



The Israeli-Palestinian conflict – the need for an international solution

October 2011

If the Middle East Quartet is to regain its relevance and the Obama Administration to deliver on its promise of a New Beginning, a new internationally-sanctioned framework is long overdue.

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This week the Middle East Quartet stepped up efforts to get the Palestinian and Israeli sides to meet separately in Amman. Presumably, within the next three months the Quartet will present a more detailed plan for peace, proposing a one-year deadline for a final agreement. However, little has changed since earlier attempts to push the process forward. The current diplomatic effort appears much like an attempt to redirect attention away from the Palestinian UN bid and to avoid any further sidelining of the Quartet as the main forum for conflict resolution.

This brief therefore argues that the time is ripe for a dramatic rethink of international involvement in the conflict. It proposes an internationally-mandated solution that aims to bring Israeli-Palestinian conflict resolution out of the current limbo, by heavily internationalising the monitoring and implementation of the conflict resolution. This is a controversial and by no means unproblematic solution. However, given the last two decades of failed attempts to negotiate a settlement between the parties themselves, it is time to break what has been an international taboo. This brief is divided into three sections: firstly explaining the core premises of the Oslo Accords and the Road Map to

RECOMMENDATIONS

Under the auspices of a new Contact Group, the international community should present an internationally-mandated solution to the Israel-Palestine conflict.

The plan should address all final status issues up front, and include strong international monitoring and implementation mechanisms.

After detailed settlement has been achieved, the international community should, with the consent of the parties, insert a multinational force to provide the necessary security guarantees to both parties. This could possibly be a NATO force.

Peace and why they have not worked; secondly sketching out the main elements of an international solution and, thirdly, a brief discussion of the main obstacles and advantages of such a proposal.



THE FAILED FRAMEWORKS OF THE OSLO PROCESS AND ROAD MAP

When Israeli Prime Minister Yitzhak Rabin and PLO leader Yasser Arafat signed the Oslo Accords in 1993 (and the Interim Agreement of 1995), it was perceived by many as heralding a new and brighter era of Israeli-Palestinian relations. The PLO recognised Israel's right to exist and Israel, in turn, recognised the PLO as the legitimate representative of the Palestinian people. Crucially, the Oslo Accords were based on the explicit premise of leaving all difficult final status issues – Jerusalem, borders and refugees – to a final stage of negotiations to be commenced no later than 1996. The so-called 'interim phase' was intended as a mechanism to build up further confidence and trust between the parties, thereby paving the way for a settlement of the "bigger and more difficult issues". The Oslo Accords, in this sense, were not a final peace agreement, but rather a declaration of intent. Likewise, the Accords did not provide for a Palestinian state, but rather for the establishment of the Palestinian Authority, with limited self-rule to be only gradually upgraded by Israel.

However, it quickly transpired that the Oslo Accords rested on an overly optimistic analysis of Israeli-Palestinian cohesion and capability to reach peace by themselves. Moreover, pushing all final status issues into an unknown future also proved a wrong turn, giving rise to mistrust between the parties over intentions and end goals. Time did not pave the way for peace and bring the parties closer together as originally hoped, but pushed them further apart. As the Clinton-sponsored negotiations in Camp David collapsed in 2000 the situation only deteriorated on the ground and the second al-Aqsa intifada broke out.

A new international attempt to revive the Peace Process was initiated with the Road Map for Peace in 2003. The Road Map, in contrast to the Oslo Accords, envisioned a more clearly three-phased plan for reaching a final peace agreement ending with a two-state solution within a three-year period. The Road Map, moreover, spelled out benchmarks for the two parties, while at the same time attributing some responsibility to the international community for building confidence between the two sides and for aiding the Palestinians, in particular with economic development and institution building. The Quartet – set up as a type of contact group for the Road Map and consisting of the US, Russia, the UN and the EU – was thus intended to help create the conditions for a final agreement in particular in terms of security; conditions which had been deemed lacking in the Oslo Process.

Yet the Road Map never even reached its first phase, where-in the Palestinians were to end all terrorism and Israel to freeze all settlement expansion. Nearly a decade on, it is clear that although the Road Map has not been declared officially dead, both parties perceive the framework as

long overdue. While the parties themselves are ultimately responsible for this deadlock, it is arguably the case that the Road Map framework in itself lacked the necessary monitoring mechanisms for carrying out a truly performance-based approach. Lacking specific benchmarks and monitoring mechanisms, let alone enforcement measures, the Road Map proved dead on arrival.

Today it seems that the Quartet has been reduced to the role of conflict manager rather than conflict solver. Clinging to the inheritance from Oslo, the Quartet still operates with the misguided presumption that merely bringing the two parties to the negotiating table will lead to peace. While the formula for peace already exists, the main impediment to bringing about a viable solution seems to have been this reliance on bilateralism and the goodwill of the parties to deliver. In sum as the last two decades have made clear, it is less negotiation and, rather, more concrete implementation, which dictates the way forward.

ENFORCING PEACE: SHARING THE BURDEN WITH THE INTERNATIONAL COMMUNITY

The table on the next page illustrates the main methods and elements of arriving at peace that have been pursued within the Oslo and Road Map frameworks. In the third column we suggest a new framework for resolving the conflict, which shifts the burden of responsibility for monitoring and enforcing implementation to the international community through a UNSC-mandated solution. Such a solution would undoubtedly break dramatically with previous international involvement and would heavily internationalise the burden of responsibility for settling the conflict. The international community would be involved in all three phases of solving the conflict ranging from: 1) launching and getting the acceptance of the two parties to a UNSC-mandated international solution; 2) to using persuasion as well as pressure within this mandate and; 3) overseeing and sanctioning the implementation of the agreement. In terms of the latter, the deployment of a US-led multinational force, possibly within a NATO framework, would be needed in order to oversee compliance, as well as to secure both sides from attacks and violations including attacks from third parties. This degree of involvement would undoubtedly constitute a radical shift away from the Oslo and Road Map frameworks, although it would hardly constitute a novelty within international peacekeeping and conflict resolution. The UN and NATO have been involved in roughly similar, mandated, settlements in Bosnia-Herzegovina and Kosovo; both in terms of proposing a final solution, putting pressure on the parties, monitoring and patrolling its implementation and of providing the necessary security guarantees. Moreover, while this framework clearly internationalises a solution, it is not intended to substitute for negotiations and bottom-up mechanisms altogether. Rather, what we suggest is that since the contours of a final agreement are well known af-

	Oslo Accords	Road Map to Peace	Internationally-mandated solution
Role of parties	<i>Negotiate, resolve, monitor, implement</i>	<i>Negotiate, resolve, monitor, implement</i>	<i>Negotiate and implement</i>
Role of international community	<i>Facilitator. Peace dependent on the goodwill of the parties themselves and cannot be imposed from outside.</i>	<i>Facilitator and conflict manager. Peace dependent on the goodwill of the parties themselves. External actors can merely help create the internal conditions for peace.</i>	<i>Facilitator, conflict manager, conflict solution and enforcement. Peace can be, in part, enforced by external actors.</i>
Means of delivering	<i>Persuasion</i>	<i>Persuasion and benchmarking</i>	<i>Persuasion, benchmarking, monitoring and possibly sanctioning</i>
Assumption of peace	<i>Difficult issues to be tackled last. Trust leading to performance and a final solution.</i>	<i>Performance and institution building are conducive for peace and a final solution. Performance leading to trust.</i>	<i>Implementation leads to trust, while demanding strong international monitoring and enforcement capabilities. Final status issues are to be tackled up-front.</i>

ter 18 years of negotiations and back channel diplomacy, the time is ripe for an international solution that both spells out the contours of all final status issues and secures its implementation.

The idea of advancing an internationally-mandated solution is not new. It has been floating for some time in policy circles, but is seldom voiced by official representatives and only with caution to the degree that it can be said to constitute an international taboo. For instance, when the former EU High Representative Javier Solana remarked in 2009 that an internationally-backed proposal on all final status issues and implementation should be considered if the parties did not come to an agreement this time around, he was immediately rebuked and had to underline that this was merely a personal suggestion. The Peace Proposal by NATO Secretary General Fogh Rasmussen earlier this year met a somewhat similar fate. This caution is in part a reflection of the many difficulties that an internationally-mandated solution inevitably faces, and in part a sign of the vested interests of the numerous stakeholders in this ultimate cause célèbre. Any internationally proposed plan for a final settlement will shift the burden of responsibility from the parties themselves to the international community. Many rightly believe that the international community and the US in particular would only very reluctantly, if at all, be willing to sanction an international solution if push came to shove in terms of Israel. Even the less ambitious idea of bringing a US proposal to the table has, therefore, been repeatedly disregarded by US Presidents out of concern over losing face if the plan were to be rejected by either party. While keeping this in mind, we spell out below some of the main obstacles and advantages to an internationally mandated solution.

THE PROS AND THE CONS

The internationalisation of responsibility for a solution to the Israeli-Palestinian conflict faces several difficulties. However, in concert with lessons learned from previous efforts, it is at the same time clear that the changing political landscape in the region dictates a new approach, and

quickly. US credibility with the Palestinians and Arabs in general has taken a severe beating due to the threat of veto over the Palestinian UN bid, not least because the US and the Quartet have not put anything in its place and accusations of double standards are again chrousing in the background.

Advantages of an internationally-sanctioned solution

- As noted above, while the contours of a final settlement are familiar to both parties, governments on both sides are increasingly pressured by popular scepticism and extremist positions making it difficult to strike the necessary compromises. An internationally-mandated solution will help here, since it will enable the Israeli and Palestinian governments respectively to place the blame, for necessary compromises on the international community. This will, without doubt, be a difficult balancing act for the international community. If either side perceives the compromises as too hard to swallow, the effect will easily be reversed and the proposed solution will suffer from immense legitimacy problems. However, if the right balance is struck this will conveniently lift some of the burden from the parties themselves in the face of their respective constituencies.
- Given the asymmetry of power between the Israeli and the Palestinian sides, as well as the domestic restraints put on any US president with regard to the alliance with Israel, pragmatism dictates that Israel has to be given an offer it finds very difficult to refuse. This, for instance, means recognising the Jewish character of the state of Israel and compromising on the Right of Return of refugees. This is certainly controversial, but it constitutes the flip side of the official recognition of a Palestinian state and the internationalisation of responsibility.
- NATO is possibly the only multilateral force that can provide the security guarantees needed for an international solution. For some years NATO has quietly



voiced an interest in taking over such a responsibility in the aftermath of a negotiated solution. This was repeated by Secretary General Fogh Rasmussen on a recent visit to Israel and has not been rejected by either side. Moreover, whereas NATO only a few years back had little experience and knowledge of the region, this has now changed with the expansion of the Mediterranean Dialogue, ICI and the operations in Libya and Afghanistan.

- Finally, a new but narrow window of opportunity has appeared with the dramatic political transformations of this year in the Middle East. Patterns of alliances and political power are now under change in the region, and this opening might be seized as an opportunity for peace rather than seen as a threat, both by the Israeli and Palestinian sides, as well as by the US.

Obstacles to an internationally sanctioned solution

- It is clear that any solution will need to have a certain amount of ownership with the parties themselves in terms of final status issues and the pace and modes of implementation to perform the necessary reconciliation measures. An internationally-imposed solution easily runs the risk of lacking sufficient support at ground level, which gives greater room for manoeuvre to potential spoilers interested in jeopardising the process. A lack of necessary legitimacy can evidently also result in the two governments being more reluctant to take responsibility for implementing solutions, especially on the hard issues.
- Ultimately the UNSC should be ready to impose sanctions on either party in case of non-compliance with the mandated solution. However, building up a reliable monitoring mechanism let alone carrying out sanctions will undoubtedly be difficult. At the core lies the challenge of getting the US – and thereby Israel – to accept the idea and premises of an internationally-sanctioned solution. The security of Israel is a well-known cornerstone of US foreign policy and placing pressure on Israel will be extremely difficult for any US President.

- The implementation of a mandated solution will demand the presence of multinational and possibly NATO forces. This entails several thorny issues: While Israel might prefer a NATO-framework and defer any peacekeeping mission based on UN forces, achieving the necessary endorsement from regional Arab actors and all Palestinian factions might be harder. Getting sufficient support from the NATO countries themselves might also be difficult, particularly if NATO is not invited by the parties themselves.

While these challenges will be difficult to confront, it should also be clear that the old paradigm of mere international encouragement and conflict management has outplayed its role. The widely-held premise that a solution cannot come from outside should be qualified to the extent that it has served as a pretext for non-involvement and upholding the status quo.

The opinions expressed in this policy brief are those of the authors alone and do not necessarily reflect the official opinion of the Danish Institute for International Studies.