

Dear Prime Minister:

U.S. Efforts to Keep the Peace Process on Track

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Sep 29, 2010

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Brief Analysis

With Israel's ten-month moratorium on West Bank settlement construction now expired, Arab League foreign ministers are expected to convene on October 4 to discuss whether the Palestinian Authority (PA) should continue the peace talks. These developments have created a flurry of behind-the-scenes activity in a bid to keep the process alive. For the moment, the settlements issue is central, with challenges related to refugees, Jerusalem, and Gaza set aside.

The Obama Draft Letter

At the center of the diplomatic activity has been an intensive effort by the Obama administration to secure Israel's support for a sixty-day moratorium extension. In anticipation of the potential for impasse on the issue, these efforts began over the summer, continued with Secretary of State Hillary Clinton's recent visit to the region, and reached top pitch last week when the parties attended the UN General Assembly session in New York. According to senior U.S. officials, the administration's efforts culminated in a draft letter negotiated with Israeli defense minister Ehud Barak and chief Israeli peace negotiator Yitzhak Molcho, and ultimately sent from President Obama's desk to Prime Minister Binyamin Netanyahu.

At its core, the draft letter offers a string of assurances to Israel in return for a two-month moratorium extension. More specifically, U.S. officials indicate that the document makes commitments on issues ranging from current peace and security matters to future weapons deliveries in the event that peace-related security arrangements are reached.

Regarding policy issues, the draft letter guarantees that Washington will not ask for a moratorium extension beyond sixty days. Rather, the future of settlements is to be settled at the table as part of territorial negotiations. Second, the draft letter promises that the United States will veto any UN Security Council initiative -- Arab or otherwise -- relating to Arab-Israeli peace during the agreed one-year negotiating period. Third, Washington pledged to accept the legitimacy of existing Israeli security needs and not seek to redefine them. In this context, the draft letter explicitly mentions the need to ensure a complete ban on the smuggling of rockets, mortars, arms, and related items, as well as the infiltration of terrorists into Israel. This touches on one of the most sensitive aspects of negotiations: averting infiltration into Israel from the eastern border of a Palestinian state. In this context, the draft letter offers to help maintain a transitional period for Jordan Valley security that is longer than any other aspect of a negotiated peace -- an apparent allusion to keeping Israeli troops in that region for an extended period of time.

Finally, Washington pledges to engage Israel and Arab states in discussions of a "regional security architecture," addressing the need for more consultations on Iran. Although such a structure would not be formalized until a peace deal is reached, the United States would begin preparing the groundwork in advance. These efforts would not constitute commitments on the part of the PA or Arab states, but they would be important for Israel as unambiguous articulations of U.S. policy, which could in turn bear heavily on how the peace talks unfold.

Finally, the draft letter explicitly discusses the need to enhance Israel's defense capabilities in the event that the parties reach security arrangements. Even if a security deal fails to materialize, Washington's offer creates the baseline for Israel's defense needs in a post-peace era. These needs reportedly include a range of missile systems and aircraft (e.g., additional F-35s), layered missile defense, and multiplatform early warning means, including satellites. The Obama administration realizes that these needs would mean an unspecified increase in U.S. security assistance to Israel once a peace agreement is concluded.

Israel's Response

Early indications reveal that Netanyahu likes the inducements of the U.S. package but is not inclined to accept it. This could be a case of brinkmanship regarding the terms, or Netanyahu might simply prefer to reject the offer outright, since backtracking on his earlier insistence that the moratorium would expire could harm his credibility.

The prime minister has put forward three arguments defending his unwillingness to extend the moratorium, relating to the issues of reciprocity, consistency, and relevance. First, he says the original U.S. idea to halt settlement activity in 2009 required reciprocal actions from Arab states, which were not forthcoming. Second, the Palestinians did not initially deem the moratorium as significant, wasting nine out of the moratorium's ten months by not opening direct talks. In Netanyahu's view, why would a matter originally deemed insignificant become suddenly indispensable? Finally, he argues that the focus on settlements is excessive, since the parties will be dealing with the far larger issue of reaching the contours of an overall territorial solution within the next year. Beyond these arguments, it is also clear that Netanyahu fears losing elements of his coalition over the moratorium issue.

U.S. Alternatives

If Israel rejects Washington's offer, the United States may seek other steps -- possibly moving in the opposite direction -- in order to salvage the peace talks before the October 4 Arab League meeting. Such steps could include asking Israel to take confidence-building measures toward the Palestinians in the absence of a moratorium.

Another approach would be for Washington to explicitly adopt a position favored by Abbas, who argues that the 1967 border should be the baseline for talks, with minor modifications allowing Israel to trade for settlement blocs adjacent to its cities in exchange for land from within the 1967 border. Other Arab states would also like the United States to formally adopt this position. It is unclear whether Washington would articulate such a position as part of a broader package that would be acceptable to Israel as well.

Challenges for All Parties

Netanyahu will undoubtedly be asked why he was willing to forego strategic benefits for Israel for reasons that relate in no small measure to retaining his political base. This could pose a very serious challenge for him. Moreover, the Israeli public will wonder how the two leaders' personal relationship may be affected beyond the U.S. midterm elections. And Obama may wonder whether Netanyahu's current reluctance implies an unwillingness to concede on bigger issues in the future.

For his part, Obama will be asked whether his longtime focus on settlements put the United States in a more difficult position than he anticipated. Although much of this focus was vocalized during the first six months of his presidency, it has cast a shadow that, according to Abbas's public admissions, forced the PA to be more maximalist than it would otherwise be. Abbas believes that he cannot allow himself to be outflanked by Washington. Although Obama remained mute on the issue for a long time, he surprised many by publicly endorsing a moratorium extension in recent weeks instead of saying it was up to the parties to work out their differences.

Obama will also likely be questioned about the wisdom of launching peace talks before sorting out the moratorium issue. In response, he will likely point to the various Arab and European

initiatives at the Security Council he would have been faced with had the vacuum in peace talks persisted. Netanyahu urgently called for direct talks, and Obama joined hands with him this summer.

Abbas is sure to face questions about his actions as well. Among them is his strategy of insisting on Arab support before every move, believing that past failures are connected to Arab states standing at arms length and not providing adequate backing for the substance of peace talks. Yet the flip side might prove to be equally problematic -- his new approach could be more cumbersome, forcing him to take positions that could collapse the peace talks.

Conclusion

Both Israel and the PA will seek U.S. support in adopting positions that they hope will tip the balance of negotiations in their favor. Meanwhile, the settlements issue continues to overshadow other aspects of the negotiations and could even scuttle the talks entirely. It would be a bitter irony if a final peace resolution and the demarcation of a two-state solution were derailed due to problems with managing the lesser issue of the moment.

David Makovsky is the Ziegler distinguished fellow and director of the [Project on the Middle East Peace Process \(/template102.php?SID=16&newActiveSubNav=Project%20on%20the%20Middle%20East%20Peace%20Process&activeSubNavLink=template102.php%3FSID%3D16&newActiveNav=researchPrograms\)](#) at The Washington Institute. ❖

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