
MEMORANDUM

TO: NAD
FROM: NSU
SUBJECT: ASSESSMENT OF THE “HUDNA PROPOSAL”
DATE: 4 JANUARY 2007

The “*Hudna* Proposal”, as it was circulated in the Palestinian media, is essentially a plan designed to create an atmosphere that would allow the resumption of the PS negotiations, and would eventually lead to a PS agreement. It is not a substantive peace plan. In a nutshell, the plan calls for Israeli withdrawal to an agreed upon temporary line and a *hudna* for 5 years. During the *hudna* the two sides will take confidence building steps, which will mainly include lifting the checkpoints, unrestricted access to East Jerusalem, unrestricted movement between Gaza Strip and the West Bank, and a total freeze on settlement activities. A Palestinian state along the 1967 lines will be created after the *hudna*. Although it resembles the Roadmap, this plan places more emphasis on economic and developmental aspects and deals less with the security aspects of the situation.

From the outset, it should be clarified that this plan is immature and could harm Palestinian interests. Especially alarming are the following points:

1. It copies the mistakes of Oslo by engaging on long interim arrangements, and mainly focusing on the process and not the substance of the conflict. It postpones PS negotiations and does not provide a clear vision of the outcome of the PS negotiations. It does not define any contours or frames for the solution. It omits any reference to UN Resolutions, including UNSC 242 and 338.
2. The plan calls for an Israeli withdrawal to “an agreed-upon temporary line” for a period of 5 years. It does not specify where this line is or its future significance. Based on past experience there is a high risk that this temporary line will become permanent in the future, and there is a high risk that this would be the only thing Palestinians are left with if the PS negotiations fail; consequently creating a small political entity along that line that would be called a state. Moreover, it would be reasonable to assume that Israel will insist that the line would be the current route of the wall. Unlike the Roadmap, the *hudna* proposal does not seek to attribute political significance to the temporary withdrawal line – i.e., there is no explicit call for an interim state. However, in practice, the new armistice line would likely replace the pre-1967 line. The plan does, however, envision an end to Israeli settlement activity which, along with an empowered international force, could guard against the risks that the temporary border could become permanent. But these conditions are not likely to be met.

3. It states that the *budna* will allow the “Islamic World” to give the Palestinian government more “margin to explore ways to resolve the conflict permanently”, identifying the Islamic World as the source of powers of the Palestinian government, and not the Palestinian people. Similarly, it suggests that external forces should be leading the Palestinian fight.
4. Right of Return and refugees: The plan states that the post-*budna* objective would be a state within 1967 lines and “preserving the right of return”, implying that the refugee issue would still be unresolved at that point. Our understanding, based on the language of the relevant section, is that this proposal postpones the refugee problem to a later stage -i.e. after the creation of the state. This would put the Palestinians at a more inferior position when the refugees issue is discussed- if at all. Israel has an interest in settling the conflict as a whole, and clearly does not have a particular interest in resolving the refugee problem specifically since currently there is no pressing need to resolve the problem. Singling out the refugees issue from a comprehensive peace agreement for later negotiations simply means that it will never be discussed or resolved, and if negotiations actually take place, Palestinians will lack any real leverage. The result would be transforming the refugee issue from a political and human rights issue to a humanitarian problem. Most alarming with regard to refugees is that there is no reference to UNGA resolution 194, which is the starting point of the Palestinian position.
5. The plan focuses on joint Israeli-Palestinian industrial and agricultural projects and areas. It also focuses on allowing Palestinian labor to access Israel. These two components might prejudice the creation of self-sustainable Palestinian economy and would even increase Palestinian economic dependence on Israel.

The points that could be seen as positive in the Palestinian context are the ones which refer to unrestricted access of Palestinians to East Jerusalem, unrestricted access for Palestinians at international border crossings, and the release of all of political prisoners. Almost all of the other Israeli obligations are issues that Israel is already committed to under various agreements and understandings between Israel and the Palestinians (like settlements freeze and freedom of movement between Gaza and the West Bank). In addition to these points, the proposed monitoring mechanism, which includes multi-national forces and punishment measures, seems to be more efficient than any of the monitoring mechanisms used so far.

The overall assessment of this plan is that it does not strengthen any of the Palestinian positions regarding PS negotiations. It might even prejudice a lot of Palestinian interests. Yet, the risks embedded in this plan are not higher than the risks of the Roadmap, because of its simplicity, monitoring mechanism, and because it lacks the state with provisional borders option. It is also less onerous and less likely to cause internal strife because it does not require the Palestinians to dismantle “terror infrastructure” and does not require them to explicitly recognize Israel or its right to exist.

It should be mentioned that Hamas denied any relation to this proposal, and Ahmad Yusef said that it only reflects European positions and not the Government’s position. This assertion seems to fit the terminology used (the use of targeted killing instead of

assassination for example), and the main points in the plan which focus on freedom of movement, economic development and cooperation with Israel, and allowing Palestinian workers into Israel.