

# KEY PRINCIPLES OF A DEMILITARIZED PALESTINIAN STATE

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### Israel Has Sought Palestinian Demilitarization Since Oslo

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

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

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

### Israel's Strategic Vulnerability

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

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



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

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

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

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

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

## Security Challenges Ahead

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

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

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

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

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

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

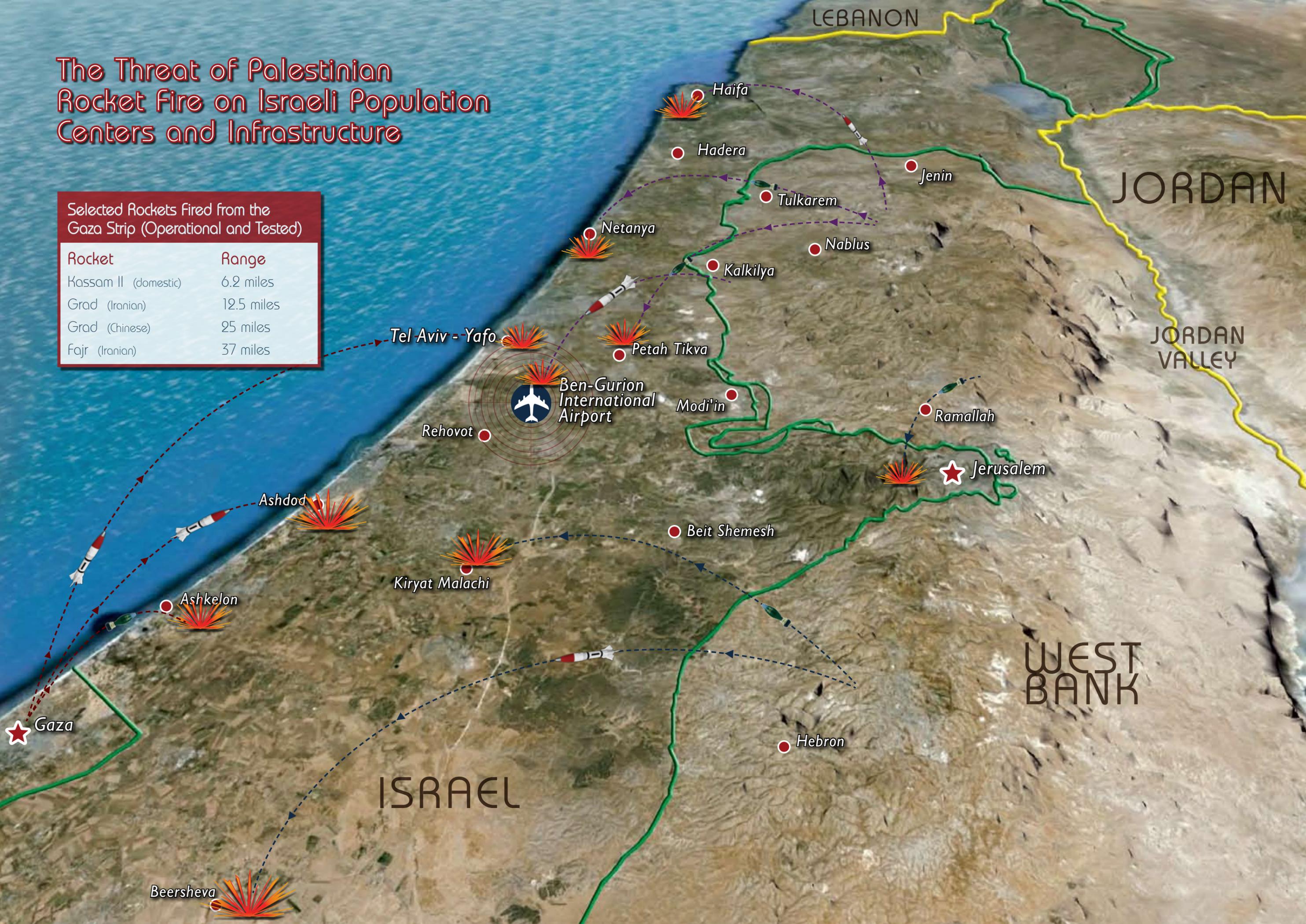


Former IDF Chief of Staff Lt.-Gen. Shaul Mofaz, left; former Prime Minister Ariel Sharon, center; and former Defense Minister Binyamin Ben Eliezer, right, review 50 tons of weaponry seized from the cargo ship Karine A that was captured by Israel and displayed at the Red Sea port of Eilat, January 6,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

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

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

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



ISRAEL

WEST BANK

LEBANON

JORDAN

JORDAN VALLEY

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

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

## Lessons Learned from Failed Agreements with the PA

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

## The Principles of Israel's Position on Demilitarization

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

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

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

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

### **The Military Dimension**

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

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

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

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

### **The Terrorism Dimension**

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

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



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

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

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

## The Implementation of Demilitarization

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

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

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

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

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

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

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

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

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

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

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

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

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

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



## Special Security Arrangements in the Jordan Valley

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

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

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

## Additional Israeli Security Requirements

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

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

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

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

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

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

## Limitations on Arms

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

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

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

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

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

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

## Notes

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

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

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

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

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

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

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

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

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

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

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