

Using Gaza's Border Crossings to Cement a Ceasefire

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ABOUT THE AUTHORS



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Brief Analysis

The international community should focus on systematically rolling back Hamas political and security control while opening Gaza to the outside world -- beginning with a reestablished PA foothold at the Rafah crossing.

With the month-long conflict in the Gaza Strip perhaps nearing its denouement, the first and most important detail to be negotiated in any ceasefire agreement will be the fate of the border crossings connecting the territory with Israel and Egypt. Any lifting of the blockade surrounding Gaza must be contingent on the end of effective Hamas rule over the territory. The crossings therefore hold the key to securing the international community's longer-term objectives: (1) facilitating the Palestinian Authority's return to Gaza, particularly the redeployment of the PA security forces (PASF); (2) undertaking a massive reconstruction and development program while ensuring that materials for this program are not siphoned off by Hamas and other militant groups; and (3) beginning a demilitarization process, which in practical terms would initially mean preventing Hamas from rearming.

OVERVIEW OF THE CROSSINGS

Currently, there are five border crossings between Gaza and Israel, and one between Gaza and Egypt. According to the Israel-based NGO Gisha, all but two of these crossings were effectively closed even prior to the latest conflict:

- *Nahal Oz*: Closed in 2010, this crossing facilitated the entry of gas, benzene, and industrial diesel fuel into Gaza via underground pipes.
- *Karni*: Formerly the main transit point (via truck) for goods between Israel and Gaza, this crossing was partially closed in 2007 save for the movement of grain and animal feed via conveyer belt. The conveyer belt was shut down in 2011.
- *Sufa*: Closed in 2008, it was formerly a key transit point for construction materials.
- *Kerem Shalom*: The sole operational transit point into Gaza for goods and humanitarian aid (via truck). It has less capacity than Karni did at its peak.

- *Erez*: The sole crossing point for individual travel between Gaza and Israel. It is still operational, though Palestinians require entry permits into Israel that are usually issued for humanitarian, medical, or business purposes only. Erez also provides access to Gaza for foreign aid workers, journalists, and Palestinians from Israel and the West Bank.
- *Rafah*: The sole crossing not directly controlled by Israel, Rafah connects Gaza with Egypt. Cairo's policy toward the crossing has fluctuated widely in recent years, with the military-backed government effectively closing it as of last summer. Rafah is used primarily for the movement of people but could serve as an export point for Gazan goods as well. In the past, the Egyptian government has also permitted small-scale deliveries of goods and humanitarian aid there.

ACCESS, MOVEMENT, AND SECURITY

Two months after its September 2005 disengagement from Gaza, Israel joined the PA in signing the Agreement on Access and Movement (AMA). The document's main provisions dealt with the Gaza crossings: the PA was to assume control over Rafah while the crossings with Israel would be upgraded to allow for continuous operation and increased exports.

The PA security forces took control of Rafah in late November 2005, marking the first and only time the PA was given authority over an international border crossing. A European-sponsored training and inspection team, the EU Border Assistance Mission in Rafah (EUBAM), was created to provide a third-party supervision mechanism and build border management capacity among Palestinian forces. In addition to EU border and customs officers stationed at Rafah, an added supervisory role was also undertaken remotely via a liaison office in Kerem Shalom, where EUBAM, Israeli, and Palestinian representatives monitored Rafah through a realtime video and data feed.

According to a UN report issued one year after the AMA signing, the agreement started promisingly enough, especially with respect to the two major crossings at Rafah and Karni. Between November 2005 and June 2006, Rafah was open every day save one, for over nine hours a day, with an average of 650 people crossing daily -- nearly double the rate for the six months prior to the AMA. At Karni, December 2005 proved to be the high-water mark, with the crossing open for all scheduled hours and the number of trucks moving exports doubling to sixty-six per day.

Yet security concerns would prove to be the undoing of the AMA and the overall border crossings framework. At Karni alone, for example, the Israel Defense Forces (IDF) reported at least nine security incidents in late 2005. The UN documented further incidents in 2006: the PA discovered a tunnel underneath Karni in January of that year, an explosion occurred near the crossing in February, and Palestinian militants attacked the terminal in April. The most serious incident took place on June 25, 2006, when militants launched an attack via a tunnel near Kerem Shalom, kidnapping IDF corporal Gilad Shalit.

Israel responded by curtailing operations at many of the crossings, including Rafah, where Israeli authorities effectively wielded a veto by denying access to EUBAM monitors (the monitors were based in Israel and typically entered Gaza via Kerem Shalom). The crossings regime received a fatal blow one year later, when Hamas launched a violent coup against the PA in June 2007. EUBAM immediately suspended all operations at Rafah, never to return, while Israel established an economic blockade against the new Hamas regime in Gaza that has lasted to the present day.

Even after the Hamas takeover, most of Gaza's border crossings with Israel were still operating, albeit on a limited basis. Yet militants continued to target them, including an April 2008 attack at Nahal Oz that killed two Israeli workers, a May 2008 truck bomb at Erez, an April 2009 car bomb at Kerem Shalom that injured 11 IDF soldiers, a June 2009 assault involving mortars and explosive-laden horses at Karni, and a January 2010 mortar attack on Kerem Shalom. In response to these problems and the diminished need for multiple crossings, Israel shuttered all save Erez and Kerem Shalom. Authorities believed the latter crossing was easier to defend than others given its

location entirely on the Israeli side of the border.

RAFAH FIRST

With ceasefire talks ongoing in Cairo, the exact contours of a more hopeful arrangement for Gaza are still unknown. The international community and Israel are aware of the need to reopen Gaza to the outside world -- for humanitarian, economic, and social reasons above all else. But from Israel and Egypt's perspective, lifting the blockade would have to be contingent on ending effective Hamas rule over the territory. In that scenario, the parties would be most likely to accept an arrangement in which the PA returns to Gaza, effectively reasserting political and security control while gradually rolling back the 2007 coup.

According to Palestinian officials and media reports, such a scenario was discussed after the Hamas-Fatah reconciliation agreement was signed in April, with talk of the PASF redeploying to the Rafah crossing. And even after the violence and instability of the past two months, neither Hamas nor Fatah leaders have publicly disavowed the reconciliation, so a PASF return would have a high degree of internal Palestinian legitimacy. Moreover, the Egyptian government has stated that any reopening of Rafah would be contingent on the PASF resuming authority there.

The Palestinian press has spoken of 3,000 elite PA Presidential Guard troops deploying from the West Bank to Gaza, though this figure is assuredly inflated -- not least because there are only an estimated 2,650 Presidential Guards in total. The more likely scenario is that a small detachment of Presidential Guards would take direct control of the Rafah terminal as they have in the past, with a larger contingent of National Security Forces, the more generic PASF paramilitary arm, providing wider border and installation security.

The shortfall in PASF personnel available from the West Bank will have to be met over time by vetting and retraining a portion of the estimated 34,000 Fatah-affiliated security personnel still living in Gaza. These personnel hail from the various branches of the PASF (civil police, coastal police, National Security Forces, etc.) and are among the numerous Fatah public-sector employees who continued receiving salaries from the PA after the Hamas coup. With assistance from the U.S.-led Security Coordinator mission in Jerusalem, the PASF -- particularly Military Intelligence personnel -- have become adept at vetting applicants for ties to militant groups. Eventually, such a process would have to be undertaken for the estimated 40,000 Hamas-affiliated public-sector workers in Gaza, approximately half of whom are believed to be security forces.

Finally, it should be noted that Rafah has a history of internal Palestinian security incidents that have forced its closure, including Hamas-Fatah clashes (e.g., over the former's attempts to move cash into Gaza) and intra-Fatah disputes. A significant PASF presence is therefore essential to ameliorate Egyptian security concerns and ensure smooth functioning.

THE INTERNATIONAL ROLE

Many of the potential advantages of taking a "Rafah first" approach hinge on the international community's postwar role. The U.S.-led Security Coordinator mission will be crucial, as will other existing international mechanisms for Gaza. Despite suspending operations at Rafah seven years ago, EUBAM's mandate has been extended yearly, with a skeleton crew working from headquarters just north of Tel Aviv. Resuming the EUBAM mission in full would be necessary for the same reasons it was originally created -- training Palestinian border/customs officers and building confidence between Israelis and Palestinians.

An expanded monitoring and security program would also be needed for construction materials and other dual-use goods flowing into Gaza. Almost all of the construction projects taking place in Gaza over the past year were UN-sponsored jobs approved and verified by the IDF. The UN implemented a rigorous monitoring program on materials imported for these projects, including international inspectors, trusted local guards, and closed-circuit cameras.

According to IDF and UN officials, the program was successful in ensuring chain of custody and end use, so that Hamas and other militant groups could not siphon off materials for their own purposes (Hamas is believed to have built its extensive tunnel network using cement smuggled from Egypt or, to a lesser degree, from Qatari housing construction in Gaza -- not from UN projects carried out after the inspection system was in place). If international plans for the reconstruction of Gaza are to move forward on the scale now being discussed, then an expansive monitoring and security program is essential.

OUTSIDE IN

The international community's objectives for Gaza should center on systematically rolling back Hamas political and security control while opening the territory to the outside world so that humanitarian relief and reconstruction are possible. The only mechanism for meeting both objectives is the PA's return to Gaza as the sole legitimate authority -- beginning with a foothold at the Rafah crossing. Focusing on Rafah and the border crossings with Israel would also increase the flow of goods and construction materials into Gaza while stymieing Hamas attempts to reconstitute its military arsenal and tunnel networks. If the Cairo talks are to produce -- as Secretary of State John Kerry and UN secretary-general Ban Ki-moon put it -- "a durable ceasefire," then addressing the crossings is imperative. The one positive that may yet come from a month of war is if it signals the beginning of the end of Hamas's disastrous reign over Gaza, starting from the outside and working in.

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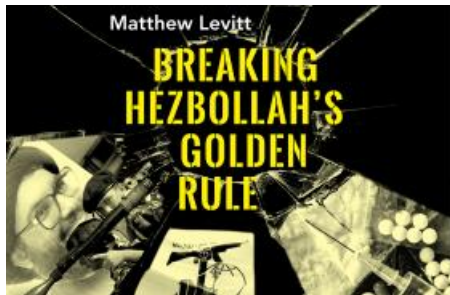
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