



INSS Insight No. 280, September 6, 2011

The Palmer Report: Significance and Ramifications

Gallia Lindenstrauss

Following the publication of the Palmer Report after it was leaked to the *New York Times*, Turkey took a number of steps against Israel. Most of these measures, such as the downgrading of diplomatic relations and the official freeze in military relations, which in any case were already limited, were to be expected, but their scope and intensity are a blow to Israel. In a press conference held by Turkish Foreign Minister Ahmet Davutoğlu and in subsequent statements, Turkey repeated its position that it does not accept the legality of the naval blockade of Gaza; that it will appeal to the International Court of Justice in The Hague to examine the legality of the blockade; and that the Turkish navy will act to enforce freedom of navigation in the eastern Mediterranean.

The strong Turkish reaction should be understood against the backdrop of dissatisfaction with the leaking of the report, the rejection of many of the report's conclusions, and the frustration over Israel's continued refusal to apologize over the flotilla incident. The Turks seem to have moved from the stage of anger to the stage of revenge. Their actions are no longer directly connected to the flotilla or to the demand that Israel apologize, and the actions themselves have the potential to deteriorate into a direct confrontation between the two countries' navies.

Since in any case relations between the two countries were at a low point, Turkey's ability to pressure Israel on the bilateral level was limited. Hence, appealing to international bodies and presenting freedom of navigation as a central issue are meant to pressure Israel in the areas in which traditionally it has been harder for Israel to succeed, and in which the damage that it may sustain has wider consequences. There are several dimensions to the Turkish pressure: support for pressing charges by the families of the flotilla casualties against Israeli soldiers, an appeal to the International Court of Justice in the Hague concerning the legality of the blockade, and the planned visit of Turkish prime minister Recep Tayyip Erdoğan to Gaza in order to reawaken international public opinion to the situation there. Turkey's emphasis on freedom of navigation is also connected to the assessment that in the eastern Mediterranean there are natural gas deposits beyond what

have already been discovered; to the fact that Cyprus will also gain from these discoveries; and to the fact that this directly affects the conflict between the Greek Cypriots and the Turkish Cypriots.

The Palmer Commission's inability to achieve its main goal, which was to have the sides reach a compromise that would allow the rehabilitation of relations, and the lack of American success in bringing about a solution to the conflict, in spite of the heavy pressure leveled on the parties, resulted inter alia from the strong emotions among both the Turkish and the Israeli publics concerning the flotilla incident. Had Prime Minister Benjamin Netanyahu made a decision to apologize, most of the Israeli public would have opposed this decision. It does not appear that the current Turkish posture will soften this position; on the contrary, it may be that it further reduces Netanyahu's room to maneuver on this issue. This result is unfortunate in light of one of the conclusions in the Palmer Report: that the two countries were not at all interested in the flotilla incident ending the way it did.

There was a price for the lack of an apology that the Israeli government was aware of in general, and this was also the source of the disagreement in the Cabinet on the issue. Despite the lack of an apology, however, Netanyahu is attempting to emphasize Israel's basic desire to calm the situation and rehabilitate relations. Yet while the general approach of restraint is correct, it is nonetheless important to emphasize three points. First, Turkey does not accept the report of a commission of the UN of which it was a member – even though in the report itself it expressed reservations over many of its findings and recommendations – and that Israel, on the other hand, accepts the report and is acting in the spirit of its recommendations, and first and foremost, has again expressed regret over the incident.

Second, the report makes an important distinction between the naval blockade of Gaza and the limitations on border crossings on land. This is the basis of the report's determination that the naval blockade is legal in accordance with international law, and that attempting to breach such a blockade is reckless, which is true for the current Turkish threats as well.

Third, Turkey also faces some of the challenges facing Israel, and the recent increase in Kurdish terrorism and the Turkish bombing in northern Iraq only illustrate that there are quite a few difficulties common to Israel and Turkey, including in the area of international law.

In the time that elapsed between the flotilla and the publication of the Palmer Report, far reaching changes have occurred in the Middle East that have the potential to calm Israeli-Turkish relations, even if it is difficult to see that now. These developments have brought Turkey closer to the West and distanced it from Iran and Syria. This is a positive development from Israel's point of view, although it has not brought with it an

improvement in bilateral relations with Turkey. Even the recent rapprochement between Turkey and Egypt should be seen as an essentially positive development because in this context, Turkey serves as a counterweight to possible Iranian influence on Egypt. True, Hamas could also gain from the warmer relations between Egypt and Turkey, but here too there is the potential for reducing Iranian influence on the Palestinians. To be sure, the fact that Egypt is today in a transitional period makes it difficult to assess whether the Turkish efforts to draw closer to Egypt will bear fruit. The regional developments are not succeeding in and of themselves in bringing Israel and Turkey to settle their dispute, but perhaps they will be able to lessen the conflict between Israel and Turkey, which is now entering an especially worrisome phase.

