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New Dynamics in the Middle East

2011 – An eventful year for the Palestinian Territories

For the Palestinian Territories the year 2011 was first and foremost marked by the events of the so-called "Arab Spring". Although there has been no overthrow of the political regime or even mass demonstrations in either the West Bank or the Gaza Strip for that matter, the "Arab Spring" had a significant impact. Neither would there have been the (so far unsuccessful) attempts of reuniting both territories nor would the release of the Israeli soldier Gilad Shalit, who was held hostage by the Islamist Hamas, have taken place, if it were not for the upheavals in Egypt.

The situation within the Palestinian Territories was primarily marked by three intertwined issues:

1. The Palestinian quest to become a full member of the United Nations (UN).
2. The prisoner swap between Hamas and Israel.
3. Several attempts of reconciliation between Fatah and Hamas.

Even though the last two points particularly are closely linked to the regional upheavals, there is also a connection to internal political developments after 2005. During the parliamentary elections of 2006, which were evaluated free and fair by international observers, Hamas gained the outright majority. After several efforts to create a unity government had failed and Hamas increasingly feared that Fatah was planning a military coup, they took over the Gaza Strip in the cause of a military raid in June 2007. The Palestinian Territories have been divided into two parts ever since. There are two governments and all national elections have been delayed so that neither the parliament nor the municipalities or the president are democratically legitimized. Salam Fayyad was designated head of the government in

the West Bank and began building up public institutions and fighting corruption and police violence; he strengthened the Rule of Law and supported the private sector. However, Fayyad could not put an end to Palestinian dependency on international donors.

President Mahmoud Abbas was convinced that this policy had to end in receiving full UN membership. He promoted the Palestinian case during his speech in front of the UN General Assembly in September 2011 and ensured the international community that the Palestinian National Authority will continue to pursue a two-state solution without returning to violent means. Despite this, the Palestinians could not achieve the necessary majority of nine votes within the Security Council. This occurred mainly due to pressure applied to smaller and less influential countries within the Security Council by the United States. If the Palestinians had reached a majority, the United States would have been forced to exercise their right of veto. Since those developments, while disappointing, did not come as a surprise, the Palestinians have recently begun joining UN subsidiary organizations. In that context, Palestine became a member of UNESCO in October 2011. A two-third majority is almost assured, if the Palestinians should decide to step in front of the General Assembly to upgrade their status to a non-member state. Besides declaring Palestinian statehood, this means that Palestine could also become a full member of the International Criminal Court (ICC). It can be expected that the Palestinians will continue pursuing the goal to become a full member of the UN.

The great attention paid to the UN-initiative pressured Hamas into bringing

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about success as well. In addition to the UN-initiative, however, it was the increasing instability within the Syrian regime that encouraged Hamas to act. Syria is Hamas' most important ally right next to Iran, foremost due to the fact that Hamas' political leadership is located in Syria. According to Palestinian and Israeli media the Hamas leadership feels as threatened by the current situation in Syria that many officials found themselves forced to leave the country. For this and other reasons Hamas was willing to accept unprecedented compromise in order to realize a prisoner swap with Israel. The Islamists even accepted the condition that their most noted prisoner Marwan Barghouti was not being released and some of those who were have been forced into exile. But Israel gave in as well. Within several steps Israel will release 1027 Palestinian prisoners in exchange for the Israeli soldier Gilad Shalit who was kidnapped by Hamas in June 2006. From those who have been released so far, 280 had received a life sentence.

Since a major point of criticism made by the international community regarding the UN-initiative was the mere fact that the Palestinian Territories are still divided, there have been enhanced efforts in 2011 to reconcile Fatah and Hamas. The reconciliation agreement in Cairo in May 2011 has never been implemented, though. The fact that there had been a second attempt to reconcile the two last fall can also be explained by the (so far) unsuccessful UN-initiative, which also weakened Fatah. The meeting of President Abbas and Hamas' leader of the politburo, Khaled Meshal, in Cairo in November 2011 brought together two parties of equal strength. This meeting mainly revolved around the establishment of a provisional government which should prepare the parliamentary and presidential elections scheduled for May 2012. Once more, a crux was the person Fayyad. While Abbas wishes to keep him in office, he is a red rag to Hamas. Fayyad himself has announced that he would be willing to step down for the sake of reconciliation.

Prospects of new peace negotiations

Currently, the prospects of resuming peace negotiations must be rated rather negatively. The views of the Israeli government under Benjamin Netanyahu on a prospective peace process can be cut down to seven points: (1) there will be no negotiations with a government that is supported by Hamas, (2) the Palestinians have to recognize Israel as the homeland of the Jews, (3) a future Palestine must be demilitarized and shall not have any control over the Jordan Valley, (4) the Palestinian refugee question has to be resolved outside the borders of Israel, (5) the 1967 borders are indefensible and Israel will keep the settlement blocs in the West Bank, (6) Jerusalem is the undivided capital of Israel, (7) a peace agreement must entail a declaration of an end to the conflict and entail renouncement of future claims.

The Palestinian response to the aforementioned points is clear. President Abbas repeatedly emphasized that the yet to be established Palestinian technocratic government will consist of independent members and will merely focus on two goals: the prearrangements for the elections due in May 2012 and, respectively, the reunion of the West Bank and Gaza Strip. Peace negotiations are still solely his responsibility. In addition, the chief negotiator Saeb Erekat sees no need to recognize Israel as a Jewish state as it would be just a matter of self-definition. Nonetheless, the Palestinians strictly oppose a continued presence of Israeli security forces in the Jordan Valley. After all, the Palestinians are willing to abandon the creation of an army as long as a robust police force is ensured. In a meeting with George Mitchell – U.S Chief Middle East Envoy at the time – in February 2009, Erekat gave in "*that Palestine will not have an army, navy and air force*", yet would need the support of a third party. Whether the majority of the approximately five million Palestinian refugees would ever "return" is an open question. *The Guardian* reported in January 2011 that President Abbas expressed privately that granting all refugees the right

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to "return" would be "illogical". After all, "that would mean the end for Israel". Nonetheless, Palestinians will not turn their back on a symbolic return of a few thousand refugees. The borders of June 4, 1967, prior to the outbreak of the Six-Day War, remain the baseline for any peace talks. However, those could only start if Israel would stop its settlement activities. Under these conditions, the Palestinians would be willing to agree to a land swap with a 1:1 ratio. According to a memorandum published by the Negotiations Support Unit (NSU) – the negotiations unit of the Palestine Liberation Organization (PLO) – such a land swap would need to be not only equal in quantity, but as well in quality. The Palestinians have a similar standpoint regarding Jerusalem. According to the "Palestine Papers" the Palestinians are willing to make great sacrifices in this regard too. This collection contains over 1600 papers, ranging from September 1999 until September 2010 and covers hundreds of meetings between Palestinians, Israelis and Americans. The Arab satellite TV station Al-Jazeera revealed these documents according to which the Palestinian chief negotiators offered the Israelis to keep nearly all settlements in East Jerusalem. Nevertheless, sacrificing the entire Old City, along side the status of East-Jerusalem as a future capital is not an option. The Palestinian aim for a comprehensive peace treaty with Israel, so that any future claims are not of essence.

A great number of the Palestinian demands are supported by international resolutions and decisions. This is why the European Union (EU) is constantly recalling for a stop of further Israeli settlement constructions. The EU declared the Israeli settlements in the West Bank and East Jerusalem as "illegal under international law and an obstacle to peace." The EU's standpoint is equally clear on the issue surrounding the borders of 1967: alterations can only come into effect as a result of a mutual agreement. In that context, Jerusalem should be "the future capital of two states." Regarding the refugee question the "EU calls for an agreed, just, fair and realistic solution." Hence, many requests

of the Netanyahu government are unacceptable for the EU and the great majority of the international community. The indivisibility of Jerusalem, moreover, is not recognized by a single state. Furthermore, denying the legitimacy of the borders of 1967 and the announcement of holding on to settlement blocs by all means cannot be accepted as preconditions for negotiations.

Focal Point Gaza

Due to the events mentioned above, the international focus was predominantly set on the West Bank. Only little light was casted on the impoverished shoreline. The fact that the economy suffers severely from the partial embargo brought upon by Israel and that the export volume has decreased to 1% compared to the time prior to 2007 hardly drew attention so far. The attention increased only when rockets were targeting Israel and during the prisoner swap.

After the bloody takeover of Gaza in June 2007 it seemed as though there were no barriers to the Islamization of "Hamastan". But reality often proves to be quite different. Incorrect reporting by media organisations and government institutions makes it more difficult to distinguish between reality and misinformation. The *International Crisis Group* reveals cases that go as far as being blunt misinformation: reports on a morality police that never existed; a decree about the restraint on women riding motorcycles, which not even secular human rights activist in Gaza have ever heard of; an Israeli intelligence report about the gender segregation at United Nations' schools, which in reality has existed for decades. The extension of the ban on alcohol on the other hand, which now applies to all residents and visitors, not just Muslims, is a fact. The question is, whether Hamas thus reveals their real, strictly Islamic face or whether they simply take into account the fact that they represent the deeply religious part of society that voted them for just that, considering that Gaza has always been much more conservative than the West Bank.

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Since the end of 2010, a steady escalation of violence at the border of Gaza and Israel can be recognized. Time and again the ceasefire between Hamas and Israel, which has been unofficially effective since the end of the Gaza War in January 2009, gets violated. One important explanation to this is Hamas' lack of control over the Gaza Strip. Attacks by several independently operating, very small groups and the Islamic Jihad repeatedly lead to violence in the south of Israel. Especially the Islamic Jihad, the second most powerful movement within Gaza, represents an increasing threat to Israel and a challenge to the monopoly of power of Hamas. According to Israeli media, the movement is receiving greater support from Iran on the expense of Hamas. The Arab satellite station al-Arabiya reports that this is due to Hamas' refusal to take a clear stand on the side of the fragile Syrian regime, Iran's most important ally.

Prospects

It is very likely that the year 2012 will be marked by increasing tensions within the region, as well. The impact of the "Arab Spring" on Palestinian politics could be remarkable. Since a stable Palestinian reconciliation has still not occurred in 2011, the governments in Ramallah and Gaza were confronted with civil uttering of discontent in spring 2011. This could increase if the parliamentary and presidential elections scheduled for May 2012 get postponed yet again. Looking back, government-critical protests in Gaza and the West Bank were also organized via the social network *Facebook*, where - in an increasingly intense manner - the Palestinian youth debates their restricted lives and their hopes of organizing themselves into a social movement. The fact that those debates do not take place within the privileged elite only, is proven by the number of *Facebook* members, published by the Arab Social Media Report of the Dubai School of Government in January 2011. In the end of 2010, more than 474 000 Palestinians where registered on *Facebook*, which equates more than ten percent of the population - a significantly higher percent-

age in comparison to Egypt, for example. More than 80 percent are younger than 30.

The relationship with Israel will remain tense, too, due to the Palestinian quest for UN membership and the ongoing construction of Israeli settlements. After the expiration of the partial settlement moratorium in September 2010, Israel began constructing thousands of housing units, not only in the West Bank but also in East Jerusalem. Thus, the West Bank bears increasing resemblance to a patchwork rug, which makes the establishment of a viable Palestinian state less and less likely. Although most settlers live in the West Bank for economic reasons, there are some that do not hesitate to use violence. For 2012, a possible increase of attacks by radical Israeli settlers, whose acts of violence have already accelerated enormously in 2011, must be taken into account. This prediction is based on the planned demolition of outposts that are illegal even under Israeli law. Furthermore, such attacks could lead to peaceful Palestinian demonstrations of solidarity along Israeli checkpoints or near settlements in the West Bank. It is also possible, however, that such protests turn into violence.

Regarding Syria, a civil war seems inevitable if the regime should not prove to be strong enough to keep the nationwide demonstrations under control. Iran, too, is facing increasing international pressure due to the ongoing nuclear program. Even if it is yet uncertain to which extent Hamas is still willing to follow Iranian and Syrian instructions, both countries still have close allies within the region. Provocations by the Islamic Jihad in Gaza or by Lebanon's Hisbollah could be exploited by Teheran and Damascus in order to distract from their own internal problems. Therefore, the possibility of another war in the Middle East cannot be ruled out entirely for 2012, whether in Gaza or Lebanon. Those recent developments make the resumption of the Israeli-Palestinian peace process more and more crucial, whereas less likely.



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