

# **"Nothing is Agreed until Everything is Agreed": The Israeli-Palestinian Dialogue**

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The goal of concluding principles for a permanent Israeli-Palestinian settlement by the end of 2008 was announced in November 2007 at the Annapolis Conference. Sponsored by the US administration, the conference convened to draft a framework for dialogue between Israel and the Fatah-headed Palestinian Authority (PA), and a timetable for its completion. Disagreements about core issues of the conflict, however, remained unsolved. In addition, the split in the Palestinian arena, which delayed the institutionalization of the PA as the authorized representative for promoting a settlement, undermined the possibility of infusing the dialogue with practical content. The confrontation between Israel and Hamas, which escalated towards the end of 2008, likewise diverted attention from the political process, and its effect on the Israeli political system and the Palestinian theater cast doubt on the continuation of the dialogue outlined at Annapolis. The task thus facing Israel's new leadership and the PA is to focus on management of the conflict while striving to preserve the continuity of dialogue, despite the constant tension in the security sphere.

## **The Political Dialogue**

### ***Structure of the process***

The process launched at Annapolis was designed to revitalize the Roadmap for an Israeli-Palestinian settlement, adopted by the Quartet in 2003. The

Roadmap outlined progress in three stages. The first included guidelines for suspending Israeli construction in the territories and improving the institutional, security, and civilian situation in the territories. The second focused on establishing a Palestinian state with provisional borders, and the third on formulating a permanent settlement. Unlike the Roadmap, the Annapolis formula rested on simultaneous progress in the first and third stages. This structural change acknowledged the limited ability to formulate an interim option, given Palestinian concern that a temporary situation would be institutionalized in the long term and Israel's concern over territorial concessions and the ensuing security risks in the absence of a Palestinian commitment to the end of the conflict. In view of the ongoing lack of progress in first stage of the Roadmap, the designers of the Annapolis initiative sought to build confidence among both sides in the viability of a settlement by means of direct progress towards articulating the principles of compromise.<sup>1</sup>

The American administration's interest in scoring an achievement in the Middle East by the end of George W. Bush's presidency dictated the choice of late 2008 as the deadline for completion of the Annapolis process.<sup>2</sup> Meantime, Hamas continued to consolidate its status in the Palestinian arena, which reached new heights following the June 2007 military coup in the Gaza Strip. Thus, added to the geographic split in the PA was a split between the government headed by Hamas in the Gaza Strip and the emergency government headed by Salam Fayyad that was convened by President Mahmoud Abbas. In the international arena, the rift between Hamas and Fatah was seen as an opportunity to promote the diplomatic process because it ostensibly freed Fatah's leadership from the need to take the Islamic opposition into account (it rapidly became clear that this idea was an illusion only). At the same time, Fatah's leadership, Israel, and the Quartet shared the concern that if Hamas extended its hold to the West Bank, there would be no influential Palestinian party supporting the vision a two-state solution. Hence the renewed dialogue between Israel and the PA, headed by President Abbas, was designed to provide Fatah with political capital that would unify its divided ranks, help recruit public support for the organization, and delay the advance of Hamas towards the Palestinian political helm.

In accordance with the structure agreed on at Annapolis, discussions took place on two tracks. One focused on the effort to achieve agreements on core issues, i.e., conflict solution. In this framework, teams dealing with various issues met regularly under the direction of Foreign Minister Tzipi Livni, head of the Israeli negotiating team, and Ahmed Qurei, head of the Palestinian negotiating team. Prime Minister Ehud Olmert and President Abbas met from time to time within the framework of a parallel track aimed at devising principles whereby the negotiating teams could reach understandings and formulating policy on current daily issues, i.e., conflict management. The US administration, notably Secretary of State Condoleezza Rice, who visited Israel and Ramallah frequently, and General Keith Dayton, who supervised the reform in the PA security forces, followed the conflict management and conflict solution processes closely.

### ***Conflict management***

Israel responded slowly to the American-supported Palestinian demand to remove roadblocks in the West Bank in order to facilitate a return, however token, to daily routine and reconstruction of educational, health, and commercial systems.<sup>3</sup> Explanations for the delays, couched in familiar security terms, were bolstered by the presence of the terrorist infrastructure of Hamas and other armed factions in the West Bank. Rocket and mortar fire from the Gaza Strip on the western Negev highlighted what was liable to happen in the wake of IDF redeployment in the West Bank. Palestinian prisoners were released infrequently, out of concern that those returning to their homes would rejoin the cycle of violence. In view of the PA's limited ability to control the belligerent factions, it was hard to counter Israeli arguments on the injustice and futility of a mass release. Israel thus retained the release of prisoners as a potential bargaining chip and used it as a periodic humanitarian gesture; its effect on the atmosphere at the negotiating table, however, was short lived. In addition, Israel did not evacuate isolated outposts, in order to postpone the inevitable public protest to a time when such a measure could be presented as part of a compromise settlement. Construction continued at sites that Israel would surely demand be retained in the framework of a permanent settlement – neighborhoods in East Jerusalem and Jewish settlement blocs.

At the same time, the reform in the Palestinian security forces – already outlined in the guidelines to the first stage of the Roadmap as part of comprehensive PA institution building – was advanced. The effort to rebuild the security forces, which was boosted following Hamas' takeover of the Gaza Strip, was given a further push under American auspices in the framework of the Annapolis process, in cooperation with the European Union Coordinating Office for Palestinian Police Support. Substantial financial aid for upgrading the security apparatuses was promised at a summit of the donor countries in Paris following the Annapolis Conference.<sup>4</sup> Courses given by the foreign advisory parties took place in Jordan and Jericho, and with Israel's approval, weapons and equipment were transferred to PA forces. When their training was completed, police units were deployed in Nablus, Jenin, and Hebron. They enforced law and order in the streets, disarmed independent belligerent elements, and engaged in the struggle against Hamas' military and institutional infrastructure. The units' achievements were considerable, and won praise from the Quartet.<sup>5</sup> Israel, however, needed more solid evidence of their ability to deal with belligerent factions without the help of backup before significantly reducing its military activity in the West Bank. On the other hand, Palestinian spokesmen persisted in claiming that the PA's ability to enlist public support for a determined battle against militant opposition forces would be limited as long as Israel did not reduce its presence in the area.<sup>6</sup>

The quality of life and standard of living in the West Bank has indeed improved since the Annapolis process was launched. Exports of local goods to Israel rose 25 percent, and unemployment fell from 25 to 19 percent. The number of trading and work permits granted to residents has risen,<sup>7</sup> and the removal of roadblocks has eased the movement of people and goods. However, the dialogue, which was designed to lead to a concrete improvement in daily life on the West Bank, remained frozen in a dynamic of conflicting expectations and mutual stipulations that developed over the years since the Oslo process and thwarted efforts to renew the dialogue after the outbreak of the second uprising in the territories. Indeed, this was also the case with previous attempts to achieve progress in the first stage of the Roadmap.

### ***Conflict resolution***

The contents of the discussions of the conflict's core issues remained secret. Most of the reports described various Israeli proposals that were rejected or else not approved by the Palestinian and the Israeli sides. Though not confirmed by the Israeli side, PA representatives reportedly rejected a map proposed by Foreign Minister Livni, in which large blocs of Jewish communities in the territories would remain in Israeli hands, and rejected a demand by Minister of Defense Ehud Barak that Israel establish inspection stations within the Palestinian state overlooking Ben Gurion Airport. Under American pressure to expedite the formulation of understandings, Olmert claimed that the gap over borders involved only 2-3 percent of the territory; this statement was not confirmed by an official Palestinian source. Palestinian spokesmen asserted that the gap between the two sides' positions on the issue of refugees had narrowed, although the parties still disagreed about the nature of the understandings on this critical issue.<sup>8</sup> In addition, the Palestinian side vehemently opposed any idea that would substantially detract from its sovereignty, and for instance insisted that complete demilitarization, as demanded by Israel, hinders efforts to deal with security threats in the Palestinian state and therefore the ability to implement a settlement.<sup>9</sup> Jerusalem was not discussed.

Given the gaps between the positions of the two sides and on the basis of "nothing is agreed until everything is agreed," endorsed by both Livni and Abbas, the only significant achievement that could be cited at the year's end was the very agreement to continue the dialogue.<sup>10</sup> This indeed was the main message given to representatives of the Quartet who convened in Sharm el-Sheikh on the first anniversary of the Annapolis conference and in a joint announcement praised the process.<sup>11</sup> In the absence of understandings that could be presented as part of a future settlement, Secretary Rice took comfort in the very existence of the process.<sup>12</sup>

### ***Will the process continue?***

The tension accompanying the negotiations increased when it became clear that the task would not be completed by the end of the Bush administration's term or the end of Olmert's term, and that Abbas' term, which officially ended in January 2009, required extension.<sup>13</sup> Consequently, disagreements

intensified between the Israeli and Palestinian attitudes concerning the immediate objective of the dialogue. In September Olmert still declared, "It is possible to achieve a settlement with the Palestinians by the end of the year."<sup>14</sup> His meaning, however, differed from the meaning of the term "settlement" as used by the Palestinian side; he sought to replace a detailed overall agreement with a statement of principles or "shelf agreement," to be implemented when conditions allowed.<sup>15</sup> At the same time, Israel rejected an American proposal for a transitional document, in which understandings would be summarized as a basis for continued discussion.<sup>16</sup> For his part, Ahmed Qurei warned that the alternative to a settlement was one state for the two peoples.<sup>17</sup> His words spoke to the latent threat in not reaching an agreed compromise on dividing the land. Olmert echoed this sentiment when he said that Israel should withdraw "from almost all the territories, if not from all of them" in order to ensure its security.<sup>18</sup>

The failure to conclude a comprehensive and detailed settlement before the end of 2008 seemingly presented an opportunity: the diplomatic process was freed of the time constraint. The time constraint was not included in two statements of international support for the Annapolis process published at the end of the year, the Quartet statement issued at the November Sharm el-Sheikh meeting, and UN Security Council Resolution 1850, passed in December 2008.<sup>19</sup> The concluding statement of the Quartet meeting was included verbatim in the Security Council resolution, which also noted the importance of the Arab peace initiative.<sup>20</sup> But the talks, which in any case were not close to formulating binding agreements, were suspended in late 2008 due to two developments that removed the political process from the Israeli and Palestinian public agendas. The confrontation in Gaza between Israel and Hamas intensified, and Israel was occupied by its forthcoming elections. The elections, which took place before the dust from the Gaza campaign had settled, strengthened the centrist and right wing parties. The elected prime minister, Binyamin Netanyahu, head of the Likud party, expressed intention to reassess the principles underlying the Annapolis process. In reaction to Netanyahu's refusal to commit to the principle of two states, Saeb Erekat, who replaced Ahmed Qurei as head of the Palestinian negotiation team, declared that dialogue would not be

renewed with an Israeli government that did not favor the establishment of a Palestinian state.<sup>21</sup>

International pressure may well enhance renewal of the talks. The peace process was placed high on the Obama administration agenda. Obama himself declared unequivocal commitment to the quest for a settlement on the basis of the principles formulated at Annapolis.<sup>22</sup> The position of the EU regarding the peace process is similar. In January 2009, against the backdrop of the Israeli-Hamas confrontation, discussions on upgrading relations with Israel were suspended. Javier Solana, EU High Representative for the Common Foreign and Security Policy, even went as far as declaring that the EU would reevaluate its approach toward Israel unless it was committed to the establishment of a Palestinian state.<sup>23</sup> Benefits that can be reaped by Israel and the PA from their commitment to the political process suggest ongoing relevance of the dialogue. Thus commitment to the process can enable Israel to rebuff expected pressure to ease its military and economic leverage in the West Bank, and particularly in the Gaza Strip. Commitment to the process has given Abbas' presidency international political support to compensate for the erosion of the legal basis for his rule, and deflects pressure from both Fatah and Hamas on postponement of the presidential elections. Furthermore, commitment to the process will continue to justify the generous economic aid granted to the PA since the dialogue process was renewed.<sup>24</sup>

Yet resumption of the dialogue in itself will not guarantee concrete progress towards a settlement. This is because the security tension between Israel and Hamas undermines Israel's already limited willingness to commit to a political and territorial compromise with direct and long term security consequences. Furthermore, the split in the Palestinian arena delays the institutionalization of the PA under Fatah leadership as the agreed representative for promoting a settlement, and reduces the chances that it will be able to guarantee implementation of an agreement.

## **Israel-Hamas, Hamas-Fatah**

### ***Between Israel and Hamas***

Egyptian mediation efforts achieved success in June 2008. According to the understandings between Israel and Hamas, Israel was to gradually

remove its embargo of the Gaza Strip and refrain from military action in the Gaza Strip in return for a halt in the rocket and mortar fire by Hamas and other belligerent factions. After the ceasefire went into effect, however, smuggling of weapons into the Gaza Strip continued at an even greater pace. This activity, added to sporadic fire at the western Negev from the Gaza Strip and a deadlock in the Egyptian-mediated contacts toward the freeing of the Israeli soldier Gilad Shalit held by Hamas in exchange for the release of Palestinian prisoners held by Israel, gave Israel grounds for closing the Gaza border crossings, or rather, for not opening them. The dynamic of the ceasefire reflected a perpetuating deadlocked dynamic that developed between Israel and the Palestinians. Like the PA, Hamas sought concrete evidence of the slackening of Israeli pressure – in this case, the opening of the border crossings. For its part, Israel conditioned easing the pressure on an absolute end to the rocket fire and a halt in weapons smuggling to the Gaza Strip. Despite sporadic violations, relative quiet was maintained for five months, because of Hamas efforts to prevent rocket fire and because the bombardment did not cause any Israeli fatalities. In November 2008, however, the weakness of a ceasefire with no clear rules or mechanism for handling violations came to the fore. The IDF attacked a tunnel dug by Hamas under the Gaza Strip fence; massive rocket fire on Israel followed. In late December, after two months of escalating fire and threats of a strong military response, Israel mounted a major offensive in the Gaza Strip.

Israel sought to create a situation in which the possibility of rocket and missile fire would be significantly contained and Hamas armament would be halted. This was the essence of the “new security reality” defined as the strategic goal of Operation Cast Lead, which was designed to ensure security calm for residents within firing range (which expanded from 16 to 40 kilometers during the lapsed lull), and to prevent escalation that would culminate in a renewed occupation of the Gaza Strip. An intense diplomatic campaign accompanied the military one. Israel faced international pressure to stop the offensive, motivated in large part by the heavy casualties and destruction in the Gaza Strip. Both Israel and Hamas rejected Security Council Resolution 1860, passed on January 8, 2009, which essentially called for an immediate ceasefire, prevention of the transfer of weapons



to the Gaza Strip, and an opening of the border crossings. A few days later, however, Hamas prime minister Ismail Haniyeh announced that his organization would accept any ceasefire initiative. In contrast to members of the Damascus-based Hamas political bureau – led by Khaled Mashal and supported by Syria, Iran, and Hizbollah – who called for continued fighting, the Hamas leadership in the Gaza Strip sought a lull that would make it possible to repair the damage caused to the organization's backbone during the fighting. On January 18, 2009, three weeks after the campaign began, assessing that Hamas would avoid blatant provocation, Israel declared a unilateral ceasefire. Hamas and other belligerent factions announced that they too would hold their fire.

Israel's decision to halt the fighting and withdraw from the Gaza Strip was facilitated by understandings reached with the US and Egypt and endorsed by the EU. Livni and outgoing Secretary of State Rice signed a memorandum on January 16 stating that the US would head a joint international effort to stop weapons smuggling into the Gaza Strip. This commitment, which ended a period of tension between the two countries following the US failure to veto Resolution 1860, was presented to President Obama, who took office on January 20, 2009. Israel also adopted an Egyptian initiative committing the latter to take measures to halt smuggling, formulate principles for opening the Gaza Strip border crossings, and promote understandings for a one year ceasefire. The Egyptian efforts to bring about a lull implied that the price the regime would have to pay in terms of the unrest caused by reining in Hamas and security coordination with Israel was preferable to those accompanying Hamas' continued stockpiling of arms, with its inherent potential for escalation and the expansion of Iranian influence in the Gaza Strip. This attitude was welcomed by the EU leaders, who met on January 18 in Sharm el-Sheikh to mark Israel's acceptance of the Egyptian initiative, and to express their intent to invest in reconstruction of the Gaza Strip. Following the conference, the European leaders proceeded to Israel. In a meeting with Olmert, they undertook to formulate security understandings in the spirit of the memorandum signed by Israel and the US.<sup>25</sup>

Hamas' leadership coordinated its ceasefire terms with Cairo and publicized them following the Israeli announcement. It thus was able

to portray the fighting with Israel as at least a moral victory. Yet firing from the Gaza Strip continued and was met with retaliatory attacks by the Israel Air Force, even as Hamas discussed terms for a lull and its duration. Similarly, the closure of the Gaza Strip continued: Israel continued to make its removal contingent on stopping Hamas rearmament and a total halt in shooting, while Hamas made a halt in its bombardment contingent on opening the border crossings.<sup>26</sup> As Livni said, Israel preferred to base a ceasefire on understandings “against Hamas, not with it.”<sup>27</sup> This policy was adopted in opposition to the position of Defense Minister Barak, who favored a measured opening of the border crossings as a means of encouraging restraint by Hamas. Thus Israel chose the policy based on the assessment that the threat of response was sufficient to deter Hamas from firing. The continued bombardment, however, indicated that without agreed understandings that include a valuable incentive, a lull would be impossible to achieve.

### ***Between Hamas and Fatah***

Abbas participated in the Sharm el-Sheikh conference. At the same time, Qatar, which joined the camp led by Iran and Syria during the fighting in the Gaza Strip and severed its commercial ties with Israel, hosted a summit in support of Hamas. The Palestinian representative at the meeting in Doha was Khaled Mashal. This was a significant public appearance by the rival parties with competitive regional tendencies, highlighting the longstanding Palestinian factionalism and its regional context.

Abbas, the leader of the mainstream faction in the Palestinian national movement that for years was influenced by Cairo’s political position, took part in the contacts preceding Israel’s acceptance of the Egyptian initiative. Yet along with its support for Abbas’ presidency and the Fayyad government, and despite its conflict with Hamas, Egypt has favored uniting the forces in the Palestinian theater as a means of calming the Israeli-Palestinian conflict and promoting the diplomatic process. Egypt’s initiative therefore included the intention of rehabilitating the PA through a renewal of dialogue between Hamas and Fatah, followed by the formation of a unity government.

The rivalry between Fatah and Hamas, however, remained far from healed. For Hamas, the preconditions for an inter-party compromise are recognition by Fatah of Hamas' hold in the Gaza Strip and respect for the results of the January 2006 elections to the Palestinian Legislative Council. For his part, Abbas made coordination with Hamas contingent on the restoration of Fatah's rule in the Gaza Strip. Moreover, the parties were not quick to sit down to discuss principles of institutional cooperation between them or a change in the PLO's structure to include Hamas, let alone attitudes to Israel and the diplomatic process. Tension between the organizations was aggravated by the activity of the PA security forces in the West Bank. The measures taken against Hamas members thwarted Egyptian and Yemeni attempts launched in 2008 to mediate between the parties. The dialogue with Israel, at a time when Jewish settlements in the West Bank continued to expand, and particularly in view of the dragged out diplomatic process, provided a basis for the claim that the PA was in effect acting on Israel's behalf.<sup>28</sup> The June 2008 ceasefire was formulated without Fatah involvement – recognition of its inability to guarantee that it would be observed, and the ambivalence with which its leadership regarded a lull that would bring quiet to the people of the Gaza Strip but would also strengthen Hamas. Indeed, Hamas' leadership portrayed the lull as a direct result of its struggle against Israel, while the diplomatic stalemate did not allow Abbas to claim any comparable achievement. As expected, the Hamas leadership rejected the Egyptian proposal to involve Fatah in drawing up the terms for a renewed lull, in particular the possibility of PA forces taking part in guarding the Rafah border crossing.

The fighting exhausted Hamas both militarily and administratively, and cast doubt on its ability to enforce a lull on both the independent belligerent factions and the military arm of the organization itself. In addition, the confrontation with Israel demonstrated that Hamas' ability to simultaneously conduct a military campaign and protect the civilian population in the Gaza Strip was limited. Criticism of its leadership for what was interpreted as abandoning the people to face the Israeli response was inevitable. This criticism, however, was not translated into a strengthening of the PA to a degree that would enable it to spearhead diplomatic measures. The PA's inaction during the fighting, together with

its suppression of demonstrations of solidarity with Hamas and the Gaza population, aroused public criticism.<sup>29</sup> Inclusion of Fatah in patrolling the Rafah border crossing or in the reconstruction project in the Gaza Strip, should it come to fruition, would not cause Hamas to lose power in the area. Hamas' status in the Gaza Strip has won external recognition, as reflected in the demand that the organization give its consent to a lull, respect it, and prevent its violation by other factions. International entities involved in reconstruction in the Gaza Strip, both Arab and Western, will be unable to avoid coordination with members of the organization.<sup>30</sup> Moreover, it is possible that this coordination will advance the removal of the boycott against Hamas, without the latter complying with demands set by the Quartet as a condition for dialogue, and without the diplomatic process deriving any benefit from it. Nevertheless, a renewed lull in the Gaza Strip, if it occurs and persists, will not necessarily improve the chances of progress in the process, due to the significant difference between the security dialogue taking place between Israel and the PA and the dialogue between Israel and Hamas: a ceasefire in the Gaza Strip in which Fatah has no diplomatic influence, let alone enforcement capability, is designed as a goal in itself, not as part of negotiations towards a comprehensive settlement.

The balance of power in the Palestinian arena has a direct impact on prospects for the diplomatic process, just as the chances of progress in the diplomatic process directly affect the balance of power in the Palestinian arena. The Hamas takeover in the Gaza Strip brought Abbas back to the negotiating table with Israel. In March 2008, following an escalation in the confrontation between Israel and Hamas, contacts between Fatah and Hamas were renewed, albeit without success. Following the signing of the lull agreement in June 2008 and the prolonging of the diplomatic process, Abbas put out feelers as to dialogue with Hamas. This measure also failed to gather momentum. Nevertheless, the recurring proposals for mediation between the two organizations constitute a reminder that just as expediting the diplomatic process is Fatah's response to rivalry with Hamas, dialogue with Hamas is a response to diplomatic stalemate. In February 2009, following the diplomatic deadlock and erosion of its status, the Fatah

leadership accepted an Egyptian initiative for renewal of the national dialogue, though the talks reached yet another deadlock.

The split in the Palestinian arena is the root of the contradiction between the diplomatic process and a lull in the confrontation between Israel and Hamas, because a renewed lull strengthens Hamas and demonstrates the helplessness of Fatah. It likewise underlies the contradiction between the process and escalation of the confrontation between Israel and Hamas – a confrontation that harms Hamas but does not strengthen Fatah, and even weakens its standing. Finally, it dramatizes the contradiction between the process and reform in the PA-affiliated security forces, because this reform strengthens Fatah only provisionally, subject to progress in the talks. Without a promise of a diplomatic breakthrough, the PA is deprived of the possibility of exploiting differences within Hamas and encouraging moderate forces in the organization to join Fatah on the basis of even tactical agreement with its diplomatic strategy.<sup>31</sup> Coordination between the organizations, if achieved, will be guided by the goal of reconstruction in the Palestinian theater.<sup>32</sup> Against the backdrop of a diplomatic stalemate it is likely to be promoted by Fatah even at the price of suspending the talks between the PA and Israel. The erosion of belief in the vision of dividing the land into two states, evident among Fatah members in recent years, is also liable to facilitate rapprochement between members of the two camps on the basis of a joint struggle against Israel.<sup>33</sup> This development will present Israel with more serious security and diplomatic challenges than those currently originating in the Palestinian arena.

## **Conclusion**

The interest that brought Israel and the PA back to the negotiating table in late 2007 still exists. Israel has come to recognize a diplomatic and territorial compromise as a solution for security, political, and social challenges. The PA, under Fatah leadership, chose the diplomatic process as a way to promote national aspirations, subject to the conditions created in the sphere of the conflict in recent decades, and in order to establish its leading position in the Palestinian arena. It is possible that border issues and security arrangements will be solved in the future, while more complex issues, above all sovereignty in Jerusalem and the refugee question, will be

brought up for discussion when the parties require a trade-off mechanism in order to formulate a comprehensive agreement. They will then be able to use existing formulas for a solution, such as the Geneva initiative or the parameters outlined by President Clinton. The road to this advanced stage, however, is still long.

Not only were disagreements on core issues still unsolved at the end of the year allotted by the Annapolis process for formulating an agreement, but progress in managing the conflict, designed to facilitate discussions pertaining to resolving the conflict, was slow. Furthermore, the fighting that broke out between Israel and Hamas reinforced the obstacles that had previously prevented progress in the talks. In late 2008, when Israel, the Palestinians, and international parties recognized that timetables for the diplomatic process had to be made more flexible, attention was diverted to the fighting in the Gaza Strip. In the midst of the fighting, it was impossible to concentrate on core issues in the talks, relieve Israeli concern about the security risks accompanying withdrawal from the West Bank, and recruit popular Palestinian support for an historic compromise. However, the echoes of the fighting, even if followed by a stable and prolonged lull, will make it difficult to expedite the process. If and when the dialogue is resumed, the Israeli government will have to deal with the same heightened public doubt about the security wisdom of withdrawing from the West Bank that contributed to the victory of the right wing bloc in the elections. On the other hand, the PA's scope for negotiating has shrunk. The military campaign in the Gaza Strip exacerbated the enmity between Hamas and Fatah, and so too the difficulty in establishing the PA as a national representative for negotiations capable of guaranteeing the implementation of understandings.

Given the lowering of mutual expectations of reaching a permanent settlement that can be implemented in the foreseeable future, it appears that all that Israel and the PA can hope for is to keep the dialogue on the agenda. For Fatah, the talks constitute justification for political and security coordination with Israel, and strengthen regional and international support for the PA in compensation for its weakened standing at home. For Israel, persisting in dialogue in cooperation with international initiatives, particularly in coordination with the American administration and Egypt,

answers doubts concerning its willingness in principle to move towards a settlement, and helps limit the damage to its image caused by the war in the Gaza Strip. An effective international effort to prevent the smuggling of weapons to the Gaza Strip, based on American, Egyptian, and European commitments that enabled Israel to declare a ceasefire in the Gaza Strip, will avoid the need to intensify the closure and reduce Hamas' ability to escalate the conflict in order to disrupt contacts between Israel and the PA. As shown again by the Annapolis process, without a tangible hope of finding a new political solution, it will be hard for Israel and the PA to overcome the initial barrier of the Roadmap, and without such progress, it will be hard for them to provide real grounds for hope of a breakthrough. Thus, measures aimed at lightening the burden borne by residents of the West Bank and reducing friction between them and Israel will help preserve the continuity of dialogue, even if it does not bring the diplomatic process to the comprehensive implementation stage.

Despite the removal of the time constraint from the diplomatic process one year after the Annapolis formula was agreed, the time factor should be taken into consideration by the negotiating teams. The danger to the process posed by the absence of a timetable is no less than that stemming from enforcement of a rushed, unrealistic timetable. The dragging out of talks will highlight gaps in fundamental positions, weaken those supporting an agreed compromise, and hasten the appearance of security threats likely to delay progress towards such a solution.

## Notes

- 1 The Roadmap dealt with all the Palestinian territories. The Annapolis formula concerned the West Bank.
- 2 A concomitant goal was lowering the profile of the Israeli-Palestinian conflict, with the idea that settling the conflict would make it easier to deal with global challenges originating in the Middle East.
- 3 Following an explicit request by the secretary of state, Israel expressed willingness to remove 50 of 560 roadblocks scattered over the West Bank, *New York Times*, March 31, 2008. By September, a total of 100 roadblocks were removed, *Jerusalem Post online*, September 8, 2008.
- 4 This was assessed to require a \$4 billion investment. See *Economist.com*, November 24, 2008.



- 5 Avi Issacharoff, "There is a Partner, But Who Cares," *haaretz.co.il*, September 15, 2008.
- 6 The US administration supported this argument (*haaretz.co.il*, June 16, 2008, September 9, 2008). See also a letter of complaint against Israel sent by Salam Fayyad to the OECD, *Jerusalem Post online*, June 3, 2008.
- 7 *Jerusalem Post online*, September 8, 2008.
- 8 Avi Issacharoff, "The US is Pressing for Formulation of an Israeli-Palestinian Document by September," *haaretz.co.il*, July 28, 2008; "Olmert proposed that Israel annex 7 percent of the West Bank, for which the Palestinians would receive 5.5 percent of the territory as compensation," *haaretz.co.il*, August 12, 2008. As reported by Aluf Benn ("The Israeli-Palestinian Negotiations: What Has and What Has Not Yet Been Agreed," *Mabat*, Issue 56, May 19, 2008), Israel wanted to retain 8-10 percent of the West Bank, while the Palestinian side wanted an agreement in which Israel will be left with 3.5 percent of the West Bank, in exchange for 2 percent in replacement territory and 1.5 percent in a secure passage between the Gaza Strip and the West Bank. The Palestinian side also demanded an elevated passageway, while Israel demanded that it be underground. Regarding the refugees, Israel wanted hazy wording about the number to be permitted to return to their homes, while the Palestinians wanted explicitly stated understandings (*haaretz.co.il*, June 2, 2008); an interview with Abbas – "Abbas: In any Agreement, We will Demand that some of the Refugees Return to Israel," Akiva Eldar and Avi Issacharoff, *haaretz.co.il*, September 12, 2008.
- 9 In response to the demand for demilitarization, Ahmed Qurei even presented a demand for a regular army (*Ynet*, May 15, 2008).
- 10 Livni, quoted in *Ynet*, April 30, 2008; report from the Quartet conference in Sharm el-Sheikh, US Department of State website, November 9, 2008, Abbas quoted by BBC, September 12, 2008.
- 11 Quartet Press Statement, US Department of State, Office of Spokesman, December 15, 2008.
- 12 After meeting with Abbas, Rice said, "I would like to remind everyone that this time last year, we...didn't have a peace process" (US Department of State, August 26, 2008).
- 13 Despite opposite in Fatah and protest from Hamas, Abbas signed a presidential order scheduling the presidential elections for January 2010, the scheduled date for elections to the Palestinian parliament (*haaretz.co.il*, September 23, 2008).
- 14 *Haaretz.co.il*, September 25, 2008.
- 15 *Jerusalem Post online*, June 23, 2008; *Newyorktimes.com*, September 1, 2008; *haaretz.co.il*, May 20, 2008; Aluf Benn, "Battle on Two Fronts," *haaretz.co.il*, September 1, 2008.



- 16 *Haaretz.co.il*, June 15, 2008.
- 17 *Haaretz.co.il*, September 3, 2008.
- 18 See Nahum Barnea and Shimon Shiffer's interview with Ehud Olmert, *Yediot Ahronot*, September 29, 2008.
- 19 *Security Council SC/9539*, Department of Public Information-News and Media Division, December 16, 2008, New York. The Arab peace initiative was adopted when published by the Security Council in March 2002 (Resolution 1397).
- 20 The formulation of the UN resolution encompassed an Israeli perspective with respect to a timetable. The American administration sought to anchor the Annapolis formula in a UN Security Council resolution immediately after the conference ended. The Israeli government opposed this because it did not wish to add a constraint to achieve progress in the initiative to those it already faced, even in the absence of any enforcement mechanism. Thus the American proposal was not submitted to the Security Council. Later, as a mark of the Bush administration's legacy, the proposal was accepted, although with no timetable except for supporting the Quartet's plan to convene a follow-up summit in Moscow during 2009. Israel did not object to this – evidence of recognition of the congruence between the principles of the Annapolis process and its long term political and security goals, particularly when the Security Council resolution did not state guidelines for immediate action.
- 21 Ma'an News Agency, February 22, 2009.
- 22 Speaking at the Turkish parliament, Obama said: "Let me be clear, the United States strongly supports the goal of two states, Israel and Palestine, living side by side in peace and security... That is a goal that the parties agreed to in the road map and at Annapolis. And that is a goal that I will actively pursue as president" (*Jerusalem Post* online edition, April 7, 2009). In response, Netanyahu said that "the government of Israel is committed to both these goals and will formulate its policies in the near future so as to work closely with the United States" (*haaretz.co.il*, April 7, 2009).
- 23 This announcement was made following the establishment of the government and Netanyahu's refusal to commit to a two-state solution (*haaretz.co.il*, March 17, 2009 and March 28, 2009). It contradicted an understanding reached in December between Livni and French foreign minister Bernard Kouchner that upgrade of Israel-EU relations would not be contingent on progress in the negotiations (*haaretz.co.il*, December 9, 2008).
- 24 At the conference of the donor countries in Paris in December 2007, the participants undertook to transfer \$7.7 billion to the PA in installments by 2010. Most of the aid is designated to back the PA's current budget, i.e., to help calm economic and social unrest.

- 25 Barak Ravid, "European Leaders to Assist in War against Smuggling," *haaretz.co.il*, January 19, 2009.
- 26 During the discussions between Egypt and the two sides, Olmert announced that Israel would not open the border crossings before the release of Gilad Shalit. Egyptian spokesmen responded by accusing Israel of delaying the arrangement on a lull (*Haaretz*, February 17, 2009).
- 27 Interview in a news broadcast, Channel 2 TV, Israel, January 16, 2009.
- 28 *Haaretz.co.il*, May 4, 2008; *al-Quds*, September 8, 2008; *al-Ahram weekly online*, October 23-29, 2008.
- 29 *New York Times*, January 15, 2008; Agence France Press, January 15, 2008. These assessments of a weakening of Fatah's position were supported by the result of a public opinion poll in the territories (PSR Poll #31, March 9, 2009); support for Fatah dropped from 42 percent (Poll #30, December 2008), to 40 percent. Support for Abbas dropped from 46 to 40 percent, and support for Hamas increased from 28 to 33 percent.
- 30 Countries participating in the Sharm el-Sheikh conference to raise donations for reconstruction of the Gaza Strip undertook to transfer \$4.4 billion over the next two years (*haaretz.co.il*, March 2, 2009).
- 31 The arguments in Hamas about cooperation with Fatah intensified following the Israeli campaign, in response to Tony Blair's call to include the organization in the diplomatic process (*Jerusalem Post online*, January 21, 2009).
- 32 Abbas: "We are not Asking Hamas to Recognize Israel," Ma'an News Agency, February 8, 2009.
- 33 "We are running out of time for a two-state solution," Akiva Eldar, *haaretz.co.il*, August 16, 2008; "The One-State Solution," Sari Nusseibeh, *Newsweek*, September 29, 2008.