

# A New Reality on the Egypt-Gaza Border (Part II): Analysis of the New Israel-Egypt Agreement

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## ABOUT THE AUTHORS



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Brief Analysis

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## A look at the details of the September 1, 2005 agreement between Egypt and Israel regarding border security near Rafah.

[Read \(templateC05.php?CID=2374\) Part I of this two-part series. \(/node/8187\)](#)

**T**he September 1 Egypt-Israel agreement regarding the deployment of new Egyptian forces along the Egyptian border with Gaza (the Agreed Arrangements) represents a shared Israeli-Egyptian interest in preventing the militarization and radicalization of Gaza following Israeli disengagement. For the first time, Israel is relinquishing its control over part of the external perimeter of the Palestinian areas, handing responsibility to a third party. Success or failure will bear important consequences for both Israeli-Egyptian and Israeli-Palestinian relations.

Israeli considerations. When Israel decided to leave Gaza, the Israeli defense establishment argued against departure from the Philadelphia Corridor, the narrow stretch of land along Gaza's Egyptian border where Israel fought the smuggling of weapons into Gaza. The concern was over the militarization of Gaza; without Israeli soldiers guarding the border, it was feared that more and new weapons systems, including anti-aircraft missiles and improved rockets, could escalate the danger to Israel. No other party, it was argued, can effectively substitute for Israel's motivation and capability in curbing smuggling.

Ultimately, other considerations prevailed. It was clear that with continued Israeli presence, the Philadelphia Corridor would perpetuate a major source of Israeli-Palestinian friction, destabilizing the postdisengagement situation and endangering the isolated Israeli forces left behind. But perhaps the weightiest consideration was the desire to be able to claim that Israel no longer bears responsibility for Gaza, which required a complete withdrawal of forces. Egypt appeared the best available substitute, since it bears formal responsibility and possesses the best tools to stem the flow of arms from its soil.

Egyptian considerations. Egypt moved to assume a more active role in the Israeli-Palestinian scene out of concern

lest the void created by Israeli disengagement and the weakness of new Palestinian leadership be filled by destabilizing Islamist forces. Such a development could rebound on Egypt itself, which has its own share of Islamist challenges. Cairo also wanted to prove its indispensability to Israeli-Palestinian conflict management so as to fend off U.S. pressures to democratize. These considerations prompted Egypt to sponsor the Israeli-Palestinian summit at Sharm al-Shaykh and the Palestinian Authority (PA)- Hamas ceasefire in spring 2005, and to begin training Palestinian security forces.

Demilitarization of Sinai. In the course of negotiations, Egyptian negotiators tried to frame the agreement as a first phase to the eventual deployment of several thousand Egyptian troops along the entire Israel-Egypt border south of the Gaza-Egypt border. That demand raised Israeli concerns -- and added fuel to a heated public debate over the agreement -- lest the Egyptians were to undo the demilitarization of Sinai as established by the 1979 Israel-Egypt Peace Treaty. These concerns were met by defining the agreement as subject to the peace treaty and giving it the appearance of a procedural agreement between militaries. The Agreed Arrangements detail permitted Egyptian forces and equipment, keeping them light in nature; specify prohibitions on anything that may serve military purposes; and involve the existing Multinational Force and Observers in Sinai (MFO) as monitors of implementation. The agreement also grants Israel a veto over any further Egyptian deployment along the joint border. It should be noted that Cairo has always been careful not to fundamentally breach the military annex of the peace treaty.

## Open Issues

**C**an the Egyptians be relied upon to do the job? Israeli naysayers point out that under the peace treaty, Egypt was obligated to fight smuggling, but its performance has been far from satisfactory. The establishment of al-Qaeda-affiliated terror cells in the northern Sinai further exacerbates these concerns, since Sinai-based terrorists may try to penetrate Gaza. Coupled with the assumption that the PA cannot be relied upon to possess both the will and the capability to stop the smuggling of contraband into Gaza, opponents claim that turning the border over to Egyptian guards creates a dangerous situation.

Proponents retort that Cairo will now have increased motivation to halt smuggling. Israel is no longer there to do the dirty work along the border, so Egypt will no longer have a free ride on border-security. The terrorist cells in Sinai may further enhance the Egyptian motivation to better seal the border and the Agreed Arrangements allow Egypt to deploy a force better qualified to do so. Close Egyptian-Palestinian relations could also play a positive role in improving the coordination on both sides of their newly shared border. While the agreement does not refer to the Palestinian Authority, it is a party to combating smuggling in its area of responsibility.

Crossings. The precedent created by Israel relinquishing its control over part of the PA's external perimeter, opened the wider question of who should control the PA's remaining external perimeter -- including airspace as well as land and maritime frontiers. In the Agreed Arrangements, Egypt gave de facto recognition to Israeli control of the sea off the Gaza coast. At odds are the PA's political desire to control its own borders, free from any Israeli presence, and Israel's security concern to avert a breach that would be used to build the terror infrastructure and fuel its use against Israel. Topping the list of concerns is the Rafah crossing in the middle of the Philadelphia Corridor. When Israel left the corridor, the crossing was closed for a scheduled six-month reconstruction, and the traffic of people and goods across the border was redirected to Israeli-controlled passages south of Philadelphia, including a new one under construction at Kerem Shalom, where Gaza, Israel, and Egypt meet.

Israel has indicated that it is willing to contemplate the future use of the reconstructed Rafah crossing for the movement of people in both directions, with international monitoring on the ground and remote photographic monitoring by Israel. Working out a detailed agreement on the inspection of people and goods will prove challenging to the parties concerned. Israel will insist on installing a security regime that can be relied upon not only to monitor terrorists and weapons but also to enforce denials of entry, make arrests, and confiscate prohibited goods. If

finalized and implemented, it will be the first time Israel will have allowed a third party to shoulder the security responsibility at a border crossing. An agreed solution for Rafah may help open the way to alternative security regimes at other crossings, including land passages, the Palestinian international airport in Gaza, and a future Palestinian seaport.

What if Egypt fails to live up to its commitments under the agreement? After the Israeli departure on September 12, chaos erupted along the Egypt-Gaza border. Vast quantities of arms were smuggled into Gaza; on September 21 it is still not clear that the border has been effectively resealed, although both Egypt and the PA appear committed to sealing it. From the legal, political, and military points of view, it will be highly problematic for Israel to unilaterally abrogate the agreement with Egypt and return its forces to the Philadelphia Corridor. It is more likely that a porous border will result in a toughened Israeli stance regarding the opening and control of the other border crossings under discussion and making it harder for people and goods to enter Israel from Gaza. Here, the security concerns will be compounded by economic ones -- the collapse of the Israel-PA unified customs regime long applied along the PA's borders will require the establishment of a new independent Israeli customs regime along the Israel-Gaza border.

## Conclusion

The onus now mostly falls on Egypt and the PA. Failure to shape a stable and secure reality along the Egypt-Gaza border would negatively affect the "cold peace" of Egyptian-Israeli relations. Moreover, against the backdrop of the PA's lax attitude toward disarming Hamas and other armed Palestinian groups, such a failure would render it much harder to reconcile Israeli security needs and Palestinian political goals. It would become practically impossible to implement one of the few goals agreed upon at the failed 2000 Camp David summit -- the demilitarization of the future Palestinian state. The stakes are high for all parties concerned.

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