

# Strategic ASSESSMENT

Volume 11 | No. 3 | January 2009

Operation Cast Lead: An Interim Assessment / Shlomo Brom

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## **Challenges for the New US Administration**

Memorandum to the Prime Minister / Oded Eran

Looking Ahead to Direct Talks between the US and Iran / Ephraim Kam

Sino-American Relations and the New Administration / Yoram Evron

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NATO's Regional Security Dialogue and Iran's Power Projection /

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The Annapolis Process: A Profit-Loss Balance Sheet / Shlomo Brom

Syria and the Global Jihad: A Dangerous Double Game / Amir Kulick

and Yoram Schweitzer

The Future of the IAEA Safeguards System / Ephraim Asculai

The New National Security Staff Law / Shmuel Even



המכון למחקרי ביטחון לאומי  
THE INSTITUTE FOR NATIONAL SECURITY STUDIES  
INCORPORATING THE JAFFE CENTER FOR STRATEGIC STUDIES  
אוניברסיטת תל-אביב AT TEL AVIV UNIVERSITY



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# Strategic ASSESSMENT

The purpose of *Strategic Assessment* is to stimulate and enrich the public debate on issues that are, or should be, on Israel's national security agenda.

*Strategic Assessment* is a quarterly publication comprising policy-oriented articles written by INSS researchers and guest contributors. The views presented here are those of the authors alone.

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Tel Aviv University Graphic Design Studio

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## The Institute for National Security Studies (INSS)

40 Haim Levanon • POB 39950 • Tel Aviv 61398 • Israel

Tel: +972-3-640-0400 • Fax: +972-3-744-7590 • E-mail: [info@inss.org.il](mailto:info@inss.org.il)

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# Abstracts

## **Operation Cast Lead, January 2009: An Interim Assessment / Shlomo Brom**

The military achievements of the campaign are obvious and significant. The IDF succeeded in attaining complete control of the operational field at every stage and dictating the campaign's evolution. Hamas did not manage to foil Israeli military objectives and failed in its attempts to extract substantive costs from Israel in the course of the fighting. Since the diplomatic campaign is still in its early stages, it is hard to assess fully to what extent the objectives of the fighting in Gaza were achieved in terms of creating a new situation vis-à-vis the Gaza Strip, which was the government's stated goal of the war.

## **Memorandum to the Prime Minister / Oded Eran**

The Institute for National Security Studies convened a number of Israeli experts to draft an agenda for the new Israeli prime minister upon the first, critical meeting he or she will have with President Barack Obama. Among the issues discussed: Iran; the Palestinian issue; Syria; Lebanon and Hizbollah; and US-Israel relations. The panel of experts included Prof. Itamar Rabinowitz, Maj. Gen. (ret.) Giora Eiland, Mr. Aluf Benn, Mr. Dan Halperin, Dr. Eran Lerman, Dr. Nimrod Novik, Mr. Zvi Rafiah, Dr. Roni Bart, and Dr. Oded Eran. Some members of the panel served at the Israeli embassy in Washington at different times.

## **Looking Ahead to Direct Talks between the United States and Iran / Ephraim Kam**

Direct talks between the United States and Iran over the nuclear issue are expected to start in the coming months. The incoming president has said he would be ready to meet directly with Iranian leaders during his first year in office if this promotes the interests of the United States. The article surveys the implications of a direct dialogue between the United States and Iran. It reviews the results of previous meetings and assesses the prospects for success of new direct talks.

**Sino-American Relations and the New Administration / Yoram Evron**

With the new American administration, a number of conditions are likely to moderate the tension in Sino-American strategic relations. Evaluating the principal factors underlying Washington's considerations vis-à-vis China – the limits of American power in international relations, the increasing tension with Russia, the need for strategic information about China, and the outbreak of the global financial crisis – can help analyze developments in Sino-American relations and consequently outline possible frameworks of action for Israel as it works with these two powers.

**The House is on Fire: NATO's Regional Security Dialogue and Iran's Power Projection / Emanuel Adler**

The article surveys the components of the volatile situation in the Middle East and explores how some of the obstacles to resolving the Iranian challenge might be neutralized. Focusing on a role that NATO might play as a "partnership for peace," the author urges a strategy of defusing, which can prevent Iran from attaining a huge strategic advantage of being the victim of an attack by Israel, and at the same time, changing the rules of the game in the Middle East so drastically that Iran's expectations, power projection policies, and attrition strategy would require revision.

**The Annapolis Process: A Profit-Loss Balance Sheet / Shlomo Brom**

The Annapolis Conference was meant to jumpstart the Israeli-Palestinian peace process and enable intensive negotiations over a permanent agreement. Since Israel and the Palestinians did not reach the stated goal of arriving at an agreement by the end of 2008, a widespread view contends that the Annapolis process has proven a complete failure. However, a deeper look at the Israeli-Palestinian process set in motion by the conference indicates that such a judgment is premature, as there was significant progress in developing the relations between the two sides and in creating conditions that may facilitate progress towards an agreement with both international and Arab backing.

**Syria and the Global Jihad: A Dangerous Double Game / Amir Kulick and Yoram Schweitzer**

This article presents Syria's links to global jihad elements and examines the advantages and risks inherent in these links for Bashar al-Asad's regime. In particular, it explores the use Syria makes of the terrorism-supporting card in order to consolidate its regional and international standing. In both arenas, this leverage serves on the one hand as proof of Syria's centrality in the global struggle against terrorism, and on the other, as a tool for mitigating political and military punitive measures resulting from its involvement in terrorism, especially in Iraq and Lebanon.

**The Future of the IAEA Safeguards System / Ephraim Asculai**

Although the IAEA has come a long way from what was its habitual mode of not angering its member states, even when the blame was there for all to see, it is still hesitant on going the extra mile and reaching technical conclusions. The contribution of the IAEA to the non-proliferation regime is considerable, especially in light of its activities in Iran. However, it still is not enough, and can be made much better if it adopts certain principles and acts more intensively in assessing the burning issues of the day, in Iran, North Korea, and Syria.

**The National Security Staff: Will the New Law Bring About Change? / Shmuel Even**

In July 2008 the Knesset passed the National Security Staff Law, which formalizes legally its status as the staff body of the prime minister and the government for national security affairs. The law, it was explained, "will make it possible to afford the decision making processes in the area of national security the normative standing it deserves." This essay considers if and how the high hopes for the law can be reached, and what obstacles face full realization of the law's potential.





# Operation Cast Lead, January 2009: An Interim Assessment

**Shlomo Brom**

This issue of *Strategic Assessment* goes to press soon after the end of the fighting in Gaza, a result of Israel's unilateral ceasefire that was followed suit by Hamas. The diplomatic campaign, mandated to capitalize on the achievements of the military campaign and create a lasting stable situation wherein the Gaza Strip will no longer serve as a platform for attacks against Israel, is still in its early stages. Consequently, it is hard to assess fully to what extent the objectives of the fighting in Gaza were achieved, not in terms of the immediate military successes, rather in terms of creating a new situation vis-à-vis the Gaza Strip, which was the government's stated goal of the war.

The military achievements of the campaign are obvious and significant. The IDF succeeded in attaining complete control of the operational field at every stage and dictating the campaign's evolution. Hamas did not manage to foil Israeli military objectives and failed in its attempts to extract substantive costs from Israel in the course of the fighting. The terrible destruction of Gaza and the large number of casualties there versus the very low number of casualties and minimal damage to property on the Israeli side demonstrate in concrete terms the gulf separating the balance sheets of the two sides. Hamas, which had hoped to mirror Hizbollah's achievements in the Second Lebanon War, failed utterly, and the only success it could flaunt was its ability to launch a small number of rockets every day until the end of the operation. Nonetheless, from the outset of these operations it was absolutely clear to all involved actors that the only military way to stop rocket launches completely was by reoccupying Gaza in its entirety.

Brig. Gen. (ret.) Shlomo Brom, senior research associate at INSS

Israel sought to avoid this move not out of military constraints rather because of the political cost of reoccupying Gaza and controlling it over the long term. The superiority demonstrated by the IDF's ground forces in all the battles and the low number of casualties made it clear that in terms of casualties, Israel can in fact reoccupy the entire Gaza Strip at a low and tolerable cost.

The military achievements may be attributed to the painstaking preparations made by the IDF for the campaign. Of particular note was the comprehensive and detailed intelligence gathering and its use to develop tactical and technological responses to the challenges prepared by Hamas for the expected confrontation, including very powerful explosive charges intended to destroy tanks, anti-tank missiles, booby-trapped houses, tunnels designed to allow surprise attacks by Hamas units, and more. Control of the air and the air force's precision weaponry capabilities made a decisive contribution to the successes of the campaign.

At one level, then, and on the basis of these military achievements, the war's objective was met. If the goal was to prevent the Gaza Strip from serving as a base for attacks against Israel and the way chosen was to attain a new balance of deterrence vis-à-vis Hamas, one that would make it clear to the organization that militarily it is far weaker than it had thought and that it paid a far steeper cost than it anticipated it would have to pay in any violent confrontation, then the objective was met: there is now a new balance of deterrence and it will have a major effect on Hamas' future considerations.

The central question is how to preserve this achievement over time. This can be done only through constructing a political system that will support the ceasefire and appropriate responses on Israel's part to ceasefire violations. The central dilemma for the Israeli government is how to do this without conferring political legitimacy on Hamas. For the time being, it is not clear if the diplomatic process taking place as part of the campaign and in its wake will indeed generate a ceasefire agreement with Hamas via Egyptian brokerage. In the meantime, and to some extent to compensate for the lack of such agreement, Israel is trying to arrive at agreements with third parties – the United States, the European Union, and Egypt – to prevent the rearming of Hamas. In this

context, Egypt continues to be the key, as only Egypt, even if with the help of other nations, can in fact prevent the flow of arms into Gaza.

The process of rebuilding Gaza will also become a source of contention between the various players. On the one hand are the Palestinian Authority, the axis of moderate Arab states, and the Western nations that will aim to be the rebuilders of Gaza without conferring legitimacy on Hamas and strengthening it, and on the other hand, there is the axis of defiance headed by Iran that will strive to strengthen Hamas through the rebuilding process. For the different actors, this will constitute the continuation of the military campaign and the diplomatic campaign by different means, to paraphrase Clausewitz's famous saying: "War is nothing more than the continuation of politics by other means."

An important aspect of the fighting in Gaza was the effect on the internal Palestinian system and on the Israeli-Palestinian political process. It is still not clear if the fighting weakened or strengthened Hamas politically in relation to the government in Ramallah. There are arguments for both sides. On the one hand, Hamas showed itself to have miscalculated by dragging over one and a half million Palestinians into an awful war in which its own performance was abysmal. On the other hand, the government in Ramallah was viewed to some extent by the Palestinians as collaborators with Israel, and this, coupled with the horrible pictures from Gaza, certainly did not add to the PA's popularity. Nevertheless, if the situation vis-à-vis the Gaza Strip proves stable and calm and it is possible to keep Hamas in its weakened state, it is safe to assume that it will be possible to continue the political process on the basis of the Annapolis Conference, which aims at empowering the government in Ramallah, with greater ease.

In any case, however, Operation Cast Lead did not eradicate Hamas. The organization still maintains a significant portion of its military capability, and it can presumably renew its effective control of the entire Gaza Strip. This represents a big difference from the IDF's successes in the West Bank during and subsequent to Operation Defensive Shield in 2003. In both operations, the IDF demonstrated the ability to operate wherever it

There is now a new balance of deterrence and it will have a major effect on Hamas' future considerations. The central question is how to preserve this achievement over time.

wanted at a reasonable price, but in the West Bank this was achieved at the cost of destroying the governmental system and creating a situation in which there was no partner for Israel to talk to. In the Gaza Strip, the situation is different, and one may well assume that even after the operation there will be a functioning Hamas government that will be able to impose its rule throughout the Gaza Strip. Israel's ability to deter the other side may be built precisely on this point. Hamas will also continue to be a central political player that to a large extent holds the key to an effective political process with the Palestinians.

Another important aspect of the campaign was the ability to maintain the calm in the West Bank. This may be attributed to the effective actions taken by Israel and the PA, but it seems that the main reason lies in the mood of the Palestinian public, which could sympathize with the purpose of this campaign but could sense the terrible damage to the Palestinian people caused by Hamas' unnecessary provocations. This is also a strong indication that Hamas' political and terrorist infrastructure in the West Bank is shattered. Hamas did not manage to launch even a single suicide attack from the West Bank despite its many threats, nor did it manage to spur the Palestinian public to mass protests.

Finally, one must not ignore the cost of this campaign, and in particular the great damage done to the Gaza civilian population. It is doubtful whether it was possible to prevent it in this type of war in which one side, Hamas, conducted the war against the civilian population of the other side from its own civilian population, despite all the efforts made to minimize the harm to civilians. Israel is paying a price for these casualties both in the negative effect on its image in the world and in the effect on its relations with the Arab world.

## Notes

This article is an initial response to Israel's recent campaign in Gaza. A more comprehensive review of Operation Cast Lead and its repercussions will appear in a separate issue of *Strategic Assessment*.

# **Memorandum to the Prime Minister**

## ***Outline for the initial meeting between President Barack Obama and the incoming Israeli prime minister***

**Oded Eran**

### **Introduction**

Barack Obama's declarations as a presidential candidate about the Middle East were fairly general and left many questions unanswered. These declarations, however, should be viewed through the prism of experience, which suggests that statements by American presidential candidates during their campaigns are simply meant to ensure them support from certain segments of the American public. When a candidate becomes the duly elected president, his policy is affected by many varied considerations that were likely not a part of his thinking before entering the White House.

A common assumption among the many trying to guess how President Obama will conduct himself with regard to the Middle East is that the global financial crisis, an American withdrawal from Iraq, and other international challenges will take up a great deal of his time, so that he will allot only limited attention to the Arab-Israeli conflict in general and the Israeli-Palestinian issue in particular. Nonetheless,

Dr. Oded Eran, director of INSS

The Institute for National Security Studies convened a number of Israeli experts to draft an agenda for the new Israeli prime minister upon the first, critical meeting he or she will have with the American president. The panel of experts included Prof. Itamar Rabinowitz, Maj. Gen. (ret.) Giora Eiland, Mr. Aluf Benn, Mr. Dan Halperin, Dr. Eran Lerman, Dr. Nimrod Novik, Mr. Zvi Rafiah, Dr. Roni Bart, and the author. Some of members of the panel served at the Israeli embassy in Washington at different times. This article is based on their contribution.

it is hard to assume that President Obama will be able to ignore the criticism leveled against his two predecessors, Presidents Clinton and Bush, whereby they left any substantive work on the Israeli-Palestinian conflict to the last months of their tenures. Confronting end-of-term time pressures, they tried to attain, primarily through two summit meetings – Camp David in 2000 and Annapolis in 2007 – more than the two principal partners in the conflict were capable of giving. It is significant, therefore, that on January 21, 2009, his first full day in office, President Obama called the chairman of the Palestinian Authority and the prime minister of Israel, signaling that the Israeli-Palestinian conflict figures high on his agenda.

President Obama will not be able to ignore the failures of previous attempts – from the Oslo accords to the Annapolis agreement – to promote an Israeli-Palestinian agreement, and he will have to decide how much time and energy he will devote to the Israeli-Palestinian conflict. In addition, he will have to determine the proportion between investment in this issue and efforts channeled toward the Israeli-Syrian track, and whether there are alternatives to the suggested solutions that have not borne fruit along the Israeli-Palestinian track.

The Israeli government to be established after the coming elections must not assume that the Israeli-Palestinian conflict will fall relatively low on the agenda of the new American administration. At the same time, this government will have an agenda of its own, and will have to convince the new administration in Washington of the inner logic of Israel's priorities.

### **President Obama's Agenda**

The agenda of the new president of the United States will include the following major priorities:

- Long term ramifications of the global financial crisis
- Rehabilitation and stabilization of relations with Russia and China
- Proliferation of weapons of mass destruction (North Korea, Pakistan, Iran)
- Iraq
- Afghanistan, and relations between Pakistan and India
- Regional issues such as the Middle East and Latin America
- Global terrorism

To these known issues confronting the Obama administration one must add unforeseen crises, such as natural disasters of great magnitude, energy or fuel price crises, or mega-scale terrorist attacks. Almost every topic is in some manner linked to Israel, and hence the significance of a meeting between the American and Israeli leaders during the first phase of the Obama administration.

## General Message

In the past, tension arose between Israel and the United States when the two countries surprised one another and operated alone on specific issues, without notifying the other, or when the expectations of one side were not commensurate with the ability of the other side to meet them. Therefore, it is important that Israel express its desire to continue to strengthen mutual coordination with the United States, based on reciprocal, systemic, and personal trust between the leaders in order to prevent surprises on both sides.

The international arena is at an historical crossroads, and both the United States and Israel face challenges and changes with long term implications for their vital interests. In Israel's case, these are also existential interests, and hence the very limited room for error as well as the need for maximum coordination and prevention of surprises between it and the United States.

## Iran

Israel must emphasize to the United States that the issue of Iran is urgent and of supreme importance and that it overshadows other concerns, and clarify that Israel cannot accept a nuclear-empowered Iran. Iran involves virtually every other core issue of the Middle East, in particular the stability of the various regimes in the region.

The preferred method for solving the Iranian issue is by using non-aggressive, non-military means while retaining the formula of "all options are on the table." Israel wants and needs to give diplomacy a chance on this question, though the window of opportunity is closing, as late 2009 would seem

The prime minister must stress that Israel clearly understands the link between rebuilding the status of the United States in the Middle East and the scope of its involvement in the Arab-Israeli conflict resolution.

to be the last opportunity for this recourse. Therefore, it is also necessary to maintain the credibility of the military option.

This is the time to underscore again the critical importance of Israel and the United States avoiding mutual surprises, especially surprises related to a military option as well as the possible (albeit unlikely) American willingness to draw an equation of “Dimona in exchange for Natanz” as part of American negotiations with Iran. Israel should request to be informed ahead of time of America’s planned steps, be they bilateral with Iran or multilateral. Thus a mechanism consisting of liaison officers who will coordinate the Iranian issue between the two countries should be established. These liaison officers may be military personnel or civilians, as per the decision of the two nations.

The potential success of sanctions to dissuade Iran from continuing its nuclear program is a function of the sanctions’ severity and intensity. As long as the Security Council does not approve harsher sanctions than those it has already imposed on Iran, it is difficult to envision the current sanctions yielding the desired results. Harsher Security Council sanctions essentially depend on agreement by Russia (and China); hence the importance of an American-Russian dialogue, critical for a number of issues, including Iran. Russian cooperation will make it possible to minimize Iran’s freedom of movement in both the nuclear realm and terrorism.

President Obama has already clarified that he is willing to engage in dialogue with Iran. The Israeli prime minister must make it clear that Israel is not opposed to such a dialogue if it can result in removing the Iranian nuclear threat, yet it urges the following conditions: a time limit, since the Iranians have always exploited every negotiation to continue their nuclear development; an Iranian commitment, even if not public and ostensibly free of international pressure, to suspend its nuclear activity; and a clarification to Iran what the ramifications would be for the failure of such a dialogue. If and when the US dialogue with Iran takes place, it is strongly recommended that it deal with Iran’s support for sub-state terror organizations and destabilizing efforts in the region.



## Political Steps with Regard to the Palestinians and Syria

It is important that the Israeli prime minister tell the new president at their first meeting that Israel views progress on both tracks – the Israeli-Palestinian and the Israeli-Syrian – as of great importance, and in order to further such progress, it is interested in active American involvement. The prime minister must stress that Israel clearly understands the link between rebuilding the status of the United States in the Middle East and the scope of its involvement in the Arab-Israeli conflict resolution.

The prime minister should suggest to the president that before any attempt is made to renew efforts on the Israeli-Palestinian and Israeli-Syrian tracks, Israel and the United States commit to undertake a thorough review of all the issues and the possible areas for maneuver. Both should clarify their red lines; evaluate the probability of success; and decide on a timetable for meeting the objectives.

Should Israel decide it is ready to proceed simultaneously on the two tracks, the prime minister will be able to make positive reference to the Arab initiative of 2002 in the meeting with President Obama, while emphasizing that this cannot serve as a substitute for negotiations or be a recipe for Arab passivity in whatever has to do with promoting relations with Israel before agreements are reached.

It is preferable that at the first meeting with President Obama, the Israeli prime minister also clarify that a complete return to the pre-Six Day War borders was never an American demand, and that the changes that have occurred on the ground since 1967 require flexibility on this issue from the Arabs as well. (For example, before 1967 there was no direct passage from the Gaza Strip to the West Bank through Israel. Mere compliance with the demand to return to the June 4, 1967 lines will leave the West Bank and Gaza Strip separated.) The next prime minister must also make it clear that the question of Palestinian refugees cannot be solved by the formula contained in the Arab initiative, though it already represents some progress towards an acceptable possible solution. The new American administration should be asked to focus on encouraging the positive

Operation Cast Lead stressed once again Israel's need for American aid, both for curbing negative political initiatives and for responding to political and security needs.

approach that the Arab initiative embodies, but to avoid sweeping and unreserved support for its contents.

### **The Palestinian Track**

Thus far the Palestinian track has experienced three major failures to reach a solution: the 1993 Oslo accords, the second, 2000, Camp David agreement, and the 2007 Annapolis process. Every additional failure will carry a heavy price tag. Nonetheless, it is vital to resolve the Israeli-Palestinian conflict, and it is clear that Israel and the United States cannot be seen as neglecting the subject or indifferent to the results of political gridlock in this area.

The failures of Israeli-Palestinian negotiations thus far require the parties to craft a new framework that will increase the prospects for success. To this end, it is necessary to undertake a joint Israeli-American examination of what underlay the previous failures. The framework to be chosen must be based on the principles of the Roadmap, i.e., a two-state solution. At the same time, Israel must declare, even if at this stage in general terms only, that it is willing to make additional efforts towards an immediate improvement of economic conditions in the West Bank. This declaration must specify willingness to take a number of steps, especially easing movement within the area and the traffic of goods and people between Israel and the territories.

In this context, though also in the bilateral Israeli-American context, it is important that in the first meeting with the new American president, the prime minister reaffirm Israel's determination to meet the obligations it assumed in the April 14, 2004 letter to the United States regarding the unauthorized outposts. Such an Israeli statement is necessary in order to spur the new administration to embrace the pledges by President Bush to Prime Minister Sharon in his letter of the same date regarding the results of negotiations between Israel and the Palestinians. The Israeli prime minister will be able to clarify to President Obama the political difficulties in implementing the Israeli 2004 commitment, but it is vital that the prime minister say, without prompting from the other side, that despite these difficulties it remains a binding Israeli commitment.

On the subject of Hamas, it is urged that the Israeli prime minister tell the American president that Israel will not get involved in the

internal struggle between Hamas and Fatah, though it has a clear interest in Fatah emerging as the victor, and it is willing to work towards strengthening Mahmoud Abbas. At the same time, the concern about Hamas seizing control of the West Bank in the future already requires all the international actors in the Middle East to coordinate policy, and therefore the prime minister must suggest to the president immediate Israeli-American coordination on this subject.

It should be understood that even without a change in the situation in the West Bank, a period of calm in the Gaza Strip and especially the possible release of the soldier Gilad Shalit will weaken the resolve among the Western nations that conditioned dialogue with Hamas on the organization's acceptance of the Quartet's three prerequisites. Moreover, certain political developments may force even Israel or the United States to veer away from its present policy regarding Hamas. Therefore, early dialogue and coordination between Israel and the United States are a must on this issue in order to prevent unforeseen unilateral moves, such as the surprise the United States gave Israel in 1988 when it decided to launch a dialogue with the PLO.

In light of the possibility that the new ceasefire regimen between Hamas and Israel will be violated by Hamas, it is critical to make it clear to the new American president that Israel wants to avoid any accumulation of provocations from the Gaza Strip to the point that will require Israel to undertake a wide-scope military operation. Therefore, it should be stressed, Israel might frequently respond to such violations with military means as part of an overall aim of deterring Hamas and because of an unwillingness to be drawn into a situation in which extreme responses again cause civilian casualties.

### **The Syrian Track**

The Israeli prime minister must demonstrate to the new president Israel's willingness to see the United States involved in an Israeli-Syrian diplomatic process. President Bashar al-Asad has publicly spoken of his desire to have the United States involved in such discussions, and there is no point in Israel being seen as lagging behind. In fact, the prime minister should convey to President Obama that the United States and Israel must act jointly on this issue, in part to avoid damage to their relations with Turkey, which served as mediator in the early talks held

between Israel and Syria. Of course, it is necessary to urge the president to avoid committing himself to the role of brokering Israeli-Syrian negotiations without receiving something from Syria in exchange.

Of even greater importance is the coordination between the United States and Israel on the question of how to handle the Iranian issue in the context of Israeli-Syrian negotiations, i.e., demands of Syria regarding its bilateral relations with Iran, including demands regarding its role as a conduit of Iranian arms to Hizbollah in Lebanon. Another issue in the Israeli-Syrian context is the need to ensure that Syria does in fact fulfill the commitments it will make in negotiations with Israel over a settlement. Here too Israel is interested in a dialogue between the United States and Russia and in comprehensive understandings between them.

### **Lebanon and Hizbollah**

The problem of Lebanon and in particular the challenge Hizbollah represents must be among the main topics raised in the first meeting between the Israeli prime minister and the new American president. It is of the utmost importance that both Hizbollah's growing military buildup and the organization's heightened status within internal Lebanese politics, which grants it official legitimacy to increase its military strength without any interference, be presented clearly. In this context, it is also important to present squarely the limits of Security Council Resolution 1701 and the failures of its implementation. President Obama must be made aware that despite Israel's desire to allow the Lebanese government to devise for itself a status independent of Syria, Hizbollah behavior's is liable to result in a renewed military confrontation with the organization. Such a confrontation might have even more severe ramifications than in 2006, and Israel cannot commit itself to limiting its moves to inflicting harm only on Hizbollah, its infrastructures, and its fighters.

### **Bilateral Relations**

In the first meeting with the new American president, the Israeli prime minister must avoid using clichés about the importance and the depth of their countries' bilateral relations, but should stress several points:

1. Israel understands clearly the need for historical moves that would rebuild and significantly strengthen the status of the United States in the Middle East. Israel is prepared to contribute to such moves. The peace process itself has great potential from this perspective as well.
2. Israel also understands clearly the ramifications for the American economy of the economic crisis and the aid packages approved by the outgoing administration.
3. Israel is not asking for additional aid at this time beyond that mandated by the outgoing administration and approved by the previous Congress. At the same time, possible settlements on the Palestinian and Syrian tracks will have long term security budget implications. Israel will then ask that the administration be understanding of its requests. It would be welcome were President Obama to declare after his meeting with the Israeli prime minister that the United States will continue to ensure that American resources help Israel defend itself.
4. American policy and initiatives in other areas on the international arena have many implications for Israel, some of which are immediate. From time to time, there is a clash between American moves and Israel's interests, for example in terms of defense exports. Israel suggests holding a joint and comprehensive discussion on this issue that covers both political as well as commercial aspects in order to prevent future misunderstandings and tensions.
5. Existing security and strategic coordinating mechanisms between the United States and Israel have lost their influence and become somewhat rusty. Israel suggests holding a joint discussion between the two countries on how to streamline these mechanisms (including the ones suggested in this document) and to unite them under a common umbrella.

## Conclusion

While Operation Cast Lead emphasized Israel's military might, it also underscored the country's soft underbelly in terms of its international standing. The operation stressed once again Israel's need for American aid, both for curbing negative political initiatives, and for responding to political and security needs such as the memorandum of understanding

regarding combating arms smuggling to Hamas. The Iranian nuclear issue also emphasizes the need for Israel to take the American factor and the needs of President Obama's incoming administration into account when weighing its own considerations.

The global economic crisis in all its dimensions poses both difficult challenges and opportunities for Israel. Israel will be required to formulate a creative and proactive approach vis-à-vis the new administration in Washington that will seek to rebuild America's international status, particularly in the Middle East. Israel will also be required to reexamine the agreements that were viable under the previous administration and that will almost certainly prove to be outdated in the Obama era.

Every meeting between an Israeli prime minister and the president of the United States is important in terms of securing Israel's interests and promoting mutual understanding between the two nations. When two figures meet for the first time in their new positions, the meeting is fraught with even greater significance. In this first meeting, the pattern of the relationship between the two is established, and their agendas and priorities as leaders of their respective governments are clarified.

# Looking Ahead to Direct Talks between the United States and Iran

Ephraim Kam

Direct talks between the United States and Iran over the nuclear issue are expected to start in the coming months. Incoming president Barack Obama has spoken openly about such a move several times, both before and following his election, saying he would be ready to meet directly with Iranian leaders during his first year in office if this promotes the interests of the United States. He added that dialogue could take place without preconditions, as preconditions are less important for the talks than careful preparation. In the talks themselves he would adopt a firm approach. Obama believes that a carefully crafted diplomatic effort will change world public opinion with regard to the US approach towards the Iranian regime and will enhance its abilities to deal with Iran if Tehran doesn't cease both its efforts to develop nuclear arms and its activity in Iraq.<sup>1</sup>

In recent months various officials in the United States – particularly public figures and research analysts – have supported an attempt to begin direct talks with Iran on the nuclear issue. Thus, head of the Joint Chiefs of Staff Admiral Mullen believes that talks with Iran are likely at some level in order to clarify the sides' positions.<sup>2</sup> The Saban Center at the Brookings Institute, in conjunction with the Council on Foreign Relations, published a detailed policy paper that supports dialogue with the Iranian regime, as all the other options have failed or involve high risk.<sup>3</sup> Only a small number of key figures in the United States take a tougher approach than this. Senator McCain, for example,

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Dr. Ephraim Kam, deputy director and senior research associate at INSS

opposed negotiations with Iran from a position of weakness and without preconditions, and claimed that it is naive to assume that direct talks will lead to an agreement.<sup>4</sup> Overall, however, the new president's willingness to hold talks with Iran is a response to a growing demand in the United States to pursue this approach.

Since 2006 Iranian leaders have called for direct talks with the United States without preconditions. Iranian figures – including President Ahmadinejad and Foreign Minister Mottaki – have reacted positively in recent months to the possibility of dialogue with the United States and to the idea of the United States having diplomatic representation in Tehran. In an unexpected move, Ahmadinejad was also keen to congratulate Obama on his election. At the same time, the Iranian Foreign Ministry announced that Iran will never suspend its nuclear activities and rejected the stick and carrot approach proposed by Obama. Other Iranian figures have moderated their expectations of the Obama administration and predict it will be no different from its predecessor.<sup>5</sup>

### Past Experience

Various attempts, initiated by the United States or the Iranian regime, have been made since the Islamic Revolution to launch a dialogue between the two parties. In general, such attempts failed right from the outset or produced short term results.

In the first few months following the revolution, when a group of moderate figures joined the Iranian leadership, senior Iranian figures, including the prime minister and foreign and defense ministers, held talks with senior American officials and discussed improving relations between the two countries and renewing supplies of US arms to Iran. However, when the radical faction took over the Iranian regime and neutralized the moderate group – reflected in part by the November 1979 occupation of the US embassy in Tehran and the taking of hostages there – ties with the United States were severed. Economic sanctions by the US on Iran followed, and they have been strengthened gradually since 1984. On the Iranian side, the radical faction that led the regime discounted the possibility of softening its stance on the United States, and claimed that dialogue meant betraying the values of the regime. Even the end of the hostage crisis in 1980 and the limited supply of



arms to Iran with American involvement in the Irangate affair in the mid eighties did not improve relations between the two countries.

In the 1980s and 1990s a number of Iranian leaders – principally Presidents Rafsanjani and then Khatami – demonstrated willingness for dialogue and some degree of compromise with regard to ties with the US. This willingness was blocked by the radical leadership, primarily Khomeini and later Khamenei, who rejected any dialogue with the US administration, at least until it changed its position on Iran and stopped its support of Israel. In 1988, Khamenei said, “We don’t need talks or ties with the United States. The US administration is an enemy of the Islamic Republic.”

The Clinton administration periodically expressed public interest in talks and improved relations with Iran, and also took some measures of good will towards it. The most prominent of these was the address given by Secretary of State Albright on March 17, 2000, in which she expressed regret over past mistakes in US policy towards Iran. As a gesture of appeasement she announced the end of a ban on imports and exports of certain products to and from Iran and the United States. However, the administration reiterated its basic conditions for substantial improvement of ties with Iran and the lifting of American sanctions, namely, cessation of efforts to develop weapons of mass destruction, disrupt the Arab-Israeli peace process, and abet terror. The Iranian response to the American steps was positive but muted, and explained that the American measures were not sufficient to bring about a fundamental improvement in relations between the two countries. In practice, there was no real change in US-Iran relations.

During the Bush administration additional efforts were made to start a dialogue between the two countries. For example, in late 2001, before and after the American military operation in Afghanistan, there were secret contacts between American and Iranian representatives in Geneva at the ambassadorial level with regard to rescue and salvaging activities ahead of the operation, stabilizing the situation in Afghanistan, and capturing the leaders of al-Qaeda. The talks were serious and spawned several points of agreement on Afghanistan, but

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this limited cooperation was stopped by the United States eighteen months later following a terrorist attack in Saudi Arabia carried out by members of al-Qaeda who, the US believed, sought refuge in Iran.

In 2003, against a backdrop of the American military operation in Iraq, Iran proposed – through the Swiss embassy in Tehran – holding talks with the US administration. According to information released later by a former member of the administration, the Iranian proposal included willingness to discuss all areas of disagreement between the two countries, including cooperation on the nuclear issue for peaceful purposes, recognition of Iran's legitimate security interests, coordinating efforts in Iraq, accepting the Saudi initiative for a solution to the Palestinian issue, and ending Iranian support for extremist Palestinian organizations. The affair is controversial: the administration believed then that the proposal was not serious, and the Swiss ambassador shared this assessment. Former administration personnel claimed that the offer was not serious, and the administration did not even attempt to examine and rather opposed contacts with the Iranians. In any case, there are no clear indications that the Iranians were willing to make real concessions on the key issues.

In May 2006 the administration changed its approach and proposed that the United States join European-led talks with Iran on the nuclear issue. The proposal also included important incentives, including a significant concession: ending the administration's opposition to development of a civilian nuclear program in Iran. However, the administration made its participation in talks contingent on Iran's suspending its uranium enrichment program. It refused to enter into comprehensive talks, and demanded instead that the talks focus on the nuclear issue. In practice, it was only in July 2008 that the American under secretary of state joined talks in Geneva for one meeting between the European countries and Iran, and did not hold separate talks with the Iranian representatives. Following its demand that Iran suspend uranium enrichment, the US withdrew from the talks, which ended without producing concrete results.

In March 2007 a one-day conference was held in Baghdad on an ambassadorial level that discussed stabilizing the situation in Iraq. The conference was attended by representatives from Iraq; from Iraq's neighbors – including Iran; from the five permanent members of the

UN Security Council, including the US; and from other countries. It was the first time in many years that American and Iranian officials met officially and in public. However, the sides did not hold bilateral talks and the conference did not produce tangible results.

The failure of previous attempts at negotiations indicates the inherent difficulties of creating any serious, in-depth, and ongoing dialogue between the United States and Iran. The initial difficulty is on the Iranian side. Since the revolution the United States has been perceived by the regime's dominant radical faction as the source of evil in the world. The intentional alienation from the United States is considered one of the important symbols of the revolution that must not be forfeited, despite its heavy price. To the regime, the distance is justified in part as atonement for past evils of American policy: the close link with the shah; CIA involvement in toppling popular Iranian prime minister Mossadegh in 1953; the (partial) support for Iraq in its war against Iran; and the attack on Iranian naval craft in the Gulf and the downing of an Iranian passenger plane at the end of the Iran-Iraq War.

Moreover, since the early 1990s the United States has been perceived by the Islamic regime as its most serious threat. The regime believes that the United States labors to its utmost to unsettle it, weaken it militarily and economically through sanctions, and isolate it politically. It is perturbed by the substantial US military presence in the Gulf and near Iran's borders. The US helped form a ring of pro-American regimes around Iran, and has invaded two of its neighbors – Afghanistan and Iraq – in order to bring down the regimes there once the United States believed they had crossed the red line. To Tehran, the declaration by the Bush administration that Iran is one of the three members of “the axis of evil” symbolizes the administration's hostile intentions. Above all, the US administration is seen as threatening a military operation against the nuclear facilities in Iran.

In the United States as well there is a sense of hostility and deep suspicion towards Iran.

The hostage affair of 1979-80, including the burning of American flags and mass demonstrations with people shouting “death to the United States” left Americans with a deep sense of anger, helplessness, and

US-Iran dialogue brings with it potential friction and misunderstanding between the Obama administration and Israel.

humiliation towards the Islamic regime. Previous US administrations perceived Iran as a threat to major US interests: the position of the United States in the Gulf; its presence and activity in Iraq; its allies – principally Israel; the Israeli-Arab peace process; and stability in Lebanon. This threat perception was fueled by Iran's choice of modus operandi: extensive involvement in terror, in part against American targets in the Middle East (since 1984 the administration has called it "the country most involved in terror"); internal subversion against US allies; and strengthening of radical elements in the Middle East and the Islamic world. Most of all, the administration believes that Iran's acquisition of nuclear weapons would substantially increase the threat it poses to American interests and disrupt stability in the Middle East.

### **Prospects for Dialogue with the Obama Administration**

The Obama administration will face severe difficulties as it attempts to launch a dialogue with the Iranian regime. Past experience does not augur well for successful talks. Any future dialogue will start from a point of mutual suspicion and estrangement if not outright hatred. Moreover, due to the prolonged alienation and the absence of diplomatic ties between the sides and their respective mentalities, the parties do not understand one other sufficiently and may be unaware of the sensibilities of the other side. Due to these difficulties, and as there are elements in Iran that oppose any talks with the United States, it is quite possible that dialogue will not develop at all.

In addition to past resentment, any dialogue will face other difficulties. The respective objectives on the nuclear issue are different. The US administration will seek to use the talks both to persuade Iran to suspend its suspect nuclear activity and to block its efforts to obtain nuclear weapons. Iran on the other hand will seek to use the talks to gain time in order to further its nuclear program, gain American recognition of its status in the Gulf, and reduce the American threat without foregoing a nuclear option.

The gap between the sides on the nuclear issue is wide and thus far has prevented any understanding with Iran. Iran's tendency toward tactics of deceit and concealment will make it difficult to achieve a reliable arrangement. Most of the incentives the United States can offer Iran – mainly in economic and technological areas – were already

offered during negotiations with European governments over the last six years, to which the United States was a behind-the-scenes party. One open question is whether the United States has new bait to induce Iran to accept a deal.

It may be assumed that talks between the United States and Iran will be inclusive, and beyond the nuclear issue will address other issues relating to their relations: Iraq, combating terror, the Israeli-Arab peace process, the sides' interests in the Gulf region, Afghanistan, the sanctions placed on Iran, and economic and technological issues. Inclusive dialogue will offer an advantage in that it will allow the sides to try to reach an overall settlement of their relations. However, broad dialogue will also burden the negotiations because it is a lengthy process, thereby playing into the hands of the Iran as it seeks to gain time.

On the other hand, both sides seem to be more willing than in the past to examine the possibility of bridging differences through dialogue. Perhaps this very willingness and the possibility of examining respective positions through direct negotiations can help the talks achieve tangible results.

### **The Nuclear Issue**

Even if the talks between the United States and Iran address other issues, the nuclear issue will be at the center. Thus far, direct dialogue on this matter has not been possible because the United States and European countries made actual negotiations contingent on Iran's prior suspension of uranium enrichment, while Iran rejected this and demanded negotiations without preconditions. If the Obama administration insists on this condition – backed by a Security Council resolution demanding that Iran suspend uranium enrichment – it is highly doubtful whether Iran would agree to talks with the United States. Consequently Obama has already said he would be willing to negotiate without preconditions, which ostensibly means he is willing to forego the uranium suspension condition. This concession will serve as an important tactical victory for Iran.

On the other hand, Obama talks about adopting a forceful approach to the talks, and it likely he will do so and seek to conduct the talks from a position of power. He did not go into details regarding his intentions

and presumably not only will he not rescind the sanctions on Iran, but he will aim to intensify them. He has already said that in order to increase pressure on Iran he will not take the military option off the table, and that he will never hesitate to use military force to defend American interests.<sup>6</sup> It is also possible that Obama will limit the amount of time allotted for the talks, either from the start or after the fact, so as not to play into Iran's hands. Obama intends to coordinate his moves with other countries – mainly in Europe, but possibly also with Russia and China – in order to gain their support, whether the dialogue effort succeeds or fails.

Prospects for talks are assisted by the very fact of direct contact between the sides, which can generate a positive dynamic, and the possibility that the United States will offer Iran new rewards – predominantly in providing Iran with security guarantees, a commitment not to attack it and not to try to bring down its regime, and recognition of its interests in the Gulf area. Yet in view of the difficulties and obstacles entailed in these direct talks, the Obama administration probably does not entertain high expectations of achieving a resolution through direct dialogue. The combination of mutual suspicion and mistrust, gaps in positions, contrasting objectives, and different mentalities will make talks very difficult. Therefore, while the new administration will aim to maximize the use of dialogue, its main objective will be to try to show it has exhausted all diplomatic avenues to reach a settlement, in order to earn international legitimacy for taking tougher measures against Iran.

In practice, there are three possibilities of dialogue resolving the nuclear issue. The first is if Iran actually cedes its intention to develop nuclear weapons in return for rewards it would receive from the United States and security guarantees, and therefore agrees to suspend enrichment of uranium. At this stage, the likelihood of this happening does not seem high. Second, the United States might reverse its determination to prevent Iran from obtaining nuclear weapons, based on the assumption that Iran cannot be stopped and that it is possible to live with a nuclear empowered Iran. The likelihood of this scenario is not high either. Third, the sides might reach a settlement that the United States considers the lesser of the evils and makes it possible to stop Iran, but in practice allows Iran leeway to continue advancing

its nuclear weapons capability. Such a settlement can include allowing Iran to enrich low quality uranium, in an agreed and limited quantity on its soil and under close international supervision. This would be a highly problematic arrangement since if Iran does not give up on its determination to obtain nuclear arms, it will exploit every loophole to maintain its objectives, even as part of a settlement. In this regard, international consent to Iran's enriching uranium on its own territory, even under the tightest international supervision, is in practice liable to free Iran from various limitations regarding the acquisition of technology and technological materials.

If talks with Iran fail, the Obama administration will have to devise an alternate way to address the issue. In this case, Obama will likely revert to the tough stance that has been a traditional feature of US policy towards Iran since the revolution, and particularly under the Bush administration. If he follows this course he will seek two additional means. First, he will want to muster wider international cooperation in increasing the pressure and sanctions on Iran, after also exhausting the direct dialogue channel with Iran. In this matter there will be special importance to harnessing Russia to the effort to stop Iran through more severe sanctions; this would entail a wide, more comprehensive perspective regarding the Obama administration's relations with Russia. The second measure is to explore fully the chance offered by Iran's increasing vulnerability to sanctions and economic pressure, both due to the drop in oil prices – assuming this continues – and as a result of Iran's worsening economic situation due to the global economic crisis.

Would the Obama administration endorse a military option if dialogue fails and does not produce a settlement on the nuclear issue? While Obama, like his predecessor, has stressed that the military option would be on the table, this course of action would hardly be pursued in the coming months, because the new administration needs time to examine the avenues of operation open to it and also because it will seek to exhaust the political approach and drum up international support for its steps should dialogue fail. Moreover, the current mood in the US, including the American defense establishment, does not support military action, but for the administration to order military action, it will also have to gain domestic support for such a measure.



## Conclusion and Implications for Israel

The Obama administration is presumably about to initiate direct talks with Iran on the nuclear issue and as part of these talks incorporate other matters on the US and Iranian agendas. The administration will thereby try to accommodate the demand that has emerged in the United States and Europe to pursue this route on the nuclear issue and to muster wider international support for its steps on Iran. To this end, the administration will probably be willing to forego the precondition set by its predecessor and European governments – suspension of uranium enrichment before negotiations start.

The chances of this move succeeding seem slim, due to bad feelings from the past, suspicion and hostility between the sides, and the gap between their goals and positions. Nevertheless, the possibility of dialogue leading to a settlement on the nuclear issue exists, if at least one of the sides changes its position, if the reward the United States offers Iran is great enough so that the Iran prefers that to confrontation with the US, or if a settlement is reached that appears satisfactory to the United States, even if it does not meet all its demands. The growing willingness in the US and Europe to allow uranium enrichment in Iran, in a limited quantity and under strict supervision, enhances the possibility of attaining a settlement.

For Israel, US-Iran dialogue poses both risks and opportunities. The very move contains potential friction and misunderstanding between the Obama administration and Israel. If the administration foregoes the precondition of suspending uranium enrichment this will be a tactical victory for Iran and essentially condone its suspicious nuclear activity. More important, if a settlement is reached that allows Iran to enrich uranium on its own soil – even in limited quantities and with stricter supervision – Iran will gain a loophole to continue working to gain nuclear weapons, also as part of the settlement.

In terms of opportunities, it is possible that dialogue leading to a settlement, though at present unlikely, might also satisfy Israel. Alternatively, a failure will help the Obama administration garner broader international and domestic support for intensifying pressure on Iran, and possibly gain backing for a military move should the administration consider it.



Consequently, Israel should not oppose direct talks between the United States and Iran because of the opportunities this offers. It is also uncertain whether its opposition would alter the interest and intention of the Obama administration to launch such a dialogue, in which case Israeli opposition would spark unnecessary confrontation. For this reason, there is no point in Israel pressing for American insistence on the suspension of uranium enrichment as a precondition of the talks, especially since Obama has already said he would forego this. Instead, Israel might insist on suspension of enrichment as a precondition for progressing with the talks and reaching a settlement, and on limiting the duration of talks with the Iranians. Furthermore, it is even more important that there be close coordination between Israel and the administration on the content of the talk. In particular, Israel must explain to the administration the danger involved in a settlement that would leave loopholes for Iran to continue developing nuclear weapons.

## Notes

- 1 [www.abcnews.go.com/print?id=4999088](http://www.abcnews.go.com/print?id=4999088).
- 2 [www.msnbc.msn.com/id/25515357/print/1/displaymode/1098](http://www.msnbc.msn.com/id/25515357/print/1/displaymode/1098).
- 3 [www.brookings.edu/projects/saban-cfr/middle\\_east\\_strategy.aspx](http://www.brookings.edu/projects/saban-cfr/middle_east_strategy.aspx).
- 4 [www.efluxmedia.com/action-print-n\\_id-25228.html](http://www.efluxmedia.com/action-print-n_id-25228.html).
- 5 For the internal debate in Iran on dialogue with the United States, see MEMRI, No. 477, 3.12.2008.
- 6 [www.ynet.co.il](http://www.ynet.co.il), May 9, 2008.



# Sino-American Relations and the New Administration

**Yoram Evron**

The changes expected in the international system with the inauguration of the new US administration may include a shift in the nature of the strategic relations between the US and China. While early on the Bush administration decided on a policy of engagement in economics and diplomacy, strategic relations continued to be characterized by tension and suspicion. After American anxiety over the rise of China's military budget peaked in 2005, signs of change on the part of the US began to appear, especially since mid-2007: unprecedented military visits took place, the US rescinded the freeze on outer space talks between the two countries, nuclear cooperation was renewed, Chinese space industry companies were removed from the American sanctions list, and American companies received permits to export security-related equipment for the Olympic Games.<sup>1</sup> At the same time, these do not denote a stated US policy change towards China, and along with calls to bolster cooperation with Beijing, opponents of China in the administration continue to warn against China's accelerated armament and increased diplomatic influence.<sup>2</sup> Yet while disagreements within the American administration with respect to China have existed since the dawn of relations, it appears that the atmosphere is now altered. One indication of this is the recent election campaign in the US. In contrast to all previous campaigns in the post-Cold War era, there was little reference to the Chinese strategic threat.<sup>3</sup>

As the new American administration assumes office, a number of conditions exist that are likely to moderate the tension in Sino-American strategic relations. To what degree these conditions will effect a change in

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Dr. Yoram Evron, former Neubauer research fellow at INSS

American policy is difficult to predict, due to the prevailing uncertainty about the president-elect's plans regarding China, the developing global economic crisis, and US-Russian relations.<sup>4</sup> Nevertheless, evaluating the principal factors underlying Washington's considerations vis-à-vis China – the limits of American power in international relations, the increasing tension with Russia, the need for strategic information about China, and the outbreak of the global financial crisis – can help analyze developments in Sino-American relations and consequently outline possible frameworks of action for Israel as it works with these two powers.

### Limits of American Power

Since American soldiers entered Iraq, and perhaps even since the September 11 terrorist attack, the US has repeatedly experienced the limits of its power. While it succeeded in overthrowing the Taliban regime in Afghanistan and Saddam Hussein's regime in Iraq, it failed to achieve its declared objectives of instituting a democratic regime in Iraq, capturing Osama bin Laden, halting the nuclear projects of Iran and North Korea, achieving a peace treaty between Israel and the Palestinians, and expanding NATO's borders to include Ukraine and Georgia. Accordingly, it is likely that opening another front against

China is perceived as a potentially very costly step.

Despite ideological and diplomatic disagreements with the US, the growing power of China makes it an important potential partner in the conduct of international relations, albeit one with its own independent political agenda.

However, difficulty alone is not a sufficient reason to refrain from confrontation, and it is imperative to verify that a country's intentions are not dangerous before it is removed from the list of threats. From Washington's viewpoint, China's increasing military power over the past decade has been accompanied by a relatively large degree of responsibility and cooperation. While China's substantial investments in its armed forces and the threat that it poses to Taiwan, Washington's ally, cannot be ignored, Beijing repeatedly points

to other motives for increasing its military budget: the need to refurbish its outdated forces, the need to counter the increased military power of its neighbors, the urge to adapt its military development to its economic and diplomatic status, and the increased cost of its military services.<sup>5</sup>

In addition, while Taiwan is one of the main bones of contention in Sino-American relation, a thaw in relations between Beijing and Taipei has been evident since the Guomindang (Nationalist Party) won the May 2008 elections in Taiwan and abandoned the separatist policy of its predecessor. As of now, an unprecedented rapprochement is taking place between the two; their relations are the best they have been since the mid-1990s. This trend will probably continue as long as Taiwanese president Ma Ying-jeou holds office, and in that case, one of the significant reasons for tension between the US and China will lose its urgency.

Furthermore, if Chinese conduct is examined through the prism of its diplomatic actions, the general balance appears to be positive. Despite American criticism of China's relations with repressive regimes around the world (such as Sudan, Iran, and Burma) and China's efforts to isolate Taiwan over the past two decades, China has adjusted its policy to the American line in most international crises, and in some cases has even acted to help the US. For example, China canceled its nuclear agreements with Iran in 1997, immediately embraced the US declaration of war on global terrorism in 2001, refrained from vetoing most UN Security Council sanction resolutions sought by the US, and has played an active and important role in the North Korean crisis.<sup>6</sup> The result is that despite ideological and diplomatic disagreements, the growing power of China and its overall behavior makes it an important potential partner in the conduct of international relations from the American viewpoint, albeit one with its own independent political agenda.

### **Emerging Tensions with Russia**

Recognition of China's importance in the international relations theater invites consideration of a second factor: the emergence of tension with Russia. Tension between Russia and the US emerged even before the outbreak of war in Georgia against a backdrop of Moscow's opposition to NATO's eastern expansion and the intention to station strategic weapons on Czech and Polish soil. As long as Moscow took no concrete steps, the balance of strategic forces between the US and Russia ostensibly remained what it had been since the collapse of the Soviet Union. The war in Georgia changed this by highlighting both Russia's

refusal to accept the crossing of its red lines and, no less seriously, the limits of American power, which failed to protect its protégé.<sup>7</sup>

What does this have to do with China? A triangle of strategic relationships exists between China, the US, and Russia. Underlying this system are China's asymmetrical relations with the other two powers and the tension level between the three at any given moment. Of the three relationships in the triangle, Sino-Russian relations (and previously Sino-Soviet relations) are the closest. However, even though at times less perceptible, there is inherent tension between these two countries, and friendly relations prevail only when one of them is weak and therefore does not threaten the other. The two countries help each other at such times, in part by posing a counterweight to the US. A similar situation exists in Sino-American relations, and it can be seen that the source of the rapprochement between Washington and Beijing consistently lies in mutual concern over Moscow's strengthening.

For example in the early 1970s, after armed clashes broke out on the Sino-Soviet border and the US was entangled in Vietnam, mutual distress propelled Beijing and Washington to overcome their ideological differences and start high level discussions for the first time. In contrast, in the early 1980s, the Soviet Union's weakness made possible increased American pressure on Beijing. The thaw between Beijing and Moscow in the mid-1980s, however, again led to a reversal of American policy, including unprecedented exports of military technology to China.<sup>8</sup> The next turnaround, which is the most relevant to the present, took place in the late 1980s, when the collapse of the Soviet Union again weakened China's strategic importance from the standpoint of the US, and brought ideology back to the forefront of Washington's considerations. Yet despite the fluctuations in American policy, China's considerations have remained pragmatic and it continues to aspire to cooperation with Washington to the extent that this serves its economic interests. At the same time, Russia's weakness enabled China to rehabilitate its relations with that country.

In this context, the war in Georgia marked a milestone for Beijing. First, the war symbolized the end of Russia's decline and its return to the international arena as a major power. Second, the war demonstrated limits of American power. Third, the war exposed Russia's readiness to intervene with force in the affairs of sovereign countries. Fourth,

the war epitomized the motif of force in relations between blocs and the danger threatening the liberal world order, which constitutes the bedrock of China's economic growth.<sup>9</sup>

Given China's problem with separatist trends in its region (Taiwan, Tibet, Xinjiang), its dependence on a stable international environment, and its historical memory, a Russian army intervening in the internal affairs of a foreign country on behalf of a separatist region was likely not a welcome sight to Beijing. At the same time, China's friendship with Russia made it difficult to voice explicit criticism, and its responses to the war highlighted its difficulty in expressing a clear position on such a significant event. First, during the war and in the weeks that followed, its official positions emerged in undertones and reflected a neutral if not unclear position: China "sincerely expect[s] the regional parties concerned to settle the dispute through dialogue and safeguard the regional peace and stability."<sup>10</sup> Elsewhere, "China expresses grave concern over the escalation of tension and armed confrontation in South Ossetia. China calls upon relevant parties to keep restraint and cease fire immediately."<sup>11</sup> China did not delve deeply into the essence of the conflict and did not take sides; it focused on stability. This reflects China's general outlook, which regards political stability as a necessary condition for continued growth. China's official responses can therefore even be regarded as criticism of Russia's conduct, which is obviously not the position that Russia might have expected from its ostensible partner in the struggle against American hegemony. Other media sources in China and Hong Kong that are not disassociated from the establishment reflected a similar mood. Their attitude towards NATO expansion and the oil pipeline across Georgia linked the confrontation to the global struggle between the US and Russia, and even between the West and Russia.<sup>12</sup> Their comments described the war as a new page in relations between the powers, noted the return of Russia to the theater of powers, and predicted a worsening in relations between Russia and the US. Beyond that, the very fact of describing Georgia as a victim of a conflict between powers puts the blame equally on Russia and the US.

Furthermore, China's cautious position reflected not only concern over the upsetting of stability but also concern at a situation in which it would be obliged to side with one of the parties, thereby damaging its relations with the other. In a conversation with President Bush, Chinese

president Hu Jintao stated, “Both Russia and Georgia are countries with which China maintains diplomatic relations and friendly relations. It must therefore adopt a very careful policy in order not to damage these relations...If the issue is brought up for discussion in the UN...China will formulate its position carefully in order to avoid exacerbating its relations with Russian or Georgia.”<sup>13</sup> Georgia’s name as used in this context is clearly a code word for the US.

For the US, the war in Georgia is likely to also have an effect on the strategic triangle. The breakup of the Soviet Union and the rise of China over the last two decades diverted its attention from Russia to Beijing, and a common assumption was that in the US, China had replaced Russia as the “bad guy” in the international system. If Russia does intend to resume its position as the US’s strategic rival, it is therefore likely to assume that for both strategic considerations and cultural and political reasons, the hostility towards China in the US administration and defense establishment will wane, and Washington and Beijing will again derive mutual benefit from a strategic rapprochement.

### **Information on China’s Defense Establishment**

Global interests notwithstanding, it is clear to both China and the US that even if a rapprochement takes place it will not detract from the long term strategic competition between the two countries. This competition has occupied the US for the past decade, and it appears that its efforts to block China’s progress in military technology have been unsuccessful. China is acquiring up-to-date military capabilities, progressing in its military power buildup, and sending its military forces to new theaters and geographic regions. The US is hard pressed to ascertain what capabilities China has acquired and what its intentions are.

One of the ways the US can do this is to tighten its relations with the Chinese defense establishment to enable a closer examination. This can be done in part through a thaw in defense relations and establishment of strategic and technological cooperation. Indeed, signs are visible that this goal constitutes an additional factor – although essentially tactical in essence and perhaps dependent on other factors – in Washington’s change of approach. Following his visit to Beijing in August 2007, Admiral Mike Mullen said that a deeper understanding of China’s continuing military development was a long term goal, and visits of



this type provided important insights.<sup>14</sup> A similar opinion was voiced concerning a renewal of cooperation on space issues. An initial meeting between the two countries on the question occurred in September 2006, but China tested an anti-satellite weapon three months later without notifying the US in advance. Astonished, the US suspended further space talks in response. At the same time, however, together with Washington's concern and wish to punish Beijing, the test also aroused questions about China's outer space capabilities. In a document prepared for Congress, the need to answer these questions was noted as one of the main reasons for the renewal of the space talks, and less than a month after the document was issued, an American delegation left for China to renew the talks.<sup>15</sup>

### **The Global Financial Crisis**

Even more than the Georgia crisis and surely more than the need for military information on China, the global financial crisis has demonstrated to Washington that cooperation with China is necessary. While the immediate cause of the crisis was the collapse of the American mortgage market followed by the collapse of the entire financial sector, underlying the crisis is the American balance of payments deficit, government budget deficit, and the increased US national debt. Given the rising weight of the Chinese economy in the world (8 percent of global exports and 4.5 percent of the global product), China's enormous foreign currency reserves (nearly \$2 trillion, of which over \$500 billion are in American bonds), and its huge trade surplus with the US (over \$250 billion in 2007),<sup>16</sup> Washington considers cooperation with Beijing as one of the essential measures for healing both the US and global economies. Comments to this effect were voiced in the months preceding the outbreak of the financial crisis in September 2008, and to an even greater extent afterwards.<sup>17</sup>

At the same time, there is no certainty that China's behavior will conform to Washington's hopes. Until now, China's response to calls from the US to play a role in solving the situation has combined various and partially contradictory motifs: China's anxiety about taking action due to the uncertainty about the situation yet cognizant of the responsibility conferred by its global economic status; and gloating about the US plight while showing understanding for the threat posed

by the crisis. For example, a senior figure in the government investment system wrote in one of China's official journals, "The Chinese economy is integrating itself into the world economic system. Therefore, we should take a global view of China's economic and financial system adjustments." Furthermore, "the ballooning [external] debt and huge trade deficit of the United States are, to some extent, related to China's enormous foreign reserves and trade surpluses. As a result, China should voluntarily readjust the current growth mode to prevent such global financial chaos from taking place again."<sup>18</sup> However, rather than reflecting responsibility and the hope of intensified cooperation, these remarks likely reflect disagreements within China's economic leadership about the proper response to the crisis. Evidence of this is China's announcement, following many weeks of speculation and hints that it decided for the moment not to inject large amounts of money into financial entities in the US in view of the lack of knowledge about what will occur in the future.<sup>19</sup>

Washington certainly does not consider this announcement in a positive light. If China focuses its response to the crisis on the internal sphere, this is liable to increase tension with the US. Barack Obama indicated that he intends to take action to reduce the trade deficit with China.<sup>20</sup> Such measures are liable to heighten tension between the two countries, particularly when the connecting link between the highest level of the former American administration and the Chinese leadership, then-Secretary of the Treasury Henry Paulson, left his position with no replacement in sight capable of playing this role.<sup>21</sup> On the other hand, even if China's measures in response to the crisis do not fulfill American expectations, it is likely that China's economic and political situation will make it easier for it to handle the crisis, and it will therefore play an important role in the recovery of the global economic system. Moreover, at no stage in the crisis did China deny its important role in the global economic system, and thus the two powers are likely to cooperate, even if not in the manner explicitly desired by Washington.

### **Implications for Israel**

Are the strategic relations between China and the US about to change significantly? Certainly not in the near future. Because of the ideological opposition in the US to the Chinese Communist regime, the longstanding

American commitment to Taiwan, and the many years in which experts in the US administration were accustomed to regard China as the next enemy, a change in the attitude of the relevant parties will not come easily. Indeed, concomitant with the Treasury Department's efforts to advance leniency towards China, other elements in the administration are publishing and leaking contrary assessments that feature the threat posed by China.<sup>22</sup> In addition, China's conduct, in response to the war in Georgia and in response to the financial crisis, portrays it as being somewhat opportunistic. This suggests to the US that it may be premature to treat China as a global power and partner in international measures that is willing to take a stand and bear the burden of preserving the global system. This feeling is liable to become even stronger if there is a sense that certain elements in China are interested in aggravating the confrontation between the US and Russia.

On the other hand, there are signs pointing in the opposite direction. Even though a worsening of the confrontation between the US and Russia would divert US hostility from Beijing to Moscow, it is clear to China that its economic momentum is to a large degree the result of the liberal economic world order and security stability instituted by the US in international relations. Until now, China has benefited from this without having to pay any significant price. If however, a time comes when China has to share the burden with the US, it can be assumed that while it will not obey Washington's dictates – which can be expected to arouse American anger – it will not ignore the role dictated by its size and economic power and will act to stabilize the system. Such action will be motivated and shaped by its interests, relations with the developing countries, and efforts to appear as an independent power. To what degree these measures will achieve positive results for the system depends in part on American willingness to accept that China acts independently. If this happens, it can be assumed that strategic cooperation between China and the US will gain momentum, and China will enjoy more freedom of action, particularly in its spheres of influence and activity in the Far East, Southeast Asia, and Central Asia, but not only there.

These possibilities suggest Israel's potential areas of action and focus with respect to China. The current period contains potential for change in Sino-American relations, when strategic cooperation between

the two countries is likely to deepen, security export restrictions may soften, and China's international involvement will increase. Does this mean that a change in defense relations between Israel and China is imminent? Definitely not. The American defense establishment is still highly suspicious of China. Even with a new president in office, it is likely that the US defense establishment will be in no hurry to promote a change. At the same time, it is worthwhile to follow developments in strategic relations between the US and China, analyze any changes, and identify areas in which changes in the American attitude provide a legitimate precedent for deeper Israeli cooperation with China.

Second, Israel must analyze and evaluate situations in which more intense strategic cooperation between Washington and Beijing will increase China's freedom of action and influence in various regions, primarily in East Asia, Southeast Asia, and Central Asia. This change can affect relationships and perceptions of interests in these regions. It is important to weigh various scenarios that can develop as a result, particularly their effect on Israel's diplomatic and defense relations with countries in those regions and what might develop in these countries' relations with the Middle East.

Third, due to the growing dependence of the Chinese economy on imported energy sources, China is expected to reinforce its presence in the Middle East as its economic growth continues. This presence will focus on the economic sphere, and as shown by China's behavior during the war in Georgia, Beijing will endeavor to refrain from involvement in regional disputes. This holds especially with regard to the Iranian nuclear crisis. Although China opposes possession of nuclear weapons by Iran, it is interested in continued economic relations with it and does not wish to be perceived as doing Washington's bidding. On the other hand, China also does not intend to allow Iran to jeopardize its relations with the US. It is therefore expected that it will continue to maneuver to avoid taking a strong stand or playing a significant role in the matter.

Nevertheless, as Chinese economic ties in the region become more developed (including involvement in infrastructure construction projects, investments in the oil industry in the region, and increasing its share of trade with countries in the region)<sup>23</sup> while its diplomatic freedom of action vis-à-vis the US grows, preparations should be made in case China's developing relations with countries in the region include

diplomatic and military elements incompatible with Israel's interests. To what degree Israel will be able to obtain assistance from the US in this matter depends in part on the evolution of relations between Washington and Beijing.

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# **The House is on Fire: NATO's Regional Security Dialogue and Iran's Power Projection**

**Emanuel Adler**

NATO currently has two identities; it is a security alliance in the traditional sense and a “partnership for peace.” These two identities rest on radically different security mechanisms and practices. NATO's security alliance is based on traditional defense multilateralism, or more precisely, on balance of power mechanisms and practices such as deterrence, coercive diplomacy, coercion, and intervention. As a partnership for peace, NATO uses community-building multilateral mechanisms and practices not only with prospective new members, but also works to promote stability and peace with its near-abroad partners. The main idea is winning hearts and minds via partnerships, dialogue, seminar diplomacy, public diplomacy, and socialization, and more broadly, “cooperative security.” NATO shows that balance of power and security community practices not only may not be mutually exclusive, but may actually complement each other with the goal of securing the West and stabilizing the regions with which NATO interacts.

The Mediterranean Dialogue (MD) is a clear example of NATO as a partnership for peace; its community-building multilateralism aims at building common meanings via common practices, “teaching” liberal values and their relation to military power, and creating links between fellow practitioners. Why does NATO do this? In recent years, there has been a growing appreciation in Western military circles about

Prof. Emanuel Adler is the Andrea and Charles Bronfman Chair of Israeli Studies at the University of Toronto. This essay is based on a lecture delivered at a joint INSS-NATO international seminar held at INSS, “Regional Security Dialogue and Cooperation in the Middle East,” November 25, 2008.



the strategic value of winning hearts and minds of adversaries and potential partners, and of enhancing security by means of sharing common practices and building regional identities.

Learning together how to cooperate is highly positive as long as dialogue takes place within a relatively stable context and there is time for reaching the shared interests that the dialogue attempts to cultivate. But when the situation is very unstable and time is at a premium, dialogue alone will not do. Think of two musicians sharing a house who are trying unsuccessfully to make good music together until a neighbor comes to their aid and teaches them how to tune and harmonize their instruments. Now, however, imagine the house is on fire. The Mediterranean Dialogue is currently taking place while “the house is on fire” and there are no signs that the fire will be extinguished soon. I use this metaphor, first because of Iran’s power projection and drive to obtain nuclear weapons quickly, along with Israel’s determination to attack Iran’s nuclear facilities if Iran cannot be prevented by other means from attaining nuclear weapons. Second, there is a dangerous and highly volatile combination of changes in the nature of warfare – with an emphasis on asymmetrical warfare and the availability of missiles that can reach and create havoc in population centers – and ideologically motivated individuals, groups, and states that may not respond to traditional cost-benefit calculations and may thus use lethal weapons with impunity. This combination threatens not only states’ physical existence, but also their leaders’ sense of stability and predictability.

Finally, despite appearances to the contrary, the two-state solution of the Israeli-Palestinian conflict, whose parameters are well understood in the region and around the world, is being undermined by two “races” that are now reaching a critical point. The first race is between Israel’s unspoken strategy of what Zvi Bar’el from *Haaretz* called “negotiations forever,” that is, keep negotiating with the Arabs as long as it takes, without being able, wanting, or both to concede assets that Israel takes as critical for its physical security, identity, and domestic stability, and Iran’s unspoken strategy of “attrition until implosion,” namely, making life so miserable for Israelis until they leave. From the Iranian perspective, a combination of demography, attrition from constant asymmetrical warfare, the threat of nuclear devastation, and



hostile world public opinion will put an end to Israel as a Jewish state. The second race is about whether Israel or the Palestinians succeed in having the other succumb to a civil war first. When Israel says to the Palestinian Authority “control or eliminate Hamas,” it actually means “you have the civil war first.” When Palestinians say to Israel “get rid of the settlements,” they actually mean “it is you who should have the civil war first.”

The Mediterranean Dialogue has been positive so far and will continue to promote cooperation, yet only if the factors that fuel the “fire” are addressed. This does not mean that practices of dialogue, socialization, and cooperative security pioneered by NATO, the Organization for Security and Cooperation in Europe, and the European Union will become inconsequential; they are crucial. When the house is on fire, however, the time comes for multilateral organizations to take bold steps. These should combine, on the one hand, alliance, balance of power, and deterrence practices, and on the other hand, innovative practices aimed at winning the hearts and minds of opponents and public opinion alike. In fact, an overlap between classic military security practices is not a new phenomenon, for example, as in Southeast Asia. Even a security community such as the EU is characterized by overlap between traditional defense multilateral practices associated with a security alliance, and security community practices associated with NATO as a partnership for peace.

In the Middle East, however, the current overlap will not suffice; new and bolder measures will be needed. This means, *inter alia*, changing the way we think about hard and soft power. Soft security measures can help achieve hard security goals: for example, dialogues may prevent nuclear war by helping build common knowledge, which is nonexistent between Israel and Iran; and hard security measures can serve soft security goals: for example, alliance expansion and extended deterrence may help reassure and thus open options other than the use of force.

At the present critical juncture, multilateral organizations must take bold steps that combine, on the one hand, alliance, balance of power, and deterrence practices, and on the other hand, innovative practices aimed at winning the hearts and minds of opponents and public opinion alike.

One of the reasons that new and bolder measures are warranted is that Israel is in a “damned if you do, damned if you don’t” dilemma or social trap, a lose-lose situation, whereby it has only two bad options, to attack or not to attack Iran’s nuclear facilities. If Israel attacks, Iran will profit tremendously from it: damned if you do. But if Israel holds back, it loses: damned if you don’t.

There is still a narrow possibility that Iran will be dissuaded from attaining nuclear weapons via diplomacy, sanctions, or both, or that Iran’s internal regime will change for the better. Unfortunately, these two options seem hardly likely. In order to prevail, diplomacy, including coercive diplomacy, will require structural changes in the Middle East without which Iran has no incentive to change its nuclear weapons course. As to domestic change, because Iranians attach so much self-worth, identity, and prestige to their nuclear project, foreign pressure to overthrow their current government will only result in rallying the majority of Iranians around the flag, even those disenchanted with the current regime.

So much has been said about what would happen if Iran develops nuclear weapons undisturbed, or alternatively, if Israel attacks Iran’s nuclear facilities, that there is no need to dwell on it except perhaps to say that attacking Iran will most likely substantially enhance Iran’s strategy of “attrition until implosion.” I thus share former Mossad director Efraim Halevy’s comment to *Newsweek* of a few months ago, that if Israel were to attack Iran, the problem will be less the immediate reprisal than the next hundred years. In other words, from the perspective of Iran’s strategy of “attrition until implosion,” if Israel attacks Iran, Israel will live on borrowed time.

Allowing Iran to develop nuclear weapons undisturbed, however, will also, perhaps even more, enhance a strategy of “attrition of Israel until implosion.” Actually, this is Iran’s goal and Ahmadinejad has stated it explicitly. It is, therefore, damned if you do, damned if you don’t; Iran wins-wins, Israel loses-loses, and the flames of the fire grow higher and higher.

Thus for the sake of stability; of continuing the dialogue between Arabs and Israelis, which the MD contributes to; of trying to achieve a quick just resolution of the Israeli-Palestinian conflict; and most urgently, of preventing nuclear war, global jihad, or both, it is imperative to think

outside the box. Thinking outside the box requires drastically changing the current structure in the Middle East, so that “the fire” can be put out. Rather than either using force or relying on deterrence based on Cold War assumptions, what is needed is a strategy of *defusing*, which can prevent Iran from attaining a huge strategic advantage of being the victim of an attack by Israel, and at the same time, changing the rules of the game in the Middle East so drastically that Iran’s expectations, power projection policies, and “attrition until implosion” strategy would require revision. Defusing may be accomplished by *denial*, which means preventing states from dragging other states into using force against them when it is irrational to do so, and *restructuration*, which means drastically transforming the structure and rules of the situation.

Examples of “defusing by denial” include:

1. Not falling for rhetorical and military provocations because this is exactly what Iran’s allies, such as Hizbollah, want.
2. Raising the level of violence threshold that elicits the use of force.
3. Changing military thinking and doctrine that “saving deterrence” requires the use of force. In fact, using force to save deterrence usually diminishes deterrence, especially when states such as Israel are provoked to respond with force.
4. Changing the popular conception that using force is always the patriotic course to take, and that survival threats must always be faced with the use of force and cannot be defused. The Cuban missile crisis was a successful use of a defusing strategy.
5. Avoiding humiliation of the enemy to the point that emotions become the driving force of strategic decisions; “targeting” the opponent’s dignity and respect makes it less sensitive to cost and thus more difficult to deter. Defusing strategies that take dignity and respect into consideration make the opponent more sensitive to costs and more amenable to trust promises.

One role NATO can play in helping defuse by denial is to deny opponents, in particular Iran’s allies such as Hizbollah, from succeeding in provoking Israel to retaliate. In other words, NATO should deploy defusing rather than peacekeeping forces; the latter would be used to deny opportunities for provocations, rather than to keep a nonexistent peace.

The most important strategy, however, is defusing by restructuring the rules of the game in the Middle East and doing so quickly, with much drama and high-profile mobilization of the international community, including NATO. Restructuring the Middle East entails a colossal quid pro quo. First, it will be imperative to make Israel a full member of NATO speedily, though neither as a military strategy of expanding NATO's alliance to the Middle East nor as a strategy of anchoring Israel within Europe. Rather, the sole purpose, at least at first, will be defusing nuclear war and/or global jihad. This means using hard security measures with the goal of gaining hearts and minds, in this case, the Israelis. Placing Israel under NATO's nuclear umbrella not only would go a long way toward deterring Iran from threatening or attacking Israel with nuclear weapons, but also would dampen existential fears in Israel. Israelis may warm to this idea if they understand that the price of retaining the occupied territories is jihad against Israel, or worse, nuclear war. But will NATO, in particular its European members, accept Israel? The answer is that if diplomacy and non-violent regime change will not work and the remaining alternatives

For the sake of stability; Arab-Israeli dialogue; a quick just resolution of the Israeli-Palestinian conflict; and most urgently, preventing nuclear war, global jihad, or both, it is imperative to think outside the box. Thinking outside the box requires drastically changing the current structure in the Middle East

are global jihad or nuclear war, then throwing into the positive side of the equation a formal resolution of the Israeli-Palestinian conflict by the creation of a viable Palestinian state might go a long way in changing minds in NATO headquarters as well as in European and North American capitals. NATO would need to give up its policy of balanced partnership between Israel and Arab countries. Arab countries, on the other hand, will gain from the other side of the quid pro quo.

Second, it would be incumbent on Israel to attempt to settle the Israeli-Palestinian conflict quickly, more or less along the lines of what may already be called Obama's four point plan, i.e., a two-state solution with a viable Palestinian state

(a retreat of Israel to the '67 borders), compensation to Palestinians refugees, Jerusalem as home to two capitals, and a demilitarized Palestinian state. Also included would be a peace treaty between Syria

and Israel that would entail the return of the Golan Heights to Syria and a Syrian commitment to maintain the stability of the new Middle East order.

With Israel embedded in NATO, NATO would then begin engaging Iran diplomatically in order to attain “common knowledge,” without which not only is deterrence impossible, but also an unintended nuclear war becomes a real possibility. The biggest threat to Israel from Iranian nuclear weapons is less a premeditated nuclear attack on Israel, Iran’s use of the mere possession of nuclear weapons to destabilize Israel and the region, and nuclear proliferation in the Middle East, than the lack of common knowledge, namely, that “you know that I know that you know.” Lack of common knowledge can inexorably lead to unintended nuclear war. When at the height of the Cuban missile crisis Anatoly Dobrynin and Robert Kennedy held talks at the White House about how to defuse the crisis, they disagreed about almost everything. But their bargaining took place within the same horizon of expectations, while holding shared meanings not only about rationality but also about what fairness is, and where rationality and fairness meet.

NATO would subsequently adapt, expand, apply, and deploy the techniques, institutions, and practices of cooperative security that it developed in the 1990s, in order to lay the foundations for a regional security regime. This regime will need to reflect power realities and deal with Iran’s security concerns and ambitions, mainly in the Gulf. But it also will entail the beginning of arms control and confidence building and dialogue for the sake of achieving hard security goals, such as preventing nuclear war. If in one or two generations the Middle East structure will improve and the security regime will be in place, then, and only then, should a serious international political process begin of creating a nuclear free zone in the Middle East, including Israel, which by then would be firmly anchored within NATO.

This proposal sounds extremely naive only when considered in the absence of its two alternatives. Just imagine a Middle East in which the defusing strategy is successful. Now compare this image to regional Middle East scenarios, first, after an Israeli attack on Iran, and second, if Iran develops nuclear weapons undisturbed. Then ask yourselves, again, whether defusing is idealistic, or whether it is the only realistic strategy, if we want to prevent nuclear war and global jihad,

disempower radical forces with lethal weapons, and make sure that a Jewish democratic state lives on, not only in the present generation, but also in future generations.

# **The Annapolis Process: A Profit-Loss Balance Sheet**

**Shlomo Brom**

The Annapolis Conference, which took place on November 27-28, 2007, was meant to jumpstart the Israeli-Palestinian peace process once again and enable intensive negotiations over a permanent agreement. The joint declaration issued at the end of the conference explicitly stated the goal of arriving at an agreement by the end of 2008, and this goal was repeated several times over the year by the leaders of both sides.

Israel and the Palestinians did not reach this goal, and therefore a widespread view among Israeli and international commentators, which contends that the Annapolis process has proven a complete failure, seems well-anchored in reality. The internal political situation on both sides, with both existing governments fighting for their political survival and neither available nor capable of holding effective negotiations, has merely strengthened this view. However, a deeper look at the Israeli-Palestinian process set in motion by the conference indicates that such a judgment is premature. While the goal of reaching a permanent status agreement, which was apparently unrealistic from the outset, was not achieved, there was significant progress in developing the relations between the two sides and in creating conditions that may facilitate progress towards an agreement or agreements, with both international and Arab backing.

The Annapolis process was launched as a dual-track process. The first track entailed negotiations, at two levels, on a permanent status agreement. Prime Minister Ehud Olmert and President Mahmoud Abbas met relatively frequently to try to arrive at understandings in principle. There were also more detailed negotiations between

Brig. Gen. (ret.) Shlomo Brom, senior research associate at INSS

negotiating teams headed by Tzipi Livni on the Israeli side and Abu Ala on the Palestinian side. The second track was defined in the joint declaration as the implementation of the first stage of the Roadmap. In this stage the two sides are required to take steps that will stabilize the situation, allow the resumption of normal life, and create the conditions necessary to arrive at agreements and implement them.

### **The State of the Negotiations**

More than ten negotiating teams were formed to discuss the various issues. The two sides agreed that “nothing is decided until everything is decided,” and that the contents of the negotiations not be made public. Nonetheless, according to an update to the Quartet at the Sharm el-Sheikh meeting in November 2008 and the little information that has trickled out, it appears that the gaps between the two sides have narrowed in several areas. Noteworthy here is the territorial issue, in which the gaps have been reduced to a small percentage of West Bank territory. Apparently there is also agreement over the principle of land swaps.

The impression is that in the detailed negotiations between the teams, the question of Jerusalem has not been discussed because of the commitment by the prime minister to his coalition partners. Whether there has been progress on the issue of the refugees is unclear. On the security issue too there are still gaps between the sides that stem primarily from Israel’s position, which hardened as a result of the second intifada. Israel’s more stringent position reflects its concern that the West Bank will again become a base for suicide attacks against Israeli population centers and will, like the Gaza Strip, turn into a launching pad for high trajectory weapons aimed towards Israel. These concerns join the distrust in the Palestinian security forces’ determination and preventive capabilities even in the context of a full agreement with Israel. Thus, Israel’s security establishment wants to retain its freedom to operate in Palestinian territory even after the implementation of a permanent status agreement and maintain a military presence in several locations. These demands are unacceptable to the Palestinians, who want to ensure the sovereign integrity of the Palestinian state that will be established by the agreement.



The core issues of the Israeli-Palestinian negotiations are complicated and the gaps between the two sides are still significant. The key question, however, beyond the objective difficulty inherent in closing the gaps is: does the internal political situation on both sides allow reaching and implementing a permanent agreement? On the Israeli side, the negotiations were conducted by a weak coalition government, one of whose central partners, Shas, vetoed the idea of reaching a permanent agreement that would encompass all the issues, including Jerusalem, and threatened to withdraw from the coalition, leading to the downfall of the government, should Jerusalem be discussed with the Palestinians. The prime minister's legal entanglements sparked the fall of the government and the scheduling of early elections in February 2009. The interim government does not enjoy the public legitimacy necessary to reach an agreement with the Palestinians. It is also highly doubtful that the new coalition government to be established after the elections will want – or be strong enough politically – to reach a permanent agreement.

On the Palestinian side, the main issue is the split between the Hamas-controlled Gaza Strip and the Fatah-controlled West Bank. The negotiations with Israel are conducted by the government in Ramallah, though officially in the name of the PLO, and the Hamas government in Gaza does not view itself bound by their results. Attempts at rapprochement to reunify the two Palestinian areas under the aegis of the Palestinian Authority have so far failed, and relations between the two sides are approaching another crisis regarding Abbas' attempt to extend – without elections – his term as president of the PA, which expires in January 2009. The two sides have made massive efforts to strengthen their hold on their respective territories by eliminating their opponents or at least by suppressing the political and military infrastructure of the other side. In any case, it is doubtful whether under these circumstances Abbas could have made the required concessions in order to arrive at an agreement over the sensitive issues of the refugees and Jerusalem, even if he were willing to make these concessions in other circumstances in order to implement

Formalizing the dialogue  
at Annapolis and  
ensuring its ongoing  
nature strengthened  
trust and cooperation  
between the sides on the  
basis of shared interests.

a permanent agreement. Because of his weakened political state, Abbas is constantly looking over his shoulder, fearful that his concessions will be used against him by Hamas and further erode support of him and the PA. In short, Abbas is currently incapable of reaching and implementing an historical agreement with Israel.

Given these circumstances, it was highly likely from the outset that it would not be possible to arrive at a permanent status agreement. Therefore, it is all the more important to examine what – if anything – was nevertheless achieved in the negotiations track of the Annapolis process.

The first achievement is the renewal of the close and ongoing dialogue between Israel and the PA. There is a tendency to forget that the relationship between Israel and the PA reached a nadir during the second intifada, and even when contact between Israel and the PA resumed after Arafat's death, there was no dialogue to speak of between the two sides. The mutual lack of trust led Israel to the unilateral step of the disengagement from Gaza without any real dialogue with the PA. The few contacts that did take place came to a complete halt after the establishment of the Palestinian unity government in February 2007, and were renewed only after Hamas' takeover of the Gaza Strip in June 2007. Formalizing the dialogue at Annapolis and ensuring its ongoing nature strengthened trust and cooperation between the sides on the basis of shared interests. The dialogue also contributed to a mutual understanding of the respective positions and a narrowing of the gaps between them, even if under current circumstances these gaps cannot be bridged entirely.

The second achievement is the broad international and Arab backing of an Israeli-Palestinian process, reflected in the broad participation at the Annapolis Conference itself and in the Sharm el-Sheikh meeting, as well as Security Council Resolution 1850 in late 2008 supporting the Annapolis process and calling for its continuation. This support was also demonstrated by the international and Arab actors in the course of this past year. Hence, for example, the efforts to revive the Arab peace initiative and the increased cooperation between the PA, Israel, Jordan, and Egypt. Moreover, the international players, in particular the United States and the EU as well as the moderate Arab players, have worked

more effectively and with greater coordination to strengthen the PA and the Fayyad government.

### Implementing the First Stage of the Roadmap

The thrust of this effort is rebuilding the security capabilities of the PA and improving the economic situation in the West Bank. The assumption is that success in these realms will have a significant short term positive effect both on bolstering the status of a Palestinian government in the West Bank in comparison with the Hamas government in the Gaza Strip and on the level of support for Fatah over Hamas. In the long term, success will help foster the conditions that allow implementation of a permanent status agreement between Israel and the Palestinians. Specifically, there is the need first of all for a Palestinian government that enjoys public support and exercises effective security control.

This idea, though not new, was not previously realized. This time, there are the first signs of success stemming from lessons learned from past experience and the ensuing implementation of these lessons. First, there is a widespread understanding that it is very difficult to fix existing security apparatuses, and it is preferable to construct capabilities based to a large extent on new national security battalions trained in Jordan and on new police units groomed at the training facility in Jericho. Second, efforts have been invested to reduce the competition between the various elements. This time, the Palestinian minister of the interior heads a central command and control authority for constructing the capabilities and deploying the various mechanisms. The dismissal of Tawfiq al-Tirawi, the head of the PA's General Intelligence Service who refused to accept the authority of the minister of the interior, is the last stage in subordinating the security mechanisms to that central authority, even if the reason given for the dismissal was not Tirawi's refusal to cooperate with the minister. Third, current thinking holds that it is not enough to construct the apparatuses that are to implement security measures in the PA; it is also necessary to build an entire system that includes a

There is a widespread understanding that it is very difficult to fix existing security apparatuses, and it is preferable to construct capabilities based to a large extent on new national security and police units.

functional justice system and prison service. There is progress in these areas as well, thanks to the help of international parties.

In addition, the assistance given by the international parties is more effective and coordinated than before. In terms of security, there is a division of responsibility between the American security envoy, General Keith Dayton, who is helping build the Palestinian national security force, which will be the primary service to confront Hamas should violent conflicts erupt; and the EU Police Mission for the Palestinian Territories (EUPOL COPPS), which is assisting the creation of a Palestinian civilian police force. The two delegations are closely supervising the mechanisms they are assisting, and therefore there is a better sense of Palestinian capabilities than in the past. The assisting agents have no desire to repeat the error made in 2007 when they assessed that the PA and Fatah forces in the Gaza Strip were capable of standing up to the Hamas forces there. In practice, when the confrontation against Hamas occurred, these forces suffered from low morale and demonstrated poor capabilities. Several Arab parties are also supporting the construction of the PA capabilities, chief among them Jordan, which has opened its training facilities to the Palestinian effort. Quartet envoy Tony Blair has exerted considerable effort to coordinate economic assistance for the security apparatuses, though with somewhat less success because of the multiple parties involved.

Finally, there is more cooperation from Israel's side. In the past, skepticism in the Israeli security establishment that the Palestinian security mechanisms would demonstrate both the willingness and ability to fulfill their responsibilities prevented Israeli cooperation, because every case of cooperation entails a certain – even if low – risk. For example, there is a concern that weapons distributed to the Palestinian security agencies will somehow find their way to terrorist organizations and be used against Israel. Due to such reasons, all requests to assist the Palestinian security services, permit the transfer of equipment to them, and allow freedom of movement from place to place were subject to convoluted bureaucratic handling and were often denied. To a certain extent, the first signs of success changed the Israeli approach, and now there is a greater openness to assist the Palestinian security services and allow them freedom of action.

In the security realm, success can be measured by several developments. The first two national security battalions together with civilian police units, deployed initially in Jenin and afterwards in Nablus and Hebron, succeeded in ending the anarchy and establishing the rule of law and order. Armed gangs no longer roam the streets; instead, there is a police presence and an address for civilian complaints. There have also been initial success stories regarding the uncovering of Hamas and Islamic Jihad terrorist cells. There is likewise widespread activity to dismantle Hamas' civilian and economic infrastructure in the West Bank, and this helps weaken it. At the same time, the Israeli security mechanisms have scaled back their activities in the areas where the Palestinian security establishment has proven to be in control, though they still continue to operate there when they assess it is necessary for them to foil activities that involve a high terrorist threat.

There is still a large gap between these early successes and the PA proving itself capable of exerting effective control throughout the West Bank and preventing terrorism. The main stumbling blocks are:

1. The slow pace of force buildup. The new forces are limited in their scope, and their deployment in additional places is liable to impact negatively on their effectiveness where they have already succeeded in restoring order.
2. The willingness and capability of undertaking effective action to prevent terrorism still needs to be proven. Success here depends primarily on solid performance by the preventive intelligence and general intelligence agencies, which have not yet undergone in-depth reforms.
3. There are still problems regarding cooperation with Israel, notwithstanding the progress in this area. A situation whereby Israeli security forces continue to operate in areas where the Palestinians have ostensibly instituted law and order severely harms the image of the PA and the Palestinian security forces in the eyes of the Palestinian public. An extreme example was the chain of events in Hebron after the evacuation of the "House of Contention" on December 5. These events demonstrated the inability of the Palestinian security agencies to protect Palestinian civilians from Jewish rioters. Such situations strengthen the image

of the Palestinian security forces as Israeli collaborators failing to fulfill their obligation to serve the Palestinian public.

4. Despite the progress, the creation of a sound judicial system and prison service that would convince the Israelis that the handling of terrorist elements is comprehensive and effective has not yet been completed.

In the economic realm too, there are signs of greater economic prosperity, certainly in comparison to the Gaza Strip, which is suffering from sanctions imposed both by Israel and the international community. Certain economic indicators demonstrating significant economic growth since June 2007 include:

1. There has been a 66 percent growth in commerce passing through West Bank crossings to Israel in the first half of 2008 in comparison with the second half of 2007.
2. At the Allenby Crossing between the PA and Jordan, there was a 23 percent growth in the volume of products transferred in the same time period over the previous year.
3. Between May 2006 and August 2008, the number of people working in Israel rose from 24,200 to 51,000.
4. There was a decrease in the rate of unemployment in the West Bank, from 19 percent in the first quarter of 2008 to 16.3 percent in the second quarter.
5. According to the PA Bureau of Statistics, the Palestinian tourism industry enjoyed unprecedented growth at the end of the second quarter of 2008.<sup>1</sup>

The primary reasons for the growth are regular transfers of tax revenue collected by Israel and international financial assistance. Economic coordination between Israel and the Palestinians has been renewed: the committees established as part of the interim agreement have resumed regular activity. In addition, over 100 roadblocks have been removed. Most of them consisted of mounds of dirt placed on traffic arteries, but a few key manned roadblocks were also removed. Perhaps even more important was the change in status of the seven primary roadblocks to "usually open," meaning that there is generally free movement without checks except for situations in which there are concrete alerts. Finally, the number of permits for work in Israel and permits for business people to enter Israel has increased.<sup>2</sup>

In coordination with the security efforts, a special effort has been placed on the Jenin area as a model for other locations, and indeed in Jenin the rate of unemployment dropped from 25.7 percent in the first quarter of 2008 to 18.4 percent in the second quarter.

There are some factors preventing faster economic growth, especially the roadblocks in the West Bank, which even though have been eased still largely impact on efforts to conduct normal economic activity. Indeed, at the same time that some impediments were removed new ones were imposed as the result of security and other considerations. The second factor is the failure of international aid agencies to fulfill their commitments completely, and the third is the ineffectiveness of the Palestinian governmental mechanisms in charge of economic matters. For example, projects to construct industrial parks in Jenin, Jericho, and Bethlehem were delayed because of Palestinian bureaucracy, even after all Israeli delays were dealt with.

Implementation of the first stage of the Roadmap requires Israel's fulfillment of its commitment to freeze the building of settlements and remove the illegal outposts. There has been no significant progress in this area, and the fact and Israel has not lived up to its commitments has a negative effect on the potential for the Palestinian public to view the process as a success story and a promise for a better future.

The relative success in improving day to day life in the West Bank has already improved the political status of Fatah and Abbas over Hamas. According to a public opinion survey taken by the PCPSR Institute in Ramallah on August 28-30, the gap between Abbas and Hamas' Haniyeh grew to 13 percent (52 versus 39 percent) and the gap between Fatah and Hamas grew by the same rate – 43 versus 29 percent. Clearly this does not guarantee identical electoral results, especially if Hamas realizes the potential of its stronger organizational structure and superior motivation, but the statistics are nonetheless a clear indication of the success of the Annapolis process.

## Conclusions and Implications

All in all, the Annapolis process is a positive one from Israel's perspective. It entails the start of creating the conditions that allow reaching and implementing agreements with the Palestinians. In light of the internal political situation both on the Palestinian side and the



Israeli side, it is doubtful if it was possible to translate improvements already achieved into the ability to conclude negotiations over a permanent status agreement and implement it. The political situation in Israel following the February 2009 elections will probably not change this picture. Rather, the elections are likely to lead to one of two possible results. The first is a coalition government headed by Likud that would not be interested in pursuing the permanent agreement track further. While it is reasonable to assume that Netanyahu would strive to include centrist and even moderate leftist parties such as Labor and Kadima in his government in order to achieve a certain amount of political maneuverability and reduce friction with the United States, it does not seem that he would do so at the cost of significant negotiations over a permanent status agreement. The second scenario is a weak centrist-leftist coalition headed by Kadima that would be dependent on one of the religious parties. Such a government would perhaps be interested in advancing the permanent agreement track but would not have the sufficient political clout to do so.

Any future Israeli government would err to abandon the Annapolis process and thereby erode both the achievements already attained and the potential for further progress. Rather, the political negotiations are an essential and integral part of the Annapolis process without which it cannot be sustained. Without a political process, it is doubtful whether the Palestinian side will have the motivation and political strength to continue to advance along the Roadmap track.

Any future Israeli government would err to abandon the Annapolis process and thereby erode both the achievements already attained and the potential for further progress.

One possible conclusion is that any new government installed after the elections will have to examine seriously the option of partial arrangements with the Palestinians. The assumption that it is possible to continue to improve the day to day situation and maintain stability without any kind of political process is at best unfounded. The lack of a political process along with a mere marking of time in the negotiations toward a permanent status agreement

will erode support for the PA's current government and will severely harm its motivation to continue to take positive steps. Furthermore, this will prolong the problematic nature of the Palestinians' daily lives



and will continue to drive the two sides further away from a two-state solution. Indeed, in Palestinian public discourse it is already fashionable to vent disappointment with the two-state idea and urge the return to the notion of one democratic state. This is a severe blow to Israel's interest to separate from the Palestinians. The Obama administration is unlikely to accept an Israeli position of procrastination, and Israel's insistence on such a policy is liable to cause severe friction with the American administration. The advantage of partial arrangements lies in their ability to supply a convenient solution to all sides – the United States, the Israeli government, and the Palestinian leadership – to weather the inability to progress towards achieving and implementing a permanent status agreement. They also allow the examination of a wide range of possibilities for partial solutions that have various levels of security costs and political price tags, both internal and external.

On the Palestinian side, Abbas will have a hard time agreeing to the notion of partial arrangements as a process that will ultimately lead to a permanent agreement. On the other hand, he too will have to examine this idea very seriously if he comes to the conclusion that the direct track to a permanent agreement is in fact a dead end. It would seem that other players in the PA, such as Prime Minister Salam Fayyad, are already more open to this idea because they understand that it is difficult to take short cuts, and that it is first necessary to bring about a fundamental change in the situation before it is possible to conclude and implement a permanent agreement.

At the same time, it is impossible to ignore the major obstacle threatening the feasibility of a comprehensive Israeli-Palestinian process, namely, the situation in the Gaza Strip. The massive conflagration in the Gaza Strip, and particularly if it entails renewed conquest of parts of the Strip, will seriously undermine this process. The progress in the West Bank was possible in part because of the ceasefire that stabilized the situation in Gaza. Given the possible results of its recent military moves, Israel must strive to implement a ceasefire and impose stability in the Gaza Strip for as long as possible based on the deterrence its military steps attained, in order to continue to consolidate the achievements of the Annapolis process.

In the longer term, and if the ceasefire is renewed either *de jure* or *de facto*, stability on this front will not be achieved by military actions

alone. Israel must also consider taking supporting political steps, such as ceding its objection to progress in the intra-Palestinian dialogue between Fatah and Hamas, and also conducting astutely its non-military relationship with Hamas in the Gaza Strip on issues such as opening the Gaza Strip crossings. These steps would strengthen Hamas' interest in maintaining stability and would make it difficult for the organization to disrupt progress vis-à-vis the PA. While there is concern that such steps would to some extent harm Abbas' status vis-à-vis Hamas, in the final balance strengthening the PA through additional successes in the Annapolis process is more important and will be a greater contribution to strengthening the Palestinian partner.

### Notes

- 1 All data is taken from "Israel Politik," published by the Israeli Consulate in New York. See [www.israelpolitik.org/2008/11/26/wbeconomy](http://www.israelpolitik.org/2008/11/26/wbeconomy).
- 2 This data is also taken from the Consulate report.

# Syria and the Global Jihad: A Dangerous Double Game

**Amir Kulick and Yoram Schweitzer**

Since the 1960s, the Syrian regime has used terrorism to advance its goals in both the internal and regional arenas. Syrian terrorist activity has included a range of methods, such as assassinations of rivals at home and abroad and various attacks on Israeli, Jewish, and Western targets around the world. The tactics Syria has used over the years have varied according to needs and circumstances. The regime in Damascus has at times sent its own agents to launch terrorist attacks, and at times has operated proxy organizations such as al-Saiqa. At other times Syria has provided close support for various organizations serving its interests, such as the Fatah Revolutionary Council (Abu Nidal) and the Popular Front–General Command under Jibril’s command. On a few occasions, the regime provided more passive aid to Palestinian terrorist organizations such as the Popular Front and even to foreign terrorist organizations such as the Kurdish PKK and the Japanese Red Army. These organizations were granted shelter in Syria and used Syria as a base of operations for activity abroad.<sup>1</sup>

This policy, which began under Hafez el-Asad, continues to serve his son Bashar. At the same time, Syria under Bashar is concentrating its efforts primarily on indirect help, especially for Hizbollah, and on mostly passive aid for Palestinian terrorist organizations, Hamas and Islamic Jihad in particular. The non-Arab foreign terrorist organizations that formerly operated in Syria were asked to leave. In addition, the Syrian regime is avoiding, at least for now, using its own agents for terrorist activity. The exception is Syria’s activity in Lebanon where Syria has no qualms about eliminating its political rivals.

Amir Kulick, research associate at INSS

Yoram Schweitzer, senior research associate at INSS

The change in Syria's operational terrorism policy stemmed mostly from the international risks involved in being directly implicated in terrorist attacks. Ever since 9/11, it has been clear even to the Syrian regime that staging terrorist attacks is liable to provoke a harsh international response. Thus a significant portion of Syrian support for terrorism is channeled indirectly to global jihad elements, which are not operated by Syria as proxy organizations, rather are allowed to reside in Syrian territory and operate out of it freely against enemies of the Syrian regime. Today, the primary arena where Syria-based global jihad elements are active is Iraq and to a lesser extent Lebanon.

This article presents Syria's links to global jihad elements and examines the advantages and risks inherent in these links for Bashar al-Asad's regime. In particular, it explores the use Syria makes of the terrorism-supporting card in order to consolidate its regional and international standing. In both arenas, this leverage serves on the one hand as proof of Syria's centrality in the global struggle against terrorism, and on the other, as a tool for mitigating political and military punitive measures resulting from its involvement in terrorism, especially in Iraq and Lebanon.

### **Syria's Links to Global Jihad**

In the wake of its occupation by the allies in 2003, Iraq joined Afghanistan as a central arena of action for global jihadists. Consequently, Syria became the most important geographical crossroads for volunteers to fight the foreign forces in Iraq. Historical concerns along with current political interests (Syria as part of the "axis of evil" and the camp opposing American influence) have made the Damascus regime an important party regulating and helping the many global jihad fighters that streamed toward Iraq. As for the Lebanese arena, even after its withdrawal from Lebanon in 2005, Syria still views this western neighbor as its own backyard. Therefore, alongside its wide range of activities in "Cedarland," Syria maintains links with jihadists operating there and supervises them at some level or another.

#### ***The Iraqi Arena***

In recent years Syria has become the logistical rear for global jihadists operating in Iraq and the main crossroads for the jihadists en route to

Iraq to fight the American troops. Furthermore, it is where an extensive supply of false Syrian passports are issued to these volunteers.<sup>2</sup> In fact, Syria allowed key al-Qaeda activists in Iraq to use its territory for weapons supplies and financing. Public disclosure of this activity emerged following the killing of Badran al-Mazidi (Abu al-Ghadiyah), a senior al-Qaeda logistics operative in Iraq, in an American Delta Force commando operation in the Syrian village of Sukkariyeh near the Iraqi border on October 26, 2008. According to American intelligence sources, Abu al-Ghadiyah had been operating in Syria for a number of years, smuggling money, weapons, and fighters on behalf of Abu Musab al-Zarqawi, the al-Qaeda commander in Iraq. When Zarqawi was killed in 2006, Abu al-Ghadiyah continued to operate under Abu Ayyub al-Masri, Zarqawi's successor. US intelligence indicates that Abu al-Ghadiyah would supply global jihadists with false passports, train them, provide them with safe houses, and supply them with weapons and other supplies. These volunteer jihadists came from many countries in the region – Morocco, Libya, Algeria, Egypt, Sudan, Saudi Arabia, and Turkey. Abu al-Ghadiyah made housing arrangements for them in Damascus and the port city of Latakia with the help of Syrian intelligence officers. After moving the volunteers into Iraq, Abu al-Ghadiyah's men on the east side of the border would continue to see to their logistical needs.<sup>3</sup>

Moreover, American military sources stated that in addition to the logistical support that global jihadists receive in Syria, the Syrian president allows al-Qaeda operatives to train on Syrian soil.<sup>4</sup> The *Sunday Times*, for example, following a visit to Sukkariyeh where Abu al-Ghadiyah operated, quoted a local leader who explained that everyone in the village knew that jihadists were active in the area. "You can often hear gunfire near the border that has nothing to do with clashes but are just the fighters training," he said. He added that "there are regions along the border that the Syrian security service (the Mukhabarat) has closed, and I think that that is where the jihadists are. Those places have the best access to Iraq."<sup>5</sup> According to senior American officials, Syria and Iran also supply al-Qaeda networks in Iraq with bomb-making materials and help them improve the quality of their explosives.<sup>6</sup>

Most importantly, until recently Syria was the main source of the suicide bombers active in Iraq. Thus in 2007, American military sources

claimed that “85-90 percent of the suicide terrorists in Iraq enter the country through Syria,”<sup>7</sup> and despite repeated appeals Syria has not managed – or not wanted – to stop the flow of Sunni suicide bombers into Iraq.<sup>8</sup> In the course of 2008, though the situation improved and the flow of suicide terrorists into Iraq slowed significantly, American sources maintain that this resulted from successful activity on the part of Iraqi and coalition forces along the border with Syria.<sup>9</sup>

### *The Lebanese Arena*

In Lebanon, Syria’s engagement in global jihad elements is less pronounced. A number of Sunni fundamentalist groups active today in Lebanon include Lebanese, Palestinian, and foreign activists who trained and fought in Afghanistan, Iraq, and other global jihad locations. These elements are concentrated in two primary geographical areas, first, the Palestinian refugee camps in the south and the north that function like extraterritorial Lebanese areas generally avoided by local security services. The second geographical area with a fundamentalist Islamic presence is the city of Tripoli in northern Lebanon. Tripoli is home to a large Salafi (extreme Sunni movement) community. Dozens of its activists have left the city to fight against the coalition forces in Iraq and Afghanistan.

Similar to the situation on its border with Iraq, Syria allows jihadists free passage into and out of Lebanon and apparently to some extent helps Islamist parties. Sources in Beirut, for example, accused Syrian intelligence of helping strengthen the fundamentalist Fatah al-Islam organization in the region. These accusations were sounded in particular during the Lebanese army’s battles against group activists in the summer of 2007 in the Nahar al-Bard refugee camp, and have been raised on a number of occasions since.<sup>10</sup>

## **The Double Game: Profits and Risks**

### *Profits*

The double Syrian game bestows on Damascus a number of important advantages. The first is a tool that can both harass and wear down American forces in Iraq and demonstrate Syria’s very real preventive potential to the Americans. Syria views the American presence on its eastern border as a significant threat, i.e., it fears the United States is

liable to use its forces against it or threaten its regime in light of the serious difference of opinion with Syria's current leadership. Because of Syria's sense of inferiority vis-à-vis US power, jihadist activity in Iraq is a powerful tool against American forces through the terrorist, guerilla, and insurrection activities that global jihad elements can undertake against them in Iraq. At the same time, Syrian officials cooperate with Washington in terms of intelligence on the issue of global jihad in a way that allows Syria to demonstrate its resolve and goodwill in helping the international coalition's war on terror. According to American officials, this sort of cooperation takes place between the two sides on an ongoing basis: for example, the coordination between Syria and the United States regarding the raid by American commando forces on Sukkariyeh in October 2008.<sup>11</sup>

The second advantage is the profit in political standing and image that stems from participation in international forums on stabilizing the situation in Iraq. Syria's policy as a partner in international forums against global jihad allows the regime to present itself as an active player in the struggle against global terrorism. Thus, for example, Syria took part in an international conference on Iraq in Sharm el-Sheikh in April 2007, and even hosted a similar conference in Damascus in November 2008. These diplomatic events were exploited by the Syrian regime in its efforts at an image make-over and self-presentation to the world as an indispensable part of the solution to the problems in Iraq. As Syrian deputy foreign minister Faisal Mekdad explained on one occasion, "It is in the interests of Syria and Iraq to prevent illegal border crossings. We have arrested hundreds if not thousands of people who tried to cross into Iraq, and have contributed a great deal to the stabilization of this region."<sup>12</sup> Thus, the activity of global jihadists within its borders itself and the belief that the regime in Damascus can in fact operate against them cast Syria as a relevant factor in the regional and international arenas in terms of curbing global jihad.

The double game affords Syria a tool that can both harass and wear down American forces in Iraq and demonstrate Syria's very real preventive potential to the Americans.

The Syrian regime that allows global jihadists to operate within its borders even succeeds in presenting itself to the international

community as a victim of terrorism. A prominent example is the attack that occurred on September 27, 2008 in Damascus, when a car laden with explosives was detonated near Syria's intelligence installation. Six weeks later, on November 9, Syrian television broadcast a videotaped confession in which eleven members of Fatah al-Islam – the same group that was allegedly supported by Syrian intelligence – admitted they launched the attack. The group members confessed to have been financed by Saudi Arabia and the anti-Syrian Lebanese al-Mustaqbal movement headed by Saad al-Hariri. The suicide attacker, they said, came from Saudi Arabia. The attack itself was meant to be part of wave of bombings aimed at official Syrian and Western targets in the country with the goal of undermining the regime's stability.<sup>13</sup> In light of fundamentalist activity in northern Lebanon, Bashar al-Asad even raised the possibility of Syrian military intervention in Lebanese territory.<sup>14</sup>

Syria has also reaped temporary immunity from global jihadist activity against the Alawi regime. In the short term, the aid Syria delivers to global jihadists contributes to the distancing of their terrorist threat against Syria somewhat, on the assumption that al-Qaeda and associated operatives would not want to harm the primary channel by which they infiltrate Iraq. In fact, as noted by the head of Israeli intelligence, until the September 27 car bomb explosion in Damascus

From al-Qaeda's perspective, a confrontation with the heretical Alawi regime in Damascus and the option of turning Syria itself into a jihadist arena are currently rejected – or postponed – only for pragmatic reasons.

there was a kind of unwritten agreement between the regime and global jihadist factions. This agreement granted the operatives immunity and free passage to Iraq and Lebanon, in exchange for their not acting against the regime.<sup>15</sup> Thus, though it would seem that the secular Alawi (a sect that broke off from the Shia) regime would be one of the regimes the global jihadists seek to replace with a *sharia*-based Sunni regime, it is never mentioned by jihadist spokesmen as one of their avowed enemies.

In addition, helping global jihadists in Iraq gives Damascus the ability to influence events within its neighbors' borders. This confers on it a position of strength in relation to the new Iraqi government, and also turns it into an important factor in



any regional or international forum dealing with solutions to the Iraqi situation. Likewise in the Lebanese arena, the double-edged policy provides Damascus with important advantages. Support for fundamentalist groups may offer the regime an additional way to affect events on the internal Lebanese arena. Though Syria closely supports the Shiite Hizbollah, a potential rival of the global jihadists, support for the latter may in the mid and long terms afford Syria the ability to break its exclusive dependence on Hizbollah should violent power struggles between Shiites and Sunnis break out. Maintaining channels of influence among both Shiite and Sunni militants may also strengthen Syria's future status as mediator in an ethnic Shiite-Sunni confrontation. Such a confrontation would seem to be only a matter of time, as noted by Sheikh Baroudi, a leader of the Salafi community in Tripoli after the battles of May 2008: "There is no possibility of reconciliation with Hizbollah."<sup>16</sup>

The links between Syria and global jihad factions in Lebanon also have ramifications from the local standpoint of Tripoli itself. The city is home to an Alawi minority with strong connections to the regime in Damascus. From May to September 2008 there were violent clashes between Alawis and Salafi fundamentalists in the city.<sup>17</sup> Therefore, maintaining a Syrian channel of influence and dialogue with some of these factions may help Syria in the future ease the tensions between the sides. In addition, as in the Syrian arena, support for jihadists strengthens Syria's role as a relevant regional and international agent in solving Lebanon's security and other problems. At the same time, nurturing global jihadist elements grants Syria an additional potential channel for terrorism against Israel on Israel's northern border, as well as in the neighboring countries of Jordan and Egypt.

### *Risks*

Alongside these advantages, Syria's double game with jihadists entails a number of risks for the Damascus regime. The first is American operations against it. On the international arena and particularly vis-à-vis the United States, Syria is walking a very fine line between partner and enemy. Syria's role in curbing global jihadist activity in Iraq is clear to the American administration. To date, Washington has chosen not to confront Damascus directly on its involvement in terrorism, perhaps

because of the intelligence cooperation between the two nations, as well as America's reluctance to open yet another confrontational front in the Middle East. Nonetheless, jihadist presence in Syria clearly represents the potential for a blow-up between the United States and Syria, and gives the American administration a possible excuse for an operation against Bashar al-Asad.

The second risk involves potential jihadist operations. There is ongoing tension between Islamic fundamentalists and the Alawis, as the latter are considered heretical by al-Qaeda and its affiliates. Moreover, in light of the cruel suppression of the Islamic revolt in Syria between 1976 and 1982, there is still an account to be settled between the local fundamentalists and the Alawi regime. From al-Qaeda's perspective, a confrontation with the heretical regime in Damascus and the option of turning Syria itself into a jihadist arena are currently rejected – or postponed – only for pragmatic reasons. However, in the long term, the ongoing presence of global jihadists in Syria enables them to get to know the local scene intimately, to make connections with local fundamentalists, and to establish operational and logistical networks. All of these are liable in the future to exacerbate the threat these factions pose to the stability of the Damascus regime.

Indeed, lately the presence of global jihadist operatives in Syria has possibly turned from more of a potential problem into a concrete challenge for the Damascus regime. In early September 2008, large military forces were deployed along part of the northern border with Lebanon. Senior Syrian officials explained the purpose of the action as tightened control of human traffic. Lebanese sources added that Syria is trying to curb the crossing of fundamentalist operatives into the Syrian cities of Homs and Hama. During the 1980s these cities were the center of the Muslim Brotherhood's anti-regime activity.<sup>18</sup> At the same time, the deployment along the border did not prevent the terrorist car bomb in Damascus on September 27 that killed seventeen civilians, nor did it prevent a number of violent clashes between Syrian security forces and Islamic fundamentalists in the Yarmouk camp and in Damascus itself during October 2008.<sup>19</sup> In the longer term, global jihadists might become a more acute security challenge for Syria should it sign a peace agreement with Israel. In such a scenario, both Hizbollah and

fundamentalists in Lebanon and Syria might try to settle accounts with the Alawi regime.

Syria's role as a logistical rear for jihadist activity in Iraq is a source of ongoing tension between the two countries. Even as diplomatic relations between the two were restored, for example, Syrian foreign minister Walid Mualem declared that his country would cooperate in the struggle against violence in Iraq, to which the Iraqi government spokesman responded, "We would like to see the good intentions translated into action."<sup>20</sup> Two years later, relations between the two countries continued to be tense. Officials in Baghdad made clear that despite closer ties, there would be no commercial relations with Syria until Damascus proved its ability to stop providing shelter and support for terrorism bodies.<sup>21</sup> Though at present this tension has not materialized in deeds, it would seem that in the long run Bashar al-Asad's regime is cultivating yet another potential enemy.

## Conclusion

The double policy Syria has been pursuing on the issue of terrorism is not a new phenomenon. Ever since the 1960s, the Syrian regime has resorted to various elements against its enemies in the local, inter-Arab, and international arenas. Organizations such as al-Saiqa, Abu Nidal, and the Popular Front-General Command served Syria as proxy agents against both Israeli targets and rival Arab regimes such as the Iraqi Baath party and the Jordanian Hashemite kingdom. Similarly, the Syrians operated the Palestinian organization Fatah Abu Musa against Arafat, who was subject to intense Syrian hatred, and assisted local Lebanese organizations such as Hizbollah and the National Syrian Party in attacks against Israel and international forces in Lebanon. For instance, Syria helped Hizbollah undertake the double suicide attack against the American marines base and the French forces in Lebanon in the early 1980s. As in the past, operating and extending aid to various terrorist organizations is one of the policy tools the Syrian regime uses in order to advance its varied interests. Especially given the lack of significant

Unlike the relationships the Syrian regime maintained with various terrorist factions in past years, the link between Syria and global jihadists entails a relatively high risk for the regime in Damascus.

financial or strategic assets, the terrorist-supporting card is a Syrian tool for amassing influence, as it enables the regime the ability to derail different political processes by either promoting or preventing terrorist attacks.

Nonetheless, unlike the relationships the Syrian regime maintained with various terrorist factions in past years, the link between Syria and global jihadists entails a relatively high risk for the regime in Damascus. In the past, all the elements operated by Syria as proxies viewed the Syrian regime as a legitimate Arab national regime and a leading factor in the struggle against Israel and the United States. Today, however, global jihadists aided by Syria view the Alawi regime in Damascus as a heretical abomination. Thus, toppling the Syrian regime is seen by them as an independent objective. From their point of view, fulfilling this objective will arrive in due course after more pressing issues – first and foremost the expulsion of the American presence in Iraq – have been settled. At the same time, because of its links with these terrorist factions, Syria is risking an American or international response. Therefore, the Syrian romance with global jihadists may reveal itself as a double-edged sword: on the one hand, it may lead to a confrontation with global jihadists should circumstances change (e.g., Syrian action against them, a peace agreement with Israel, a change in their priorities), while on the other hand, it may lead to a confrontation (diplomatic or military) with the United States and the West.

At any rate, the United States, as long having been the standard-bearer of the struggle against rogue regimes actively supporting terrorism in general and in recent years against global jihadists in particular, must take a clear and resolute stand against the semi-covert aid Syria extends to jihadist factions. In this context, two policy steps are particularly important: public exposure and unequivocal condemnation of the role Syria plays in terrorism in Iraq, along with the threat of sanctions against Syria unless it stops. While there has been a drop in the number of terrorists coming from Syria,<sup>22</sup> this is not enough, and the Syrian regime must be confronted with the facts testifying to its double game. The new administration of President Obama, which may want to engage Syria in dialogue on a range of issues that would help Syria extricate itself from the axis of evil, must also include the

uncompromising demand to desist from aiding terrorism in general and global jihadist terrorism in particular.

As a rule, in terms of public statements and exposure, Israel prefers low profile policies when it comes to the struggle against the global jihad, and it is in its interest that this task be left to others. Nonetheless, this should not prevent it to continue to make its unique contribution in the field of intelligence in order to expose the involvement of all elements aiding global jihad, Syria among them.

## Notes

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# The Future of the IAEA Safeguards System

Ephraim Asculai

Although the International Atomic Energy Agency (IAEA) is engaged in important work in many scientific and technical fields, including nuclear energy, nuclear safety, and pest eradication (to mention but a few), there is no doubt that its most significant area of activity today is safeguards. This entails the IAEA sending inspectors to member states that have agreements with the IAEA permitting inspections, to verify that the inspected state complies with its non-proliferation obligations. However, the current reality is far from satisfactory.

In his introductory statement to the 2008 IAEA annual General Conference, Director General Dr. Mohamed ElBaradei said: “Effective nuclear verification requires four essential elements: adequate legal authority, state-of-the-art technology, timely access to all relevant information, and sufficient human and financial resources...we still have shortcomings in all four areas.” Legal authority, when applied, is a prerequisite that determines the potential degree of success in uncovering illicit activities related to nuclear weapons development in a timely manner. When access to sites, people, and use of advanced technologies is restricted, the results of the safeguards inspections will be mainly what the inspected state permits the inspectors to find.

## The Need for Change

With the Director General’s statement on the shortcomings in the safeguards system, the IAEA has come a long way from its previous position, stated in October 2007 in relation to the Syria issue, that the IAEA “had the authority and capacity to investigate any such

Dr. Ephraim Asculai, senior research associate at INSS

information.” What happened between October 2007 and the following year to change the attitude of the IAEA, bringing it much closer to a realistic and more sober point of view? The change in the IAEA mindset was probably brought about by the publication in May 2008 of the report of the Commission of Eminent Persons on the Future of the Agency, which was established by the IAEA in late 2007.<sup>1</sup> On the heels of prior IAEA failures to detect illicit nuclear weapons development programs (Iraq, Iran, Libya, and Syria) and the unraveling of Iran’s concealment of its weapons development activities, the IAEA Secretariat had to take note of the increasing criticism of its performance.

The Commission, chaired by a former president of Mexico, was composed of eighteen prominent persons from as many countries, coming from political, technical, and scientific backgrounds. In the chapter devoted to safeguards, the Commission writes: “The nonproliferation regime is under stress. To strengthen the global nonproliferation regime and prevent a cascade of proliferation, the following steps are imperative:

- Strengthened safeguards
- New approaches to managing the nuclear fuel cycle
- More effective export controls and measures to stop black-market networks
- Stronger enforcement (which pertains to the UN Security Council)
- New measures to reduce demand for nuclear weapons.”

While all five points are highly relevant, only the first point is directly related to the terms of reference and work of the IAEA. Elaborating on strengthened safeguards, the Commission writes: “as has become clear from recent events, sometimes transparency going beyond the measures called for in the Additional Protocol [AP] is needed to provide confidence that a state’s nuclear program is entirely peaceful. Ultimately, states should agree to incorporate those measures in an ‘Additional Protocol Plus.’ The latter would confirm the IAEA’s right and obligation to access sites and information related to nuclear material production technologies (such as centrifuge manufacturing facilities) and to nuclear weaponization activities, as well as the Agency’s right to private interviews with individuals who may know about such activities.” The Commission addressed this in its recommendation that “all states should ratify the Additional Protocol, which should become



the universal standard for nuclear verification. Supplier states should make the Additional Protocol a condition for granting export licenses of nuclear materials, services, and technologies.”

Unfortunately, the chances of achieving this are slim. A universally applied “Additional Protocol Plus” is at best a distant vision. Indeed, the road to adequate legal authority for nuclear verification, the prerequisite that establishes the potential degree of success in uncovering illicit activities related to nuclear weapons development in a timely manner has always been rocky. The original core of this authority is the safeguards agreements between states and the IAEA, which is (mis)named “Full Scope” or “Comprehensive.” The next development was the Additional Protocol that was drafted and adopted following the lessons learned from the Iraq fiasco, where prior to the 1991 Gulf War the IAEA did not have an inkling of the vast nuclear weapons development project in Iraq. The AP granted the inspectors extensive technical privileges such as sample taking from nuclear installations as well as improved access to facilities, and overall is an important addition to the existing safeguards agreements.

However, the AP does not grant access to suspect sites, and it is not compulsory for all members of the Nuclear Non-Proliferation Treaty (NPT). About half do not adhere to the AP, and states that still have to conclude safeguards agreements are not bound to do so. Although Iran, for example, promised to abide by the AP, it later reneged on its promise, probably because the IAEA inspections were getting too close for comfort. Syria, on the other hand, is not bound by the AP, and thus is free to deny the IAEA any in-depth inspection of the al-Kibar site and other suspect sites, claiming that these are not nuclear but military sites. These are even outside the purview of the AP.

Thus, states that are fearful of the potential findings of AP inspections have the privilege of evading them. Moreover, the AP has prompted the IAEA to proclaim repeatedly that when inspections under the AP are complete it will be able to “provide credible assurances regarding the absence of undeclared nuclear materials and activities.” Yet such assurances will rarely be “credible,” since it

The culture and application of inspections must be reviewed and modified extensively. The assessment of potential is as important if not more so than the classic detection of diversion.

is nearly impossible to determine an absence. This is what the IAEA has promised Iran when its reports to the Board of Governors and the Security Council hint at the possibility of providing assurances as to the “exclusively peaceful nature of Iran’s nuclear programme.” Given the present state of inspections in Iran, this is certainly an impossible task, especially when the technical potential for misdeeds exists, and it is not possible to assess intentions.

### **The Safeguards at a Crossroads**

The IAEA Director General titled his opening address “IAEA at a Crossroads.” Though the title aptly describes many IAEA areas of activity, safeguards is the most urgent today as far as world peace is concerned. While the IAEA reverted to its old ways in the case of Syria, it has moved recently from the conciliatory tones of its reports on the situation in Iran to more factual statements and discussion of problematic issues. This is likely a result of the recognition that maintaining the previous course could harm the IAEA if new facts concerning hitherto uncovered nuclear weapons development activities, again from outside sources, come to light. Thus the times have changed and the IAEA is at a crossroads. What direction should it take?

One cannot view the present situation, where at least three states are suspected of not coming clean on their nuclear activities, without realizing the seriousness of the matter and the consequences of failure to assess the situation correctly. The way routine inspections have been conducted is no longer a guarantee of anything, except perhaps an assurance of non-diversion of nuclear materials. Given the limited prerogatives of the inspectors in these three states, and given the multitude of concealed facts that came to light in the history of inspections that took place there, the culture and application of inspections must be reviewed and modified extensively. As evident from the latest IAEA reports, the assessment of potential is as important if not more so than the classic detection of diversion.

A partial list of urgent questions that must be reliably answered demonstrates the imperative for change in the application of the IAEA safeguards. These include:

1. Regarding North Korea: What is the plutonium material inventory in North Korea? How much has been produced, how much has

been used, and how much is still contained in the irradiated nuclear fuel? Is there or has there been a uranium enrichment project in North Korea? If so, what is its status? What foreign cooperation or what assistance has North Korea given to other states in the nuclear field?

2. Regarding Iran: What is the status of the weapons development program, especially in the light of recent documentation and implied activities noted in the IAEA reports? How certain is the IAEA that no parallel concealed enrichment program exists (utilizing the technical information and machine production facilities available in Iran)?
3. Regarding Syria: Is there a resurrection of the nuclear reactor project in Syria? Is there a uranium enrichment activity in Syria? Will the IAEA report its estimate of the characteristics and capabilities of the destroyed nuclear reactor at al-Kibar?

The IAEA must start rethinking its safeguards philosophy and move in the direction set by the Commission. It should stop promising results that are impossible to achieve. It must insist on the rights and privileges mentioned in the Commission's report and state that without these, the world cannot be promised a reasonable and timely warning before another country achieves a military nuclear capability. The IAEA Member States must be made to realize that the present safeguards regime must be modified if it is to be credible.

The following suggests a basis for future safeguards activities:

1. The purpose of verification is defined as "to detect, prevent, and give warning to states' activities that are contrary to their international obligations."<sup>2</sup>
2. The main task of the inspectors is to gather all known relevant technical facts and to assess them. The inspectors must denote all facts that are not internally consistent.
3. The inspectors must note all information (including access, sampling, and measurements) that was not made available to the inspectors, even if outside the terms of existing agreements.
4. The inspectorate must note its conclusions of the situation, based on the inspectors' reports and on externally available information. This must include the assessment of the possibilities and potential for the development of nuclear explosives.

5. Since the IAEA Director General is usually not a technical expert, the above conclusions shall be submitted to a scientific committee to assess the situation. This Committee will present its conclusions to the Director General and to the Board of Governors. These conclusions shall be made public.
6. In addition, the Committee will present its country-specific technical recommendations to the inspectors, as mandatory guidelines for their future activities.

Should the above suggestions together with the recommendations of the Commission be adopted, there can be an almost immediate noticeable change for the better in the effect the IAEA has on the international front when dealing, for example, with the Iran issue. The interpretation of the technical findings, or for that matter the obstacles laid in front of the inspectors, will make it harder for the international community to avoid difficult decisions. These in turn could make it harder for Iran to pursue its aims and perhaps lead to a resolution of the issue.

### Additional Issues and Conclusion

Emphasis here has been on adequate legal authority and the timely access to all relevant information. The other two outstanding issues mentioned by the Director General, state-of-the-art technology and

sufficient human and financial resources, are also important. There should be little doubt that although the IAEA invests considerable effort in developing safeguards-specific technologies, the constituent states of the IAEA must be major contributors to this effort.

A report by the US Congressional Commission on the Prevention of WMD Proliferation and Terrorism, chaired by Senator Bob Graham and published in December, 2008,<sup>3</sup> also noted the IAEA's lack of authority, in addition to the

"agency's increasing inability to meet its 'timely detection' goals." This comes as the result of the lack of resources – funding, personnel, technologies, and so on. Member States of the IAEA should increase

The IAEA should not be afraid of sounding the alarm in cases where the unknowns could become alarming facts. Political correctness can mislead, and with formidable consequences.

their contributions, and a fee should be levied on the inspected states to pay for the IAEA activities.

In addition to the possible contribution of the member states to these activities, the IAEA should consider reallocating its resources according to operational needs and abandon or at least temporarily reduce its low priority activities, such as inspections of facilities in Nuclear Weapons States and in states that are not under suspicion and whose inspections records are impeccable. Prioritization of activities could do much to alleviate shortages in personnel and finances. Admittedly, these changes have political ramifications (including accusations of discrimination) but in times of need, political difficulties must be overcome.

Although the IAEA has come a long way from what was its habitual form of not angering its member states, even when the blame was there for all to see, it is still hesitant on going the extra mile and reaching technical conclusions. Today, the contribution of the IAEA to the non-proliferation regime is considerable, especially in light of its activities in Iran. However, it still is not enough, and can be made much better if it adopts the above-noted principles and acts more intensively in the assessment of the situation in the burning issues of the day, in Iran, North Korea, and Syria. The IAEA should not be afraid of sounding the alarm in cases where the unknowns could become alarming facts. Political correctness can mislead, and with formidable consequences.

## Notes

- 1 [http://www.iaea.org/About/Policy/GC/GC52/GC52InfDocuments/English/gc52inf-4\\_en.pdf](http://www.iaea.org/About/Policy/GC/GC52/GC52InfDocuments/English/gc52inf-4_en.pdf).
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# **The National Security Staff: Will the New Law Bring About Change?**

**Shmuel Even**

In July 2008 the Knesset passed the National Security Staff Law, which formalizes legally the status of the National Security Council (NSC) as the staff body of the prime minister and the government for national security affairs. This entailed a name change, from the National Security Council to the National Security Staff (NSS). The law, it was explained, “will make it possible to afford the decision making processes in the area of national security the normative standing it deserves.” MK Amira Dotan, one of the initiators of the law, said: “The National Security Staff will improve the decision making processes on foreign and security issues beyond measure, and will comprise a considerable strategic change in Israel.” This essay considers if and how the high hopes for the law can be realized.

## **“Supremacy of Strategic Thinking” and the National Security Staff**

Since the establishment of the State of Israel, national security and decision making processes have been central on Israel’s public agenda. National security is greatly dependent on quality decision making. To this end, an ability to create optimum solutions for security and political challenges is required, such as capitalizing on opportunities for peace, avoiding unnecessary wars, establishing solid deterrence, and planning efficient force measures. Such an achievement or output will be called here “supremacy of strategic thinking.” For example, one may say that a country that is good at finding efficient strategic solutions enjoys

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Dr. Shmuel Even, senior research associate at INSS

“supremacy of strategic thinking” over other countries in its strategic surroundings.

One example of “supremacy of strategic thinking” is the Manhattan Project, when the United States pooled its best scientists in order to achieve nuclear supremacy over its rivals towards the end of World War II. Another example is the missile crisis between the United States and the Soviet Union in October 1962. Intelligent management of the crisis by President John Kennedy and his staff prevented the stationing of Soviet nuclear missiles in Cuba, prevented the Cold War from turning into a “hot war,” and gave the United States a significant advantage on the inter-bloc arena.

Since its establishment, the State of Israel has achieved supremacy of strategic thinking in technological-security areas, but has performed less well in political areas. Israel has repeatedly misread the political map, not only due to intelligence failures (such as the surprise of the Yom Kippur War) but also due to the difficulty of analyzing the situation and understanding the patterns, constraints, limits of force, and room for maneuver at its disposal. Examples include<sup>1</sup> inadequate planning of Jewish settlement of the territories since 1967 while ignoring demographic and political constraints; becoming mired in Lebanon in 1982; not reading the political map in the 1987 intifada; unsuccessful handling of negotiations with the Palestinians from the Oslo process until now; unrealistic expectations of the disengagement plan from Gaza; the convergence plan for the West Bank, which was detached from the strategic and internal situation in Israel; poor handling of the Second Lebanon War; and others. Likewise in the area of political initiatives, Israel often did not make the most of opportunities and was generally on the receiving end (e.g., the Sadat initiative in 1977). Israel’s inability to capitalize on impressive military successes for political ends (e.g., the crushing victory of the Six Day War, the end of the Yom Kippur War, the First Lebanon War, Operation Defensive Shield, and others) has also been sorely lacking.

To be sure, Israel’s leaders also took some dramatic decisions that were highly beneficial to state interests, including the decision by the Ben Gurion government to declare the State of Israel; the decision by the Eshkol government to launch the 1967 Moked operation (the preemptive strike on the Arab states’ air forces at the opening of the Six



Day War, which gave Israel air supremacy); the decisions by the Begin government to withdraw from Sinai in return for peace with Egypt in 1979 and to bomb the nuclear reactor in Iraq in 1981; and the decision by the Olmert government (according to foreign sources) to attack the Syrian reactor in 2007. While security decisions were generally made by the government after in-depth consultation with the professional state bodies, this was not the case with most decisions of major political significance.

Achieving “supremacy of strategic thinking” is contingent on “state intelligence,” in other words, the individual and collective abilities of the political leadership; the quality of the institutional centers of expertise (the intelligence services, planning bodies, leadership advisors) and relevant academic research bodies; and the methodologies of sharing knowledge and holding effective strategic discussion between all these elements, which will consider the collective knowledge and extract from it what is relevant for decision making. There are staff bodies or professional coordinating bodies for this purpose. In the security field Israel’s defense establishment has strong mechanisms, but this is not the case in the political arena.

### **Establishment of the National Security Council**

This need to reap the utmost from “state intelligence” lay at the basis of the March 1999 Government Resolution 4889 to establish the National Security Council. In accordance with the government decision, the NSC was designed to serve as a staff forum for the prime minister and for the government in the area of national security. Following this decision the National Security Council, headed by Gen. (ret.) David Ivri, was established.

Since its establishment the NSC has dealt with a range of national security-related topics, including the disengagement plan; the Jerusalem envelope; a program that addresses the problems of the Bedouin population of the Negev; proposals for implementing the Tal Law to recruit ultra-Orthodox men to the IDF; position papers, and others. The NSC includes the foreign policy division, the security policy division, the strategic issues division, and the counter terrorism bureau. The division heads are deputies of the NSC head; they are joined by the deputy NSC director for organization, economic advisor, legal advisor,

and senior advisor to the NSC head. According to the NSC website: "The divisions work in close collaboration with numerous government ministries, such as the Foreign Ministry, Ministry of Defense, Ministry of Industry and Trade, Ministry of Justice, Ministry of Public Security and more. In addition, division employees work in collaboration with the security organizations and the intelligence community, as well as with academics and experts in a wide variety of fields in Israel and abroad."<sup>2</sup>

The achievements of the NSC since its establishment have fallen far short of expectations. In his report for August 2005-April 2006, the state comptroller said that the NSC does not fulfill its role. According to the report, the prime ministers did not involve the NSC in decision making processes on major security matters, such as the decision to withdraw from Lebanon, the disengagement, the multi-year program for the IDF, the defense budgets, large security projects, and so on. The comptroller wrote, "As of the end of the period reviewed, April 2006, the staff bodies of the defense establishment are still the dominant factor in the decision making process while the National Security Council generally does not serve as the prime minister's staff forum alongside the defense establishment bodies, and does not bear suitable and significant weight as an objective element operating on behalf of the prime minister and the government. This state of affairs fundamentally impinges on the ability of the NSC to fulfill its defined role."<sup>3</sup>

A no less gloomy picture was presented by the Winograd Commission, which examined the government's decision making processes prior to and during the Second Lebanon War. The committee's reports indicate that inter alia, the political-security cabinet discussions proceeded without any examination of various alternative programs or an examination of their implications. Following the committee's findings, the government established a steering team under the leadership of Lt. Gen. (ret.) Amnon Lipkin-Shahak to implement the conclusions of the Winograd Commission, which recommended strengthening the NSC as support for the government and the prime minister to take sound decisions.

## The National Security Staff Law

According to the NSS Law, passed by the Knesset in July 2008, the NSS is to be responsible *inter alia* for heading the staff work of the government and ministerial committees for security issues, preparing government deliberations, presenting various political alternatives and their implications, monitoring the implementation of government decisions in the political-security field, preparing annual and multi-year assessments of the political-security situation, examining the security concept, and examining the Ministries of Defense and Foreign Affairs budgets. In addition, the NSS will operate a center for managing national crises.

The principal additional articles in the law stipulate that: the head of the NSS is subordinate to the prime minister and serves as the national security advisor; the NSS will be part of the Prime Minister's Office in Jerusalem; and the prime minister will himself operate and oversee the NSS. The head of the NSS is authorized to hold deliberations and invite representatives of security bodies for which the prime minister is responsible, as well as representatives of the IDF, the police, and related government offices. Participation of those called to these meetings is mandatory, unless the NSS head is convinced that it is not possible.

## Was the NSS Law Necessary?

The principal claim of this essay is that the weakness of the NSC was not caused by the lack of legislation, and therefore the new law is not sufficient to generate genuine change in this situation. The argument is twofold: first, there was no lack of a formal anchor for the NSC before the new law was passed, and second, other important factors account for the status of NSC over the years.

Prior to the legislation there were already formal anchors in place for the performance of the NSC. For example: clause 7 of the 2001 Government Law stipulates that "the government will have a team, to be established by the prime minister, to provide regular professional advice in the areas of national security; the prime minister may entrust the team with additional areas of advice." Government Resolution 2438 from October 14, 2007 defined the designation, roles, and modes of operation of the National Security Council;<sup>4</sup> while the NSS law is

far more extensive and detailed than this resolution, it is based on its principles. It does not offer much added value with regard to the NSS's principal roles and mode of operation, or a solution for most of the constraints that blocked the development of the NSC. Certainly any additions stipulated by the law could have been included in an updated government resolution. Likewise according to the 2006 State Comptroller's report, written two years before the NSS Law was passed, the problem in NSC performance lay not in the absence of a law but in the implementation of the existing legislation and the provisions. The comptroller determined that "there is a substantial and deep discrepancy between the legal framework that defines the operation of the NSC and the reality in which it operates." It also indicated a lack of compatibility between government resolutions and the decisions of the prime ministers themselves with regard to the need for the NSC and their actions, which led directly to an inherent handicap in the NSC's ability as it was formed and used.

Thus it remains unclear why the government needed new legislation and did not ensure implementation of its previous decisions regarding the NSC, nor why instead of closing the gap between the existing legal framework and provisions and the actual situation, most of the energy was channeled specifically into legislating a new law. This makes it difficult not to conclude that legislating a new law was generated more by the wish to demonstrate action – including in the wake of the findings of the government-appointed Winograd Commission – than by recognition of the importance of this body.

### **Inadequate Development of the NSC**

The first possible reason for the NSC's weak status is the lack of interest demonstrated by past prime ministers in developing the NSC. They had no difficulty at all in employing political advisors, assistants, and staff heads, when they so wished. Had they been interested, the NSC would have become responsible for preparing government deliberations and obliging all the relevant parties to act through it. In that case, there would have been no need for the new law.

One of the main reasons for the reluctance by prime ministers to use the NSC relates to the NSC's two dimensions. There is a possible conflict of interest between the role of the NSC head as a national

security advisor to the government, responsible for devising the strategic situation assessment, and his role as a private advisor to the prime minister. For example, the prime minister may be reluctant to share secret political information with the head of the NSC that he wants to keep hidden from his political rivals or even members of the government, if he knows the NSC head is invited to report to the government or the Knesset Foreign Affairs and Defense Committee. In addition, there may be a discrepancy between the political option that the prime minister wants to advance that suits his political view and the strategic analysis of the NSC's experts and the positions of the other government ministers.

A second reason for the NSC's situation is the system of government in Israel. The prime minister has considerable authority, but with regard to all aspects of decision making in the government, he is the first among equals. In other words, his vote does not bear any more weight and he must fight to persuade the ministers to accept his view. This differs from the situation in the United States where the president is the decision maker. In addition, in the United States the president heads the national security establishment (he is also commander in chief of the armed forces), while in Israel the government as a whole is responsible for this area (the minister of defense is the government representative responsible for the military). The prime minister's responsibility and roles in the area of national security are not clear, although the vagueness in this area decreases in cases when the prime minister is also the minister of defense (for example, David Ben Gurion, Yitzhak Rabin, and Ehud Barak), and increases when the minister of defense comes from a different party in the coalition (as during the term of Ehud Olmert).

A third reason is the NSC's difficulty in competing with other bodies – the defense establishment and other senior officials in the Prime Minister's Office who are engaged in the political-defense arena. In this rivalry, the NSC found itself in an inferior position in view of the clear supremacy of the defense establishment in the defense decision making processes, and the difficulty in competing with the prime minister's military secretary, advisors, and staff heads who helped the prime ministers attain office. The prime ministers did not cultivate the NSC, either because of the possible tenuousness of their political position or

because they did not want to confront the defense establishment and heads of the secret services answerable to them.

A fourth reason is the administrative culture in Israel, characterized by ill-defined roles and insufficiently organized staff work. Instead there are “kitchenettes,” improvisation, “putting out fires,” and unsubstantial coordination between the decision makers. The State Comptroller’s report from September 2006 indicates that the “kitchenettes” were one of the reasons for the lack of evolution of the NSC. According to the report over the years the prime ministers of Israel generally preferred an intimate forum of their own for making decisions over the operation of a special body, which would be responsible for preparing orderly staff work for the purpose of making decisions.

In addition, a lack of persistent internal effort in the NSC to develop and preserve strategic expertise influenced the stature of the NSC. Over the years, the NSC did not develop a sustainable infrastructure of research and staff personnel (other than the counter terrorism staff), partly because of the high frequency of personnel changes at the head of the NSC, their different perceptions with regard to the designation of this body, bureaucratic constraints on the use of outside specialists, and other reasons. As such, the heads of the NSC, who came from security bodies well endowed with professional experts, found themselves without sufficient professional support. Had the NSC built itself as a body that generates strategic ideas it is quite possible that it would have positioned itself as an influential independent body, and there would have been no need for a law to formalize its standing and force prime ministers to use it.

### **Advantages of the Law**

The new law provides a potential opportunity for the NSC that should be tapped to the utmost. First, the law officially affirms the right of the NSC to ask for and receive the resources it needs for its development, and as such evolve from a relatively small entity compared with other state staff bodies, to a body suited to the tasks required of it according to the law. Second, the law makes it difficult for the decision makers and various state mechanisms to continue to ignore the NSC, as at times occurred in the past. However, the law does not stipulate penalties, and thus it is unclear what risk those who ignore the law incur. Third,

the law changed the name of this body from the National Security Council to the National Security Staff. The definition of the NSS as a staff rather than as a council is appropriate, as the National Security Council in Israel is the government's political-security cabinet. It is possible that definition of the NSS as a staff body was also designed to strengthen the link between it and the prime minister, although the law contains clauses that make application of this idea difficult. Fourth, the law assigns the NSS to the area of national strategic assessment rather than national intelligence assessment. In this regard the law embraced the findings of the Lipkin-Shahak Commission and rejected the recommendations of the Winograd Commission whereby the NSS is to have an intelligence function and encompass the various intelligence assessments into a single integrative assessment. While there may be logic to the existence of a central government intelligence assessment body, implementation of the idea through the NSS exacts a heavy cost (handling enormous quantities of information, establishing a sizeable research infrastructure, and so on) and offers little added value. In Israel there is a marked imbalance between the extensive consolidating of intelligence assessments and a lack of activity in situation appraisal and development of strategic expertise in the political-security sphere.

### Shortcomings of the Law

The law does not oblige the prime minister to use the NSS or only the NSS for national security needs. This vagueness was one of the major factors behind the NSC's weak stature prior to the law. While according to the law the head of the NSS is supposed to receive all the information he requires and be invited to government discussions, the prime minister will determine the "reciprocal relations between the NSS head and the other officials in the Prime Minister's Office." This means there is nothing to prevent the prime minister from appointing a personal political advisor who will work alongside the head of the NSS and other officials, which will marginalize the NSS, as in the past. In addition, the law does not stipulate that the NSS head will be present when the real decisions are made – at the "kitchenette sessions."

The law confers not only authority on the NSS but responsibility as well and demands that it fill many roles. As a result, the head of the NSS is liable to find himself overwhelmed by the need to address



the numerous tasks assigned to him by law and find himself unable to determine his order of priorities. The law also confers various distinct roles on the head of the NSS that portend at times certain conflicts of interest:

1. Head of the political-security staff in the Prime Minister's Office, answerable to the prime minister. By nature of the position, this person is supposed to be the prime minister's confidante.
2. Responsible for establishing a center for management of national crises.
3. Head of the national unit for strategic situation appraisal at the Prime Minister's Office, who is obliged to present the results of its work to the government and report to the Knesset.

While responsibility for ongoing matters, including the center for management of national crises, does not conflict with responsibility for engaging in situation appraisal, it does impinge on implementation. This means that the NSS head will be stretched between two fundamentally different roles and will find himself scurrying between his ongoing tasks in the Prime Minister's Office and ensuring that individual ministers are fully updated, even though his distinctiveness is meant to lie in his strategic thinking and preparation of government discussions. This difficulty stands to increase in wartime, when the question will arise where the head of the NSS ought to be. In the national crisis management center? Alongside the prime minister in the underground IDF General Staff command post and meeting with senior officials? Taking part in NSS discussions on creating the best conditions for ending the war?

The law formalizes the tension between the responsibility of the national security advisor for appraising the national situation and his role as personal advisor to the prime minister. The more the law increases the standing of the NSS head as "the national situation assessor," the more it is liable to distance him from the focus of sensitive decision making by the prime minister, and vice versa: the more the NSS head is perceived as the prime minister's personal advisor, the more his standing as the government's (objective) national security advisor stands to be lessened.

According to the current wording of the law, the prime minister is authorized to not accept the national situation appraisal and even to decide not to present it to the government. The law's stipulation



that presentation of the work and recommendations of the NSS to the government will be contingent on “the prime minister’s decision” implies that if the NSS head arrives at an assessment that does not suit the prime minister it will not necessarily reach the government. This situation is problematic, particularly in the political reality that exists in Israel. For example, since the law was passed there have been differences of opinion on security and political issues between those in charge of national security in Israel: the prime minister, minister of defense, and minister of foreign affairs. These differences of opinion are not only the result of different analyses but also of these individuals’ differing political approaches, which are accentuated in advance of the forthcoming elections. If the head of the NSS does not present his findings or recommendations to the government because he is so instructed by the prime minister or for fear of such a directive, he will lose his credibility and public standing as national security advisor to the government, and his standing will be no different from that of any political advisor to the prime minister. Moreover, this clause in the law is liable to undermine one of the Winograd Commission’s recommendations, which advised that alternatives be submitted to the government professionally and objectively.

Possible ways of contending with this dilemma include:

1. Defining the head of the NSS as the prime minister’s advisor only, and foregoing his appointment as national security advisor to the government. As such the prime minister will be able to appoint his own confidante to the position and involve him in all his deliberations and decisions, and will not have to appoint additional advisors in the NSS framework. The NSS head will not be forcibly stretched between his responsibility as national security advisor to the government and his position as advisor to the prime minister.
2. Separating the roles, by defining the NSS head as the national security advisor to the government and appointing a political-security advisor, with limited powers, to the prime minister. In this case the NSS will remain in the prime minister’s office and be responsible for all the roles conferred on it by law. It will be answerable to the prime minister but will enjoy sovereignty with regard to presenting positions irrespective of the prime minister’s opinion, similar to the status of the chief of staff.

3. Preserving the combined roles and reducing conflict of interest. The head of the NSS will act both as security advisor to the government and advisor to the prime minister as stipulated in the law, but will enjoy sovereignty with regard to formulating and presenting his appraisals.<sup>5</sup> The prime minister will be obliged to present all the NSS findings to the government or the cabinet and will even allow ministers to ask the NSS to produce work for them. However, it will be stipulated that the head of the NSS will not be obliged to report to the government or the Defense and Foreign Affairs Committee with regard to discrete political activities he is privy to in the course of his work with the prime minister.

It seems there is no absolute solution for this problem, and every approach offers advantages and disadvantages. The third option, which does not necessitate a substantial change to the law, seems the most desirable.

Focusing the NSS on the traditional political-security field dictates an order of priority that may damage its ability to formulate a wider picture of the national security elements. Thus the NSS is liable to miss the advantage of its position in the center of the strategic national system, which enables it to form an integrative national situation assessment that to the situation assessments of certain government offices (such as the Defense and Foreign Ministries) adds data with strategic significance from other areas – the economy, education, immigration, crime, and so on. While the law does not prevent the NSS from engaging in areas beyond the political-security arena, it does not encourage such activity either.

The law does not formalize the decision making processes in the field of national security. This lapse stems first and foremost from the lack of definition of the level of authority and responsibility of the country's leaders in the area of national security. Logic suggests that the responsibility of the decision makers should have been defined in the law, and only after that should the staff bodies be established accordingly, including the NSS. Defining the roles of the NSS in the law not only does not improve the situation but also increases the ambiguity surrounding the role and responsibility of the prime minister and the defense minister with regard to the IDF. For example, it is not clear from

the law if from now on the minister of defense is expected to channel his staff work through the NSS before he brings it to Cabinet meetings.

The duty of the IDF, police, and relevant government ministries to attend NSS discussions when summoned is one of the innovations of the law compared with the government decision that preceded the law. Here the law tries to provide the head of the NSS with authority, yet the principal problem of the NSS was not the lack of attention from subordinates but the lack of consideration from the political hierarchy. In addition, the law does not stipulate penalties for infringements in this and other areas of the law, which creates an ill-defined situation that is not the benefit of the NSS.

There is a reason to discredit selective legislation such as the NSS Law, which requires certain state mechanisms and not others to adhere to the instructions of the prime minister's staff and work with it in a regulated fashion. The law's stipulations as to the status of the NSS in relation to certain government ministries arouses questions such as: does this mean that other ministries – such as the Ministries of Education, Health, Infrastructure, Transportation, Justice, and others – are exempt from attending discussions with the prime minister's representatives? The law's attempt to correct a dismal reality of the relationship between the defense establishment and the NSS by demanding the self-evident (i.e., participating in deliberations) is liable to generate a situation in which this is not self-evident with regard to state bodies to which the law does not apply.

Another matter relating to the selectiveness of the law touches on the budgets of the Ministries of Defense and Foreign Affairs. Why does the law require an entity in the Prime Minister's Office, such as the NSS, to examine the budget of the Ministry of Defense and the Ministry of Foreign Affairs while there is no body that examines the budgets of other ministries? It seems that prior to addressing specific budgets, the law had would have done better to stipulate that the prime minister must be assisted by the NSS to examine the connection between the overall state budget and its allocation, as per the government's national order of priorities.

## Principal Clauses in the 2008 National Security Staff Law

### 1. *General*

- (a) The government will have a National Security Staff, which will operate within the Prime Minister's Office in Jerusalem.
- (b) The National Security Staff shall serve as the staff body for the prime minister and the government regarding the State of Israel's foreign and security affairs.
- (c) The prime minister shall operate the National Security Staff and will direct it.

### 2. *Roles of the National Security Staff*

- (a) These are the roles of the National Security Staff:
  - (i) To centralize the staff work of the government, the ministerial committee on national security matters, and any other ministerial committee regarding foreign and security affairs;
  - (ii) To prepare the deliberations of the government and its committees as stated in (i), to present the alternatives on the matters under discussion, in addition to their presentation by the bodies involved with the matter; to present the differences between the alternatives and their assessed significances, as well as a reasoned recommendation for a chosen alternative;
  - (iii) To follow the execution of the decisions of the government and its committees as stated in (i), and to report to the prime minister on their implementation;
  - (iv) To propose to the prime minister an agenda and issues for discussion for the ministerial committee on national security affairs, and for any other ministerial committee or other ministerial group on foreign and security affairs, and to recommend the invitation of participants and the rank of those invited to their discussions;
  - (v) To be responsible on the part of the prime minister for the inter-organizational and inter-ministerial council work on foreign and security matters, to present the prime minister with the alternatives, the differences between them, and their assessed significance, and present recommendation to the prime minister regarding policy on these matters, as well as to present the same to the government as stated, pursuant to the decision of the prime minister;
  - (vi) To prepare and present to the ministerial committee on national security affairs, at least once per year, an annual and multi-year evaluation of the diplomatic-security situation, as well as to prepare situational assessments regarding related

- issues, including opinions and analyses in the various intelligence fields, as needed and with the approval of the prime minister; situational assessments as stated, as well as assessments on the part of the security bodies for which the prime minister is responsible, the Israel Defense Forces, the Ministry of Defense, the Foreign Ministry, and the Ministry of Internal Security, shall be presented to the Prime Minister and shall be discussed in the ministerial committee on national security affairs, at least once per year, in the manner stated in (ii);
- (vii) To prepare the staff work for the prime minister prior to deliberations on the defense budget, as well as any other budget-related article that the minister of defense or anyone he has appointed for this purpose is in charge of, on the budget that the foreign minister is supervisor of, and in the budget of the security bodies over which the prime minister is responsible, including the formulation of alternatives, according to an overall view with a reasoned order of priorities;
  - (viii) To operate the National Crisis Management Center in the Prime Minister's Office;
  - (ix) To assess the security concept of the State of Israel and to propose updates to it;
  - (x) To assess security initiatives with importance in the diplomatic-security field and to present its position to the prime minister, the ministerial committee for national security affairs, or any other body upon which the prime minister shall decide, including the formulation of alternatives pursuant to reasoned orders of priorities with an overall view, unless the prime minister shall instruct otherwise;
  - (xi) To carry out any other staff role in foreign and security affairs, and other areas determined by the prime minister;
- (b) For the purpose of fulfilling its roles as stated in Article 2, the head of the National Security Staff is permitted to hold hearings to which representatives of the security bodies over which the prime minister is responsible, the Israel Defense Forces, the Israel Police, and government ministries related to the matter, holding a rank that the head of the National Security Staff shall decide upon, shall be invited. Anyone invited as stated must arrive for the hearing unless the head of the Staff is convinced that this is not possible in the circumstances of the matter.
3. (c) The head of the National Security Staff will be subordinate to the prime minister, and shall serve as national security advisor.

## Conclusion

While it is difficult to draw clear conclusions thus far regarding implementation of the NSS Law, it appears that little has changed and state bodies are not rushing to embrace it. For example, in October 2008 officials in the defense establishment criticized how the NSS situation appraisal was conducted.<sup>6</sup>

While the NSS Law contains certain advantages, it appears incapable of generating the change needed so that the NSS will be the entity that will create “supremacy of strategic thinking.” The absence of a law was never the main problem with the performance of the NSS, and thus the new law will struggle to meet the great hopes attached to it.

Converting the NSS into an influential body requires the following conditions:

1. Devising the abilities of the NSS so that it initiate, integrate, and produce knowledge products that will enable the government to attain “supremacy of strategic thinking.” Without sufficient know how, even orderly staff work will not yield much fruit and may at times cause more damage than a situation in which there is no staff work at all.
2. Support of the prime minister. The standing of the NSS is largely dependent on the prime minister and on the prime minister’s stature. Only if the prime minister is assisted by the NSS often in making his decisions and provides it with backing as his representative will the NSS be able to contribute to decision making. In this regard the head of the NSS should have the leading role within the Prime Minister’s Office, so that the prime minister does not employ a number of people working in parallel to the head of the NSS.
3. Changing the decision making culture in the government, by ending the age of improvisation and “kitchenettes” and moving to an era of joint study, analysis, and coordination, using the NSS as a leading body. The idea of the “kitchenette” may have been an efficient solution in the early days of the state, when there was: an absence of state knowledge resources; great estrangement between the political groups; and little tolerance of different opinions in the public and even in the government. As a maturing country with a range of opinions, governmental institutions should be oriented more in a professional direction and less in a sensitive political

direction. In this regard, care should be taken to differentiate the private from the public: the prime minister can enlist a personal advisor but at the state level, he must take advice from a professional body whose considerations are professional only.

The NSS is an important body in an orderly decision making process, and is of great significance at this time when the country confronts many political-security challenges. Hopefully the new government that will be formed following the coming elections will give it the weight and stature it merits.

## Notes

- 1 The examples are based on comparison of the actual results versus the objectives Israeli policymakers set for themselves while taking steps. For example: the government of Prime Minister Rabin expected the Oslo accords to achieve a permanent settlement with the Palestinians by 1999 and not the waves of suicide attacks and Katyusha rocket fire on civilian centers of population in Israel. Otherwise, it would not have approved this move. Prime Minister Sharon saw disengagement from the Gaza Strip as a means of leveraging progress with Israel's political and security situation and did not expect that an Islamic entity, no less an ally of Iran and Hizbollah, would emerge in the Strip and fire Katyushas on Israel.
- 2 <http://www.nsc.gov.il/NSCWeb/TemplatesEnglish/DivisionsEN.aspx>.
- 3 Audit report on the National Security Council from September 27, 2006, State Comptroller website.
- 4 This resolution replaced Government Resolution 4889 from March 7, 1999, with regard to the establishment of the National Security Council.
- 5 In practice, this situation exists regarding the national intelligence appraisal: the head of Military Intelligence's research division, like the head of Intelligence, enjoys sovereignty with regard to presenting intelligence appraisals to the government, despite being answerable to the chief of staff and the minister of defense.
- 6 Ron Ben-Yishai, "The Defense-Oriented Monopoly," Ynet, December 12, 2008.







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