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AN UNCERTAIN ROAD: TESTING THE DURABILITY OF AN ISRAELI-PALESTINIAN BORDERS AND SECURITY AGREEMENT

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INTRODUCTION

On March 16, 2011, the Saban Center for Middle East Policy at the Brookings Institution held a crisis simulation (or “war game”) to test the resilience of a hypothetical agreement between Israelis and Palestinians on the issues of borders and security. Although the exercise does not invalidate the concept of such an agreement, it illustrated a number of potential problems.

CONTEXT AND PURPOSE OF THE SIMULATION

Since the collapse of the latest round of Israeli-Palestinian peace talks in the fall of 2010, numerous commentators, and even officials in the U.S., Israeli, and Palestinian governments, have suggested that Israel and the Palestinians instead pursue an agreement limited only to border and security considerations as a way to overcome the many problems inherent in both final status talks and further interim agreements. Indeed, in his May 2011 speeches, President Obama himself suggested that Israelis and Palestinians concentrate first on security and borders issues, although he did not go so far as to advocate a pure borders and security agreement.

This idea is predicated on the notion that Israeli and Palestinian negotiators have made far more progress on the questions of the borders of a Palestinian state and the security conditions that would govern the behavior of Israel and a future Palestinian state than they have on the questions of the Holy Sites in Jerusalem and refugees. Moreover, many on both sides believe that because so much progress—and tangible progress—has been made

on security and borders, it would not require a great deal of additional effort to “finish” these negotiations and put in place a preliminary arrangement that formalized Palestinian self-rule within mutually-agreed upon borders under security conditions that Israel could accept. The idea is to try to hammer out an agreement on borders and security, either to serve as a temporary, two-state solution until such time as refugees and Jerusalem can be addressed, or in the hope that doing so will make it possible to address refugees and Jerusalem afterwards.

In January 2011, two months before the crisis simulation, the Saban Center held a Track II workshop with a group of Israelis, Palestinians, and Americans, many of whom had participated officially in various rounds of Israeli-Palestinian peacemaking, to explore the possibility of an agreement on borders and security as a partial, preliminary step toward a final status agreement. Although the workshop identified numerous potential problems with this concept, it also outlined some broad parameters of what such an agreement might look like, as well as how the United States might help the parties move down that path if they were willing to do so.

The Saban Center then took the conclusions of that workshop, particularly the sense of what a borders and security agreement that could be mutually acceptable to Israel, the Palestinians, and the United States could look like, to devise a hypothetical scenario for a crisis simulation. The goal of this simulation was to identify key problems and stress points of such an agreement, particularly in the security realm. The intent was to help the U.S. government, and Israelis and Palestinians, un-

derstand the requirements of such an approach, both to help them decide whether to pursue it, and if so, to help give it the best chance of succeeding. In particular, the interest was in finding potential remedies that might be built into the agreement from the start.

One of the most obvious liabilities of a stand-alone borders and security agreement lies in the security realm. Israelis would need to feel certain that their security needs were being met, both to sign the agreement and to abide by it over time, at least until a final status agreement that also addressed Jerusalem and refugees were signed. Meanwhile, Palestinians would have to feel that the requirements it placed on them were bearable again until the remaining issues could be addressed. (A second key liability lies in the difficulty that Palestinian and Israeli leaders would have in signing an agreement that made far-reaching concessions on security and borders without addressing either the Holy Sites in Jerusalem or the status of Palestinian refugees. However, this liability was “defined away” by the parameters of the simulation which proceeded from the assumption that, somehow, the two sides had been able to overcome this high hurdle, allowing the simulation to focus instead on the problems likely to arise from the agreement itself.)

MECHANICS OF THE SIMULATION

The simulation was a three-move, multi-team game, conducted over the course of one day at the Brookings Institution. The participants consisted of sixteen highly-experienced individuals with intimate involvement in the peace process from the American, Israeli, and Palestinian sides. The participants represented a wide range of viewpoints, with individuals holding left-wing and right-wing positions, though all could be said to strongly support a two-state solution. The participants were broken up into three teams of five to six people representing the American Principals’ Committee of the National Security Council, the Israeli security cabinet, and the core security personnel of the Palestinian cabinet. In the case of all three teams, the chief executive (the American president, the Israeli prime minister, and the Palestinian president) were not represented in the game to enable the Control team to moderate any extreme decisions—of which there were none. A Control team of eight people, mostly from the Saban Center, organized and ran the simulation. The Saban Center was fortunate to have an expert in Israeli national security and an expert in Palestinian politics participate as part of the Control team to assist in conceiving the scenario and building the simulation. These two also sat with the Israeli and Palestinian teams, respectively, to monitor their deliberations.

The simulation was conducted under a version of the Chatham House Rule, meaning that participants—and observers—were allowed to discuss the simulation, what happened, and even what was specifically said, but without divulging the identities of the participants and without ascribing any specific statement or perspective to any specific individual.

THE SCENARIO

The war game sought to test four key variables that would be critical to the success of a borders and security agreement:

1. The extent to which Israel would feel willing to trust the Palestinians and/or the Americans to handle issues it deems critical to its security in the face of clear threats and actual terrorist attacks.
2. The extent to which Palestinian political strife could create problems between Israel and the Palestinians or among Israel, the Palestinians, and the United States.
3. The willingness of the Palestinians to tolerate infringements on their sovereignty to ensure that Israeli security requirements are met.
4. The willingness and ability of the United States to mediate disputes between Israel and the Palestinians while simultaneously addressing the security and sovereignty issues related to both.

To that end, the simulation began by focusing principally on the most obvious and straightforward Israeli security concerns—terrorism from the West Bank—to ascertain the extent of the stresses this would introduce into the Israeli-Palestinian-American relationship. The simulation then presented other problems in move 2, particularly the specter of Iranian support for Palestinian terrorist groups, as well as the internal stresses within the Palestinian community, particularly those between Hamas and Fatah. By the end of move 2, the Control team felt that it had a good sense of the likely extent of the obvious problems created by terrorist attacks and so shifted gears, diminishing the terrorist problem and instead ratcheting up the strains within Palestinian politics, while also introducing the issue of U.S. casualty sensitivity and thus the American political commitment to such an agreement.

Of interest, in move 2 and move 3 the Control team presented the possibility of a Fatah-Hamas reconciliation roughly similar to what actually occurred in May

2011, recognizing that it would introduce stresses into the Israeli-Palestinian relationship exactly as the real world agreement has.

SUMMARY OF THE SIMULATION

The first move was set just over two weeks into the full-implementation of the notional borders and security agreement. This meant that all Israeli settlers and military forces had been withdrawn behind the new Israeli-Palestinian border, with the exception of two Israel Defense Forces (IDF) battalions seconded to the Interim Palestine Security Force (IPSF). (A breakdown of the IPSF, its mission, and authorities are spelled out in the appendix to this report.) The prime “forcing function” for move 1 was that Israeli intelligence agencies had issued reports that Hamas had infiltrated a terrorist team in the West Bank, which had established a safe house in Jenin. The key issue for that turn was what would be done about the safe house, with the Israeli team pushing for the United States to take it down immediately; the Palestinian team wanting to do it themselves; and the U.S. team wanting to (1) make sure it was a legitimate target, (2) satisfy Israeli security needs and prevent any humiliation of the Palestinian Authority (PA) at a time when the United States was skeptical of PA security capabilities, and (3) bolster the PA’s status with its people rather than undermining it. The compromise outcome was for U.S. and PA security forces to place the house under joint surveillance with authority pre-delegated to the (American) IPSF commander to take down the site immediately if the surveillance confirmed the Israeli intelligence reporting.

The move ended with Israel being hit by a large-scale, multiple-suicide bomber attack against a small town near Haifa that killed over forty people. This attack, coupled with IPSF intelligence reports gathered from surveillance on the safe house, prompted the U.S. team to order troops to raid the safe house—which was found to have no evidence of use by Hamas terrorists. Israeli intelligence contended that by the time the raid took place, the terrorists had vacated the site (in part to mount the Haifa attack), and blamed the IPSF for acting too slowly. The Palestinian team argued that the Israeli intelligence had been faulty all along and the terror attack was unconnected to the purported safe house.

The second move focused on the infiltration of an Iranian- and Hizballah-backed team of Palestinians into the West Bank who were building up a rocket-cache near

Jericho. Again, the simulation made clear that the information came overwhelmingly from Israeli sources. An important complication in this move was a Hamas offer of reconciliation with the PA, which both the Palestinian and Israeli teams saw as very dangerous: the Israeli team because it feared the PA, politically weakened by the compromise of its sovereignty, would have to accept it, and the Palestinian team because it saw the proposal as a bid by Hamas to further delegitimize Fatah by forcing it to publicly decline an offer of unity from Hamas. Ultimately, the Palestinian team insisted on having Palestinian forces take down the Jericho cache (which, unlike the “Jenin safe house” proved to be exactly what the Israeli intelligence reporting had claimed), with only American observers present, to try to burnish the PA’s credibility with the Palestinian people.

As part of the second move, the Israeli team opted to retaliate for the Hamas terrorist attack conducted after the first move by mounting a limited bombing campaign of Hamas targets in Gaza. While the strike went off as planned and there was effectively no collateral damage, it sparked protests against the PA for collaborating with Israel. This caused unrest in a variety of West Bank cities, particularly around Hebron.

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The final move began with the assassination of the Fatah mayor of Hebron—which had become a hot-bed of Palestinian unrest in prior moves—and the discovery of a plot by Hamas to stage Tahrir Square-like demonstrations, but to ensure that they turned violent to discredit both the PA and the U.S.-led peacekeeping force. This situation was complicated by a deadly improvised explosive device (IED) attack on American forces outside of Hebron by Iranian-backed Palestinian terrorists, and a public announcement by Hamas that it would accept the terms of an Egyptian proposal for compromise and unity between Hamas and Fatah. Ultimately, all three teams agreed to allow the PA to handle the expected riots in Hebron, all with different degrees of apprehension.

IMPLICATIONS

Although the reactions of participants to the war game varied, overall, the sense was one of frustration. The simulation produced some hopeful ideas, but most of the participants and simulation designers saw it as illustrating more problems than opportunities in an Israeli-Palestinian borders and security agreement. Neverthe-

less, even this point should be taken with a grain of salt: The simulation examined only one possible scenario and one possible structure for such an agreement. Alternative structures run through different scenarios might have produced more optimistic conclusions. As always, it is important to see crisis simulations and war games as illustrating potential problems and opportunities, rather than definitely rendering judgment regarding the feasibility of any course of action.

Changing the Dynamic. The “fact” of an agreement between Israelis and Palestinians materially changed the dynamic both within and between them.

The simulation was comprised of people with widely divergent viewpoints so that on each team the left, right, and center were all represented. Nevertheless, on both the Israeli and Palestinian teams—but perhaps especially so for the Israeli team—there was a sense that in the real world, the fate of the principals would be entirely bound with the success or failure of the agreement. If the agreement was seen as succeeding, they would all be hailed as heroes; but if it failed, they would all be condemned as fools or knaves. Consequently, the members of the teams came to reasonable compromises on their courses of action relatively quickly. In a similar vein, members of both the Palestinian and Israeli teams saw it as critical for themselves that the other side see them as cooperative partners acting in good faith. As a result, the Israeli team was remarkably patient with the Palestinian team, allowing it to handle threats to Israeli security effectively on its own, and even showing real restraint after the Palestinians had not acted quickly enough for Israel, and Israel then suffered a terrorist attack (although the two sides disagreed over whether this was a product of the Palestinian/U.S. sluggishness). This was an extremely hopeful implication as it suggests that Israelis and Palestinians could work together to meet the other’s needs, at least to some extent, in a way that would be critical to make any peace agreement work.

Squaring the Triangle. The simulation suggested a highly problematic dilemma created by conflicting Israeli, Palestinian, and American requirements.

Israel will inevitably require a guarantee of security to go ahead with any agreement that results in its withdrawal to what will ultimately be the final borders of a Palestinian state. This will certainly be the case for any hypothetical borders and security agreement. In the short

term, this need would seem to be best served by an American presence within a third-party force to assist or temporarily supersede Palestinian security forces in the West Bank, and by maximizing American control and freedom of action, so that the United States—and not the PA—would ultimately be responsible for the portion of Israeli security that the IDF would effectively surrender as part of the agreement. For Israel, trusting the Americans is much easier than trusting the Palestinians, at least in the short term. However, since any American force will have to withdraw at some point, Israel has a long-term requirement to build a Palestinian state willing and able to partner with the IDF to ensure Israel’s security. This creates a tension between Israel’s desire to rely on the Americans in the short term and its longer-term need to rely on the Palestinians.

The relative success of recent American efforts to build Palestinian security forces willing and able to partner fully with Israel illustrates a key area of possible friction between short-term and long-term Israeli interests. The introduction of large numbers of American and other foreign military forces to the West Bank with authority superseding that of the Palestinians could actually undermine the Palestinian security establishment, by depriving it of both its operational role and its legitimacy in the eyes of the Palestinian people. Although in theory, this course of action should not have such an effect, the simulation illustrated that, in practice, it could. Israel will be more comfortable turning security in the West Bank over to an American-led multinational force than to the PA. However, doing so would badly set back the development of Palestinian security capabilities and undermine the sense of responsibility within the PA for addressing Israeli security concerns. In the long term, it could make the PA a much less trustworthy security partner than it currently is, and Israel much less willing to trust the PA with its security, an inevitable necessity.

For its part, the Palestinian team’s dilemma involved the relationship between sovereignty and legitimacy. In order to get a state and sovereignty over the territory defined by the borders and security agreement, the PA had to be willing to accept infringements on its sovereignty which undermined its legitimacy among its own people. Moreover, equally inevitable Israeli demands for the PA (and the U.S.-led multinational force) to take greater action against terrorist targets in the West Bank involved further compromises of PA sovereignty and

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legitimacy. Again, such compromises were necessary elements of the agreement, but they also exacerbated the threat to the PA's internal political situation. Thus, the more effort the PA put in to make the agreement work, the more it undermined its own control of the West Bank. Moreover, while the Palestinian team was particularly focused on the need for public legitimacy and set that as a goal in its first meeting, the need to maintain international credibility and to prevent Israeli intervention meant that the team tended to set aside public opinion in the short term. This was, of course, before the "Arab Spring" so the dynamics may be different if this idea is ever put into practice in the future.

On a related matter, the lack of unity in the simulation among Palestinians was a major, further complication for the Palestinian team. In that sense, the game seemed to aver the veracity of both Palestinian and Israeli statements that Palestinian unity is necessary prior to an agreement for it to have any chance of success. If Hamas is not part of the agreement, it can play the role of spoiler, since it has no stake in making the agreement work. Likewise, disunity inevitably seems to exacerbate the PA's legitimacy problems and, to a certain extent, institutionalizes its weakness. This, in turn, severely limited the Palestinian team's ability to act effectively in the game (and, arguably, the same holds true for Palestinians in reality), creating a self-fulfilling/self-perpetuating prophecy. Thus, the new Hamas-Fatah reconciliation might ultimately be helpful to the peace process if—but only if—it results in a Palestinian leadership that is united, legitimate, and willing to make peace with Israel on terms Israelis can accept. As of this writing, it is not yet clear that the Palestinians have achieved that goal, and obviously if the reconciliation instead produces a Palestinian leadership that is united, legitimate, but unwilling to make peace with Israel on terms Israelis can accept, that would be potentially disastrous for the peace process.

Finally, for the Americans, the scenario created a three-headed dilemma among the short-term requirements of making the agreement work, the long-term needs to leave behind a situation in which the two parties (Israel and the Palestinians) could secure the agreement without American (and other foreign) assistance, and what would likely be required to convince the American people and Congress to take on the role of leader of an international force. The U.S. team was eager to make Israel feel that the agreement was working by acting aggressively to deal with Israeli security concerns, but recognized that doing

so undermined Palestinian willingness and capacity to do so on their own, as well as Israeli faith in the Palestinians. This conundrum was greatly exacerbated by the U.S. team's perception that the American public and Congress would only countenance military involvement in circumstances where U.S. forces had all of the rights and capabilities to accomplish their missions at minimal costs.

Dogs That Didn't Bark. The simulation suggested that at least two issues that may seem to be potential problems may actually prove not to be: Iran and American casualties.

The simulation repeatedly raised the matter of Iranian support to radical Palestinian groups, but the Israeli team did not heighten its reaction to these developments simply because of Iran's involvement. Indeed, the Israeli team did not see the Iranian involvement as

necessarily making these developments more dangerous than they otherwise were. This may suggest that Iranian malfeasance may not distort the security relationship between Israel and a future Palestinian state by provoking disproportionate Israeli reactions. Alternatively, it may simply be an artificiality of the game: Despite their radically differing views, the Israeli team was extremely perspicacious and saw past

the emotional valence to the pure strategic issues in every case. It may be that in the real world, the Israeli government will react more emotionally, and its leaders may not be as far-sighted as those who participated in the simulation.

Likewise, the simulation raised the prospect of significant American casualties stemming from the participation of U.S. ground forces in the securing of a possible future Israeli-Palestinian agreement. Indeed, the simulation did so with an improvised explosive device attack on an American convoy that killed a number of American troops—which the Control team thought might hold particular resonance because of the many American military personnel lost to similar types of attacks in Iraq and Afghanistan. The U.S. team saw these casualties as something to be expected, an inherent cost of the American participation, which the U.S. government would have already been ready to pay once it agreed to provide ground forces as part of an international force to secure Israeli-Palestinian peace. Moreover, the U.S. team was convinced that, inured by the experiences in Iraq and Afghanistan, the American public would also be willing to pay such a price, as long as it was not too

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high and that they were confident that the U.S. military was doing everything possible to minimize losses by applying the lessons of Iraq and Afghanistan.

PATHS FOR FURTHER EXPLORATION

Many of the participants in the group saw the American dilemmas described above as potentially the most easily solved, and that doing so might make it much easier to reconcile the Israeli and Palestinian problems. Some speculated that if the U.S. could be convinced to accept a much reduced role (for U.S. forces and the entire international force), the Palestinians would be able to continue to take primary responsibility for their own and Israeli security. It would be ideal from the perspective of building a long-term partner for peace, if Israel could be persuaded to accept this too. The course of the simula-

tion suggested that arrangements that put U.S. and other foreign forces in more of an “overwatch” role with the PA—ready to step in if necessary, but largely allowing the PA security forces to take the lead—might suit both Israeli and Palestinian needs. The key would be assuring the American people that this would not jeopardize either the security or mission of the American forces (a la Somalia), and working out rules governing how and when those U.S. (and other foreign) forces would intervene. In addition, Israel would have to be willing to accept a more limited role for American and other third-party military forces and a greater dependence on the Palestinians for their security in the near term, as well as the longer term.

APPENDIX: THE ISRAELI-PALESTINIAN AGREEMENT ON BORDERS AND SECURITY

The following are the details of the borders and security agreement used for the Saban Center's simulation.

Borders:

The borders for the hypothetical “borders and security” agreement employed in the Saban Center crisis simulation were derived from the work of David Makovsky of the Washington Institute for Near East Policy. We employed the second option in “Imagining the Border: Options for Resolving the Israeli-Palestinian Territorial Issue.” (David Makovsky with Sheli Chabon and Jennifer Logan, the Washington Institute for Near East Policy, January 2011, available online at <http://www.washingtoninstitute.org/pubPDFs/StrategicReport06.pdf>.)

In the scenario employed in the Saban Center simulation, Hamas still controls Gaza and has not been party to the agreement. Consequently, the borders of Gaza are still notional. The hypothetical agreement was assumed to have provisions for the borders of Gaza to come into effect at some later date, and for the multinational force (the Interim Palestine Security Force, or IPSF) to deploy troops to Gaza in the event that its accession occurs during the three-year mandate for the force.

Security Conditions:

- The Palestinian state is “demilitarized.”
 - It is allowed only small arms, no heavy weapons.
 - It is composed of a police force and the National Security Force brigades trained by General Keith Dayton’s mission.
- Israel has complete control of airspace and the electro-magnetic spectrum (joint air control system) over Israel/Palestine.
- There are arrangements for hot pursuit in the event of both rocket attack and terrorist attack.
 - *These need to be further defined.*
- There is a Third Party Force in the West Bank (Interim Palestine Security Force, IPSF) as follows:
 - An American general and command staff;
 - One U.S. combat brigade (four battalions) in the West Bank with its battalions in Jerusalem and along the Jordan river;
 - A French battalion deployed in Jerusalem;
 - A British combat brigade (three battalions) deployed in near Tulkarm and Qalqilyah;
 - Two Moroccan battalions—one near Janin, one in the southern West Bank;
 - An Australian battalion in Janin;
 - A Bangladeshi battalion in Nablus;
 - A UAE battalion in Ramallah;
 - An Italian battalion in Hebron;
 - All of the Palestinian National Security Force battalions will be part of the IPSF;
 - Two Israeli battalions deployed along the Jordan river in the West Bank.
 - The Israeli formations are partnered with two American battalions and two Palestinian NSF battalions in a manner similar to that employed in the Cooperative Security Measures in Iraq (in which Kurdish Peshmerga, Iraqi Army and US forces operate in joint formations).
 - The U.S.-IDF-PA units are deployed along the border to prevent smuggling and monitor the crossing points.

- The IPSF is authorized by a UN resolution for three years.
 - The UN resolution was enacted under Article VII of the UN Charter and authorized the IPSF to employ “all necessary means” to enforce the terms of the agreement and fulfill its mission, which was defined as “protecting the people of both Israel and Palestine.” It also authorized the use of “all necessary means” for IPSF personnel to defend themselves. (The “all necessary means” language is the term the UN uses to authorize the use of lethal force.)
 - The UN resolution also stated that the Palestinian Authority would be sovereign within the borders established by the new Agreement (specifically excluding the Holy Basin in Jerusalem). Consequently, it stated that the IPSF should act in concert with the Palestinian Authority, as well as the government of Israel, to exercise “all care” to avoid violations of Palestinian sovereignty and—in a key provision—to “minimize” activities taken without the expressed consent of the Palestinian Authority.
 - Despite this, the mission is a “green-helmeted” operation.
 - The UN-IPSF headquarters is in Ramallah.
- The United States has provided security guarantees to Israel and Palestine.
- There is an augmented/enhanced U.S.-Israeli defense relationship.
 - *This needs to be further defined.*
- The U.S. has committed to provide additional assistance to a multi-layered missile-rocket defense system for Israel.
- The United States has committed to inaugurate talks on a new regional security architecture (to include Israel, Palestine, Egypt, Jordan, Syria, Lebanon, Saudi Arabia). NATO will observe.
 - The U.S. will also inaugurate a parallel security process with Iraq, Turkey, the GCC, Jordan, Britain, and France to deal with the Gulf.
- The Arab states (led by Egypt and Saudi Arabia) have pledged to announce their recognition of Israel at the time that the new agreement comes into effect.
- Israel, Palestine, Jordan have agreed to use the command and control architecture of the new U.S.-led peacekeeping force to develop a long-term cooperative security architecture.
- The withdrawal of the IDF will be phased over eighteen months.
- Israel will complete the security fence along the new borders—with Palestinian blessing and American financial assistance.

