כ ד"ר יוסי ביילין
ח"כ עמירה דותן
ח"כ נדיה חילו
ח"כ שי הרמש
ח"כ אורית נוקד
ח"כ אפרים סנה

חברי צוות ההיגוי בעבר

יו"ר ראשון,
הנשיא חיים הרצוג ז"ל
יו"ר שני,
מר חיים י. צדוק ז"ל
ד"ר יהודה לנקרי
ח"כ מיכאל איתן
עו"ד יוסי כץ
ד"ר וינפריד וייט
ח"כ גדעון סער
ח"כ יצחק הרצוג, שר
ח"כ אתי לבני
ח"כ איתן כבל, שר

בשיתוף:

קרן פרידריך אברט

חסויות:

משה קורניק

Senat 322 on Political Issues:

**The Gaza Strip and the West Bank –
Two Sides of the Same Political Coin**

Main Conclusion:

Abstract

It is to the long-term interest of Israel's and the PLO to include Hamas in the governmental entity representing the Palestinian people because, *inter alia*, this entity will be responsible for signing the Permanent Agreement that determines the conditions under which the refugees' right of return will be effectively renounced.

In the short term, it will therefore be to Israel's benefit to work with Hamas for the purpose of introducing stability and calm in Gaza. Only such dialogue will be able to guarantee the time required for the rehabilitation of the PLO by means of a string of measures, at the centre of which lies renewed negotiations. By facilitating the transformation of the PLO into an effective alternative to Hamas, these measures will further implementation of a permanent agreement.

Two major events – the military takeover of the Gaza Strip by Hamas and the eviction of Mohammed Dahlan and his supporters from the Gaza Strip – have led to divergent opinions regarding the appropriate course to be taken by the main actors in the conflict – the PLO, Israel, the Arab world, the European Community and the US – when dealing with the Hamas regime. The prevailing approach, supported by the majority of actors, views the Hamas government headed by Ismail Haniya as illegitimate. This stance demands that the Palestinian Authority's (PA) official government, headed by Mahmoud Abbas, refrain from any interaction with Haniya's government during talks with Israel and the international community. Such a move, it is hoped, will force collapse of the Hamas regime, primarily as a result of the pressure applied by the Palestinian residents of Gaza, who have been under considerable strain due to their meagre living standards and poor quality of life.

At the same time, proponents of this position are attempting to strengthen Abbas and Salem Fayad, the head of the provisional Palestinian government, through the employment of various mechanisms; these include release of Palestinian tax monies frozen in Israel, freeing of prisoners, training of the Palestinian security forces and other, equally important gestures. During its preliminary stage, this program is meant to ensure PLO control in the West Bank; in the second stage, after the anticipated collapse of Hamas, it is meant to pave the way for the PLO's return to Gaza. Critics of this approach are convinced that it is defective in its assessment of the short-term outcomes using such heavy "sticks" against Hamas and awarding such sizeable "carrots" to the PLO.

They also question the touted long-term positive implications of these acts on the prospects of reaching a viable permanent agreement between Israel and the Palestinians.

Reinforcement of the Abbas government in the West Bank requires more significant measures than those proposed by Israel or taken by Abbas to date.

- In order to strengthen the Palestinian economy, the mere transfer of tax monies is insufficient. Israel must alter the roadblock policy that has been implemented for the past six years in the West Bank. This policy interrupts the Palestinians' freedom of movement, especially that of goods, business people and administrative personnel, along the majority of major roads in the area. It prevents their entry in the Jordan Valley, the Judean Desert, but especially East Jerusalem. Nullification of this policy will have serious implications for IDF operational behaviour in the West Bank, which have been based on "bisecting" and "segregating" movement by means of hundreds of barricades and roadblocks. The IDF will also require considerable time to redeploy in the wake of the adjustments introduced in the barricade wall's route, considering the removal of major roads such as Highways 1, 60 and 443 from the official security fence perimeter area. Such changes will require plans to introduce Israeli oversight capacity at crossing points into Israel after the Palestinians return to using the respective roads.
- In order to strengthen the Palestinian government's law enforcement ability, Israel will have to go beyond providing bullet-proof vests and ammunition; it may even demand that Israel grant Abbas the permission he seeks for the entry of the Jordanian army's Bader Brigade, composed of Palestinians, into the West Bank. To promote the war against terrorism and law enforcement by the Palestinians themselves, Israel should again allow Palestinian police in Area A to carry weapons without the threat of becoming targets for Israeli marksmen. In addition, Israel should permit police stations throughout Area B to be reopened, sanction the movement of Palestinian security forces between areas and renew information-sharing arrangements going beyond security coordination.
- Significant change in the attitudes of the Palestinian general public but particularly those of Gaza residents requires creation of a political alternative capable of competing with Hamas. The PLO must put in place a system capable of dealing with everything related to the resolution of internal conflicts between external and internal PLO, between the older and younger generation. This involves resolutely fighting corruption as well as preparing a charismatic new leadership cadre modelled after Marwan Barghouti. The artificial, mechanical steps taken by Abbas – e.g., presidential orders such as those issued for the purpose of ending the current session of the Palestinian parliament, the appointment of senior officials in the shadow of Israel's arrest of 41 Hamas members of parliament, or the dissolution of parliament so as to empower Abbas to install the Fayad government as a provisional rather than an emergency government because the latter would require parliamentary approval – has done more damage than good to his regime's legitimacy.

The isolation of Hamas in the Gaza Strip is perceived by the Palestinian public as an Israeli and American attempt to douse the Palestinian struggle in a situation devoid of any meaningful negotiations between the parties and bereft of any Israeli proposal for a political solution. This attitude explains why Hamas's power has not declined nor the PLO been significantly strengthened despite implementation of this policy for the last year and a half, in the wake of the last parliamentary election results. The financial support Hamas receives from Iran and part of the Arab world is insufficient to rehabilitate the Palestinian economy. But those funds do sustain its ability to pay wages and maintain rudimentary services. Hamas's strategic goals entail institution of its political hegemony and establishment of an Islamic state. The absence of a political process, the IDF's operational policy and the threat of an IDF return to Gaza have motivated Hamas to continue its military build-up with the aim of deterring Israel. This deterrence is being constructed by expanding the types of weapons available, upgrading the organization of its forces into more complex terrorist units than previously known, continuing its support of Al Qaeda's presence in the Gaza Strip and transmitting information to Hezbollah. The "strangling" of Gaza may, therefore, lead Hamas, which has been making every effort recently to enforce law and order, to try to disrupt the quiet.

Hamas is also interested in narrowing the time available to Israel and the PLO for their creation of the economic, security and administrative conditions required for the PLO's rehabilitation and reinforcement. Hamas's presence is observable throughout the West Bank but especially in Hebron and Kalkilya. Due to IDF activities, its capacity to act is limited to scattered operations although it is capable of exporting terror to Israel and threatening senior Palestinian official within the space of a few weeks or months from its position in the West Bank. Should such attacks take place, they will prevent introduction of the required change in the field while mortally wounding the PLO. At that point, only IDF bayonets will prevent the PLO's demise in the West Bank as well.

An alternative policy does not necessarily entail turning the former policy on its head. Such an alternative is supported primarily by Saudi Arabia and some European states as well as by some Israeli circles. These are convinced that in the long run, common interests can be found to unite the Palestinian ranks under one representative leadership. This leadership would abide by the conditions laid out by the Quartet for the sake of arriving at a unified political solution that would apply to both segments of a Palestinian state. Those so convinced believe that Mahmoud Abbas should maintain a dialogue with Hamas regarding the Palestinian Authority's actions with respect to maintaining the political process with Israel. However, the conditions that Abbas has posed – such as Hamas acceptance of the Fayad government's authority – are incapable of attracting the organization. They are, instead, more likely to bring to a close the short era of Hamas participation in the Palestinian political system, to drive Hamas toward an exclusively military option and to sabotage the moderate route that Hamas has been forced to tread of late.

Within such a context, Israel should implement a policy geared to establishing a cease fire with Hamas for the purpose of raising options and guaranteeing the time required for meaningful steps to be taken in the West Bank. Maintaining a normal life in Gaza requires a certain level of dialogue; Hamas representatives have expressed their readiness to engage in such a dialogue with Israel, to open the Rafah border crossing under international and Egyptian supervision and to cease threatening Israel with breaches along the Philadelphi corridor or the tunnels dug beneath it. Violation of a cease fire by Hamas, which has collected in recent weeks most of the weapons held by Palestinians civilians and established effective control in the area, would invite a legitimate and immediate response from Israel. Such a response would undermine Hamas attempts to rehabilitate and stabilize its rule. Although this policy involves the risk that Hamas will firmly establish itself in Gaza and continue to arm itself, if we assume that such a scenario will be realized under any circumstances, a ceasefire will nonetheless obligate Hamas to rein in its followers. Israel might consider this to be a reasonable short-term cost when considering its long-term interests.

To reach its goals, Israel must introduce the needed steps in the West Bank to bolster the Fayad government and establish it as a meaningful alternative to the Hamas regime. Not taking these steps will strengthen the pervasive view among the Palestinian public that "Israel only understands force" and thus justify the transfer of its support to Hamas. Forestalling such steps will also strengthen the more militant factions within the PLO, which are interested in distancing themselves from the label of "collaborators" that has been attached to them. Such a vacuum may motivate their secession from the movement and entry into some cooperative arrangement with Hamas. We are already witnessing the construction of a series of understandings between the two organizations in Hebron, with a segment of the al-Aqsa Martyrs' Brigade calling for Fayad to resign as well as the Brigade's defection from the PLO.

At the centre of the requisite moves lies renewal of meaningful negotiations over the core issues – Jerusalem, the refugees and borders – as proposed by Condoleeza Rice in her meeting with Ehud Olmert about two months ago. Abbas, the Arab world and the EU are all making the same demands of Israel. The possibility of arriving at a permanent agreement underlies the Clinton model or the Geneva Understandings, which assume Abbas's ability to continue to again provide an alternative to violence for the Palestinian people. Palestinian voting on a public referendum as well as the holding of new elections pose more serious threats to the political future of Hamas than the does inability to integrate into a political system under Abu Mazen's and PLO leadership. Considered from Abbas's perspective, he should encourage the integration of Hamas if he does not want to find himself leading the opposition on every political issue and thus destroying the already shaky legitimacy enjoyed by the PLO among the Palestinian diaspora.

To summarize, given current conditions, the two sides are in effect obligated to protect one of the most meaningful achievements obtained by the Palestinians – the territorial and political integrity of the West Bank and the Gaza Strip. To ensure that integrity in the long term, both areas require equal representation in the negotiations with Israel on a Permanent Agreement. Movement toward this end will be jeopardized if the PLO is unable to offer a reasonable alternative to the Hamas regime. Such an alternative will be threatened if it, together with Israel, ignores the more than 40% of the Palestinian people that is crammed into 6% of Palestinian territory and lives on less than the \$2 per day they receive primarily from Hamas. The stability rooted in a ceasefire and dialogue is likely to generate the time needed to take advantage of the political window of opportunity provided by recent events in the PA.