



**After the Gaza War – Has the Israeli-Palestinian conflict reached an impasse,
or are there new prospects for a political solution?**

**By. Dr. Ralf Hexel, FES Israel, and
Knut Dethlefsen, FES Palestinian Territories
February 4, 2009**

1. The Gaza war between Israel and Hamas came to an end after 22 days of hostilities with a fragile ceasefire. In order for this to become stable, the following demands by the two sides must be met: 1) putting an end to the firing of rockets at Israel and the smuggling of arms into the Gaza Strip; 2) opening the border crossings to Gaza and putting an end to the economic blockade.
2. The Israeli-Palestinian conflict cannot be resolved by military means. The war weakened those forces on both sides which are prepared to negotiate. Hamas remains the most significant power in the Gaza Strip. Without it, no future peace settlement has any chance of succeeding.
3. The war led to a shift to the right in Israeli society. The elections held on February 10 will probably result in the establishment of a right-wing government, which will make a political solution to the conflict even more difficult.
4. Without genuine prospects for the Palestinians – a state of their own and economic development – there will be no peace. This requires from Israel a fundamental change in policy – an end to the policy of settlements and occupation, as well as serious work on the two-state solution.
5. Israelis and Palestinians are not capable of reaching peace on their own. Their conflict is part of the Middle East conflict, and can only be resolved on a regional level. Regional players such as Egypt and Saudi Arabia have begun their own political initiatives.
6. The Obama administration will play a key role. It is faced by the challenge of persuading Israel to actually meet the commitments it has made vis-à-vis the Palestinians, and to work credibly on a political solution. Furthermore, dialogue must be initiated with Syria and Iran, in order to integrate these countries into a political solution. The EU must also play an active role here, and, together with Turkey, should place its existing contacts at the service of a constructive political dialogue.

On December 27, 2008, Israel launched a military offensive called “Cast Lead” against Hamas, which controls the Gaza Strip. According to Israel’s own explanations, Israel began this military operation in order to stop the firing of rockets and shells from the Gaza Strip, and to render this impossible in the future as well.

The fighting ended late on the evening of January 17, 2009, with a ceasefire declared unilaterally by Israel. Twelve hours later, Hamas announced its own ceasefire. During the hostilities, some 1,300 people on the Palestinian side were killed, far more than half of them civilians, including 430 children. More than 5,500 Palestinians were injured. Over 20,000 private and public buildings were destroyed. Umpteen thousand people became homeless. For the Palestinian civilian population, the consequences of this war are nothing short of a disaster. On the Israeli side, in the wake of the fighting and the rocketing of Israeli towns, 13 people died, three of them civilians. On January 9, 2009, the UN Security Council adopted a position on this war in Resolution 1860. The Gaza war was the Israeli army’s largest-scale operation since the 1967 Six Day War.

The ceasefire – which was declared separately by both sides and came about a result of international mediation – is still proving fragile. Extensive efforts have been made since then to develop this ceasefire into a viable political settlement which will serve the interests of both sides: Israel’s demand for an end to the firing of rockets and shells at its territory, as well as a future ban on smuggling weapons into the Gaza Strip; Hamas’ demand for the border crossings to be opened, and an end to the economic blockade.

The escalation of the crisis in the Gaza Strip

Since the unilateral withdrawal of the Israeli settlers and the Israeli Defense Forces from the Gaza Strip in September 2005, and especially since Hamas seized power there in June 2007, Israeli localities close to the border have time and time again come under fire from this area. According to Israeli statistics, in 2006 there were just 22 rocket and mortar shell strikes, but in 2007 this figure went up to 2,774, and to as high as 3,278 in 2008. Between 2001, the beginning of these attacks, and the outbreak of the Gaza war on December 27, 2008, 14 people were killed in Israel as a result, and 434 were injured. At the beginning of 2008, the strikes by Grad-type rockets (“grad” is “hail” in Russian) that were inflicted on the port city of Ashkelon,

with its population of a quarter of a million, imparted a new dimension to the threat. In total, these strikes resulted in many hundreds of thousands of people in Israel's South being under constant threat of being hit by rockets from the Gaza Strip. The residents of Sderot and other Israeli localities had just fifteen seconds to take cover from rockets.

For international observers, it is still hard to grasp why Israel took such massive action against the Gaza Strip. Israel began its military operation in Gaza in order to defend itself against the Hamas rocket attacks. However, it would be completely wrong to ascribe sole responsibility for this war to Hamas, and to ignore the related historical background. For example, Israel never implemented the Access and Movement Agreement (AMA, signed in 2005, designed to improve freedom of movement), and as a result of its blockade policy, Israel did not comply with the ceasefire conditions, thereby contributing to the conflict's escalation.

The crisis in the Gaza Strip deepened - markedly following Hamas' violent seizure of power in June 2007. The firing of rockets at Israel subsequently escalated so massively that the Israel government reacted with military operations and the complete sealing off of the border

crossings. Prior to this, there had been frequent interruptions in the flow of commodities and goods traffic, but not a complete closure of the border crossings. The new situation led to a considerable worsening in the provisions available to the population. Henceforth, only thirteen commodities defined as "humanitarian supplies" could be imported into the Gaza Strip. Exports were completely halted. Maritime access was completely blocked. Funds due to Gaza were not transferred. The World Bank estimates that since the beginning of the blockade, 98% of all businesses in Gaza have been paralyzed. The border crossings remained closed not only to goods, but also to 99% of all Palestinians from the Gaza Strip. The upshot was that the entire area, covering 360 square kilometers, was practically sealed off from the outside world. Poverty and hopelessness dominated people's everyday existences.

In June 2008, an opportunity to stem the ever worsening crisis arose with the ceasefire brokered by Egypt. This began on June 19 and was due to last for six months. The two key points of the agreement reached were halting the firing of rockets at Israel, and opening the border crossings to Gaza and hence putting an end to the economic blockade.

During the summer and the subsequent months, the number of rockets fired at Israel was not worth mentioning. The people in the south of Israel were able to heave a sigh of relief. For the first time in years, they were not threatened by rockets and mortar shells from the Gaza Strip. In this way, Hamas demonstrated its ability to ensure that the agreements reached could be put into practice in its own ranks, as well as in respect of other armed organizations. However, Israel continued to keep the border crossings closed, and the population became ever more impoverished. By this time, some 80% of Gaza's one and a half million inhabitants were dependent on international food supplies. Henceforth, the products and merchandise needed were increasingly smuggled into the Gaza Strip from Egypt through an ever-expanding system of tunnels underneath the border. Hamas also used these tunnels to bring both weapons and the parts and materials needed to build rockets into the Gaza Strip.

On November 4, Israel undertook military action in the Gaza Strip in order to destroy tunnels dug towards the Israeli border, through which intelligence indicated that Israeli soldiers were to be abducted. Hamas reacted to this operation, in the course of which seven Hamas fighters were killed, and a new round of violence

began. Arguing that Israel had not complied with its obligations – to open the border crossings to Gaza and put an end to the economic blockade, after the expiry of the ceasefire, on December 19 Hamas once again began to launch rockets and mortar shells at Israel on a massive scale. Eight days later, Israel began its military offensive.

The ceasefire that lasted from June to December was an opportunity for both sides to put an end to the firing of rockets at Israel and the smuggling of arms, and in return to achieve the opening of the borders and an end to the economic blockade of the Gaza Strip. During the ceasefire, Hamas managed to also keep other armed groups, such as the Islamic Jihad and the PFLP, under tight control. The few violations of the ceasefire were caused by Fatah fighters and the operators of the smuggling tunnels. However, since there were no international efforts worth mentioning to extend the ceasefire beyond December 19, apart from a Turkish initiative, the expiry of the ceasefire was tantamount to a return to the status quo ante.

After the war – Israeli-Palestinian dialogue in an impasse

Even before the Gaza war broke out, it was obvious that the Israeli-Palestinian

negotiation process renewed in Annapolis in November 2007, with the PLO as a negotiating partner, had failed. True, the two sides had stepped up their contacts and clearly achieved a very good understanding on the level of direct talks, Prime Minister Olmert with President Abbas and Foreign Minister Livni with former Prime Minister Qureia. However, when it came to the final-status issues – refugees, Jerusalem, settlements, borders – no political progress was made. The comprehensive agreement which had been striven for, to be achieved by the end of 2008, especially under pressure from the Bush administration, was not achieved. On the Israeli side, the cause for this was to be found in the lack of any political will and the Olmert government's insufficient assertiveness. The assurances given in Annapolis regarding implementation of the first stages of the roadmap – dismantling checkpoints, freezing settlement construction, dismantling illegal outposts – were not acted on. On the contrary, expansion of the settlements was even continued at a more intense pace. On the Palestinian side, the profound rift between Fatah and Hamas proved to be the main problem.

Since the war, the starting conditions for a political solution to the conflict have deteriorated further still. The peace

process is staring the ruins of Gaza in the face, and has clearly run into an impasse. A political solution achievable through negotiations appears to be more remote than in the past. At first sight, this assessment would appear to be correct, since the moderate forces who are prepared to talk on both sides have been weakened by the fighting. Hamas did not win this asymmetrical war. However, it did declare it had emerged triumphant, and had public victory celebrations held. Its leaders declared in the center of Gaza City that Israel had declared the unilateral ceasefire because its army had been trounced by Hamas fighters. For Hamas and its sympathizers among the Palestinians and in the Arab world, simply withstanding the 22 days of massive Israeli attacks is an expression of its unbroken strength, and hence of victory. Its infrastructure, arsenals, and workshops for producing rockets were largely destroyed, but after the end of the hostilities the organization resumed control over the Gaza Strip without delay. Immediately after the beginning of the ceasefire, its fighters and representatives were present in the public eye everywhere. There was no looting or criminal acts. During the fighting, Hamas enjoyed the broadest support, but since the end of the war there have been more and more critical voices among the Gaza population. Some of the populace

think that Hamas brought about a war which has destroyed the very basis of their livelihoods. And they note bitterly that this destruction is being sold as a victory.

As a result, it remains to be seen whether Hamas will actually benefit in the medium and long term from this war, and will continue to receive the political support of Gaza's inhabitants. The persecution, imprisonment, and even execution of Fatah supporters which took place during the hostilities on the pretext of collaboration with Israel show that Hamas will stop at nothing to defend its position. It remains the most important power in the Gaza Strip. As a result, no future peace settlement has any chance without Hamas. Neither Israel nor the international players will be able to ignore this fact in the future, if they strive for a viable solution.

For Israel, one of the goals of the war was to weaken Hamas. Although Israel's leaders realized that it is not possible to beat Hamas hands down, Foreign Minister Livni, for example, spoke about seeking to achieve a "change in the system." The underlying goal was to produce a tangible reduction in Hamas' influence, and as a result to strengthen President Abbas' more moderate Fatah and help it regain power. This goal was not achieved. And to date it would appear that in fact the opposite has

come about, since the Palestinian Authority (PA) and its president, Mahmud Abbas, have been markedly weakened by this war. For many Palestinians, the PA was on the other side of the conflict. As a result, many of those who are not particularly pro-Hamas have turned away from the PA, which continues to be viewed by Israel as the only possible partner for negotiations.

In a message to the soldiers of the Israel Defense Forces issued two days after the end of the fighting, Chief of General Staff Gabi Ashkenazi called the Israeli military operation a complete success. He said, "The goals which were set at the beginning of the operation were met in full." This meant not only putting an end to the firing of rockets, the extensive destruction of Hamas' infrastructure, and the possible achieving of a political arrangement to prevent the smuggling of weapons. This statement is also underpinned by the conviction that through the Gaza operation, the IDF had regained the deterrent power that it lost in the Lebanon War. In the wake of the Gaza war, the Israelis have regained their belief in their military's strength and strike power— a major boost for their collective psyche.

When the war began on December 27, 2008, Israel was in the middle of the campaign for the Knesset elections

scheduled for February 10, 2009. All of the political parties, with the exception of the Arab ones, as well as practically the country's entire Jewish population, supported the military operation. Although the election campaign was suspended, it played a clearly perceptible role during the war. Defense minister Ehud Barak and the Labour Party under his leadership benefited from the military operation which was perceived as successful, making electoral gains as a result. Foreign Minister Livni tried to use the war in order to correct her image as a politician lacking in experience in defense issues, and to make her mark as a strong leader. If the surveys are to be believed, her efforts were unsuccessful. And for outgoing Prime Minister Olmert, the important thing is to enhance his political heritage and show that he has drawn the correct lessons from the failures of the Lebanon War.

In contrast to the country's Jewish population, the majority of Israel's Arab population (1.4 million out of the total population of 7,300,000) were on the side of the Palestinians in Gaza. In the Arab population centers and at universities with a large number of Arab students, there took place a series of demonstrations held in sympathy and solidarity with the population of Gaza. The Israeli army was harshly criticized, and accused of murder

and genocide. The Arab parties' representatives in the Knesset also declared their support for the Palestinians' struggle. On the initiative of right-wing parties, on January 12 the Knesset elections committee resolved by a large majority to exclude the Arab parties from the upcoming elections. The Labour Party also went along with this populist decision, based on undemocratic electoral tactics. However, Israel's Supreme Court overruled the resolution ten days later, so that the Arab parties did take part in the elections.

According to surveys, some 50% of Israelis oppose the ceasefire. They do not believe that the threat from the Gaza Strip is over, and consider that the army should carry on fighting in order to destroy Hamas. These prevailing fears are exploited in particular by the right-wing parties. They demand that the country's political and military leadership not stop half way, but "put an end to things." The war has undoubtedly led to a strengthening of the right-wing camp in Israel. This development will have a tangible effect on the outcome of the elections. Anything other than a victory by Likud would be a surprise. And leading Likud candidate Benjamin Netanyahu is sure of obtaining broad support by declaring during the campaign that for him, the two-state solution is not on the political agenda.

Regional actors and Barack Obama – new perspectives for political solutions

Relations between Israelis and Palestinians, understood as the internal starting conditions for a solution of the conflict, have deteriorated in the wake of the Gaza war, and political room for maneuver in this field has shrunk. On the regional and international level, however, a new situation has developed, which could open up new perspectives and room for maneuver for a political solution to the conflict.

On the regional level, this new situation is characterized by the anti-Hamas attitude of a number of Arab regimes, such as Egypt and Saudi Arabia. By advocating political mechanisms, they are playing a constructive role.

On the international level, new perspectives are opening up, first and foremost as a result of the resolute approach adopted by Barack Obama as the new president of the United States. Immediately after taking office, he made it clear that achieving a comprehensive peace arrangement in the Middle East was a primary goal of his foreign policy. So far, the European Union has played a somewhat unconvincing role. To date it has acted without an approach of its own and without internal uniformity, but now under

the leadership of the German foreign minister, it has become more active, with the working out of the five-point plan. In the meanwhile, the EU has indicated that it would support a Fatah-Hamas government of national unity. Together with Turkey, the EU has good contacts with all parties to the conflict. Accordingly, the EU will then be able to play a decisive and constructive role in the formation of a Palestinian government of unity, to which there is no alternative.

In the negotiation process to achieve a truce in Gaza, Egypt made clear its major importance to the region. Egypt's recognition as a key broker in the Gaza conflict has strengthened the country's regional leadership role, and hence its political influence. Cairo is able to play this important role because in 1979 it signed a peace treaty with Israel. This peace and the many years of Egyptian diplomats' activities as brokers between Israel and the Palestinians have resulted in Israelis trusting President Mubarak. The relationship between the leaderships of these two countries, formerly arch enemies, shows what developments are possible, even in the Middle East.

However, without a single Palestinian government, whether it takes the form of a coalition or a consensus government, no

political solution can be achieved. In the activities of any broker, therefore, efforts to overcome the rift between the Palestinians must also play an important part, since this is a major obstacle to the negotiation process and any peace settlement. Egypt's own interest is to bring about stability among its neighbors. It wants to avoid unrest in the border area with Gaza, as well as Hamas members taking flight to Egypt.

Like Egypt, Saudi Arabia has blamed Hamas for the outbreak of the war, and since then has supported possible political solutions. One day after the end of the fighting in Gaza, the Saudi monarch, King Abdullah, reminded Israel that the Arab League peace initiative, adopted in 2002, which was rejected by Hamas, will not remain on the table for ever. The core of the Arab peace initiative involves the 22 Arab League member countries offering Israel peace and diplomatic recognition in return for withdrawal from the Palestinian Territories occupied since 1967. Other key points of the plan include setting up a Palestinian state with East Jerusalem as its capital, and a just solution to the Palestinian refugee problem. To date, Israel has rejected this initiative. The central argument has always been that the return of the refugees would destroy the Jewish nature of the Israeli state. In

adopting this stance, Israel has ignored the new, creative momentum of the initiative which, unlike all earlier documents, no longer demands the unconditional right of return, but a "just solution" to the refugee question – meaning that compensatory payments might also be possible. An end to the principled Israeli rejectionist approach began in October 2008, when defense minister Barak, together with State President Peres, voiced his support for considering the Arab peace initiative as a basis for negotiations for a peace arrangement. In the interim, Foreign Minister Livni has also come to support this position.

So far, Syria has adopted an ambivalent role. On the one hand, Syria's President Assad plays the hardliner vis-à-vis Israel, and demonstratively backs Hamas. At the same time, in an interview with the *Spiegel* news magazine, he offers the new American president his country's cooperation in bringing about a peace settlement. Furthermore, since the spring of 2008 there have been unofficial negotiations between Syria and Israel, brokered by Turkey. It is conceivable that in 2009 these talks will lead to direct contacts. The chances of a settlement between Syria and Israel are currently better than of a solution to the Israeli-Palestinian conflict. Here, decisive

importance attaches to heightened efforts being made to achieve progress in the Israeli-Palestinian peace process.

On the international level, the United States and the European Union are the most important players. During the Gaza conflict, because of the upcoming change of government in the USA, until Barack Obama took office the Americans primarily acted in the background. Nevertheless, the agreement concluded with Israel on January 16, 2009 governing future cooperation to prevent the smuggling of arms into the Gaza Strip played an important role in bringing about the ceasefire.

The European Union tried to use the available room for maneuver for its own initiatives. To date, it has failed to convince the parties. It acted without an effective approach and without unity in its ranks. France's President Sarkozy was extremely active, while Germany's Foreign Minister Steinmeier made several visits to the region. While the European efforts were perceived internationally as lacking in significance, for the Arabs, the one-sided comments by the Czech Council Presidency marked a low point in European-Arab relations. For the EU, the important thing now is to develop a coordinated approach of its own. In

addition to humanitarian aid and economic reconstruction, Europe should also be more visible politically. Here political support for the Palestinians in overcoming the rift between Fatah and Hamas is particularly important, as is establishing a national unity government. In the EU also, as its foreign policy chief Javier Solana has declared unequivocally, people have come to realize that without the involvement of Hamas, there will be no political solution. What is more, German foreign policy should strive in a European context to ensure that a solution of the Syrian-Israeli conflict is made an integral part of a comprehensive settlement of the Middle East conflict.

When Barack Obama took office, this brought to an end the USA's reticence over the Gaza conflict. In his first foreign policy speech, the new president announced that he intended to "actively and aggressively" seek a lasting peace between Israel and the Palestinians, as well as Israel and its Arab neighbors. He made it clear that the Middle East was right at the top of his foreign policy priorities. He said that the USA stood behind Israel's security needs, but emphasized that a "future without hope" for the Palestinians was intolerable. Obama appointed as his Middle East envoy the experienced politician, George Mitchell, who in the 1990s made a vital

contribution to solving the Northern Ireland conflict. In 2001, on behalf of President Clinton Mitchell produced an analysis of the Israeli-Palestinian conflict which was unequivocal in its demands of both sides: for the Palestinians to renounce violence, and for Israel to withdraw from the West Bank settlements. After officially dispatching his special envoy for Middle East peace to the region, Obama told reporters, "The cause of peace in the Middle East is important to the United States and our national interests. It's important to me personally." On the same day, in his first television interview as president, given to the Al-Arabiya TV station, he also praised the great efforts made by Saudi Arabia's King Abdullah to make the Arab League's peace initiative a framework for a future peace settlement in the region.

In the region, there is a certain amount of tense anticipation, not to say concern, including among some Israelis, as people wonder what the Obama administration's next "aggressive" steps will be. How quickly the Bush foreign policy is being replaced is reflected by the statement by the new ambassador to the UN, Susan Rice, who announced at her first meeting with the press in New York that there would be direct political contacts with Iran. The idea behind this approach is that without

Iran's involvement, no comprehensive political solution of the Middle East conflict will be possible. The country has come to play too important a role in the region for this to happen. It is already becoming clear that the new US administration wishes to pursue entirely new paths in dealing with the conflicts in the Middle East. The EU should use this opportunity and play an enhanced role in future peace negotiations.

In this connection, dealing with Israel will be of special significance. If Obama is interested in success in that part of the Middle East which includes Israel, then he must ensure that the two-state solution becomes political reality. This is the only way of avoiding a "future without hope" for the Palestinians. A future with hope means that the Palestinians will get their own sovereign and viable state, in other words a genuine alternative to the status quo. In order to achieve this, Obama will ultimately have to get Israel – even if it means bringing political pressure to bear – to give up its settlement and occupation policy and to withdraw from the West Bank. This means that when Israel gives its word, it will have to be made to keep it; if it enters into agreements with the Palestinians, then there must be consequences if Israel fails to comply with undertakings that it gives, as in the Annapolis process. It also means that the political players must come to grips

with the subject of an international peacekeeping mission, because this is the only arrangement that will be able to enforce Israel's legitimate demands for security vis-à-vis the Palestinians.

Obama can only attain these goals if he has partners in the region and on the two sides concerned – both Israeli and Palestinian – which also feel committed to this goal. Tsipi Livni, who basically scarcely has any chance of achieving an electoral victory on February 10, has announced that she is prepared to work jointly with the new American administration on the two-state solution. Benjamin Netanyahu, the likely new prime minister, is pursuing different goals. The model of an “economic peace” espoused by him during the election campaign makes no provision for political independence for the Palestinians, i.e. makes no reference to a Palestinian state.

Summary

The Gaza war has shown once more that the Israeli-Palestinian conflict cannot be solved militarily. The war weakened those forces on both sides which are prepared to negotiate. This applies in particular to the Palestinian side, where the Fatah, the PLO, and the PA have lost influence and authority. The Israeli blockade policy vis-à-vis Gaza has failed. It has promoted

tendencies towards radicalization among the Palestinians, and for the time being strengthened Hamas' influence, particularly in the West Bank. However, the Palestinian population wants its own sovereign, viable state, as well as prospects of economic and social development. As long as this is denied it, there will be radical groups which fall back on violent means. For Israel, this means a fundamental change in policy vis-à-vis the Palestinians, i.e. the end of its settlement and occupation policy, as well as working seriously and credibly on the two-state solution.

The Gaza war, the failed Annapolis process, and all previous agreements (e.g. the roadmap, AMA) have shown that on their own, Israelis and Palestinians are unable to reach a peace settlement. The Israeli-Palestinian conflict is part of the Middle East conflict, and hence can only be solved on a regional level. In order to reach this goal, the international community's dynamic support is indispensable. Regional players such as Egypt, Saudi Arabia, Turkey, and even Syria have shown that they are interested in such a process. They have already begun their own political initiatives along these lines. The new American administration and the EU are now faced by the challenge of supporting these developments and jointly elaborating a negotiated solution that offers the

Palestinians a credible perspective. Barack Obama will undoubtedly not manage to perform miracles, not in this part of the world, and certainly not overnight. However, the measures that he has undertaken on the international level since assuming office do show that he is serious

about his announcement that he intends to set about making fundamental changes.

Contact: Annette Lohmann, tel. +49-30-26-935-7423, email: Annette.Lohmann@fes.de
Friedrich-Ebert-Stiftung, Internationale Entwicklungszusammenarbeit, Referat Naher/Mittlerer Osten & Nordafrika, Hiroshimastr. 17, 10785 Berlin, Federal Republic of Germany
For the downloadable background report, as well as information about the work of the FES in the region, go to <http://www.fes.de/nahost> .