

מרכז פרס לשלום
مركز بيرس للسلام
The Peres Center For Peace



Palestine Center for Strategic Studies

The Peace Process: Seventeen Plans in Ten Years

An assessment of the initiatives to resolve
the Israeli Palestinian conflict over the past decade

The Peace Process: Seventeen Plans in Ten Years

An assessment of the initiatives to resolve
the Israeli Palestinian conflict over the past decade

Authors: **Henry Fishman and Ephraim Lavie**

Opening Remarks: **Ron Pundak and Ziad Abu Zayyad**



Palestine Center for Strategic Studies



The work was made possible thanks to the kind support of
the Royal Danish Ministry of Foreign Affairs and the Royal Danish Embassy in Israel

November 2010

About the Authors

Mr. **Henry Fishman**, MA in Social Operative Psychology, is an Organizational Management and Developmental Consultant. In the past he has served as Organizational Consultant for the HQ for the Coordination of Government Activities in the Occupied Territories and the Civil Administration in Judea and Samaria during the Oslo process, in addition to being the Consultant and Professional Facilitator of Staff Work in the Israeli Civil Administration in the capacity of Documentation Manager for the Oslo process negotiations and Coordinator of the Strategic Planning Team (1991-1998).

Dr. **Ephraim Lavie**, IDF colonel (ret.), Director of the Tami Steinmetz Center for Peace Research at the Tel Aviv University, received his PhD from Tel Aviv University for his thesis, "The Palestinians in the West Bank: Patterns of Political Organization under Occupation and Self-Rule". While in the IDF he served as Advisor on Arab Affairs for the Israeli Civil Administration in Judea and Samaria and as Head of the Palestinian Desk in the Military Intelligence Research Division. In addition, served as advisor to the head of the Israeli delegation for negotiations on a final status agreement with the Palestinians (2000). Dr. Lavie has edited the book published by Tel Aviv University, "Israel and the Arab Peace Initiative" (2010).



Table of Contents

Opening Remarks	7
Introduction	10
Summary	12
Forward	14
Method and Methodology	19
The Basic Principles Necessary for Conducting a Peace Process Aimed at a Comprehensive Agreement	24
Plans Aimed at a Permanent Agreement from the Year 2000 Onwards - A Review	30
Plans Aimed at a Permanent Agreement	34
The Clinton Parameters (Guidelines for an Agreement, December 2000)	35
The Arab Peace Initiative (March 2002)	43
The Road Map (President George W. Bush's Plan, June 2002)	51
The Ayalon-Nusseibeh Plan - the "People's Voice" (July 2002)	64
The Geneva Initiative (October 2003)	66
The Annapolis Conference Plan (November 2007)	79
Plans Aimed at a Limited or Long Term Agreement	90

Mofaz's Peace Plan (November 2009)	91
Hamas's Plan - Long Term Hudna (2006)	102
Ehud Ya'ari's Plan (March 2010)	107
Unilateral Plans (Including Disengagement/Realignment)	112
Haim Ramon's Plan - Unilateral Separation (June 2002)	113
Disengagement/Realignment Plan (2003-2005)	118
Giora Eiland's Plan (January 2010)	125
Salam Fayyad's Plan - Establishment of a Palestinian State and the End of Occupation (August 2009)	141
The Oxford Research Group (August 2008)	146
Conflict Management Plans	151
Netanyahu's "Economic Peace" Plan	152
Plans for a "Forced Agreement"	155
Lieberman's Plan - "Populated-Area Exchange Plan"	159
Plans and Proposals for a Political Agreement - Conclusion	161
The Future of the Israeli-Palestinian Conflict -	
Opening Terms and Basic Principles Towards a Possible Agreement	164

**Opening
Remarks**

This document was written as part of a project in cooperation between the Peres Center for Peace and Palestine Center for Strategic Studies funded by the Danish Foreign Ministry. The aim of this project is to examine and help advance a political process conducive to a comprehensive peace agreement, the withdrawal from the Occupied Palestinian Territories in 1967, resolving the Israeli Palestinian conflict from all its aspects, and the establishment of an independent Palestinian state alongside the state of Israel.

The Peres Center for Peace and the Palestine Center for Strategic Studies serve as facilitators of the process – which includes meetings of experts and publishing of position papers – but do not claim to present their positions within this framework. The current document is one of several previously published documents as a result of the partnership between the two organizations. Among the issues dealt with in these Policy Papers are analysis of the conditions and recommendations for a political breakthrough; facilitation of economic steps such as improving passage across the Green Line; and recommendations for changing the regime of checkpoints in the West Bank and envisaging the future economic relations between the two entities .

We are proud to publish the current document, which outlines the plans and initiatives that have been presented and considered since the year 2000 to resolve the Israeli – Palestinian conflict. We saw great importance, for the gathering of all relevant plans, presenting them briefly, and providing a professional assessment of each of them in an attempt to study the advantages and failures of each of them and try to learn the lesson for the benefit of future efforts to conclude a political resolution to the conflict.

This document offers for the first time - a comprehensive objective and critical perspective, of the different plans. It will thus assist those working towards a future Israeli-Palestinian agreement to learn from the past experience in

approaching the future. Furthermore, this document should serve anyone including scholars, researchers or students of political science who will deal with the negotiation process as a professional tool to study and learn the plans that have already been suggested. We hope that the different players - Israelis, Palestinians, and others - will be able to extract and benefit from the document, the key elements and processes of reaching an agreement that will put an end to the Israeli – Palestinian conflict, which has continued for more than a hundred years.

A thorough study of the various plans and initiatives presented here, can also help to understand why have the process failed, and why they have not lead to an agreement. The conclusion which comes out from studying and analyzing all these plans and initiatives proves that achieving peace is within hand reach if it is tackled properly. Our conclusion is that an agreement is possible, and the principles that will guide it already exist within the various plans. In order to reach an agreement, political leaders on both sides need to state beforehand the framework for the ‘end game’.

However, it should be noticed that even among those who consider that an agreement can be reached, there are some who believe that the current conditions do not allow this, and that the current leaderships are not strong enough to advance negotiations. We do not subscribe to this approach though we know that it exists. However, we wonder whether the current Israeli leadership is ready or capable to make the necessary steps to make it happen.

There are others who believe that the conditions for reaching an agreement require a deeper approach of reconciliation between the parties and mutual recognition of the national narratives of each as a prelude to negotiations. Our standing is the opposite: We believe that the practical steps to resolve the political conflict will facilitate deeper mutual understanding and narrative conciliation in the future after accomplishing the political solution.

The document can also advance the issue of how we break out of this stagnation, and through this clarify two parallel paths: the first dealing with the substantial outline of an agreement, and the second dealing with the needed political system

that can lead to its implementation. In this context the decision-makers must not only address the fundamental proposals presented within the plans of the past decade, but also address the tremendous gap between the hope of reaching an agreement and the feeling of mistrust and blame which act as obstacles to this. In this context we must also consider the deep scars left on both sides by the events of the last decade and the consequences of what has occurred since September 2000 , and how to coup with these consequences in order to bring the process back to the right track.

We wish to emphasize that although this particular document is written by Israeli researchers; its research is presented as objectively as possible, and examines the interests of both parties from the respective differing viewpoints. The undersigned were close to them during their work, and a joint Israeli Palestinian workshop was convened through the process to evaluate the different peace plans and its conclusion where taken in consideration.

We wish to thank the authors, who have put great effort into making this comprehensive and important document. We also thank the Government of Denmark and the Danish Embassy in Israel, who have enabled this significant project, as well as the writing and publishing of this position paper.

Ziad AbuZayyad and Dr. Ron Pundak

Introduction

Numerous suggestions aimed at resolving the Israeli-Arab conflict, later to be known as the Israeli-Palestinian conflict, were broached by international and regional entities as well as the parties to the conflict themselves since the conflict broke out. Some of the offers were supported by influential entities such as the superpowers, the UN, the “quartet”, the Arab League and other states that became involved in the conflict from time to time.

Most of the plans and suggestions, as progressive and advanced as they might have been, failed in light of serious differences of opinion that inhere in the conflict. The majority of plans and initiatives attempted to provide a comprehensive outlook on the numerous aspects of the conflict including its national, political, territorial, security, religious, cultural and economical aspects.

The present document addresses only some of these plans and initiatives - some were born following the year 2000, the year in which the Second Intifada erupted and the negotiations that commenced in Oslo collapsed.

The plans that were propounded differ substantially - some strive for an overall agreement - the Clinton Parameters, the Arab Peace Plan, President Bush’s “Road Map,” the “People’s Voice” initiative, the “Geneva Plan,” and the “Annapolis Plan.”

Other plans express doubts as to whether the parties can reach a comprehensive agreement at present and therefore they propose limited, long term agreements: Shaul Mofaz plan, Ehud Ya’ari’s plan and Hamas’ plan for a long term ceasefire (Hudna).

Another category of plans includes unilateral plans: Haim Ramon’s plan, the unilateral disengagement plan that was carried out in the Gaza Strip (August 2005) and was about to be carried out in the West Bank, Salam Fayyad’s plan to establish a Palestinian state and Major-General (res.) Giora Eiland’s plan to establish a Palestinian state in the framework of a regional confederacy while exchanging areas between Israel, Jordan, Egypt and the Palestinian Authority.

Alongside these plans, there is also a research report issued by a group of

Palestinian academics, known as the Oxford Research Group - that examines the strategic possibilities to end the Israeli occupation.

The “default” option, should all plans fail, is a state of “conflict management.”

If the parties persist under this state of affairs while possibly putting at risk the interests of third parties, superpowers and powerful international and regional entities then the “forced agreement” option might be put on the table.

The present document examines all of the plans and initiatives specified hereinabove whether in detail or according to their main parameters while an assessment as to their chances of materialization, in whole or in part, is also provided and whether a combination of some plans together is feasible.

Summary

The mutual attempts during the past two decades to reach an agreement through negotiations between the parties ended in repetitive violent clashes.

The ongoing frustration, the deep mistrust between the leaderships of both peoples and the mutual violence resulted in desperation that led both parties to seek unilateral solutions.

At the same time, this state of affairs caused different entities, Israeli, Palestinian and international, to raise their own initiatives and plans in which different kinds of arrangements and agreements were discussed.

The different initiatives and plans are examined and assessed in the present document while addressing the degree of their feasibility and applicability in whole or in part and the possibility of combining or mixing different parts from different plans while dividing the plans into four different categories that represent four orders or levels of agreement:

- **A comprehensive agreement between Israel and the Palestinians**
- **A partial/interim long-term agreement**
- **A situation of conflict management**
- **A situation of lack of agreement**

As to the last category, our assessment is that a “lack of agreement” might give rise to the potential of a “forced agreement,” a possibility which we see as inconvenient to both parties, and whose likelihood is very low.

Aside from the “**Clinton Parameters**,” brought up in 2000, the “**Arab Peace Initiative**” in 2002 and parts of the **Geneva Accords** in 2003, where we found material points that would be used in the framework of a future agreement, the rest of the plans and initiatives are characterized by different principles that give rise to antagonism in one party or both, or that the overall likelihood that they materialize is very low.

In order to reach an overall agreement, we defined **two basic principles that both parties must fulfill jointly**:

- A. **Commitment and involvement** (in terms of a **strategic decision**) on behalf of each party to reach an overall agreement.
- B. **Willingness on behalf of the parties** to engage in substantial and continuous **negotiations** through **direct negotiations**.

In addition to the two conditions specified above, a **third condition**, under the current state of affairs, should also prevail, according to which **a third party - the United States and/or the Quartet - serves as an entity that advances and promotes the upholding of the first two conditions.**

Nevertheless, we do not foresee a **genuine possibility** for the renewal of the political process for the purpose of reaching a comprehensive agreement in the short term. The gaps between the parties, the political condition of the leaders and their mistrust result in a situation in which the negotiations for a real and comprehensive agreement appear unfeasible. It appears that within one to two years, both parties will make no progress while maintaining a dialogue consisting mainly of provocativeness and implied threats to take unilateral steps while incessantly attempting to change the international public opinion for their own benefit.

The threshold of the renewal of a new round of violence **might prove to be an opportunity to renew the political process between Israel and the Palestinians with the assistance of a new American and international coalition - a “carrot and stick” strategy, that might galvanize the parties into action. This strategy will be characterized by applying pressures together with the promise of significant rewards for both parties.**



Forward

Almost two decades elapsed since the Madrid Conference on October 30, 1991, under the joint auspices of the United States and USSR where the official sign to commence in negotiations between the State of Israel and its neighboring Arab countries was given, based upon UN resolutions 242 and 338.

The Madrid Conference also saw the commencement of the official talks between Israel and the PLO concerning the settlement of the Israeli-Palestinian conflict even though these talks were carried out through the joint Jordanian-Palestinian delegate whose members included Palestinian residents from the West Bank, Jerusalem and the Gaza Strip.

Two years later, following a secretive channel of talks that was held in Oslo, while maintaining an official channel of talks in the framework of the “Washington Talks,” in continuation to the Madrid Conference, the historical breakthrough known as the “**Oslo Accords**” (officially known as the Declaration of Principles on Interim Self-Government Arrangements) was reached, in which the two national movements acknowledged the legitimacy of the other party and, in the framework of the agreements, Israel and the PLO leaders undertook, in September 1993 to settle the historical conflict between their peoples through peaceful negotiations. In the framework of the agreement a number of interim agreements were implemented, according to stages that were agreed upon in advance - the **Cairo Agreement** on the Gaza Strip and the Jericho Area, signed in May 1994, the agreement of **Transfer of Powers** between Israel and the PLO in August 1994. In September 1995 the “**Interim Agreement**” (Oslo B) was signed in which the Palestinians were granted self rule in Palestinian cities and rural areas in the West Bank and the Gaza Strip while the degree of Israeli control in the areas was divided into three categories: A, B and C (**A areas**: areas under civil and military rule of the Palestinian Authority; **B Areas**: areas under Palestinian civil rule and Israeli military rule; **C areas**: areas under Israeli civil and military rule).

The continuation of the negotiations came to an end upon the murder of Prime Minister Yitzchak Rabin (4.11.1995). The election of Binyamin Netanyahu as Prime Minister in May 1996 put an end to the Oslo peace process in its current format. Netanyahu renewed negotiations only after the occurrence of the events in the

Wailing Wall tunnel and even then, after the American President convened a peace summit in Washington including Netanyahu, Arafat and King Hussein from Jordan.

The summit resulted in the end of violence and paved the way to signature of the **Hebron Agreement** in January 1997. In the agreement, Netanyahu's government undertook to withdraw from the majority of the area of the city of Hebron, excluding the Cave of the Patriarchs and adjoining areas where Jewish settlers live. The withdrawal was carried out in that month yet relationships with the Palestinian were reached a standstill afterwards and were renewed only in the framework of **Wye River Memorandum** in October 1998. The memorandum maintained that Israel would withdraw from areas in Judea and Samaria in three phases.

Israel carried out the first phase out of the three withdrawals that were set (transferring 2% of the area from C to B and 7.1% of the area from B to A), yet refused to continue with the withdrawal claiming that the Palestinians did not fulfill their part of the agreement.

In a government resolution dated December 12, 1998 it was decided that Israel would make no additional withdrawals unless the Palestinians put a halt to violence and incitement, collect all illegal weapons and cooperate with Israel in the war on terrorism. In addition, Israel demanded that the Palestinians cease making demands to release murderers and refrain from declaring the establishment of a Palestinian State unilaterally.

In fact, the signature of the Wye River Memorandum by Netanyahu resulted in the collapse of his government already in the beginning of 1999, and in the elections that took part in May 1999 Ehud Barak was elected as Prime Minister.

Another attempt to return to the Oslo track through negotiations concerning a permanent agreement was undertaken by the Israeli Prime Minister Ehud Barak and the chairman of the Palestinian Authority, Yasser Arafat, from the end of 1999 and until 2001. The conclusion of Camp David summit without significant results in July 2000 as well as the Taba talks that were to follow, in January 2001 marked the beginning of the Al-Aqsa Intifada that erupted in the end of September 2000.

The Al-Aqsa Intifada marked the most violent manifestation of the conflict between Israel and the Palestinians and it resulted in thousands of deaths on both sides.

The first decade of the 21st century was characterized by a political standstill between Israel and the Palestinians despite two attempts that were made by the Americans to revive the peace process. The first is President George Bush's "Road Map," presented in his speech on June 24, 2002 and introduced a gradual, stage-by-stage solution to resolve the Israeli-Palestinian conflict with the assistance and under the supervision of the Quartet in no more than three years, until 2005. This plan that was accepted, in principle, by both parties, could not salvage the peace process from standstill. The second attempt was in the Annapolis Conference, again under the auspices of President Bush on November 27-28, 2007.

The purpose of the Annapolis Conference was to restart the peace process and pave the way for intensive negotiations towards a permanent Israeli-Palestinian agreement within a year, by the end of 2008. The negotiations were indeed renewed within a month, by the Israeli Prime Minister Ehud Olmert, Mahmoud Abbas (Abu Mazen), Tzipi Livni, the Minister of Foreign Affairs and PLO representative Abu Alaa. The negotiations were nipped in the bud without any practical results being achieved on the eve of Ehud Olmert's forced resignation due to accusations of corruption leveled at him and the military operation Israel waged in the Gaza Strip at the end of 2008 (Operation Cast Lead).

Concurrent with these two attempts different ideas concerning the settlement of the conflict or its management were raised by different entities including the Arab League, civilian organizations and associations in Israel and notable Israeli and Palestinian public figures.

Upon examining all the reasons that lead to the failure of the peace process in the framework of the Oslo talks that resulted in standstill and violent clashes, we can discern different elements, some visible, some concealed. Some of the elements necessitate psychological and cultural analysis and the other part, the main part, necessitates an examination of the political condition of the leaders on both sides and their ability to reach historical decisions and an examination of the considerations that affected their degree of willingness to proceed in the

direction of a peace agreement. The present document does not analyze the reasons of the failure of the political process between Israel and the Palestinians during the last two decades even though it does address these issues indirectly.² The present document mainly revolves around a review and a systemic analysis of plans and initiatives concerning a possible agreement between Israel and the Palestinians while attempting to reach a conclusion and formulate possible basic principles through which a political agreement can be reached.

Purpose of the document

The purpose of the present document is to present the political initiatives and plans that were raised in the last decade concerning the possible solutions to the conflict.

The present document mainly focuses on the possible applicability and feasibility of the different initiatives and plans, in whole or in part, through an analysis and assessment that are based upon specific parameters. The conclusions of the analysis lead to a discussion concerning the assessment of the main principles through which the possible formula of the agreement can be achieved later on.

2 A comprehensive analysis of the failure of the negotiations between Israel and the Palestinians appears in “The Strategic Decisions in the Diplomatic Process between Israel and the Palestinians as Barriers to Peace in the Israeli-Palestinian Conflict” (Ephraim Lavie, Henry Fishman, the Jerusalem Institute for Israel Studies, 2010).



Secretary of State Hillary Clinton, left, Israel's Prime Minister Benjamin Netanyahu, Palestinian President Mahmoud Abbas in Jerusalem (September 2010)

Method and Methodology

The present document analyzes and reviews a number of plans and initiatives that were aimed at solving the Israeli-Palestinian conflict since the year 2000. The chances of success of the different plans and initiatives are discussed while examining their feasibility and applicability on a case by case basis or a combination thereof with an additional section devoted to analysis.

The plans and initiatives dealing with “two states for the two peoples” or any other solution discussed in the document, are divided into the different categories we provided according to an initial division:

Plans aimed at a permanent agreement

- The Clinton Parameters (guidelines for an agreement, December 2000)
- The Arab Peace Initiative (March 2002)
- The Road Map (President Bush plan, June 2002)
- The Ayalon-Nusseibeh Plan - the “People’s Voice” (July 2002)
- The Geneva Initiative (October 2003)
- The Annapolis Conference Plan (November 2007)

Plans aimed at a limited and/or long term agreement

- Hamas’s Plan - Long term Hudna (2006)
- Mofaz’s Peace Plan (November 2009)
- Ehud Ya’ari’s Plan (March 2010)

Unilateral plans (including disengagement/realignment)

- Haim Ramon’s plan - Unilateral separation (June 2002)
- Disengagement/Realignment Plan (2003-2005)
- Salam Fayyad’s Plan - Establishment of a Palestinian State and the end of occupation (August 2009)

- The Oxford Research Group (August 2008)
- Giora Eiland's Plan (January 2010)

Plans for management of the conflict

- Netanyahu's "economic peace" plan and their like ("economic peace," "peace from the roots")

Forced agreement plans

- Different initiatives and plans for an agreement forced upon the parties by third party/parties

Other plans

- Lieberman's plan for exchange of populations and areas

An examination of feasibility and assessment of the different plans and initiatives is made according to a number of criteria and scenarios prepared in advance:

- **The level of difficulty of reaching a strategic decision concerning an overall peace agreement** - *the deep rooted meaning in the national, historical and political aspects* that accompanies a decision taken by both parties to change current reality from a situation of a conflict towards an agreement and the prices each party has to pay, in comparison to the alternative of maintaining the status quo that does not necessitate an agreement yet does necessitate the continuation of the price of continuation of the conflict in these same aspects: the national, historical and political aspects.
- **The level of difficulty to accept instructions from a third entity and act accordingly** (a number of options of different, known authorities will be presented) - an agreed authority, in the sense of framework definitions of a possible agreement accepted by third parties - for example the Security Council in Resolution 242 and 338 - or jointly with the involved parties.
- **The possibility that the parties abide by the instructions of a new authoritative**

entity - ditto, if the familiar authoritative entities are not accepted by the parties - one or both - and the parties wish to reach an agreement according to a basic definition and new framework definitions (for example, accepting the definitions of a third party that is perceived by the parties as a fair mediator).

- **Consent of the parties as to the final destinations of the negotiations** - an agreement in advance by both parties concerning the final, central and agreed objectives of an agreement, provided that the negotiations between the parties are successful throughout all stages.
- **A joint agreement as to the time frame allocated until the end of negotiation** - this criterion relates to the method of handling negotiations at a rate that ensures appropriate and positive progress in a manner that is perceived as such by both parties. This principle is contingent upon a definition and agreement in advance of the final and central goals of the negotiations, as specified hereinabove, while agreeing about the amount of time required for that purpose. Therefore, this criterion complements the one presented in the previous paragraph.
- **The level of political-public feasibility to reach an overall peace agreement** - this criterion expresses the combination of the public's values and positions towards the agreement between the parties, that carries national and historical implications, and the extent of the part played by the political leaderships heading each one of the parties and their ability to influence the public in each party to support the agreement that is under discussion.
- **An assessment of the feasibility of the agreement** (to any party, mutually and jointly) - the implications in the practical level and the field level concerning the implementation and upholding of a possible agreement in different areas such as: evacuation of population, economical costs, arrangements concerning resource distribution (natural resources, water and so on).
- **An assessment of the stability of the agreement over time** – the evaluation of the ability of the agreement to stand the test of crises that may arise between the parties in the future as well as a regional crisis. It can be assumed that the more controversial issues that are resolved in depth through the agreement will increase its stability over time – and vice versa,

this resolution should happen in addition to the declarative agreements for the end of the conflict and / or the end of mutual claims.

- **An assessment as to the feasibility of security arrangements under circumstances of an overall peace agreement** - the feasibility of the possible agreement and its fulfillment from security aspects such as demilitarization, restrictions imposed upon the accumulation of certain types of weapons, limitations imposed on military pacts with third parties, deployment of international security forces and third parties guarantees concerning the security of each party.

In each of the criteria and parameters we examined the **validity** of the category that was assessed and the **credibility** of the assessment using common and relevant indexes (high/medium/low and so on).

The analysis and assessment of the possibility for reaching an agreement between Israel and the Palestinians were made from both points of view - Israeli and Palestinian, while taking into account the different interests of the parties as well as a common point of view of mutual interests.

The analysis was made within large margins: on the one hand we speculated as to the possibility of the existence of a “zero sum game” in the Israeli-Palestinian conflict that makes it difficult for the parties to make a strategic decision for the purpose of reaching a peace agreement. We assumed that at the center of this hypothesis, there is an inherent difficulty as to the mere decision of reaching an agreement since an agreement, whose practical meaning is compromise, might undermine the criteria according to which each of the peoples define themselves.

On the other hand, in opposition to the first principle outlined above, we raised the possibility that both parties aim sincerely to reach a peace agreement yet failed thus far owing to mistakes or some deficiency in the plans according to which they conducted their negotiations, even though these plans did include some positive elements.



■ President Barack Obama, Israel's Prime Minister Benjamin Netanyahu, Palestinian President Mahmoud Abbas, Egypt's President Hosni Mubarak, and Jordan's King Abdullah II at the White House (September 2010)

**The Basic
Principles
of a
Comprehensive
Agreement**

The Basic Principles Necessary for Conducting a Peace Process Aimed at a Comprehensive Agreement

Based upon a previous research report², we assume that the source of failure in the negotiations concerning the solution of the Israeli-Palestinian conflict is twofold:

- A. Both parties maintained negotiations without making a strategic decision, in terms of historical decision, as to the resolution of the conflict while accepting and coming to terms with the compromises that are required from each party.**
- B. Neither party, individually or jointly, set itself clear goals or interests during the negotiation, in many levels, so that the negotiations mostly served hidden agendas whose purpose stood in utter contradiction to the declared purposes of the political process.**

Therefore, we have formulated two binding rules through which we can assess, at least on the declarative level - although we believe on the practical level too - the sincerity and attitude of each of the parties towards the negotiations as a means to end the conflict with a comprehensive peace agreement.

The conditions are:

- A. Commitment and involvement (in terms of a strategic decision) on behalf of each party to reach an overall, permanent agreement.**
- B. Willingness on behalf of the parties to engage in a continuous and serious dialogue through direct negotiations.**

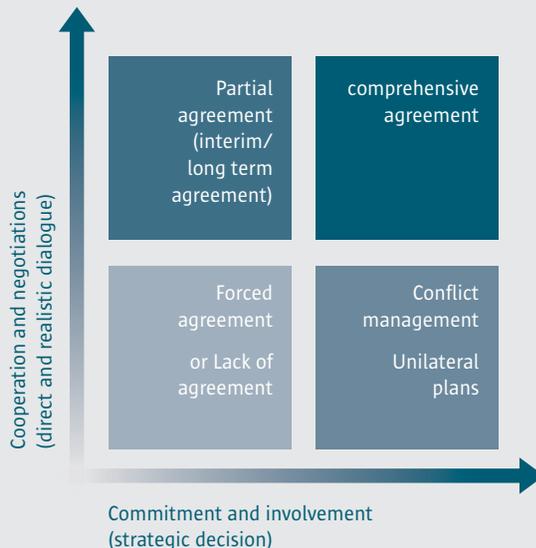
² "The Strategic Decisions in the Political Process Between Israel and the Palestinians as Hindering the Resolution of the Conflict" (Ephraim Lavie and Henry Fishman, The Jerusalem Institute for Israel Studies Publishing, 2010).

In light of the current state of affairs we would add that a **third condition** has to be met, namely **a third party - the United States and/or the Quartet - serves as an entity that pushes and promotes the first two conditions.**

The fulfillment of the two conditions and the third condition, for the time being, continuously and consistently, will raise the chances to reach a comprehensive agreement. The more the aforementioned conditions are partially fulfilled, up to a condition of non-fulfillment at all, the chances of reaching a comprehensive agreement decrease up to a situation of ongoing conflict during which the parties will "examine" different kinds of interim/partial agreements.

The following table exemplifies the different scenarios that derive from the aforesaid formulated conditions that are also used to categorize possible formats of agreements from the lowest level: lack of agreement which is a potential condition as well as "forced agreement," and the highest level which is an overall agreement. In the middle we find interim options: interim, long-term agreements while on the other hand, continuous periods of "conflict management."

Possible formats of agreements - ranging from “lack of agreement” to a “comprehensive agreement”



Under the category of "**comprehensive agreement**" we discern different levels that manifest the "**peace index**":

- **A peace agreement** must include **reconciliation between the parties**; the practical manifestations of such reconciliation include at least **mutual recognition of each party of the right of self determination of the other party and mutual acknowledgement of the national narratives of each party**.
- **'A comprehensive agreement' aimed at resolving the conflict** that will settle all disputes between the parties while honoring the rights each party achieved during negotiations.
- **Partial/interim long term agreement**, expresses the acknowledgement that the conflict can be resolved only through a peace agreement or an overall agreement yet the conditions for such an agreement are not ripe yet. In the Israeli-Palestinian context a long term interim agreement is mainly perceived as an Israeli interest. In this context the Palestinian concern is that Israel would establish its hold in the area for an unknown period of time, and, throughout time, its hold would become permanent and thus Israel would not have to waive assets that are important to it in the national level (Jerusalem, the refugees) and the security level (Israeli control over the Jordan Valley).
- **Conflict management**, a situation in which the parties cannot reach any agreement and the conflict remains as it is, yet the parties do evince mutual interest in controlling the level of friction between them. The level of control ranges from:
 - **Offensive conflict management** - a violent interaction mainly characterized by "action - response" activities between the parties, for example terrorist attacks and Qassam missiles launched by the Palestinian side; and targeted killings, IDF activities in Palestinian towns, ongoing punitive measures, collective punishment, and curfew - from the Israeli side. Both parties do not want for this possibility and it is usually a default.
 - **Economic sanctions**, such as blocking the transfer of funds, disconnection of fuel lines, power lines, non-delivery of food products and so on from the Israeli side and boycotting products and goods

originating in Israeli settlements and a prohibition of employment of Palestinians in settlements as economical punitive measures from the Palestinian side.

- **Joint conflict management with formal consent** - mutual consent among the parties to establish a period of calm in the area such as the state of Tahadyia with Hamas.
- **Conflict management for a limited period of time through tacit bargaining or a third party** - a lower level of consent maintained between the parties through an "implied" agreement (an informal agreement between the parties out of a mutual understanding of their needs) while performing mutual gestures aimed at alleviating the tension such as cessation of attacks and Qassam launches and cessation of targeted killings, release of prisoners, lenient inspection measures in checkpoints and so on. The temporary period of calm does not imply a cancelation of the right of "resistance" and the Israeli "right" to take punitive measures at its own discretion. This type of conflict management, if it transpires that it is effective in the long run, might serve as a means to establish some trust in the future and, at a later stage perhaps, as a means to renew the diplomatic negotiations.
- **A unilateral agreement** - this is an oxymoronic definition of a **unilateral conflict management** in which one party acts for the benefit of most of its interests as much as it can, towards achieving a permanent state without coordinating any move or receiving the agreement of the other party in whose opinion the conflict would last, maybe even more intensely by virtue of the new circumstances that were created. This was the situation following the disengagement from Gaza in 2005, and the realignment plan of the Kadima party in the West Bank also falls under this category. The underlying thought of such decisions did not see any chance of resolving the conflict or manage it jointly with the Palestinians while realizing that the current state of affairs cannot be maintained.
- **A forced agreement** - a situation that might stem from complete inaction of both parties; inaction manifested in the unwillingness to end the conflict and

unwillingness to initiate talks and that may not serve the interests of third involved parties. Under such circumstances the third parties (superpowers, Quartet, UN) might act together so as to "impose" to a certain level, their views concerning a "fair agreement." This type of agreement might prove to be inconvenient to neither party and its main result lies in "suppressing" the conflict that might re-erupt when the third parties cease to oversee its implementation. On the other hand, such an agreement might prove to be an honorable way of settling the conflict for the leaderships of the parties, a "last chance" agreement in which both parties attain in actuality the maximum.



■ Prime Minister Ariel Sharon, President George W. Bush, and Palestinian President Abu Mazen at the Red Sea Summit in Akaba (June 2003)

**Plans
Aimed at a
Permanent
Agreement
From 2000**

Plans Aimed at a Permanent Agreement from the Year 2000 Onwards - A Review

The different plans and initiatives aimed at reaching a permanent agreement between Israel and the Palestinians are divided into four main categories as specified in essence in the methodology section of the document: **(1) Plans aimed at a comprehensive peace agreement; (2) Plans aimed at a limited and/or long term agreement; (3) Unilateral plans; (4) Forced agreement plans and conflict management plans.**

It seems that despite the differences between the different political plans and initiatives - in terms of goals and content - neither plan was able to lead the parties to a material and significant process that would result in an agreement. We believe that the reason for this inheres in their common denominator - the point of departure of all plans kept on referring to the failure of the Oslo process as basis for a political plan that requires only a few amendments so as to succeed or, alternatively, modified in this or that manner, so as to reach a "correct formula" leading to a possible agreement. The aforesaid modification could be achieved through clarification and explanation of the required agreements between the parties in terms of content and essence (the Ayalon-Nusseibeh plan, the Geneva Plan, Clinton's Parameters and so on) or by "extending" the time frame required for the parties to reach a permanent agreement (plans for a limited agreement and plans for a long term interim agreement).

We shall note that Giora Eiland's plan is even more far reaching as it negates the basic outline established in Oslo; according to Eiland, there is no possibility to reach a permanent agreement between Israel and the Palestinians since the main core issues, i.e., settlements, security, Jerusalem and the refugees - cannot be solved. Eiland goes on to claim that "the clash of the Israeli and Palestinian ethea ... do not enable the existence of another state on the same land." This statement made by Eiland could have contributed to the discussion



■ Prime Minister Ehud Barak, Chairman Arafat and President Bill Clinton at Camp David Summit, USA (July 2000)

concerning the possibilities of an agreement between Israel and the Palestinians if he considered his statement as a problem - a tough one indeed - yet one that can be solved. In the framework of his plan, Eiland proposes a regional solution, involving Egypt and Jordan in the "solution to the Palestinian problem," when the preferred goal is, eventually, returning Gaza to Egypt and the West Bank to Jordan.

We find other opinions supporting the view that an Israeli-Palestinian agreement is not possible at present - also relying on the failure of the Oslo process and the mutual outbreak of violence between the parties - in the remaining political plans and initiatives, plans that are characterized by taking unilateral steps (the disengagement plan, Fayyad's plan and so on). At the same time we also find plans aimed at "conflict management."

Another common denominator that exists between the different plans and initiatives concerns their instrumentality. This relate to facts and the method of their implementation in the field level only.

These plans and initiatives do not take into account the depth and dimensions of the Israeli-Palestinian conflict that embodies additional aspects - the national identity of both peoples, the religious-territorial link to the land and the national ethea of both peoples.

Furthermore, the different political plans and initiatives do not relate to the settlement of the Israeli-Palestinian conflict beyond practical solutions, that is to say, the implementation of the two states solution through mutual acknowledgment of actual facts in the field by both Israel and the Palestinians.

It is possible that if the parties were to adopt an approach that was aimed at appeasing the peoples on a deeper level, beyond the "de facto acknowledgement," then the parties could embark in significant diplomatic negotiations towards a comprehensive permanent agreement between Israel and the Palestinians, according to the "two states" formula.

We believe that based upon the proposed plans and initiatives for an agreement, starting from the Oslo plan onwards, no one gave sufficient thought as to the manner in which the fundamental foundations upon which both parties can reach historical-strategic decisions to resolve the conflict can be laid.

In the other parameters which we defined methodologically, we did not find a possibility for reaching an agreement between the parties as well:

- The degree of difficulty to agree on a common authority
- The possibility to accept a new source of authority
- Agreement concerning the final goals of the negotiation
- An agreement as to the time frame set until the end of negotiations
- The mutual level of political-public feasibility among the parties to reach a consensus as to an overall agreement
- An assessment regarding the feasibility of the agreement (in each party and jointly)
- An assessment of the security arrangements in a state of a permanent agreement.
- An assessment of the stability of the agreement over time

Our conclusion is that reaching the overall agreement between Israel and the Palestinians is possible yet is conditional upon a deeper sense of reconciliation between the peoples. This reconciliation will be based upon the right of self determination of the peoples that stems from the basic recognition of their national identities.

The following is a review of the different plans:



**Plans Aimed at
a Permanent
Agreement**

**The Clinton
Parameters
2000**

**The Clinton Parameters (Guidelines for
an Agreement, December 2000)**

The Clinton Parameters, a term attributed to the guidelines for Permanent Status Agreement between Israel and the Palestinians, were proposed by the American President Bill Clinton in December 2000.

The background for the Clinton Parameters was the outbreak of the Al-Aqsa Intifada, the failure of the talks that were held in Camp David in the previous months, the upcoming elections in Israel in light of the disintegration of Barak's government and the end of Clinton's presidency. It is probable that the Clinton Parameters were the President's last attempt to reach a peace agreement between Israel and the Palestinians.

The offer was presented in December 23, 2000, with an emphasis that the plan was a "take it or leave it" plan which each side may accept or reject and may not offer any changes to it. The President made it clear that this was his personal offer that would be removed from the negotiations table upon his leaving the White House in the following month.

It should be noted that Clinton's offer was read³ by him to the parties and was not submitted as a written document. Clinton's Parameters plan was intended to serve as a basis for a framework agreement and set the principles for a permanent agreement. The proposed framework agreement outlines the conditions for the establishment of an independent Palestinian state in the Occupied Territories whose capital is east Jerusalem, the rights remaining to Israel in east Jerusalem and the West Bank, the security arrangements between the two states and the proposed solution to the refugee problem.

3 This is Clinton's version as told in his book "My Life" p. 933: "I read them slowly so that both sides could take careful notes."

Jerusalem

1. **An ethnic division of east Jerusalem:** "Arab areas are Palestinian and Jewish areas are Israeli." Arab neighborhoods are a part of Palestine and Jewish neighborhoods beyond the Green Line (such as Ramot, Gilo, Armon Hanatziv and Shweifat ridge) will be in Israel.
2. **A "vertical" division of the Temple Mount:** the Al-Aqsa Mosque and the Dome of the Rock and the area in-between are under Palestinian sovereignty. The area beneath, the underground space underneath the Muslim mosques, where the remains of the Jewish Temple might be buried, would receive a special status that would honor Jewish heritage. Clinton offered two alternatives concerning the Temple Mount: according to one alternative, Israel would be granted sovereignty over the underground space, connected to the Wailing Wall that is under its sovereignty anyway. The **second** alternative refers to the "**Jewish sacred places**" under the Temple Mount and the offer is to establish an international **mechanism** that would inspect and limit Palestinian sovereignty in the underground spaces and prevent excavations in the area.
3. **A special regime in the Old City:** this regime will enable free passage without fences or border checkpoints. The Christian and Muslim quarters will be a part of Palestine. The Jewish quarter, as the Wailing Wall, will be in Israel. The Armenian quarter will be divided in such manner that an Israeli passage is enabled through a corridor from the Jaffa Gate to the Wailing Wall. The remaining area will be under Palestinian sovereignty. (according to the Minister of Foreign Affairs at the time, Shlomo Ben-Ami, President Clinton did not address directly the issue of the Holy Basin, including the city of David and the prophets tombs up to Olive Mount).

Refugees

1. **The right of return to the Palestinian state:** refugees will be granted a "right of return to their state" when it was expressly determined that their homeland is the Palestinian state. In a similar vein the agreement would acknowledge Israel as the "historical birthplace of the Jewish people."

- 2. A combined solution to the refugee problem:** the solution of the refugee problem would include return, rehabilitation, resettlement and compensation. In the framework of Clinton's offer it is said that the fulfillment of all the provisions would be deemed a fulfillment of UN Resolution 194 from November 1948 which the Palestinians consider as the legal basis justifying their claim for the right of return.

(According to Ben-Ami, Clinton determined that "both sides recognize the right of Palestinian refugees to return to historic Palestine" or "to return to their homeland" yet on the other hand he made it clear that there was no "specific right of return to Israel." Clinton required the absorption of a certain number of refugees in Israel yet subject to the laws of Israel and its immigration policies).

Borders

The border between Israel and the Palestinian state will be based upon the demarcation lines set out in the 1949 armistice agreements or the border established on June 4, 1967.

- 1. The foundation of the Palestinian state on 96% of the West Bank and the entire Gaza Strip:** (according to Ben-Ami, Clinton's offer stated that 96%-97% would be under Palestinian sovereignty in addition to one percent of sovereign Israeli territory or 94% of the West Bank in addition to 3% of the sovereign Israeli territory). In addition, it was determined that all of the areas in the Gaza Strip would be under Palestinian sovereignty while a "safe passage" would be maintained between the Gaza Strip and the West Bank.
- 2. Settlement blocs, land swap and safe passage:** Israel would annex settlement blocs from the West Bank (it was decided that 80% of the settlers would be under Israeli sovereignty: the Gush Etzion bloc, Ariel bloc and the Jerusalem outskirts area) and in return it would give the Palestinians areas in the Negev to expand the Gaza Strip based on a ratio of 1:3 (and according to another version 3% against annexation of 5%), as well as a hallway for permanent free passage between the West Bank to the Gaza Strip.
- 3. Settlements that will not be annexed:** Clinton's Parameters do not specify

the fate of the settlements that would not be annexed yet, according to Israeli sources, these settlements would be evacuated. A diplomatic source in Jerusalem said that "settlers cannot live under Palestinian sovereignty."

Security

1. **A state with limited arms:** President Clinton proposed that the Palestinian state that would be founded would be a non-militarized state. The President determined that Israel would maintain constant presence in the Jordan Valley for three years and symbolic presence in designated areas for three additional years. Israel was also given three warning stations for a period of ten years with the presence of Palestinian liaison officers.
2.
 - 2.1 **Relinquishing sovereignty over the Jordan Valley:** according to Ben-Ami, following the agreements in Camp David concerning the security arrangements and the international security forces, the Israelis believed that they had solutions that would maintain Israel's most vital security interests even without sovereignty over the Jordan Valley. According to Ben-Ami, it was clear to the Israelis that a requirement for Israeli sovereignty in the Jordan Valley was something the Palestinians could not accept.
 - 2.2 **Israeli military presence in the Jordan Valley for six years:** the IDF would keep forces in the Jordan Valley in order to be able to respond to threats from the east, for a period of six years: half of the time under the current state of affairs and half of the time under Palestinian sovereignty. Israel would be permitted to deploy forces along the Jordan River during times of emergency when there is an "imminent and demonstrable threat to Israel's security."
 - 2.3 **An international force deployed along the Jordan River:** according to President Clinton's offer, external security will be based upon an international force deployed along the Jordan River and would also control the external border checkpoints of the Palestinian state. These

forces will also include Israelis.

3. **Airspace and water rights:** the term "mutual use" was made with reference to airspace. Clinton maintained that the sovereignty over the airspace is Palestinian yet acknowledged the Israeli right to use that space for training and operational purposes provided that there would be mutual use.

The end of the conflict

The agreement would mark the end of the conflict and the end of the mutual claims of both sides.

Clinton Parameters - Assessment

The "Clinton Parameters" set a possible formula for a permanent agreement between Israel and the Palestinians. The main aspects of this formula lie in exchange: **"refugees for Jerusalem,"** namely, **the Palestinians will relinquish the right of return in exchange for an Israeli relinquishment of sovereignty over the Temple Mount** even though Israel was to maintain some symbolic "control" in the area.

Clinton Parameters also include a division of Jerusalem and the Old City and the establishment of an independent Palestinian state on most of the areas excluding large settlement blocs (Ma'ale Adumim, Ariel and Gush Etzion) that will be annexed by Israel.

According to the offer, the Palestinian state will include 97% of the Judea and Samaria areas while 80% of settlers would remain under Israeli sovereignty, while in return Israel would relinquish a certain area within the Green Line areas.

Even though the outline delineated by Clinton stood in contradiction to the principles to which Barak committed in his electoral campaign, such as the non-division of Jerusalem and sovereignty over the Temple Mount, the "Clinton Parameters" received a broad support within the Israeli cabinet, with only one cabinet Minister, Roni Milo, resigning due to his objection to the Cabinet's

approval of the plan.

The Palestinians responded to the Clinton Parameters with a list of reservations whose actual implication meant a refusal.

The Taba Summit (21-27 January 2001) that was convened about a month after the publication of the "Clinton Parameters" was the last attempt to reach an agreement with the Palestinians during the time of Barak's government on the eve of the upcoming elections in Israel.

The summit came to an end with a joint declaration made by the heads of the delegations, Shlomo Ben-Ami and Abu-Alaa:

"The Israeli and Palestinian delegations conducted during the last six days serious, deep and practical talks with the aim of reaching a permanent and stable agreement between the two parties.

The Taba talks were unprecedented in their positive atmosphere and expression of mutual willingness to meet the national, security and existential needs of each side.

Given the circumstances and time constraints, it proved impossible to reach understandings on all issues, despite the substantial progress that was achieved in each of the issues discussed.

The sides declare that they have never been closer to reaching an agreement and it is thus our shared belief that the remaining gaps could be bridged with the resumption of negotiations following the Israeli elections.

The negotiation teams discussed four main themes: refugees, security, borders and Jerusalem, with a goal to reach a permanent agreement that will bring an end to the conflict between them and provide peace to both people.

The two sides took into account the ideas suggested by President Clinton together with their respective qualifications and reservations.

On all these issues substantial progress was made in the understanding of the other side's positions and in some of them the two sides grew closer.

As stated above, the political timetable prevented reaching an agreement on all

the issues.

However, in light of the significant progress in narrowing the differences between the sides, the two sides are convinced that in a short period of time and given an intensive effort and the acknowledgment of the essential and urgent nature of reaching an agreement, it will be possible to bridge the differences remaining and attain a permanent settlement of peace between them."

According to Israeli sources⁴, the following are the main outcomes of the week long negotiations in Taba:

- **Borders.** The sides exchanged maps of settlement blocs designated to be annexed by Israel in the framework of the permanent agreement and made more thorough clarifications as to the nature of the future borders between Israel and the Palestinian state. The discussions focused on issues such as the size of settlement blocs, the way in which settlers would lead their lives, the manners by which the number of Palestinians living in these blocs would be kept to a minimum and the manner by which roads and other infrastructures would be connected to Israel.
- **Security.** A stark difference of opinion emerged during the security talks concerning the Palestinian requirement to maintain the sovereignty of their state and prevent the deployment of Israeli soldiers in the Jordan Valley permanently or during emergencies. It was agreed that a mutual committee would be established to examine the flight arrangements of Israeli air force planes in Palestinian airspace.
- **Refugees.** According to Yossi Beilin, the "menu of solutions" dealing with the Palestinian refugees was finalized during the discussion over the fate of the refugees. Beilin and Nabil Shaath agreed upon details such as the composition of the international organization that would handle compensation and rehabilitation of refugees and also formulated certain alternatives to the solution to the question of the right of return and the historical responsibility over the refugees' problem that will be decided by the leaders. According to Beilin "these issues are absolutely solvable."

4 According to Aluf Ben, Haaretz.

- **Jerusalem.** A meeting about the fate of Jerusalem convened only once and did not reach any agreements. Israel presented its view that the "Holy Basin" in the Old City should be governed under a special regime and issues such as the daily lives of the citizens in that area should be agreed upon in advance and only then sovereignty should be discussed. The Palestinians first demanded to establish who the sovereign was.

It should be noted that the criticism in Israel of the Taba Summit was harsh: Barak's political opponents claimed that his government lacked any public support, in the Knesset and in public and was engaged in what they called a "clearance sale."

The Clinton Parameters, despite serving as a guideline in different plans and initiatives in the past few years, including the Geneva Initiative, does not bind Israeli governments and it stood in contradiction to views expressed by Ariel Sharon, Barak's successor.

The main contribution of the "Clinton Parameters" lies in the establishment of the **reasonable principles** for a possible overall agreement between Israel and the Palestinians and **especially in the definition provided concerning the two most sensitive issues, namely, Jerusalem and the refugees**. The exchange formula **"refugees for Jerusalem"** might save the entire agreement.

The reservations we have concern the "end of the conflict" clause because of which, we assume, the Palestinians objected to the "Clinton Parameters." Our reasons for this are presented during our discussion about the Geneva Plan.

Nevertheless, we believe that the "Clinton Parameters" will serve, in due time, as an almost certain conceptual framework for an overall agreement.

**The Arab
Peace
Initiative
2002**

The Arab Peace Initiative (March 2002)

The Arab Peace Initiative to end the Israeli-Arab conflict was introduced in the Arab League summit in Beirut on March 28, 2002, by then-Crown Prince, King Abdullah of Saudi Arabia. According to the initiative, all Arab countries will maintain normal relations with Israel in return for an Israeli withdrawal from the Golan Heights, the Gaza Strip and West Bank areas, including east Jerusalem, based upon the UN Security Council Resolutions 242 and 338 that establish the principles of "territories for peace."

According to the initiative, Israel is required to enable the establishment of an independent Palestinian state and find a "just settlement" to the refugees' problem in accordance with Resolution 194 of the UN General Assembly.

In return for these concessions, the Arab-Israeli conflict will be considered as resolved and the Arab countries will normalize their relations with Israel "peacefully."

The initiative was de facto rejected by Israel.

Principles of the Arab Peace initiative

The initiative was promoted by the Arab League after being unanimously endorsed by all Arab states and it is directly addressed to Israel. The initiative contains the following principles:

- A. **Complete withdrawal** - Israel will withdraw from all occupied Arab territories based upon UN Resolutions 242 and 338.
- B. **The refugees** - a just solution to the problem of Palestinian refugees will be attained and agreed upon in accordance with the UN General Assembly Resolution No 194 (the term "right of return" is not mentioned; the solution is subject to an agreement with Israel).

- C. **The establishment of a Palestinian state** - Israel would agree to the establishment of an independent and sovereign Palestinian state in the West Bank and the Gaza Strip whose capital will be east Jerusalem.
- D. **End of the conflict** - all Arab states will consider the Arab-Israeli conflict over (a solution to the 1967 "issue" and the 1948 "issue") and establish normal relations with Israel.

Israel did not acknowledge the change that occurred in the Arab side and rejected the Arab peace initiative. Its main concern was that the initiative forced Israel to accept unconditionally the Arabs traditional positions before it gained recognition and normal relations were established, that is to say, a withdrawal from all territories occupied since 1967, a solution to the refugees problem based upon UN General Assembly Resolution No 194 while negating all issues pertaining to resettlement ("tawtin") of refugees in Arab states and hence the meaning is a return to the State of Israel in addition to the establishment of a Palestinian state in the West Bank and the Gaza Strip with Jerusalem as its capital.

The Arab League Concluding Resolution (Beirut: March 28, 2002)

The Arab League Council reaffirms the resolution taken in June 1996 at the Cairo extraordinary Arab summit that a just and comprehensive peace in the Middle East is the strategic option of the Arab countries.

Having listened to the statement made by his royal highness king Abdullah in which his highness presented his initiative calling for full Israel withdrawal from the Arab territories occupied since June 1967 in implementation of Security Council Resolutions 242 and 338.

The decision was made out of conviction that a military solution to the conflict will not advance peace or provide security for the parties.

The summit representatives called upon Israel:

1. To consider its policy and announce that it considers a just peace as a strategic possibility for it as well.
2. a. To agree to withdraw from all the territories that were occupied in 1967

including the Golan Heights and the areas in south Lebanon that were still under Israeli occupation.

b. To agree to a just solution to the problem of Palestinian refugees in accordance with Resolution 194 of the UN Security Council.

c. To agree to the establishment of an independent and sovereign Palestinian state in the areas in the West Bank, the Gaza Strip and east Jerusalem occupied after 1967.

3. Consequently, the Arab countries affirm the following:
 - a. Consider the Arab-Israeli conflict ended and provide security for all states in the region.
 - b. Establish normal relations with Israel in the context of this comprehensive peace.
4. Rejection of all forms of Palestinian patriation which conflict with the special circumstances of the Arab host countries.
5. The Arab countries call upon the government of Israel and all Israelis to accept this initiative in order to safeguard the prospects for peace and stop the further shedding of blood, enabling the Arab countries and Israel to live in peace and good neighborliness and provide future generations with security, stability, and prosperity.
6. The Arab countries invite the international community and all countries and organizations to support this initiative.
7. The Arab countries request the chairman of the summit to form a special committee composed of some of its concerned member states and the secretary general of the Arab League to pursue the necessary contacts to gain support for this initiative at all levels, particularly from the United Nations, the Security Council, the United States of America, the Russian Federation, the Muslim states and the European Union.

The Arab League Initiative - Assessment

The Arab peace initiative was introduced by Saudi Arabia in February 2002 as a

comprehensive peace proposal between the Arab countries and Israel, as part of a security strategy whose interest was regional coordination for the purpose of neutralizing conflicts that might be generated in the Arab world and endanger the safety of their kingdom. The peace initiative was adopted by the Arab League, including the PLO in March 2002, and manifested the peak of a historical change in the Arab position towards Israel. The initiative encourages Israel to reach peace agreements with the Palestinians, Syria and Lebanon following which it would receive recognition from the Arab world and establish sustainable peace with it. The initiative became a point of reference, along with the UN Resolutions, to the international community in relation to matters pertaining to the Israeli-Arab conflict and even though no political progress was made in the framework of the initiative it is still "lying on the table" as a possible point of departure for starting negotiations with its neighboring countries.

The initiative was not intended to replace the bilateral negotiations between Israel and its neighbors. The PLO leadership relies today on the Arab League initiative and considered it an inter-Arab supportive document that would back up its political agenda in relation to the agreement with Israel and establish its status as the legitimate national entity representing the Palestinian people. The importance of the Arab League initiative in this context lies in the strengthening of the Islamic currents in the Hamas leadership, a state of affairs that gradually undermines the PLO leadership and gives rise to the opponents of a two state solution.

The main innovative features of the Arab initiative lie in the Arab League's decision concerning a **comprehensive peace between Israel and all Arab countries and the end of the conflict** in return for a full Israeli withdrawal from all occupied territories and the establishment of a Palestinian state in these areas, pursuant to **UN Resolutions 242 and 338**.

A creative solution was proposed to the problematic part in the Arab League initiative, the right of return, a solution that is sufficiently vague and clear so as to provide enough room for interpretation in the future: "To agree to a just solution to the problem of Palestinian refugees in accordance with Resolution 194 of the UN Security Council."

The intentionally vague wording, as explained by the Chief Secretary of the Arab League, Amr Mussa, was provided so that both Israelis and Palestinians could negotiate its content and it would not be subject of discussion between the Arab League and Israel.

Nevertheless, each solution would have to take into account one red line - there will be no patriation or resettlement of the refugees in a manner that is at odds with the interests of Arab countries.

This is the first time, concerning the **refugees** issue, that the Arab countries address, officially and clearly, in a signed document, the possibility to come up with a flexible solution to the refugees problem: as opposed to Resolution 194, whose wording is more focused, the formulation of the Arab League decision calls for an examination of a "just or fair" solution, the identity of the persons deciding upon such solution and the degree of conformance that should be achieved in relation to **Resolution 194 (Resolution 194 of the General Assembly of the UN** maintains, inter alia, 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, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible."

At the same time, the Arab League introduces a rigid interpretation of UN Resolution 242 by calling Israel **to withdraw from all the territories to the lines of June 4, 1967**, in opposition to the binding words of the declaration according to which Israel has the withdraw from "territories" and not "the territories."

In conclusion, the Arab League initiative presents, for the first time, a unified and official proposal recognizing the State of Israel in addition to an offer of peaceful relations - in return for "a just and agreed" solution of the refugees problem. In return, Israel is required to fully withdraw from all Arab lands and agree to the establishment of a Palestinian state whose capital is east Jerusalem.

Beyond issues pertaining to the interpretation of different paragraphs in the document, we consider the Arab League initiative to be a historical declaration acknowledging the State of Israel and calling for full peace and normalization

with it. The price to be paid for such an offer is not beyond requirements that were already accepted by the State of Israel in relation to the peace agreements that were signed with Egypt and Jordan, UN Resolutions 242 and 338 that establish the main principle of "territories in exchange for peace."

The Arab initiative, by virtue of its being a declarative document, should be perceived as a constitutive document of principles and not as an agreement on which Israel has to sign.

From a **Palestinian** point of view, the Arab initiative has its own advantages and disadvantages:

First, the **term "right of return" is not expressly stated in the document**, and the initiative only mentions the UN General Assembly Resolution 194 that also does not contain this term yet maintains that "the 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, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law... [The General Assembly] instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees..." The Palestinian difficulty in this context inheres in the fact that Resolution 194 is limited by a practical time frame and the claim, that was even accepted by President Mahmud Abbas in the framework of what is known as the Beilin-Abu Mazen Agreement is that the return of refugees to Israel is no longer practical.

Beyond that, the concluding remarks of the Arab League summit that was held in March 2009, included a note according to which the peace initiative did not include the right of return to refugees and for that purpose Libya resented from that declaration.

Second, as opposed to Arafat's point of departure in the Camp David summit, according to which compromise in Jerusalem is not feasible, **the later Arab initiative, accepts the principle according to which only east Jerusalem will be the capital of the Palestinian state**. The fate of the Old City itself is vague.

Third, the initiative fully accepts the traditional Palestinian position according to which the borders of 1967 - the Green Line - constitute the solution to the

territorial issues pertaining to the conflict.

Several issues remain vague in the initiative, probably intentionally. The following declarations made by **Arab leaders**, shed further light on the intentions of the Arab states in this initiative:

As to the refugees: Amr Moussa, the general secretary of the Arab League, stated upon the acceptance of the initiative that in the context of the refugees problem, the words of the initiative intentionally exclude the solution of this problem so that it becomes a part of the Israeli-Palestinian negotiations and not to be negotiated by the Arab League and Israel. Moussa added in an interview to the Egyptian newspaper Al-Ahram that monetary compensation "in conjunction with the right of return" may replace repatriation itself if the relevant Palestinian parties agree to such arrangement.

Marwan Mouasher, the former Jordan Minister of Foreign Affairs and one of authors of the Arab League declaration, stressed in an interview for Haaretz newspaper that the initiative calls for "an agreed solution to the refugees problem" and explained that "this is the first time that the Arab world committed to an agreed solution to the refugees problem taking into account the Israeli fear of a massive return of refugees."

The organization of Islamic States, comprising 57 states, expressed its support of the Arab peace initiative and renews it regularly in the organization's annual conference. Out of 57 states, including significant states such as China, Russia, Turkey, Indonesia and Malaysia, only Iran expressed its objection to the initiative.

In sum, from an Israeli point of view, it should be said that in light of Israel's status in the Middle East and the strategic and global changes that the Middle East undergoes, it could be a missed opportunity on Israel's behalf to reject the Arab initiative.

Moreover, we are of the opinion that the Arab initiative constitutes an essential support of an Israeli-Palestinian agreement and a strategic foundation to peace with the Arab world.



■
The Arab League

The logo consists of a dark teal square containing the text 'The Road Map 2002' in white, bold, sans-serif font. The text is arranged in three lines: 'The' on the top line, 'Road Map' on the middle line, and '2002' on the bottom line.

The
Road Map
2002

The Road Map (President George W. Bush's Plan, June 2002)

The Road Map, proposed in April 2003, presents an outline to renew negotiations on the permanent agreement between Israel and the Palestinians, containing three phases and a detailed timetable for implementation. Being a political plan, the Road Map was formulated by the Quartet (the United States, Russia, EU and the UN).

Background

The basis of the Road Map is President Bush's vision of the Middle East (as of June 2002) in which President George W. Bush presented his outline for the renewal of the diplomatic negotiations between Israel and the Palestinians.

The official document of the Road Map was initially presented on December 20, 2002, and published on April 30, 2003. The outline refers to UN Resolutions 242 and 338 and the UN Security Council Resolution 1397 as a basis to the political negotiations.

The uniqueness of the outline lies in the statement that a Palestinian state in temporary borders would be established before a permanent agreement is reached. By so doing the Road Map changes the structure of the political process that was delineated in the Oslo Accords whose essence is interim agreements leading to a permanent agreement that was supposed to result in the establishment of a Palestinian state even though this was never mentioned in the Oslo documents. Israel accepted the outline in principle yet added a few reservations.

At the end of the Aqaba summit (March 6) attended by king Abdullah from Jordan, President Bush, Israeli Prime Minister Sharon and the Palestinian Prime Minister Mahmud Abbas, leaders called for a quick implementation of the Road Map.

The following is the full version of the Road Map:

A performance-based roadmap to a permanent two-state solution to the Israeli-Palestinian conflict (30 April, 2003)

The following is a performance-based and goal-driven roadmap, with clear phases, timelines, target dates, and benchmarks aiming at progress through reciprocal steps by the two parties in the political, security, economic, humanitarian, and institution-building fields, under the auspices of the Quartet.

The destination is a final and comprehensive settlement of the Israel-Palestinian conflict by 2005, as presented in President Bush's speech of 24 June, and welcomed by the EU, Russia and the UN in the 16 July and 17 September Quartet Ministerial statements.

A two state solution to the Israeli-Palestinian conflict will only be achieved through an end to violence and terrorism, when the Palestinian people have a leadership acting decisively against terror and willing and able to build a practicing democracy based on tolerance and liberty, and through Israel's readiness to do what is necessary for a democratic Palestinian state to be established, and a clear, unambiguous acceptance by both parties of the goal of a negotiated settlement as described below.

The Quartet will assist and facilitate implementation of the plan, starting in Phase I, including direct discussions between the parties as required.

The plan establishes a realistic timeline for implementation.

However, as a performance-based plan, progress will require and depend upon the good faith efforts of the parties, and their compliance with each of the obligations outlined below.

Should the parties perform their obligations rapidly, progress within and through the phases may come sooner than indicated in the plan.

Non-compliance with obligations will impede progress.

A settlement, negotiated between the parties, will result in the emergence of an independent, democratic, and viable Palestinian state living side by side in peace and security with Israel and its other neighbors.

The settlement will resolve the Israel-Palestinian conflict, and end the occupation

that began in 1967, based on the foundations of the Madrid Conference, the principle of land for peace, UNSCRs 242, 338 and 1397, agreements previously reached by the parties, and the initiative of Saudi Crown Prince Abdullah - endorsed by the Beirut Arab League Summit - calling for acceptance of Israel as a neighbor living in peace and security, in the context of a comprehensive settlement.

This initiative is a vital element of international efforts to promote a comprehensive peace on all tracks, including the Syrian-Israeli and Lebanese-Israeli tracks.

The Quartet will meet regularly at senior levels to evaluate the parties' performance on implementation of the plan. In each phase, the parties are expected to perform their obligations in parallel, unless otherwise indicated.

Phase I: Ending terror and violence, normalizing Palestinian life, and building Palestinian institutions (present to May 2003)

In Phase I, the Palestinians immediately undertake an unconditional cessation of violence according to the steps outlined below; such action should be accompanied by supportive measures undertaken by Israel.

Palestinians and Israelis resume security co-operation based on the Tenet work plan to end violence, terrorism, and incitement through restructured and effective Palestinian security services.

Palestinians undertake comprehensive political reform in preparation for statehood, including drafting a Palestinian constitution, and free, fair and open elections upon the basis of those measures.

Israel takes all necessary steps to help normalize Palestinian life.

Israel withdraws from Palestinian areas occupied from September 28, 2000 and the two sides restore the status quo that existed at that time, as security performance and co-operation progress.

Israel also freezes all settlement activity, consistent with the Mitchell report.

At the outset of Phase I:

- *Palestinian leadership issues unequivocal statement reiterating Israel's right to exist in peace and security and calling for an immediate and unconditional ceasefire to end armed activity and all acts of violence against Israelis anywhere. All official Palestinian institutions end incitement against Israel.*
- *Israeli leadership issues unequivocal statement affirming its commitment to the two-state vision of an independent, viable, sovereign Palestinian state living in peace and security alongside Israel, as expressed by President Bush, and calling for an immediate end to violence against Palestinians everywhere. All official Israeli institutions end incitement against Palestinians.*

Security

- *Palestinians declare an unequivocal end to violence and terrorism and undertake visible efforts on the ground to arrest, disrupt, and restrain individuals and groups conducting and planning violent attacks on Israelis anywhere.*
- *Rebuilt and refocused Palestinian Authority security apparatus begins sustained, targeted, and effective operations aimed at confronting all those engaged in terror and dismantlement of terrorist capabilities and infrastructure. This includes commencing confiscation of illegal weapons and consolidation of security authority, free of association with terror and corruption.*
- *The Israeli Government takes no actions undermining trust, including deportations, attacks on civilians; confiscation and/or demolition of Palestinian homes and property, as a punitive measure or to facilitate Israeli construction; destruction of Palestinian institutions and infrastructure; and other measures specified in the Tenet work plan.*
- *Relying on existing mechanisms and on-the-ground resources, Quartet representatives begin informal monitoring and consult with the parties on establishment of a formal monitoring mechanism and its implementation.*
- *Implementation, as previously agreed, of US rebuilding, training and resumed*

security co-operation plan in collaboration with outside oversight board (US-Egypt-Jordan). Quartet support for efforts to achieve a lasting, comprehensive ceasefire.

- *All Palestinian security organizations are consolidated into three services reporting to an empowered Interior Minister.*
- *Restructured/retrained Palestinian security forces and IDF counterparts progressively resume security co-operation and other undertakings in implementation of the Tenet work plan, including regular senior-level meetings, with the participation of US security officials.*
- *Arab states cut off public and private funding and all other forms of support for groups supporting and engaging in violence and terror.*
- *All donors providing budgetary support for the Palestinians channel these funds through the Palestinian Ministry of Finance's Single Treasury Account.*
- *As comprehensive security performance moves forward, the IDF withdraws progressively from areas occupied since 28 September 2000 and the two sides restore the status quo that existed prior to 28 September 2000. Palestinian security forces redeploy to areas vacated by IDF.*

Palestinian institution-building

- *Immediate action on credible process to produce draft constitution for Palestinian statehood. As rapidly as possible, constitutional committee circulates draft Palestinian constitution, based on strong parliamentary democracy and cabinet with empowered prime minister, for public comment/debate. Constitutional committee proposes draft document for submission after elections for approval by appropriate Palestinian institutions.*
- *Appointment of interim prime minister or cabinet with empowered executive authority/decision-making body.*
- *The government of Israel fully facilitates travel of Palestinian officials for*

the Palestinian Legislative Council and cabinet sessions, internationally supervised security retraining, electoral and other reform activity, and other supportive measures related to the reform efforts.

- *Continued appointment of Palestinian ministers empowered to undertake fundamental reform. Completion of further steps to achieve genuine separation of powers, including any necessary Palestinian legal reforms for this purpose.*
- *Establishment of independent Palestinian election commission. PLC reviews and revises election law.*
- *Palestinian performance on judicial, administrative, and economic benchmarks, as established by the International Task Force on Palestinian Reform.*
- *As early as possible, and based upon the above measures and in the context of open debate and transparent candidate selection/electoral campaign based on a free, multi-party process, Palestinians hold free, open, and fair elections.*
- *The Government of Israel facilitates Task Force election assistance, registration of voters, movement of candidates and voting officials. Support for NGOs involved in the election process.*
- *The Government of Israel reopens Palestinian Chamber of Commerce and other closed Palestinian institutions in East Jerusalem based on a commitment that these institutions operate strictly in accordance with prior agreements between the parties.*

Humanitarian response

- *Israel takes measures to improve the humanitarian situation. Israel and Palestinians implement in full all recommendations of the Bertini report (August 2002) to improve humanitarian conditions, lifting curfews and easing restrictions on movement of persons and goods, and allowing full, safe, and unfettered access of international and humanitarian personnel.*

- *The Ad Hoc Liaison Committee (AHLC) reviews the humanitarian situation and prospects for economic development in the West Bank and Gaza and launches a major donor assistance effort, including to the reform effort.*
- *The Government of Israel and the Palestinian Authority continue revenue clearance process and transfer of funds, including arrears, in accordance with agreed, transparent monitoring mechanism.*

Civil society

- *Continued donor support, including increased funding through PVOs/NGOs, for people to people programs, private sector development and civil society initiatives.*

Settlements

- *GOI immediately dismantles settlement outposts erected since March 2001.*
- *Consistent with the Mitchell Report, GOI freezes all settlement activity (including natural growth of settlements).*

Phase II: Transition (June 2003-December 2003)

In the second phase, efforts are focused on the option of creating an independent Palestinian state with provisional borders and attributes of sovereignty, based on the new constitution, as a way station to a permanent status settlement. As has been noted, this goal can be achieved when the Palestinian people have a leadership acting decisively against terror, willing and able to build a practicing democracy based on tolerance and liberty. With such a leadership, reformed civil institutions and security structures, the Palestinians will have the active support of the Quartet and the broader international community in establishing

an independent, viable, state.

Progress into Phase II will be based upon the consensus judgment of the Quartet of whether conditions are appropriate to proceed, taking into account performance of both parties. Furthering and sustaining efforts to normalize Palestinian lives and build Palestinian institutions, Phase II starts after Palestinian elections and ends with possible creation of an independent Palestinian state with provisional borders in 2003.

Its primary goals are continued comprehensive security performance and effective security co-operation, continued normalization of Palestinian life and institution-building, further building on and sustaining of the goals outlined in Phase I, ratification of a democratic Palestinian constitution, formal establishment of office of prime minister, consolidation of political reform, and the creation of a Palestinian state with provisional borders.

- **International conference:** *Convened by the Quartet, in consultation with the parties, immediately after the successful conclusion of Palestinian elections, to support Palestinian economic recovery and launch a process, leading to establishment of an independent Palestinian state with provisional borders.*
 - *Such a meeting would be inclusive, based on the goal of a comprehensive Middle East peace (including between Israel and Syria, and Israel and Lebanon), and based on the principles described in the preamble to this document.*
 - *Arab states restore pre-intifada links to Israel (trade offices, etc.).*
 - *Revival of multilateral engagement on issues including regional water resources, environment, economic development, refugees, and arms control issues.*
- *New constitution for democratic, independent Palestinian state is finalized and approved by appropriate Palestinian institutions. Further elections, if required, should follow approval of the new constitution.*
- *Empowered reform cabinet with office of prime minister formally established, consistent with draft constitution.*
- *Continued comprehensive security performance, including effective security*

cooperation on the bases laid out in Phase I.

- *Creation of an independent Palestinian state with provisional borders through a process of Israeli-Palestinian engagement, launched by the international conference. As part of this process, implementation of prior agreements, to enhance maximum territorial contiguity, including further action on settlements in conjunction with establishment of a Palestinian state with provisional borders.*
- *Enhanced international role in monitoring transition, with the active, sustained, and operational support of the Quartet.*
- *Quartet members promote international recognition of Palestinian state, including possible UN membership.*

Phase III: Permanent status agreement and end of the Israeli-Palestinian conflict (2004-2005)

Progress into Phase III, based on consensus judgment of Quartet, and taking into account actions of both parties and Quartet monitoring. Phase III objectives are consolidation of reform and stabilization of Palestinian institutions, sustained, effective Palestinian security performance, and Israeli-Palestinian negotiations aimed at a permanent status agreement in 2005.

- ***Second international conference:*** *Convened by Quartet, in consultation with the parties, in the beginning of 2004 to endorse agreement reached on an independent Palestinian state with provisional borders and formally to launch a process with the active, sustained, and operational support of the Quartet, leading to a final, permanent status resolution in 2005, including on borders, Jerusalem, refugees, settlements; and, to support progress toward a comprehensive Middle East settlement between Israel and Lebanon and Israel and Syria, to be achieved as soon as possible.*
- *Continued comprehensive, effective progress on the reform agenda laid out by the Task Force in preparation for final status agreement.*
- *Continued sustained and effective security performance, and sustained, effective security cooperation on the bases laid out in Phase I.*
- *International efforts to facilitate reform and stabilize Palestinian institutions*

and the Palestinian economy, in preparation for final status agreement.

- *Parties reach final and comprehensive permanent status agreement that ends the Israel-Palestinian conflict in 2005, through a settlement negotiated between the parties based on UN Security Council Resolutions 242, 338, and 1397, that ends the occupation that began in 1967, and includes an agreed, just, fair, and realistic solution to the refugee issue, and a negotiated resolution on the status of Jerusalem that takes into account the political and religious concerns of both sides, and protects the religious interests of Jews, Christians, and Muslims worldwide, and fulfils the vision of two states, Israel and sovereign, independent, democratic and viable Palestine, living side-by-side in peace and security.*
- *Arab state acceptance of full normal relations with Israel and security for all the states of the region in the context of a comprehensive Arab-Israeli peace.*

The main features of the Road Map are:

- **An unequivocal recognition of the State of Israel.**
- **An unequivocal Israeli recognition in the Palestinian right to establish an independent state.**
- **A serious and effective struggle initiated by the Palestinian Authority against terrorism.**
- **A political reform and democratization processes of the Palestinian Authority.**
- **Freezing of all building activities in settlements and dismantling outposts established after March 2001.**
- **Cessation of attacks against citizens including deportation and destruction of houses and infrastructures.**
- **An Israeli effort to normalize Palestinian daily life and provision of humanitarian aid.**

- **Israeli withdrawal from Palestinian areas occupied after September 28 2000 (the outset of the Al-Aqsa Intifada).**

At the end of the Road Map process, both sides are supposed to discuss and sign the permanent agreement, which will constitute a genuine and conclusive peace agreement between the parties with the hope that this agreement would result in the recognition of the entire Arab world in the right of Israel to exist.

Stages in the Road Map

In the first stage, that is supposed to commence in May 2003, Palestinians should commit to end violent acts and Israel and the Palestinian Authority will renew cooperation. At this stage the Palestinian Authority is supposed to carry out political reforms and both parties are supposed to declare their commitment to a two-state solution and cessation of violence. Palestinians are supposed to fight terrorism, Arab countries are supposed to stop funding terrorism and Israel is supposed to withdraw from the areas occupied since the beginning of the intifada. In addition, **Israel is supposed to assist in changing the conditions in the Palestinian Authority, freeze building in settlements and dismantle all outposts erected following March 2001.**

The stage was not implemented in actuality and Palestinians and Israelis did not proceed to the next stages.

In the second stage, from June till December 2003, a Palestinian state in temporary borders is established, negotiations concerning material issues are held and an international peace conference is convened.

In the third stage, intended to be implemented by the end of 2005, a permanent peace agreement is signed between Israel and the Palestinians as well as a peace agreement between Israel and the Arab countries.

Implementation of the Road Map - Israel and the Palestinian Authority

Officially, the Palestinian Authority accepted the Road Map without reservations.

The Israeli government also officially accepted the Road Map yet at the same time

it sent a number of comments to the United States in a document entitled "**The 14 Reservations of the State of Israel to the Road Map.**"

Among the reservations there is a demand to **refrain from including in the negotiations the settlement in Judea and Samaria, the status of the Palestinian Authority and its institutes in Jerusalem, and the violence and incitement on behalf of Israel against Palestinians.** These reservations lack any legal force. The United States promised to consider these reservations "fully and seriously," that is to say, it did not accept the reservations fully and did not ascribe to these reservations a diplomatically binding effect.

The Palestinian Authority took the Road Map more seriously than Israel. It held free elections and made steps in the direction of a political reform in the authority yet at the same time it did very little in order to restrain completely terrorist organizations, their dismantling and the establishment of governmental security forces without them. Only now (the end of 2010) it can be said that the Palestinian Authority fulfilled the tasks it was supposed to perform in the framework of stage I.

Eventually, the timetable set by the Road Map failed, since the time frame set for the end of the conflict, the end of 2005, elapsed.

The Road Map - Assessment

The idea of the Palestinian state in temporary borders is one of the new features of the Road Map in relation to the Oslo peace process. And yet, the Road Map does not specify the borders - not the temporary and not the final ones - or the powers and authorities of the state within its temporary borders. It appears that the ones who formulated the plan assumed that these questions would be addressed in the framework of Israeli-Palestinian negotiations.

This idea of a state within temporary borders, even though it might be construed as a step forward in the process of the establishment of the Palestinian state, caused a delay and hindered the materialization of the plan.

Through time, this idea was transformed and manifested in different plans that support partial agreements or long term interim agreements when the "temptation" offered to the Palestinians in these plans is the Palestinian state

within temporary borders. Since the Palestinian did not and will not accept such solutions, rightfully so in their opinion, fearing that the interim solutions would become permanent ones, the Palestinian state became an abstract solution whose chances of realization become more remote.

In general, the Road Map resulted at an impasse due to the provisions contained in and in between its different stages concerning the progress of the negotiations towards a permanent agreement: Israel refrained from cessation of building in the settlement claiming that Palestinians did not stop terrorism; the Palestinians did not do what was required from them in the areas of constitutional changes and civil reforms; Israel continued keeping military forces in the Palestinian cities and so on until the timetable of the Road Map expired.

**Ayalon-
Nusseibeh
Plan
2002**

**The Ayalon-Nusseibeh Plan - the
“People’s Voice” (July 2002)**

The Ayalon-Nusseibeh plan is a joint declaration made by Ami Ayalon and Sari Nusseibeh dated July 27th, 2002. The initiative establishes the principles of the peace agreement between Israel and the Palestinians and offers its content as a petition to be signed by citizens on both sides, as an expression of their support in the agreement. The assumption of the authors of the plan was that the plan would gain high rates of substantial civilian-popular support until leaderships on both sides would accept the format of the declaration as a political plan that would constitute the conceptual basis of a peace agreement between Israel and the Palestinians.

In actuality, the public effect of the joint declaration did not receive much attention due to the relatively low profile of its initiators. It appears that this initiative, that was characterized by the good will of its authors, was too naïve and it quickly faded from the public-political discourse.

The main principles of the plan were:

1. **Two states for two peoples:** Both sides will declare that Palestine is the only state of the Palestinian people and Israel is the only state of the Jewish people.
2. **Borders:** Permanent borders between the two states will be agreed upon on the basis of the June 4, 1967 lines, UN resolutions, and the Arab peace initiative (known as the Saudi initiative).
 - Border modifications will be based on an equitable and agreed-upon territorial exchange (1:1) in accordance with the vital needs of both sides, including security, territorial continuity, and demographic considerations.

- The Palestinian State will have a connection between its two geographic areas, the West Bank and the Gaza Strip.
 - After establishment of the agreed borders, no settlers will remain in the Palestinian State.
3. **Jerusalem:** Jerusalem will be an open city, the capital of the two states. Freedom of religion and full access to holy sites will be guaranteed to all.
- Arab neighborhoods in Jerusalem will come under Palestinian sovereignty, Jewish neighborhoods under Israeli sovereignty.
 - Neither party will exercise sovereignty over the holy places. The State of Palestine will be designated Guardian of al-Haram al-Sharif for the benefit of Muslims. Israel will be the Guardian of the Western Wall for the benefit of the Jewish people. The status quo on Christian holy sites will be maintained. No excavation will take place in or underneath the holy sites without mutual consent.
4. **Right of return:** Recognizing the suffering and the plight of the Palestinian refugees, the international community, Israel, and the Palestinian State will initiate and contribute to an international fund to compensate them.
- Palestinian refugees will return only to the State of Palestine; Jews will return only to the State of Israel.
 - The international community will offer to compensate toward bettering the lot of those refugees willing to remain in their present country of residence, or who wish to immigrate to third-party countries.
5. **Demilitarization:** the Palestinian State will be demilitarized and the international community will guarantee its security and independence.
6. **End of conflict:** Upon the full implementation of these principles, all claims on both sides and the Israeli-Palestinian conflict will end.

**The
Geneva
Initiative
2003**

“The Geneva Initiative” for an Israeli-Palestinian Peace Agreement (October 2003)

"The Geneva initiative" is a proposal for a permanent Israeli-Palestinian agreement based upon the Clinton Parameters from December 2000. The "Geneva Initiative" begins where the Taba talks in 2001 ended.

The talks were carried out between teams of professionals some of whom took parts in the different rounds of the negotiations between Israel and the PLO. The teams were lead by Yossi Beilin from the Israeli side and Yasser Abed Rabbo from the Palestinian side. As time went by notable figures from both sides joined the teams - from the political, security, business, academic, cultural and civilian walks of life.

The main concepts of the "Geneva Accords"

- **A mutual recognition of both nations in the right of the Jewish people for a state and the right of the Palestinian people for a state and the two states being the homelands of their peoples.**
- **Almost complete Israeli withdrawal to the 1967 borders, with a limited number of settlement blocs on the basis of a 1:1 land swap.**
- **A comprehensive solution to the issue of the Palestinian refugees based on the absorption of refugees to the Palestinian state, compensation, resettlement in third countries and absorption of refugees in Israeli territory only following an independent Israeli decision.**
- **Settlement blocs and the majority of settlers are annexed to Israel while evacuating more than 100,000 settlers.**
- **Recognition of the Jewish Jerusalem as the capital of Israel including the Jewish neighborhoods in east Jerusalem yet excluding the Arab neighborhoods. Transfer of sovereignty in the Old City and Temple Mount to the Palestinians excluding the Jewish Quarter.**

- **Recognition of the Arab Al Quds as the Palestinian capital under Palestinian sovereignty including sovereignty over the Temple Mount, excluding the Wailing Wall and the Jewish Quarter.**
- **Division of the Old City of Jerusalem (within the walls) between Israel and Palestine.**
- **The Palestinian state shall be demilitarized.**
- **A full (and detailed) Palestinian commitment to fight terrorism and incitement.**
- **An Implementation and Verification Group will be established to facilitate, assist in, guarantee, monitor, and resolve disputes relating to the implementation of the agreement.**
- **The end of conflict and the end of all claims.**

Additional details

The Geneva Initiative serves as a draft of a model of a "permanent agreement" between the State of Israel and a Palestinian state. The document presents a comprehensive and unequivocal solution to all of the issues that are required in order to end the Israeli-Palestinian conflict. As of 2007 the appendices of the agreement were also written. The appendices deal with the details of the permanent agreement in a variety of issues in all areas.

The agreement wishes to demonstrate that if both parties take the strategic and historical decision they are capable of bringing the conflict to an end, end the mutual claims and maintaining permanent peace between the sides.

1. Mutual recognition

Each side mutually acknowledges the state of the other side; the Palestinians recognize the State of Israel and the right of the Jewish people for a homeland. Israel acknowledges the Palestinian state as the national homeland of the Palestinian people.

2. Borders and settlements:

- The border marked on a detailed map is final and indisputable.

- According to the accord and maps, the borders will be based upon the lines of June 4th, 1967, with limited territory swap in a ratio of 1:1. Three settlement blocs will be annexed to Israel: The bloc of Gush Etzion, the bloc of Beit Arye, Elkana, Alfei Menashe and Ma'ale Adumim. In addition, Jewish neighborhoods in east Jerusalem will be annexed to Israel.
- Approximately 300 thousand Israelis living nowadays beyond the Green Line will stay in their homes and settlements and more than 100,000 Israelis will be evacuated from their homes in different settlements including Ariel, Beit El, Ofra, Kiryat Arba and settlements in the Jordan Valley.

3. **Jerusalem**

- The Jewish Jerusalem shall be recognized as the capital of Israel and the Palestinian Al Quds shall be recognized as the capital of Palestine.
- The Jewish neighborhoods in east Jerusalem will be annexed to the Jewish Jerusalem.
- The Temple Mount area (al-Haram al-Sharif) will be under Palestinian sovereignty. The Palestinians acknowledge the historical connection and the unique significance of the Temple Mount to the Jewish people.
- The Wailing Wall and the Jewish Quarter will be under Israeli sovereignty.
- The Israeli settlements at the outskirts of Jerusalem, which are located nowadays beyond the Green Line - Ma'ale Adumim, Givat Ze'ev and Givon - will also be annexed to Israel.
- The Old City will remain open to movement to everybody entering through its gates; free access to Israelis to the Temple Mount is guaranteed.
- The two city councils of Jerusalem - the Israeli and Palestinian will cooperate and act together so as to promote the economical development of the city for the benefit of the population and the promotion of a peaceful dialogue between communities in areas such as water, transportation, environment, economical development, police and emergency services and issues pertaining to the Old City.
- Palestinian Jerusalemites, more than 200,000 permanent residents of Israel, will lose their status upon transfer of sovereignty to the areas where they reside to Palestine.

4. International supervision

An Implementation and Verification International Group shall be established to facilitate, assist in, guarantee, monitor, and resolve disputes relating to the implementation of the agreement. As part of the Implementation and Verification International Group, a Multinational Force shall be established to provide security guarantees to the parties. To perform the functions specified in this agreement, the Multinational Force shall be deployed in the state of Palestine. This force shall be in charge of inspecting Palestinian border crossings in order to prevent smuggling of weapons and dangerous materials and will serve as a means of deterrence against foreign attacks.

5. Refugees

The agreed solution to the issue of Palestinian refugees will end the status of refugees and will include a component of monetary compensation and permanent residence. Palestinian refugees will be entitled for compensation owing to their status as refugees and for the loss of their property. Countries that hosted refugees will be entitled for compensation as well.

Refugees will be entitled to return and settle in the Palestinian state and the Israeli areas that will be transferred to the Palestinians in the framework of mutual land swap. Refugees will also be able to choose other options such as: staying in their current place of residence or moving to a third country that will absorb the refugees. The realization of these options is contingent upon the sovereign and exclusive decision of these countries. Israel will be one of the third party countries to take part in the rehabilitation of refugees, according to its sovereign discretion while taking into account as a basis for the calculation of the refugees it would absorb the average of the number of refugees absorbed in other third countries. The agreement will result in a comprehensive and permanent solution of the refugees issue and no additional claims will be raised afterwards.

6. Security and war on terrorism

Israel and Palestine will maintain ongoing cooperation in relation to issues concerning security. In the framework of the mutual security understandings both parties will refrain from joining, assist, promote or cooperate with any coalition, organization, military pact or security agreement whose purposes or actions

include an attack or other hostile actions taken against the other party. The parties will refrain from encouraging, promoting or allowing the establishment of unsupervised military groups, including armed militias in their territory and will act so as to prevent their establishment and activities.

In addition, the parties will take actions so as to prevent violent and terrorist activities and will refrain from taking actions and adopting a policy that might encourage extremism and create conditions that contribute to terrorism in which state. The Palestinian state will be demilitarized, and will include forces that will perform police activities and prevent terrorist activities.

Annexes to the Geneva Initiative

The Geneva Initiative contains a series of professional annexes that specify in detail the permanent agreement, deal with a variety of topics that demonstrate how agreements can be made according to the principle of the end of the conflict, end of all claims and permanent peace between the parties.

Security

Palestine will be a demilitarized state with strong security forces. The annex specifies, inter alia, the stages of Israeli withdrawal, weapons that are permitted and unpermitted, the tasks of the Palestinian security forces, activities of early warning stations remaining in Baal Hatsor and Eval Mountain, the type and strength of the Israeli forces remaining temporarily in international border crossings, and so on.

West Bank - Gaza Corridor

A corridor will be erected between Gaza and the West Bank under Israeli sovereignty yet under full Palestinian control. Exit from and entry to the corridor will be enabled only from the West Bank and Gaza Strip, excluding emergencies. The corridor's roadway will be lower than ground level. The corridor will be wide and high enough so as to enable passage of vehicles, trains and infrastructures.

The Palestinian security forces will be the law enforcing entity in the corridor. At the same time, closed circuit cameras will be installed in the corridor and other means of electronic surveillance; a checkpoint will be stationed outside the corridor throughout its length and an Israeli security force will be stationed nearby.

Implementation and Verification Group (IVG)

An international force will be stationed in Palestine in order to assist the parties to implement the agreement, mediate between the parties and protect the Palestinian state that will be a demilitarized state. The operational arm of the international forces in the field will be run by a special representative. The representative will have a secretariat, a multinational force and a police unit in the Old City. The multinational force will comprise headquarters, a military component (up to 3000 soldiers), an observers unit (up to 300 civil observers) and a support unit. The military component will comprise four regiments, three of which will be stationed in the Jordan Valley in the border between Palestine and Jordan and one in the border between the Gaza Strip and Egypt. The sub-units of the regiments will be stationed in places where regular Israeli-Palestinian interaction will take place, such as designated roads and places with special religious importance, while the parties agreed that Israeli entrance will be allowed to these places accompanied by an international force. The police unit in the Old City will assist in coordinating and liaisons with the police forces in the Old City and will help the police forces of both sides to carry out their activities.

The Multinational Presence in Al-Haram al-Sharif /Temple Mount Compound

An additional force that will be stationed in the area will be located in Temple Mount. This force will consist of representatives of the states and member organizations of the IVG, and members of the Organization of the Islamic Conference. This force, headed by a special representative, will be responsible to help Palestinian security forces maintain security in the Temple Mount and ensure that no excavation, construction and maintenance works take place in the compound in opposition to the agreement between the parties. The security

component of the force will include up to 150 policemen who will carry concealed weapons. The observers unit will include 12 civil observers including members from UNESCO.

Jerusalem

The annex concentrating on Jerusalem demonstrates how borders and border crossings between Israel and Palestine will look in the framework of the permanent agreement. The annex does not include all border areas yet presents a number of models that can be implemented in other locations. A large terminal will be established at the French hill junction, enabling mobility between Jerusalem and Al-Quds. This terminal can also serve as a commercial area for each party. Road 60 will become a bi-national road with traffic in each of its sides with a border placed at its center. A pedestrians' passage will be built in the American Colony junction. According to the Geneva Initiative the Old City will remain open yet under joint Israeli and Palestinian sovereignty in a manner that the Wailing Wall and the Jewish Quarter remain under Israeli control. Entry with weapons to the Old City will be prohibited. In addition, the plan shows how the border can pass through Ben Hinom Valley and Abu Tor.

Designated roads

Three roads will remain under full Palestinian sovereignty yet Israelis will be permitted to travel through these roads without undergoing the regular procedures involved in crossing a border: road 443, road 90 in the part between Ein-Gedi to Beit-She'an, and the Jerusalem-Jericho road up to Beit Ha'Aravah junction. In order to drive in a designated road, an Israeli driver will have to stop at an Israeli checkpoint where his vehicle's details will be registered and a surveillance device (similar to GPS) will be installed in his vehicle. The surveillance device will enable checking at any given moment that the Israeli vehicle stays on the road at all times. Upon the end of the ride the vehicle will stop at another Israeli checkpoint in order to ascertain that all passengers of the vehicle that entered the road are on the vehicle. An Israeli vehicle will not be allowed to enter or exit from Palestine through a designated road. A vehicle that will not

stay on the road will be arrested by the Palestinian security forces and returned to Israel for further proceedings. The presence of the multinational force that will be stationed in the designated roads will ensure that no conflicts between Israeli and Palestinian drivers are created and it shall be present during every interaction between Palestinians and Israelis in these roads (in the event of an accident, Israeli vehicles do not stay on the roads, and so on).

Water

Israel and Palestine will re-divide their shared water resources. Beyond wells, streams and water sources transferred to Palestine and maintained under its responsibility, the shared water sources on which the agreement applies are: the western sub-aquifer of the Mountain Aquifer, the northeastern/ Harod/ Beit-She'an sub-aquifer of the Mountain Aquifer, agreed upon portions of the eastern sub-aquifer of the Mountain Aquifer, portions of the Coastal Aquifer opposite Gaza and the lower Jordan River (as to the Jordan river it is emphasized that even though Palestine controls a part of the river it cannot pump water at its own discretion, but only according to the agreement). The amount of water transferred from Israel to Palestine in the framework of the re-division shall be based upon a formula that will take into account the hydrological and climatic conditions that are in existence at the time of signing the agreement and will be subject to modifications in the event that substantial changes occur in any component of the formula. In order to enable a proper management of the shared water, a shared database for both parties will be established and a joint water commission will be established dealing with issues pertaining to the joint water reservoirs.

Border crossing points

The crossing points between Israel and Palestine will resemble the crossing points between Israel and Egypt and Israel and Jordan. Two crossing points will be open seven days a week, 24 hours a day. The remaining crossing points will be open five days a week from 06:00 till 20:00.

Inter-Religious Council

The Inter-Religious Council will operate in Jerusalem and will include 21 members - 10 from Israel, 10 from Palestine and another member appointed by UNESCO. The council will be located in Jerusalem and advise on issues relating to religion, freedom of worship, holy places and so on.

Environment

Israel and Palestine are committed to uphold international standards in a variety of areas related to the environment so as to ensure the rectification of the wrongdoings they committed to the environment and ensure a better future. The annex specifies the mechanisms, committees and mutual undertakings the parties will take for the purpose of achieving this goal. The annex also includes detailed summaries concerning a joint effort to reduce air and water pollution, an agreed list of protected animal species and agreed rules to handle and recycle waste on both sides.

Economy

This annex deals with the methods in which Israeli and Palestinian economies can cooperate in areas such as transportation and electricity and shows how the two economies can enjoy and benefit such cooperation. The document was originally written by the Aix research group and proposes the existence of a separate economical system for each state while creating mechanisms of Israeli-Palestinian cooperation from which both parties will benefit.

Refugees

The parties agree to the solution of the refugee problem as it appears in the original agreement yet the annex dealing with the refugees issue is yet to be written. There is a reference to a work done by an independent group that specified the mechanisms and the procedures that are required for the purpose of implementing the refugee compensation mechanism.

The Link to the Arab Peace Initiative

The Arab Peace Initiative was adopted by the Arab League in 2002. The Initiative proposes a just solution to the refugee problem, an Israeli return to the 1967 borders and the establishment of a Palestinian state in return for the end of the Israeli-Arab conflict, normalization of the relations between Israel and all the Arab states and establishment of peace relations with them. Alongside peace accords with Syria and Lebanon, the adoption of the Geneva Initiative can become a part of the solution of the Israeli-Palestinian conflict that is required to achieve such an agreement between Israel and the Arab states.

The Geneva Initiative - Assessment

The Geneva Initiative that was published in the end of 2003 constitutes a draft for a "permanent agreement," a continuation of the Oslo Accords and the negotiations in Taba in 2001. The "agreement" was achieved through unofficial negotiations between Israeli and Palestinian representatives.

The main purpose of the Geneva Initiative is to serve as a "model agreement," a kind of ready-made off-the-shelf agreement that is meant to prove to both sides that a comprehensive agreement can be reached - a permanent agreement - between Israel and the Palestinians, not ideally but practically, when the issues that were discussed were not only core issues, that were difficult to solve, yet the entirety of professional, security and humanitarian issues in full detail.

The success of the parties to reach an agreed permanent agreement, especially when the chief negotiators, both in the Israeli and the Palestinian sides are prominent and renowned public figures that are well versed with Israeli and Palestinian politics, shows in retrospect the positive effect that the negotiations towards a permanent agreement have on the formal negotiations between both sides, when they commence.

The Geneva Initiative marked the first time in which both sides conducted negotiations with the approach that considers the future of both sides - a two

state solution - in the deepest sense of the word, and not a "zero sum game" approach.

Another, positive point that is material to the success of the Geneva Accord was the decision of the parties to commence negotiations from the point in which the official negotiations in Taba stopped in January 2001. This decision enabled the parties to avoid "bad starts" anew, a ritual that occurred time and again once negotiations began following crises and low periods since the breakthrough that was achieved in Oslo 1993.

Another principle that contributed to the success of the Geneva Initiative was the flexibility in the management of negotiations on different issues, the possibility for a trade-off between different issues and areas that were under discussion. This principle of flexibility, enabled a "give and take" approach between different issues that fall under different professional categories, as opposed to the official negotiations that were held by that time according to the principle that issues under each category were discussed separately only within the professional framework designated for that category.

Nevertheless, the principle that was practiced in the Camp David Summit 2000, according to which "Nothing is agreed until everything is agreed," was adopted. This principle, which is seen at times as delaying the negotiations, is, in fact, an expediting element in reaching agreements when the negotiations are intended to bring both parties to the last stage of the final agreement. Therefore, reliance upon this principle is also appropriate today, when another attempt to reach a permanent agreement between Israel and the Palestinians is underway.

Another element in the Geneva Initiative which can be considered as an Israeli achievement, an achievement that was addressed by Barak for the first time in the Camp David Summit 2000 yet was unable to realize, is the "end of the conflict" and the end of mutual claims.

And yet, the writers of the present document are of the opinion that the demand for the "**end of the conflict**" in the formal negotiations, if and when they resume, might prove to be an obstacle on the way to a permanent agreement between Israel and the Palestinians. A mutual agreement as to the "end of the conflict"

- even though it is desired in the conclusion of the negotiations and should be welcome with a blessing - might be perceived as undermining the national narratives of both sides, Israel and the Palestinians alike; "the end of the conflict" in its meaning as a "final concession" of parts of the land, might be construed as harming the foundations of the national-religious identity of each side - an identity that is linked directly to an "occupation" of the entire land in each side.

In conclusion, it could be said that many parts of the Geneva Initiative can be used, in full and verbatim, in the framework of the permanent agreement between Israel and the Palestinians, provided that at the basis of the negotiations for a permanent agreement mutual strategic and historical decisions aimed at resolving the conflict will be taken by both sides.

Under the current state of affairs, in which both sides experienced extensive frustration and disappointment, the Geneva Initiative, as a solid or conceptual basis for a permanent agreement, will probably be met with difficulties. The reasons for that are:

- **Under the current state of affairs leaders on both sides will have to reach strategic-historical decisions that were not taken by the negotiators of the Geneva Accord. This is the main and major obstacle on the way to a permanent agreement and not the details from which a successful agreement can be formulated.**
- **The Geneva Accord posited, at its inception, convenient "laboratory conditions": the Taba understandings and the Clinton Parameters. It is doubtful whether these "understandings" will lie in the inception of the official negotiations, if and when they resume.**
- **Even though it is likely that the positions of the sides and the understandings that were reached in the Geneva Accord express the views of the authors of the accord on both sides, it may also be assumed that in terms of a "negotiations strategy" the goal of the Geneva Accord as a shelf agreement was to prove both sides that an agreement between the two, in real-time, is obtainable. Seen through this perspective, the concrete implication of this goal is to cause both sides to arrive to the negotiations table. Under such state of affairs it is probable that during real-time negotiations the positions**

of the sides will become more extreme.

- **Even if we assume that the Geneva Accord is a good and just agreement for both sides, it will possibly be rejected for internal political reasons in the two leaderships; the leaderships of both sides will be asked to prove to their peoples that they make intense efforts on their way to achieve an agreement.**
- **In fact, the Geneva Accord might have an adverse effect on both sides; because it is a just and good agreement it might lead the two sides to bypass it and by so doing to put additional strains on their efforts in principle just so they are not accused for "copying" the Geneva Accords.**
- **Another reason for the rejection of the Geneva Accord might stem from the identity of its authors: Yossi Beilin is perceived by the Israeli public as a "leftist" and therefore unpopular among large sectors of the Israeli public. In the same manner Yasser Abed Rabbo is perceived by the Palestinian side as being too compromising on issues that are important for the Palestinians.**
- **And a final difficulty - the massive advertisement and promotion of the Geneva in the public opinion also deepened the perception of the agreement as "inacceptable."**

**The
Annapolis
Conference
Plan 2007**

The Annapolis Conference Plan (November 2007)

The Annapolis Conference was held on November 27-28, 2007 at the United States Naval Academy in Annapolis, Maryland, United States. The conference was attended by delegations from Israel, the Palestinian Authority, the Quartet - the EU, the United States, the UN and Russia and representatives from the majority of the Arab League members including Egypt and Jordan and other Arab and Muslim countries such as Saudi Arabia, Malaysia, Sudan, Lebanon and Syria.

The conference was characterized by a short and succinct agenda: on its first day, following its ceremonial opening, the American President George W. Bush, the Israeli Prime Minister Ehud Olmert and Chairman of the Palestinian Authority Mahmud Abbas delivered speeches. On the second day the ministers of foreign affairs of the rest of the attendees delivered their speeches.

Contrary to former summits - starting from the signature of the Oslo Accords on the lawn of the White House in 1993, through signing on the peace agreement between Israel and Jordan in 1994 and up to the Wye Summit in 1997, the Annapolis Conference was not intended to summarize the negotiations yet an attempt to initiate them.

The purpose of the conference was to restart the peace process - especially in light of the reality that was created following the publication of the Road Map in 2003 - and pave the way towards intensive negotiations that will result in a permanent Israeli-Palestinian agreement.

The Annapolis Conference was the first significant conference including Israelis and Palestinians that was held since the Camp David Summit in the year 2000 and the outbreak of the Al-Aqsa Intifada.

Prime Minister Ehud Olmert and Minister of Foreign Affairs Tzipi Livni headed the Israeli delegation and Chairman of the Palestinian Authority Mahmud Abbas and his Prime Minister Salem Fayyad headed the Palestinian delegation.

The Annapolis Conference concluded with a **joint Israeli-Palestinian declaration** in the following words:

The representatives of the government of the state of Israel and the Palestinian Liberation Organization, represented respective by Prime Minister Ehud Olmert, and President Mahmoud Abbas in his capacity as Chairman of the PLO Executive Committee and President of the Palestinian Authority, have convened in Annapolis, Maryland, under the auspices of President George W. Bush of the United States of America, and with the support of the participants of this international conference, having concluded the following joint understanding:

*We express our determination to bring an end to bloodshed, suffering and decades of conflict between our peoples; to usher in a new era of peace, based on freedom, security, justice, dignity, respect and mutual recognition; to propagate a culture of peace and nonviolence; to confront terrorism and incitement, whether committed by Palestinians or Israelis. In furtherance of the goal of two states, Israel and Palestine, living side by side in peace and security, we agree to immediately launch good-faith **bilateral negotiations in order to conclude a peace treaty...and shall make every effort to conclude an agreement before the end of 2008.** For this purpose, a steering committee, led jointly by the head of the delegation of each party, will meet continuously, as agreed. The steering committee will develop a joint work plan and establish and oversee the work of negotiations teams to address all issues, to be headed by one lead representative from each party. The first session of the steering committee will be held on 12 December 2007.*

President Abbas and Prime Minister Olmert will continue to meet on a bi-weekly basis to follow up the negotiations in order to offer all necessary assistance for their advancement.

The parties also commit to immediately implement their respective obligations under the performance-based road map to a permanent two-state solution...

The United States will monitor and judge the fulfillment of the commitment of both sides of the road map. Unless otherwise agreed by the parties, implementation of the future peace treaty will be subject to the implementation

of the road map, as judged by the United States.

The main goal of the Annapolis Conference was set in the joint declaration:

Bilateral negotiations in order to conclude a peace treaty, resolving all outstanding issues, including all core issues without exception, as specified in previous agreements. We agree to engage in vigorous, ongoing and continuous negotiations, and shall make every effort to conclude an agreement before the end of 2008.

The first meeting between the parties was scheduled for December 12, 2007, only two and a half weeks after the joint declaration.

The opening speeches in the Annapolis Conference, delivered by President Bush, President Abbas and Prime Minister Olmert, reflected the straightforward-task oriented approach that characterized the conference.

The following excerpts are from the **speech delivered by President Bush**, dated November 27, 2007:

"First, the time is right because Palestinians and Israelis have leaders who are determined to achieve peace. President Abbas seeks to fulfill his people's aspirations for statehood, dignity and security. President Abbas understands that a Palestinian state will not be born of terror, and that terrorism is the enemy standing in the way of a state. He and Prime Minister Fayyad have both declared, without hesitation, that they are opposed to terrorism and committed to peace. They're committed to turning these declarations into actions on the ground to combat terror.

The emergence of responsible Palestinian leaders has given Israeli leaders the confidence they need to reach out to the Palestinians in true partnership. Prime Minister Olmert has expressed his understanding of the suffering and indignities felt by the Palestinian people. He's made clear that the security of Israel will be enhanced by the establishment of a responsible, democratic Palestinian state. With leaders of courage and conviction on both sides, now is the time to come together and seek the peace that both sides desire.



■ Prime Minister Ehud Olmert, President Bush, Palestinian President Mahmoud Abbas in Annapolis (November 2007)

Second, the time is right because a battle is underway for the future of the Middle East – and we must not cede victory to the extremists. With their violent actions and contempt for human life, the extremists are seeking to impose a dark vision on the Palestinian people – a vision that feeds on hopelessness and despair to sow chaos in the Holy Land. If this vision prevails, the future of the region will be endless terror, endless war, and endless suffering.

Third, the time is right because the world understands the urgency of supporting these negotiations. We appreciate that representatives from so many governments and international institutions have come to join us here in Annapolis – especially the Arab world. We're here because we recognize what is at stake. We are here because we each have a vital role to play in helping Palestinians forge the institutions of a free society. We're here because we understand that the success of these efforts to achieve peace between Israelis and Palestinians will have an impact far beyond the Holy Land.

For these negotiations to succeed, the Palestinians must do their part. They must show the world they understand that while the borders of a Palestinian state are important, the nature of a Palestinian state is just as important. They must demonstrate that a Palestinian state will create opportunity for all its citizens, and govern justly, and dismantle the infrastructure of terror. They must show that a Palestinian state will accept its responsibility, and have the capability to be a source of stability and peace – for its own citizens, for the people of Israel, and for the whole region.

The Israelis must do their part. They must show the world that they are ready to begin – to bring an end to the occupation that began in 1967 through a negotiated settlement. This settlement will establish Palestine as a Palestinian homeland, just as Israel is a homeland for the Jewish people. Israel must demonstrate its support for the creation of a prosperous and successful Palestinian state by removing unauthorized outposts, ending settlement expansion, and finding other ways for the Palestinian Authority to exercise its responsibilities without compromising Israel's security.

Arab states also have a vital role to play. Relaunching the Arab League initiative and the Arab League's support for today's conference are positive steps. All

Arab states should show their strong support for the government of President Abbas – and provide needed assistance to the Palestinian Authority. Arab states should also reach out to Israel, work toward the normalization of relations, and demonstrate in both word and deed that they believe that Israel and its people have a permanent home in the Middle East. These are vital steps toward the comprehensive peace that we all seek.

Thanks for coming. May God bless their work."

Topics of discussion and understanding in the negotiations⁵ between Olmert and Abu Mazen following the Annapolis Conference⁶

- The purpose of the peace process is to implement the two-state solution.
- Land swap between Israel and the Palestinian state will be in a ratio of 1:1, the areas prior to June 4th, 1967, will be divided on a 50%-50% basis between the states.
- The border lines of June 4th, 1967, constituted the agreed borderlines and the basis of negotiations. The Palestinian side offered a swap of 1.9% out of the West Bank areas and the Israeli side suggested that 6.5% of the entire areas in the West Bank would be annexed and that 5.8% of the Israeli area would be handed over to the Palestinians. The remaining area (0.7%) would constitute the "safe passage" area between the West Bank and the Gaza Strip.
- **Jerusalem:** Israel proposed that the Arab neighborhoods in east Jerusalem would constitute a part of Palestine (Beit Hanina, Shweifat, El Isawiya, Abu Tor, Silwan, Ras El Amud, and the remaining Arab neighborhoods). Jewish neighborhoods that were built in east Jerusalem would be a part of Israel.
 - **The Israeli side:** in relation to the Old City, the Israeli side proposed special arrangements in the holy areas without specific sovereignty of either side (see Olmert's proposal further down) .

5 Discussions between Olmert and Abu Mazen stopped in September 2008 when police investigations against Olmert commenced.

6 The information presented in this Section is based upon unofficial Palestinian documents.

- **The Palestinian side** insisted that the status of east Jerusalem should be the same as the rest of the Palestinian areas in the West Bank and the Gaza Strip, that is to say, it should be under Palestinian sovereignty and should also be the Palestinian capital. The Palestinian side would honor the sanctity of Jerusalem to all religions while keeping the freedom of worship to each individual.
- **Refugees: the Israeli side** proposed the following:
 - Returning 1,000 refugees a year to Israel for a period of five years. These refugees will return out of humanitarian concerns.
 - The return of refugees to the Palestinian state will be an internal Palestinian affair.
 - An international compensation fund will be established with Israel as a supporting member.
 - Israel rejected assuming responsibility for the catastrophe that was caused to the Palestinian refugees.
 - Israel will assume responsibility to compensate the Palestinian refugees for loss of property and assets.

The Palestinians maintained the following:

- Different solutions will be discussed in order to compensate the refugees for loss of property and assets.
- The right of return is established in international law and Resolution 194 made by the General Assembly of the UN.
- Israel would absorb 15,000 refugees a year for 10 years.
- The return of refugees to the Palestinian state will be subject to Palestinian law only.
- An international fund for the compensation of refugees will compensate the refugees regardless of and without prejudice to other rights of the refugees.
- The countries that hosted refugees are entitled to receive compensation.

- **Water: the Israeli side** proposed the following:
 - The countries in the region will act in cooperation with one another in order to solve the water problem.
 - Desalinization facilities will be erected in Israel, and the Palestinian state will receive water according to its needs.
 - Israel will reserve the right to control water in aquifers.

The Palestinian side proposed the following:

- The water issue will be solved according to international law.
- The water aquifers in the area of the Palestinian state will be under Palestinian sovereignty.
- The Palestinian state will have the water rights of the Jordan River.
- The Palestinian state will abut the shores of the Dead Sea with a 37km coastline.
- The Gaza Strip will have 19.5km (12 miles) of territorial water in the Mediterranean.
- Compensation for the water Israel "has stolen" since 1967.
- Regional cooperation in order to solve the water problem.

Note: Ehud Olmert, the former Prime Minister (in his speech in the Geneva Initiative conference on September 19th, 2010) said that during his discussions with Abu Mazen he agreed to absorb less than 20,000 refugees to the State of Israel and there was an American agreement to absorb 100,000 Palestinian refugees in the United States and grant them American citizenship.

- **Security: the Israeli side** proposed the following:
 - A demilitarized Palestinian state.
 - Israeli security presence in a number of locations in the Palestinian state.
 - Israel would keep control over Palestinian aerospace.

The Palestinian side proposed the following:

- No Israeli presence in the Palestinian state.
- Borders, border crossings, aerospace and the territorial water of Palestine

will be under its full sovereignty.

- An agreement as to the presence of a third party for a limited period of time.
- Palestine will have the right to keep weapons that are necessary to maintain its commitments and exercise its authorities in coordination with a third party.

Note: Abu Mazen, the Palestinian President (in numerous public appearances during the end of year 2010) said that the sides reached full agreement on the issue of security. This agreement was deposited with the Americans.

- **Prisoners: the Palestinian side** proposed that Israel would release all prisoners upon signing the final agreement.

The following are additional quotes by Ehud Olmert during his speech in the "Geneva Initiative" conference dated September 19th, 2010, as to Israeli proposals during the negotiations that were held between 2007 and 2009:

The division of Jerusalem according to Clinton Parameters

*"I think that in the framework of the territorial settlement there is no other option but to adopt the **formula in principle propounded at that time by President Clinton** which I offered to the Palestinians, that is, that **all Jewish neighborhoods, including the ones built after 1967, will be under Israeli sovereignty and all non-Jewish neighborhoods will be under Palestinian sovereignty in a manner that Jerusalem would partly be the capital of the State of Israel and in part the capital of the Palestinian state.**"*

The Holy Basin will be jointly administered by five states (five state trust)

Sovereignty in the Holy Basin will not be ours nor the Palestinians'. This area, that can be precisely measured, will be managed by an international trust that includes several states, Israel being one of these states. The Palestinians will be there, the Saudis, according to my proposal, are there, the Jordanians are there and the Americans are there. A trust that consists of five states. Now, this trust of

course will ensure the freedom of access to the sacred places for Jews, Christians and Muslims. It will manage... it will be engaged with a million things that should be processed but we have to reach an agreement about that.

A solution to the refugee problem - absorption in Israel of a certain amount based upon a humanitarian basis

*"In the framework of this peace initiative we could have reached a reasonable solution to the refugee problem when, and I say this in advance, the solution will not involve the area of the State of Israel. But I told Abu Mazen that there is a minimal number we can acknowledge as to the suffering that this population experienced and even knowing that I do not demand reciprocity, because I have no interest in sending even one Jew to a Muslim state, we will be willing to absorb, within the borders of the State of Israel, not based upon the unification of families and not based upon UN resolutions, **but based upon a humanitarian and individual basis, a certain number of Palestinian refugees that will enter Israel within five years and provided that this agreement, that will be specifically defined each year, and the numbers are much lower than the ones discussed, we are not talking here about 50 thousand, or 40 thousand, and not 30 thousand and not even 20 thousand...**"*

The absorption of 100,000 Palestinian refugees in the United States

*"By the way, concerning the refugees, I would like to add one thing, and maybe you don't know because it was never published, the American President, or the American government, let's put it this way, if we were to reach an agreement, in the format I was discussing, **was willing to absorb immediately 100 Palestinian refugees and grant them American citizenship.**"*

Annapolis Conference - Assessment

We chose to include the Annapolis Conference in the framework of the plans and initiatives concerning a peace process between Israel and the Palestinians even though it is not a plan or an initiative; the Annapolis Conference was a means

used by the sides - and mainly the American President Bush, to find a way out of the Road Map plan that turned out to be a political impasse for the Israelis and the Palestinians.

The conference, initiated by President Bush, was an honorable resort, a way to admit the failure of the Road Map and bring the parties to a new beginning.

The importance of the Annapolis Conference lies mainly in the revival of hope in the renewal of the political process and a comprehensive peace between Israel and the Palestinians based upon the two-state solution. And indeed, this was the first time that, following the failure in the Camp David summit, that the negotiations concerning the permanent agreement were renewed and direct discussions took place in professional and high diplomatic levels.

For the first time during these talks, that lasted for a period of about a year, the parties seem to have reached a strategic-historical decision that guided their attitudes during the negotiations and that may have resulted in the success of the negotiations if it had not been for the Israeli military operations in the Gaza Strip (operation Cast Lead) and investigations of Prime Minister's Olmert that resulted in the end of his political career earlier than expected.

The mere existence and quality of the negotiations after the Annapolis Conference - including the understandings that were reached during the Olmert-Abu Mazen talks - show that both parties still acknowledge the possibility to find a solution to the Israeli-Palestinian conflict based upon the two state solution in the 1967 borders (with the necessary changes) and a full, comprehensive solution to all core issues.

This position, if it is still adhered to in the upcoming round of negotiations, will bring Israel and the Palestinians back to the Oslo outline based upon a permanent agreement - one and comprehensive - that regulates all the issues that are pending between the parties as well as the nature of the relationships between the states under permanent peace.



**Plans Aimed at a
Limited or Long
Term Agreement**

**Mofaz's
Peace
Plan
2009**

Mofaz's Peace Plan for a Long Term Interim Arrangement⁷ (November 2009)

Background

In November 2009, Shaul Mofaz published his peace plan, which is a long term partial political arrangement, in light of the cumulative failures to reach a comprehensive agreement in the last 16 years since the Oslo Accords in 1993.

Being a security specialist, Mofaz claims that in the absence of a solution Israel takes unilateral actions in order to form a more convenient security condition.

These actions improve Israel's strategic condition yet they do not replace a political move that will result in the end of the conflict.

According to Mofaz, the calm that is in existence since the end of operation Cast Lead in the Gaza Strip "is temporary, and whoever clings to this calm and uses it as an excuse not to initiate a comprehensive and bold political move is mislead and misleading."

The national assessment of the current situation shows that time is not at Israel's side and a number of clocks are "ticking quickly":

- **Iran is on its way to gain nuclear capabilities.**
- **Radical and extreme entities** become stronger:
 - **Hezbollah** continues to store arms; **Hamas** continues in the preparation of the "**next round**"; **al-Qaeda** continues in its efforts to get a foothold in the region and all signs point to an escalation.
 - If Iran becomes nuclear it is expected that extremist entities will increase their activities under a **nuclear Iranian umbrella**.
 - **The demographic balance** in the area between the Jordan River and the

7 Mofaz estimates that the time frame from the beginning of the interim agreement and until a permanent agreement is 10 to 20 years. The estimate was given in his speech during a gathering whose topic was "The Future of Settlements in the framework of an agreement with the Palestinians" in the Peres Center for Peace in Tel Aviv University on November 18th, 2010.

Mediterranean Sea is not in favor of Israel. The international community displays intolerance at the occupation in the West Bank and building in the settlements.

- More and more entities worldwide raise the "**one, binational state**" as the favorable option to resolve the Israeli-Palestinian conflict.
- There is a campaign to delegitimize Israel around the world.

Mofaz goes on to explain that due to the lack of initiative and a peace plan on behalf of the Israeli government, we are caught in a situation in which Israel is perceived as the one refusing to the peace process with the Palestinians. In the absence of an Israeli initiative we find ourselves influenced by external forces and ongoing involvement of the international community in directions that are inconvenient to Israel. The longer the stalemate continues, the higher is the chance that violence and terrorism will erupt.

Mofaz's Plan for a peace agreement - the political idea

The most important interest is maintaining the Jewish and democratic character of the State of Israel and therefore the separation from the Palestinians is crucial to preserve this interest.

The main recommendation Mofaz makes is **to establish an independent and demilitarized Palestinian state in the West Bank and the Gaza Strip as soon as possible while demarcating the borders that will be decided upon gradually as well as security arrangements.**

On the issue of setting the borders⁸ of the Palestinian state, Mofaz maintained that Israel would commit to the decision that the borders of the Palestinian state will be the borderlines of 1967, already at the onset, with border corrections and land swap in a 1:1 ratio. The Palestinians will receive international guarantees for that matter.

At the same time, Mofaz recommends that the negotiations on other issues pertaining to the permanent agreement continue. Mofaz ascribes great importance to the inclusion of the moderate Arab countries in the process. The assistance of the Arab world is required in the process in order to provide

8 A speech by Shaul Mofaz during an event held by the Peres Center for Peace on 18.11.2010 entitled "The Future of Settlements in the framework of an agreement with the Palestinians."



■
Shaul Mofaz at an event of the Peres Center for Peace (2010)

guarantees to Israel and enter into cooperation with it. The international community, headed by the United States, ought to acknowledge the plan as a way of resolving the conflict, and assume a key role in providing the framework, assistance and guarantees needed to ensure the success and progress towards a peace agreement.

According to Mofaz, the establishment of a Palestinian state has a number of conspicuous advantages in relation to the future of the process:

- **The establishment of the Palestinian state is an Israeli interest** since it establishes the fact that **Israel is the state of the Jewish people** and that the only viable solution is the **two state solution**.
- **Demographically we can ensure that Israel has a genuine Jewish majority.** In addition, **the threat posed by the proposal of a one state solution will be removed.**
- A new **perception will emerge, according to which Israel will be perceived as initiating and leading the process.**

Mofaz's world-view is that Israel should create the conditions that would facilitate the decisions the other side ought to take and assume responsibility over security, appropriate government and thriving Palestinian economy.

The plan propounded by Mofaz would lead to the following state of affairs:

- The Israeli **control over another people** would come to an end in a conspicuous and actual manner and the burden of occupation will be lifted off Israel's shoulders.
- The burden of proof will now **lie with the Palestinian leadership** that will be required to prove that it is indeed ready and mature enough to exist as an independent, responsible and functioning state living peacefully with its neighbors.
- This will be done even before making **a decision and taking some painful steps concerning settlement evacuation and Israeli resettlement with an emphasis on settlement blocs in Judea and Samaria, the Negev and the Galilee.**
- **Renewal of political relations with Arab countries and the international**

community and strengthening the legitimacy of Israel's diplomatic moves.

- Implementation of a **gradual a controlled model in the framework of a process of the establishment of a Palestinian state** and the negotiations towards a permanent agreement. The gradual stages are needed in order to examine the preparedness and maturity of the Palestinian side and the effectiveness of the international and inter-Arab assistance. The stages are vital so that the Israeli side would become accustomed to the new state of affairs and come up with the necessary means to help settlers.
- **International and inter-Arab involvement** in four main areas:
 1. **Security** - ensuring the demilitarization of the Palestinian state and dismantling terrorist infrastructures and armed militias in conjunction with the international community including a multinational force.
 2. **Governance** - a legislative body, executive and juridical authority and promotion of effective and functioning government institutes in all areas of the Palestinian state.
 3. **Economic development** - assistance in the development of economical capability and infrastructures that would result in a rise in the Palestinians quality of life.
 4. **Foreign relations** - development of foreign relations and changing from an Authority into a state.

The first stage

During the first stage of the implementation of the plan, the Palestinian state will include 60% of the West Bank area (in addition to the Gaza Strip). Israel will make a commitment as to the borders⁹ of the Palestinian state being the 1967 borders already in the beginning of the process with some corrections and land swap in a 1:1 ratio. The Palestinians will be given international guarantees. The state in temporary borders will include more than 99% of the Palestinian population in the West Bank in a manner that would preserve territorial continuity and freedom of movement in the West Bank without the evacuation of Israeli settlements.

9 See previous footnote.

The Palestinian state will also include the Gaza Strip, once the elected and legitimate Palestinian government can govern the entire area de facto.

Upon the establishment of the Palestinian state, Israel's sovereignty in the settlement blocs in Judea and Samaria will be recognized and the east border of Israel will be formed in a manner that its borders are protectable.

Alongside the establishment of the Palestinian state negotiations will take place on the "core issues": Jerusalem, refugees, permanent borders, and security arrangements that will ensure stability and prevention of threats on Israel.

The large settlement blocs - Gush Etzion, Ma'ale Adumim, Jerusalem outskirts, Ariel and west Samaria will shape the eastern border of the State of Israel in order to provide it with protectable borders. The application of the Israeli law on the vital settlement blocs will be done in conjunction with the establishment of an independent Palestinian state. In addition, an appropriate period of time is required in order to find suitable solutions for the settlers who will have to relocate following the agreement.

Additional issues such as water, energy, environment, infrastructures, passages, customs and so on - will be dealt with and discussed by secondary negotiation teams assigned for each topic at the onset of negotiations and each subject that is agreed upon will be implemented.

The evacuation-compensation law will be formulated during the first year of the process and will address the different needs of the settlers.

The second stage - implementation of the agreement concerning the "core issues"

This stage will include the implementation of the agreement with reference to the "core issues", the end of claims and the conflict and beginning of diplomatic solutions and regional peace.

- **As to Jerusalem: this issue necessitates that the status quo concerning the freedom of access to the holy places will be maintained. Concurrently, negotiations should be held in order to come up with solutions concerning the daily lives of the citizens.**

- **The area of the Palestinian state will be mostly based upon the majority of the areas from 1967 (Israel would make a commitment concerning this matter before the Palestinians in the beginning of the negotiations¹⁰ with international guarantees).**
- **International involvement in the areas of the Palestinian state in three areas - security, economy and government - in order to assist in the establishment of an effective and functioning Palestinian state that can uphold the peace agreement.**
- **A solution to the refugees' problem will be provided through an international mechanism that will focus on different solutions and rehabilitation excluding return to Israel.**
- **Formation of an overall plan for regional peace supporting and accompanying the bilateral negotiations and cooperation against the "axis of evil."**
- **A referendum prior to the implementation of the agreement concerning the "core issues."**

Risks involved in the implementation of the plan

Mofaz does not ignore a number of risks that are involved in the implementation of the plan before all the issues pertaining to the permanent agreement are dealt with.

- **The Palestinians might oppose to a state that does not manifest their entire rights especially for the reason that, according to their view, the temporary will become permanent. In order to mitigate the Palestinian concerns, Israel ought to commit to end negotiations concerning the core issues within a specific time frame¹¹ and agree to the establishment of a mediation mechanism between the parties; this will be done subject to the Palestinian commitment to act responsibly. It is essential that the Palestinians execute the agreement irrespective of the time frame.**
- **The lack of governmental and political stability on the Palestinian side might**

10 See footnote hereinabove.

11 See note hereinabove, Mofaz estimates that the time period required from the beginning of the interim agreement to a permanent agreement is 10 to 20 years.

result in the rise of the Hamas government. Israel, being a democratic state, will honor any elected Palestinian government and will engage in negotiations with it. In the event that Hamas refuses to engage in negotiations with Israel, Israel would reserve the right to act in any manner in order to protect the safety of its citizens - whoever rejects our hand extended for peace ought to know that this hand can also inflict damage.

Israel must prepare itself to **negative scenarios** such as the **development of a poor, undeveloped state** that will vent its frustration at Israel. In addition, a scenario in which **Hamas takes over the West Bank by force** should also be taken into account. Therefore, **the process will be gradual, controlled and accompanied by substantial international involvement** as well as back up provided by **regional Arab guarantees**. In the event that these entities will not assist in reaching stability in the area **Israel will have to act on its own, by virtue of its right to protect itself.**

Mofaz's Plan - Summary

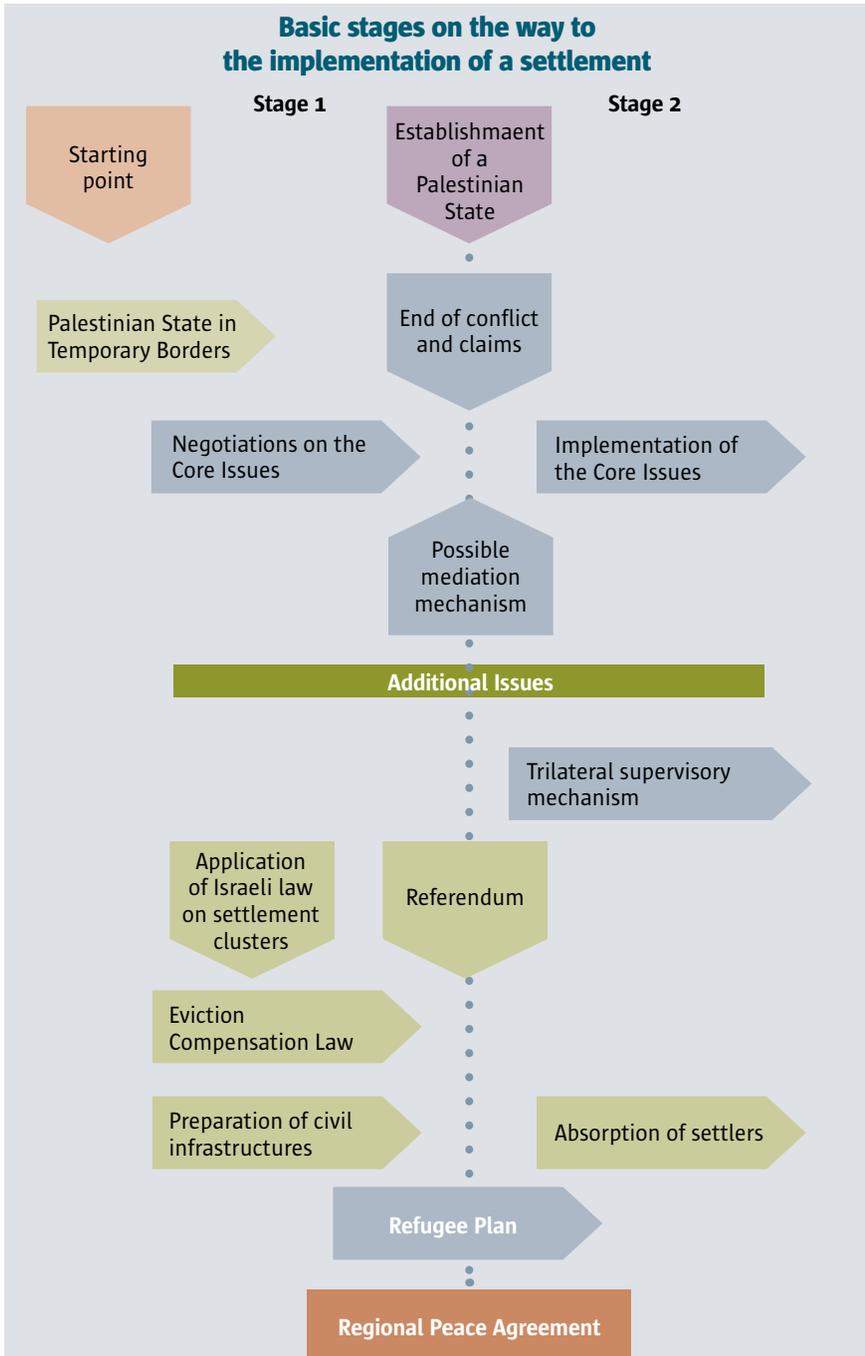
- **Establishment of a Palestinian State in temporary borders on 60% of the areas of the West Bank with full territorial continuity.**

While:

- **Making a commitment, backed up by international guarantees to establish an independent Palestinian State in the 1967 borderlines¹² with land swap and border corrections in a 1:1 ratio.**
- **Ensuring that Israel is a Jewish and democratic state.**
- **Protectable Israeli borders.**
- **Leading instead of being dragged.**
- **Ending the rule over the Palestinian people.**
- **End of claims and conflict in the framework of a permanent agreement whose implementation will last 10 to 20 years¹³.**
- **Assigning responsibility to the Palestinian government.**
- **Striving towards regional peace.**
- **International support and legitimization to the State of Israel.**

12 Ditto, according to Mofaz's speech in Peres Center for Peace on November 18, 2010.

13 Ditto.



Mofaz's Plan for a long term Interim Agreement - Assessment

Beyond being a concrete plan aimed at reaching an agreement between Israel and the Palestinians, Mofaz's plan also seems to be a criticism of the present government, the second Netanyahu government, for the lack of its initiative to resolve the Israeli Palestinian conflict.

From the Palestinians' point of view, a proposal for a state on 60% of the West Bank area constitutes a Non Starter. And yet, the modifications that Mofaz added to his plan¹⁴, a year following its publication, concerning the commitment made by Israel that the borders of the Palestinian State will be the 1967 borders with border corrections and land swap at a ratio of 1:1 might turn the plan into a viable option towards a permanent agreement.

The demand from the Palestinians to recognize the annexation and the application of Israeli law on settlement blocs even before reaching a permanent agreement is unacceptable to them or to the Arab or relevant international actors. This demand might be acceptable in the framework of Israel's commitment to the borders of 1967 and the international guarantees provided in this context, already in the beginning of negotiation, in return for an Israeli concession demanded by the Palestinians.

The Palestinians disagree with Mofaz's recommendation to establish a mediation mechanism and not an arbitration mechanism concerning the negotiations over the permanent agreement.

The plan received attention, and support by the Hamas in Gaza. The following are the words of Hamas spokesperson, Mushir al-Masri (to ynet): **"Obviously, such comments carry a lot of weight when they come from someone of Mofaz's stature – a man who went to war against Hamas and the resistance and is familiar with the issue's political and security-related aspects..."** al-Masri went on to say that **"certainly Hamas will relate to these words and cannot ignore them - yet we will not give up our position and we will not cave in to extortion in return**

14 A speech by Shaul Mofaz during an event held by the Peres Center for Peace on November 18th, 2010 entitled "The Future of Settlements in the framework of an agreement with the Palestinians."

for talks."

The additional modification to the plan¹⁵ setting the timetable for 10-20 years up till its full implementation as a permanent agreement might turn the plan into a basis which the Palestinians and the international community might agree upon concerning the negotiations of the permanent agreement.

15 Ditto.

**Hamas's
Plan
2006**

Hamas's Plan - Long Term Hudna (2006)

The Hamas is a central political, social and religious movement in Palestinian society. Its rise to power in 2006 was not a temporary episode. The Islamization of the Arab Palestinian society is expanding and its origins are found in deep rooted social and political processes. **The Hamas follows a pragmatic policy in relation to a peace agreement with Israel provided that the agreement does not recognize the State of Israel de jure and will not include any concession of Palestinian lands which, according to its charter, are sacred lands for eternity.**

The Hamas worldview concerning this matter is based upon Islamic religious laws according to which Muslims can sign a peace agreement with infidels for a certain period of time, in a situation in which Muslims are in an inferior position while the enemy is in a position of power once the power is reclaimed by the Muslims. And yet, out of this worldview, a peace treaty with the Jews that is based upon providing security and sustainable peace to Israel - does not fulfill the conditions of Islamic religious precepts. Therefore, the Oslo Accords are unacceptable to Hamas since they are illegal from an Islamic point of view and therefore there is no need to abide by their decision.

The Hamas, being in power, is not authorized to make decisions concerning a final territorial agreement with Israel since, according to its views, this matter does not concern the Palestinians only but it pertains to the entire Muslim world [Palestine is a Waqf land - until the day of judgment]. The Hamas is authorized, in the eyes of its leaders, to achieve a state of Hudna with Israel for a limited period of time, even if this period is long, in return for an Israeli withdrawal from the West Bank and the establishment of an independent Palestinian state.

According to the settlement reached by the national government (March 2006) Hamas is willing to recognize Israel indirectly, as it was implied in the guidelines of the national government, that include honoring ("Ahtram") the agreements it has with the PLO (as opposed to a commitment - "Altazam").

The Hamas political views

We can learn from the Hamas national government principles in March 2006, about its political views (taken from Hamas website Palestine-info):

- **Maintaining the "Palestinian principles" ("Al Tuabat El-Falestinia") of the Palestinian people (as decided in the 19th National Palestinian Council convention in November 1988 - E.L).**
- **Removal of the occupation and settlements, destruction of the Israeli West Bank Barrier and taking actions for the purpose of establishing an independent Palestinian State with full sovereignty whose capital is Jerusalem.**
- **Refusing partial solutions and any plan that harms the rights of the Palestinian people.**
- **Adherence to the right of return of Palestinian refugees to their homes and property. This right is seen as individual and collective and cannot be relinquished.**
- **Cooperation with the international community in order to end the occupation and the settlements and achieve full withdrawal from the lands that were occupied in 1967 including Jerusalem until the time that the area is quiet and safe.**
- **The different kinds of resistance ("Muqawama") are a legitimate right of the Palestinian people in order to end occupation and regain its national rights.**
- **The establishment of different national institutes on democratic, professional and national grounds and avoidance from partiality and the dominance [of one party over the other].**
- **Supporting an agreement that was achieved by the Palestinian factions during the Cairo talks in March 2005 regarding the PLO.**
- **The government will act according to the signed agreement out of responsibility and according to [agreements that] maintain the interests of the people, and strengthen and do not harm its rights.**
- **The government shall cooperate out of a sense of national responsibility with the international resolutions pertaining to the matter and that protect the**

people's rights and principles.

■ **Protecting the freedom of Palestinian national choice.**

Hamas' interests in maintaining a long term Hudna are related to its interests to become a legitimate political player and gain regional as well as international recognition so as to become engaged in internal rehabilitation and develop Palestinian society and economy and establish the **Dawah** in order to deepen Islamic identity within Palestinian society.

Hamás's Plan for the long term Hudna - Assessment

Hamás's plan, even though it is not a political plan, receives some support from different circles in Israel, especially those supporting interim, long term arrangements. These circles do not believe that the Israeli-Palestinian conflict can be resolved and are interested in maintaining the current status quo - despite Hamas' public demand that Israel must withdraw to the 1967 borders in order to reach a Hudna and defer further issues to the future. Hamas' gain from the bargain is obvious - it can establish its rule in the Gaza Strip and it provides it with the freedom to "conquer" the West Bank as well. For the ones supporting the delay of the agreement in Israel the possible gain lies in the removal of the internal pressures and especially the international pressures to find solutions to the conflict during the present time.

We can identify two main points of agreement between Hamas and the Israeli government. First, both parties are not interested in addressing the UN resolutions ("Al Sharia Al Dulia") as the main authority regarding a political agreement and they have reservations concerning the Arab League peace initiative ["peace for territories"; the Arab peace initiative]. Second, both parties are interested in an interim agreement that would lead to a period of calm even without mutual recognition: Israel is interested in a long term interim agreement while Hamas is interested in an interim agreement that would prevent a return to the slippery political slope of the Oslo process (that resulted in a discussion of the Palestinian problem in the confines of the West Bank and the Gaza Strip and the PLO government in the Palestinian Authority). At the same time, there is a material difference of opinion between the parties: the willingness of Hamas for a long

Hudna is conditional upon full Israeli withdrawal to the 1967 borders including east Jerusalem as well as the release of prisoners, while the Israeli willingness for a Hudna does not include a commitment for full withdrawal in the West Bank and the release of prisoners and it does not ignore its intention to set its borders unilaterally.



■
Hamas flag

Ehud
Ya'ari's
Plan
2010

Ehud Ya'ari's Plan - Armistice with the Palestinians (March 2010)

Background

The sixteen years that elapsed since the signature on the Oslo Accords proved to Ehud Ya'ari (a senior and esteemed journalist for more than forty years) that a permanent agreement with the Palestinians is unreachable during the present period. Moreover, the impact caused by the second intifada, the victory of the Hamas in the 2006 elections and the military overtaking of the Gaza Strip in June 2007 - only aggravated the situation. Ya'ari believes that additional attempts to reach an agreement increase the chance of the eruption of additional violent clashes. According to Ya'ari, the prospects of a deal between Israeli Prime Minister Binyamin Netanyahu and President of the Palestinian Authority Mahmoud Abbas are slim since Abu Mazen had already rejected proposals made by former Israeli Prime Minister Ehud Olmert - the sort of offers Netanyahu would never make.

This diplomatic stalemate, that is influenced by the dictates of extremist entities from both sides, entities that do not endorse the necessary concessions in order to reach a comprehensive agreement, is dangerous and therefore the best possibility for Israelis and Palestinians is to set themselves a common goal that is less ambitious than a comprehensive agreement yet creates momentum for further negotiations by establishing a Palestinian state within the **1949 armistice boundaries**.

In diplomatic terms, the "**Palestinian state first**" formula, is a step beyond the second stage of President Bush's Road Map for Peace from 2002.

The establishment of the Palestinian state is a clear Israeli interest since by so doing Israel would be released from the 'one state for the two peoples' solution that poses a demographic threat on Israel and might undermine its democratic and Jewish character.

The Palestinians, however, do not refrain from a one state solution and some even claim that this solution is preferable to other solutions including the two-state solution. Many Palestinians are in the opinion that time is at their side and by deferring "the end of the conflict and the end of claims" in return for a Palestinian state, as Israel claims, they increase their chances to reach their own state under such conditions that no concessions on their behalf would be necessary. In this future state Arabs will be the majority and Jews a minority.

According to Ya'ari, during the Camp David talks in the year 2000, it became evident that Israeli and Palestinian leaders were unable to bridge the gaps that existed between them as to the core issues: **the fate of Palestinian refugees, the control over Jerusalem, permanent borders and security arrangements along the Jordanian border**. Since then, gaps have only broadened.

Ya'ari also considers Abu Mazen's refusal to accept Olmert's generous offers, during the talks following the Annapolis Conference, as a tougher Palestinian stance in comparison to the views held by Arafat before his death in 2004.

Hence, Ya'ari's conclusion is that the chances to reach a permanent agreement at present are null.

In essence **Ya'ari's plan includes the following points:**

- **The establishment of a Palestinian State in the borders of the 1949 armistice as a central goal of the plan.**
- **Maximal increase of the area under Palestinian sovereignty by carrying out the third phase of the Oslo Accords and evacuating as many settlements that are not part of large settlement clusters, according to Sharon's realignment plan of 2006 (approximately 60 settlements and 50,000 settlers).**
- **At the same time, some parts of the Arab quarters of east Jerusalem will be transferred to the Palestinian state according to the 1949 armistice borders.**
- **An Israeli commitment, backed up by international guarantees, to continue with the talks concerning a permanent agreement.**
- **An immediate implementation of interim understandings and abandoning the old strategy of "nothing is agreed until everything is agreed."**

- **Deferring the discussion on the core issues - refugees, Jerusalem, settlements and permanent borders - to a later time.**
- **The situation between Israel and the Palestinian state will be defined as an armistice until a comprehensive agreement is reached.**
- **An interim agreement in which representatives of the Palestinian state will take part in controlling Al-Aqsa and the Holy Basin should be considered.**
- **Establishing joint municipal committees to run the quarters that are populated with Arabs in Jerusalem and nearby neighborhoods.**
- **Economical assistance to refugees that stay in the Palestinian state without losing their status of refugees until a comprehensive solution is agreed upon in the framework of the permanent agreement.**
- **The sides will be committed to formulate the safe passage agreement between the West Bank and the Gaza Strip in the future permanent agreement if and when the West Bank and the Gaza Strip are unified under a national government headed by the Palestinian Authority.**
- **New interim economical agreements will be formulated that will supersede the economical agreements reached in the framework of the Oslo Accords.**
- **In the framework of the interim agreements the armed Palestinian forces will be in charge of interior law and order tasks.**
- **Israel will be allowed to use Palestinian aerospace.**
- **The IDF will be entitled to deploy forces in the event of an attack initiated from the east.**

In conclusion, Ya'ari estimates that the Palestinians will strongly oppose to the agreement of a Palestinian state in temporary borders and therefore he believes that in order to reach such an agreement the United States and the European Union will have to engage in vigorous diplomatic efforts and the support of the Arab countries, such as Egypt, Jordan, Morocco, Saudi Arabia and the United Arab Emirates will be needed.

According to Ya'ari, **"The promise to break the current stalemate through a process that produces early and tangible results, supported by the Arab states,**

could lead the Palestinian Authority to reconsider its position." According to Ya'ari, additional incentives that can be offered to the Palestinians include **international guarantees to keep moving toward a final-status settlement, a Security Council resolution calling on the parties to sign an armistice agreement, an aid package for the new Palestinian state and further actions aimed at the isolation of Hamas.**

Ya'ari sums up his plan in the following words: **"Signing an armistice agreement would be the greatest breakthrough in Arab-Israeli peacemaking since the 1994 peace treaty with Jordan. Instead of allowing such issues as the refugees and the status of Jerusalem to delay the establishment of a Palestinian state, it would constitute a major step toward ending the occupation, fundamentally reconfigure the conflict and make the prospects for a final-status agreement far brighter than ever before."**

Ehud Ya'ari's Armistice Plan - Assessment

We have already dwelled upon the majority of the topics that were raised in this plan in our assessment of "interim plans" in previous sections. It is for a good reason that Ya'ari's plan did not receive serious attention in the Israeli or Palestinian public discourse. It seems that both parties are too realistic and do not want to deal with such plans that are premised on ideas that are irrelevant to the present reality.



■
Security Fence in Jerusalem

**Unilateral Plans
(Including:
Disengagement/
Realignment)**



**Haim
Ramon's
Plan
2002**

Haim Ramon's Plan - Unilateral Separation (June 2002)

General background

The unilateral separation plan, which, probably, served as the basis for Ariel Sharon's Disengagement Plan (as published in the fourth Herzliya Conference in December 2003) was first announced by Haim Ramon in June 2002, about a year and a half before Sharon announced the Disengagement Plan.

Basically, this plan is a political-security plan that aims to provide a solution to the inability to conduct negotiations ("no partner") with the Palestinians following the failure of the Camp David Summit in 2000 and the raging Palestinian terrorism in Israeli cities following the outbreak of the Second Intifada in October that year.

Upon its publication, the plan received public support yet was not adopted - not by the government or a political party.

The "peace index" survey, carried out by the Tami Steinmetz Center for Peace Research in Tel Aviv University, showed that in May 2002 65% of Israeli citizens supported the implementation of a plan that included a unilateral move of evacuation of most of the occupied territories and evacuation of the isolated settlements.

Another survey, conduct by Panorama Marketing Ltd., also from May 2002, found out that 80% of the voters to the leftist parties in the last elections supported the Disengagement Plan that would also include the evacuation of isolated settlements.

The Unilateral Disengagement Plan - Principles

The unilateral disengagement plan proposed by Haim Ramon was based on the

following principles:

1. **Separation from the Palestinians as a unilateral move by Israel, while establishing a border that would be a geographic, demographic and security border for an interim period at least, followed by peace negotiations (the permanent border between Israel and the Palestinian State that will be established is meant to be decided in the framework of the permanent agreement).**
2. **Realignment of all Jewish settlements in Judea and Samaria into settlement clusters similar to Gush Etzion or the Modi'in area including transferring isolated settlements whose existence is unjustified, into Israeli territory.**
3. **Evacuation of additional areas in the West Bank and evacuation of the Gaza Strip excluding a buffer zone (see hereunder) in the framework of the third stage "realignment" and unilaterally, in such manner that the Palestinian Authority retains 85% of West Bank and Gaza Strip areas.**
4. **Creation of a buffer zone based upon a technologically advanced and equipped safety fence that would provide real-time warning, and will constitute a physical obstacle accompanied by additional security means.**
5. **Setting permanent, official and secure border crossings in the West Bank, where the movement of people and goods will be ensured such as the Karni and Erez border crossings in the Gaza Strip border.**
6. **Leaving the Jordan River as a security border, for a long period of time, under full control of the IDF.**
7. **Inclusion of Jerusalem and its outskirts under Israeli control and acting according to a policy that would clarify that the question of Jerusalem would be solved following negotiations on a permanent agreement.**
8. **Striving for international support and backup, especially on behalf of the United States. Nevertheless, the implementation of the plan will not be conditional upon such backup.**

We can discern a few differences, yet also similarities, between Ramon's unilateral

separation plan and Sharon's Disengagement Plan:

- 1. The plan is not at odds with previous agreements or international understandings as to the territories and it does not negate options for renewing the diplomatic negotiations concerning a future permanent agreement between Israel and the Palestinians, contrary to Sharon's Disengagement Plan that establishes conclusive borders and does not foresee a political horizon in the form of negotiations based upon mutual agreement for a permanent arrangement.**
- 2. The unilateral separation plan provides an ad-hoc security solution to the war on terrorism while the Disengagement Plan has geo-political features that shape the future borders of Israel.**
- 3. The execution of unilateral separation, upon completion of the border fence and realignment of settlements in areas to the west, was supposed to reduce the security burden (and economical burden deriving therefrom) and improve Israel's international status, being the side that takes actual steps towards "ending the occupation." This is also true for the Disengagement Plan.**
- 4. The separation and disconnection from the Palestinians will be a response to the demographic problem that threatens Israel so that the separation border will separate between the two communities - the Israeli and the Palestinian. We also find a similar principle in the Disengagement Plan.**
- 5. The separation will prevent the actual "right of return" - the incessant movement and "spillover" of thousands of Palestinians beyond the Green Line and their settlement in Israel. In addition, separation will prevent the illegal stay of Palestinians within the borders of Israel. This principle is also central to the Disengagement Plan.**
- 6. The separation plan - as well as the Disengagement Plan - will prevent the daily interaction and friction between the two populations - and especially between settlers and local Palestinians - and would reduce to a minimum the daily contact between the IDF and Palestinian residents in checkpoints, curfews, incidents and searching Palestinians that stay illegally in Israel. A similar principle also exists in the Disengagement Plan.**
- 7. The creation of a "new order" by the unilateral separation as well as the**

Disengagement was supposed to minimize the risk of political and security escalation.

The reality that was created following the Disengagement Plan proved that this assumption did not materialize under the new state of affairs but the opposite was true - the political and security conditions only worsened.

Summary and Assessment

Despite the failure of the Disengagement Plan and its contribution to the rise to power of Hamas in the Gaza Strip, alongside the escalation in the political and security conditions, Haim Ramon continues today to support the application of the Disengagement Plan also in the West Bank. Yet, contrary to his views in the past, he does not deem "the end of occupation de facto" as "the creation of a new reality" that would motivate the parties to enter into a permanent agreement, but a state of "interim arrangement" that might prove to be convenient for both parties until they are able to enter a process of negotiations towards a permanent agreement.

According to Ramon: "...the next practical moves: completion of the disengagement unilaterally also in Judea and Samaria, completion of the erection of the West Bank Barrier as rapidly as possible throughout all areas of disengagement, leaving security areas in the Jordan Valley under Israeli security forces control, realigning all Jewish population outside the big settlement clusters beyond the West Bank Barrier and, in short - put an end to occupation!"

"Once a stable and sustainable peace arrives, the agreed solution to the question of Jerusalem and the right of return will be found. But the road towards that solution is still long. You can run a prosperous state without having a peace agreement; you cannot exist rightfully - not practically and certainly not morally - with the curse of occupation."

More than anything else, the gap between the principles propounded by the unilateral separation plan upon its publication and Ramon's last words concerning the continuation of the Disengagement Plan attest to its utter failure and lack of feasibility in the future.



Haim Ramon at an event held by the Peres Center for Peace (2010)

**Disengagement
/ Realignment
Plan
2003-2005**

The Disengagement / Realignment Plan (2003-2005)

General Background

The Disengagement Plan that was first announced at the 4th Herzliya Conference¹⁶ on December 18th, 2003 and was carried out, in actuality, at the end of 2005, included an overall Israeli military and civilian withdrawal (the withdrawal of IDF forces from the Gaza Strip and the evacuation of all Israeli settlements from the Gaza Strip) from the Gaza Strip and the northern West Bank. The withdrawal of military forces from the Gaza Strip and the evacuation of Israeli settlements were carried out **without signing on any agreement** - official and formal, or under any "secretive understandings" - reached with the Palestinians or third parties. Partial arrangement and coordination was carried out with the Palestinians on the techno-logistical level.

The Disengagement Plan was based upon the following principles:

- **The Disengagement Plan is a unilateral Israeli plan (without a mutual agreement)** - the plan was based upon the assumption that during its presentation no basis for political negotiations between Israel and the Palestinians existed.

The Israeli policy towards the Palestinian Authority was guided by the notion that "there was no partner" that became a central notion following the failure of the Camp David Summit in 2000.

- **Israeli control over the exterior areas of the Gaza Strip** - Israel would continue to maintain control over the aerospace, and coastline yet it would withdraw from the Philadelphi Route and the border with Egypt. This route will be

¹⁶ Sharon presented the plan after serving three years as Prime Minister. The idea originated in the Prime Minister's Conference for Export and International Cooperation taking place on November 20, 2003. Sharon did mention the Road Map in his speech yet declared he was considering unilateral steps.

under the security supervision of the Egyptians.

- **Palestinian control over the evacuated areas** - the evacuated areas will be under full Palestinian control, without any coordination with the Israeli side.
- **The status of the Palestinian Authority remains unchanged** - evacuation of the Israeli settlements and withdrawal of Israeli military forces will not change the status of the Palestinian Authority and the changes taking place in the field level will not result in the establishment of the Palestinian State in the evacuated areas.
- **On the diplomatic-international level**, Israel expected it would gain international recognition for the end of occupation and the end of Israeli responsibility for the areas from which it withdrew.

The political aspects of the Disengagement Plan

The Disengagement Plan, executed at the end of 2005, became the main political agenda in the campaign of Kadima, headed by Ehud Olmert and known by the name of the "Realignment Plan."

The Olmert government commenced its activities in the middle of 2006, when the Realignment Plan - the continuation of the Disengagement Plan in the West Bank - was its central political plan. Due to this state of affairs, the Disengagement Plan should be considered a central turning point in Israel's attitude towards the Palestinians; up till the Disengagement Plan Israel's attitude concerning the solution of the Israeli-Palestinian conflict was through diplomatic negotiations. And here, upon the execution of the Disengagement Plan, the Israeli strategy to deal with the Israeli-Palestinian conflict transformed into unilateral moves and avoidance from negotiations. In fact, since that time, Israel has adopted **a policy of conflict management**.

Accordingly, the status of the areas that were "liberated" from Israeli occupation became vague. Israel, owing to its refusal to enter into negotiations with the Palestinians, left the areas from which it withdrew - and from which it was supposed to withdraw during the Realignment Plan - under an unclear political status: this is **neither a Palestinian State** nor a chance of a permanent agreement

that would determine the future status of the Palestinians was created. This vagueness, as it transpired later on, undermined the basis of the political goals Israel had set to itself: strengthening its international status and the "end of Israeli occupation and responsibility" in the Gaza Strip.

At the same time, Israel refuses to transfer the responsibility over these areas to third parties, according to one of the suggestions that were raised during the execution of the Disengagement Plan.

In retrospect, it transpired that Israel not only did not improve its international status, it worsened it:

- Israel continued to be perceived as the side that would refuse to negotiate with the Palestinians.
- Israel continued to be perceived as the one that "occupies Gaza from the outside"; this view was further strengthened following Hamas rise to power in Gaza and operation Cast Lead.
- The Disengagement strengthened the extremist and Islamist factions in Palestinian society (they presented the Disengagement as the outcome of their activities aimed at the liberation of the Occupied Territories), and harmed the moderate Palestinian factions (as having no genuine achievements).
- From a security point of view, Israel found itself limited to operate effectively in reaction to repetitive rocket attacks launched by the Hamas in Gaza.

The strategic/diplomatic goals of the Disengagement/Realignment plan

Despite the vagueness that characterized the Disengagement/Realignment plan, it seems that **its main goal was to establish the Israeli borders unilaterally**, while maintaining the Israeli interest that may be harmed and weakened if the decision over the borders was to be achieved through a mutual agreement with the Palestinians. The realization of this goal was contingent upon Israel's ability to convince the international community (headed by the United States) that the "absence of a partner" meant a political legitimization to reach a unilateral decision over its borders that included settlement clusters and areas that are vital in terms of security.

The political goals deriving from the Disengagement/Realignment Plan are:

- **The end of Israeli occupation** while removing Israel's responsibility from the "liberated territories" and the Palestinian population.
- **The status of the Palestinian Authority** under such state of affairs **remained politically unchanged, that is to say, the Palestinian State is undeclared and/or established as a result of a diplomatic agreement.** Moreover, if, throughout time, a Palestinian state will be established, it would be established by virtue of an international Palestinian initiative without the inclusion of Israel in such move, in a manner that Israel will not have to pay the price involved in such move, especially from a territorial point of view.
- **Removal of the binational state threat** - obtaining the goal of the end of the occupation and establishing the borders of the State of Israel releases Israel from its control over Palestinians and removes the threat posed by a one state solution - a state for all its citizens and nationalities.

The Disengagement/Realignment Plan - consequences, lessons and future conclusions

The outcome of the Disengagement Plan

In retrospect, although the outcome could have been foreseen in advance - the Disengagement Plan, and the Realignment Plans that was meant to follow - did not live up to the expectations of their initiators:

- **"The end of occupation" (de facto) does not entail the "end of occupation" de jure** - it transpired that as long as Israel continued "to occupy the Gaza Strip from the outside" it does not receive recognition from the international community at the end of occupation. Furthermore, even if the Realignment Plan had been implemented in the West Bank, then the areas left by Israel under its unilateral control, would justify its status as an occupying state in the eyes of the international community, all the more so in the eyes of the Palestinians. In addition, it should be noted that there is no agreed

mechanism in the international community concerning an announcement regarding the "end of occupation" that was formed as a result of a unilateral withdrawal without an agreement and without the emergence of an entity in a status of a state to fill in the political void that was created.

- **The establishment of the Palestinian State** - it transpired that Israel's unilateral moves cannot affect the future reality in the areas from which it withdrew since the international community acknowledges the Palestinian entity - and not Israel - and its decisions concerning the actions that are taken in its area. Even today, many countries worldwide legitimize the establishment of a Palestinian State by unilaterally declaring their recognition of such state. This reality takes shape through different activities such as raising the status of diplomats in the Palestinian Authority, membership in international organizations or invitation to establish diplomatic embassies of the Palestinian Authority worldwide.
- **Failure of the "no partner" policy** - the unilateral Disengagement Plan did not help Israel convince the world that there was no partner for negotiations in the Palestinian side. In retrospect, it transpired that if it had not been for the unilateral Disengagement, political achievements could have been reached with the Palestinian Authority and by so doing the strengthening of Islamist and extremist factions in Palestinian society and the Hamas rise to power the Gaza Strip could have been prevented.
- **The Hamas taking control over the Gaza Strip** - as said, the Disengagement Plan strengthened the Islamist extremist wings in Palestinian society and helped Hamas to take control over the Gaza Strip and establish in it a "de facto" Islamic state. According to numerous commentators, the declaration of Hamas on the eve of elections that 13 years of Oslo did not lead to the withdrawal of the Israeli army while three years of violent clashes did result in the dismantling of all settlements in Gaza and the withdrawal of the IDF, lead to Hamas' victory in the elections in 2006.
- **Increase of security threats** - the rise of Hamas to power in the Gaza Strip increased the intensity of the conflict and the security threats on the settlements in the south of Israel. Contrary to the assessments that were raised prior to the Disengagement, as if the end of the occupation in the

Gaza Strip would result in calm in this area.

- **Intensification of the Israeli-Palestinian conflict** - it transpired that the unilateral "end of conflict" situation without reaching an agreement with the Palestinian side only intensified the conflict, as opposed to the alternative of the "end of the armed conflict" and the end of claims between the sides. **A Palestinian partner is a sine qua non to the end of occupation.**
- **The difficulty to return to the negotiation table** - the difficulty to return to the negotiation table with the Palestinians stems from the disconnection between the Gaza Strip and the West Bank as a direct result of the Disengagement Plan. This state of affairs, that weakened Abu Mazen's status and severed the connections the Palestinian Authority maintained with the Gaza Strip, created a new reality in which the Palestinian side that would represent the Palestinians during negotiations with Israel - might not necessarily represent all Palestinians or reach binding agreements on their behalf.

Lessons and conclusions for the future

In terms of the criteria and parameters we set in the introduction to this document, we are of the opinion that the Disengagement/Realignment plans, which fall under the category of "conflict management," do not even fulfill the criteria of a strategic plan under this category. In terms of conflict management, it seems that the Disengagement Plan did not live up to the goals and expectations of its authors. The opposite is true: the plan damaged both the Israeli side, in terms of political and security aspects, and the Palestinian side, as to the people in the Gaza Strip and the Palestinian Authority that lost its hold in the Gaza Strip to Hamas.

Beyond that, the Disengagement Plan cannot fulfill the additional, unilateral Israeli interests such as:

- **Disengagement is not perceived as the end of occupation and therefore it does not entitle Israel with international acknowledgement and support in this context.**
- **Disengagement will not prevent political processes that are contingent upon the Palestinian political entity such as the declaration of a state and**

its acknowledgement by the international community.

- **Disengagement will not mitigate the Israeli-Palestinian conflict, on the contrary - it might intensify it.**
- **The Disengagement plan does not result in the end of the conflict and the end of claims; it exposes the gaps that exist between the parties and exposes Israel to more extreme demands.**
- **Disengagement blocks future channels of negotiation towards a political settlement.**
- **Disengagement creates a political vacuum that might be filled, in the same manner as it was filled in the Gaza Strip, by more extreme entities.**
- **The Disengagement as a unilateral plan creates a political vacuum that generates pressures from the international community and creates a fertile ground for possible situations of forced agreements by third parties that stand in utter contradiction to the interests of the entity initiating the unilateral move.**

In light of the foregoing, our main recommendation is to refrain from taking unilateral moves - whether they are in the form of disengagement or realignment - as a possible political option, in the short and the long run.

**Giora
Eiland's
Plan
2010**

Major General (res.) Giora Eiland's Plan (January 2010)

Giora Eiland's plan was published in the Begin-Sadat Center for Strategic Studies in Bar Ilan University in January 2010.

The plan negates the two-state solution through the establishment of a Palestinian State in the West Bank and the Gaza Strip areas and instead offers two alternatives that fall under the category of "regional solution":

The first - Regional solution no. 1: Jordanian-Palestinian Federation

The second - Regional solution no. 2: Territorial exchange between Israel and Egypt

An additional solution - a combination of the two aforesaid solutions: the West Bank to Jordan and Gaza to Egypt (while politically severing the West Bank from Gaza).

According to Eiland, there are material reasons that prevent reaching a permanent agreement between Israel and the Palestinians based upon the two-state solution:

- 1. The clash of national aspirations between the two parties does not enable the establishment of another state on the same territory.**
- 2. Six practical issues that prevent reaching a solution:**
 - The territorial issue: the area between the Jordan River and the Mediterranean Sea is too small to establish two viable states.**
 - Settlements: an Israeli-Palestinian agreement will necessitate the evacuation of approximately 100,000 Israelis from their homes, a task that falls beyond the capacity of any Israeli government.** In addition, the direct cost involved in such evacuation is more than thirty billion dollars,

an amount that the Israeli economy cannot sustain.

- **The security issue is an obstacle: a withdrawal from 97% of the West Bank will result in a situation in which Israeli borders cannot be defended.**
- **Reliable Palestinian partner: An agreement in which Israel gives up vital territories will likely lead to Hamas rule in the West Bank (as was the case in the Gaza Strip).**
- **Jerusalem: even if the "division of Jerusalem" can be agreed upon ("Arab neighborhoods will become a part of the Palestinian State" according to the Clinton Parameters) Israel will not relinquish full sovereignty over the Temple Mount and the Palestinians will not accept such state of affairs.**
- **Refugees: the Palestinians will not give up the right of the refugees to return to their homes (even if they compromise on the number of people who would actually exercise this right.) Israel cannot recognize this right.**

Negating the "Interim Solution" approach

Supporters of this approach agree that there is no great chance to arrive at a permanent settlement in the short term. On the other hand, some fear that a political stalemate does not serve Israel and therefore they favor progress in every possible area. An interim settlement could consist of a "modest" measure such as a further realignment (according to the Oslo Accords), or it could be a more ambitious step such as an agreement on a "Palestinian state with temporary borders," according to the outline set forth in the Road Map.

There are four advantages to this approach, particularly if the outcome is a "Palestinian state with temporary borders":

First, there will be political progress that will lessen the risks noted in the previous paragraph.

Second, a Palestinian state of this kind will reduce the Israeli "occupation" on a daily basis to almost zero. 95% of the Palestinians will not only live under Palestinian sovereignty but will not have to go through a single Israeli checkpoint when moving from one place to the other in the West Bank.

Third, this approach provides a solution to most of the practical problems (such as the division of territories) yet it avoids sensitive issues such as Jerusalem, the refugees and a Palestinian declaration of the end of the conflict.

Fourth, the existence of two states, one beside the other, might lessen suspicion and tensions since it will become clear that only if the Palestinians succeed reasonably to manage their state will it be possible to try and complete the process and arrive at a permanent settlement.

A closer look, however, reveals that this approach is less promising than it appears.

First, this approach is totally rejected by the Palestinians; its main opponent is the President of the Palestinian Authority, Abu Mazen himself. It is clear that even if following international pressure Palestinians will agree to enter negotiations on this basis, they will present three threshold demands:

The first, that Israel must withdraw to the security fence (at least);

The second, that an unequivocal, international guarantee be given that the interim solution will not turn into a permanent solution and that eventually the Palestinian State will extend to the June 4 1967 borders.

And third, there will also be a demand that a mandatory timeframe be set for reaching a permanent settlement.

Even if the Palestinians consent to an arrangement of this kind, it will not necessarily serve the Israeli interest; in the framework of such a solution Israel will pay high costs for a negligible return. Israel will be forced to uproot thousands of Israelis from their homes, and will take the security risk entailed by relinquishing control over most of the West Bank. The return is meager because the conflict will not end. Moreover, irrespective of the reality on the ground, the Palestinians will go on claiming that the “occupation” is continuing since the permanent borders have not been determined yet. Hamas and part of Fatah will see no reason to stop the armed struggle. The Israeli withdrawal from most of the West Bank will create a temptation to intensify the armed struggle until “Israel withdraws from all of the Palestinian land including East Jerusalem.” Nor will the Arab states hasten to recognize Israel as long as a permanent settlement has not been achieved.

In addition, in agreeing to a temporary settlement (a Palestinian state with temporary borders), Israel affirms that it fully accepts the two-state solution and only its implementation is being divided into two stages. The possibility of subsequently proposing a completely different permanent solution is small. If the first stage on the way to a permanent settlement fails, Israel will lose its main leverage to propose other solutions; once 90 percent of the territory is already under Palestinian control, Israel will lose its main bargaining chips.

Eiland negates the "interim solutions" approach mainly out of a fear that eventually, the return for Israel is meager since later on, the conflict will not end but it will leave to many unsolved issues that may result in an escalation and weakening of the Israeli position during negotiations on a permanent agreement.

Even the approach supporting conflict management - a level lower than the "interim solutions" - despite being reasonable in the short term (it does not consist of commitments and irrevocable statements and Israel maintains its bargaining chips), then in the long term it produces substantial strategic risks (loss of international legitimization, loss of American backup and support, the risk of the eruption of an armed conflict in different levels of intensity up to a regional war waged against Israel, and so on).

Based upon these premises, Eiland proposes two solutions.

Regional solution 1: A Jordanian-Palestinian Federation

The first solution proposed is the establishment of a **Jordanian kingdom that includes three "states": the East Bank, the West Bank, and Gaza**. These will be states in the American sense, like Pennsylvania or New Jersey. They will have full independence on domestic issues as well as a budget, governmental institutions, laws, a police force, and symbols of independence, but similar to Pennsylvania or New Jersey they will not have responsibility for two issues: foreign policy and military forces. Those two areas, exactly as in the United States, will remain the responsibility of the "federal" government in Amman. Given that Hamas currently rules Gaza, it will be possible to implement this solution in two stages – first in

the West Bank, and secondly in Gaza, when the circumstances are right.

Israel will conduct political negotiations on this solution with a joint Jordanian-Palestinian delegation, as was supposed to occur in the framework of the 1991 Madrid conference.

Advantages of the Jordanian-Federation Solution

According to Eiland, this solution is preferable for the Palestinians, for Jordan, and of course for Israel compared to the two-state solution.

Advantages for the Palestinians

For the Palestinians who live in the West Bank and are not Hamas supporters, this solution has four clear advantages over the two-state solution.

First, it is more feasible, since this is a solution that Israel will be willing to implement. Many Palestinians, who want to see an end to the Israeli occupation, will prefer this solution (which achieves that goal) to waiting for an Israeli-Palestinian peace that is not likely to materialize. Second, those same people understand that if a completely independent Palestinian state is established (in line with the two-state formula), it will likely be ruled by Hamas. Many of them would prefer to live under Jordanian rule than to suffer the religious tyranny of Hamas, as now exercised in Gaza. Third, a solely Israeli-Palestinian solution requires impossible concessions of the Palestinians, such as giving up the right of return and finding an agreement to end the conflict. It is easier to share this emotional burden with an Arab political actor (Jordan). Fourth, the Palestinians also understand that under a two-state alternative, they will become citizens of a tiny state. Such a small state is not viable and will have security limitations (for example, conceding sovereignty over its airspace). It is preferable to be equal citizens in a large, respected country where the Palestinians will form the demographic majority.

Advantages for Jordan

It is well understood in Jordan that if an independent Palestinian state is

established in the West Bank, it will likely fall into Hamas' hands, as occurred in Gaza. A situation where a neighboring state (Palestine) is ruled by the Muslim Brotherhood, taking into account the long border between the states and the threat that already exists from the Muslim Brotherhood in Jordan, spells danger for the Hashemite Kingdom. The only way to ensure a regime's survival in the Middle East is through effective control of security. Therefore, the way to prevent instability in Jordan, which would be fueled by the future West Bank Hamas regime, would be through Jordanian military control of this territory.

Advantages for Israel

From Israel's standpoint this solution has four clear advantages over the two-state solution.

First, there is a difference in the "story." No longer is it a matter of the Palestinian people under occupation but rather of a (territorial) conflict between two states, Israel and Jordan. The current international pressure on Israel to concede on every issue would change.

Second, Jordan would be able to compromise on more issues, such as territory. The Palestinians cannot concede on the territory of the "1967" borders. A small Israel needs more territory, but that would make the Palestinian state even smaller. It is "unfair" to ask the weaker and smaller side to concede. This becomes easier when the partner is the sizable Kingdom of Jordan. This point also applies to security arrangements. In any settlement, Israel will demand a demilitarized West Bank. In the case of a Palestinian state, that would mean prohibiting heavy weaponry. Such a demand is difficult for a people receiving independence to accept. In the context of an Israeli-Jordanian agreement, the demand sounds more reasonable. All that is required is for Jordan to refrain from deploying forces in a certain territory (the West Bank). This will appear acceptable to the Jordanians, just as Egypt accepted the Israeli demand not to deploy substantial military forces on the Sinai Peninsula.

Third, and this is the greatest advantage, is the issue of trust. In the case of the two-state solution, Israel has to give up tangible assets in return for a Palestinian "promise" that the security calm will be maintained. Israel has good reasons to

fear a situation of double risk where it concedes the whole territory and does not receive security in return. The risk that the Palestinian government will be unable or unwilling to “deliver the goods” appears great and very actual.

The fourth advantage concerns relations between the states. Israel has good reason to fear that if an independent Palestinian state is established, its inherent weakness will prove to be an additional burden on Israel. It is not clear that the territory between the Jordan River and the Mediterranean Sea is sufficient for two viable states. The problems of the future state (lack of infrastructure, shortage of employment, division between the West Bank and Gaza, etc.) will fall on Israel's shoulders. Moreover, the international community will maintain that it is Israel's “moral obligation” to help the new state after so many years of occupation. Indeed, doing so will also be an Israeli interest since it is to Israel's advantage that the Palestinian state is not beset by despair, poverty, and frustration. That will not be the case if the West Bank is part of the “greater” Jordanian Kingdom.

Advantages for the International Community

The establishment of a Palestinian state according to the two-state concept will leave many of the problems in the international community's hands. The new state will experience difficulties attaining economic independence, will be divided between two areas (the Gaza Strip and the West Bank), and will endure the refugee problem. Above all, the problems between Israel and Palestine will not disappear once the agreement is signed. The international community, and particularly the United States, will be forced to invest further efforts in successfully implementing the agreement.

It is different if the problem becomes one that two existing and stable states, Israel and Jordan, are responsible for solving. Once the agreement is reached, its implementation becomes a challenge for Israel and Jordan while dramatically less will be required of the world, similar to what happened after the Israeli-Egyptian peace treaty was signed in 1979.

Regional Solution 2: Territorial Exchange (Egypt, Israel, Palestine)

Background

In its attempt to improve the offer of the two-state solution, the US administration recommends that the Arab states compensate Israel for its willingness to give up assets for peace. In the administration's view (which is correct, according to Eiland), the Palestinians have little to offer Israel that would justify the large concessions entailed by a peace agreement.

The compensations the Arab states are expected to provide involve upgrading their relations with Israel. However important this issue, clearly it will be difficult to "compensate" Israel for the loss of the entire Judea and Samaria area in return for gestures of this kind.

The most significant thing the Arab states can give Israel and Palestine is territory. According to Eiland, it is hard not to see, objectively, the distortion involved in the two-state proposal. On the one hand, Israel and Palestine must fit into a narrow and crowded strip of land; on the other, these two states are surrounded by states with huge land masses and scant population (Jordan, the Egyptian Sinai desert, and Saudi Arabia). The one thing the Arab states have in abundance is exactly the thing that both Israel and Palestine desperately need – more land.

Yet a negligible territorial concession on these states' part would enable substantially improving the state of both Israel and the Palestinian state. Surprisingly, the ones who would benefit even more than Israel and Palestine from such an arrangement are Egypt and Jordan. This chapter, which deals with an additional "regional solution," explains how to "enlarge the pie" so that all actors, in Eiland's opinion, benefit.

Main points of the proposal

1. **Egypt will transfer a territory of 720 sq km to Gaza.** This territory is a rectangle built from an area of 24 km along the Mediterranean coast from

Rafah westward toward el-Arish (but not including el-Arish), and an area of 30 km from the Kerem Shalom crossing southward along the Israeli-Egyptian border. This addition of 720 sq km triples the size of the Gaza Strip, whose current size is 365 sq km.

2. This area of 720 sq km is equal in size to about 12 percent of the West Bank. In return for this addition to Gaza, **the Palestinians will relinquish 12 percent of the West Bank, which will be annexed to Israel.**
3. In return for the territory that Egypt will give Palestine, Egypt will receive from Israel a territory in the southwestern Negev (the Paran region). The territory that **Israel will transfer to Egypt could reach up to 720 sq km**, but given all the other compensations for Egypt (see section d), it could be smaller.

Benefits to the Palestinians

Gaza in its current size is not viable. It does not have the minimal territory to maintain a stable economy. Today 1.5 million residents live in Gaza, and in 2020, there will be an estimated 2.5 million residents. Eiland poses the following question: does anyone really believe that the residents of Gaza in its original size will be able to live in happiness and prosperity in a territory that makes development impossible?

Not even a port of reasonable size could be built in Gaza, both because there is not enough space and because its proximity to Israel would cause huge damage to the Israeli shoreline. Comparing Gaza to Singapore is a mistake. Singapore's economy is based on international trade, advanced banking, and hi-tech industry while Gaza's economy is based on agriculture and low-tech. In Singapore, the size of the territory is not an important variable; however, the size of Gaza is critical for its viability.

The enlargement of Gaza according to the presented outline gives it another 24 km of shoreline. That entails territorial waters of nine miles (14.4 km) and reasonable chances to find natural gas in this domain. A territorial supplement for Gaza of 720 sq km would enable the building of a large international port (on the western side of the territory), an international airport at a range of 20-25

km from the Israeli border, and, most importantly, a new city that could host a million residents. It could also absorb Palestinian refugees from other countries and provide a natural development area not only for Gaza.

The economic significance of this expansion is enormous. In return for the transformation of Gaza into an attractive locale with real chances to become an international trade center in the region, the Palestinians should be prepared to concede territory in the West Bank where Israeli settlements and military facilities have existed for decades. This is a painful concession but it cannot be compared to what stands to be gained in Gaza.

Benefits to Egypt

In return for its willingness to give (to the Palestinians, not to Israel) 720 sq km of the Egyptian lands, Egypt will receive seven compensations:

1. **Land for land.** Egypt will receive from Israel a territory in the southern Negev. Its maximum size will be 720 sq km, but taking the additional gains into account, this can certainly be bargained over.
2. Egypt is geographically cut off from the main (eastern) part of the Middle East. From east to south is the Red Sea, and to the north is the Mediterranean. To make a land link possible, Israel will allow a tunnel that will connect Egypt and Jordan. The proposed 10 km tunnel will run from east to west (about 5 km north of Eilat) and will be under full Egyptian sovereignty, so that the traffic from Egypt to Jordan (and subsequently eastward and southward to Saudi Arabia and Iraq) will not require permission from Israel.
3. In addition to the new airport of “greater Gaza” and the new maritime port on the Mediterranean coast, and the “Jordan Egypt tunnel” in the south, a railroad, a highway, and an oil pipeline will be built (the route of these will at the same time become the Egyptian-Israeli border on the Egyptian side). These three will pass through the tunnel to Jordan and from there will branch to Jordan and Iraq in the northeast and to Saudi Arabia and the Gulf states in the south. This linkage has tremendous economic advantages. The gain for Egypt is clear: Egyptian levies will be imposed on all traffic from Jordan, Iraq, and the Gulf to the Gaza port. The route, as noted, passes over Egyptian

soil.

4. Egypt has a water problem that gradually worsens. The population is growing while clean water sources are shrinking. A state approximately 50 percent of whose population lives from agriculture cannot exist for another generation or two without a clear-cut solution to the water shortage. This requires, among other things, huge investments in desalination and purification. These, in turn, require advanced technology and, particularly, large outlays of capital. Egypt has neither, and hence, in return for the Egyptian "generosity," the world will invest in Egypt (through the World Bank, etc.) in the form of a large-scale water project.
5. The 1979, the Israeli-Egyptian peace treaty greatly benefited Egypt, but also forced it to accept limitations on the deployment of military forces in the Sinai. As part of the compensation for Egypt, Israel will agree to make certain changes in the military addendum of the peace treaty. This is vital so that the Egyptian leadership can proclaim domestically: we are indeed giving up 1 percent of the Sinai, but this concession will enable us, after 30 years, to more fully impose our sovereignty over 99 percent of the territory.
6. Egypt, like many states in the region, is interested in nuclear capabilities (for peaceful purposes). As part of the compensation for Egypt, European states (particularly France) will agree to build nuclear reactors for generating electricity in Egypt.
7. The peace agreement specified herein will put an end to the 100-year-old conflict between Israel and the Arabs. No one will have any doubt that this agreement was concluded first and foremost thanks to the Egyptian President. From there the way is short to a Nobel Peace Prize, an international peace conference in Cairo, and, in general, to Egypt's return to the international status it enjoyed until 1967.

Benefits to Israel

When comparing this arrangement to the "usual" two-state solution, two clear advantages emerge:

1. The territory in Judea and Samaria that will remain in Israel's hands (about 12%) is substantially larger than what could be obtained in the "usual" solution. This number is the percentage of the territory that Ehud Barak defined as vital to safeguarding Israel's interests when he went to Camp David in 2000. When the original fence was demarcated, it left about 12.5% on the Israeli side. The logic was similar (since then, under pressure from the High Court of Justice, the fence has moved westward and today only 8 percent of the West Bank lies to the west of it).
2. This territory enables Israel to dramatically reduce the number of Israelis who will be forced to leave their homes – from 100,000 to about 30,000 to retain places of religious and historical importance such as Ofra and Kiryat Arba. It will also enable keeping Ariel in Israeli territory and under comfortable conditions.

Benefits to Jordan

Jordan reaps the greatest benefits of this settlement without having to pay a price (it is, admittedly, possible that removing the wedge that Israel currently constitutes between Jordan and Egypt is less than desirable for Jordan.) The plan offers Jordan four main advantages:

1. A network of roads, a railroad track, and an oil pipeline that will connect the international port of greater Gaza, via the Jordan-Egypt tunnel to the Persian Gulf. Jordan receives a convenient "free" egress to the Mediterranean (the new port in Gaza) and, through the Mediterranean, to Europe. Moreover, the eastern side of the tunnel is the "bottleneck" through which goods will pass from Europe to Iraq and the Gulf, entailing economic advantages for Jordan.
2. Jordan is concerned about demographic problems; it has a clear and growing majority of Palestinian citizens. This phenomenon will only intensify as long as life in Jordan is more comfortable than life in Gaza and Egypt. The moment "greater Gaza" is established, the new city, port, and airport will create numerous employment opportunities and the trend will reverse. Palestinians of Gazan origin (there are 70,000 in Jordan) will prefer to "return home," as

will some of the refugees who now live in the West Bank and Jordan.

A more balanced allocation of territory between Gaza and the West Bank gives the Palestinian state a better chance for viability and thus increases the chances of reaching a stable settlement.

3. The involvement of the Arab states, and particularly Jordan and Egypt, in the solution is significant and binding. This involvement creates stronger “guarantees” for the upholding of the agreement.
4. This regional settlement does not eliminate the need for a “safe passage” between Gaza and the West Bank but lessens its importance (and the extent of the traffic on it). The “safe passage” will remain a route for Gaza-West Bank traffic, but the rest of the traffic in goods and people between Gaza and the Arab world will move along the new route.

Economic Advantages (for everyone)

Most of Iraq, Saudi Arabia, and the Gulf States' trade with Europe is carried out via ships that pass through the Suez Canal or, because of their size, must go around Africa. Although these two routes are not efficient, in the absence of a modern port on the Mediterranean coast and of an efficient transportation network, there is no choice but to use them.

If a modern port with technology similar to that of Singapore is built on the Mediterranean coast, in the "greater Gaza," including an efficient network of roads and a railroad lead southward and eastward, and an oil pipeline is laid, then commerce will be significantly more efficient and costs will be reduced.

The funding for this project will come not only from the states in which the infrastructure will be laid but also from Western states. At present the world pays billions of dollars every year to sustain the Palestinians; according to this plan, the money will serve for investment rather than consumption, investment that will economically pay off within a number of years.

Egypt and Jordan will enjoy the economical momentum directly and by other states indirectly.

Contrary to the past, when solutions to international problems were achieved bilaterally on a political-strategic basis, today the international community prefers to seek multilateral solutions with an economic basis. The establishment of the European Union is the most notable example. The proposed regional solution conforms precisely to this approach.

This solution will give the Palestinians a real opportunity to become the "Singapore of the Middle East." No such achievement is possible within the current narrow confines of Gaza.

An additional step forward - the West Bank to Jordan and Gaza to Egypt

Another option in the framework of the regional approach is to combine both solutions yet to make another "step forward." According to this improved proposal, **the Jordanian federation will consist only of Jordan and the West Bank. Gaza, whether in its current size and whether under the territory exchange option, will become a protectorate of Egypt.**

The implication of this alternative is the separation between Gaza and the West Bank as one political entity - and returning to the political state that existed prior to 1967.

Eiland's Plan - Assessment

It seems that the idea of a Palestinian-Jordanian federation will be completely rejected by the Jordanians. The national Palestinian movement, that was recognized for its right to establish a free and sovereign state, will not relinquish the full realization of a solution that will prove that their national struggle, that lasted more than a generation, was unnecessary.

Jordan too would refuse to accept this solution, due to its view that the Hashemite Kingdom and the independent Palestinian state should exist separately within specific borders. Any attempt to "mix" between the Hashemite Kingdom and

the Palestinian political entity is perceived by the Jordanians as an attempt to resolve the "Palestinian problem" at their expense - back to the notion claiming that "Jordan is Palestine."

Only upon the establishment of the Palestinian state, the two sides - Palestine and Jordan - will decide upon the establishment of diplomatic connections of any kind. As to Jordan, its unequivocal position is that connections in the form of confederacy or a federation can be established only after an independent Palestinian state is established and only after carrying out a referendum in which the two peoples are asked to decide upon the nature of the relations they wish to maintain.

From a territorial perspective, it is difficult to conceive of a situation in which the new federation will relinquish territories in favor of Israel without receiving an equivalent territorial compensation. The Jordanians and the Egyptians insisted, during negotiations, that Israel would return all the lands it occupied or took over (in the framework of the arrangements with Jordan, an exchange of lands in the Arabah was agreed upon).

Moreover, the chance that the new "federation" relinquishes a part of Jerusalem or the Holy Basin for no return hardly exists in our opinion. Israeli military rule over the Jordan Valley following the agreement will be a reality the Jordanians will find hard to accept. On the same token, it is difficult to conceive of a possibility that the new federation offers a more moderate stance as to the refugees issue and the right of return. The opposite is true, refugees in Jordan and Lebanon always sounded more extreme than the ones in the West Bank.

The regional solution offered by Eiland - a land exchange between Israel, Palestine and Egypt, is impractical since there is no likelihood that Egypt would be willing to become involved in the Israeli-Palestinian conflict in a manner that obliges it to relinquish its own sovereign territories.

The demand that the Palestinians relinquish 12% of the West Bank area in the framework of the land exchange "deal" will be utterly rejected by the Palestinians since their willingness to exchange lands, as manifested thus far, does not exceed 2%-3% only.

Beyond that, what Eiland presents as advantages to the sides, is not necessarily

true. Thus, for example, from an economical perspective, most of the economical connections Arab countries maintain are with Europe and other countries and not between themselves, therefore the economical gain of Egypt will not be that significant.

Furthermore, the tribal pattern of Palestinian society will prove to be an impassable obstacle when it comes to relinquishing areas in the West Bank for areas in the Gaza Strip since we are dealing here with two separate populations despite their common nationality.

Finally, from a political-historical perspective of the Israeli-Palestinian conflict, the Palestinians - as well as the Egyptians and the Jordanians - will find it hard to ask Arab countries to make concessions (Egyptian and Jordanian) in order to resolve the conflict. According to the Palestinians, the full price to be paid in order to resolve the conflict must be paid by Israel. Any other option will undermine the Palestinian ethos concerning the origins of the conflict and the Palestinian national narrative.

**Salam
Fayyad's
Plan
2009**

Salam Fayyad's Plan – Establishment of a Palestinian State and the End of Occupation (August 2009)

On August 25, 2009, Palestinian Prime Minister Salam Fayyad published a plan entitled: "**Palestine - Ending the Occupation, Establishing the State.**" This is a work plan for the 13th Palestinian government for two years, designated to establish the infrastructures and institutes of the nascent Palestinian State. The plan specifies the national goals and the political principles of the new state and includes details concerning the establishment of institutes, governmental plans, social and economical development plans as well as plans aimed at the development of infrastructures. The purpose is to establish a viable de facto state and expedite the end of occupation.

The plan is guided by diplomatic principles according to which:

- **The PLO is the legitimate representative of the Palestinian people and its political aspirations.**
- **A sovereign, independent state will be established in the 1967 borders with Jerusalem as its capital.**
- **A just solution will be reached concerning the refugees in accordance with UN Resolution 194.**

Characteristics of the Palestinian state:

- **The Palestinian declaration of independence will constitute the basic law of the state.**
- **The state will be democratic and pluralistic and will maintain separation of powers.**
- **All Palestinians are equal before the law irrespective of religion, race, gender, skin color or ideology.**
- **The state will be the sole authority that will protect the citizens and their property.**

- **The security mechanisms will operate according to clear guidelines set forth by law.**
- **A person or a group will not be allowed to carry arms contrary to the law.**
- **The state is the sole authority authorized to act in relation to security matters.**
- **The state shall provide housing, education and health services to its citizens and will provide assistance to families of the deceased, orphans and those that were injured during the struggle for independence.**
- **The state will undertake to administer properly the natural resources in its area and the historical landmarks that will be under the ownership of the people.**
- **Palestinian economy will be managed according to market economy principles under responsible and free competition, while the state provides social justice to its needy population.**

Salam Fayyad's Plan - Assessment

The main idea of Salam Fayyad's plan is the de facto state, the state in actuality. Fayyad's plan has two advantages: **"to end occupation despite the occupation"** as he said in an interview to the English Times (on August 28, 2009) and create facts on the ground in the shape of governmental infrastructures and institutes in all areas - government, statutory and legal, and, according to his interview in the Times: "We decided to become active, expedite the end of occupation by making an effort to establish positive facts on the ground that will conform with the establishment of our state as a fact that cannot be ignored. This is our agenda and we want to approach it with determination." In an interview with Akiva Eldar in Haaretz (April 2, 2010) Salam Fayyad said with reference to his plan: **"We would accumulate so much credit in the image of solid facts on the ground that reality will necessarily lead to a political process."**

It seems that Fayyad understood what former Palestinian leaders did not understand - he maintains a strategy of "positive initiatives"; instead of making demands from Israel to leave the territories as a precondition for peace, he

establishes "positive" facts on the ground: building economical infrastructures that are accompanied by a process of disengagement, albeit a gradual one, from Israel's economy, enforcing law and order, establishment of Palestinian governmental institutes, establishment of legal and juridical institutes, and so on. All of these create a reality that first and foremost empowers the Palestinian street and leads it towards constructive directions of integrating in the momentum of building the state underway.

To the outside - and this is the main emphasis - Fayyad shows the international community a reality of a de facto state that is lead by a moderate Palestinian leadership that is transparent and honest, similar to advanced Western democracies. This reality, that stands in contradiction to the Palestinian image in previous times, is also accompanied by messages aimed at making a progress in the peace process, and is not ignored by international entities as they witness the positive developments among Palestinians in the West Bank. This diplomatic initiative thus cannot be overlooked.

Fayyad stressed the notion of a de facto state, contrary to a unilateral declaration of a state because of the existence of the United States Congress decision that "expresses the Congress' rejection of a unilateral declaration of a Palestinian state and encourages the President to state clearly that the United States objects to the unilateral declaration of a Palestinian State."

It seems that Fayyad's plan is to lead Israel to a situation in which it is forced to recognize a Palestinian state in the 1967 borders even without conducting negotiations that will force Palestinians to cave in to Israeli dictates; the opposite is true. This time, the Palestinians are the ones spearheading the diplomatic initiative and Israel finds itself in a situation in which it cannot gain anything from the current state of affairs.

In terms of internal Palestinian politics, nationalistic, extremist or Islamic Palestinian factions would find it hard to resist Fayyad's plan since it does not make compromises in the usual Palestinian demands such as Jerusalem or the right of return and it maintains a uniform line as to other consensual issues in Palestinian society.

The plan of the state de facto proves itself, in its achievements, more than any

other form of Palestinian struggle till today - whether as an armed struggle and whether as a popular resistance.

In such manner, Israel finds it hard to resist openly to such a plan since it even conforms to Netanyahu's call for economic peace. The influence of the plan as to the Palestinian striving towards the establishment of their state is felt even without Israeli cooperation, even though this is not its guiding principle. On the other hand, this is the only plan that committed to a time frame of two years - the destination year is 2011 - for the establishment of the Palestinian state.

The probable scenario is not a unilateral declaration of a Palestinian state but a series of consistent and different diplomatic activities that take place for a while now, that would result in recognition of the international community and the UN of a de facto Palestinian State as a state de jure.

The probability is that this recognition would be based upon former international resolutions, UN Resolutions 242 and 338, so that the state would be recognized in the 1967 borders.

The implication is that the issue of the final borders of the Palestinian State will be set and recognized by the international community without entering into negotiations with Israel. This state of affairs, which, of course, will precede the state of affairs de facto, will put Israel in a conflict not just with the Palestinians but with the international community and its main institutes. Israel, that is already perceived as a peace objector, will find itself in a new situation as if it invades the sovereign area of the Palestinian state whose borders - the 1967 borders - are the legitimate borders recognized by the international community.

In conclusion, the main principle of Fayyad's plan is the following: "Once components of a viable Palestinian state are in place, all that is missing is a declaration about the establishment of a state politically and following that - international recognition," in the words of Daud Kutab¹⁷, a Palestinian journalist in his article in Common Ground in 2009.

17 Daud Kutab is a Palestinian journalist and a former professor of communications in Princeton University.



Prime Minister of the Palestinian National Authority Salam Fayyad

Oxford
Research
Group
2008

The Oxford Research Group Report (August 2008)

The Oxford Research Group comprises Palestinian academicians that represent the different parts of Palestinian population. The group published in August 2008 a position paper entitled "Regaining the Initiative - Palestinian Strategic Options to end Israeli Occupation"¹⁸.

It should be noted that, as the title of the position paper implies, the word 'peace' is not mentioned anywhere in the paper in relation to the Israeli-Palestinian agreement. The document does not constitute a diplomatic or political plan and it does not even represent the official entities in the Palestinian Authority. Therefore, the ideas contained in this paper should be read as ideas in principle, on a strategic level, through which Palestinians can analyze the Palestinian-Israeli reality and manage their affairs in it, according to their main national interests.

And another preliminary note: this is a very impressive document, academically speaking, in the areas in which its authors chose to focus: political strategy, national security, decision making processes in the national level, leading strategic processes and so on. No less impressive are the methodological tools used by the authors and specified in the document. These are also noteworthy.

In the opinion of the authors of the document, the Palestinians face, for the time being, three main strategic tasks:

The first is that they must reconsider their negotiations strategy with Israel, since any negotiation that was conducted thus far or will be conducted in the future, under the current format and conditions, failed and will fail in the future. The authors imply to the strategy formulated in the "Stockholm document" in 1988 in which the PLO recognized the State of Israel and called for an agreement in the framework of an international community based upon UN Resolutions 242

¹⁸ The original document can be read in the following website of the research group: www.palestinestrategygroup.ps

and 338.

The second strategic task is to ensure that Israel understands the conditions in which the 1988 offer remains open in the future. The Palestinians must clarify Israel that these conditions were never met since Israel continues to encroach upon the 22% of the area that was left for the Palestinian as a relic of the historic Palestine, on which the Palestinians wish to realize their self determination: the establishment of a completely independent Palestinian state in the 1967 borders together with guarantees as to their future security; this is the best offer that can be made to Israel. The group's proposal is that the Palestinians should put a time frame to this offer and, once this time elapses, the offer will no longer be on the table.

The third strategic task is to ensure that Palestinian discourse, especially in the framework of international talks, will clarify to third parties and the entire international community, that the Palestinians are not the ones that oppose the two-state solution; it is Israel that consistently evades this solution. Therefore, Israel is the one bearing full responsibility for the repetitive failures in the negotiations throughout the last two decades.

Therefore, the time frame allotted until a mutual agreement can be reached should be limited - and if the agreement is not reached by then, the Palestinians will clarify that other options to cope with Israeli occupation in the framework of their ongoing national struggle are at their disposal.

The document has two main objectives:

The first - to formulate a uniform and comprehensive Palestinian strategy to end Israeli occupation.

The second - the document itself, constituting a part of this strategy, plays a part in the strategic process, by performing internal analysis and showcasing it before relevant audiences in the Palestinian society.

The document sets three main strategic goals:

1. **Ending and removing Israeli occupation from the occupied Palestinian lands.**
2. **Establishment of a sovereign and independent Palestinian state in the 1967**

borders with Jerusalem as its capital.

3. Honoring the refugees' right of return.

In light of the strategic goals and objectives specified hereinabove, the research team raises two possible scenarios - one that the Palestinians find acceptable and the other unacceptable, when each scenario consists of four secondary scenarios that are seen as "possible futures."

Scenario A - Options (secondary scenarios) that are acceptable to the Palestinians

(in descending order):

- A. A two-state solution for both peoples achieved through negotiations.**
- B. A democratic bi-national state.**
- C. A reconstitution of the Palestinian Authority (interim stage) (with a direction of a struggle over the Palestinian people right for self determination beyond the PLO declaration of 1988).**
- D. A United Nations Mandate (interim stage)**

Scenario B - Options (secondary scenarios) that are unacceptable to the Palestinians

- A. Continuation of the status quo (plus).**
- B. A pseudo two-state outcome (such as canton state, a state in provisional borders, a state under partial sovereignty).**
- C. Unilateral Israeli separation (such as the Disengagement from Gaza and as implied by Israel establishing the West Bank Barrier).**
- D. An Egyptian/Jordan Control/Occupation**

The chances of realization of the different scenarios are presented hereunder:

Scenarios acceptable to Palestinians

Scenario	Palestinian capability to promote	Israeli capability to block	Third party capability to influence
Two state	low	high	medium (US high)
One state	low (short term) increasing (long term)	high (short term) decreasing (long term)	low (short term) increasing (long term)
PA reform	high	low	low

Scenarios unacceptable to Palestinians

Scenario	Palestinian capability to block	Israeli capability to promote	Third party capability to influence
Status quo	high	medium	medium
Pseudo two state	high	low	low
Unilateral separation	low (short term) high (long term)	high (short term) low (long term)	medium
Egypt/Jordan	high	low	medium

Three possibilities are available in order to realize Palestinian strategic goals, in accordance with the specified scenarios (preferred options), using different means and methods: **negotiations with Israel, resistance and national struggle, recruitment of support from third parties.**

The Oxford Research Group Report - Assessment

We are not required to evaluate the present document under the categories of a political plan since this document does not deal with such issues.

This is a unilateral, strategic document that is aimed at the Palestinian leadership and its purpose is to serve as a "toolbox" in the formulation of coping strategies with one specific goal - **ending Israeli occupation**.

We can learn from the document that the Palestinians consider the end of Israeli occupation as top priority. Peace is not an aspiration or even an issue worth mentioning.

At best Israel can be perceived as a real partner for negotiations whose preferable outcome is, to the Palestinians, the realization of the two-state solution. Even under such scenario peace is not mentioned as a tolerable by-product.

And yet, due to Israel's evasion from a negotiation that would result in the two-state solution, the authors raise the **one-state solution** as a solution that should be acceptable to the Palestinians, even as a high priority. Implicitly, this solution is preferred not only because of Israel's evasion from conducting real negotiations in order to realize this solution but because Israel's overall strategy is wrong - Israel is unaware of the fact that its interests are gradually undermined and, especially, it does not pay enough attention to the fact that time is on the Palestinian side.



Conflict Management Plans



Netanyahu's "Economic Peace" Plan¹⁹

"Economic peace is the corridor leading to the possibility of political peace down the road. It does not render the negotiations for permanent agreement futile yet generates the conditions for its fruition. An economic peace is a corridor leading to political solutions. The conflict with the Palestinians begs for it." - said Netanyahu in his speech in the Herzliya Conference in January 2008.

According to Netanyahu's analysis, there is no peace between Israelis and Palestinians not because of a territorial problem and not because Israel does not withdraw from areas - the withdrawal from Lebanon and the Gaza Strip did not prove itself. The real problem, according to Netanyahu, is the Palestinian resistance to the existence of a sovereign Israeli state, a nation state of the Jewish people.

According to Netanyahu, the Palestinian weakness is so noticeable that the Palestinian Authority cannot even control its own members. Netanyahu is of the opinion that Israel has two options at its disposal: to change reality (but actually ignore it, since a policy cannot rely on an illusion), or do nothing.

Netanyahu proposes a third option - the economic peace option. Netanyahu believes that economic peace is a corridor leading to political peace in the future and it creates the necessary conditions necessary for political peace. Economic peace can and should prevent recruitment to extremist Islamic groups. The Palestinian population is in need of hope, it needs to believe that there is still a possibility to improve its life and that its children have a future.

Economic peace, according to Netanyahu, relies on Israeli security and jobs in the market:

- **"Zones of prosperity" should be created, outposts of hope - agricultural, industrial, touristic and other projects should be established. Projects that are aimed at the periphery.**
- **Projects that rely on genuine market forces should be established - these could**

¹⁹ Netanyahu presented this plan at the Herzliya Conference 2008.

prove to be an opportunity to negotiate with the Palestinian Authority.

- **Regional cooperation should be promoted. Jordan could become an excellent partner to this view - the Dead Sea canal from the Red Sea to the Dead Sea is one example of such cooperation.**

In conclusion, this practical plan enables, according to Netanyahu, to make progress in the direction of improving the current situation and create a positive future for Israel and its neighbors. Economic momentum should continue as well as educational reforms, creation of security and promotion of economic peace.

Netanyahu's "Economic Peace" Plan - Assessment

We did not choose to place Netanyahu's plan for economic peace under the category of "conflict management plans" by accident, since it is clear that the plan, and similar plans, such as "peace from the roots," constitute a Non Starter for the Palestinians. Netanyahu's plan was conceived before his election as Prime Minister and before his declaration supporting the two-state solution in his speech in Bar Ilan University on August 14, 2009. Hence, it is clear that Netanyahu intended to fill a political vacuum with irrelevant content that could only win time for him and delay coping with real political challenges that are necessary in order to resolve the Israeli-Palestinian conflict.

Netanyahu shows empathy to the suffering of the Palestinian man that suffers on a daily basis in an economically underdeveloped environment. He attempts to raise possibilities for improvement only if the Palestinians will be willing to cooperate with economical projects that Israel would "bestow" upon them.

And yet, Netanyahu ignores the national aspirations of the collective that might place its ambition for self determination at a higher position than the desire to improve its economical well being. It is also possible, as the revival of the Jewish people in its own land might teach, that national self determination and the establishment of the state were goals that were important enough to motivate the Jewish population in Israel to sacrifice and contribute to the collective and, only from the moment that the nation began to take roots, its citizens found the time to realize their personal and economical ambitions with significant success.

This example might point to the right order of things - it is possible that the framework of the sovereign state is the appropriate ground from which economical growth will be enabled.



■
Prime Minister Benjamin Netanyahu

Plans for a "Forced Agreement"

Plans for a "Forced Agreement"

Contrary to other parts of the document, this part does not provide a review of a plan or an initiative of a forced agreement since no such plan or initiative are in existence at the moment. The examination of this issue is purely theoretical and mainly accounts for the lack of probability and feasibility of such plan, de facto or de jure.

The possible contribution of this part lies in shattering the forced agreement illusion for both sides according to the approach "there is nothing worth waiting for" and "salvation will not come from here" - not to Israel or the Palestinians.

The first to speak about a '**forced agreement**' was Yeshayahu Leibowitz. The following are his words in his article 'Territories' in 1968²⁰: "The axis around which the political argument revolves is that of "peace and security." If the term peace signifies its real meaning, that is to say, a state of affairs in which the State of Israel and its neighbors live in peace according to an agreed arrangement between the two parties - there is no chance for such a peace at present and in the foreseeable future. This is not the place to engage in deep historical investigations - if the Jewish-Arab conflict could have been resolved to begin with under a consensual agreement; in any event, it should be said that if in the 20 years that elapsed since the establishment of the State of Israel there were opportunities in which some sort of settlement could have been reached, such opportunities occurred, perhaps (!) immediately after signing the Rhodes agreements and on eve of the Suez War (before the operation in Gaza!) and immediately after signing the armistice in the Six Day War) - then we missed them all, and the state of affairs is that it is inconceivable that one side can, out of its own free will, offer the other side an offer that can be accepted out of that side's free will. Only the power and pressure exercised by the superpowers prevents war from erupting today and tomorrow and it is possible that their powers and pressures - if it leads to the production of an agreement - will result in a **fake**

20 Yeshayahu Leibowitz "Territories," an article in Yediot Ahronot, April 1968.

"peace" in the area, in the form of a **forced agreement** imposed on both sides and that will last as long as the superpowers agree about this matter. Whoever has his eyes open - and there are persons with their eyes open in top governmental positions as well, yet they prefer to probably, be silent - sees that without a forced agreement from the outside we would escalate into a second Vietnam, a war that would last without a possibility of decision based upon constant escalation. We may invade Amman or Damascus tomorrow and no achievement will come out of such act."

In his article, written more than forty years ago, Leibowitz relates to the circumstances in which a "forced agreement" might be imposed (translated from Hebrew): "the sides cannot reach an agreement by themselves and therefore dominant, external forces ("superpowers") impose an agreement on them, probably out of their own interests and not the interests of the parties on which the agreement was imposed".

What is especially impressive about Leibowitz's article is the depiction of the characteristics of the **"forced agreement"** - this is a **'fake peace' whose existence is contingent upon an agreement between the superpowers.**

It seems that at the time of writing the article, Leibowitz supported a forced agreement since in the absence thereof he predicted a "war that would last without decision and will gradually escalate."

This prediction, similar to many others he made, materialized (almost) to its full extent.

It seems that all sides understand that the probability to resolve the Israeli-Palestinian conflict through a forced agreement is low. The idea of the forced agreement is raised from time to time as a "whip" intended to threaten the side to return to the negotiations table, i.e., the mutual agreement.

Leaderships on both sides realize that supporting a forced agreement implies the abandonment of their national interests in the hands of foreign entities with different and foreign interests even though that in a certain combination this or that side might believe that the world supports its cause. Both sides also understand that a forced agreement would exist as long as these external forces wish to maintain it, according to Leibowitz's views, yet the internal reality of the conflict between the sides would continue to exist, whether in an explicit or

latent manner. In any event, in the short or the long term, the conflict will erupt once more, and this time even in a more extreme manner - after all possibilities have been exhausted, including the forced agreement option, and both sides might act in an extreme manner.

Israel is concerned that the forced agreement during the present period, in which the Palestinians are considered by the world as having abandoned the option of armed struggle and their internal activities prove that they have matured and are ready for an agreement - might not be in its favor, since under such state of affairs its main interests would be sacrificed - the borders will become the 1967 borders once more, most settlements will be removed and declared illegal, sovereignty in east Jerusalem will be transferred to the Palestinians, Temple Mount and the Holy Basin will be under the supervision of a committee that comprises representatives of Arab states, a representative of the international community and Israeli representatives, and Israel would also have to withdraw from the Jordan Valley. In return Israel would receive a declaration concerning the end of the conflict and the right of return will be defined as the right of return to the Palestinian State in its recognized borders.

The Palestinians are concerned that a forced agreement will manifest Israel's advantage due to its strategic relations with the United States and the dominant influence of the Zionist lobby on the American government. Under such circumstances, a forced agreement might become in actuality an Israeli arrangement under an international umbrella.

The Palestinians will have to "swallow" this arrangement according to the "fair settlement" principle that Israel demands: borders will be established according to the reality in the field so that the majority of settlements remain in place, the right of return will be recognized only in the borders of Palestine, Palestinians will be granted sovereignty only in villages that are included in the area defined as the "Jerusalem outskirts" and they will be granted a "freedom of worship" in the Temple Mount mosques as well as rights to take part in the municipal administration of the Arab neighborhoods in East Jerusalem.

In Israeli internal politics, two figures related to the forced agreement option. Shlomo Ben-Ami, the former Minister of Foreign Affairs, supports an agreement that contains a motive of coercion, according to which an international committee under the leadership of the United States and with the participation of key Arab

countries such as Egypt, Saudi Arabia and Jordan, should first and foremost deal with the interpretation of the principles of the agreement (the authority of the UN Resolutions, such as Resolution 242 calling Israel not just to withdraw from the Occupied Territories but also calls to recognize Israel in safe borders) and, subsequently, to compose the agreement itself. An international mandate will oversee the implementation of the peace agreement²¹.

On the other hand, Yvette Lieberman claims that "a forced agreement will only intensify the conflict and not bring it to an end."

Dr Abed El-Majid Suilem²² voices the Palestinian stance as to a forced agreement: "a forced agreement is a solution that might prove to be a good excuse for certain Palestinian entities that are concerned about their interests and privileges during an ongoing political stalemate. Moreover, a forced agreement might serve as an excuse for certain entities known as "resistance entities" to withdraw from their positions claiming that to resist a forced agreement is tantamount to committing political suicide and therefore it is better to keep their heads." A forced agreement could prove to be a manipulative move that would provide Israel with a way out, whether it be under the existing leadership or a new one, with the purpose of presenting the acceptance of the forced agreement as a strategic concession Israel makes in order to "facilitate" the United States mission and in return all or most of the details of the agreement will conform with the Israeli vision and interests."

A level below a forced agreement, and what appears to be a more feasible option, is international involvement aimed at reaching an agreement between the parties, under the auspices of the United States. The international entity that can lead such a move is the United States, the Quartet or the UN Security Council. A possible scenario for such a process is that parameters concerning a permanent agreement - probably resembling the Clinton Parameters in 2000 - will be submitted to the parties, and they will be asked to negotiate and reach an agreement based upon them. The international community might also offer a series of incentives to the parties if they reach an agreement based upon the proposed principles or, alternatively, will impose sanctions on the opposing party.

21 Shlomo Ben-Ami - *A Front without a Rearguard: A Voyage to the Boundaries of the Peace Process*. Tel Aviv: Yediot Ahronot, Chemed Books, 2004, 502-538.

22 Dr Abed El-Majid Suilem "On the Forced Agreement," "El-Aiam," 22.4.2010.

**Lieberman's
Plan**

**Lieberman's Plan - "Populated-Area
Exchange Plan"**

We did not accidentally choose to place Lieberman's plan for exchange of population and areas under the heading "Other Plans." We shall begin by saying the following: we do not consider Lieberman's plan as a plan aimed at a comprehensive agreement or any kind of agreement. Still, we chose to present the plan since we present a "lateral" discussion of all topics pertaining to the issue at hand and since this plan represents for us the boundaries of legitimate plans and initiatives for a comprehensive agreement. The reader has to decide whether he considers Lieberman's plan to be inside or outside these boundaries.

In the framework of his plan, Lieberman proposes that Israel would annex all large settlement clusters in the West Bank, such as Kiryat Arba, Ariel and Ma'ale Adumim and in return the Palestinians would gain control over the towns and cities in the Triangle area and Umm el-Fahem including their Arab citizens.

According to Lieberman, half the Israeli Palestinian citizens would be under Palestinian rule - more than 600,000 people (even though some claim that according to the proposed map this number is significantly smaller and does not even reach 200,000 people). According to Lieberman not only will the State of Israel gain the large settlement clusters in the West Bank and by so doing it will gain lands with an historical value and strengthen its security, but it will also be able to "get rid of" hundreds of thousands of Arabs, Israeli citizens and residents, that pose a threat to the Jewish character of the state and become an increasingly serious demographic problem, as they are citizens that do not serve in the army and their loyalty is doubtful as well.

The plan was first introduced by Lieberman in 2004, when he was serving as the Minister of Transportation in Sharon's government and was presented as "A comprehensive plan for resolving the Israeli-Palestinian conflict." According to the plan, Israeli Arabs that live nowadays in this area will lose their Israeli citizenship unless they choose to immigrate to Israel in its new borders and take an oath of

allegiance to the State of Israel.

The meaning is simple - an Israeli Arab who wishes to keep his house and land will find himself, against his interests, in the borders of the Palestinian state while losing his Israeli citizenship yet keeping his house and land. At the same time, an Israeli Arab who chooses to take an oath of allegiance to the State of Israel will find himself losing his house and land and uprooted from his house to a new settlement within Israel's borders.

Thus far a detailed plan was not published, and the legal, social and operative characteristics required in order to materialize the plan were not discussed. Furthermore, it is unclear how this process will be materialized - whether it will be a part of an agreement or a unilateral move, whether it will be conditional upon the citizens' agreement or will it be executed without it.

According to a statement²³ made by Lieberman, the full plan will be published in its entirety during September 2010, the holiday season in Israel.

23 "Israel Hayom" newspaper, July 23rd, 2010.

Plans and Proposals for a Political Agreement

Plans and Proposals for a Political Agreement - Conclusion

The following is a summary of the plans and initiatives aimed at reaching a diplomatic agreement and that were presented in the framework of the present document, accompanied by remarks as to their probability and feasibility:

Plans aimed at a comprehensive peace agreement

- **The Clinton Parameters (December 2000)** - a practical outline for a comprehensive agreement.
- **The Arab Peace Initiative (March 2002)** - a necessary "support" to the Israeli-Palestinian agreement and a strategic foundation for peace with the Arab world. It seems that eventually the Arab League initiative will be accepted by both sides as well as third parties such as the United States and the Quartet.
- **The Road Map (Bush plan) (June 2002)** - a plan that delayed the diplomatic negotiations due to the conditions that were set therein. The plan will be remembered as an error in the framework of the involvement of the United States in the Israeli-Palestinian conflict.
- **The Ayalon-Nusseibeh plan - the "People's Voice" (July 2002)** - a marginal initiative, lacking any public weight and unable to "take off."
- **The Geneva Accords (October 2003)** - the initiative constitutes an offer for a "comprehensive peace agreement" in the format of a shelf agreement aimed at a comprehensive peace agreement. **The prediction is that numerous clauses of the agreement can be included in the framework of a comprehensive Israeli-Palestinian peace agreement.**

And yet, it would be correct to predict that the initiative would be rejected by both sides, not because of material reasons, but because it is identified with "too moderate" entities on both sides. Another reason for the possible

rejection of the plan is the fact that the "initiative" is a readymade shelf agreement that the leaders of both sides will have to reject for political, public and self-image reasons since they have to appear as if they "toiled incessantly" for the purpose of keeping their peoples' best interests.

Plans aimed at a limited and/or long-term agreement

- **Mofaz plan** - a plan that, following its modification²⁴, (an Israeli commitment to return to the 1967 borders and land swap at a 1:1 ratio; specification of a timetable for implementation between 10 to 20 years) might become a basis for negotiations over a permanent agreement.
- **Ehud Ya'ari's plan**
- **Hamas plan (long term Hudna)**

All plans aimed at limited and/or temporary agreements will be rejected by the PLO and the national Palestinian leadership out of fear that they will become a permanent state for ages; these plans might be supported by Hamas.

As far as Israel is concerned, these plans, that are supported by certain parts in the political right, do not conform with the long term strategic interests that ensure the existence of Israel as a Jewish and democratic state while ensuring its security and the safety of its citizens in the long term.

Unilateral plans (including: disengagement/realignment)

- **Haim Ramon's plan**
- **The Disengagement Plan**
- **Salam Fayyad's plan**
- **The Oxford Group Plan**

Plans that are a default and contain the risks that characterize a lack of agreement while missing the potential benefits that are involved in reaching

24 A speech by Shaul Mofaz in a gathering whose topic was "The Future of Settlements in the framework of an agreement with the Palestinians." in the Peres Center for Peace in Tel Aviv University on November 18, 2010.

an agreement. As far as Israel is concerned, the main danger that lies in the perpetuation of provisional agreements is the continuation of the existence of the conflict and the loss of the foundation for the existence of the State of Israel as a Jewish and democratic state. As far as the Palestinians are concerned, the risk lies in the loss of the possibility to gain the right of self determination and obfuscation of the Palestinian national identity.

- **Giora Eiland's plan** - the two solutions proposed in the plan are impractical. Jordan will not agree to be involved in the solution of the conflict in a format that might implicate it in the old trap known as the "Jordan option." Jordan and the PLO consider the establishment of an independent Palestinian state a prerequisite before establishing the nature of the relations between the countries. Egypt, in principle, will never sacrifice its own sovereign area in order to promote an Israeli-Palestinian agreement.

Forced agreement plans

- **Different plans and initiatives to impose an agreement by a third party/parties**

A situation that is risky for both sides; it is less risky to the Palestinians in terms of safeguarding their interests and more risky to Israel for that same reason. In any event, the option of a "forced agreement" is low and even improbable.

Conflict management plans

- **"Netanyahu's plan" and similar plans ("Economic peace"; "Peace from the roots")**

Plans whose specific weight lies in rhetoric only and are meant, in actuality, to maintain the status quo and perpetuate the unwillingness to move in the direction of an agreement. This situation embodies all the risks that are involved in the continuation of the conflict without the benefits and possible achievements that can be achieved by Israel and the Palestinians in the framework of a comprehensive agreement.

The Future of
the Israeli-
Palestinian
Conflict

The Future of the Israeli-Palestinian Conflict - Opening Terms and Basic Principles Towards a Possible Agreement

Opening conditions

- Both parties, Israel and the Palestinians, are in a situation in which they are **unable to reach diplomatic/political decisions** in relation to territorial compromises that stem from their views concerning their exclusive rights over the land. This situation is intensified by virtue of the link each side attributes to that land and the theological worldview according to which the right on all the land is granted by virtue of a religious edict.
- Both sides experience **deep mistrust** towards each other following a series of failures in the implementation of the interim agreements, and following the end of negotiations of the permanent agreement in the Camp David Summit (July 2000), the Taba Summit (January 2001) and in the framework of the Annapolis Conference (Olmert-Abu Mazen) in 2008 - without any consequences.
- **The impact of the second intifada** that lasted from 2000 to 2004, following the failure of the Camp David Summit is still felt.
- **Mutual perpetuation of the "no partner" view**, on both sides.
- **A right wing government in Israel** that relies on right wing parties that oppose the two-state solution.
- **A weak Palestinian Authority** that relies on the Fatah movement that has weakened to the point of disintegration.
- **A split between the Gaza Strip** that is stably ruled by the Hamas and the West Bank, ruled by Abu Mazen and Salam Fayyad's government and supported by the United States, Israel, the Quartet and the Arab League yet is not necessarily supported by the majority of Palestinian population.
- **Ongoing undermining of the feasibility of the two-state solution among both populations** - Israeli and Palestinian - as opposed to support in other solutions

that vary from maintaining the current status quo (conflict management) and up to a "one-state for two peoples" solution.

Principles and basic conditions for the existence of a diplomatic process aimed at a comprehensive agreement

- A. **Commitment and involvement** (in terms of a strategic decision) of each side to reach a comprehensive agreement.
- B. **Willingness on behalf of both sides to engage in an ongoing and consistent process of dialogue** through direct negotiations.

As a remark, in light of the current state of affairs, we believe that the **third condition** should be fulfilled according to which **a third party - the United States and/or the Quartet should promote and encourage the fulfillment of the first two conditions.**

Upon the fulfillment of the two conditions in a consistent manner throughout the process, there is a high probability that a comprehensive agreement will be reached.

The less the abovementioned conditions are met up to a situation in which none of them is met, the probability to reach a comprehensive agreement decreases up to a situation of ongoing conflict management when, in between, the sides will examine different types of scenarios of interim/partial agreements. This situation harbors risks of violent clashes and damage to Israel's international status: the loss of international support and legitimization to the State of Israel being the stronger side in the conflict up to a situation in which sanctions will be imposed on Israel and it will be diplomatically secluded and isolated in the context of that struggle against Iran's becoming a nuclear power. Eventually, the state of affairs might result in a situation in which Israel is forced by the international community "to agree" to a forced agreement that might also be supported by the United States.

As to the Palestinians, the current situation might weaken the status of the Palestinian Authority and result in its disintegration. The diplomatic stalemate might strengthen the Islamic factions and currents in Palestinian society and

strengthen the Hamas. Concurrently, Abu Mazen's status might also be weakened and this might also point to the disintegration of the Palestinian Authority's institutes later on.



Palestine Center for Strategic Studies



Numerous plans aimed at resolving the Israeli-Palestinian conflict, were suggested by international and regional players, as well as the parties to the conflict themselves.

The present document addresses the plans and initiatives – which were born following the year 2000, the year in which the Second Intifada erupted and the negotiations that commenced in Oslo collapsed. Some of the plans pursue a comprehensive solution, other express doubts as to whether the parties can reach it at present and therefore they propose limited, interim and long term agreements, and another category of plans includes unilateral actions.

The “default” option, should all plans fail, is a state of conflict management and probable deterioration. This can bring about the optional “forced agreement” which might be put on the table by a third party.

The present document examines all of the plans and initiatives specified hereinabove whether in detail or according to their main parameters. An assessment as to their chances of materialization, in whole or in part, and whether a combination of some plans together is feasible is also provided.