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ISRAEL/PA/HAMAS—NO FINAL AGREEMENTS IN THE OFFING; PA'S DEMOCRACY MISSING-IN-ACTION & AGING ABBAS, PA'S LAST PREZ?

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THE TIME FOR A FINAL STATUS AGREEMENT HAS PASSED

Dore Gold

Algemeiner, Feb.18, 2013

In light of developments over the last few years, there has been a growing realization in Israel that the chances of reaching a complete final status agreement with the Palestinians are presently extremely small.

This is not just an ideological position coming out of certain quarters in Israel, but it is also the professional view of practitioners who have been involved in the political process itself.

Last June in an interview in *Haaretz*, Professor Itamar Rabinovich, Israel's former ambassador to Washington and head negotiator with Syria, reached this very conclusion. He added, as part of his proof of this point, that "the bold proposals" by former prime ministers Ehud Barak and Ehud Olmert were not even responded to by the Palestinians. Looking back on Olmert's far-reaching proposals, Mahmoud Abbas himself told *The Washington Post* on May 29, 2009 that the gaps between the parties were just too wide.

There were other voices that reinforced this conclusion. At the end of 2009, Hussein Agha, who has advised Palestinian leaders over the last two decades, and Robert Malley, who was a member of President Clinton's National Security Council also wrote in the *New York Review of Books*: "As currently defined and negotiated, a conflict-ending settlement is practically unachievable; even if signed it will not be implemented and even if implemented it will not be sustained."

Events since that time have not made diplomatic movement any easier. What is called the "Arab Spring," among other things led to the fall of President Mubarak, Abbas' main regional source of support. Instead a Muslim Brotherhood regime came to power thereby strengthening Abbas' Hamas rivals. Given the new regional realities that Israel was facing, even Rabinovich warned in *Haaretz*: "I would not advise entering into far-reaching territorial concessions in a situation of uncertainty."

And yet there is new push underway to move forward with new negotiations between Israel and the Palestinians with the hope of concluding an agreement between them. Britain's Foreign Secretary William Hague was just in Washington meeting with Secretary of State John Kerry where he called on the Obama administration "to inject the necessary momentum on this issue." In December, he admitted in the House of Commons that he was consulting with the French and the Germans on how to put pressure on the U.S. to launch a new initiative. There was a diplomatic rumour in January that the Europeans wanted Kerry to put down on the table the parameters of a final settlement before Israel and the Palestinians, including a withdrawal to the 1967 lines.

Thus Israel finds itself in a paradoxical situation: just as international pressures are increasing for it to make new concessions in order to restart and advance the political process, there is a growing realization in Israel that the kind of final status agreement that the international community is hoping will be concluded is not about to happen. The Palestinian side knows this as well.

Moreover, there is a more fundamental question for Israel about how it should proceed in an era of total uncertainty about whether half the regimes that are currently in power in the Middle East will even be there in a few years. The Muslim Brotherhood, which even beyond Egypt is the main beneficiary of the Arab Spring, has been connected to plots against the governments of Kuwait and the United Arab Emirates. Its revolutionary drive in the region is likely to gain new momentum should Islamist forces take control of Syria.

How exactly does the Arab Spring influence Israeli military-strategic considerations? Is Israeli caution warranted here as well? Some try to make the argument that the conventional military threat to Israel is undergoing a transformation allowing Israel to make the very sort of new concessions that the Europeans are demanding.

With neighbouring armies, like that of Syria, involved in domestic upheavals, their conventional forces have been badly degraded. Would that mean that Israel can withdraw from territories that in the past were regarded as vital but whose importance may have changed? Historically, Israel based its security on a small standing army that had to neutralize the numerically superior standing forces of its Arab neighbours. To accomplish this goal, the IDF was structured around its reserve formations that would reach their full strength along Israel's front lines after 48 hours of mobilization.

When Yigal Allon, Israel's deputy prime minister and former commander of the Palmach, first presented his idea of defensible borders for Israel after the 1967 Six-Day War, it was partly based on the idea of providing Israel's small standing army the topographical conditions it needed to withstand a surprise attack and fight against superior forces, until the reserve formations arrived. But if Israel no longer has to contend with this sort of threat, then could it pull out of the Jordan Valley, which previously every Israeli prime minister from Rabin to Sharon saw as Israel's forward defence line?

This would be an irresponsible conclusion. First of all, the Arab states are likely to build up their conventional armies again in the future once their internal political situation becomes more stable; already Egypt has no problem seeking 200 additional Abrams tanks from the U.S., which will bolster the strength of its armoured forces. Others will follow suit in the years ahead. After all, decisiveness in wars is still a function of the movement of ground armies, and their manoeuvring units, and not the employment of air power alone. America's two wars against Iraq proved that point conclusively in 1991 and 2003.

Secondly, in the immediate term, there is a new ground threat to Israel from terrorist organizations, many of which have many of the attributes of a fully equipped army. In May 2011, former Secretary of Defence Robert Gates noted that Hezbollah had more rockets and missiles than most states. The lethality of terrorist organizations has also dramatically increased with their acquisition of shoulder-fired anti-aircraft missiles, shore-to ship missiles, and advanced explosives that are far more potent than anything they used before.

The growing capabilities of the international terrorist organizations in the Middle East has reached such a scale that they have even become challenging for the region's regular armies. In Sinai, the Egyptian army fought regularly with al-Qaida in the area of Jabal Hilal, where an Egyptian general was killed in one battle. The Syrian Army has been repeatedly defeated by an al-Qaida affiliate in Syria, known as Jabhat al-Nusra, which has been equipped through Syria's porous borders. In short, the Arab Spring has led to a different but no less challenging security environment for Israel that will affect how we view the question of our future boundaries.

Third, it would be a dangerous error to dismiss the possibility that terrorist organizations will attempt to acquire weapons of mass destruction and use them against their adversaries. Hezbollah is an extension of the Iranian security establishment. Should Tehran be permitted to cross the nuclear threshold, it would be a cardinal error to simply dismiss the possibility that Hezbollah would not eventually get to share in this technology. Hezbollah would not need ballistic missiles; it could put a nuclear device in the same sort of truck it used against the Marine Barracks in Beirut during 1983 or against Khobar Towers in Saudi Arabia in 1996.

Al-Qaida in Iraq already planned a chemical weapons attack in Amman, Jordan in 2004 that was thwarted. Should Syria's chemical arsenal fall into the hands of the jihadist groups currently fighting the Assad regime, then unfortunately, non-conventional terror attacks may become more common against those who leave themselves vulnerable. Foreign Secretary Hague, who just warned on Feb. 14, during a speech at the Royal United Services Institute (RUSI) in London, about a new jihadist threat to Europe coming out of Syria should be the first one who understands the new position Israel finds itself in.

In the past, Israel was able to secure its borders with deterrence against neighbouring states that were considering taking offensive action against it. But deterrence does not apply to these terrorist organizations in the same way, especially those that glorify martyrdom as a religious duty. Israel needs to have a physical barrier against the new threat of terrorist organizations so that it can neutralize their efforts to smuggle advanced weaponry and infiltrate Israel's population centers. The stakes for Israel in not taking into account the impact of the changing terrorist threat on its need to maintain defensible borders could be disastrous.

Israel learned the hard way the significance of its withdrawal from the Philadephi Route between the Gaza Strip and Sinai, which led to a qualitative leap in the weaponry that Hamas could smuggle and eventually deploy. Before its 2005 disengagement from the Gaza Strip the only rocket that Hamas fired was the short-range Qassam. By 2006, Hamas was using longer-range Grad rockets from Iran against Ashkelon for the first time and enlarging the arc of Israeli cities it could target. In 2012, that arc extended even further once Hamas was equipped with Iranian Fajr rockets that it fired at Tel Aviv. Hamas in Gaza also acquired shoulder-fired anti-aircraft missiles from Iran and later from Libya's arsenal, after the fall of Gadhafi. In Oct. 2012, Hamas fired its first SA-7 against an Israeli helicopter.

Israel has three choices given the diplomatic reality that it faces. It can just give up and make the concessions that the Europeans are demanding that the Obama administration impose, but that would put the Israeli population in a precarious position that no responsible government could agree to. It can say that given the uncertainty it faces, now is not the time for any diplomatic initiatives.

But it could also indicate that it is willing to explore new ideas with the Palestinians, as long as its vital security interests are not undercut, but are fully protected instead. Both sides should seek to reach agreements where possible, leaving harder issues for later. Europe could play a positive role if it encouraged the Palestinians to reach more limited arrangements with Israel instead of insisting on the kind of Israeli concessions for final status agreement that did not lead to a peace treaty before and are unlikely to produce a stable peace today.

The result of all this talk coming out of Europe about getting the U.S. to impose a solution will be completely self-defeating as it hardens the Palestinian readiness to come to the negotiating table — since Israel will be delivered on a silver platter anyway — and makes any real diplomatic progress more difficult than ever.

Dore Gold is the current President of the Jerusalem Center for Public Affairs. He also served as an advisor to former Israeli Prime Minister Ariel Sharon and to Prime Minister Benjamin Netanyahu during his first term in office.

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PALESTINE'S DEMOCRATIC DEFICIT

David Keyes

[New York Times](#), Feb. 12, 2013

Last week, a 26-year-old Palestinian activist, Anas Awwad, was sentenced in absentia by a court in Nablus, the West Bank, to one year in prison for “extending his tongue” against the Palestinian Authority's president, Mahmoud Abbas, on Facebook. Thousands have joined a Facebook group to show their solidarity with Mr. Awwad, but the damage has been done. Free speech has been set back, and a chill sent throughout Palestinian society.

It should come as no surprise that the Palestinian Authority is cracking down on basic freedoms. From the top down, a culture of repression reigns supreme. President Abbas's term ended four years ago. He has clung to power as an unelected autocrat for nearly half a decade. In November, a senior adviser to Mr. Abbas, Mohammad Shtayyeh, told me that Mr. Abbas had no desire to continue ruling, but that he simply could not leave because of the divisions in Palestinian society. Suppressing criticism by resorting to a 50-year-old Jordanian law — designed to punish critics of Jordan's monarchy when it ruled over the West Bank — has not helped burnish the questionable democratic credentials Mr. Abbas so often claims when meeting Western leaders.

This is not the first time the Palestinian Authority has used antiquated laws to clamp down on Internet activists. Last year, the Palestinian blogger Jamal Abu Rihan was arrested for starting a Facebook campaign called “The People Want an End to Corruption.” Like Mr. Awwad, Mr. Rihan’s crime was “extending his tongue” against the Palestinian leadership. In April, the university lecturer Ismat Abdul-Khaleq was arrested for criticizing Mr. Abbas on Facebook. Days later, a journalist, Tarek Khamis, was detained for criticizing the Palestinian Authority’s treatment of Ms. Abdul-Khaleq. George Canawati, the director of a Bethlehem radio station, and the journalist Rami Samar were similarly detained for posting criticisms of the Palestinian Authority on Facebook.

So long as Mr. Abbas says he is committed to peace, there appears to be little pressure from the West on issues of human rights. Human rights for Palestinians, it seems, continue to play second fiddle to the peace process. A good indicator of how committed a government is to upholding peace with its neighbors is its commitment to protecting the human rights of its own citizens. Nations that disregard the freedoms of their own people are not likely to care much about maintaining peace with their historic enemies. Palestinian human rights, in other words, are key to the peace process.

In Gaza, where Hamas shuts down social media conferences, represses women, tortures dissidents and arrests journalists, there is scant hope for constructive steps toward regional peace. With the latest crackdown on free speech, the Palestinian Authority seems to be moving in a worryingly similar direction when it comes to human rights. Last August, in a speech encouraging jihad against enemies who set foot on Muslim land, the deputy speaker of the Hamas parliament, Ahmad Bahr, called on God to kill all Jews and Americans as well as their supporters. “Count them one by one, and kill them all, without leaving a single one” he said.

Rather than repudiating such genocidal rhetoric, when an *Al Jazeera* interviewer asked Mr. Abbas last year if there were political and ideological differences between his party, Fatah, and Hamas, he replied, “In all honesty, there are no disagreements between us.” But there should be enormous — indeed unbridgeable — gaps between any potential peace partner and a terrorist organization that acts tyrannically and calls for the annihilation of a people.

The sentencing of Mr. Awwad reminds us that despite rhetoric to the contrary, the Palestinian Authority has little respect for democracy and freedom of speech. Rather than continuing to give Mr. Abbas a free pass, the West should roundly criticize crackdowns on dissidents and stand firmly with Palestinian democrats. A positive first step would be linking Western economic aid to the Palestinian Authority’s respect for free speech. Human rights, too often seen as a diversion from the peace process, are in fact the secret to it.

David Keyes is executive director of Advancing Human Rights.

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IS ABBAS THE LAST PALESTINIAN AUTHORITY PRESIDENT?

Mudar Zahran

[Jerusalem Post](#), Feb. 6, 2013

After Israel’s most recent military operation in Gaza, which ended with a cease-fire, Hamas has been claiming victory and enjoying popularity with the Palestinians, which comes as a setback for Hamas’s rivals; Palestinian Authority President Mahmoud Abbas and his Fatah faction. With Hamas popularity on the rise, Abbas was left with one desperate option to boost his image: pressing his quest for UN recognition of Palestine as an independent state.

Still, Abbas has other problems in his own house; there is friction within Abbas’s Fatah, as Abbas’s rival, Muhammad Dahlan, is still very influential and has a huge following. Dahlan was a senior member of the

Fatah Central Committee and the chief of the Palestinian Preventive Security Service. For years, he served as the main Palestinian counterterrorism coordination figure with Israel. Abbas's Fatah managed to expel Dahlan in June 2011 following allegations by Abbas that Dahlan had murdered Arafat using poison.

Dahlan lives in exile now, but he has the money and the followers to disrupt Abbas nonetheless, if not necessarily to topple him. It is not unlikely that rivalry between Abbas and Dahlan would evolve into further friction between their followers should Abbas exhibit further signs of weakness or step down. In addition, the Arab Spring has drawn attention from the Palestinian cause as a whole and from Abbas as the poster child for the Arab-Israeli conflict; the media now has Syria, Egypt and other hot-spots to cover over Abbas's heart-felt speeches, or his meetings with world leaders.

As a result, Palestinians in the West Bank are no longer seeing Abbas in the international media, or mingling with world leaders, and are therefore focusing more on their miserable living conditions, which, as revealed by a recent poll by the Palestinian Center for Policy and Survey Research, 70 percent of them believe are due to PA corruption.

Last October, prominent Israeli political scholar and Arabist Mordechai Kedar told a crowd in London that "the biggest victim of the Arab Spring is the Palestinian cause, as the world's media is no longer occupied with it" – and with the fading significance of the Palestinian cause goes Abbas's own significance.

Adding to Abbas's woes is that the Palestinians in the West Bank do not seem to be too enthusiastic about his quest to gain UN recognition for Palestine as an independent state. While Abbas's UN stunt succeeded – Palestine is now an observer state in the UN – its very success could cause Abbas's disappearance from the political scene, because the Oslo peace agreement requires the Palestinians to not unilaterally seek international recognition as a state, and therefore Abbas's stunt gives Israel the full legal right to end Oslo altogether.

But say he does disappear, due to a "Palestinian Spring," a coup by his rivals or even retirement – the man is 77 after all – would the PA survive? First of all, the PA is not favoured within its own jurisdiction, as confirmed by the above-mentioned poll by the Palestinian Center for Policy and Survey Research. In 2005, renowned scholar Daniel Pipes reported Palestinians under the PA were already saying that "Israel's hell was better than Arafat's paradise," and considering that Arafat had much more credit with the Palestinians than does Abbas, one can only imagine how Palestinians would view a PA without even Abbas.

In fact, a 2011 poll conducted by Pechter Middle East Polls in partnership with the Council on Foreign Relations, when asked if they preferred to become a citizen of Palestine, with all of the rights and privileges of other citizens of Palestine, or a citizen of Israel, only 30 percent chose Palestinian citizenship." True, Abbas's second in command, Palestinian Prime Minister Salaam Fayad, has a reputation for transparency and decency, but since Abbas appointed him in June 2007, the Palestinian Legislative Council has not confirmed his appointment. It is therefore, unlikely he would be able to secure the presidency.

With no heir apparent for Abbas, who could secure public support and control the various military factions? With the PA's reputation for corruption and the disapproval of it among the Palestinian public, it is possible that the PA's future will be in jeopardy if Abbas steps down, quits, or retires. While there are a few who argue that the West Bank should be handed to the Hashemite regime in Jordan, King Abdullah faces his own domestic challenges. Despite the media's low coverage of unrest in Jordan, there is an on-going, relentless public call to topple the Hashemite regime. Those hoping the Jordanian regime could play a future role in the West Bank ignore the possibility that the Hashemite regime itself might not exist in the near future.

It is about time those concerned with peace and regional stability start considering contingency plans for a West Bank without Abbas, and possibly even without the Palestinian Authority. There is much to consider, and not necessarily as much time.

The writer is a Palestinian-Jordanian living in the UK.

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FATAH AND HAMAS CONSIDER INTERIM AGREEMENT

Daoud Kuttab

[Al-Monitor Palestine Pulse](#), Feb. 20, 2013

While all indications, actions on the ground and public statements appear to show movement in the Palestinian national-reconciliation process, the reality is that it is still facing stumbling blocks. Palestinian leaders from Hamas and Fatah are meeting regularly. Also meeting with them are other factions (the Palestinian Liberation Organization [PLO] and Islamic Jihad) as well as independent personalities. Election registration in Gaza has restarted and, due to a strong turnout, the registration process was extended for two additional days. Hanna Nasser, the head of the Central Election Commission, made public statements in Gaza that the powers in the Gaza Strip are cooperating with the commission and that people are coming out to register.

The Public Freedoms Committee — a rights committee established as part of the reconciliation process and made up of Islamists, nationalists and independents — has been meeting in the West Bank and Gaza, and their efforts seem to have resulted in the release of some journalists and political prisoners. But there is no clear indication if all prisoners held on account of their political position have been released.

The discussions on the next Palestinian government, which is supposed to be a unity government headed by Mahmoud Abbas, continue, but there are no announced dates as to when it will see the light of day, what mechanisms will be involved and how long it may work. All these issues are sources of contention among the different groups, mainly Fatah and Hamas.

The PLO restoration effort also seems to be on track, but there is no clear indication as to when it will be reconstituted. While certain progress is being registered, most politicians, when questioned privately, say that they are skeptical that the process will achieve the happy results expected from it. The reasons for this negativity vary. Some claim that the Hamas leadership in Gaza is concerned about losing power, while Hamas supporters claim that Mahmoud Abbas and the Ramallah-based leadership are under pressure from the US and Israel not to let the reconciliation process succeed, as it will give legitimacy to Hamas.

Some Hamas supporters concede that in the past, it was the Islamists who had been hesitant about reconciliation, but that in the recent meeting, it was Abbas and his envoys that caused the delay. According to these sources in Gaza, the reason for the delay from Abbas was that the Ramallah leadership wants to first see if US President Barack Obama is serious about taking an active role in the peace process. Abbas also wants to prevent the Americans and Israelis from using the reconciliation as an excuse to changing the focus from ending the occupation and pushing for statehood, to whether Hamas has agreed to the demands of the international community.

For its part, Hamas and its supporters insist that they accept that the PLO under Abbas should be the sole representative of Palestinians in any negotiations with Obama and even with the Israelis, provided that the Palestinian public will be allowed to vote on any agreement reached by Abbas.

Skeptics are saying that while they don't expect a major breakthrough in the reconciliation process in the coming months, they do recognize that an interim agreement might be reached to manage the split rather than resolve it. While the presidential, legislative and Palestine National Council elections are seen as the

ultimate arbitrator for the future of Palestinian politics, most agree that a managed agreement might not come soon, but will probably witness the birth of a unity government that begins the healing and reconciliation processes.

Such management of the conflict is attractive to both sides as it avoids them having to risk losing the powers that they have at present. But even this possibility does not appear to please everyone, as some leaders insist that it should be a single package agreement that works on all fronts, not a piecemeal agreement. The role of the financially supportive Arab countries such as Saudi Arabia and Qatar is also an important factor as to whether a managed reconciliation will be accepted or if those holding the purse strings to both Gaza and Ramallah will insist on a full reconciliatory breakthrough.

Daoud Kuttab is a contributing writer for Al-Monitor's Palestine Pulse. A Palestinian journalist and media activist, he is a former Ferris Professor of journalism at Princeton University

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ON TOPIC

Is Territorial Discontinuity a Real Obstacle?: Giovanni Quer, *Jerusalem Post*, Feb. 18, 2013—November 19, the UN Security Council voted on a resolution against Israel for the government's decision to build in the settlements and east Jerusalem. The resolution was vetoed by the US, but European members of the Security Council, including France, the UK, Germany and Portugal, together with India and South Africa, adopted a joint declaration of condemnation for the building plan.

The Case for Judea and Samaria: Michael Freund, *Jerusalem Post*, Feb. 18, 2013—At the end of January, the United Nations Human Rights Council declared war on Israel, issuing one of the harshest reports against the Jewish state in recent memory. Replete with falsehoods and half-truths, the document is a chilling assault aimed at undermining the legitimacy of Israel's presence in Judea and Samaria.

The Neighboring Kingdom of Mahmoud Abbas: Calev Meyers, *Times of Israel*, February 20, 2013—

Anas Awwad, a 26 year old Palestinian Authority resident, was recently sentenced to one year in prison by a Palestinian court in Nablus. What was Awwad's heinous crime? He dared to upload a post to his Facebook page displaying a photo of Mahmoud Abbas kicking a soccer ball, with the caption, "Real Madrid's New Striker." The Palestinian court found Awwad guilty of breaking a Jordanian law, which forbids "cursing the king."

IDF: Expect Intifada, not Talks with Palestinian Authority: Chana Ya'ar, *Israel National News*, Feb. 21, 2013—

Israel's military is training for the possibility the Palestinian Authority may soon launch a formal third intifada. A senior IDF officer warned Thursday morning during an interview on Army Radio that army analysts believe it is likely the PA will choose to launch an intifada over returning to the negotiating table for final status talks with Israel.

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