

From Tenet to Powell:

Assessing a Policy in Flux

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Jun 25, 2001

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Brief Analysis

With Secretary of State Colin Powell's trip to the Middle East this week, following on Israeli prime minister Ariel Sharon's visit to Washington, U.S. diplomacy in the Arab-Israeli arena will reach its most intensive level since the advent of the Bush administration. The rationale for this heightened diplomacy is, in the words of President Bush's spokesman, "to help secure efforts to preserve the ceasefire and to build upon it, to build to a greater peace in the Middle East, and try to get all the parties to continue to do their part to secure the Mitchell committee recommendations." Given that there is little ceasefire to "preserve," it is unclear whether -- on a larger scale -- the Bush administration has fully internalized the profound impact that the post-Camp David intifada has had on the prospects for "building a greater peace."

From Mitchell to Tenet

On June 13, Director of Central Intelligence George Tenet won Israeli and Palestinian approval to a "security implementation work plan," which details Israeli and Palestinian responsibilities to implement a "mutual, comprehensive ceasefire" and outlines the parameters of renewed security cooperation between the two under U.S. auspices. That "work plan" is designed to fulfill the first of the Mitchell Report's four-part sequence of steps: ceasefire, cooling-off period, confidence-building measures (CBMs), and resumption of negotiations. Its twenty-seven paragraphs (for text, see Haaretz, June 14, 2001) flesh out the least specific section of the Mitchell Report's recommendations (all Mitchell recommends in this arena is that Israel and the Palestinian Authority [PA] should reaffirm their commitment to existing agreements and undertakings, immediately implement an unconditional cessation of violence, and immediately resume security cooperation).

In negotiating this accord, Tenet seems to have tried to balance the two sides' competing demands—i.e., for Israel, that a ceasefire be unlinked to any political or diplomatic issue; for Palestinians, that the ceasefire be organically connected to the rest of the Mitchell sequence. Each side seems to have received some symbolic recognition of its political needs. For Palestinians keen to ensure that this "security document" not impinge on Palestinian political rights or claims, the Tenet plan specifically notes that only "Palestinian security officials" (not all PA officials or PA media) are prohibited from engaging in incitement (for its part, Israel is required to "take action" against all "Israeli

citizens" engaging in incitement).

Conversely, for Israelis keen to ensure that the ceasefire apply to the widest possible area, not just to the limited area—Zone A—under total Palestinian security control, the Tenet plan specifically notes that the PA will "apprehend, question, and incarcerate terrorists in the West Bank and Gaza," implying that PA responsibility stretches throughout the territories. On some issues, Tenet's proposal provides extremely detailed solutions, e.g., that the United States would provide hi-tech video-conferencing equipment to facilitate real-time dialogue between security chiefs. Elsewhere, the Tenet plan seems almost deliberately vague, e.g., that the PA is required to arrest terrorists but there is no agreed definition of terrorism; the two parties agreed to "make a concerted effort to locate and confiscate illegal weapons" but there is no agreed definition of illegal weapons. (This lacuna is especially striking since the Mitchell report specifically cites "the provisions of the Wye River agreement prohibiting illegal weapons," but no such reference is included in Haaretz's rendition of the Tenet plan.)

Perhaps most important of all, the Tenet plan says very little about the evolving U.S. role and nothing about either how U.S. officials will verify commitments or what the implications may be of various forms of violations or nonimplementation. The lack of any clear U.S. "stick" to ensure compliance is especially significant since the Tenet plan specifically obligates Israel not to conduct "attacks of any kind" against the sort of targets most likely to be on a retaliatory raid hit list, e.g., Palestinian security, intelligence, and police headquarters.

Interestingly, although the Tenet plan aimed to secure a functioning ceasefire (the first of Mitchell's four-part sequence), it also included several items from the list of "confidence-building measures" (the third of Mitchell's four-part sequence). Of the fourteen CBMs advocated by Mitchell, five are already in the Tenet plan. Four of these obligate Israel; indeed, in the Tenet plan, Israel agreed to steps which go beyond what even Mitchell proposed (Mitchell, for example, suggested that "the IDF should consider withdrawal to positions held before September 28, 2000; in Tenet, Israel committed itself to "forge an agreed-upon schedule to implement the complete redeployment of IDF forces to positions held before September 28, 2000"). The only Mitchell CBM also found in the Tenet plan that obligates Palestinians is the requirement for "immediate steps to apprehend and incarcerate terrorists operating within the PA's jurisdiction."

The Tenet Plan—The Record

Since June 13, when the ceasefire went into effect, the frequency of violent acts has dropped, but not by much, and the level of lethality remains high. In that period, 6 Israelis have been killed, 11 wounded; 7 Palestinians have been killed, 27 wounded. In relative terms, the ceasefire has been one-sided: the statistics indicate that Israelis have been killed at a rate 80 percent higher than the monthly average for the intifada, while Palestinians have been killed at a rate 37 percent lower than the average monthly rate for the intifada. Arafat's Fatah organization publicly took responsibility for two Israeli deaths. Meanwhile, Palestinians have continued to fire mortars, both within the Gaza Strip and across the Green Line into pre-1967 Israel. Israel has at times retaliated with live fire, which was the cause of five Palestinian deaths, although no major retaliatory raids have been launched. Also, there have been no public reports of terrorists being arrested by PA security forces. Haaretz's Ze'ev Schiff reported on Friday that the perpetrators of the disco bombing admitted guilt to PA officials, but were then released. There have been public claims by PA officials of confiscating mortars, but these have not been independently confirmed. The joint security committee apparently functions on a regular basis, and Israel has submitted to the committee a complete plan for the eventual redeployment of its forces. In specified areas-where there has been no violence-the IDF has begun to reposition some forces and ease its closure.

In sum, it is difficult to argue that the ceasefire has substantially changed the situation on the ground. Although it was the Tel Aviv disco attack that gave impetus to the ceasefire, the main battlegrounds before June 13 were the roads on the periphery of Jerusalem, and nothing since then has changed that reality. It is in this context that Israeli

officials have publicly reconsidered the wisdom of the ceasefire and have begun to warn that Israel's patience is wearing thin.

From Tenet to Powell

If Israel intended its warnings to scare Arafat into cracking down on terrorism "or else," the unintended consequence seems to have been to scare the Bush administration into believing that the ceasefire may crumble, and with it other U.S. regional interests. In this environment, some apparently believe that too close an embrace of Israel may be counterproductive, even if that embrace is key to securing Israel's continued restraint in the face of Palestinian provocation. The decision to forgo the Israel-Egypt-Jordan supplemental request should be viewed in this light. At the same time, despite the fact that President Bush will host Sharon for the second time tomorrow, the administration also seems to be inching toward a policy that places a higher value than ever before on providing the Palestinians with a political incentive to fulfill their ceasefire responsibilities. Hence, Secretary Powell's trip to the region this week.

Viewed strictly within the Mitchell parameters, it would seem premature for a secretarial trip to the region. After all, given the level of ongoing violence, the clock has not even begun ticking down the cooling off period (Mitchell's second step). Since that clock will most likely be set at six weeks, considerable time remains before the parties begin to implement the balance of Mitchell's CBMs. Their mission now is to fully implement a highly technical ceasefire agreement, but it seems unlikely that Powell will commit his prestige and energies to merely cheerleading for Tenet's quasi-diplomatic achievement. Although Powell would score a success, of sorts, if he wins the parties' approval to begin the cooling-off countdown, there is no sign that Israel is willing to certify that the ceasefire is yet adequate to merit that step—quite the contrary.

Powell himself gave the clearest hint of the real intent of his mission in comments he made after hosting the Egyptian foreign minister last week. Asked whether he agreed with the notion that Mitchell's "political and security aspects need to be linked in order for this to move forward," Powell answered as follows:

The Mitchell Committee Report links them all. It begins with a cooling-off period; the cooling-off period then flows into confidence-building measures, and then back into negotiations at an appropriate time. We'll have to work out what that timeline is, but it has always been inherent in the Mitchell Committee Report and inherent in our discussions and our understanding of the situation that wherever you start, you must end up at a political process so that these very difficult issues can be dealt with.

This statement sends a different signal from the Powell's May 21 press conference endorsing the Mitchell report, in which he reiterated eight times that the ceasefire was unconditional and without linkage to any subsequent steps.

Although the purpose of his trip cannot be to win formal Israeli and Palestinian acceptance of a set of CBMs, Powell does seem intent on shoring up Assistant Secretary of State William Burns' as-yet unsuccessful effort to prepare for the day when the CBMs do come into force. In principle, that means negotiating the timeline for and substance of the nine Mitchell CBMs not already included in the Tenet report; in practice, that will mean focusing on Mitchell's call to "freeze all settlement activity, including the 'natural growth' of existing settlements." Indeed, even in his May 21 statement, Powell delivered a hint that negotiating settlements will come prior to the start of the cooling off period—in other words, at the top of all CBMs. "Unless there is some progress [on settlements], then it is going to be very, very difficult to see how we get into a cooling-off period," he said.

Powell, Mitchell, and Post-Oslo

Without a complete implementation of the ceasefire, focusing on settlements or even the wider list of CBMs is likely to be a mistake. This is not because Israel would confront Washington with an iron wall of rejection—the Sharon-Peres unity government has drafted a supple and conciliatory approach on settlements that may even satisfy the

most ardent U.S. skeptics. The more fundamental error in the administration's strategy is that it does not yet seem to have internalized the profound impact that the post-Camp David intifada has had on the "conventional wisdom" that has driven much of the Oslo process. A poll of Palestinian public opinion issued last week by the Jerusalem Media and Communication Center provides only the most recent in a long chain of evidence. Asked whether Palestinians should end the intifada in exchange for a complete cessation of Israeli settlement activity, two-thirds (67 percent) said no. And asked what should be the ultimate goal for the intifada-to end Israeli occupation based on UN Security Council Resolution 242 or "to win the freedom of all Palestine" (i.e., the total destruction of Israel)-nearly as many Palestinians preferred the latter (41.2 percent) as did the former (45.6 percent).

In this environment, U.S. strategy should not emphasize speedy movement from one stage of Mitchell to another but focus instead on deliberate, transparent, step-by-step progress. Similarly, the level of U.S. engagement should not ascend from Burns to Tenet to Powell without clear and obvious changes on the ground that merit the heightened U.S. role. At the very least, the Powell mission needs to launch a new U.S. approach to ceasefire monitoring that is open and vocal about violations. While the U.S. side may fear that public criticism of Palestinian performance will provide Israel with an excuse to retaliate, it is far more likely that such criticism actually provides Israel a rationale for continued restraint. At the same time, a willingness to publicly put the onus on Arafat for failing to live up to his ceasefire commitments holds the best chance of actually getting Palestinian compliance. More generally, the administration needs to invest now in insulating its wider regional interests (combating proliferation, promoting stability in the Gulf, shoring up allies like Jordan, preventing a wider regional conflict) from the not-unlikely potential that the current Israeli-Palestinian ceasefire will meet the unhappy fate of so many previous Middle East ceasefires, armistices, and peace plans.

Robert Satloff is executive director of The Washington Institute. Rachel Stroumsa and Ashraf Zeitoon provided research support.

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