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**חסויות:**

משה קורניק

Senat 328 on Political Issues:

**In Preparation for the Annapolis Peace Conference**

**Main Conclusion:**

**Abstract**

- The detailed negotiations conducted by the governments have exposed the gaps in their respective positions in addition to each side's internal political constraints. The question is, then, how much leadership as well as political and social determination each can exhibit, based on subjective feelings about their ability to bridge between what is needed and what can be accomplished.
- What is absolutely clear is that against a background of two leaders interested in but incapable of arriving at an agreement, failure will negatively affect the situation perhaps not immediately but definitely in the medium and long run. Continuation of the occupation without any hope of changing the current reality embodies a formula for deterioration.
- The basic aspiration is to arrive at an agreed-upon statement of principles. These principles will be approved by the participants and sanctioned by the Arab world, which will support implementation of the document and itself begin to move in the direction of normalization with Israel, based on the Arab League decisions.
- A detailed statement of principles is likely to inflame an internal debate within Hamas between the extremists headed by Mahmoud al-Zahar and the relative pragmatists headed by Haniya.
- The Americans understand that time is working against all parties because without an agreement, the pragmatists in the PA will be replaced by Iran and Al Qaeda, not Hamas.

The current state of affairs indicates that the Annapolis peace conference will be held in a number of weeks. A detailed schedule has yet to be confirmed, nor has an agenda or list of invitees despite the sincere desire and sense of urgency expressed by the main actors, Ehud Olmert and Mahmoud Abbas as well as their broker, Condoleezza Rice, who enjoys total support from President Bush.

The two Middle East leaders fully understand one another. They, like the Secretary of State, appreciate the fact that the document concluded will have to relate to the core issues: borders, Jerusalem, refugees, security, and the settlements. The Palestinians are desirous of achieving the most detailed document possible whereas the Israelis would prefer as general a document as possible. One option raised is the possibility that some of the issues, such as borders, will be treated in greater detail while others will be treated more generally. Whatever is decided, the negotiators are cognizant of each side's view of an ensuing permanent status agreement. The detailed negotiations have already revealed the gaps between the sides together with their internal political constraints. The question is, therefore, how much leadership in addition to political and social determination each side will display, subject to their subjective feelings regarding their capacity to bridge what must be done with what can be done, politically and socially.

Both leaders face severe internal obstacles. Regarding Olmert, the opposition is centred in the far right (threats have even been made on his life) and parliamentary factions; those from the right as well as from the left, irrespective of their ideological stance, view opposition as a tool to reinforce their electoral positions. As to Abbas, opposition to his position is found primarily among members of Hamas and the Jihad who have already planned to assail him. However, there are also factors belonging to the PLO, some of whom oppose every political compromise while others believe that their resistance will strengthen their positions in the internal Palestinian struggle.

The conference's original goal was to arrive at a mutually agreed-upon statement of principles (one to three pages long) that will openly declare their previously agreed-upon aspirations for future negotiations on a permanent settlement agreement. This agreement will be endorsed by the participating states as well as the Arab world, which is expected to support the document's implementation, accompanied by the first steps toward normalizing relations with Israel on the basis of Arab League decisions. To the degree that the sides arrive at a preliminary agreement but not a complete document, the intention is for the other participants (primarily the US, Egypt and Saudi Arabia) to assist in closing the gaps during the conference. Another scenario states that the sides will arrive at the conference with mutual understandings but not an agreed-upon document; under pressure from the other participants, they will then attempt to finalize a document during the conference.

A persistent option is for the sides not to reach any agreement, either before or during the conference. If the delegations do arrive at Annapolis, this will provide the Americans with an opportunity to summarize the results of the contacts and ensure the conference's desired conclusion. Failure is also an option, whether due to prior announcement of the conference's cancellation or from an inability to reach any conclusions during the conference. Failure could be disastrous. It would be interpreted as success for Hamas, which has previously stated that for the Palestinians, no conference can deliver any achievements. Such a situation would reinforce its position that the sole route to dialogue in the face of Israel's tough policy positions is active "opposition", that is, terror and kassam rocket launchings. Some venture that failure will ignite a third *intifada*; others predict that it will lead to even greater deterioration, a situation endangering Israel's relations with Egypt as well as Jordan; still others claim that there will be no tangible change. However, what is patently clear is that the conference's failure will negatively affect the situation, if not immediately then in the medium and long term. Continuation of the occupation in the absence of any hope of remedying the state of affairs, given a leadership interested in reaching an agreement but unable to do so, embodies a formula for disaster.

Egypt's scepticism about the conference's chances is widely known, but even the Jordanian king, Abdullah, publicly speculated a few months ago as to "whether the two-state solution is still part of Israel's strategic vision." Numerous factors in Jordan and in Egypt believe that the Israeli government does not want – more than it cannot – to permit establishment of a Palestinian state on the basis of its 1967 borders.

To those continuing to play with the Jordanian option or the idea of a federation, the king announced that he is "exerting every effort to confirm that the door to this option is closed before anyone attempts to open it."

A detailed agreement on the principles is also likely to arouse an internal argument within Hamas, between the factions headed by Mahmoud al-Zahar and the relatively pragmatic faction led by Ismail Haniya. We should stress that even those considered pragmatists have not abandoned their declared position stating that an Islamic regime should have control over all of Palestine. At the same time, Hamas leader Khaled Mashal announced in 2006 that in exchange for Israel's withdrawal to the 1967 borders, its implementation

of the right to return and release of Hamas prisoners, he would take concrete steps to establish a real peace with Israel. It is obvious that Israel does not accept these principles and that Abbas does not foresee their implementation; however, it is quite likely that they will motivate internal debate among some Hamas members and its supporters. Within this framework Azi Hemed, a leader of the moderate faction in Hamas, recently declared that "no halachic or political obstacles to negotiating with Israel are part of the Palestinians' principles." Only weak denials of his statement have come from the main organization. It is understood there as well that the population in the territories is tired of the conflict and looking for a new political horizon in the form of an agreement.

The American position is that the time for an agreement has arrived: the Palestinian leadership is ripe, any agreement will weaken Hamas, a Palestinian state is to Israel's interests, and establishment of a Palestinian state on the foundations of two states for two peoples is requisite for the future of the entire Middle East. An agreement therefore supports American interests. They likewise perceive that time is against all the sides interested in an agreement because without it, the force replacing the pragmatists in the territories will not be Hamas; instead, the territories will fall under Iran's and Al Qaeda's sphere of influence. Their position is quite reminiscent of the rather accurate prediction made by the Palestinians on the eve of Camp David: If the sides do not succeed in reaching an agreement, the PLO will surrender the reins of government to Hamas.

Success in arriving at a mutually agreed-upon document does not imply immediate implementation of its basic points. The road is still very long. The agreement's chief benefit lies in the creation of a political horizon that can help both sides proceed in a coordinated fashion while understanding the benefits inherent in a comprehensive agreement. This realization was missing from the political process emerging from Oslo and was, undoubtedly, one of the main factors in its collapse. The next stage will be to enter into long-term negotiations that will translate the agreement's general principles into a framework agreement or, if possible, a detailed permanent status agreement. Importantly, such an agreement will be realized gradually; therefore, there is no place for criticism based on the fear that the day following Annapolis, Palestinian policemen will be observed patrolling Jerusalem's neighbourhoods. Another interesting possibility is that the Annapolis agreement will be transformed into new decisions to be taken by the Security Council for the purpose of replacing the general and anachronistic Decision 242.