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Middle East Brief

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Is It Still Fall in Annapolis? Thinking about a Scheduled Meeting

Prof. Shai Feldman and Dr. Khalil Shikaki

Based on an initiative announced by U.S. President George W. Bush on July 16, 2007, Secretary of State Condoleezza Rice has scheduled a “meeting” in Annapolis, Maryland, for later this month, in an attempt to advance the prospects of Palestinian-Israeli accommodation. Aside from the meeting’s location, its approximate date, and its general purpose, nothing about this important meeting seems to have been determined. Not surprisingly, important possible players are yet to confirm their participation pending clarification of the meeting’s purpose, focus, and structure.

Critics from within and outside the Middle East have been quick to criticize the proposed “meeting.” A chorus of voices has pointed out the weakness of the Israeli leadership, which has never fully recovered from its mismanagement of its summer 2006 war with Hezbollah; the near-total fragmentation of the Palestinian body politic, now torn politically as well as geographically between Fatah in the West Bank and Hamas in Gaza; and the low standing of the Bush administration, now engaged in a futile attempt to recover from its launching and conduct of the war in Iraq.

Yet, as is normally the case in the Middle East, misfortunes also create new opportunities. Hamas’s violent usurpation of Gaza has—at least partially and momentarily—freed the Palestinian Authority president, Mahmoud Abbas, from the so-called “Hamas factor.” Moreover, recent public opinion polls show that Hamas may be losing public support as an increasing number of Palestinians blame the movement for the dire conditions under which the Gaza Strip’s population lives. For his part, Israel’s prime minister, Ehud Olmert, has a strong incentive to preside over some progress toward peace to counter the domestic ill will created not only by the summer 2006 war but by the various

legal investigations to which his past behavior is being subjected. And finally, President Bush has good reasons to attempt to rewrite his legacy in the Middle East—one that, without progress on the Palestinian-Israeli front, would consist largely of the Iraq debacle.

This Middle East Brief is intended to provide a guide to thinking about the prospective meeting in Annapolis. It is based on insights gained from a series of conversations the two authors led between groups of Israelis and Palestinians during 2006–7, in London and Istanbul.* None of the analyses presented here, however, reflects the views of any individual or group of participants in these talks.

What Kind of “Meeting”? Three Models

As of this writing, only a few weeks away from the scheduled opening of the proposed “meeting,” it remains unclear in what type of event the conveners and major players intend to be engaged in Annapolis. In general, at least three different models are possible, presenting different challenges and creating different opportunities. These models are:

A Crowning Event. This model views the proposed “meeting,” hosted by the Quartet (the U.S., the UN, the EU, and Russia) and attended by key Arab states such as Egypt and Saudi Arabia, as designed primarily to crown an agreement or understanding reached between President Abbas and Prime Minister Olmert prior to the convening of the conference. The primary purpose of the meeting would be to bestow regional and international legitimacy upon the understandings reached as a result of the earlier bilateral talks between the Israeli and Palestinian leaders.

A Negotiation Session. The second model for the proposed meeting is that of a groundbreaking negotiation session similar to both the 1978 Camp David I session that led to the peace treaty between Egypt and Israel and the 2000 Camp David II session that attempted to achieve a similar breakthrough between Israel and the Palestinians. In contrast to the failed 2000 effort, this time the participation of key Arab players, including but not limited to Egypt and Saudi Arabia, would, it is believed, give these countries a vested interest in a successful outcome. That would in turn, it is hoped, lead these regional players to: a) press the Palestinians to make the concessions necessary for an agreement to be reached; b) provide protection to the Palestinian negotiators from post-negotiation critics who are bound to accuse them of excessive flexibility; and c) provide Israel with incentives to make the requisite concessions by promising rewards that would compensate for the Palestinians’ inability to provide such rewards. Indeed, the last factor seems to have constituted the basic logic behind the Arab Initiative adopted by the Arab League in 2002 and reaffirmed in early 2007.

A Launching Pad. The third model views the proposed meeting in terms borrowed from the 1991 Madrid Conference—that is, as one designed to launch a sustained effort to achieve an agreement between Israel and the PA. Accordingly, the main purpose of the meeting in Annapolis would be to reach a detailed agreement on the process that would *follow* the meeting—specifying, for example, what working groups would be created; what relationship would be stipulated between the working groups and the plenary; and whether or not the working groups would be assigned specified timetables within which they would be expected to complete their work.

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It should be emphasized that these models are not mutually exclusive; the proposed meeting might have some of the characteristics of each of the aforementioned models. Thus, Annapolis might crown some understandings reached earlier by Olmert and Abbas and provide such understandings with the requisite regional and international legitimacy, while using these understandings as a basis for launching a Madrid-style process.

How Are the Models Regarded?

In Israel, **Option I—Annapolis as a possible crowning event**—is likely to invite mixed feelings. Clearly, Prime Minister Olmert would enjoy a crowning event that would bestow regional and international legitimacy on his peacemaking efforts. Moreover, an incentive for concluding an agreement or understanding with President Abbas would be its likely rejection by Hamas, discrediting the latter as preventing the implementation of a deal that most Palestinians want.

On the other hand, Israel's prime minister may be wary of a "meeting" that is expected to crown an agreement that has yet to be reached. Naturally, he probably fears that this would invite pressures on Israel to make the concessions that would enable the conclusion of such an agreement—concessions that might not be acceptable even to some prominent members of his own Kadima party. In addition, Olmert would be less than enthusiastic about any agreement that, given the present divide between Gaza and the West Bank, would be implemented to different degrees by the two sides: comprehensively by Israel, but only in the West Bank by the PA.

For President Abbas, some form of "crowning" is essential for avoiding disaster. Abbas is struggling on two fronts simultaneously: with Israel, for a better future under terms acceptable to the Palestinians; and with Hamas, with respect to the leadership of the Palestinian people. In the latter context, Abbas must reassert the leading role of Fatah by proving to his Palestinian constituents that he can deliver what Hamas cannot. For such an achievement to be visible, Annapolis must allow for some sort of crowning that would be broadly seen as a victory for Fatah's nationalist agenda.

Crowning is essential for President Abbas for yet another reason: Without the likelihood of being able to celebrate measurable achievements, there is little chance of attracting the important Arab states to Annapolis. And the support of these states is of critical importance in Abbas's efforts to counter his domestic opponents, who enjoy financial and other resources supplied by Iran.

For the Bush administration—eager to restore its standing in the region and to rewrite its Middle East legacy—crowning some achievement at Annapolis is very important. Without the expectation of such an achievement, the participation of the Arab states whose cooperation the United States needs in Iraq will not be forthcoming. Thus, for different reasons and not necessarily with respect to the same agreement or understanding, some sort of crowning at Annapolis is important for all the critical players: Israel, the Palestinian Authority, the Bush administration, and key Arab states.

By contrast, almost the reverse is the case with respect to **Option II, the possibility that Annapolis will be made into a negotiations forum**. On the Palestinian side, after the traumatic experience of Camp David II, the prospect of negotiations that might yet again fail constitutes the ultimate nightmare. Moreover, the Palestinians fear that since the results of any negotiations session are never assured, key Arab states may simply not show up. This may be especially so in the case of the ever-cautious Saudis, who may fear that failed negotiations will transform Annapolis into nothing more than a photo opportunity. Other Palestinians fear that, with the stakes in avoiding failure being so high, a negotiations session will witness everyone—key Arab states as well as the U.S. and Israel—ganging up to extract from the Palestinian side the concessions necessary to reach agreement.

Similarly, the Israelis fear that given its Iraq- and Iran-related regional interests, the Bush administration needs success at Annapolis so badly that if the meeting were to become a negotiations forum, the result would be inordinate American pressure on Israel to make concessions. But the United States also has good reasons to avoid negotiations at Annapolis. Such negotiations are unlikely to succeed without President Bush making the kind of personal investment made earlier by Presidents Carter and Clinton—yet during almost seven years in office, Bush has never shown the slightest inclination to engage in such encounters. Thus, it seems that Israel, the Palestinian Authority, and the U.S. share an interest in preventing the meeting in Annapolis from becoming a negotiations session.

Nevertheless, rejection of this option as unlikely does not preclude the possibility that the parties to the talks at Annapolis may decide to use the occasion to negotiate one or more aspects of their dispute. Such negotiations might focus on relatively less sensitive matters, such as those commonly referred to as "quality of life" issues, or on one specific dimension of the more important issues in dispute. One interest that Israel and the Palestinians might share in engaging in such limited negotiations involves the possibility that making concessions at Annapolis will earn them credit, if not material rewards, from those interested

in the meeting's success: namely, the Bush administration and key Arab governments.

Option III—which regards Annapolis as a launching pad for a Madrid-type negotiations process—is probably most appealing to Israel. For Prime Minister Olmert's government, this option would provide an ongoing political agenda, useful in warding off the various political and legal challenges it faces. For Olmert personally, the promise of such a process would supply a strong argument for his staying in office; his supporters, borrowing a Hebrew expression, will argue that “one does not change horses in the middle of a race.”

For its part, the Palestinian side, uncertain about the outcome of such negotiations, will not be enthusiastic should Annapolis become primarily a launching pad for a post-meeting process. For such a framework to be tolerable, the Palestinians would need assurances regarding the nature and timeline of the process being launched. And this option may likewise be viewed as problematic by the Bush administration. With effectively less than a year left in office, it is unlikely to reap the benefits from a prolonged negotiations process that would merely be launched at Annapolis.

What Should Be the Outcome of the Talks?

What should be the primary purpose of the meeting in Annapolis? What are the advantages and drawbacks of alternative outcomes? In general, the conveners of the Annapolis meeting and its prospective participants are faced with three main options. These options are elaborated below in their pure forms; in reality, however, the meeting's conveners and participants may choose to combine elements from more than one option.

Option I: Stabilization. The importance of stabilization as an outcome rests on the notion that nothing more ambitious in the Palestinian-Israeli realm can be achieved without first restoring a minimal degree of trust between the conflicting parties. On the Palestinian side, this would require mostly but not only ending the violence that has destroyed Israeli confidence in the Oslo process. On the Israeli side, it would require mostly but not only ending settlement activity and dismantling outposts that have bred Palestinian suspicions that Israel intended for its colonization of the territories to continue under the Oslo umbrella.

Successful stabilization would provide huge benefits to Israelis and Palestinians alike. In the short term, it would improve living conditions in the West Bank, thus enabling President Abbas to show that he was able to deliver measurable improvements in the post-Hamas takeover

environment. In the longer term, by gradually restoring both sides' confidence in the efficacy of peacemaking, stabilization would make more likely the actualization of the other options: Palestinian state-building and permanent status negotiations.

Yet, experience since late 2000 shows that given the cumulative distrust between Israelis and Palestinians, security and stabilization plans (such as those suggested by the Mitchell Commission, the Tenet understandings, the Zinni mission, and General Dayton's “Benchmarks”) that were not tied in a credible fashion to some kind of “political horizon” have collapsed quickly, sometimes even before a serious attempt to implement them had been made. Thus, neither side was truly willing to take the kind of steps stipulated in Phase I of the Road Map—for example, complete cessation of violence and disarmament of armed militias on the Palestinian side and a settlement freeze along with outpost dismantlement on the Israeli side—unless it was clear where such steps would lead. Without clarity regarding the direction of further steps, neither side was prepared to bear the costs involved in implementing the steps it was asked to take in the framework of the first phase.

Moreover, a closer examination of this option reveals that it is far more demanding of both the Palestinians and Israel than might appear at first sight. In addition to ending violence, the Palestinian Authority would be required to build the capacity to ensure security as well as law and order. It would need to collect thousands of weapons from those not authorized to carry them. And it would need to present a plausible scenario as to how such measures would eventually apply to Gaza as well.

On the Israeli side, in addition to a complete freeze on settlement activity, this option would require the redeployment of the IDF to positions it held until the beginning of the Second Intifada. It would need to lift checkpoints and roadblocks. And it would need to allow some forms of Palestinian political activity in East Jerusalem. One particularly thorny issue would be Palestinian demands that the freeze on settlement activity also apply to settlement blocks that Israelis foresee as remaining within Israel's future boundaries in the framework of a land swap.

Setting Option I as a goal, then, faces three main difficulties. It is unlikely to prove sustainable without a clear linkage to a follow-up “political horizon,” such as that embodied in Options II and III. It is far more demanding than the relatively benign term “stabilization” suggests. And finally, Israel is likely to remain dubious about the utility of this option so long as the Palestinian Authority remains incapable of applying its part of the bargain in the Gaza Strip.

Option II: Palestinian State-Building. An alternative option would be to attempt a much more radical transformation of Palestinian-Israeli relations, but one that would still amount to less than a permanent resolution of the two peoples' dispute. This major transformation might involve the establishment of a Palestinian state with provisional boundaries that might or might not coincide with the demarcation established by Israel's separation barrier (which left some 90 percent of the West Bank on the Palestinian side). In this sense, this second option could be based on the contours of Phase II of the Road Map for Peace in the Middle East proposed by the Quartet in mid-2003. Conceptually, this option might also be consistent with the suggestion made by key members of Hamas's political wing to proclaim a *hudna* (cease-fire or armistice)—though such a cease-fire might or might not be applied on the basis of the territorial division they proposed and might or might not last for the duration proposed by these members, which ranged from ten to fifty years.

For the Palestinian Authority, this option should be viewed as extremely promising. It would constitute a victory for the nationalists' approach by ending most if not all forms of Israeli occupation, thus affecting in a measurable way the lives of Palestinians residing in the West Bank, East Jerusalem, and ultimately Gaza as well. And by doing so, it would set both sides well on the road to implementing Option III—a comprehensive agreement to end the conflict.

Most importantly, it could be presented as having achieved what the Palestinians seem to care about most: the creation of a sovereign, independent Palestinian state. As such, it would provide the Palestinians with a second chance—an opportunity they missed in the immediate aftermath of Oslo—to build institutions, including in the security realm.

Moreover, by falling short of a comprehensive agreement, this option yields an important advantage, particularly on the Palestinian side. By avoiding for the time being the need to confront the hypersensitive ideological issues implicated in a permanent status agreement, this option could provide a platform on which Hamas might be brought back inside the Palestinian national consensus. Option II, then, provides the Palestinian side with less than they might realize from a permanent status agreement—but it has the advantage for the Palestinians that they would also be *asked* for less, thereby affording them an opportunity to maintain if not restore their national unity.

For Israel as well, Option II has considerable advantages. For one thing, it would allow Israel a way out of the most important predicaments it currently faces in the context of its relations with the Palestinians: the recurrent public relations debacles it experiences as a result of its prolonged

occupation of a large Palestinian population, and the demographic implications of that occupation for Israel's future as a Jewish and democratic state. Moreover, for Israel too this option is far less painful than Option III, since it avoids the need to confront the emotionally charged issues entailed in negotiating a permanent status agreement.

Yet, implementing Option II would be far from simple. On the Israeli side, critically important associates of Prime Minister Olmert—notably his foreign minister, Tzipi Livni—are likely to argue against making the far-reaching concessions required by this option without the Palestinians abandoning some of their permanent status demands, notably their insistence on the “Right of Return.”

For the Palestinian side, this option has always been associated with the fear that “the provisional will become permanent”: that is, that Israel would use its preponderance of power to freeze the situation at this phase. This is a particularly sensitive issue for Fatah leaders, who have repeatedly attacked Hamas for its alleged willingness to accept a state with provisional borders. Moreover, the Palestinians would find it difficult to accept a state with provisional borders that coincide with the demarcation imposed by the separation barrier, fearing that this would be broadly interpreted as Palestinian acceptance of the barrier.

Option III: Permanent Resolution. The third option would be a daring attempt to end the Palestinian-Israeli conflict permanently by addressing all important dimensions and aspects of the dispute: the nature of relations between the future Palestinian state and Israel, the final boundaries between the two states, the measures to be implemented to ensure the two states' safety and security, the future of the Israeli settlements, and all aspects of both the Jerusalem and the Palestinian refugee issues. Choosing this option, however, may necessitate an additional choice, between seeking to achieve: a) a declaration of principles (DOP) or some similar statement merely defining the agreed-on principles in accordance with which these issues will be addressed; or b) a detailed agreement elaborating all the measures on both sides required to resolve these issues.

The most important appeal of this option resides in the current domestic environments, both in Israel as well as among the Palestinians: Both sides' leaderships appear to be willing to “go all the way” in a heroic effort to end the conflict. The regional environment—a realignment of important Sunni Arab states united against a looming Shia/Iranian threat, and supporting peace with Israel in the framework of the recently reaffirmed 2002 Arab Initiative—is also auspicious. And the administration in Washington

seems interested in balancing its sorry record in Iraq with a major effort to resolve the Arab-Israeli conflict.

Alongside its inherent advantages and the clear preference of the PA's current leadership for a permanent status deal, Option III entails serious drawbacks for the Palestinians—most of which are a mirror image of the advantages attached to Option II. Most importantly, it is on permanent status issues that Fatah and Hamas are clearly divided—so focusing on these issues will complicate any effort to make a Palestinian-Israeli deal tolerable to Hamas, any effort to unify Gaza and the West Bank, and, therefore, any possibility of applying such a deal beyond the West Bank and East Jerusalem to include Gaza as well.

Predictably, Hamas will frame any significant Palestinian concession as resulting from President Abbas's treasonous conduct and as constituting total Palestinian surrender to Israel and the United States. As a result, and contrary to Abbas's clear preference for permanent status negotiations, pursuing Option III is more likely to weaken rather than strengthen him in terms of internal Palestinian politics.

Similarly, with important elements of Israel's current government—including important members of Olmert's own Kadima party—highly divided on permanent status issues, it is difficult to see how the current Kadima-led coalition would survive any serious engagement with Option III. Moreover, those elements of Israel's governing coalition are likely to reject the wisdom of any such engagement so long as Israel's prospective Palestinian partner cannot present a plausible scenario for obtaining Hamas's compliance with any such agreement. Without such a scenario, and in light of Hamas's expected undermining of any such agreement, the Israeli fear would be the exact opposite of the Palestinians' concern regarding Option II: namely, that “what looks permanent will become provisional.”

On to Annapolis

Our discussion of the type of “meeting” that should take place in Annapolis has focused on its expected shortcomings as a forum for negotiations, and expressed a clear preference that the venue become a “crowning” event as well as a “launching pad” for more detailed negotiations. Thus, if any negotiations are to take place in Annapolis, these should be very limited and should take second place to the “crowning” and “launching” aspects of the talks. That leaves unanswered the following question: What should be crowned and what should be launched at Annapolis?

With respect to the first of these functions, the meeting in Annapolis would need to “crown” something substantial and novel—some breakthrough, however limited. Any attempt to “crown” something that falls short of these criteria will subject Abbas, Olmert, and Bush to waves of mockery by the opponents of the proposed meeting in Maryland.

So what can be crowned at Annapolis? It seems that the most likely outcome would be an agreement to kick-start a “stabilization” package, together with the adoption of a document or statement setting forth the principles that will serve as the basis for a permanent resolution of the Palestinian-Israeli dispute. For such a document to be meaningful, it would have to go beyond general statements that, for example, the future boundaries between the two states will be based on UNSC Resolution 242, or that the Palestinian refugee problem will be resolved in a manner “acceptable to both sides.” At the same time, it seems unlikely that at this stage Israel would accept Palestinian preferences regarding these issues—stipulating, for example,

that the resolution of the Jerusalem issue would allow Palestinian sovereignty over Haram al-Sharif, or that the resolution of the refugees issue would be based on UN resolution 194.

A middle ground might be a statement that does not deviate significantly from the 2000 Clinton Parameters. Crowning such a document would still be significant even if the statement itself was not necessarily novel, since it would be the first time that Israel and the PA would have officially adopted these Parameters without reservations.

The main problem involved in crowning the kick-starting of a stabilization package is that given the June 15 Hamas takeover of Gaza, such a package would initially apply only to the West Bank. It should be noted, however, that this would be the case for both sides. The Palestinian side would implement its responsibilities to stop the violence, collect weapons, and reform its security services only where it could—namely, in the West Bank; while Israel would pledge to meet *its* obligations, such as redeploying its forces and lifting checkpoints (as well as stopping settlement activity and dismantling illegal outposts) in the West Bank as well. As long as the PA was not able to apply such measures in Gaza, Israel would continue to have a free hand in dealing with the security challenges it faces from the Strip.

In addition to crowning a vision for resolving the conflict and kick-starting a stabilization package, a successful Annapolis meeting would launch two sets of detailed negotiations: one focusing on Palestinian state-building, the other on a permanent resolution of the conflict. Moreover, the two parties would pledge to complete these negotiations in time for the Bush administration to help begin implementing the deal, especially insofar as approvals by the U.S. Congress are concerned.

Suggesting the launching of such negotiations cannot ignore the enormous difficulties involved. First, the domestic environments on both sides may make it difficult to reach a permanent status agreement within the prescribed timetable. Second, attempting to simultaneously negotiate Palestinian state-building and a permanent resolution of the conflict may prove well beyond the bureaucratic capacities of Israel and the PA. Finally, the fact that any agreed-on stabilization package will at first apply only to the West Bank will confront the two parties—Israel and the PA—with repeated challenges: As violent attacks from the Strip and Israel's responses to these attacks escalate, it will be difficult for the two sides to continue negotiating in a "business as usual" mode.

Given these expected difficulties, the parties may find themselves with no choice but to shift their emphasis away from more ambitious and demanding permanent status negotiations (Option III) to negotiating the modalities of Palestinian state-building (Option II). Such a shift would be especially important if it is not clear how Hamas will be brought to accept the results of permanent status talks. Accordingly, the "launching" dimension of Annapolis will include an agreement that under such circumstances, negotiations focusing on Option II will be accelerated toward an early conclusion—early enough for the Bush administration to have the time necessary to participate in its implementation.



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