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## How to Break the Siege of Gaza? (ARI)

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**Theme:** This ARI looks at the siege of Gaza from a historical and political perspective and suggests what the international community can do to end it and prevent a further escalation of the Israeli-Palestinian conflict.

**Summary:** This ARI argues that no commission of inquiry into the killing of civilians on the Mavi Marmara is necessary. What is necessary is to end the siege, rebuild the Gaza Strip and implement viable border controls enabling people and goods to enter and exit the beleaguered strip without leading to violent outbursts that will re-impose a siege. It describes how Israeli policy has deteriorated to a virtual economic stranglehold of the Gaza Strip, explains why the international community has accepted this policy and suggests how it might be reversed. Finally, it recommends reconnecting the Gaza Strip with the West Bank as part of a comprehensive effort to restore the Palestinian political system.

### **Analysis:**

#### *International Cooperation with the Siege of Gaza*

The Israeli Prime Minister Benjamin Netanyahu recently criticised the countries demanding an international commission of inquiry into the killing of civilians on the Mavi Marmara, calling their demands 'hypocritical'.<sup>1</sup> Actually, many people agree, although not for the same reasons. What is there to inquire? Which soldier shot which civilian? Whether the civilian passengers' resistance was deliberately designed to kill the soldiers or whether they were reasonably defending themselves? The problem did not arise once the commandos took over the ship, but with the Israeli government's decision to blockade Gaza. If the issue is the legality of that blockade, why is a commission of inquiry now being appointed? The issue is political rather than legal, and it must be discussed and resolved in the political arena, rather than through a commission of inquiry, international or otherwise.

The very concept of a commission of inquiry is designed to cover the fact that the international community has accepted and cooperated, whether actively or passively, with the Israeli siege of Gaza ever since the unilateral withdrawal of its troops in the summer of 2005. The cooperators include Egypt and the EU, which has stationed inspectors on the border between the Gaza Strip and Egypt, the donating countries which continue to subsidise the *de facto* Israeli occupation of Gaza, those who supply humanitarian aid through Israel, as well as the Arab countries and representatives from the entire world

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<sup>1</sup> *Haaretz*, 3/VI/2010 (in Hebrew).

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who convened after the Israeli bombing of Gaza (Operation Cast Lead), and decided to finance its rebuilding without conditioning the funding on Israel ending the siege.

The main facts about Israel's conduct are well known, the international cooperation with its government is no secret. It is therefore indeed hypocritical to focus on the violent incident on board the Mavi Marmara, regrettable as it is, as though either the Israeli commandos or the civilian passengers can be considered guilty in any deep sense of the word. The guilt lies first and foremost with the Israeli government, followed by all countries who accept the blockade as a legitimate consequence of Israel's 'right to self-defence'. More than anything, the flotilla proves that the battle is waged between members of international civil society and their governments. Members of this civil society are morally and humanely committed to ending this illegitimate siege and struggle to break it on their own, despite their governments' tacit cooperation with Israel. The flotilla represents the victory of civil society over governments, because it has uncovered the violence inherent to the blockade, and forced governments to stop cooperating with it. Netanyahu is right: no commission of inquiry is necessary. What is necessary is to find the quickest way to end the siege, rebuild the Gaza Strip and implement viable border controls enabling people and goods to enter and exit the beleaguered strip without leading to violent outbursts that will spell the return of the siege. Gaza needs to be rebuilt and reconnected to the West Bank, as part of a general effort to restore the Palestinian political system. In this ARI it will be shown how Israeli policy has deteriorated to a virtual economic stranglehold of the Gaza Strip, why the world has accepted this policy and how it might be reversed.

#### *The Political Purpose of the Siege*

The story begins with Israel's decision to unilaterally withdraw its troops from the Gaza Strip, made at the end of 2003, in order to create the false impression that it intended to end its occupation, and the international cooperation with this charade.<sup>2</sup>

In the run-up to the US invasion of Iraq, President George W. Bush formulated a political plan to create a Palestinian state in 2005, called the Roadmap. The plan was designed less to resolve the historic conflict between Israelis and Palestinians and more to counter criticism of the planned invasion of Iraq and Bush's support for the Israeli aggression which dismantled the Palestinian Authority in April 2002 (Operation Defensive Shield). The US presented this so-called 'peace plan' to legitimise its aggressive policies in the Middle East and to show that they can also be beneficial and lead to peace.<sup>3</sup> After completing the occupation of Iraq, it was Israel's turn to placate the Palestinians, and diplomatic pressure began to be applied on its government to fulfil its Roadmap commitments. Under these circumstances, the Prime Minister, Ariel Sharon, came up with a unilateral withdrawal (the 'Disengagement Plan') designed to block the road leading to the establishment of a Palestinian state.<sup>4</sup>

In the period leading up to the withdrawal from Gaza, Israel refused to reach an agreement with the Palestinian Authority and left the question of economic relations, as well as security and other issues, open. This foreshadowed future complications, but at

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<sup>2</sup> For a more detailed discussion of Israeli politics and the events leading to this decision, see Chapter 10 of my book *Politics and Violence in Israel/Palestine, Democracy vs. Military Rule* (Routledge, 2010).

<sup>3</sup> See L. Grinberg (2002), 'The BUSHARON Global War', *Foreign Policy In Focus*, Washington DC, 1/VII/2002.

<sup>4</sup> See Ari Shavit's interview with Dov Weisglass, Sharon's close adviser, who outlines the political rationale behind the withdrawal from Gaza, in *Haaretz*, 8/X/2004 (in Hebrew).

the time of the withdrawal most countries were happy about the very fact of withdrawal, without noticing the deliberate chaos Israeli troops had left behind them. Israeli –but also international– attention was focused on the resistance of several hundred Jewish settlers in the Gaza Strip to the demand that they evacuate their homes, rather than on the dire economic straits the future held for a million and a half Palestinians that nobody bothered to think about how they could survive without the free passage of people and goods by air, land and sea.

It needs to be emphasised here that, despite frequent assertions to the contrary, the government of Israel never prioritised security considerations during its unilateral withdrawal from Gaza and the siege enforced thereafter. Its considerations were above all political, and in some contexts also economic, but never security-based. The Chief of Staff and the Head of the ISS (Israel Security Service) opposed the unilateral withdrawal – precisely because it did not take security considerations seriously and could motivate terror– and were accordingly removed from office before the withdrawal.<sup>5</sup> If the motivation had been to increase security, a preliminary agreement would have had to be reached with the Palestinian Authority for it to control the new borders and prevent terrorist attacks against Israel. This would also have required the free entry of people and goods under an agreed-upon supervision regime to prevent weapons smuggling, rather than a siege which would force the besieged population to smuggle in goods through tunnels which would naturally also be used to smuggle arms. The IDF knows that it is not humanitarian flotillas that are used to smuggle weapons, but rather the estimated 700 functional tunnels which cannot be controlled.

At first, the closure of the Gaza border crossings served the economic interests of Israeli manufacturers and traders, who wished to continue enforcing the 1994 Paris Agreement, which imposes a ‘customs union’ on the Palestinians, requiring Israeli control of all goods crossing the border. The term ‘customs union’ is of course misleading, because it actually means unilateral Israeli enforcement preventing mutual benefits and profits for the Palestinian side, by forcing the Palestinians to buy expensive Israeli goods while preventing the free passage into Israel of cheaper Palestinian goods and labour. The Israeli demand to continue enforcing the Paris Agreements, signed as part of the Oslo Agreements, is motivated by two interrelated economic interests: (1) maintaining a ‘captive market’ forced to buy expensive Israeli goods while preventing the importation of cheap goods from through Egypt: and (2) preventing the smuggling of cheap products to Israel through the so-called ‘safe passage’ (through Israeli territory) from Gaza to the West Bank. Although some economic experts recommended revising the agreement and replacing the ‘customs union’ with a free-trade area, Israeli manufacturers and traders opposed this, backed by the Ministry of Commerce and Industry.<sup>6</sup> The internationally-brokered negotiations on the border crossings began several months *after* the withdrawal, and the Palestinians were compelled to accept the continued enforcement of the ‘customs union’, subject to guaranteed international supervision and a ‘safe passage’ between the Gaza Strip and West Bank.<sup>7</sup> The agreement was never implemented in full,<sup>8</sup> however,

<sup>5</sup> For the Chief of Staff’s statements, see *Yediot Ahronot*, 8/III/2004 (in Hebrew), <http://www.ynet.co.il/articles/1,7340,L-2885606,00.html>.

<sup>6</sup> See S. Shelah (2005), ‘The Dark Side of Disengagement’, *Maariv*, 1/VII/2005 (in Hebrew).

<sup>7</sup> ‘Agreement on Movement and Access’, 15/XI/2005, <http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/Agreed+documents+on+movement+and+access+from+and+to+Gaza+15-Nov-2005.htm>.

<sup>8</sup> See Wolfensohn’s final report, Office of the Special Envoy for Disengagement, *Periodic Report, April 2006*, <http://unispal.un.org/UNISPAL.NSF/0/7EFBDFBE32D4F6A8525716400566B24>.

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and Israel began using border closures to punish the Palestinian population for rocket attacks targeting Israeli towns.

The political rationale behind the unilateral nature of Israel's withdrawal became clear only after Hamas had won the elections to the Palestinian Legislative Council in January 2006. Ever since, Israel has been boycotting the elected government and using the closure to punish the people of Gaza not only for firing rockets, but also for electing Hamas. The Israeli government opposed every type of negotiation with the elected Hamas government, and began implementing a policy of economic envelopment, or stranglehold, not only by preventing the free passage of people and goods, but also by preventing the transfer of money to the Palestinian Authority. This policy required international cooperation, which Israel managed to secure from the US as well as from European donors. Even Egypt, which was supposed to control the border in cooperation with Israel, largely accepted its envelopment policy.

The siege of Gaza is one of the legacies of George W. Bush's aggressive Middle Eastern policies. However, it also reflects the fears of 'moderate' Arab regimes, which are terrified by the increasing politicisation of Islam. These are the crucial reasons for the direct and indirect international cooperation with Israel's siege policy. During the bombing of Beirut in the summer of 2006 and the bombing of Gaza in the winter of 2008-09 the Israeli media explained to the public that the whole world was on Israel's side, not only the US, but also Europe and Arab countries, and that nobody intended to force the IDF to stop the killing. Sad, but true.

The political purpose of the unilateral withdrawal from the Gaza Strip is to continue controlling it by other means and deepen the divide between the Palestinian inhabitants of Gaza and those of the West Bank, to avoid a political negotiation that might end the occupation.<sup>9</sup> Netanyahu's government can announce every day and every hour that it is in favour of a Palestinian state while taking practical steps to prevent this, so long as no political force exposes this deceit, and so long as most countries would rather talk about peace than make it a reality.

Israel withdrew unilaterally from the Gaza Strip and continued to control it from the outside so that it could be able to bomb it 'legitimately', because it does not control Gaza directly on the ground and therefore cannot be considered a military occupier, a sovereign power responsible for the welfare of the occupied population. Similarly, Hamas's rocket-firing is presented as an act of 'external' aggression against Israel, as if it were 'Canada bombing the US'. According to the same logic, the reaction to this rocket-firing is misrepresented as an act of 'self defence', de-contextualised from the violent realities of siege, starvation and isolation of an entire population. The unilateral withdrawal and the siege are acts of violence, leading to violent reactions and escalation. In Operation Cast Lead in the winter of 2008-09, the bombings reached an unprecedented peak, leaving more than 1,300 dead and some 80,000 homeless.

#### *Necessary Conditions for an Effective End to the Siege*

The international community tacitly cooperated with the Israeli blockade until the recent incident, in which Israel treated the civilians on the Mavi Marmara just as it treats the Palestinian population in the occupied territories. This meant that these civilians had to

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<sup>9</sup> See A. Hass, 'Not by Cement Alone', *Haaretz*, 9/VI/2010, <http://www.haaretz.com/print-edition/opinion/not-by-cement-alone-1.295036>.

bow to the authority of the Israeli government and the IDF, even when outside its sovereign territory. Should they resist and threaten the soldiers, these have the right to defend themselves by shooting to kill. This is routine in the Occupied Territories. The only way of freeing the Palestinians and Israelis from the vicious circle of violence, in which the Palestinians always lose but Israel continues to view and present itself as the eternal victim, is international intervention to prevent Israel from continuing to occupy the Palestinian people. This intervention means putting an end to international cooperation with the occupation as well as the façade of normal economic relations in which Israel profits by strangling the Palestinians.

Political and economic sanctions against Israel will not suffice, however, without clear sociopolitical and economic targets, designed to put an end to the siege and renew Gaza's contacts with the outside world to enable the Palestinians to start rebuilding their homes and economic infrastructure, as well as the political institutions of the Palestinian Authority and their entire economic system, systematically destroyed ever since April 2002.

The key political target is to require Israel to recognise every elected Palestinian government, including Hamas, and start negotiating with them, either directly or indirectly. The boycott on the Hamas government was the first step down the slope leading to the abyss in which we are today.

Secondly, the economic target is to renegotiate a new treaty allowing the Palestinians in Gaza to import goods by land, sea and air and determine a customs policy of their own, including setting up a mechanism for collecting customs duties. This issue, that could be called 'economic sovereignty', is crucial. It requires international oversight to ensure that no weapons find their way into Gaza, as well as an undertaking by Hamas to close the tunnels currently being used to smuggle goods and weapons. Under economic sovereignty allowing the Palestinian government to collect customs duties, overseen by an international entity, the Palestinians will have a clear economic interest in closing the tunnels. Only the Palestinians can do so, but they need real motivation for that, which is presently lacking, to say the least.

Third, the sociopolitical target is nothing less than the restoration and reunion of the Palestinian people. The 'safe passage' of people and goods between the Gaza Strip and the West Bank must be secured, as Israel has committed itself to doing in several agreements in the past. This passage is critical for re-establishing a unified, representative and legitimate political entity with which Israel can negotiate further political arrangements in the West Bank. The unity of the Palestinian people is a prerequisite for every long-term settlement, just as splitting it is designed to perpetuate the occupation. Note that such an arrangement will enable the Palestinians in the West Bank to profit from the economic sovereignty of the Gaza Strip, in that they would cease to be a captive market forced to buy expensive products from Israel.

Naturally, these are only the initial and necessary steps designed to create the conditions for a broader, interim non-belligerence agreement (or *hudna* in Islamic doctrine). Such an agreement must be accompanied by the stationing of international forces in the West Bank and the suspension of direct Israeli control over the Palestinians, even before they establish a sovereign state and define the nature of their future relations with Israel.<sup>10</sup>

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<sup>10</sup> For a discussion of preliminary suggestions for a future settlement, see L. Grinberg, 'The Israeli-Palestinian

Only then can Israelis and Palestinians begin to establish some normalisation that will enable political progress to be made towards the discussion of a permanent settlement. Under the present violent conditions, all international talk of a permanent settlement is perceived, both by the Palestinians and by the Israelis, as hypocritical. Clearly, the international community is largely indifferent to the distress of the Palestinian people or the urgent need to free it from Israeli occupation, and much more interested in pretending to care so as to appease its own civil societies.

Thus, it is indeed hypocritical to point the finger of blame at the Israeli government alone. For the nine Turkish civilians not to have died in vain, identifying the killers and punishing them will not do. Putting an end to the siege and starting to dismantle the Israeli military occupation will be their true vindication.

**Conclusion:** In order to end the siege of Gaza, the international community must reverse its active or passive cooperation with the Israeli policy of dividing and ruling the Palestinian people. A commission of inquiry is not necessary to end the siege. What is necessary is to recognise the elected Palestinian government, open the borders with international control and allow economic sovereignty for the Gaza Strip. Safe passage between the Gaza Strip and the West Bank must be allowed in order to rebuild Palestinian institutions and unity and facilitate future bilateral negotiations and compromises.

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