



## **Glencree Survey of Selected Works to Enhance Gaza Disengagement**

**Prepared under the auspices of the Glencree Centre for Peace and Reconciliation, Ireland, this document summarizes papers and work undertaken by myriad organisations and the two sides on various issues related to the Israeli withdrawal. It has been compiled to inform interested actors of existing resources and ideas, drawing comparisons and summarising proposals in different subject areas chosen by a working group sponsored by Glencree. The document is not exhaustive.**

**References to “Areas of consensus” identified in this document refer to points of similar agreement among the documents reviewed and do not imply consensus between the parties on a given issue. It should be noted that some of the points of consensus, as well as other matters, identified in the document have been superseded by the ongoing official process in the withdrawal preparations. The document should be treated as a resource and not a definitive statement of Israeli, Palestinian or international positions.**

This document was compiled by Mrs. Shelley Neese. Please read in conjunction with the attached explanatory cover note by Glencree of the same date.

# BORDER REGIMES

## SUMMARY AND ANALYSIS

*While there are a few organisations that have dealt with this subject in the context of more comprehensive policy papers (i.e. international involvement or economic issues), the World Bank has provided the most in-depth technical paper on this specific subject. In thinking about border regimes, there is a delicate balancing act between meeting Israel's security concerns and improving living conditions and trade facilitation for Palestinians. In basically all of the summarized reports presented here, there are detailed proposals for the role of border regimes in economic growth but few of these reports also address the issues of security cooperation and coordination. Those issues are mainly addressed in the other reports having to do with international involvement.*

### **Subtopics:**

Airport, Seaport, Linkage, Land Borders,  
International Involvement,  
Security, Customs,  
Dispute settlement mechanisms,  
Systemizing movement, Design of border crossing facilities, New technology.

### **INDEX:**

**WORLD BANK, IPCRI,  
JAMES A. BAKER INSTITUTE FOR PUBLIC POLICY,  
APPLIED RESEARCH INSTITUTE, ICJ,  
THE WASHINGTON INSTITUTE FOR NEAR EAST POLICY, NSU**

#### **I. Areas of consensus**

- A. The current political situation has made internal transport expensive and inefficient and external transport virtually nonexistent.
- B. Improving trade logistics via better design, technology, procedures and management of border crossing facilities is critical to improving Palestinian market access and competitiveness.
- C. Upgrading border crossings, including enhanced technology, can contribute to the efficiency and flow of the crossing points.
- D. The only way Gaza and the West Bank can be a single Palestinian territorial unit is by the creation of a passage between the two territories.

#### **II. Areas of difference**

- A. Degree of international involvement and representation at crossing points.
- B. Identity of international presence at border regime (military, police, civilian).
- C. Nature and control of linkage between Gaza and the West Bank.
- D. Principles of operation for passage between Gaza and the West Bank.
- E. Need for additional terminal in the Gaza Strip.

- F. Continuation of “back-to-back” cargo handling system.
- G. Continued internal closure in the West Bank.
- H. Completion and continuation of Separation Barrier.
- I. Palestinian customs control over crossing points, including Rafah, Damiyeh, and Karameh.
- J. Complete Palestinian control over international crossings.
- K. Location of crossing points.
- L. New crossing point at the tri-point between the Gaza Strip, Israel, and Egypt.
- M. Philadelphi Corridor.

### **III. Issues not addressed**

- A. Definition of organisational structure of cross-border cooperation.
- B. Recommendations for facilitating cross-border coordination for addressing crime and environmental degradation.
- C. Creation of framework for a commercial dispute resolution mechanism.
- D. Development of Security Protocol.

### **World Bank**

Technical Paper, December 2004  
 “Borders and Trade Logistics”

#### **I. Summary**

This technical paper presents a plan for creating reliable trade logistics that address Israel’s security interests and the PA’s economic interests. Through the redesign of border crossing facilities, use of new security technologies, and adoption of new management procedures, Gaza’s improved trade facilitation may make Palestinian exporters much more competitive and improve their market access.

#### **II. Issues Addressed**

- A. Closures and its impact on trade: Internal and external trade restrictions, transport costs for trucking, handling delays for Palestinian cargo.
- B. Enhancing border facilities while ensuring security.
- C. Enhancing trade flows through new management procedures.
- D. Improving customs procedures.
- E. A Gaza seaport and airport.
- F. The Gaza/West Bank link.

#### **III. Action plans and proposals**

- A. The creation of sea and air gateways in the interim will be cheaper and faster:
  1. Helicopter service to take passengers to Queen Alia airport.
  2. “Roll-on, roll-off” container port with shuttle service to Port Said.
- B. Palestinian customs should assume responsibility for clearing cargo and collecting custom duties on Gaza’s external borders. It will be necessary to strengthen Palestinian customs capacities, perhaps by bringing in the technical assistance and training of the IMF.
- C. The design of the cargo transfer structures is critical to ensure efficient flow. The layout of each border crossing should be customized to the type of crossing (i.e. volume of traffic, location, sensitivity of cargo).

- D. Enhance security technology with imaging systems, sniffer technology, tamper-proof seals, document recognition technology, explosives/weapons detectors, and facial matching technology.
- E. Apply service standards and commercial recourse to all crossings. Perhaps establish a private-sector joint committee to continuously review the service standards and performance at crossings and make recommendations.
- F. Need for dispute resolution mechanism: Possibilities include adopting a commercial arbitration system or a panel system.
- G. Minimize number of inspections through:
  - 1. Electronic container seals.
  - 2. Use of risk management systems for security inspection.
  - 3. Free circulating trailers and containers.
- H. For the issue of linkage between Gaza and the West Bank, see relevant summary below.

### **IPCRI (Israel/Palestine Centre for Research and Information)**

Policy paper, Nov. 2004

“The Israeli-Palestinian Border Regime the Day after the Disengagement—Enabling the Possible”

#### **I. Summary**

This paper offers a conceptual framework for shaping a border regime between the Gaza Strip and Israel for the day after the disengagement and presents a possible model for action, assuming that the disengagement is an opportunity that can be leveraged into a political process. IPCRI’s analysis and proposed model deals primarily with the land border regime, offering a proposal for the development of existing crossing points along the land border between Gaza Strip and Israel.

#### **I. Issues addressed**

- A. Three dimensions of Third party involvement: role and mandate authorities of third party; composition of third party; source of authority for third party.
- B. Recommendations for developing, expanding, and advancing crossing points.
- C. Comparison of the advantages and disadvantages associated with: 1) building a small number of terminals that would offer an efficient and comprehensive response to the crossing of goods and people 2) increasing the number of terminals while institutionalising terminals that specialize in specific kinds of goods.
- D. Palestinian employment in Israel and creating Palestinian Industrial Estates.
- E. Acquiring new technologies.
- F. Special Interests Zones.

#### **I. Action plans and proposals**

- A. Possible roles for a third party: 1) the establishment of an international task force headquarters on the Palestinian side of the border with branch offices at each terminal. The international office will work with Israeli and Palestinian liaisons in security cooperation, monitoring screenings, restoring trust, and establishing an information and assessment unit; 2) a third party should be responsible for the security supervision of the ports once both sides agree to certain security parameters.
- B. Develop Special Interest Zones for regulated economic and other activity.

- C. Increase the output of the border regimes by expanding the existing terminals (as opposed to building new ones) and give them technological upgrades to improve efficiency and security.
- D. A Sufa terminal should be designated as an alternative to the Karni tunnel and for the conveyance of sensitive goods and agricultural produce.
- E. Develop a service that gives real time information (via phones, media, or internet) regarding the opening status and crowdedness of terminals.
- F. To improve crossing procedures, station Palestinian representatives with the Israelis at every crossing point into Israel.

**James A. Baker Institute for Public Policy**, Rice University  
Israeli Palestinian Working Group Policy Paper, February 2005  
“Creating a Roadmap Implementation Process Under United States Leadership”

### **I. Summary**

There should be a guaranteed flow of goods, people and services across the border under controlled conditions in order to encourage good neighbourly relations and revive the Gaza Strip economy. To maintain this, there needs to be a formal cross-border coordination mechanism.

### **II. Issues Addressed**

- A. Formal border coordination; transparent commercial regulations; security threats; crime; economic growth; environmental cooperation; railway system; international assistance with technological equipment; joint planning.

### **III. Action plans and proposals**

- A. Establish a formal network of cargo terminals with advanced screening technology for expediting security inspections.
- B. Civil management structures should be in charge of administering border crossings.
- C. Israeli and Palestinian planning authorities should establish a joint team to coordinate their short, mid, and long-term plans.
- D. Each party is responsible for controlling and preventing armed opposition on their side.
- E. Develop a cross-border coordinated response mechanism to security threats.
- F. GOI and PA should supervise local councils to establish good cross-border cooperation structures to deal with issues of mutual concern (environment, human resources, development, etc).
- G. In the future, it is recommended to establish a trilateral border and cargo facility at the Egypt-Israel border.

**Applied Research Institute**, Jerusalem  
Research paper and proposal, January 2005  
"Environmental Impact Assessment of the Planned Expansion of the Philadelphi Corridor at the Southern Border of the Gaza Strip"

### **I. Summary**

This report examines the potential environmental effects in Rafah of continued expansion of the Philadelphi Corridor via the 15 kilometre-long, triangle-shaped canal as published in *Yediot Ahronot*. Due to the planned demolition of rows of homes in Rafah, the large number of refugees will cause over-population in Rafah

- which is already limited in options for urban expansion. The effect is further deterioration of the living conditions in Rafah, especially quality of health and social well-being. The report shows how the canal, in an area where water and land resources are already scarce, will threaten human and animal life and inhibit economic and social development of the area. The report highlights the negative impact the canal will have on available water resources.

### **International Court of Justice**

July 2004

*See* "Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory" (2003-2004)

(<http://www.icj-cij.org/icjwww/idocket/imwp/imwpframe.htm>)

### **The Washington Institute for Near East Policy**

Monograph, April 2004

"A Defensible Fence: Fighting Terror and Enabling a Two-state Solution," by David Makovsky

#### **I. Summary**

Makovsky addresses the international controversy that has surrounded the construction of the West Bank security fence and offers an alternative perspective on the purpose and positive effects of the barrier. While Makovsky emphasizes that the barrier must be properly designed, he notes that the Israeli Ministry of Defence has designed a fence that can help quell violence and facilitate a two-state solution. In Makovsky's analysis of the barrier's potential demographic and territorial implications, he asserts that this barrier may be the best means of facilitating a long-term peace. In the fence's design and implementation, it is important to balance the need to reserve Israel's demographic and political identity without extinguishing Palestinian aspirations or causing disproportionate demographic pain to the Palestinian side. If this balance is successful, Makovsky argues, the fence may be the only means for facilitating a safe withdrawal from the West Bank and ending occupation.

#### **II. Fence should:**

- A. Avoid construction routes that preclude the formation of a contiguous Palestinian State or cause undue disruption to Palestinian lives.
- B. Reduce violence by limiting the infiltration of terrorists into Israel.
- C. End the deadlock on achieving a two-state solution.
- D. Advance the debate in Israel regarding the future of settlements.
- E. Provide an incentive for Palestinians to both fight terrorism and return to the negotiating table.

### **The Washington Institute for Near East Policy**

Policy Focus, April 2004

"The West Bank Fence: A Vital Component in Israel's Strategy of Defense," by Maj. Gen. Doron Almog

#### **I. Summary**

Almog's policy focus outlines a defence of Israel's security fence and the strategy behind it, emphasizing that in the current situation security takes priority over

political issues. Almog gives security recommendations for improving the effectiveness of the "seam zone" in the West Bank based on the success of the Gaza barrier in halting the infiltration of terrorists. Almog argues that if the West Bank barrier is to be as effective as the Gaza fence, all of the elements of the Gaza fence must be replicated on the basis of a package model—without exceptions. One source of potential failure in the fence is the fact that there are no security buffer zones or special rules of engagement for the military personnel monitoring the fence; Almog recommends remedying this problem using the Gaza model. Almog also notes the importance of developing a military response to the likelihood that militants will develop new tactics and technologies to bypass the fence. Lastly, in order for the fence to benefit both Israel and the Palestinians on an economic level, Almog suggests that the Erez economic model should be duplicated in the West Bank.

**INTERNATIONAL**  
**INVOLVEMENT**  
**(MONITORING AND VERIFICATION)**

**SUMMARY AND ANALYSIS**

*There appears to be an unprecedented amount of willingness by both parties to utilize an international presence in Gaza for monitoring and verification purposes. The issue of international involvement in security, economic rehabilitation, and even governance has been covered more extensively than almost any of the other issues. Addressing Israel's security needs without compromising Palestinian sovereignty is the aim of most of the third party roles. In making policy recommendations and planning considerations for an international presence, there is much overlap with other issues such as border regimes, settlements, economic issues, and crisis coordination. Because of its all-encompassing nature and the fact that it has been addressed by a host of institutes, NGOs, and think tanks, this summary and analysis covers the most ground.*

***Subtopics:***

Transfer of Settlement assets, Economic Aid, Local Capacity-building,  
 Border Security, Security Cooperation, Dispute Resolution,  
 Composition, Timeline, Extent of Mandate, Source of Authority.

**INDEX:**

**JAMES A. BAKER INSTITUTE FOR PUBLIC POLICY,  
 SABAN CENTER, IPCRI,  
 INTERNATIONAL PEACE ACADEMY, NATO,  
 TOLEDO INTERNATIONAL CENTER FOR PEACE,  
 CAMBRIDGE PROGRAMME FOR SECURITY IN INTERNATIONAL SOCIETY**

**I. Areas of consensus:**

- A. The UN Security Council should provide the required mandate for international involvement.
- B. International involvement in monitoring and verification should be a US led effort with the inclusion of British, Egyptian, and/or Jordanian actors.
- C. A third party should ensure the orderly, transparent, and fair transfer of the settlement assets and territory. The international community should work together with the World Bank in playing an active role in the economic rehabilitation of the Gaza Strip and emergence employment programs.
- D. An international monitoring team is needed to play a role in border security arrangements (for differences in degree of involvement, *see below*).

- E. The international community may assist the parties in turning their unilateral actions into a multilateral action program that leads to the renewal of the peace process.
- F. The international community should also play a part in local capacity-building programs in Gaza Strip.

## **II. Areas of difference:**

- A. All papers note the importance of the international community's provision of economic and development aid to Gaza but only some (i.e. Toledo) note the need for the international body to have oversight and review mechanisms of the economic and financial activities in the West Bank and Gaza.
- B. Who/what will be the source of authority for any international force.
- C. *Borders*: The Toledo Center suggests that an international task force should be responsible for security at all crossing points while the Programme for Security suggests that an international presence may be invited to deploy at some of the crossing points and play only an advisory role. The Baker Institute has the Palestinians in charge of all of the crossing points and says it may be possible to include an international monitoring presence.
- D. *Air and Sea*: In reopening Gaza's airport and seaport, the Toledo Center suggests total third party control while Programme for Security limits involvement to a third party monitoring presence. The Baker Institute only mentions the need for the airport and seaport to be reopened without specifying an active international role other than limited verification of compliance.
- E. *Philadelphi*: The Toledo Center suggests an international task force should assume the ultimate security responsibility at the Philadelphi route. The Baker Institute proposes a staged phasing out of Israeli forces and phasing in of Palestinian forces. The Programme for Security proposes a joint Palestinian and international presence along the Philadelphi corridor.

## **III. Issues not addressed:**

- A. Composition of international presence.
- B. Entry and exit strategies. Timelines.
- C. Single and coordinated international mission or disparate efforts? Need for commonly defined strategic objectives (addressed in the Toledo Center paper).
- D. What should the Quartet's role be in making the two publics more aware of the process and keeping endeavours transparent?
- E. Third party options for responding to a variety of undesirable scenarios (addressed in the Toledo Center paper).
- F. A trilateral mapping exercise of Palestinian institutional strengths and weaknesses to determine the division of labour and what governing tasks would benefit from international involvement.
- G. Measuring the local acceptability of US led security forces.
- H. A cost-risk analysis (politically, materially, and loss of lives) for any international security force along the Egypt/Gaza border, Philadelphi corridor, and border crossings.
- I. Design mechanisms for third party assistance in resolving emerging disputes. There is a question of formal mediation or arbitration (i.e. rules, agreed upon mediation and arbitration agents).
- J. Gather the lessons from other tri-lateral models like the US-Israel-Palestine water committee.

The Toledo proposal recommends making a tailor-made model to ensure the security of the international task force that integrates the lessons learned from international security missions in general and the specific experience of international organisations currently working in Gaza.

What is missing from nearly all of these proposals is comprehensive and detailed operational plans, organizing structures, logistics, cost and manning estimates and training plans.

**James A. Baker Institute for Public Policy**, Rice University  
 Israeli Palestinian Working Group Policy Paper, February 2005  
 “Creating a Roadmap Implementation Process Under United States Leadership”

## **I. Summary**

The US needs to play a key role in coordinating the Roadmap Implementation Process (RMIP), leading the international effort to establish and implement a formal monitoring mechanism as outlined in the Roadmap. By providing support to both sides in the implementation of their unilateral commitments, the US can assist the parties in turning their unilateral actions into a multilateral action program that then leads to the renewal of bilateral negotiations toward a Permanent Status Agreement. This policy paper goes beyond Gaza disengagement and gives a step-by-step “should do” list for all parties involved during the course of each phase of the Roadmap, and has resultantly been labelled by the Baker Institute as “the street map to the road map.”

## **II. Issues addressed**

- A. Israeli-Palestinian Security Coordination Mechanism
  1. Outline of specific actions to take place once a threat is defined; terms of engagement; rehabilitation and redeployment of PA security forces.
- B. Palestinian-US Security Plan and Related Implementation Structure
  1. PA should send letter to Bush Administration, detailing its security commitments and obligations based on the security plan to be submitted to the Palestinian NSC. A third party should determine compliance with implementation.
- C. Enabling an Israeli Withdrawal from the Philadelphi Corridor
  1. US and other members of international community should prepare a comprehensive proposal that would make it possible for Israel to fully disengage from the Gaza Strip, including full monitoring of border by MFO and US Supervision of the phasing in of Palestinian Security forces.
  2. International verification and coordination mechanism under US command should be set up on the Palestinian side of the Egypt-Gaza border.
- D. International Plan for Palestinian Economic Rehabilitation.
  1. International support for Palestinian Medium Term Plan should be divided into 3 stages.
    - a. 6 months (rescue stage): reconstruction of public infrastructure; community rehabilitation program; and a trade facilitation and support program.

- b. One year: develop comprehensive regional plans providing for economic development, security, and social welfare programs.
- c. Long term: Consortium of international finance institutions can fund high-priority projects through Build-Lease-Transfer structures.

E. Border Regime and Cross-border Cooperation

- 1. EU coordinator should support and oversee the establishment of cross-border cooperation structures (i.e. fighting crime, environmental degradation).

F. The Settlement Freeze

- 1. Create Israeli reporting mechanism to the US on the settlement freeze and removal of outposts.
- 2. Israel should submit an Action Plan to the US on the removal of all unauthorized outposts established after March 2001.
- 3. A US Settlement Monitoring Office at the Tel Aviv Embassy will be created to oversee and verify the settlement freeze and removal of outposts.

**III. Action plans and proposals**

A. American leadership should define the strategic direction of a Roadmap Implementation Process (RMIP) by:

- 1. Encouraging parties to maintain ceasefire.
- 2. Encouraging the PA to consolidate security reform.
- 3. Encouraging Israel to freeze settlements and remove outposts.

B. Assist in capacity building with Palestinian governmental and security reform and Israeli disengagement, with the necessary technical and professional assistance, including:

- 1. Israeli-PA Security Coordination Mechanism.
- 2. Active US assistance in support of a PA security plan.
- 3. Development of necessary requirements to allow for a full Israeli withdrawal from Gaza.

C. Lead international effort supporting Palestinian Economic Rehabilitation, including:

- 1. Expert and financial support for creation of a formal Israeli-Palestinian border regime.
- 2. Developing trilateral working plan for orderly transfer of structures and infrastructures to the PA.
- 3. Provide expert and financial support for reconstruction and operation of Gaza airport and seaport.

D. Provide “safety net” for crisis situations through the establishment of trilateral coordination and liaison mechanisms. (*see Crisis Coordination Mechanism summary below*)

**Saban Center**, Brookings Institution

Proceedings from Daniel Abraham Israeli-Palestinian Workshop, June 2004

"Making Gaza Disengagement Work: Israeli, Palestinian, and International Requirements"

**I. Summary**

This paper is the product of an off-the-record discussion between Israelis, Palestinians and international representatives. The paper defines the factors that contribute to a successful withdrawal from Gaza, highlighting the important roles of the GOI, PA, and international community (primarily the US) in ensuring that success. The requirements for success are identified as: a cease-fire, Palestinian power sharing, Palestinian security reform, Israeli commitment to a full withdrawal, robust international role, linkage to the West Bank and the wider political process, and US leadership. The paper goes in depth into each of these categories, noting the symbiotic relationship between all of them. The international role that is recommended crosses over the political, economic, and security dimensions.

## **II. Action plans and proposals for international community**

- A. Help to reform and restructure the Palestinian governing institutions.
- B. Restructure and retrain the Palestinian security services.
- C. Mount an effort to rebuild Gaza's economic infrastructure, jump start its economy and oversee its growth.
- D. Coordinate Israel's withdrawal with the Palestinians.
- E. Assume responsibility for the orderly transfer of the settlements and their infrastructure.
- F. Create an international force to assume responsibility for securing Gaza's borders and passages from smuggling and terrorist infiltration.

**Saban Center**, Brookings Institution

Annual policy report, 2005

“The Road Ahead, Middle East Policy in the Bush Administrations Second Term”  
and

Middle East Memo #6, March 2005

“Seizing the Moment in Israeli-Palestinian Relations: How to sustain the Cease-Fire and Revitalize the Road Map”

## **I. Summary**

If Middle East Peace is to be achieved in the Bush Administration’s second term, it will require sustained Presidential engagement with all of the players, a commitment of substantial American resources, a willingness to bear political costs, and, above all, a strategy that generates a positive regional balance of power.

## **II. Issues addressed**

- A. Maintaining the regional balance.
- B. Rebuilding Palestinian capacity.
- C. The Gaza disengagement springboard.
- D. Rebuilding confidence.
- E. Democracy before statehood.
- F. Presidential envoy for Middle East peacemaking.
- G. US Leadership.
- H. International Efforts and the Regional role.

### **III. Action plans and proposals**

- A. The US's main efforts should focus on strengthening the ability of the PA and GOI to engage in the negotiation process towards Permanent Status; and provide both sides with incentives to overcome the extremists.
- B. The US must lead a sustained and active international effort in helping uncorrupted and reform-minded Palestinians build the democratic institutions of a Palestinian State.
- C. The US and Egypt need to make security arrangements to prevent smuggling of arms into Gaza. The US could lead an international monitoring team to oversee the cease-fire and the border security arrangements.
- D. The US needs to partner with World Bank in effort to generate international support for rebuilding Gaza's economy and providing employment projects.
- E. The US needs to secure in advance Arab and EU endorsement of the compromises the Palestinians will have to make as part of the end game.
- F. The US's appointment of a high-level presidential envoy for Middle East peacemaking is critical.
- G. General William Ward should be based in the region and provided with staff dedicated to security coordination and monitoring the ceasefire.
- H. General Ward's security coordination mechanism should bring in the Quartet, Egypt, and Jordan as part of the crisis management team for clarifying misunderstandings and assigning responsibility for non-compliance.
- I. The US should take active role in rebuilding and retraining the Palestinian security forces.

### **IPCRI**

Working Group, October 2003

"Israeli-Palestinian Working Group on Monitoring, Verification, and Implementation Assistance of the Political and Security Road Map for Peace"

#### **I. Summary**

- A. "This is a policy document aimed at helping to re-launch the Roadmap Process and to enhance the chances of proper and full implementation by both parties through the monitoring and verification mechanisms that must be an integral part of the entire process."
- B. The paper directs its recommendations to each party (PA and GOI) and to the members of the Quartet. The recommendations were then delivered to the parties personally.

#### **II. Issues addressed**

- A. The US's mandate for monitoring.
- B. Facing the next crises.
- C. Establishing cooperation and coordination between security forces and intelligence apparatuses.
- D. Facilitating unilateral steps.
- E. Recommendations for the PA and GOI on how to enhance the third party role in the process.
- F. Third party operation model for the Philadelphi Route.

#### **III. Action plans and proposals**

- A. The US led Monitoring Team (USMT) needs to provide implementation assistance and facilitation.

- B. USMT should have dialogue with both parties about the mechanisms and procedures that are recommended for confronting crises as they arise. The team should also assist the parties in crisis management at the field level.
- C. Establish a trilateral hotline between USMT and PM's offices for use during crises.
- D. USMT should work with the parties' security forces in coordination and cooperation, facilitating high level meetings and assisting on the field level. USMT should also work on re-establishing intelligence cooperation.

**International Peace Academy, NY**

Seminars and small discussion meetings

“International Presences in the Middle East Peace Process”

**I. Summary**

- A. IPA has developed a program to specifically deal with the issue of international involvement in the Middle East Peace Process. As part of the program there have been working groups and discussion forums. They agree that some form of international monitoring (probably political, socio-economic, and military) will be necessary in the Middle East peace process and that the Roadmap does not provide a clear articulation of the scope or modalities for monitoring.
- B. The UN's Role: “It is not assumed that an expanded international presence will be a UN-managed operation—indeed, current realities suggest the opposite. However, the UN can take the lead in developing ideas and proposals and advocating their implementation.”

**NATO**

Speech by NATO Secretary-General Jaap de Hoop Scheffer, February 2005  
and

NATO Press Conference with the Secretary-General and Dr. Condolezza Rice,  
February 2005

**I. Where NATO stands on the issue of its involvement in Gaza:**

- A. (9.2.05) In Rice's press conference after her working lunch with NATO, her response to a question about NATO playing a role in the Middle East as the peace process moves ahead was: “We are still unfortunately a long way from the point at which we're talking about monitoring a peace agreement.”
- B. (9.2.05) In Scheffer's press conference after the same working lunch he was asked a question about NATO playing a peacekeeping/monitoring role in Gaza and he responded: “If the parties would so wish NATO could play a role in assisting the peace agreement. But let's take this step-by-step.” And he also noted that it shouldn't be rushed because there is a lot to do to improve NATO's image in the region. And while he admitted that NATO could help “create an atmosphere to which the process could get a stimulus,” he said it was much too early to begin talk of what NATO can do in the framework of forces.
- C. (24.2.05) In Scheffer's speech in Israel, February 2005: “I have stated many times the necessary conditions before envisaging any NATO contribution. There would first have to be a lasting peace agreement between Israelis and

Palestinians. Moreover, the parties concerned must be in favour of a NATO role in its implementation; and there would have to be a UN mandate. The conditions do not yet exist. For the time being, NATO lends its political support to the efforts by the Quartet to realize the goals of the “Roadmap,” which, again, should remain the immediate priority for the whole international community.”

### **Toledo International Center for Peace**

Proposal, November 2004

“A proposal for governance of the Gaza strip in the context of the announced Israeli withdrawal”

#### **I. Summary**

- A. This proposal is a practical set of recommendations and analysis that in a detailed manner deals with the issue of governance in the Gaza Strip and the role of the international community in the context of the Israeli withdrawal. Aside from its objective to establish a transitional governing administration in the Gaza Strip, the proposal also gives careful guidelines on how the international community can play an effective role in ensuring the disengagement’s success as a first step in the Roadmap.
- B. This proposal outlines the most extensive international role, particularly in regard to cross border security matters. It is the only proposal that begins to address the issues of next steps, prerequisites for international involvement, estimated security forces, and protection of international forces.

#### **II. Issues addressed**

- A. Palestinian Transitional Administration (elections, the judiciary, civil administration, economic reconstruction, statehood, etc.)
- B. Security (international security mission, cross border security, seaport and airport, etc.)
- C. Settlements (transferring physical control, assets, crisis planning, etc.)
- D. Economic situation and challenges
- E. Overarching principles for international involvement (timetables, urgent next steps, Quartet working group)

#### **III. Action plans and proposals**

- A. The international community will only engage actively in Gaza once it has received an official and explicit request from the PA and GOI and the required mandate from the UN, with the preconditions that before intervening there are well-defined rules of engagement, outlined expectations, and a clear agreement on the scope of their mission.
- B. The international security forces should receive guarantees from all parties that they will not be subject to attacks, either from Palestinian civil unrest or Israeli incursions. Relative stability in Gaza will be a precondition for its entry.
- C. The duration of the security enforcement mission should not be indefinite, as the international community will plan to hand over all security responsibilities to the parties once they are ready to assume them.
- D. The international community should also provide assistance in the Palestinian’s reformation of its security sector (provision of guidelines, equipment and technology, monitoring, training, advising).

- E. An international task force should assume the ultimate security responsibility at the crossing points and the Philadelphi route. Liaison mechanisms are needed between the IDF and the international task force, while communication and coordination channels will need to be predetermined for the international task force and the Palestinian security forces.
- F. Besides security, the international community should also play a part in local capacity-building programs in Gaza Strip.
- G. The international task force should ensure the transfer of the settlement's assets and territory to a Palestinian authority that can ensure its orderly, transparent, and fair distribution and allocation.
- H. While the international community should certainly assist the development of Gaza with aid and financing, there should also be a role for an international party to have oversight and a review process of the financial activities in Gaza.
- I. On the Gaza-Egypt border, there should be international personnel to assist the Palestinian immigration and customs offices in the task of searching for weapons and denying entry to blacklisted individuals.
- J. One possibility for opening the Gaza seaport is for Israel to transfer control of the access to the Gaza coastal waters to an international coast guard authority. Another possibility for reopening the Gaza airport is for an international task force to take complete control of the airport. Both of these international roles would be temporary until the Palestinians assumed complete responsibility for both.
- K. It is critical that the PA, GOI, and Quartet synchronize their timetables in preparation for the Gaza withdrawal. The Quartet should establish working groups to begin developing operational plans dealing with Palestinian governance and reform, security, crossing points and the Philadelphi corridor, civilian infrastructure and economic investment, and coordination mechanisms and oversight.

### **Cambridge Programme for Security in International Society**

Planning Considerations, January 2003

"Planning Considerations for International Involvement in the Israeli-Palestinian conflict"

#### **I. Summary**

The first of four expert forums, this paper deals more generally with the operational aspects of third party intervention. Although the paper is dated January 2003 and does not deal specifically with the Gaza disengagement, the generalization of the analysis and recommendations for any international intervention make it relevant to the Gaza disengagement. The paper addresses the types of demands that exist as a result of the conditions on the ground that need to be considered in operational planning for a third party role. Believing in the importance of precursory analysis, conceptualization, and planning, the paper identifies several operational factors and considerations: harmonization and coherence; mission contours; geographic scope; civilian authority and administration; security dimensions; military forces; rule of law; economic reconstruction; and cross-cultural aspects.

**Cambridge Program for Security in International Society**

Forum Report, February 2004

“Planning Considerations for International Involvement in the Palestinian-Israeli Conflict”

**I. Summary**

This report is the product of an “Experts’ Forum” on planning for the prospects and options for third party intervention in the Palestinian-Israeli conflict. The paper addresses more the overarching political considerations of third-party involvement than the functional and operational aspects. The paper is dated February 2004, but its section dealing with Israeli, Palestinian, and international perspectives regarding potential international roles is still relevant.

**Cambridge Programme for Security in International Society**, University of

Cambridge Centre of International Studies

Planning Considerations, May 2004

“Planning Considerations for International Involvement in an Israeli Withdrawal from Palestinian Territory”

**I. Summary**

- A. This report addresses the operational aspects of third party involvement in a withdrawal process. Because the authors of the report feel that third party involvement is a critical requirement if the withdrawal is to serve the interests of all sides, the report produces planning considerations for intervening effectively during the period of an Israeli withdrawal from Gaza. The design of the third party role presented here is practical in that it specifically outlines what international roles can and cannot work from a functional perspective based on the parties’ interests and the backgrounds on the issues.
- B. The report’s most detailed and operational plan addresses the coordination of the settlement assets transfer.

**II. Action plans and proposals**

- A. A third party should facilitate and coordinate management of trans-border issues.
- B. A third party should assist in the creation of new Palestinian institutions for border regimes. The third party should play an advisory and supportive role in the development of a border regime construct and control apparatus with the necessary technical advancements. There should also be a third party presence in the creation and operation of a dispute resolution mechanism and effective liaison program with border control authorities.
- C. A third party presence in implementing security and customs arrangements at the Gaza airport could eliminate the need for an Israeli presence.
- D. In the initial post-withdrawal phase, there should be a joint Palestinian and international presence along the Philadelphi corridor. An international security mission could assist with crossing functions and management of border facilities and infrastructure. One option is the extension of the mandate of the MFO in Sinai.
- E. The paper details three possible scenarios for the varying degrees of international involvement depending on the resulting nature of the polity in the Gaza Strip.

- F. For any third party security force to be effective it will require: access to intelligence sources, human resources, perceived legitimacy from both Israeli and Palestinian security establishments, sufficient level of local acceptance.
- G. Creation of a central prison in Gaza that would be built, maintained, and secured by European police with Palestinian participation.

**Cambridge Programme for Security in International Society**, Fourth Experts Forum

Planning Considerations, June/July 2004

“Planning Considerations for International Involvement in an Israeli Withdrawal from Palestinian Territory”

**I. Summary**

This report specifically identifies the key issues and dilemmas presented by Israel's disengagement plan in terms of third party intervention. Highlighting the most recent (at that time) assessments of several categories and the contrasting perspectives, the forum dealt with the overall security and economic situation, political chaos in Palestinian areas, construction of the West Bank barrier, prospects of success for Egyptian efforts, and the lack of will in Washington. The participants of the forum also discussed the key issues likely to dominate planning for international involvement, including the political dimensions of the issues and the operational challenges that will most likely arise. These key issues include transfer of assets, border regimes, Palestinian governance, Egyptian role, I-P coordination, and legal questions.

**Saban Center**, Brookings Institution

Foreign Affairs, May 2003

"A Trusteeship for Palestine?" by Martin S. Indyk

**I. Summary**

- A. This paper, a product of the Saban Center's Israeli-Palestinian Workshop, proposes an alternative solution to the Roadmap. In 2003, the Center recommended having a three-year international governing force in Palestine, headed by the UN, IMF, WTO, and various nations, which would hold the West Bank and Gaza in "trusteeship" for the Palestinian people until Palestinian terrorism can be stopped and Israel felt safe enough to stop its incursions into the territory. The plan calls for transparent, democratic governance coupled with both strong liberal economic growth and increased security capacity. The premise of the paper is that trusteeship would stop suicide bombers without allowing Israel to control the Palestinian territories.

# LEGAL STATUS OF EVACUATED AREAS

## **SUMMARY AND ANALYSIS**

*According to the Disengagement Plan, the GOI expects that its withdrawal should "serve to dispel the claims regarding Israel's responsibility for the Palestinians in the Gaza Strip." But who determines the end of occupation and what are the legal implications of the withdrawal according to international humanitarian law? Certainly, there are legal determinants for declaring an end of the occupation, but the UN Security Council will be hesitant to recognize the end of occupation until Israel has withdrawn entirely from Gaza Strip, including from the Philadelphi corridor. Other obstacles for recognition of the end of occupation include Israel's control of the sea, air, and international borders.*

### ***Subtopics:***

When occupation ends, International recognition,  
Destruction of military and civilian infrastructures,  
Role and activities of international agencies,  
Relief of Israel's responsibilities in Gaza Strip  
Impact on West Bank.

### **INDEX:**

## **PROGRAM ON HUMANITARIAN POLICY AND CONFLICT RESOLUTION (HARVARD UNIVERSITY), ICRC, HARVARD NEGOTIATION PROJECT, IDRC.<sup>1</sup>**

**Program on Humanitarian Policy and Conflict Resolution**, Harvard University  
IHL Policy Brief  
"Legal Aspects of Israel's Disengagement Plan under International Humanitarian Law"

### **I. Legal Questions**

- A. What is the current legal status of the occupied Palestinian territory (OPT) and what are the current responsibilities of Israel toward the Palestinian population in the OPT?
- B. What are the legal implications of the Israeli withdrawal from the Gaza Strip in terms of the status of the evacuated territory and the responsibilities of the State of Israel toward its inhabitants?
- C. Who determines the end of occupation?
- D. What would the legal consequences of the end of occupation be in the Gaza Strip?

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<sup>1</sup> Israeli and Palestinian legal officials have also dealt with this issue separately.

## II. Legal Determinations

### A. Legal consequences of the end of occupation in the Gaza Strip (if Israel relinquishes effective control over Gaza)

1. Israel would no longer be legally required to ensure that the population of the Gaza Strip has access to food, water and medical supplies, or all other goods and services essential for the survival of the population (e.g., electricity), nor will it be required to ensure and maintain public health.
2. Israel would no longer be legally required to permit the free passage through its territory of humanitarian and relief consignments directed to the population of Gaza, nor to guarantee their protection.
3. Israel would not have any international legal obligation to maintain selected services beyond what is expected from any contractual arrangements.
4. The end of occupation, however, would not release the State of Israel from its obligations under international humanitarian law towards civilian internees and detainees from the Gaza Strip on its territory until their final release. Palestinians arrested prior to the end of occupation would remain protected by the applicable rules of the Fourth Geneva Convention until their final release.
5. At the end of the disengagement, Israel will lose all the privileges of an Occupying Power in terms of taking measures to maintain its security in the territory. The end of occupation would bring to the foreground general principles of international law that regulate the use of force (*jus ad bellum*) on foreign territory. Israel would not be legally justified in invoking the law of self-defence in conducting preventive military operations in the Gaza Strip.

### B. Legal implications of the Israeli plans to remove or destroy civilian and military installations in the Gaza Strip

1. The law of occupation remains applicable to all Israeli operations and installations in the Gaza Strip until the end of occupation. Israeli planned actions in this area will be conducted prior to the Israeli military withdrawal and are therefore subject to the law of occupation.
2. A unilateral redeployment in situations of active hostilities amounts to a military operation. The removal and destruction of such property is expressly authorized by Article 53 of the Fourth Geneva Convention when such destruction is made “absolutely necessary by military operations.”
3. The destruction of public infrastructure cannot be seen as “absolutely necessary” for the purpose of the redeployment of Israeli military forces. It is therefore prohibited.
4. Israel therefore has two options regarding civilian installations. First, it can make available the buildings of evacuated settlements for the benefit of the Palestinian populations of the Gaza Strip. Alternatively, Israel can bring its use of the public lands of the Gaza Strip in conformity with [Article 55](#) of the Hague Regulations by removing the buildings and returning the land to its state prior to the occupation.

### C. Legal implications of the Israeli disengagement plan for the role and activities of international agencies active in the region

1. *If the situation in the Gaza Strip still amounts to an occupation:* In such situation, the mandate and role of international agencies remain unchanged. The obligation to maintain an impartial approach to the population is still in force, as is the obligation of the Occupying Power to facilitate access for these relief schemes.
2. *If the situation in the Gaza Strip is no longer one of occupation:* International agencies will have a mandate to intervene in the Gaza Strip only to the extent the Palestinian Authority and the GOI agree to it. Outside situations of occupation, there is no right of access by international humanitarian agencies in international law.
3. International agencies do not currently have any privilege under international or local laws in receiving and holding property against the will of public authorities (in the case of public land) or private individuals (in the case of private property confiscated by the Occupying Power). If they assume temporary ownership they may incur significant liabilities for the years to come in local and national courts, especially if they are unable to protect and maintain the value of these properties during their

possessions.

### **ICRC (International Committee of the Red Cross)**

Key Document, April 2004

"Occupation and international humanitarian law: questions and answers"

#### **I. Summary**

A. This document is a general but informative paper on what defines occupation, the laws that apply, and how people are protected. The answers provided here are relevant to the legal status of evacuated territories and inform the other legal papers in this report.

B. Selected Legal Questions addressed:

1. What is occupation?
2. When does the law of occupation start to apply?
3. What are the most important principles governing occupation?
4. What rights does the occupying party have regarding property and natural resources in the occupied territory?
5. When does occupation come to an end?

"The normal way for an occupation to end is for the occupying power to withdraw from the occupied territory or be driven out of it. However, the continued presence of foreign troops does not necessarily mean that occupation continues.

A transfer of authority to a local government re-establishing the full and free exercise of sovereignty will normally end the state of occupation, if the government agrees to the continued presence of foreign troops on its territory. However, the law of occupation may become applicable again if the situation on the ground changes, that is to say, if the territory again becomes "actually placed under the authority of the hostile army" (H R, art. 42) – in other words, under the control of foreign troops without the consent of the local authorities."

### **Harvard Negotiation Project**

Working Paper, November 2003

"Legal Aspects of Settlement Evacuation"

#### **I. Summary**

This working paper deals with the legal ramifications—from the standpoint of Israeli domestic law—of the evacuation of settlements and settlers. Without touching on the political and social sensitivity of the settlements, the paper presents the current internal legal position in Israel as it applies to any large-scale evacuation of settlements and is not specific to the Gaza disengagement. In the course of the paper, the writers show that the legal situation is influenced by many factors including international law, property law, human rights laws, and a host of others. The discussion addresses annexed and non-annexed territories separately. The legal analysis also divides the issue of physical evacuation of settlers and the severance of the legal connection between the settlers, the land, and the infrastructure.

### **IDRC (International Development Research Center, Canada)**

Report by Geoffrey Aronson, Jan. 2005

## "Issues Arising From Implementation of Disengagement and the End of Israeli Occupation in the Gaza Strip"

### I. Summary

This paper does not seek to analyse in detail how to determine the end of occupation from the standpoint of international law. Its purpose is rather to focus on the international response to the changed circumstances in Gaza and the political and operational options that require consideration in the event Israel effects such a change in Gaza's status. The author recommends the international community to establish clear benchmarks that must be met—such as a withdrawal from the Philadelphi corridor and Palestinian control over air and seaports—before acknowledging an end of occupation in Gaza. The international community must also consider the ways in which acknowledging an end to occupation in Gaza will affect the continuing occupation of the West Bank, as well as how it will affect the range of "international relationships with the Gaza Strip long conditioned by reference to it as Israeli-occupied territory."

### I. Highlights

- A. For international organisations, like the ICRC for example, to continue working in Gaza, a new legal/institutional basis will have to be found and others will have to reconfirm/establish operational protocols with Israel, the PA, and perhaps Egypt as well.
- B. With an end to occupation, Israel, according to internationally recognized norms relating to interstate relations, will be under no obligation to permit free passage of goods or personnel through its territory to the Gaza Strip.
- C. It would be advisable if consultations were to begin now among third parties and the international organisations to chart a unified position on the issue of determining when occupation has ended.
- D. The United Nations, and more specifically the UNSC, its president, or the Secretary-General, are the most appropriate vehicles for formally acknowledging an end to the occupation of the Gaza Strip. The particular form that such a certification should take – UN Security Council resolution, statement from the Security Council president or the Secretary-General – needs to be addressed.
- E. The standard to be employed for judging an end to occupation is clear: demarcation of the border separating the Gaza Strip from Israel and Egypt and an end to effective Israeli control in the Gaza Strip, including the withdrawal of all Israeli civilian and military personnel from the area, including the border between Egypt and Gaza.

### **PLO Negotiation Affairs Department**

Oct. 2004

"The Israeli 'Disengagement' Plan: Gaza Still Occupied"

### I. Summary of Legal Analysis

- A. As long as Israeli forces will retain the ability and right to enter Gaza at will and retain control over Gaza's borders, airspace, and sea shore, Israel will retain effective control over Gaza Strip and will therefore remain the

occupying power. As such, Israel will be bound by its obligations under international law.

- B. "Notwithstanding the terms of the Plan, Israel will remain an occupying power under international law after disengagement from Gaza and is therefore bound by obligations of an Occupying Power under international customary law and the Fourth Geneva Convention."
- C. "Israel seeks to consolidate gains in the West Bank in exchange for 'concessions' in Gaza....Israel is selectively complying with some international legal standards in the Gaza Strip to pre-empt criticism for massive violations in the West Bank (including East Jerusalem)."

# CRISIS COORDINATION

## MECHANISM

### INDEX:

### **JAMES A. BAKER INSTITUTE FOR PUBLIC POLICY, SABAN CENTER, IPCRI**

**James A. Baker Institute for Public Policy**, Rice University  
Israeli Palestinian Working Group Policy Paper, February 2005  
“Creating a Roadmap Implementation Process Under United States Leadership”

#### **I. Summary**

The US should assist in providing a ‘safety net’ for crisis situations.

#### **II. Action plans and proposals**

##### **A. Political Crisis Management**

1. Recommends the US to create and maintain a crisis management mechanism, essentially a formal verification mechanism and effective program for ensuring that the parties appropriately address the actions of their own spoiler elements.

##### **B. Crisis Management regarding non-implementation of obligations**

2. Recommends the US lead and prepare a small international action group to determine a unified international response to non-compliance by the parties in a variety of scenarios.

**Saban Center**, Brookings Institution

Annual policy report, 2005

“The Road Ahead, Middle East Policy in the Bush Administration’s Second Term”

#### **I. Proposal**

A. General Ward’s security coordination mechanism should bring in the Quartet, Egypt, and Jordan as part of the crisis management team for clarifying misunderstandings and assigning responsibility for non-compliance.

### **IPCRI**

Policy Paper, October 2004

"Proposal for Renewing the Israeli-Palestinian Security Coordination in Stages with Active Involvement of Third Parties"

#### **I. Summary**

This paper provides a detailed proposal for the re-entry of Palestinian security responsibility in the Gaza strip and the renewal of security coordination in a regional framework. In developing a plan for redeployment and coordination,

IPCRI's Strategic Affairs Unit held separate meetings with Palestinian security personnel, Israeli security personnel, and US and UK Ambassadors. In addressing issues on Palestinian redeployment, the paper proposes a plan to be implemented in two phases with active international involvement: parallel redeployment of Palestinian forces in the North of the Gaza Strip and in the South, and then in the second phase, in the Khan Yunis – Gaza centre area, in preparation for the Israeli disengagement. The point of the gradualist approach is that the initial focused efforts in the north and south of Gaza can lead to a decrease in the extent of Israeli military responses, reduce Palestinian motivation for responses to Israeli attacks, and prepare the environment for security coordination in the centre of Gaza. The paper also presents obstacles to the plan on both the Israeli, Palestinian, and third party sides.

## **II. Proposal for crisis coordination mechanism**

- A. The uniqueness of the paper's proposal lies in its plan for the establishment of a tri-lateral command/coordination mechanism (Joint Operations Room) involving US, UK, and Egyptian personnel. The Joint Operations Room (JOR) will be led by a "coordination board" that authorizes and guides the work of the JOR and whose judgments obligate the parties. The JOR will be linked to the separate operations rooms of both sides and all OR's will be composed of intelligence, military, and logistics-humanitarian branches. "The Joint Operations Room will receive periodic and special reports and will be the source of authority in cases of disputes between the parties regarding the interpretation of sections of the agreement or regarding the assessment criteria for successful and correct implementation of the tasks that each side will be obligated to implement." Daily forums will be held for coordination between sides and weekly and monthly meetings will be held for presenting data, resolving problems, and managing a joint analysis for assessing the situation.

# LINKAGE BETWEEN THE

# WEST BANK AND GAZA

## SUMMARY AND ANALYSIS

*The two sides agree on the need for a strong transport connection between Gaza and the West Bank but there are differences over what such a link should look like and how it should be operated. The GOI has proposed a rail connection from Sha'ar Efraim to Erez for passenger travel and another rail route from Tulkarem and Ashdod for cargo. The World Bank report suggests that this option is too technically problematic because it would be vulnerable from a security perspective, too costly, and less convenient for such a short distance. Instead, the World Bank recommends building a simple road connection with high-tech border security. While the GOI has said they are not willing to reinstate the safe passage arrangements provided for in Oslo, the PA has said an immediate territorial link must be devised that safeguards the spirit of Oslo. RAND has developed an interesting technical proposal for a rail line in the shape of an Arc going from Haifa, through the major West Bank cities, to Gaza airport.*

### **Subtopics:**

Structure of Passage, Route for Individuals and Route for Cargo,  
 Protocols and Procedures,  
 Hours of Operation, Security.

### **INDEX:**

**WORLD BANK, RAND,  
 SAFE PASSAGE AGREEMENT, GOVT. OF ISRAEL**

#### **I. Areas of consensus**

- A. There is an important need for a strong transport connection between Gaza and the West Bank for economic growth and the viability of the Palestinian State.

#### **II. Areas of difference**

- A. Structure of passage: railway connections, fenced roads, tunnels, and elevated roads.
- B. Role of safe passage arrangements provided for in the Oslo Accords.
- C. Protocols and procedures to facilitate movement.
- D. Treatment of travel as internal Palestinian movement.

#### **III. Issues not addressed**

- A. Third Party role in controlling, administering, and monitoring the passage.
- B. Review of international experience in establishing and maintaining an efficient passage for people and goods through corridors.

**World Bank**

“Borders and Trade Logistics”

and

Overview, Dec. 2004

“Israeli Disengagement and Palestinian Economic Prospects”

**I. Proposals**

- A. A simple road connection from the Karni crossing to Tarkumiya is the best and cheapest immediate solution.
- B. Security for the road could involve a combination of container scanning and sealing technologies at the exit border, combined with vehicle tracking devices to monitor movement across Israel.
- C. An alternative to tracking devices is the recording of the times of departure and arrival and sanctioning shippers that exceed norms.
- D. In the interim, the convoy system can be reintroduced to immediately reduce transit time.

**RAND**

Research Report, 2005

"The Arc: A Formal Structure for a Palestinian State"

**I. Proposals**

- A. Because of over population in the Gaza Strip and crumbling infrastructure of Gaza and the West Bank, it is necessary that a new Palestinian State have a plan for regulating urban development. RAND's Arc provides one option for developing a physical infrastructure that connects all of the West Bank's linearly arranged cities. The Arc is primarily a 140-mile high-speed interurban rail line linking the main cities of Gaza and the West Bank. Connected to the rail line and following the Arc route would be additional infrastructure, including a national park, toll road, electrical grid, gas line, telecommunications, and water carrier. The Arc is estimated to cost \$6 billion and five years to complete. The route would not only link Gaza City and Rafah to the West Bank but would also unite independent West Bank cities (Jenin, Nablus, Salfit, Ramallah, Jerusalem, Bethlehem, and Hebron).

**I. Highlights of plan**

- A. The Arc directs population growth to the West Bank, while encouraging economic growth in both the West Bank and Gaza.
- B. The full journey on the Arc is 90 minutes.
- C. Each railway station would be located several miles from the historic urban centres. The station itself would be a focal point for new development.
- D. The historic centres would be connected to the stations via a transit boulevard and advanced bus rapid transit.
- E. The new development would bring economic activity to historic centres of Palestinian cities, preserving and revitalizing them while attracting tourism.
- F. Additional infrastructure following the Arc route would be a national park, toll road, and electricity, gas, telecommunication, and water lines.
- G. The Arc will be helpful in the absorption of the influx of refugees and therefore is likely to attract private investment, create jobs, and better distribute the population growth among all major Palestinian cities.

- H. The rail line and connecting transit system would create opportunities for new commercial and residential areas. The immediate economic benefit of the Arc is that it estimated to employ 100,000 to 160,000 of Palestinians per year.

### **Safe Passage Agreement Signed, Oct. 5, 1999**

#### **I. Text Summary**

- A. Palestinian residents of Gaza, Judea and Samaria, as well as foreign visitors to these areas, will be allowed to travel between the above areas within the framework of the "safe passage."
- B. The traffic of individuals along the southern axis of the safe passage will be permitted via the following route: Erez Crossing, Ashkelon Junction, Plugot Junction, Beit Guvrin Junction, Tarkumiyeh. Residents will be allowed to travel in private vehicles or Palestinian public transportation.
- C. The passage of goods will be enabled via the following route: Karni Crossing, Sa'ad Junction, Gavim Junction, Yad Mordechai Junction, Ashkelon Junction, Plugot Junction, Beit Guvrin Junction, Tarkumiyeh.
- D. The passage will operate between 07:00-17:00, with the intention that the passage be closed during the hours that labourers leave for work in Israel. 90 minutes prior to the closure of the passage, private vehicles, taxis and buses will not be permitted to use the route.
- E. The passage will not operate on Memorial Day, Independence Day and Yom Kippur. The two sides will jointly determine special procedures for the operation of the passage on other days of special significance – i.e. reduced activity on Israeli holidays, and expanded activity on Muslim holidays.
- F. The process preceding travel via the safe passage will be as follows:
1. Residents wishing to travel via the safe passage will apply to the Palestinian Authority.
  2. Once the applications are examined by the Palestinian Authority, a list of applicants will be transferred to Israel. A list of approved applicants will be returned to the Palestinian Authority within two working days;
  3. Residents wishing to use their private vehicles on the safe passage route will attach their driver's license, vehicle registration and insurance policy to their applications. Approved applications will be examined by Israel and returned to the Palestinian Authority within five working days – together with vehicular passage documents valid for a period of three months, subject to the terms of the vehicle's registration;
  4. Once their applications are approved, residents will enter the safe passage equipped with magnetic cards.
- G. Procedures for travel via the safe passage will be as follows:
1. The Palestinian Authority will regulate the traffic of residents to the Israeli crossing in conjunction with Israel, with the intention of preventing traffic problems along the safe passage.
  2. Upon entering the passage terminal, residents will identify themselves by way of their identification cards, magnetic cards and other accompanying documentation.
  3. Vehicles will be directed to examination lanes.
  4. After examination, residents will be given personal permits for travel along the safe passage, as well as vehicular permits to be affixed to the front windshield of the vehicle.

5. Those prevented from entering Israel will approach the passage from the Palestinian regulating station, where they will undergo a security check and depart for the safe passage on a bus escorted by police. At their destination, these passengers will be re-checked.
- H. Procedures governing the course of travel via the safe passage:
1. The allotted time for the passage of private vehicles between checkpoints is 90 minutes.
  2. The allotted time for the passage of buses between checkpoints is two hours.
  3. Those whose travel times exceed the allotted time will be detained for an investigation of the circumstances which caused the delay and, when necessary, the Israel Police will be authorized to take measures against those in question. Israel will notify the Palestinian Authority in each such instance.
  4. In accordance with the Interim Agreement, all those using the safe passage route will be subject to the laws of the State of Israel, and law enforcement will remain the responsibility of the Israel Police.

## **Govt. of Israel**

### **I. Summary**

Israel's preferred linkage option is building a railway to connect Gaza to the West Bank. A rail line for cargo would be built first connecting Gaza and the West Bank to the Ashdod port and then the infrastructure would be built for a passenger train connecting Gaza and the West Bank from Erez crossing to Tulkarem. The cargo railway would be connected to the Erez terminal, which will require the necessary infrastructure to offload and store containers.

# ECONOMY

## SUMMARY AND ANALYSIS<sup>2</sup>

*While the World Bank offers many technical and operational suggestions for improving the economic situation in Gaza and the West Bank, without PA internal reform and a comprehensive Israeli approach to lifting restrictions of movement, the chance for a vibrant economic recovery does not exist. The World Bank notes that if the package of measures that are detailed in its Overview are implemented, significant economic recovery will be definite and additional donor funding will be justified. The RAND book deals with far more than economic issues but it is placed in the economic section of this report because the general theme of its recommendations and analysis is how to make a Palestinian State successful, with a primary focus on reform and economy. The Aspen Institute's contribution has been in implementing a half dozen private-sector economic programs in Gaza where areas of need were identified to create a positive momentum towards peace and rehabilitation.*

### **Subtopics:**

Reforms (PA, IDF),  
Job creation, International Aid, Investment,  
Customs, Industrial Estates, Free Trade Zones, Privatisation,  
Free Movement Across Borders, Air and Sea access, Export markets.

### **INDEX:**

**WORLD BANK,  
JAMES A. BAKER INSTITUTE FOR PUBLIC POLICY,  
PA MEDIUM TERM DEVELOPMENT PLAN,  
RAND, THE ASPEN INSTITUTE, UCLA,  
EAST WEST INSTITUTE**

#### **I. Areas of Consensus:**

- A. The current economic crisis and high rates of unemployment undermines the position of the PA and deepens the security threat to Israel.
- B. Without serious reform from both the GOI and PA, the Palestinian economy will not improve.
- C. Making the border regime more efficient through improved technology, management, and design is critical to economic improvement.
- D. The GOI and PA's implementation of the needed reforms will improve confidence among investors and donors.

#### **II. Areas of Difference:**

- A. Level of economic dependency on Israel.

<sup>2</sup> Many reports by humanitarian agencies, including the United Nations' OCHA, have covered the issue of the closure regime but are not included in this survey document.

- B. GOI's plan to terminate work permits in Israel by end of 2008.
- C. Security protocol for seaport and airport.
- D. Maintenance of the quasi-Customs Union with the West Bank and Gaza.
- E. Continuation of the back-to-back cargo handling system.
- F. Renewal of fishery activities in Gaza.

### **III. Issues not addressed:**

- A. Security is beyond the scope of most of these papers.
- B. Privatisation.
- C. Micro-financing.
- D. Fulfilment of 400 million in outstanding pledges from Arab States.
- E. Development of plan for free trade zone on Gaza-Egypt border.
- F. International plan for orchestrating the expenditure of resources.

### **World Bank**

Special report, June 2004

“Disengagement, the Palestinian economy, and the Settlements”

and

Overview, December 2004

“Stagnation or Revival? Israeli Disengagement and Palestinian Economic Prospects”

### **I. Summary**

- A. The Special Report was prepared by the World Bank at the request of the PA, GOI, and international community. The World Bank assesses how the disengagement can best be implemented to make a positive difference in Palestinian economic growth. The disengagement alone, without a change in border regimes, would do little to change the levels of poverty and unemployment. Recommendations are made to both the PA and the GOI. If Palestinian economic activity is to function with the reliability and competitiveness that it needs than the GOI has to ease the closure measures and allow for freer movement. If private investment capital is to increase, the PA is responsible to implement security and economic reform. With these parallel commitments to reform and an additional \$500 million USD in aid, the real personal incomes by 2006 could increase by 12% and bring unemployment back down to the pre-intifada level of 14%.
- B. The World Bank Overview paper addresses many of the same issues as in the issues paper summarized above. However, the paper gives a more detailed outline of Palestinian reform measures and gives the current positions of the PA and GOI on the specific proposals and recommendations presented in the Special Report.

### **II. Issues addressed**

- A. Current situation in Palestinian economy (deep recession, projected decline, excessive aid dependence).
- B. Economic benefits of disengagement (limited short term benefit, borders and trade, reasonable future).
- C. Creating a new economic reality.
  1. If the international community can bring in an additional 1.5 million over the next 2 years, 2/3 of it will go to budget support, humanitarian assistance, and transition to a new public pensions system. The rest will be for infrastructure and creation of public and private capacity.

- D. Settlement assets (*see Settlements summary*)
- E. Palestinian Reform
- F. Border Regimes (*see Border Regimes summary*)

### **III. Action plans and proposals** (*not all listed here*)

- A. The PA should create a special agency with the assistance of the AHLC to ensure the orderly and transparent process of transferring settlement assets.
- B. The PA should take steps in confronting violence (i.e. attacks at Erez crossing) to prevent further erosion in Palestinian-Israeli economic cooperation.
- C. Israel should maintain current flows of Palestinian workers for several years to maintain political and social stability.
- D. Improving cross border cargo management:
  1. Advanced electronic equipment
  2. Inspection facilities sized to handle containers
  3. Extend border hours
  4. Priority to perishables
- E. Ro-Ro facility could be completed in one year and would only cost US\$15-20 million.
- F. PA should improve the infrastructure of the court system (train judges and lawyers and ensure implementation of court decisions).
- G. PA should move ahead with liquidating equity holdings and privatising public enterprises.
- H. Donors need some assurance that the infrastructure they finance will not be destroyed by IDF and assurances that donor activity and humanitarian aid will be fully facilitated.
- I. If the industrial estates were reinvigorated, they could create employment and an export-based transition.
- J. Recovery of the Palestinian economy could be set back if there was a rapid abolition of the quasi-Customs Union. One option is for the PA to contract the management of the customs function on the Egyptian border to a private organisation. In addition, the IMF could provide technical assistance and monitoring to upgrade the Palestinian customs capacity.
- K. Principle PA areas needing rapid reform: Security and the Rule of Law, Fiscal Stabilization, and Transparency and Accountability.

**James A. Baker Institute for Public Policy**, Rice University

Israeli Palestinian Working Group Policy Paper, February 2005

“Creating a Roadmap Implementation Process Under United States Leadership”

### **I. Action Plans and proposals**

- A. World Bank can lead in assigning different donor countries different tasks and responsibilities, depending on their expertise (i.e. Agriculture-Netherlands; Fisheries-Denmark).
- B. The US and EU should assist Palestinians with marketing capabilities and open up markets without trade barriers.
- C. Emergency solutions are needed to address high-level of unemployment in Gaza (i.e., micro-financing).

**Palestinian Authority***Medium Term Development Plan, 2005***I. Action Plans and proposals**

- A. Focus on private sector growth to reduce unemployment.
- B. Loan guarantees to commercial banks.
- C. Emphasis on technical and vocational education.
- D. Provide policy and technical support to agriculture and tourism.
- E. Build capacity and accelerate reform in PNA.

**RAND**

Research Findings, September 2002- May 2004

"Building a Successful Palestinian State"

**I. Summary**

This research (over 400 pages) takes an analytical look not at the process that will bring a Palestinian State into being but rather what needs to happen for a Palestinian State to be successful. The paper makes recommendations for steps that Israel, Palestine, and the international community should take in the first ten years for ensuring Palestine's success. Each remaining chapter of the book is dedicated to one of the issues listed below. Each chapter is different, depending on the nature of the analytical questions and data available. However, the overall methodology for analysis is to describe the requirements for success, identify alternative policies for achieving the requirements for success, analyse the consequences of choosing other alternatives, and provide a 10 year cost estimate for implementing recommendations. The analysis for each subject gives a detailed description of the historical context of the issues, the opportunities and challenges, the connecting subtopics and underlying issues, other models, relevant statistics and a costs assessment. The book itself is detailed and thorough - the specific recommendations and proposals are too lengthy to list here.

**II. Issues addressed**

- A. Internal Security and governance
- B. Demography
- C. Water
- D. Economy
- E. Health
- F. Education

**The Aspen Institute**, Middle East Strategy Group  
Economic program for Gaza Disengagement

**I. Summary**

The Aspen Institute has created a practical economic program seeking: 1) To use the opportunity presented by the withdrawal from Gaza to end the conflict and build a pathway toward peace. 2) To bring people together who could create flagship ventures that might serve as confidence-building measures, with an initial focus on Gaza. 3) To promote tangible examples of business and civic cooperation between and among Israelis, Palestinians, and Americans in order to build a constituency for peace. 4) To engage in public discussions, education

campaigns, political meetings and publications that promote, support, and build a constituency for peace.

## **II. Projects already underway**

- A. Rafah Apartment Complex: Construction of eight five-story apartment buildings to provide low-cost housing and generate employment.
- B. Privatisation of Karni Crossing.
- C. Call Centre to service the Arabic Speaking Market.
- D. Production of Worker Uniforms: Uniforms will be made by women from their homes and sold to an international market.
- E. Gaza Private Hospital: Hospital would provide service for 25% of the cases currently transferred abroad.
- F. Rehabilitation of Gaza International Airport (privatisation).
- G. Joint Power and Desalination Plant: Develop a 1000 Megawatt power plant on the Gaza-Israel border with desalination plant.

## **UCLA Ronald W. Burkle Center for International Relations**

Nov. 2004

"Disengagement Toward Re-engagement: A policy of unilateral disengagement and mutual responsibilities"

### **I. Summary**

This short paper is difficult to categorize under any of the ten headings because it crosses several issues and gives general recommendations for how to make the disengagement a success and part of the peace process. However, the bulk of the recommendations deal with the economy (agriculture, fisheries, housing and construction, infrastructure, gas, industry, and labour and movement of goods). For each of these economic issues, the paper gives recommendations for Israel, the Palestinians, and third parties. The impetus for the paper's recommendations and action plans for each of the parties is the necessity of making preparations for implementation of the withdrawal. All of the recommendations are presented as emergency measures that must be taken now.

## **East West Institute**

Policy report, May 2005

"The Erez and Gaza Industrial Estates: Catalysts for Change"

### **I. Summary**

This paper provides an in-depth discussion of the industrial parks as catalysts for economic development. It synthesizes in-depth consultations held over an approximately four-month period with senior-level individuals, representing various policy making and analysis communities in the Palestinian Territories, Israel, Europe and the United States. The Erez Industrial Estate and Gaza Industrial Estate, together, are potentially able to generate at least 15,000 jobs in Gaza with thousands more in indirect jobs, within a matter of months, all of which can contribute significantly to Palestinian GDP. The issue of time is critical in the short-term, with the overriding need to rapidly demonstrate to the local population the potential positive impact of the new political environment on their day-to-day lives. The purpose of this paper is to assist in making the case for an economic environment that is conducive to business, based upon access and good

governance. The Institute hopes that private investors and the international community will work with the parties to assure that practical projects like these become a reality in a short time frame.

## **II. Project**

The project is called "Middle East Bridges" and the aim is to promote economic development in the Palestinian Territories in the wake of an Israeli withdrawal from Gaza and the northern West Bank. There are three main and complementary components of the project: 1) disengagement facilitation; 2) economic reconstruction; and 3) investment promotion.

# FUTURE POLITICAL PROCESS

## SUMMARY AND ANALYSIS

*There are a range of options for alternative political processes presented in the papers summarized below. Most of the papers consider the question of what comes after the disengagement: the next phase of the Roadmap, an international conference, unilateral recognition, a series of confidence building measures and cooperative efforts, etc. Some of the papers are more dated than others, and this is important to note given the many changes that have occurred in the region in the last 6 months. For the most part, the policy papers written with Israel's strategic interest in mind encourage some form of a long term interim arrangement while the papers focusing on from the Palestinian perspective emphasize the need for renewing final status talks.*

*The Re'ut Institute outlines three strategies for progress toward Permanent Status: a package approach similar to Oslo, unilateral recognition of a Palestinian State with provisional borders, and negotiated establishment of Palestinian State with provisional borders. The Jaffe Center paper points out that progress towards a permanent solution will require a cooperative effort in the disengagement process and a more modest route for the security fence. Van Leer gives a proposal for a two-staged "proactive separation," that will include a return to negotiations in the future. PASSIA's workshops and meetings go beyond the two-state consensus to explore the feasibility of other solutions, including a binational one. The US Institute of Peace paper looks into the role of the Quartet, particularly the US, in the next steps of the negotiation process and the determination of the contours of a final deal. ICG maps the possible next steps of Likud and Sharon after the disengagement.*

## INDEX:

**RE'UT INSTITUTE,**  
**JAFFE CENTER FOR STRATEGIC STUDIES,**  
**VAN LEER JERUSALEM INSTITUTE,**  
**PASSIA, US INSTITUTE OF PEACE,**  
**INTERNATIONAL CRISIS GROUP, FOREIGN AFFAIRS,**  
**THE WASHINGTON INSTITUTE FOR NEAR EAST POLICY**

### Re'ut Institute

Policy Product, Sept. 2004

"What Follows the Disengagement Plan?"

### I. Summary

This paper outlines the possible sequencing of the political process once the Disengagement Plan is complete. The paper presents three alternative processes

for progress toward Permanent Status. The paper only outlines the strategies but does not compare them or recommend one over the other.

## **II. Alternatives**

A. Three alternative strategies for the GOI:

1. "Package approach" of the Oslo Process.
  - a. Resolves historical issues and establishes principles for coexistence.
2. Negotiate establishment of Palestinian State with provisional borders.
  - a. Vulnerable to deadlock.
3. Unilaterally recognize a Palestinian State with provisional borders.
  - a. In coordination with third parties.
  - b. Israel may benefit from the establishment of a State sooner than later.

B. With the establishment of a Palestinian State with provisional borders (via the latter two routes), Israel has two choices in reaching a permanent status agreement:

1. Conclude comprehensive agreement via the "Package approach."
2. Conclude fragmented and diluted agreement via multiple bilateral agreements between Israel and Palestinian State.

## **Re'ut Institute**

"Analysis-Base" Product, May 2004

"Israel-Palestinian State-to-State Relations in Permanent Status"

### **I. Summary**

This paper offers a systemic analysis of the future relationship between Israel and the State of Palestine. In analysing Israeli-Palestinian relations, the document offers five clusters of issues that may comprise the relations. The document then identifies where permanent status issues will be shaped to provide an organizing logic for Israel's long-term interests. The paper gives special attention to the triangular relationship that is expected to develop between Israel, Palestine, and Israeli-Arabs.

### **II. Analysis**

A. Five Clusters of I-P relational issues

1. Historical issues (i.e. refugees, Jerusalem).
2. Intrusive issues (i.e. sovereign space).
3. Personal security and movement issues (i.e. border control).
4. Conventional issues (i.e. civil aviation).
5. Arab constituency in Israel.

B. The paper indicates that the relationship between Israel and its Arab citizens may transform into an acute issue of national security and foreign affairs.

**Jaffe Center for Strategic Studies**, Tel Aviv University

Strategic Assessment, August 2004

"Disengagement, the "Seam Zone," and Alternative Conflict Management"

### **I. Summary**

This article argues that the Israeli government's policy, with regards to the separation fence and the disengagement plan, is preferable to the position of the

leaders of the Jewish settlements in the territories, who advocate maintaining the current situation. On the other hand, the government's policy tends to postpone Permanent Status, and is therefore liable to force Israel to pay an unnecessarily high cost. After presenting the respective plans of the settlers and the government, the article proposes an alternate plan, which includes a cooperative effort in the disengagement process, a reconstruction of the route of the security fence, and an implementation of measures aimed at creating conditions for reaching and implementing an agreement with international support.

## **II. Action plans and proposals**

- A. Construction of the security fence will continue independently of the Palestinians, and be based on the following parameters: the settlement blocs near the Green Line that can be connected to Israel without harming the Palestinians' day-to-day life will be included within the fence; other blocs will be protected within a defensive space; and the rest of the fence will follow the Green Line.
- B. The Israelis and Palestinians will exchange assets according to parameters to be agreed, which will reinforce a basis of common interests and foster trust in the entire process.

### **Van Leer Jerusalem Institute**

Policy Paper, July 2002

#### **I. Summary**

This policy paper proposes that the best option for Israel in ensuring its fundamental interests is to adopt a two-stage plan for "proactive separation" that will eventually lead to a return to final status negotiations in the future. In the first phase, Israel will "bear responsibility for security in the Palestinian areas, the erection of a physical barrier along the boundary will be completed, planning for the transition of Israeli towns and villages to permanent communities according to broad national policy planning will be concluded, and the role of the international community in reconstructing Palestinian institutions of government will be defined." In the second phase, "the resettlement effort will be completed, infrastructure will be separated, and an effective border regime between Israel and the Palestinian areas will be established."

### **PASSIA (Palestinian Academic Society for the Study of International Affairs)**

Meetings and Workshops, 2004/2005

"Palestinian-Israeli Impasse- Exploring solutions to the Palestine-Israel Conflict"

#### **I. Summary**

This workshop/meeting series aims to examine whether, or to what degree, the two-state consensus is "dead" and to explore the feasibility of other proposals—such as bi-national or federal systems or scenarios involving Jordan and other States. Through its research, position papers, and dialogue, the project will provide a detailed analysis of the prospects for each of the various possibilities for a peaceful resolution to the conflict.

**US Institute of Peace**

Conference series, January 2005

"Pathways to Peace: The United States and the Middle East Peace Process"

**I. Summary**

The conference's agenda focused on the next steps for the US in the Israeli Palestinian peace process. The conference papers, authored by three US leading experts in Israeli-Arab relations, address the most pressing questions facing the US and international community as they begin to step-up their involvement in re-establishing security cooperation, supporting the new Palestinian leadership, and working with Arab neighbours to facilitate the Gaza withdrawal. The first of a series of conference papers "Arab-Israeli Futures: Next Steps for the United States" was published in March 2005. The paper outlines specific policy prescriptions for the US in 2005. By providing certain reassurances on the contours of a final deal, international involvement may be able to achieve what bilateral negotiations alone cannot.

**II. Issues addressed**

- A. The paper provides a range of views in answering the following questions:
1. What role, if any, should there be for outside actors in Gaza?
  2. To what degree should the Bush Administration be involved in day-to-day affairs on the ground?
  3. Does the Roadmap need to be updated?
  4. More broadly, how can the United States leverage present opportunities into progress toward a comprehensive, sustainable settlement?
  5. Does this new 'window of opportunity' hold promise for reviving Israeli-Syrian talks?

**III. Action plans and proposals**

- A. Create an Office of Disengagement Management (ODM) in Jerusalem under an American chair with other countries participation. ODM will have a technical team of security and economic specialists, not to be involved with diplomacy.
- B. New regional process should be developed that addresses economics, security, and society. The regional process is meant to help final status negotiations in the future, and assure the success and implementation of agreement, and develop a mechanism to "cushion the blow" if they are not.
- C. It is necessary to "expand the participants" in the process through public engagement and utilization of outside parties (i.e., NATO membership, Arab aid, Egypt's monitoring role).
- D. If disengagement succeeds, there should be an international conference convened by the Quartet in order to create unofficial and private committees that would carry on with particular activities, conducting the "non-official segment of the process."

**International Crisis Group**

Middle East Report, March 2005

"Disengagement and After: Where Next for Sharon and Likud?"

**I. Summary**

- A. This briefing is based on interviews with Likud members. Conclusions about "where next" are drawn from extrapolations of Sharon's words and actions and interviews with his advisors. Providing a background on the reason and motives behind Sharon's disengagement and its unilateral nature, the paper gives important information on Likud's history and the opponents of the disengagement plan in Likud. Several important conclusions emerge as the briefing attempts to map Sharon and Likud's respective trajectories:
1. If the disengagement goes successfully, it will provide a respite and Likud will not be inclined to take any immediate actions.
  2. Likud prefers there to be a lack of clarity about the "day after" because it would rather keep the focus on current challenges than long-term visions.
  3. One aim is for the common Israeli and Palestinian interests for the disengagement to conceal longer-term disagreements for next steps.
  4. The paper recommends that in order to combat Likud's perceived intentions, the US should remind the parties that they will not recognize "unilateral measures that prejudge final status issues and may in fact preclude their resolution."

**Foreign Affairs**, Council on Foreign Relations  
 Article by David Makovsky, May/June 2005  
 "Gaza: Moving Forward by Pulling Back"

#### **I. Summary of recommendations for Washington:**

The US should not rush to a final-status agreement because it will energize the hard-liners on both sides and undermine the leadership of Abbas and Sharon. Abbas does not yet have enough strength to compromise on sensitive issues and jumping to final status would undermine the positive short-term dynamics in Israel. Calm and confidence in the region must be restored before the US presents a blueprint for final status. For now, Washington should focus on short-term tasks in facilitating a successful withdrawal from Gaza. Washington should use the opportunity presenting itself to formally activate the first phase of the Roadmap, ensuring that the Gaza disengagement is a first step and not a last step. This would show Washington's commitment to the Roadmap's "performance based approach."

#### **IPCRI**

Policy Paper, May 2005  
 "Allow the Statehood Logic to Prevail: A Palestinian State Now"

#### **I. Summary**

The specific aim of the document is to present the Roadmap's rationale for a Palestinian State with provisional borders as the basis for renewing and advancing the political process. The premise of IPCRI's work is that the Roadmap's main ideas and logic need to be updated to reflect the new realities in the region. Most importantly, the paper advocates for the need to establish an independent Palestinian State as soon as possible. One reason that the need for a Palestinian State is so urgent is because it will rehabilitate the existing governmental and social institutions in Palestine. Plus, the "statehood logic" will obligate the

Palestinian State to adhere to a greater level of responsibility. Establishing a Palestinian State will grant the Palestinians a form of international guarantee from Israeli military invasion in its territory and will provide Israel with more security regarding possible terror activities. Lastly, establishing a Palestinian State and its receiving full membership in international institutions will normalize the Palestinian reality.

**II. The establishment of a Palestinian State should be based on the following summarized principles:**

- A. The end of the conflict will provide guarantees for the final borders of both the State of Israel and the State of Palestine. Until that time, both States will be defined as States with provisional borders.
- B. The final borders of both States will be based on the borders of June 4, 1967 with acceptable agreed modifications based on demographic changes that obligate a territorial exchange on a 1:1 basis.
- C. The two States will agree to address any disputes between them in non-violent ways.
- D. The international community will provide guarantees to the Palestinian State regarding the continuation of the political process and to the State of Israel regarding the political responsibility of the Palestinian State to act as a sole monopoly holder of military force in its responsibility to prevent terror against Israel emanating from its territory. The guarantees will include a set time frame for the continuation of the process.
- E. If the parties do not commence permanent status negotiations within one year of the formal establishment of the Palestinian State (in Phase II of the Roadmap), the Quartet will convene the negotiation process under its auspices.
- F. The establishment of the Palestinian State will be founded on the principle that all Israeli isolated settlements beyond and outside of the main settlement blocs will be vacated.
- G. Palestinian sovereignty will be on all of the territories of the Gaza Strip and the West Bank (excluding the Israeli settlement blocs).

**The Washington Institute for Near East Policy**

Policy Focus, August 2002

"Reforming the Palestinian Authority: Requirements for Change," ed. By Dennis Ross

**I. Summary**

This policy focus is a combination of edited versions of presentations given by Khalil Shikaki, Ziad Abu Amr, and Hassan Abu Libdeh at a conference held by the Washington Institute. The principal objective of all of the presentations is to highlight the need to transform Palestinian society and create a new order: good governance, accountability, transparency, and security services operating according to the rule of law. They also emphasize the need to develop Palestinian civil society institutions and separate the powers of government. The authors emphasize the need for American and international help in creating new Palestinian structures, institutions, a new constitution, and a reformed parliament.



## **SUMMARY AND ANALYSIS**

### ***Subtopics:***

Security coordination mechanism, Intelligence cooperation,  
Transfer of security responsibilities, Egyptian and international deployment  
Breaches in ceasefire, Ending terrorism, Integration of security forces,  
Smuggling, Disarmament,  
International monitoring and verification, IDF redeployment.  
*(for complete list, see extracts from previous agreements listed below)*

### **INDEX:**

**JAFFE CENTER FOR STRATEGIC STUDIES,  
RAND,  
ISRAELI-PALESTINIAN INTERIM AGREEMENT  
ON THE WEST BANK AND GAZA STRIP**

**Jaffe Center for Strategic Studies**, Tel Aviv University  
Strategic Assessment, December 2004  
The Unilateral Withdrawal: A Security Error with Historical Magnitude""

#### **I. Summary**

This strategic assessment gives an analytical estimate of where the disengagement plan will lead from a security aspect. The paper presents the chances of the security situation deteriorating if the plan is executed. The paper estimates that on the operational and tactical level it is possible that the range of the rockets may increase and become a serious threat to Ashkelon, possibly as a result of renewed smuggling. Because of the reduction of the level of intelligence and freedom of action in the region, the IDF will be limited in responding to any such attacks. The main focus of the assessment is that Israel will lose the deterrent concept it has worked to build against terror and that the withdrawal will forever be seen as a victory of terror, giving the terrorist organisations momentum and strength. The paper gives no assessment of whether or not the threat will increase immediately or over time.

**Jaffe Center for Strategic Studies**, Tel Aviv University  
Strategic Assessment, August 2004  
"The Disengagement Plan: Political and Security Ramifications"

#### **I. Summary**

The aim of this essay is to explore the direct consequences of the unstable security situation post-disengagement and to examine the question of whether or not it is possible for the disengagement to be the first stage in a far broader process that will lead to complete disengagement of Israel from the Palestinians. To make the plan a success from a security perspective, it is important to find a solution that

will enable Israel to evacuate the Philadelphi route and permit the opening of an airport and seaport. The author recommends for the US and Egypt to submit to Israel a plan containing a serious and reasonable solution to the security problems indicated.

## **II. Action plans and proposals**

- A. Egypt should deploy appropriate forces, both military and paramilitary, along its border with the Gaza Strip. In order to permit the deployment of such forces, the military appendix of the Israel-Egypt peace agreement would need to be changed, with the approval of Israel and Egypt.
- B. There will be international supervision of the Egyptian deployment and activities against smuggling. The multi-national force (MFO) responsible for monitoring operations in Sinai may carry out this task with minor changes to its mandate.
- C. A mechanism between Israel, Egypt, and the MFO will be set up that will permit the exchange of information and the coordination of activities against smuggling.
- D. The Palestinian Authority will make a commitment to the Quartet to prevent smuggling to its territory.
- E. An international presence will be deployed on the Philadelphi route and at the Rafah crossing point, with the task of preventing smuggling and monitoring the Palestinian activities in this field.
- F. At all the international crossings, including the airport and the port, international inspection groups will be set up with appropriate equipment (e.g., x-ray machines) to supervise the transit of merchandise and Palestinian activities to prevent smuggling.
- G. Creation of a third party supervisory organisation that would permit wanted persons to halt their activities and hand over their weapons in return for an Israeli undertaking not to target them.

## **RAND**

Research Findings, September 2002- May 2004  
 "Building a Successful Palestinian State"  
 Chapter 3: Internal Security

### **I. Summary**

"The success of an independent Palestinian state is inconceivable in the absence of peace and security for Palestinians and Israelis alike. An independent state must be secure within its borders, provide for the routine safety of its inhabitants, be free from subversion or foreign exploitation, and pose no threat to Israel. The most pressing internal security concern will be to suppress militant organisations that would undermine the stability of the new Palestinian state and threaten Israel. Internal security services will need to be restructured and will need monitoring, training, and analytical support. Public safety, routine law enforcement and the administration of justice will need to be put on a sound footing as quickly as possible. At a minimum, this will require funds for rebuilding courthouses and police stations, buying legal texts and computers, providing law enforcement training, and purchasing police equipment. A more comprehensive program would include vetting of judges and prosecutors."

**The Israeli-Palestinian Interim Agreement on the West Bank and Gaza Strip**  
**Annex I: Protocol Concerning Redeployment and Security Arrangements**  
Sept. 1995

**I. List of Articles:**

- A. Article I: Redeployment of Israeli Military Forces and Transfer of Responsibility
- B. Article II: Security Policy for the Prevention of Terrorism and Violence
- C. Article III: Coordination and Cooperation in Mutual Security Matters
- D. Article IV: The Palestinian Police
- E. Article V: Security Arrangements in the West Bank
- F. Article VI: Security Arrangements in the Gaza Strip
- G. Article VII: Guidelines for Hebron
- H. Article VIII: Passages
- I. Article IX: Movement Into, Within and Outside the West Bank and the Gaza Strip
- J. Article X: Safe Passage
- K. Article XI: Rules of Conduct in Mutual Security Matters
- L. Article XII: Security Arrangements Concerning Planning, Building, and Zoning
- M. Article XII: Security Arrangements Concerning Planning, Building and Zoning
- N. Article XIII: Security of the Airspace
- O. Article XIV: Security along the Coastline to the Sea of Gaza
- P. Appendix: Redeployment of Israeli Military Forces; Deployment of Palestinian Policeman; Palestinian Civil Police Stations and Posts; Jewish Holy Sites; Protocol Regarding Arrangements with Respect to Passages; List of Hamlets included in Area B

# SETTLEMENTS

## SUMMARY AND ANALYSIS

*The World Bank report addresses the issue of settlements in the context of the Gaza withdrawal and therefore focuses on the protection and orderly and transparent transfer of settlement assets. The Baker Institute and ICG, however, addresses the issue in the context of the Roadmap and therefore give particular attention to a Settlement Freeze in the West Bank and recommendations on the need for monitoring settlement activities and ensuring the removal of outposts. The Foundation for Middle East Peace provides bimonthly updates of settlement activity. The IDRC program takes a unique look at the evacuation of settlements and resolution of the refugee issue. As of the date of this document, the GOI has not determined exactly which assets it will transfer and the PA is assessing which assets can be integrated into its regional development plans.*

### **Subtopics:**

Three categories of assets:

- 1) Homes and sensitive structures,
- 2) Public infrastructure: Water, electricity, sewage and communications infrastructure,
- 3) Productive assets: Industrial and agricultural facilities, land, and equipment.

Four groupings of settlements:

- 1) Morag, Netzarim, and Kfar Darom,
- 2) Northern West Bank settlements (Gamin, Kadim, Sa-Nur, and Homesh),
- 3) Gush Katif,
- 4) Settlements in Northern Gaza strip (AleI Sinai, Dugit, and Nisanit).

### **INDEX:**

**WORLD BANK,  
FOUNDATION FOR MIDDLE EAST PEACE, IDRC,  
INTERNATIONAL CRISIS GROUP,  
JAMES A. BAKER INSTITUTE**

#### **I. Areas of Consensus:**

- A. A third party should play a role in the transfer of settlement assets.
- B. Need for a public information campaign in Gaza starting 6 months before withdrawal to ensure confidence in land claims process.
- C. Need for a transparent transfer, management, and disposal process with clear rules and procedures outlined ahead of time.

#### **II. Areas of Difference:**

- A. Transfer of settlement assets to what party. The World Bank notes that third party custodianship raises many problems:
  1. Question of third party's legal authority.

2. Question of third party's ability to secure assets against destruction, looting, or squatting.
3. Third party's reputational risk.

- B. Best use of settlement assets.
- C. Settlement activities in West Bank.
- D. GOI's "Continuous Movement Plan."

### **III. Issues not addressed:**

- A. Water scarcity was only briefly addressed in the World Bank report.
- B. Composition of third party.
- C. Legal status of the lands.
- D. Role of municipal governments and civil society in the transfer process.
- E. Training of Palestinian security forces for protection of assets and their orderly transfer.
- F. Crisis coordination mechanism for disposal process.

### **World Bank**

Special report, June 2004

"Disengagement, the Palestinian economy, and the Settlements"

and

Overview, Dec. 2004

"Stagnation or Revival? Israeli Disengagement and Palestinian Economic Prospects"  
Settlements

### **I. Issues Addressed**

- A. Potential economic output of settlements.
- B. Claims on Land.
- C. Disposing of Settlement assets.
- D. Role of international community.
- E. Preparing for the handover.

### **II. Action plans and proposals**

- A. The PA should explore purchasing irrigation water from Israel.
- B. If the area under irrigation could be expanded to triple its size it would yield a gross output of US \$50 million.
- C. Instead of custodianship, a third party could work together with the PA as a "technical partner" while the PA assumes the position of custodian. In this role the third party would act as a liaison between the GOI and PA and assist and monitor the transfer and disposal process.
- D. The third party and the PA could provide regular reports to the AHLC, the "sponsor" of the process.
- E. GOI should provide PA with detailed information on the settlement assets well before evacuations.
- F. GOI should make sure that the assets intended for transfer are not destroyed in evacuation process.
- G. PLC should create a single temporary agency with a clear mandate for overseeing the transfer, claims, and disposal processes.
- H. The special agency should receive and adjudicate property claims.
- I. Assets should be disposed quickly to prevent squatting and looting.
- J. PA should engage with the public providing consultation and information.
- K. Assets that do not fit Palestinian needs should be dismantled.

- L. Develop “a manual of procedures,” for use by both parties, explaining the transfer, management and disposal process.

### **Foundation for Middle East Peace**

Report on Israeli Settlement in the Occupied Territories, January-February 2005  
 “Settlers Losing the Battle for Gaza Settlements”

#### **I. Summary**

The “Report on Israeli Settlement in the Occupied Territories” is a bimonthly publication of the Foundation for Middle East Peace, funded by IDRC and written by Geoffrey Aronson. The report provides maps, settlement timelines, and editorial.

#### **II. Issues Addressed**

##### **A. March-April 2005 report**

1. Retreat from Gaza and settlement expansion in West Bank.
2. Separation Fence.
3. Outpost observations.
4. Sasson report on outposts.

##### **B. Jan. Feb. 2005 report**

1. Settler campaign to undermine the evacuation.
2. Fulfilling US democratization goals in Palestine.
3. Excerpts from Reintegration and Development of Evacuated Areas, PA’s Ministry of Planning.
  - a. Nissanit and Katif settlement blocs will be good for sustainable agriculture and should be protected from unplanned development.
  - b. Netzarim can become part of the urban growth strategy for Gaza City.
  - c. Morag could serve as research and development facility in agriculture.
  - d. Kfar Darom is better for agricultural purposes than urban.
  - e. Erez should be strengthened as industrial zone.
  - f. Neve Dekalim should be destroyed for environmental reasons.
  - g. Katif bloc could be used as tourist village/resort.
  - h. Main road network kept in place.

##### **C. November-December 2004 report**

1. GOI's "Continuous Movement Plan"
2. Facilitation of disengagement.

### **IDRC**

IDRC Program Paper, April 2004

“Israeli settlements and the Palestinian Refugee Question: Evaluating the Prospects and Implications of Settlement Evacuation in the West Bank and Gaza Strip”

#### **I. Summary**

This two-year program's objectives are to evaluate the prospects for settlement evacuation, including probable locales, assessing their relationship to various territorial options for Palestinian statehood and reviewing their potential uses to the Palestinian community. Using the extensive data collection, the program

identifies the potential uses to the Palestinian community of evacuated settlement and their infrastructures. The program also takes a unique look at the evacuation of settlements and resolution of the refugee issue. The program develops a valuation protocol for determining settlement assets and then provides reports presenting all scenarios and policy options for Palestinian use of settlements.

### **International Crisis Group**

Middle East Report, July 2003

"The Israeli-Palestinian Roadmap: What a Settlement Freeze Means and Why it Matters"

#### **I. Summary**

- A. The demand that Israel freeze settlements is difficult for the GOI to undertake but necessary if the conflict is to end and the Road Map succeed. Achieving a settlement freeze will require a momentous effort from Israel but also the Quartet and the US. Diplomatic efforts must focus on the achievement of a real settlement freeze, not just in the "run-up to the endgame." Diplomatic and political pressure will be critical in assuring Israel's adherence to the freeze, requiring regular monitoring and public recognition of violations.
- B. The report goes on to give a detailed list of recommendations for the US and members of the Quartet on how to make clear to the GOI their insistence on a genuine settlement freeze: the parameters and acceptable exceptions. ICG also recommends establishing a joint committee under US chairmanship to monitor compliance and review requests for exemptions. The report also highlights the need for the GOI to provide financial incentives to the settlers and provide them just compensation when needed.

**James A. Baker Institute for Public Policy**, Rice University

Israeli Palestinian Working Group Policy Paper, February 2005

"Creating a Roadmap Implementation Process Under United States Leadership"

#### **I. Action plans and proposals**

- A. Create Special Office on Settlement Activities within the Ministry of Defence in order to monitor settlement activities, settlement freeze, and the removal of outposts.
- B. The information gathered by the Special Office should be submitted to the Ministry of Justice and to the parallel US Settlement Monitoring Office.
- C. Israel should also create a Settlement Auditing Agency to ensure transparency in all activities related to settlement construction (legal claims, building permits, etc.). All findings are reported to US Settlement Monitoring Office.
- D. Special Office on Settlement Activities and the Settlement Auditing Agency will remain in operation until Permanent Status Agreement is reached.