

Withdrawal from Gaza

A Step towards Peace or the End of the Two-state Solution?

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In December 2003, Israel's prime minister, Ariel Sharon, announced his intention of unilaterally disengaging from the Palestinians. Meanwhile Sharon has elaborated that the disengagement will not only include the construction of a separation barrier in the West Bank, but also the withdrawal from those areas in which no Israelis will be living anyhow after a final status agreement has been reached: the Gaza Strip and some isolated settlements in the northern West Bank. In April 2004, US president George W. Bush commended Sharon's plan as historic and courageous and pledged American assistance. Indeed there is hope that a withdrawal will create renewed momentum in the current Middle Eastern deadlock. Such momentum, however, is not inherent in Sharon's plan. It will only come about if the international community is willing to heavily involve itself. Otherwise, violence is likely to escalate further – the May 2004 confrontations in Gaza might be considered a prelude – and measures will be taken that will ultimately prevent, rather than lead to, a two-state solution.

According to the disengagement plan attached to Prime Minister Sharon's letter of 16 April 2004 to President Bush, Israel:

- ▶ will continue construction of the separation barrier in the West Bank;
- ▶ will evacuate all settlements and military installations in the Gaza Strip probably by the end of 2005;
- ▶ will evacuate four settlements (Ganim, Kadim, Sa-Nur, Homesh) as well as military installations located in the northern West Bank.

Existing Israeli-Palestinian agreements pertaining to, amongst other things, the freedom of movement of goods and persons, the monetary regime, taxes and

customs, as well as postal and telecommunications arrangements, will in principle remain in place. Israel will also continue to supply electricity and water. At the same time, Israel will keep control of all land and maritime borders as well as the airspace above the Strip, and asserts its right to take preventive measures and to carry out military retaliation operations in all evacuated areas. Israel intends to initially keep control of the border between the Gaza Strip and Egypt (the "Philadelphi Route") and to widen the border strip if deemed necessary. Neither the Gaza seaport nor the airport will be reopened in the short term. The Gaza Strip is to be a demilitarised area, and

an international presence can only be deployed with Israeli consent. After the withdrawal, Israel will regard its occupation of the Gaza Strip to be over and will reject any further responsibility for the local population. In return for these withdrawals, as it were, the disengagement plan announces Israel's intention of holding on to certain areas in the West Bank even after a final agreement has been signed. These areas include large settlement blocs and security zones as well as areas of particular interest to Israel.

Will the Sharon Plan Be Implemented?

It is not yet certain whether or not Israel will actually implement the disengagement plan. On 2 May 2004, it was submitted for a vote to Likud's roughly 200,000 members, about half of whom participated in the referendum. In the end, 60 percent of those voting – equalling less than 1 percent of the total population – rejected the plan. Consequently, the prime minister announced that he does not regard his party's vote as binding and that he is determined to implement the plan notwithstanding, albeit with slight modifications. In this, he can count on a comfortable majority of the population backing his plan: current polls show approval ratings between 60 and 70 percent. Following fierce controversies and the dismissal of the National Union's two cabinet ministers in order to ensure a cabinet majority, the Israeli government adopted a modified version of the disengagement plan on 6 June 2004 and agreed to start preparations for its implementation.

According to the modified plan, settlements in Gaza and the northern West Bank will be evacuated (and housing consequently destroyed) in four phases – if and only if the cabinet votes in favour of each of the withdrawals. Furthermore, implementation of the plan will no longer be completely unilateral: Egypt is to assume a role in securing the border between Gaza and

Egypt; in reforming, training and overseeing Palestinian security services, as well as in coordinating the withdrawal with the Palestinians. Immediately, first steps were taken to begin preparations for the plan's implementation. The Disengagement Plan Steering Committee, under the lead of National Security Council Chairman Giora Eiland, has been established to coordinate the different ministries' tasks with regards to the economic, diplomatic, security and civilian issues related to the disengagement. A preliminary working plan prepared by the committee has been leaked to the press. It foresees, amongst other things, four cabinet votes on the withdrawals between February and July 2005 as well as a voluntary evacuation of Jewish settlers from August 2004 to mid-August 2005. In September 2005, the army would forcefully evacuate the remaining settlers and complete the military withdrawal except in the Philadelphi Route. Compensation for settlers should serve as an incentive for voluntary withdrawal and would therefore not only depend on their assets, family size, etc., but also on if and when they evacuate their settlements. Furthermore, a committee to coordinate the disengagement with the Egyptians has been established by the Defense Ministry. Another committee that will oversee the evacuation of, compensation of and negotiations with the settlers and prepare the necessary legislation for compensating evacuated settlers has been established by the Justice Ministry.

However, all these activities are by no means a guarantee that actual withdrawals will take place, partially or fully. In the months to come, we should expect more controversies in the cabinet over each of the withdrawals as well as further resignations from the cabinet and a series of no-confidence votes in the government. Following the resignations of two of the National Religious Party's ministers from the government, Prime Minister Sharon is no longer backed by a Knesset majority. The Labor Party has pledged to provide the government with a safety net for the with-

drawal. Thus, coalition talks with Labor seem likely to take place, but even early elections are a possibility.

Reviving the Peace Process?

The question as to whether Sharon's plan will be a step towards reviving the Middle East peace process and solving the Israeli-Palestinian conflict has to be answered in the negative. Unilateral measures, such as those envisaged by the plan, along with Sharon's statements that its implementation would definitely stifle Palestinian aspirations to statehood, do little to build confidence. They also run counter to the road map's approach, which requires both parties to carry out their obligations parallel and simultaneously. Moreover, the plan does not aim for a negotiated, mutually accepted conflict settlement, nor for the establishment of a viable Palestinian state. Even basic co-ordination with the Palestinians is not provided for. The disengagement will not even end the occupation of the evacuated territories, despite Israeli withdrawals of its settler population and military personnel from these areas, for Israel still retains all essential prerogatives.

Of particular concern is the issue of territorial contiguity. While a withdrawal from settlements and military installations in the northern West Bank will ease the situation somewhat on a local level, the construction of the separation barrier (albeit declared as temporary), with its deep incursions into the West Bank, carves up the Palestinian territories in a much more dramatic fashion. Large sections of farmland and water resources are already, or will become, inaccessible to the local Palestinian population. Preparations for construction have now begun to include the settlements of Ariel, Qedumim, Immanuel and the Shomron block on the western side of the wall. The construction of the wall, as far as 20 km inside the Green Line, will involve the creation of several Palestinian enclaves and cantons isolating village communities and cutting access to

Salfit city, contradicting the assurances given by the Israeli government to US President Bush. After completion of the separation barrier's western part, Israel will have annexed de facto around 20 percent of West Bank territory. If the Jordan valley as foreseen also remains under Israeli control, all in all around 45 percent of the West Bank will de facto be annexed. In addition, East Jerusalem as an important social, cultural-religious, economic, and servicing centre, as well as the traffic junction between the north and south of the West Bank, will be completely isolated from its surroundings once construction of the separation barrier is completed. Thus, the Sharon plan is diametrically opposed to the establishment of a viable Palestinian state and therefore to the realisation of a durable two-state solution.

More immediate, however, the main problem with the disengagement plan will be its likely failure in substantially improving living conditions for the Palestinian population in the Gaza Strip. Of course, it will come as a relief for Palestinians living in the Strip to no longer have to face checkpoints and roadblocks and to enjoy free movement within the 365 sq km. Of much greater importance to the 1.3 million inhabitants, however, is an improvement of their socio-economic situation. Presently, 30 to 50 percent of the population is unemployed, around three-quarters live below the poverty line and a large proportion is dependent on international aid shipments. This is largely a consequence of Israeli closure policy as Gaza inhabitants depend on employment in Israel and on foreign trade in commodities. Open access to world markets is essential, especially for perishable agricultural exports, and open borders to neighbouring countries and – at least as long as no peace agreement has been signed – a proper seaport and airport are needed. The disengagement plan, however, does not foresee any of this. On the contrary, the Israeli minister of industry and trade, Ehud Olmert, has decided to close the Erez Industrial Zone until it might be

handed over to an international body – eliminating another four thousand jobs for Gaza residents.

But in spite of all these reservations, the evacuation of settlements, particularly in the West Bank, as strategically and demographically insignificant as they might be, is a positive step. It might also be an opportunity for demonstrating to the Israeli public that settlements in “Judea and Samaria” can be evacuated without causing a civil war within Israel. And it might lead to growing pressure from the Israeli public to withdraw from further areas; that would depend a lot, of course, on the behaviour of the Palestinian militants, i.e., an end of armed operations in the evacuated areas leading to an improvement in the security situation within Israel, combined with ongoing pressure on the still-occupied areas. These developments will make it easier for any future Israeli government to evacuate settlements on a larger scale, and to ultimately put an end to the occupation.

The Palestinian Authority, Hamas and the Egyptian Role

The Palestinian Authority (PA) has expressed its rejection of the unilateral nature of the Israeli plan as well as of the erection of the separation barrier on Palestinian territory. At the same time, it has established a working group to assess the existing capacities and needs of the PA in order to prepare for an eventual Israeli withdrawal from the Gaza Strip as well as to prepare for the taking over of responsibilities. In particular, Palestinian protagonists are aware of the dangers of violent power struggles in the wake of an Israeli withdrawal. Armed confrontations with Israel have weakened the PA and have caused a groundswell of support for Islamist groups such as Hamas and Islamic Jihad. Consequently, the PA has set up a national dialogue aimed at preventing civil strife or a takeover of power by Hamas. In these talks, PA and Fatah representatives are trying to convince opposition groups to

stick to a ceasefire and to find a power-sharing arrangement which would involve them in governmental responsibilities as well as possibly integrating them into the security apparatus. Hamas representatives at least have signaled a strong interest in converting their street popularity into political power.

Israel’s policy of liquidating members of the Hamas leadership, however, undermines these efforts. Not only does it deprive the PA of any legitimacy in the eyes of the Palestinian population to act against armed groups. It also further radicalises the population and strengthens support for Hamas and Islamic Jihad, as recent polls demonstrate. Crucially, it leads to an internal loss of control over individual cells and activists by causing a fragmentation of the movements. This will exacerbate the already substantial difficulty of enforcing a durable ceasefire in the future.

Egypt already mediates in the national dialogue and ceasefire talks between the Palestinian factions, and acts as a go-between in the withdrawal preparations of Israelis and Palestinians. Israel now wants Egypt to play a larger role in implementing the withdrawal with regards to Palestinian security sector reform, training and oversight as well as controlling the Gaza-Egypt border. Already by late June 2004, the first Egyptian security advisors should be arriving in Gaza, with training personnel following in the fall. From what has transpired in the media, Egypt has made its involvement conditional: It expects Israel to withdraw completely from the Gaza Strip, i.e., including withdrawal from the Philadelphi Route, to give guarantees that it will abstain from military operations in the evacuated territories, and to finally establish safe passages between Gaza and the West Bank. It also expects the PA to restructure its complex security apparatus into three services under the interior minister’s authority and to empower the Palestinian prime minister substantially. And it expects both sides to refrain from violence. Considering the Egyptian interests in de-

escalating the situation, in preventing a takeover by Islamist forces in Gaza, in securing the border as well as in relieving American pressures for reform, it is nonetheless quite unclear whether Egypt will indeed insist on these conditions to be fulfilled before getting substantially involved and assuming responsibility.

Egyptian involvement in Gaza involves considerable risks. First, it is very doubtful as to whether the Egyptian security forces are the most suitable for training in anti-terrorism measures which are not only effective, but also compatible with international human rights standards. Second, an Egyptian security role holds the danger of escalating Palestinian-Egyptian tensions, Israeli-Egyptian tensions and, last but not least, a regional escalation. While the Palestinian leadership has welcomed an Egyptian security role in the Strip, Palestinian factions have already clearly voiced their opposition as they are afraid of Egyptian (and in the West Bank: Jordanian) involvement in the security sector which will effectively limit the PA's competencies and endanger the sovereignty of a future Palestinian state.

Challenges for European Policy

The European Union (EU) should definitely support Sharon's plan to evacuate settlements and troops from the Gaza Strip and parts of the West Bank. It should also take advantage of this opportunity for bringing new momentum to the deadlocked road map process, instead of merely continuing to insist on the relevance of the Quartet's (US, EU, UN, Russia) plan as the sole means for solving the conflict. This will require, however, that we not only demand that the parties to the conflict deliver on their commitments, but that we also assess how far we are ready to contribute beyond declaratory politics in transforming the unilateral approach into a success story. Egypt surely can provide a coordinating body between Israel and the PA. But we should not support another repressive and authori-

tarian regime in the Gaza Strip to emerge under Egyptian surveillance. And, above all, we should not have illusions that the Egyptian government have the capacity and power to create the complex conditions necessary for a successful withdrawal and a resumption of the peace process.

Primarily, the EU will therefore have to work towards getting US policy to make good in a responsible manner on its support for the disengagement plan pledged by George W. Bush. Initially, this entails insisting on immediate preparation and execution of the withdrawal to be carried out as speedily as is possible. The cabinet's plan with a fall 2005 deadline leaves a period of more than a year in which both Palestinian militant groups and the Israeli government will try to claim victory with the withdrawal and thus continue escalating the violence. The deadly confrontations and house demolitions in the Gaza Strip witnessed in May 2004 have served as a foreshadowing of escalations to come. Also, the more radical settlers will use the time to organise and to lobby massively against withdrawal.

Support for the withdrawal also entails creating a conducive context. The large-scale demolition of houses begun in "Operation Rainbow" in order to enlarge the border strip between Gaza and Egypt, the newly enhanced settlement effort in the West Bank and Jerusalem, the ongoing military operations and targeted killings, as well as the closing of the Erez Industrial Zone do not support such an environment. The Quartet should exert pressure in order that Israel's actions be swiftly stopped and replaced by confidence-building measures.

The challenge will then be to spell out in detail the arrangements for the withdrawal and the handover of security and infrastructure control to the PA. To this end, Israel and the PA will have to work out a plan that sets a timetable for withdrawal and transfer of power, clarifying which capacities can reasonably be assumed by the PA itself after a handover, and what kind of support needs to be provided by

the international community. Coordination with the PA is paramount in this regard in order to prevent chaos and to keep self-declared victors from rising to power. The Quartet should oversee the drawing up of this plan and monitor its implementation.

Moreover, the EU can contribute to making the withdrawal a tangible success for the local population by generously supporting reconstruction of the evacuated areas, and kicking off economic development by way of substantial investments. This, however, can only succeed if the Gaza Strip is no longer economically isolated. Therefore the Israeli government will need to assume its responsibility to create the necessary conditions: above all, access to international markets overland as well as via port and airport must be assured, and work permits for Gaza residents in Israel – at least in the short to medium term – need to be dramatically increased. In the medium to long term, jobs could also be created by setting up joint ventures in the Gaza Strip or on the Egyptian border.

In order to ensure law and order in the Gaza Strip as well as security in Israel, the international community's involvement is crucial – as is broad support by the local population. Involving moderate Islamist as well as other opposition groups in the political process and in sharing political responsibilities is essential for giving the PA the legitimacy it needs to enforce law and order and to prevent attacks against Israel wherever possible. The international community should therefore support the national dialogue and the holding of elections, particularly on the local level, in the near future.

At the same time, international support for the Palestinian security apparatus is crucial for breaking out of the cycle of violence. The training of security forces already underway is not sufficient. There is also need for an international presence on the ground. Israel has signaled earlier that it would not necessarily oppose such a presence, provided it be under American command. A key task for such a military

presence would be to – together with the PA – disarm the population and act against groups that continue to engage in attacks against Israel. Only if this is done successfully will Israel cease to carry out preventive or retaliatory military operations. Such a presence would be welcomed by a majority of the Palestinians provided it is perceived as a means to ending the occupation and not as a tool for its continuation. This, however, will not be the case as long as a permanent interim situation is on the horizon.

Within the framework of the Quartet, Europeans should therefore capitalise on the opportunity and build on the commitments made by the US president which have put final-status issues on the agenda. This involves integrating the Gaza withdrawal into the road map process, i.e., a first step to be followed by further steps towards a two-state solution. These steps need to be plotted down with a serious timetable. It also involves spelling out the road map's third phase in order to give clear direction to this process. Europe should urge the Quartet to lay down the principles for a solution to the conflict which would then serve as the basis for negotiations between Israel and the PA on the details of a two-state arrangement. Without such active international involvement aimed at reviving the road map, the implementation of the disengagement plan will not lead closer to peace, but rather contribute to the prevention of a durable and acceptable two-state solution.

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