



CENTRE FOR THE
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Demilitarising Gaza: Principles, Pitfalls and Implementation

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Summary

- A wide diplomatic consensus exists for the demilitarisation of the Gaza Strip. Every major document of the Israeli-Palestinian peace process envisions a disarmed Palestinian polity, with police or security forces but without a military. The disarmament of Gaza could therefore serve as a precedent for similar action in the West Bank.
- To prevent further smuggling to Gaza, Palestinian Authority forces must be deployed at the Rafah crossing to Egypt – as called for in the ceasefire agreement reached on 26 August 2014 – and any other Gaza crossings opened in a future truce deal. International contingents, such as the EU force formerly deployed to Rafah, should be reintroduced and bolstered by those from moderate Arab states. Egypt is a key partner in thwarting arms smuggling.
- Removing Gaza's existing terror infrastructure could be achieved by international inspectors, potentially under a UN Security Council mandate, working along the same model as that which disarmed Syria of much of its chemical arsenal. Unlike the UN resolution that ended the 2006 Second Lebanon War, a resolution for Gaza would empower inspectors to both halt arms smuggling and dispose of existing rocket caches and launchers.
- Disarmament could be coupled with a reconstruction program backed and funded by the Arab League. Hamas would thereby be forced into a choice of either opposing Gaza's development or acceding to it in exchange for incentives, such as the construction of an airfield or seaport, or a significant broadening of freedom of movement.
- While disarmament must remain the long-term objective for Gaza, preventing Hamas's remilitarisation is an appropriate short- and medium-term goal. Either objective must be framed to Palestinians not as a concession to Israel, but rather a necessary step – endorsed by the international community – towards self-determination and, ultimately, regional peace and stability.

THE GAZA STRIP

Border crossings and key data

Width 5.7-12.5 km / 3.5-7.7 mi

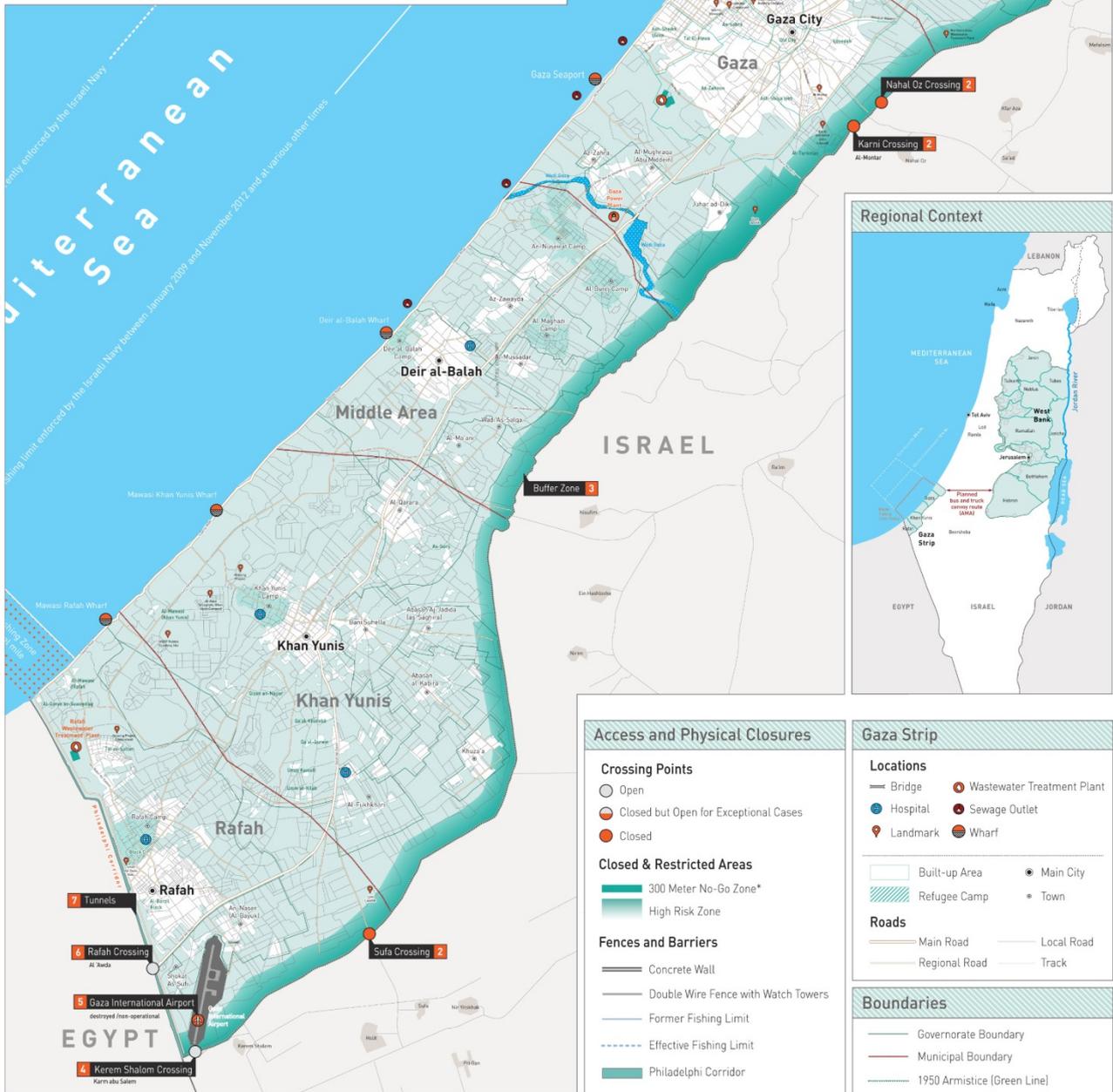
Length 40 km / 24.8 mi

Area 365 km² / 141 mi²

Population 1,707,437 (June 2013)

Population density 4,661 people per km² / 12,109 per mi²

-  Population under the age of 18
900,745 (52.9%) (mid 2013)
-  Unemployment rate
31% (1st quarter of 2013)
-  Percentage of population receiving aid at least 70% (2013)
-  Literacy rate aged 15 and over
95% (2011)



Access and Physical Closures	Gaza Strip
Crossing Points  Open  Closed but Open for Exceptional Cases  Closed	Locations  Bridge  Hospital  Landmark  Wastewater Treatment Plant  Sewage Outlet  Wharf
Closed & Restricted Areas  300 Meter No-Go Zone*  High Risk Zone	 Built-up Area  Refugee Camp  Main City  Town
Fences and Barriers  Concrete Wall  Double Wire Fence with Watch Towers  Former Fishing Limit  Effective Fishing Limit  Philadelphi Corridor	Roads  Main Road  Regional Road  Local Road  Track
	Boundaries  Governorate Boundary  Municipal Boundary  1950 Armistice (Green Line)

*'Gaza Strip Map' (adapted), *Gisha - Legal Center for Freedom of Movement*, September 2013, available at: gisha.org/publication/2584.

Introduction

The demilitarisation of a future Palestinian polity has been a cornerstone of the Middle East peace process for more than two decades. Since the 1993 Oslo Accords, every major Israeli-Palestinian document and initiative has envisioned disarmament as a precondition to the possibility of Palestinian independence. This summer's Gaza war, however, transformed demilitarisation from an aspirational concept to an urgent practical necessity, beginning with the Hamas-run coastal territory. During that 50-day conflict, not only Israel and the United States but also the United Kingdom, Germany and France added their support to Gaza's demilitarisation, as did the European Union (EU). A wide international consensus now supports demilitarisation as a pillar of any long-term ceasefire agreement between Israel and Hamas.

That unanimity on the end result, however, has not led to any similar consensus on the path by which to reach it. The Israel-Hamas ceasefire agreement announced on 26 August calls for the reintroduction of Palestinian Authority (PA) forces to the Rafah crossing between the Gaza Strip and Egypt in a bid to assuage concerns in Jerusalem and Cairo over weapons smuggling. The agreement includes an easing of Israel's naval blockade on the territory (but does not delineate specifics), and leaves other contentious issues – such as the construction of a seaport, reopening of Gaza's airport, the release of Hamas prisoners and Israel's demand for demilitarisation – for later negotiations (scheduled for late October 2014).²

In the meantime, some Israeli officials have warned that disarmament is impossible without the long-term reoccupation of the Gaza Strip by the Israel Defense Forces (IDF) – a prospect for which there is little popular or official backing. Reoccupation, however, is not the only method of removing Gaza's weapons. Israel, Egypt and the PA all have vested interests in Hamas and other Gaza-based terror groups (chiefly Islamic Jihad and the Popular Resistance Committees) relinquishing their arms, as do relatively moderate, Western-allied Arab governments such as Jordan, Saudi Arabia and the United Arab Emirates. Western stakeholders, including the United States, United Kingdom, EU and NATO, also have a vital role to play.

Policymakers must recall that Hamas is a terrorist organisation, recognised as such by the US, Canada and EU as well as Arab states including Egypt and Jordan (the UK deems only Hamas's 'armed wing' a terror group). Unlike rational cost-and-benefit international actors, therefore, its positions are neither open to compromise nor susceptible to economic or diplomatic incentives.

Hamas's 1988 charter defines itself as the Palestinian Muslim Brotherhood, and demands an Islamic state in all of Mandatory Palestine. The document demands that all religions recognise 'the sovereignty of Islam,' and equates conceding even an inch of land in Palestine as akin to abandoning Islam itself. 'There is no solution for the Palestinian question except through Jihad,' the charter declares. 'Initiatives, proposals and international conferences are all a waste of time and vain endeavours.'³ It also cites the anti-Semitic forgery *The Protocols of the Elders of Zion*, and this passage from the Islamic *hadith* (Islamic oral traditions):

² 'Main points of the Gaza ceasefire', *AFP*, 26 August 2014, available at: www.rte.ie/news/special-reports/2014/0826/639550-main-points-of-the-gaza-ceasefire.

³ 'The Covenant of the Islamic Resistance Movement', Yale Law School Lillian Goldman Law Library, 18 August 1988, available at: avalon.law.yale.edu/20th_century/hamas.asp.

The Day of Judgement will not come about until Muslims fight the Jews, when the Jew will hide behind stones and trees. The stones and trees will say ‘O Muslim, O servant of God, there is a Jew behind me, come and kill him.’⁴

Driven by such intransigent dogmatism, Hamas has unsurprisingly pledged to retain its arms. In the words of one of its officials, “Whoever tries to take our weapons, we will take his life.”⁵ Similarly, an Islamic Jihad official boasted following the ceasefire announcement that the agreement had failed to meet Israel’s demands to “disarm the resistance.”⁶

For the international community, however, allowing Hamas and other Gaza extremist groups to maintain their weapons contravenes a fundamental principle of national sovereignty: the monopoly on force by a legitimate, internationally recognised government. Indeed, the most vociferous proponent of that principle has been the PA itself, which has consistently insisted that a future Palestinian state have “one authority, one law, one weapon.”⁷

In ridding Gaza of unauthorised weapons, the Palestinians have no better example than their Israeli neighbours. In June 1948, a month after the Jewish state declared independence, Prime Minister David Ben-Gurion directed his newly formed IDF to open fire on the *Altalena*, a ship carrying arms to the Irgun paramilitary group, killing 19 people in the process. The order could have sparked civil war among rival Jewish military groups, but Ben-Gurion recognised that a viable state required a monopoly on force and unity of command.

Disarming Gaza’s terror groups therefore is not only in the interest of Israel, but of Palestinians: a demilitarised Gaza could serve as a template for pursuing the same in the West Bank, and as a milestone towards the establishment of the Palestinians’ long hoped-for state. Gaza’s disarmament will not be a simple endeavour, but its costs are far outweighed by its potential benefits: allowing Palestinians prosperity and self-rule, and forging a durable settlement to one of the world’s most intractable conflicts.

1. The Diplomatic Basis for Demilitarisation

The 1993 Oslo I Accord (also known as the Declaration of Principles), the 1994 Gaza-Jericho Agreement and 1995 Interim Agreement on the West Bank and the Gaza Strip (also known as Oslo II) all explicitly endorse a demilitarised Palestinian entity, one with police or security forces but no military.⁸ The Interim Agreement, for example, states:

Except for the Palestinian Police and the Israeli military forces, no other armed forces shall be established or operate in the West Bank and the Gaza Strip...Except for the arms, ammunition and equipment of the Palestinian Police described in Annex I, and those of the Israeli military forces, no organization, group or individual in the West Bank and the Gaza Strip shall

⁴ ‘The Book Pertaining to the Turmoil and Portents of the Last Hour (*Kitab Al-Fitan wa Ashrat As-Sa’ah*)’, Center for Muslim-Jewish Understanding, University of Southern California, available at: www.usc.edu/org/cnje/religious-texts/hadith/muslim/041-smt.php.

⁵ ‘Egyptians press Gaza truce talks between Israel, Palestinians’, *AFP*, 6 August 2014, available at: news.yahoo.com/egyptians-press-gaza-truce-talks-between-israel-palestinians-155707913.html.

⁶ Abu Toameh, K. & Keinon, H., ‘Egyptian officials: Gaza cease-fire to be announced at 8 p.m. Tuesday’, *The Jerusalem Post*, 26 August 2014, available at: www.jpost.com/Arab-Israeli-Conflict/Palestinian-sources-Gaza-cease-fire-to-be-announced-on-Tuesday-evening-372386.

⁷ ‘Fatah-led security officers accused of torturing Hamas suspect to death’, *The Guardian*, 5 October 2009, available at: www.theguardian.com/world/2009/oct/05/fatah-hamas-torture-trial.

⁸ ‘Text: 1993 Declaration of Principles’, Article VIII: Public Order and Security, *BBC News*, 29 November 2001, available at:

news.bbc.co.uk/1/hi/in_depth/middle_east/israel_and_the_palestinians/key_documents/1682727.stm; see also: ‘Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip’, Ch. 2: Redeployment And Security Arrangements, UNSCO, 28 September 1995, available at: www.unsco.org/Documents/Key/Israeli-Palestinian%20Interim%20Agreement%20on%20the%20West%20Bank%20and%20the%20Gaza%20Strip.pdf; see also: ‘Demilitarized Palestinian State’, *Reut Institute*, 23 July 2009, available at: reut-institute.org/en/Publication.aspx?PublicationId=3679.

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manufacture, sell, acquire, possess, import or otherwise introduce into the West Bank or the Gaza Strip any firearms, ammunition, weapons, explosives, gunpowder or any related equipment, unless otherwise provided for in Annex I.

The agreement's Annex specifies the exact number and type of weapons allowed into the PA's territory, and that PA police will control all entry points to Israel to ensure weapons are not smuggled into the Jewish state:

In the West Bank, the Palestinian Police will possess the following arms and equipment:

- (1) up to 4,000 rifles;
- (2) up to 4,000 pistols;
- (3) up to 120 machine guns of 0.3" or 0.5" caliber; and
- (4) up to 15 light, unarmed riot vehicles of a type to be agreed on between the two sides in the JSC [Joint Israeli-Palestinian Security Committee].

In the Gaza Strip, the Palestinian Police will possess the following arms and equipment:

- (1) 7,000 light personal weapons;
- 2) up to 120 machine guns of 0.3" or 0.5" calibre.

The Palestinian Police shall set up checkpoints in areas under its security responsibility on roads connecting the West Bank and Israel, for the purpose of inspection and identification of Palestinian vehicles and passengers in order to prevent illegal introduction of weapons into or from Israel.⁹

The principle of Palestinian demilitarisation has since become part of the diplomatic language of the peace process. Subsequent to Oslo, initiatives such as the Beilin-Abu Mazen Document of 1995, the Clinton Parameters of 2000 and the Geneva Accords of 2003 all stipulate that, in place of a military, international forces would maintain order at a Palestinian state's border posts and other sensitive areas.¹⁰ In his seminal 2009 Bar-Ilan University address, Israeli Prime Minister Benjamin Netanyahu gave his assent to Palestinian independence – the first such acceptance by a leader of the right-wing Likud party – but only one that was explicitly and verifiably demilitarised.

That endorsement, moreover, extends far beyond Jerusalem. Earlier that year, Arabic media revealed that, following a request from US President Barack Obama, the Arab League was modifying its 2002 Arab Peace Initiative to call for any future Palestinian state to be demilitarised.¹¹ This year, PA President Mahmoud Abbas acknowledged that a Palestinian polity would be disarmed, potentially with NATO troops guaranteeing its security and that of Israel.¹²

⁹ 'Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip – Annex I: Protocol Concerning Redeployment and Security Arrangements', *The Knesset*, available at: www.knesset.gov.il/process/docs/heskemb2_eng.htm.

¹⁰ 'Beilin Abu-Mazen Agreement', Article IV sec 6, *Jewish Virtual Library*, 31 October 1995, available at: www.jewishvirtuallibrary.org/jsource/Peace/beilimmazen.html; see also: 'Clinton Proposal on Israeli-Palestinian Peace', *The Institute for National Security Studies*, 23 December 2000, available at: heh.inss.org.il/index.aspx?id=4625; see also: 'Geneva Initiative', Article 5, *The Knesset*, 12 October 2003, available at: knesset.gov.il/process/docs/geneva_eng.htm.

¹¹ Stern, Y., 'Arabs revising peace plan to win Israel backing for 2 states', *Haaretz*, 6 May 2009, available at: www.haaretz.com/news/arabs-revising-peace-plan-to-win-israel-backing-for-2-states-1.275492.

¹² Rudoren, J., 'Palestinian Leader Seeks NATO Force in Future State', *The New York Times*, 2 February 2014, available at: www.nytimes.com/2014/02/03/world/middleeast/palestinian-leader-seeks-nato-force-in-future-state.html.

During this year's Gaza war, the EU issued an unusually strong statement on 22 July that "All terrorist groups in Gaza must disarm."¹³ The directive clearly applies to the two armed organisations chiefly responsible for firing rockets – Hamas and Islamic Jihad – both of which the bloc classifies as terrorist groups. The following day, US Deputy National Security Adviser Tony Blinken said demilitarisation "needs to be the end result,"¹⁴ and Secretary of State John Kerry subsequently reaffirmed that any solution for Gaza "must lead to the disarmament of Hamas and all terrorist groups."¹⁵

With widespread agreement on the necessity of disarmament, the pertinent question becomes how to achieve it.

2. Implementation

Demilitarising Gaza must focus on two objectives: stemming the flow of rocket components to the territory; and, dismantling the rocket-launching network already extant within it.

Meeting the first objective requires strict control of Gaza's border crossings. A future comprehensive ceasefire agreement may loosen restrictions not only at the Rafah crossing with Egypt, but Gaza's two main crossing points into Israel: Kerem Shalom cargo terminal; and, Erez pedestrian terminal.

The former crossing is currently open (but with restrictions on materials that could be used for military purposes) while the latter has been partially closed since Hamas's 2006 electoral victory. In recent years, Israel has already shown greater flexibility at Erez, and currently issues three times the exit permits it granted in 2010, albeit with a significant drop in June 2014 after Hamas members kidnapped and killed three Israeli students in the West Bank and increased rocket fire on Israel. A similar drop was registered in November 2012 amid the heightened rocket attacks that precipitated Israel's eight-day Operation Protective Edge in Gaza.

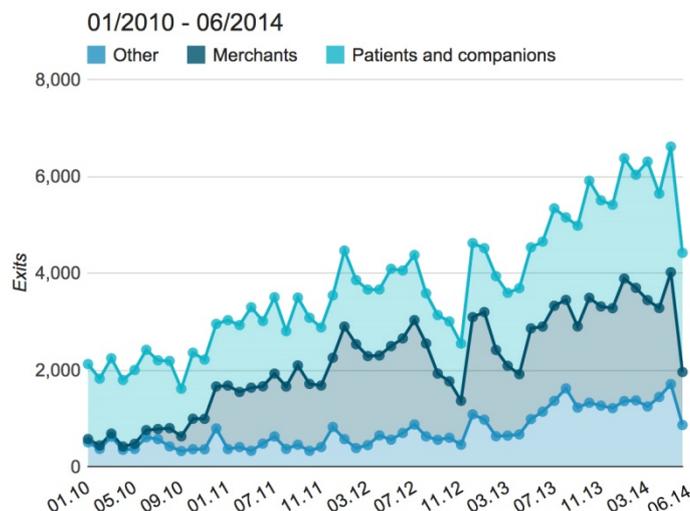
The pattern is clear: a reduction in Hamas terrorism allows Israel greater flexibility in allowing Gazans freedom of movement. A demilitarised Gaza Strip, by extension, is one in which Palestinians would enjoy significantly greater movement into Israel and the West Bank than they do today.

¹³ 'EU Council conclusions on the Middle East Peace Process', European Union Delegation to the United Nations - New York, 22 July 2014, available at: www.eu-un.europa.eu/articles/en/article_15300_en.htm.

¹⁴ Peralta, E., 'White House Adviser: Cease-Fire Should Include Demilitarization Of Gaza', *National Public Radio*, 23 July 2014, available at: www.npr.org/blogs/thetwo-way/2014/07/23/334431139/white-house-adviser-cease-fire-should-include-demilitarization-of-gaza.

¹⁵ 'Remarks at the Rollout of the 2013 Report on International Religious Freedom', US Department of State, 28 July 2014, available at: www.state.gov/secretary/remarks/2014/07/229857.htm.

Exits of Palestinians to Israel and the West Bank via Erez Crossing



Source: Gisha - Legal Center for Freedom of Movement¹⁶

Still, greater flexibility on Israel’s part need not come at the expense of its security. In addition to Rafah, any active crossing into Gaza must include PA, and ideally international, forces on the Palestinian side. The PA, crucially, is the only Palestinian leadership recognised by and acceptable to Egypt, Israel, the US, UN and the Arab League (with a notable exception and potential spoiler in Hamas’s sponsor, Qatar).

The template for such a presence exists in the 2005 US-brokered Agreement on Movement and Access, which cited the PA as the legitimate supervisor of goods through Rafah, under the supervision of the European Union Border Assistance Mission (EUBAM). After the agreement went into force in November of that year, an average of 1,500 people passed through the terminal daily. Regrettably, security concerns prompted by Hamas’s January 2006 election victory, and its violent seizure of Gaza the following year from Abbas’s Fatah faction, forced the monitors to abandon their post in June 2007.

An enhanced version of the same agreement could serve as a new basis for controlling the flow of illicit goods through Rafah. This time, however, the PA force should be augmented with qualified customs officials from not only the EU but also relatively moderate Arab states.¹⁷

Egypt is an indispensable player in any attempt to control smuggling. Cairo must be given international assistance in intercepting smuggled arms from the Red Sea to its east, Sudan to the south and Libya to its west. The first two frontiers are prime routes for Iranian weapons transfers, as underscored by Israel’s March 2014 interception of a weapons-laden Gaza-bound Iranian ship near Port Sudan.¹⁸ Libya, meanwhile, has become one of the world’s most active weapons-smuggling hubs since the 2012 ouster of its long-time dictator Muammar Gaddafi.

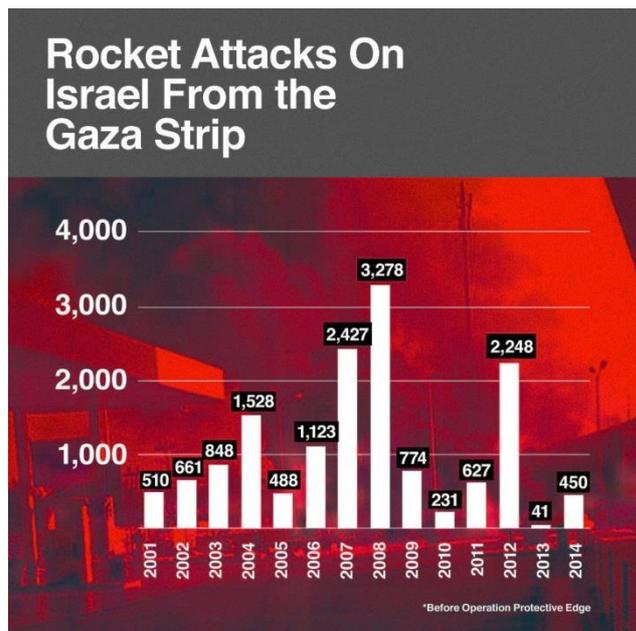
¹⁶ ‘Exits of Palestinians to Israel and the West Bank via Erez Crossing’, *Gisha - Legal Center for Freedom of Movement*, available at: gisha.org/reports-and-data/graphs.

¹⁷ Eisenstadt, M. & Satloff, R., ‘Toward an Enduring Ceasefire: Preventing the Rocket Rearmament of Gaza Terrorist Groups’, *The Washington Institute for Near East Policy*, 21 August 2014, available at: www.washingtoninstitute.org/policy-analysis/view/toward-an-enduring-ceasefire-preventing-the-rocket-rearmament-of-gaza-terror.

¹⁸ Kershner, I., ‘Israel Says It Seized Iranian Shipment of Rockets Headed for Gaza’, *The New York Times*, 5 March 2014, available at: www.nytimes.com/2014/03/06/world/middleeast/israel-says-it-seized-iranian-shipment-of-rockets-headed-for-gaza.html.

The international community also has a critical role to fill in preventing arms transfers. In June 2010, the UN Security Council adopted Resolution 1929, a binding Chapter 7 resolution which reaffirmed provisions in an earlier binding resolution (1737) requiring the interdiction of Iranian and other arms destined for Gaza. A separate agreement in 2006 between the US and Israel called for the same.^{19 20}

Similarly, the Security Council could pass a new binding resolution aimed at diminishing Gaza's rocket infrastructure, with sanctions against countries found to be in violation. The new measure would include the deployment of international disarmament inspectors to the territory to transfer rockets, mortars and other heavy weapons to a neutral site for destruction, reporting back to the Security Council every three to six months.



Source: IDF²¹



2.1 Disarmament for Development

One framework now gaining diplomatic currency is disarmament for development. In mid-July 2014, Israel's former defence minister and military chief of staff Shaul Mofaz presented Netanyahu with a demilitarisation plan involving international inspectors. The plan, Mofaz suggested, would take six months to negotiate and up to a year to implement, and would be tied to a rehabilitation program that would have Arab states and the international community provide the PA with \$50 billion for the reconstruction of Gaza.²²

In any reconstruction effort, international monitors would strictly supervise the entry of dual-use materials to Gaza. Any company or non-governmental organisation failing to adhere to restrictions on permitted goods would face temporary suspension from the programme, thereby providing an incentive for compliance. More broadly, reconstruction efforts would themselves be conditioned on militant

¹⁹ Dekel, U. & Brom, S., 'Reconstruction for Demilitarization': Lifting the Economic Siege and Tightening the Security Siege around the Gaza Strip', *The Institute for National Security Studies*, 28 July 2014, available at: www.inss.org.il/index.aspx?id=4538&articleid=7360.

²⁰ 'Signing Ceremony of the US-Israel Memorandum of Understanding with Israeli Foreign Minister Tzipi Livni', US Department of State, 16 January 2009, available at: 2001-2009.state.gov/secretary/rm/2009/01/115142.htm.

²¹ 'Rocket Attacks on Israel From Gaza', Israel Defense Forces, available at: www.idfblog.com/facts-figures/rocket-attacks-toward-israel/; see also: ' Hamas Fires Rockets from Everywhere in Gaza', Israel Defense Forces, available at: www.idfblog.com/blog/2014/08/04/hamas-fires-rockets-everywhere-gaza/.

²² Hoffman, G., 'Mofaz's Gaza 'demilitarization for dollars' plan gains traction', *The Jerusalem Post*, 21 July 2014, available at: www.jpost.com/Diplomacy-and-Politics/Mofazs-Gaza-demilitarization-for-dollars-plan-gains-traction-368319.

groups maintaining the ceasefire, and any infringement would be followed by a 30-day freeze on the distribution of goods.

If faced with the prospect of reconstruction for demilitarisation, Hamas would be placed in the uncomfortable position of having to explain to Gazans why it was thwarting their prosperity. In addition, if the Arab League were to add its support to a disarmament-for-development initiative, Hamas would find it exceedingly difficult to defy the Arab consensus. Finally, framing the issue as one of development for disarmament underscores the fact that Israel's conflict is not with Gazan or Palestinian civilians, but with Hamas terrorism.

2.2. Templates for Demilitarisation

Feasible templates for demilitarisation already exist. During the Second Intifada of the last decade, former US Senator George Mitchell and ex-CIA director George Tenet drafted specific plans for disarming the Palestinian territories. That outline envisaged a Palestinian state arising in phases, beginning with the demobilisation of armed groups carried out by the PA. Today, the Tenet-Mitchell plan remains integral to US Middle East policy.²³

Another, more recent, precedent is the international effort since September 2013 to rid Syria of its chemical weapons. In threatening to use force against the Syrian regime for noncompliance, the Obama administration persuaded it to do what had previously appeared unthinkable: relinquish much of what had been one of the world's largest chemical arsenals. Hamas could be faced with a similar inducement: cede its arms in favour of reopening the border crossings, an easing of the blockade by Israel and Egypt²⁴ and potentially the construction of an airport or seaport.

Recent history also includes negative precedents – namely warnings of what to avoid. Security Council Resolution 1701, for example, which ended the 2006 Second Lebanon War, did not include a mandate for the UN observer force in south Lebanon to disarm Hezbollah. Instead, the resolution merely called on that force to “monitor” the disarmament that the perpetually weak Lebanese Army was called to perform in the 1989 agreement that ended the Lebanese Civil War.²⁵

Moreover, Resolution 1701 contained no provision for interdicting arms transfers across the Syrian border from Hezbollah's sponsors in the governments of Syria and Iran.²⁶ The resolution not only lacked a framework for disarming Hezbollah, but also lacked any structure for preventing its further rearmament. UN monitors therefore suffered from a credibility deficit: with the force's only clear mandate defined as “observation”, none of the major players – Israel, Syria, Iran, Lebanon and Hezbollah itself – expected it to appreciably influence conditions on the ground. By contrast, a weapons-control framework for Gaza, whether under UN auspices or otherwise, would begin at the root – the border crossings through which armed groups obtain their weapons.

²³ Oren, M. B., 'A Gaza solution: demilitarization', *Los Angeles Times*, 21 July 2014, available at: www.latimes.com/opinion/op-ed/la-oe-oren-israel-gaza-disarmament-20140722-story.html.

²⁴ *Ibid.*

²⁵ 'Security Council calls for end to hostilities between Hizbollah, Israel, Unanimously Adopting Resolution 1701 (2006)', United Nations Security Council, 11 August 2006, available at: www.un.org/News/Press/docs/2006/sc8808.doc.htm.

²⁶ De Quetteville, H. & Hirst, M., 'UN will not stop Syria sending weapons to Lebanon', *The Telegraph*, 27 August 2006, www.telegraph.co.uk/news/1527391/UN-will-not-stop-Syria-sending-weapons-to-Lebanon.html.

3. Disarmament vs. Preventing Rearmament

Demilitarisation must be the long-term objective for the Gaza Strip. Some analysts, however, have argued that complete and comprehensive demilitarisation of Gaza requires the reoccupation of the territory.²⁷ Reoccupation, which Israeli Foreign Minister Avigdor Lieberman has endorsed, must not be ruled out. It is, however, an option that would cost both Israelis and Gazans dearly in blood and treasure. A top-secret Israeli briefing, leaked on 6 August 2014, indicated that ridding the territory of Gaza's terror infrastructure would take at least five years. Such an operation would cost billions of dollars and the lives of hundreds of soldiers, the briefing estimates, with kidnapping remaining an ever-present threat. For the Palestinians, it would result in thousands of deaths and billions of dollars in property damage.²⁸ A prospect as costly as reoccupation must therefore remain a last resort, to be contemplated once others have conclusively been deemed to have failed.

Instead, in the short and medium term, the international community's immediate goal must be to prevent the re-militarisation of Hamas and other armed groups in Gaza. In the initial stages, whether Hamas holds on to its assault rifles is of comparatively minor importance compared to whether it is allowed to reconstitute its tunnel and rocket infrastructure. This need to prevent such a build-up is the reason that no major lifting of the land or sea blockade may currently be considered.²⁹

Unlike Israel's border with Lebanon – where the government is too weak to counter weapons smuggling – the country's frontier with Egypt is shared with a partner both willing and able to prevent smuggling. In previous conflicts, Egypt was either less committed to thwarting smuggling (Operation Cast Lead in 2008-09) or under Islamist rule (Operation Pillar of Defense in 2012). Since the reinstatement of military-led rule in July 2013, however, Egypt has closed more than 1,000 smuggling tunnels to Gaza from its territory in Sinai.

Demilitarisation must remain the international community's long-term objective for the Gaza Strip – and for the West Bank – as outlined in every major diplomatic document of the past two decades. Preventing remilitarisation, however, is a critical initial step towards that objective.

²⁷ See, for example: 'Gaza Symposium: Is reconstruction for demilitarisation the way forward? Alan Johnson interviews Asher Susser', *Fathom*, 7 August 2014, available at www.fathomjournal.org/conversation/gaza-symposium-is-reconstruction-for-demilitarisation-the-way-forward-3/; see also: Oren, op. cit.

²⁸ Sharon, I., 'Cabinet told purging Gaza of terror would take 5 years, cost hundreds of soldiers' lives', *The Times of Israel*, 6 August 2014, available at: www.timesofisrael.com/purging-gaza-of-terror-would-take-5-years-cabinet-was-told/.

²⁹ 'Gaza Symposium: Is reconstruction for demilitarisation the way forward? Alan Johnson interviews Matthew Levitt', *Fathom*, 7 August 2014, available at: www.fathomjournal.org/conversation/gaza-symposium-is-reconstruction-for-demilitarisation-the-way-forward/.

Conclusion

Ultimately, demilitarising Gaza would achieve three major objectives. First, it would bolster the diplomatic recognition that the long-term stabilisation of the conflict between Israel and Hamas requires the Gaza Strip to be disarmed. Second, if and when Israel needs to wage an offensive against Hamas or other armed groups in Gaza, that recognition will add to Israel's legitimacy in pursuing its self-defence. Finally, it underscores the principle that any future Palestinian state must, by necessity, be demilitarised.³⁰

An international conference on the reconstruction of Gaza is scheduled for mid-October in Cairo. That conference, however, is not expected to raise the prospect of Gaza's demilitarisation.³¹ Later in the same month, Israel and Hamas will hold indirect talks in the Egyptian capital in an attempt to formulate a long-term ceasefire.³² Again, Hamas will resist any discussion of disarmament.

For the Palestinians, however, demilitarising Gaza need not be seen as a concession to Israel, but as fulfilment of a commitment to the international community that leads to their long-sought independence. Disarmament must therefore be framed to the Palestinian leadership and public alike as a step towards that goal, rather than away from it.

As noted, existing Israeli-Palestinian agreements cite strict guidelines over who may bear weapons in the Palestinian territories, as well as the type and quantity of those weapons. Hamas – which is not allowed to have any weapons at all outside of the PA framework – possesses tens of thousands of rockets, rifles, land mines and other weapons, as well as dozens of factories to manufacture them. Its massive weapons stockpiles are both contraventions of international law and the foremost obstacles to a regional settlement.

Israel's fight against radical Islam – whether against Hamas, Hezbollah or the theocracy in Iran – is an indefinite one, with no start or end date. While a permanent-status agreement may not be currently achievable, conflict management emphatically is. Concrete steps may be taken to provide Gazans with an incentive to discard empty promises of 'resistance' in favour of progress, prosperity and, conceivably – one day – peace.

³⁰ 'Gaza Symposium: Is reconstruction for demilitarisation the way forward? Alan Johnson interviews Matthew Levitt', *Fathom*, 7 August 2014, available at: www.fathomjournal.org/conversation/gaza-symposium-is-reconstruction-for-demilitarisation-the-way-forward/.

³¹ Casey, N. & Mitnick, J., 'Palestinian Authority Plans Donor Conference for Gaza Reconstruction', *The Wall Street Journal*, 10 September 2014, available at: online.wsj.com/articles/palestinian-authority-plans-donor-conference-for-gaza-reconstruction-1410374990.

³² Abu Toameh, K., 'Israel, Hamas to resume cease-fire talks in Egypt next month', *The Jerusalem Post*, 23 September 2014, available at: www.jpost.com/Arab-Israeli-Conflict/Israel-Hamas-to-resume-cess-fire-talks-in-Egypt-next-month-376233.

About the Author

Oren Kessler is a Middle East research fellow at the Henry Jackson Society. Oren lived in Israel from 2006 and 2013, where he was the *Jerusalem Post's* Arab affairs correspondent and a writer, editor and translator for *Haaretz* English Edition. His work has appeared in outlets including *The Wall Street Journal*, *Foreign Policy*, *The New Republic*, *US News & World Report*, *The National Interest*, *National Post*, *The Weekly Standard*, *Forbes*, *World Affairs*, *Middle East Quarterly*, *Israel Journal of Foreign Affairs* and *Journal of International Security Affairs*. Oren has testified to the UK and EU Parliaments on Middle East issues, and is a regular contributor to broadcast media.



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