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The Institute for National Security Studies (INSS)
40 Haim Levanon • POB 39950 • Tel Aviv 6997556 • Israel
Tel: +972-3-640-0400 • Fax: +972-3-744-7590 • E-mail: info@inss.org.il

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Abstracts

Israel's Plan to Reduce Socioeconomic Gaps in East Jerusalem

Ephraim Lavie, Sason Hadad, and Meir Elran

Despite claiming full and eternal sovereignty over a united Jerusalem, Israel over the past five decades has consistently neglected the eastern portion of the city, and consequently the socioeconomic reality there has become both an economic burden and a security risk to the state. In May 2018, the government decided to approve a comprehensive aid package for East Jerusalem aimed at reducing gaps between this population and other sectors, and integrating the city's Palestinian residents into Israeli society and the Israeli economy. The plan – 2 billion NIS – is unprecedented in size and in the scope of areas it is designed to cover. The government decision is of legal and ethical significance, but also bears important political and policy implications. Its implementation will require the government to overcome many legal and practical obstacles, include all the neighborhoods in the city's eastern area in the plan, convince the local residents of the plan's positive elements, and take political action to soften resistance that can be expected from the Palestinian Authority, Arab states, and the international community.

Keywords: East Jerusalem, five-year plan, united Jerusalem, Palestinian Authority

Expanding PA Authority and Institutions as an Outline for a Political Process: Israeli and Palestinian Perspectives

Yaron Schneider

This essay presents an alternative to political negotiations over a permanent status agreement to the Israeli-Palestinian conflict, and argues that this alternative can improve cooperation between the parties and maintain the viability of a two-state solution. Analyzing regional processes, ideas, and Israeli and Palestinian stances, the essay drafts the outline of a political plan based on unilateral moves to shift civilian authority in Area C to the Palestinian Authority, and limited, issue-specific agreements designed to enhance the PA's governance capability. In addition to their potential to

improve PA-Israel relations, such gradual, moderate steps may also bolster Israel's position in the international arena while skirting the debate dividing the Israeli public. Moreover, in the long term, this outline can help prevent the inadvertent arrival at a one-state reality.

Keywords: two-state solution, Palestinian Authority, unilateral moves, Area C

The Hamas Tightrope: Between Political Institutionalization and Armed Struggle

Kobi Michael and Omer Dostri

Hamas, which was established as a social-religious movement, has evolved from a terror organization and violent non-state actor into a semi-state actor in control of the Gaza Strip and its population, endowed with the political and national responsibility of a national actor. This development has handed Hamas the obligation to maneuver between realizing its identity as an ideological resistance movement and implementing its responsibilities as a governing entity. In particular, it must balance elements that encourage violence against others that seek to restrain violence, while managing the tension between the need to institutionalize itself as a national actor and what it sees as its duty to maintain the ethos of resistance. The relatively restrained manner in which it faces these tensions gives external players, particularly Israel and Egypt, opportunities to limit the movement's level of violence and focus on its institutionalization processes.

Keywords: Hamas, political institutionalization, sub-state actors, governance, terror, Palestinians, Gaza Strip

Social Media and Peacebuilding: Could Mindsets be Positively Affected?

Gilead Sher and Elias Sturm

Social media has grown rapidly over the last two decades, becoming a ubiquitous force in all spheres of society. The speed of development has created a lag regarding effective use and regulation of social media platforms, and misuse has shaken the concept of social media as a great unifier and positive force. This article examines the role social media can play in the Middle East peace process through an assessment of social media peace campaigns in Israel and the Palestinian territories and an analysis of social media campaign design. This examination reveals that proactive,

effective, strategic, and ethical management of social media platforms is critical for the success of any peacebuilding campaign. Change can start through community initiatives that begin online but ultimately transition into non-virtual activities.

Keywords: social media, Israeli-Palestinian peace process, media campaign design, peacebuilding

The Syrian Refugees: A Political and Economic Challenge to Jordan

Oded Eran

The waves of immigration to Jordan since 1948 have not changed the country's official name or identity, "the Hashemite Kingdom of Jordan." According to the constitution, the King of Jordan has broad governing authority, and the Hashemites – the Bedouin tribes that emigrated from the Arabian Peninsula – retain seniority in government institutions, even though since the mid-20th century they have not represented the majority of the population. The most recent wave of immigration, which began in 2011 following the so-called Arab Spring, has resulted in the presence of some 1.5 million new refugees in Jordan, primarily from Syria. Assuming that many of them will not be able to return to Syria in the foreseeable future, how will their presence – refugees who have never been naturalized – affect Jordan's political, security, and economic stability? What are the ramifications for Israel of possible consequent changes? If in the future Jordan naturalizes Syrian and perhaps also Iraqi refugees, the Palestinians' demographic and political clout might be reduced, and this in turn might improve Jordan-Israel relations.

Keywords: Jordan, Syrian refugees, Jordan-Israel relations

Will the Military Option on Iran Return to the Table?

Ephraim Kam

Military action against Iranian nuclear installations was always a problematic, risky scenario opposed by virtually all world governments. Only the United States and Israel have considered it, and they too are in no hurry to implement it. In any case, the Joint Comprehensive Plan of Action (JCPOA) approved in 2015 put another brake on the idea. However, the change in approach embodied by the Trump administration and the Iran-Israel friction on the Syrian front are variables that could change this situation, especially

given the US administration's policy of heightened pressure against Iran. Nonetheless, the current climate is not ripe for a military option. The United States and Israel seem to prefer to increase the pressure on Tehran to force it to agree to amend the original nuclear agreement, which could lead to internal tremors in Iran. Current circumstances allow for new possibilities in terms of a military strike on Iran, mainly in two scenarios: one, if the JCPOA collapses and Iran decides to resume its previous nuclear activity to the point it threatens to break out to a nuclear weapon; the other, if the attacks in Syria devolve into a large scale confrontation between Iran and Israel, including missile and rocket attacks, which would provide Israel with an opportunity to attack Iran's nuclear sites.

Keywords: US-Iran relations, Israel-Iran relations, Iranian nuclear facilities, JCPOA, nuclear agreement

The International Process to Limit Autonomous Weapon Systems: Significance for Israel

Liran Antebi

Autonomous weapon systems that can apply lethal force without human intervention in the operating loop are increasingly widespread. The debate around the legality and morality of using such systems has intensified, and in recent years countries that have signed the Convention on Certain Conventional Weapons (CCW) have also discussed the possibility of adding a protocol to limit the use and perhaps even the development of such systems. This article reviews the process in the international arena, presents the positions of some of the leading countries, and examines the significance of this process for Israel, which is a manufacturer, exporter, and operator of advanced military technology. It recommends that Israel align with countries that endorse an approach similar to its own, such as the United States and Russia. The article urges Israel to consider internal, official, and public regulation of this subject, like in the United States, in order to give clear internal guidance and be a positive leader in the international arena as well.

Keywords: autonomous weapon systems, robots, future battlefield, unmanned weapons, arms control

The Growth of Economic Relations between China and the European Union

Yael Hattem

Over the last decade, China and the EU have strengthened their economic ties. At the same time, the EU is unhappy about some aspects of the trade with China, in particular, issues relating to fair competition, intellectual property, and market access. Furthermore, the EU is troubled by China's political influence over Europe, due to the Chinese government's control over European critical infrastructures. Consequently, the EU is currently setting up a mechanism to screen foreign investments, and some EU nations have already passed national laws in this context. China is also buying critical infrastructures in Israel, making the EU's concern about political and security influence relevant there too. Israel, which is considering a foreign investments screening mechanism, can learn from the EU experience in establishing such a mechanism and can concurrently propose legislation similar to what some EU nations have enacted. Such laws include capping the control a foreign company may have over a local one, expanding the list of sectors subject to an investment screening process to include, among others, technology and infrastructures, and enforcing a close examination of foreign government investments in Israel.

Keywords: EU, China, economic relations, investments, trade issues, investments screen

Israel's Plan to Reduce Socioeconomic Gaps in East Jerusalem

Ephraim Lavie, Sason Hadad, and Meir Elran

The socioeconomic conditions of East Jerusalem's Palestinian population reflect large gaps compared to the city's Jewish population, and this situation represents both a heavy economic burden on the state and a danger to its security. The primary reason for the stark disparity is that despite Israel's claims to full and eternal sovereignty over the united city, the Israeli governments of the past fifty years never considered East Jerusalem's Palestinians as citizens; this in turn led to the ongoing total neglect of these neighborhoods. This policy was coupled with another strategy: to maintain a Jewish majority in Jerusalem and curtail the Arab presence by limiting the sector's residential construction, rescinding the residence status of inhabitants absent from the city for extended periods of time, and cutting off eight Arab neighborhoods from the city by leaving them on the other side of the security barrier constructed in recent years.[1]

In June 2014, for the first time, the government approved a plan to increase personal safety and boost socioeconomic development in East Jerusalem–Government Decision No. 1775.[2] As part of this plan, designated for 2014-2018, 200 million NIS were allocated to socioeconomic development, and another 90 million NIS to enhance policing and law enforcement. In the first half of 2018, the State Comptroller examined the plan's implementation, only to find severe lapses both in the plan and in its execution. Consequently, the director general of the Finance Ministry and the budget director, as well as the director general of the Jerusalem Affairs Ministry, were asked

Dr. Ephraim Lavie, director of the Tami Steinmetz Center for Peace Research, is a visiting fellow at INSS. Dr. Sason Hadad is a senior research fellow at INSS and head of the Economics and National Security Program. Dr. Meir Elran is a senior research fellow at INSS and head of the research programs Jewish-Arab Relations in Israel, Israel's Civilian Front, and Civil-Military Relations in Israel.

to submit a multi-year plan to the government to reduce socioeconomic gaps in East Jerusalem. They were required to include development of transportation infrastructures and commercial and employment centers, and programs to support increased employment and a rise in the quality of education, as well as to work to implement the new plan as required.[3]

On May 28, 2017, the government adopted Decision No. 2684, complementing Government Decision No. 1775, to undertake inter-ministerial staff work and formulate a five-year plan to reduce gaps and develop East Jerusalem socioeconomically.[4] The decision stated that the goal is "to improve the quality of life and the environment of the residents of Jerusalem's Arab neighborhoods and to enhance their ability to integrate into Israeli society and the economy, thereby strengthening the economic and social standing of the capital as a whole." The decision further stated that the plan would be implemented between 2018 and 2023. Government Decision No. 3790 of May 13, 2018 approved the five-year plan, which this time included land registration and zoning.[5] While the plan is primarily designed to improve the lot of Jerusalem's Palestinian population, it also has decided political and policy implications, as it involves further entrenching Israel's sovereignty and advancing the "Israelization" of the city.

Economic, Social, and Political Background

Jerusalem's Palestinians currently number 320,000 (37 percent of the city's total population). Of this population, 98 percent live in neighborhoods in the city's eastern part. According to National Insurance Institute (NII) data, the poverty incidence (the percentage of the population whose income is below the poverty line) in the Jerusalem region in general and in the city in particular is the highest in the country. In 2016, the poverty incidence among Jerusalem's Palestinian residents was 72.9 percent, compared to 29.8 percent among the city's Jewish population. In 2016, the depth of the poverty rate (i.e., the gap between a household's income and the poverty line) of Jerusalem's Palestinian population was 38.3 percent, and the rate of poor children in this sector was 78.2 percent.[6] The poverty rate of Palestinian families in Jerusalem is two and a half times higher than that of Jewish families, and the level of participation in the workforce of the Palestinian population is low: according to the Central Bureau of Statistics, it was only 41.6 percent in 2016. Most are employed in jobs that require no higher education (in garages, workshops, and construction); their income is

generally low and not reported to the tax authorities or NII. Consequently, East Jerusalem's dependence on NII benefits is high.

Researchers and field workers agree that East Jerusalem's Palestinians are gradually realizing that it is time to pose questions concerning their future wellbeing, and are tending toward integration into Israeli society.[7] This assessment is based in part on the fact that increasing numbers of Jerusalem Palestinians apply for Israeli citizenship, acknowledge the improved services provided by the municipality, demand Hebrew language instruction, and prefer the Israeli matriculation certificate over the Palestinian one.[8] Two surveys taken in early 2018 among East Jerusalem residents indicate a rising interest in participating in the municipal elections (October 2018) for the sake of wielding influence over city council decisions, and attaining equal infrastructure and services and improved living conditions.[9]

Israel's decision makers appear to interpret these trends among East Jerusalem Palestinians as a growing recognition of current reality and perhaps even inclination to remain under Israeli sovereignty. According to this reading, if the residents' socioeconomic situation improves, Israel's ability to govern the eastern part of the city will also improve, and the population's connection to the city – and perhaps the state – will grow tighter. The assumption is that all this can be attained by strengthening certain parties in the local community who support the path of integration into Israeli society, such as school principals, parent committees, community organizers, and commerce councils.

Perhaps the US recognition of Jerusalem as Israel's capital and transfer of the embassy to the city encouraged the government to approve the plan now. It may also be that the decision to launch the plan is based on the notion that the pragmatic bloc of Sunni states (Egypt, Saudi Arabia, Jordan, and the UAE) ostensibly supports preservation of the status quo in Jerusalem, under Israeli sovereignty, to prevent Hamas, the Muslim Brotherhood in Israel, and other rivals, such as Turkey and Qatar, from strengthening their status in the city and on the Temple Mount and undermining Israel's position.[10] Hence the proponents of the plan may have concluded that Israel's control of Jerusalem as a united city and its control of the Temple Mount ostensibly ensure regional stability, and that given the ongoing political deadlock in negotiations with the PA, this situation could become the binding norm in the long run. These assessments were perhaps regarded by Israel's decision makers as a golden opportunity that must be seized to establish

facts on the ground and actualize the official declarative position that a united Jerusalem in its entirety is in fact Israel's eternal capital.

The cost of the program is some 2 billion NIS over five years (2018-2023). Half of the budget is allotted to develop public infrastructures, and half to finance educational, welfare, and employment programs, improve social services and quality of life, healthcare, land registration, and zoning. The long term goal of the decision, which includes a detailed appendix noting the budget sources, is to integrate East Jerusalem residents into the regulated workforce, especially by encouraging higher education in fields that will boost economic growth. The expectation is that this will increase state revenue from taxes, decrease the scope of poverty, and reduce state expenditures in the form of NII benefits.

Unlike Government Decision No. 922 (the five-year plan for economic development for the Arab population in Israel),[11] which is mostly social in its goal, the plan discussed here is meant primarily to advance Israel's political status in the city. The allocation of resources was based on Section 4(b) of Basic Law: Jerusalem, Capital of Israel, which states that "Jerusalem shall be given special priority…so as to further its development in economic and other matters." Jerusalem Affairs Minister Ze'ev Elkin is responsible for all government plans and programs involving East Jerusalem. An official involved in the program has said that Elkin believes that the smaller the gaps between East and West Jerusalem residents, the greater is the cost of security disruptions to the East Jerusalem population. Elkin also believes the plan will result in reduced risk of hostile activities.[12]

The plan does not relate to eight neighborhoods in the Kafr Aqab area or the Shuafat refugee camp in Jerusalem's northern area, currently populated by some 140,000 people (about 40 percent of all the city's Palestinian residents). These neighborhoods were left outside the security barrier constructed in 2004 on Jerusalem municipal land, even though they officially remain part of the city and their inhabitants carry Jerusalem residence cards (figure 1). The physical barrier has cut these households off from regular municipal services and has worsened the existing serious neglect, high crime rate, abject poverty, and lack of governance. This plight has been aggravated by extraordinary population growth, facilitated by the cheap supply of housing, most constructed without permits, and Palestinians moving in from nearby West Bank locations.[13] The continued neglect of these neighborhoods and their exclusion from the plan will maintain and perhaps even exacerbate the already difficult demographic, social, and

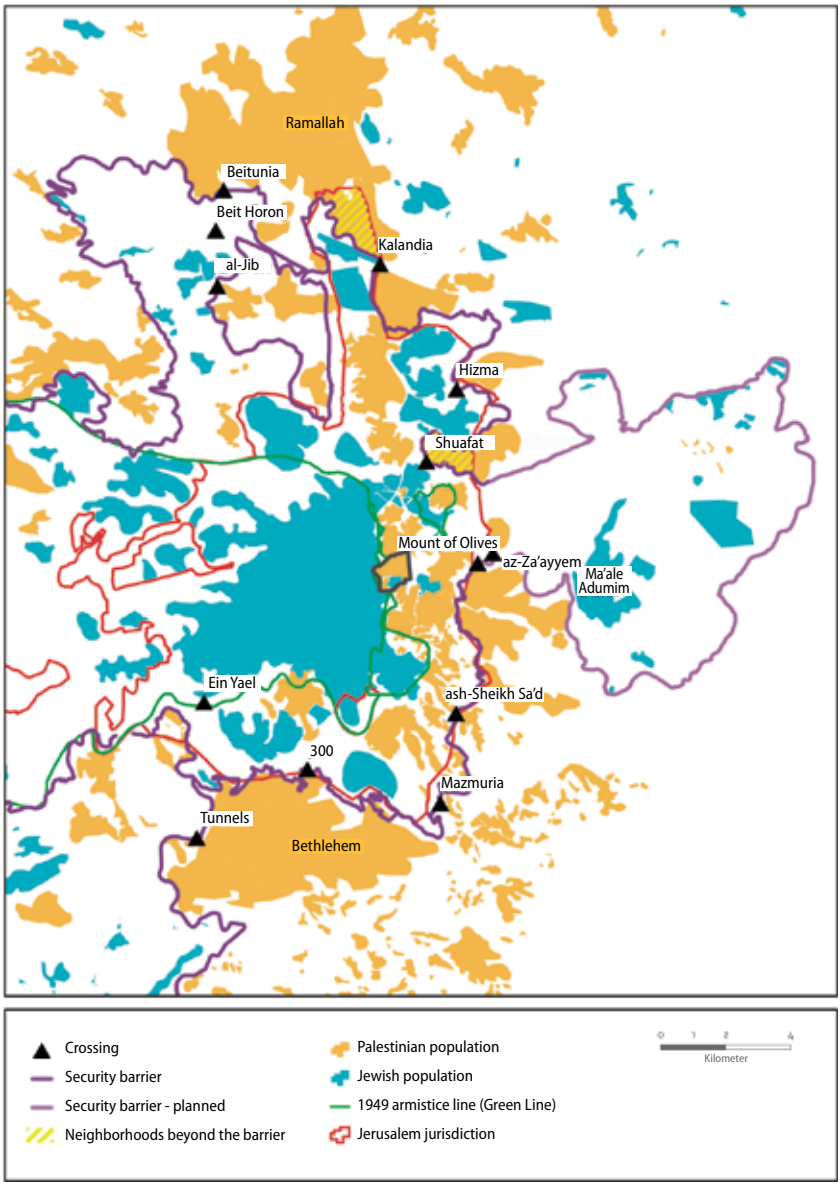

Figure 1. The Security Barrier around Jerusalem

Source: Meir Kraus, ed. *Introduction to Negotiations over Jerusalem's Future* (Jerusalem: Jerusalem Institute for Policy Research, 2018), p. 60.

security situation, necessarily affecting what happens in East Jerusalem and, indirectly, throughout the city.[14]

The Plan's Main Components

The core of the plan is to promote education among East Jerusalem's Palestinian residents by improving the school system. This is the main springboard intended in the long term to enable the population's integration into the regulated workforce. According to the Jerusalem Education Administration's annual report, in the 2016-2017 school year, 90,412 children from the age of 3 to high school attended municipal (official and non-official accredited) schools in the Jerusalem municipal school system. That number represents 34.5 percent of the city's children attending these categories of schools.[15] In addition, there were some 20,000 other children attending private schools not recognized by the Education Ministry. Having learned from errors in the previous plan, the new plan consists of clear educational goals, including the number of new classrooms to be built per year – classrooms where Israeli curricula will be taught. It calls for building 660 classrooms and preschools over the next five years, compared to an annual average increase of 75 classrooms for each of the past seven years. The plan aims to increase the number of students eligible for the Israeli matriculation certificates to 26 percent, and to reduce dropout rates.[16] The total budget allocated to education (excluding higher education) is 443 million NIS, ten times higher than that of the 2014 decision.

Until a few years ago, East Jerusalem schools suffered from continued neglect, and no meaningful steps were taken to remedy the situation. The Ministry of Education was barely involved, and the schools were the responsibility of the Arab Department in the Education Administration of the Jerusalem municipality. Today, however, the Ministry of Education is leading the way, formulating new programs, emphasizing the study of Hebrew, promoting technological learning, expanding informal education, and providing incentives to schools adopting the curricula used in Israeli schools.

After fifty years of profound neglect, the plan can be seen as fulfilling an elementary legal and humane obligation toward East Jerusalem's Palestinian population.

To date, most East Jerusalem schools use Palestinian curricula, making it difficult for high school graduates to succeed in Israeli institutions of higher education and the work force, particularly jobs requiring an academic degree. Therefore, one of the components of the new program is to replace

the Palestinian curricula with the Israeli curricula used in Arab schools in Israel.[17] Minister Elkin and the Ministry of Education view this as the primary goal, and the long term objective is for all East Jerusalem schools to teach Israeli curricula. So far, this has been achieved in a few of the high schools, and efforts are underway to persuade the local population of the merits of the proposed transformation, e.g., the potential for their children being accepted to Israeli universities and gaining entry into the Israeli workforce.

According to the plan, the state, working with the Planning and Budget Committee of the Council for Higher Education, will take steps to increase – ultimately to double – the number of Jerusalem Palestinian students studying for a B.A. To achieve this, the Finance Ministry is to transfer an added budget of 90 million NIS, joining an additional 170 million NIS from the higher education budget. The government also decided to promote a plan to encourage outstanding East Jerusalem students to attend Israeli universities.

Another focus of the plan is to integrate East Jerusalem's Palestinians in the workforce and raise their household income. Special effort will be made to reduce gaps in the level of Arab women's employment by expanding their participation in employment guidance centers, creating new positions for social workers, increasing the number of daycare centers for employee children, and helping employers take on new employees. In general, the government will provide incentives to develop and promote small and medium-sized businesses adapted specially to the population. The total budget for increasing employment is 270 million NIS. Some of the expenditure will be covered by the expected increase in state and city revenues, including an expected 20 percent increase in business property tax revenues.

In other areas, such as transportation (budget allocation in excess of 500 million NIS), improved services, quality of life, and healthcare, the goals are less clear. For the most part, the government is only now jumpstarting planning processes that will require detailed approvals. The situation is similarly complex when it comes to the very sensitive subject of land registration and zoning in the city's eastern neighborhoods, a domain that has been neglected for years and has created great real estate and infrastructure chaos.

Significance and Implications

After fifty years of profound neglect, the plan can be seen as fulfilling an elementary legal and humane obligation toward East Jerusalem's Palestinian population. The plan's preamble establishes the government's commitment to formulate a comprehensive systemic solution to East Jerusalem's socioeconomic challenges. The decision itself specifies the budget sources for 2018-2023 and presents the framework for a mechanism for the management, measurement, and oversight of the project, including a standing committee headed by the director general of the Jerusalem Affairs Ministry and subcommittees for every specific area of implementation.

Execution of the plan will be an important step toward improving the quality of life in East Jerusalem in general, and in the critical fields of education and employment in particular. In a certain sense, the plan may be seen as part of a broader government approach that views the economy as a lever to promote social (and political) goals to serve both the interests of the state and those of the weaker segments of Israel's population. A prominent example of this approach is the 2015 five-year plan for Israel's Arab sector, currently in advanced stages of implementation. That plan, as well as the one discussed here, focuses in particular on those fields to improve the population's economic conditions – through integration into the Israeli economy, which will also contribute to the promotion of the state's needs.

Given the conditions on the ground and the enormity of the needs, this plan represents at best a positive start of a long, exhausting process. It is doubtful if by itself it can bring a comprehensive systemic solution to East Jerusalem's fundamental problems.

However, beyond the significant differences between the two five-year plans given the issue of (non)citizenship, two other important differences stand out. One concerns the fact that the plan for Israel's Arab citizens was formulated and is largely implemented with the broad participation of the Arab public, both nationally (with the heads of the Joint List) and locally (with the heads of Arab municipalities). This partnership reflects a mutual recognition of the common interest in promoting the plan despite the many typical obstacles in this context. The second difference is that the plan for the Arab minority in Israel has a responsible "address" with powerful political and organizational backing, in the form of the National Authority for Economic Development in the Ministry for Social Equality.[18] Until recently this authority was under the professional

leadership of Aiman Saif of the ministry, which worked in full cooperation with the Finance Ministry through the Budget Division. This means that the new plan will also require strong centralized governmental management to ensure the critical connection among government ministries and between them and the Jerusalem Municipality, to ensure smooth implementation.

Moreover, given the fact that the previous five-year plan failed to meet its goals, one should consider the prospects for the new plan – its chances of success and ability to overcome formidable obstacles. It seems that the extensive resources and the staff work constitute a better starting point than the previous plan, specifically regarding education and employment. Nonetheless, even if the plan is implemented in full, the current gaps are overwhelming, especially in the areas beyond the security barrier not included in the new plan. Moreover, from the outset, the plan as it presently stands will at best narrow the existing disparities in education and employment. Many years will pass before they are reduced to a reasonable level, and in other areas, the road to genuine progress is still very long. In addition, the issues raised by the State Comptroller in the criticism of the previous plan apply here. All of this leads to one conclusion: even if the direction is correct, given the conditions on the ground and the enormity of the needs, this plan represents at best a positive start of a long, exhausting process. It is doubtful if by itself it can bring a comprehensive systemic solution to East Jerusalem's fundamental problems.

The implementation of the new plan, which depends to a large extent on deepening the "Israelization" of the eastern part of the city, is expected to be met with Palestinian resistance. It is at best a tenuous assumption that it will be possible to neutralize the expected local opposition with "economic peace" and the strengthening of East Jerusalem sectors, such as school principals (especially the local ones, unlike those who are Arab citizens of Israel from northern localities), parent committees, community organizers, and commerce councils. While these ostensibly support some type of Palestinian integration into the city's fabric, they represent – at best – a weak civil society that scarcely exists in East Jerusalem. They may currently have greater willingness than in the past to partner with the Israeli government, but it will be limited to improvement of the population's dire living conditions. It is in no way an indication of willingness to concede Palestinian identity

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or commitment to PA nationalism and institutions, despite the criticism of the current Palestinian leadership.

When the new plan is implemented, intra-communal struggles in East Jerusalem will likely grow: Palestinian nationalists and conservative Islamic groups – rivals for power – and the residents of the neighborhoods outside the security barrier will actively oppose those inclined to favor realizing their rights as residents by taking steps to integrate into the Israeli economy. The opposition may resort to coercion and violence against manifestations of normalization with Israel. In particular, opponents would resist steps that call for adapting Israeli curricula in the schools, accepting Israeli citizenship, and enforcing planning and zoning laws in Palestinian neighborhoods. The PA will continue to try to protect the city from attempts at "Judaization" and "Israelization." While its actual capability is limited, it can transfer budgets to local groups, such as Palestinian hospitals and emergency response organizations, and provide incentives to encourage Palestinian students not to study in Israeli institutions of higher education.

Conclusion

Israel's sense of responsibility for improving the living conditions of East Jerusalem residents by means of the new plan is both warranted and commendable, given that Israel serves as the sovereign in Jerusalem. Nevertheless, the integration of East Jerusalem's Palestinians in Israeli society and the country's economy and the possibility that their civil status may change (from permanent residency to citizenship) involve long term demographic and political ramifications that require in-depth examination. The present plan also seems to avoid the question of the city's future if and when a political settlement is promoted, but its practical implementation may well affect such a settlement.

In the Oslo Accords, Israel agreed that Jerusalem would be an issue for negotiation as part of a permanent status agreement on the Israeli-Palestinian conflict. Any reasonable resolution requires the two parties to attend to this central subject, taking into consideration the international community's stance as well. There is much opposition to Israel's position on Jerusalem legislated in "Basic Law: Jerusalem, Capital of Israel" passed by the Knesset in July 1980, based on the argument that East Jerusalem is considered occupied territory rather than part of the State of Israel. This point of view is also shared by the Arab states (including Egypt, Jordan, Saudi Arabia, and Morocco), which see themselves as guardians of the

holy sites in the city. This seems to refute the assessment that the moderate Sunni camp supports Israel maintaining its sovereignty in Jerusalem as a united city, and particularly on the Temple Mount, which could lead to this becoming the de facto long term reality. Similarly, the US position does not endorse Israeli policy – even after the recognition of Jerusalem as Israel's capital and the transfer of the embassy to the western part of the city.

Given that the plan is, on the one hand, of legal and ethical importance, and on the other hand, entails significant political implications, several systemic recommendations are in order:

a. It is imperative to think about the plan in the broader political context of Jerusalem as a central issue of future peace negotiations. In this context, it is important to consider that the international community and Arab states might view the plan as yet another means to expand the annexation of East Jerusalem.
b. The government must reconsider the plan's exclusion of the northern neighborhoods located outside the security barrier, as this will diminish the prospects of its success in the long run. The existing tensions between those included and those excluded will only grow and deter the former from cooperating with the authorities in their attempts at implementation – if in fact it advances toward genuine implementation.
c. Thorough preparation for the political and legal questions pertaining to land registration is necessary, as many landowners have lived in Jordan since the Six Day War. Their concern is that Israel will confiscate their assets and construct public buildings on their land.
d. It is critical to understand that past attempts around the world to force a change in minority groups' learning curricula have not only failed but also deepened political rifts. A detailed program to "market" this core component is necessary, and will have to include significant incentives.
e. Special efforts will be needed to solicit the support of local Palestinians to endorse the plan actively and practically and to incorporate them as local leaders of the plan's main components. Without their cooperation, it will be much more challenging to advance the plan toward successful outcomes.
f. To enhance the plan's prospects for success, it will be necessary – both in how it is implemented and how it is marketed to the public – to focus on its social and economic aspects much more than on politics, so that it does not become a point of contention among the Palestinian residents and generate a Palestinian-Arab-international front opposition. The

plan should be marketed sensibly, sensitively, and persuasively among the different audiences.

Notes

1 For more on Israel's policy on East Jerusalem and its implications over the years, see: Yael Ronen, "Hollow Governability: The Educational System in East Jerusalem," *Law and Government* 19, nos. 1-2 (2018): 7-42; Menachem Klein, *Doves in the Skies of Jerusalem* (Jerusalem: Jerusalem Institute for Israel Studies 1999); see especially the sub-section "In Theory United, in Practice Divided," pp. 43-58.

2 Government Decision No. 1775 of June 29, 2014, https://bit.ly/1Nx2dvM.

3 State Comptroller, Special State Comptroller Report, "Developing Jerusalem and Enhancing Its Status," May 13, 2018.

4 Government Decision No. 2684, May 28, 2017, https://www.gov.il/he/departments/policies/2017_des2684.

5 Government Decision No. 3790, May 13, 2018: https://www.gov.il/he/departments/policies/dec3790_2018#.

6 National Insurance Institute, *Poverty Rates and Social Gaps 2016* (December 2017), p. 22.

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9 See findings of survey taken by the Palestinian Center for Policy and Survey Research (Ramallah), Public Opinion Poll No. 67 Press Release, March 20, 2018, at http://pcpsr.org/en/node/723; and findings of survey taken by the Palestinian Center for Public Opinion in Bethlehem in Nir Hasson, "60% of East Jerusalem Residents Support Palestinian Participation in Municipal Election," *Haaretz*, February 14, 2018, and Nadav Shragai, "Palestinian Participation in Jerusalem Municipal Election: A Tale of Interests," Jerusalem Center for Public Affairs, February 19, 2018, at https://bit.ly/2sxpv36.

10 For more on this assessment, see essay by Eran Lerman, formerly Deputy Director of Foreign and International Affairs on the National Security Council: "Israeli Sovereignty in Jerusalem as a Key to Regional Stability," Jerusalem Institute for Strategic Studies, October 31, 2017, https://jiss.org.il/en/israeli-sovereignty-in-jerusalem/.

11 Government Decision No. 922: Government Activity for Economic Development of Minority Populations 2016-2020, December 18, 2016, https://www.gov.il/he/departments/policies/government_decision_922.

12 In a meeting of essay's authors in early June 2018 with an official involved with the gap-reduction plan.

13 Nadav Shragai, *The Problem of Jerusalem's Northern Arab Neighborhoods: An Outline for Action*, Jerusalem: Jerusalem Center for Public Affairs, 2018. On this point, also see: Jonathan Lis, "The Law to Sever East Jerusalem Neighborhoods from the City Up for Knesset Approval Today," *Haaretz*, January 1, 2018, https://www.haaretz.co.il/news/politi/.premium-1.5563078. The law was meant to reduce Jerusalem's municipal territory and establish a local council for residence of East Jerusalem Palestinians with resident status only.

14 Israel Kimhi, ed., *The Security Barrier in Jerusalem: Implications for the City and Its Inhabitants* (Jerusalem: Jerusalem Institute for Israel Studies, 2006); Kraus, ed., *Introduction to Negotiations over Jerusalem's Future*, pp. 59-61.

15 Jerusalem Education Administration Annual Report for 2016-2017. See also report by the Knesset's Center for Research and Information of April 12, 2019, "Schools in Arab Education in East Jerusalem Teaching Palestinian Curricula," at https://www.knesset.gov.il/mmm/data/pdf/m04211.pdf.

16 Based on a response from the Jerusalem Education Administration to a freedom of information request submitted by the Association of Civil Rights in Israel.

17 The Israeli curriculum is essentially identical to the one used in Arab-language schools in Israel, with some slight changes and adaptations.

18 Ministry for Social Equality, https://www.gov.il/he/Departments/Units/minorities_shivyon.

Expanding PA Authority and Institutions as an Outline for a Political Process: Israeli and Palestinian Perspectives

Yaron Schneider

This essay presents an outline for an Israeli-Palestinian political process based on gradual steps aimed at expanding the power of the Palestinian Authority and developing its institutions. Precisely now, when the two sides are unable to achieve a resolution to the conflict through negotiations over a permanent agreement, an outline independent of renewed talks may be able to lower tensions between the sides and promote a political dialogue. Moreover, the proposed outline could help prevent Israel and the Palestinians from sliding into a one-state situation without resolving the conflict and perpetuating the status quo by means of unilateral steps that make a permanent arrangement impossible. In this sense, the outline preserves the possibility of the two-state solution, the only formula to date to have garnered broad support on both sides.

To examine the outline's applicability and the conditions for its implementation, the essay first presents an analysis of diverse opinions, initiatives, and alternatives on resolving the conflict, raised on both the Israeli and Palestinian sides. It presents the outline and its political benefits for Israel and for the Palestinians, especially with regard to expanding Palestinian power and building institutions as a foundation for a gradual political process. In addition, based on the responses of senior PA officials, the essay presents the conditions needed to sustain such a political process and the order in which they should be carried out.

Yaron Schneider is a Neubauer research associate at INSS.

The Rationale

Israel and the Palestinians have not engaged in direct final status agreement talks over the past decade, and during this period, attempts by international mediators – mostly American – have failed to attain an agreement on the conditions needed for the renewal of talks, not to mention a renewal in practice. In the current reality, the two-state solution might become irrelevant following changes on the ground, whether these are changes in policy or changes stemming from lack of planning, such as not limiting Israeli construction in the West Bank to the settlement blocs (as suggested in previous negotiations rounds). In December 2016, after failing to advance Israeli-Palestinian negotiations, former US Secretary of State John Kerry said: "The status quo is leaning towards one state and perpetual occupation. But most of the public either ignores it or has given up hope that anything can be done to change it."[1] The status quo is not likely to end the conflict, but rather postpone a resolution. The only practical alternative to the conflict is the two-state solution, even if its implementation is fraught with obstacles.

In the current political reality, particularly with a right wing Israeli government, the probability of negotiations with the Palestinian Authority over a permanent resolution is low, given each party's lack of acceptance of the other's demands. The Israeli government refuses to accept the Palestinian demand to stop all construction in West Bank Jewish settlements, while the PA refuses to accept the Israeli demand to recognize Israel as a Jewish state. These are but symptoms of a sense on both sides that there is no partner for completing a political process, which was suspended long before any final status agreement was reached.

At the same time, given Israel's political and security control of most West Bank territories and the ongoing security cooperation with the PA, Israel can take some modest, staggered political steps to build mutual trust and lead to the resumption of the political process with the Palestinians independent of negotiations over a permanent resolution and without any third-party mediation. This option is increasingly relevant due to the crisis between the Trump administration and the PA, which erupted in December 2017 with the US recognition of Jerusalem as Israel's capital and Abu Mazen's declaration in response that the United States had lost its status as an honest broker. There is now an opportunity to examine political steps independent of US mediation.

Thus, as an alternate setting for negotiations over a final resolution with third-party mediation, Israel can initiate a political process by taking steps

to strengthen the PA's governance capability, including an expansion of the geographical area where the PA can apply civil governing authority, such as policing, urban planning, and construction, as well as the development of civilian infrastructures in the population centers under PA control. The infrastructures are currently not sufficiently developed because of natural population growth that local inhabitants have experienced since the Oslo Accords were signed in the 1990s.

The PA too, despite its stated opposition to unilateral steps and demand-in-principle that full Palestinian rights be realized through final status negotiations, gains nothing by perpetuating the current situation, which bestows no achievements on it; furthermore, the PA clearly desires to enhance its status and power within the Palestinian public. Therefore, steps leading to better PA governance and an expansion of its authority will presumably be welcomed in Ramallah, especially if this is not conditioned on PA flexibility or changes in posture. Without the need to formulate any understandings or conditions ahead of time, the outline allows Israel and the Palestinians to overcome one of the obstacles hindering the renewal of negotiations and build trust by increasing practical coordination and cooperation on the ground without becoming sidetracked by theoretical political arguments.

The outline proposed in this essay, and in particular the consequent improvement in the Palestinians' fabric of life, may have a positive effect on Israel's international standing, especially the way the world views Israel's policy toward the Palestinian population in the West Bank. An initiative promoting the right to dignified living conditions and the development of national institutions will help Israel refute the claim that it is trying to create an apartheid regime in the West Bank. This has important potential as Israel continues to fight nations and NGOs (such as the BDS movement) engaged in activities designed to boycott Israel and undermine its legitimacy over claims that Israel's policy seeks to perpetuate the occupation under apartheid conditions. Therefore, a process that would advance the social and economic rights of the Palestinian population and strengthen Palestinian governance in the territories would demonstrate that in spite of the deadlock in the negotiations, Israel has not retreated from its commitment to the two-state principle. Proof would lie in the fact that it is taking additional steps aimed at realizing the Palestinians' right to self-determination, contrary to the impression created by anti-Israeli propagandists. Furthermore, having Israeli officials present this outline at international institutions

could reduce the diplomatic condemnations and pressures aimed – under continual Palestinian pressure for as long as the status quo remains in place – against Israel in forums where the nation is, to say the least, the target of severe criticism.

Another consideration at this time is the changing regional reality, a consequence of the interim results of the Arab Spring. Iran's increasing involvement in the Arab world, including its attempts to manipulate Palestinian organizations to act against Israel on the one hand, and the formation of an explicitly anti-Iranian Sunni camp led by Saudi Arabia on the other, could lead to the emergence of a new Sunni policy on Israel and the Palestinians and attempts to promote a political process between them, as Saudi Crown Prince Mohammad Bin Salman has said in interviews.[2] If necessary, political advisors or teams from these Arab nations can generate confidence building steps between the sides, such as financial help for building Palestinian institutions and normalizations gestures toward Israel as part of the outline proposed here.

Therefore, given local, regional, and international changes in the post-Arab Spring era, Israel must examine the challenges it faces and the opportunities now possible in terms of relations with the Palestinians, and accordingly, consider genuine, practical alternatives to negotiations over a permanent solution as long as the resumption of talks is not within reach.

Alternatives to the Two-State Solution Suggested to Date

The resolution of the Israeli-Palestinian conflict in the context of a single state is, theoretically, a possible alternative to a division into two states. The idea is reflected in the discourse of political leaders and prominent figures from both Israeli and Palestinian political movements.

Some in Israel support a resolution of the conflict with the Palestinians in a one-state setting through the annexation of the territories and subordination of the Palestinian population to Israeli sovereignty. Proponents strive for a change in the status of the territories so that they are recognized as Israeli.[3] On the Palestinian side, some feel that over time, the changing demographic balance favoring the Palestinians will make a binational state better for them than the current reality. However, this approach is hardly mainstream in the public discourse and in political movements, only in intellectual circles supporting a single binational state.[4]

Moreover, while some Israelis and Palestinians express support for a one-state solution, they do not share the same vision. Israelis favoring

annexation, especially in the right wing political camp, continue to maintain the idea of a Jewish majority in a (Jewish and democratic) state. In this vision, the annexed Palestinian population would have some sort of autonomy or local government, but would not be granted citizenship or enjoy full citizenship rights.[5] This would clearly be unacceptable to the Palestinians and would not receive broad international support. In early 2018, UN Secretary-General António Guterres issued a warning about a "one-state reality that is incompatible with realizing the legitimate national, historic and democratic aspirations of both Israelis and Palestinians."[6]

Another idea for a political resolution is the creation of a confederation (two autonomous states sharing one central government). In practice, this is a variation of the two-state solution and no different from it in any essential way. Among academics such as Prof. Sari Nusseibeh, some favor a binational confederation, but prefer this confederation to be with Jordan.[7] However, to realize this vision, it would be necessary to establish the Palestinian part of the confederation, i.e., a Palestinian state. Thus, the proponents of this vision are not presenting a solution for realistic implementation at this point. Their vision focuses on a reality that would come into being only after the establishment of a Palestinian state rather than on paving the path to such a reality. Therefore, this vision is not realizable at this time.

Another solution based on the federative idea (Jordan introduced this in the past; the notion was discarded, but in recent years the Israeli side has revived it) involves applying state law (Israel's or Jordan's) on one or several Palestinian autonomies (federations). In practice, this is a variant of the annexation idea or the one-state idea, and therefore incurs all the difficulties inherent in the other two solutions as described above.

Graduated Moves toward a Two-State Reality

The outline below presumes that the only alternative likely to improve Israel's political and security situation is the two-state solution, but it also assumes that this solution is currently difficult to realize. Therefore, the outline focuses on the more modest goal of expanding the Palestinian Authority's areas of civilian authority, particularly in the heavily Palestinian populated Area C (under full Israeli control, both in terms of civil administration and security) and launching initiatives to improve existing civilian infrastructures to benefit all West Bank inhabitants, both Palestinian and Israeli. Such moves, in addition to stopping construction outside the existing settlement blocs, could help keep the two-state solution viable.

This potential notwithstanding, it is impossible to ignore the mutual suspicions and reluctance that have developed over the years when it comes to attempts at additional cooperation. It is similarly impossible to ignore the profundity of the political difficulty in promoting such processes on both sides because of the various movements and organizations' opposition to the peace process. Therefore, for now, the most significant and realistic objective of such a process is to stop the slide down the slippery slope to the one-state reality because of the ongoing deadlock and/or steps undermining the feasibility of the two-state solution.

Execution of the Proposed Political Outline

In terms of execution, the political outline could begin with a general, unilateral Israeli declaration, such as a government announcement on steps to improve the political reality of Israel and the Palestinians, and continue with one of the following possibilities: either unilateral steps (while informing the PA and the population affected by the changes) or concrete agreements, i.e., issue-specific cooperation between Israel and the PA on the transfer of civilian fields of authority currently not entrenched in existing bilateral agreements.

The field in which it is possible to act and achieve cooperation without significant political obstacles would seem to be basic shared elements (water, electricity, transportation, and communications infrastructures) and other socioeconomic development projects (e.g., medical centers, technological projects) whose launch could generate incentives for expanding cooperation for the benefit of all. The outline therefore first suggests adjustment of Israeli policy in the relevant territories according to three criteria:

The first criterion would be limiting Israeli construction in Areas B and C. The idea is geographic limitation (rather than a total freeze) on Israeli construction in the West Bank to maintain Jewish territorial contiguity (settlement blocs) as well as Palestinian contiguity.[8]

The second criterion would be coordinated unilateral moves to expand the PA's governance capability based on two indexes. The first would be to transfer responsibilities that were supposed to have gone to the PA on the basis of agreements signed in the 1990s (the Interim Agreement and Oslo II), but were transferred only partially or not at all. These areas of authority include policing, civilian government offices activities (in particular urban planning and construction needed to enlarge existing cities or establish new cities), and allocation of possibilities for economic development of

the civilian sphere, such as place of employment, commercial and leisure centers, academic campuses, and medical complexes.

At a later stage, the second index would be reorganization within Area C, which would take into account the demographic changes that have occurred since the 1990s, including first and foremost the increase in the Palestinian population. In 2014, the UN Office for the Coordination of Humanitarian Affairs estimated that the number of Palestinian inhabitants in Area C is 300,000 (though absent accurate data, this is only an assessment; previous OCHA publications estimated the population at 150,000) living in 250 residential areas fully within Area C and 530 residential areas partly in Area C.[9]

The 1995 Interim Agreement called for the gradual transfer of civilian authority in Area C to the PA[10] as part of an Israeli reorganization in the West Bank. But this transfer of authority was never completed according to schedule and there was no progress in negotiations between the sides. Since then, all construction in Area C requires approval from the Israeli Civil Administration, which means that the Palestinians have no way to decide on land use or approve construction.[11] Thus, any expansion of the PA's civil control within Area C (in practice, expanding Area B), with emphasis on Palestinian population concentrations, could improve governance. Such steps can be taken by reorganizing the army and Civil Administration within and around Palestinian population centers in Area C to allow the PA to increase its presence and activity in these territorial pockets.

The third criterion would be consensual moves, i.e., issue-specific agreements on increasing construction and developing infrastructures, based on the population's needs, in places where the PA is already in charge. Such agreements would match demographic developments in Palestinian residential areas since the 1990s on the one hand with the authority on development and existing infrastructures on the other.

In the current Israeli political reality, expanding the powers of the PA is not an easy challenge, given the majority among the government's cabinet members opposed to political gestures towards the Palestinians. This was made clear when the government stopped the attempt to approve construction of 14,000 apartments for Palestinians in Qalqiliya in September 2017[12] and rejected the Trump administration's request to transfer planning authority for Area C to allow paving a road to the city of Rawabi and a construction project in Tul Karem. Some ministers expressed their opposition-in-principle for transferring planning and zoning authority

to the Palestinians in Area C.[13] But despite the fundamental opposition to political gestures without a quid pro quo, one can tie modest, graduated steps to a political initiative aimed at producing political and security gains for Israel, even if these begin with unilateral moves.

A possible model for the graduated execution of the outline is the Roadmap formulated in 2002 (at the height of the second intifada, when it was difficult to renew political negotiations over a permanent resolution) and based on a combination of set political goals relating, inter alia, to the construction of Palestinian institutions and economic development for the benefit of all on the one hand, and a commitment to end violence and battle terrorism, including heightened security coordination, on the other.[14] Unlike the ambitious Roadmap, which aimed to establish a Palestinian state within temporary borders in less than three years, the outline proposed here is limited to modest political moves whose chances of realization in the current political climate are higher than reaching an agreement on a permanent resolution.

Expected Public and Official Israeli Reactions

When it comes to negotiations over sensitive, politically charged issues (borders, the status of the Jewish settlements in the West Bank, and Jerusalem), the idea of enhancing the powers of PA on the basis of existing agreements can be expected to meet with less resistance on the part of the current right wing government, its cabinet members, and leadership echelon. This expectation is true also of the public at large. According to public opinion surveys, most of the Israeli public supports the two-state solution, and thus shifting authority to the Palestinians in Area C is not expected to cause a rift in the public (unlike the debate on evacuating Jewish settlements or dividing Jerusalem).[15]

As for the consensual steps proposed, the format of cooperation focusing on civilian aspects, such as improving infrastructures in communications, water, and electricity, is already reaping success, even in the reality of the current Israeli government. Over the years, joint Israeli-PA teams and committees have signed at least five agreements on electricity, water, postal services, and third-generation wireless mobile telecommunications,[16] though clearly none of these agreements was linked to any political outline or long term political strategy.

Impressions from the Palestinian Side

Conversations with senior PA officials have made it clear that the Palestinians would be willing to agree in writing to components of the political outline and coordinate efforts with Israel as long as Israel does not take the two-state solution off the table and does not unilaterally draw the international border.

According to senior figures in top PA echelons involved in Abu Mazen's political strategy, the PA would, under certain circumstances, agree to cooperate with Israel on expanding its authority, including through unilateral Israeli steps taken with prior coordination with the Palestinians. According to Palestinian sources, Israeli-Palestinian cooperation on this is possible in two ways. One would be to refer to previously signed agreements that were never or only partly implemented in practice, to complete Israel's redeployment in coordination with the PA. There are two such examples: the Wye Agreement (1998) and the Sharm el-Sheikh Agreement (1999).[17] In addition, there is a possibility of establishing new agreements concerning security control or redeployment/reorganization at the result of partial withdrawal of Israeli troops, similar to the Rafah Agreement on Movement and Access (2005) signed with Egypt and the European Union after the disengagement from the Gaza Strip.

The second way would be for the Israeli government and the PA to agree on general principles of a process aimed at expanding the PA's powers. These principles would refer to the geographical extent and time period over which the process is expected to be carried out. As for the political goal of the PLO and the PA – the establishment of an independent Palestinian state that would exist alongside the State of Israel on the basis of the two-state vision – Palestinian sources say that if the Israeli government refuses to recognize a Palestinian state officially, the minimum needed for a confidence building measure is avoidance of steps that might put an end to that vision, including construction in the Jewish settlements. The PA further emphasizes the principles of contiguity and connectivity, meaning that the Palestinians would, in a gradual process, expand the area in which they have contiguous control and expand their control over crossings between settlements or in Palestinian population concentrations.

Some in the PA would say that it is possible to accelerate a process of gradual transition toward the establishment of a Palestinian state by exploiting the regional atmosphere created in recent years, as Saudi Arabia has become more involved in regional issues, especially the Palestinian

question. Seeking out international institutions, such as the EU, that can provide money for building Palestinian infrastructures is seen as potentially useful.

Beyond prevalent PA opinions, changes have occurred in the Palestinian arena in general, and in the opposition to the PA in particular. Given the growing crisis in the Gaza Strip and the attempt to rebuild and improve its regional diplomatic relations, Hamas's leadership has softened its political positions, especially after its reconciliation efforts with Fatah. A political document issued by Hamas in May 2017, seen as a step of moderation (relatively speaking), expressed a willingness to accept a state in the 1967 borders as a stage in a struggle, not to be taken as Hamas recognition of Israel. Similarly, during 2018, Hamas's leadership has repeatedly supported the idea of a *hudna* with Israel. On the public level, the desire of West Bank inhabitants to improve their living conditions could also impel the PA to cooperate in an institution-building and economic development process, and perhaps also work with international parties toward these goals.

Conclusion and Recommendations

A political outline consisting of moderate, graduated moves for transferring responsibility and authority in Area C to the PA and strengthening governance there – inter alia via agreements on joint projects – could open a window of opportunity for a political process through a route that essentially differs from negotiations over a permanent resolution, a track that has ended in failure on the several occasions it has been tried. Because of the great difficulty in renewing negotiations on the basis of mutual understandings, such moves may be taken by Israel in an official, unilateral way (such as government decisions or legislation). If political hurdles appear en route to such decisions or laws, the state can act by means of tools existing in the PA, i.e., the Civil Administration, to allow Palestinians relief in construction even without a change in the official status of the relevant parts of Areas C. All international parties involved in resolving the conflict on the basis of the two-state vision could derive a certain benefit should such a process develop and perhaps play an active role in it by diplomatic action aimed at reducing tensions, encouraging political cooperation between Israel and the Palestinians, and providing incentives, such as financial help.

Given the internal, regional, and international circumstances formed in recent years, such an outline is also an opportunity for the Palestinians to improve conditions in the PA's territory and strengthen its authority and

ability to operate and govern in general. Such a process would allow Israel and the Palestinians to improve relations and their ability to cooperate and especially – despite political difficulties and differences of opinion – preserve the possibility of separating into two states, which is the core principle in the most accepted approach to the resolution of the Israeli-Palestinian conflict.

Notes

1 U.S. Department of State, Secretary of State John Kerry, archived content, "Remarks on Middle East Peace," December 28, 2016, https://2009-2017.state.gov/secretary/remarks/2016/12/266119.htm.

2 For example, in an interview the Crown Prince gave in connection with his visit to the United States. See Jeffrey Goldberg, "Saudi Crown Prince: Iran's Supreme Leader 'Makes Hitler Look Good,'" *The Atlantic*, April 2, 2018, https://www.theatlantic.com/international/archive/2018/04/mohammed-bin-salman-iran-israel/557036/.

3 "Proponents of annexation" means those who also call for naturalizing the Palestinian population. Some among those favoring annexation propose granting Palestinian autonomy in a non-citizenship format, which is unacceptable among the Palestinian supporters of a binational state.

4 For example, Daoud Kuttab, "One State for All Citizens," *Jordan Times*, September 27, 2017, http://www.jordantimes.com/opinion/daoud-kuttab/one-state-all-citizens.

5 "Wanting Peace and Coexistence between Two Peoples," *Arutz 7*, June 27, 2017, https://www.inn.co.il/News/News.aspx/349566.

6 Remarks at opening of the 2018 Session of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, United Nations Secretary-General, António Guterres, February 5, 2018. https://bit.ly/2Sq16FH.

7 Adi Munther Dajani, "Jordan-Palestine Confederation: A Strategic Option for Peace," *Sharnoff's Global Views*, September 18, 2017, http://www.sharnoffsglobalviews.com/jordan-palestine-confederation/.

8 According to the interim agreement, in Area B the PA is responsible for public order (through the Palestinian police force) and Israel has ultimate responsibility for security to protect Israelis and tackle the threat of terrorism. For more, see https://www.knesset.gov.il/process/asp/event_frame.asp?id=42, Paragraph 3, V, Areas B and C.

9 United Nations Office for the Coordination of Humanitarian Concerns (OCHA), "Area C of the West Bank: Key Humanitarian Concerns," August 2014, https://www.ochaopt.org/content/area-c-west-bank-key-humanitarian-concerns-august-2014.

10 Interim Agreement, Annex III, Article XXVII, Paragraph 2: "In Area C, powers and responsibilities related to the sphere of Planning and Zoning will be transferred gradually to Palestinian jurisdiction that will cover West

Bank and Gaza Strip territory except for the issues that will be negotiated in the permanent status negotiations, during the further redeployment phases, to be completed within 18 months from the date of the inauguration of the Council."

11 The UN Office for the Coordination of Humanitarian Affairs, "The Occupied Palestinian Territory Special Report," December 2009, https://www.ochaopt.org/sites/default/files/specialfocusdecember_21_12_2009_hebrew.pdf.

12 Shlomo Zesna, "Ministers Oppose, Qalqiliya Project Frozen," *Israel Hayom*, September 29, 2017, http://www.israelhayom.co.il/article/506879.

13 Tal Shalev, "Breaking News: Israel Refuses the US Request to Allow the PA to Plan Construction in Area C," *Walla*, September 29, 2017, https://news.walla.co.il/item/3100444.

14 "The Roadmap: Full Text," *BBC News* April 30, 2003, http://news.bbc.co.uk/2/hi/middle_east/2989783.stm.

15 Zipi Israeli, "The National Security Index: Public Support for an Arrangement Based on the Two-State Solution," *INSS Insight* No. 816, April 6, 2017, https://bit.ly/2yBJNJyi; Zipi Israeli, "Jerusalem – 'The Eternal and United Capital of Israel'?: Trends in Public Opinion," *INSS Insight* No. 936, June 15, 2017, https://bit.ly/2yDlwCY.

16 "Coordinator of Government Activities in the Territories Signs Agreement with the PA to Renew Water Committee," Coordinator of Government Activities in the Territories, January 31, 2017, http://www.cogat.mod.gov.il/he/Our_Activities/Pages/WaterAgreement25.1.17.aspx; "First Commercial Agreement Signed Between the Israel Electric Corporation and the PA to Increase Electricity Supply to the Jenin Region," Israel Electric Corporation, July 10, 2017, https://www.iec.co.il/spokesman/pages/10072017.aspx.

17 The agreements included changes to the status of small percentages of Areas A, B, and C: https://www.knesset.gov.il/process/docs/wye.htm; https://www.knesset.gov.il/process/docs/sharm.htm; relevant maps and details in Wye River Memorandum, October 23, 1998, http://www.passia.org/maps/view/32 http://www.passia.org/maps/view/33.

The Hamas Tightrope: Between Political Institutionalization and Armed Struggle

Kobi Michael and Omer Dostri

The process of institutionalization of non-state actors is reflected in the development of their ability to govern an area and population. This ability demands political pragmatism and responsible, restrained conduct regarding the use of terror as a political tool. The processes that Hamas has undergone since it seized control of the Gaza Strip in June 2007, as seen in the structural tension between its role as a political, governing entity and the preservation of its founding ethos as a resistance movement dedicated to the armed struggle against Israel, form an interesting and challenging subject. Thus with Hamas as a case study, the question examined here is how the process of political institutionalization of non-state actors (in the sense of their becoming an element of government) affects their continued use of violence and armed methods, and whether the use of violence impedes or arrests the process. In this context, the essay will examine Israel's potential influence on some of the variables involved.

Political Institutionalization: Organizational-Bureaucratic and Sovereign-Territorial Development

Two types of political institutionalization processes can be identified in Hamas. The first concerns the development of its organizational and bureaucratic structure as a non-state actor, and the second refers to its development as a sovereign element, ruling over territory and its resident population.

The character of Hamas as a political movement was shaped when it was founded in 1987 to challenge the PLO, and later the Palestinian Authority, which were tainted by their image of corruption and immorality.

Dr. Kobi Michael is a senior research fellow at INSS. Omer Dostri is a journalist and intern at INSS.

At first, Hamas continued the path of its parent movement, the Muslim Brotherhood, with rapid construction of mosques and the expansion of a preaching and social services network (*dawa*), while building a military infrastructure and conducting terror activity against Israel, to reflect its ideology of armed struggle.[1] Its victory in the Palestinian parliamentary elections in January 2006 enhanced its evolution as a political movement and integration into the Palestinian political establishment as part of the Palestinian Authority government. The Hamas takeover of the Gaza Strip in June 2007 turned it into the ruling movement in the Strip, and since then it has acted as a semi-state entity.

The process of political institutionalization was accelerated by the need to consider foreign relations and the international arena, an attempt to establish legitimacy in both external and internal public opinion, and the obligation to meet the needs of the population. This was expressed in more pragmatic Hamas policy toward Israel, such as the formulation of a policy document in May 2017, tactical concessions, and recognition of the existing order. At the same time, Hamas strives to preserve the ethos of armed resistance, employing varying degrees of violence.

Hamas's Use of Violence

Reality forces Hamas to navigate between sovereignty and the development of governance skills and the preservation of its armed resistance ethos. Consequently, the organization still sees terror as a legitimate and necessary tool for promoting its political goals, both to improve the humanitarian reality in the Gaza Strip and to maintain its status as the spearhead of the Palestinian national struggle. Hamas's use of violence fluctuates, with periods of restraint alternating with violent outbursts. The choice to use violence is influenced by several variables, which are classified as restraints and accelerators that fall into two categories: internal and external to the organization.

Analysis shows a number of variables with dual effect – in some circumstances they serve to restrain violence, and in other circumstances, they encourage it. The particular manifestation concerns expectations or horizons in a given reality, and therefore these expectations or horizons can be defined as a kind of meta-variable.

Violence Restrainers

Improving the Humanitarian Situation in Gaza

As a semi-state actor with sovereign and territorial responsibility, Hamas must meet the needs of the Gaza Strip population. This obligation is first and foremost the attempt to prevent a humanitarian crisis, in other words, to achieve a basic improvement in the lives of the people and thereby avoid popular discontent with its rule. Hamas understands that in order to achieve this goal it must demonstrate relative pragmatism, with ideological flexibility in the short to medium term.

The organization is therefore restrained in its violence against Israel, and is careful not to cause an escalation that would draw Israel into a broad military campaign. In a conversation with journalists on August 30, 2018, Yahya Sinwar, the Hamas head in Gaza, said that "the goal of Hamas, and at any price, is to support the people on the side of resistance, and we will not rest until the people can live in dignity," and that "Hamas is not interested in conflict with Israel."[2]

The policy outlined by Sinwar is reflected in the talks held by Hamas in Cairo, mediated by Egypt, with the aim of reaching an arrangement with Israel. These talks followed over four and a half months of violent clashes along the Gaza Strip fence and five rounds of escalation, during which over 600 rockets and mortar shells were fired at Israel. Under the emerging arrangement, based on the ceasefire agreement following Operation Protective Edge, Hamas will be required to stop terror activities against Israel, and in return Israel will open the Gaza border crossings to people and goods.[3]

Hamas Governance of the Gaza Strip

After the enormous damage caused to Gaza and its residents during Operation Protective Edge in July-August 2014, Hamas's military wing focused on rebuilding its military capabilities. This policy comes at the expense of civilian and infrastructure reconstruction and alleviation of the crisis that worsened following the economic sanctions imposed on Gaza by the chairman of the Palestinian Authority. This situation led to popular protests in the Strip, which were swiftly crushed by Hamas's security mechanisms.

This conduct by Hamas indicates "the need for different levels of relationships with the society it deals with [the non-state actor]" and the need "to develop the ability to provide institutional and state services to

its members or supporters and the population under its control, such as security, judicial services, health, allocation and registration of land, and other welfare services."[4] Yet the efforts to achieve greater military power came largely at the expense of the reconstruction and the welfare of local residents.

Enforcing Sovereignty on Recalcitrant Organizations

Since seizing political power in the Gaza Strip by force, Hamas has been obliged to use its military and security capabilities against organizations that challenge its rule. It must therefore operate as a stable, responsible governing body prepared to restrain elements that use or try to use violence against Israel, although this is contrary to its own ideology of armed resistance to Israel.

Evidence of this can be found in Hamas statements condemning instability and expressing a wish to ensure law and order.[5] In addition, in a document sent in April 2010 to former head of the Hamas Political Bureau Khaled Mashal, Hamas officials in Gaza asked him "to root out jihadi Salafism from Gaza."[6] Further evidence can be found in forceful actions and a string of arrests over the years of members of Salafı jihadist groups who refused to cooperate and obey Hamas.[7]

Hamas's Foreign Policy and Desire for Regional and International Legitimacy

As part of its political institutionalization, Hamas attaches importance to its foreign policy and its diplomatic and political contacts. For example, Osama Hamdan, head of overseas contacts for Hamas, stressed that "Hamas wants to retain open and balanced relations at the regional and global level…to establish channels of communication with several Arab, Islamic, and Western countries."[8]

This effort derives from the movement's need to widen the basis of its legitimacy in the Arab and Muslim world and among the international community as the sovereign entity in Gaza, without conceding its identity and status as the leader of the armed struggle against Israel. The Hamas government conducts foreign relations based on close contacts with Turkey,[9] Qatar,[10] and Islamic states such as Malaysia,[11] and enjoys special relations with Russia.[12] All this is in addition to its special relationship with Iran and its channel of communication with Egypt.

Egyptian Influence

In June 2017 Hamas lost its foothold in Qatar, when Doha ordered activists from the Hamas military wing to leave the country, due to pressure exerted on it by the pragmatic Sunni camp led by Saudi Arabia and Egypt.[13] This crisis forced the Hamas leadership to be more flexible in order to reach an agreement with Egypt, which until then had considered Hamas an enemy and an arm of the Muslim Brotherhood that operates in its territory.

The understandings reached between Egypt and Hamas in June 2017 state that Cairo will supply electricity to Gaza, while Hamas will block smuggling from Gaza to Egypt and will stop supporting terrorist elements operating against the Egyptian army in Sinai.[14] Since then, Egypt has acted as a mediator between Hamas and the PLO, and also between Hamas and Israel. During the campaign along the Gaza Strip border in May 2018, Cairo applied strong pressure on Hamas to stop the violent disturbances, and in return agreed to operate the Rafah crossing in an orderly manner and bring about calm. Egypt also mediated between Islamic Jihad, Hamas, and Israel in the May 2018 round of fighting between Gaza and Israel.

Hamas's Attempts to Integrate into the Palestinian Political System

Hamas sports a dual attitude toward the Palestinian Authority. In parallel with its apparently pragmatic political institutionalization practice of public moves toward reconciliation (Cairo Agreement of October 12, 2017) – which reached a dead end following a series of conflicting demands from both parties – Hamas continues to develop terror infrastructures in Judea and Samaria, incite against the Palestinian Authority, and exploit every opportunity to foment unrest and breaches of public order (the al-Aqsa events of July 2017 are a striking example).

For Hamas it is important to revive the reconciliation process with Fatah, since its success could lead to a renewal of the movement's activity in Judea and Samaria, serve as a platform for its integration into the institutions of the PLO and the Palestinian Authority, and thus further its political goal of taking control of the whole Palestinian system, while consolidating its image as a political movement and legitimate governing entity, in the eyes of both the Palestinians and the international community.

Israeli Deterrence

Since Operation Protective Edge, Hamas has been careful not to provoke Israel in a way that escalates into a broad military operation. Hamas works

to frustrate attempts by recalcitrant terror organizations in the Gaza Strip to fire rockets at Israel. Even in cases where Hamas feels the need to display its deterrence toward Israel, it chooses to do so at relatively low intensity, and in most cases by implicit permission – turning a blind eye to the activities of the organizations, to avoid a heavy Israeli response.

This conduct is backed by declarations from senior Hamas members. For example, in August 2017 Sinwar said that "Hamas is not seeking conflict with Israel," and in December 2017 he announced that "Hamas has no interest in war with Israel and its not rushing towards it. The movement understands very well that there are issues that will be solved through popular resistance or diplomatic efforts."[15] Important confirmation of this claim can be found in an interview Sinwar gave to *al-Jazeera* on May 16, 2018, after a day of violent demonstrations along the Gaza border fence, in which he clarified that Hamas was seeking calm.[16]

Violence Accelerators

The Political Struggle within Hamas

There have always been disagreements between the leaders of the military wing and the political wing of Hamas. Following the end of Operation Protective Edge, the struggle between the two wings intensified, focusing on what was the preferred solution.[17] The political wing preferred closer ties with the Sunni axis (with the emphasis on Turkey-Qatar) and efforts to improve ties with Egypt and Saudi Arabia, while the military wing led the efforts to renew the alliance with Iran and promoted cooperation with the Wilayat Sinai organization.

While Hamas's political arm has adopted a relatively pragmatic, tolerant approach toward Israel – although this is a matter of tactics rather than a strategic change –the military wing supports a continuation of efforts to build military strength and conduct a war of attrition against Israel, at the expense of reconstruction efforts.

Even within the military wing, there are well known tensions between Sinwar and Mohammed Deif around the question of leadership.[18] This tension eased somewhat when Sinwar was elected to lead the movement in the Gaza Strip on February 13, 2017. This was the first time that someone from the Hamas military wing was chosen as its political leader in Gaza. Since Sinwar's election, and against the background of the reconciliation process and the harsh situation in Gaza, tensions between Sinwar and senior members of the military wing have resurfaced. Although Sinwar talks of maintaining ties with Iran,

perhaps as a kind of "insurance policy" if relations with Egypt and Saudi Arabia deteriorate, his conduct demonstrates a clear preference for ties with Egypt.

Political Competition between the Organizations in the Gaza Strip

The more extreme resistance organizations in the Gaza Strip, which reject the relatively flexible approach of Hamas, challenge the organization through violent provocations against Israel, hoping to cause an escalation that will damage Hamas and destroy its status and image as a national liberation movement and leader of the armed struggle against Israel.

Thus, in April 2010 a senior member of Islamic Jihad, Abdallah Shami, attacked the Hamas leaders, arguing that they were "praising the resistance on television, but in fact they are persecuting the resistance fighters and torturing them severely. They don't care about anything but their jobs and positions."[19] The pressure applied to Hamas aggravated the tension and conflicts between Hamas and these organizations, while driving Hamas to more extreme positions in some cases, in an effort to respond to the challenge and minimize the damage.

Failure of the Palestinian Reconciliation Process

While the reconciliation process between Hamas and the Palestinian Authority could accelerate the process of political institutionalization, its failure, and even more so, its abandonment, could have the opposite effect – the choice to use violence. Failure of the reconciliation agreement has already affected Hamas and the situation in Gaza, after the chairman of the Palestinian Authority determined to frustrate the efforts for an arrangement between Hamas and Israel mediated by Egypt. He imposed economic sanctions on the Strip, which harm thousands of employees whose wages are paid by the Palestinian Authority and undermine Hamas governance, and this could lead to a wave of protests.

In order to divert attention from the internal problems in the Gaza Strip, Hamas seeks to direct the anger of residents toward Israel. Indeed, since March 30, 2018 Hamas has organized and operated the March of Return venture, with thousands of residents marching to various points along the border fence for a series of violent demonstrations, combined with terror attacks.

Ideological Strictness and the Policy of Resistance

While the political arm has adopted a relatively pragmatic, tolerant approach to Israel – although this is a matter of tactics rather than a strategic change – and prefers to focus on reconstructing the Strip and consolidating its control, the military wing supports a continuation of efforts to build military strength and a war of attrition against Israel, at the expense of reconstruction efforts.[20]

Further evidence of the lack of agreement between the political and military wings can be found in the efforts by the Political Bureau to promote a deal with Israel on the return of Israeli citizens and the bodies of soldiers held by Hamas. These efforts were blocked by the military wing.[21]

Iranian Influence

Iran has helped Hamas since the movement seized control of the Gaza Strip in 2007. The Iranian grand strategy, which includes consistent anti-Israel policy, suits the Hamas ideology of violent resistance. In spite of the ethnic (Iranian versus Arab) and religious (Shiite versus Sunni) differences, Tehran sees the resistance movements against Israel as a legitimate means of promoting its interests of harming Israel, undermining regional stability, and exporting the revolution and regional anti-Western influence.[22]

The renewed rapprochement between Hamas and Iran, after a long break following the outbreak of the Syrian civil war in 2011 and Hamas's political isolation, is reflected in the growing numbers of Hamas delegations visiting Tehran, public statements by senior Hamas officials on the importance of the Iranian military assistance, and Iranian support in the form of weapons, funding, and training.[23]

Turkish Influence

In addition to Iran's contribution to the increased violence, Turkish influence intensifies the tension between Hamas and the Palestinian Authority. This is particularly evident in East Jerusalem, and in Turkey's permitting the development of the military infrastructure in Judea and Samaria, directing military wing activists in Turkey, and encouraging more extreme attitudes toward Israel. In fact, Turkey – for reasons linked to its ambition for regional hegemony and its self-perception as the leader of the political Islam axis in the area – indirectly encourages Hamas to lower the political institutionalization process and to implement a violent resistance policy.

The Humanitarian Situation in Gaza

In recent years the humanitarian situation in Gaza has deteriorated, resulting in poor water quality, acute shortages of electricity, a collapsing health system, absence of proper sewage facilities, and widespread unemployment and poverty. Consequently, Hamas is the target of harsh criticism from the Palestinian street.

The absence of real expectations for improvement in the humanitarian crisis and the inability of Hamas to provide the Gaza population with a better quality of life are the cause of severe disappointment and despair, which could push Hamas to the use of violence in order to exert pressure on Israel, Egypt, and the international arena to take steps to improve the humanitarian position. This assessment is also supported by security figures in Israel[24] and by others.[25]

The Matrix of Variables

In order to validate this analysis by cross-checking the variables involved and calculating their effect, the two groups of variables were divided into two categories – internal and external. They were also classified by three levels of intensity: high, medium, and low. The assessment of intensity is not derived from a quantitative mathematical model, but from a qualitative description and analysis of the movement's conduct in Gaza over recent years.

The findings of the analysis indicate the existence of four high intensity variables that work to restrain violence, and three high intensity variables that encourage violence. It is also possible to identify two medium intensity pro-violence variables, compared to two medium intensity restraining variables, as well as one low intensity variable encouraging violence and one low intensity variable restraining violence. The opposing vectors, with the emphasis on high intensity variables, help to explain the dual nature of Hamas behavior in the tension between efforts to establish itself as a sovereign government player, and retain the ethos of the armed struggle and use of violence in conditions where the challenge is particularly acute.

Hamas's dual behavior allows it to maintain its status as the governing element in the Gaza Strip, as a proper alternative to the Palestinian Authority and the PLO in the leadership of the national Palestinian struggle; to establish the legitimacy of its rule in the Palestinian street, in the Arab world, and the international community; and to tighten its links with Egypt, which

	Internal Variables	External Variables
Variables that restrain violence	1. Enforcing sovereignty 2. Foreign policy and international legitimacy 3. Maintaining governing control of Gaza Strip	1. Israeli deterrence 2. Egyptian influence 3. Improving the humanitarian situation in Gaza – positive outlook* 4. Palestinian reconciliation process and political integration
Variables that encourage violence	1. Ideological strictness 2. Political struggle within Hamas	1. Political rivalry among organizations in the Gaza Strip 2. Stagnation in the humanitarian situation – negative outlook* 3. Iranian influence 4. Failure of the internal Palestinian reconciliation process 5. Turkish influence

High intensity, medium intensity, low intensity

* Dual variable, dependent on the effect of the horizon and expectations

can help Hamas relieve humanitarian distress – all this while preserving the ethos of violent resistance to Israel.

Hamas must maneuver between the process of establishing itself and continuing the use of violence by suppressing provocations by recalcitrant organizations, while turning a blind eye in certain cases, so that those organizations can "let off steam" and set a price tag for Israel to maintain mutual deterrence. This tactic joins carefully controlled efforts to demonstrate relative restraint in order to avoid escalation, which Hamas sees as a danger to its essential interests.

The pro- and anti-violence variables and their relative intensity exert opposing forces on Hamas. A change in Israeli policy and Egyptian policy toward a security agreement with Hamas as the governing element in the Strip, in return for a civilian agreement to improve the humanitarian and economic situation in Gaza could reinforce the variables that restrain violence and accelerate the process of establishing Hamas as the government of Gaza, and thereby lead to a reduction in violence.

Conclusion

Established as a social-religious movement, Hamas has evolved from a terror organization and violent non-state actor, limited in its capabilities and lacking government responsibility, to a semi-state actor in control of the Gaza Strip and its population, with political and national responsibility like that of a national actor. In this framework Hamas is trying to maneuver between realizing its identity as an ideological resistance movement and establishing itself as a responsible governing entity, using violence of varying degrees of intensity. This conduct confirms the argument in the research literature regarding the continued use of violence by non-state actors during their process of institutionalization.

Hamas's relatively restrained behavior enables the external actors involved, with the emphasis on Israel and Egypt, to weaken the intensity of external variables that encourage violence, such as the influence of Iran and Turkey, and to reinforce the variables that restrain violence, such as improving humanitarian and economic conditions, strengthening the factors that deter Hamas from increasing its military strength, and influencing its process of establishment in a way that improves the security situation, while rehabilitating living standards in Gaza. In terms of the Palestinian system, the significance is the possible weakening of the Palestinian Authority, but since there is little probability of the Palestinian Authority returning to power in the Strip, this would appear to be the least undesirable of all the existing options.

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Social Media and Peacebuilding: Could Mindsets be Positively Affected?

Gilead Sher and Elias Sturm

With over 2.6 billion users worldwide, social media has drastically altered the traditional media landscape. Social media introduced a whole new participatory component, and an unprecedented ability to disseminate information and connect an immense user base. At the same time, social media features that provide this exceptional ability to reach new audiences bring with them detrimental side effects.[1] As with many discoveries and innovations, social media's meteoric development preceded society's ability to fully comprehend, and appropriately manage, the ways in which it impacts on communities.

Both Israel and the Palestinian territories are home to prolific social media use by individuals, organizations, and governments. This article examines the role social media plays in the Israel-Palestinian conflict, and specifically its use by organizations interested in promoting peace.

Background

Israelis are no stranger to social media, ranking at, or near the top, of many estimates of social media use by country. A recent poll found that 67 percent of Israelis access daily news through the internet, and 38 percent receive their daily news through social media.[2] A different poll found that 65 percent of Palestinians were registered internet users,[3] and that social networking sites such as Facebook and Twitter are the primary news source for young

Gilead Sher is a senior research fellow and head of the Center for Applied Negotiations (CAN) at INSS. Elias Sturm is an intern at CAN and an M.A. student in International Relations in a joint program between the University of Haifa and the University of Warsaw. The authors are grateful to Mor Ben-Kalifa, a research assistant at CAN, for her thoughtful research and significant contribution to this article.

Palestinians.[4] These statistics highlight the pervasiveness of social media platforms in the region.

Use of social media in Israel and the Palestinian territories has not been without controversy. Various social media platforms have been used to disseminate hate speech and incite violence. During the Palestinian terror attacks of October 2015, hashtags such as "Intifada of the Knives" were considered catalysts for violence.[5] In response to episodes of violence attributed to social media, the Knesset passed a law in 2017 that restricts access to specific sites and introduced a bill that allows the courts to order the removal of content posing a danger to individuals or the state. This legislation has been derided by opponents as an attack on free speech.[6] Restrictions on social media users are also imposed in both the West Bank and the Gaza Strip by Israel, Fatah, and Hamas.[7]

The Institute for Economics and Peace cites the free flow of information as one of the basic elements for a peaceful society, and maintains that free media are essential for citizens to gain knowledge and play a role in the political process.[8] Access to information has a crucial part in educating society about the world and cultivating an informed opinion on a subject. A corollary is that media also foster divisive rhetoric. If a principal role of media is to reinforce the separation of identities without also having the capacity, or means, to create shared identities, then media become divisive.[9] This brings into focus the paradoxical nature of social media, whereby the creation of shared identity is possible but often obstructed through personal predilections or external factors like platform design. Barriers to healthy social media use can come in the form of over-censorship, homophily, confirmation bias, filter bubbles, and divisive dialogue.[10]

The Israeli-Palestinian Context

A prominent use of social media in Israel and the Palestinian territories in connection with peacebuilding and anti-violence efforts is top-down public diplomacy campaigns. An example of this is the Facebook and Twitter use by IDF Arab Media spokesman Avichay Adraee, and to a smaller extent the "Palestine in Hebrew" Facebook page. With 1.2 million followers on his Facebook page and 191,000 Twitter followers, Adraee appears to be connecting with a substantial amount of people.

How is campaign effectiveness measured? The efficacy of a social media campaign cannot be measured solely by the number of followers, and the numbers themselves cannot be taken entirely at face value.[11] Likes, followers,

and comments can all be purchased online, which makes it difficult to evaluate the true reach of a campaign. Spam in this form is so pervasive that Facebook disabled around 500 million fake accounts in the first quarter of 2018 alone.[12] The second metric of success, which is even more difficult to measure, is the degree to which people are influenced by a campaign. In public diplomacy campaigns, a primary goal is to direct the attention of a foreign or adversarial audience to specific topics while downplaying others through well-selected contents. In this manner, digital public diplomacy is primarily used as an instrument of information dissemination.[13] A brief analysis of Adraee's recent posts on Facebook shows a large degree of interaction through likes and comments, but a strong majority of the comments are confrontational. The same is true of the Palestine in Hebrew page, where comments are used mainly to refute claims or condemn actions. This invites the question, what is the effect of these campaigns? Adraee may be disseminating information to a large audience, but the question is whether the exposure to alternative narratives is enough to promote the moderation of extreme views.

Social media are likewise prominent in various peacebuilding campaigns in Israel, which by definition are bottom-up initiatives. Intuitively, it would seem that more potential for fostering change exists in these efforts, which focus on inclusivity and participation, in addition to information dissemination. One prominent example is the Israel-Loves-Iran Facebook page, which has 118,000 likes and has spawned similar campaigns based on the same model. One of these offshoots, the Palestine Loves Israel Facebook page, has 32,000 likes. Further examples can be seen through civil society NGO pages such as Peace Now, Yesh Din, and B'Tselem. As with the public diplomacy campaigns, using the number of followers or the number of likes as a metric for success only tells part of the story.

Moreover, an examination of recent comments on the pages listed above reveals a predictable distribution. Most of those commenting are supporters, with a smaller percentage of detractors commenting, generally with polarized opinions. In this regard, social media appear to foster the development of like-minded communities, where exposure to different ideologies is minimal and less than productive. This in turn builds on the argument that political discussions in homogenous networks reinforce an individual's existing position.[14] This paints a picture of social media's limited ability to modulate political mindsets. Thus for social movements

and peacebuilding efforts, there is an even greater necessity to connect users at a level beyond solely disseminating information.[15]

These incidental evaluations of social media use in Israel are supported by a quantitative analysis that was conducted on a Facebook page titled "Tweeting Arabs." Tweeting Arabs was administered by Palestinians with the stated goal of enabling a moderate voice to be heard and encouraging dialogue between Israeli Jews and Palestinians. The researchers found that "exposure to Palestinians' calls for peace generated predominantly positive reactions from Israeli Jewish commenters and enabled a dialogue characterized by partnership and hope." More critical dialogue generally led to "defensive and negative Jewish–Israeli responses and to discussions in which both groups blamed one another for the situation."[16] These findings emphasize the need to focus on the content of the discussion, rather than only the creation of a forum. This quantitative study and the anecdotal research highlight two key barriers within the social media world: the lack of exposure to alternative views, and the propensity for negative interactions when confronted with them.

A prominent psychological theory, the contact hypothesis, states that the root cause of prejudice is the separation of groups, and that interpersonal contact is one of the most effective ways to reduce prejudice between group members. In a broad study of Israeli and Palestinian Facebook groups employing some form of the contact hypothesis, the aggregate outcomes were mixed but positive. The results of this study stand in stark comparison to a content analysis done on all Israeli and Palestinian Facebook groups, which revealed a "fragmented and polarised landscape with few spaces devoted to intergroup communication."[17] This helps to illustrate the need for more spaces devoted to the promotion of healthy dialogue. The study also indicates the potential that ancillary community-building efforts have in supporting a larger peace process. In this realm, perhaps some of the most constructive social media campaigns are shelved in the form of community projects, which can more easily incorporate the criteria proposed for healthy intergroup interactions. These criteria are equal-group status, common goals, intergroup cooperation, and institutional support.[18]

Regulation and Engagement

From the previously described studies, it follows that appropriate management of online interactions is necessary to create spaces that encourage healthy group dynamics. This brings into question the idea of

the appropriateness of online moderation, an increasingly salient global topic. The role of regulation on social media is still in formation. In the absence of stringent governmental controls, or in the presence of controls that do little to promote peaceful dialogue, civil society organizations must determine the appropriate scale and scope for moderation of their own campaigns and pages. Moderation of social media can take many forms, from computerized censors removing key words, to live mediators or facilitators working with constituents to solve dilemmas. To avoid having the moderation appear arbitrary or biased, it is essential to have a clear charter detailing acceptable practices and censorship policies. For organizations wishing to employ these methods, the goals, cost, and context need to be taken into consideration when choosing what model to use.[19]

A second major barrier to constructive social media use is a lack of exposure to alternative views. In part, this is built into social media by design. Tech companies run algorithms to ensure, as a marketing strategy, that people see what already interests them.[20] Other design features, like hashtags or geo-locating, function as a triage mechanism for photos and posts. Because these features are inherent in the platform, groups and organizations must actively combat this phenomenon. At the macro level, this is done through increased pressure on social media platforms to implement constructive changes to their policies. This is already beginning to happen. In response to growing criticism, both Facebook and Twitter are implementing changes to their content policies.[21] Twitter recently partnered with a non-profit connected with the MIT Media Lab to develop metrics to measure the conversational health of online interactions. These metrics are defined as shared attention, shared reality, a variety of opinions, and receptivity. Facebook is also modifying the algorithm it uses to control what comes up in a person's news feed, and how content is flagged as fake.[22] Beyond the specific platforms, a more forceful push for comprehensive regulation on all social media platforms has begun. For these efforts to succeed, the health of online communication must remain a priority, and knowledge about healthy interactions must be used to develop regulations.

A prominent use of social media in Israel and the Palestinian territories in connection with peacebuilding and anti-violence efforts is top-down public diplomacy campaigns.

Independent developers are also working on applications to combat filter bubbles and conformation bias. One example is the Burst app for the social media website Reddit, which forces users to see a variety of

different pages when they search or browse.[23] Similar applications can be used by organizations to help gradually expose users to alternative views. A second way to combat filter bubbles and conformation bias is through the improvement of individuals' media usage aptitude. People often never learn proper online search techniques, basic critical thinking skills, and the ways to identify bias in an argument. These skills can be taught through social media education campaigns online and will contribute to more constructive interactions.

Finally, although social media has great potential to increase communication, effecting broader social change requires additional action. A pitfall of social media activism is the phenomenon known as "slacktivism," or the idea that supporters can engage in low cost efforts that devalue social campaigns. In response, researchers suggest a "ladder of engagement" that places involvement with a cause on a continuum of intensity. Involvement starts with the recruitment of new members, and then gives them the ability to build relationships and engage in low level behaviors, for example, "liking" and "sharing." Low level engagement transitions to intermediate level engagement, which can involve participation in signing petitions or emailing representatives. Finally, high level behavior extends beyond the electronic platform and includes volunteering and donations. In social movements, the ability to move supporters incrementally from awareness to action is crucial to furthering a cause.[24]

The Kenyan Case

Notwithstanding differences in time, context, and circumstances, lessons can be drawn from Kenya's incorporation of social media into domestic peacebuilding efforts following the 2007-2008 post-election violence.

Violence flared up in Kenya in late 2007 as a response to long lasting grievances, ethnic diversity, and most directly, the disputed results of the presidential election. There were mass protests and violence, which left over a thousand dead and created approximately 600,000 internally displaced people.[25] The political solution was a power-sharing agreement brokered by former UN Secretary General Kofi Annan, but it did little to heal the rift in Kenyan society. In response, the government set up various entities, including the Truth and Reconciliation Commission. Kenyan civil society also played a critical role in the process.

Social media as tools for activism and social change work best by augmenting existing campaigns.

During the crisis, social media were often cited as both a catalyst for violence and a tool for peacebuilding. An examination of the events by Reporters Without Borders concluded that the traditional media had failed the Kenyan people by being too timid in their reporting.[26] The strong intertextuality between social media and traditional media was seen through Twitter use, where users frequently re-tweeted news items that advocated peace. In this regard, social media played a significant role in promoting peace and safeguarding against the spread of hate speech.

During the chaos following the 2007 elections, a website called Ushahidi (Testimony) was set up. It was designed to allow people to report instances of violence via email, SMS, or directly through the site. The data was then compiled into a map to inform the public and aid workers about the areas that were affected by violence and destruction. The site was also designed to serve as a record of events to help in the reconciliation process. A statement from Ushahidi read, "When this crisis comes to an end we don't want what happened to be swept under the rug in the name of 'moving forward' – for us to truly move forward, the truth of what happened needs to be told."[27]

Ushahidi was developed further in advance of the 2013 elections to collect data on a mass scale that could be used for violence prevention. The site compiled Facebook, Twitter, and SMS-delivered web postings. Peaceful messages were also circulated and promoted by several other organizations. The company Crown Paint developed a campaign called the "Uniting Colors of Kenya," which offered rewards for people sending peaceful messages. In another example, the mobile network company Safaricom donated 50 million free text messages aimed at countering the hate speech that was used to spread violence.[28]

> Specific campaigns must have a plan for a gradual increase in involvement. Community initiatives that begin online can ultimately transition into real-world activities.

In anticipation of the ensuing 2017 elections, the Sentinel Project and iHub Research created Una Hakika, which means "Are you sure?" – an information service that monitors and checks the spread of rumors.[29] Google also teamed up with several state agencies to try to provide content that promotes truth and understanding and drown out negative content promoting violence, hate, or fear. The Google program used online youth advocates who were drawn from a program called Webrangers Kenya.[30]

It is difficult to isolate the effects that the Kenyan social media campaigns had on the election process, but overall the 2017 elections had a small fraction

of the violence that afflicted the 2007 elections. The degree to which these social media campaigns placated the violence is unknown, but it appears they had a substantial positive impact.

The campaigns in Kenya thus suggest the impact organizations can have through implemented campaigns. They also substantiate some of the concepts detailed in the UN Development Program guidelines concerning social media's organizational ability, their ability to promote participatory dialogue, the way they can incentivize people to collaborate on change efforts, and how they aid in the establishment of a community.[31]

Conclusion

According to the Facebook Peace page, 195,435 new friendships formed between people living in Israel and the Palestinian territories on a single day in early May 2018.[32] This suggests substantial potential for peacebuilding efforts through sheer numbers. However, healthy development will not happen on its own. Active, effective, and ethical management of social media platforms is critical for the success of any campaign, especially with polarizing topics like Israeli-Palestinian peace initiatives.

Social media as a tool for activism and social change work best by augmenting existing campaigns.[33] Groups and organizations can effectively utilize social media by developing a comprehensive plan to attract a diverse base of constituents, to engage users, and foster their activity.[34] This means first developing a strategy for crossing standard political lines to appeal to a wide range of people. It can be done through group projects, with incremental goals that benefit an entire community. Second, organizations need to moderate online content and online spaces effectively, using clear guidelines and appropriate controls. This can range from flagging and deleting defamatory posts to facilitating discussions or disagreements among users. Third, specific campaigns must have a plan for a gradual increase in involvement. To truly make a difference, users need to move beyond the trap of "slacktivism" into genuine and committed action. Again, this can be done through community initiatives that begin online but ultimately transition into real-world activities.

Using the strategies presented in this paper, organizations in Israel and in the Palestinian territories can increase the quality and efficacy of interactions taking place through their respective social media pages and across them. Although social media are far from a panacea in conflict

resolution or peacebuilding, their effective use can lead to more cohesion and growth within the two conflicting societies.

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The Syrian Refugees: A Political and Economic Challenge to Jordan

Oded Eran

Waves of Immigration since 1948

The waves of immigration to Jordan since 1948 have not changed the country's official name or identity, "the Hashemite Kingdom of Jordan." According to the constitution, the King of Jordan has broad governing authority, and the Hashemites – the Bedouin tribes that emigrated from the Saudi Arabian Peninsula – retain seniority in government institutions, even though since the mid-20th century they have not represented the majority of the population.

The First Wave

Of the 750,000 Palestinian refugees who fled Palestine in 1948-1949, Jordan took in about one third. In practice, it took in more refugees, because Jordan annexed the West Bank in 1950, including the refugees who remained there after it was conquered by the Arab Legion (then the name of the Jordanian army). This immigrant wave had a more lasting impact on Jordan than any subsequent immigration, but did not change the nature of the regime or the Hashemite control east of the Jordan. While the 1948 refugees acquired citizenship and became the majority, the Hashemite regime used various recourses in the country's election system to ensure that this majority would not be reflected in the Jordanian parliament. The only Palestinian attempt to change this reality through the use of force – in September 1970 – ended in failure. Since then, no group has tried to change the Jordanian regime in any fundamental way.

Dr. Oded Eran, Israel's former ambassador to Jordan, is a senior research fellow at INSS.

The Second Wave

About 300,000 Palestinians reached the east side of the Jordan River because of the war in 1967 – some from refugee camps in the West Bank, and others from the Gaza Strip. Their situation remains complicated: unlike former Palestinian refugees, they were not granted Jordanian citizenship en masse.[1]

The Third Wave

King Hussein and Yasir Arafat supported Iraq's invasion of Kuwait in 1990, each for different reasons. When it ended in early 1991, some 400,000 Palestinians were deported from Kuwait and other Gulf nations. The vast majority were Jordanian citizens, but in practice they simply went to other Gulf states in search of jobs. Among those repatriated to Jordan were several thousand Iraqis who used the war in their country to flee to the neighboring state.

The Fourth Wave

The US invasion of Iraq in 2003 and the subsequent insecurity there triggered the emigration of some 450,000 Iraqis to Jordan. Unlike previous waves, this was not a wave of Palestinian immigrants. While most were Sunnis, only 17 percent were Shiites, mostly from Baghdad, and some had financial resources that eased their resettlement in Jordan. Compared to previous immigrant waves, a large number of them had higher education, a factor that further helped their integration. The Iraqi refugees were not granted citizenship, even though most have been living there since 2003.

The Fifth Wave

Since the start of the so-called Arab Spring in 2011, some 1.4 million Syrian refugees have found refuge in Jordan. Turkey has taken in double that number, and Lebanon has taken in roughly as many as Jordan. Within Syria there is a vast number of internally displaced people who fled their homes; the United Nations High Commission for Refugees (UNHCR) puts their number at 6 million. Presumably if and when initial reconstruction efforts begin, they will aim at those who stayed rather than at those who found refuge in neighboring countries.

Reconstruction in Syria that allows Syrian refugees who fled the country to begin a comprehensive process of return will require political and economic conditions that currently seem unattainable and at the very least will take many years. Cautious assessments have put the cost at $250

billion – a challenge that the global financial system will be hard pressed to meet. Assad's regime, if left in place, will prefer to help the refugees who stayed in Syria and will be very selective in granting requests to return, so as to prevent those who escaped – some because they opposed the regime – from coming back. If this scenario does in fact come to pass, the nations that took in the lion's share of Syrian refugees – Turkey, Jordan, and Lebanon – will have to prepare for the refugees' long term stay in their lands. There is no precedent in the Middle East for the return of large refugee populations to their native countries.

Jordan and the Syrian Refugees

Refugee Registration, Legal Problems, Political Ramifications

Of the 1.4 million Syrian refugees in Jordan, approximately only half – 752,000 – have registered with UNHCR. Registration is important, because it grants those registered the right to healthcare and education provided in part by various UN agencies. In addition to this registration, every refugee is supposed to register with the Jordanian Interior Ministry; failing to do so is grounds for deportation. Refugees must also register for new births, enrollment of children in Jordanian schools, and marriage. Some 16 percent of refugee children under the age of 5 have no birth certificates, which creates legal and bureaucratic problems whether they stay in Jordan or join their parents upon their return to Syria.[2] Because the Jordanian authorities have no updated registration information for one million Syrian refugees, the Jordanian government decided in March 2018 to formalize the presence of all Syrian refugees by the end of the year.[3] It is doubtful if this effort will yield complete, accurate lists, whether because it is not clear that those who are not registered and/or do not have current identification will hear of the registration drive or because many refugees will prefer to melt into the crowd and not be subjected to any effort to return them to Syria.

Marriages between Jordanians and non-Jordanians create further complications, because Jordanian law recognizes the children of "mixed" couples as Jordanian citizens only if the married man is Jordanian. The thousands of children of mixed couples in which the woman is Jordanian and the husband Syrian (or a citizen of any other country) are not entitled to Jordanian citizenship. This policy touches on the root of the conundrum facing the Jordanian regime, i.e., the implications of every decision on the status of the Syrian refugees in Jordan for the legal, and especially, political status of Jordan's Palestinians. Any willingness to recognize the full rights

of the children of a Jordanian woman and a non-Jordanian man could encourage Palestinian men who are not Jordanian citizens – e.g., living in the area controlled by the Palestinian Authority – to marry Jordanian women, thereby expanding Jordan's Palestinian population.[4] The start of a process naturalizing Syrian (and Iraqi) refugees would free the countries of origin from the burden of repatriation and from the political and security challenge inherent in the return of a people, some of whom fled because they were opposed to the regime, which is back in control. Thus, Jordan would be helping the regime in Damascus in its effort to obliterate evidence of the refugees' Syrian citizenship and property rights.

A Jordanian decision to begin a process of naturalizing Syrian and other refugees will have ramifications for the delicate Hashemite-Palestinian balance. Ostensibly the current situation of a Palestinian numerical majority and Jordanian citizens' acceptance of a constitution that leaves effective control in the hands of a Hashemite king does not obligate the Hashemite regime to make any radical changes. On the other hand, any change such as naturalizing refugees, which would reduce the political clout of Jordan's Palestinian population, could follow the formation of an independent Palestinian state or an autonomous entity in a federal or confederal arrangement with Jordan. One may assume that under regional conditions emerging from a political resolution of the Israeli-Palestinian conflict, the Jordanian regime will want to avoid constitutional and other changes stemming from demographic causes, as such changes would mean giving the Palestinians full political representation.

Moreover, if and when the Jordanian regime must decide on naturalizing non-Palestinian refugees, it will have to consider not only the internal ramifications, such as the response of Jordan's Palestinian population, but also the response of Arab and non-Arab foreign nations. Most will only act as passive observers, but others – such as Israel – will take an active interest in such a move and its consequences. For many reasons, especially on the broad strategic level, Israel would prefer that Jordan's Palestinian population have a large say in the economic sphere without necessarily holding a majority in parliament or questioning the regime's legitimacy in any way. A greater share of the population in Jordan that sees the Assad regime as hostile will also influence Israel's attitude to demographic changes in Jordan and Lebanon.

Refugee Absorption and Economic Problems

The burden of hosting refugee populations is heavy even for economies stronger than Jordan's. In early 2018, the Jordanian government estimated that since 2011, the direct cost of taking in refugees had come to $10.3 billion.[5] Jordan's 2018 budget totals $12 billion. In 2017, international aid to Jordan reached $1.7 billion, only two-thirds of the financing needed.[6] In other words, that year Jordan spent more than half a billion dollars on refugees.

Since it was founded, the kingdom has staggered from one economic crisis to the next; the regime is constantly raising funds from donor nations and juggling loans from various international institutions. The most recent political crisis in Jordan erupted in May-June 2018, when trade unions protested and many members of parliament called for the ouster of Prime Minister Hani al-Malki because of the fiscal reforms and austerity measures demanded by the International Monetary Fund in an attempt to reduce the public debt (by the end of 2017, this had hit more than 95 percent of the GDP) as a condition for another loan.[7] King Abdullah managed to contain the demonstrations and the angry debates in parliament. He also replaced the prime minister, and a dialogue with all parties concerned was substituted for the implementation of the reforms. However, by late October 2018, the regime failed to reach any compromise with the factions opposed to the reforms.

On their own, the numbers do not reflect the socioeconomic impact of an added 1.4 million people to an economy in which unemployment already stands at 20 percent; in certain segments, such as women and the younger generation, it is higher and even double. The numbers also do not reflect the toll this immigrant wave takes on infrastructures. Jordan suffers from an acute water shortage, and the added population obviously exacerbates this shortage. The Jordanian government's assessment is that by 2025 the demand on water will outstrip Jordan's supply by 26 percent.[8]

The Jordanian water problem has two possible solutions, both of which require cooperation with regional partners. One is desalination of Mediterranean waters on Israel's shores and piping them to Jordan (and the PA); the other depends on Turkey's willingness to allow greater water flow to Syria via the Tigris River, which would increase the amount of water in the Yarmouk River. The political feasibility of the latter is low, as for years, Turkey has refused all calls to allow more water into the Tigris. Also, both solutions require international financing, which in part would

have to take the form of a grant because the Jordanian government will not be able to cover the expense.

The labor market reflects the intensity of Jordan's economic woes and the regime's (in)ability to resolve them. The workforce comprises three population sectors: Jordanians, foreign workers, and Syrian refugees. In 2016, the number of working Jordanians reached 1.5 million, the same number as foreign workers (Egyptian, Iraqi, Syrian, and others), and presumably since then, the number of working Syrians has increased, compared to other foreigners and Jordanians.[9] The Syrian refugees' preference for Jordan's urban centers over the refugee camps stems in part from the issue of employment. Jordanian law limits the employment of non-citizens and requires foreigners to acquire annual work permits costing several hundreds of dinars ($1 = 0.71 dinar). Only 17 percent of non-Jordanian workers have registered and received work permits. Thus, there are some 1.2 million non-Jordanian people working without permits, leading to a black economy in which it is impossible to supervise wage and employment conditions and in which the government loses revenue. Some international aid has been conditioned on employing a certain number of Syrian refugees, but the lack of orderly registration harms Jordan's ability to receive this aid.

On the issue of employment, the Jordanian government faces a tough dilemma, because its efforts to improve the living and employment conditions of the Syrian refugees conflict with the need to reduce unemployment among Jordanians and the wish to reduce the number of refugees living in Jordan. In the long term, Syrian workers may displace the other foreign workers by acquiring skills and accepting lower salaries than those of Jordanians and other foreign workers. However, unlike other foreign workers, Syrians did not come to Jordan to look for jobs; their presence there is the result of the civil war in Syria. Unlike many other foreign workers, the Syrians, many with families, came to – and remain in – Jordan ostensibly until the sociopolitical conditions in their homeland allow them to return. These differences put pressure on Jordan's economy and make it difficult for the government to formulate a policy to regulate the number of non-Syrian foreign workers by extending residency and work permits. However, Jordan cannot expel the Syrian refugees, because of international censure that would result from an attempt to tighten restrictions or to deport them without first ensuring a safe reception in Syria or a third country.

Healthcare is another distressing problem. In early 2018, the Jordanian government decided to cancel its subsidy for hospital care for Syrian

refugees living outside the refugee camps, both because of budgetary constraints and as an effort to return some of the refugees to the camps. For the Syrian refugee population in Jordan, 80 percent of whom live below the poverty line (less than $3 per day per capita), this means giving up on a critical service.[10] In fact, a UNICEF report states that 45 percent of Syrian refugee children have no access to reasonable healthcare service, including basic inoculations.[11]

These are only some of the economic troubles Jordan faces. But education is the heaviest budgetary burden by far, and stands out in Jordan's financing request of the donor nations group, which met in April 2018 in Brussels.[12] The Jordanian government and the international aid organizations assessed the three-year (2018-2020) budget request for a per capita aid package at $7.3 billion, of which $1.5 billion is earmarked for education, $600 million for food security, $510 for healthcare, and $650 million for water. Based on past experience on the ratio between needy nations' aid requests and donor nations' commitments and actual donations, Jordan will have to make do with aid totaling less than two-thirds of this amount. In previous years, the aid Jordan received for hosting Syrian refugees was divided between grants and attractive loans (low interest rates and late payback dates). In other words, no matter what, some of the financial burden will have to be borne by Jordan.

These problems, other chronic troubles, and issues that have worsened because of the Syrian refugee wave, as well as the absence of a comprehensive solution to these problems all have the potential for disaster liable to undermine the stability of the kingdom and regime.

The Arab Spring, the Syrian Refugees, and Jordan's Security

In the more than seven years since the start of the Arab Spring, the Jordanian regime has not had to face severe domestic or foreign security challenges. In the first two years of the regional unrest, there were demands for regime reforms, but King Abdullah managed to mitigate them with modest changes to the constitution and election laws. While the change to the election method resulted in the parliament occasionally refusing to be a rubber stamp to the king's decisions, it has not challenged the institution of the royal household, its status, or its authority.

On the other hand, ISIS's early successes and its territorial control of parts of Syria and Iraq rang a warning bell in Amman. The long borders with those two neighbors – 560 kilometers in all – are porous. Lacking any significant

natural barriers, they are relatively easy to cross illegally. For 30 years, Jordan's security services have tried to battle crime (smuggling, especially of drugs and weapons), refugee crossings, and the exit of Jordanians leaving to enlist in jihadist Salafist organizations. The precise number of the latter is unknown; estimates speak of 2,000 in the years when the Islamic State was at the peak of its powers. The ideological and organizational split between the Islamic State and Jabhat al-Nusra and the murder of the Jordanian pilot Muath al-Kasasbeh, whose plane was downed in late 2014 near Raqqa, the Islamic State capital in northern Syria, have reduced young Jordanians' support and enlistment in the organization.

The number of terrorist attacks in Jordan since 2011 is low, especially considering the fact that many Jordanians support radical Muslim movements, and given the economic problems that are usually a hothouse for cultivating support of these movements, as well as the geographical proximity to the independent Islamic State entity in Syria and Iraq. The most prominent attack claimed by the Islamic State occurred in December 2016 in the city of al-Karak, 140 kilometers south of Amman. The well-planned strike, in which six terrorists used sophisticated methods, killed 13 Jordanians, 11 of whom were members of the security forces, including men serving in Battalion 71 of the Special Forces, and five of the perpetrators. The action made 47 of the 130 members of parliament demand the dismissal of the internal minister, in charge of the gendarmerie (which engaged with the terrorists until the arrival of the Special Forces soldiers). In January 2017, several ministers were replaced, including the interior minister.

At least three terrorist attacks were carried out in 2016 and early 2017 in the Iraqi-Syrian-Jordanian border triangle, where several Bedouin tribes live. These tribes have found the borders, ID papers, and the sparse presence of the three nations' security forces to be no obstacle to crossing the borders at will and smuggling both drugs and – since 2011 – Syrian refugees. While most crossing into Jordan in the al-Ramtha/Irbid region in northern Jordan came from the Dara'a, Damascus, and Homs areas, most crossing in eastern Jordan came from Raqqa. In their flight through eastern Syria, they traversed areas controlled by the Islamic State, and Jordan feared that Islamic State sleeper cells would enter with them. Consequently, the Jordanian authorities treated these refugees much more harshly than those who crossed the western Syria-Jordan border. In practice, almost 80,000 of them are concentrated in closed camps in al-Rukban, a no-man's-land between Syria and Jordan. The worst terrorist attack was perpetrated in

June 2016 when a bomb-rigged car drove out of the camp and reached a nearby Jordanian army outpost. The ensuing explosion killed six Jordanian soldiers.[13] The Islamic State assumed responsibility for the attack.

As a result of the al-Rukban bombing, Jordan closed its border with Syria and, despite international pressure, especially in the summer of 2018 (when the Syrian army seized control of most of southern Syria), refused to allow entrance to more Syrian refugees. One may assume that Jordan's border policy will not change, even though the Islamic State was militarily defeated and lost most of the area it controlled. The August 11, 2018 terrorist attacks in northwest Amman (carried out by Jordanian adherents of the Islamic State), which killed four Jordanian members of the security forces, surely served only to strengthen the authorities' resolve not to permit additional refugees to enter.

In the next few months, Jordan will face a dilemma created by the Assad regime's re-occupation of southern Syria: who decides when the refugees can return to Syria and in what order (i.e., first from Jordan, or Turkey, or Lebanon)? What will happen to the refugees who refuse to go back? Since Syrian refugees began to flee to Jordan in their thousands, Jordan has found itself at odds with human rights organizations. Human Rights Watch, for example, has accused Jordan of expelling 400 Syrian refugees a month since early 2017 and has repatriated another "300 [in] unorganized returns of registered refugees per month that appeared to be voluntary."[14] Jordan will presumably initially want to dismantle the two camps in the country's northeast and return the residents to Syria, but it may run into Syrian foot-dragging for the same reasons that Jordan wants to send them back.

Israeli Aid

The demographic changes in Jordan and the region in general, the region's instability, and the appearance of Iran and Turkey in the arena adjacent to Israel are all a challenge to Israel's strategic interest in the Hashemite kingdom and the regime's stability. Jordan-Israel relations depend on two main factors: the Israel-Palestinian issue and Israel's ability to significantly help Jordan with its security and economic challenges. The brunt of security assistance to Jordan is borne by the United States, but Israel plays a role in terms of equipment and intelligence.

It is possible to expand economic ties in a mutually beneficial way. Israel can increase its spending in Jordan, especially if the government of

Jordan can prevent the boycott of Israel by the private sector. Israel can buy solar energy from Jordan, where production is being stepped up, as well as large quantities of sand and stone it needs for construction. If it becomes econonomically feasible to build a railway line for freight trains from the Mediterranean to the Red Sea, cooperation between Jordan and Israel could yield important results for both (should Israel agree to use the Aqaba port). In terms of trade, Israel could further the flexibility it has shown in economic agreements with the Palestinians and Jordan, increase the import of goods manufactured in Jordan, and allow the PA to import more goods from Jordan at reduced tariffs.

Regardless of the population distribution on both sides of the Jordan River, natural growth means the need for regional development of water sources and water transport. In fact, even now the only water sources are desalinated sea water and recycled water. The governments of Israel and Jordan as well as the PA are acting irresponsibly in postponing discussion and decisions on long term solutions to water scarcity. Solutions are possible only if there is regional cooperation. Without it, no international aid will be forthcoming.

Conclusion

Since the start of the Arab Spring, Jordan has shown its ability to cope with demographic, economic, and security challenges, and despite the upheavals in neighboring countries, it has remained stable. On the other hand, it is impossible to ignore issues that in the near future are liable to upset the kingdom, especially if most of the Syrian and Iraqi refugees remain in Jordan and if there is no fundamental change in Jordan's economic and financial data. The government's ability to deal with the refugee diaspora depends on massive financial aid from international economic and humanitarian organizations and donor nations, which may lose interest and/or the ability to continue to help, especially if reconstruction in Syria actually begins.[15] Even if the aid continues to flow, it will serve most of the Syrian refugees but not all. Some refugee groups not benefitting from the aid are becoming serious social and economic problems liable to turn explosive in the future. Although this essay does not deal with the Palestinian refugees in Jordan, it is important to remember that the US decision to stop financing UNRWA – providing education, healthcare, food distribution, and employment in the Palestinian refugee camps in Jordan – is cause for a great deal of

concern there; King Abdullah has raised the topic in talks with senior US administration figures.

Jordan's neighbors – Saudi Arabia, Iraq, Syria, Israel, and the PA – greatly affect Jordan's security and economy and thus also its stability. Although the situation in Syria and Iraq has stabilized, it is still doubtful that these nations can recover from the recent violence, and their instability has implications for Jordan. Leadership changes in Saudi Arabia and uncertainty about its economic resilience could hurt Jordan and its ability to raise money. In the 24 years since the signing of the Israel-Jordan peace treaty, the bilateral relations have had their ups and downs; both sides are disappointed that their expectations were fulfilled only very partially. Israel has a strategic interest in supporting the Hashemite regime and its ability to meet the challenges posed by prolonged Middle East crises. This interest would seem to demand a joint articulation of comprehensive and long term solutions to the Jordanian problems that affect Israel.

The Arab Spring created the Syrian refugee problem, a problem far greater than that of the Palestinians. It places a dangerous socioeconomic burden on Jordan, Lebanon, and Turkey, whose economy is much more robust than that of the other two. By contrast, the addition of non-Palestinian populations to Jordan and non-Shiite populations to Lebanon could have internal political implications and strengthen the current regimes in those nations.

Notes

1 The legal status of many Palestinians residing in Jordan and the West Bank was complicated further by Jordanian decisions following its 1988 declaration officially ceding any claim to the West Bank.

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3 Camille Dupire, "'Syrian Refugees will Greatly Benefit from Regularising Situation,'" *Jordan Times*, March 5, 2018, https://bit.ly/2oN0ywt.

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5 *Jordan Response Plan for the Syrian Crisis 2018-2020*, www.jrpsc.org.

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7 International Monetary Fund Press Release 17/291, "Key Questions on Jordan 18," July 24, 2017, https://bit.ly/2ynVR0L.

8 Hashemite Kingdom of Jordan, Ministry of Water and Irrigation, "National Water Strategy 2016-2025," p. 10.

9 Susan Razzaz, "A Challenging Market Becomes More Challenging: Jordanian Workers, Migrant Workers and Refugees in the Jordanian Labour Market," International Labour Organization, 2017. This comprehensive report deals with the gamut of problems the Syrian refugee diaspora in Jordan poses to the country. For employment numbers, see p. 23.

10 Camille Dupire, "Regularisation Campaign for Syrian Refugees Raises Healthcare Access Concerns," *Jordan Times*, April 2, 2018, https://bit.ly/2v7K3Rp.

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12 The Jordanian document "Jordan Response Plan for the Syria Crisis 2018-2020" was prepared by the Ministry of International Planning and Cooperation and international organizations and agencies helping the nations hosting Syrian refugees. The debates and resolutions of the Brussels conference may be found in Council of the European Union, "Supporting the Future of Syria and the Region – Co–Chairs Declaration," at www.consilium.europa.eu.

13 The attack in al-Rukban was one of a series of incidents and mishaps involving the Jordanian security services, and led to the dismissal of the Jordanian defense minister and several high-ranking officers. See David Schenker, "The Growing Islamic State Threat in Jordan," Washington Institute, *PolicyWatch* 2747, January 10, 2017, https://www.washingtoninstitute.org/policy-analysis/view/the-growing-islamic-state-threat-in-jordan.

14 "I have No Idea Why They Sent Us Back," Human Rights Watch, October 2, 2107, https://bit.ly/2zsipPs.

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Will the Military Option on Iran Return to the Table?

Ephraim Kam

Military action to stop Iran's nuclear program by destroying its nuclear facilities was never an attractive option to governments. It was amply clear that it was a problematic and risky move with no guarantee of success. The common assumption was that even a successful strike would not stop Iran permanently, and that after a while, Iran would try to resume its military nuclear program. In fact, a strike would provide it with justification to break out toward the bomb. These concerns were compounded by the possibility that Iran would respond with counterattacks, which would drag more nations into the military fray.

Given these concerns, almost all governments involved have so far been opposed to military action and have made it clear they would not take part. Only two governments have considered – or at least not ruled out – the military option: the United States and Israel. Both have expressed themselves in similar terms: all options to keep nuclear weapons out of Iranian hands are on the table, including military action. Thus, the Obama administration said that the military option was under consideration, and in March 2012 President Obama himself said that both Iran and Israel must take seriously the possibility of a US military move against Iran's nuclear facilities.[1] Moreover, during the Obama years, the United States developed bombs capable of penetrating the defenses of Iran's nuclear facilities and severely damaging them.[2]

However, at the same time, the administration took pains to stress that the time for military action was not ripe. Its reluctance stemmed from the concern that an attack on the nuclear facilities would stop the nuclear program only for a short time and eventually would only accelerate it,

Dr. Ephraim Kam is a senior research fellow at INSS.

because after being attacked Iran could be expected to cause widespread military chaos in the Middle East, which would force the United States to get involved and lead to a crisis in the oil market. By contrast, Israel felt that attacking Iranian nuclear facilities would lead to a long delay in Iran's nuclear program, because Iran's capacity to respond is limited and because Iran would be deterred by a confrontation with the United States, meaning that extensive regional escalation was not very likely.[3]

The Nuclear Agreement and the Military Option

The JCPOA's approval in July 2015 froze the military option. Beyond questions about the chances of a military strike's success, the Obama administration did not hide the fact that it viewed the nuclear agreement as an important achievement in its Middle East policy, generating hope of an expanded dialogue with Iran to cover regional issues and lead to a less confrontational Iranian policy. Clearly this approach undercut the credibility of the military threat: Iran apparently realized that the administration would not take military action, at least as long as Iran did not flagrantly violate the agreement.

At the same time, the JCPOA also undermined the likelihood that Israel would take military action. It was clear to Israel that its hands were tied and that it could not damage the agreement, because it would be accused of undercutting it and be held responsible for the ramifications. Israel would also need US aid after a military move to block Iran's reaction and curb Iran's attempts to reconstruct its nuclear program; it is doubtful it would have received that help from the Obama administration. Above all, and before the approval of the JCPOA, President Obama stated unequivocally that his administration had in no way given Israel the green light to attack Iran; senior administration officials explicitly told Israel it must not surprise the United States with an attack on Iran.[4] Many in the United States and Israel feel that in the first years of the JCPOA, the benefits outweigh its drawbacks, given the restrictions imposed on the Iranian nuclear program; the agreement poses a substantive danger only later, once many restrictions are lifted and Iran is free to develop an advanced uranium enrichment program. As time went on, it became clear that Israel's top echelon had serious disagreements about the efficacy and feasibility of a military strike. It would have been difficult to reach a decision on a military strike against Iran when key defense establishment figures opposed it.

Hence, it was clear that from the approval of the JCPOA until at least the end of Obama's term in office, a military strike – by Israel and certainly by the United States – was off the table. The only condition that might have made such an action possible would have been a significant Iranian violation of the nuclear agreement. No such violation was proven and thus the Obama administration remained opposed to military action against Iran.

The Trump Administration: New Parameters

Once Trump entered the White House, circumstances changed fundamentally for three main reasons:

a. The Trump administration's basic approach to Iran is profoundly different from that of the Obama administration. The President is surrounded by senior personnel who are hawks on Iran, first and foremost Secretary of State Mike Pompeo and National Security Advisor John Bolton.
b. Trump's decision to withdraw from the nuclear agreement and impose harsh sanctions on Iran has motivated Tehran to threaten to resume nuclear activities to the level of before the signing of the JCPOA and perhaps beyond.
c. Iran's military involvement in the fighting in Syria, which began during the Obama administration, has expanded during the Trump administration and led to more extensive military confrontation between Iran and Israel in the Syrian arena than before.

The starting point for this fundamental change is the Trump administration's attitude to Iran. Trump views Iran as the primary source of all evil afflicting the Middle East and the root of threats against the United States and its regional allies, above all Israel. To him, the most problematic component of Iran's conduct is its efforts to attain nuclear weapons, and because the JCPOA does not halt these efforts, it is a very bad agreement. But in addition to the nuclear issue, the administration is perturbed by Iran's regional intervention, its growing attempts to expand its presence and influence in the sphere – also at the expense of US influence and interests in the region, its investments in long range missile development, and its support for terrorism. Unlike its predecessor, the Trump administration does not believe there is any chance for building trust or a mechanism of dialogue with the current Iranian regime in the hope of moderating Iran's radical positions.

Instead, the Trump administration seems to feel that only intense pressure on Iran in a range of fields can change the regime's nature and

policy, and perhaps strengthen the opposition that can topple the regime. There have been two waves of pressure on Iran: Trump's announcement of the US withdrawal from the JCPOA, accompanied by a resumption of the economic sanctions against Iran and the promise of future sanctions, and whose ramifications for the Iranian economy are already apparent; and the dozen extreme conditions Secretary of State Pompeo laid down to the regime in Tehran.[5] Even if the additional pressure and Iran's worsening economic situation do not lead to regime change, the administration hopes that these will at least spur Iran to agree to revisit the nuclear agreement and change it to meet US and Israeli demands.

To date, the Trump administration has not threatened serious military steps against Iran, neither in the context of the nuclear program, nor in the context of Iran's presence in Syria. While the administration gives full verbal backing and justification to Israel's air force strikes on Iranian targets in Syria,[6] and US planes have on a few isolated occasions attacked Iranian/Shiite weapons convoys, for now it seems that the administration does not view a military move against Iran's nuclear facilities as realistic, because Iran has yet to provide cause for an attack in the form of a flagrant violation of the nuclear agreement. An even more important reason to avoid such a strike is that the economic pressure on Iran has not yet been exhausted and may yield future results. Thus, there is no reason to make a military move, which has the potential for unforeseen complications. In late June 2018, Secretary of State Pompeo explained that should Iran try to attain nuclear weapons, it would face the wrath of the world, but he made it clear that he was not talking about a military strike against Iran.[7]

The Trump administration's approach also affects Israel's position. While President Obama was in office, Israel avoided taking military action against Iran, in part because that administration's attitude to the military options differed from its own. Now Israel avoids the military threat precisely because of the close congruence between its position and that of the current administration. Israel seems to share the Trump administration's position that today, the right way to handle the Iranian nuclear issue is to undermine the nuclear agreement and increase economic pressure on the Iranian regime. As long as this pressure is applied, Israel has no reason to consider taking military action and risk the subsequent fallout, and concludes it is therefore better to wait and see what the sanctions may produce.

Two Possible Military Option Scenarios

Even if the bottom line is that at this time both the Trump administration and the Israeli government are not considering military action, the option may be back on the table in at least two scenarios, neither of which existed when the JCPOA was reached, as they stem from the Trump administration's policy on Iran and the tension between Iran and Israel in the Syrian arena.

The first scenario relates to Iran's decision regarding its ultimate position on the nuclear question. Tehran clearly wants to maintain the nuclear agreement and sees the US withdrawal and the renewal of sanctions as negative developments, which is why it has not yet declared the JCPOA null and void. For now, it is trying to live with it in cooperation with the five parties that continue to support the JCPOA. But presumably this is only an interim position, for two reasons: Iran presents the other five governments with terms for upholding the agreement, such as avoiding any talks on Iran's ballistic missiles or its regional conduct, and compensation for the damages that the restored sanctions are causing; it is almost certain that the JCPOA's European members will reject these terms as they currently stand. More important, such joint support for upholding the agreement does not help Iran very much, because the renewed sanctions imposed by the Trump administration have already caused significant damage to the Iranian economy. Iran's remaining partners to the agreement lack the wherewithal to help Iran reduce the sanctions' impact.

> Unlike the Obama administration, the Trump administration does not believe there is any chance for building trust or a mechanism of dialogue with the current Iranian regime in the hope of moderating Iran's radical positions.

Given this tough situation, and if the nuclear agreement collapses, Iran has two possible options: to soften its stance on the agreement and show willingness to reach a new accord that would comply with at least some of the US demands, both on the nuclear issue and on other topics, such as Iran's missile program and regional conduct. This is a very bitter pill for Iran to swallow, and it has thus far rejected out of hand every offer to reopen the nuclear agreement for further talks or any talks about its ballistic missiles. In any case, renewed talks, which would be conducted with the Trump administration, do not portend well for Iran.

The other option Iran seems to be considering is to defy all or some of the nuclear agreement's limitations. In recent months, Iran has signaled its intention to choose this route in response to the US withdrawal, in

particular, the plan to resume uranium enrichment to the 20 percent level. Khamenei also warned that if the JCPOA does not serve Iran's interests, it will withdraw from it altogether.[8] Iranian Foreign Minister Mohammad Javad Zarif Khonsari advised that Iran might renew its nuclear activities at a much accelerated rate in response to US steps.[9] Meanwhile, Ali Akbar Salehi, head of Iran's Atomic Energy Organization, announced that his country is working to manufacture advanced centrifuges for research purposes, stressing that the development of these centrifuges is not a violation of the JCPOA.[10] However, if and when Iran does decide to violate the deal, this step will likely help accelerate the process of developing a large scale uranium enrichment program.

Nevertheless, this option is no less problematic than the previous one, because Iran must consider that steps that can be seen as aimed at attaining nuclear weapons might lead to military strikes – either by the United States or by Israel – against its nuclear facilities. Iran would also alienate the European governments, because withdrawing from the agreement would cancel out any of the deal's benefits. This is most probably why Iran has, to date, acted cautiously, and, though it has threatened to breach the limitations of the agreement, it has not done so.

Even if Iran violates the agreement, it is doubtful that the Trump administration would rush to resort to military means before it is clear if the violations are critical and Iran is approaching breakout status. So far, the administration has shown no inclination to take significant military action or even threaten its use. The United States may therefore prefer to apply even greater economic pressure and exhaust its potential for opening the agreement to renewed talks before deciding on a strike.

The second scenario is essentially different, and relates to the changes to Iran's status in Syria. Since 2014, Iran has moved combat troops to Syria, for the most part Hezbollah units from Lebanon, Shiite militias from Iraq, and Shiite fighters recruited in Pakistan and Afghanistan. Only some are Iranian – units of the Revolutionary Guards and its subordinate Quds Force leading Hezbollah and the other Shiite militias in the fighting in Syria. Their most important mission was to help the Assad regime, which was on the verge of collapse. However, early on it became clear that Iran intended to leave its forces in Syria indefinitely and exploit the military stronghold it is building there to strengthen Hezbollah and the threat it poses to Israel, including from the Syrian front. This situation has forced Israel repeatedly to strike Iranian and Shiite forces in Syria, especially from the air. The

strikes have targeted convoys bringing advanced weapons to Hezbollah, weapons factories Iran has built in Syria to manufacture advanced weapon systems, stockpiles of rockets Iran has accumulated for Hezbollah, and aerial defense systems Iran has installed in Syria.

Under current conditions, the probability of a military strike on Iran's nuclear facilities as a result of an escalation in the Iran-Israel conflict in the Syrian arena is low, for several reasons. The Trump administration has neither cause nor interest to be involved in a military action in Iran consequent to the situation in Syria. Iran has so far been careful not to overdo its responses to Israel's strikes in Syria, apparently because it feels Israel has a significant military advantage in the Syrian arena. Iran may also be concerned that Israel will exploit the opportunity to attack its nuclear facilities. Russia too may be exerting its influence on both sides to prevent a more widespread confrontation. Israel may choose not to attack the nuclear facilities because of the complexity and possible repercussions of such a strike, i.e., an Iranian decision on aiming its own missiles and Hezbollah's missiles and rockets at Israeli targets.

But Israel's resolve to prevent Iran from building a stronghold in Syria, manifested in intensified attacks and the assumption that Iran will at the end of the day have to respond in greater scope to protects its forces, make it more likely that both sides will find themselves engaged in a wider confrontation. If that happens, one cannot preclude the possibility that Israel will see an opportunity and justification to attack Iran's nuclear facilities as well.

> Iran's vulnerability allows for the possibility of other steps against it, such as added economic pressure, damage to its forces in Syria, pressure to open the JCPOA in the context of renewed talks, and increased cooperation among the United States, Israel, and Saudi Arabia.

In that case, Israel will be in a very different situation than it was in the past, given the better chemistry with the Trump administration than with the Obama administration. It is likely that there is currently no agreement between the US administration and the Israeli government on the conditions for military action, for two reasons. One, the Trump administration is still focused on tightening the economic and political screws on Iran. Two, in general, the Trump administration seems leery of military action unless there is a serious threat to US security. Moreover, at this stage, Iran has not yet violated the nuclear agreement in any significant way, and the agreement still holds benefits because of the limits imposed on Iran's nuclear program. In this

situation, all the other governments linked to the deal want to uphold it, even if changes to it would be an improvement; they are in any case opposed to military action against Iran, a scenario that would upset the current balance.

The considerations against military action are bolstered by Iran's strategic position. In recent years, Iran has seemed more vulnerable than it was when the JCPOA was reached. For now, the Trump administration is willing to take steps to stop the Iranian threat by economic means; the future of the JCPOA, which Iran wants to uphold, is uncertain because of the US withdrawal, and it is not clear if the other partners will be able to maintain it. Iran's military intervention in the Syrian arena provides it with an important asset, but also leaves it and its allied Shiite militias exposed to Israeli attacks from the air without Iran having an effective response. Israel currently has improved aerial attack capabilities, because of the integration of the F-35 fighters into its air force; and Iran's intervention in Syria has turned into an internal problem, as masses of Iranian citizens have taken to the street to demand that its leaders steer the massive resources invested in Syria and other foreign nations toward the welfare of the population.

In addition, Iran's close military ties and extensive cooperation with Russia, especially on the Syrian issue, are problematic for Tehran. In terms of Syria's future, Russia and Iran have fundamentally contradictory interests. Russia maintains a steady dialogue with Israel at the highest echelons, and on the ground, is not intervening on Iran's behalf to stop Israel's attacks. Russia does not seem to want Iranian and Shiite forces near Israel's border, as this might lead to repeated Israeli attacks jeopardizing a future arrangement in Syria, as well as the regime.

Implications

The conditions for a military attack on Iran have changed since the JCPOA was reached. The strong steps taken by the Trump administration against Iran, as well as the US singling Iran out as the key threat to the interests and status of the United States, the US support-in-principle for Israel's position on Iran, and the uncertainty of any future US steps against the Tehran regime all have a powerful deterrent effect on Iran. There is also the possibility of further escalation in the Iran-Israel confrontation over the military stronghold Iran is building in Syria.

The damage to Iran's situation does not necessarily increase only the chances for a military move against it. On the contrary, Iran's vulnerability

allows for the possibility of other steps against it, such as added economic pressure, greater chances of internal unrest in Iran, damage to its forces in Syria, pressure to open the JCPOA in the context of renewed talks, which could lead to a better agreement from the Israeli and US perspective, and increased cooperation among the United States, Israel, and Saudi Arabia that can weigh on Iran. If such steps prove effective, it will, at this stage, not be necessary to embark on military action over Iran's nuclear ambitions. This may be why both the United States under Trump and Israel are talking less about the military option than they did during the Obama administration.

However, although the alternate steps have a better chance of success than before, the military option still exists, especially if it becomes clear that the Trump administration's current moves are losing effectiveness because Iran, together with other governments, has found ways to reduce their impact. Such a process could unfold in at least two scenarios. First, Iran, in response to US pressure, would make bold moves in the nuclear field resulting in its becoming a breakout state in light of a collapse of the JCPOA and an Iranian refusal to make fundamental changes to it. In the second scenario, the military confrontation between Iran and Israel in the Syrian arena escalates, creating an opportunity for Israel to attack nuclear facilities in Iran. This does not refer to a limited confrontation that involves some increase of Israeli attacks in Syria and sporadic Iranian rocket and missile fire, which would not provide sufficient reason to attack Iran's nuclear facilities. The situation would have to escalate to a very significant degree, involving, for example, Hezbollah aiming massive rocket and missile fire at Israeli targets from Lebanon and Syria, and perhaps even Iran itself, giving Israel the justification to exploit the opportunity to damage Iran's nuclear facilities.

If a reexamination of the military option is linked to a major escalation in the Israel-Iran conflict in Syria, it is quite likely that Israel, possibly with US backing, would carry out the attacks on Iran's nuclear facilities.

If military action becomes likely, given either of these scenarios, the question becomes: who will execute it? The United States has a strong advantage over Israel, operationally speaking. Its aerial forces are stationed much closer to the Iranian targets, and its operational capabilities are much greater. US deterrence vis-à-vis Iran is greater than Israel's and could keep Iran from taking significant retaliatory steps after the action. The United States also has greater ability than Israel to undertake a series of continuous strikes to prevent Iran from rebuilding damaged facilities to the point that Iran may cede the effort to resume its

nuclear program for many years to come. Politically, too, the United States can withstand international censure far better than can Israel.

Nonetheless, if the administration concludes that a military strike is necessary to stop Iran from attaining nuclear weapons, it may prefer that Israel take action with the backing of the United States. It may not want to get bogged down in military activity in the Middle East beyond the war on terrorism, the assumption being that if Israel takes action the administration has greater freedom to take advantage of the outcomes. In any case, if a reexamination of the military option is linked to a major escalation in the Israel-Iran conflict in Syria, it is quite likely that Israel, possibly with US backing, would carry out the attacks on Iran's nuclear facilities.

An important question here is the consensus and proposed schedule for action. In this sense, there may be a difference between the two scenarios. Even if Iran violates the prohibitions the JCPOA imposed on its nuclear program, not every violation would lead to a military move. Clearly, the two governments would not necessarily agree on the type of violation demanding military reaction. One can also expect that in addition to the United States, other JCPOA partners would continue to uphold their position, i.e., not opting for military action except in extreme situations. Moreover, even if it is possible to identify steps implicating Iran in suspect nuclear behavior, a considerable period of time would be needed to formulate a resolution in favor of a military strike. Much time would be needed to examine the nature of Iran's actions and agree on their degree of severity, at least between the United States and Israel. No less importantly, even if the US administration considers the military option favorably, it would be asked to exhaust all other options first, including Iran's willingness to concede and the attempt to build a coalition to support a show of force against Iran. By contrast, the scenario in which the Iran-Israel conflict escalates could be less complex and more rapid. The activities and stances of both sides would be clearer, the number of players smaller, and the decision making process faster. If the decision is made to attack Iran's nuclear facilities, it is reasonable to think that Israel would carry it out.

The bottom line: current conditions do not provide a sufficient foundation for an attack on Iran's nuclear facilities, either on the part of the United States or on the part of Israel. When it comes to the nuclear question, there is a perfectly reasonable alternative to military action – in the form of US pressure – and the Iran-Israel conflict on the Syrian front is still limited. However, these conditions could change if Iran decides to accelerate its

nuclear activity in a significant and threatening manner or if the conflict between Iran and Israel escalates and assumes the form of a missile war.

Notes

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The International Process to Limit Autonomous Weapon Systems: Significance for Israel

Liran Antebi

Autonomous weapon systems are unmanned systems or robots that can operate without human intervention or with minimal human involvement to carry out military missions, including the use of lethal force. Their development has been debated since 2014 by the countries that signed the UN Convention on Certain Conventional Weapons (CCW) in 1980, but the discussion is still in the early stages. One of the difficulties has been to reach agreement on defining what constitutes autonomous weapon systems, and even more so, on the need to ban or regulate the use of these systems, partly because their implications for a whole range of issues within and beyond the context of weapons control are not yet clear.

This article describes the attempt to achieve international regulation of these systems and the challenges that have ensued, and examines the implications for Israel. The article recommends the policy Israel should adopt at this stage, such as joining forces with countries that share similar interests in the international process. Israel should also be rigorous in using the various systems in line with normative standards and accepted rules of warfare, in order to preempt any criticisms of its use of these systems, and maintain its freedom of action in this field to prevent any harm to its security and economic interests.

Autonomous Weapon Systems

Definition of the term Autonomous Weapon Systems (AWS or LAWS[1]) has prompted a wide debate in the scientific and legal communities. Much of the debate centers on the degree of human involvement required to operate the

Dr. Liran Antebi is a research fellow at INSS.

systems. However, there is a fairly broad consensus that autonomous systems are characterized by the ability to execute one or more missions without human intervention, relying on actions based on the interaction between computer software (which is part of the system) and the environment.[2]

According to a simpler definition from the International Red Cross – one of the organizations seeking to limit these systems – AWS are systems that can seek, identify, and attack targets independently, without human input.[3] One of the ways to distinguish between the various systems refers to their level of independence.[4] Conversely, autonomous weapons can be defined according to the level and type of human involvement.[5]

Many countries began to identify the potential of unmanned systems for security needs in the early 21st century. Significant advances were made in technology, particularly in the field of artificial intelligence (AI), which is a central component of such systems, and these countries have taken various steps to acquire and develop the systems independently. The leading countries in the field are the United States, Israel, Britain, and France;[6] in recent years China, Brazil, Iran, Russia, and others have also taken an interest. Consequently, there are fears of a global AWS arms race.[7]

In fact, most operational military systems currently in use are manned or remotely controlled, and require major human involvement. Moreover, due to various constraints, including the need to examine the efficiency, reliability, and safety of new systems as well as legal and other issues, at present even systems with complete autonomous capabilities are not generally operated entirely without human involvement in the operating loop. This tends to vary according to the countries that use them.[8]

Although the field is still in the early stages, a number of autonomous systems have already been tried in operational situations, including air defense systems such as the American Patriot or the Israeli Iron Dome. In spite of their high level of autonomy, most of them require a human operator to open fire, due to a decision in principle by the countries that use them.[9] Along with these systems, there are also systems with limited, non-lethal autonomy, such as self-driving vehicles (carrying weapons that are remotely operated by a human operator),[10] autonomous water-borne[11] and underwater craft (some with autonomous firing capability),[12] and aircraft with autonomous takeoff, landing, and refueling capabilities such as the X47-B,[13] as well as loitering munitions such as the Harop – an air system able to fly, hover, locate, track, and attack targets with no human intervention, for example, by homing in on radar signals.[14]

Based on various studies seeking to predict technological feasibility in this field, it appears that completely autonomous vehicles will be technologically possible within two decades, and it is therefore highly probable that they will become more important to modern armies.[15] In addition, last year saw a number of operational-technological advances in the field. Kalashnikov Concern, for example, announced the development of a system that uses a neurous network to enable weapon systems to make "fire or don't fire" decisions.[16] Another example was given by the US Department of Defense, which demonstrated the autonomous action of a swarm of 103 drones whose flight paths were synchronized in real time by an advanced algorithm.[17] These are just two examples from a variety of developments.

International Reservations regarding Armed Autonomous Systems

As autonomous weapon systems become more developed and widespread, growing numbers of questions arise concerning their legal and moral aspects. While such issues are relevant in areas where autonomous systems operate, the military area is particularly sensitive because it involves life or death decisions. One of the main fears about AWS is that they are "indiscriminate."[18] The use of "indiscriminate" devices is forbidden under international law, and in November 2012, these and other concerns led to the publication of the *Losing Humanity* document by the Human Rights Watch organization, calling for a ban on the use of "killer robots," thus making the use of armed autonomous systems illegal.[19] That same year, Campaign to Stop Killer Robots was established; members of its steering committee include several NGOs working for human rights, weapons restrictions, and so on.[20]

Since 2014, after various elements succeeded in bringing the matter to international awareness, the countries that signed the CCW Convention have held discussions on the possibility of adopting a new protocol that will ban or at least regulate the use of AWS. Notwithstanding international activity in this field, at the start of 2018 there was still no legal restriction on the development or use of AWS, and as long as their use complies with standards that do not contravene the accepted laws of war, it is legal.

The subject came up for discussion at the UN in 2014 in the framework of the CCW, and in 2016, following a number of meetings, the decision was taken to set up a Group of Governmental Experts (GGE). This step indicates how seriously CCW member states take the need to prevent or at least regulate the use of AWS, because the Convention is general and

its protocols regarding various weapon systems are only binding on the countries that sign the specific protocol. The establishment of the GGE was evidence of the chances for a new protocol. The first GGE meeting took place in November 2017, after a meeting planned for August was cancelled for financial reasons.[21] The GGE also met in April 2018, but has not yet managed to formulate an accepted definition of autonomous weapons or reach other significant agreements.

The discussions are proceeding slowly, compared to the pace of technological developments.[22] Moreover, it is not clear whether the countries will eventually reach agreement on the addition of a protocol to the CCW that will be binding only on the countries that have joined the protocol, or alternatively, whether they will reach an understanding that the international debate already includes the norms that require human engagement in the operation of weapons, and then the matter can be treated as binding usage law that applies to all countries, even those that are not a party to the Convention.[23] However, the CCW is limited to issues concerning weapon systems, and in view of the dual use (military-civilian) of the artificial intelligence that underlies machine autonomy, imposing a military-only ban could be problematic as well as ineffective.[24]

One of the main challenges to the UN process is the absence of agreement over the definition of the term "autonomous." However, there is general agreement based on the accepted norm that "it is immoral to allow machines to make life or death decisions." The lack of agreement on the definition hinders the regulation process. Moreover, the status of the concept "meaningful human control"[25] that was introduced by Article 36 of the Human Rights Organization[26] and became one of the most accepted concepts in discussions of the subject has recently declined for various reasons such as its linguistic simplicity (which made it easy to adopt but also led to practical problems), political reasons, and the objections by some countries to having the debate led by human rights organizations.[27] In any event, the struggle over terminology hampers the process.

The Leading Countries in this Field

Notwithstanding the opposition by various parties to the use of AWS, it appears that the ability to impose and enforce a ban on their use (an international arms control regime) is limited. There are two main reasons for this: first, the CCW mandate deals with restrictions on conventional weapons only, largely in view of International Humanitarian Law (IHL),

which refers primarily to issues such as the treatment of combatants, prisoners, and civilians in wartime, and is not readily able to take other subjects into account. The second reason is that countries that are leaders in the technological field do not support limitation or even regulation. Protocols of the 2015 discussion show that many countries do not seriously consider the option of an international regime in this field, and this suggests how they might vote on any future protocol.[28] In fact, so far only 26 countries[29] have declared support for a preemptive ban proposed by Campaign to Stop Killer Robots.[30] Most of these countries are not technological leaders or powerful in other ways. Meanwhile, the most prominent countries in the field of armed autonomy, including the United States, Russia, Britain, France, and Israel, oppose any discussion about changes in international law on the matter.[31]

In its 2017 statement to the GGE, the United States argued that it does not believe in the need to adopt a specific working definition of autonomous weapon systems. Instead, it supports promoting a general understanding of the features of these systems, and believing that laws of warfare provide a strong framework for regulating use of weapons, is convinced that the GGE can discuss potential issues deriving from the use of AWS.[32] At the same time, the United States is the country that regulated the use of these systems internally with an administrative directive, in which the US Department of Defense instructed its various units not to purchase or make use of weapon systems that did not involve humans in their operating loop.[33]

Russia likewise does not support the process, and claims that the main problem with the discussion is that the work of the GGE "is done in the light of speculative debate, cut off from reality, deriving from a deficiency of knowledge in the real operation of autonomous weapon systems and general understanding with reference to working definitions and their basic functions at present."[34] It appears that two of the strongest countries in the arena, the United States and Russia, are opposed to any regulation, and they will not rush to assist in the process, which could delay future efforts to raise the support and resources to oversee and enforce any restrictions. This is particularly a problem in view of the history of security regimes, which shows that the support of most and in some cases all world powers is essential in order to establish, maintain, and achieve the objectives of such regimes.[35]

Significance for Israel

Israel is a signatory to the CCW Convention, attends the discussions on the subject of AWS, and also presents its position on the matter. In its most recent statement in Geneva in April 2018, Israel disagreed with the reference to autonomous weapons as systems that "make decisions by themselves." Its position is that all weapons, including autonomous weapons, are operated by human beings, and that autonomous systems should not be classified as "deciding" by themselves. According to Israel, at the research and development stage, human beings have to take account of operational scenarios and obey the laws of warfare, and at the operational planning and operating stage, the commander is responsible for ensuring that their use complies with international law, and if necessary, limit the use of the systems if they conflict with the law.

In other words, in Israel's opinion, human beings are responsible for ensuring that the use of AWS complies with the law. Israel argues it is a mistake to claim that no human judgment or control is involved in the operation of such weapon systems, or that "it is the weapon itself that makes the decisions." It believes that there has to be a suitable level of human input for weapon systems, including autonomous ones.[36] It therefore appears that in the case of some principles, Israel's views are similar to those of the United States, and to a certain extent also Russia, which takes exception to a speculative attitude toward future technologies.

Israel is a manufacturer and exporter of advanced weapon systems, including unmanned systems, and for part of the past decade it was the world's leading exporter of unmanned aerial systems.[37] Moreover, in the framework of its security needs, Israel often uses unmanned vehicles, but even its air defense systems such as Iron Dome, in spite of their autonomous capabilities, are operated in Israel in a way that requires human approval to fire (intercept), although the system operates against "materiel" and not against personnel.[38]

Israel also manufactures systems in the field of loitering munitions. These include the Israeli systems in the HERO family made by UVISION,[39] the Orbiter 1K MUAS system from Aeronautics,[40] and the Green Dragon,[41] the Harop, and the Harpy made by Israel Aerospace Industries. Most of these systems require human involvement in the selection of targets and the decision to attack. However, systems in the Harop and Harpy family, for example, have the technical ability to fly, loiter in the air, and locate a target autonomously, using sensors that home in on radar signals, and

also to "commit suicide" on a target and destroy it using the explosives that they carry.

According to foreign sources, countries that have purchased such systems from Israel include China, Germany, India, South Korea, Turkey, Uzbekistan, and Azerbaijan.[42] A Harop system was purportedly used by Azerbaijan in Nagorno-Karabakh and killed seven people, who were defined by official Armenian sources as "Armenian volunteers." Some consider them the first victims of a "killer robot," [43] though it is not known if the system was autonomously operated. While there is currently sweeping international consensus about such systems, the debate in the UN could lead to their being banned.

In addition, Israel is a world leader in the development of artificial intelligence and involved in advanced developments in the field of autonomous vehicles, and a partner to breakthroughs by IBM in the field of AI. Israel is also home to development centers of some of the world's largest companies in these fields. In view of these advantages and given the security challenges it faces, Israel will probably seek to maintain its right to develop and use various systems in self defense, including systems based on autonomy and AI. Moreover, the countries that have not signed the CCW include Lebanon and Iran, which are both in conflict with Israel – something that could result in substantial asymmetry if Israel agrees to bans that do not apply to its enemies. There is also the fear that even countries that have already signed the CCW will not join the new protocol.

Due to the security threats Israel faces, its place in the global industry, and the systems it develops, Israel has no incentive to support a preemptive ban. Nor does it have an incentive to support a restriction that could limit its actions in any future fighting, beyond the requirements of international law. Israel therefore has the same interests as other countries, whether because they are involved in fighting in other parts of the world, particularly against terror organizations, or because they purchase Israeli systems to build their own military deterrents. These countries include the United States, Britain, India, and South Korea.

It will be hard for Israel to adopt an official position that differs from that of most members of the CCW Convention, due to the vulnerability of its international status. However, it can join forces with other countries and through or with them influence an international arrangement. Israel should also follow countries that demonstrate an approach similar to its

own, such as Russia and the United States. If they decide to disagree with or withdraw from attempts at regulation, this could help Israel to do the same.

However, as long as the debate continues, Israel must be extremely careful to ensure, as it has done until now, that it operates the various systems at its disposal in accordance with international law and the accepted normative standards. It must be rigorous about maintaining transparency as far as possible, which can help obstruct elements that wish to limit these systems in a way that does not serve Israeli interests. In addition, as a technological and military leader, Israel could consider adopting official and public internal regulation on this subject, similar to that of the United States. This would demonstrate a proper attitude to the matter, a deep understanding of the inherent risks, and an attempt to avoid them, through suitable internal supervision.

Internal regulation would be influential and beneficial, both internally and in the international arena. At the internal level, such an arrangement could help to outline the boundaries and provide guidelines for the industry that develops these systems, as well as providing clear and unambiguous guidelines for commanders who have to operate them in the field. Meanwhile, Israel could retain the right to cancel such guidelines as necessary, if events in the international arena oblige it to do so.

At the international level, by this action Israel would place itself in the same position as the United States, as a leader in the area of internal regulation and limitation. This must be done in parallel to the attempt to limit these systems at the international level, because the international process is long, complicated, and involves multiple interests, and could therefore fail. Although internal arrangements can more easily be cancelled or changed than international arrangements, it appears that in the current situation, they have better chances of exerting positive influence on the way autonomous systems are used than any international regulation, which at the moment appears difficult to achieve.

Conclusion

The important process taking place in CCW around autonomous weapons concerns ground-breaking technologies, which in some cases are not sustainable. It is therefore difficult to agree on the definitions needed for a binding move. Some of the leading countries in this field have reservations about the current process in the UN, believe it is necessary to wait and see how the technologies develop, and avoid decisions based on general assumptions.

Still, most of them agree that there should be human involvement at the stage of making life or death decisions.

Israel opposes any preemptive restriction on these weapon systems, even though like other countries, it supports maintaining the element of human judgment in the operation of the systems. In view of the security challenges Israel faces and the fact that it is a manufacturer and exporter of weapon systems, it must seek to maintain its freedom of action in this field as much as possible. It should therefore work together with countries that share its pragmatic approach and face similar constraints, be rigorous about operating its weapon systems in accordance with international law and accepted normative standards, and even adopt official, public internal regulation, as evidence of its responsible attitude and awareness of the challenges inherent in these systems.

Notes

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5 *Losing Humanity: The Case Against Killer Robots*, Human Rights Watch, November 2012, p. 2, http://www.hrw.org/sites/default/files/reports/arms1112ForUpload_0_0.pdf.

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7 Billy Perrigo, "A Global Arms Race for Killer Robots Is Transforming the Battlefield," *Time*, April 9, 2018, http://time.com/5230567/killer-robots.

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17 U.S. Department of Defense, News Release, "Department of Defense Announces Successful Micro-Drone Demonstration," January 9, 2017, https://bit.ly/2r5DMSt.

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19 *Losing Humanity*, pp. 11-12.

20 Campaign to Stop Killer Robots Website, https://www.stopkillerrobots.org/about-us.

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23 United Nations, Weekly schedule of the Conference on Disarmament (1st part of the 2018 session), UNOG Website, https://bit.ly/2CL1wB1.

24 Liran Antebi, "Controlling Robots: It's Not Science Fiction," in *Arms Control and National Security: New Horizons*, eds. Emily B. Landau and Anat Kurz, Memorandum No. 135 (Tel Aviv: Institute for National Security Studies, April 2014), pp. 65-80. In this context, some entities, including the Future of Life Institute, have experience of trying to increase awareness and international action on the challenges posed by artificial intelligence in general. This organization, founded by businessman Elon Musk and others, is also active in the field of limiting autonomous weapons and has published documents and videos on the subject and collected signatures on various petitions, gaining extensive media exposure and reinforcing the effect on international public opinion.

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41 Green Dragon, Israel Aerospace Industries Website, https://bit.ly/2AvlkHg. This system loiters autonomously but any attack involves human instructions.
42 Gettinger and Michel, "Loitering Munitions."
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The Growth of Economic Relations between China and the European Union

Yael Hattem

Over the last decade, trade between China and the European Union has grown by an annual average of 8 percent. Nonetheless, both sides feel they are far from exhausting the potential for economic cooperation. Recent economic crises, decelerated growth in China, and President Trump's sharp reversal of traditional US international policies are some of the factors impelling leaders on both sides to expand trade. At the same time, the forces urging cooperation face several difficulties, including issues of fair competition, intellectual property protection, and market access. An even greater fundamental obstacle is the EU's concern over Chinese political influence in the European continent, stemming from the dominance of government-owned Chinese companies as well as the scope of Chinese investments in the EU, especially ownership of critical infrastructures.

This paper examines the development of economic relations between China and EU states over the last ten years and asks what Israel can learn from this experience. It begins with a short survey of the political and economic changes over the past decade to the three largest economies in the world: the United States, China, and the EU. It then examines the development of economic relations between China and EU states and the difficulties facing all parties in maximizing the economic potential inherent in cooperation. The last part of the essay probes what Israel can learn from the economic cooperation between China and the EU states.

Background: Economic and Political Changes to the Large Global Economies

The last decade has seen political and economic changes that some thought would lead to a new world order. They include economic crises (the global

Yael Hattem is an intern with the INSS research program on Europe.

financial crisis and the euro crisis), Brexit, Donald Trump's foreign policy, and China's ascent to economic dominance.

The economic crises damaged Europe's economy, sparked tensions and disagreements among EU member nations, and resulted in the need for money and investments, especially among states on the EU periphery. They also led to the oft-cited claim that the root cause of the growing economic inequality is globalization. The 2016 British decision to leave the EU heightened concern that other nations would follow suit and that the EU might disintegrate altogether. EU leaders are working extremely hard in preventing such a domino effect, in formulating an agreement between the parties, and in implementing reforms following Britain's exit.

In the United States, President Trump is spearheading a change in the US role in the global order. His foreign policy, even if not always translated into practice, is nationalist, anti-global, protectionist, and at times isolationist.[1] The President decided that the United States would withdraw from the JCPOA, the Trans-Pacific Partnership, and the Paris climate accord; he also decided to impose protective tariffs. These are but some of the decisions pointing to the changes in the world's largest economy that have led to a loss of much of the trust the United States enjoyed in the international arena. The United States is increasingly seen as an unreliable partner.

China, one of the world's three strongest economies, is experiencing economic and social changes that affect its power and status in the international array of forces. China's economy – even after the slowdown – is growing faster than the global average. This growth is based on an expanding wealthy middle class and an increase in local consumption of goods and services. Investments around the world – especially in Europe – are skyrocketing; in fact, by 2020, China is expected to be the biggest investor nation in the world. In 2016, its global investments totaled $200 billion, a 40 percent increase compared to 2015.[2] At the same time, China faces challenges in making the complicated transition to a new economic model that stresses market freedom, innovation, growth, and more.[3]

These transformations are part of an increasingly heated debate over the future of globalization. Some see the start of a retreat toward national economies and the beginning of challenges to international trade and investments. Has the change in the US position pushed the EU into China's arms, opening the door to stronger relationships on a range of issues? While the US signals its intention to act unilaterally and independently, the EU and China have a shared view on the importance of a multilateral regime

calling for collective action. For example, in 2018, the Chinese ambassador to the EU called on the sides to take an anti-protectionist stance,[4] and in 2017, the EU's High Representative for Foreign Affairs and Security Policy noted that in times of increasing tensions and geopolitical uncertainty, EU-China cooperation had never been as important as it was now.[5]

The Development of Economic Relations between China and EU States

Trade Relations

Once diplomatic ties were established in 1975, China-EU relations developed rapidly. Especially after the signing in 2013 of the EU-China 2020 Strategic Agenda for Cooperation, cooperation in every possible sphere − trade, peace, climate, human rights − grew exponentially and made the EU and China highly interdependent.[6] The spheres of cooperation stress the EU's and China's expanding roles and responsibilities as global actors, as well as their willingness to continue to broaden their overall strategic cooperation, based primarily on trade and investments.

The EU is China's biggest trade partner, and China is the second largest of the EU's trade partners. Trade relations grew in particular after China joined the World Trade Organization, reaching 573 billion euros in 2017, compared to 306 billion euros in 2007. Similarly, the EU and China are one another's largest import source and second largest export destination. In 2017, China represented 20.2 percent of EU imports, and the EU represented 13.1 percent of Chinese imports. In terms of services, EU exports to China are equivalent to 22 percent of its export of goods, but this rate is only 8 percent of Chinese exports to the EU.[7]

According to a 2025 forecast, China's economy is expected to be 10 percent larger than the EU's (had Great Britain stayed in the EU, the EU's economy would have remained larger). Similarly, annual trade is expected to reach 678 billion euros, focused primarily on services and investments, and could improve as part of the One Belt One Road (OBOR) initiative.[8] Once OBOR is completed, the EU can expect to see a 6 percent increase in trade.[9]

China Buys Europe: Chinese Investment Trends of the Last Decade

Between 2008 and 2018, China acquired and invested some $370 billion in European assets. Since 2014, there has been a clear increase in the overall value of Chinese deals in Europe, peaking in 2016. Chinese investments in Europe in the last decade are 45 percent greater than Chinese investments

in the United States. More than half the transactions were completed in Europe's five strongest economies; in Great Britain alone, China invested some $70 billion.

Since 2008, some 360 European companies have been sold to Chinese owners, including tire manufacturers, aircraft makers, wind farms, seaports, airports, hi-tech companies, soccer teams, and more. Some of the acquisitions are staunch symbols of EU member states, such as the Italian tire company Pirelli, the Inter Milan Football Club, and the Swedish vehicle manufacturer Volvo – sharp reminders of China's tremendous purchasing power. Moreover, some of China's buying spree includes infrastructure projects, such as an English nuclear power plant and interest in future transactions involving Romanian and Bulgarian nuclear reactors, the construction of a new Swedish seaport, the acquisition of an Irish gas and oil manufacturer, and more.[10]

Obstacles to EU-China Economic Relations

Along with the economic benefits, trade relations between the EU and China face various problems; these are intended to be resolved through the efforts of more than 60 working groups and joint dialogues. Of the gamut of topics hindering trade development between the sides and investment agreements, there are three principal issues: the lack of fair trade with the EU market; the lack of intellectual property protection; and the degree of access by Chinese companies to the EU market.

The EU complains of unfair competition because of the role played by the Chinese government. Many Chinese companies investing in Europe are either owned or largely financed by the Chinese government, and consequently have an advantage over their competitors in the EU with easy access to enormous amounts of cheap money with which they can aggressively acquire attractive assets all over Europe. The lack of competitive parity is compounded by the claim that Chinese manufacturing overruns are exported to the EU at prices far lower than what EU companies can compete with.[11]

Another problem concerns China's standards of intellectual property protection, which differ significantly from those of the EU. This is manifested in two ways. In EU exports of technology and intellectual property, EU companies charge that their intellectual property is insufficiently protected; they fear that their technologies will be replicated in local Chinese factories. This concern has become more acute since 2016, when Chinese acquisitions and investments in the EU included access to intellectual property.[12] In terms

of importing Chinese technologies to the EU, EU data indicate that China is the leading nation to sell goods while violating intellectual property rights.[13]

At present, access to markets is the most trying strategic issue in terms of EU-China trade. While China claims that EU standards – e.g., on human rights, intellectual property, and technology – harm its ability to invest in and sell to the EU, thus in practice limiting its market access, the EU disagrees. The EU is troubled by the local market being overly open, manifested in the fact that China can do business as it pleases in all EU nations in a liberal market economy and under fair trade conditions, allowing China to acquire technological companies, chemical manufacturers, and national infrastructures.

The scope and nature of China's buying spree in Europe over the last ten years has finally sounded the alarm among EU leaders. The preoccupying theme is the potential for political influence that these acquisitions wield, a concern stemming both from the presence of Chinese government-owned companies in acquisitions all over the EU and from the acquisitions themselves – strategic national infrastructures.

In the last decade, of the 670 entities investing in Europe, 100 are owned by the Chinese government and are responsible for transactions whose total value is $162 billion, i.e., 63 percent of reported transactions. Furthermore, eight of the ten largest deals were carried out by state companies or companies financed by the state. These figures underscore that companies owned or financed by the Chinese government dominate the acquisitions and investments scene in the EU. It has been said that there is no such thing as a purely private company in China; in some way or another, all companies are connected to the government and the Communist Party.[14] EU leaders are troubled that some of these deals may be motivated by non-economic factors and represent political and/or security threats. For example, the Chinese company CEFC, which only in 2017-2018 invested more than a billion dollars in the Czech Republic, has close relations with the Chinese government. In exchange, the Czech president has become a huge supporter of China, pledging his support for China's claims against Taiwan.[15]

The concern about political and security influence grows more acute given the acquisition of infrastructures, especially in the context of OBOR.[16] The concern stems from the Chinese government's involvement, whether by outright acquisition of infrastructures or by the provision of financing, and from the fact that these are critical infrastructures that could serve China as leverage to increase its political influence in Europe and dictate

the spirit of the Chinese regime. China has stated that it does not intend to use OBOR to further its political or military influence,[17] but given China's lack of transparency and the very nature of the initiative, world leaders are skeptical regarding China's goals vis-à-vis the various nations through the project.[18]

In the past decade, China has made countless investments in critical infrastructures. It has acquired many seaports in France, the Netherlands, Belgium, Spain, Romania, and Greece, so that Chinese government-owned companies now hold one tenth of the capacity of European ports. The massive acquisitions of ports raise the concern that China is gradually seizing control of Europe's naval portals, jeopardizing the continent's security.[19] Similarly, the transfer of the Greek port of Piraeus into Chinese hands is an example of China's political influence: Greece supported China, choosing not to join in the EU's censure of China for human rights violations. In addition to the acquisition of seaports, China is buying other critical infrastructures, such as gas and energy companies, roadworks companies, and more. Portugal, for example, approved the sale of its largest energy company to a company owned by the Chinese government. China established the 16+1 Global Partnership with central and eastern European nations to increase Chinese investments there, especially in infrastructures and technology. This too is cause for concern that these nations, starved for funds and investments, will change their positions on China and support its policies. The fact that China owns the national infrastructures of EU member states will yield it political influence in those nations.

The rate of China's expansion into critical sectors of Europe's economy has caused EU leaders to call for joint action. It seems that a united European front does not top the agenda of the EU's most vulnerable, investment-starved members. In Portugal and the Netherlands, for example, political leaders have announced that they fear losing Chinese investments and can therefore not support a selective investment mechanism.[20] By contrast, Germany, France, Italy, and Great Britain are calling for a way to screen foreign investments for all of Europe. By the end of this year, these nations will have decided on significant steps to protect critical assets against foreign investments.

In July 2018, Germany blocked two Chinese intended acquisitions: one of Germany's largest electricity operators, and a metals company contracting with the aerospace and nuclear industries. Denial of the acquisition of the metals company – the first such instance in Germany – was

justified on security grounds. In addition, Germany has instituted foreign investments reforms and established that the government may undertake a security analysis if the foreign investor wants to acquire 25 percent or more of a company. The sectors included in this provision include critical infrastructures, energy, technology companies, transportation companies, and more. Recently, some have called for more stringent protections against Chinese investments and for reducing possible purchase by a foreign entity to 10 percent. These calls demonstrate a German consensus: fear of China's deep pockets and its industrial and political ambitions.[21]

France, Italy, and Great Britain likewise support a way to screen foreign investments more closely and expand the list of sectors subject to intervention to include technologies, artificial intelligence, aerospace, and the financial sector. President Macron temporarily nationalized the French technology company STX out of concern that technology would leak into Chinese hands. France is also working on shifting the authority to screen investments from the Finance Ministry to the presidency. Italy too is using newly legislated authority: it blocked the transfer of military technologies as part of the sale of Piaggio Aerospace to a Chinese government owned company. In Britain, several bills on national security and investments are currently being debated; these would cover security threats connected to intelligence activities and critical infrastructures.[22]

In tandem with legislative moves by individual EU member nations that support a European mechanism to screen investments, the European Commission is promoting an initiative to establish an investment mechanism that is supposed to be approved by the European Council before the end of the year. The plan includes an expansion of the sectors subject to screening, including ports and infrastructures, clearer definitions of critical infrastructures and technologies, attention to investments by foreign governments, and more. Similar developments are underway in Australia, Canada, Japan, and the United States.[23] Until such a mechanism is established, EU member nations will find it hard to reach a consensus on developing a united strategy on China; it might even lead to an EU split on policy toward China.

What Israel Can Learn from EU-China Trade Relations

In 2017, Israel-China trade was valued at $10 billion, a 6 percent increase over 2016.[24] While this does not come close to the scope of trade between China and the EU, there is a similar trend on the part of both Israel and

China to further trade relations. In recent years, China made some important acquisitions in Israel: it bought Tnuva Dairies, the electronics company Servotronix, and the cosmetics company Ahava. Chinese investors are looking to invest in Israeli innovation, especially technology. Alibaba, for example, has invested in several Israeli companies, and a consortium of Chinese companies acquired Playtika Ltd. for several billion dollars.[25] Also, as part of the OBOR initiative, China is moving into Israeli infrastructures, and is involved in roadworks, the light rail line, the Carmel tunnels, the Ashdod seaport, the operation of the Haifa seaport, and more. Nevertheless, the potential of Israel-China trade is far from maximized. In this context, some economists urge Israel to increase the number of Chinese investments in Israel; others warn against embarking on full-scale cooperation before having an orderly strategy in place.

By virtue of being a technological and innovation powerhouse (eleventh on the world innovation index, immediately after the ten most innovative nations in the world, eight of which are European),[26] Israel must be particularly vigilant about intellectual property protection and closely examine the types of investments and acquisitions by foreign companies, including Chinese. While the Foreign Trade Administration in the Ministry of Economy is aware of concerns about intellectual property rights violations and is working on this issue, mainly through trademark regulation, patent protection, posting a special attaché for regulatory matters (China is the only nation where Israel maintains a special regulatory affairs position), and more,[27] there is still not enough regulation to help protect Israeli intellectual property.

As evident from the EU's experience, the acquisition of critical infrastructures in Israel could also have political and security influence.[28] Chinese entrenchment in Israel through the acquisition of a railway line or seaports could enable China to hamstring Israel and limit its freedom of action in making political decisions with implications for its relations with China.[29] Thus, for example, transferring the management of the Haifa port to the Chinese casts a political shadow over Israel – China now controls a critical Israeli infrastructure, which could potentially be used to apply pressure to Israel should it damage Chinese interests. It also incurs a security issue, as an Israeli Navy base is located near the port, which gives the Chinese proximity to Israel's military activities.[30]

Israeli media recently reported that the government is looking to establish an investment screening mechanism to supervise foreign investments in Israel. Presumably Chinese investments would be the focus of such a

mechanism.[31] Because such a mechanism is being formed in the EU and can be expected to enter into action before year's end, Israel can learn from this legislation and decide if and what to implement. In tandem, Israel can learn from the nations that are already implementing legislation to screen investments at the national level, including limiting the percentage of control a foreign company can have in a local one (as Germany did), expanding the list of sectors subject to an investment screening process so as to include technology and infrastructures (as did France, Great Britain, and Italy), and examining the source of the investment to discover if a foreign government is involved. These steps taken by European nations, based on their cumulative experience in cooperation with China, could help Israel learn from the European experience and support a decision making process on Chinese investments in Israel.

Notes

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