

# ISRAEL'S CRITICAL SECURITY NEEDS FOR A VIABLE PEACE



**CENTRAL TEL AVIV AS SEEN FROM THE WEST BANK VILLAGE OF DEIR BALLUT**

Introduction by

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**Jerusalem Center for Public Affairs**

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**Dan Diker**



**Jerusalem Center for Public Affairs**

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ISBN: 978-965-218-085-8

Production Director and Researcher: Adam Shay  
Publications Director: Mark Ami-El  
Associate Editors: Noah Pollak, Ruthie Blum Leibowitz  
Graphic Design: Studio Rami & Jaki

Maps: Based on Google Earth ©2010  
Photos: AP Photo, Hagai Nativ, Alexander Lysyi  
Cover Photo: Alexander Lysyi - Central Tel Aviv as seen from the West Bank village of Deir Ballut

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# Acknowledgments

*The Jerusalem Center for Public Affairs expresses its profound thanks and appreciation to Miriam and Sheldon Adelson, Steven A. Stern, Alvin Dworman, Roy H. Stern, Nina Rosenwald, Ken and Nira Abramowitz, and James S. Tisch for their vision and generosity in making this monograph possible.*

# Executive Summary

## Introduction: Restoring a Security-First Peace Policy

Lt.-Gen. (ret.) Moshe Yaalon

- In his major policy speech at Bar-Ilan University in 2009, Prime Minister Benjamin Netanyahu articulated a major shift in Israel's policy – a restoration of Israel's traditional security-based approach to achieving a lasting peace.
- When Prime Minister Yitzhak Rabin entered into the Oslo Accords, he envisioned something along the lines of the "Allon Plan" for Judea and Samaria (the West Bank). Drafted shortly after the Six-Day War, the plan called for Israel to retain sovereignty in some of the territories it came to control in Judea and Samaria, and delineated a security border extending from the Jordan Valley up the steep eastern slopes of the Judea-Samaria mountain ridge and retained sovereignty over Jerusalem as Israel's united capital.
- In the aftermath of Arafat's rejection of Prime Minister Ehud Barak's peace offer, the Palestinian suicide bombing war that followed, Ariel Sharon's withdrawal from the Gaza Strip, the Second Lebanon War, the failed Annapolis talks, and the recent war in Gaza, the Netanyahu government is readopting the notion that safeguarding Israel's vital security requirements is the only path to a viable and durable peace with our Palestinian neighbors.
- The Palestinians have adhered to their historical narrative of armed struggle that denies Israel's right to exist as a Jewish nation-state, regardless of signed agreements or unilateral Israeli withdrawals. The Palestinians have interpreted Israeli territorial withdrawals as signs of weakness and retreat that have energized their struggle to force additional Israeli territorial concessions
- Until now, the Palestinians have only been asked for a "top-down" peace process, throughout which their leaders have held meetings, shaken hands, attended peace conferences, and even signed agreements with Israeli leaders. But when a peace process does not sprout from the grassroots of a society, it is both pointless and useless. Until three-year-old children in Ramallah stop being taught to idolize "martyrs" who blow themselves up for *jihad* against Israelis and Jews, there will only be a "peace process" in the imaginations of the self-deluded.

## Defensible Borders to Secure Israel's Future

Maj.-Gen. (res.) Uzi Dayan

- It is commonly misunderstood just how vulnerable Israel actually is. Some 70 percent of its population and 80 percent of its industrial capacity are concentrated in the narrow coastal strip between the Mediterranean Sea and the West Bank. The adjacent West Bank hills topographically dominate the relatively flat and exposed coastal plain, providing a distinct advantage to an attacker for observation, fire, and defense from an Israeli ground response.
- If the West Bank were to fall into hostile hands, the resulting situation would pose a constant threat to Israel's national infrastructure, including Ben-Gurion International Airport, the Trans-Israel Highway toll road, Israel's National Water Carrier, and its high-voltage electric power lines.
- By its presence along the eastern perimeter of the West Bank in the Jordan Valley and the Judean Desert, Israel has been able to prevent weapons smuggling and the infiltration of hostile forces. Indeed, one of the most important preconditions of a successful counter-insurgency or counter-terrorism strategy is isolating the area of conflict in order to cut off any reinforcement of hostile forces with manpower and material.
- The entire Jordan Rift Valley constitutes a natural physical barrier against attack that averages between 3,000 to 4,600 feet. There are only five east-west passes through which an attacking army can move, each of which can be defended with relative ease. For this reason, the Jordan Valley has been viewed as the front line for Israel's defense in an extremely uncertain Middle East.
- The advent of ballistic missiles and rockets has increased the importance of terrain and strategic depth for Israel, since its small standing army may have to fight for longer periods of time without reinforcements from the reserve forces, whose timely arrival may be delayed or prevented by rocket fire. Israel's standing army may also have to operate for a considerable period of time without major assistance from the air force, which may be busy destroying the air defense systems of enemy states and suppressing ballistic missile launches aimed at Israeli cities.

## **The U.S. and “Defensible Borders”: How Washington Has Understood UN Security Council Resolution 242 and Israel’s Security Needs**

Dr. Dore Gold

- The United States has historically backed Israel’s view that UN Security Council Resolution 242, adopted in the wake of the Six-Day War on November 22, 1967, does not require a full withdrawal to the 1949 armistice lines (also called the 1967 borders). There is no basis to the argument that the U.S. has traditionally demanded of Israel either a full withdrawal or a nearly full withdrawal from the territories it captured in the Six-Day War.
- In the international legal community there was an acute awareness that Jordan had illegally invaded the West Bank in 1948 and held it until 1967, when Israel captured the territory in a war of self-defense. Israel’s entitlement to changes in the pre-1967 lines did not arise because it had been vulnerable, but rather because it had been the victim of aggression in 1967.
- When asked what was the “minimum territory” that Israel “might be justified in retaining in order to permit a more effective defense,” the Chairman of the U.S. Joint Chiefs of Staff (JCS), General Earl Wheeler, responded on June 29, 1967: “From a strictly military point of view, Israel would require the retention of some captured Arab territory in order to provide militarily defensible borders.” Regarding the West Bank, the JCS specifically suggested “a boundary along the commanding terrain overlooking the Jordan River,” and considered taking this defense line up to the crest of the mountain ridge.
- The Clinton parameters of 2000 did not become official U.S. policy. After President George W. Bush came into office, U.S. officials informed the newly-elected Sharon government that the administration would not be bound by the Clinton parameters discussed with Israel’s Barak government. Conversely, it was understood that the Sharon government would likewise not be bound by its predecessor’s proposals.
- President Bush wrote to Prime Minister Sharon on April 14, 2004: “In light of new realities on the ground, including already existing major Israeli population centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949.”



## Key Principles of a Demilitarized Palestinian State

Maj.-Gen. (res.) Aharon Ze'evi Farkash

- Israel's definition of demilitarization is that no security threat – whether symmetrical, asymmetrical, military, or terrorist – be allowed to develop either within or by way of Palestinian territory, and that no Palestinian army or military capabilities be established which could constitute a threat to Israel.
- In Israeli-Palestinian negotiations to date, the heads of the PLO and the PA have refused to agree to a "demilitarized" Palestinian state. They claim the right to have high-trajectory weapons (mortars), anti-tank missiles (RPGs), and armored vehicles equipped with machine guns, in order to control security in their territory and protect their central government.
- Israel's current military freedom of operation in the West Bank, which enables the IDF to reach every place where prohibited arms are manufactured or hidden, has thus far prevented terrorists there from being able to manufacture rockets and launch them at Jerusalem and Tel Aviv. It has also enabled the IDF to intercept suicide bombers before they are able to carry out their malicious missions.
- A major problem Israel faces in dealing with a non-state actor such as the Palestinian Authority is that, unlike state actors such as Egypt or Jordan, classic principles of deterrence and punishment are far less effective, as there is no unified government that asserts control over people, weapons, and terrorist groups. This is illustrated by the split between Fatah in the West Bank and Hamas in Gaza.
- The Palestinian Authority must commit to the cessation of incitement to terrorism, and to the building of a "culture of peace." This will entail forming joint structures for preventing incitement; neutralizing all channels of support for terrorist organizations (such as the transfer of funds to and activities conducted by extremist associations disguised as organizations established to help the needy); and eliminating school curricula that encourage violence, martyrdom and suicide. This will also require a commitment on the part of the Palestinian state to prevent the delivery of hostile sermons in mosques and other religious and cultural institutions.

## **Control of Territorial Airspace and the Electromagnetic Spectrum**

Brig.-Gen. (res.) Udi Dekel

- During the Camp David Summit in 2000, Israel insisted its control of airspace over the West Bank was essential to prevent the threat of a suicide attack by a civilian aircraft laden with explosives on a major Israeli city. The Americans responded that the Israelis had a vivid imagination which they employed to justify exaggerated security demands. A year later, on September 11, 2001, Al-Qaeda sent airliners plunging into the World Trade Center and the Pentagon, causing the death of thousands.
- The distance between the Jordan River and the Mediterranean Sea is approximately 40 nautical miles. A combat aircraft can fly across the country in less than four minutes, and a plane could penetrate the country via the Jordan Valley and reach Jerusalem in less than two minutes.
- In the past, prior to a planned Iraqi mission to carry out an aerial attack on Israel's nuclear research compound in Dimona, Jordan permitted Iraqi combat planes to use its airspace and to fly on a route parallel to the Israeli border in order to take aerial photographs of Israeli territory. Thus, despite the current relative calm, Israel cannot entrust its security to the goodwill of the Jordanians or the Palestinians.
- Israel suffers from a major topographical security disadvantage because all of its international civil aviation could be exposed to possible attack from hostile Palestinian elements using shoulder-launched anti-aircraft missiles, fired from the West Bank mountain ridge, at planes during take-off or landing at Ben-Gurion International Airport.
- A Palestinian entity located on the central mountain ridge enjoys a topographical advantage compared to largely coastal Israel. A small Palestinian transmitter station on Mount Eival, near Nablus, for example, could jam virtually the entire communication system in Israeli areas broadcasting on the same frequencies.

## **The Risks of Foreign Peacekeeping Forces in the West Bank**

Maj.-Gen. (res.) Yaakov Amidror

- Just before the 1967 Six-Day War, UNEF, the United Nations Emergency Force in Sinai, retreated from the area just before hostilities broke out. European monitors stationed along the Egyptian border with Gaza in accordance with the 2005 agreement brokered by Secretary of State Rice fled their positions when internecine fighting between Hamas and Fatah heated up.
- UNIFIL in Lebanon has never caught any Hizbullah terrorists. When Hizbullah moved its artillery positions to within 50 meters of a UN position and then fired on Israeli targets, UNIFIL did nothing. But if Israel employed counter-fire against the very same Hizbullah artillery, then the UN Division for Peacekeeping Operations would issue a formal diplomatic complaint.
- In the Bosnian War, there was a largely Western military presence. Yet the Dutch UN contingent abandoned the Muslims of Srebrenica as they were attacked by the Bosnian Serb Army, leading to the mass murder of over 8,000 civilians in 1995.
- After a UN Observer Mission was dispatched to Lebanon, in October 1983 both the French paratrooper barracks and the U.S. Marine headquarters were attacked by Shiite suicide bombers on orders from Tehran, causing the deaths of nearly three hundred servicemen. Within a year, both forces withdrew from Lebanon, demonstrating that peacekeepers will quickly leave the theater when attacked.
- It would be a serious mistake to believe that Israeli requirements for verifying complete Palestinian demilitarization could be guaranteed by international forces operating in the West Bank. International forces have never been successful anywhere in the world in a situation where one of the parties was ready to ignore the fulfillment of its responsibilities.

## Israel's Return to Security-Based Diplomacy

Dan Diker

- Since the 1993 Oslo Declaration of Principles signed with Yasser Arafat's Palestine Liberation Organization, Israel's vital security requirements have been relegated to a position of secondary importance. Israel's traditional "security-based diplomacy" approach to foreign relations had been set aside. Instead, a doctrine of "diplomacy-based security" had come to dominate Israeli diplomatic thinking, as peace agreements were thought to be the guarantor of Israel's safety.
- Israel's previous policy of making concessions first and trying to enforce its vital security requirements second has raised international expectations that Israel will continue to offer an intransigent Palestinian leadership greater concessions. Throughout this period, Israel's unprecedented concessions were rejected by the Palestinians but simultaneously pocketed, so as to form the basis for the next round of negotiations.
- Prime Minister Benjamin Netanyahu's foreign policy speech at Bar-Ilan University on June 14, 2009, represented a fundamental restoration of Israel's security- and rights-based approach to the conflict. Netanyahu insisted that reciprocity govern relations between the sides: that Israel be recognized as the nation-state of the Jewish people, that a future Palestinian state be demilitarized, and that Israel's critical security needs be honored.
- Netanyahu's insistence on a demilitarized Palestinian state and defensible borders did not represent a new strategy. Prime Minister Yitzhak Rabin told the Knesset on October 5, 1995: "The borders of the State of Israel, during the permanent solution, will be beyond the lines which existed before the Six-Day War. We will not return to the 4 June 1967 lines." In fact, Rabin told the IDF leadership that Israel would need to retain approximately 50 percent of the West Bank in any future settlement.
- Yigal Allon, a commander of the pre-state Palmach and foreign minister under Rabin, was the architect of the defensible borders doctrine. In Allon's view, which was shared by successive Israeli prime ministers, the concept of defensible borders means that Israel has a right and a responsibility to establish boundaries that provide for its citizens' basic security requirements, as opposed to accepting a geography that invites attack. This has always meant that Israel would retain some territories east of the 1949 armistice lines as part of any peace agreement with the Palestinians, especially in the largely unpopulated Jordan Valley.

# INTRODUCTION: RESTORING A SECURITY- FIRST PEACE POLICY

Vice Prime Minister  
and Minister of  
Strategic Affairs;  
former IDF Chief of  
Staff

## Lt.-Gen. (ret.) Moshe Yaalon

Israel's vital security requirements and a conditional endorsement of a Palestinian state were laid out by Prime Minister Benjamin Netanyahu in his first major policy speech at Bar-Ilan University, just two months after he took office in April 2009. Though at first glance it may appear as though Netanyahu articulated a major shift in Israel's policy, the ideas he endorsed represent a restoration of Israel's traditional security-based approach to achieving a lasting peace. This policy has been based on the government's understanding of the strategic environment in the Middle East and the nature of the Palestinian-Israeli conflict. That is, since the beginning of the conflict, even before the founding of the state and all the way through the Oslo Accords, the readiness of the Zionist leadership to reach an historic compromise has failed to convince the Palestinians to forgo their commitment to "armed struggle" and other forms of opposition to the right of the Jewish people to live peacefully in a nation-state of their own in their historic home, the Land of Israel.

This background supports this urgently needed policy study, *Israel's Critical Security Needs for a Viable Peace*. Israel's security requirements in any agreement with the Palestinians are presented here by some of Israel's best military minds, who have

experienced first-hand the dangers the Jewish state faces on all fronts, particularly in Gaza and Judea and Samaria (the West Bank), and from groups and regimes sponsored by Iran.

Throughout my military career, that included the Oslo "peace process" in the 1990s, I dealt with Palestinian and radical Islamic terror as an IDF officer in a variety of posts. I served as head of Military Intelligence, Deputy Chief of Staff, and then as Chief of Staff of the IDF during operations against the Palestinian Authority's paramilitary forces, Fatah militias, and Hamas forces in Gaza and Judea and Samaria from 2000 to 2005. The hard reality of these experiences taught me the importance of confronting security threats, ensuring the appropriate security protection systems, and not succumbing to wishful thinking about Israel's enemies. Today, the relative calm on Israel's borders and in Judea and Samaria should not be misinterpreted. Notwithstanding security improvements by the Palestinian National Security Forces trained by Lt.-Gen. Keith Dayton under the U.S.-backed security reform program, the IDF has been working around the clock to uproot the terror infrastructure in many Palestinian areas, while Iranian-backed Hamas has rebuilt its military capabilities in Gaza, as has Iran's Hezbollah proxy throughout Lebanon. It

Prime Minister Yitzhak Rabin launched a marathon Knesset debate in September 1993 following the Oslo Peace Accord signed with PLO leader Yasser Arafat at the White House.

Until his assassination in 1995, Rabin took a "security-first" approach, insisting on defensible borders for Israel and a demilitarized Palestinian entity that "would be less than a state."



is with these considerations in mind that Israel must approach the establishment of a prospective Palestinian state.

**This study is a corrective to the widely-held view that peace requires Israel to withdraw to the perilous 1949 armistice lines. These lines would invite war by denying the Jewish state strategic depth and topographical protection.**

This study is a corrective to the widely-held view in many international quarters and even in limited circles in Israel about the “need” and even the “inevitability” that peace requires Israel to withdraw to the perilous 1949 armistice lines (erroneously called the 1967 “borders”). These borders would not achieve peace – they would weaken Israel and invite war by denying the Jewish state strategic depth and topographical protection against Palestinian rocket and other attacks. The 1949 armistice lines enabled Israel’s enemies to deploy and operate in dangerously close proximity to Israel’s main population centers to such an extent that they constituted an existential threat to Israel.

## **Brief Historical Context**

Israeli policy immediately following the Six-Day War in 1967, and up to the Oslo Accords in 1993, centered on finding a formula that would enable Israel to *avoid* ruling over the Palestinians, without returning to the unstable pre-war ‘67 lines. It was on this basis that Israel did not annex Judea, Samaria and Gaza, yet at the same time did not speak of a Palestinian state within those territories. In fact, nothing that Israel did or said in those years – including at the 1978 Camp David Accords between Israeli Prime Minister Menachem Begin and Egyptian President Anwar Sadat, which called for “autonomy for the Palestinian people,” and later, in 1993, when Prime Minister Yitzhak Rabin entered into the Oslo Accords – constituted intent or consent to establish a Palestinian state

within the pre-war ‘67 lines. Those Israeli leaders understood that these lines were indefensible.

What Rabin envisioned for Judea and Samaria was something along the lines of the “Allon Plan,” originally drafted by Yigal Allon, Rabin’s former commander in the pre-state Palmach, and former foreign minister under Rabin. Drafted shortly after the Six-Day War, the Allon Plan called for Israel to retain sovereignty in some of the territories it came to control in Judea and Samaria, but not to settle in areas with large Arab populations. The plan delineated a security border extending from the Jordan Valley up the steep eastern slopes of the Judea-Samaria mountain ridge and retained sovereignty over Jerusalem as Israel’s united capital. The Allon Plan served as the security reference point for Israeli governments from 1967 until far into the 1990s.

Rabin was very clear on the need to provide Palestinian autonomy, yet maintain defensible borders for Israel. In his speech before the Knesset on October 5, 1995, on the ratification of the Israel-Palestinian Interim Agreement – a month before he was assassinated – he stated: “We would like this to be an entity which is less than a state, and which will independently run the lives of the Palestinians under its authority. The borders of the State of Israel, during the permanent solution, will be beyond the lines which existed before the Six-Day War. We will not return to the 4 June 1967 line.” In the same speech Rabin emphasized that “The security border of the State of Israel will be located in the Jordan Valley, in the broadest meaning of that term.”<sup>11</sup> He added that Jerusalem would remain Israel’s united capital.

The erosion of the concept of defensible borders began in 2000 when Prime Minister Ehud Barak went to the Camp David summit with PA Chairman Yasser Arafat and U.S. President Bill Clinton to negotiate an end to the Palestinian-Israeli conflict. Sensing that the Israeli public was ripe for substantial concessions in exchange for a peace agreement, Barak decided to put the Palestinians to the test. He did this by abandoning defensible borders and waiting to see whether Arafat would accept Israel’s



Israeli police and medics at the scene of a Palestinian suicide terror attack at the Sbarro Restaurant in downtown Jerusalem, August 9, 2001. This deadly assault was one of nearly 100 major Palestinian terror attacks in Israel's main cities that followed the failure of peace negotiations at Camp David in summer 2000 and Taba in January 2001.

unprecedented peace offer, and if not, “expose his true colors.” The result was the latter.

However, in doing so, Israel paid a heavy price – one that it continues to pay today. Barak inaugurated a new land-for-peace paradigm that was not rooted in UN Security Council Resolution 242 of 1967, which had governed all Arab-Israeli peace initiatives since the Six-Day War. Instead, from that point on, Israel

was expected to live within the curtailed borders that Barak had proposed. Even more far-reaching, the Palestinian leadership succeeded in establishing in the minds of Western policymakers the idea that the “1967 lines” – that is, the 1949 armistice lines – should be the new frame of reference for all future negotiations, as opposed to the notion of “secure and recognized boundaries” which had been unanimously approved by the UN Security Council after the Six-Day War.



In the aftermath of Arafat's rejection of Ehud Barak's peace offer, the Palestinian suicide bombing war that followed, Ariel Sharon's withdrawal from the Gaza Strip, the Second Lebanon War, the failed Annapolis talks, and the recent war in Gaza, the Netanyahu government is readopting the notion that safeguarding Israel's vital security requirements is the only path to a viable and durable peace with our Palestinian neighbors. This includes defensible borders, a demilitarized Palestinian entity, control of a unified airspace with Judea and Samaria, electromagnetic communications frequency security, and other guarantees. This marks a shift away from the previously held misperception that territorial withdrawals would make room for a peace deal, and that such a deal would bring security. Prime Minister Netanyahu is articulating a broad Israeli consensus that has been forged in the trauma of recent events for a security-first approach as the only avenue to real peace.

### **The return to a security-first approach is firmly rooted in Israel's longstanding commitment to defend itself by itself. Israel has never asked any foreign power to endanger its troops in its defense.**

Perhaps the most important element of a viable security framework is the requirement that the Palestinians at all levels of society inculcate in their people a culture of peace that forswears indoctrination and incitement to violence and terror, and accepts the Jewish people's 3,300-year connection to the Land of Israel and its right to live in Israel – the Jewish nation-state – in peace and security.

The return to a security-first approach is firmly rooted in Israel's longstanding commitment to defend itself without reliance on foreign forces. Israel has never asked any foreign power to endanger its troops in its defense. Israel's insistence on defensible borders, which was a central guarantee of the exchange of letters between President George W. Bush and Prime Minister Ariel Sharon in 2004, will ensure that Israel will be able to defend itself in the future.

### **The Implosion of the Land for Peace Formula and its Consequences**

The idea of "land for peace" began a rapid deterioration during the Oslo years, in the mid-1990s, when the territory that was placed under Palestinian control was used to create terrorist cadres for attacks against Israel – a phenomenon which culminated in the outbreak of the suicide-bombing war commonly known as the Second (or Al-Aksa) Intifada. "Land for peace" was dealt another blow when Israel withdrew from Gaza in 2005 and was repaid with a Hamas takeover of the territory and a dramatic escalation of rocket attacks on Israeli cities.

The lessons learned in both cases is that the Palestinians have adhered to their historical narrative of armed struggle that denies Israel's right to exist as a Jewish nation-state, regardless of signed agreements or unilateral Israeli withdrawals. In short, the Palestinians have interpreted Israeli territorial withdrawals as signs of weakness and retreat that have energized their struggle to force additional Israeli territorial concessions

Rejecting the failed, concession-based formulas of previous governments is not the only about-face in Israeli strategy that the Netanyahu government has undertaken. Another element involves the expectations of Palestinian society. Until now, the Palestinians have only been asked for a "top-down" peace process, throughout which their leaders have held meetings, shaken hands, attended peace conferences, and even signed agreements with Israeli leaders. But none of this was supported from the "bottom-up."

When a peace process does not sprout from the grassroots of a society, it is both pointless and useless. Indeed, until three-year-old children in Ramallah stop being taught to idolize "martyrs" who blow themselves up for *jihad* against Israelis and Jews, ideas which are also broadcast on Palestinian television, radio and the Internet, there will only be a "peace process" in the imaginations of the self-deluded.

Had Israel's experience with the Palestinians been different – had Oslo led to peace instead



of suicide bombers; had disengagement led to a flourishing society within Gaza rather than a launching site for Hamas rockets and a destination for Iranian weapons – the Israeli government’s considerations on how to reach a compromise on the borders of a Palestinian state would be different. As the situation stands today, Israel’s security depends on its retaining defensible borders. This means maintaining control over key areas of Judea and Samaria and certainly over an undivided Jerusalem. Any division of Israel’s capital city will invite sniper attacks, and mortar and rocket fire on the country’s capital from the surrounding high ground. In the event that the Palestinians obtain full sovereignty in Judea and Samaria, those areas – as Gaza before them – may be quickly taken over by Hamas and become staging grounds for attacks on Israel. This would pose a particularly serious threat due to the topography of the territory, which includes high ground from which even relatively primitive rockets – and even mortars – could easily strike Ben-Gurion International Airport.

## Defensible Borders in the Age of Rocket Terror

The debate over defensible borders is primarily a debate about Judea and Samaria and the calamities that would befall Israel should this territory be captured by radical Fatah factions or, like Gaza, by Hamas. Maintaining defensible borders is primarily a strategy for ensuring that such events never take place – and that if they do, Israel can respond swiftly to the threat.

There are several specific threats that defensible borders can help prevent. The first is that of rockets. Today, Hamas possesses rockets with a range of more than 50 kilometers. If launched from the Judea-Samaria mountain ridge, these rockets could strike the center of Israel where more than 70 percent of the population resides. This is also why it is crucial for Israel to control the strategically vital Jordan Valley. If it does not do so, the situation along the Jordan border may become similar to that of the Gaza-Egyptian border, where weapons, terrorists and other forms of support are easily smuggled to Hamas.

*Palestinian girls from Islamic Jihad, which is financed and armed by Iran’s Revolutionary Guards, carry toy guns in a demonstration at the Palestinian Legislative Council in Gaza City under the control of the Palestinian Authority, July 31, 2004.*

The second major threat that defensible borders helps reduce are possible attempts by radical Islamic elements to destabilize Jordan or exploit its territory as a launching pad for terror attacks and military operations against Israel via Palestinian territory. Israel's peace treaty with the Hashemite Kingdom of Jordan is a cornerstone of Israel's security, making Jordan's security of great importance to Israel.

### **For the sake of Israeli and Jordanian security - and indeed for the protection of moderate factions inside the Palestinian Authority - it is vital that the Jordan border retain an Israeli security presence.**

If the IDF were withdrawn to the 1949 lines, the conquest of Judea and Samaria would become easier and therefore assume even greater strategic value to Hamas and its Iranian patron, which would surely pour new resources into accomplishing this task. Much of this effort would concentrate on creating terror networks and hospitable conditions for arms smuggling on the Jordanian side of the border. Israel and the Hashemite Kingdom would thus both be threatened by the attempt to develop a "Hamastan" in Judea and Samaria.

Israel is prepared to negotiate the parameters of demilitarized Palestinian statehood with the present Fatah-led government in the Palestinian Authority. But Israel must take into account the reality that such a government would be fragile and that there would be a significant possibility that a Palestinian state could end up being ruled by hostile forces, such as one of the militant factions of Fatah or its Hamas adversaries. The threat is not just theoretical, particularly in view of the ongoing incitement and indoctrination to terror that takes place under the Palestinian Authority. For the sake of Israeli and Jordanian security – and indeed for the protection of moderate factions inside the Palestinian Authority – it is vital that the Jordan border retain an Israeli security presence.

## **Strategic Vulnerabilities**

Israel's situation prior to 1967 made it a "sitting duck" for enemy attack. Today, with all the new weaponry and technological developments available to its enemies – and with Hamas located approximately 70 km from Tel Aviv – for Israel to revert to having a 14-km waistline (the distance from Tulkarem to Netanya) would make it not only more vulnerable and inviting of attack, but virtually indefensible. Israel must be able to prevent hostile military forces and terror groups emanating from within and via a prospective Palestinian state from attacking Israel's narrow waistline, especially during a crisis that draws a large proportion of the IDF away from Israeli territory, such as into Lebanon or Syria. Maj.-Gen. (res.) Aharon Farkash, former head of IDF Intelligence, discusses these concerns at length in this study.

It must be emphasized that there are many unknowns when it comes to the future security of the Middle East and the stability of the regimes bordering Israel. This will become an especially grave concern should Iran achieve a nuclear weapons capability. Such a dramatic shift in the regional balance of power could destabilize Sunni regimes or compel them to cut deals with their new masters in Tehran that would compel them to join Iran in support of terror organizations. The terror groups themselves will be emboldened by their new nuclear patron and will speak about having acquired a protective nuclear umbrella for their attacks. Meanwhile, Hizbullah and Hamas are acquiring weapons with increasing range and lethality.

These terror groups are already penetrating land and sea barriers that had previously prevented states like Iran and Syria from transferring sophisticated weaponry. Israel must have robust borders in order to meet these possible challenges, including the threat of non-conventional attack, which cannot be ruled out. Israel is not alone in confronting these dangers, either currently or historically. The United States risked nuclear war to prevent the Soviet Union from deploying nuclear missiles 90 miles from its southern shore.

Israel's retaining control over its borders will make it more difficult for terror groups to use the territory of Israel's neighbors as a staging area for attacks. This will not only enhance Israel's security, but also the stability of neighboring governments and even distant Sunni regimes in the region. It is in the interest of all these actors for Israel to maintain defensible borders.

## Demilitarization

This brings us to an additional necessary condition for the establishment of a Palestinian state: that it be demilitarized.

Israel's past experience with peacemaking has been marked by failure and double-dealing. When Yasser Arafat first passed through the Rafah crossing into the Gaza Strip in May 1994 as part of the "Gaza and Jericho First" agreement with Israel, he violated the Oslo Accords from the first moment of his return by hiding prohibited weapons and a terrorist in his vehicle. From that moment to this day, the PA has established a track record of failure and bad faith that should make Israel reluctant to accept its promises at face value. The recent decline in Palestinian violence is not a generous response to Israeli gestures. Rather, greater calm has been accomplished largely because of the construction of the security barrier, ongoing IDF operations in Judea and Samaria that keep terrorists on the run, the increased rivalry between Fatah and Hamas, and a growing realization that Palestinian terror doesn't pay.

A militarized Palestinian state would actually be a standing invitation for terrorist groups to meddle and attack: on top of the hope of taking control of the territory would be the prospect of seizing valuable stockpiles of weapons that could be used against Israel. Moreover, in a militarized state, there would be few reliable safeguards preventing the transfer or shared use of weapons between legitimate Palestinian security forces and terror groups and militias, which today and in the past have had many shared members.

It is thus unsafe and unwise to place our hopes in the belief that future Israeli peace overtures and concessions will meet with

different results – at least not until Palestinian society reforms itself from within and embraces peaceful coexistence. Since this has not yet happened, Israel must insist on preventing the prospective Palestinian state from acquiring any arms or maintaining forces other than those necessary for internal Palestinian security and preventing terror attacks on Israel.

But even a demilitarized Palestinian entity does not mean that Israel can afford to fully relinquish security control. In fact, as Prime Minister Netanyahu has said publicly on a number of occasions, there will have to be a permanent IDF presence controlling the border crossings, particularly on the eastern side of any future Palestinian state, as well as the right of the IDF to enter the Palestinian entity when warranted.<sup>2</sup>

## Territorial Withdrawals Encourage Israel's Enemies

As for further evacuations of Jewish communities, similar to those of Gush Katif in Gaza and northern Samaria in 2005, this, too, has to be considered in a broader context – even beyond immediate security concerns relating to the Palestinians. The fact is that the mere discussion of removing Israeli settlements encourages *jihadists* across the globe. Their stated aim, after all, is not to establish a Palestinian state but to "wipe Israel off the map." Radical Islamist groups, even those whose ability to harm Israel is small, nevertheless envision the destruction of the Jewish state in stages: first Gaza, then Judea and Samaria, and after that, Tel Aviv. This is not mere semantics, but rather a strategic objective. We have learned from bitter experience that territorial withdrawals do not alleviate grievances; they indicate weakness and convince Israel's enemies that victory is possible.

With this in mind, Israel's counter-strategy must be based on strength. Instead of projecting that it is a country in a constant state of retreat, Israel must present itself as a country that stands up for itself and knows how to retaliate, so that its enemies will think twice before attacking.

## The Danger of International Forces

In this policy study, Maj.-Gen. (res.) Yaakov Amidror, former head of IDF intelligence assessment, addresses the proposed deployment of an international force as part of a peace agreement involving an Israeli withdrawal from further territories. Here, too, Israel's experience has been calamitous. This is not due to ill will on the part of such forces, but rather to the impossibility of their task of preventing and combating hostile activities along Israel's borders.

There are many reasons why international peacekeeping forces have such a prominent track record of inefficacy. UNIFIL, to take but one example, operates under a Chapter 6 UN mandate, which means that it cannot take an independent stance against Hizbullah; it must receive permission from the Lebanese government, in which Hizbullah is heavily represented. International peacekeepers tend not to be militarily equipped or organized to deal with the threats they face. Their bureaucratic incentives orient them toward cautious, risk-averse behavior – the exact opposite of the motives that drive a nation-state's military forces. These incentives also encourage the downplaying of threats and problems and an overestimation of the effectiveness of the peacekeeping forces. This is fine for the peacekeepers, but it endangers those whose lives hang in the balance of the peacekeepers' competence.

Peacekeepers are not strong or capable enough to prevent terrorist groups, which intentionally conceal their activities, from arming and organizing themselves – but they are enough of a presence to become a dangerous obstruction on the battlefield when war breaks out. This has been a great detriment to the IDF's ability to carry out crucial missions, since it has encountered friction with UNIFIL soldiers, rather than focusing solely on engaging the enemy.

So as not to antagonize the terrorist groups they fear, even when UN forces have intercepted weapons smugglers or uncovered terrorist cells, the most they have done is detain them temporarily, then release them and return their weapons. There was even a case of EU monitors stationed at the

Rafah crossing in Gaza who fled the area as soon as the security situation there began to deteriorate even before Hamas' violent takeover in June 2007.

It is for these reasons that Israel cannot and should not agree to the presence of foreign troops on its soil or the soil of a prospective demilitarized Palestinian state.

## Israel cannot and should not agree to the presence of foreign troops on its soil or the soil of a prospective demilitarized Palestinian state.

Another change in Israeli strategy that the Netanyahu government considers critical is combating the incessant delegitimization of Israel that has become a major feature of the strategy to weaken and destroy the Jewish state. The notoriously biased, misleading, and vicious UN-sanctioned Goldstone Report proves the dangers that Israel and other liberal democracies face when forced to combat terror, particularly in heavily populated areas such as Gaza, where terrorist forces can operate easily from among civilians.

## Israel's National and Historical Rights

The final element that characterizes Israel's current policy is the emphasis it places on the national and historic rights of the Jewish people to the Land of Israel. Without this component, arguments over security and borders have no context. One of the central challenges Israel has to confront in contending with Palestinian aggression is its successful "asymmetrical" battle in the international court of public opinion. This battlefield is characterized by the presence of a massive propaganda machine that attempts to convince the world of Israel's illegitimacy and that advocates its diplomatic and economic isolation.

Israel, for its part, has been so preoccupied with peace, on the one hand, and security,

on the other, that it has failed to remind itself and the world of the reason for its establishment in the first place – a reason other than the Holocaust. That Israel has been the Jewish homeland since time immemorial is not only clear from the yearning of Jews throughout history, expressed in the phrase repeated during Passover and as the last words said on Yom Kippur, “Next year in Jerusalem,” it is also substantiated by the ongoing archaeological discoveries proving the existence of Jewish national life in Israel going back more than three thousand years. It is further substantiated by the fact that there has always been a Jewish presence in Israel – sometimes smaller, sometimes larger, dwindling in the past because of persecution and expulsion – but always there. These facts are ignored or denied by the delegitimizers. Now is the time to put these axioms of Jewish rights and history at the forefront of the debate and use them as an integral part of Israel’s security strategy.

## Notes

1. [http://www.mfa.gov.il/MFA/MFAArchive/1990\\_1999/1995/10/PM+Rabin+in+Knesset+Ratification+of+Interim+Agree.htm](http://www.mfa.gov.il/MFA/MFAArchive/1990_1999/1995/10/PM+Rabin+in+Knesset+Ratification+of+Interim+Agree.htm).
2. “Netanyahu Demands Israeli Presence in West Bank,” AP, *Jerusalem Post*, January 20, 2010.

# DEFENSIBLE BORDERS TO SECURE ISRAEL'S FUTURE

Former IDF Deputy  
Chief of Staff;  
former National  
Security Advisor

## Maj.-Gen. (res.) Uzi Dayan

### Israel's 1949 Armistice Lines Were Indefensible

Israel's fundamental right to "defensible borders" is grounded in the special legal and strategic circumstances it faced in the aftermath of the 1967 Six-Day War, when the West Bank and other territories were captured. The armistice line of 1949, from which Israel was attacked, had only been a military boundary between the Israeli and Jordanian armies, and not a permanent political border, according to the 1949 Armistice Agreement itself. This provided the background for UN Security Council Resolution 242 of November 1967, which did not call on the Israel Defense Forces (IDF) to withdraw fully to that line. Instead, it concluded that Israel would need "secure and recognized boundaries" which could be different from the indefensible pre-war lines. Prior to 1967, Israel's waistline between its major coastal cities and the Jordanian-occupied West Bank was approximately eight miles wide at its narrowest point, and provided no strategic depth in case of invasion.

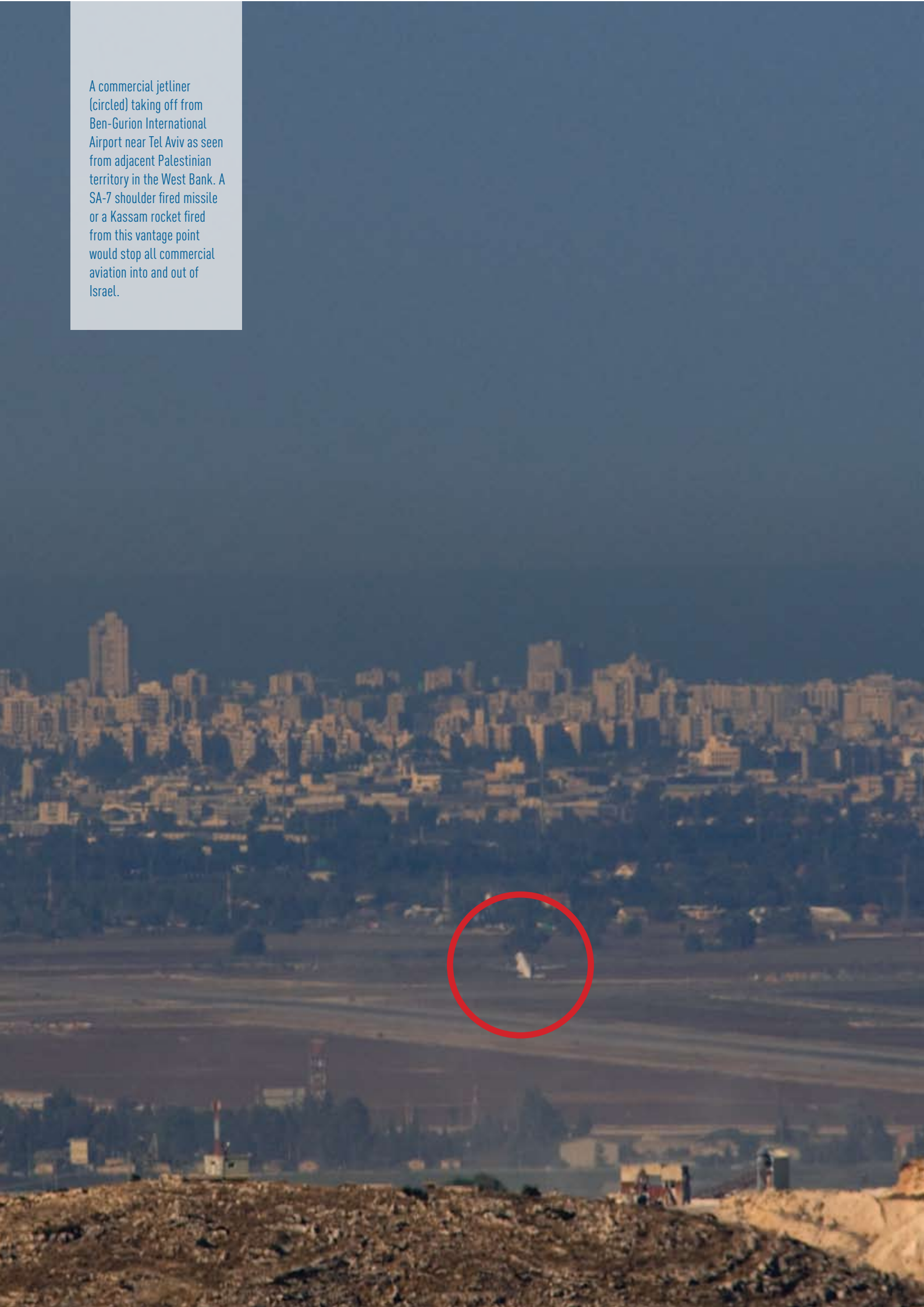
Today, it is commonly misunderstood just how vulnerable Israel actually was then and would become once again if it were

compelled to withdraw to the pre-1967 lines. As noted elsewhere in this policy study, Israel is a tiny country of about 10,000 square miles, approximately the size of New Jersey in the United States or slightly smaller than Belgium. Compounding Israel's small size is the fact that 70 percent of its population and 80 percent of its industrial capacity are concentrated in the narrow coastal strip sandwiched between the Mediterranean Sea and the West Bank.

To make matters worse, the adjacent hills of the West Bank topographically dominate the coastal plain, which is a relatively flat and exposed area. This provides distinct advantages to an attacker for observation, fire, and defense from an Israeli ground response. And there are many targets located along Israel's coastal plain: Ben-Gurion International Airport, the Trans-Israel Highway (Route 6) which runs north-south only tens of meters west of the West Bank, Israel's National Water Carrier, and its high-voltage electric power lines. If the West Bank were to fall into hostile hands, the resulting situation would pose a constant threat to Israel's national infrastructure.

For this reason, the architects of Israel's national security doctrine from Yigal Allon to Moshe Dayan to Yitzhak Rabin found

A commercial jetliner (circled) taking off from Ben-Gurion International Airport near Tel Aviv as seen from adjacent Palestinian territory in the West Bank. A SA-7 shoulder fired missile or a Kassam rocket fired from this vantage point would stop all commercial aviation into and out of Israel.





compelling reasons to insist that it must not return to the vulnerable 1967 lines, which only appeared to invite aggression and imperil Israel's future rather than set the stage for peace. These Israeli leaders sought new boundaries that would allow Israel to defend itself, by itself. Thus there emerged within the national security establishment a broad consensus that called these new lines "defensible borders" and urged that they be sought in any future negotiations.<sup>1</sup> In 2004, the U.S. provided Israel with a letter of assurances recognizing its right to defensible borders; it was signed by President George W. Bush and was backed by a bi-partisan majority in both houses of the U.S. Congress.

## The Threat of Conventional Attack

The logic behind Israel's need for defensible borders is based on four principal threats: conventional attack; terrorism; mortar and rocket fire (as well as ballistic missiles); and unconventional attacks. When it comes to conventional attack, in contrast to the armed forces of the surrounding Arab states, the

IDF is made up largely of reserve units that need approximately 48 hours to completely mobilize. The military formations of the Arab states are mostly active-duty units, with a small role for reserves. Defensible borders will provide the optimal topographical conditions for Israel's active-duty forces to withstand a ground assault by numerically superior forces while the mobilization of the reserves is completed.

**The IDF is made up largely of reserve units. Defensible borders will provide the optimal topographical conditions for Israel's active-duty forces to withstand a ground assault by numerically superior enemy forces while the mobilization of the reserves is completed.**

Even after the mobilization of the reserves is completed, defensible borders additionally



provide the IDF with the necessary strategic depth it requires for managing a defensive battle, in the event Israel comes under attack. Should Israel lack this minimal battle space, then its deterrence posture will be weakened and the propensity of regional armies to initiate a surprise attack will grow, in order to achieve a decisive outcome against the IDF as rapidly as possible.

These have been the main considerations for defensible borders, given that conventional Arab war coalitions formed in 1948, 1967, and 1973 that featured the deployment of Iraqi expeditionary forces to Israel's east. Since the end of the 1991 Gulf War and the advent of peace between Israel and Jordan, this danger has diminished in the near term. Yet no one can be certain how Iraq will evolve in the long term: perhaps it will become a new Arab democracy seeking peace with Israel – or it might become a satellite state of Iran, seeking to spread Iranian influence in the Arab world. No one can be certain how the alliances and alignments of states in the Middle East will evolve in the years ahead. Israel cannot plan its security around a snapshot of the current Middle Eastern political situation, but rather must take into account several possible scenarios for the evolution of the region.

It should be stressed that guaranteeing its security in the event of a massive conventional attack will remain critical for Israel, since even today, in the age of missile proliferation, wars are ultimately decided by the movement of armies and not by the employment of air strikes alone. Factually, the massive airpower employed by the United States against Iraq in both 1991 and in 2003 did not bring Saddam Hussein's regime to agree to the terms demanded by the UN Security Council. Only the movement of coalition ground forces deep into Iraqi territory ended the conflict. As long as ground forces remain the decisive element in determining the outcome of wars, then the conditions affecting land warfare, like terrain, topography, and strategic depth, will continue to be vital elements of Israeli national security. Indeed, most of Israel's neighbors still stress the role of heavy armor in their order of battle, making land warfare a major component of the Middle East military balance of power.<sup>2</sup>

## The Threat of Terrorism

Since its foundation, Israel has faced state-supported terrorism emanating from the entire Middle East region, and this consideration is especially relevant today. By its presence along the eastern perimeter of the West Bank in the Jordan Valley and the Judean Desert, Israel has been able to prevent weapons smuggling and the infiltration of hostile forces. As a result, the West Bank has not become a battlefield for global *jihadists*, like Afghanistan, Iraq, and Somalia. Indeed, one of the most important preconditions of a successful counter-insurgency or counter-terrorism strategy is isolating the area of conflict in order to cut off any reinforcement of hostile forces with manpower and material.

As we have seen in Gaza, the inability to prevent precisely this flow of weapons and manpower has been the source of years of attacks, instability, and diplomatic problems.

## The Threat of Rocket and Mortar Fire

Should terrorist forces in the West Bank employ mortars or rockets, as they have in Gaza, Israel's interior would be fully exposed. Given the fact that the West Bank virtually overlooks Israel's main cities, sitting several thousand feet above major population centers such as Tel Aviv, it is critical to avert the introduction of mortars, rockets, and surface-to-air missiles into the West Bank. This is not just a theoretical concern or based only on a worst-case analysis: Al-Qaeda launched an SA-7 shoulder-fired, anti-aircraft missile at an Israeli commercial airliner in Mombasa, Kenya, in 2002. Since then, Hamas has made a determined effort to smuggle anti-aircraft missiles into Gaza.

Short-range rockets pose a particular challenge for Israel, rendering the little land that Israel possesses as a particularly important defensive barrier. Ironically, the powerful long-range rockets possessed by neighboring states are less of a problem than short-range rockets would be in the West Bank. Long-range rockets are expensive and require large launching pads or vehicles that

are easily identifiable. Short-range rockets, and even shorter-range mortars, are much more difficult to locate, especially when they are embedded within a civilian population. They can also be very numerous because of their low cost. If Israel wants to prevent their deployment near strategically vulnerable sites, it must have control of the ground in those areas and thereby deny hostile forces the ability to threaten its most vital facilities.

**The more Israel's geographic vulnerability increases, the more it will face a greater threat from non-conventional attack by Middle Eastern military forces, as well as from non-conventional terrorism.**

### **The Non-Conventional Threat**

Defensible borders have continuing relevance in an era in which concern with non-conventional weapons in the Middle East is on the rise, especially nuclear weapons. Israel is such a small country that in the event of war, it must disperse its population and defensive assets as widely as possible in order to reduce the enemy's belief that it can achieve a decisive military advantage by launching a first strike, without facing any retaliatory response from Israel. The more Israel's geographic vulnerability increases, the more it will face a greater threat from non-conventional attack by Middle Eastern military forces, as well as from non-conventional terrorism. This will become more pronounced should the accessibility of terrorist groups to Israel be improved, as they acquire the ability to use nuclear terrorism in the future.

### **The Jordan Valley: A Critical Component of Defensible Borders**

Since 1967, the Jordan Valley has been the most critical component in Israeli thinking about defensible borders, largely because of its unique topographical features. The entire width of Israel and the West Bank

together averages about 40 miles from the Mediterranean to the Jordan River. The Jordan Rift Valley itself is only 6 to 9 miles wide. The Jordan River is roughly 1,300 feet below sea level, but it is adjacent to the extremely steep eastern slopes of the West Bank mountain ridge, which at its highest point reaches 3,318 feet above sea level. Along its peaks Israel has placed early-warning stations facing east. Thus the entire Jordan Rift Valley constitutes a natural physical barrier against attack that averages between 3,000 to 4,600 feet.<sup>3</sup> It is also an arid zone with relatively little Palestinian population. Finally, there are only five east-west passes through which an attacking army can move, each of which can be defended with relative ease, even by Israel's small standing army. For this reason, the Jordan Valley has been viewed as the front line for Israel's defense in an extremely uncertain Middle East.

Given the Jordan Valley's strategic importance for Israel's defense, in recent decades the IDF has deployed brigade-level forces there that could be reinforced by reserve units in the event that a significant ground threat emerges from the east. In the past, Israel pre-positioned equipment in the Jordan Valley for these units. During its negotiations with the Palestinians, Israel has also sought to preserve the right to move its forces to the Jordan Valley across strategic east-west roads. In many respects, the Israeli force in the Jordan Valley would serve as a trip-wire to trigger a full reserve mobilization if it was attacked. It is no wonder that former Prime Minister Yitzhak Rabin asserted in his last Knesset address, delivered in October 1995, that in any peace settlement Israel must retain the Jordan Valley "in the broadest meaning of that term."

Why can't Israel just rely on the capabilities of its military intelligence to warn of an imminent attack, so that Israel's reserve forces can be mobilized in a timely fashion in order to neutralize any potential land attack in the future? And having made this decision, wouldn't Israel no longer need to deploy a forward force in the Jordan Valley? In the 1973 Yom Kippur War, the IDF maintained inadequate forces along the Egyptian and Syrian fronts, believing that it would receive timely intelligence to reinforce them. This turned out to be an enormous miscalculation,



because the Egyptians and Syrians managed to launch surprise attacks that ran counter to the expectations of Israeli military intelligence at that time.

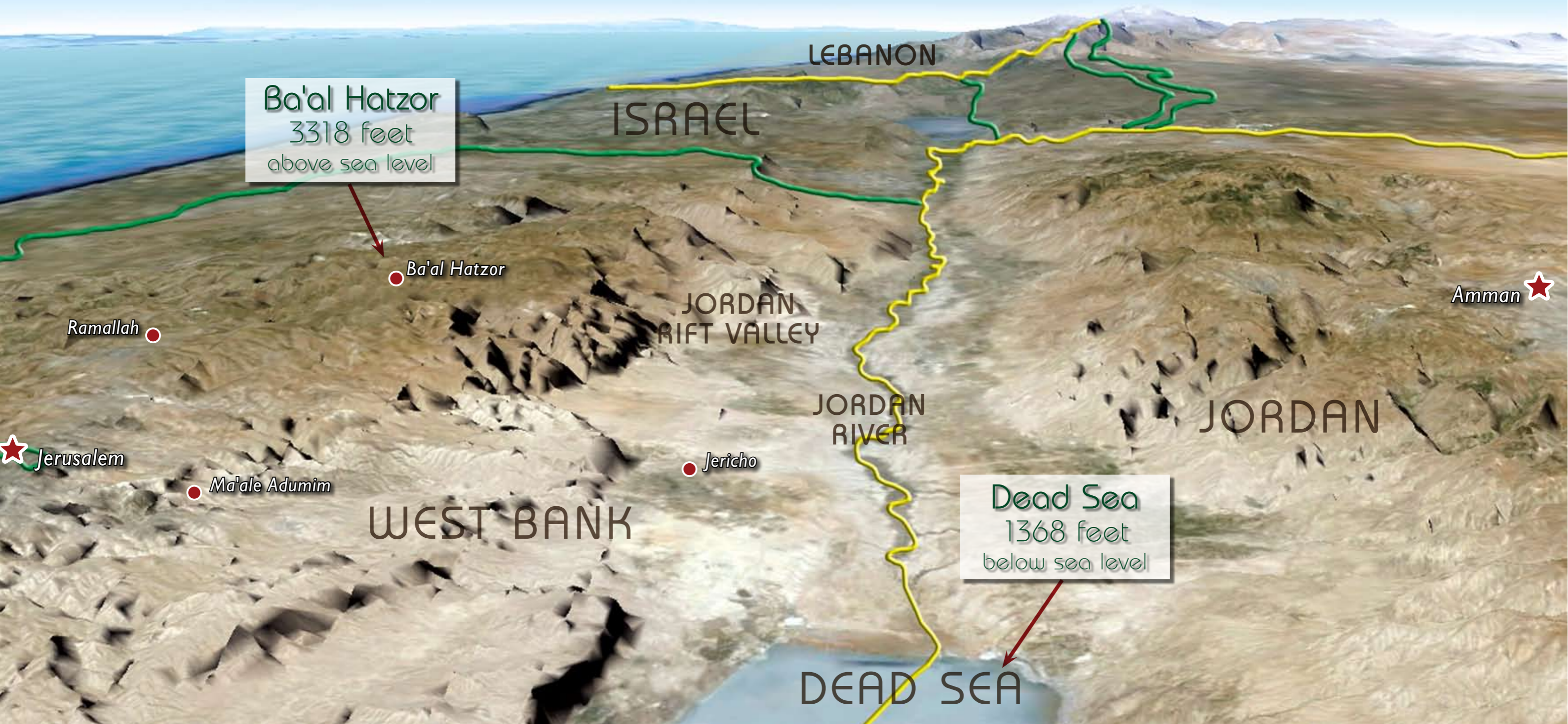
**Why can't Israel just rely on its military intelligence to warn of an imminent attack? In the 1973 Yom Kippur War, the IDF believed it would receive timely intelligence, which turned out to be an enormous miscalculation.**

One of the areas where intelligence warnings can be faulty is the matter of anticipating the political alignments of Middle Eastern states. For example, Jordan has unquestionably

emerged as a vital partner for peace with Israel. Yet twice in its recent history, sudden developments led to military escalation in the region, which caused enormous pressure on the Jordanian leadership to assume a more hostile posture toward Israel. In 1967, King Hussein was the last leader to join the Arab war coalition against Israel and permit foreign armies to enter his kingdom to join the war. In the lead-up to the 1990 Iraqi invasion of Kuwait, there was enormous pressure in Jordan to align the kingdom with Saddam Hussein; in 1989, Iraqi reconnaissance aircraft were given permission to enter Jordanian airspace and photograph potential targets in Israel. Israel cannot abandon the Jordan Valley on the assumption that attacks from the east are no longer possible, or that IDF forces can be mobilized quickly enough to counter them.

A Palestinian smuggler works inside a weapons tunnel in Rafah on the Egypt-Gaza border. Hamas and other *jihadi* groups continue to smuggle tons of rockets, mortars, and other weaponry through hundreds of tunnels like this one.

Israel's Defense Line:  
The Jordan Rift Valley with the  
Steep Eastern Slopes of the  
West Bank Mountain Ridge



Ba'al Hatzor  
3318 feet  
above sea level

Ba'al Hatzor

Ramallah

Jerusalem

Ma'ale Adumim

WEST BANK

JORDAN  
RIFT VALLEY

Jericho

JORDAN  
RIVER

LEBANON

ISRAEL

JORDAN

Amman

Dead Sea  
1368 feet  
below sea level

DEAD SEA

Indeed, relying on timely reinforcement of Israel's eastern front by reserve units is becoming increasingly hazardous. As already noted, Israel's neighbors benefit from having large, active-duty formations, with only a minor role for reserves. It is in their interest to delay Israel's reserve mobilization as long as possible and thus preserve their own advantageous force balance for a longer period of time. Missiles can even disrupt the reserve mobilization altogether by targeting meeting points and reserve equipment centers. Under such conditions, it can be expected that neighboring states will use their large ballistic missile and long-range rocket inventories for exactly this purpose, to prevent the arrival of adequate reinforcements to any of Israel's fronts, including the Jordan Valley.

Some observers suggest that Israel could rely on airpower to neutralize any attacking army, which would obviate any need for an optimal defensive line. But in any likely battlefield Israel will face, the air force will have other high-priority missions before it can engage in close air support. First, it will have to achieve air superiority by destroying the air defense systems of enemy states. Then it will need to suppress ballistic missile launches aimed at Israeli cities. Thus, the advent of ballistic missiles and rockets has increased the importance of terrain and strategic depth for Israel, since its small standing army may have to fight for longer periods of time without reinforcements from the reserve forces, whose timely arrival may be delayed or prevented by rocket fire. Israel's standing army may also have to operate for a considerable period of time without major assistance from the air force, which may be busy elsewhere.

The critical importance of the Jordan Valley for Israel's security is evident from the Israeli experience with Gaza. When Israel implemented the Oslo Agreements in Gaza in 1994, it established a security zone between southern Gaza and Egyptian Sinai that was little more than 300 feet wide in several critical areas and came to be known as the "Philadelphi Corridor." Palestinian groups exploited this narrow corridor and built smuggling tunnels from the Egyptian half of the town of Rafah in Sinai into the Palestinian

half of Rafah, under the Philadelphi Corridor, in order to import rockets and other munitions into Gaza. Israel fought the tunnels with limited success until 2005, when it withdrew completely from Gaza – including from the Philadelphi Corridor.

After Israel relinquished the Philadelphi Corridor, the scale of weapons smuggling vastly increased and Gaza became a launching pad for rockets of increasing range and lethality aimed at Israeli population centers. Hamas and other terrorist groups expanded their smuggling efforts, importing weapons from Iran, Yemen, and Sudan. Hamas operatives could leave Gaza and fly to Tehran, where they received training from the Revolutionary Guards before returning to build up Palestinian forces. At the same time, the whole tunnel industry provides a livelihood for thousands of Egyptians who have no interest in seeing the tunnels shut down.

The Jordan Valley is in many respects the Philadelphi Corridor of the West Bank. While underground tunneling is not likely, the Jordan Valley is vastly longer than the Philadelphi Corridor and provides a diversity of opportunities for smuggling. If Israel is proposing that any future Palestinian state remain demilitarized, to prevent it from becoming another Iranian-backed stronghold like Gaza, then the only way to guarantee that prohibited weaponry does not enter its territory is by Israel retaining control of the Jordan Valley and physically blocking the entry of illegal arms.

Israeli control of the Jordan Valley also has important implications for Jordanian security. Should the IDF ever evacuate the Jordan Valley, the main effort for the prevention of smuggling will fall on the Jordanian Army. Once it is widely known that Israel is no longer present to seal off the West Bank from the east, it is likely that many regional terrorist groups will seek to exploit Israel's new vulnerability and they will seek forward positions within Jordan. This will markedly increase the security burden on the Jordanians, and could lead to dangerous new challenges for them.

In fact, prior to the 2007 U.S.-led surge in Iraq and the setbacks for Al-Qaeda in Anbar Province in western Iraq, Al-Qaeda had begun setting up offshoots in Jordanian towns like Irbid which sought to recruit West Bank Palestinians. If Israel were to withdraw from the Jordan Valley, the area could easily become a magnet for regional terrorist groups seeking to infiltrate the West Bank and join Hamas' war on Israel, whether the terrorist operatives come from Al-Qaeda in Iraq or Hizbullah in Lebanon.

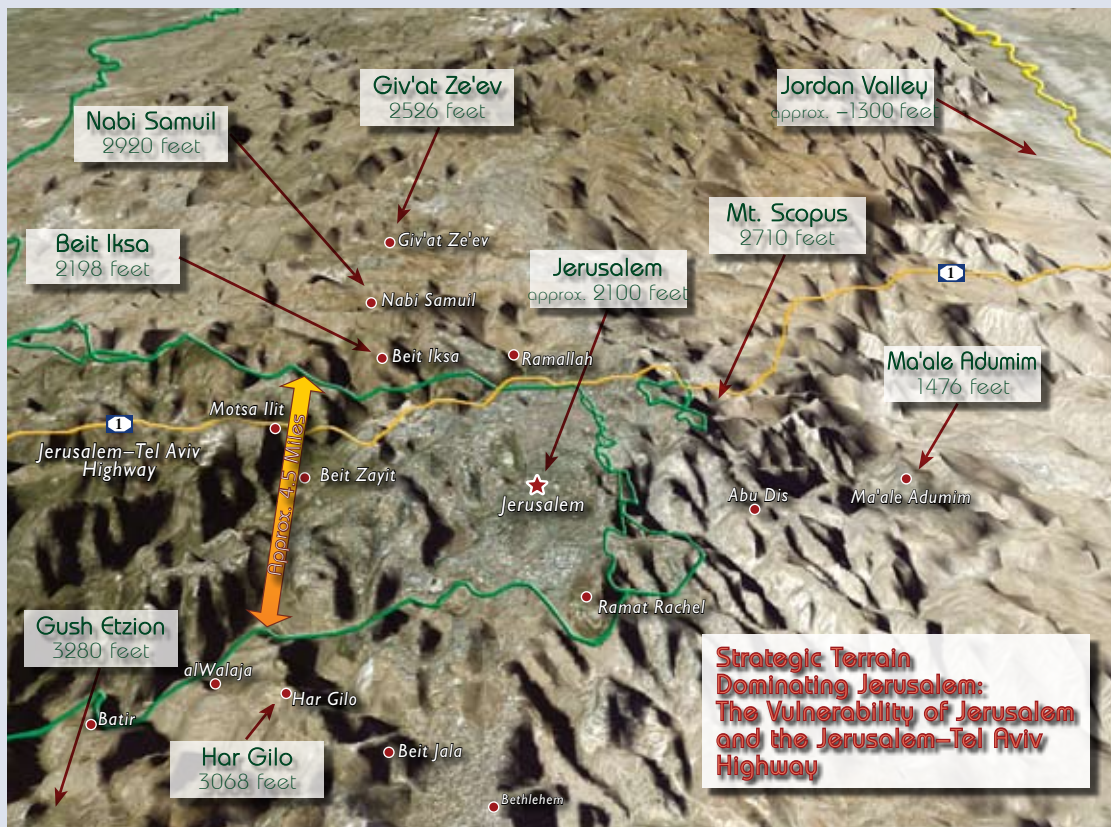
**If Israel were to withdraw from the Jordan Valley, the area could easily become a magnet for regional terrorist groups seeking to infiltrate the West Bank and join Hamas' war on Israel.**

The attraction of the Jordan Valley as an open smuggling route may also lead to the buildup of many terrorist groups inside the Jordanian kingdom itself, which would undoubtedly undermine Jordanian security. The last time Jordan became an active base against Israel

was in the late 1960s. In 1970, King Hussein put an end to the vast terrorist infrastructure created by the PLO in what became the Jordanian Civil War, because it threatened to topple his kingdom.

## Defensible Borders and Jerusalem

Jerusalem is one area where Israel's need for defensible borders is acute. Prior to 1967, Jerusalem was situated at the end of a narrow corridor that began on the Israeli coastal plain. Israel's capital was surrounded on three sides, and near the western entrance to the city, the corridor was only several miles wide. Topographically, Jerusalem is surrounded by dominating hills that control the access routes to the city. For example, the West Bank village of Beit Iksa is only a few hundred yards from the main Jerusalem-Tel Aviv highway, which could expose Israel's main transportation artery connecting its two largest cities to potentially hostile rifle fire. In 1967, the Jordanian Army exploited the commanding terrain around Jerusalem to launch some 9,000 artillery shells into the city's Jewish neighborhoods.



After 1967, due to defensive considerations, Israel moved to establish permanent control of the hills dominating its capital, developing the Givat Zeev settlement bloc to the north, the Gush Etzion bloc to the south, and the city of Maale Adumim to the east of Jerusalem. Maale Adumim is also located along one of the most important strategic east-west roads for moving Israeli reinforcements into the Jordan Valley in case of war. It is essential that Israel retain control of these areas that dominate Jerusalem.

## Alternative Security Arrangements?

One idea raised in the past – and rejected by the Palestinians – has been to allow Israeli deployment in the Jordan Valley and early-warning stations to be placed in territory under Palestinian sovereignty. Yet even if the Palestinians accepted such Israeli force dispositions, it is questionable how enduring they would be, since any Palestinian government would have a strong interest in eroding any Israeli presence within Palestinian territory. In addition, any Israeli military presence would likely serve as a lightning-rod in Palestinian domestic politics.

Furthermore, Israel's security interests in the Jordan Valley cannot be met by granting the area to the Palestinians and deploying foreign peacekeeping units in the area. (This issue is discussed more fully elsewhere in this study in "The Risks of Foreign Peacekeeping Forces in the West Bank" by Maj.-Gen. [res.] Yaakov Amidror.) Israel's national security doctrine is rooted in the principle of self-reliance, and for good reasons. Israel has accepted international monitors to oversee implementation of past agreements, but it has always resisted proposals that involved soldiers from other armies – including U.S. servicemen – risking their lives instead of Israeli soldiers. Moreover, the Israeli experience with an international presence has been poor. UNIFIL in Lebanon has not lived up to Israeli expectations in preventing the re-armament of Hizbullah after the 2006 Second Lebanon War. Equally, EU monitors abandoned their positions at the Rafah crossing in 2006 when challenged by local insurgents from Gaza.

Israel should seek to acquire Israeli sovereignty in areas of vital military importance in the West Bank, as part of a territorial compromise, rather than settle for extra-territorial security arrangements that simply will not last. This was the original intent of UN Security Council Resolution 242, which did not envision a complete Israeli withdrawal from the West Bank, but rather the creation of new borders that would take into account Israel's security needs and at the same time assure that any future peace agreement will endure. To provide Israel with the minimal strategic depth it needs for its long-term survival, the Jordan Valley must become Israel's eastern border, thereby helping to create truly defensible borders.

## Notes

1. Yigal Allon, "Israel: The Case for Defensible Borders," *Foreign Affairs*, vol. 55, no. 1 (October 1976).
2. Anthony Cordesman, *Arab-Israeli Military Forces in an Era of Asymmetric Wars* (Palo Alto, CA: Stanford University Press, 2008), p. 26.
3. The highest point of 4,600 feet is measured by the height differential between the Dead Sea, at 1,300 feet below sea level – the lowest point on Earth, and the apex of the West Bank mountain ridge which reaches a height of 3,300 feet above sea level at Baal Hatzor.





Kenyan President Daniel Arap Moi views missile launchers, at the Paradise Hotel north of Mombasa used in a failed SA-7 shoulder fired missile attack by Al-Qaeda on an Israeli passenger jet on Nov. 29, 2002. The plane with 261 passengers and 10 crew members landed safely in Tel Aviv with no casualties, but 16 people were killed in a simultaneous suicide bombing on the Israeli-owned hotel

# THE U.S. AND “DEFENSIBLE BORDERS”: HOW WASHINGTON HAS UNDERSTOOD UN SECURITY COUNCIL 242 AND ISRAEL'S SECURITY NEEDS

**Dr. Dore Gold**

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Ambassador to  
the UN

## **U.S. Policy Does Not Seek Israel's Return to the 1967 Lines**

The United States has historically backed Israel's view that UN Security Council Resolution 242, adopted in the wake of the Six-Day War on November 22, 1967, does not require a full withdrawal to the 1949 armistice lines (sometimes loosely called the 1967 borders). Moreover, in addition to that interpretation, both Democratic and Republican administrations have argued that Israel was entitled to “defensible borders.” In other words, the American backing of defensible borders has been bipartisan, right up to the latest rendition provided by President George W. Bush in April 2004. And it has been rooted in America's longstanding support for the security of Israel, which has gone well beyond the various legal interpretations of UN resolutions.

Why is the U.S. position so important to consider? First, while it is true that ultimately Israel and the Palestinians themselves must decide on the location of borders as part of any negotiation, the U.S. position on borders directly affects the level of expectation of the Arab side regarding the depth of the Israeli concessions they can obtain. To the

extent that the U.S. limits its demands of Israel through either presidential declarations or statements of the secretary of state, then the Arab states and the Palestinian Arabs will have to settle for less in terms of any Israeli withdrawal. U.S. declaratory policy, then, fundamentally affects whether Arab-Israeli differences can ultimately be bridged at the negotiating table or whether they simply remain too far apart.

Second, there is a related dynamic. Historically, Arab diplomats have preferred to extract Israeli concessions through international bodies, like the UN, or even through the U.S., thereby limiting the direct concessions they must make to Israel. According to this scenario, the UN, with U.S. acquiescence, could set the terms of an Israeli withdrawal in the West Bank that Israel would be pressured to fulfill with only minimal bilateral commitments provided by the Arab states. In fact, it was Egyptian President Anwar Sadat who used to say that the U.S. “holds 99 percent of the cards” in the peace process, before he signed the Israel-Egypt Treaty of Peace in 1979. Therefore, if the Arab states understand that the U.S. won't just deliver Israel according to their liking, then they will be compelled to deal with Israel directly.

The United Nations Security Council in session, May 23, 2002.



## Confusion in Jerusalem about the U.S. Position

Yet despite the critical importance of America's traditional support for Israel's understanding of Resolution 242, historically there has been considerable confusion in Jerusalem about this subject. All too frequently, Israeli diplomats err in asserting that, according to the U.S., Israel must ultimately pull back to the 1967 lines, with perhaps the addition that minor border modifications will be allowed. Those Israelis who take this mistaken position about U.S. policy tend to conclude that Israel has no alternative but to accept this policy as a given, and thereby concede Israel's right to defensible borders.

## Over time, successive U.S. administrations have issued explicit declarations rejecting an Israeli pullback to the 1967 lines and backing Israel's right to defensible borders instead.

However, a careful analysis of the development of the U.S. position on Resolution 242 reveals that this "maximalist" interpretation of U.S. policy is fundamentally mistaken. In fact, successive U.S. administrations following the Six-Day War have demonstrated considerable flexibility over the years regarding the extent of withdrawal that they expected of Israel. True, sometimes the State Department bureaucracy – especially diplomats in the Near Eastern Affairs division that dealt with the Arab world – adhered to a harder-line view of Israel's requirements for withdrawal. But this issue was not decided at their level. Indeed, over time, successive administrations would even go so far as to issue explicit declarations rejecting the requirement of full withdrawal and backing Israel's right to defensible borders instead.

What was the source of America's support for Israel? It is important to recall that Resolution 242 was a joint product of both the British ambassador to the UN, Lord Caradon, and the U.S. ambassador to the UN, Arthur Goldberg.

This was especially true of the withdrawal clause in the resolution which called on Israeli armed forces to withdraw "from territories" and not "from all the territories" or "from the territories" as the Soviet Union had demanded.

The exclusion of the definite article "the" from the withdrawal clause was not decided by a low-level legal drafting team or even at the ambassadorial level. And it was not an oversight or a matter of petty legalism. The decision was taken at the highest level of the U.S. government and was the subject of direct communications between the White House and the Kremlin. In fact, President Lyndon Baines Johnson himself decided that it was important to stick to this phrasing, despite the pressure from the Soviet premier, Alexei Kosygin, who sought to incorporate stricter additional language requiring a full Israeli withdrawal.<sup>1</sup>

The meaning of Resolution 242 was absolutely clear to those who were involved in this drafting process. Thus, Joseph P. Sisco, who would serve as the U.S. Assistant Secretary of State for Near Eastern and South Asian Affairs, commented on Resolution 242 during a *Meet the Press* interview some years later: "I was engaged in the negotiation for months of that resolution. That resolution did not say 'total withdrawal.'"<sup>2</sup> This position was fully coordinated with the British at the time. Indeed, George Brown, who had served as British foreign secretary in 1967 during Prime Minister Harold Wilson's Labour government, summarized Resolution 242 as follows: "The proposal said, 'Israel will withdraw from territories that were occupied,' not 'from the territories,' which means Israel will not withdraw from all the territories."<sup>3</sup>

## President Johnson: '67 Line a Prescription for Renewed Hostilities

President Johnson's insistence on the territorial flexibility of Resolution 242 could be traced to statements he made on June 19, 1967, in the immediate wake of the Six-Day War. Johnson declared that "an immediate return to the situation as it was on June 4," before the outbreak of hostilities, was "not a prescription for peace, but for renewed



President Lyndon B. Johnson, November 17, 1967. On November 22, the UN Security Council unanimously approved Resolution 242 that called on Israel to withdraw “from territories” to “secure and recognized boundaries.” Johnson refused to accept the demand of Soviet Premier Alexei Kosygin that Israel withdraw from “all the territories” to the pre-war lines. Johnson said Israel needed “recognized boundaries” that provided “security against terror, destruction and war.”

hostilities.” He stated that the old “truce lines” had been “fragile and violated.” What was needed, in Johnson’s view, were “recognized boundaries” that would provide “security against terror, destruction and war.”<sup>4</sup>

There were several key figures who contributed to how senior officials in the Johnson administration viewed the question of Israeli security needs after the Six-Day War. Secretary of Defense Robert McNamara asked the Chairman of the Joint Chiefs of Staff (JCS), General Earl Wheeler, what was the “minimum territory” that Israel “might be

justified in retaining in order to permit a more effective defense.”

Wheeler responded with a memorandum on June 29, 1967, which concluded: “From a strictly military point of view, Israel would require the retention of some captured Arab territory in order to provide militarily defensible borders.” Specifically, regarding the West Bank, the JCS suggested “a boundary along the commanding terrain overlooking the Jordan River,” and considered taking this defense line up to the crest of the mountain ridge.<sup>5</sup>

There were other reasons why changing the previous 1949 armistice line might be considered for security reasons. Article II of the Armistice Agreement clarified that it did not prejudice the rights of the parties or their future claims, since the agreement had been “dictated exclusively by military considerations.” As a result, the old armistice line was not a recognized international border. On May 31, 1967, the Jordanian ambassador to the UN made this very point to the UN Security Council just days before the Six-Day War. He stressed that the old armistice agreement “did not fix boundaries.”<sup>6</sup>

Ambassador Goldberg would note sometime later another aspect of the Johnson administration’s policy that was reflected in the language of its UN proposals: “Resolution 242 in no way refers to Jerusalem, and this omission was deliberate.”<sup>7</sup> The U.S. was not about to propose the restoration of the *status quo ante* in Jerusalem either, even though successive U.S. administrations would at times criticize Israel’s construction practices in the eastern parts of Jerusalem that it had captured.

Within a number of years, U.S. diplomacy would reflect the idea that Israel was entitled to changes in the pre-1967 lines. At first, public expressions by the Nixon administration were indeed minimalist; Secretary of State William Rogers declared in 1969 that there would be “insubstantial alterations” to the 1967 lines. At the time, Rogers’ policy was severely criticized by Stephen W. Schwebel, the Executive Director of the American Society of International Law, who would become the Legal Advisor of the U.S. Department of State and later serve on the International Court of Justice in The Hague. Schwebel reminded Rogers of Israel’s legal rights in the West Bank in the *American Journal of International Law* (64/344,1970) when he wrote: “Where the prior holder of territory had seized that territory unlawfully, the state which subsequently takes that territory in the lawful exercise of self-defense has, against that prior holder, better title.”

In the international legal community there was an acute awareness that Jordan had illegally invaded the West Bank in 1948 and held it until 1967, when Israel captured the territory in a war of self-defense. Indeed,

only two countries in the world recognized Jordanian sovereignty in the West Bank between 1948 and 1967: the United Kingdom and Pakistan. Even the Arab states refused to recognize Jordan’s claim to the territory. In short, according to Schwebel, Israel’s entitlement to changes in the pre-1967 lines did not arise because it had been vulnerable, but rather because it had been the victim of aggression in 1967.

**In the international legal community there was an acute awareness that Jordan had illegally invaded the West Bank in 1948 and held it until 1967, when Israel captured the territory in a war of self-defense.**

### **President Richard Nixon: The Israelis “Can’t Go Back” to the 1967 Borders**

Rogers was soon replaced, in any case, by Henry Kissinger, Nixon’s national security advisor, who significantly modified Rogers’ position. Already in 1973, in subsequently disclosed private conversations with Kissinger, in reference to the 1967 lines Nixon admitted: “You and I both know they [the Israelis] can’t go back to the other borders.”<sup>8</sup> This became evident in September 1975, under the Ford administration, during the Sinai II Disengagement Agreement. While the agreement covered a second Israeli pullout from the Sinai Peninsula, Israel’s prime minister at the time, Yitzhak Rabin, achieved a series of understandings with the U.S. that covered other fronts of the Arab-Israeli peace process. For example, President Ford provided Prime Minister Rabin with a letter on the future of the Golan Heights that stated:

The U.S. has not developed a final position on the borders. Should it do so it will give great weight to Israel’s position that any peace agreement with Syria must be predicated on Israel remaining on the Golan Heights.<sup>9</sup>



This carefully drafted language did not detail whether the U.S. would actually accept Israeli sovereignty over parts of the Golan Heights or just the continued presence of the Israel Defense Forces on the Golan plateau. In either case, the Ford letter did not envision a full Israeli pullback to the 1967 lines or even minor modifications of the 1967 border near the Sea of Galilee.

## **The Durability of Presidential Commitments: The Case of the Ford Letter**

The details of the Ford letter should not be viewed as a subject for academics doing research into U.S. diplomatic history in an archive. It should be recalled that the U.S. explicitly renewed its commitment to the Ford letter just before the 1991 Madrid Peace Conference, when Secretary of State James Baker issued a letter of assurances to Prime Minister Yitzhak Shamir. Moreover, Prime

Minister Benjamin Netanyahu obtained the recommitment of the Clinton administration to the Ford letter prior to the opening of Israeli-Palestinian negotiations over Hebron in 1996. In other words, U.S. letters of assurance were treated as durable commitments that lasted from one administration to the next, according to U.S. diplomatic practice.

## **President Reagan: I Can't Ask Israel to Return to the Pre-1967 Borders**

It was the administration of President Ronald Reagan that most forcefully articulated Israel's right to defensible borders, just after President Jimmy Carter appeared to give only lukewarm support for the U.S.-Israel understandings of the Ford-Kissinger era. Reagan himself stated in a September 1, 1982, address that became known as the "Reagan Plan": "In the pre-1967 borders, Israel was barely ten miles wide at its narrowest point. The bulk of Israel's population lived within artillery range of hostile armies. I am not

President Ronald Reagan, January 20, 1981. The 1982 Reagan plan called for Israel to retain defensible borders, while his secretary of state, George Shultz, stated explicitly, "Israel will never negotiate from or return to the 1967 borders."

about to ask Israel to live that way again.” Reagan came up with a flexible formula for Israeli withdrawal: “The extent to which Israel should be asked to give up territory will be heavily affected by the extent of the peace and normalization.”<sup>10</sup> Secretary of State George Shultz was even more explicit about what this meant during a September 1988 address: “Israel will never negotiate from or return to the 1967 borders.”<sup>11</sup>

What did Shultz mean by this statement? Was he recognizing Israel’s right to retain large portions of the West Bank? A half-year earlier, he demonstrated considerable diplomatic creativity in considering alternatives to a full Israeli withdrawal to the 1967 lines. He even proposed what was, in effect, a “functional compromise” in the West Bank, as opposed to a “territorial compromise.” Shultz was saying that the West Bank should be divided between Israel and the Jordanians according to different functions of government, and not in terms of drawing new internal borders. In an address to the Council on Foreign Relations in February 1988, he asserted: “the meaning of sovereignty, the meaning of territory, is changing, and what any national government can control, or what any unit that thinks it has sovereignty or jurisdiction over a certain area can control, is shifting gears.”<sup>12</sup>

In his memoirs, Shultz elaborated on his 1988 address. He wrote that he had spoken to both Israeli and Jordanian leaders in the spirit of his speech and argued that “who controls what... would necessarily vary over such diverse functions as external security, maintenance of law and order, access to limited supplies of water, management of education, health, and other civic functions, and so forth.”<sup>13</sup> The net effect of this thinking was to protect Israel’s security interests and provide it with a defensible border that would be substantially different from the 1967 lines.

## The Clinton Administration Reaffirms Defensible Borders

U.S. support for defensible borders had clearly become bipartisan and continued into the 1990s, even as the Palestinians replaced Jordan as the primary Arab claimant to the West Bank. At the time of the completion

of the 1997 Hebron Protocol, Secretary of State Warren Christopher wrote a letter of assurances to Prime Minister Benjamin Netanyahu. In the Christopher letter, the Clinton administration basically stated that it was not going to second-guess Israel about its security needs: “a hallmark of U.S. policy remains our commitment to work cooperatively to seek to *meet the security needs that Israel identifies*” (emphasis added). This meant that Israel would be the final arbiter of its defense needs. Christopher then added: “Finally, I would like to reiterate our position that Israel is entitled to secure and *defensible borders* (emphasis added), which should be directly negotiated and agreed with its neighbors.”<sup>14</sup>

The 1997 Christopher letter was significant since it showed U.S. deference to Israel’s judgments concerning its security needs. During this period, Israel was to designate “specified security locations” as part of the redeployment of its troops under the Oslo Accords. Christopher stated separately that the designation of Israeli security locations was an Israeli responsibility. These guarantees contained an implicit assurance: that the U.S. was not going to second-guess Israeli judgments about Israeli security needs.

In summary, there is no basis to the argument that the U.S. has traditionally demanded of Israel either a full withdrawal or a nearly full withdrawal from the territories it captured in the Six-Day War. This is particularly true of the West Bank and Gaza Strip where only armistice lines were drawn in 1949, reflecting where embattled armies had halted their advance and no permanent international borders existed. The only development that altered this American stance in support of defensible borders in the past involved changes in the Israeli position to which the U.S. responded.

## The Unofficial Clinton/Barak Parameters Are Off the Table

On January 7, 2001, two weeks before completing his second term in office, President Clinton presented his own plan for resolving the Israeli-Palestinian conflict. The Clinton parameters were partly based





President Bill Clinton and Secretary of State Warren Christopher, November 7, 1996. Christopher wrote to Prime Minister Benjamin Netanyahu: "A hallmark of U.S. policy remains our commitment to work cooperatively to seek to meet the security needs that Israel identifies." The Christopher letter specified "defensible borders for Israel."

on the proposals made by Israeli Prime Minister Ehud Barak at the failed Camp David Summit of July 2000.

In the territorial sphere, Clinton spoke about Israel annexing "settlement blocs" in the West Bank. However, he made this annexation of territory by Israel conditional upon a "land swap" taking place, according to which Israel would concede territory under its sovereignty before 1967 in exchange for any new West Bank land. This

"land swap" was not required by Resolution 242, but was a new Israeli concession made during the Barak government that Clinton adopted; it should be noted for the record, however, that Maj.-Gen. (res.) Danny Yatom, who served as the head of Barak's foreign and defense staff, has argued that Barak himself never offered these land swaps at Camp David.

Additionally, under the Clinton parameters, Israel was supposed to withdraw from

the Jordan Valley (which Rabin sought to retain) and thereby relinquish defensible borders. Instead, Clinton proposed an “international presence” to replace the IDF. This particular component of the proposals severely compromised Israel’s doctrine of self-reliance in matters of defense and seemed to ignore Israel’s problematic history with the UN and other international forces in even more limited roles such as peace monitoring.

### **IDF Chief of Staff Lt.-Gen. Shaul Mofaz severely criticized the Clinton parameters as a virtual disaster for Israel, conveying not only just his own view but that of the entire IDF General Staff.**

Prior to their formal release, the Chief of Staff of the IDF, Lt.-Gen. Shaul Mofaz, severely criticized the Clinton parameters before the Israeli cabinet as a virtual disaster for Israel: *Yediot Ahronot* reported on December 29, 2000, his judgment that: “The Clinton bridging proposal is inconsistent with Israel’s security interests and, if it will be accepted, *it will threaten the security of the state*” (emphasis added). Mofaz was not just voicing his own opinion, but was actually conveying the view of the entire IDF General Staff. In short, there were real U.S.-Israel differences at the time over the requirements of Israeli self-defense.

The Clinton parameters did not become official U.S. policy. After President George W. Bush came into office, U.S. officials informed the newly-elected Sharon government that the administration would not be bound by the Clinton parameters. Conversely, it was understood that the Sharon government would likewise not be bound by its predecessor’s proposals. Nevertheless, the ideas raised during this period continue to hover over most discussions in Washington policymaking circles about a solution to the Israel-Palestinian conflict, especially in think tanks and research institutes.

### **President Bush: It is Unrealistic to Expect a Return to the Armistice Lines of 1949**

The best proof that the U.S. had readopted its traditional policy that Israel was entitled to defensible borders came from the letter of assurances written by President Bush to Prime Minister Sharon on April 14, 2004, after Sharon’s presentation in Washington of Israel’s disengagement plan from the Gaza Strip. Bush wrote: “The United States reiterates its steadfast commitment to Israel’s security, including secure and defensible borders, and to preserve and strengthen Israel’s capability to deter and defend itself, by itself, against any threat or possible combination of threats.”<sup>15</sup> Here, then, was an implicit link suggested between the letter’s reference to defensible borders and Israel’s self-defense capabilities, by virtue of the fact that they were coupled together in the very same sentence.

Bush clearly did not envision Israel withdrawing to the 1967 lines. Later in the letter he stated: “In light of new realities on the ground, including already existing major Israeli population centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949.” Bush did not use the term “settlement blocs,” as Clinton did, but appeared to be referring to the same idea. Less than a year later, on March 27, 2005, Secretary of State Condoleezza Rice explained on Israel Radio that “Israeli population centers” referred to “the large settlement blocs” in the West Bank.<sup>16</sup>

More significantly, Bush did not make the retention of “Israeli population centers” in the West Bank contingent upon Israel agreeing to land swaps, using territory under Israeli sovereignty from within the pre-1967 borders as Clinton had proposed. In that sense, Bush restored the original terms of reference in the peace process that had been contained in Resolution 242 by confining Israel’s eastern territorial dispute to the West Bank, without involving any additional territorial exchanges.

Bush’s recognition of Israel’s right to defensible borders was the most explicit



expression of the U.S. stand on the subject, for the Bush letter endorsed clear-cut modifications of the pre-1967 lines. Moreover, by linking the idea of defensible borders to Israel's defensive capabilities, Bush was making clear that a "defensible border" had to improve Israel's ability to provide for its own security. True, a "secure boundary," as mentioned in Resolution 242, included that interpretation as well. But it could also imply a boundary that was secured by U.S. guarantees, NATO troops, or even other international forces. Bush's letter did not contain this ambiguity, but rather specifically tied defensible borders to Israel's ability to defend itself.

On March 25, 2005, the U.S. ambassador to Israel, Daniel Kurtzer, was quoted in the Israeli daily *Yediot Ahronot* as saying that there was no U.S.-Israel "understanding" over Israel's retention of West Bank settlement blocs. Kurtzer denied the *Yediot* report. Yet the story raised the question of what kind of commitment the Bush letter exactly constituted. In U.S. practice, a treaty is the

strongest form of inter-state commitment, followed by an executive agreement (such as a Memorandum of Understanding without congressional ratification). Still, an exchange of letters provides an international commitment as well. Kurtzer himself reiterated this point on Israel's Channel 10 television: "Those commitments are very, very firm with respect to these Israeli population centers; our expectation is that Israel is not going to be going back to the 1967 lines." When asked if these "population centers" were "settlement blocs," he replied: "That's correct."<sup>17</sup>

Separately, Bush introduced the idea of a viable and contiguous Palestinian state, which has territorial implications. At a minimum, contiguity refers to creating an unobstructed connection between all the West Bank cities, so that a Palestinian could drive from Jenin to Hebron. Palestinians might construe American references to contiguity as including a Palestinian-controlled connection from the West Bank to the Gaza Strip, like the "safe passage" mentioned

President George W. Bush and Israeli Prime Minister Ariel Sharon at the White House, June 14, 2004. Sharon exchanged letters with Bush in which Israel committed to withdraw from Gaza and the United States endorsed defensible borders for Israel.

in the Oslo Accords. But this would entail bifurcating Israel in two. In any case, there is no international legal right of states to have a sovereign connection between parts that are geographically separated: The U.S. has no sovereign territorial connection between Alaska and the State of Washington. Similarly, there is no such sovereign connection between the parts of other geographically separated states, like Oman. On February 21, 2005, President Bush clarified that his administration's call for territorial contiguity referred specifically to the West Bank.

In the last year of the Bush administration, Prime Minister Ehud Olmert made far-reaching concessions in private discussions with Palestinian Authority Chairman Mahmoud Abbas. In many respects, Olmert's proposals of 2008 went well beyond what was expected of Israel in the Bush letter, but certainly did not cancel the commitments that had been made to Prime Minister Sharon. Secretary of State Condoleezza Rice monitored the Olmert-Abbas discussions closely, though ultimately they failed to produce an Israeli-Palestinian agreement. Rice reported her impressions to the incoming administration of President-elect Barack Obama. Nonetheless, as was the case after the Camp David and Taba talks in 2000, it was not suggested that Israel should be bound by the diplomatic record of a failed negotiation.

## The Obama Administration and Defensible Borders

During the 2008 presidential campaign, then-Senator Barack Obama spoke at the annual policy conference of the American Israel Public Affairs Committee (AIPAC). He spoke on June 4, 2008, about the establishment of a Palestinian state "that is contiguous and cohesive." But he also stipulated that "any agreement with the Palestinian people must preserve Israel's identity as a Jewish state, with secure, recognized and defensible borders." While Obama subsequently modified the statement he made at AIPAC on Jerusalem – watering down his original declaration that it must remain "undivided" – he did not change his remarks in any way about Israel's right to defensible borders.

Yet after Obama entered office, questions emerged about the extent to which the administration still supported the idea of defensible borders. His national security adviser, General James Jones, was known to support the deployment of a NATO force in the West Bank instead of the IDF.<sup>18</sup> There was also some ambiguity over whether the Obama administration felt it was legally bound by the 2004 Bush letter. When asked on two successive days, on June 1 and on June 2, 2009, whether the administration was committed to the letter, Robert Wood, the deputy spokesman of the U.S. Department of State, would only say in response that the administration wanted to see both parties implement their Roadmap obligations. When pressed yet again, he finally answered: "I'm giving you what I got." In other words, Wood had no instructions to confirm whether the administration still supported the Bush letter.

It appeared that the Obama administration preferred to avoid making a clear-cut statement on defensible borders. In November 2009 when the government of Prime Minister Benjamin Netanyahu announced its readiness to implement a 10-month settlement freeze in the West Bank, Secretary of State Hillary Clinton made a brief statement that summarized the Obama administration policy on borders:

We believe that through good-faith negotiations the parties can mutually agree on an outcome which ends the conflict and reconciles the Palestinian goal of an independent and viable state on the 1967 lines, with agreed swaps, and the Israeli goal of a Jewish state with secure and recognized borders that reflects subsequent developments and meets Israeli security requirements.<sup>19</sup>

Thus Secretary Clinton did not identify with either the Palestinian goal of a territorial settlement on the 1967 lines or the Israeli goal of secure borders, but placed the U.S. in a middle position between the two parties. This represented a shift from Bush's 2004 commitments, but did not amount to a complete rejection of defensible borders either.



## Historically, the U.S. Has Not Insisted on Full Israeli Withdrawal

In conclusion, historically the U.S. has not insisted on a full Israeli withdrawal to the 1949 armistice lines from the territories that Israel captured in the Six-Day War. Yet it is still possible to ask what value these American declarations have if they are made with the additional provision that the ultimate location of Arab-Israeli borders must be decided by the parties themselves. This is particularly true of the 2004 Bush letter, which reiterates this point explicitly.

Clearly the U.S. cannot impose the Bush letter on Israel and the Palestinians if they refuse to accept its terms. The Bush letter only updates and summarizes the U.S. view of the correct interpretation of UN Resolution 242 in any future negotiations. Its importance emanates from four possible future considerations:

- Traditionally, Israel has sought assurances from the U.S. prior to the formal opening of negotiations. This was Israeli practice before the Geneva Peace Conference after the 1973 Yom Kippur War; it was also Israeli practice prior to the 1991 Madrid Peace Conference. But the April 2003 Quartet “Roadmap” was silent on the subject of Israel’s future borders and those of the proposed Palestinian state. The Bush letter protected Israel’s vital interests prior to the beginning of any future negotiations. It was tantamount to a diplomatic safety net for Israel.
- In the future, if the U.S. and Israel are at a Camp David-like summit and the Palestinians ask U.S. officials to unveil Washington’s position on borders, then if the Bush letter is respected, those officials should still back its contents.

Prime Minister Benjamin Netanyahu and President Barack Obama at the White House during the first official meeting between the two leaders, May 18, 2009.

- The Bush commitments were intended to last regardless of who was in power in Washington. The Bush letter was greeted with overwhelming bipartisan congressional approval on June 23-24, 2004. The House of Representatives approved it by an overwhelming majority of 407 to 9, the Senate by 95 to 3. Both Rep. Rahm Emanuel and Senator Hillary Clinton voted for the Bush letter.
- In July 2009, the European Union's foreign policy chief recommended that if Israel and the Palestinians do not reach an agreement among themselves, the UN Security Council should call for the recognition of a Palestinian state. He recommended that such a UN resolution dictate the key final status issues, including borders and the status of Jerusalem. If an effort to impose the 1967 lines on Israel by means of a UN Security Council resolution were to move forward, the Bush commitments create an expectation that the U.S. would move to veto such a resolution.<sup>20</sup>

Defensible borders entered the U.S. diplomatic lexicon for Arab-Israeli peacemaking over several administrations. Today, Israel must provide further details about the territorial meaning of defensible borders and seek to reach a more specific understanding with the Obama administration regarding its commitment to the durability of this longstanding component of American diplomacy in the Middle East.

## Notes

1. Premier Kosygin wrote to President Johnson on November 21, 1967, requesting that the UK draft resolution, that was to become Resolution 242, include the word "the" before the word "territories." Johnson wrote back the same day refusing the Soviet request. The Soviet deputy foreign minister, Kuznetsov, tried the same day in New York to insert the word "all," but was rebuffed. See *Foreign Relations of the United States, 1967-1968, volume XIX, Arab-Israeli Crisis and War 1967*, <http://www.stage.gov/r/pa/ho/frus/johnsonlb/xix/28070.htm>
2. Adnan Abu Odeh, Nabil Elaraby, Meir Rosenne, Dennis Ross, Eugene Rostow, and Vernon Turner, *UN Security Council Resolution 242: The Building Block of Peacemaking* (Washington, D.C.: Washington Institute for Near East Policy, 1993), p. 88.
3. See Meir Rosenne in *ibid.*, p. 31.
4. Speech by President Lyndon Johnson, June 19, 1967; <http://www.jewishvirtuallibrary.org/jsource/US-Israel/lbjpeace.html>
5. See <http://www.defensibleborders.org/amidror.htm>. For a complete text of the memorandum, JCSM-373-67, see Michael Widlandski, *Can Israel Survive a Palestinian State?* (Jerusalem: Institute for Advanced Strategic and Political Studies, 1990), pp. 148-152.
6. See Ambassador Yehuda Blum, "The Territorial Clauses of Security Council Resolution 242," in *Israel's Rights to Secure Boundaries: Four Decades Since UN Security Council Resolution 242* (Jerusalem: Jerusalem Center for Public Affairs, 2009), p. 29. See also Arthur Lall, *The UN and the Middle East Crisis* (New York: Columbia University Press, 1968), pp. 22-24.
7. Arthur J. Goldberg, Letter to the Editor of *The New York Times*, March 5, 1980.
8. Henry Kissinger, *Crisis: The Anatomy of Two Major Foreign Policy Crises* (New York: Simon and Schuster, 2003), p. 140.
9. Letter from President Ford to Prime Minister Rabin, September 1, 1975; [http://www.jewishvirtuallibrary.org/jsource/Peace/ford\\_rabin\\_letter.html](http://www.jewishvirtuallibrary.org/jsource/Peace/ford_rabin_letter.html)
10. Speech by President Ronald Reagan, September 1, 1982; <http://www.reagan.utexas.edu/resource/speeches/1982/90182d.htm>
11. Secretary of State George P. Shultz's address, September 16, 1988; [http://www.findarticles.com/p/articles/mi\\_m1079/is\\_n2140\\_v88/ai\\_6876262](http://www.findarticles.com/p/articles/mi_m1079/is_n2140_v88/ai_6876262)
12. George P. Shultz, *Turmoil and Triumph: My Years as Secretary of State* (New York: Charles Scribner's Sons, 1993), p. 1022.
13. *Ibid.*, p. 1023.
14. Letter of U.S. Secretary of State Warren Christopher, January 17, 1997; <http://mfa.gov.il/mfa/go.asp?MFAH00qo0>
15. Exchange of letters between President Bush and Prime Minister Sharon, April 14, 2004; <http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/Exchange+of+letters+Sharon-Bush+14-Apr-2004.htm>
16. Aluf Benn, "PM: Understanding with U.S. About West Bank Settlement Blocs Holds Firm," *Ha'aretz*, March 27, 2005.
17. <http://www.usembassy-israel.org.il/publish/mission/amb/032505b.html>
18. Aluf Benn, "Candidate for U.S. Security Adviser Wants NATO Force in West Bank," *Ha'aretz*, November 23, 2008, <http://www.haaretz.com/hasen/spages/1039923.html>
19. Hillary Rodham Clinton, Secretary of State, "Israel's Announcement Regarding Settlements," U.S. Department of State Diplomacy in Action, PRN: 2009/1175, <http://www.state.gov/secretary/rm/2009a/11/132434.htm>
20. "EU's Solana Calls for UN to Recognize Palestinian State," July 12, 2009, <http://www.reuters.com/article/idUSLC616115>.
21. <http://www.whitehouse.gov/news/releases/2004/04/20040414-3.html>

## Appendix 1

### **UN Security Council Resolution 242 November 22, 1967**

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,  
Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,  
Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. Affirms that the fulfillment of Charter principles requires 1. the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:
  - Withdrawal of Israeli armed forces from territories occupied in the recent conflict;
  - Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;
2. Affirms further the necessity
  - For guaranteeing freedom of navigation through international waterways in the area;
  - For achieving a just settlement of the refugee problem;
  - For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;
3. Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;
4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

### **UN Security Council Resolution 338 October 22, 1973**

The Security Council,

1. Calls upon all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;
2. Calls upon the parties concerned to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) in all its parts;
3. Decides that, immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

## Appendix 2

### **Letter from U.S. President George W. Bush to Prime Minister Ariel Sharon April 14, 2004<sup>21</sup>**

His Excellency Ariel Sharon  
Prime Minister of Israel

Dear Mr. Prime Minister,

Thank you for your letter setting out your disengagement plan.

The United States remains hopeful and determined to find a way forward toward a resolution of the Israeli-Palestinian dispute. I remain committed to my June 24, 2002, vision of two states living side by side in peace and security as the key to peace, and to the roadmap as the route to get there.

We welcome the disengagement plan you have prepared, under which Israel would withdraw certain military installations and all settlements from Gaza, and withdraw certain military installations and settlements in the West Bank. These steps described in the plan will mark real progress toward realizing my June 24, 2002, vision, and make a real contribution towards peace. We also understand that, in this context, Israel believes it is important to bring new opportunities to the Negev and the Galilee. We are hopeful that steps pursuant to this plan, consistent with my vision, will remind all states and parties of their own obligations under the roadmap.

The United States appreciates the risks such an undertaking represents. I therefore want to reassure you on several points.

First, the United States remains committed to my vision and to its implementation as described in the roadmap. The United States will do its utmost to prevent any attempt by anyone to impose any other plan. Under the roadmap, Palestinians must undertake an immediate cessation of armed activity and all acts of violence against Israelis anywhere, and all official Palestinian institutions must end incitement against Israel. The Palestinian leadership must act decisively against terror, including sustained, targeted, and effective operations to stop terrorism and dismantle terrorist capabilities and infrastructure. Palestinians must undertake a comprehensive and fundamental political reform that includes a strong parliamentary democracy and an empowered prime minister.

Second, there will be no security for Israelis or Palestinians until they and all states, in the region and beyond, join together to fight terrorism and dismantle terrorist organizations. The United States reiterates its steadfast commitment to Israel's security, including secure, defensible borders, and to preserve and strengthen Israel's capability to deter and defend itself, by itself, against any threat or possible combination of threats.

Third, Israel will retain its right to defend itself against terrorism, including to take actions against terrorist organizations. The United States will lead efforts, working together with Jordan, Egypt, and others in the international community, to build the capacity and will of Palestinian institutions to fight terrorism, dismantle terrorist organizations, and prevent the areas from which Israel has withdrawn from posing a threat that would have to be addressed by any other means. The United States understands that after Israel withdraws from Gaza and/or parts of the West Bank, and pending agreements on other arrangements, existing arrangements regarding control of airspace, territorial waters, and land passages of the West Bank and Gaza will continue.



The United States is strongly committed to Israel's security and well-being as a Jewish state. It seems clear that an agreed, just, fair and realistic framework for a solution to the Palestinian refugee issue as part of any final status agreement will need to be found through the establishment of a Palestinian state, and the settling of Palestinian refugees there, rather than in Israel.

As part of a final peace settlement, Israel must have secure and recognized borders, which should emerge from negotiations between the parties in accordance with UNSC Resolutions 242 and 338. In light of new realities on the ground, including already existing major Israeli population centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949, and all previous efforts to negotiate a two-state solution have reached the same conclusion. It is realistic to expect that any final status agreement will only be achieved on the basis of mutually agreed changes that reflect these realities.

I know that, as you state in your letter, you are aware that certain responsibilities face the State of Israel. Among these, your government has stated that the barrier being erected by Israel should be a security rather than political barrier, should be temporary rather than permanent, and therefore not prejudice any final status issues including final borders, and its route should take into account, consistent with security needs, its impact on Palestinians not engaged in terrorist activities.

As you know, the United States supports the establishment of a Palestinian state that is viable, contiguous, sovereign, and independent, so that the Palestinian people can build their own future in accordance with my vision set forth in June 2002 and with the path set forth in the roadmap. The United States will join with others in the international community to foster the development of democratic political institutions and new leadership committed to those institutions, the reconstruction of civic institutions, the growth of a free and prosperous economy, and the building of capable security institutions dedicated to maintaining law and order and dismantling terrorist organizations.

A peace settlement negotiated between Israelis and Palestinians would be a great boon not only to those peoples but to the peoples of the entire region. Accordingly, the United States believes that all states in the region have special responsibilities: to support the building of the institutions of a Palestinian state; to fight terrorism, and cut off all forms of assistance to individuals and groups engaged in terrorism; and to begin now to move toward more normal relations with the State of Israel. These actions would be true contributions to building peace in the region.

Mr. Prime Minister, you have described a bold and historic initiative that can make an important contribution to peace. I commend your efforts and your courageous decision which I support. As a close friend and ally, the United States intends to work closely with you to help make it a success.

Sincerely,

George W. Bush

## Appendix 3

### **U.S. Senate and House of Representatives Approve Commitments to Israel in President Bush's Letter of April 14, 2004**

H. CON. RES. 460  
CONCURRENT RESOLUTION

Whereas the United States is hopeful that a peaceful resolution of the Israeli-Palestinian conflict can be achieved;

Whereas the United States is strongly committed to the security of Israel and its well-being as a Jewish state;

Whereas Israeli Prime Minister Ariel Sharon has proposed an initiative intended to enhance the security of Israel and further the cause of peace in the Middle East;

Whereas President George W. Bush and Prime Minister Sharon have subsequently engaged in a dialogue with respect to this initiative;

Whereas President Bush, as part of that dialogue, expressed the support of the United States for Prime Minister Sharon's initiative in a letter dated April 14, 2004;

Whereas in the April 14, 2004, letter the President stated that in light of new realities on the ground in Israel, including already existing major Israeli population centers, it is unrealistic to expect that the outcome of final status negotiations between Israel and the Palestinians will be a full and complete return to the armistice lines of 1949, but realistic to expect that any final status agreement will only be achieved on the basis of mutually agreed changes that reflect these realities;

Whereas the President acknowledged that any agreed, just, fair, and realistic framework for a solution to the Palestinian refugee issue as part of any final status agreement will need to be found through the establishment of a permanent alternative and the settling of Palestinian refugees there rather than in Israel;

Whereas the principles expressed in President Bush's letter will enhance the security of Israel and advance the cause of peace in the Middle East;

Whereas there will be no security for Israelis or Palestinians until Israel and the Palestinians, and all countries in the region and throughout the world, join together to fight terrorism and dismantle terrorist organizations;

Whereas the United States remains committed to the security of Israel, including secure, recognized, and defensible borders, and to preserving and strengthening the capability of Israel to deter enemies and defend itself against any threat;

Whereas Israel has the right to defend itself against terrorism, including the right to take actions against terrorist organizations that threaten the citizens of Israel;

Whereas the President stated on June 24, 2002, his vision of two states, Israel and Palestine, living side-by-side in peace and security and that vision can only be fully realized when terrorism is defeated, so that a new state may be created based on rule of law and respect for human rights; and

Whereas President Bush announced on March 14, 2003, that in order to promote a lasting peace, all Arab states must oppose terrorism, support the emergence of a peaceful and democratic Palestine, and state clearly that they will live in peace with Israel: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That Congress –*

(1) strongly endorses the principles articulated by President Bush in his letter dated April 14, 2004, to Israeli Prime Minister Ariel Sharon which will strengthen the security and well-being of the State of Israel; and

(2) supports continuing efforts with others in the international community to build the capacity and will of Palestinian institutions to fight terrorism, dismantle terrorist organizations, and prevent the areas from which Israel has withdrawn from posing a threat to the security of Israel.

Passed the House of Representatives, June 23, 2004.

Passed the Senate, June 24, 2004.

# KEY PRINCIPLES OF A DEMILITARIZED PALESTINIAN STATE

Former Director of  
IDF Intelligence;  
President of the  
Jewish People Policy  
Planning Institute

## Maj.-Gen. (res.) Aharon Ze'evi Farkash

### Israel Has Sought Palestinian Demilitarization Since Oslo

The State of Israel's requirement that a prospective Palestinian state be demilitarized has been in effect since the 1993 Declaration of Principles (DOP), which served as the basis for the Oslo process and the establishment of the Palestinian Authority (PA). However, the term "demilitarization," as it is commonly understood (i.e., a limitation on war materials), is too narrowly defined and does not sufficiently cover the full range of Israel's security needs. The broader concept includes preventing the development of symmetrical and asymmetrical military threats against Israel – including conventional warfare, terrorism and guerilla warfare – from and via the territory of the PA and a prospective Palestinian state. Demilitarization, then, is a means to safeguarding Israel's security, not an end in itself.

Since 1936 – even before the founding of the state – and until the present time, Israel has pursued the path of territorial compromise. It has done so, despite great inherent security risks, in the hope of achieving peace, stability, and prosperity for its citizens and good relations with its neighbors.<sup>1</sup>

Despite numerous failed peace initiatives, military operations, and terror assaults by neighboring Arab countries, and in recent years by the Palestinian Authority, Israel has again extended its hand in peace and compromise, with Prime Minister Benjamin Netanyahu's recognition of a prospective demilitarized Palestinian state. However, the Israeli public will not countenance living alongside a Palestinian entity that houses a terrorist infrastructure or hostile military forces.

### Israel's Strategic Vulnerability

Israel's long-time insistence on the demilitarization of any independent Palestinian entity stems from strategic security threats that could easily arise both within a future Palestinian state and from a number of hostile regional actors. Since its founding in 1948, Israel has suffered from several regional asymmetries in relation to its neighbors that restrict its capacity for self-defense. Israel's population of 7.5 million lives in an area of less than 10,000 square miles including the disputed West Bank, while surrounded by Arab countries with a population of three hundred million and territories 650 times larger than Israel. Israel's main objective over the years has

Two rockets are launched at Israel from Gaza City, May 22, 2007. There was a massive increase in Palestinian rocket and mortar assaults against Israeli cities and towns after Israel's unilateral withdrawal from the Gaza Strip in August 2005 and in the aftermath of Hamas' takeover there in June 2007.



been to defend itself against hostile forces, while its Arab and Palestinian neighbors have maintained aggressive and hostile intentions, notwithstanding historic peace agreements with Egypt and Jordan.

Israel also lacks territorial contiguity with “friendly” neighboring states that could provide transportation arteries to help protect the country’s vital defense and national security interests.

All of these fundamental asymmetries have led Israel’s military planners to develop a security concept that includes deterrence, early warning, and decisive force.<sup>2</sup> Yet the country still has to contend with an intractable disadvantage – its severe lack of strategic depth. Israel, including the West Bank, is approximately 40 miles wide.

This lack of strategic depth has exposed Israel to potentially untenable situations in which the Israel Defense Forces is forced to defend the country from within major cities, such as Safed, Nahariya and Kiryat Shmona in the north, or Ashkelon and Ashdod in the south. Such scenarios became concrete following Israel’s unilateral withdrawals from Southern Lebanon in 2000 and Gaza in 2005, which exposed its northern and southern population centers to thousands of short- and medium-range rockets, fired by Iranian proxies Hizbullah in Lebanon and Hamas in Gaza. Both may now possess rockets capable of reaching Tel Aviv.<sup>3</sup>

In the event of a peace agreement with the PA, Israel may have to forfeit the minimal depth that is currently provided by the West Bank.

## Security Challenges Ahead

Israel is likely to face two main scenarios in the wake of the establishment of a Palestinian state, and in light of prevailing trends in the Middle East:

In the first scenario, the Palestinian state-information would be a failed one, that serves as a convenient base for the development of terrorist infrastructures, as transpired in Gaza following Israel’s 2005 unilateral withdrawal.<sup>4</sup>

Such a situation would pose an ongoing challenge for Israel, which would likely face repeated assaults by terror squads attempting to penetrate its border, or by high-trajectory rockets launched into its heartland, as occurred following Israel’s withdrawal from the territory. Hamas rocket attacks on Israeli towns and cities increased by more than 500 percent between 2005 and 2006.<sup>5</sup> In all likelihood, then, a withdrawal from the West Bank would lead to repeated armed confrontations, making it extremely difficult for Israelis to go about their daily lives, and severely hindering the implementation of peace agreements.

## Israel is likely to face two main scenarios in the wake of the establishment of a Palestinian state: Either it becomes a base for terrorist attacks or a conduit for threats from further east.

In the second scenario, involving the entire region, the threat to Israel would develop to the east of the Palestinian state, and Palestinian territory would be used as a base from which to attack Israel. Islamic radicalism would provide the context for this type of threat. The Iranian regime in 2010 is on the verge of acquiring nuclear capabilities and already possesses ballistic missile capabilities that currently threaten Israel, its Arab neighbors, Russia and parts of Europe. The Islamic Revolutionary Guard Corps that controls Iran’s most sensitive weapons systems, including its nuclear program, provides a strategic umbrella for the radical groups it mobilizes as proxies across the Middle East, from radical Shiite militias in Iraq and Hizbullah in Lebanon to Hamas and Palestinian Islamic Jihad in Gaza and the West Bank.<sup>6</sup>

Iran will continue to exploit its growing nuclear capacity – and image as a soon-to-be nuclear power – to achieve its ambitions for regional hegemony. The Iranian regime will also continue its concerted efforts to exert control in Iraq through the Shiite majority there following the withdrawal of U.S. troops. The consolidation of a radical, Iran-led, Shiite



Former IDF Chief of Staff Lt.-Gen. Shaul Mofaz, left; former Prime Minister Ariel Sharon, center; and former Defense Minister Binyamin Ben Eliezer, right, review 50 tons of weaponry seized from the cargo ship Karine A that was captured by Israel and displayed at the Red Sea port of Eilat, January 6, 2002. The Karine A weapons ship was requisitioned by former Palestinian leader Yasser Arafat from Iran's Revolutionary Guards, and illustrated the Iranian regime's direct involvement in supporting the Palestinian Authority's terrorism activity against Israel.

# The Threat of Palestinian Rocket Fire on Israeli Population Centers and Infrastructure

Selected Rockets Fired from the Gaza Strip (Operational and Tested)

Rocket	Range
Kassam II (domestic)	6.2 miles
Grad (Iranian)	12.5 miles
Grad (Chinese)	25 miles
Fajr (Iranian)	37 miles





axis that includes Iraq, Syria, and Hizbullah in Lebanon, in addition to ongoing Al-Qaeda and Hamas activity, could result in a destabilized Jordan.<sup>7</sup>

This combination of hostile forces could pose a conventional military threat emanating from Israel's eastern front. This threat could materialize in the form of aerial attacks, surface-to-surface missile strikes, the deployment of military and/or paramilitary forces, and/or the use of proxies – all via the Palestinian state. (This would almost certainly transpire if the Palestinian state were co-opted by Hamas, together with other local Iranian-backed terror groups.) In such cases, Israel would be forced to contend with incessant attacks, and would have great difficulty creating a secure environment for its citizens.

## Lessons Learned from Failed Agreements with the PA

Israel's ability to anticipate future threats is largely rooted in lessons learned from past experience. Indeed, since 1993, when the Israeli government and the Palestine Liberation Organization (PLO) signed the Oslo Declaration of Principles that launched the peace process, much has been learned from subsequent events on the ground. These can be summarized as follows:

- Since the time when the Oslo Accord and its 1995 interim agreement were supposed to be implemented, the PLO failed to prevent terrorists from manufacturing and smuggling arms into the Palestinian territories. Moreover, the PLO, Fatah, and PA Chairman Yasser Arafat also financed, directed, and equipped some dozen competing security organizations, providing nearly 60,000 "security forces"<sup>8</sup> with weapons – through local manufacturing and smuggling – that were prohibited in those agreements. In fact, on July 1, 1994, on the very day that he entered Gaza from Egypt for the first time in 27 years, Arafat not only smuggled in such weapons, but hid terror operatives among his entourage.

- Though the Oslo agreements stipulated that the Palestinians would only operate internal security forces such as police, with no military characteristics whatsoever, Arafat and his Fatah commanders gave their national security apparatus all the trappings of an army (i.e., organizational structure, operational functions, unit names, ranks, etc.), expanding it well beyond what had been agreed upon. Hamas, too, after taking control of Gaza, established openly military frameworks, with regional brigades that were armed like military forces and functioned as part of the movement's military wing.<sup>9</sup>
- Since 2005, Hamas' continual use of terror against Israel has been combined with more advanced military capabilities such as standard Grad rockets, anti-tank and anti-aircraft missiles, and other weapons, all of which undermine the strategic balance. Stopping and preventing this is an essential principle of demilitarization that will require implementation and enforcement.
- The terrorist onslaught against innocent Israeli citizens waged by the PA in the fall of 2000 (the Second Intifada) underscored Israel's demand – and the PLO's failure to comply with signed agreements – to prevent military and terrorist capabilities from developing in Palestinian-controlled areas.
- Throughout the years since the signing of the Oslo Accords, terrorist organizations and PLO security forces have smuggled arms and military manufacturing expertise from Iran through Egypt into Gaza via the Philadelphi Corridor, and even from Gaza into the West Bank (at times even doing this through the use of Palestinians crossing into Israel to receive medical treatment). Only Israeli control of – and careful inspections at – the border crossings have prevented even more of such arms and expertise from flowing into the West Bank from Gaza.<sup>10</sup>

Israel's freedom of military operation in the West Bank, which enables the IDF to reach every place where prohibited arms

are manufactured or hidden, has thus far prevented terrorists there from being able to manufacture rockets and launch them at Jerusalem and Tel Aviv. It has also enabled the IDF to intercept suicide bombers before they are able to carry out their deadly missions.

**Only Israel's freedom of military operation in the West Bank has thus far prevented terrorists there from manufacturing rockets and launching them at Jerusalem and Tel Aviv.**

### **Confronting Terrorist and Military Threats**

A threat exists when hostile intentions join with aggressive capabilities. Israel has learned from many years of confronting military campaigns and terrorism that it is

virtually impossible to alter hostile intentions. In fact, a major problem Israel faces in dealing with a non-state actor such as the Palestinian Authority is that, unlike with state actors such as Egypt or Jordan, classic principles of deterrence and punishment are far less effective as there is no unified government that asserts control over people, weapons, and terrorist groups. This is illustrated by the split between Fatah in the West Bank and Hamas in Gaza. Therefore, aggressive capabilities must be neutralized. This is why Israel has maintained its uncompromising policy of disarming the terrorist infrastructures within and along its borders. Its relative success in dismantling terror infrastructure relies on high-quality, precise military intelligence and full freedom of operation, which includes the ability to enter Palestinian city-centers and villages to locate and destroy bomb-producing laboratories, lathes for the manufacture of rockets and other weapons, arms and ammunition caches. Such is the way Israel deals with what are defined as "asymmetrical" threats from terrorist groups.



Regarding “symmetrical” threats, which involve conventional military forces, Israel must take into account past events in the region, including the Syrian and Iraqi armies’ attempts to take control of Jordan and use it as a base from which to attack Israel, without the consent of the Hashemite Kingdom. The PLO also attempted an overthrow of Jordan’s King Hussein. More recently, relentless efforts by the Iranian regime to create a radical Shiite axis involving Iraq, Syria, and Lebanon under a developing nuclear umbrella, and to unite radical proxy forces under the command of the Islamic Revolutionary Guard Corps – while seeking to use Palestinian territory for access to Israel’s home front – are liable to pose a concrete military threat to Israel from the east.

Thus, any agreement between Israel and the Palestinians must guarantee that a Palestinian state will not allow the development of a terrorist entity – with symmetrical and asymmetrical military capabilities – that could attack Israel at will. An agreement must also prohibit any terrorist activity or deployment of foreign military forces for the purpose of attacking Israel. It must also include the strict demand that the Palestinians not develop significant military capabilities under the auspices – or in the territory – of a third party, nor sign military or strategic pacts with Israel’s enemies or with those entities that do not recognize Israel’s existence.<sup>11</sup>

## **Understandings and Disagreements in Israeli-Palestinian Negotiations to Date**

Over the years, understandings have been reached regarding the purpose of the reformed Palestinian security forces as envisioned by PA leader Mahmoud Abbas, who has repeatedly insisted on “one authority, one law, and one weapon.”<sup>12</sup> These forces are tasked with internal policing responsibilities, such as: establishing law and order; preventing terrorism and violence; dismantling terror infrastructures; disarming armed groups; and securing borders to prevent the smuggling of weapons and infiltration of terrorists.

However, despite (or perhaps because of) the security challenge Palestinian forces have posed to Israel in the past – and could easily pose in the future – the heads of the PLO and the PA have so far refused to agree to a definition of demilitarization that would characterize a Palestinian state. In fact, the PA leadership in Ramallah has sought a definition that would defeat the whole principle of demilitarization.<sup>13</sup> In discussions on the matter, PA representatives have said they would agree to “limited arms” – for example, not acquiring combat planes or tanks (known in military terms as heavy weaponry). But they claim the right to possess high-trajectory weapons (mortars), anti-tank missiles (RPGs), and armored vehicles equipped with machine guns.

They have explained that they need these weapons in order to be the dominant security force in their territory, with the ability to protect the central government. They have also pointed to their right as a sovereign state to maintain a military force, at least for self-defense, for securing borders from external threats, and for dismantling armed militias which pose an internal threat.

Palestinian demands for symmetry in security capabilities can only be addressed in the context of an overall agreement on symmetrical trust-building between the sides. This must include symmetry of state recognition – a Palestinian state and a Jewish state, educating for peace, maintaining a unified and responsible government, and ensuring peaceful state intentions.

At the Camp David summit in 2000, initiated by President Clinton to determine the parameters of a final-status agreement between Israel and the Palestinians, the U.S. president tried to soften the term “demilitarization” by using a new word not recognized in international law – “nonmilitarization” – but the Palestinian side did not agree to this either.

In other words, based on past experience, the gap between the two sides appears to be difficult to bridge with regard to defining to what extent a Palestinian state should be limited in its military capabilities. Other key security-related issues on which there remains disagreement include:



- Special security arrangements for Israel in the Jordan Valley (up to and including the Allon Road) to prevent arms smuggling and terrorist infiltration (of the kind that occurs in the Philadelphi Corridor along the Egypt-Gaza border), and guarantees to enable an Israeli operational response to a military threat from the east, so that any force that crosses the Jordan River and enters the Palestinian state will be stopped before it reaches Israel's central mountain ridge and its capital, Jerusalem.
- The continued strengthening of the existing relationship between Jordan and Israel in line with their 1994 treaty of peace and its security appendix, and its continued requirement that Jordan work to prevent all terrorist threats from the eastern side of the border and to ensure naval security in both the Red Sea and the Dead Sea.
- A unified airspace, controlled by Israel, to prevent aerial terrorism and aerial military attacks on Israel.
- Control of the sea off the coast of Gaza, including the Gaza port, when built, to prevent weapons smuggling into Gaza and attacks from the sea against Israel, in cooperation with Egypt as defined in the security appendix of the 1979 treaty of peace with Israel.<sup>14</sup>

## The Principles of Israel's Position on Demilitarization

Israel views the term "demilitarization" as encompassing a wider definition than is normally accepted or spelled out in international law, since the common term does not take into account the changing nature of military conflicts and threats. According to Israel's definition, demilitarization is a means to an end: that no security threat – whether symmetrical, asymmetrical, military, terrorist or one that poses any other disruption to daily life in Israel – develop or come to fruition either within or by way of Palestinian territory.<sup>15</sup> But

Israeli soldiers unpack rockets seized by Israeli authorities on the Francopf weapons ship near Cyprus and presented at the Israeli port of Ashdod, November 4, 2009. Israeli commandos seized the Francopf which reportedly carried 500 tons of weaponry from Iran and was bound for the Hizbullah terror organization in Lebanon.

the *context* of demilitarization here is also unique, as it does not involve two countries with regular armies, but rather a Palestinian state-in-the-making with a history of constant terrorism against Israel.<sup>16</sup> Therefore, Israel must insist on the prohibition of strategic balance-breaking weaponry under Palestinian control, and must demand broad limitations on the security capabilities of the prospective Palestinian state, including the formation of a regular army with planes, tanks, and other conventional heavy armor and weaponry.<sup>17</sup>

**Israel's definition of demilitarization is that no security threat develop either within or by way of Palestinian territory.**

### **The Military Dimension**

For Israel, demilitarization means that no Palestinian army or military capabilities which could constitute a threat will be established. The following precautions are required to ensure demilitarization:

- The maintaining of Palestinian police and internal security frameworks – such as the current U.S.-sponsored “Dayton forces”<sup>18</sup> – not military ones or those with obvious military characteristics.
- Only permitting Palestinian possession of weapons whose purpose is for internal security and policing alone.
- An absence of military alliances or cooperation between Palestinian security forces and foreign armies. This includes no foreign military or other armed group in the territory of the Palestinian state.
- A commitment that no military forces of the Palestinian state will be kept outside of the state, as such forces have the potential to operate against Israel during emergencies and other unforeseen situations.
- An absence of military infrastructures – such as defense industries – and

prevention of the manufacturing of dual-use components supposedly not intended for military purposes.

- Effective control, supervision, and inspection of the security perimeter along the borders and international border crossings, to prevent the smuggling of prohibited arms and dual-use materials.
- An effective apparatus for supervision and verification, which relies on international observers whose role it is to ensure that the Palestinian side lives up to its demilitarization commitments.

### **The Terrorism Dimension**

No threats from or via the Palestinian state can be allowed to develop or materialize, and it is the duty of the Palestinian state to prevent terrorist activities, as well as incitement and indoctrination of its society to terrorism, and the creation of terrorist infrastructures inside its borders. The following security requirements would guarantee the absence of these types of threats:

- Engagement on the part of the Palestinian police and other security forces in “ground-up” (rather than “top-down”) activity. This includes safeguarding law and order, preventing terrorism, dismantling terrorist infrastructures and armed militias, and preventing arms smuggling and terrorist infiltration.<sup>19</sup>
- Prevention of armed or ideological interference in the proper workings of the Palestinian state by radical extremists and opponents of peace, particularly with regard to the abetting of extremists, terrorist organizations, and armed groups, as well as attempts to disrupt the Palestinian government’s activities, structure, and ability to govern.
- Prevention of incitement to terrorism and the building of a “culture of peace.” This will entail forming joint structures for preventing incitement; neutralizing all channels of support for terrorist organizations (such as the transfer of



funds to and activities conducted by extremist associations disguised as organizations established to help the needy); and eliminating school curricula that encourage violence, martyrdom, and suicide. This will also require a commitment on the part of the Palestinian state to prevent the delivery of hostile sermons in mosques and other religious and cultural institutions.

- Cooperation between Israel and Palestinian security forces in military intelligence-gathering and operations, to obstruct terrorism and prevent the establishment of terrorist infrastructures inside the Palestinian state.
- The establishment of a supervision-and-verification apparatus tasked with monitoring and ensuring that the Palestinian side lives up to its commitment

to prevent terrorism and the formation of terrorist infrastructures. International monitors can be incorporated into this effort to assist the Palestinian security forces to acquire the necessary internal security capabilities, even to the extent of training Palestinian security forces in operations in the field.

## The Implementation of Demilitarization

Achieving the strategic objective of preventing the development of threats to Israel from a Palestinian state will require a multi-stage process:

*The First Stage* – Demilitarization and security arrangements which limit the ability of the Palestinian state to form an army and limit

Members of the Fatah-associated Al Aksa Martyrs Brigades seen during a march in the West Bank city of Nablus, November 19, 2009.

Thousands of Al Aksa Brigades militiamen still keep weapons in their homes by unwritten agreement with the Palestinian Authority.

the weapons of the Palestinian security forces. In the initial stage, demilitarization takes on a broader definition, to include the prevention of terrorism and a ban on terrorist infrastructures in the Palestinian state. These security arrangements must not hamper Israel's ability to react in self-defense to potential threats posed by and emanating from the Palestinian state.

*The Second Stage* – Implementation arrangements that rely on the involvement of international monitors, preferably led by the U.S., who will oversee and ensure that all clauses of the security agreements are met. Simultaneously, assistance will be provided to the Palestinian security forces in executing tasks related to internal security, terror prevention, and dismantling of terror infrastructures. The use of monitors should in no way detract from Israel's preserving of its own self-defense capabilities by means of the IDF.

*The Third Stage* – Guaranteeing leverage for implementing the agreements. The purpose of international and inter-Arab guarantees, apparatuses, and means of leverage is to ensure that the cost of the Palestinians' not living up to their commitments in the agreements is higher than what they would gain by violating them.

Over the course of time, the level and intensity of the security arrangements' intrusion on the Palestinians can be reduced, according to their security performance. There is room for phasing in the implementation arrangements and, hence, lowering the profile of Israel's security activity by reducing IDF presence in the territory of the Palestinian state.

## **The Obligations of a Palestinian State**

At the outset, responsibility will be placed on the Palestinian state for preventing the emergence and materialization of threats against Israel, in the following framework:

- Limitations will be placed on arms and their use by the Palestinian police and security forces.

- The order of forces and structure of units will be for the purpose of policing and internal security, not to correspond to military forces with military missions.
- "Ground-up" security force-building should expand on the current "Dayton forces" concept of U.S.- and Western-trained internal security forces,<sup>20</sup> but must prove more capable of actively fighting and preventing terrorism, terror infrastructures, and terror-supporting activity, without the current assistance of the IDF that has been responsible for the vast majority of anti-terror operations in the West Bank.<sup>21</sup>
- A "culture of peace" must be created by enforcing the prohibition of incitement, such as educating school children to armed struggle and suicide missions against Israel, and the preaching of armed struggle against Israel in mosques and other venues in the Palestinian state.
- The Palestinian state will be prohibited from forging military alliances, cooperation, and joint exercises with foreign military forces, and from building military units outside its borders.

## **A Unified Airspace Controlled by Israel**

Israel must control a unified airspace in order to prevent hostile military action and terrorist aerial activity from the skies over a Palestinian state, or through it, aimed at the Jewish state. Limited time and space resources render it impossible to divide the airspace, the width of which is a mere 40 miles between the Jordan River to the east and the Mediterranean Sea to the west. This unified airspace requires consolidated control, with greater responsibility on Israel due to its higher vulnerability to potential military and terror threats, and its need to identify and intercept unidentified and hostile planes before they enter Israeli skies. Within this framework, an apparatus will be established for cooperation in civil aviation.



## Special Security Arrangements in the Jordan Valley

Special security arrangements are required in the Jordan Valley in order to block terrorism, and prevent prohibited arms smuggling and terrorist infiltrations via the crossings and the entire length of the eastern border.

In the face of a possible military threat from the east, Israel must have the capability to stop foreign armies from crossing the Jordan River into the Palestinian state, and prevent a hostile foreign military takeover of the area or the eastern slopes of the central mountain ridge.

In a situation whereby the prospective Palestinian state is in such close proximity to Israel, it will be necessary to guarantee effective *supervision over the international crossings* to prevent the seepage of weaponry and materials into the Jordan Valley and on to the Palestinian state.

## Additional Israeli Security Requirements

- Protection from attack from the high ground overlooking aviation at Ben-Gurion International Airport via Israeli control of strategically vulnerable areas, in order to prevent the interception of planes during take off and landing by anti-aircraft missiles fired from Palestinian territory.
- Supervision of the seas by the Israeli navy and cooperation with international regional frameworks to detain suspicious boats, prevent hostile activity and terrorism by sea, and block the smuggling of weaponry and prohibited materials into the Palestinian state.
- Electromagnetic coordination for the prevention of mutual disruptions and jamming of Israeli military and civil communications.<sup>22</sup>

Tons of weapons such as these, shown on Palestinian Television on February 2, 2007, are smuggled into Gaza through underground tunnels under the border separating Egyptian Sinai from Palestinian Gaza. Israeli security authorities warn that if the Jordan Valley is relinquished to the PA, weapons could be smuggled to the West Bank hilltops and fired at greater Tel Aviv and Ben-Gurion International Airport, more than 2,000 feet below.



- It is preferable that Israel's strategic sites and early-warning stations be located inside Israel. However, if Israeli intelligence capabilities would be harmed by doing so, these stations should be located in the West Bank to provide sufficient time to respond to military and terrorist threats from the east.
- Special understandings and arrangements which enable the emergency deployment of IDF troops against military and irregular forces infiltrating into the Palestinian state, in violation of the agreements.

In the second stage, structures will be required that reflect the lessons learned over the years, when the Palestinians did not adhere to previous bilateral agreements. There will be a need for the involvement of a third party for the inspection and verification of Palestinian implementation of security obligations, and for Israeli deterrence (through public exposure and taking action) against Palestinian violations of the security arrangements. The structures for implementation should include:

- Supervision and verification of demilitarization, based on international observers under American or other auspices, to be agreed upon by the parties.
- Proper supervision and inspection by the IDF and other third-party monitors, not outside security forces, at the international border crossings to prevent the smuggling of prohibited weapons and dual-purpose materials, infiltrations of terrorists, and the transfer of funds and other forms of aid to terrorist groups in the Palestinian state.
- Supervision of the external envelope along the borders of the Palestinian state to prevent the smuggling of prohibited arms and materials, infiltrations of terrorists, and the crossing or infiltration of military and irregular forces hostile to Israel into the Palestinian state.

In the third stage, international guarantees and means of leverage will be instated to spur the Palestinian side to meet its obligations in the agreement, and to provide Israel with guarantees in the event that the Palestinian side violates the security arrangements.

## Limitations on Arms

Israel and the Palestinians will need to formulate an agreed-upon list of permitted capabilities and arms with which the Palestinian security forces will be equipped and which will be suited to their tasks. Based on Israel's experience with the Military Addendum to the Peace Treaty with Egypt, and the Separation of Forces Agreement between Israel and Syria on the Golan Heights, Israel knows that it is crucial to specify the capabilities and arms that are permitted – not just those that are prohibited – because it is impossible to anticipate all future military technologies. In the event that the sides agree on detailing only those that are prohibited, a joint structure should be created to examine the list and update it according to shifting needs and capabilities.

The principle of demilitarization is most crucial for maintaining security and peace, and for building confidence between the PA and Israel. There are various methods for enforcing it, some of which can be based on demilitarization agreements with Syria and Egypt.<sup>23</sup> Apparatuses to enforce it must be developed to combat activities not readily visible, such as all underground activity, particularly the building of tunnels from the Sinai to Gaza and within the West Bank.

An understanding must be developed on how, in the age of "standoff weaponry," such a small area as the West Bank and Gaza can be demilitarized. In the absence of an army, without tanks and armored vehicles, violations that the Palestinian side commits will not be visible. This means that the demilitarization apparatuses and enforcement methods for the PA have to be different from those that are in place with Jordan and Egypt. It also means that it is especially important to initiate substantive talks with the PA on the principle of building

security, police and regime-protection forces in place of military ones.

Contrary to the common Palestinian claim that a peace agreement will bring security, Israel has learned that a stable peace can only be based on safeguarding Israel's vital security requirements first. Any agreement will require minimizing the elements that could encourage hostile forces to challenge Israel with greater intensity.

Israel's chief security aim in relation to the Palestinians is to prevent the development of symmetrical or asymmetrical military threats, and to prevent terrorism and guerilla warfare against it from within and by way of a Palestinian state. Addressing the possibility of such threats in the framework of a bilateral agreement involves Israel's taking controlled security risks.

## Notes

\* The author expresses his deep appreciation to Brig.-Gen. Udi Dekel, former head of the Israel Defense Forces Strategic Planning Division, in the preparation of this article.

- 1 The Palestinian national movement rejected Israeli peace offers in 1936, in 1947 with the UN partition plan, in 1967 immediately following the Six-Day War with the "three no's" at Khartoum (no negotiations, no recognition, no negotiations), and Palestinian statehood offers in 2000 at Camp David and in 2008 as part of the Annapolis peace process.
- 2 A. Deterrence – Creating a capability and projecting it to the adversary/foe that Israel is a country with developed military capabilities that can hit its enemies hard and deprive them of any diplomatic achievements by military means. The bombing of the Osirak reactor in Iraq is an example of deterrence. The attack on the reactor in Syria – attributed by foreign sources to Israel – is another example of building a deterrent capability. This is the reason why Iran fears an Israeli attack. If deterrent power is weakened, it is extremely vital to know about the enemy and his capabilities and intentions.  
B. Early warning – For that reason, a vital need still exists to build a strong intelligence system. This is the reason why Israeli intelligence is such an important component in the state's security concept. It also allows maintaining a small regular army that permits the state to stick to a normal routine.  
C. Decisive force – In the event that deterrence fails and no warning is provided or warning is given about new enemy capabilities and intentions, then decisive force is required that transfers the fighting to the enemy's territory. For this very reason, Israel has a powerful air force, strong artillery, and a minimal regular force that can hold on until the reserve forces are mobilized. Then the entire army can be used to develop forward depth and distance the front from the rear.

- 3 These threats have underscored the requirement that Israel's security doctrine focus on developing replacements for "strategic depth," including the following:
  1. Forward depth (transferring the fighting to the enemy's territory and moving combat away from Israel's strategic rear).
  2. Depth in the air and in space facilitated by Israel's technological superiority in areas such as communications, intelligence, and "stand-off" weaponry (anti-rocket and missile technology).
  3. Maritime depth – The navy is a strategic arm of extremely high importance for obtaining depth. Naval superiority is required to preserve the freedom of the sea to and from Israel.
  4. Technological depth – This capability is obtained due to the intellectual capital of the State of Israel – the special capabilities of Israeli scientists and the relevant industries to develop responses in areas pertaining to precise strategic intelligence.  
Israel has also developed special capabilities in avionics, installed on advanced aircraft purchased in the United States, and "navionics" on navy craft, as well as advanced systems on Israel's Merkava tank.  
While all these capabilities are very important, they are not sufficient to carry out an asymmetric war and a war on terror. Therefore, on the basis of combat requirements, particularly against suicide terror since 2000, Israel has developed world-class capabilities based on the fusion of the most advanced sensors and sources (in combination with human intelligence and investigations) that create an "intelligence bath" to locate objectives and targets in real time. These capabilities have produced impressive results in a very short time frame. The bottom line is that Israel has managed to contend in an impressive fashion with terror, to damage its capabilities and restore normal life in the country. The preservation and development of these capabilities are a condition to building a deterrent force for the war on terror and for asymmetric war as well. But it is clear that Israel is able to implement these capabilities most efficiently in tandem with an IDF presence on the ground. Witness the difference in the level of threat to Israel from Gaza and Lebanon as opposed to the West Bank where the IDF is currently present.
- 4 See Maj.-Gen. Yoav Galant, "The Strategic Challenge of Gaza," *Jerusalem Issue Brief*, vol. 6, no. 28, Jerusalem Center for Public Affairs/Institute for Contemporary Affairs, April 17, 2007, <http://www.jcpa.org/JCPA/Templates/ShowPage.asp?DBID=1&TMID=111&LNGID=1&FID=283&PID=0&IID=1549>. Former head of Israel's Southern Command Maj.-Gen. Yoav Galant assessed the aftermath of the IDF withdrawal from Gaza, saying, "Disengagement from Gaza caused the terror organizations to turn to new terror methods such as Kassam rockets, tunnels, and crossing over from Gaza to Sinai and then into Israel's Negev, as happened in January 2007 with a Palestinian suicide bomber in Eilat. Egypt's Sinai Desert is three times larger than all of Israel and global terror organizations and Palestinian terror organizations are able to carry out attacks from its territory. Cooperation among Hamas, Iran, Hizbullah, and other global terror organizations creates a knowledge base and enhances motivation, which is helping Hamas. In Gaza, there is high motivation to hit Israel, and there are many people with military and operational experience, who are in contact with Iran, and receive backing and know-how, ammunition, and explosives." "All of the various factions in Gaza are acquiring more terror infrastructure....Attacks along the

security fence continue. They try to bypass the fence by digging tunnels. No one can detect a tunnel twenty meters under the ground. They are also trying to infiltrate into Israel through the fence, without success, but now they have the 200 km. border between Sinai and Israel available to them. Islamic Jihad and the Popular Resistance Committees are making great efforts to infiltrate suicide bombers into Israel. Hamas is not active right now, but it is ready to attack at a moment's notice."

- 5 During 2005, Israel absorbed 179 rocket strikes. Gaza disengagement was implemented in August 2005. The number of rocket strikes in 2006 shot up to 946 – a five-fold increase. See Dore Gold, "Israel's War to Halt Palestinian Rocket Attacks," *Jerusalem Issue Brief*, vol. 7, no. 34, Jerusalem Center for Public Affairs / Institute for Contemporary Affairs, March 3, 2008, [http://jcpa.org/JCPA/Templates/ShowPage.asp?DRIT=1&DBID=1&LNGLD=1&TMID=111&FID=253&PID=0&IID=2049&TTL=Israel's\\_War\\_to\\_Halt\\_Palestinian\\_Rocket\\_Attacks](http://jcpa.org/JCPA/Templates/ShowPage.asp?DRIT=1&DBID=1&LNGLD=1&TMID=111&FID=253&PID=0&IID=2049&TTL=Israel's_War_to_Halt_Palestinian_Rocket_Attacks).
- 6 Lt.-Gen. (ret.) Moshe Yaalon, *Iran's Race for Regional Supremacy: Strategic Implications for the Middle East*, Jerusalem Center for Public Affairs, 2008, p. 11, <http://www.jcpa.org/text/iran2-june08.pdf>.
- 7 Dore Gold, "Al-Qaeda, Zarqawi, and Israel: Is There a New Jihadi Threat Destabilizing the Eastern Front?" *Jerusalem Viewpoints*, no. 538, Jerusalem Center for Public Affairs, January 1, 2006. See also, Lt.-Gen. (ret.) Moshe Yaalon, "The Second Lebanon War: From Territory to Ideology," *Iran's Race for Regional Supremacy*, p. 35.
- 8 <http://www.miftah.org/Display.cfm?DocId=10400&CategoryId=21>.
- 9 For examples, see Galant, "The Strategic Challenge of Gaza."
- 10 The PA's U.S.- and European-backed Presidential Guard force in Gaza that was to have protected the Gaza crossings under the control of PA leader Mahmoud Abbas and his Gaza security chief Mohammed Dahlan is a good example of the type of security failure that must be prevented in any future agreement. The day that Hamas took control over Gaza in June 2007, it dispersed the Presidential Guard and appropriated all of its arms and war materials – much of which was provided by the United States – and which ended up being used against Israel.
- 11 The military cooperation between the Islamic Republic of Iran and the PLO, as revealed in the Israeli capture of the Iranian "Karine A" weapons ship in 2002, is a good example of this type of dangerous military pact between the Palestinians and a hostile sovereign entity such as the Iranian regime. In 2002 PA Chairman Yasser Arafat, whose deputy at the time was current PA Chairman Mahmoud Abbas, requested 50 tons of weapons and ammunition from the IRGC leadership in Tehran. The weapons ship was captured by Israeli naval commandos in the Red Sea about 500 kilometers from Gaza. See "The PLO Weapons Ship from Iran," *Jerusalem Issue Brief*, vol. 1, no. 15, Jerusalem Center for Public Affairs / Institute for Contemporary Affairs, January 7, 2002, <http://www.jcpa.org/art/brief1-15.htm>.
- 12 "Abbas: PLO Accepts Egyptian Plan for Palestinian Unity," Maan Palestinian News Agency, October 27, 2008, <http://www.maannews.net/eng/ViewDetails.aspx?ID=205902>.
- 13 This principle remains important. Even in the peace agreement with Egypt, definitions were included on what war materials could be introduced into the Sinai and what were prohibited. But over the years, developments occur, new systems are perfected, and new capabilities are created that were inconceivable thirty years ago.
- 14 <http://www.mfa.gov.il/MFA/Peace%20Process/Guide%20to%20the%20Peace%20Process/Israel-Egypt%20Peace%20Treaty>.
- 15 The principle of demilitarization determines that a Palestinian state will not have the capability of operating combat aircraft, combat helicopters, or a missile capability that threatens Israel; it will not develop "balance-destroying" weaponry. This principle also applies to preventing the development of intelligence and surveillance capabilities over current Israeli activity (in other words, the Palestinians should not develop capabilities that are equal to Israel's or that can damage Israel's broader ability for action) and the Palestinians should not have a regular army. Problems resulting from these limitations can be overcome through a regional cooperation apparatus.
- 16 We are not dealing with a situation such as the transfer of Hong Kong to the Chinese after 99 years, or U.S. withdrawal from the Panama Canal. If such was the situation, then we could discuss demilitarization in stages where the Palestinians were given a sense of independence and Israel was provided with a sense of security.
- 17 Even vis-à-vis countries where relations of trust have existed for many years, demilitarized zones still remain, and this applies *a fortiori* to the Palestinians, with whom Israel has a historical long-term enmity that cannot be solved in one day. Therefore, it is impermissible to rely purely on agreements and signatures on paper. Israel must insist on preventive measures on the ground.
- 18 For a comprehensive overview of the role of the Palestinian National Security Forces that have been trained and supervised by Lt.-Gen. Keith Dayton and with EU participation, see "Speech by Lt.-Gen. Keith Dayton, U.S. Security Coordinator for Israel and the Palestinian National Authority," Washington Institute for Near East Policy, May 7, 2009, <http://www.washingtoninstitute.org/html/pdf/DaytonKeynote.pdf>. See also, "U.S. Plans to Expand Program for Abbas' Forces," *Reuters*, April 27, 2009.
- 19 In establishing the boundaries for the demilitarization of a prospective Palestinian state, a clear distinction will need to be drawn between defining an army and an internal police force for securing the government, guaranteeing public security, and preventing crime and smuggling. This would be similar to what the U.S.-sponsored "Dayton forces" are currently doing in the West Bank and what the international border patrol forces in Sinai are doing, notwithstanding violations of the agreement that have accumulated over time.
- 20 Since 2005 following the armed takeover of Gaza by Hamas, the Palestinian Authority has consented to a U.S.-backed security reform process directed and budgeted locally by Prime Minister Salam Fayyad. Fayyad has cooperated with the U.S. security reform plan in line with the Quartet Roadmap to establish an independent force called the Palestinian National Security Forces – known as the "Dayton forces" on the Palestinian street. Its ranks were vetted and trained by U.S. security subcontractors in Jordan under the supervision of Gen. Keith Dayton. Under Fayyad's supervision, the Palestinian National Security Forces have been mobilized to establish law and order in

West Bank cities including Jenin, Nablus, Bethlehem, and Hebron.

The "Dayton forces" are considered by the U.S. to be a major success of Fayyad's government. U.S. enthusiasm over its early successes has resulted in the doubling of the force to nearly 3,500 troops and a near 70 percent increase in its 2009 budget to \$130 million. See "Speech by Lt.-Gen. Keith Dayton" and "U.S. Plans to Expand Program for Abbas' Forces."

The IDF General Staff has also noted the positive contribution of the "Dayton forces" in preventing violence in the West Bank during Israel's war against Hamas in Gaza in the beginning of 2009. However, Brig.-Gen. Michael Herzog, chief of staff to Israeli Defense Minister Ehud Barak, said in a 2009 presentation together with Gen. Dayton at the Washington Institute for Near East Policy that while the PA security forces have improved significantly over the last year, they were still far from ready to assume full security responsibility in the West Bank. See "Speech by Brig.-Gen. Michael Herzog, The Middle East Security Agenda, an Israeli Assessment," Washington Institute for Near East Policy, May 7, 2009, <http://www.washingtoninstitute.org/html/pdf/HerzogKeynote.pdf>.

- 21 Israel will have to be persuaded that there is an effective apparatus on the Palestinian side to handle the problems, and will have to examine whether interdiction activities and prevention actually do take place on the ground. Israel will have no recourse but to transfer authority for performing these actions to the Palestinians. This is the type of risk that Israel will have to take from the outset of an agreement in view of the lack of confidence between the parties. The parties will have to build an apparatus that constantly examines and ascertains that the Palestinians are doing what is permitted and are not developing substantial military or terror capabilities that can inflict serious damage on Israel. Clearly the Palestinian side will always have some capability, such as light arms, for which there must be sufficiently strong apparatuses controlling and supervising their use. These apparatuses will also have to prevent the border with Jordan from turning into a smuggling conduit for war materials and the infiltration of terror elements, as occurs along the Philadelphi Corridor separating Egyptian Sinai from Palestinian-controlled Gaza. The prevention of smuggling and infiltration are key aspects of demilitarization.
- 22 The future Palestinian state will be located topographically in an area that dominates Israel's strategic and civil home front – a situation which could enable the disruption of all wireless communication activity. Thus, there has to be coordination, with a joint body for distributing frequencies (and ranges), and the ability to immediately correct violations and enforce obligations. Since Israel will be the more vulnerable of the two parties (topographically, technologically, and security-wise) – certainly as compared with its situation today – it will be Israel that must have priority in the distribution of frequencies and ranges, as well as in the prevention of jamming and disturbances.
- 23 Enforcement of the principle of demilitarization vis-a-vis Syria and Egypt was performed in the past by photo reconnaissance flights by a third-party once every three months that photographed 10 km. on both sides of the border. That same film was transferred both to the Syrians and to the Israelis. In the case of Egypt, both

sides viewed a similar security film. Hence, it is clear to everyone who is violating the agreement and who is not. This is one of the enforcement methods, but it is relevant only for activities that can be seen from the air.

In the Egyptian example of demilitarization, in line with the 1979 Treaty of Peace, specific weapons are prohibited at specific ranges. This is easier than in the Palestinian case, since in Sinai there is sufficient space for the implementation of force limitations. For example, Egypt can introduce up to one Egyptian division until line "A" which is 50 km. east of the Suez Canal. There is a line "B" and a line "C," up to 3 km. from the border, to which it is prohibited to introduce any sort of weapons. The agreement between Israel and Egypt also regulates limitations on armaments within Sinai. The limitations are predicated on the category of war materials and the type of units and are divided according to geographic areas.

# CONTROL OF TERRITORIAL AIRSPACE AND THE ELECTROMAGNETIC SPECTRUM

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## Brig.-Gen. (res.) Udi Dekel

### Israel's Vulnerability to Air Attack

During the Camp David Summit in the summer of 2000, American military experts raised the question of whether the Israeli demand for control of a unified airspace over all the territory between the Mediterranean Sea and the Jordan River was essential. Among the justifications provided by Israeli representatives was the danger of aerial terrorism. The Israelis explained the need to be prepared in the event of a suicide attack – carried out by a civilian aircraft laden with explosives – over a major Israeli urban center. One of the Americans present responded to this with disdain, asserting that the Israelis had a vivid imagination when it came to implausible threats, which they employed to justify exaggerated security demands.

A year later, on September 11, 2001, Al-Qaeda sent airliners plunging into the World Trade Center in New York and the Pentagon in Washington, causing the death of thousands of people and illustrating the importance of creative thinking in assessing terrorist and national-security threat scenarios.

Such thinking is especially crucial for Israel, whose geography puts it at high military

risk, in general, and at a great disadvantage in terms of its ability to prevent or respond to attacks from the air, in particular.

Israel has a very narrow “waist” – the distance between the Jordan River and the Mediterranean Sea is approximately 40 nautical miles (approximately 70 km). This means that a combat aircraft can fly across the country in less than four minutes. A plane could penetrate the country via the Jordan Valley and reach Jerusalem in less than two minutes.

This aerial threat creates a great defense challenge for Israel. It takes at least three minutes for a scramble takeoff of an interceptor aircraft that can identify such a potential enemy penetration – and this is without factoring in the flight time from the airbase until the interceptor engages the penetrating aircraft to identify it, or shoot it down if it is on a hostile mission.

In the event of an aerial attack aimed at Jerusalem, the hostile plane must be shot down at least 10 nautical miles east of the city – not directly over it. Otherwise, both the plane and its munitions would crash into population centers, with dire consequences.

A jet airliner hijacked by Al-Qaeda terrorists about to plunge into the south tower of the World Trade Center, September 11, 2001, in the worst terror attack in U.S. history. The 9/11 attacks underscore the importance of Israeli control of a unified airspace above Israel and a prospective Palestinian state.



All of the above explains why Israel suffers from insufficient time and space to respond to and prevent an aerial attack on Jerusalem from the east, particularly if Israeli interceptor planes are not free to act over the Jordan Valley.

The way the IDF tends to deal with this disadvantage today is to scramble interceptors at unidentified targets while they are still over Jordanian airspace, to ensure that any encounter with a hostile plane will take place immediately after it crosses the Jordan River line. This also takes precious time, since the aerial targets first have to be identified as hostile, friendly, or merely a civilian plane that strayed from its flight path.

Scramble takeoffs of this type occur daily because it is impossible to obtain a precise aerial picture on a regular basis, despite ties and coordination between the military and civilian air traffic control centers in Jordan and Israel.

Access to Israeli airspace from the Mediterranean Sea to the west is permitted only to planes that have identified themselves and have been identified before they come within 100 km of Israel.

## The Role of Air Defenses

Surface-to-air missiles and anti-aircraft weapons are not the solution to Israel's air defense problem. Unlike interceptor planes – which are equipped with comprehensive identification capabilities including the possibility of visual identification – anti-aircraft batteries cannot determine with certainty which aerial targets are hostile and need to be shot down. Anti-aircraft batteries also involve shooting down hostile planes far from the target of their attack – over non-Israeli territory.

Non-hostile aerial activity – both civilian and military – must also be taken into account. Indeed, it is difficult to imagine a situation in which ground-to-air missiles would be launched at the airspace of a neighboring country without definite identification of targets as hostile aircraft on a mission to attack Israel.

This substantial defense limitation, therefore, does not allow for Israel's complete and continuous protection from hostile air attacks. Thus, the deployment of missile batteries and anti-aircraft weapons, while *complementing* aerial interception, cannot replace it.

**In the past, prior to a planned Iraqi mission to attack Israel's nuclear research compound in Dimona, Jordan permitted Iraqi combat planes to use its airspace to take aerial photographs of Israeli territory.**

True, peaceful relations exist today between Israel and Jordan, which include mutual respect for both countries' territorial airspace, civilian air links, and coordination of the passage of planes through the international air corridor separating them. However, there is no guarantee that such coordination will continue in the future. In fact, in the past, prior to a planned Iraqi mission to carry out an aerial attack on Israel's nuclear research compound in Dimona, Jordan permitted Iraqi combat planes to use its airspace and to fly on a route parallel to the Israeli border in order to take aerial photographs of Israeli territory. In other words, despite the current relative calm, Israel cannot entrust its security to the goodwill of the Jordanians or the Palestinians in the future.

## Defending Ben-Gurion International Airport

Israel faces another great challenge in defending Ben-Gurion Airport, both from hostile fire at its runways, and from possible attempts to shoot down civilian planes during takeoff or landing. Takeoff and landing routes are influenced by the direction of the wind, which means that sometimes planes must pass over Palestinian communities and adjacent developed areas. Israel suffers from a major topographical security disadvantage because all international civil aviation could be exposed to possible attack from hostile Palestinian elements using shoulder-launched



anti-aircraft missiles, fired from the West Bank mountain ridge that rises up to 3,000 feet higher than Israel's main airport and major coastal cities.

At the beginning of 2000, with the outbreak of the Palestinian terror war that came to be known as the Second Intifada, many commercial airlines canceled their flights to Israel. It may be expected that if Palestinian terrorists opened fire on Ben-Gurion Airport, all foreign airlines would immediately halt their flights, effectively isolating the country.

This is why full security control of the airspace is absolutely necessary, though it is not sufficient. Equally crucial is Israeli security control on the ground in the areas closest to the airport (i.e., Beit Liqya, Harbata, and Beit Aryeh).

The Israel Air Force must preserve full operational freedom in a unified airspace, and maintain the security arrangements required to protect civil aviation, in general, and Ben-Gurion Airport, in particular.

To protect the country's skies and to prevent terrorist attacks on its population centers and on strategic and military targets, Israel must insist on five fundamental requirements:

- Primary Israeli control over a unified airspace (an area whose width totals 40 nautical miles), which cannot be divided.
- Freedom of operation for the Israel Air Force in the entire airspace west of the Jordan River and the Dead Sea (and over a possible Palestinian state).
- Elimination of potential aerial threats from a Palestinian state towards Israel. For example, Israel would lack the capability to intercept a hostile plane taking off from the Atarot (Kalandia) airfield and immediately crashing into Jerusalem.
- Restriction of foreign air traffic due to the crowded conditions of civilian and military air traffic, which already impose restraints on the amount of training carried out by the Israel Air Force.
- Establishing security arrangements to preclude the interception of planes landing and taking off from Ben-Gurion International Airport.

The Palestinians see the control of the airspace above their state as a symbol of sovereignty. They also seek to establish an international airport linking the Palestinian state to other countries, serving as an international passageway for passengers and goods.

*An Israeli F-16 takes off on a mission to southern Lebanon, July 16, 2006. The Israel Air Force must preserve full operational freedom and maintain the security arrangements required to protect civil aviation, in general, and Ben-Gurion International Airport, in particular.*



# Israel's Airspace Vulnerabilities: The Limited Time for Interdicting Hostile Aircraft

4 minutes from the Jordan River to the Mediterranean

> In the event of an aerial attack on Israel, the hostile plane must be downed at least 10 miles from a city to avoid munitions striking heavily populated areas.

> It takes approximately 3 minutes for an Israeli interceptor plane to identify an enemy aircraft.



Haifa

JORDAN

Hadera

Tulkarem

Nablus

Netanya

Kalkilya

Petah Tikva

Tel Aviv - Yafo

WEST BANK

Rehovot

Ben-Gurion  
Airport runways

Ashdod

ISRAEL

Modi'in

3 minutes

During previous rounds of negotiations with Israel, the Palestinians agreed to limitations on their military air capabilities, acknowledging that they have no need for combat aircraft or attack helicopters and other offensive aerial weapons that could threaten Israel. Nevertheless, they demanded freedom of operation in the airspace above their state for planes and helicopters, civil aviation, and internal-security (policing).

The Palestinian position posits:

- A prohibition on Israeli military activity in Palestinian airspace.
- The operation of airfields, and maintaining a major aviation artery between the Palestinian state and the rest of the world.
- Permanent and institutionalized air links between the West Bank and Gaza via an air corridor over Israel.
- Reliance on international conventions – primarily the Chicago Treaty – which maintain that a state should exercise sovereignty in its territorial airspace.
- The Palestinians would have the right to operate civil aviation that meets the safety and security standards of the Israeli Civil Aviation Administration, on the basis of international criteria.
- The Palestinian side would receive financial remuneration for the use of its airspace, in accordance with what is customary in international aviation.
- Air traffic control will be undertaken by Israel.
- A Palestinian air controller can be integrated into the Israeli civilian air traffic control station, and will maintain contact with Palestinian and foreign civilian aircraft operating in or traversing the airspace above the Palestinian state, subject to Israeli control.
- The border between Israel and a Palestinian state would need to reflect the security needs of Ben-Gurion Airport. In addition, special security arrangements are required to secure the flight paths to and from the airport.

What emerges is a considerable gap regarding the issues. Israel's point of departure in any negotiations is its security needs, while the Palestinian interest involves sovereignty, honor, and economics.

To bridge this gap, arrangements must be designed that protect Israel's security requirements while agreeing to expressions of Palestinian sovereignty. Any arrangement between the parties on the issue of territorial airspace requires their agreement on the following principles:

- A unified territorial airspace will need to be preserved, with Israel assuming overall responsibility to enable it to deal with deviant situations, in light of the severe time constraints Israel faces in responding to potential security threats.
- By virtue of its sovereignty, a prospective Palestinian state would need to grant Israel prerogative in security control in Palestinian airspace.

## Palestinian Airports

The Palestinians have demanded control over the Kalandia (Atarot) airfield in Jerusalem, to have it become the international airport of the Palestinian state. They also intend to establish additional airports for internal Palestinian air traffic. Israel opposes handing over Atarot airfield to the Palestinians since a Palestinian airport adjacent to Israel's capital poses an unacceptable risk.

The operation of a Palestinian airport in the West Bank would also entail substantial risks – both in terms of security and in terms of flight safety. Israel would lack the sufficient response time required to intercept a hostile plane on a mission to attack an Israeli target. In addition, there is the danger of traffic overload in the international corridor between Israel and Jordan, and an overlap of activity (circling) involving Ben-Gurion Airport, Israeli military airports, and civilian airports in the West Bank.

In the event that Israel is prepared to take the security and safety risks associated with the establishment of a Palestinian airport, its establishment should meet the following strict conditions:

- Any airport must be located far from Israeli population centers, preferably on the Jordanian or Egyptian side of the border a prospective Palestinian state would share with its neighbors. Although in the past, Israel had agreed to the operation of the Dahaniye airport on the Gaza-Egypt border, Israel cannot assume the same risk in the West Bank due to the proximity of this territory to Israel's major coastal cities and its strategic interior. Therefore, any Palestinian airport should be located in Jordanian territory to ensure proper supervision of the passage of travelers and cargo into the PA. In other words, the Hashemite Kingdom's superior security services would be responsible for the security, inspection, and safety aspects of the endeavor.
- Landing approaches and take-off paths must be located on the Egyptian and Jordanian sides of the border, with Israeli authorization required for any entry into the unified airspace of Israel and the PA.
- The airport will be operated in accordance with prevailing Israeli and international criteria in the realm of security and safety. Should the airport be used for international flights, it will serve as an international crossing and all the arrangements for international crossings shall apply to it, including the capability to effectively inspect personal baggage and merchandise, and to prevent the smuggling of war materiel and illicit goods. In addition, measures will be required to prevent the infiltration of terrorist elements into the prospective Palestinian state, such as allowing Israeli supervision – and even intervention – possibly with the involvement of a third party.
- No equipment that could constitute a direct threat to Israel or abet parties hostile to Israel will be installed at the airport. (For example, airport radar might

be capable of monitoring sensitive aerial activity within Israel, information which could be passed on to parties hostile to Israel.) In addition, electromagnetic coordination of radio frequencies will be required to prevent mutual jamming, which could constitute a major hindrance to air safety.

Finally, an agreement between the parties would enable the opening of an international flight path that traverses the shared airspace, facilitating transport to the east, with an accepted "payment" to the Palestinian side. Israel can consider opening such an aerial corridor if Israeli commercial planes are permitted to use international flight paths that pass over Arab states. This would significantly shorten flights to India, China and the Far East.

## Control of the Electromagnetic Spectrum

Similar to Israel's vital security requirement to control a unified airspace if a Palestinian state is established, the topographical conditions and limited distance between the population and communication centers of the two entities do not allow for division of the electromagnetic spectrum. Since it largely occupies the central mountain ridge, the Palestinian Authority enjoys a topographical advantage – with its communication systems far less vulnerable to disruptions and jamming than those of largely coastal Israel. A small Palestinian transmitter station on Mount Eival, near Nablus, for example, could jam virtually the entire communication system in Israeli areas broadcasting on the same frequencies.

This problem of disruption is not new to Israel, which has suffered from a recurring problem of jammed civil aviation communication channels at Ben-Gurion Airport. At times it has been necessary to close the airport to landings. Generally, these disruptions are caused by unlicensed local radio stations broadcasting on the frequency ranges of the control tower. When they originate from a radio station in the Palestinian territories, Israel demands that the PA halt the station's activity. If the disturbances do not cease,

forces are dispatched to impound the transmitter.

Since borders cannot stop the spread of electromagnetic waves, the electromagnetic spectrum cannot be divided.

In the framework of the interim accords between Israel and the PA, a committee for electromagnetic coordination was established to allocate frequencies to both parties, and prevent mutual jamming and disturbances. Indeed, throughout the world it is customary to maintain electromagnetic coordination between states in areas up to 80 km from the border. This means the entire area between the Jordan River and the Mediterranean Sea, including all of the Palestinian areas. It is thus clear to both parties that electromagnetic coordination is required. The question remains, however, whether one of the parties will have overriding responsibility and the final say.

## Israel must guarantee that the Palestinians do not exploit their topographical advantage to block or neutralize Israel's communication systems, or to gather intelligence on their own behalf or on behalf of hostile states.

Israel's interest is to preserve the normal functioning of its public, private, and military communications systems. Equally crucial is guaranteeing that the Palestinians do not exploit their topographical advantage to block or neutralize Israel's communication systems, or to gather intelligence on their own behalf or on behalf of hostile states.

This concern is well-founded. For example, when IDF forces entered Lebanon during the Second Lebanon War in 2006, they discovered advanced Iranian intelligence-gathering systems whose coverage capability extended deep into Israel. In light of this, Israel's position is that it must retain overriding control of the electromagnetic spectrum, and there must be an effective supervisory apparatus in place to guarantee that its decisions are implemented.

The Palestinians, on the other hand, view this issue – as in the case of airspace – in the context of sovereignty. They demand full independence in managing the electromagnetic spectrum and consider Israel's demands to be excessive and their own to be based on international conventions.

The way to bridge the gap between the parties is to establish a new joint committee for electromagnetic coordination whose tasks will be:

- Allocating frequencies on the electromagnetic spectrum for use by the parties.
- Guaranteeing Israel's security needs, and assuring the demilitarization of the Palestinian state's military capabilities in the area of communications (for example, by prohibiting jamming and disruption equipment). For this purpose, effective inspection at international border crossings is required to prevent the introduction of equipment prohibited under the agreements.
- Upholding the understandings between the parties about limitations on Palestinian military capabilities, which means limiting frequency ranges allocated for military use.
- Imposing limitations on the operation of systems that damage the continuity and reliability of the communications of the other party. In this context, the Palestinians currently operate communications systems using antiquated technology that breaks into other frequencies and causes local communications disruptions.
- Preventing illegal broadcasts and ensuring enforcement capability in supervision, monitoring, and inspection in the Palestinian areas.
- Creating a mutual apparatus to terminate disruptive broadcasts and to reach agreements on the continued operation of communications systems.



- Supervising the installation of antennas and other equipment that could be exploited for use by hostile parties.

Due to its topographical and technological vulnerability and its security needs – and in order to prevent damage to its existing communications capabilities – Israel must have overriding prerogatives on this committee.

The mutual lack of trust between the parties stems from contradictory interests, as well as differences in how they approach the issue. Israel views the electromagnetic spectrum from the perspective of security and the maintenance of normal functioning of communications systems, while the Palestinians are primarily concerned with demonstrating their sovereignty. In order to overcome this divide, a third party can be enlisted to supervise the honoring of agreements by both sides, and verify whether significant or deliberate harm has been done to the interests of either party.

## Summary

The Palestinians repeatedly argue that they understand Israel's security needs, but insist that peace will bring security. They

therefore believe their own interests take precedence over Israel's. Conversely, Israel views its security as a necessary condition for maintaining peace and stability, and cannot agree to proposals that would base its vital security needs solely on diplomatic agreements.

It is only through a mutual understanding of the other party's needs – and by building an effective coordination apparatus to provide fitting solutions to demands on both sides – that a stable and viable agreement can be implemented. In light of the special time, space and topographical conditions of the area, it is not possible to divide the airspace and the electromagnetic spectrum between Israel and a future Palestinian state. For both of these, unified solutions are required. In this context, the brunt of responsibility for making decisions and implementing them must be in the hands of one of the parties. Given Israel's complex security needs, including the need to maintain stability and security following the establishment of an independent Palestinian state, overall responsibility must be in Israel's hands. At the same time, the Palestinian need to exhibit elements of sovereignty in the realms of airspace and the electromagnetic spectrum should be respected. This can be accomplished through joint apparatuses for coordination, management, and problem-solving.

*An Israeli soldier in the southern Lebanese village of Maroun al-Ras, July 29, 2006. When IDF forces entered Lebanon during the Second Lebanon War in 2006, they discovered advanced Iranian intelligence-gathering systems, whose coverage extended deep into Israel. In light of this, Israel insists on retaining overriding control of the electromagnetic spectrum.*

# THE RISKS OF FOREIGN PEACEKEEPING FORCES IN THE WEST BANK

Former Head of the Research and Assessment Division, IDF Intelligence; former military secretary to the Minister of Defense

## Maj.-Gen. (res.) Yaakov Amidror

### Israel's Experience with International Peacekeepers

During the 1967 Six-Day War, I was a soldier serving in Battalion 202 of the Paratroopers Brigade of the Israel Defense Forces (IDF). We entered the Gaza Strip from south of Gaza City and on the first day of fighting, in the early afternoon, we were told not to open fire on a group that was due to arrive in an orderly fashion along the railway line. After about an hour a group of Indian soldiers with large Sikh turbans on their heads approached. They marched between the railway lines in neat groups of four, rifles slung across their shoulders with the barrels pointing downward, a clear sign that they did not intend to use them. This was UNEF, the United Nations Emergency Force, which had retreated from the area just before hostilities broke out.

UNEF had been installed at the end of the 1956 Sinai Campaign as a buffer force between Egypt and Israel after the Israeli withdrawal from the Sinai Peninsula and the Gaza Strip. However, at the moment of truth, just when the force was most needed to avert war, it evacuated in response to the request of the president of Egypt, Gamal Abdel Nasser, to UN Secretary-General U Thant. The UNEF

withdrawal from Sinai was one of the main developments that precipitated the outbreak of the Six-Day War. The history of UNEF's betrayal of Israel, no matter how it might have been legally justified by the UN, served as a formative event in shaping how Israelis look today at proposals for them to rely on international forces for their security.

### UNIFIL in Lebanon

Later, as an intelligence officer in the IDF Northern Command, along the front with Lebanon and Syria, I noticed that UNIFIL, the UN Interim Force in Lebanon, was completely ineffective. UNIFIL was established in 1978 in accordance with UN Security Council Resolution 425 in the aftermath of Operation Litani, an Israeli ground incursion into Lebanon in response to repeated terrorist attacks into northern Israel by the PLO. UNIFIL's mandate was to confirm Israel's withdrawal from Lebanon, restore international peace and security, and help restore the authority of the Lebanese government in the area.

But southern Lebanon quickly reverted to being a terrorist stronghold from which hostile forces fired upon Israel. UNIFIL did not

The United Nations flag next to the Hizbullah flag in southern Lebanon near the border with Israel.



prevent this from happening. What UNIFIL did do was interfere with IDF operations. The UNIFIL deployment did not prevent the deterioration of the situation and the outbreak of the 1982 Lebanon War. Even after the war, the same problems with UNIFIL remained, when the threat to Israel by the PLO was replaced by the Iranian-backed Hizbullah. In the years that followed, the IDF acted correctly. It would enter Lebanon when necessary as a regular army, with a flag and a uniform. It coordinated its entry in advance in an effort to avoid injuring UN personnel.

### UNIFIL in southern Lebanon is more prone to intervene against Israeli self-defense operations than against acts of aggression by Hizbullah.

Hizbullah, by contrast, was an armed force of irregulars that attacked from, and disappeared into, the civilian population of Lebanon. They informed no one when they were going in or pulling out of an area. The UN never caught any Hizbullah terrorists and took no action against them – even after Hizbullah opened fire. When Hizbullah moved its artillery positions to within 50 meters of a UN position and then fired on Israeli targets, UNIFIL did nothing. But if Israel employed counter-fire against the very same Hizbullah artillery, then the UN Division for Peacekeeping Operations would issue a formal diplomatic complaint. As a result, the UN was more prone to intervene against Israeli self-defense operations than against acts of aggression by Hizbullah.

UNIFIL has been a constant reminder to the Israeli public of the fecklessness of international forces in preventing an Islamist insurgent force like Hizbullah from carrying out terrorist warfare against Israel. Following Israel's unilateral withdrawal from southern Lebanon in May 2000, Hizbullah undertook a massive weapons buildup, accumulating some 20,000 rockets, more than 4,000 of which it launched at Israeli towns and cities in the 2006 Second Lebanon War. Moreover, in a major Hizbullah operation in October 2000, its forces crossed into Israeli territory from an area of Lebanon supposedly controlled by the UN and

abducted three Israeli soldiers, while killing others. All this transpired under the nose of a UNIFIL position, from which the incident could easily be observed. No UNIFIL roadblocks were set up to intercept the Hizbullah vehicles carrying the Israeli captives.

Since the 2006 war, and despite the introduction of more than 10,000 additional UNIFIL troops into southern Lebanon under the auspices of UN Security Council Resolution 1701, Hizbullah has rearmed at a torrid pace. The group has accumulated more than 50,000 rockets despite the fact that UNIFIL was supposed to have upgraded its peacekeeping mandate. True, the increased UN and Lebanese Army presence in southern Lebanon has made Hizbullah activity more difficult south of the Litani River and has forced the group to move the bulk of its operations north of that line. However, Hizbullah continues to operate openly, in contravention to UN Resolutions 425 and 1701, and has never adhered to UNIFIL requirements.

In fact, in July and October 2009, large weapons caches exploded in UN-controlled territory and the UN had known nothing of the existence of either cache. There are tens of such arms caches scattered across southern Lebanon and hundreds of Hizbullah operatives training there. Have any been arrested? No. In short, the presence of UN forces in Lebanon has not been a helpful factor, even when the Lebanese government has wanted the UN to curb Hizbullah.

### International Forces and Palestinians

What will happen if UN forces are sent to a sovereign Palestinian state whose government *does not want* an international force to neutralize or disrupt the activities of organizations like Hizbullah or Hamas. If international forces are deployed in order to ensure that the Palestinians fulfill the security clauses in their agreement with Israel, yet the Palestinian government retains strong reservations about certain security restrictions – like demilitarization – which it believes to be an infringement on Palestinian sovereignty, then that government will show





little interest in the continued presence of these international forces.

In Gaza, European monitors had been stationed along the Egyptian border in accordance with the 2005 Rafah border crossing agreement brokered by U.S. Secretary of State Condoleezza Rice. But the Europeans fled their positions when internecine fighting between Hamas and Fatah heated up after the Hamas victory in the 2006 Palestinian legislative elections. The monitors also fell victim to kidnappings by local Palestinians, which contributed to their decision to quit their post.

At the Jericho prison in PA-controlled territory in the West Bank, in 2006 British and U.S. prison guards proved unable to enforce prison sentences on Palestinian terrorists, as agreed under international understandings. In the end, the IDF was compelled to act, entering the prison to take Palestinian terrorist prisoners to Israeli prisons, including Ahmed Saadat, leader of the Popular Front for the Liberation of Palestine, who was responsible for the murder of Israeli cabinet minister Rehavam Ze'evi in 2001.

The presence of international forces is supposed to provide the Israeli public with a solution to the security problems resulting from a territorial withdrawal. However, from Israel's experience, the only successful security forces that can be relied upon are its own. Therefore, the presence of a UN force, as it has been in the past, will merely create an obstacle to Israel's ability to defend itself. This is why Israel must retain the exclusive right to act against armed terror groups – thereby ruling out the option of an international force.

## Israel Seeks to Defend Itself By Itself

Israel's need to "defend itself by itself" is not a new idea. It is based on Israel's national ethos since its War of Independence. It is also rooted in Israel's internationally-sanctioned right to "secure and recognized boundaries" or "defensible borders" that was enshrined in UN Security Council Resolution 242 that followed the 1967 war and has governed all Arab-Israeli diplomacy ever since. President George W. Bush used this language in the

Two members of the European Union's border monitor mission look at a scanner screen operated by a Palestinian border police officer at the Rafah border crossing, November 25, 2005. European monitors fled their posts shortly after Palestinian internecine violence broke out between Fatah and Hamas, after Hamas won the 2006 Palestinian elections.

presidential guarantee he provided to former Israeli Prime Minister Ariel Sharon as a *quid pro quo* for withdrawing from Gaza in 2005, stating, "The United States reiterates its steadfast commitment to Israel's security, including secure, defensible borders, and to preserve and strengthen Israel's capability to deter and defend itself, by itself, against any threat or possible combination of threats."

Generally, international forces can only work when *both* parties exhibit the required political will to observe bilateral agreements. In such cases, an international force can assist in supervising treaty implementation, as in the case of the Egypt-Israel Treaty of Peace in the Sinai Peninsula. Since August 3, 1981, when the Multinational Force and Observers (MFO) was agreed to and funded by Israel, Egypt, and the United States, the security clauses of the peace treaty have been upheld by both parties. It is important to note that both Egyptians and Israelis have maintained a bilateral interest in upholding its terms. But even in this scenario, should either party ever choose to breach the agreement, the MFO would be unable to prevent it.

## The Track Record of NATO/Western Peacekeepers

Because of the poor track record of UN forces, sometimes the suggestion is made to send NATO forces instead, with the assumption that they are more robust and will be better able to handle the mission. Whereas UN forces can come from many non-Western states, from Fiji to Nigeria, whose soldiers may be poorly trained and underequipped, a NATO force is presumably more reliable. While for the most part UN forces serve as peacekeeping troops – observing that the terms of an agreement are upheld – a NATO deployment may include more ambitious goals of peace enforcement: imposing on warring parties a cessation of hostilities to which they have not agreed. But even NATO has many limitations that must be noted.

For example, in the case of Bosnia, NATO forces were deployed to uphold the 1995 Dayton Agreement and were effective once Yugoslavia surrendered unconditionally. However, the Israeli-Palestinian case does

not include any form of Palestinian or Hamas surrender, nor is surrender a status sought by either the Palestinians or Israel. Subsequently, the Yugoslav army retreated from Kosovo to Yugoslavia, creating a physical reality in which there was no longer contact between the warring factions. Such conditions have yet to be achieved in the Israeli-Palestinian conflict and are not likely to be achieved in the foreseeable future.

**Whether an international force is deployed under a NATO or a UN mandate, all peacekeeping forces will seek to maintain a good working relationship with the militias and terrorist groups that engage in violence.**

In earlier phases of the Bosnian War, there was a largely Western military presence that had been deployed under a UN mandate, known as the UN Protection Force (UNPROFOR). NATO was already involved at this early stage, supporting UNPROFOR. Even though it was a well-equipped Western army, UNPROFOR failed to stop horrible massacres in that conflict. Most notably, the Dutch UN contingent abandoned the Muslims of Srebrenica as they were attacked by the Bosnian Serb Army, leading to the mass murder of over 8,000 civilians in 1995. NATO was only to intervene if it had UN approval; there was a "dual-key" mechanism which required the agreement of both organizations to activate NATO's power.

Regardless of whether an international force is deployed under a NATO or a UN mandate, as long as the forces are deployed into the midst of hostilities, they will face the same fundamental problem that all such peacekeeping forces face: their need to maintain a good working relationship even with the militias and terrorist groups that engage in violence and aggression against them. In Bosnia, UNPROFOR did not want to alienate the Bosnian Serb Army, which was known at times to threaten UN troops and take them as hostages. In Lebanon, UNIFIL did not want to anger Hizbullah, for similar reasons.



Rescue workers search for bodies in the rubble of the U.S. Embassy in Beirut following a Hizbullah suicide bomb attack on April 18, 1983, that killed over 60 people. On October 23, 1983, two truck bombs struck buildings housing U.S. and French military forces in Beirut, killing 241 American and 58 French servicemen.

For peacekeeping forces in particular, assuming a posture of strict neutrality between the side that seeks to undermine peace and security and the side that they are supposed to defend emanates, above all, from considerations of survival. This need for neutrality is one of the major factors guaranteeing that peacekeeping forces will be ineffective and unreliable when they are most needed.

Their need for neutrality, and the danger that peacekeepers face when they try to do their jobs, is not just a theoretical concept. The force that was dispatched to Lebanon in August 1982 was closer to a fully-armed NATO force than to a UN Observer Mission. It was

made up of units from Britain, France, Italy, and the U.S. In October 1983, both the French paratrooper barracks and the U.S. Marine headquarters were attacked by Shiite suicide bombers, on orders from Tehran, causing the deaths of nearly three hundred servicemen. Within a year, both forces withdrew from Lebanon, demonstrating not just the dangers that peacekeepers face, but the reality that they will quickly leave the theater when attacked. This fact gives the peacekeeping forces an additional bureaucratic incentive to ingratiate themselves to the terrorist or insurgent side of a conflict, because a confrontation with such forces will lead to the failure of the peacekeeping mission. This fact of life for peacekeepers has been borne

out again and again by UNIFIL, whose officials have repeatedly denied and downplayed, despite abundant and obvious evidence to the contrary, that Hizbullah was violating Resolution 1701.

There are those who believe that providing a Western force like NATO, with UN backing, can help offset the risks derived from western deployments in the Middle East. In the past, a UN Security Council mandate was supposed to provide a peacekeeping force with added legitimacy, which would offer some protection to peacekeeping forces. But when the threat to international forces comes from militant Islamist groups, a UN mandate does not necessarily make the force any more acceptable. In August 2003, Al-Qaeda directly attacked the Baghdad headquarters of the UN Special Representative in Iraq, Sergio Vieira de Mello, killing him and 16 others with a truck bomb. How is the UN supposed to retaliate or punish a terrorist group?

When facing increasing fatalities, international forces often lose the original political support they had from the states that contributed them for any peacekeeping mission. In the Iraq War, the U.S.-led coalition lost national contingents from countries concerned with their security. After Madrid was attacked by Al-Qaeda, Spain elected a new government that withdrew all Spanish troops from Iraq. The continued deployment of Dutch troops in Afghanistan, under NATO, became politically controversial in the Netherlands during 2010, leading to their withdrawal.

Whether they engage in peacekeeping or peace enforcement, there is always the question of what are the precise rules of engagement of international forces, including a NATO force. For example, are international forces only permitted to open fire in self-defense when they come under attack? Or alternatively, can international forces use their firepower to prevent an act of aggression? As UN peacekeepers, the Belgian forces in Rwanda in 1994 were denied permission to take action against the Hutu militia that initiated the genocide against the Tutsi tribe.

Even in a robust NATO deployment in Afghanistan, which is not a peacekeeping mission, European states have insisted

on “caveats” for the employment of their forces, restricting their use for only the safest missions. There were national caveats banning nighttime operations and restricting the geographic deployment of forces to specific areas which were known to be more secure. Some caveats required consultations between commanders in the field and national capitals in Europe before tactical decisions could be taken. Most importantly, there were national caveats that excluded the use of certain forces that were part of the NATO alliance in counterterrorism operations.<sup>1</sup> General John Craddock, the former Supreme Allied Commander of NATO, admitted in 2009 that NATO forces were burdened with 83 national caveats, which were reduced to about 70.<sup>2</sup>

**NATO remains a cumbersome organization. Given its track record in Afghanistan, it is difficult to imagine the efficacy of similar forces in the West Bank.**

NATO remains a cumbersome organization, especially when it comes to decision-making and processing urgent operational requirements from commanders. In counterterrorism operations, it is precisely the ability to act quickly and decisively that keeps the peace and prevents attacks. Given the track record of NATO in Afghanistan, it is difficult to imagine the efficacy of similar forces in the West Bank.

### **International Forces Constrain Israeli Self-Defense**

Israel needs to be prepared for the possibility that even after agreements are signed and a demilitarized Palestinian state is established, groups such as Hamas and Islamic Jihad, or even U.S.-trained PA security forces themselves, may act in contravention of the agreements. Israel should take into account that in such situations international forces would likely not take action. In fact, the rocket assault against Israel by Hamas following Israel’s withdrawal from Gaza suggests that a similar scenario could unfold in the West



Egyptian President Gamal Abdel Nasser with UN Secretary General U Thant, May 24, 1967, two weeks before the outbreak of the Six-Day War. Thant agreed to Nasser's request to withdraw UN Emergency Forces that had been stationed in Sinai as a buffer since the 1956 war. Nasser replaced the UNEF with Egyptian military divisions ready to attack Israel, precipitating the outbreak of hostilities.

Bank, placing Israel's coastal plain under rocket attack.

In such a scenario, as long as a UN force is present on Palestinian territory, the IDF's operational freedom of action will be limited. The Israeli army cannot open fire against the enemy as it deems appropriate without first verifying the location of the UN personnel. Israel faces the risk of being placed in a bind in which nobody will be able to act against terrorists: the international forces will simultaneously fail to prevent terrorist attacks on Israel but succeed in preventing Israel from defending itself.

Prime Minister Rabin said in his last speech to the Knesset in September 1995 that the IDF must control the Jordan Valley "in the broadest meaning of that term."<sup>3</sup> Israel must isolate the territory along the Jordan River to prevent the smuggling of arms, personnel, and know-how. Inside the territory there must be a Palestinian police force to deal with internal problems whose principal power is limited to machine guns that are unable to penetrate IDF armored vehicles. It must be agreed in advance that in the event of an act of terror or a revolving-door policy of arresting and then freeing terrorists, as in the past, the IDF will be able to enter the area in order to detain suspects and prevent further attacks.

## Who Will Guarantee Demilitarization?

The prospective establishment of a Palestinian state poses substantial security challenges for Israel. Even with a fully and verifiably demilitarized Palestinian sovereign entity, without security control over the West Bank, Israel will be confronted with enormous uncertainties over how to assure its future security.

Will a future Palestinian sovereign entity become a state with a strong commitment to the rule of law? Without the assistance of the IDF, which has assumed the bulk of the responsibility for combating terrorism, will PA security forces be able to establish full control and completely dismantle terror groups such as Hamas, Palestinian Islamic Jihad, and Fatah's Al-Aqsa Martyrs Brigades?

During the implementation of the Oslo Agreements, Yasser Arafat created a separate military force outside of the Palestinian Authority, known as the Tanzim, which was under the control of Fatah and was not constrained by bilateral agreements. It was employed during a period of escalation against Israel, like the Second Intifada. What is to prevent such paramilitary groups from arising

again? What will the Middle East look like in the coming years in view of Iranian-backed regional subversion and Al-Qaeda activity that is moving closer to Israel's borders?

Meanwhile, Palestinian control of an independent territory might reenergize Palestinian confidence to attempt to deal a fatal blow by launching major strategic attacks against Israel. Such a scenario could become more likely in view of the short distance – a mere 8 to 12 miles – between the Mediterranean Sea and the Palestinian state. In practical terms, this means that any sustained Palestinian rocket assault or combined military offensive from the West Bank, if successful in its initial stage, will pose a serious threat to Israel's interior. Israel will live under a far greater threat and will be forced to prepare ways to neutralize an initial Palestinian offensive.

Israel will also need to develop defense plans without the critical topographical advantage of controlling the West Bank mountain ridge. From the dominant terrain facing west, any Palestinian with a Kassam rocket would be able to hit Israel's main airport and major cities that lie along the coastal plain – the country's "strategic center of gravity," as it is known in combat doctrine. This new reality will make it difficult to defend Israel – either against mobile forces or against rocket or other weapons fire – creating a new and constant preoccupation for Israeli military planners: figuring out how Israel, under such conditions, is to provide for its own defense.

There will be no way to neutralize this untenable situation entirely, but the danger can be greatly reduced by creating a situation that will prevent the Palestinian side from thinking in terms of building up its conventional military and clandestine terror capabilities in the West Bank. It will also mean that any security arrangements in the West Bank must preclude the reinforcement of the Palestinians by Arab or Iranian forces from the east. In short, this means *preventing the rise of any conventional military or terrorist threat in the entire territory between the "green line" and the Jordan Valley.*

Given these concerns, the following security conditions must be guaranteed:

1. No foreign army will enter the territory of a Palestinian authority or state.
2. No military organization of any kind will be established in the territory in question, whether or not it belongs to the state.
3. No weapons of any kind may be smuggled into the territory, whether from the east or from another direction.

If any of these scenarios take place, the IDF needs to be in a position to intervene and eliminate the threat.

These three conditions are derived from the Israeli requirement that any Palestinian entity be fully demilitarized. But it would be a serious mistake to believe that Israeli requirements for verifying complete Palestinian demilitarization could be guaranteed by international forces operating in the West Bank. International forces have never been successful anywhere in the world in a situation where one of the parties was ready to ignore the fulfillment of its responsibilities. There is no reason to expect that this case would be any different.

**The killing of peacekeepers is one of the most effective means in the terrorist arsenal to weaken and break the political will of states who contribute forces to peacekeeping operations.**

## Conclusions

In the Middle East, as elsewhere in the world, international forces have been notoriously unreliable, especially when they have been challenged by one of the parties, as in the case of Nasser's Egypt in 1967 or Hizbullah today. The killing of peacekeepers is one of the most effective means in the terrorist arsenal to weaken and even break the political will of states who contribute forces to peacekeeping operations. In any event, international forces have historically shown a reluctance to militarily confront those challenging them, and even in the case of NATO, they are likely to operate under highly restrictive rules of engagement and confused chains of



UN Secretary General Kofi Annan with Hizballah leader Shiek Hassan Nasrallah in Lebanon, June 20, 2000. The meeting gave recognition to Hizballah's influence in Lebanon. Since its 2006 war with Israel, Hizballah's power has extended well beyond southern Lebanon to the central and northern parts of the country.

command which will limit their value in the scenarios that Israel will likely face.

Therefore, the requirement articulated by Prime Minister Benjamin Netanyahu that any Palestinian state must be demilitarized must necessarily preclude the presence of any armed third party or international forces on prospective Palestinian territory.

Above all, even if NATO solves its problems with national caveats and rules of engagement that limit the effectiveness of its troops, and the efficacy of UN peacekeeping forces vastly improves, there is still a fundamental principle in Israeli military doctrine for Israel to "defend itself by itself." Israel has taken great pride in the fact that it has never asked Western soldiers – including American troops – to risk their lives in its defense.

Israel's requirement of self-reliance is particularly important in view of possible and even probable threat scenarios following the signing of an agreement with the PA. Today, and for the foreseeable future, no PA force has the strength to dismantle Palestinian factions such as Hamas and Islamic Jihad. And should Israel come under conventional attack in the future from the east, it would clearly

fall on Israel to block the attack in the Jordan Valley.

It is thus important to understand the limited utility of international forces in a future Israeli-Palestinian peace settlement. As one analyst of peacekeeping operations has warned: "Peacekeeping is a very useful tool of international politics, but an inherently limited tool. It can and must take on violent local challenges to peace implementation, but only at the margins of a peace process. Should the core of that process lose cohesion, a multinational operation will itself have insufficient cohesion – and likely insufficient military strength – to make the center hold."<sup>4</sup> This inherent weakness of international forces makes Israel's doctrine of self-reliance all the more relevant, even after peace agreements are signed.

## Notes

1. James Sperling and Mark Webber, "NATO: From Kosovo to Kabul," *International Affairs* 85:3 (2009):509.
2. Arnaud De Borchgrave, "'Caveats' Neuter NATO Allies," *Washington Times*, July 15, 2009.
3. [http://www.mfa.gov.il/MFA/MFAArchive/1990\\_1999/1995/10/PM+Rabin+in+Knesset+Ratification+of+Interim+Agree.htm](http://www.mfa.gov.il/MFA/MFAArchive/1990_1999/1995/10/PM+Rabin+in+Knesset+Ratification+of+Interim+Agree.htm).
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# ISRAEL'S RETURN TO SECURITY-BASED DIPLOMACY

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## Dan Diker

### Diplomacy-Based Security vs. Security-Based Diplomacy

For most of the past 17 years of Israeli peace diplomacy, since the 1993 Oslo Declaration of Principles signed with Yasser Arafat's Palestine Liberation Organization, Israel's vital security requirements have been relegated to a position of secondary importance in the service of reaching a final peace agreement. Israel's traditional "security-based diplomacy" approach to foreign relations that had anchored the Jewish state's defense doctrine since the Six-Day War in 1967 had been reversed. Instead, a doctrine of "diplomacy-based security" had come to dominate Israeli diplomatic thinking, as peace agreements were thought to be the guarantor of Israel's safety.

In service to this new doctrine, Israeli efforts to end the Arab-Israeli conflict, including the Annapolis process in 2008, the Gaza disengagement in 2005, the Lebanon withdrawal in 2000, and the Camp David Summit in 2000, were marked by far-reaching and often unilateral Israeli concessions. At the same time, the Israel Defense Forces were called upon to retrofit Israel's security needs into a political model instead of establishing security "red lines" prior to or in the initial stages of diplomatic initiatives.<sup>1</sup>

Israel's previous policy of making concessions first and trying to enforce its vital security rights and requirements second has raised international expectations that Israel will continue to offer an intransigent Palestinian leadership greater concessions as "sweeteners" to coax them into negotiations. The Palestinians, in contrast, have been sensitizing the international community to what the PA leadership calls "Palestinian rights" underpinning their statehood quest.<sup>2</sup> The public silence of Israeli governments on Israel's own rights-based case for a viable, secure Jewish state with defensible borders has encouraged confusion among allies and exacerbated the antagonism of adversaries.

Prime Minister Benjamin Netanyahu's foreign policy speech at Bar-Ilan University on June 14, 2009 – the first one of his administration – represented a fundamental restoration of Israel's security- and rights-based approach to the conflict. Netanyahu's sharp break from past policy was his insistence, up front, that reciprocity govern relations between the sides: that Israel be recognized as the nation-state of the Jewish people,<sup>3</sup> that a future Palestinian state be demilitarized, and that Israel's critical security needs be honored.



Israeli Prime Minister Benjamin Netanyahu delivers a major policy speech at Bar-Ilan University, June 14, 2009. Netanyahu called for the Palestinian leadership to recognize Israel as the nation-state of the Jewish people, called for the establishment of a demilitarized Palestinian state, and stated that Jerusalem would remain Israel's united capital city.



אוניברסיטת בר-אילן  
מרכז בגין - סאדאת  
BEGIN-SADAT CENTER

Netanyahu was indeed articulating a new Israeli political consensus about the peace process, and at the same time restoring Israel's traditional, "security-first" approach to diplomacy that had been reflected in Israeli policy by every Israeli government from 1967 until the first years of the Oslo peace process.

## Israel's return to security-based diplomacy and insistence on Palestinian demilitarization and defensible borders are vital guarantors of Israel's security in the face of the profound uncertainties surrounding both the Palestinians and the rise of Iranian power in the region.

When it came to the West Bank, the security-first approach was guarded by Prime Ministers Yitzhak Rabin and Benjamin Netanyahu. Ariel Sharon would also protect Israel's rights and security interests there, despite his unilateral withdrawal from Gaza. Netanyahu's revival of this approach since his 2009 election seems particularly relevant in the context of Iranian- and Al-Qaeda-backed campaigns to threaten Arab regimes amenable to the West, such as Saudi Arabia, Jordan, Egypt, Lebanon, and the Gulf States. At the same time as the Iranian regime leads a campaign to destabilize the Sunni regimes that have either made formal or de facto peace with Israel, the Iranian regime funds, trains, and arms terror groups on Israel's northern and southern borders, and even in the West Bank.

In this context, Israel's return to security-based diplomacy and insistence on Palestinian demilitarization and defensible borders are vital guarantors of Israel's security in the face of the profound uncertainties surrounding both the Palestinians and the rise of Iranian power in the region.

## Netanyahu's Bar-Ilan Speech

When Prime Minister Benjamin Netanyahu stood before a packed auditorium at the Begin-Sadat Center for Strategic Studies at Israel's Bar-Ilan University, it was a defining moment. Several months earlier, he had established a strong center-right coalition that reflected a 30 percent rise in public support for right-of-center parties.<sup>4</sup> The Israeli public was looking to move away from the policies of former Prime Minister Ehud Olmert, whose unsuccessful bid to negotiate a peace accord and establish a Palestinian state had brought him to offer unprecedented concessions to Palestinian leader Mahmoud Abbas.<sup>5</sup> Despite Abbas' public admission of Olmert's far-reaching concessions, the Palestinian leader noted that there remained "wide gaps between the sides" that had led to the collapse of peace talks.<sup>6</sup> Newly-elected President Barack Obama had placed exceptional pressure on the Netanyahu government for additional concessions, including a full freeze on Jewish building in the West Bank and parts of Jerusalem that contradicted firm understandings reached with the Bush administration and even collided with the Oslo Accords and the policies of the Clinton administration.<sup>7</sup>

Netanyahu accepted the notion of a future Palestinian state,<sup>8</sup> but insisted that the Palestinians would need to make reciprocal gestures and accept two principles: recognition of Israel as the nation-state of the Jewish people; and demilitarization of a future Palestinian state and accession to additional security guarantees, including defensible borders for Israel.<sup>9</sup> He also stated that Jerusalem would remain a united city under Israeli sovereignty.

Netanyahu placed Israel's national rights and vital security needs first, and only then accepted Palestinian demands. This was a major shift away from the Olmert approach at Annapolis, where many of the fundamental security requirements that Israel had insisted upon in the past were dropped in the context of far-reaching concessions he had offered to Mahmoud Abbas.<sup>10</sup>



Prime Minister Yitzhak Rabin at the Knesset debate on the Oslo peace accords signed with the Palestine Liberation Organization, September 21, 1993. Rabin foresaw Israeli control of the Jordan Valley and a united Jerusalem in any final status agreement with the Palestinian Authority.

Prime Minister Netanyahu's commitment to a security-first paradigm has been well-received by Israelis because nearly two decades of concession-driven diplomacy not only failed to yield security or earn international goodwill, but led to broad public understanding that Israel's security situation had become perilous.

During the first three years of the Oslo process, more Israelis were killed by Palestinian terror attacks than during the fifteen years prior to the signing of the Oslo accords in 1993.<sup>11</sup> The collapse of the Camp David Summit in 2000 and the ensuing suicide bombing war claimed the lives of more than 1,100 Israelis.<sup>12</sup> Israel's withdrawal

from southern Lebanon in 2000 led to an emboldened Hizbullah firing more than 4,000 rockets at Israeli cities in the 2006 Second Lebanon War. Furthermore, Israel's withdrawal from Gaza in 2005 multiplied the rocket and mortar attacks from there on southern Israel – more than 12,000 since 2001 – and resulted in Israel's defensive operation in Gaza in December 2008 and January 2009 that was condemned around the world.<sup>13</sup> The failure of Oslo, Annapolis, and territorial withdrawals to improve the prospects for peace did not deter Israelis from yearning for peace. But they did offer a sobering lesson to the Israeli public about the dangers of indulging in wishful thinking. The public today is in no mood for unrealistic plans that

are long on hope and short on credibility. They want security first, and a united Jerusalem. Netanyahu's Bar-Ilan speech was so well received in Israel because it articulated this broad public consensus.<sup>14</sup>

Netanyahu's approach won the support of more than 70 percent of the Israeli public, according to a poll conducted by *Ha'aretz* the day after the speech.<sup>15</sup> *Ha'aretz* columnist Ari Shavit called the speech "Netanyahu's Revolution," compared the prime minister to Theodor Herzl – the founder of modern Zionism, and noted: "With the seven-word formula – a demilitarized Palestinian state alongside a Jewish Israeli state – he changed the discourse on the conflict from its very foundations. He set an unprecedented challenge before the Palestinian nation and the international community."<sup>16</sup>

Elaborating on his thinking, Netanyahu noted in a November 2009 speech, "We have to ensure that weapons do not flow into the Palestinian areas of the West Bank, which overlooks Tel Aviv and surrounds Jerusalem."<sup>17</sup> On March 3, 2010, Netanyahu told the Knesset Foreign Affairs and Defense Committee that the Jordan Valley's strategic importance along the eastern border of the West Bank made it impossible for Israel to withdraw from there.<sup>18</sup>

This was not the first time that Netanyahu stressed the security-first paradigm for peacemaking. In early 1997, during his first term in office, Netanyahu was asked by the Clinton administration to agree to a "further re-deployment" (FRD), in accordance with the Oslo Agreements, that required Israel to make a new withdrawal of an unspecified size in the West Bank.

Instead of engaging in a debate with the administration over the terms of a "credible" re-deployment, including specific percentages of territory, Netanyahu asked the IDF to provide him with a security map delineating Israel's vital territorial needs in the West Bank that would be required for the country's defense. The IDF map came to be known as "The Interests Map," and Netanyahu took a version of it to Washington to present to President Bill Clinton.<sup>19</sup> Netanyahu's decision-making at the time illustrated an important principle of his approach to

peacemaking on which he insisted then and still embraces today: Israel's formal diplomatic positions on the peace process must be derived by first establishing its security needs, rather than the reverse.

## Restoring Israel's Security-First Approach

Netanyahu's insistence on a demilitarized Palestinian state and defensible borders did not represent a new strategy. Prime Minister Yitzhak Rabin had presented his vision for defensible borders at the height of the Oslo peace process, on October 5, 1995, during the Knesset ratification of the Oslo II interim agreement. He said of the final-status arrangement with the Palestinians: "The borders of the State of Israel, during the permanent solution, will be beyond the lines which existed before the Six-Day War. We will not return to the 4 June 1967 lines."<sup>20</sup> In fact, Rabin told the IDF leadership that Israel would need to retain approximately 50 percent of the West Bank in any future settlement.<sup>21</sup>

**Prime Minister Yitzhak Rabin, like Netanyahu today, insisted on retaining the Jordan Valley, telling the Knesset in 1995: "The security border of the State of Israel will be located in the Jordan Valley, in the broadest meaning of that term."**

Rabin, like Netanyahu today, insisted on retaining the Jordan Valley, telling the Knesset at the time: "The security border of the State of Israel will be located in the Jordan Valley, in the broadest meaning of that term."<sup>22</sup> Rabin meant that the Jordan River alone was an inadequate defensive barrier to prevent hostile forces and weaponry from reaching the West Bank's high ground, and that Israel would need to rely on the eastern slopes of the 2-3,000-foot-high West Bank mountain ridge that rises from the Jordan riverbed, constituting the Jordan Rift Valley. This was clearly Rabin's intention when he stipulated that Israel needed this zone in "the broadest meaning" of the term. Rabin also insisted on

maintaining a united Jerusalem under Israeli sovereignty.

Rabin had rejected a fully sovereign Palestinian state, telling Israeli lawmakers in 1995, "We would like this to be an entity which is less than a state, and which will independently run the lives of the Palestinians under its authority."<sup>23</sup>

On April 14, 2004, Prime Minister Ariel Sharon exchanged letters with President George W. Bush in which Israel committed to withdraw from Gaza and the United States endorsed defensible borders for Israel.<sup>24</sup> A week later, Sharon explained the language of the U.S. letter to the Knesset, noting that the U.S. guarantees included two territorial components: Israel would retain the major settlement blocs in the West Bank and would also obtain defensible borders. In the midst of his Hebrew address, Sharon repeated "defensible borders" in English to emphasize the American presidential commitment. Implicit in Sharon's review of the U.S. letter was that beyond the large settlements close to the pre-1967 lines, there was also recognition of a vital geographic zone in the West Bank, namely the Jordan Valley.<sup>25</sup> Sharon told *Ha'aretz* on April 24, 2005, "The Jordan Rift Valley is very important and it's not just the rift valley we're talking about [but]... up to the Allon road and a step above the Allon road. In my view, this area is of extreme importance."<sup>26</sup>

## Defensible Borders: Historical Context

The 1949 armistice lines, which stood as Israel's de facto eastern border from the end of the War of Independence until the 1967 Six-Day War, left the Jewish state with critical vulnerabilities and were therefore unsuitable as permanent borders. Israel's former foreign minister, Abba Eban, referred to these lines in 1969 as "Auschwitz borders that must not be restored."<sup>27</sup>

Yigal Allon, a commander of the pre-state Palmach and foreign minister under Rabin, was the architect of the defensible borders doctrine. In a 1976 essay in *Foreign Affairs*, he wrote:

One does not have to be a military expert to easily identify the critical defects of the armistice lines that existed until June 4, 1967....The gravest problem is on the eastern boundary, where the entire width of the coastal plain varies between 10 and 15 miles, where the main centers of Israel's population, including Tel Aviv and its suburbs, are situated, and where the situation of Jerusalem is especially perilous. Within these lines a single successful first strike by the Arab armies would be sufficient to dissect Israel at more than one point, to sever its essential living arteries, and to confront it with dangers that no other state would be prepared to face. The purpose of defensible borders is thus to correct this weakness, to provide Israel with the requisite minimal strategic depth, as well as lines which have topographical strategic significance.<sup>28</sup>

In Allon's view, which was shared by successive Israeli prime ministers, the concept of defensible borders means that Israel has a right and a responsibility to establish boundaries that provide for its citizens' basic security requirements, as opposed to accepting a geography that invites attack. This has always meant that Israel would retain some territories east of the 1949 armistice lines as part of any peace agreement with the Palestinians, especially in the largely unpopulated Jordan Valley.<sup>29</sup>

Allon's plan for defensible borders has been a key point of reference for Netanyahu over the past 14 years. Netanyahu's former foreign policy advisor, Dr. Dore Gold, noted that in 1997 Netanyahu proposed a plan for a final agreement with the Palestinians based on what he termed "Allon plus."<sup>30</sup>

## Israel's Confused Diplomatic Messages

The international criticism of Netanyahu's security-first posture is more comprehensible when considered in the context of the heightened expectations that were created by the willingness of previous Israeli governments to make deep concessions first, and only then attempt to retrofit Israeli

security requirements. The following three cases illustrate the perils of concession-driven diplomacy:

### ***Ehud Barak at Camp David in 2000***

Prime Minister Ehud Barak's determination to reach an "end of conflict" agreement with Yasser Arafat at Camp David in July 2000 and again at Taba in early 2001 was the driving force behind his idea of creating a new concept of security arrangements in the territory of a future Palestinian state. Barak's proposals reflected the first abandonment by an Israeli government of defensible borders in the West Bank. He apparently believed it possible to keep Israel safe by settling for Israeli control of 12 percent or less of the West Bank,<sup>31</sup> as opposed to the 33 to 45 percent required by a defensible borders strategy.<sup>32</sup> Barak may have made his proposal in order to "unmask" Yasser Arafat, but his ideas would shape the intellectual legacy of the peace process for years to come.

Barak also proposed a sovereign Palestinian state with the proviso that the West Bank be demilitarized and Israeli early-warning stations and IDF troops be placed on Palestinian soil. However, despite Barak's unprecedented offer, then-Palestinian security chief Mohammed Dahlan, who has again reemerged as a major force in Fatah, categorically refused to accept the proposed Israeli security arrangements. As former U.S. Middle East envoy Dennis Ross wrote, "Dahlan was dead set against any Israeli or foreign presence in the West Bank border crossing and rejected the idea that the Israelis should have guaranteed access routes into the West Bank."<sup>33</sup>

Barak's seeming abandonment of defensible borders and his acquiescence to security arrangements in their stead whittled down and even undermined Israel's long-standing insistence on retaining the Jordan Valley and other vital security areas in the West Bank. Despite the fact that during the Bush administration, the Clinton parameters and the Camp David proposals were off the table, the Palestinians pocketed the concessions and would always be able to insist on them as a starting point for future negotiations. As Vice Prime Minister Moshe Yaalon notes

in the Introduction to this study, "from that point on, Israel was expected to live within the curtailed borders that Barak had proposed. Even more far-reaching, the Palestinian leadership succeeded in establishing in the minds of Western policymakers the idea that the 1967 lines – that is, the 1949 armistice lines – should be the new frame of reference for all future negotiations."

### ***Sharon's Unilateral Gaza Withdrawal***

Ariel Sharon, too, would whet the international appetite for a full return to the 1949 lines stemming from his decision to withdraw from the Gaza Strip. Sharon conceded the Gaza Strip in 2005, believing that he would provide security for Israelis and win international praise and goodwill for handing the Palestinians their first mini-state.<sup>34</sup> However, Israel's generosity did not earn durable support from Europe and even provoked fears that the Gaza pullout was a ploy to avoid further territorial concessions.<sup>35</sup>

Israel's concession of Gaza has been minimized internationally as organizations such as the United Nations, Amnesty International, and Human Rights Watch continue to refer to Gaza as "occupied territory."<sup>36</sup> Europe's expectation of future Israeli withdrawals reflects the degree to which Israel's unconditional unilateral pullout in Gaza undermined its territorial rights in the West Bank. This was the central reason that Israel's former Deputy Chief of Staff and National Security Council head Maj.-Gen. Uzi Dayan had publicly opposed full withdrawal from Gaza. He noted on June 4, 2007, that Gaza established an "immoral and dangerous diplomatic precedent for the West Bank."<sup>37</sup>

### ***Olmert's Unprecedented Concessions Backfire on Israel***

The idea that Israeli concessions only drive international expectations for further concessions was best illustrated by former Prime Minister Ehud Olmert during the Annapolis peace process that collapsed in late 2008. Olmert went beyond any other



prime minister in the concessions he was willing to make to strike an agreement with the Palestinians. He offered between 93.5 and 97 percent of the West Bank, half of Jerusalem including an international regime for the “Holy Basin” containing the Temple Mount and Muslim shrines, and expressed a willingness to allow 10,000 Palestinian refugees to resettle in Israel on humanitarian grounds.<sup>38</sup>

Olmert’s negotiation team, headed by Brig.-Gen. Udi Dekel, an author in this study, also tried to retrofit security demands into the final agreement, such as the demilitarization of a Palestinian state, special security arrangements in the Jordan Valley, and Israeli security control of the Gaza coast, all of which were rejected by the Palestinians.<sup>39</sup> It was also clear to Palestinian and Israeli negotiators that nothing was agreed until everything was agreed.<sup>40</sup> However, when negotiations collapsed, the pattern from the Barak proposals re-emerged: Israel’s unprecedented

concessions were rejected by the Palestinians but simultaneously pocketed, so as to form the basis for the next round of negotiations.

## Reconsidering Israel’s Legal and Diplomatic Rights

One of the basic sources of tension between the Obama and Netanyahu administrations regarding the peace process is that the U.S. has grown accustomed to a concessions-based Israeli diplomacy that sidelines Israel’s legal and diplomatic rights. Israel’s return to security-based diplomacy is both rooted in and protected by international resolutions such as UN Security Council Resolution 242 of November 1967, which was unanimously approved and protected Israel’s rights in the West Bank as a result of having fought a war of self-defense there.<sup>41</sup> For the past four decades, Resolution 242 has governed all Arab-Israeli diplomacy and has been the

Former Prime Minister Ehud Barak and Palestinian leader Yasser Arafat, July 11 1999. Barak’s adoption of a new concept for security arrangements on the territory of a future Palestinian state, essentially on the 1967 lines, would recalibrate international expectations of Israel.

legal backbone upholding Israel's right to "secure and recognized boundaries" – that is, defensible borders – that the Security Council recognized as part of its determination that the Arabs, not Israelis, were the war's aggressors.<sup>42</sup>

Resolution 242 would also form the legal infrastructure for future peace processes, such as the 1979 peace treaty with Egypt, the 1991 Madrid conference, the 1993 exchange of letters with the PLO, the 1994 peace treaty with Jordan, and the 2004 presidential letter commitment from Bush to Sharon.<sup>43</sup>

**The U.S. has grown accustomed to a concessions-based Israeli diplomacy that sidelines Israel's legal and diplomatic rights. Yet Israeli concessions only drive expectations for further concessions.**

A major challenge for Israel's return to security-based diplomacy is that the Obama administration seems to have broken sharply from past U.S. agreements. It has been virtually silent on Resolution 242 and has apparently disregarded Bush's 2004 presidential letter guarantee to Israel that was overwhelmingly approved by bipartisan majorities in the House and Senate. President Bush had quoted the exact language of Resolution 242 for emphasis and reassured Sharon: "As part of a final peace settlement, Israel must have secure and recognized borders, which should emerge from negotiations between the parties in accordance with UNSC Resolutions 242 and 338....The United States reiterates its steadfast commitment to Israel's security, including secure, defensible borders, and to preserve and strengthen Israel's capability to deter and defend itself, by itself, against any threat or possible combination of threats."<sup>44</sup>

As the Obama administration breaks from the traditional practices and understandings that have governed Middle East diplomacy for decades, the Israeli government will have to adjust its practices and understandings. As the administration weakens its commitment

to Resolution 242 and other guarantees, the Israeli government must insist even more on the salience of these legal precedents and diplomatic guarantees.

## **Regional Threats and Israel's Return to Security-Based Diplomacy**

Regional threats both to Arab states and Israel from a nuclearizing Iran, its Syrian ally, and regional terror proxies, as well as the ongoing activities of Al-Qaeda ever closer to Israel's borders, further justify Israel's insistence on a security-first, diplomacy-second approach to the Palestinians. While Al-Qaeda first emerged in Afghanistan in 1989, it has moved its subversive activities closer to Israel's borders and has inspired new followers in Egypt, Saudi Arabia, Syria, Lebanon, and Gaza. Jordan has been the repeated target of Al-Qaeda assaults, and today Hamas is having difficulty preventing Al-Qaeda groups in Gaza from firing rockets at Israel.<sup>45</sup>

**Every Israeli territorial withdrawal since 2000 has created a security vacuum that has been exploited by Iran-backed forces in Lebanon and Gaza to improve their position against Israel.**

These developments – especially the rise of the Iranian-backed "resistance bloc," consisting of Syria, Hizbullah, and Hamas – have shattered the illusion that the Israeli-Palestinian conflict could be isolated from larger regional trends and that a stable territorial settlement could be reached without considering these regional developments.

Every Israeli territorial withdrawal since 2000 has created a security vacuum that has been exploited by Iranian-backed forces in Lebanon and Gaza to improve their position against Israel. The 2006 Israel-Hizbullah war and the 2008-2009 Israel-Hamas war have underscored the threat of short-range rockets and highlighted the importance of territorial protection for Israel.<sup>46</sup>





## Conclusion

By all indications, President Barack Obama continues to make the Palestinian-Israeli peace process and the establishment of a Palestinian state along the 1949 armistice lines a centerpiece of his agenda. He may even present an American plan, perhaps forcefully, if the peace process does not progress to his liking, and despite intense opposition to the idea in Israel.<sup>47</sup> This new U.S. diplomatic approach has put the Netanyahu government on the defensive, and has allowed the Palestinians to harden their positions on the core issues even beyond their demands at Annapolis. It has also provided succor to Palestinian hopes for a unilaterally-declared Palestinian state, which the PA leadership has referred to as their “Kosovo strategy.”<sup>48</sup>

Under these adverse conditions, a security-first diplomatic posture is needed more than ever. Israel will continue to find itself under intense pressure to make concessions to the Palestinians; frequently, no reciprocal gestures will be demanded from them, and Israel’s failure to comply with Washington’s demands will likely be met with criticism and punishment. In this environment, the Israeli government must stake out its position on a rock-solid foundation. The only foundation that provides the strength and solidity to resist U.S. diplomatic pressure for additional concessions and Palestinian plans for a unilaterally-declared state along the 1949 armistice lines is a confident insistence on Israel’s fundamental and non-negotiable security requirements, whose centerpieces are defensible borders in the West Bank and a demilitarized Palestinian state.

Former Israeli Prime Minister Ehud Olmert and PA Chairman Mahmoud Abbas, August 28, 2009. Regarding his unprecedented offer of 93.5% of the West Bank and a shared Jerusalem, Olmert recalled in a November 2009 interview: “I told him (Abbas) he’d never get anything like this again from an Israeli leader for 50 years.”

## Notes

- 1 Former Prime Minister Ehud Barak's attempts to concede territories to reach a peace agreement with Palestinian leader Yasser Arafat and then negotiate Israeli security arrangements during the Camp David and Taba summits in 2000 and early 2001 respectively are good examples of this strategy. See Dan Diker, "A Return to Defensible Borders," *Azure*, no. 21 (Summer 2005), <http://www.azure.org.il/article.php?id=174>.
- 2 See, for example, Arafat's address to the World Economic Forum in Davos, January 28, 2001, <http://www.gamla.org.il/english/article/2001/jan/ler4.htm>.
- 3 See Netanyahu's speech at [http://www.mfa.gov.il/MFA/Government/Speeches+by+Israeli+leaders/2009/Address\\_PM\\_Netanyahu\\_Bar-Ilan\\_University\\_14-Jun-2009.htm](http://www.mfa.gov.il/MFA/Government/Speeches+by+Israeli+leaders/2009/Address_PM_Netanyahu_Bar-Ilan_University_14-Jun-2009.htm). Netanyahu's insistence that the PA recognize Israel as a Jewish state had also been raised by former Prime Minister Ehud Olmert as part of the Annapolis peace process. However, the Palestinian leadership refused to accede on this issue. See <http://www.haaretz.com/hasen/spages/923076.html>.
- 4 In the 2009 elections for the 18th Knesset, Israeli center-right parties increased their strength from 50 to 65 seats (out of 120), representing, among other issues, the public's displeasure with Olmert's unprecedented concessions to the Palestinian Authority, including the concession of defensible borders in the strategically vital West Bank and the division of Jerusalem.
- 5 Greg Sheridan, "Olmert Still Dreams of Peace," *The Australian*, November 28, 2009, <http://www.theaustralian.com.au/news/opinion/ehud-olmert-still-dreams-of-peace/story-e6frg76f-1225804745744>.
- 6 See Jackson Diehl, "Abbas' Waiting Game," *Washington Post*, May 29, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/28/AR2009052803614.html>.
- 7 Elliot Abrams, "Hillary is Wrong about the Settlements," *Wall Street Journal*, June 26, 2009, <http://online.wsj.com/article/SB124588743827950599.html>. The insistence of the Obama administration that Israel undertake a full cessation of building in the West Bank and east Jerusalem had no precedent in U.S. policy in the Middle East peace process. The 1995 Oslo interim agreements, which still govern Palestinian-Israeli relations pending a final agreement between the sides, do not prohibit either Palestinian or Israeli building in the West Bank or Jerusalem, whose final status was to be negotiated between the sides. See Dan Diker, "Does the International News Media Overlook Israel's Rights in the Palestinian-Israeli Conflict," *Jerusalem Viewpoints*, no. 495, Jerusalem Center for Public Affairs, April 2003, <http://www.jcpa.org/jl/vp495.htm>.
- 8 Ari Shavit, "Netanyahu's Revolution," *Ha'aretz*, June 19, 2009, <http://www.haaretz.com/hasen/spages/1093877.html>.
- 9 Netanyahu insisted on Israel maintaining defensible borders, Israeli control of a unified airspace over the Palestinian state, and electromagnetic security. He stated that a future Palestinian state would be prohibited from engaging in military covenants with foreign armies, and that no foreign forces would be allowed in Palestinian territory. Netanyahu also declared that "Jerusalem, the capital of Israel, must remain undivided with continued religious freedom for all faiths." Prime Minister Benjamin Netanyahu, Speech at Bar-Ilan University, June 14, 2009, <http://www.pmo.gov.il/PMOEng/Communication/PMSpeaks/speechbarilan140609.htm>.
- 10 Abbas acknowledged to the *Washington Post*'s Jackson Diehl after the failure of Annapolis that Olmert's offer of between 93.5 and 97 percent of the West Bank, eastern Jerusalem, a special custodial regime for the "Holy Basin," and the recognition of the right of return (that included the return of 10,000 refugees to Israel for humanitarian reasons – according to a senior official on Olmert's negotiating team) was more generous to the Palestinians than the offers of either George Bush or Bill Clinton, and yet Abbas said: "The gaps were wide." See Jackson Diehl, "Abbas' Waiting Game," *Washington Post*, May 29, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/05/28/AR2009052803614.html>.
- 11 "The number of people killed by Palestinian terrorists in the five years immediately after the Oslo Accord (256), was greater than the number killed in the 15 years preceding the agreement (216)." See "Terrorism and Oslo," *Daily Forward*, September 19, 2003, <http://www.forward.com/articles/8161/>.
- 12 <http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Palestinian+terror+since+2000/Victims+of+Palestinian+Violence+and+Terrorism+sinc.htm>.
- 13 Dore Gold, "Israel's War to Halt Palestinian Rocket Attacks," *Jerusalem Issue Brief*, vol. 7, no. 34, March 3, 2008, <http://www.jcpa.org/JCPA/Templates/ShowPage.asp?DBID=1&LNGID=1&TMID=111&FID=283&PID=0&IID=2049>.
- 14 Yossi Verter, "Sharp Rise in Support for Netanyahu Following Speech," *Ha'aretz*, June 16, 2009. Regarding the Israeli public's support for a united Jerusalem, see Dore Gold, *The Fight for Jerusalem: Radical Islam, the West, and the Future of the Holy City* (Washington: Regnery, 2007), pp. 277-8.
- 15 Verter, "Sharp Rise."
- 16 Shavit, "Netanyahu's Revolution."
- 17 Prime Minister Benjamin Netanyahu, Speech to the Jewish Federations of North America General Assembly, November 11, 2009, <http://www.haaretz.com/hasen/spages/1127027.html>.
- 18 Jonathan Lis, "Netanyahu: Israel Will Never Cede Jordan Valley," *Ha'aretz*, March 2, 2010.
- 19 Dennis Ross, *The Missing Peace: The Inside Story of the Fight for Middle East Peace* (New York: Farrar, Straus and Giroux, 2005), p. 327.
- 20 Prime Minister Yitzhak Rabin at the Knesset, October 5, 1995, [http://www.mfa.gov.il/MFA/MFAArchive/1990\\_1999/1995/10/PM+Rabin+in+Knesset+Ratification+of+Interim+Agree.htm](http://www.mfa.gov.il/MFA/MFAArchive/1990_1999/1995/10/PM+Rabin+in+Knesset+Ratification+of+Interim+Agree.htm).
- 21 Meeting with former senior IDF official in Jerusalem, April 4, 2010.
- 22 Prime Minister Yitzhak Rabin at the Knesset.
- 23 *Ibid.*
- 24 <http://georgewbush-whitehouse.archives.gov/news/releases/2004/04/20040414-3.html>.
- 25 Diker, "A Return to Defensible Borders," pp. 52-53.
- 26 Dan Diker, "Sharon's Strategic Legacy for Israel: Competing Perspectives," *Jerusalem Issue Brief*, vol. 5, no. 15, January 12, 2006.
- 27 Interview with *Der Spiegel* magazine, November 5, 1969.
- 28 Yigal Allon, "Israel: The Case for Defensible Borders," *Foreign Affairs*, vol. 55 (October 1976), pp. 41-42.
- 29 Specifically, the Allon Plan, which has guided the thinking of Prime Minister Netanyahu since his first ad-

- ministration from 1996 to 1999, holds that Israel's new defensible borders would mean "retaining absolute control of the 700-square-mile strategic Jordan Rift Valley east of the major Arab population centers," a zone that lies between the Jordan River to the east and the eastern slopes of the Samarian and Judean mountains to the west, as well as greater Jerusalem and certain relatively unpopulated sections of the Judean Desert. Allon's recommendation for annexing the Jordan Valley was supported by the fact that this area was – and continues to be – largely unpopulated, aside from the approximately thirty thousand Arab residents of Jericho, which would not be part of the annexed territory. This demographic reality and the need for control of the Jordan Valley would remain true over the following years and would be a key benefit for Israel, as reflected in President George W. Bush's presidential letter in exchange for Israel's 2005 withdrawal from Gaza. It has also been noted in recent interviews with Netanyahu, preserving the plan's relevance for today.
- 30 Dore Gold, "Defensible Borders for Israel," *Jerusalem Viewpoints*, no. 500, June 15, 2003, <http://www.jcpa.org/jl/vp500.htm>.
- 31 Barak was reported to have approved an offer of between 93 and 95 percent at Camp David and 97 percent at Taba in line with the Clinton bridging proposals. He also was believed to have offered the Palestinians at the Taba talks a compensatory 3 percent land swap from pre-1967 Israel, although this was denied by MK Danny Yatom, Barak's national security adviser, during a Knesset conference on defensible borders on October 19, 2004, sponsored by the Knesset Foreign Affairs and Defense Committee.
- 32 The Allon Plan was based primarily on Israel retaining the Jordan Valley, a full third of the West Bank. The "Allon-plus" doctrine adopted by Prime Ministers Rabin and Netanyahu would also include other strategically vital settlements that would constitute approximately 45 to 49 percent of West Bank land. This assessment is based exclusively on Israel's defense needs and does not include other national security interests such as the West Bank aquifers from which Israel draws a third of its potable water. A former IDF official told the author that in the beginning of the Oslo process in 1994, Prime Minister Rabin had determined that Israel would need to retain 63 percent of the West Bank, which he had seen as a security red line. Meeting in Jerusalem, April 4, 2010.
- 33 Ross, *The Missing Peace*, p. 703, cited in Dore Gold and David Keyes, "What If Bush Invited Sharon and Abu Mazen to Camp David?" *Jerusalem Viewpoints*, no. 526 (January 2, 2005), p. 10.
- 34 Dan Diker, "Why Israel Must Now Move from Concessions-Based Diplomacy to Rights-Based Diplomacy," *Jerusalem Issue Brief*, no. 554, June-July 2007, <http://www.jcpa.org/JCPA/Templates/ShowPage.asp?DBID=1&LNGID=1&TMID=111&FID=582&PID=2225&IID=1607>.
- 35 Spanish Foreign Minister Javier Solana warned at the time that the European Union would not support the Gaza disengagement if it did not lead to a full Israeli pullout from the West Bank. Solana called that scenario "nightmarish." Diker, *ibid*.
- 36 See, e.g., John Dugard, *Report of the United Nations Special Rapporteur on the Situation of Human Rights in the Palestinian Territories Occupied Since 1967*, A/HRC/4/17, January 29, 2007 (esp. paragraphs 1, 6 and 22 referring to Gaza as part of the "Occupied Palestinian Territory" and applying the Fourth Geneva Convention regarding "occupied" territory).
- 37 Speech by Maj.-Gen. Uzi Dayan at the conference on "40 Years of UNSC Resolution 242," Jerusalem Center for Public Affairs and Konrad Adenauer Foundation, Jerusalem, June 4, 2007.
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The Obama administration's intensive efforts to resolve the Arab-Israeli conflict are anchored in its policy to reconcile "the Palestinian goal of an independent and viable state on the 1967 lines, with agreed [land] swaps, and the Israeli goal of a Jewish state with secure and recognized borders that reflect subsequent developments and meet Israeli security requirements."

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ISBN 978-965-218-085-8



**Jerusalem Center for Public Affairs**