
Providing a Regional Envelope of Support for the Peace Process

A Proposal to Assist Secretary Kerry and the Israeli-
Palestinian Negotiations

by

Miles Mabray

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SUMMARY	3
THE U.S. AND QUARTET ROLES IN THE NEGOTIATIONS	4
ALTERNATIVE PLANS	8
POTENTIAL BARRIERS TO AGREEMENT	8

SUMMARY

This proposal is the result of multiple discussions, conferences, workshops, and papers that have been conducted and written in the past few years of the peace process. The inspiration for this proposal came from discussions that took place over the course of three days (August 15–18) in a European capital among approximately fifty politicians, ex-politicians, and civil society actors from the United States, Europe, Israel, Palestine, and several Arab and other Muslim countries, regarding the possibility of creating a regional envelope to reinforce the initiative of U.S. Secretary of State John Kerry for Israeli-Palestinian negotiations. This proposal explains and outlines the construction, implementation, and promotion of a regional envelope of support for the peace process.

The political issue, which has traditionally been at the forefront in negotiations, must not be pursued in isolation. We must also address issues of economy and security for both Palestinians and Israelis. To bring about a successful conclusion, Secretary Kerry has initiated three tracks to be pursued concurrently throughout the process:

- 1) Permanent status negotiations, which serve as the core of the process;
- 2) Security requirements for both sides; and
- 3) Economic development in order to build the economic structure of the Palestinian Statehood.

The regional envelope of support will serve as a fourth track and it designed to reinforce the other three. Here, the United States and the Quartet are to engage Arab states (and possibly Turkey) in a set of structured tasks aimed at providing this Arab (or Regional) Support Group with a stake in the process and in engaging them in supporting the Palestinian leadership and giving incentives to Israel.

While work done on the peace process has assumed that progress toward peace is essential and achievable, it is important to point out and consider the high cost of failure to all involved—in the region and beyond. All efforts should be made to avoid such an outcome. Consequently, this proposal includes suggestions for enhancing prospects for the success of Secretary Kerry’s initiative and for alternative ways to achieve a comprehensive permanent status agreement if the nine-month timetable is not met. In addition to exploring alternatives, potential barriers to an agreement along with a discussion of their likelihood, are outlined.

Suggestions for the construction of multilateral working groups to follow up on the peace process, using the Arab Peace Initiative (API) as a guide and as a deal for comprehensive solution, are also presented. The recommended actions and issues for consideration are made in the spirit of helping the negotiations progress productively and improve the Israeli-Palestinian situation by having a two-state solution implemented on the ground. These actions should be conducted during the negotiations so that both sides can bear the fruits of peace not only after the negotiations are concluded, but also *during* the negotiation process itself.

The core idea of this proposal is as follows:

The United States is to galvanize the Arab League API Follow-up Committee (possibly with the addition of Turkey), into a peace process Regional Support Group (RSG). Structured somewhat like the Quartet, and acting in concert with it. The objectives of the RSG are as follows:

- Provide its members with a stake in the process;
- Mobilize their political support to enhance the Palestinian negotiating position (much as they endorsed the swap in Washington and entered negotiations in Amman when meeting Secretary Kerry and the Palestinian delegation respectively);
- Mobilize their financial resources to expedite Palestinian state building and infrastructure development (building in the West Bank, Gaza Strip, and East Jerusalem);
- Use their political skill for outreach to the Israeli public to mobilize its support for the process;
- Utilize their political influence and financial investments in Gaza and elsewhere to neutralize potential spoilers.

Some innovative ways for the RSG to make a “game changing” contribution include: inviting President Shimon Peres to visit the Arab League as a delegate, speaking on behalf of the Israeli government and with their approval, to give the Israelis positive response to the API; or asking King Abdullah of Saudi Arabia to address the Israeli society through the media; and other actions along similar lines.

THE U.S. AND QUARTET ROLES IN THE NEGOTIATIONS

The United States and the Quartet are urged to act not only as facilitators, but also to play an active and pre-emptive role in the negotiation process. While the exclusive role of the US as the chairperson of bilateral negotiations should be strictly preserved, the United States and the Quartet are encouraged to use the API to move the peace process forward since the API provides a basis for the development of a regional envelope of support. The API represents a significant contribution to the peace process, such as the Arab League’s agreement to move from 1948 to 1967 borders as the negotiated basis for accepted boundaries of a Palestinian state or the promise of full normal relations once a comprehensive peace is attained.

In order to reach an agreement in the nine-month timetable, the United States, Israel, Palestine, the RSG and the Quartet, the European Union, as well as other members of the international community need to pursue the peace negotiations and the building of Palestinian statehood both concurrently and on a fast track. No long interruptions in either state-building or the negotiations should be tolerated. The building of Palestinian statehood should involve improvement in economic conditions in Gaza, East Jerusalem, and Area C, via the lifting of restrictions that prevent this from happening – GOI steps to ease AAM and expedite project processing, and PA steps to assure an efficient and transparent legislative and regulatory environment.

Peace Process:

An Active Role for the United States

In order to succeed, the United States is urged to play a very active role in negotiations by attending as many of the negotiating sessions as possible. Accepting one side's "no" on this seemingly procedural issue has substantive consequences and does not convey the resolve required for successful negotiations.

In this active role, the United States is also urged to help identify the moments for tabling bridging proposals.

These should include a new guiding principle whereby "whatever intermediary agreements are made will be implemented and pursued" provided they do not emerge as a substitute for continued, uninterrupted progress toward the ultimate objective of a Permanent Status Agreement.

Given the associated cost in the Palestinian-Israeli context, in the region and beyond, the United States must not accept failure as an option. Progress must be made—preferably in a comprehensive way, but via lesser steps if needed—until the objective of a two-state solution on the basis of the 1967 borders, with agreed modifications, and two capitals in Jerusalem, is achieved.

Four Tracks of Diplomacy

In order to improve the Israeli-Palestinian situation and enhance prospects for an overall agreement, the U.S. is urged to design and assign specific tasks for the Arab/Regional Support Group in support of Secretary Kerry's three-track process (permanent status negotiations, security requirements, and economic development). These tasks must be planned, implemented, and evaluated on any of the common four diplomatic tracks: 1, 1.5, 2, and 3 as applicable.

Tracks 1.5 and 2.0 are extremely important, because they employ ex-politicians and civil society actors who have a wealth of knowledge and experience, and its informal, deniable nature allows for the raising of ideas and for "out of the box" thinking that is not characteristic of Track I deliberations.

Inclusion of Track 3, primarily its regional dimensions, is necessary because it serves to check potential spoilers by integrating extremists and marginalized groups to give them a voice in the process. At the very least, inclusion of these groups can neutralize efforts to disrupt and spoil negotiations.

The inclusion of each of these diplomatic tracks and their respective actors will be essential for implementation of the current negotiations. These diplomatic tracks support the economic and security elements of Secretary Kerry's initiative, as well as the implementation of any Plan B if and when required.

All of these tracks can also provide the negotiators with public support for the negotiation process. They can also provide support and ideas to move the peace process forward. It is essential that these four tracks operate in a multilateral framework of cooperation within the regional envelope of support.

Dialogue between Abu Mazen and Benjamin Netanyahu

Given the nature of the Israeli and Palestinian political environment, it is suggested that chief negotiators can carry the burden only so far. A periodic meeting of the two leaders is essential provided that it be preceded and followed by meetings of their designated deputies. It is thus recommended that U.S. officials organize a meeting between President Abu Mazen and Prime Minister Benjamin Netanyahu as soon as possible in order to move the process forward.

No Unilateralism

During the negotiations, the United States is urged to insist that both the Israelis and Palestinians avoid any unilateral actions during the negotiations and strictly adhere to the protocols of current negotiations and previous agreements, understandings, and undertakings in this regard.

Israel

The United States needs to urge Israel to lift restrictions on investment by the international private sector in Palestine, specifically in Area C and East Jerusalem, to allow for economic development and to control the spoilers from within Israeli society.

Previous Agreements

The United States, Israel, and Palestine are urged to implement previous agreements reached during past peace negotiations; for example, implementing the Wye River agreement involving redeployments in Areas A, B, and C; and revisiting the Paris Protocol.

The Arab League

The U.S. must encourage the Arab League to continue its support of the negotiations. Arab countries are in an important position to provide support to Palestinians to move forward in negotiations regarding permanent status issues, and at the same time provide incentives to Israel. The assistance of Secretary General Nabil El-Araby, his assistants, the Arab League parliament, and the API Follow-Up Committee, will be essential in providing regional support for the peace process.

The Gulf countries also have the ability to provide assistance in terms of economic development and financial support. Secretary Kerry has suggested that monetary aid of \$US 4 billion is needed to significantly improve Palestinian state building and infrastructure development. The Gulf countries can help reinforce confidence in the process by making this objective a reality, transforming economic conditions in Area C, East Jerusalem, and Gaza.

Additionally, the twenty-two members of the League, eight of whom have shared different levels of diplomatic relations with Israel in the past, are urged to leverage their diplomatic capital to support the negotiations and to assist all sides in reaching a resolution.

While Tracks 1.5 and 2 can prepare the agenda for this process, it is only in Track 1—through U.S. diplomatic leadership—that the ‘zipper’ of Israeli and Arab League constructive steps can be orchestrated.

API Follow-Up Committee and the Organization of Islamic Cooperation

It is recommended that the API Follow-up Committee, currently chaired by Qatar, open an API office in Ramallah in order to play an active role during and after the negotiations. Having an office locally would allow the committee chair to more effectively follow up on the API and to intervene, if necessary, in the event of a crisis in the negotiations or implementation of agreements.

The Organization of Islamic Cooperation (OIC) also has an important supporting role to play in the peace process. The support of OIC Secretary General Ekmeleddin Ihsanoglu and the countries of Turkey, Malaysia, and Indonesia will be invaluable in moving the peace process forward.

Jordan

Jordan has the interest and opportunity to not only support negotiations but also to play a security role in Jordan Valley. After receiving an invitation from Israel and Palestine to play a role in security of the Jordan Valley, Jordan could work with the international community to allow the deployment of international forces in the Jordan Valley, supervised and led by Jordan, to increase security. This would need to be done in cooperation with Palestinian security forces.

Jordan also has the opportunity to play a positive role in relation to the Islamic holy places in East Jerusalem.

Further, Jordan can play a role in reviving the 1995 Quartet committee composed of Israel, Palestine, Egypt, and Jordan regarding the 1967 displaced persons, which looked for modalities of return for these persons to the West Bank and East Jerusalem from 1995-1997.

Jordan can also be in close contact with President Abu Mazen and the Palestinian negotiators to provide consultation on any and all negotiation issues.

Borders on the Gaza Strip and Egypt

The United States is in a position to encourage improvement of security on the borders of Egypt and Gaza. Egypt has an important role to play in this area by re-opening the Rafah crossing permanently in coordination with the PA. Reciprocal to this, Israel should lift restrictions imposed on Gaza strip and the freedom of access of individuals and goods.

The US should undertake the responsibility for coordinating these efforts among the PA, GOE, GOI, and (based on PA consent and via Egyptian good offices) Hamas.

Further, Egypt can play a supporting role with the Palestinian negotiators on the 1967 Displaced Persons Committee mentioned above.

Multilateral Working Groups

The multilateral working groups of the Madrid Process of 1991 could be revived and revised as a parallel additional track that will help move the Palestinian-Israeli peace process, and Palestinian state building, forward. In conjunction with support from the OIC, these multilateral groups, adopted in a revised fashion from the Madrid process, could work on the broader context of the five important elements that are at the core of Secretary Kerry's tri-faceted initiative. These elements are refugees, environment, water, economic development, and security/arms control, and others such as the issue of Jerusalem. Ad-hoc groups can replace these working groups if necessary in

order to improve efficiency, such as one regarding Jerusalem and another concerning Human Rights, without being alternatives to bilateral negotiations.

ALTERNATIVE PLANS

Option 1: Statehood

If no agreement is reached after nine months, the second phase of Secretary Kerry's efforts could include encouraging Israel, Palestine, and the United States to approach the UN Security Council to recognize Palestinian statehood on the basis of the 1967 borders with agreed-upon modifications, and providing for two capitals for the two states in Jerusalem then the negotiations will be continued between the two states.

Option 2: Re-Initiate Negotiations

If no agreement is reached in Secretary Kerry's nine-month timetable, after taking a brief two-week break, the parties should be invited to reconvene for a second phase of negotiations based on the progress achieved in the first set of negotiations, so the parties will not be starting from scratch.

It is recommended that these renewed negotiations be based on the API, and approached in conjunction with the pursuit of establishing Palestinian statehood on the ground.

Transitional Actions

Actions that need to be taken during negotiations include 1) the transfer of land from area C to areas A and B and allowing the building of Palestinian economic and social presence in East Jerusalem; 2) increasing freedom of movement among the Palestinian areas of the West Bank, East Jerusalem, and Gaza; and 3) pursuing international investments for economic development.

POTENTIAL BARRIERS TO AGREEMENT

Issues That Will Not Affect Negotiations

Intifada

Participants were not of one mind on this issue. Some felt that a third intifada is highly unlikely because the mood of the general population is not in favor of one. The Palestinian people realize that the cost of intifada may be higher than the cost of the current situation.

In the most densely populated regions among Palestinians, there is no incitement of intifada. The Israeli Army is outside of the densely populated areas, and therefore not directly inciting a reaction from the general population. Similarly, Israel has no presence inside the Gaza Strip.

There may be a slight possibility of an intifada against the Palestinian Authority in the West Bank because of their core failures to provide security and improve the economic situation of the people.

Others felt equally strongly that failed negotiations would trigger major waves of unrest. Whether dubbed a third intifada or not, it would reflect frustration and loss of hope and—like the first two—might be triggered by any incident. Those concerned with this eventuality see the possibility that unrest, which is likely to escalate into violence, may begin against either Israel or the PA, and will quickly engulf both.

Economic Boycott

East Jerusalem and Gaza need Israeli products, which makes a boycott impossible in these two areas. Gaza wants restrictions lifted in order to import economic goods, which will be in the form of Israeli products, hence the impossibility of a boycott.

Issues That May Potentially Affect Negotiations

Clashes Between Israeli and Palestinian Forces

Clashes in Areas B and C may occur where the IDF has a presence. However, any dissension will most likely take the form of creative, non-violent acts that can be carried out by small groups. Such non-violent acts may include the creation of small villages, as was demonstrated in the Bab El Shams and Al Karama villages created near Jerusalem.

It is possible, but highly unlikely, that Palestinian security forces might decide not to cooperate with Israeli forces. This would result in a return of clashes between the two groups. This possibility is seen as highly improbable by some, yet highly likely by others.

East Jerusalem is also very tense and may be the source of some clashes.

Intifada in Gaza

There is a small possibility of an intifada against Hamas in the Gaza Strip, as evidenced by the Tamarod (Disobedience) group, which collected 20,000 signatures asking Hamas to leave. However, this is unlikely to happen because this group lacks the power to unseat Hamas.

Terrorist Acts

There was no consensus on this issue either. Some concluded that there is little to no possibility of terrorist acts because the PA has significantly damaged the infrastructure of terrorist groups and reduced their arms capabilities, effectively incapacitating them. Others argued that absent an energetic peace process or in the wake of a failure, local frustration on the West Bank and/or renewed Hamas efforts may meet less than determined reactions from the PA security forces.

It was in this context that a minority of participants questioned the wisdom of leaving Hamas with no option but violence. Given their inability to deliver for their constituency economically, (or politically with the recent collapse of the Muslim Brother's regime in Egypt) and faced with a peace process from which they are excluded, their incentive to take up arms once again should be addressed by more than deterrence.

Israeli Settlements

The group finished its work without having time to thoroughly discuss the possibility for Israeli settlers' actions to spoil the peace process during and after the negotiations, given the rise in their attacks on the Palestinians. According to the office of Coordination of Humanitarian Assistance to the Palestinian people (OCHA) records, these have reached the level of approximately sixty attacks per month.