

Gabrielle Rifkind, March 2007

## A SEMI-PERMANENT CONFERENCE TABLE

A Process for Sustainable Peace in the Palestinian-Israeli Conflict

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The parameters of the political endgame of the Palestine-Israel conflict are well known. What we do not know is how to get there. What is needed is the security architecture initiated by the international community to actively put in place a durable peace process that involves all the stakeholders in the conflict. Until now there have been no safety nets when the peace process breaks down. This paper suggests the setting up of a semi-permanent conference table. It would provide early warning systems for communication between the conflicted parties, engage in shuttle diplomacy, take evidence from all the parties involved in the conflict and make a serious commitment to keep the peace process on track whatever the level of violence or provocation in the region.

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The Palestinian-Israeli peace process is characterised by missed opportunities, broken promises and optimistic moments shattered by violence and a hardening of attitudes. So weary and wounded are today's parties that it is unlikely that those involved can come to an agreement without external intervention. It is in this context that the international community can make an important contribution.

The recent war in Lebanon highlights the combustible nature of the conflict, with pockets of smouldering tension that cannot be ignored. It is only at times of real tension that international governments focus on the conflict. It is only at the point of a dangerous escalation that the international community puts in serious time and focus. This is crisis management – what is needed is early intervention.

When countries are involved in endless conflict, they lack the capacity to envisage a response to the conflict in such a way that takes into account the long-term needs of all the communities. Without this, there can be no sustainable peace process. What is needed is a semi-permanent conference table that includes representatives of the local parties involved in the conflict and third-party mediation that is able to consider the security needs of all sides. A structure needs to be put in place that provides a safety net and ensures continuous engagement for as long as it takes to bring about a negotiated end of conflict.

The conference table could also provide the necessary security architecture to deal with potential escalation in the Palestine-Israel conflict at any moment. It would oversee early warning mechanisms, shuttle diplomacy, mediation, border monitoring and peace enforcement. At present, such initiatives are piecemeal and fragmented with individual governments and NGOs often competing with one another to fulfil these roles.

The notion of a semi-permanent conference table will immediately cause concern. There is a need for a swift resolution to this conflict and there are legitimate concerns that a process can take over finding a resolution. For these reasons, it might be necessary for such a roundtable to be time-limited. Its

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permanency however refers to the wider conflicts in the region and the need to extend such a table to move beyond the Palestine-Israel conflict to regional security concerns that would need to include all the countries in the Middle East.

### Why peace processes fail

Roughly half of all countries that emerge from war and establish peace treaties lapse back into violence within five years. This is in part because there has not been a sufficiently inclusive mechanism that has recognised all the conflicting needs of the parties involved. Another factor is the lack of a sustainable post-conflict support structure to ensure the implementation of the agreements. It is timely to think about building a framework for a sustainable peace in the Palestine-Israel conflict.

Many reasons are given for why the Palestinian-Israeli peace process collapsed, most of which involve blaming the other side. Such ways of seeing only lead to paralysis. Many in Israel claim that the Palestinians never wanted a peaceful outcome. In turn, many Palestinians claim that Israel was insincere and only interested in her own agenda. Others say that the Islamic agenda was not sufficiently addressed. Whatever the analysis, it is of greater importance that there is forward movement and the creation of mechanisms to support the end of violence and, as a consequence, reduce the levels of suffering on both sides.

One of the most obvious deficits in the process is that there have never been sufficient safety nets for a sustainable peace – in spite of careful and detailed behind-the-scenes negotiations as exemplified by the Oslo Peace process in 1993. Oslo offered the opportunity for a discreet behind-the-scene negotiation. It broke the communications taboo between the two parties and much important work was carried out for the final preparation of a peace deal. It was however flawed, in effect, awarding one Palestinian faction the monopoly of power and armed force in return for dismembering and disarming their main political rivals.<sup>1</sup>

The very structure of the Camp David Summit in 2000 meant it was doomed to fail. It was a high-wire act with no safety nets. It would have indeed been an extraordinarily fortuitous moment should such a deal have succeeded. Camp David was conducted in the glare of the media under enormous time pressures. If there had been a safety net of a semi-permanent roundtable in place, the parties could have continued talking in an environment of both legitimacy and accountability. It would have allowed some of the thornier issues to have been explored in more depth, such as the religious sites in Jerusalem and some of the later concessions made at Taba. The problem however with Taba was that it carried no legitimacy and both the Clinton and Barak governments were coming to an end. If such a roundtable was accountable to the Quartet or the UN, its authority would continue to be legitimate, irrespective of which government was in power.

Paradoxically, one of the inherent problems of the peace process is the instability of the democratic process, not least because governments are elected in and out of power. After Camp David, the Clinton presidency ended and Barak was voted out of office. Both these events with their incumbent time pressures played a part in the collapse of the peace process. The very careful work that was carried out at Taba, after Camp David, came too late as there were no safety nets to keep it alive once the Barak government was voted out of power. Inability to keep the peace process alive and the loss of hope among the Palestinians was a crucial factor in the outbreak of the second Intifada.

Negotiations with Syria were also undermined by the democratic cycle. Prime Minister Shimon Peres pursued the Syrian track until the public mood in Israel shifted following a series of deadly terrorist attacks. This led to the talks' suspension. President Assad of Syria had also concluded that he was not prepared to sign an agreement with the Peres government until there was evidence that Peres had the confidence of his country. Peres lost the 1996 elections, and the Syria initiative was dead. This again

proves that there is no sustainable mechanism to keep the peace process alive regardless of which government is in power, thus exposing a weakness of the democratic process.<sup>2</sup> The peace process must be able to survive changes of government.

This highlights the need for an over-arching institution that is granted authority by the international community and that will not be dependent upon the stability of the government in power either in Israel or Palestine.

### International conference

The Madrid Conference in October 1991 was a watershed. It emerged out of the embers of the first Iraq war. In the aftermath of the conference, US President George H. W. Bush and his Secretary of State, James Baker, formulated the framework of objectives for a peace process. For the first time, Israel entered into direct, face-to-face negotiations with Syria, Lebanon, Jordan, and the Palestinians. An intricate framework was structured for the three-day Madrid Conference, followed by the start of negotiations. Over a dozen rounds of bilateral talks were subsequently hosted by the US State Department in Washington. The multilateral negotiations addressed issues that concerned the entire Middle East; such as water, the environment, arms control, refugees and economic development. The talks between Israel and Jordan continued for almost two years after the Madrid conference, culminating in the signing of a peace treaty on October 26 1994. The aim of the initiative outlined in this paper is to revive the pre-existing agreements<sup>3</sup> and explore new proposals.

Any future proposal for an international conference would need to factor in the plethora of important initiatives taken since Madrid, where much in-depth work was carried out. These include the Road Map, Clinton parameters, the work done at Taba, the Geneva Accords, the Ayalon Nusseibeh Plan, the Beirut Declaration and Islamist groups' agenda for a long-term Hudna. Although all these initiatives reflect serious efforts at working out an accommodation between the conflicting parties, there has been no mechanism to sustain them.

### A multi-track approach

The facts on the ground in the Palestinian Territories mean that time is running out. Clear tension exists between the need for a final-status solution and a careful process that includes all the players. There are those who argue with authority that the parameters of an endgame are well known and therefore a deal could be reached that could be implemented. The problem however has always been 'how?'

It is in this context that it would seem prudent to pursue a number of tracks simultaneously to ensure that if one trajectory fails, there are alternative safety nets in place. This conflict and its consequences are too dangerous not to operate under such a model.

Every attempt by the Israeli and Palestinian governments needs to be encouraged. Each should be pursued with intensity and commitment and with a huge amount of support and pressure from the international community. Serious momentum could be placed behind the Road Map with the establishment of a Palestinian state with provisional borders. For this to have serious weight, it would need to coincide with the establishment of a procedure to engage in final status talks between the Palestinian and Israeli states. Simultaneous to this however, safety nets need to be developed in case the parties are unable to resolve the end of conflict.

The Baker-Hamilton Iraq Study Group report stated clearly that there is no military solution to the Israel Palestine conflict. They recognised that the ultimate solution lies in the principle of land for peace. In the first instance, they recommend: "the unconditional calling and holding of meetings, under the auspices of the United States or the Quartet" (i.e. the United States, Russia, European Union, and the United Nations), between Israel and Lebanon and Syria on the one hand, and Israel and the Palestinians (who

acknowledge Israel's right to exist) on the other. The purpose of these meetings would be to negotiate peace as was done at the Madrid Conference in 1991, and on two separate tracks – one Syrian/Lebanese, and the other Palestinian. Further development of these tracks as suggested in the Iraq Study Group report could be the setting up a semi permanent conference table.

#### A semi-permanent conference table

The international community could do much to support the implementation of a semi-permanent roundtable to ensure that the ceasefire holds and that an active peace process is put in place. This roundtable would need to carry authority and gravitas and would need recognition from the international community. This could come from the Quartet (US, Russia, EU and the UN), the UN or regional authorities. Essential, however, would be freedom from bureaucratic quagmires lacking flexibility and authority to act. At present there are a number of fragmented initiatives by governments and civil society, often in competition with one another, many of which collapse because of the lack of credible connections. Those involved will need to have excellent access to the Israel and Palestinian governments.

#### Who would be involved?

Central to any process would be to engage trusted and respected members of the parties involved in the conflict. They would command the respect of their government irrespective of its political persuasion. These members would be permanent and would work for an agreement to the end of conflict no matter which government was in power. Additional personalities reflecting the political complexion of the current governments could also be included.

The major difference between this mechanism and the original post Madrid process is that the meetings would have a significant third party presence that would not only include government officials. As part of this new structure it would include retired diplomats, wise voices, conflict resolution experts, academics, and experts on the region who do not have official government positions. They would be selected for their knowledge and expertise, but equally important would be their capacity to think creatively and, where appropriate, show flexibility.

Numerous NGOs and peace initiatives are already involved in a fragmented piecemeal way. What is needed is an initiative that is well resourced and funded and has the mandate to act with authority, credibility and gravitas. Part of its authority would lie in liaising with the different parties involved and building trust and respect amongst the different groups. This would involve very careful, detailed work and a great deal of listening.

Members of the group would have to be available to work intensely on the conflict. This troubled region has been marred by peace initiatives that have been piecemeal and fragmented, involving experts who are engaged in multiple tasks. One cannot underestimate the importance of choosing people who can make an intense commitment to such an initiative. When George Mitchell set up the peace process in Northern Ireland, members of the group committed three days a week to finding agreement amongst them. This is the level of engagement that would be required.

#### What kind of dialogue?

The rich chemistry of participants around the table could facilitate a different kind of dialogue that is not based only on the model of power relationships. It could also open up a more reflective dialogue that allows more creative solutions to emerge. Often in these processes the parties come to the table already having made up their minds. As part of the process it might be useful to work with those involved and train them in a different kind of dialogue in which they can learn to listen more carefully and have a more open mind. This will involve a more in-depth process that could facilitate a moving beyond

posturing and rhetoric to a more open dialogue in which the security concerns of all the parties involved in the conflict are addressed.

Attention will also need to be paid not only to the quality of dialogue but the kind of environment which facilitates a more profound exchange, allowing new ideas to emerge. It could be useful to have both private and public sessions - private where some of the mistakes and failures could be addressed in an environment that did not expose the parties to betrayal or humiliation. This is important because by taking responsibility for mistakes it allows parties involved in the conflict to move on and incorporate new ways of thinking and seeing.

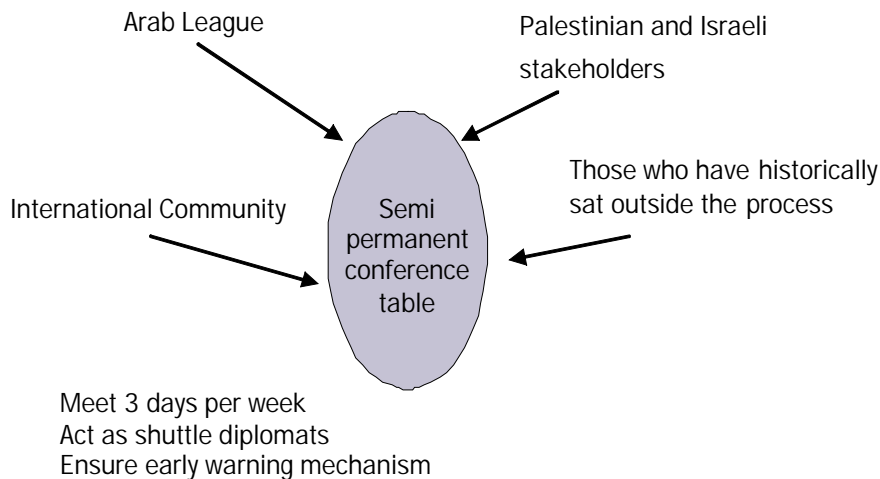
It would be important not to fall into the trap of Oslo where everything was very secretive and was disconnected from civil society. The process would need to be managed carefully in which the communities involved in this conflict were aware of some of the concessions that were being made as part of the necessary preparations for peace. If there is a disconnection between high-level talks and people on the ground, communities will not be ready to support the necessary changes and concessions that are a part of any accommodation.

**Who would head such an initiative?**

This model outlined here has in part been taken from the Northern Ireland peace process. It was only by bringing all the parties around the table, initially to discuss economic issues, that finally led to the Good Friday agreement and ultimately to an end to political violence in Northern Ireland. It is important to differentiate these conflicts as the Middle East is much more multi-layered and involves many more players in the conflict. Nevertheless, much can be learnt. Significant to the Northern Ireland process however was George Mitchell, who gained great admiration for his ability to show neutrality, and to listen seriously to the concerns of all the parties involved in the conflict. For such a similar initiative to succeed in the Palestinian-Israeli context, very high quality leadership will be necessary, acceptable to all the parties.

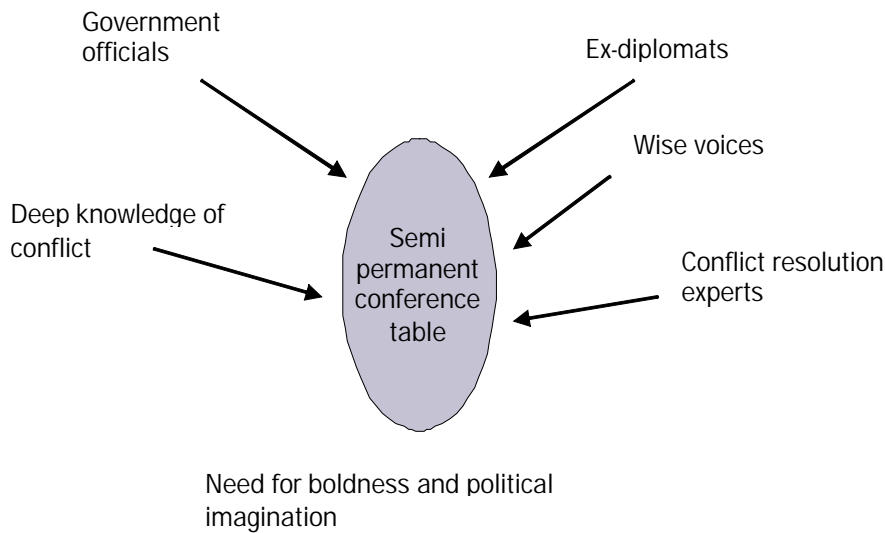
These models suggested below are to act as a catalyst for thinking and are not set in stone. Critical to the setting up of any roundtable would be the consultation process with the participants involved. What matters is that those involved would shape the table.

## Who would be involved?



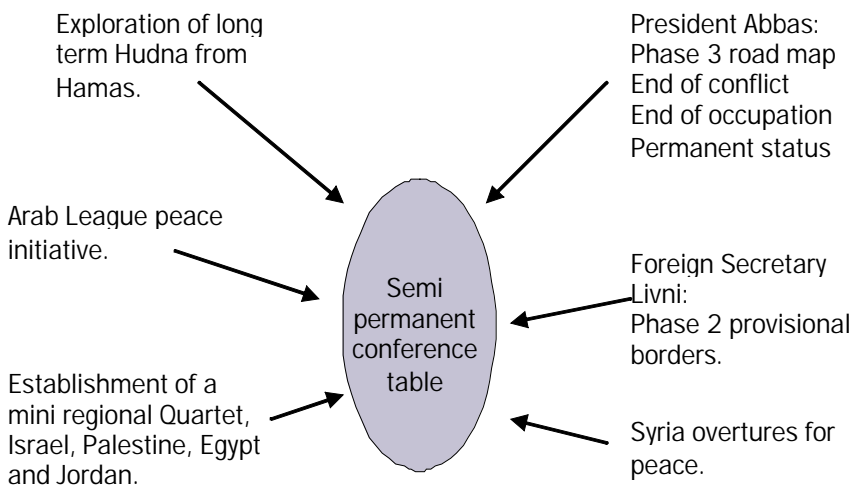
**Figure 1.** This diagram demonstrates the need for a model in which all the parties in this conflict are represented at this semi-permanent roundtable. Historically peace processes have broken down because of the practice by governments of divide-and-rule in which negotiations take part with the moderate voices and exclude those who are seen to be more difficult to talk to. Those parties who have been excluded will then work to undermine or destroy the process. As difficult as it may be, it is necessary to find a way to include all the different voices.

## Wide range of representation



**Figure 2.** This model includes a wide range of representation. It is different from many negotiating tables which tend to be exclusively track-I government officials and ministers. This structure suggests the inclusion of wise voices, creative and strategic thinkers and conflict resolution experts, because historically, negotiations in conflicts tend to be conducted according to the model of a chess game where each side strategically uses its power to minimize concessions made. A conflict resolution presence around the table plus the participation of alternative voices will allow a more inclusive dialogue that will address the asymmetrical power relationships as part of a sustainable solution.

## Central channel for all peace proposals



**Figure 3.** The first phase of this working group could act as a clearing house of all the different peace initiatives and take evidence from the different groups involved. The task here would be one of integration and looking at the areas of commonality between all the different proposals, and create the space for some fresh and new thinking to emerge.

The working group would consider to how to come to a necessary accommodation. Serious attention would also need to be given to whether the international community placed a time frame around the exploration of such ideas and whether such a solution may need to be implemented with the necessary characteristics on offer to the parties involved in this conflict.

### Engaging with Islamist groups

It is essential for any sustainable peace deal to engage with all the different actors. Otherwise, those who have historically sat outside the peace process will seek to undermine it. No deal can be reached which excludes these groups. The Islamists are now a powerful force in the region and they represent significant groups of the population who feel marginalised and excluded. Engaging with these groups is an inevitable part of any agreement that will create a real and sustainable end of violence. Western governments are still consumed with the idea that they can only talk to the 'good guys'. By this they mean the groups who are in agreement with them. A reframing of this paradigm will be a requisite for any serious reduction in conflict, requiring an understanding of the Islamists' agenda and factoring in some of the needs, fears and concerns of these communities.

The model of power under which the West has been operating is now being challenged. The language of the political Islamists is framed around 'justice' and is challenging the very foundations of the asymmetrical power relationship. Israel is now faced with organised self-disciplined resistance groups on her borders. This has understandably stimulated profound anxieties about her own survival. The new power relationship demands a different kind of accommodation that recognises the security anxieties of all sides. Real agendas need to be addressed that go beyond rhetoric and will demand careful negotiations and inclusion of all these groups. Any attempt to exclude the Islamists will backfire, as they have a large constituency which are not going to go away.

Conflict without an end in sight has traumatised both the Palestinian and Israeli communities and has led to an atmosphere of suspicion and mistrust. Suicide bombings have left a deep wound and contributed to Israel's reluctance to engage with the Hamas government elected in 2006. The level of suffering on the Palestinian side, most recently in Gaza, is such that many there are in no mood to make concessions. In this context, outside engagement by the international community could make an important contribution to support the process. Resolving the conflict requires involving those who have not been as deeply scarred by it.

The history of territorial disputes suggests that resolutions are seldom the result of rational, bi-national negotiations by the parties involved in the conflict. At these moments of crisis, the various sides are intensely engaged with passion, heat and rage, and this leads to an escalation of the crisis. A third party presence can offer a more neutral voice that takes into account the needs of both sides, and thereby support the possibility of a more sustainable solution.

### The importance of third parties in the process

The absence of any political process and the un-bridged gap between the political agendas of the parties involved in the conflict leads to bitterness and enmity. In these circumstances, a third-party has a responsibility to intervene and create a serious peace process, given the history of mistrust and suspicion between the conflicting parties. It therefore places a responsibility on the international community to create mechanisms to act as a mediator in this process. Any process would need to have the confidence of all the parties involved. This would take skilled confidence-building and need to be carried out by experienced negotiators.

Historically, Israel has viewed international initiatives as hostile to her best interests. This in part is understandable not least because of the rhetoric that has come from many of her critics. The offer of outside intervention will therefore need to be sensitively framed to act in the interests of all parties involved in this conflict.

This will be a demanding task requiring the skills to frame the initiative through the lens of conflict resolution. The model of intervention will then be less likely to create a suspicious response by the parties engaged. Israel's defensive behaviour in part can be linked to the isolation she feels as a result

of the criticism from the outside world. Better results are likely to ensue if conditions are created that genuinely address the anxieties and fears of all sides involved in this conflict.

From the Palestinian position, the asymmetry of power will need to be seriously addressed and recognised. Previous negotiations have broken down because of the unequal power relations that have not been factored in. Any negotiations will have to recognise the deep concerns amongst the Palestinians and their fears of betraying the refugee community. This will demand creativity and imagination on behalf of those facilitating the meeting. Sensitivity will also be required to address the symbolic and real meaning of the religious sites for all groups whom this affects.

Boldness and political imagination would be additional key qualities plus the capacity to engage with groups who have historically sat outside the process. Included in this group would be members of the international community who have gravitas and legitimacy to act as shuttle diplomats and set early warning systems and structures for communications in areas of potential tension. Left unchecked the conflict could escalate to low-grade conflict or even high-intensity war. In the first instance the role of this group would be to do the following:

- Consult and take evidence from all the groups involved in the conflict.
- Recommend establishing safety nets to be put in place before further escalation in tensions.
- Examine the role of third party intervention and more structured active involvement, e.g. peace enforcement on the Gaza-Israel border.
- Examine the experience of other peace processes as to what has been effective. The Northern Ireland peace processes under the chairmanship of George Mitchell may have important lessons to teach.
- Set up mechanisms for communication at potential flash points in the conflict.

Any such initiative can only have credibility in the context of a bilaterally negotiated ceasefire and a freezing of all settlement activity. Without addressing these issues, a peace process becomes impossible. The continued expansion of settlements is determining the facts on the ground and the decreased possibility of a viable contiguous Palestinian state. Hence, the importance of an agreed freeze on all settlements. A bilaterally negotiated ceasefire would also be critical because a continuation of violence on both sides would destabilise developments in negotiations. Nevertheless, the parties involved in talks would need to exercise flexibility and continue communication in spite of disruptions as a result of violence, otherwise it would give power to groups wishing to undermine the process.

#### *Semi-permanent conference table – A framework for a sustainable peace*

The current ceasefire has no safety nets and no mechanisms for communication. This leaves it fragile and vulnerable to breakdown. Therefore any respite in the violence that does not lead to a real breakthrough in the peace process will only lead to an increase in frustration and thus the possibility of plunging into ever deepening conflict. Essential to sustainability are mechanisms for communication. If the following areas were addressed in the short-term they could serve as a beginning of a sustained period of end of violence.

- Shuttle diplomacy at high political level. There is no evidence that before the outbreak of the war in South Lebanon in July 2006 when two Israeli soldiers were kidnapped by Hezbollah, there was any discussion amongst the Israeli decision-makers about taking non-military action in the first instance. Evidently, the primary decision-makers in this case were the military. Had there been international diplomats focusing entirely on the Arab-Israeli conflict with strong working relationships with all the governments involved in the conflict, alternatives could have been pursued. For example, using their well-oiled systems of communication, shuttle diplomats could have acted as a conduit between the Israelis and the Lebanese government to examine



non-military alternatives to release the kidnapped soldiers. At present, there is no such mechanism in place.

- **Border monitoring group.** In 1996, a border monitoring group was established between Lebanon and Israel. Over the next four years until Israel's withdrawal from Lebanon, the violence did not cease but the presence of the border monitoring group stopped it escalating out of control. High level meetings of diplomatic officials creating constructive channels of communication did much to reduce the tension. Similar channels need to be established on the Gaza, the West Bank and the South Lebanon borders. The Olmert-Abbas meeting December 2006 recommended the revival of the joint security committee with the participation in the US and Egypt. Whilst this initiative is welcome this communication committee will need to be extended to the West Bank and include a number of flash points e.g. Israeli settler / Palestinian community relation.
- **A framework for a prisoner exchange is needed.** Since the beginning of the Israeli occupation in 1967, 650,000 Palestinians have been imprisoned. At present, 9,800 Palestinians are in Israeli prisons and 800 of them have never been charged. Large numbers of Palestinian families are affected by this, creating a huge amount of tension amongst the communities. If there are no legitimate mechanisms for recourse to justice it is likely to perpetuate the use of political violence to draw the attention of the international community. The escalation of both the war in Gaza and in South Lebanon can be seen in part to be as a result of no safety nets being in place to address this. A mechanism needs to be established which could involve the international community in a fair release of prisoners to reduce the tension. Again the recent Olmert-Abbas meeting December 2006 recommended setting up a working group on prisoner exchange. A third party presence would benefit such a situation ensuring that the unequal power relations between the parties are recognised and a fair judicial system is put in place. Failure in this is likely to lead to deep frustration and a potential escalation in violence.

### Why Semi-Permanent?

There are many analysts with deep knowledge of this conflict who would be concerned about the idea of a semi-permanent conference table, not least because time is running out and there is a need to find a resolution. Due to the deep anxieties it may well be appropriate to place a time frame around such a process. For example, those around the table may meet for a maximum of one year and if parties do not agree, the international community may take responsibility of imposing a settlement on the parties, or set up some package of incentives and security guarantees that are sufficient to make it attractive.

The thinking behind the idea of semi-permanent conference is that, should there be a resolution of conflict, there are wider regional questions that need addressing, and over time would need the inclusion of Syria and Iran. The consultancy Strategic Foresight have further developed this idea and have written that "Eventually they could move in the direction of creating a Conference on Security and Cooperation in the Middle East to address not only the Palestinian conflict, but also other aspects of security and cooperation in the region."<sup>4</sup>

### Conclusion

There are signs of movement in the peace process, but they are more political gestures than sturdy steps. Prime Minister Olmert in his Sde Boker speech in January 2007 made an offer to President Abbas that included "the establishment of a Palestinian State with territorial contiguity". At a meeting between Olmert and Abbas in December 2006, Abbas asked for back channel talks to be established that were closed to the media but not secret. He also made a call for a final agreement that addressed permanent borders. The danger of this track at this point, is that it will get stuck on issues of refugees and Jerusalem. The agreement in Mecca in February 2007, to establish a unity government amongst

Palestinians, committed to respecting previous peace accords. In addition, Syria has made gestures towards engaging in a peace process.

All these initiatives are to be applauded should there be a breakthrough. If however these efforts should collapse, it will lead to greater frustration, disillusionment and ultimately more violence. Hence, there is a need for the necessary security architecture to be in place to act as a safety net. The domestic tensions that lie within both countries and the political obstacles to decision-making make the possibility of coherent positive political momentum slight.

The international community cannot however sit back until the time is right. The situation is too grave and demands responsible intervention. There are many who are deeply involved in this conflict who feel that time is running out and it's too late for the luxury of a process. They suggest the only solution, if the parties cannot agree, might be the imposition of a solution by the international community. This indeed might be worth considering, but, issues of legitimacy would need addressing.

Process is stronger than personalities. Many political hard-liners have changed their mind as a result of engagement though history. It is only through the process of political dialogue that there is the possibility of accommodation and the possibility of a peace process that does not ultimately break down. The parameters of the political endgame have been spelt out in a number of carefully constructed proposals. This compels the international community to take responsibility for actively putting in place mechanisms that involve all the stakeholders in the conflict to work towards peace in the region.

#### Notes and references

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<sup>2</sup> Efraim Halevy, *Man in The Shadows. Inside The Middle East Crisis with A Man Who Led The Mossad* (London: St. Martin's Press, 2006).

<sup>3</sup> Lakhdar Brahimi, "Start talking to Hezbollah", *International Herald Tribune*(18 August 2006).

<sup>4</sup> Sundeep Waslekar, *An Inclusive World*(Mumbai: Strategic Foresight Group, 2007), p.27.

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