

GAZA CEASEFIRE NEGOTIATIONS: PROSPECTS AND PITFALLS

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At a <u>meeting with Middle Eastern leaders on the sidelines of the UN General Assembly (UNGA)</u> meetings in New York last month, President Trump proposed <u>21 Principles</u> for finally ending the war in Gaza. The proposal, which reflected significant input from key allies and built on "day after" planning done by President Biden's team, represented a very important step forward for US policy. It marked an important departure from Trump's "<u>Gaza Riviera</u>" plan, which was widely derided and provided a rationale for extremists in the Israeli government to push for plans to drive civilians out of Gaza.

Key Provisions of the Trump Proposal

There is much to support in the <u>new Trump proposal</u>, which lays out that:

- The war will end immediately upon acceptance by both parties.
- All hostages, living and deceased, will be released within 72 hours, followed by the release of Palestinian prisoners, including 250 serving life sentences.
- There will be no annexation or indefinite IDF occupation of Gaza.
- Any Gazans who choose to leave will be free to return; in fact, Gazans are encouraged to stay.
- Humanitarian assistance will surge to at least the levels established under the January 2025 ceasefire, distributed by the UN and other qualified agencies, alongside the rehabilitation of water, sanitation, electricity infrastructure and hospitals.
- Temporary, transitional governance of Gaza will be turned over to an interim technocratic committee of apolitical Palestinians and international experts, with no role whatsoever for Hamas.
- Oversight will be provided by a "Board of Peace," headed by Trump, until the Palestinian Authority completes a major reform program.
- A process of demilitarization and disarmament, including the destruction of tunnels and weapons production facilities.
- An International Stabilization Force (ISF) will be deployed immediately and become the long-term security solution for Gaza.
- Certain provisions will take effect even if Hamas does not accept the proposal, including ISF deployment and increased humanitarian assistance in "terror-free" areas.

Israeli Response

Israeli Prime Minister Benjamin Netanyahu was reportedly <u>initially opposed</u> to important parts of the Trump plan, which he did not even mention in his <u>UNGA speech</u> on September 26. On the contrary, Netanyahu stressed the need for the IDF to "finish the job" in Gaza City and beyond, strongly denounced the Palestinian Authority, and made clear that the IDF would need to retain overall security control of the Strip indefinitely. He also stated unequivocally that he would never allow a Palestinian state.

However, Trump applied <u>significant pressure</u> on Netanyahu to accept the plan, reportedly telling him he "was on his own" if he did not agree. After making significant changes to the original 21 Principles,

Netanyahu publicly accepted the updated 20 Principles at a White House meeting on September 29. In his remarks after the announcement, however, Netanyahu stressed that Hamas would have to release all the hostages after a modest IDF pullback, Hamas would be required to disarm completely, and the Palestinian Authority would have to undergo a complete transformation before it could play any role in Gaza. He also made clear that he intended to continue the military campaign, with full US support, if Hamas did not accept the proposal soon.

Moreover, shortly after the meeting, Netanyahu released a video in Hebrew emphasizing that Israel had no intention of withdrawing from much of Gaza for the foreseeable future, while boasting that he had turned the international community's pressure on Israel into pressure on Hamas to accept his terms for a ceasefire. Many of the key Arab leaders were not pleased with some of Netanyahu's changes to the 21 Principles they had originally supported, with the Qataris <u>reportedly asking Trump</u> not to publicly release the revised 20 Principles. Trump decided to proceed regardless, giving Hamas three or four days to respond, and pushing Netanyahu to suspend major military operations to allow negotiations and preparations for the release of the hostages to proceed.

Netanyahu's Revisions to the Principles

It is important to note the significant revisions Netanyahu made to the original principles, mainly aimed at strengthening the provisions on Hamas's disarmament and qualifying the IDF's obligation to withdraw. In particular, while the original 21 Principles included a general requirement that the IDF begin "gradually withdrawing" from Gaza, the final 20 Principles state that "battle lines will be frozen until conditions are met for a complete staged withdrawal." Furthermore, the revised version states that the IDF withdrawal would be linked to demilitarization milestones, with Israel likely having the final say over whether the conditions for withdrawal have been met. Finally, whereas the original 21 Principles only called for the destruction of "offensive infrastructure," the final version makes clear that Hamas will essentially need to permanently turn over all weapons.

Hamas Response

On Friday, October 3, Hamas formally responded to Trump's new plan with an official statement, agreeing to release all hostages - alive and dead - in accordance with the plan, and to "hand over the administration of the Gaza Strip to a Palestinian body of independents (technocrats)." Hamas also agreed "to immediately enter, through the mediators, into negotiations to discuss the details" of the "exchange formula contained in President Trump's proposal." On Tuesday, Hamas presented its key demands in the negotiations, including assurances of a permanent ceasefire and complete IDF withdrawal from Gaza, while suggesting that Netanyahu might "sabotage" the talks.

Delegations from Israel and Hamas are now engaged in indirect talks in Sharm el-Sheikh, Egypt, with representatives from Qatar and Turkey expected to play an important role. Chief Israeli negotiator Ron Dermer and Trump envoys Steve Witkoff and Jared Kushner are expected to join them on Wednesday, October 8.

Main Issues for Negotiations

The Trump principles were intentionally vague, leaving key details to be negotiated between the parties. Reports from the first stage of the talks suggest progress on some initial points and a constructive tone, but it appears that several key issues still need to be resolved. These likely include:

- Guarantees of Israeli Compliance: The 20 Principles include a guarantee from regional partners that Hamas will comply with its obligations, but there is no explicit guarantee of Israel's adherence. Hamas has repeatedly expressed concern that Netanyahu will not honor the agreement and plans to resume the war after the hostages are released. The Qatari Foreign Ministry spokesman said that "strong, written international guarantees" are necessary to ensure Israel fulfills its obligations. Trump has said, "We'll do everything possible" to make sure that everybody complies, but has yet to specify how.
- Withdrawal of IDF: Hamas has called for a full withdrawal of the IDF from Gaza, coinciding with the release of the hostages. Meanwhile, the 20 Principles include a map outlining a conditional, three-phase withdrawal, with the IDF still maintaining control of 55% of Gaza after the initial hostage release, about 40% after the second phase, and a 15% security perimeter indefinitely. Hamas has taken the position that if the Israelis are in charge of determining whether the conditions for withdrawal have been met, they will never pull back. It is also unclear when the ISF will be ready to assume security responsibilities, so negotiations must also address the potential for a security vacuum.
- <u>Disarmament of Hamas</u>: Hamas has reportedly <u>shown a willingness</u> to give up "offensive weapons," including rocket launchers, but has objected to turning over all of its arms until the occupation has ended and there is a unified Palestinian government. This could be a major sticking point for extremist members of Netanyahu's coalition, who have <u>threatened to leave</u> the government if the IDF withdraws before Hamas is completely destroyed.

Bottom Line

This ceasefire initiative represents what may be the last best chance to end the war, return all the hostages to their families, and relieve the suffering of over two million Palestinian civilians. It will be extremely important for the mediators to build on the current momentum and move quickly to resolve any outstanding issues. The international community must keep the pressure on both sides to make necessary compromises to reach an agreement as soon as possible. If this effort fails, it appears that Trump will provide Netanyahu with full license to continue the war indefinitely while placing the blame on Hamas. The stakes could not be higher.