ISRAELI-PALESTINIAN CONFLICT:
OPTIONS FOR PEACE

As the Israeli and Palestinian camps move further and further apart, it appears that direct negotiations will bring little advancement to the peace process. In order to define the limits of the negotiating terrain and to stop the widening gap between the two parties, negotiators can no longer set aside the central issues of Jerusalem, territory and refugees. During this time of minimal progress in bilateral talks, it is worthwhile to examine possible regional and international peace initiatives that might help restart the peace process. The Amadeus Institute will host a half-day of discussion and debate dedicated to new peace initiatives at the 2010 MEDays Forum in November.

INTRODUCTION

U.S. coordinated direct negotiations between the Israeli government and the Palestinian Authority will begin on September 2, 2010\(^1\). While this may seem like progress, the potential for a much needed breakthrough in the peace process is unlikely, because the two camps have moved farther apart over the past several years\(^2\). Since the election of Netanyahu in Israel in April 2009, Israeli religious

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conservatives have gained a greater voice in the country’s policy, and most particularly on the issue of Palestine. The Netanyahu government has directly challenged the United State’s calls for a complete stop on the construction of settlements. Additionally, even after the flotilla incident of May 2010, the blockade on Gaza is only slowly changing. On the Palestinian side, internal divisions between Fatah and Hamas prevent a unified negotiating position. Palestinian President Mahmoud Abbas does not see direct negotiations as a worthwhile endeavor at this time. As achieving peace through bilateral talks between Israel and the PA becomes less likely, it is essential to reexamine the determining factors of final status negotiations and discuss possible regional and international solutions which might bring about positive change.

**DIRECT NEGOTIATIONS BETWEEN ISRAELIS AND PALESTINIANS**

The challenges of the first Intifada brought together the Israeli government and the PLO, which would become the PA, in face-to-face negotiations for the first time. The end result was the Declaration of Principles (1993) and the Oslo Interim Agreement (1995). However, these two agreements, which became known as the “Oslo Accords,” sidelined any discussion of final status issues until a later date. The failed Camp David II negotiations under US President Clinton, and the onset of the second Intifada in 2000, demonstrated that Oslo had failed to bring about lasting peace. Israel’s unilateral withdrawal from Gaza and the political victory of Hamas have added to this political instability. Any true peace effort must address the final status issues that were previously postponed, including Jerusalem, territory and refugees.

**JERUSALEM**

Jerusalem, or El Quds, and particularly the 9 square kilometers that make up the walled Old City, is of central importance for religious, political and social reasons.

The world’s three largest religions - Judaism, Christianity and Islam - all consider the Old City to be of sacred importance. For Jews, the Temple Mount is essential to the history of a chosen people who were promised a land, and who built, and rebuilt, a temple to worship their God. For Christians, the city is holy because it is where Jesus was condemned to death and crucified. Finally, for Muslims, it is at

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Negotiations Resume- no Fanfare and no New Peace Religion,” Foreign Policy, 14 May 2010.
the Haram al-Sharif that Mohammed ascended into heaven. This makes Jerusalem the third holiest site in Islam, after Mecca and Medina.

Politically, Israel would like to control all of Jerusalem as a single entity, while Palestinians want East Jerusalem. According to Israelis, the Old City must be governed by Israel, and Jerusalem must remain enacted as a single entity protected by the Israeli government. Palestinians desire to control the Haram al-Sharif, to receive restitution for lost property and to govern East Jerusalem. Clearly, the political demands of both Israelis and Palestinians cannot both be completely satisfied.

Additionally, any decisions on Jerusalem will have social repercussions. According to the Jerusalem Old City Initiative, in 2002, there were approximately 35,000 residents in the Old City, 11.3% of which were Jewish, and 88.7% of which were Arab or Armenian. Changes in governance over this territory would affect the daily life of individuals carrying either Israeli or Palestinian citizenship. Laws governing property ownership, working permits and community services will have to be reformed in order to accommodate any final status agreement.

**Territory**

The continued Israeli development of settlements is a violation of international humanitarian law and has been condemned by the United Nations, the United States and Europe on several occasions. These settlements slowly decrease the amount of land on which a Palestinian state could be established. As reported by B’Tselem, more than 300,000 Israelis live in 121 settlements and approximately 100 outposts. This covers about 42% of the land area of the West Bank. Israel recognizes that 21% of current settlements are built on private Palestinian property. The construction of a separation wall in July 2008 has added to this dilemma by separating over 90 Palestinian communities from their agricultural land. While the Netanyahu government has imposed a ten month moratorium on settlement activity, which will expire at the end of September, settlement development continues to be approved. The Israeli newspaper Haaretz reported on July 12, 2010 that a council approved the construction of 250 new settlement

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7 Ibid. p. 19-22  
8 Ibid. p. 9  
9 Ibid. p. 11-12  
11 “By Hook and by Crook: Israel’s Settlement Policy in the West Bank,” Relief Web, 6 July 2010.  
apartments in East Jerusalem. Additionally, in late July 2010, 55 structures in the West Bank village of Farasiya were destroyed by the IDF’s Civil Administration, potentially facilitating the construction of future settlements.

**Refugees**

After the 1948 war, the United Nations Conciliation Commission reported that there were approximately 726,000 Palestinian refugees. By the end of the 1967 war, an additional 300,000 Palestinians were forced to flee to Jordan, Syria and Egypt. As of June 2004, there were approximately 4,186,711 Palestinian refugees. Those living in Syria are not considered to be citizens while those living in Jordan have full citizenship.

The concern with refugees in final status negotiations is the “right of return.” Palestinians base this claim on the United Nations General Assembly Resolution 194(III) of December 1948. Debate centers around whether this would be a return to national soil or to specific homes. Additionally, questions about how refugees would be compensated, and whether or not compensation would simply be for lost property or reparations for historical injustice, remain unanswered. According to Rashid Khalidi, if one uses 1984 prices as a base, reparations would cost between $92 billion and $147 (US dollars).

Israel sees the refugee issue as merely humanitarian, and, as such, claims that the question of refugees has no place in political negotiations. Palestinians, on the other hand, see the refugee situation as both humanitarian and political in nature.

To complicate matters even more, the Israeli Pensioners Ministry claims that Jews that emigrated from Arab countries to Israel should be considered “refugees” and should be compensated for their lost property. As of 2007, according to the ministry, “the estimated value of Jewish property lost in Arab countries is 50 percent more than the value of the property of Palestinian refugees and is valued at billions of dollars.” While these Jewish emigrants’ refugee status may be...

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16 The resolution states that “refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date…”
debatable, such statistical claims will make a solution to the refugee issue increasingly difficult to find.\textsuperscript{19}

**ALTERNATIVE PEACE INITIATIVES**

Given the challenges facing bilateral Israeli-Palestinian peace negotiations, and the need to address final status issues as completely as possible, it is worth examining the various peace initiatives available today. These include initiatives involving solely Israel and Palestine along with farther reaching regional and international propositions.

**INITIATIVES SOLELY FOCUSED ON ISRAEL AND PALESTINE**

**QUARTET ROADMAP**

In April 2003, the Quartet – the United States, the European Union, the United Nations and Russia – published their “Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict.” According to this document, a final and comprehensive settlement between Israelis and Palestinians could be achieved by 2005 through three distinct phases. Initially, terror and violence would end and Palestinians would focus on building up institutional power. Phase I would culminate in elections in May 2003. In phase II, or the “transition” phase, an independent state would be established with provisional borders. Additionally, an international conference would be held to finalize the state’s new constitution. Finally, during phase III, which would take place from 2004-2005, a permanent status agreement would be reached between the Israelis and the Palestinians, and the conflict would end.\textsuperscript{20}

As is apparent, the Quartet Roadmap was overly optimistic and overly ambitious. Arguably, by 2010, not even Phase I of the Roadmap has been accomplished. Palestinian institutions remain weak, and divisions between Hamas and Fatah continue to grow.\textsuperscript{21} As a result, no unified Palestinian elections have taken place. Nonetheless, the idea of benchmarks in the peace process is significant if any sustainable progression towards peace is to be achieved.

**GENEVA INITIATIVE**


\textsuperscript{20} “A Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict,” text released by the US State Department, 30 April 2003.

Unlike the Roadmap, which may have failed because governments attempted to impose it on society, the Geneva Initiative was formulated by Israeli and Palestinian civil society. The Geneva Initiative was proposed in 2003 by former Israeli and Palestinian officials independently from their governments. The chief representative of the Israeli team, Yossi Beilin, was the Minister of Justice under Yitzhak Rabin, and the chief Palestinian representative, Yasser Abed Rabbo, was the Palestinian Authority’s former Minister of Information. The Initiative received strong backing from civil society, but government officials, particularly on the Israeli side, were hesitant. Israeli Prime Minister Sharon called the negotiations “subversive,” while Arafat viewed the Initiative as positive and supported it.

The Geneva Initiative attempts to solve all three major issues of final status negotiations. The Initiative calls for a permanent status agreement that embraces the mutual recognition of two states, including the creation of an independent, demilitarized Palestinian state. In terms of territory, Israel would be able to keep certain Jewish neighborhoods in East Jerusalem along with settlements beyond the Green line. However, there would be a 1:1 exchange of territory, and Israel would be required to provide alternative land to the Palestinians. Additionally, Jewish neighborhoods in Jerusalem would belong to Israel, and Arab neighborhoods in Jerusalem would belong to the newly formed Palestinian state. An international religious authority would govern the holy sites in Jerusalem with the Temple Mount belonging to Palestine, and the West Wall belonging to Israel. Regarding refugees, United Nations General Assembly Resolution 194 would be resolved permanently and completely through compensation for refugee status and lost property. Additionally, borders would be returned to those of June 4, 1967, and a corridor would link Gaza and the West Bank. An International Implementation and Verification Group would be created to monitor the implementation of the accords.

This proposal remains on the table and might be a beneficial way to address the problems facing current negotiations. The Annex included in the Accords provides detailed maps of exactly how such an initiative would be carried out.

**Unilateral Declaration of a Palestinian State**

If agreement between the two societies is too complicated and unreachable, the Palestinian Authority could declare statehood unilaterally. The French and Spanish Ministers of Foreign Affairs, Bernard Kouchner and Miguel Angel Moratinos respectively, wrote an editorial in the French newspaper “Le Monde” on February 23, 2010 calling for the recognition of a Palestinian state by the European Union as early as October 2011. This political recognition would be granted at a European

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22 The Tavis Smiley Show, NPR, 4 December 2003.
25 Kouchner and Moratinos. “À quand l’État palestinien ?” Le Monde 23 February 2010
Peace Summit held exactly 20 years after the Madrid negotiations of October 1991. In the Ministers’ original conception of the project, the state of Palestine would receive international recognition even if negotiations with Israel were not yet complete. However, French President Nicholas Sarkozy has stressed the importance of negotiations in achieving any tangible solution

Palestinian and Israeli representatives have differing views on this proposition. Chief Palestinian Negotiator Saeb Erekat stated in July 2010 that the unilateral declaration of a Palestinian state was “not on the agenda,” and that the international community was free to recognize the PLO’s 1988 declaration of independence. For the Palestinian Authority, it is Israel, thorough the construction of settlements, that is getting in the way of peace. Israel, on the other hand, flatly opposes the unilateral declaration of a Palestinian state and sees it as an “imposed solution” which will not be effective.

The largest constraints to the unilateral declaration of a Palestinian state are weak “state” institutions and the lack of unity between Hamas and Fatah. Even if the PA benefited from 8 percent economic growth in 2009 and increased financial transparency, this is insufficient for the successful establishment of a state. Additionally, the Palestinian Legislative Council has not held a meeting since Hamas took over Gaza in 2007. As a result, no laws have been passed. In a similar vein, President Abbas is beginning to lose legitimacy because there have not been recent elections. Michele Dunne of the Carnegie Endowment goes so far as to say that Palestinian institution building is “severely” limited. If one adds the division between Fatah and Hamas, it is clear that no united Palestinian position currently exists, thus making a solid peace agreement improbable.

Reconciliation of Hamas and Fatah

Without a unified Palestinian government, it is unlikely that a peace agreement will be signed between Israelis and Palestinians. Since Hamas’ electoral victory in 2005, Hamas and Fatah have moved further and further apart.

The political relationship between Hamas and Fatah has progressively worsened due primarily to decisions made by international actors. In January 2006, the Quartet outlined the conditions it required of a new Palestinian government. These included a government that was non-violent, chose to recognize Israel and accepted all previous agreements, including the Quartet’s Road Map. However,

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26 Keinon, Herb and AP. “French Reconsider Recognizing Palestine,” The Jerusalem Post 23 February 2010
27 “Erekat: No Unilateral Declaration of Palestinian State,” Haaretz 13 July 2010
29 “À quand l’État palestinien ?” By MM. Kouchner and Moratinos, Le Monde 23 February 2010
shortly after Hamas established its government in March 2006, U.S. and European leaders declared that they would stop sending aid to the Hamas-led Palestinian government. These states claimed that Hamas was a terrorist organization and did not fulfill the Quartet’s conditions. In February 2007, representatives of Hamas and Fatah attempted reconciliation and signed the “Mecca Agreement” which was moderated by Saudi Arabia. This agreement required the formation of a “national unity government” with ministers from both parties. However, the new Prime Minister, Haniyya, was a member of Hamas and the US refused to support his government. Shortly after, in June 2007, Hamas attacked Fatah and took complete control of Gaza.

Egypt has sought to reassert itself in the region by facilitating reconciliation talks between Fatah and Hamas. Beginning in 2008, Cairo tried to bring the two parties together through negotiations. By October 2009, talks bordered on agreement, and President Mahmoud Abbas, as the representative of Fatah, signed the agreement proposed by Egypt. However, Hamas refused to sign the document stating that it would only agree to Egypt’s plan if significant changes were made. Many argue that Hamas feared that it would lose legitimacy if it signed the agreement as it stood. Additionally, the US government discouraged this mediation process privately.

After the aid flotilla incident in May 2010, a Palestinian committee was formed to seek reconciliation between Fatah and Hamas. However, this committee found itself disbanded at the end of June because the “gap between the rival parties is unbridgeable.” Hamas refused to receive the committee’s delegation in the West Bank. Hamas officials claim that the US has pressured PA President Abbas not to reconcile with them.

**Regional and International Initiatives**

Moving beyond plans that concern only Israelis and Palestinians, the involvement of a greater number of parties, through regional and international initiatives, may bring about the momentum necessary to further peace negotiations.

**Syria and Israel**

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32 Ibid. p. 6, 9-11
A peace agreement between Israel and Syria could result in numerous benefits for both parties, and could advance the peace track between Israel and Palestine. Syria remains the last significant Arab state in opposition to Israel. One can still speak of an Arab-Israeli conflict because Syria has launched attacks against Israel via Lebanon, at least until Israel’s withdrawal from Lebanon in 2005. Since the Madrid conference in the early 1990s, both Israeli and Syrian leaders have struggled to achieve peace. Negotiations fell apart in 1996 and 2000 because the parties could not agree completely upon border, security, water and diplomatic issues. Syria has repeatedly called for a return to the borders of June 4, 1967, which include the return of the Golan Heights. Israel desires security and water guarantees.

Since 2000, the peace track between Syria and Israel has become much more complex. Syria’s current connections with Hizballah, Iran and, to a lesser extent, Hamas have been detrimental for Israel, which feels more and more under threat in the region. Additionally, while a peace treaty would be beneficial for Israel and Syria, concerns have been raised about the actual implementation of any agreement. Should either party fail to live up to its promises, tensions will certainly increase in the region.

Nonetheless, given the immobility of the current Israeli-Palestinian negotiations, the proximity talks between Israel and Syria, which have been coordinated by Turkey since 2008, should be further pursued. As Paul Salem of the Carnegie Middle East Center explains, “progress on the Syrian-Israeli track is where progress in the Arab-Israeli peace process is most possible.” This opening may facilitate future negotiations between Israel and the Palestinian Authority.

THE ARAB PEACE INITIATIVE

Moving beyond just Syria, the involvement of the entire Arab subsystem might be the push needed to achieve peace. The Arab Peace Initiative was proposed by then Saudi Crown Prince Abdullah in 2002, and was approved by the Arab League at the Riyadh Summit in March 2002. It calls for a comprehensive peace and the full normalization of relations, both economically and politically, between Israel and all 22 Arab states. The Initiative requires the full withdrawal of Israel to the June 4, 1967 borders.
1967 borders, the establishment of a sovereign, independent Palestinian state with its capital in East Jerusalem and the resolution of the Palestinian refugee question. Unfortunately, the timing of the Initiative was not ideal, as it was proposed in the middle of the second Intifada. Not long after its announcement, the Israeli Prime Minister Ariel Sharon rejected the Initiative and sought to continue pursuing a bilateral peace option. The greatest Israeli concern revolves around references to the United Nations General Assembly Resolution 194 and the Initiative’s call for a “just resolution to the refugee problem.”

The Initiative continues to gain traction in both the Arab and the international communities. After the re-approval of the Initiative at the Riyadh Summit of April 2007, Arab foreign ministers met in Cairo to determine how to realistically implement the Initiative. The United States, the European Union, Russia and the United Nations have all backed the plan. Israeli Prime Minister Ehud Olmert has also expressed interest in the “positive aspects” of the Initiative.

However, since the Turkish flotilla incident of May 2010, representatives of several Arab countries have called for a withdrawal from the Arab Peace Initiative. The Islamic society Manama, the third largest political block in the lower chamber of Bahrain’s parliament, has called for Bahrain to pull out of the Initiative. Likewise, several MPs in Kuwait no longer back the plan, and the Kuwaiti parliament approved a non-binding recommendation urging the government to pull out. Even so, Saudi King Abdullah has recently reiterated his commitment to the Initiative while speaking with President Obama.

The Union for the Mediterranean

The Union for the Mediterranean, which involves the Northern and Southern states situated near the Mediterranean, provides a possible indirect avenue towards resolving the Arab-Israeli conflict. The Union was created in 2008 under the auspices of French President Nicholas Sarkozy. In its two year existence, it has sought to pragmatically build interest-based cooperation between European countries and countries that border the Mediterranean Sea. It seeks to upgrade the European Union’s political relationship with its Mediterranean partners, and to

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50 “Kuwait MPs Call for Withdrawal from Arab Peace Plan,” AFP, France 24, 1 June 2010.
51 “Saudi King: Peace Initiative Still on Table,” Palestine Note, 29 June 2010.
promote co-ownership through the co-presidency of the Union for the Mediterranean, which is shared between a European country and a Southern country. Finally, it aims to establish concrete relationships through visible, large-scale projects.

Although the Union for the Mediterranean has been unwilling to directly involve itself in resolving the issues facing Israel and Palestine, the membership of Israel, the Palestinian Authority, Syria and Egypt in the Union promotes the possibility of peace by other means. Through projects focused on economic, cultural and human rapprochement, perhaps tensions between the countries might decrease.

However, this seems to be an unjustified hope given the paralysis faced by the Union for the Mediterranean after the Gaza war. Tensions exist between the different members of the Union, and the June 7, 2010 meeting of the Union for the Mediterranean was postponed to encourage progress in the indirect negotiations between the Israeli government and the Palestinian Authority. Perhaps, as Alvaro de Vasconcelos writes, the UfM will take on a greater role in solidifying peace after a treaty has been signed. He writes, “Certainly one day, if there is peace in the Middle East, regional cooperation between Israel and its neighbors will be the best way to consolidate peace and achieve development.”

**Brazil and the Peace Process**

As a newly emerging power, Brazil has increasingly sought, since 2003, to put its mark on the Israel-Palestine peace process. Approximately 12 million Arabs, 100,000 Jews and 50,000 Palestinian live peacefully in Brazil, and Brazilian Palestinians, through the lobbying arm of the Brazilian Palestinian National Interest Committee, have been able to influence government policy vis-à-vis the conflict. Brazil was the first country to obtain observer status at the Arab League. In March 2010, the Brazilian government committed 10 million US dollars to the Palestinian Authority. To maintain balance, Brazil is also part of a free trade agreement between Mercosul, or the South American common market, and both the Palestinian National Authority and Israel. President da Silva has called for the participation of Iran, Hamas and Hezbollah in future peace negotiations.

However, the Israeli government may see Brazil as biased in favor of the Palestinian camp. During President da Silva’s recent visit to Israel and the West Bank, he placed a wreath on Arafat’s grave but refused to visit the tomb of Theodor Herzl.

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55 The Brazilian Palestinian National Interest Committee, a non-profit grassroots movement, seeks to “assist the establishing of an independent Palestinian state.” Its website may be accessed at: [http://www.bpnic.org/](http://www.bpnic.org/)
56 “Why Brazil Must Enter the Peace Process,” by PNIC staff, Palestinian National Interest Committee, 5 July 2010.
the father of Zionism. While da Silva suggested that he could not fit the second tomb visit into his schedule, the Israeli Foreign Minister Avigdor Liberman saw this as an insult and boycotted Lula’s meeting in Israel\textsuperscript{58}.

Overall, the involvement of Brazil in the peace process adds the voice of an emerging country to a discussion often dominated by the developed world. Brazil has not been directly involved in the complex history of the conflict and can bring a “blank sheet” to the discussion\textsuperscript{59}. However, it is unlikely that Brazil will be able to seriously influence the process. The refusal of the United States to acknowledge the fuel swap agreement between Iran, Brazil and Turkey implies that the US still holds a firm grasp on international decision making in the Middle East region\textsuperscript{60}. Brazil’s lack of permanent membership status on the United Nations Security Council also limits its power to influence the peace process.

**CONCLUSION**

As the Israeli and Palestinian camps continue to move further apart, the need to define the limits of the negotiating terrain becomes increasingly important. All of these initiatives seek to address the final status issues of Jerusalem, territory and refugees. These issues cannot continue to be sidelined if a true resolution is to be reached. While no single initiative will bring about complete peace between the two parties, different aspects proposed by each of the above initiatives are worth considering. Benchmarks, civil society and a united Palestinian government are all essential. Through the involvement of a wider regional and international community, not only would a peace agreement have greater potential of being signed, but it would have significant economic and political effects\textsuperscript{61}. Israeli reconciliation with Syria, the entire Arab world and Europe could spark economic productivity in the region. Additionally, the involvement of an emerging power in the peace process acknowledges the shift that is taking place in the international balance of power. It is certain that peace will not be imposed upon Israel and the PA. However, the consideration of these broader initiatives will begin to pull the two parties closer together instead of further apart.


\textsuperscript{61} According to Mohammad Mustafa, Palestinian Authority President Abbas’ top economic advisor, the Palestinian economy could grow by 20% annually if peace were signed with Israel. See Ferziger, Jonathan. “Palestinian Economy May Grow 20% with Peace Agreement, Abbas Advisor Says,” Bloomberg, 4 August 2010.
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