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The Peace Process: From Oslo Parameters to Unilateral Actions

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According to various reports, Foreign Minister Lieberman told European Union High Representative for Foreign Affairs and Security Policy Catherine Ashton that if the Palestinians undertake a unilateral move in the United Nations, Israel will renounce all the agreements it has signed with them, including the Oslo Accords. Ashton refused to accept this position.

Nearly two decades after the Oslo Accords were signed with much fanfare, there is still disagreement as to their benefits and their relevance today. The advantages for Israel include the following:

1. The agreements freed the State of Israel from responsibility for the welfare of the decisive majority of Palestinians in Gaza and Judea and Samaria, without significantly harming Israel's military freedom of action in these areas.
2. The Oslo Accords contributed to a strengthening of the internal consensus in Israel on a future political settlement. The formula of "two states for two peoples" is accepted today by most of the political map in Israel, with extremist left and right elements marginalized.
3. The Oslo Accords significantly deepened the divisions in the Arab world and within the Palestinian national movement on the question of a settlement. These rifts expanded Israel's freedom to maneuver.
4. The Oslo Accords established a system of security cooperation between Israel and the Palestinian Authority, even if this has known its share of problems. If and when a Palestinian state is established, this cooperation can serve as a foundation for good relations between Israel and the Palestinians.
5. In a roundabout way and in spite of serious disagreements, the Oslo Accords created important strategic understandings between Israel and the United States concerning an Israeli-Palestinian agreement. The most important of them is the severing of the longstanding traditional linkage between American-Israeli political disagreements and strategic and security cooperation between the two countries.

Nevertheless, today, especially against the backdrop of the current stalemate in the diplomatic process that seems poised to continue in the foreseeable future, the relevance of Oslo for implementing a two-state solution is highly questionable. The Oslo Accords called for bilateral negotiations under international auspices that were to lead to a permanent settlement between Israel and the Palestinians. However, for some time there has been a noticeable trend, which has intensified over the past two years, of abandoning the Oslo format in favor of unilateral steps, either with negotiations, or without them. To a large extent, this trend stems from the assessment by both sides that their ability to fulfill their national interests in the context of bilateral negotiations is very limited, if not non-existent. Over and above the objective disagreements, there is also a high wall of suspicion and mutual lack of trust between the parties.

Furthermore, each side is skeptical of the desire and/or ability of the other side to accept its minimal basic conditions for a settlement. The current government of Israel assumes that the Palestinians are not prepared to accept the three basic conditions stipulated by Prime Minister Netanyahu: recognition of the State of Israel as the state of the Jewish people; announcement that once an agreement is concluded this means the end of the conflict and the end of claims against Israel; and renunciation of the right of return of the Palestinian refugees.

For its part, the Palestinian Authority does not believe that the current government of Israel is prepared to accept its basic terms for a settlement: withdrawal to the 1967 borders, with minor adjustments; the division of Jerusalem; and acceptance in principle of the right of return, and at least partial fulfillment of it. On top of these conditions is the continued demand of the Palestinians for a total construction freeze in Judea and Samaria and Jerusalem during the negotiations.

In recent months, the Palestinians have operated unilaterally to achieve international recognition of a Palestinian state in the 1967 borders. This effort, they stress, will culminate at the UN General Assembly in September 2011. In previous years, the Palestinians undertook a different strategic unilateral move, the second intifada, which did not advance their national goals.

Over the years, Israel has likewise demonstrated its disregard of the Oslo parameters by means of unilateral moves. The disengagement from Gaza in 2005 was a prominent example, and the accelerated building in Judea and Samaria is also a unilateral Israeli action that to a large extent empties the Oslo parameters and vision of any content.

At the same time, the third party to the agreement, the US administration, seems to be losing confidence in the Oslo format. Instead it exhibits a tendency to rely on its own unilateral actions and those of the Quartet, which the other two parties will be "persuaded" to accept. This format is based, inter alia, on two parameters: first, acceptance of the principle that the borders of the Palestinian state will be based on the 1967 lines and an

exchange of territories between the sides; and second, an understanding that other core issues, especially the status of Jerusalem and the issue of refugees, will be decided after agreement is reached on the question of borders and security arrangements.

The developments of recent years thus imply increasing recognition on the part of the three parties to the Oslo Accords – Israel, the Palestinians, and the US – that the chance to advance the process of a settlement through the Oslo parameters, namely, dialogue between the sides under US auspices, is gradually fading. In other words, aside from the large gaps between the sides concerning the principles of the settlement, grave doubts are arising over the mode of action that the Oslo accords outlined to achieve a permanent settlement: a mode of bilateral negotiations with international assistance.

In the circumstances that have developed, Israel and the Palestinians will likely increasingly rely on unilateral actions while paying lip service to the need to adhere to the Oslo parameters, as defined by each of them. Accordingly, most of the burden will fall on the US administration. It appears that the administration is aware that it is getting closer to the moment of truth on the question of the nature and the degree of intensity of its involvement in the process of an Israeli-Palestinian settlement in the foreseeable future.

If and when the US administration comes to the conclusion that the Oslo format can no longer bring about a permanent settlement and the only option for reaching a settlement is by means of unilateral action in the form of an imposed settlement, there are two main questions it will have to confront. First, does the administration need to tone down its involvement in the process of an Israeli-Palestinian settlement until some solution is found to the Iranian threat, and until the storm in the Arab world today calms down and the post-Arab spring situation becomes clear? Second, does the US presidential election campaign and Congress's support for Israel tie the President's hands and prevent him from putting his full weight behind the realization of the vision of a settlement as outlined in his May 19 speech?

It appears that President Obama's administration is inclined – for lack of choice, and cognizant of its limitations – to lower its profile regarding a settlement, at least until the domestic situation in the United States becomes clear. However, the decision on such a strategic issue is ultimately made by the President alone, and he has already demonstrated an ability to take unexpected steps that go against the common assessment of the situation.

