

Improving an Overlooked Aspect of the Gaza Ceasefire Proposal

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Brief Analysis

As laid out in President Biden’s speech, the initial terms of the proposed deal include a disturbing imbalance in who guarantees that Hamas and Israel fulfill their commitments under the agreement—a problem that should be fixed now rather than later.

President Biden dramatically shook up Israeli and broader regional politics on May 31 by endorsing a hopeful but highly contentious three-phase proposal for a Gaza ceasefire and hostages-for-prisoners deal. Both the terms of the proposal and the political storm they unleashed raise numerous questions.

From a U.S. policy perspective, one paragraph in the president’s [White House speech \(https://www.whitehouse.gov/briefing-room/speeches-remarks/2024/05/31/remarks-by-president-biden-on-the-middle-east-2/\)](https://www.whitehouse.gov/briefing-room/speeches-remarks/2024/05/31/remarks-by-president-biden-on-the-middle-east-2/) has not garnered much attention but deserves closer scrutiny: “If Hamas fails to fulfill its commitments under the deal, Israel can resume military operations. But Egypt and Qatar have assured me and they are continuing to work to ensure that Hamas doesn’t do that. And the United States will help ensure that Israel lives up to their obligations as well. That’s what this deal says...And we’ll do our part.”

This wording is problematic on multiple levels:

- Egypt and Qatar have shown themselves to be woefully incapable of influencing Hamas over the past eight months, so the idea that there is any value in their “assurances” regarding the group’s future behavior is risible. By contrast, any U.S. administration necessarily has considerable leverage on Israel’s actions given Jerusalem’s reliance on U.S. rearmament and diplomatic backing to sustain its military operations.
- Two key principles outlined in this paragraph—that the United States guarantees Israel’s adherence, and that Israel gets to resume military operations in the event Hamas fails to fulfill its commitments—practically ensure bilateral tension down the road, when Washington and Jerusalem will almost inevitably disagree in their judgment of what

constitutes an actionable Hamas violation. Indeed, the group will likely ready itself to engineer such a clash at a moment of heightened instability on another Israeli front (e.g., with Hezbollah or Iran).

- This imbalance—in which the United States guarantees Israeli adherence while other states ineffectually guarantee a terrorist group’s adherence—sets a worrisome precedent that problematic actors will be eager to cut-and-paste into future deals.

The paragraph also merits more attention because it describes the only operative U.S. role in the deal’s intermediate phases. President Biden made other references to a U.S. role—namely, facilitating a diplomatic resolution of the Hezbollah-Israel standoff and supporting Gaza’s postwar reconstruction—but they are not central to implementing the various phases of the ceasefire agreement.

If the president accurately described the proposal’s terms, and if the parties seem likely to accept the deal in the near term, then Washington and Jerusalem should work out the details of implementing its competing principles now, well before any potential crisis can arise over interpretation of the above paragraph. This means more than just reassuring Israel that the United States will not object to resumed military operations if Hamas violates the ceasefire. To balance Washington’s very real leverage over Israel and the absence of any third-party leverage over Hamas, it is important to strengthen Jerusalem’s hand and raise the stakes of noncompliance for Hamas.

Substantively, this could include two specific sets of U.S. commitments:

1. to increase direct support to Israel if it is forced to resume military operations, such as providing specialized intelligence that Washington may have been reluctant to share previously and enhancing cooperation in countering the various international legal challenges Israel is facing
2. to punish Hamas through measures such as securing the arrest and extradition of Hamas leaders who reside in Qatar and elsewhere, as well as providing assistance for counter-tunnel efforts along the Egypt-Gaza border

While some of these understandings would remain confidential, others should be publicized to make sure Hamas understands what is at stake. Tacit U.S. support for Israel’s current operation in Rafah, even in the wake of the recent tragic incident that left scores of Palestinian civilians dead, shows that it is possible for the two partners to find common ground on the most controversial military operations.

Bolstering the ceasefire proposal by rebalancing uneven guarantees and strengthening deterrence against Hamas will not resolve ideological differences over the fundamental wisdom of implementing such an agreement. But it will achieve something important: a better deal.

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