

# **The Israeli-Palestinian Arena: Failed Negotiations and a Military Confrontation**

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The Israeli-Palestinian arena of the past year was marked by four principal developments. The first was the failure of the talks between Israel and the PLO/Palestinian Authority (PA) on a permanent settlement, launched at the initiative of the United States and conducted under the mediation of US Secretary of State John Kerry. This round of talks continued for nearly nine months, ending in April 2014 with no agreement. The second development was the agreement reached between Fatah and Hamas as a basis for the formation of a national unity government, even though no progress was made toward genuine reconciliation between the parties. The third was Operation Protective Edge, the military confrontation in July-August 2014 between Israel and Hamas and the other armed factions in the Gaza Strip that was the culmination of the escalation of the preceding months. The war demonstrated the risks inherent in the continuation of the status quo, the shared Israeli-Palestinian despair regarding the prospects for progress toward a settlement of the conflict, and the mutual acceptance of protracted conflict management. The fourth development, which highlights the Palestinian intention to escalate the diplomatic campaign against Israel in the international theater, was the submission of a resolution to the UN Security Council listing the elements of a permanent settlement and requiring Israel to end the occupation of the Palestinian territories by the end of 2017. Following the rejection of the proposal, the Palestinians formally requested accession to the Rome Statute,

which gives them the means to file claims against Israel for war crimes at the International Criminal Court in The Hague.

These intertwined developments reflected the major problems latent in the continuation of the conflict and the political deadlock. Consequently, Israel must choose between two alternatives. One is adherence to the status quo and reliance on the political stalemate, on the assumption that in the current Middle East situation, which is replete with elements of uncertainty, any initiative and change in policy will incur risks. The second alternative is based on the realization that developments in the Israeli-Palestinian conflict and in the Middle East in general present opportunities that should be utilized in order to breach the stalemate with its many risks, and progress toward a new situation that will serve Israel's strategic interests. An examination of the developments over the past year in the Israeli-Palestinian arena according to the chronological order in which they occurred demonstrates their inter-connections and indicates that the second alternative will help Israel move forward toward a more comfortable political-security situation than containment, and better serve its long term strategic interests.

### **The Round of Negotiations: A Failure Foretold**

The most recent round of talks between Israel and the Palestinians began in late July 2013 and collapsed in April 2014, before the end of the nine months allocated to negotiations by the two parties. Secretary Kerry initiated the renewal of negotiations, and it was he who dragged Israel and the PLO, represented by the PA, into the negotiations room to discuss a permanent settlement. However, the very circumstances under which the negotiations were renewed to a large extent contained the reason for their failure. Neither Israel nor the Palestinians believed that the talks were of any use. Each side was brought unwillingly into the talks, and in effect agreed to conduct them with the aim of avoiding a confrontation with the US administration. Both Israel and the Palestinians believed that an agreement could not be worded with terms that were mutually acceptable.<sup>1</sup> Their assessment – ultimately proven correct – was that neither side had a partner for an agreement, and thus from the beginning of the negotiations, each party sought to end the talks with the other side held responsible for the eventual failure. An atmosphere of this sort clearly is not conducive to serious negotiations. Inter alia, during

the talks both sides adopted a tactic of leaks to help blame the other side for the failure. Inevitably, the leaks further entrenched already firm positions, which complicated the task of finding and formulating compromise solutions.<sup>2</sup>

From the beginning of the negotiations, the Palestinian negotiators, led by PA President Mahmoud Abbas, believed that the Israeli government, headed by Benjamin Netanyahu, was not interested in ending the control over the Palestinian territories – which means ending the Israeli settlement enterprise in the West Bank – and that its conduct during the negotiations was designed first and foremost to fortify its internal legitimacy. They also believed that by highlighting the political deadlock, the Israeli government sought to emphasize the Palestinians' responsibility for the impasse, thereby easing the international pressure to progress toward a settlement. The demand by the Israeli representatives at the talks that an Israeli military presence in the Palestinian territories be maintained even after the signing of an agreement and the establishment of a Palestinian state, and that for an unlimited time period Israel retain the right to use these forces, confirmed this assessment in Palestinian eyes.<sup>3</sup> Further support for this idea came from the Israeli refusal to engage in concrete negotiations about the border between the two states, the refusal to divide Jerusalem, and the accelerated pace of construction in the Jewish settlements.

The prevailing perception on the Israeli side, both in the government and among large sections of the public, was that the Palestinians were not truly prepared to accept a two-state solution as stipulated by the UN General Assembly in Resolution 181 (the partition plan). According to this perception, the Palestinians do not recognize Israel's right to exist and aim to ultimately destroy it. The Palestinian refusal to recognize Israel as a Jewish state and to give up the "right of return" was interpreted as indisputable verification of these suspicions.<sup>4</sup> The Palestinians' rejection of Israel's full security demands was also interpreted as evidence that they intended to create a situation in which ongoing security threats would erode Israeli resilience.

To be sure, some flexibility was discernible in the positions of the two sides, compared with their opening positions. Prime Minister Netanyahu agreed that the border between Israel and the Palestinian state would be based on the 1967 lines with revisions. For his part, President Abbas agreed to a continued Israeli military presence in the Jordan Valley for a predetermined

number of years, and was willing to accept in principle the US administration's proposals for security arrangements to prevent weapons smuggling by terrorist operatives into the territory of the Palestinian state.<sup>5</sup> In the circumstances surrounding the round of talks, however, which featured mutual distrust and profound gaps between fundamental positions, it was impossible – and without a basic change in approach will be difficult in the future – to bring about a breakthrough toward formulating a permanent settlement.

It also appears that the way that the negotiations were conducted had a negative impact on their prospects of success. Secretary Kerry preferred to focus the talks exclusively on the principles of the permanent settlement, believing that if other alternatives were discussed, such as partial transition agreements and/or coordinated unilateral measures, the parties would be able to evade a pragmatic discussion of the end-state solution. At the same time, if principles for a framework agreement are agreed on first, they can be used to promote arrangements other than a full permanent agreement. Kerry was certainly aware of Abbas' strong opposition to partial arrangements as a substitute for a permanent settlement. In the dominant Palestinian view, the idea of partial and temporary agreements reflects Israel's goal to dictate the terms of the permanent settlement, assuming that temporary agreements will become a permanent reality given that no final status solution can be reached on the basis of Israel's terms that is also acceptable to the Palestinian side. In any case, Kerry's decision meant that in the absence of willingness by the two sides to make difficult decisions – the painful compromises without which a permanent agreement is impossible – there was nothing left to discuss, and the process collapsed.

The American attempt to make progress through a focus on security arrangements and borders was also unsuccessful. First of all, it is difficult in principle to separate these issues from the other items on the agenda, as the security question is necessarily linked to the sovereignty of the Palestinian state and the end of the occupation. The issue of borders is inseparably linked to the question of Jerusalem and the future of the Jewish settlements in the territories. Second, the focus on the security issues resulted in the US largely accepting Israel's demands in this area, although in contrast to American expectations, Israel was unwilling to forego its demand that there be no time limit on Israel's military presence in the Jordan Valley

and its military freedom of action throughout the Palestinian territories. In fact, although US General (ret.) John Allen, who was instructed to address the security needs of the two sides, was under the impression that after the intensive work by joint teams the IDF had accepted his proposed security arrangements, which seemed to IDF experts suitable for Israel's security needs, the Israeli political echelon – the Prime Minister and the Minister of Defense – opposed these arrangements. The result was a toughened Israeli position. Israel demanded the continuation of its security deployment and its freedom of action in the West Bank, which in effect would institutionalize these aspects of the situation as they are now, even with the existence of a Palestinian state. On the other hand, there was also no Israeli readiness for concrete discussions about borders, beyond Prime Minister Netanyahu's acceptance of the principle that the borders would be based on the 1967 lines with territorial exchanges (nor did he agree that the territories exchanged would be of equal size). Israel also refused the Palestinian request for a concrete border proposal.

A similar dynamic developed on the key issue of Israel as a Jewish state. Here the US administration fully embraced Israel's uncompromising stance. The administration's approach was also reflected in the framework agreement that it proposed, based on the assessment that Israel would display flexibility on various issues if its security demands were accepted, along with the recognition of Israel as the state of the Jewish people. One of the Palestinians' main concerns was that recognition of Israel as a Jewish state would mean waiving their demand for the "right of return" of refugees (a right they realize cannot be completely implemented). The Israeli side, however, was unwilling to propose a formula that would enable President Abbas to consent to the demand in exchange for American backing on the issue, while the Palestinians were unwilling to accept a more flexible wording of two states for two peoples, the Jewish people and the Palestinian people. Perhaps for this reason the Israeli side was willing to consider acceptance of the principles of the "framework agreement," while the Palestinians rejected it out of hand. Furthermore, this course of events gave the Palestinians the sense that the US administration had coordinated its positions in advance with Israel and turned to the Palestinians only afterwards, while presenting the Israeli position as the administration's own.

Mutual trust between the negotiating parties, even if limited, is of great value in negotiations, because it is essential for bridging gaps. The beginning of the 2013-14 round of Israeli-Palestinian talks, however, featured a very low level of trust. The behavior of the parties during the talks, probably due to their prior assessment that no agreement would emerge, only aggravated the distrust between them. Another problem was the vagueness regarding the joint expectations of the parties from the process, and their surprise at the changing American initiatives. One significant illustration of the negative dynamic was the chain of disputes associated with the release of the Palestinian prisoners from Israeli prisons and the permits for construction and expansion of Israeli settlements in the West Bank. The behavior of the two parties and the artificial link created between the issues prevented Israel and the Palestinians alike from mustering public support for the talks and for an agreement, and undermined their already limited ability to engage in constructive negotiations.

The fact that Israel decided to release Palestinian prisoners in four stages highlighted its lack of trust in the Palestinian side and the intent to use the gradual release as a whip to threaten the Palestinians and oblige them to adopt measures regarded by Israel as “constructive.” This method of gradual release over the course of the negotiations – subject, however, to the Palestinians’ conduct – provided Israeli opponents of the negotiations with an opportunity to create difficulties for the negotiators through emotional pressure on Israeli public opinion. In addition, the United States proposed that Israel enable the opening of negotiations and create a supportive atmosphere through a goodwill gesture to the Palestinians by either releasing prisoners or suspending construction in Jewish settlements in the West Bank. Israel chose to release prisoners. Yet when Prime Minister Netanyahu was harshly condemned in his own political camp for his intention to free Palestinian prisoners, he responded to the criticism by expanding construction in the communities, and asserted that the construction was part of a deal in which Palestinian prisoners would be freed in exchange for President Abbas’ consent to further construction.<sup>6</sup> This claim, however, for which there is no factual basis, seriously harmed Abbas’ standing among the Palestinian public, for whom the settlements are an extremely sensitive and painful subject. Thus, a measure designed to help build confidence among the Palestinians instead

severely damaged Abbas' political standing, and was interpreted with a good deal of justification as a confidence-destroying measure to weaken the PA President. For their part, the Palestinians refused to understand that releasing terrorist murderers, especially those who are Israeli Arabs, is a very painful issue in Israeli society that must therefore be addressed with added sensitivity.

Presumably even had the parties refrained from the questionable behavior described above during the negotiations and adopted a positive approach to the talks and to each other, it is highly doubtful whether an agreement could have been reached, due to the wide gaps between them on matters at the heart of the conflict, the respective internal political situations, and the weaknesses of leadership. It appears that neither side had an interest, let alone the political power, to motivate it to compromise and reach agreement. Prime Minister Netanyahu, as the leader of a party with a broad and vocal opposition to a permanent agreement with the Palestinians, and whose first government collapsed in 1999 over the Wye Agreement (between Israel and the PLO, listing the stages on the way to implementing the Oslo Accords), headed a shaky, strife-ridden coalition. He acted under the threat that his coalition would crumble if he showed flexibility on sensitive questions, or even if he presented softer positions (the coalition did fall apart, although not because of the negotiations with the Palestinians, which collapsed many months before it was decided to hold early elections). On the other side, President Abbas' weakened stature in his camp, coupled with little legitimacy among the Palestinian public for any compromise agreement on terms acceptable to Israel, made it difficult for him to take breakthrough decisions. It appears that Abbas, who has considered retirement for some time, prefers to retire as someone who acted on behalf of national unity and faithfully preserved the Palestinian interests as perceived by the Palestinian public at large.

Toward the end of the period allotted for negotiations, Secretary of State Kerry failed to convince Israel and the Palestinians to extend the negotiations period, primarily due to Palestinian opposition. For their part, the Palestinians decided to apply for accession to 15 international organizations and international conventions, thereby violating a commitment to halt unilateral diplomacy in the international arena as long as the negotiations continued.



At that time, in order to avoid too great a provocation, the Palestinians applied to conventions and organizations in which their membership would not create a serious problem for Israel, as would have been the case with the International Criminal Court (ICC) in The Hague (such an application was filed later, in January 2015, after the UN Security Council rejected the Palestinian-sponsored resolution calling for an end to the Israeli occupation within three years). The 15 applications for membership in conventions and organizations that were made, however, were enough to prompt the Israeli government to declare an end to the talks.

### **The Palestinian Reconciliation Agreement and the National Unity Government**

One of the results of the collapse of the negotiations between Israel and the Palestinians was an institutional reconciliation agreement between Fatah and Hamas in April 2014, including the formation of a national unity government supported by both movements. Of all the political issues occupying the Palestinian political arena and the Palestinian public, which does not believe in the ability to make progress in any other area, national unity is the issue most discussed and the one that commands the most support. Nonetheless, for many years Hamas and Fatah have found it difficult to agree on principles for reconciliation, due to the inter-organizational rivalry and their respective political considerations, and due to opposition by external elements, headed by Israel and the US, to internal Palestinian reconciliation. The new circumstances created by the collapse of the negotiations between Israel and the Palestinians and the weakness of Hamas caused by the upheaval in the regional environment made it possible for the two sides to reach an agreement. In fact, the parties were driven toward formulating principles for institutional collaboration by their internal weakness. Each side suffered from an ongoing erosion of its base of legitimacy and public support in its own camp. Thus, the internal policies of the two Palestinian groups dictated the course of events.

As far as the PA was concerned, Abbas realized that he was losing the support of the Palestinian public, given the low yield from his political posture, particularly after the failure of Kerry's mediation. His problem with legitimacy is first and foremost with his home audience – particularly



young Fatah members, who have spurned him and the leadership around him. At the same time, as the leader of the greater Palestinian public, Abbas is driven by the fear that he is liable to leave a legacy of division in the Palestinian camp.

For its part, Hamas came to the negotiations on institutional coordination with Fatah in a state of clear political weakness and severe economic distress. Hamas was in dire straits as a result of its rift with the el-Sisi regime in Egypt following the ouster of the Muslim Brotherhood government, which Hamas assumed would be a fitting replacement for its former patrons: Iran, Syria, and Hizbollah. Hamas' loss of public support also stemmed from the ongoing economic crisis in the Gaza Strip, due to the closure of the tunnels and the strict blockade imposed on the Strip. Hamas' only significant remaining asset was its military power, which would be difficult to sustain in the long term without political and financial resources. Its relations with Iran have deteriorated, and the aid from Tehran to the organization has declined significantly. In Syria, Hamas, a Sunni Islamic organization originating in the Muslim Brotherhood, was unable to fight alongside the Alawites and other minorities identified with the Shiites fighting against Sunni organizations. However, this refusal to stand by Bashar al-Assad's regime in its struggle against the rebels in Syria has created a rift between the organization and Syria, Iran, and Hizbollah.

Hamas has been disappointed in its hope that support from other Sunni Islamic organizations – particularly branches of the Muslim Brotherhood, whose power grew as a result of the social and political upheaval in Arab countries – would compensate for the loss of support from Shiite groups. Indeed, for a short time during the Muslim Brotherhood's rule in Egypt, it appeared that this hope was fulfilled, even though President Mohamed Morsi showed a preference for Egyptian interests over Hamas' direct interests in the Gaza Strip. This hope faded, however, when Morsi fell from power in July 2013 and the regime of Abdel Fattah el-Sisi replaced the Muslim Brotherhood rule.

The Egyptian regime regards the Muslim Brotherhood as an enemy. For the el-Sisi regime, Hamas is a particularly dangerous manifestation of the threat, because it is armed, enjoys power and freedom of action in the Gaza Strip, and maintains channels for smuggling weapons with terrorist groups

operating in Sinai. Egypt has therefore taken forceful action to cut Hamas off from the tunnels used to smuggle goods, especially weapons, into the Gaza Strip, and the campaign against the tunnels has been quite effective. Most of the tunnels have been destroyed, and the Egyptian forces have dug up an area of up to 1 km near the border between the Gaza Strip and Egypt. The traffic to the Gaza Strip through the tunnels has therefore been blocked almost completely, throwing Hamas into a deep economic crisis. In addition to the halt in financial aid from Iran, it has lost its income from taxes collected on goods smuggled to Gaza. Furthermore, Egypt's categorization of Hamas as a terrorist organization has eliminated the possibility of smuggling money to the Gaza Strip through bank transfers. Politically isolated, Hamas enjoyed unequivocal support from Qatar and Turkey, yet these two countries were unable to break through the financial barriers surrounding the organization. The most acute result of the financial crisis was an inability to pay salaries to civil servants in the Gaza Strip and soldiers in Izz ad-Din al-Qassam, Hamas' military wing.

Hamas' weakness left the organization no alternative but to make most of the concessions that would enable it to draft a reconciliation agreement with Fatah. The Hamas leadership, however, consented to the establishment of a national unity government that excluded any representative of the organization. This government is purportedly a government of technocrats, but it includes more than a few political figures close to Abbas. Hamas agreed to give this government control over all the civilian ministries in the Gaza Strip, thereby ostensibly conceding the civilian elements of rule there to the PA under the leadership of Fatah, with Abbas at the helm.

Later developments, however, illustrated that there is a big difference between willingness in principle and willingness in practice to accept a situation in which the PA controls the civilian authorities in the Gaza Strip. Hamas also accepted the Egyptian demand that PA security personnel – the Presidential Guard – be stationed on the Palestinian side of the Rafah border crossing and along the border between the Gaza Strip and the Sinai Peninsula. In return, Hamas received a commitment that salaries of public servants would be paid (it was not clear, however, who those public servants are, and whether members of the Hamas military wing are included in them), consent for its joining the PLO, and a commitment to hold elections in six

months. It was apparent, however, based on past experience with previous attempted reconciliations between Fatah and Hamas, that Fatah has a strong interest in evading those commitments, using various excuses.

The national unity government, supported by Hamas, was headed by former Prime Minister Rami Hamdallah, and included more than a few ministers who were members of the previous government. Israel, however, responded to this development with a campaign of pressure against the PA, including a threat that it would not talk with anyone cooperating with Hamas and would delay the transfer of tax funds that it collects for the PA. Israel likewise took practical steps to prevent the transfer of funds from the PA to the Gaza Strip. At the same time, as evidence that the agreement on the establishment of a unity government had not erased the enmity between Fatah and Hamas, the PA itself did not meet its commitment to transfer money for salaries to Gaza, and made the payment contingent on a detailed examination of the names of the public servants. This was the background for the escalation between Israel and Hamas, which culminated in Operation Protective Edge.

Following Operation Protective Edge, the reconciliation agreement in effect collapsed, due to unwillingness on both sides to implement it. Each of them realized that the other side planned to take advantage of the agreement to weaken and eventually eliminate its adversary's political influence. Abbas became convinced of this after Israel revealed that it had exposed a Hamas network seeking to rebuild Hamas' military infrastructure in the West Bank to carry out terrorist attacks, as part of Hamas' belief that Fatah's loss of legitimacy would in the future enable it to seize power in the West Bank.<sup>7</sup> Despite this, no side was willing to declare an official end of the agreement, lest it be blamed by the Palestinian public for thwarting the reconciliation.

## **Operation Protective Edge**

### ***The Political Level***

Claims were made in Israel that the outbreak of a military conflict between the Gaza Strip and Israel was planned in advance by Hamas, which initiated the conflict in order to improve its situation in the Gaza Strip and in the Palestinian arena as a whole. In this narrative, common in the Israeli public discourse and in the Israeli media, and embraced by the government as well, the war was dubbed "the July war planned by Hamas."<sup>8</sup> Nevertheless, the

evolution of the crisis indicated that it is more likely that what occurred was an escalation into a comprehensive conflict that neither side managed to control, and at some stage did not want to stop.

The escalation began with the kidnapping of three Israeli teenagers by a Hamas unit in Hebron as a bargaining chip for the release of prisoners. Although the tactic is endorsed by the organization, the Hamas political and military leadership was unaware of this particular initiative. The unit kidnapped the three boys in Gush Etzion and murdered them when the operation went bad. Israel responded with tough measures, in part due to the young age of the victims. Security forces conducted an aggressive search for the kidnapped boys, while a decision was made to use the event for a large scale strike against Hamas' infrastructure in the West Bank, including the organization's political and social infrastructure. Many Hamas operatives and suspects were arrested, and the IDF raided institutions linked to the organization.

The escalation to warfare in the Gaza Strip began when other armed groups in Gaza, not Hamas itself, exploited the tension in the Israeli-Palestinian arena following the failure of the political negotiations and the confrontation that had developed in the West Bank as an excuse for firing rockets from the Strip at targets in Israel. Israel acted according to its customary policy of responding to rocket launchings from Gaza by attacking targets in Gazan territory. According to the Israeli approach, which contends that Hamas, as the ruler of the Gaza Strip, is the responsible party for what occurs there, the targets of the military response also included Hamas targets. A week after the rocket fire from Gaza began, following an Israeli attack on a Hamas tunnel in Gazan territory that killed members of a special Hamas force, the Hamas leadership decided to respond with even more massive rocket fire and take advantage of the escalation to fundamentally change the situation in the Gaza Strip by stabilizing its rule there.<sup>9</sup>

It is possible that the rocket fire by other militant groups operating in the Strip, combined with the Israel response to it, made it especially difficult for Hamas itself to refrain from a response. The other factions were not aiming solely at Israel; their goal was to deliver a message to the Palestinian population that Hamas was not a genuine resistance movement protesting the Israeli occupation, and that like Fatah and the PA, Hamas was in fact

serving the interests of Israel. The core of this message is that those factions are the genuine resistance movements, and are therefore entitled to public support. For its part, Hamas was unable to rebuff this accusation when it acted with restraint in its struggle against Israel. Those who advocated the idea that the escalation was initiated by Hamas argued that the rocket fire by the other factions was in fact a message conveyed by Hamas, which could have prevented these actions. It is possible, however, that due to the difficulties created by Israel for implementing the reconciliation agreement and measures taken by Egypt to rein in Hamas activity, elements in Hamas, especially in its military wing – frustrated because the PA was not transferring the salaries to Izz ad-Din al-Qassam operatives – believed that the conflict with Israel gave them a way out of the organizational and financial crisis. Either way, the escalation spilled over into a major conflict, because Israel was forced to respond to the launching of rockets by Hamas with a large scale attack in the Gaza Strip.

From Hamas' perspective, the beginning of the conflict differed from the background to its previous conflicts with Israel. The organization entered the war in a position of unprecedented, dire straits, which mired it in a situation in which it had nothing to lose. Indeed, Israel made it apparent from the beginning of the campaign that it did not intend to topple Hamas' rule in the Gaza Strip. The lack of stability and the organizational rift among its decision makers was unprecedented as well. The split, in part due to the geographic separation between the branches of Hamas' leadership, was also reflected in the contrasting interests of the organization's military and political echelons in the Gaza Strip and the leadership outside the Gaza Strip.

Following the death of its previous commander, Ahmed al-Jabari, at the outset of Operation Pillar of Defense (November 2012), the military arm of Hamas, under the command of Mohammed Deif, adopted a more militant policy. This greater militancy, which resulted from feelings of frustration caused by the economic distress in the Gaza Strip, was obviously also fanned by the claims that Israel was not fulfilling its part of the understandings achieved at the end of Operation Pillar of Defense concerning freer movement of people and goods to and from the Gaza Strip. The members of the Hamas political wing, who are closer to the local population and therefore tend to exhibit a more moderate approach, were more inclined to agree to an early ceasefire.

On the other hand, the political wing outside the Gaza Strip acted to a large extent in accordance with the policy of the organization's regional patrons. Khaled Mashal, chairman of the Hamas Political Bureau and sponsored and sheltered by the regime in Qatar, generally endorsed the positions of the military wing, and presented excessive demands as a condition for a ceasefire. Musa Abu Marzook, Mashal's deputy who resides in Cairo, took a moderate stance in support of the ceasefire proposals by Egypt.

The round of fighting between Israel and Hamas in the summer of 2014 was marked by its uncharacteristically long duration. The conflict continued for 50 days, from July 8 until August 26 (Operation Pillar of Defense, which preceded it, lasted for eight days, and Operation Cast Lead – late 2008 to early 2009 – continued for 23 days). From an early stage of the fighting, Israel was willing to accept a ceasefire – “quiet in exchange for quiet” – but Hamas refused to stop shooting rockets until the principles for removal of the blockade and reconstruction of Gaza were agreed. The long duration of the fighting this time can be attributed to improved stamina on the part of Hamas, which relied heavily on its store of rockets and the protection afforded by tunnels. From its experience with previous rounds of fighting with Israel, Hamas realized that it had to extort achievements from Israel as a condition for a ceasefire; otherwise, its chances of ending the blockade against the Gaza Strip were poor. A prevailing argument among the Israeli public held that the IDF's air raids and limited ground missions did not generate pressure capable of convincing Hamas to halt its fire and stop the fighting; at an advanced stage of the campaign, after high rise buildings in Gaza were leveled, the elite in the city put pressure on the Hamas leadership for a ceasefire. There is not enough evidence supporting this argument, however. It therefore appears that the difficulty in reaching an early ceasefire was due mainly to the combination of three factors: the crisis within Hamas before the escalation, the lack of stability in Hamas' decision making mechanism, and a dynamic characterized by a lack of coordination between external players who could have helped push a ceasefire through.

Given the crisis backdrop, it was difficult for Hamas to consent to a ceasefire without any economic yield whatsoever, such as progress toward a removal of the blockade against the Gaza Strip, and especially without a solution to the organization's own financial crisis through an arrangement for

paying salaries to its public servants in the Gaza Strip. In the absence of such achievements, Hamas was unable to explain to the Gazan population why it became entangled in a war that incurred such a heavy cost in casualties and infrastructure. Practical gains, such as freer movement of goods and people to and from Gaza, were extremely important to the organization, as were symbolic accomplishments that could be depicted as a “picture of victory,” for example, Israeli consent to the construction of a seaport and airport in Gaza – even if these would make no contribution to an immediate solution to the crisis. For its part, Israel was willing to open the Gaza Strip to freer traffic that would improve the humanitarian situation in the area, but was unwilling to have this interpreted as a prize for Hamas aggression. The weakness of the Hamas decision making echelon, which enabled the military wing to veto any decision, also delayed Hamas’ agreeing to a ceasefire.

Beyond this, as a result of the el-Sisi government’s stance on the conflict and on Hamas in general, Hamas regarded Egypt, the traditional mediator for a ceasefire between Israel and the organization, as a hostile party and strategic partner of Israel. For its part, Israel opposed the mediation efforts of Qatar and Turkey, whose role in the conflict was more aligned with Hamas.<sup>10</sup> The United States also tried to promote an early ceasefire, but did so ineffectively, in a way that alienated three key players: Israel, Egypt, and the PA leadership. It is possible that this failure prevented an earlier end to the military campaign. To be sure, Secretary Kerry’s assessment that Qatar and Turkey were potentially able to influence Hamas and should therefore be involved in the mediation effort was not completely unfounded. At the same time, excluding Egypt and the PA, as reflected in the failure to invite them to a meeting that Kerry held in Paris with representatives of Qatar and Turkey in the framework of his mediation effort, ruined the chances that this attempt would succeed. Furthermore, Kerry’s approach gave Qatar and Turkey the sense that they could dictate a ceasefire on Hamas’ terms. When Kerry presented their ceasefire proposal as his own initiative, his mediation efforts became irrelevant.

After 50 days of fighting, Israel and Egypt succeeded in dictating their terms for a ceasefire.<sup>11</sup> The Hamas leadership was forced to accept the Egyptian dictates, in which Hamas would not be the sole representative of the Palestinian side in the follow-up discussions on the renewed arrangement in



the Gaza Strip, and the Palestinian delegation would include all the relevant organizations, with officials from the PLO/PA at the helm. Egypt thus made President Abbas a key player in the Gazan crisis and the ceasefire. In addition, the two-stage plan proposed by Egypt reflected its desire to deny Hamas the possibility of claiming achievements. It consisted of a ceasefire with no conditions other than humanitarian aid for the Gaza Strip and extension of the fishing zone in Gazan waters (from three to six miles) and a month of negotiations on the additional demands of Israel and Hamas, with the goal of institutionalizing a long term ceasefire.

### ***The Military Aspect***

In contrast to the previous rounds of fighting against Israel, in Operation Protective Edge Hamas did not confine itself to rocket and mortar fire against Israeli targets mainly in civilian communities; it also used other means to attack Israeli targets. Forces were sent into Israel through trans-border offensive tunnels, commando forces were sent by sea, and unmanned aerial vehicles (UAVs) were launched on attack (suicide) missions. This diversity of tactics indicated Hamas' realization that it had to find an answer to the solutions developed by Israel against the rocket threat.

When the campaign began, Hamas and the other factions operating in the Gaza Strip had a larger store of rockets (over 10,000) than in the previous rounds of fighting, including a larger number of long range rockets covering Israeli territory as far as Jerusalem and Zichron Yaakov. Israel's operational answer, which comprised the Iron Dome anti-rocket system (with an interception success rate of over 90 percent), a wide ranging alert and warning system, and protected spaces, proved to be very effective, providing a nearly hermetic defense for civilians in most of the area covered by rocket fire from the Gaza Strip. The Israeli defense system also enabled most of the population to continue its daily routine.

No adequate solution was found, however, for the defense needs of the communities in the area adjacent to the Gaza Strip. These communities were hit by mortar fire, a threat that is not addressed by the Iron Dome system. The frequency of the bombardment did not allow the continuation of ordinary life, and the short warning times did not always enable the residents to reach protected spaces. For this reason, some of the local population left

their communities for as long as the shooting continued. Yet all in all, the number of casualties from rocket and mortar fire during the 50 days of fighting was extremely low.

The main lesson of this aspect of the campaign is that appropriate answers should also be developed for mortar fire and short range rockets, and indeed, Hamas was unable to launch heavy rocket barrages. It is likely that in order to cope with more challenging launch scenarios, including UAVs and ground-to-ground rockets and missiles fired by Hizbollah from the north, for example, Israel will need more Iron Dome batteries and the Magic Wand system.

Israel successfully foiled the attempted penetrations from the sea and the UAV attacks, but countering infiltrations through the tunnels was more difficult. In recent years, Hamas has built dozens of tunnels penetrating into Israeli territory, only a few of which were exposed and destroyed by IDF forces before the war. It was known that there were many more tunnels, but the efforts to develop technological means to detect them were unsuccessful, and the tunnels cannot be destroyed unless their precise route is discovered. There was great concern that Hamas forces would use the tunnels to enter Israeli territory and attack Israeli communities. The main operational answer to this threat is stepping up the detection system designed to spot the attacking forces when they emerge above ground and improved defense of the communities. Not a single civilian or community was attacked in this manner, but the use of the tunnels for penetration enabled Hamas forces to attack IDF forces in relatively favorable conditions, thereby causing losses among the troops.

More Hamas targets were attacked than in previous rounds of fighting, both because Israeli intelligence was successful in amassing a collection of targets and because of the relatively long duration of the conflict and better intelligence capabilities in identifying new targets. On the other hand, there were three factors that limited the attacks' effectiveness. The first was the massive effort by Hamas to protect most of its firepower by burying it underground. The second was the growing use by Hamas of the civilian population in order to make it difficult for the IDF to damage its military capabilities. The organization's firepower, munitions stores, headquarters, and production systems were placed in the middle of the civilian population, sometimes close to sensitive facilities like schools, hospitals, clinics, UN

institutions, and mosques. This policy made it difficult for the IDF to avoid extensive collateral damage. It was estimated that over 50 percent of those injured in the Gaza Strip were “uninvolved,” a result that had a grave effect on Israel’s international image. The third factor was the labyrinth of tunnels built within the Gaza Strip itself, together with the offensive tunnels on the border between Israel and the Strip. Hamas soldiers were protected inside them, moved freely and delivered supplies to operatives, and surprised IDF forces in action from within the tunnels during the land-based operations stage of the fighting.

From an early stage, the Israeli political system debated the goals of the war. As a lesson from previous asymmetrical campaigns, the government defined very modest goals, “quiet in return for quiet” and “exacting a price” from Hamas. This terminology reflected the belief that the conflict occurred due to an erosion of Israel’s deterrence. Thus, the goal was to restore deterrence, assuming that this could be achieved by thwarting Hamas’ attempts to cause losses on the Israeli side and exacting a price from it, demonstrating that Hamas would pay dearly for very few, if any, achievements. These goals were translated into a combination of an effective defense system with counterattacks, mainly from the air, and also from the sea and land.

Voices were heard, primarily from the right of the Israeli political spectrum, calling for more ambitious operational goals, such as bringing down Hamas’ rule in Gaza and defeating the organization. There was also a dispute about the need for ground-based operations together with aerial counterattacks, particularly when it was argued that Hamas could not be defeated or its rule eliminated without ground operations. Some also believed that restoring deterrence requires ground-based operations, because if Hamas believes that Israel is unwilling to pay the price of ground operations, its ability to deter will be affected.

Until nearly the end of the campaign, the Israeli political leadership, and apparently also the military leadership, continued adhering to the concept that ground operations should be avoided, and that it was enough to severely damage Hamas’ infrastructure with counterattacks, combined with the effectiveness of the Israeli defense system, in order to achieve credible deterrence. At the same time, the appearance of the threat posed by the offensive tunnels led to the realization that limited ground operations were

necessary in order to destroy the tunnels. Ground forces entered the Gaza Strip along the border and to a depth of about three kilometers for this purpose, found the tunnels, and destroyed them. These forces left Gazan territory when their operational mission had been completed.

The vast majority of the 74 Israelis killed in the campaign – a relatively high number of casualties – came during these operations. In many areas of the Gaza Strip, the built-up areas are located close to the border with Israel. This fact obliged the Israeli forces to engage in combat in populated areas in order to locate and destroy the tunnels. For the same reason, there were many victims among the “uninvolved,” when IDF ground troops needed massive firepower to extricate themselves from difficult situations. Against this background, a dispute arose in the political system and the Israeli public about what ground operations were necessary. It was argued that it would have been better to use maneuvering forces to penetrate deep into the Gaza Strip – even as far as the coast – while taking advantage of open spaces. This argument was based on the belief that combat in a less crowded area would have caused Hamas much greater losses, and would have generated heavier pressure than was actually created to halt the fighting. Adopting this operational concept, however, would not have avoided the necessity to locate and destroy the tunnels. It is not clear to what extent the aims expected by the supporters of this alternative approach could have been achieved in an asymmetric campaign in which the opposing force combined guerilla tactics with conventional warfare in a civilian environment.

Operation Protective Edge made it clear that deterrence is an equation with two variables: on the one hand, the ability to thwart the planning of the other side and a credible threat to punish it if its plans are carried out; on the other hand, the extent of the other side’s motivation to embark on a violent conflict. When this side is highly motivated to change what it regards it as an unbearable status quo, the effort at deterrence is bound to fail. In many respects, this was Hamas’ situation before the war began. Presumably even if Israel and Hamas had not reached agreement on a prolonged ceasefire and its conditions, Hamas would have had difficulty in justifying a renewal of the conflict, given the large number of casualties – about 2,300 killed – and the enormous scope of the destruction to the Gaza Strip during the fighting. Furthermore, the effectiveness of Egypt’s measures to stop the smuggling

of weapons into the Gaza Strip is hampering Hamas' effort to rebuild its military capabilities. In any case, the degree of success in the effort to restore Israeli deterrence against Hamas can only be assessed in the long term.

The asymmetric character of the campaign between Israel and Hamas caused frustration among much of the Israeli public and the political system. It was difficult for many to accept that an army with enormous capabilities like the IDF was incapable of defeating and routing a "gang" like Hamas. It was also hard to convince people that in order to defeat and disarm a military force like Hamas, it was necessary to occupy the Gaza Strip and remain there for the extended period needed to locate small groups and eliminate their ability to operate, while a terrorist campaign would be waged against IDF forces. The Israeli government preferred not to pay the high price in blood of occupying the Gaza Strip and remaining there for a prolonged period, because it is not clear how and when it would be possible to withdraw from Gaza, and because it was evident that a renewed occupation of the Gaza Strip would not have defeated Hamas, a political and social movement with deep roots in Palestinian society.

### **Dilemmas of the Day After**

The events in the Israeli-Palestinian arena of the past year have demonstrated that the status quo is both unstable and exacts costs that are liable to increase. The parties directly involved in the conflict – Israel, the Palestinian leadership in Ramallah, and Hamas – will all have to cope with the ramifications of this conclusion. The PA is in a deep crisis. The paradigm that it adopted, based mainly on realizing the Palestinian national aspirations through a political process of negotiation, has failed thus far and is currently at an impasse. In addition, the PA leadership suffers from a severe legitimacy deficit. Not only does it lack legitimacy that would result from democratic elections, since President Abbas' term in office expired several years ago and no new presidential and legislative council elections are in sight, but it has also lost the legitimacy derived from a political platform enjoying public support. The vast majority of the Palestinian public no longer believes that there is any use in negotiating with Israel, and Abbas' policy, which in principle adheres to the political process, is regarded as a complete failure. Furthermore, the PA is perceived as collaborating with Israel by actually facilitating the Israeli

occupation. This perception of the situation, combined with impressions from Operation Protective Edge, has caused a dramatic drop in support for Fatah and Abbas. At the same time, there was a clear rise, for a limited time, in the rate of support for Hamas, whose paradigm of resistance was perceived as both effective and proof that Israel was unable to impose a solution on the Palestinians based on its military power. Hamas was seen as having proven its resilience and steadfastness against Israel, and Abbas and his coterie were therefore searching desperately for a path that will enable them to emerge from the political quagmire. Consequently, they have turned again to the international community, and with greater vigor.

Another course of action is an effort to restore the PA's hold on the Gaza Strip. Egypt itself is seeking to exploit the reconstruction enterprise in Gaza as a lever to weaken Hamas. The necessity for the reconstruction project is evident, particularly with the destruction caused by Operation Protective Edge, which came on the heels of the extensive damage to the Gazan economy following many years of restricted movement to and from the area. It is doubtful, however, whether the reconstruction enterprise will be carried out as it should and create in the Gaza Strip in particular, and the Palestinian arena in general, the strategic-political change that will translate into renewed rule by the PA, which fears a return to the Gaza Strip. It is hard to promote a viable operational program in this regard, because there is a clear framework only for the first stage of the plan devised by Cairo for Gaza. Egypt has made the opening of the Rafah border crossing contingent on the stationing of PA presidential guard forces on the Palestinian side of the crossing and along the border with Egypt, and on the transfer of control over the civilian (blue-uniformed) police in the Gaza Strip to the PA. Egypt also proposed that Israel make the same demand for the border crossings from Israel to Gaza.

Another condition stipulated in the first stage of the Egyptian plan is that management of the reconstruction program be exclusively in PA hands, and that it, including the transfer of funds, occur through the Palestinian unity government, based on the reconciliation agreement between Fatah and Hamas. Ostensibly, the formation of a unity government reflected Hamas' consent to transfer civilian authority in the Gaza Strip to the PA, but Hamas is not expected to sit by while a plan to weaken it and strengthen its political

rival is underway. As long as Hamas wields military-security power in Gaza, its forces will be able to thwart plans to deprive it of its leading role there. Hamas is ready for a limited degree of cooperation with the PA, but it is expected to make this coordination contingent on the payment of salaries to its operatives, whom it regards as the public servants in the Gaza Strip. Beside the employees in the various government ministries, who were appointed by Hamas, these in Hamas' view include members of Izz ad-Din al-Qassam. There is little chance that the PA and the donor countries aiding in the reconstruction enterprise will accept this condition. On the other hand, Hamas is expected to act here, as in other contexts, according to its organizational interests – even at the price of disrupting the plans for Gaza reconstruction.

Furthermore, President Abbas, who believes that he has suffered many times in the past when Israel, the United States, and Egypt did not keep their promises to him, will not necessarily be willing to play the part assigned to him as part of the new arrangement in the Gaza Strip. He will likely refuse to take chances without a suitable quid pro quo in the West Bank and broad backing. The PA will have to take into account the risk that Hamas will prevent it from exercising its civilian authority in the Gaza Strip, thereby neutralizing its control of the reconstruction. Abbas is also expected to refuse to station the PA's limited forces in the Gaza Strip, which would put them at the mercy of the superior Hamas forces, unless Israel and Egypt undertake to intervene in any conflict that develops between the PA and Hamas. At the same time, such a commitment has a price: it is liable to appear to the Palestinian public that Abbas is doing the bidding of Israel, Egypt (and its partners in the region), and the US, while Hamas, as an authentic resistance movement, maintains its independence in decisions against these stronger forces. For Abbas, this risk is tolerable if the reconstruction project in Gaza, led by the PA, is combined with a comprehensive political plan. However, and this is the main problem, Israel and the US have shown no willingness to initiate political moves that will guarantee a breakthrough toward the realization of the Palestinians' national goals.

President Abbas has conditioned PA cooperation on a plan combining a return to the Gaza Strip with American consent to a Palestinian petition to the UN Security Council for recognition of a Palestinian state in the



1967 borders and requiring Israel to withdraw from the occupied territories within three years. In the background to this condition are the UN General Assembly's recognition in November 2012 of Palestine as an observer country; the failure of the talks between Israel and the PLO mediated by Secretary Kerry; the frustration of President Obama with the Netanyahu government's policy on the conflict and the political process; the widespread criticism of the Israeli government's extended construction in Jewish settlements in the West Bank and other activity that makes a two-state solution even more elusive; and the painful images from Operation Protective Edge. If Abbas' plan is carried out, the Palestinians will accelerate the process of joining international organizations and conventions, turning international forums into a platform for an overall political and legal attack on Israel's policy on the Palestinian question.

The proposed resolution submitted by Jordan to the Security Council in December 2014 states that the Palestinians seek "a just, lasting and comprehensive peaceful solution that brings an end to the Israeli occupation since 1967 and fulfills the vision of two independent, democratic and prosperous states, Israel and a sovereign, contiguous and viable State of Palestine." It stipulates that the Palestinians seek to reach a settlement within a year after the resolution passes, and want Israel to withdraw gradually from the territories by the end of 2017. The resolution did not receive the requisite support, but even had such support been obtained, it is doubtful whether it would have had any concrete effect on the sphere of conflict, because Israel would not agree to negotiate while the Palestinians take unilateral antagonistic steps.

Following the rejection of the Palestinian resolution in the Security Council, the Palestinians filed a request for accession to the Rome Statute and the International Criminal Court in The Hague, threatening to file claims against Israel for war crimes. The US administration criticized the request, although it did not threaten to stop its aid to the PA. Israel, on the other hand, resorted to the same measure that it has taken more than once in the past for the purpose of punishing the PA for moves perceived as running counter to the principle of negotiations toward a negotiated settlement: economic sanctions, especially suspension of the transfer of tax revenues collected on behalf of the PA.

Palestinian accession to the International Criminal Court will be a legal and diplomatic nuisance for Israel, but it is doubtful whether it will materially change the government's policy on the conditions for negotiating an agreement. This is the reason why mentioning the stalemate in the political process, President Abbas and his associates invoked the "doomsday weapon" – the dissolution of the Palestinian Authority and the transfer of overall responsibility for the West Bank to Israel. The credibility of the threat is highly questionable: while Abbas may carry out the threat of his resignation that he has made more than once – and his empty seat could well lead to chaos – it is not likely that the PA will voluntarily liquidate itself, since its existence serves a great many interests in the Palestinian arena. It will survive as long as it benefits from external financial aid, although it will continue to weaken and lose legitimacy. This scenario also incurs costs for Israel, however, because the PA security forces, which are losing legitimacy, will find it difficult to carry out their security missions in cooperation with Israel.

Uncertainty is not confined to the future of the PA; the same applies to the reconciliation agreement between Fatah and Hamas and the Palestinian unity government. Following the campaign in Gaza and the exposure of the Hamas plot in the West Bank, based on accusations published by Israel, the hostility between Abbas/Fatah and Hamas escalated. Abbas claimed that Hamas was not implementing the reconciliation agreement in the Gaza Strip, and was using it to fortify its rule there,<sup>12</sup> while Hamas accused President Abbas of cooperation with Israel and Egypt, continued persecution of Hamas operatives in the West Bank in cooperation with Israeli security forces, and the failure to implement the reconciliation agreement as written. Nonetheless, the two sides have refrained from publicly revoking the reconciliation agreement, and therefore a chance remains that it will survive the storm. The balance of mutual weakness between Fatah and Hamas provided the background for the agreement and was its underlying cause. Both of them still hope to use it to escape the crisis that besets them, and neither wishes to be perceived by the Palestinian public as the one responsible for destroying "national unity."

For Israel, one key question is how to prevent Hamas from rearming, as rearmament would erode the deterrent achieved in Operation Protective Edge and shorten the time of relative quiet before the next outbreak of violence. When the ceasefire was discussed, Israel demanded that Hamas and

other armed groups in the Gaza Strip be disarmed in exchange for opening the border crossings, construction of a seaport and airport, and a large scale reconstruction program for the Gaza Strip. The chances that Hamas will agree to this formula are nil, and it cannot be forced to accept it. The challenge is therefore to formulate a plan that will gradually weaken Hamas and slow its rearmament as much as possible. The bad blood between the el-Sisi regime in Egypt and Hamas may indicate a possibility of carrying out a plan along these lines. Hamas' munitions stores were largely depleted during Operation Protective Edge and the organization will find it difficult to restock them, now that the blocked tunnels have reduced its ability to smuggle weapons by way of Sinai. At the same time, the opening of the Gaza Strip border crossings and the comprehensive reconstruction program in the region will make it difficult to implement this plan: it will be possible for Hamas to rebuild its local weapons industry. It will therefore be necessary to establish a tight cooperative inspection system including Egypt, the PA, and the international community for goods entering the Gaza Strip. At the same time, Israel should also consider adopting a proactive policy against weapons manufacturing, even if this incurs the risk of undermining stability in its relations with the Gaza Strip.

In view of the current Israeli government's policy, which holds that negotiations for a settlement with a Hamas-led Palestinian Authority are pointless, and given the preparations for the March 2015 elections, Israel bears responsibility for stabilizing the situation in the Gaza Strip. In order to prevent escalation into another military conflict, Israel will have to grant substantial aid to the Gaza Strip, involving a flow of goods that includes construction materials, a supply of electricity and water, and aid in rebuilding infrastructure. Tension exists between the need to restrain Hamas and the need to provide aid, which will strengthen Hamas and enhance the organization's legitimacy. In practice, however, Israel and Hamas have a common interest: keeping Gaza's "head above water" before it sinks into another round of renewed violence. This contrasts with the Egyptian aim to overthrow Hamas rule and restore the PA's hold in the Gaza Strip, or at least increase the influence of Fatah in the area, led by Mohammed Dahlan.

One material question is whether in the face of the prolonged political stalemate and no improvement in the economic situation in the Gaza Strip

following Operation Protective Edge, a major violent conflict in the West Bank, a “third intifada,” should be expected. There are ostensible signs that widespread violence is poised to erupt, given the large number of spontaneous terrorist attacks by individuals with no organizational affiliation (“lone wolves”) that have taken place in late 2014 and early 2015. It is also possible that the murder of the three Israeli teenagers in the Gush Etzion area just before Operation Protective Edge was such a terrorist attack. The people who committed it were known Hamas members, but they were not following instructions from the organization’s highest echelon. In fact, it appears that currently the vast majority of the Palestinian public is not eager to take part in a widespread uprising, fearing a return to the difficult days of blood and destruction in the second intifada. Evidence of this lies in the small scale of participation by West Bank Palestinians in the demonstrations during Operation Protective Edge. The prevalent response among Palestinians to a current plight is a retreat inward to the family and its immediate surroundings.

Israel indeed influences the potential emergence of a new round of conflict. The events in Jerusalem in the months following Operation Protective Edge, particularly the tension arising between Jews and Muslims on the Temple Mount, were the background to a sharp increase in violent Palestinian protests in the city. There are particular reasons for the tension in Jerusalem, from the ongoing discrimination against the Palestinian population in the city to the virulent anti-Palestinian atmosphere prevailing among broad sections of Jerusalem’s Jewish residents, reflected in part in violent “price tag” acts against Palestinians in the city and in other areas in the West Bank. The escalation in hostility and violence naturally bears a cyclical character. The possibility that violence originating in Jerusalem stemming from the Jewish-Muslim/Israeli-Palestinian tension will spread beyond the city to the West Bank is a reasonable concern.

## **The Regional Picture**

The political and social upheaval in many Middle East countries in recent years has created a new balance of power and set of alliances. One major feature of this emerging system is the interest on the part of key Arab countries in the pragmatic Sunni camp in cooperation and policy coordination with Israel against the radical camp led by Iran, and against the two main branches

of the extremist Sunni camp: the Salafist jihadi branch and the Muslim Brotherhood. In order to realize the strategic potential in such cooperation, pragmatic Arab countries would like to remove the Israeli-Palestinian conflict from the regional agenda. For this reason, they are showing willingness to take advantage of the declining ability of the regional spoilers (Hizbollah, Iran, and Hamas) to disrupt political initiatives, resulting from these actors' direct involvement in their own struggles, and are willing to invest diplomatic and economic resources in regulating Israel-Palestinian relations in the framework of a general settlement.

In addition, the severe crisis besetting Hamas and the results of Operation Protective Edge have created an opportunity to address the problematic split between the Gaza Strip and the West Bank, which has been a stumbling block in the way of any attempt to settle or alleviate the conflict between Israel and the Palestinians. The reconciliation process between Fatah and Hamas and between the West Bank and the Gaza Strip involves risks, since it is likely to strengthen Hamas' standing in the Palestinian arena. Nevertheless, it has the potential for reuniting the Palestinian territories and forming a functioning Palestinian unity government. For Israel, such a government will constitute a partner and responsible address that will more clearly and fully represent the residents of the territories than the PA does at present, and can therefore inject renewed content into the political process for any type of understandings and arrangements between Israel and the Palestinians.

There is no simple and sure way to reap the most of these opportunities. Under the current conditions, the high road of negotiations between Israel and the Palestinians on a permanent settlement has become strewn with obstacles, if not completely blocked. The gaps between the fundamental positions of the two sides and their respective political constraints can be expected to prevent them from making the necessary changes in policy required for progress toward a comprehensive resolution of the conflict within a short period of time. Various partial consensual measures, however, as well as coordinated unilateral measures that Israel and the Palestinians can take, concomitant with dialogue and cooperation with a coalition of "willing" regional players based on the Arab Peace Initiative, are likely to halt the PA's diplomatic momentum, contribute to resolution of the conflict on the

basis of an agreed arrangement, stabilize Israel's strategic environment, and improve its regional and international status.

## Notes

- 1 Moran Azoulay, "Minister Saar on the Negotiations: We Won't Go Back to the 1967 Lines," *Ynet*, August 29, 2013, <http://www.ynet.co.il/articles/0,7340,L-4424094,00.html>; "Peace Talks with Israel Going Nowhere: Senior Palestinian," *Reuters*, September 4, 2013, <http://www.reuters.com/article/2013/09/04/us-palestinians-israel-idUSBRE9830AV20130904>.
- 2 Barak Ravid, "Israel Protests to US: The Palestinians Are Leaking the Negotiations," *Haaretz*, September 8, 2013, <http://www.haaretz.co.il/news/politics/.premium-1.2114649>.
- 3 Amir Rapaport, "Israel Rejects US Plan for Security Arrangements in the Jordan Valley Rift," *Israel Defense*, December 31, 2013, <http://www.israeldefense.com/?CategoryID=475&ArticleID=2670>.
- 4 Khaled Abu Toameh, "Abbas Reaffirms Refusal to Recognize Israel as a Jewish State," *Jerusalem Post*, November 1, 2013, <http://www.jpost.com/Diplomacy-and-Politics/Abbas-reaffirms-refusal-to-recognize-Israel-as-a-Jewish-state-337854>; Jack Khoury and Reuters, "Arab League Backs Abbas' Refusal to Recognize Israel as Jewish State," *Haaretz*, March 9, 2013, <http://www.haaretz.com/news/middle-east/1.578785>.
- 5 Jodi Rudoren, "Palestinian Leader Seeks NATO Force in Future State," *New York Times*, February 2, 2014, <http://www.nytimes.com/2014/02/03/world/middleeast/palestinian-leader-seeks-nato-force-in-future-state.html>.
- 6 Udi Segal, "Netanyahu's Formula: Prisoners for Construction," Channel 2, October 24, 2013, <http://www.mako.co.il/news-military/israel/Article-d051e66206be141004.htm>; Shlomi Eldar, "Despite Prisoner Release, Any Israeli Settlement Construction May End Talks," *al-Monitor*, December 31, 2013, <http://www.al-monitor.com/pulse/en/contents/articles/originals/2013/12/issa-karake-pa-minister-prisoner-release-settlements.html>.
- 7 Elior Levy, "Abu Mazen versus Hamas: Their Stubbornness Did Not Help," *Ynet*, August 29, 2014, <http://www.ynet.co.il/articles/0,7340,L-4565442,00.html>.
- 8 Avi Issacharoff, "What is the Hamas Leadership Trying to Achieve?" *Walla*, July 10, 2014, <http://news.walla.co.il/item/2763489>.
- 9 "News about Terrorism and the Arab-Israeli Conflict," Meir Amit Intelligence and Terrorism Information Center, July 8, 2014, <http://www.terrorism-info.org.il/he/articleprint.aspx?id=20665>.
- 10 Avi Issacharoff, "A New Mediation Initiative: Qatar's Ceasefire Proposal," *Walla*, July 19, 2014, <http://news.walla.co.il/item/2766858>; Semih Idiz, "Turkey,

Qatar Seek Foothold in Gaza Talks,” *al-Monitor*, August 3, 2014, <http://www.al-monitor.com/pulse/originals/2014/07/idiz-qatar-gaza-israel-operation-hamas-ankara-akp-erdogan.html#>.

- 11 Bassem Aly, “Egypt Urges ‘Bilateral Talks’ on New Gaza Ceasefire as War Resumes,” *Ahram Online*, August 20, 2014, <http://english.ahram.org.eg/NewsContent/2/8/108847/World/Region/Egypt-urges-bilateral-talks-on-new-Gaza-ceasefire-.aspx>.
- 12 “Palestinian Rift Reopens as Abbas Blames Hamas for Bombings,” *Reuters*, November 11, 2014, <http://ca.reuters.com/article/topNews/idCAKCN0IV16P20141111>.