

Further Redeployment of Israeli Forces in the West Bank

Introduction

According to the agreements signed between the Israeli government and the PLO, Israel has committed itself that powers and responsibilities relating to territory will be transferred gradually to Palestinian Jurisdiction that will cover West Bank and Gaza Strip territory, except for the issues that will be negotiated in the permanent status negotiations.

The first stage of the redeployment of Israeli forces to territory outside the Palestinian Authority, and the transfer of powers and responsibilities, was carried out by the Rabin government according to the principle of withdrawal of forces from the Gaza Strip and the Jericho area as stipulated in the Declaration of Principles. The second stage, whereby Israeli forces were withdrawn from densely populated areas and responsibility concurrently transferred to Palestinian civil authorities, was begun by the Peres government in conformity to the Interim Agreement. The conclusion of this second stage, which included the withdrawal of Israeli forces from the city of Hebron, was executed by the Netanyahu government in conformity to the Hebron Protocol, thus completing the transfer of about 27% of the West Bank territory to the Palestinian Authority.

According to the Declaration of Principles (the Oslo Agreement) signed on behalf of Israel by Shimon Peres in September 1993, the Israeli-Palestinian Interim Agreement signed by Yitzchak Rabin in September 1995, and the Hebron Protocol signed by representatives of the Netanyahu government in January 1997, Israel committed herself to carrying out three further redeployments, termed "beats," of military and other security forces to specified military installations. By doing so, Israel was to comply with her territorial obligations as delineated within the framework of the Interim Agreement. Furthermore, under the terms of the Hebron Protocol, the current Israeli government promised to begin implementing the "beats" in March 1997, and to conclude them not later than mid 1998.

To date, no further redeployment has been carried out. The decision regarding the first "beat" was unilaterally reached by Israel on 7 March 1997.

צוות ההיגוי
מר חיים י. צדוק, יו"ר

ד"ר וינפריד וייט
ח"כ יהודה לנקרי
ח"כ יוסי ביילין

מר חיים הרצוג ז"ל,
יו"ר ראשון

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It included transfer of 7 percent of the territory from Zone “B” (in which civil responsibility, including the responsibility for maintaining public order, is to be held by the Palestinians while responsibility for security is to be retained by Israel) to Zone “A” (in which the Palestinians are to exercise responsibility over civil and security matters) and 2 percent of the territory from Zone “C” (full Israeli control) to Zone “B.” The Palestinian Authority viewed the proposal, presented without any prior mutual deliberation, as an affront and humiliation, and have refused to receive the territory.

Background

The principle of redeployment was adopted, in essence, from the Camp David Accords, signed in September 1978 by Israel’s prime minister, Menahem Begin, which determined how the withdrawal and redeployment (in one stage) of Israeli forces to specified military installations was to be conducted. The Interim Agreement between Israel and the Palestinians stipulated neither the detailed scope of the further redeployments, nor the exact geographic demarcations of that redeployment, but only the temporal dimension in which they were to be carried out.

The Further Redeployment

Based on the Interim Agreements, it was determined that during implementation of the further redeployments, powers and responsibilities pertaining to the territory would be gradually transferred to the Palestinian Authority. The areas under the Palestinian Authority’s jurisdiction were to include, according to the Agreements, the West Bank and the Gaza Strip — which would be considered as a single territorial unit — exclusive of the regions which are linked to issues which will be negotiated within the framework of the permanent status talks. It was decided that the latter would include Jerusalem, the settlements, security arrangements, borders, relations with neighbouring states, refugees and other issues of mutual interest which were not specifically listed but clearly encompass topics such as water. The agreement explicitly stated that Zone “C” (the areas currently designated as under the full control of the IDF), save the issues to be determined during the permanent status talks, would gradually be transferred to the jurisdiction of the Palestinian Authority.

The Agreement also stated that the specified military locations to which IDF forces were to be deployed would be determined during the period of the further redeployment and within the framework of negotiations to be conducted between the parties on the permanent status talks. These negotiations, it should be recalled, opened on 4 May 1996 but have stalled, in effect, since then.

It is important to note here that according to the Interim Agreement, even after the conclusion of the further redeployment and the IDF’s withdrawal from West Bank territories, Israel will continue to bear the responsibility for external security as well as the overriding responsibility for security for the purpose of protecting Israelis and confronting the threat of terrorism. Stated differently, implementation of the “beats” permits Israel to retain authority over the entire territory in all that pertains to the security of Israelis found anywhere in the West Bank and Gaza Strip.

The Israeli Government Position

According to published reports, the Israeli government intends to propose to the Palestinians that the first and second “beats” be consolidated and that responsibility over an additional 6-10 percent of the territory in the West Bank be gradually transferred to the Palestinian Authority within a period of 5 months. As a result, the Palestinians would control about 35-37 percent of the total area in the West Bank. As a condition for the transfer of the additional territory, Israel will

demand of the Palestinians that they waive the third “beat”, will fully implement their commitments according Israel’s interpretation of the “Note for the Record” within the Hebron Agreement, and immediately begin negotiations on the permanent status aimed at determining the borders of the Palestinian entity.

The US Position

The position taken by the US administration is that the Israeli government is to carry out forthwith all its obligations concerning implementation of the “beats.” The US committed itself to this issue in a letter signed by the secretary of state, Warren Christopher, and addressed to the Palestinian Authority, which declared its faith in Israel’s completion of all three “beats” not later than mid 1998. The US is currently demanding that Israel carry out a qualitative and substantial “beat” that will cover, according to publicised statements, 12-to-15 percent of the territory. A delay of the third “beat” and entry into discussions on the permanent status would be acceptable to the degree that it could be assured that the “beat” would then be carried out if the two sides did not reach an agreement within a predetermined time frame.

The Palestinian Position

The declared position of the Palestinians, according to which Israel is obligated to withdraw from 90 percent of the territory on the West Bank, is not based on any agreement but for publicity/propaganda reasons which, we may assume, are intended to be used as factors in their negotiating tactics. Nonetheless, an objective analysis of the Agreement has led the Palestinians to conclude that the IDF is to withdraw, by mid-June 1998, from most of the West Bank — more specifically, from the territory not considered part of the settlements as well as areas not taken as crucial to the internal and external security of Israel. According to this perspective, the IDF is to station itself, by mid 1998, along new perimeters that would enable Israel’s full control over specified, limited territories.

Despite the above, it appears that the Palestinians will be prepared to accept the American formula for the linkage of the two “beats” in order to enable IDF immediate withdrawal from 15 percent of the territory, conditional rejection of the third “beat,” and entry into negotiations on the permanent status for the purpose of establishing a recognised international border between a Palestinian state and Israel.