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QUARTERLY UPDATE ON CONFLICT AND DIPLOMACY

16 AUGUST–15 NOVEMBER 2009

COMPILED BY SASHA HEROY

The Quarterly Update is a summary of bilateral, multilateral, regional, and international events affecting the Palestinians and the future of the peace process. More than 100 print, wire, television, and online sources providing U.S., Israeli, Arab, and international independent and government coverage of unfolding events are surveyed to compile the Quarterly Update. The most relevant sources are cited in JPS's Chronology section, which tracks events day by day.

THE PALESTINIAN-ISRAELI CONFLICT

This quarter was marked by stagnation and increasing pessimism. Last quarter, U.S. efforts had gone into high gear to secure an Israeli settlement freeze significant enough for the Palestinians to agree to resume peace negotiations (see Quarterly Update in *JPS* 153), but those efforts reached a seemingly unbridgeable impasse. Efforts led by Egypt to broker a Palestinian national unity agreement between Hamas and Fatah, as well as a prisoner release deal between Hamas and Israel that would convince Israel to lift the siege of Gaza and Hamas to release captured Israel Defense Forces (IDF) soldier Gilad Shalit, continued to be high priorities (see Quarterly Update in *JPS* 153) but made little, if any, headway. Contributing to the deterioration were 2 important events: most significantly, (1) the release of the UN Human Rights Council's (HRC) Goldstone Fact-Finding Mission report investigating whether war crimes and crimes against humanity were committed by Israel and Palestinian militant groups in Gaza during Israel's Operation Cast Lead (OCL; 12/27/08–1/18/09) and its repercussions; and, to a lesser degree, (2) Mahmud Abbas's announcement that he would not seek reelection as Palestinian Authority (PA) president in elections slated for 1/2010.

As the quarter opened, Israeli-Palestinian violence in the West Bank and Gaza was low. In Gaza, Hamas was observing a

moratorium on rocket and mortar fire against Israel and had convinced most other factions to comply. Israeli cross-border attacks were common but did not constitute serious cease-fire violations. Israel's tight siege of Gaza remained in place, however, allowing almost no exports, limited humanitarian imports, and very limited transit of individuals (mostly medical cases and VIPs), causing Gazans considerable hardship and preventing rebuilding of Gaza post-OCL.

In the West Bank, Israeli restrictions on Palestinian movement between major population centers had been eased considerably (see Quarterly Update in *JPS* 153); checkpoint staffing had been reduced, searches considerably curtailed, and opening times for crossings extended. Checkpoint infrastructure largely remained in place, however, allowing restrictions to be reimposed at a moment's notice should Israel wish it. Pleased with PA security reform efforts, Israel had also permitted PA security forces (PASF) to take over more policing and "counterterrorism" duties, allowing the IDF to scale back West Bank operations; nighttime raids and house searches were less frequent (though still common) and resulted in fewer Palestinian arrests. However, PASF arrests of Palestinians, particularly Hamas members, were on the rise.

While conflict-related Israeli casualties were holding near zero, Gazans in particular continued to suffer a moderate level of

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casualties, mostly resulting from accidents in smuggling tunnels along the Gaza border with Egypt. As of 8/16, at least 7,553 Palestinians (including 51 Israeli Arabs and 19 unidentified Arab cross-border infiltrators), 1,091 Israelis (including 348 IDF soldiers and security personnel, 215 settlers, 528 civilians), and 64 foreign nationals (including 2 British suicide bombers) had been killed since the start of the al-Aqsa intifada on 9/28/00.

U.S. Efforts to Secure an Israeli Settlement Freeze

As the quarter opened, Israeli PM Benjamin Netanyahu sent (8/19) top negotiator Yitzhak Molcho and IDF Brig. Gen. Michael Herzog to Washington to meet with U.S. officials regarding Israel's latest settlement freeze proposal presented by Israeli DM Ehud Barak on 6/30 (see Quarterly Update in *JPS* 153). That proposal offered a 3- to 6-month freeze on new settlement construction in the West Bank only, excluding East Jerusalem and all construction already underway (as many as 3,000 units). Israel would only implement the deal if the Arab states agreed to take small but immediate steps to improve relations with Israel as gestures toward normalization. At the time, the U.S. had called the proposal a non-starter that it could not reasonably take to the Palestinians or Arab states (see Quarterly Update in *JPS* 153). U.S. special envoy George Mitchell had continued working with the sides in closed-door talks through the end of the quarter to narrow the gaps in their positions. Publicly, Israeli government sources released (ca. 8/16) statements tailored for U.S. consumption stressing that no new tenders for settlement construction projects had been approved since Netanyahu took office in 3/09 (a fact confirmed by Peace Now ca. 8/18), while emphasizing to domestic audiences that the lack of new tenders did not mean the government had imposed an undeclared construction freeze (see *Jerusalem Post* [*JP*] 8/18; *Washington Post* [*WP*], *Washington Times* [*WT*] 8/19). While no details of Mitchell's mediation were released, on the eve of the Israeli team's arrival, U.S. pres. Barack Obama stated (8/18) that Israel's position on a settlement freeze was showing "movement in the right direction."

In advance of the Israeli delegation's visit, Obama received (8/18) Egyptian pres. Husni Mubarak on a state visit to

Washington and pressed him to persuade the Arab states to give Israel the impetus to compromise by detailing what steps they would take toward normalization in return for a significant settlement freeze. Mubarak expressed willingness to help move the peace process forward but insisted that Israel must take the first step, implying that nothing could be done until Israel and the Palestinians reached an official agreement on the terms of a settlement construction freeze. During his visit, Mubarak also met (8/17) with U.S. Jewish leaders to present the Arab position and to brief them on Egyptian mediation efforts.

Molcho and Herzog arrived in Washington on 8/19 as planned. While no official details of their meetings were released, the press reported (e.g., *Yedi'ot Abaronot* [*YA*] 8/23) that the U.S. was willing to consider endorsing a settlement freeze that would exclude construction already ongoing, but that it continued to press Israel to agree to a freeze that would last at least 12 months and would include East Jerusalem. Netanyahu confirmed (8/20) only that significant progress had been made with the Americans. After Molcho and Herzog returned to Israel to brief (8/21) the Inner Cabinet in detail, Netanyahu, with the cabinet's approval, authorized them to return to Washington on 8/24 to prepare the outlines of a settlement freeze proposal that Netanyahu and Mitchell could finalize personally on 8/26, when they would both be in London. After the 8/24 session, media sources claimed (e.g., *YA* 8/26) that the U.S. had made its own offer to secure an Israeli compromise: pledging to support a stringent package of additional sanctions against Iran to pressure it to halt uranium enrichment (a key goal of Israel; see Iran section below) if Israel pledged to halt settlement construction in the West Bank and East Jerusalem for a year.

Meanwhile, PA PM Salam Fayyad, frustrated by the lack of movement on the peace front, reiterated (8/25) his 6/22/09 call for Palestinians to work independently toward the de facto establishment of a Palestinian state in the West Bank, Gaza, and East Jerusalem within 2 years, fleshing out his ideas in a 65-page proposal detailing steps for infrastructural and institutional development (see Doc. B4 and interview with Fayyad in *JPS* 153). The U.S. consul general in Jerusalem expressed (8/25) support for continued PA reform and

development but did not comment on the possibility that a de facto Palestinian state might emerge from the program. Israeli FM Avigdor Lieberman warned (8/31) against taking unilateral actions, saying Israel would be forced to respond.

Netanyahu and Mitchell met for 4 hours in London on 8/26, with Netanyahu offering a modified proposal for a 9-month settlement freeze (excluding East Jerusalem and construction already underway) in exchange for unspecified “reciprocal steps” by the PA and Arab states, as well as a U.S. guarantee that if the reciprocal steps were not taken within the 9-month period, the U.S. would not oppose renewed Israeli settlement construction in all areas. Mitchell did not accept the terms. Netanyahu said afterward (8/26) that work would continue on a “bridging formula” that would permit peace talks to go forward, but stressed that Israel would never agree to include East Jerusalem in a freeze—a demand the Palestinians refused to drop. Mitchell quickly resumed mediation talks with Molcho and Herzog in Washington the following week, with the goal of seeking a workable compromise by late 9/09, in time for Obama, Netanyahu, and Abbas to announce a resumption of formal peace talks at a planned 3-way meeting set for 9/22, on the sidelines of the opening of the 64th UN General Assembly (UNGA) session in New York.

Facing the Impasse over Jerusalem

The failure to bridge the impasse over East Jerusalem at the London session pushed the parties in slightly new directions. While Mitchell’s efforts to broker a freeze continued, the U.S. increasingly looked to ways other than a settlement freeze to build enough confidence between Israel and the PA to jumpstart peace negotiations. To this end, the U.S. began (ca. 8/26) to put significant pressure on the PA, which had stuck fast to its demands for a complete settlement freeze as a precondition for resuming any official talks with Israel, to resume bilateral meetings on issues unrelated to final status as a prelude to restarting peace talks and as demonstration of its commitment to work for peace. (Israel was seen as already having made a gesture by not issuing new settlement building tenders.)

This U.S. shift, combined with its apparent willingness since 8/19 to entertain

discussion of compromises, such as accepting a short-term freeze or exempting construction already underway in an effort to win Israeli inclusion of East Jerusalem settlements in a freeze, led to media commentary (see analysis in *Washington Jewish Week* 9/3) that the U.S. was lowering its expectations of Israel. The State Dept. denied the charge but also notably distanced the U.S. slightly from the settlement freeze issue, stating (9/3) that while the Obama administration had not altered its views on what would constitute a viable settlement freeze, it was Israel and the Palestinians, not Israel and the U.S., that ultimately had to agree.

As a result of the U.S. pressure, the PA agreed to convene (9/2) the Israeli-Palestinian Joint Economic Committee (JEC) for the first time since Netanyahu took office in 3/09. (Previously, the PA had been reluctant to continue JEC cooperation with the Netanyahu administration so as not to further Netanyahu’s vision of an “economic peace,” as opposed to a comprehensive peace; see Quarterly Update in *JPS* 153.) The meeting also marked the first cabinet-level talks between the PA and the new Netanyahu administration. The sides discussed increasing the number of visas for businessmen and investors to enter the West Bank and easing restrictions on the movement of imports and exports between the West Bank and Jerusalem. No major decisions were reported, but the sides agreed to keep meeting regularly.

Israel welcomed the JEC meeting but made no reciprocal gesture. In fact, Netanyahu immediately afterward signaled (9/4) his intent to approve the construction of 455 new residential units in West Bank settlements that Israel intends to keep under final status, a move that was formalized by DM Barak on 9/7. Commentators noted (e.g., *New York Times* [NYT], WP 9/5) that Netanyahu’s move seemed calculated to defy U.S. pressure. (White House press secretary Robert Gibbs responded on 9/4 by reiterating that “the United States does not accept the legitimacy of continued settlement expansion, and we urge that it stop.”) To supporters and opponents alike, it indicated that Netanyahu was not serious about reaching an agreement with the Palestinians on the issue of a settlement freeze and was instead pursuing a series of tactical moves. Indeed, on 9/6, Israeli dep. PM Elyahu Yishai provocatively stated that

the proposed settlement freeze “was only a strategic delay” and that Israel would build hundreds more housing units despite U.S. objections. (The same day, Israel launched what it called a month-long “public relations blitz” of the U.S., sending senior government officials on speaking tours across the country seeking to reframe the Israeli-Arab conflict around the idea that the core problem has been that “the Arab world has failed to recognize that Jews have a right to their own state.”) Adding to the perception that Israel was in headlong pursuit of its own vision of final status, Israel’s public security M Yitzhak Aharonovitch issued (ca. 9/15) his ministry’s policy agenda for 2010, ordering increased law enforcement and improved police services in Jerusalem as “part of a wider move to strengthen Israeli sovereignty over East Jerusalem.” In addition, Waqf authorities reported (9/10) evidence that Israelis were digging a new archeological tunnel near the al-Aqsa Mosque compound in the Palestinian neighborhood of Silwan to enhance Jewish claims to the area.

In light of the Israeli moves, Saudi Arabia rejected renewed requests from the U.S. to implement normalization steps to encourage the peace process; Prince Turki al-Faisal, brother of the Saudi foreign minister and believed to express the sense of the regime (see below under “Regional Affairs”) published an op-ed in the *New York Times* (9/13) refusing to undertake normalization until Israel returned all occupied Arab lands, including the Golan Heights and Shaba’ Farms (see Doc. B2 in this issue). The tough Saudi line may have provoked Netanyahu’s 9/14 address to the Knesset Foreign Affairs and Defense Committee in which he once again vowed that Israel would not agree to a complete construction freeze in the West Bank. Coming on the eve of Mitchell’s arrival in the region for another round of talks (9/16–18; see below), the statement was widely interpreted (see analysis in *WP* 9/12, 9/15) as a show of defiance to the U.S. and a gesture to curb vocal domestic criticism of Israel’s ongoing settlement freeze talks with the U.S.

Conditions on the Ground

The diplomatic entrenchment was not reflected in or explained by a change of conditions on the ground. Between 8/16 and 9/15, Israeli-Palestinian violence overall

remained low, though 16 Palestinians died (13 in Gaza and 3 in the West Bank) and at least a dozen Palestinians and 1 IDF soldier were wounded (see Chronology for details), bringing the comprehensive death toll as of 9/15 to 7,569 for the Palestinians, while the Israeli toll remained 1,091.

In Gaza, the IDF continued routinely to fire on Palestinian fishermen approaching the Israeli-imposed fishing zone limits and on Palestinians near the Gaza border fence and made at least 10 brief incursions into Gaza to bulldoze land to clear lines of sight into the Strip or arrest Palestinians they claimed were acting suspiciously (see Chronology for details). Unidentified Palestinians fired around 8 rockets and mortars into Israel, injuring 1 IDF soldier and causing damage in 1 instance on 8/24. The 8/24 rocket strike was in response to IDF cross-border fire earlier in the day that killed 1 Palestinian; the IDF retaliated (8/25) with air strikes on smuggling tunnels on the Gaza border, killing 3 Palestinians. The other Gaza fatalities included 1 fisherman hit by naval fire (8/27), 1 farmer shot near the border fence (9/4), 2 members of Hamas’s Izzeddin al-Qassam Brigades (IQB) who were killed in a mysterious explosion in Jabaliya (9/1), and 5 Palestinians killed in smuggling tunnels collapses along the Rafah border. The wounded were mostly either civilians shot near IDF no-go zones or individuals working in smuggling tunnels hit on 8/25. The IDF also responded to Palestinian rocket fire (8/28) with an air strike (8/29) on a vacant building in Gaza city, causing no injuries.

In the West Bank, the 3 Palestinian deaths included a Palestinian teenager fatally shot (8/31) by the IDF for allegedly throwing a Molotov cocktail at an IDF observation tower outside a settlement near Ramallah; a Palestinian who died (9/9) of medical complications after being delayed at an IDF checkpoint into Jerusalem (the UN Office for the Coordination of Humanitarian Affairs [OCHA] concluded that the IDF restrictions played a role in his death); and a youth shot by the IDF after allegedly pulling a knife on soldiers at a checkpoint (wounded 8/26, died 9/12). Most other violence was instigated by Jewish settlers, who attacked Palestinians and their property, with incidents clustered in East Jerusalem and Hebron (see “Settlers and Settlements” below). Most clashes

with the IDF took place at weekly demonstrations against the separation wall (see Chronology for details). The frequency of IDF arrest raids and house searches, while still common, was very low, and Palestinian freedom of movement between major population centers continued to be much improved, maintaining trends that began earlier in summer 2009 as Netanyahu eased IDF operations and restrictions in an effort to deflect U.S. pressure over settlements (see Quarterly Update in *JPS* 153). Israel also took additional steps to improve Palestinian freedom of movement during the month of Ramadan (8/22–9/19), both for Palestinians within the West Bank and Israeli Palestinians seeking entry to the West Bank to visit family. Restrictions on West Bank Palestinian access to Jerusalem during Ramadan, however, were tightened.

The Goldstone Report and U.S. Peace Efforts

On 9/15, the UN Fact-Finding Mission led by South African jurist Richard Goldstone and charged in 4/09 to investigate Israeli and Palestinian conduct during OCL (see Quarterly Update in *JPS* 152) released the advance version of its report (final version submitted to the HRC on 9/25). The 575-page report (see Special Doc. File in this issue) accused both Israel and Palestinian militant groups in Gaza of serious human rights violations and possible crimes against humanity in the events leading up to and during OCL. But while it condemned Palestinians for targeting Israeli civilians with rocket fire, most attention was focused on Israel's treatment of Gazan civilians during OCL and its extended blockade of the Strip (in place since 6/07), calling Israel's military assault "a deliberately disproportionate attack designed to punish, humiliate and terrorize a civilian population, radically diminish its local economic capacity both to work and to provide for itself, and to force upon it an ever increasing sense of dependency and vulnerability." Israel and the PA were to conduct their own credible investigations of these allegations within 6 months and to follow up with the appropriate legal action, barring which the mission recommended that international bodies such as the UN Security Council (UNSC) and the International Criminal Court (ICC) become involved to bring the perpetrators of these crimes to justice.

While Hamas responded (9/17) by pledging to comply with the commission's request for an internal investigation, Israel strongly denounced (9/15) the report as "one-sided" and "effectively ignor[ing] Israel's right of self-defense," rejected (9/17) the call for an internal investigation (saying the main IDF internal investigation concluded on 7/30/09 was sufficient; see Chronology in *JPS* 153), and accused (9/15) the Goldstone mission of harboring a "barely disguise[d] goal of instigating a political campaign against Israel." It also quickly launched (ca. 9/15) an online campaign to rebut the report's findings. (An interministerial committee had already been set up in 7/09 to launch legal and broader PR challenges against any attempts by Palestinians or their supporters to initiate international lawsuits against IDF commanders, senior government officials, or lower-ranking soldiers; see Quarterly Update in *JPS* 153.) Goldstone rejected (9/29) suggestions that the report's findings were politically motivated, saying his team was driven by the belief that a failure to hold accountable those on both sides who harmed civilians would undermine the peace process.

The Obama administration's reaction was cautious but supportive of Israel's position. U.S. amb. to the UN Susan Rice stated (9/17) that the HRC was the sole appropriate body to deal with the report and the U.S. would not support any action in the UNSC to enforce the report's recommendations. She also condemned the Goldstone mission's underlying mandate as "unbalanced, one-sided, and basically unacceptable." (For Goldstone's rebuttal of earlier criticisms along the same lines, see Quarterly Update in *JPS* 152.) The State Dept. criticized (9/18) the report's "overwhelming focus . . . on the actions of Israel [while] its conclusions about Hamas's deplorable conduct . . . are more general and tentative."

The PA welcomed (ca. 9/15) the findings against Israel and Hamas and supported the call for internal investigations, expressing hope that individuals on both sides identified as having committed war crimes would be brought to trial in the ICC. The PA, however, was aggrieved by the Israeli and U.S. reactions, which essentially dismissed the severity of Israel's conduct during OCL.

The report's harsh condemnation of Israel (and the U.S.'s support of Israel's

rejection of the report) made it nearly impossible for either Netanyahu or Abbas to show any concession on their peace positions without generating a domestic backlash. In any case, there was no indication that either was on the verge of offering anything new. When Mitchell returned to the region (9/16-18) for talks with both leaders, as well as with Egyptian and Jordanian officials, in a final effort to broker a preliminary agreement on a settlement freeze in advance of the 9/22 Obama-Abbas-Netanyahu meeting at the UN, he reportedly (e.g., *NYT* 9/19) found the sides even further apart in their positions, with Israeli and Palestinian backtracking on some issues on which Mitchell thought he had made progress in narrowing gaps, including whether control of the Jordan Valley and the status of Jerusalem would be included in renewed peace talks. The negative shifts made the holding of the tripartite meeting itself uncertain.

The 9/22 meeting did take place, however, with Obama moderating a meeting between Netanyahu and Abbas and holding talks with each individually. Ultimately, no understandings were reached, though Netanyahu and Abbas agreed to shake hands for the cameras. Obama expressed frustration that Abbas and Netanyahu had failed to move beyond the issue of a settlement freeze, arguing that settlements had become a distraction from the more important final status issues of Jerusalem, borders, and the rights of Palestinian refugees. He ordered the sides to work intensively with Mitchell over the next month to find a basis for resuming negotiations, asking Secy. of State Hillary Clinton to report back to him on progress in a month. To some observers (e.g., *NYT* 9/23, *WT* 9/24), this amounted to an admission of defeat on the part of the Obama administration and an attempt to urge the Palestinians to drop their conditions for resuming peace talks. (Israeli FM Lieberman stated as much on 9/23, saying the meeting proved Israel could successfully fend off international pressure to halt settlement expansion.) Mitchell insisted (9/22), however, that U.S. goals had not changed. Quartet reps. also meeting (9/24) on the sidelines of the UNGA session issued a statement endorsing Obama's approach and calling for the urgent resumption of peace talks.

The following week, the HRC opened (9/29) debate on the Goldstone report.

A motion supported by the PA was introduced calling on the HRC formally to endorse the report's conclusions and refer it to the UNSC if either Israel or the Palestinians failed to conduct internal investigations into the report's findings. (The hope was that the UNSC in such event would pass a resolution making implementation of the report's recommendations binding on the parties.) Israel and the U.S. were stiffly opposed to such action and pressured Abbas heavily to rescind the motion, with Secy. Clinton phoning (10/1) Abbas to argue that pushing the report would derail U.S. efforts to revive the peace process and Netanyahu publicly warning (10/2) that a decision to move the report through the UN system would "strike a fatal blow to the peace process, because Israel would no longer be able to take additional steps and take risks for peace if its right to self-defense is denied." Hours before the vote, Abbas relented (10/2), withdrawing support for the motion on the grounds that more time was needed to lobby for broad international support. The HRC consequently moved (10/2) to defer further discussion of the report until 3/2010.

Abbas's move outraged Palestinians and Arab states and took even some members of his own government by surprise (see "Intra-Palestinian Dynamics" below), with an Israeli Arab party calling for Abbas's resignation and Syria withdrawing an invitation for Abbas to visit Damascus. The pressure was so great that the PA admitted (10/7) to having erred and once again sought formal endorsement of the report by the HRC. Simultaneously, the Palestinian delegation to the UN endorsed a Libyan initiative to hold a UNSC debate on the report. This PA change of direction strained relations with Israel and the U.S., which vowed to veto any UNSC action.

Violence Spikes in Jerusalem and Gaza

As tensions over the Goldstone report mounted, conditions on the ground between 9/16 and 10/7 took a noticeable turn for the worse, with serious clashes in East Jerusalem and increased cross-border violence in Gaza. In total, 13 Palestinians were killed (11 in Gaza, 2 in the West Bank), and dozens of Palestinians injured, while 1 IDF soldier and 1 Jewish settler were wounded. By the close of 10/7, the comprehensive Palestinian death toll had

risen to 7,577, while the Israel toll held at 1,091.

Cross-border violence in Gaza began to escalate on 9/20, when the IDF took the measure (unusual since the end of OCL) of directing tank and artillery fire at armed Palestinians laying a roadside bomb along the Gaza border nr. Jabaliya, killing 1 IQB member and 1 member of the armed wing of the Popular Front for the Liberation of Palestine (PFLP). Later the same day (9/20), Islamic Jihad members fired several rockets into Israel (causing no damage or injuries), precipitating Israeli air strikes on smuggling tunnels on the Rafah border (also causing no injuries). Then, on 9/25, the IDF carried out an air strike on a minivan in Gaza City killing 3 Islamic Jihad members allegedly responsible for the 9/20 rocket fire. (The IDF claimed that the men were en route to fire more missiles at the time they were killed; significantly, Palestinian sources did not claim the killings were assassinations.) From 9/25 through 10/2, Palestinian rocket/mortar fire into Israel was steady (ca. 1-3/day), but caused no damage or injuries. The IDF responded with air strikes and tank and artillery fire on rocket launching sites, smuggling tunnels, and suspected weapons factories, killing another 2 Palestinians (see Chronology for details). (The UN reported another 4 Palestinians killed and 18 injured in tunnel incidents during this period as a result of collapses, electrocution, and leakage of smuggled fuel.) The IDF also made at least 3 incursions into Gaza, leveling agricultural land along the border to clear lines of sight, and continued naval fire on Palestinian fishermen near the IDF-imposed fishing zone limit (no injuries). After a final significant exchange of fire on 10/2 (no injuries), cross-border incidents returned to the previous low level on 10/3. The same day, Israel completed the implementation of a token prisoner release deal with Hamas (agreed 9/30, carried out 10/2-3), freeing 20 Palestinian female prisoners (5 Fatah, 4 Hamas, 3 Islamic Jihad, 1 PFLP, and the rest unaffiliated) in exchange for a video proving captured IDF soldier Cpl. Gilad Shalit was still alive. (The exchange of gestures was meant to facilitate ongoing prisoner swap negotiations mediated by Egypt and Germany that continued throughout the quarter but were unable to overcome longstanding differences over how many and which Palestinian prisoners would be

freed in exchange for Shalit; see Quarterly Update in *JPS* 153.)

Meanwhile, violence erupted in Jerusalem's Old City on 9/27 when Palestinians, outraged by rumors that right-wing Jews planned to invade the al-Aqsa Mosque compound to hold prayers on Yom Kippur, threw stones at French tourists visiting the mosque, mistaking them for Jewish activists. Israeli police dispersed the crowd of approximately 150 Palestinians with stun grenades, sparking clashes throughout East Jerusalem, with Palestinians throwing rocks, Molotov cocktails, and garbage and Israeli security forces firing tear gas, rubber-coated steel bullets, and more stun grenades. Up to 38 Palestinians and 18 Israeli security officers were injured, and 11 Palestinians were arrested. Clashes between Palestinians and Jews in East Jerusalem followed on 9/28, with Palestinians burning at least 2 Jewish settler homes in Silwan, and Jewish settlers stoning Palestinian vehicles, but no serious injuries were reported. The IDF continued arrest sweeps for Palestinians involved in the riots into 9/29, detaining at least another 50 Palestinians.

Clashes in Jerusalem broke out again on 10/4, sparked by rumors that Israeli authorities planned to allow Jewish settlers to enter the al-Aqsa Mosque compound to mark the Sukkoth holiday. In reaction, Muslim leaders called on Palestinians to rally to defend the mosque, prompting Jewish religious leaders to call followers to defend the Temple Mount. As some 200 Palestinians inside the mosque compound and some 150 on the periphery barred 100s of Jewish settlers from reaching the compound, Israeli security forces attempted to seal off the holy site and Jerusalem's Old City to contain the violence and disperse the protesters. Stone-throwing Palestinians clashed with Israeli security forces firing stun grenades and a water cannon and wielding truncheons. Dozens of Palestinians were injured, and at least 15 were arrested. Minor clashes were also reported in Ras al-Amud and al-Tur neighborhoods. Israel stepped up deployments in and around the Old City on 10/5 for the main Sukkoth ceremonies, with helicopters and drones patrolling the city from the air. Incidents mostly involved Palestinians scuffling with soldiers at checkpoints leading into Jerusalem (including 1 Palestinian stabbing and wounding an IDF soldier), leaving at

least 7 more Palestinians moderately injured and 10 under arrest.

Inside the West Bank, violence between 9/16 and 10/7 remained low as Israel sealed borders and reduced IDF operations for the Jewish holidays of Rosh Hashanah (9/18–21), Yom Kippur (9/27–28), and Sukkoth (10/3–9). Nonetheless, 2 Palestinians were killed: 1 Palestinian driver at a gas station near Bethlehem who allegedly ignored IDF orders to halt for a search of his car (9/21); and 1 teenager fatally struck by an IDF jeep near Jenin (9/30). A Palestinian gunman also wounded (9/29) a Jewish settler driving n. of Jerusalem.

Mitchell Fails to Revive the Process

With U.S. peace efforts sapped of the initial optimism and momentum that Obama's inauguration had injected into the peace process in 1/09, Mitchell returned to the Middle East on 10/8–11 to try once more to help the Israelis and Palestinians reach some kind of agreement. Hours before meeting the U.S. envoy on 10/8, Israeli FM Lieberman set the tone for the visit by telling the media: "Those who think we can within the coming years reach a global deal that will end the conflict do not understand reality. . . . [W]e will not be able to reach agreement on core and emotional subjects like Jerusalem and the right of return. . . . I am going to say very clearly—there are conflicts that have not been completely solved and people have learned to live with it, like Cyprus." During his tour, Mitchell held extensive talks with Netanyahu, Pres. Shimon Peres, Lieberman, Molcho, and Herzog on the Israeli side and Abbas and Fayyad on the Palestinian side, but achieved no progress. Publicly, Abbas commended (10/10) overall U.S. policy but insisted that the Palestinians would not renew talks until Israel stopped work on all settlements. He also denounced continued Israeli efforts "to erase the Arab and Muslim identity of Jerusalem" and vowed to seek the prosecution of Israelis accused of war crimes during OCL in line with the Goldstone report. Speaking at the opening of the Knesset's winter session, Netanyahu warned (10/12) of broader consequences if the Goldstone recommendations were pursued, stating, "Israel will not take any risks for peace if it is not able to defend itself."

Through late 10/09, Mitchell continued his consultations, but without new

bridging proposals or initiatives, U.S. efforts seemed increasingly to lack direction. (The Obama administration was meanwhile absorbed in heated debates over a U.S. troop surge in Afghanistan and the health care reform.) In light of the stagnation setting into the peace process, Obama's pre-recorded address to the opening gala (10/20) of Israel's second annual Facing Tomorrow Conference, hosted by Peres, seemed like a retreat to U.S. policy of old, stressing the "deep and much abiding friendship between the U.S. and Israel," whose bond "is much more than a strategic alliance." Amb. Rice also addressed the conference, assuring that the U.S. commitment to Israeli security remained undiminished.

Meanwhile, ongoing jockeying over the Goldstone report only deepened divisions and undermined Palestinian trust in the Obama administration. The U.S. blocked efforts to hold an emergency session at the UNSC on the report and repeated pledges to veto any attempt by member states to take action in the UNSC on the report's recommendations. However, it expedited the council's monthly debate on the Middle East situation, originally scheduled for 10/20, to create a forum where the issue could be discussed. Although the Goldstone report was not an official agenda item at that session (held 10/14), many delegates voiced strong support for the PA's call to enforce the report's recommendations. The PA also pressed for an HRC special session (held 10/15–16) at which members adopted a resolution endorsing the recommendations of the report and calling on UN bodies to ensure their implementation (see Special Doc. File and "United Nations" below). The resolution's passage prompted Netanyahu to again warn (10/15) against moving the report through the UN system, saying that if the international community thus denied Israel the right to defend itself, it could not make peace. After the HRC's vote, the Israeli cabinet created (10/20) a lobbying team to press the U.S. to veto further action in the UNSC.

Thus, when Clinton briefed Obama on 10/22 on the latest "intensified" efforts to revive the Israeli-Palestinian track, as requested after the tripartite meeting on 9/22, she could only inform the president (NYT 10/23) that "a little progress has been made, . . . but in some respects the

atmosphere for talks is actually worse now than it was a month ago." Insiders privy to details of the meeting called Clinton's briefing "a treading-water report." Obama then ordered Clinton to the region to meet personally with Abbas and Netanyahu; meetings were set for 10/31.

Clinton's Misstep, Abbas's Vow to Step Down

Clinton arrived in the region on 10/31, meeting first in Jerusalem with Netanyahu, who reiterated his proposal for a 6–9 month partial settlement freeze with no adjustments. Speaking at a joint press conference after their meeting, Clinton praised Israel's settlement offer as an "unprecedented" concession and a demonstration of Israeli "restraint," leading many to assume that Abbas would now be pressed hard to accept the offer, which would constitute de facto PA acceptance of Israeli construction in East Jerusalem and key West Bank settlements. (Even some Clinton aides were reportedly taken aback that she did not voice the administration's official position that settlements are illegal; see *NYT* 11/3.) Later that day, when Clinton met Abbas in Dubai, he stressed that the PA position was unchanged: no direct talks until a complete settlement freeze was in place. Separately, Abbas's negotiation affairs adviser Saeb Erakat stated: "What would be unprecedented is a comprehensive settlement freeze by Israel. . . . Without a settlement freeze and the eventual dismantlement of settlements, there will be no Palestinian state to negotiate and no two-state solution left to speak of. . . . If America cannot get Israel to implement a settlement freeze, what chance do Palestinians have of reaching agreement with Israel on permanent status issues?" Meanwhile, public shock and criticism of Clinton's statements mounted across the Arab world, with the Arab League, Egypt, and Jordan issuing statements expressing deep concern over the perceived U.S. backpedaling and support for the PA's stand. U.S. officials quickly denied (10/31) a policy shift, and Clinton herself stated that she had simply hoped to offer encouragement to the Israelis.

U.S. damage control involved extending Clinton's tour of the region, sending her to Morocco (11/2) to meet with Arab League FMs and to Egypt (11/3) to meet with Pres. Mubarak. Clinton moderated her praise for

Israel, explaining that Israel's settlement offer was a move in the right direction but "falls far short" of U.S. expectations. State Dept. asst. secy. for public affairs Philip J. Crowley stated (11/3) that "we recognize that things have stalled" and that the U.S. was now focusing on a more gradual approach and "looking at a variety of ways that [could] increase interaction between the parties in some form."

Spurred by the disastrous Clinton visit and apparent lack of U.S. direction, Abbas made a rare televised address on 11/5 to announce that he would not run for reelection as PA president in the 1/2010 Palestinian elections, stating that without realistic hopes of progress toward peace with Israel, there was no point remaining in office. Though he did not threaten to step down immediately, his announcement raised concerns with Israel and the U.S., who viewed Abbas as their preferred Palestinian interlocutor. (Abbas reportedly warned Clinton of his plans before making the announcement, prompting Obama personally to phone him asking that he reconsider.) Peres publicly called (11/7) on Abbas to rescind his decision, but Abbas did not respond. Soon after, Erakat suggested (11/14) that if the peace process continued to stagnate, the Palestinian leadership might ask the UNSC to endorse a state within pre-1967 borders with East Jerusalem as its capital, without further detail, prompting Netanyahu to warn that Israel would "retaliate" against such a unilateral move.

Meanwhile, Netanyahu, who planned to be in the U.S. (11/8–10) to address the General Assembly of the Jewish Federations of North America (JFNA), requested a meeting with Obama to discuss various issues including the peace process and Iran. Not only did the White House not approve the request immediately, but Obama cancelled his plans to address the same JFNA conference. Though Obama had a legitimate reason (plans to attend a memorial for victims of a domestic shooting at Fort Hood, TX), observers saw (e.g., *WT* 11/9, Reuters 11/10) the administration's moves as indicative of serious tensions between Obama and Netanyahu over the settlement freeze issue and a desire to avoid drawing more media attention to the peace process stalemate until a new plan for breaking the impasse emerged. The White House ultimately granted (11/8) Netanyahu's request

at the last moment, and the meeting was held with minimal media coverage the following evening (11/9). Afterward, Netanyahu said only that the meeting was “very focused and very positive. . . . I think this visit will turn out to have been very important.” The White House did not comment.

Around that time, the Israeli government took 2 notable steps with regard to the West Bank Palestinian economy. First, after more than a year of discussion, it granted permission for the launch (11/10) of Watania, the second Palestinian cell-phone company serving the occupied territories. Israel had resisted ceding control of a portion of the electromagnetic spectrum in which Watania could operate, but relented in light of the heavy investment by the Qatari government and the project’s possible influence on improving the Palestinian economy. Second, it reopened (11/10) the Jalama crossing between Israel’s Gilboa region and the West Bank’s Jenin district to Palestinian vehicular traffic for the first time in 8 years (Jewish Israelis continued to be barred passage). Quartet special envoy Tony Blair attended the high-profile celebration, which marked a successful conclusion to a joint effort to improve the West Bank economy by facilitating movement of goods. Israel permitted the opening only after USAID paid for important security upgrades to the checkpoint and the U.S.- and EU-trained PA security forces assumed responsibility for policing Jenin.

Otherwise, events on the ground from Mitchell’s 10/8 launch of intensified efforts to revive the process through the end of the quarter only reinforced tensions on the political level. While overall Israeli-Palestinian violence stayed relatively low, Israel dramatically stepped up provocative unilateral actions in Jerusalem—including evicting, demolishing, and issuing orders for the demolition of numerous Palestinian homes (see “House Demolitions, Land-Leveling, and Judaization of Jerusalem” below and Chronology for details). Further darkening the mood, violence in Jerusalem flared again on 10/25 after rumors circulated that Israeli security forces planned to escort Jewish worshipers onto the al-Aqsa Mosque compound that day to hold prayers. Muslim and Jewish leaders both called on the faithful to defend their holy sites, sparking the same kind of clashes seen on 9/27–28 and 10/4–5. This time, however, Israeli police used

significantly greater force to disperse the rioters, leaving at least 30 Palestinians (including at least 5 journalists and 7 women) and 9 Israeli policemen injured and 10s of Palestinians under arrest, and precipitating demonstrations and clashes with the IDF in outlying Jerusalem neighborhoods, West Bank villages, and refugee camps (see Chronology for details).

In Gaza, Israel’s siege remained in place, including tight limits on imports and exports, a near total ban on the transit of individuals, rolling blackouts (as much as 6–8 hours/day, 5 days/week), fuel shortages (less than 50 percent of daily needs), and water service cuts (6–8 hours/day, 1–4 days/week). Palestinians fired (10/12, 10/21) 2 rockets into Israel causing no damage or injuries, prompting multiple Israeli air strikes on smuggling tunnels at the Rafah border and on a suspected weapons factory/depot in Gaza City (no reported injuries). The IDF continued routinely to fire on Palestinians near the border (killing 1 Palestinian teenager and wounding 5), but only 1 incident (11/13) might possibly have involved armed Palestinians, while the rest involved civilians. Only 2 IDF incursions (10/26, 11/15) to level land and 1 incident of naval fire directed at Palestinian fishing vessels (11/4, injuring 1 fisherman) were reported. Aside from the teenager killed by cross-border fire, 5 other Gaza fatalities were reported: an ailing Palestinian denied (11/3) Israeli permission to leave Gaza to seek medical treatment (OCHA stated that Israeli restrictions played a determining role in his death) and 4 Palestinians killed in tunnel collapses.

In the West Bank, low-level IDF-Palestinian clashes took place during weekly demonstrations against the separation wall, while Jewish settler violence increased slightly, as settlers stepped up harassment of Palestinians during the annual olive harvest. The only West Bank fatality reported was a Palestinian teenager from Hebron who died (10/11) of injuries received from the IDF on 3/4/09.

Intifada Data and Trends

This quarter marked one of the lowest levels of Israeli-Palestinian violence since the outbreak of the al-Aqsa intifada in 9/09, though there was a marginal increase from last quarter. In total, at least 36 Palestinians and no Israelis were killed (compared to 37 Palestinians and 1 Israeli last quarter),

bringing the toll by 11/15 to at least 7,589 Palestinians (including 51 Israeli Arabs and 19 unidentified Arab cross-border infiltrators), 1,091 Israelis (including 348 IDF soldiers and security personnel, 215 settlers, 528 civilians), and 64 foreign nationals (including 2 British suicide bombers). Once again this quarter, a high percentage of Palestinian casualties (18 dead, 65 injured) occurred in tunnel-related incidents (IDF air strikes, collapses, electrocutions, etc.). While some of these deaths were not the result of active engagement by the IDF, they were a direct result of Israeli policies against the Palestinians.

No Israeli assassinations or Palestinian suicide attacks were reported this quarter. The last Israeli assassination took place on 2/12/09. The last confirmed Palestinian suicide attack carried out by Palestinian militants occurred on 5/22/08; it targeted the IDF post at Erez crossing in Gaza.

As of 10/2, the UN Relief and Works Agency (UNRWA) reported that the number of Gazans living in "abject poverty" (defined as "pervasive poverty below biological or nutritional standards") had tripled since 2001 to 300,000, or 1 in 5 residents.

House Demolitions, Land-Leveling, and Judaization of Jerusalem

This quarter, the IDF demolished 25 Palestinian homes completely and 1 partially (up from 9 demolished and 3 partially demolished last quarter). As in previous quarters, most demolitions (13 of 25) took place in or near East Jerusalem in areas Israel intends to keep under final status (mostly in Bayt Hanina, Jabal Mukabir, and Silwan). The other 12 homes demolished (all under construction), along with a poultry farm, were in Nablus. The owners of 1 of the razed East Jerusalem homes (10/27) had already paid fines of \$97,000 for building without permits. At least 1 other owner was forced (late 8/09) to demolish his own house or pay the Israeli authority's costs for doing the job, continuing a trend that began last quarter (see Quarterly Update in *JPS* 153). The IDF also demolished 3 auto repair shops in Qalqilya.

Jewish settlers also continued their attempts to appropriate land and buildings in East Jerusalem, seizing 1 house (Silwan, 8/16) and part of another (Shaykh Jarrah, 11/3) and attempting to seize 2 more (Bayt Safafa, 10/30). On 9/22, Jewish settlers demolished a Palestinian agricultural facility

near Ma'on settlement outside Hebron already slated for demolition by the IDF (see "Settlers and Settlements" below).

Demolition orders issued by Israeli authorities this quarter followed the same pattern: 82 were for houses in East Jerusalem (67 of them in the al-Bustan area of Silwan, where Israel intends to expand a park), while the other 9 were in Hebron. In addition, settlers petitioned (early 9/09) for the demolition of 257 structures belonging to the Bedouin community in Hebron. Israeli authorities also issued (11/1) a stop work order against the nearly completed al-Bireh International Stadium near Ramallah. (The stadium was financed by FIFA, the international soccer federation, as part of a larger program to promote Palestinian soccer, but a nearby Jewish settlement had petitioned the court to tear it down.) Of note: Israel already has 3,000 standing demolition orders for houses and other structures in West Bank area C that can be executed at any time.

As noted above, Israel restricted Palestinian access to Jerusalem during the Jewish and Muslim holidays. Other efforts to demonstrate control over Jerusalem and undermine the Palestinian presence there included extending (9/7) the closure of East Jerusalem's Nidal Center for Community Development (sealed in 7/07) until 9/11/10, and starting work (ca. 9/10) to dig a new archeological tunnel in Silwan near the al-Aqsa Mosque. In another provocative action, Israeli security forces conducted a training exercise (8/17) simulating a raid on the al-Aqsa Mosque, using ladders to scale fences surrounding the mosque. The same day (8/17), Israeli police changed the lock on the al-Nazir Gate of the mosque. When Waqf authorities immediately protested, the police claimed to have replaced the lock in error and allowed Waqf officials to restore the original.

In Gaza, OCHA recorded at least 19 incidents of IDF land leveling along the border inside Gaza to clear lines of sight. (See Chronology for details.)

Separation Wall

The Israeli DMin. stated (ca. 8/20) that "for budgetary and other considerations," there was no immediate plan to complete a separation wall around Ma'ale Adumim settlement east of Jerusalem. Indeed, the last major work done on the separation wall was completed in 2007, when budget

constraints forced the government to allocate money away from the project, leaving about 40 percent of the original 420-mile route unfinished.

On 9/10, the Israeli High Court ruled on a 2003 petition submitted by the Association for Civil Rights in Israel (ACRI) protesting the route of the separation wall between Tulkarm and Qalqilya, as well as the schedule when gates along that stretch of the wall are opened to allow Palestinian farmers access to their agricultural lands located in the “seam zone” between the wall and the Green Line. The High Court ruled that the current route caused Palestinians “disproportionate harm” and ordered the IDF to dismantle sections of the wall and relocate them along an alternate route that would still keep 19,000 dunams (d.; 4 d. = 1 acre) of Palestinian land behind the separation wall. The Court deferred ruling on the operation of the gates.

In early 10/09, the IDF made a change in a small segment of the wall, removing an IDF checkpoint that linked the West Bank with Jerusalem. As a result, some 30 West Bank Palestinian families with Jerusalem IDs have to make a 13-km detour to enter Jerusalem. On 11/13, the IDF completed a fence segment near Azun that totally isolates the village and separates it from 1,300 d. of its agricultural land.

Meanwhile, Palestinian, Israeli, and international activists kept up weekly or near-weekly protests against the wall in a number of villages, including Bil'in, al-Ma'sara, and Ni'lin (see Chronology for details). Although the protests were usually nonviolent and at most involved Palestinian stone throwing, the IDF regularly employed force (physical assault, rubber-coated bullets, sound bombs, tear gas, and, occasionally, live ammunition) to disperse the demonstrators, resulting in 34 injuries this quarter (not including those from tear gas inhalation), including 11 demonstrators who were severely beaten. In 11/09, demonstrations against the separation wall simultaneously marked the 20th anniversary of the fall of the Berlin Wall, with activists drawing a comparison between the two.

Palestinians continued to report problems accessing their lands located in the so-called seam zone between the separation wall and the Green Line. This quarter, the UN reported that only about half of the 420 permit requests to access the area were approved, causing serious problems

for farmers cultivating and harvesting crops there. Israeli authorities also permanently closed (8/27) 3 gates near Jerusalem that had given farmers access to seam zone crops.

Settlers and Settlements

Settler violence was lower this quarter, both in intensity and frequency: at least 38 incidents, down from 53 last quarter. Nonetheless, settlers continued actively to implement their “price-tag” doctrine, exacting revenge on Palestinians for the dismantling of illegal outposts. Settlers went on a rampage, injuring 16 Palestinians and setting fire to olive groves after Israeli forces demolished an outpost near Susia in Hebron (9/9) and another outpost, Mitzpe Ami, in Qalqilya (10/10). In response to the outpost removal near Hebron, settlers also clashed with the IDF. The latter acknowledged that settlers had increasingly been extending the price-tag doctrine to include soldiers and said it was taking unspecified measures to prevent this. As is typically the case each fall, settler attacks on Palestinians increased noticeably during the olive harvest; this quarter, settlers cut down, uprooted, burned, or otherwise damaged at least 919 olive (and some lemon) trees and at least 70 grape vines.

Settler violence this quarter included settlers rampaging through Palestinian population centers (9/9, 10/10, 10/31, 2 on 11/7); opening fire on Palestinians (9/10, 9/13, 9/15; wounding 3 Palestinians); beating Palestinians (8/17, 8/28, 2 on 9/6, 9/9, 9/12, 9/15, 10/6, 10/12, 10/14, 10/20, 10/22, 10/27, 10/30, 11/1, 11/7, 11/14); occupying Palestinian homes and buildings (8/16, 11/13); vandalizing or demolishing Palestinian property (8/23, 8/27, 8/29, 9/21, 9/22, 9/27, 11/10, 11/14); uprooting trees and damaging or stealing crops (8/20, 9/9, 9/13, 9/28, 10/8, 10/10, 2 on 10/12, 10/22, 11/12); and blocking roads to Palestinian traffic (9/12). As in last quarter, most incidents took place in Hebron (17) and Nablus (10). The remaining incidents took place in East Jerusalem (6), Ramallah (4), and Qalqilya (1).

West Bank Movement and Access

Overall, Israeli restrictions on Palestinian movement within the West Bank continued to improve this quarter, particularly between major West Bank population centers. At the end of the quarter, OCHA reported that

internal obstacles to travel (checkpoints, road blocks, berms, etc.) numbered 580 (33 less than the previous quarter).

In late 8/09, the USAID-funded Palestinian Authority Capacity Enhancement (PACE) project began work with the PA Public Works and Housing Min. to erect road signs at selected intersections in areas A and B of the West Bank (fully and partially controlled by the PA) as part of a larger 4-year plan to improve traffic safety across the West Bank. Although the erection of the new signs, which were in English and Arabic only, seemed to be a political move as it came just weeks after Israel's launch last quarter (see Quarterly Update in *JPS* 153) of its policy to standardize to Hebrew all road signs in Israel, East Jerusalem, and West Bank area C (the 60 percent of the West Bank under full Israeli control), the USAID project had been in the planning stages for some time and was not intended as a response to Israel.

Palestinians of Israel

The Taub Center for Social Policy Studies in Israel, an independent research institute, reported (9/1) that the grades of Israeli Palestinian students were on average 14 percent lower than the Israeli average. According to the report, "One of the problematic implications of the study is on the Israeli job market. . . . The levels of employment among Arabs . . . [is] significantly lower than what is accepted in developed countries, and their average salary is lower as well."

On 8/30, Education Minister Gideon Sa'ar reiterated his 7/09 order to remove the Arabic word Nakba (meaning catastrophe, used by Palestinians in reference to the 1948 creation of the State of Israel) from all Israeli textbooks. The decision, which would immediately affect only 1 text used in the Israeli Palestinian school system, was heavily criticized by the Palestinian community in Israel. The Follow-Up Committee on Higher Education, an Israeli Palestinian advocacy group sponsored by the National Committee of Arab Local Council Heads, denounced (8/31) the decision, calling on the Education Min. to focus instead on the growing disparities between the Arab and other government-funded school systems in Israel. The Higher Arab Monitoring Committee, which coordinates the political actions of various Israeli Palestinian organizations including the Follow-Up Committee, pledged (8/31) efforts

to revive "Nakba studies, as well as Arab culture and language."

In 10/09, Israel's Education Min. recalled for revisions another textbook that the ministry itself had commissioned for its Hebrew-language schools because it characterized Israeli military actions during 1948 as "ethnic cleansing" and contained "a great many mistakes."

INTRA-PALESTINIAN DYNAMICS

On the internal Palestinian political scene, most efforts this quarter were directed toward reconciling Hamas and Fatah, eliminating the division between the West Bank and Gaza, holding Palestinian legislative and presidential elections as planned for 1/2010 to remove doubts over the legitimacy of the PA government, and creating contingencies if the peace process with Israel were to be suspended indefinitely. While no intra-Palestinian violence was reported this quarter, Abbas's initial withdrawal of support for a HRC motion endorsing the Goldstone report in order to appease the U.S. and Israel (see "The Goldstone Report and U.S. Peace Efforts" above) generated widespread popular outrage, deepening existing political rifts.

National Unity Talks and Elections

As the quarter opened, Egyptian intelligence chief Omar Sulayman was working intensively with Hamas and Fatah separately to narrow their differences on national unity issues. In early 7/09, after months without progress, Sulayman had essentially scrapped the results of the Fatah-Hamas dialogue up to that point and started afresh, sending envoys to Damascus and Ramallah to ask each side to lay out their baseline positions on a number of specific issues (including prisoners, security reform, elections, principles of a national unity platform). He had then set 8/25 as the target date for the sides to reach a unity deal, tentatively scheduling a senior-level meeting in Cairo for that day, at which a deal could be formally announced. The ultimate goal of all the parties was to have a national unity agreement in place before elections were held. The Palestinian legislature's term is legally set to expire on 1/25/10; the Palestinian Basic Law requires the PA president formally to order elections at least 3 months prior to

the vote to allow the PA Central Elections Commission (CEC) enough time to prepare for balloting: the 8/25 deadline allowed only a small margin for finalizing a deal if needed. Sulayman and his team shuttled intensively between Fatah officials in Ramallah and Hamas officials in Damascus in the run-up to the deadline, but at the last moment, Sulayman postponed (8/25) the session believing the sides were still too far apart for a face-to-face meeting between the Fatah and Hamas leaderships to be able to provide the final push to seal a deal.

Following the postponement, Abbas and Damascus-based Hamas leader Khalid Mishal traveled to Cairo to discuss (9/6) next steps with Mubarak and Sulayman, respectively. (Abbas and Mishal did not meet.) No details of the meetings were released, though Mishal indicated afterward that Egypt was pressing Hamas to hold elections in 1/2010 as planned, even if a national unity agreement had not been concluded. Mishal rejected this, saying the elections would only be meaningful if they constituted a referendum on a new national unity platform.

Basing itself on the 9/6 discussion and the sides' respective baseline positions put forward since 7/09, Egypt presented (ca. 9/9) a bridging proposal that was welcomed by both sides (9/11) as a solid basis for serious discussion. According to sources close to Hamas (*JP* 9/9), the proposal required concessions from Fatah, including ceding exclusive control over the PASF, bringing Hamas into the PLO, releasing all Hamas supporters from PA prisons in the West Bank, and accepting wording of a national unity platform stating that the unity government would "respect" the Oslo accords (rather than "be committed" to them). To sweeten the offer, Egypt pledged to open the Rafah crossing permanently once a national unity deal was signed. A Hamas legislator cautioned (*JP* 9/9), however, that even if the plan were accepted as is, Hamas would seek to delay the elections slated for 1/2010 until it was clear "that Fatah is abiding by the terms of the reconciliation and that the Egyptians have fulfilled their promise to reopen the Rafah terminal." Egypt gave the sides until 10/15 to initial the reconciliation agreement and tentatively planned a Fatah-Hamas meeting in Cairo on 10/25–26, with the aim of formally signing a national unity accord at the close of the session. (A 10/26 signing would give

the PA the minimum 90 days to prepare for 1/2010 elections.) Thereafter, the sides sent Sulayman requests for amendments to the Egyptian-proposed text, but progress seemed to be underway. As late as 9/29, Hamas's acting PM Ismail Haniyeh stated with regard to a signing at the 10/25–26 meeting, "This is what we expect and this is what we hope for. It is very possible to sign, to end the division, to restore national unity and to attend to national causes."

Abbas's 10/2 decision blocking movement of the Goldstone report in the HRC, however, provided the justification for ending the national unity talks. After repeatedly denouncing Abbas as a traitor and "no longer Palestinian," Hamas canceled (10/7) its participation in the 10/25–26 session, citing "the crime of postponing the vote on Goldstone's report" and asking Egypt "to postpone the dialogue until Abbas apologizes." (An additional unstated factor that may have contributed to Hamas's decision was the death on 10/2 of Yusuf Abu Zuhri, the brother and bodyguard of Hamas spokesperson Sami Abu Zuhri in Egyptian custody, apparently as a result of torture. Abu Zuhri was detained in al-Arish in 4/09 on charges of entering Egypt illegally through a smuggling tunnel on the Rafah border.) Though Abbas that same day (10/7) reversed his position on the Goldstone report (see below), Hamas did not agree to return to the talks.

Egypt urged the sides to follow through with efforts to sign an accord by 10/26. On 10/15, Fatah initialed the latest version of the Egyptian draft, but Hamas refused, stating (10/15) that it could not endorse the text since it did not explicitly reaffirm Palestinian rights, including the right to resist occupation. Fatah accused (ca. 10/15) Hamas of scapegoating Abbas and of never having intended to sign the accord.

Abbas tried to force Hamas's hand on 10/20 by warning that he would formally issue an order on 10/24 for 1/2010 elections, nearly the last date he could do so under the Basic Law given the 3-month planning provision, even if Hamas did not formally endorse the text it had verbally supported only days earlier. Hamas denounced (10/20) Abbas's move, stating that the results of balloting held in such an environment would be illegitimate. Abbas nonetheless issued the decree on 10/24 setting elections for 1/24/10, but stated (10/25) that if Hamas signed onto

the national unity deal, he would issue another decree moving elections to 6/28/10. Hamas dismissed (10/24) Abbas's attempts, stating that anything he did was technically invalid since his term had legally come to an end in 1/09. The Hamas-led Interior Min. in Gaza then declared (10/28) that it would ban Gazans from participating in elections if they were indeed held, threatening that anyone in Gaza who cooperated with the poll would be "dealt with by the ministry or by other means." Heated debate followed within Fatah over whether to postpone elections or attempt to hold them in the West Bank (or in the West Bank and East Jerusalem) only.

Complicating matters further, Abbas, as already noted (see "Clinton's Misstep, Abbas's Vow to Step Down" above), announced on 11/5 that he would not run for reelection as PA president, citing the stagnation of the Israeli-Palestinian peace process. The announcement caused only a modest outpouring of support for the president in the West Bank but great consternation in the international community, where many feared that Abbas's departure could create a power vacuum and leave Israel without a stable negotiating partner (see *NYT* 11/10 for analysis). A number of Abbas's aides, including chief negotiator Saeb Erakat, threatened (ca. 11/9) to step down as well if Abbas followed through, further heightening concerns abroad.

On 11/12, the CEC informed Abbas that logistically it could not prepare elections by 1/24/10, especially given Hamas's refusal to cooperate in Gaza, lack of assurances from Israel that it would facilitate voting in East Jerusalem, and the time needed to update voter rolls. The CEC recommended postponement despite the constitutional crisis it would create. Abbas referred (11/12) the matter to the PLO Central Committee, which was widely expected to move for a postponement as well, extending Abbas's powers (and delaying his departure) indefinitely. By the end of the quarter, a meeting date had not been set.

Uproar over Abbas's Goldstone Decision

Abbas's 10/2 decision to withdraw support for the Goldstone report in the HRC had elicited widespread dissent across the Palestinian spectrum, including from Palestinian human rights groups, intellectuals, and commentators. Though a few in

the PA defended Abbas, arguing that more time was needed to win broader international support for the Goldstone recommendations, many senior PLO members and members of Abbas's own Fatah movement quickly distanced themselves, saying they had been taken by surprise. Social Affairs M Majida al-Masri (Democratic Front for the Liberation of Palestine) condemned (10/2) Abbas for allowing Israelis who committed war crimes to escape justice. National Economy M Basim Khoury (ind.) resigned in protest almost immediately (10/3). The PA Executive Authority (Abbas's cabinet) convened on 10/5 to demand answers of Abbas, with Planning M Ali Jarbawi (ind.) stating publicly, "We want to know exactly what happened. The government [had] decided to go ahead with Goldstone report until the end, but someone made a mistake. . . . There was a wrong decision, and this is terribly bad." Meanwhile, the PLO ordered (10/4) a special panel of inquiry to scrutinize Abbas's decision-making process. On the street, protests in the West Bank and Gaza steadily escalated from 10/2 through 10/7. Posters appeared across Gaza proclaiming Abbas a traitor, and at least 1 mock trial was held (10/12) in Rafah, finding Abbas guilty of treason and sentencing him to life in prison.

Initially, Abbas attempted to deflect criticism by announcing (10/4) the formation of a low-level PA committee to look into the decision-making process. But the sustained Palestinian outrage, combined with broader Arab criticism from both allies (such as Egypt and Jordan) and adversaries (such as Syria), forced him to reverse his decision on 10/7, even though it would put him in direct conflict with the U.S. In a televised address, Abbas stated (10/7): "I respect the majority opinion, and in the wake of everything that has happened, I have decided that the matter should be turned over again to the Human Rights Council." Referring to the PLO inquiry, he said, "If the committee finds any mistake in the decision to defer [the vote], we have enough courage to take responsibility and say 'we erred'." PLO secy.-gen. Yasir 'Abid Rabbuh also appeared (10/7) on Voice of Palestine Radio to state publicly that the leadership had the "courage to admit there was a mistake." Palestinians welcomed the reversal, but widespread anger with Abbas lingered.

Fatah Ratifies New Platform, Makes Appointments

Last quarter, Fatah had held its 6th General Conference (GC) to revive the party. In addition to electing a new leadership, the members agreed on the text of a revised party platform that they voted to send to the Fatah Revolutionary Council (FRC; Fatah's legislative body) for ratification. The text was not publicly released at the time but reportedly included significant new wording that discreetly reaffirmed the Palestinians' right under international law to carry out armed struggle against occupation while endorsing only the use of nonviolent measures.

This quarter, the FRC met (10/16-18) in Ramallah, where it ratified the new platform agreed at the GC session, without any changes. The official document issued in Arabic, however, included an appendix not released following the GC that laid out 5 "points of clarification" stressing Fatah's role as a national liberation movement, its insistence on keeping all its "options," and its belief in the legitimacy of "resistance in all of its forms" despite its choice of peace and nonviolent struggle (see Doc. B1 in this issue).

At the 10/16-18 session, the FRC also elected Amin Maqbul as its secy. and approved (10/18) 19 new members out of 24 nominated by the Fatah Central Committee (FCC; Fatah's executive). Of the 19, 8 were from Gaza and 11 from the West Bank. They also included 7 current and former senior PA security officials, the head of the PA's political guidance department, and Abbas's chief of staff, underscoring the interwoven relationship between Fatah and the PA, as well as the political importance of the Fatah-dominated PA security forces. One of the 19, former PA intelligence chief Amin al-Hindi, declined his post, saying that if he had wanted the position he would have run for a seat in 8/09. Fatah sources had stated during the GC (see Ma'an 10/19) that the FRC would appoint 25 new members including 20 Palestinian prisoners held by Israel (their membership would have been "suspended" until they were released) to give prisoners a stronger voice in the movement, but none of the 19 new members were prisoners.

The FCC also met (9/8) this quarter in Ramallah to assign portfolios to members elected at the GC. Of the key posts: Controversial former PA Gaza security chief Muhammad Dahlan was placed in charge of information; Nabil Shaath, international relations; and 'Abbas Zaki (chief Fatah rep.

in Lebanon), relations with Arab states. Ahmad Ghunaym was named dep. chairman and secy. of the Fatah movement (Abbas being chairman). Former West Bank PA security chief Jibril Rajub was named Fatah's dep. secy.

Also of note: The FRC held an emergency session on 11/8 to discuss the "dangerous and critical situation facing the Palestinian cause" created by Abbas's 11/15 announcement that he would not seek reelection and urged Abbas to reconsider his decision.

Hamas Rule in Gaza

As the quarter opened, Hamas-affiliated police and IQB members continued heavy patrols across Gaza following a two-day battle with members of the Salafist Soldiers of the Companions of God (SCG) at the close of last quarter that left at least 24 Palestinians dead, 130 injured, and 95 SCG members under arrest (see Quarterly Update in *JPS* 153). As the Hamas crackdown continued, photographs taken during the 8/14-15 clashes appeared on the Internet showing Hamas members executing detained SCG rivals, sparking popular Palestinian outrage. Israel played up the evidence of willful killings in an effort to undermine Hamas's popularity. Israeli TV widely broadcast the images, including additional video footage (8/25) allegedly showing IQB members shooting at SCG rebels pinned in a mosque courtyard and executing detainees. The Israeli FMin. devoted its 9/9 newsletter to the accusations that Hamas had violated international human rights laws during the clashes, claiming to have video footage, photographs, and audio recordings, as well as 4 "intercepted communications" between IQB members that showed that Hamas had deliberately planned to use excessive force against the SCG before launching the initial 8/14 raid.

Throughout the quarter, Hamas pressured other Palestinian factions to observe the moratorium on rocket and mortar fire into Israel (see Quarterly Update in *JPS* 153 for previous efforts). As noted above (see "The Israeli-Palestinian Conflict" passim), the efforts were largely, but not completely, successful. As of 10/6, the London-based *al-Sbarq al-Awsat* reported that Hamas, in an effort to clamp down, had begun actively imprisoning and interrogating members of rival groups believed to have fired into Israel.

Of note: On 11/3, Israeli intelligence chief Maj. Gen. Amos Yadlin reported to a closed session of the Knesset Foreign

Affairs and Defense Committee that Hamas members in Gaza had recently successfully test-fired a rocket that traveled 37 mi. out to sea, which would put Tel Aviv within strike range. It was unclear if the rocket had been manufactured by Palestinians in Gaza or smuggled from abroad. During OCL, Gazan militants fired a handful of rockets with a 40 km range thought to be smuggled Chinese WS-1Es (see "Palestinian Weapons Deployed against Israel during Operation Cast Lead" in the special focus section of *JPS* 151). The longest range previously recorded for a missile constructed by Palestinians inside Gaza was 17 km.

Of note: In a snub to Fatah, Hamas authorities prohibited Palestinians in Gaza from observing (11/14) the 5th anniversary of the death of Yasir Arafat and kept schools open. The date is observed as a Fatah-sponsored holiday in other parts of the occupied territories.

PALESTINIAN OPINION

The following data are excerpted from a poll conducted by the Jerusalem Media and Communication Center (JMCC) between 7 and 11 October 2009. Results are based on a survey of 1,200 men and women from the West Bank (including East Jerusalem) and Gaza. The poll, the 69th in a series, was taken from JMCC's Web site at www.jmcc.org.

1. In general, under the current government headed by Salam Fayyad, do you think the security and internal security conditions in the West Bank have improved, deteriorated, or have not changed?

	West Bank	Gaza	Total
a. Security and internal security conditions have improved	46.4%	36.1%	42.7%
b. Security and internal security have deteriorated	17.2%	25.2%	20.2%
c. Security and internal security did not change	34.2%	31.4%	33.2%
d. No answer	2.2%	7.3%	3.9%

2. In general, under the current government headed by Ismail Haniyeh, do you think the security and internal

security conditions in the Gaza Strip have improved, deteriorated, or have not changed?

	West Bank	Gaza	Total
a. Security and internal security conditions have improved	23.9%	48.0%	32.8%
b. Security and internal security have deteriorated	32.6%	24.5%	29.7%
c. Security and internal security did not change	33.9%	25.5%	30.8%
d. No answer	9.6%	2.0%	6.7%

3. Fatah held a conference last month in which they have voted for a new leadership. Do you see this step as an important development in the Palestinian political performance?

	West Bank	Gaza	Total
a. An important development in the Palestinian political performance	32.5%	42.3%	36.1%
b. The development is not important and won't make any difference	41.8%	38.4%	40.6%
c. A negative development and will only harm the Palestinian political performance	16.1%	12.7%	14.8%
d. Don't know/No answer	9.6%	6.6%	8.5%

4. The media has recently talked about imposing hijab (head cover) in public places and schools in Gaza. Do you think this is a positive step? A negative one? Or is this issue not important and won't make any difference?

	West Bank	Gaza	Total
a. A positive step	46.4%	57.0%	50.3%
b. A negative step	20.4%	15.0%	18.4%
c. The issue is not important and won't make any difference	31.7%	24.8%	29.2%
d. Don't know/No answer	1.5%	3.2%	2.1%

FRONTLINE STATES

JORDAN

The U.S. continued to involve Jordan closely in its peace efforts, particularly with regard to encouraging fellow Arab states to make normalization gestures to Israel in an effort to restart Israeli-Palestinian peace talks. Obama spoke personally (8/20) with Jordan's King Abdallah by phone to stress the importance of restarting peace talks. According to White House spokesman Gibbs, Abdallah had agreed that "all parties—Israel, the Palestinians and Arab states—should take steps simultaneously to create a context in which these negotiations can succeed." Obama reportedly encouraged Abdallah to play a leading role among Arab states.

On 10/25, when Jordan and Israel commemorated 15 years of peace, Abdallah publicly lamented the distance between the two countries, stating that peace between Jordan and Israel was meant to be part of a broader peace between Israel and the Arab world and to contribute to resolving the Israeli-Palestinian conflict.

On several occasions during the quarter, Jordan cautioned the U.S. against ignoring religious tensions in Jerusalem and the dangers of forcible Judaization of the city, including the potential for major attacks by Jewish extremists on Muslim holy sites. During a 10/12 meeting in Amman with Azerbaijani president Ilham Aliyev and in an interview with the Italian daily *La Repubblica* published on 10/19, Abdallah expressed fears that religious conflict in the holy city could spark a regional conflagration that would destroy all chances of Israeli-Arab peace in the near term. Calling the issue of Jerusalem a matter of Jordanian national security, Abdallah said in his interview that the Israeli-Palestinian conflict was at the heart of all conflict in the Middle East and urged the U.S. to prioritize it, even over its concerns about Iranian nuclear armament. Prince Zayd al-Hussein, Jordan's ambassador to the U.S., also asked (11/11) the Obama administration to devote more attention to the situation in Jerusalem before it was too late, warning that any peace between Israel and Palestine had to include a fair solution for the holy city.

LEBANON

Lebanon's focus this quarter was largely domestic. On 11/9, after 4 months of

political deal making, Sa'ad Hariri, named prime minister after the 6/7/09 elections, formed a government. His 30-person cabinet included 15 ministers from his March 14 coalition, 10 from the Hizballah-led opposition (including 2 from Hizballah), and 5 selected by Pres. Michel Suleiman. To secure a government deal, Hariri agreed that for the sake of stability, the government would delay addressing the issue of Hizballah's weapons, an item of major concern to Israel.

Developments Related to Hizballah

Although there were no major altercations between Hizballah and Israel this quarter, Israel stepped up accusations that Hizballah was rapidly rebuilding its weapons cache, depleted during the summer 2006 Lebanon war. On 8/24, Israeli pres. Peres warned against allowing Hizballah too much political power, reporting Israeli intelligence assessments that Hizballah had stockpiled 80,000 weapons and would continue to attack Israel even if Israel withdrew from the Shaba' Farms and Ghajar village areas. Lebanese FM Fawzi Salloukh denied (8/24) that Hizballah had acquired such a vast stock of weapons.

Israel again raised concerns after a mysterious explosion in Tayr Filsi village in s. Lebanon on 10/12 killed 5 people, including a Hizballah official and his son. Citing as evidence footage taken from its reconnaissance planes over s. Lebanon, Israel said the explosion was proof that Hizballah was hiding weapons in homes across s. Lebanon. Israel also claimed (11/3, 11/5) that a ship intercepted by Israeli naval forces near Cyprus on 11/3 had originated in Iran and was carrying arms destined for Hizballah. The Antiguan ship, en route to Syria from Egypt, was carrying 600 tons of rockets, guns, and other munitions hidden among consumer goods.

Meanwhile, Hizballah had accused (10/19) Israel of planting listening devices across s. Lebanon after explosions were reported (10/18) in 3 s. Lebanon villages. Hizballah said that Israel had remotely detonated 2 listening devices when they were discovered and that the Lebanese military had destroyed the third. Following a preliminary investigation, the UN Interim Force in Lebanon (UNIFIL) affirmed (ca. 10/26) that "these explosions were caused by explosive charges contained in unattended underground sensors which were

placed in this area by the [IDF] apparently during the 2006 war,” adding that the devices apparently were used to tap into Hizballah’s phone network. A Lebanese officer insisted (see *Ha’Aretz* [HA] 10/26), however, that at least some of the devices seemed to be leading edge and may have been inserted recently. New placement of devices would put Israel in violation of UN Res. 1701 setting out the principles for a permanent cease-fire during Israel’s 2006 war against Hizballah. The head of the IDF’s Strategic Division, Brig. Gen. Yossi Hayman, did not explicitly confirm or deny the Lebanese accusations, but reportedly (*HA* 10/26) told UNIFIL that “it is not reasonable to expect Israel to sit idle and wait to be attacked,” and that since Hizballah continues to arm itself and occasionally fire rockets into Israel, “we do not consider this instance as an Israeli violation of Resolution 1701.”

On a related note, an IDF assessment conducted by 24 senior Israeli defense officials concluded (ca. 9/09) that Hizballah outperformed the IDF during the 2006 war in several key areas, including intelligence, military doctrine and strategy, training and organization, tactical command, and motivation to win. The IDF was rated more technologically advanced. The assessment team leader, Israeli navy officer Lt. Col. Robi Sandman, determined that the IDF “with its current structure, cannot provide a response to [Hizballah’s] unbelievably well-equipped force.”

Of note: In early 11/09, a private school in Lebanon, under pressure from Hizballah, dropped from its curriculum a textbook containing excerpts from *The Diary of Anne Frank*. Hizballah argued that the book promotes Zionism and use of the textbook therefore violated a Lebanese law banning the import of Israeli goods and cooperation with Israeli institutions.

Additional Security Issues

On 9/11, unidentified assailants fired two Katyusha rockets into Israel, the first to be launched from Lebanon since 2/4/09. Israel responded with 14–15 projectiles of its own and sent fighter jets across the border, saying it held Lebanon responsible for all attacks originating on Lebanese soil. UNIFIL worked to contain hostilities, which resulted in no reported casualties. On 10/27, another rocket was fired into Israel from Lebanon and the IDF responded

with several artillery rounds; there were no reported casualties on either side.

Israel revealed (8/31) that Israeli-Palestinian Rawi Fuad Sultani, a 23-year-old resident of Tira, had been charged in connection with a plot to assassinate IDF Chief of Staff Lt. Gen. Gabi Ashkenazi. According to prosecutors, Sultani was recruited by Hizballah in summer 2008 while attending a Balad Party summer camp in Morocco and instructed to collect information about Ashkenazi’s daily routine, in part because he and the general went to same gym. Israel claimed that Hizballah planned to assassinate Ashkenazi to avenge the 2/08 assassination of Hizballah military commander Imad Mughniyah (for which Israel claimed responsibility).

SYRIA

Syria Makes Peace Overtures

On 9/8, Syrian FM Walid al-Moualem reiterated Syria’s willingness to resume Turkish-mediated peace talks with Israel when he received Spanish FM Miguel Angel Moratinos (former EU special envoy for the peace process, 1996–2003) in Damascus to discuss the state of Middle Eastern affairs. Moualem also expressed concerns that ongoing Israeli settlement construction was blocking efforts to restart Israeli-Palestinian peace talks and stated hopes that the UN would play a role in applying pressure on Israel. Moratinos headed to Jerusalem later that day, meeting briefly with Pres. Peres to relay Syria’s sentiments before being suddenly recalled to Spain to participate in a state visit with Venezuelan pres. Hugo Chavez, forcing him to cancel meetings with PM Netanyahu and FM Lieberman, as well as PA pres. Abbas. (Israel was particularly displeased that the cancellation was due to a visit by Chavez, seen as deeply anti-Israel.)

Moratinos returned to Israel on 10/15 to resume discussion of Israeli-Syrian peace talks with Netanyahu. Netanyahu expressed doubt as to whether Turkey could still be an honest broker given its anti-Israel stance during OCL. Moratinos argued that renewed talks could give impetus to the Israeli-Palestinian peace process and that allowing Turkey to act as mediator could also help restore damaged ties. On 10/26, when the Syrian FMin. commented on recent Israeli-Palestinian violence in Jerusalem (see Israeli-Palestinian section above)

by accusing Israel of plotting to Judaize Jerusalem and destroy the al-Aqsa Mosque, the idea of resuming peace talks seemed all but closed for the time being.

Meanwhile, the U.S. continued efforts to rebuild relations with Syria this quarter, inviting Dep. FM Faisal Makdad to Washington on 9/30 for talks on improving bilateral relations. Makdad, the highest ranking Syrian official to visit the U.S. in five years, stressed Syria's interest in resuming indirect peace talks with Israel (though noting that no indication of Israeli interest had been received from the Netanyahu administration) and expressed Syria's appreciation for Obama's more balanced approach to the Middle East. Makdad also met with Asst. Secy. of State for Near East affairs Jeffrey D. Feltman, National Security Council chief Middle East expert Daniel Shapiro, and the State Dept.'s chief operating officer, Jacob J. Lew (responsible for resource allocations), and informed them that Syria was open to U.S.- or European-brokered negotiations with Israel. (Feltman and Shapiro had met with Syrian officials in Damascus in 3/09; see Quarterly Update in *JPS* 152.) Attempts to improve relations did not keep the White House from issuing (10/24) a statement opposing Syria's arrest of a 78-year-old human rights lawyer and ongoing repression of democratic freedoms.

Syria Aligns with Turkey

Syria independently took steps to upgrade relations with Turkey. Pres. Bashar al-Asad and Turkish PM Recep Tayyip Erdogan met (9/16-17) in Ankara to sign several important agreements to enhance bilateral economic, strategic, and security cooperation, including eliminating visa requirements for travel between the 2 states. Erdogan also pressed Asad to revive peace talks with Israel and offered to renew Turkish mediation. Asad responded that Syria would rely on Turkish mediation if peace negotiations resumed, but noted that Israel's behavior did not signal a current interest in peace, stating: "Israel has dynamited all peace negotiations so far, it has massacred people in Lebanon, it has attacked Gaza. . . . On the peace issue, we don't think Israel is present as a partner."

On 10/13, Turkey and Syria held the first meeting of their bilateral High-Level Strategic Cooperation Council (HLSCC) in Aleppo and Gaziantep to coordinate joint

action in a range of areas, pledging their commitment to building a common future. The sides signed a series of agreements to enhance cooperation and adopted nearly 40 protocols and joint projects in foreign affairs, defense, economy, energy, agriculture, and other areas. A follow-up meeting was held in Damascus on 11/14 to define the functions of the HLSCC, during which Turkey raised the possibility of creating a think tank associated with the council.

Also on 10/13, Moualem revealed that Syria and Turkey had conducted joint military exercises near Ankara the previous week, the second such round of exercises since 4/09. Moualem declared that the event was important because "it refutes reports of poor relations between the military and political institutions in Turkey over its strategic relations with Syria." The unspoken importance was that it replaced a planned military exercise between Turkey and a variety of international participants, including Israel. Turkey canceled Anatolian Eagle (see Turkey section below) over the question of Israeli participation.

REGIONAL AFFAIRS

Although Arab leaders expressed a deep desire to see an immediate resumption of Israeli-Palestinian peace talks, they remained unwilling to agree to Obama's request for immediate Arab gestures to Israel (e.g., permitting civilian Israeli airplanes to share their airspace) to show their readiness for normalized relations in the event of peace. Throughout the quarter, Arab states and the Arab League as a whole insisted that Israel demonstrate its commitment to peace by instituting a comprehensive settlement freeze before direct Israeli-Palestinian talks could resume, expressing skepticism as to Israel's own commitment and Obama's abilities to persuade it to meet Palestinians demands. They argued that only a freeze including all ongoing projects and all building in East Jerusalem would demonstrate Israeli willingness to negotiate issues such as borders and the status of Jerusalem.

Responding on 9/4 to news that Israeli officials had authorized the construction of hundreds of new housing units in West Bank settlements, Arab League secy.-gen. 'Amr Musa, speaking at an international economic conference in Italy, warned of

the urgency of the situation, stating that if Israel did not implement a comprehensive settlement construction freeze immediately, the momentum for a two-state solution would be lost. Responses from other Palestinian and Arab leaders to the announcement of new building tenders emphasized that without an immediate halt to settlement construction there would very soon not be enough territory on which to establish a Palestinian state. Israeli pres. Peres, attending the forum, declared (9/4) that "Israel has decided to make peace on the basis of two states" but that the process would be gradual. When Israeli transportation M Yisrael Katz later confirmed (9/6) that the projects would commence despite widespread international criticism, Musa and Hamas's Mishal, meeting in Cairo, urged (ca. 9/6) Arabs not to normalize ties with Israel, with Musa stating: "It is impossible to speak of normalization when Israel rejects any significant measure." Meeting with Spanish FM Moratinos on 9/8, Egyptian FM Ahmad Abu al-Ghayt confirmed that Egypt would oppose normalization steps before the implementation of a comprehensive settlement freeze. "If Israel took a big step toward Palestinians that reflected its sincerity and readiness for serious negotiations . . . only then . . . would it be acceptable to us," he said.

When Musa and Abu al-Ghayt met (9/25) with U.S. special envoy Mitchell after Obama's tripartite meeting with Netanyahu and Abbas (9/22) on the sidelines of the UNGA session in New York, they suggested that rather than focusing on Arab concessions to Israel, the Obama administration might consider presenting the outlines of what the U.S. itself saw as a fair peace agreement between the Israelis and Palestinians, including the steps that should be taken to ensure security and normalized relations between the two future states. Such a U.S. bridging proposal could at least define the "endgame" toward which the two parties would negotiate and ideally would explicitly lay out what concessions the U.S. expected from Israel. (Musa and Abu al-Ghayt themselves insisted that the basic parameters should grant Palestinians all territory occupied in 1967 and a capital in East Jerusalem.)

While Arab League representatives and other Arab leaders did not offer new concessions, they did reiterate that the 2002 Arab Peace Initiative offering Israel total

normalization for total peace was still on the table. Musa stated as much at the 9/4 economic forum and Saudi FM Prince Saud al-Faisal, heading the Saudi delegation to the UN, mentioned it at the opening of his address to the UNGA on 9/26. Saudi Arabia, in fact, was more direct than other Arab states in its refusal to offer any kind of concessions to Israel except within the framework of the initiative. Saudi amb. to the U.S. Adel al-Jubeir responded in late 9/09 to letters sent by the the U.S. House (7/31) and Senate (8/7) urging King Abdallah to "assert a strong leadership role . . . with a dramatic gesture toward Israel" (see Quarterly Update in *JPS* 153) with a letter promising Israel "full recognition, a formal end to the conflict, peace, security and normal relations will all Arab countries" in exchange for "Israel ending its occupation of the Palestinian territories, an independent Palestinian state with a capital in Jerusalem, and a just settlement for Palestinian refugees."

As noted above (see "Clinton's Miscalculation, Abbas's Vow to Step Down"), U.S. secy. of state Clinton's 10/31 press conference with Netanyahu (in which she described Israel's partial settlement freeze offer as "unprecedented") only hardened the broader Arab stand calling for a comprehensive freeze. Clinton quickly traveled to Morocco on 11/2 to meet with Arab League FMs on the sidelines of an annual G8-Broader Middle East and North Africa conference (co-sponsored by Israel and Morocco) to reassure them that the U.S. had not abandoned its commitment to a two-state solution. At the meeting, Musa reiterated Arab League support for Abbas's decision to accept nothing less than a comprehensive settlement freeze. Later that day, King Muhammad VI of Morocco repeated the Arab League stance and emphasized the importance to regional stability of establishing a viable Palestinian state.

On 11/12, the Arab League opened a review of the 2002 Arab initiative (in response to Obama's 5/09 request; see Quarterly Update in *JPS* 152), but they rejected his call to amend the initiative to make it more palatable to Israel by including 2 additional concessions: demilitarization of the future Palestinian state and limitation of Palestinian refugees' right of return to the Palestinian state itself. Arab FMs told reporters (11/12) that they supported Obama's peace efforts but insisted that

Israel immediately cease building settlements in any areas that would be discussed during negotiations.

In addition, the Arab League, which had announced in 6/09 that it would rejoin the EU-Mediterranean dialogue (or Barcelona process), which includes Israel, announced on 11/2 that it would boycott Euro-Med meetings scheduled for late 11/09 in protest over Israel's position on the peace process. The Arab states had opted out of the Barcelona process (started in 1994 after the Oslo agreement) in 1996 in protest over the first Netanyahu government's refusal to implement the Oslo accords, in effect voiding the process of its purpose.

INTERNATIONAL

UNITED STATES

The U.S. ran into obstacles this quarter in implementing its complex vision for comprehensive peace in the region (see Quarterly Update in *JPS* 152), among them: Israel's refusal to implement a significant settlement freeze and continuing Judaization of Jerusalem; the consequent refusals of the Arab states and the PA, respectively, to begin normalization and to relaunch peace talks; Israel's lack of interest in restarting talks with Syria; and its own inability either to draw Iran into nuclear concessions via diplomatic means or to create a positive linkage between the Israeli-Palestinian peace process and the Iran nuclear issue (whereby positive movement on one would encourage positive movement on the other). As the U.S. hit impasse after impasse in talks, the administration seemed to founder, unsure of how to move forward. Relations with Israel and the PA were strained. Administration attention, moreover, was focused on more pressing political issues, both domestic (healthcare) and foreign (Afghanistan). By the end of the quarter, the U.S. was forced to admit (11/3) that peace efforts had stalled and that it was waiting for new policy approaches to emerge.

U.S.-Israeli Bilateral Issues

The U.S. and Israel carried out 2 weeks of joint military exercises (called Juniper Cobra 10) beginning on 10/21 that simulated long-range missile attacks on Israel from Lebanon, Syria, and Iran. The exercise was also designed to test the Arrow

antimissile system designed by Israel and 3 American antimissile systems, including the U.S. Navy's AEGIS Ballistic Missile Defense System and the U.S. Patriot guided missile air defense system. As U.S. naval vessels began arriving in Israel on 9/20, Israeli officials reportedly signaled their expectation that the U.S. military would leave some of the systems in Israel to bolster its defenses against the Iranian threat, but this was not confirmed. The 5th in a series of biennial exercises, Juniper Cobra 10 constituted the largest ever drill between the 2 states, involving about 1,400 U.S. Air Force and Navy personnel and 1,000 IDF personnel. An anonymous Israeli diplomat stated (*Jewish Daily Forward* 12/19) that "the size and the high profile [of the exercise] are a signal from the [Obama] administration about its commitment to Israel's security."

Of note: Stewart Nozette, an aerospace scientist from Maryland, was arrested (10/19) and charged (10/20) in federal court with espionage for allegedly passing top-secret information to an Israeli government-owned aerospace firm from 1998 to 2008 in exchange for regular payments totaling \$11,000. The Justice Department stressed (ca. 10/22) that the Israeli government had not been accused of wrongdoing.

Congress

U.S. lawmakers strongly supported Israel's position on the Goldstone report. On 9/29, Sens. Kirsten Gillibrand (D-NY) and Johnny Isakson (R-GA), both members of the Foreign Relations Committee, sent a letter to Secy. Clinton, also signed by 29 other senators, urging the State Dept. to oppose any attempts to take punitive actions against Israel based on the report's allegations. The letter, which reiterated Israel's right to defend itself, pointed to "many serious flaws" in both the report and the investigative process and called the mission's mandate "problematic from the start."

Meanwhile, the text of a nonbinding resolution urging the Obama administration to oppose the advancement of the report through the UN had been introduced in the House. On 10/29, Goldstone wrote a letter to the resolution's sponsors, countering their accusations that he and his team had shown bias against Israel. He attacked the language of the resolution in detail,

stating that the text “ignores the fact that I and others refused this original mandate, precisely because it only called for an investigation into violations committed by Israel” and accepted their duties only when equal investigation of Palestinian actions had been added to their charge. The nonbinding resolution passed nonetheless (344 to 36) on 11/3 (see Special Doc. File in this issue). The White House did not comment.

On 10/1, the House approved an additional \$2 m. set aside for the US-Israel Energy Cooperation Act, and the Senate approved (10/7) \$200 m. for cooperative defense projects with Israel. The money appropriated under the Senate bill, which was strongly supported by Obama, would be in addition to the annual \$3 b. in U.S. foreign military assistance to Israel.

Lobbies

J Street, the pro-Israel, pro-peace lobbying group launched in 2008 to challenge AIPAC’s dominant voice in Washington, held its 1st national convention 10/25–28. The group invited Israeli amb. to the U.S. Michael Oren to give the keynote speech, but he declined, with Israeli embassy spokesman Yoni Peled stating that J Street supports policies that could “impair Israel’s interests.” At least 10 members of Congress, some of whom had initially accepted invitations, declined to attend in light of Oren’s decision. In a sign that the Obama administration was open to the group’s message, however, J Street was able to secure Pres. Obama’s national security adviser, Gen. James L. Jones, as the keynote speaker. The event was attended by more than 1,500 participants, including some 150 Democrats from Congress, many current and former Israeli politicians, ambassadors from several Arab countries, and a representative of the Israeli embassy (indicating, according to *Jerusalem Report* 11/23, “that while the Embassy, acting as the State of Israel, did not want to officially acknowledge J Street, it wasn’t about to ignore it, either”). Some 150 members of the press representing 19 countries covered the event.

RUSSIA

Russia did not play an active role in the peace process this quarter. The possibility of Moscow hosting an international

conference to jump start the peace process, revived last quarter (see Quarterly Update in *JPS* 153), was not pursued in light of the stagnation of U.S.-led peace efforts.

Israel and Russia continued discussion on improving bilateral relations (see Quarterly Update in *JPS* 153). On 8/18, Israeli pres. Peres met with Russian pres. Dmitry Medvedev in Sochi near the Black Sea to discuss bilateral strategic relations and Iran. Medvedev told Peres that Russia was interested in elevating its strategic and economic cooperation with Israel and expressed concern over the balance of power in the Middle East. Medvedev also discussed Russia’s position with regard to Iran and offered Russian assistance in negotiating peace between Israel and Syria. In turn, Peres asked Medvedev to reconsider the sale of weapons to Iran, as well as to other states hostile to Israel. While Medvedev did not specifically discuss an existing Russian contract to deliver surface-to-air missiles to Iran, he promised generally to consider the Israeli request, saying, “Russia is opposed to the selling of weapons that can violate the delicate balance in the Middle East, and we do not intend to change our position.” The sides agreed to continue direct talks between their governments.

On 9/7, rumors circulated in the media that Netanyahu was in Russia on a secret visit to appeal to Moscow to halt shipments of arms to Iran after new evidence had emerged that the Russian cargo ship *Arctic Sea*, captured in the Baltic Sea last quarter (see Quarterly Update in *JPS* 153), had been carrying smuggled Russian S-300 air defense missiles to Iran. (Russia had some time ago agreed to sell Iran the S-300 system but had held off on fulfillment given international concerns over Iran’s nuclear intent.) The speculation arose when his office refused to comment when the PM disappeared for several hours from public view on the grounds that his schedule was classified for national security reasons because he was dealing with top-secret issues. An unnamed Kremlin official was cited by the Russian press (ca. 9/8) as confirming Netanyahu’s visit, but the report was not officially corroborated. Officially, Russia denied (9/9) specific reports that Netanyahu had met with Medvedev or PM Vladimir Putin but was vague on whether a visit occurred. Russian FM Sergei Lavrov also reiterated (9/10)

that Russia's plans to sell the S-300 system to Iran was legitimate and completely transparent.

Also straining relations between the 2 countries, Israeli diplomat Shmuel Polishuk was ejected from Russia on 10/1 for alleged involvement in unlawful activities. Neither Russia nor Israel officially commented as to the specific allegations.

EUROPEAN UNION

By and large, the EU played only a subsidiary role in the peace process this quarter, limiting its involvement mainly to statements urging the Israelis and Palestinians to show restraint in their dealings with each other. For example, the EU called (9/9) Israel's authorization of 455 additional settlement housing units "an obstacle to peace" and asked Israel "to immediately end settlement activities, including in East Jerusalem and including natural growth, and to dismantle all outposts erected since March 2001." On 10/7, EU foreign policy adviser Javier Solana expressed his concern over the recent religious violence in Jerusalem and asked "all parties to refrain from provocative actions that could further inflame tensions or lead to violence."

Solana visited the region (ca. 10/20-22) to take part in an Israeli Presidential Conference hosted by Peres (10/20-22), meeting with Israeli and Palestinian officials (including Abbas and Fayyad) on the side, stressing EU endorsement of the Quartet's 9/24 statement urgently calling on Israel and the Palestinians to resume peace talks. While in the West Bank, Solana met with officials from the EU Police Mission for the Palestinian Territories and the EU Border Assistance Mission in Rafah to emphasize the EU's continuing commitment to an active role in the peace process. He praised the success of both the missions and the PA in readying Palestinian security forces to assume responsibility for internal security and border control.

Solana, who had announced on 7/5 his decision not to seek reappointment as the EU's foreign policy advisor following the expiration of his term in 10/09 (see Quarterly Update in *JPS* 153), in fact remained in office throughout the quarter due to continuing delays in the ratification of the Treaty of Lisbon (which alters aspects of the EU's political structure). At

the Presidential Conference (10/22), he predicted that the EU would have an even more significant international presence after the Treaty of Lisbon entered into force and advised Israel not to rely solely on the Americans for support but to "place some of its eggs in the European basket." Along those lines, Israel and the EU signed an agreement (11/4) reducing restrictions on the trade of agricultural products. Almost 95 percent of all processed agricultural products and a substantially increased volume of fresh agricultural products were made exempt from taxes and levies beginning 1/2010.

With regard to the Goldstone report, the official EU response was cautious, and at a state level European responses were varied. A number of European states expressed that they would have liked to see more universal clauses in the HRC and UNGA resolutions passed in response to the report, which they felt could have lessened the intensity of the UN's scrutinizing focus on Israel. Israel, meanwhile, was frustrated with a number of individual EU nations for either abstaining from the 10/14 HRC vote endorsing the report (Belgium and Slovenia) or not attending the vote altogether (Britain and France). Only Italy, Hungary, the Netherlands, and Slovakia voted against the report.

Of note: In light of the Goldstone report, some current and former Israeli politicians and military officials began to reconsider visits to Europe for fear of possible arrest for war crimes. (The most recent European attempt in this regard had been in 5/09, when a Spanish judge had accepted a universal jurisdiction case against 7 Israeli officials for the 7/02 assassination of a Hamas leader in Gaza City, making them vulnerable to arrest in Spain; see Quarterly Update in *JPS* 152). One of the 7, former IDF chief of staff Moshe Ya'alon, this quarter canceled (ca. 10/6) a planned trip to Britain for fear of arrest. Later, lawyers representing a coalition of Palestinian groups asked (9/29) a British court to issue a warrant for the arrest of DM Barak who was in London on a state visit at the time. The court rejected the petition at the request of the British Foreign Office, which argued that as a state guest, Barak was exempt from such legal action. On 10/27, Israel's dep. FM Daniel Ayalon decided to remain in London to deliver a speech at the London School of Economics despite

efforts (launched after Ayalon had entered Britain) by pro-Palestinian activists to have him arrested on charges of violating human rights.

On a state level, Netanyahu responded (10/18) to requests last quarter by French pres. Nicholas Sarkozy to facilitate the rebuilding of al-Quds hospital in Gaza City, which was destroyed by Israeli shelling during OCL, by personally guaranteeing the importation into Gaza of the necessary construction materials. Soon after, however, Israel, angry over France's decision to sit out the 10/16 HRC vote on the Goldstone report, informed France that Netanyahu would not be able to meet French FM Bernard Kouchner during a late 10/09 official visit and would deny Kouchner permission to visit Gaza to check on the progress being made on the hospital. Consequently, Kouchner cancelled his trip to Israel. At the end of the quarter, Netanyahu and Sarkozy met (11/11) in Paris to discuss the peace process and Iran. They did not hold a press conference afterward, but issued a joint statement declaring their intention to "deploy all efforts" to immediately revive the peace process.

Netanyahu also met (8/26) with British PM Gordon Brown prior to Netanyahu's unproductive talks with U.S. special envoy Mitchell regarding a settlement freeze. During a joint press conference following the meeting, Brown said that he agreed with Netanyahu on the importance of economic growth in the West Bank to overall efforts to reach a peace agreement, but that he also agreed with Pres. Obama that "settlement activity was a barrier to a two state solution."

Also of note: Britain's Trade Union Congress, representing the overwhelming majority (6.5 m.) of organized workers in Britain, approved (9/23) a limited boycott of goods produced in Israeli settlements but were unable to agree on a comprehensive boycott of Israeli consumer goods. Separately, Britain's Palestine Solidarity Campaign launched a week-long protest (11/9-16) against Morrison and Waitrose, a British supermarket chain that carries Israeli goods.

Israel formally complained (8/18, 8/19) to Sweden, current holder of the rotating EU presidency, about the publication (8/17) in the Swedish tabloid *Aftonbladet* of an article accusing the IDF of involvement in selling Palestinian organs on the

black market. (The author had made the claims years earlier, but revived the story in light of the arrest in New Jersey of 5 American rabbis for participation in an organ-trading network.) On 8/23, Netanyahu "placed curbs on the Swedish press in Israel" and asked the Swedish government to condemn the article. Sweden responded by saying it could not interfere with the freedom of its press. *Ha'Aretz* reported (8/23) that Israeli officials were considering cancelling Swedish FM Carl Bildt's trip to Israel scheduled for 9/11 if the Swedish FMin. did not condemn the article. Although Lieberman's spokesman denied the report, the trip was later canceled by Bildt himself.

Spanish FM Moratinos, scheduled to hold the next EU presidency, began to increase his involvement in the peace process this quarter, visiting the region in early 9/09 and mid-10/09, meeting with Egyptian, Israeli, and Syrian officials (see Syria and Regional Affairs sections above). Nonetheless, relations between Israel and Spain were strained when the Spanish Housing Min. disqualified (9/16) Ariel University Center of Samaria, one of 20 finalists, from a competition to build a solar house at the Solar Decathlon Europe 2010 event. According to Sergio Vega, the project manager, the Spanish government based the decision on the fact that the university, representing Israel, is situated in the West Bank, which is occupied territory. Spain was committed, he said, to uphold international agreements under the EU and the UN "regarding this geographic area."

UNITED NATIONS

UN affairs this quarter were dominated by the submission on 9/15 of the advance version of the report of the United Nations Fact-Finding Mission on the Gaza Conflict, headed by South African jurist Richard Goldstone, to the HRC (see "The Goldstone Report and U.S. Peace Efforts" above), coinciding with the opening of the UNGA session in New York that day. The mission had been formed in 4/09 (see Quarterly Update in *JPS* 152 for background) and had toured the region in 6/09 and 7/09 to conduct its investigation (see Quarterly Update in *JPS* 153). While the PA and Gaza authorities had cooperated with the mission, Israel had refused, denying it access to active military members,

government officials, and classified records. Despite this, the mission had been able to interview many Israelis, and much data on Israel's conduct was available in the public domain. The report—based on 188 interviews, more than 10,000 pages of reports and other documents pertaining to the conduct of the Israeli military and armed groups in Gaza, and over 30 videos and 1,200 photographs—presented conclusions drawn from the mission's investigations of specific incidents it considered “illustrative of the main patterns of violations” and accused both Israel and Gaza authorities of committing a range of greater and lesser war crimes. As mentioned above, while the report condemned Gaza militants' indiscriminate rocket attacks against Israel, it focused most attention on Israeli violations of international law.

The mission determined that the nature of some of the more serious crimes (including “willful killing, torture or inhuman treatment, willfully causing great suffering or serious injury to body or health, and extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly”) gave rise to “individual criminal responsibility,” prompting it to recommend that the HRC officially bring the report to the attention of both the UNSC and the ICC. The report also suggested that certain hardships imposed on the people of Gaza during Israel's prolonged occupation of the Gaza Strip “could lead a competent court to find that the crime of persecution, a crime against humanity, has been committed” by Israeli authorities. The mission dismissed the Israeli military's internal investigations to date as inadequate and incompatible “with international standards of independence and impartiality,” and recommended that the UNSC make it incumbent upon Israel and the relevant Gaza authorities to undertake credible investigations of the report's allegations within 6 months (by 3/15/2010) or face prosecution in the ICC. The report further recommended that the UNGA monitor proceedings in the UNSC related to the report.

On 9/29, when the HRC convened for a discussion of the report (the final version of the report was submitted on 9/25), the U.S. (which newly joined the council in 5/09) indicated that it would support a resolution urging the Israeli and Palestinian governments to conduct their own serious

investigations of the report's findings but was strongly opposed to Palestinian efforts to pass a more comprehensive resolution adopting the report's recommendations, including that the matter be addressed by the UNSC. As noted above (see “The Goldstone Report and U.S. Peace Efforts”), the U.S. and Israel pressured Abbas heavily behind the scenes prompting him to withdraw support for the Palestinian resolution hours before the HRC vote on 10/2. The HRC immediately postponed further discussion of the report until 3/2010, only to have Abbas, now facing tremendous domestic criticism, reverse his position on 10/7, allowing the HRC to reconvene (10/15–16) to debate the report and pass the Palestinian resolution on 10/16. The vote was 25–6; Russia voted in favor and the U.S. against, with 11 abstentions, Madagascar and Kyrgyzstan not present, and Britain and France refusing to vote. Israel issued (10/16) a statement reiterating its opposition to the report and the resolution, noting that the vote, with only 25 in favor, represented a “significant improvement” over the vote in 1/09 calling for an HRC investigation of OCL, which 33 member states had supported. Israel, however, agreed (10/27) to launch a new investigation in compliance with the resolution, but stated that Israeli soldiers would not be questioned.

On 11/4, the UNGA opened discussion on a nonbinding resolution, drafted by envoys of 22 Arab states, that set a 3-month deadline (early 2/09) for the Israeli and Palestinian governments to conduct internal investigations of the Goldstone report's allegations. Israel again strenuously objected, describing the Goldstone report and the UN discussion surrounding it as “conceived in hate and executed in sin.” Representatives of nearly 50 other states gave speeches on the report before the assembly voted 114 to 18 (including Israel and the U.S.) with 44 abstentions (including Britain and France) to pass the resolution, which also recommended referring the two governments to the UNSC if they failed to conduct investigations. Israel denounced (11/6) the resolution as lacking “the support of the moral majority.”

Meanwhile, back in September, Obama (9/23), Netanyahu (9/24), and Abbas (9/25) each addressed the UNGA at its annual opening session. Obama spoke of the U.S. commitment to “a viable, independent

Palestinian state with contiguous territory that ends the occupation that began in 1967, and realizes the potential of the Palestinian people." Although the Obama administration treaded carefully where the Goldstone report was concerned, he alluded to the report when he stated, "The United States does Israel no favors when we fail to couple an unwavering commitment to its security with an insistence that Israel respect the legitimate claims and rights of the Palestinians. And nations within this body do the Palestinians no favors when they choose vitriolic attacks against Israel over constructive willingness to recognize Israel's legitimacy and its right to exist in peace and security" (see Doc. D1 in this issue). Netanyahu explicitly compared international support for the Goldstone report with Ahmadinejad's denial of the Holocaust and Iran's sponsorship of terrorist groups, warning that the UN was in jeopardy of "revert[ing] to its darkest days, when the worst violators of human rights sat in judgment against the law-abiding democracies, when Zionism was equated with racism and when an automatic majority could declare that the earth is flat" (see Doc. C1 in this issue). Abbas, like Arab League secy.-gen. Musa, called for international pressure on Israel to freeze settlement construction, warning that Israel's activities in the West Bank and East Jerusalem were endangering Obama's vision of a contiguous Palestinian state.

Also of note: A special session was held at the UNGA on 9/24 in honor of the 60th anniversary of the creation of UNRWA. The event, the culmination of a week-long series of events honoring the organization, comprised two panels on the theme "Contributing to a Better Future: UNRWA's Record and the Road Ahead." A variety of speakers, including UN secy.-gen. Ban Ki-moon, spoke about the past work and future role of the organization.

IRAN

As the quarter opened, the U.S. had imposed a deadline on Iran to respond positively by the 9/15 UNGA opening session to U.S. diplomatic overtures aimed at securing Tehran's agreement to halt its nuclear program or face a united international call for increased punitive sanctions. U.S. and Israeli unease with Iran had increased following Iranian pres. Mahmoud

Ahmadinejad's repression of the political opposition to his disputed reelection in 6/09 (see Quarterly Update in *JPS* 153). Throughout the quarter, Iran remained wracked by domestic unrest stemming from the election.

Adding to diplomatic tensions, Ahmadinejad appointed (8/20) a new cabinet that arguably consolidated his power but narrowed his margin of maneuver. Appointments included 11 new individuals, a number of whom were close to Ahmadinejad but inexperienced, angering both his conservative critics and the more liberal political opposition. Parliamentary debate (8/30) before the vote to approve the cabinet was heated and several designated ministers were rejected, with Ahmadinejad ordered to name replacements within several weeks. Among those appointed was Ahmad Vahidi as DM; Israel believes Vahidi to have been involved in the 1994 bombing of a Jewish community center in Buenos Aires that killed 85 persons.

The Nuclear Threat Issue

In the run-up to Obama's 9/15 deadline, there was little appreciable movement on the nuclear issue as Iran focused on internal issues. On 9/2, outgoing EU foreign policy chief Solana brought Iran's chief nuclear negotiator Saeed Jalili and reps. of the UNSC P5+1 states (Britain, China, France, Germany, Russia, and the U.S.) together in Frankfurt, Germany, to press home to Iran the seriousness of the deadline. Jalili had no immediate response, and afterward, EU officials speaking anonymously acknowledged (Associated Press 9/4) that Ahmadinejad's newly appointed cabinet and ongoing political unrest in Iran were "complicating" efforts to get Iran back to negotiations.

Soon after, on 9/9, Iran submitted to Solana a "package of proposals for comprehensive and constructive negotiations," which covered wide-ranging regional and international concerns, but notably did not explicitly mention Iran's nuclear program. Despite the vagueness of the package, Solana and the P5+1 agreed to enter into negotiations with Iran on the basis of the document, with talks set to begin on 10/1. (While the meeting officially would be between Solana and Jalili, each P5+1 state would have a representative at the meeting, with Undersecy. of State for Political Affairs William Burns, the most

senior U.S. foreign service officer, sitting for the U.S. as a signal of the Obama administration's seriousness.) The State Dept. expressed thinly veiled frustration, stating (9/10) that the package "is not really responsive to our greatest concern, which is obviously Iran's nuclear program. . . . [W]e will be looking to see how . . . ready Iran is to actually engage, and we will be testing that willingness to engage in the next few weeks."

This agreement deflected the nuclear issue as the UNGA session opened. Then suddenly, on 9/21, Iran revealed to the International Atomic Energy Agency (IAEA) that it was currently constructing an underground nuclear facility, slated for completion in 2011, at a hidden site about 20 mi. outside of the holy city of Qom, claiming that it was to be used solely to develop civilian nuclear technology, "parallel" to its facility at Natanz. (According to the *Guardian* 9/25, analysts believed that Iran acknowledged the facility's existence after learning that U.S. intelligence had been monitoring the site for years and was about to expose the project.) The IAEA showed Iran's letter to the P5+1 on 9/22, and the U.S., Britain, and France shared their information regarding the facility with the IAEA on 9/24, on the sidelines of the UNGA session. U.S. intelligence disputed Iranian claims that the site was for civilian use, saying it was too small to serve such a purpose and was instead being used to enrich uranium.

In light of the revelation, the focus of the 10/1 meeting in Geneva between Solana and Jalili with the P5+1 reps. expanded to include securing Iranian pledges to halt work on the Qom site immediately and to allow IAEA inspection of the site as early as 10/25. (IAEA officials met separately on 10/4 and issued the same demands.) Jalili said Iran would agree to IAEA inspections at Qom but "would by no means be dissuaded of its certain rights" (i.e., its civilian nuclear program). The core of the meeting, however, was discussion of a new UN-brokered proposal presented by Solana and the P5+1 to Jalili for Iran to send 75% of its low-enriched uranium to Russia and France for conversion into energy-grade fuel rods that could run Tehran's nuclear medicine program, thereby allowing Iran to pursue its civilian nuclear program while leaving it without enough enriched uranium for a

nuclear weapon for at least a year. Talks lasted some 7 hours and included a bilateral meeting between Jalili and Burns. No details were released, but all parties described the meeting as productive, agreeing to meet again before the end of the month. Obama called (10/1) the talks "a constructive beginning" but stressed that "talk is no substitute for action. . . . Our patience is not unlimited."

Thereafter, the White House initiated (10/6) a two-pronged effort to press Iran on the broader nuclear issue, strongly backing the proposed Russian-French nuclear fuel deal but warning that it was drafting for UN approval a package of additional international sanctions to be used against Iran if it did not show positive movement toward a diplomatic deal to end its nuclear weapons program. At the same time, Congress began preparing a bill that would allow the president to impose U.S. sanctions on companies that dealt with Iran in the event that the UN did not approve multilateral sanctions.

On 10/29, Solana and Jalili met again in Vienna, with P5+1 reps. attending. Jalili said that Iran agreed in principle to the Russian-French nuclear fuel deal, but stated that this was only Iran's "initial response" and that it would request specific changes (no elaboration) in further negotiations. No further meetings were held this quarter, and as of 11/8, the IAEA stated it was "still waiting for the formal response" from Iran.

Israel's Diplomatic Stance

Meanwhile, Israel was not as vocal and public in its warnings against the threat from Iran as it was last quarter (see Quarterly Update in *JPS* 153), but instead focused diplomatic efforts on pressing Russia to halt military sales to Iran. The issues were raised in Peres's meeting with Medvedev on 8/18 and possibly in a secret Netanyahu meeting with Russian officials on 9/7 (see Russia section above). Russia reiterated its position that its military sales to Iran are transparent, legal, and legitimate. Israel also continued to threaten military action if P5+1 diplomatic efforts to curb Iran failed. On 9/20, Israeli dep. FM Ayalon stated that "all options [are] on the table on the issue of preventing Iranian nuclear weapons capability." Later that day, IDF Chief of Staff Lt. Gen. Gabi Ashkenazi reiterated that "Israel has the right to defend

itself, and all options are on the table.” Of note in this regard, the IDF announced (ca. 8/30) its plans to distribute refurbished gas masks to Israel’s civilian population beginning as early as 11/09. (This had not transpired by the end of the quarter.) Iran, for its part, successfully test-fired (9/28) 2 long-range Shihab-3 missiles, capable of carrying nuclear warheads and reaching Israel.

Also of note: At a major IAEA conference in Vienna on 9/18, the 150-member state body voted (49–45, with 16 abstaining) to pass a resolution that for the first time since 1991 directly criticized Israel and its nuclear program (see Doc. A2 in this issue). The nonbinding resolution expressed concern about “Israeli nuclear capabilities” and called on Israel to join the nuclear Non-Proliferation Treaty immediately and open its facilities to IAEA inspection. Iran heralded the passage as a “glorious moment.” The vote was seen as a major setback for Israel and the U.S. and reflective of growing tensions between Israel and developing countries, particularly in the Arab and Islamic world. Israel said (9/18) that it would not cooperate with the resolution.

TURKEY

Turkey again had a limited role in the peace process this quarter. It continued to encourage Syria to renew peace talks with Israel under its aegis, but its own relations with Israel, which have progressively worsened since Turkish PM Erdogan’s harsh criticism of last winter’s Gaza operation at the World Economic Forum on 1/29/09 (see Quarterly Update in *JPS* 151), continued to deteriorate. Speaking before the Turkish Religious Council on 10/12, Erdogan again censured the international community for standing by while Israel used white phosphorus bombs in Gaza during OCL. Nonetheless, Erdogan told the *Guardian* (10/26) that Turkey’s strategic alliance with Israel was still strong. (At the same time, he called Iranian pres. Ahmadinejad a friend to Turkey.)

Reacting in part to the tone of statements coming from Ankara, Israel denied a request by Turkish FM Ahmet Davutoglu in early 9/09 to visit Gaza during a planned trip to Jerusalem to attend the annual Israeli Presidential Conference, scheduled for 10/20–22. As a result, Davutoglu did

not attend the conference. Following violence in Jerusalem between Jews and Muslims (see Israeli-Palestinian Conflict section above), some 500 Muslim Turks protested near the Israeli consulate in Istanbul on 10/26. Later in the quarter, Mehmet Ali Sahin, Turkey’s new parliamentary speaker, responded to “the gracious congratulatory letter” sent to him by Knesset Speaker Reuven Rivlin with a letter sent on 11/9 addressed to Rivlin at “the Israeli Parliament, Tel Aviv.” Although it was unclear to the Israelis whether Sahin had simply made a mistake or was trying to send the message that the Israeli parliament should be in Tel Aviv rather than Jerusalem, the letter expressed hope for the continuation of a cooperative relationship between the two speakers. Israeli officials bristled at the error but chose not to pursue the matter.

When Israeli suppliers failed by the end of 8/09 to deliver 4 of 10 Heron unmanned aerial vehicles ordered by Turkey in 2005, Turkish officials indicated that they would take advantage of a clause in their contract requiring the suppliers to pay heavy fines in the event of delays. With still no deliveries imminent by mid-10/09, Turkey indicated that it was prepared to sue Israel in the International Court of Arbitration for up to \$4 m. for violating the contract. Israel Aerospace Industries and Elbit Systems, Ltd., which are building the surveillance drones, insisted that the technical difficulties of preparing the drones to be fitted with Turkish-made electro-optical payloads were causing the delay. The issue had been ongoing since 11/08, when the Israeli defense contractors delivered the first 2 of the drones to Turkey and attributed problems encountered during test flights to the payloads built by Turkish defense contractor Aselsan.

The delays in delivering the surveillance drones likely contributed to a highly publicized decision by the Turkish military to ask Israel not to participate in multinational air force exercises scheduled to take place 10/12–23. Turkey officially barred Israel’s participation in the Anatolian Eagle exercises in protest over the IDF’s conduct during OCL. When other participants, including the U.S., Italy, and NATO, objected to the move and withdrew their own forces from the exercises, Turkey on 10/11 postponed them indefinitely. Both Turkish and Israeli officials claimed bilateral relations between their countries had

not suffered, though statements made by Israeli officials off the record indicated the contrary.

Another public controversy between Israel and Turkey arose over the state's role in broadcasting *Ayriulik* (Separation), a new Turkish TV series that depicts IDF troops committing atrocities in Gaza. Israel formally protested the series on 10/14 as promoting incitement, summoning the Turkish ambassador to the FMin. Despite this, *Ayriulik* was not taken off the air.

OTHER

In what was widely believed to be a political move intended to influence the outcome of Norway's elections only two weeks away, the Norwegian Finance Minister Kristin Halvorsen announced on 9/3 that Elbit Systems, Ltd. (also embroiled in the controversy with Turkey over delivery of unmanned surveillance vehicles, discussed above) had been dropped for ethical reasons from the Government Pension Fund. According to Halvorsen, the Council on Ethics had found Elbit's seven-year involvement in Israel's construction of the separation wall on occupied territory a "serious violation of international humanitarian law." Israeli public reaction was cool, attributing the move to an attempt by the Norwegian government to curry favor with a particular sector of the electorate. (See article by Amira Hass in Selections from the Press in this issue.)

DONORS

The major donor event of the quarter was an Ad Hoc Liaison Committee (AHLC) meeting held (9/22) on the sidelines of the UNGA session in New York. Donors were updated on the status of the PA's 3-year Palestinian Reform and Development Plan. UN Secy.-Gen. Ban, attending the session, praised the PA's institution-building and reform efforts. AHLC chairman Norwegian

FM Jonas Gahr Støre reported that while donor assistance had risen, the PA was still experiencing a budget shortfall of \$400 m., which needed to be addressed urgently. (No new pledges were solicited, with Støre reiterating [see Quarterly Update in *JPS* 153] that if donors followed through on existing pledges, there would be enough money to cover the PA's budget needs.)

Notably, the AHLC welcomed PA PM Fayyad's 8/25 plan to move ahead unilaterally toward building a Palestinian state within 2 years, calling it "an important platform for donor coordination with Palestinian authorities aimed at sustainable economic development and building the institutions of the future Palestinian state." The AHLC also praised Israeli steps in recent months to reduce restrictions on Palestinian movement and access inside the West Bank, noting significant economic improvement in the West Bank and calling for such steps to be accelerated and extended. The World Bank urged Israel to take parallel steps to facilitate the export of Palestinian goods.

Among the routine donor meetings this quarter, the Local Development Forum (the coordinating body representing all donor states operating in the territories) met on 9/16 to prepare for the 9/22 AHLC. Of the 4 main donor "strategy groups" (SGs), the governance SG met on 9/9 and the infrastructure SG met on 11/5; the economic policy SG and the social development and humanitarian assistance SG did not meet. Several SG subcommittees also held regular follow-up meetings to address specific priority issues. These included the economic SG's fiscal sector working group (SWG; 9/14) and micro and small finance task force (10/21); the governance SG's judicial reform SWG (10/15) and security SWG (10/20); and the infrastructure SG's water and sanitation SWG (10/26) and solid waste thematic group (9/2). A new environmental SWG, likely created under the infrastructure SG, also held (11/12) its first meeting.