

Prospects for the Resumption of Israeli-Palestinian Peace Talks

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Jan 15, 2010

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Brief Analysis

U.S. Middle East peace envoy George Mitchell will return to the region next week in a bid to restart talks that have been stalled since the beginning of the Obama administration. In a television interview earlier this month, Mitchell declared that he would like to complete peace talks between Israel and the Palestinians within two years, if not sooner. Senior U.S. officials, including President Obama, have called for an unconditional return to the negotiating table. The official position of Palestinian president Mahmoud Abbas is that talks cannot resume until Israel extends its settlement moratorium to east Jerusalem. He also wants the pre-1967 boundaries to serve as the baseline for negotiations. At the same time, he has made a statement indicating that he regrets how he reached his current position, hinting that the current impasse does not serve the Palestinian people's interests. Is there more convergence between the two sides than is readily apparent?

Context of the Current Impasse

Peace talks have remained elusive since the first day of the Obama administration due in large part to the handling of the settlements issue. For much of 2009, the U.S. position was that Israel should not only avoid expanding settlement activity, but also freeze construction within existing settlements. Although the Obama administration insists that it never wanted a freeze to be a formal precondition for peace talks, its preferences became a de facto requirement from the Palestinian perspective. In short, Abbas felt boxed in when the administration stated its maximalist position but then sought to negotiate a ten-month, limited moratorium with Israel. He explained the problem in a little-noticed December 22, 2009, interview with the London-based pan-Arab daily al-Sharq al-Awsat, where he blamed Washington for putting forward the freeze idea and then asking him to compromise. He recalled telling U.S. officials during a September meeting at the UN, "You put me on top of a tree, and now you ask me for a solution, and to climb down." Abbas continued, "Obama laid down the condition of halting the settlements completely. What could I say to him? Should I say this is too much?"

Meanwhile, Israel has also backed off from several positions unfavorable to the resumption of talks. For example, Prime Minister Binyamin Netanyahu originally held that there should be no further talks until the United States found a way to halt the Iranian nuclear program. He also opposed the creation of a Palestinian state. Over the past few months, however, he has adjusted his stance, endorsing statehood, abandoning the Iranian requirement, and

insisting to Washington that no Israeli leader has supported a settlement moratorium to the extent he has.

Getting Back to the Table

Currently, Mitchell is exploring whether it is possible to return to the peace table after what might be called a lost year. So far, the two sides have quietly agreed to a text that could serve as a foundation for renewed talks. The subject of months of negotiations, the text was made public on November 25, immediately after Netanyahu's announcement of a settlement moratorium. Despite the text's release under Secretary of State Hillary Clinton's name and her subsequent reiteration, it avoids staking out a new American policy position. Instead, it encapsulates Israeli and Palestinian aspirations, stating: "We believe that through good-faith negotiations the parties can mutually agree on an outcome which ends the conflict and reconciles the Palestinian goal of an independent and viable state based on the 1967 lines, with agreed swaps, and the Israeli goal of a Jewish state with secure and recognized borders that reflect subsequent developments and meet Israeli security requirements." In effect, the text allowed Washington to say that the goals of the two sides are reconcilable, without committing itself or Israel to the 1967 lines or to land swaps that would counterbalance settlement blocs.

Discussions with officials of both sides suggest that there are more convergences than divergences between Israelis and Palestinians. To enable the successful resumption of talks, all parties will need to recognize and pursue these convergences, many of which center on avoiding past pitfalls such as those described below.

No Letter of U.S. Assurances

Some European and Arab states would like the United States to go further than the Clinton declaration and issue a letter of assurance restating U.S. support for the 1967 borders with minor modifications. This idea has several problems, however, and was publicly rejected this week by Abbas as superfluous. First, with the exception of Egypt (which has sought to restart talks), the Arab states have done virtually nothing to realize Mitchell's hope that they would reciprocate an Israeli settlement moratorium even if it were less than the full freeze envisioned a year ago. Second, the process of drafting any letter of assurance would require its own arduous negotiations. Third, prominent Palestinians have said privately that a U.S. letter to Abbas would inevitably be matched by a similar letter to the Israelis. This letter would in turn be made public and could therefore be exploited by hardline Palestinian critics of the Abbas government.

No Annapolis II

Both Israeli and Palestinian publics tend to be jaded, having heard many speeches with meager results. Therefore, neither wants a repeat of the 2007 Annapolis peace conference, where peace talks were launched in the glare of klieg lights. Moreover, Annapolis represents an effort to resolve all the core issues dividing Israelis and Palestinians. There is too much risk of high expectations going unfulfilled, with potentially disastrous consequences. Such public peace talks could raise domestic issues for both parties, leading them to stake out positions that might lead to a breakdown.

A Discreet Channel

The past practice of holding regular executive-level meetings, such as those between Abbas and former Israeli prime minister Ehud Olmert, does not seem to be a useful model at this stage. Currently, Abbas seems to enjoy earning political capital without making decisions. To this end, he is assisted by Palestinian negotiator Saeb Erekat, who echoes Abbas's indecision. In Washington, however, many are concerned that Erekat has misrepresented U.S. positions. For example, in a recent report to the Fatah Central Committee, he stated that Washington endorses the idea of picking up where the Abbas-Olmert talks left off, which is not the case. He has also long enjoyed being defiant toward Israel, apparently believing that it bolsters his domestic standing. Therefore, he does not fear that he will have to pay a political price for failing to establish any semblance of trust or working relations with Israel. In fact, he

seems to believe that he is completely indispensable to Abbas due to his institutional memory of negotiations.

Erekat notwithstanding, there is more convergence than divergence among U.S., Israeli, and Palestinian officials, most of whom agree that peace talks need to be restarted because the current impasse serves no one except Hamas. To be sure, Israelis and Palestinians have different points of emphasis, but their respective formats for negotiations actually seem to go well together. Key Palestinians favor Mitchell engaging in proximity talks, believing that U.S. mediation in the substance of the discussions is crucial. Israelis, however, favor direct (though discreet) working-level negotiations. These approaches seem compatible: under the umbrella of Mitchell's occasional visits, Israelis and Palestinians can meet discreetly at the working level to discuss the issues. In fact, this discreet-and-direct channel has been the key to all agreements between the two sides since 1993.

Focus on Territory First

On the same day the Clinton statement was released, Mitchell publicly declared his wish to focus on a borders agreement. The Palestinians have indicated that they concur. Although the Israelis say they reject the idea of a standalone borders agreement per se, they increasingly acknowledge the logic in making the issue of territory first on a wider agenda.

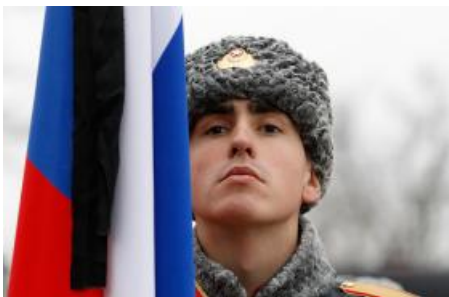
Conclusion

These convergences may bring the parties to the table, but they cannot guarantee the success of any talks. Procedural success will be matched by divergences on the substance of the talks relating to territory, not to mention highly charged issues like Jerusalem and refugees. Mitchell will likely find that all these differences sorely test the notion that all outstanding issues will be wrapped up in two years.

David Makovsky is the Washington Institute's Ziegler Distinguished Fellow and Director of the [Project on the Middle East Peace Process](http://www.washingtoninstitute.org/templateC11.php?CID=65) (<http://www.washingtoninstitute.org/templateC11.php?CID=65>). ❖

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