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Rafah Border Between Terrorism, Exogenous and Endogenous Pressures

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ABSTRACT

The article tackles border control policies in Egypt, focusing on the Rafah border, possibly one of the most complex in the region and also in the entire world. Furthermore, I analyze the possible relation between the control of this border and terrorism in Sinai during different ruling regimes in Egypt – Mubarak, Morsi and Al Sisi – filling a crucial gap in the literature.

This has been based on qualitative methodology, using case selection to identify major terrorist attacks during the different ruling regimes, and analyzing primary and secondary documents, jointly with expert interviews, to examine the decisions taken by different actors and reveal the inter-subjective reasoning behind each reaction in terms of border control.

The results show that, surprisingly, all the different regimes analyzed took very similar paths of the adversarial approach. Also, despite the supposed relevance of terrorist attacks for border control, exogenous and endogenous pressures play a major role in shaping the border policies.

KEYWORDS

Borders, border policies, Rafah border, terrorism, Palestine, Egypt, political regimes.

Introduction

The Rafah border between Egypt's North Sinai and Palestine (Gaza) has always been of huge importance, and one of the most contested issues in the Middle East in the last decades. For Palestine, it is the only crossing point between Gaza and Egypt, and outside the Israeli territory, with thousands going back and forth every year. Meanwhile, for Egypt, it has always been one of the most heated and contested issues for the ruling regimes and political parties taking different stances towards opening or closing the border, as it also plays a major role in Egyptian politics. In addition, the political tensions mean that "Gaza is regionally envisioned as part of a future state rather than being an autonomous country and thus Rafah is not approached as a 'normal' border between two sovereign states" (Peoples, 2012, p. 17). The Rafah border policy has taken different turns since 1982, when it was made inviolable, after the demilitarization process between Egypt and Israel, which started with the ceasefire agreement in 1974, then an armistice arrangement in 1975, and finally, a peace treaty in 1979 (Peoples, 2012). The situation changed in 2005, when the Agreement on Movement and Access (AMA) was concluded between the Palestinian Authority (PA) and Israel, when Israel dismantled its settlement blocks in the Gaza Strip (Peoples, p. 24).

In parallel to this, Sinai in Egypt is a 60,000 km² borderland constituting 6% of Egypt's total area with a population of 600,000 people, consisting of Bedouin tribes who are considered a minority group. However, Sinai is not a traditional borderland between Egypt and another sovereign country, it is between Egypt and the Occupied Palestinian Territories where Palestinians have no sovereignty over their land, which adds more to the complexity of the nature of this territory (see figures 1 and 2). Moreover, Sinai has a long history of conflict and a conducive environment for insurgency and militancy. It all started when the Sinai Peninsula was captured by Israel in the 1967 Arab-Israeli war and stayed under the Israeli occupation until part of it was recaptured in the 1973 war (Yom Kippur) by Egypt, and then it was vacated from Israelis in 1982 after the peace treaty was signed between Egypt and Israel (Idris, 2017).

However, during this period a conflict rose between the Egyptian government and local Bedouin tribes due to the mistrust and skepticism from the government towards the tribes during the war, as some claimed that they helped and spied for the Israeli forces (Glassner, 1974). Also, the government's failure to address the developmental needs of the tribes led to increasing anger and sense of alienation for the local population of Sinai (Idris, 2017). This instability, alongside the geographical position and dynamics, led to Sinai being a fertile land for terrorism and a training ground for militant groups from Egypt and some neighboring countries like Syria, Libya and South African countries.

Terrorism in Sinai arose in the mid-2000s targeting tourist sites and hotels in Sharm el- Sheikh and Dahab by al Tawhid wal Jihad, a militant Islamist group that dominated the scene in Sinai during the 2000s, after several factions united under the movement (Hart, 2016). In 2011, the situation changed and erupted after the Arab Spring uprising, when Hosni Mubarak and the government was overthrown and the political scene was dominated by Islamist groups, most prominently, the Muslim Brotherhood (MB) and Salafists. During this period, all the militant groups and insurgencies

coalesced under the umbrella group Ansar Bayat al Maqdis (Idris, 2017). Furthermore, 2013 was a turning point that brought radical changes in the nature of the Sinai conflict, after Morsi's ouster by the military (Ashour, 2015), as terrorism became one of the most prominent weapons used against the military as a method of showing the rejection and disapproval of the ousting of Morsi by the extremist militant groups, and most of their attacks took place in North Sinai.



Figure 1 (Sabry, 2014)



Figure 2 (Safer World Report, 2017)

My research question will understand the connection and the configuration between both the Rafah border and terrorism in Sinai, analyzing the different reactions and positions taken by different political regimes in Egypt. So, my research question is: "How does the terrorism in North Sinai affect the border control in Rafah during different ruling regimes in Egypt?"

My methodology to answer this question is to analyze some major terrorist attacks during the Hosni Mubarak, Mohamed Morsi and Abdelfattah Al Sisi regimes. I will be examining their reactions and responses towards the attacks and what their decisions were regarding the Rafah border. This thesis aims to explore the different stances and positions of each regime towards the Rafah border and the Palestinian cause through analyzing and comparing the different decisions they took in reaction to terrorism in North Sinai in respect to border control.

The bordering and re-bordering of the Rafah crossing point

The Rafah border has a long-troubled history dating back to 1906. The border has evolved in three main phases: (1) in 1906 when the British determined establishment of a natural boundary stretching from Rafah (a town in North Sinai) to the Gulf of Aqaba (a large gulf at the northern tip of the Red Sea); (2) after the 1948 Middle East war, the 1906 border was deviated in order to put the Gaza Strip under Egyptian rule; (3) after Egypt and Israel signed the peace treaty in 1979, when the Rafah border was defined as an "inviolable" international boundary between Egypt, the Occupied Palestinian Territories, and Israel (Peoples, 2012).

Afterwards, in 1982 when the peace treaty was implemented and the Israelis vacated Sinai, the Rafah crossing point, which is a civilian crossing point between Egypt and the Gaza Strip, started operating and was subject to legal agreements. The kind of operation conducted was based on a cooperation system between Egypt, Israel and Palestine, without any formal protocols or agreements. It depended on a notifying system where the Egyptian authorities had to notify an Israeli soldier sitting on the Gazan side of the crossing point about the passengers wanting to cross in or out of Gaza, and this soldier had the ultimate power of decision on whether the passenger was to be granted the permission or not (Peoples, 2012). This situation worked with no official or formal agreement until 2005, when the unilateral disengagement of Israel from Gaza happened and, in order to facilitate and formalize the movement process for Palestinians, the AMA was signed between Israel and the PA (EU CSDP, 2012). The agreement did not only focus on the Rafah border or the crossing point but was meant to define safe passages between Gaza and the West Bank and the eight secure channels between the Occupied Palestinian Territories (Peoples, 2012).



Figure 3 (Daily Egypt, 2015)

Focusing on Rafah, the Agreed Principles for Rafah Crossing (APRC), which is outlined as part of the AMA, stated that Rafah will be operated by the PA on its side and Egypt on its side and that it will start operating as soon as the third party, which is responsible for the supervision of the PA, is on site. This third party was supposed to be the United States (US); however, it refused to play this role, and the European Union (EU) took over with the European Border Assistance Mission Rafah (EUBAM Rafah) (Kaya, 2017). Furthermore, the APRC states that “the crossing would be opened to Palestinian ID card holder and others by exception in agreed categories with prior notification to the Government of Israel (GoI) and approval of senior PA leadership.” (APRC, 2005). As a tradeline, Rafah will work on the basis of a unilateral flow for exporting goods to Egypt. However, nothing can enter from Egypt to Gaza as these trucks pass from Karam Abo Salem crossing (Kerem Shalom crossing), which is between Israel-Gaza and Egypt-Israel and controlled by Israel (see figures 4 and 5).

Finally, regarding the security, the PA is responsible for preventing the movement of weapons and explosives at the Rafah border, ensuring the baggage limit regulations for passengers as applied by the GoI, and providing the third party with a list of names of the workers at the Rafah crossing

that will be shared with the Gol and their concerns taken into account (APRC, 2005). This mechanism stayed in full effect from 2005 till 2007 and during these two years the Rafah border was opened for 24 hours a day and more than 400,000 individuals passed the RCP (Peoples, 2012).



Figure 4 (Google Maps)



Figure 5 (Safer World Report, 2017)

The situation became complicated in 2007, after Hamas won the parliamentary elections in 2006 and took the majority of the seats, and then in June 2007 they forcefully took over the Gaza Strip after a military conflict between them and Fatah (Palestinian political party, rivals of Hamas, and the one which formed the PA), which led to the fleeing of PA appointed staff in Rafah to Ramallah, and Hamas affiliates took over and appointed a new director for the Rafah crossing (Migdalovitz, 2010). This led to the issuance of an official closure of the borders from the Egyptian side as decided by the Egyptian government under Mubarak as they saw that this complicated the legal status of the RCP (Peoples, 2012). It also led the EU to suspend its mission due to their unwillingness to engage in dialogue with Hamas, which is listed as a terrorist group (EU CSDP, 2012). Moreover, what made things worse is that Israel imposed a land, sea and air blockade on Gaza in June 2007 due to security concerns (OCHA) (see figure 6).



Figure 6 (Migdalovitz, 2010)

Sinai, the local Bedouin tribes and terrorism: a complex entrenchment of insurgency and mistrust

Sinai has always been a fertile land for terrorism, and this dates back to the 1967 war when Israelis occupied Sinai. Focusing on the reasons behind that, the 1978 peace treaty between Egypt and Israel and the demilitarization process limited, reduced and prohibited military existence in specific parts adjacent to the Rafah border. The demilitarization process has divided Sinai into 4 zones on the basis of the 1978 peace treaty.

“Zone A, the westernmost area situated between the Suez Canal and the east coast of the Gulf of Suez, has a presence of up to 22,000 armed soldiers. Zone B, the central zone, has an Egyptian army presence of up to 4,000 personnel, but with no long-range weapons. Zone C, running parallel to the international border at Rafah, is occupied solely by a police force, not totaling more than 750 men. The fourth area, zone D, is located in the Gaza Strip and runs adjacent to the Rafah border with a demarcated width of three kilometers. This zone is subject to frequent bombardment by Israel as it is the principal location of tunnels connecting Egypt with Gaza” (Peoples, 2012). (See figure 7)

The main issue for the Egyptian military is Zone C, as the manpower and weaponry used according to the accords of the treaty is not sufficient for the military to effectively combat terrorism and close the tunnels, which led to hundreds of terrorist attacks focused in this area.

The second issue is the troubled relation between the Egyptian government and the local Bedouin tribes and the long-standing grievances they have towards the government due to their marginalization, as well as the government failure to address the developmental needs of the tribes (Idris, 2017). Focusing on the problem of the tribes, no government under any president of Egypt was able to win the local tribes of Sinai. “Sadat, Mubarak, the post-2011 Supreme Council of Armed

Forces (SCAF), Morsi and Al Sisi have consistently pursued policies that marginalize Bedouin tribes in Sinai socially, economically and politically” (Idris, 2017).



Figure 7 (Laub, 2013)

Some of the examples of these policies are that locals were not issued permits to own land, not allowed to vote until 2007, not allowed to join the army and, most importantly, the limited investment in development (Walton, 2012). The lack of investment and high unemployment rates were the driving forces for the locals to work in the tunnel industry between Sinai and Gaza (Gilbert, 2011), which was estimated to bring USD 300 million to Sinai annually (Walton, 2012). “Bedouins’ association to the tunnel industry tends to be economically rather than politically motivated” (Peoples, 2012). These tunnels were used for various reasons, starting with trading goods or visiting family members on the other side of the border (Peoples, 2012), as there are strong ties between Bedouin tribes and Gaza based on kinship and tribal loyalties (Idris, 2017). This was especially so in 2007, with the start of the Israeli blockade on Gaza, as it made the tunnels and smuggling the primary mean for goods to enter Gaza (Gold, 2016). However, after a while it was used to smuggle weapons and drugs, conduct human trafficking, and other illegal activities (Dentice, 2018), which made it one of the primary focuses for the military and the Egyptian government.

Since the infamous moment of the assassination of President Anwar El Sadat in 1981 by Muslim extremists, led by Khalid Islambouli, as a reaction to the peace treaty signed with Israel, seeing it as treachery (Fahmy, 2011), Egypt has faced three waves of armed violence and terrorist attacks. The first wave started during the late 1980s-early 1990s during Mubarak’s rule, dominated by Al Jama’a al Islamiya, a Sunni extremist group, which operated in Cairo and Upper Egypt, and it led to hundreds of deaths. The second wave was during the mid-2000s, also during Mubarak’s rule, dominated by Al Tawhid wal Jihad, a militant Jihadist group that was originally founded in Jordan and operated in Sinai following the Western intervention in Iraq (Safer World, 2017). Finally, the third and most violent wave started during and after the Arab Uprising in 2011, dominated by Ansar Bayt al Maqdes (ABM), operating in Sinai, specifically in North Sinai.

The 2011 revolution was the trigger for terrorism in Sinai. With the aforementioned tensions, this was no surprise, and the Bedouins were among the first to revolt against Mubarak (Idris, 2017). They burnt down police stations and chased down security personnel (Yaari, 2012). Furthermore, the temporary police and other security forces withdrawal during the revolution, alongside the Libyan revolution overthrowing Gaddafi and making huge amounts of weapons available, facilitated the insurgency and the growth of militant Islam in Sinai (Colling, 2015). The literature suggests that the loyalty of the Bedouin population was divided, some of them fought with Jihadist groups “not out of genuine conviction and belief in the militant/Islamist ideology but rather out of anger and frustration towards Cairo” (Rageh, 2013). Also, ABM, which was the dominant militant group at that time, presented itself as a defender of local interests and this gained it sympathy and support from some tribes (Gold, 2016). On the other hand, “some tribal leaders did not encourage violent extremism and, indeed, the current Islamist insurgency challenges the Bedouin tribal structure and wellbeing” (Graham-Harrison, 2015). However, those who did not support the militant groups also did not fight against them with the military and they stayed in a neutral position. Until ABM pledged loyalty to ISIS and started killing alleged spies and threatening tribal leaders, hostility towards the militant groups among Bedouin tribes started growing (Graham-Harrison, 2015, p. 3) and, in April 2015, some Bedouin tribes attacked ABM positions in retaliation for the execution of a youth and a tribal sheikh (Colling, 2015).

Converging and divergent paths

From the three different regimes, there is a common trend that could be followed throughout the three eras, which is that militant attacks lead to security crackdown (Aziz, 2017). The Egyptian government's coercive rather than collaborative method of governing Sinai has been the biggest reason behind the insurgency in Sinai, using the reactive approach of trying to prevent the next attack instead of resolving the underlying problems that fuel the militancy and terrorism from the beginning (Aziz, 2017). This can be seen from the military anti-terror campaigns that were launched during the three regimes, and the large-scale arrests, detention of Bedouins, and collateral damage to civilians (loss of life, injuries, destruction of homes and properties) (Idris, 2017).

Furthermore, the relation between Sinai's security and Rafah border control became crystal clear after analyzing the different attacks and reactions towards the border throughout different ruling regimes in Egypt. Accordingly, the four main factors affecting the decision of the three ruling regimes are: (1) the security situation in Sinai, in connection to terrorist attacks and insurgency; (2) the US and Israeli agreements, in regard to the 1979 peace treaty with Israel, and the US' military fund; (3) the relation between the ruling regime in Cairo and Gaza, with either Hamas or the PA controlling the Strip; (4) internal and external pressures.

The answers during the three different periods constitute different configurations and prioritization of these four elements.

On the first point, which is the security situation in Sinai, the three regimes took the same path of the adversarial approach. Even though, during Morsi's rule, he tried to have more dialogues with the Bedouins and promised to end discrimination against them, the military strongly disagreed with having a demilitarized approach in Sinai (Breen, 2013).

At the end of the day, this led to using the same adversarial approach, keeping in mind that the military is the strongest institution in Egypt, and that the military and the intelligence apparatus have always been in control of the Egyptian foreign and national security policy (El Gindy, 2012). Also, during the Al Sisi regime, he considered development projects in Sinai by building tunnels linking Sinai to Ismailia and Port-Said trying to connect Sinai to the nation's economic grid, and also discussed forming free-trade zones in Sinai to create job opportunities (Aziz, 2017). These development plans went hand in hand with the military intervention. However, as a huge portion of the development funds to Egypt come from the EU and the US, their interest was focused on preventing attacks against Israel rather than promoting sustainable development, which is the main cause of violence, so they have never been implemented to this day (Aziz, 2017, p. 2). This moves us to the second point, which is the US and Israel's agreements.

During the three regimes, the decision of closing the border was affected by two major agreements: the 1979 peace treaty between Egypt and Israel and the US Military Aid. Mubarak, as mentioned above, worked at the behest of both countries, closing the borders when an Israeli soldier was captured and not when a terrorist attack took place in Sinai, and opening it when the US administration under Obama urged him to do so in 2010.

However, during the Morsi regime it was not significantly different, as Hamas hoped that the MB rule in Egypt would flourish, but the strategic considerations involving Egypt's peace treaty with Israel and related military aid from the US made this strong tie restricted in one way or another (Elyan, 2012). On the one hand, he violated the AMA agreement, which Egypt was not part still abided by during the Mubarak and Al Sisi regimes, by operating the Rafah border normally while Hamas was in control from the Gaza side; and, on the other, when a terrorist attack took place, he had to close the border due to the military, public, and international pressure on him. During the Al Sisi regime, the relation between Egypt and Israel was flourishing, as he had strategic relations with them when he was the head of military intelligence, and he resumed the military and security coordination when he came into power. Additionally, he continued this positive relationship with Israel in order to protect Egypt's relation with the West, particularly the US to maintain military aid (Elmenshawy, 2014).

Regarding the third point, which is the relation between the ruling regime in Egypt and Gaza, it is clear how for Mubarak the situation changed 180 degrees when Hamas took over the Rafah border and it was indefinitely closed. Morsi, despite all the internal and external challenges he was facing to close the borders, kept it opened as much as possible, especially for the first half of 2013, in order to support his kin government in Gaza. Finally, Al Sisi did not give it a chance, as he closed the border at once after overthrowing Morsi, fearing any intervention from his allies in Gaza. While, in regard to internal and external pressures, this occurred during the three regimes, Mubarak was pressured by the opposition groups, Hamas, Iran and Syria, to open the borders to break the siege on Gaza in 2009 during the Gaza war, Morsi was pressured by the opposition groups, revolutionary groups, the military, the Supreme Justice Court, Israel and the US to close the borders and destroy the tunnels. Finally, Al Sisi was pressured by some revolutionary groups, the United Nations (UN) Secretary General Ban Ki-moon and other regional leaders in 2014 to open the borders after the military raid by Israel in Gaza.

Conclusions

To conclude, the four main elements that affected the Rafah border since it started operating in 2005 until 2017 during the three different ruling regimes are the security situation in Sinai, international agreements, the complex relationship between the ruling government in Egypt and Gaza, and the internal and external pressures. These elements were prioritized and shaped differently throughout the three eras depending on the background of each actor. However, the common trend that could be followed throughout all the different periods is that, regardless of who is in power, the military and the intelligence apparatus have always been in control of the Egyptian foreign and national security policy. The military always followed the same agenda, which focuses on (1) securing the borderland against national threats, (2) securing the borderland against terror networks, and (3) terminating the tunnel industry between Rafah and Gaza.

This conclusion justifies the decisions taken on the Rafah border throughout the different periods despite the efforts of the first non-military president in Egypt (Morsi) and regardless of his or the MB's real intentions or hidden agenda behind opening the border. Despite having full parliamentary and presidential powers, he did not succeed on keeping it entirely opened for the whole time and he had to abide by the military's decisions and international agreements. However, the situation on Rafah was better during Morsi's rule compared to any other period, but it was not as good as the MB and Hamas expected or wanted.

Moreover, it also became clear that the security situation in Sinai has contributed significantly to the closure of the Rafah border. While digging deeper into the root causes of the deterioration of the security situation in Sinai, it became clear that the alienation of the Bedouins and under-development of Sinai alongside its geographical dynamics are the major reasons behind Sinai being a fertile land for terrorism.

Regarding the limitations, the lack of data on Sinai and Rafah was the major obstacle I faced while conducting my research. The data during the Mubarak regime and especially till 2007 was easily reached as the EUBAM issued monthly reports about the number of passengers and crossings and on whether there was any conflict on the border. However, after the mission was suspended, the data became extremely difficult to obtain, especially during Al Sisi's era, as in October 2013 the military imposed a media blackout in Sinai, and the communication networks, phone lines, and internet were cut off for six to twelve hours per day (Aziz, 2017). This decision was implemented after Al Sisi passed a law with the absence of the Parliament in August 2013, where article 35 states that "the press is forbidden from contradicting the government's account of terrorist attacks" (El-Dabh, 2015).

Besides the lack of data, the mixed information from different sources and not having any official government releases presented further obstacles during the research. As mentioned by Zack Gold, who was conducting research on security in Sinai, "given the nature of Sinai and the sensitivity of military operations in particular, Egyptian and international reports provided mixed information" (Gold, 2013). Moreover, media outlets report the same incident in totally different ways, the best example of which is how Al Jazeera, which is a Qatari channel supporting the MB, reports the attacks in Sinai compared with any other Egyptian media (pro-government). Finally, the research

could be improved if there was a possibility of conducting field research and checking the situation on the borders or contacting any official from Egypt and Palestine to understand the real-life situation in Rafah, Sinai and Gaza.

Regarding further research, there are plenty of studies on Sinai, the local Bedouins and terrorism, as well as Rafah. However, the connection between the four elements is missing in most of the literature, and I have tried as much as possible to draw this connection in my study. But due to the limited resources and being restricted by a word count, I was only able to focus on the Egyptian side. I would suggest that in the future academics and researchers, including myself, draw this connection on both the Egyptian and Palestinian sides, as well as highlighting the Israeli and international community's role in the conflict, as the Rafah border is one of the most complex borders in the Middle East and even in the world, in regard to its geographical, historical and political nature. When Palestine, Israel and the international community are integrated within the research, the bigger picture and the complexity of the conflict will become clearer.

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