

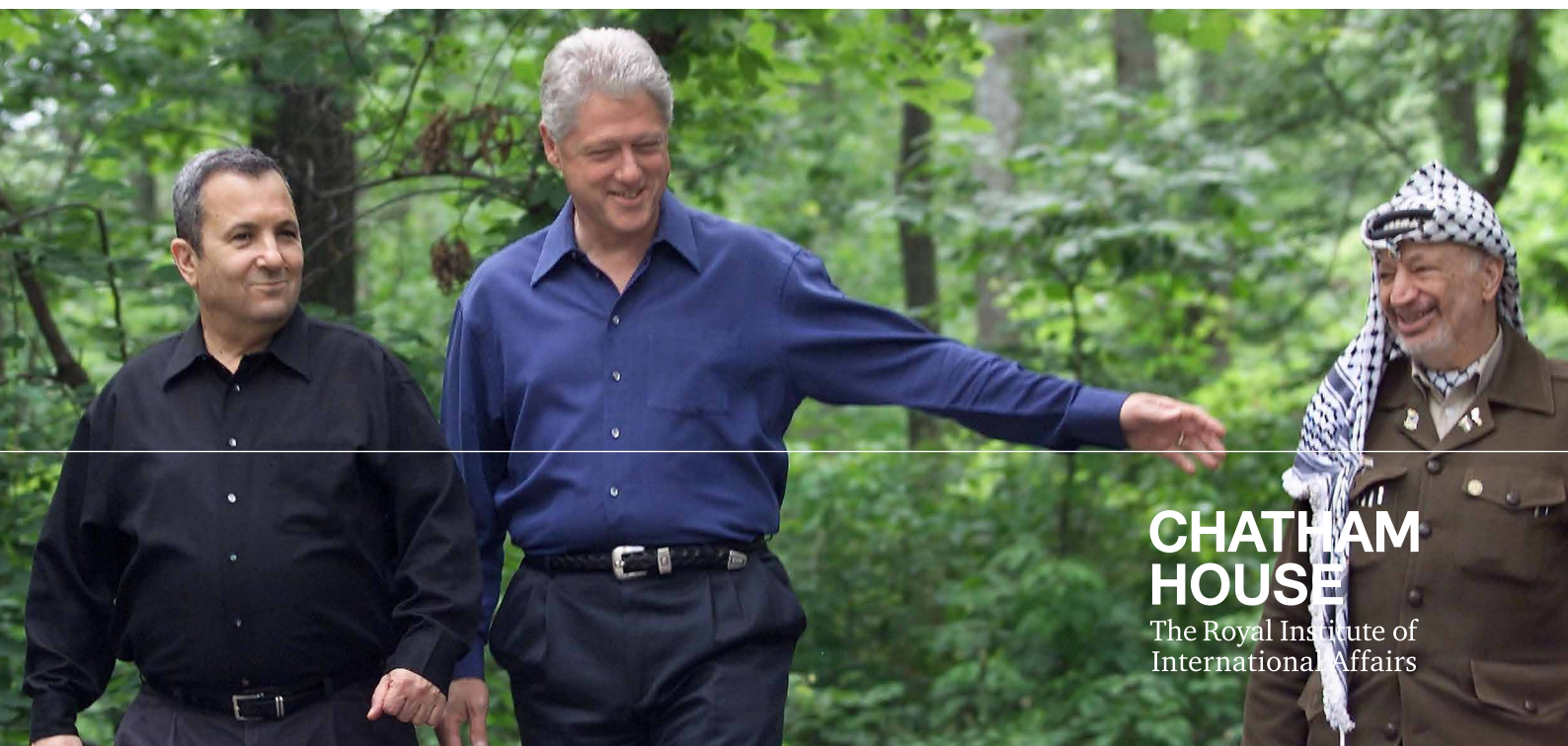
# Israeli–Palestinian Peacemaking

## What Can We Learn From Previous Efforts?

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### Summary

- A quarter of a century ago, the Palestinians gained acceptance as an independent negotiating partner with Israel. The Oslo process, which secured that acceptance, did not bring about a permanent settlement of the Israeli–Palestinian conflict. It was followed by numerous further attempts, including the Camp David negotiations in 2000, the Abbas–Olmert talks of 2007–08 and the Kerry initiative of 2013–14. These efforts have employed several different approaches and have involved varying degrees of engagement on the part of the international community.
- The purpose of this paper is to examine these endeavours and identify lessons that would be useful for those intending to try again. Some of these lessons concern leadership. For peace efforts to have a chance of succeeding, the experience of the past 25 years suggests that leaders on both sides must not only engage directly with one another but also show a combination of boldness, commitment to peace and fine political judgment. For their part, Israeli leaders must recognize that the conflict with the Palestinians cannot be wished away.
- Other lessons concern the way in which a peace process is structured, in particular the vulnerability of an incremental approach. Trying to resolve the conflict in one go could be more productive.
- An examination of past endeavours also clearly shows that the involvement of the international community is a necessary (albeit insufficient) condition for success in any peace process. The Arab states have a particular role to play in this regard: the Arab Peace Initiative of 2002 retains its potential but requires more energetic promotion if this potential is to be realized.



### Introduction

This briefing forms part of phase one of the Chatham House project ‘Israel–Palestine: Beyond the Stalemate’. It aims to evaluate peace efforts that have taken place in the past 25 years, from the 1993 ‘Oslo I’ agreement, which established the Palestinian Liberation Organization (PLO) as a negotiating party with Israel, up to and including the 2017 Paris conference. A companion paper will examine the ways in which regional states have contributed to Israeli–Palestinian peacemaking to date, and the potential of such efforts to achieve more.

The purpose of the paper is not simply to analyse why previous endeavours have not produced the desired outcome, but to identify lessons that could inform future discussions of ways of reaching a solution to the Israeli–Palestinian conflict. As well as considering what political leaders on both sides might do differently, the paper seeks to stimulate a debate about what other actors (for example, Israeli and Palestinian civil society, business and religious leaders) might do to support such efforts.

With these objectives in mind, the paper is intended for those already engaged in consideration of policy towards the conflict. It is not meant to be an introduction to the subject for those with no previous knowledge of it; nor is it a comprehensive review of all attempts to end the Israeli–Palestinian conflict.

Those trying to achieve peace between Israel and the Palestinians have sought to devise ways of tackling the core issues of the conflict, namely Jerusalem, refugees, security, borders and settlements. In so doing, they have been operating in a reality in which the parties are not two states but rather an occupying state and an occupied people (albeit one organized into a proto-state entity). This context, moreover, is one in which the state concerned – Israel – has a privileged relationship with the US, the most powerful international actor involved in Israeli–Palestinian peace efforts.

Several different approaches have been adopted over the past quarter of a century. Before examining these various approaches in more detail, we can summarize them as follows:

- The Oslo approach, which was incremental, avoided spelling out the shape of a final agreement, and depended on the progressive building of confidence between the parties;
- The Camp David 2000 approach, which represented an attempt to reach a conflict-ending agreement that would resolve all the core issues at a single summit meeting;
- The Arab Peace Initiative (API), a regional approach, which offered incentives to Israel to go beyond a purely bilateral agreement with the Palestinians;
- The Roadmap to Peace, in part a resurrection of the incrementalism of Oslo but with the ultimate destination of a two-state solution spelt out;
- The Geneva Accord, an unofficial but very high-level ‘Track II’ initiative;
- The Gaza disengagement, a unilateral approach that was mainly about managing the conflict rather than making peace;
- The Annapolis conference and subsequent Abbas–Olmert talks, which together were an attempt to revive peace talks within the framework of the Roadmap;

- The Kerry initiative, which marked a further attempt (following the Oslo process, Camp David 2000 and Annapolis) at third-party facilitation rather than a proactive drive for peace; and
- The Paris conference of January 2017, a reassertion by the international community of the principles that might form the basis for a two-state solution.

### The Oslo approach, 1993 to 2000

The Oslo agreement of 1993 ('Oslo I') set out a process that was explicitly incremental.<sup>1</sup> It established a 'Palestinian *interim* Self-Governing Authority' for a '*transitional* period not exceeding five years' (authors' italics). It listed the issues central to the conflict between Israel and the Palestinians: Jerusalem, refugees, Jewish settlements, security and borders. It stipulated that negotiations on these issues were to take place during the transitional period. But the shape of any eventual permanent settlement was not defined, even in the broadest outline; nor was the process for achieving this objective set out in detail. An end to the occupation and the creation of a Palestinian state were not mentioned, although they may have been understood by many to be the inevitable outcome of the negotiations.

Despite an incremental approach, the Oslo I agreement made it clear that the aim of the process was the achievement of 'a just, lasting and comprehensive peace settlement'. Moreover, it set out a timetable for the negotiations to achieve that goal. These were to start no later than the beginning of the third year of the transitional (or interim) period, and to conclude with a permanent settlement (also referred to as a permanent-status agreement) within the five-year limit of that period.

The Israeli–Palestinian Interim Agreement of 1995 ('Oslo II') marked the end of the first stage of negotiations. It was a much more significant agreement than Oslo I in terms of changes on the ground. It built on some changes that had already taken place, most notably the establishment of the PLO-based Palestinian Authority (PA) in Gaza and Jericho. However, Oslo II did not tackle (and was not intended to tackle) the core issues.

Leadership was a crucial factor in the early success and then semi-stagnation of the Oslo process. Prime Minister Yitzhak Rabin of Israel and the PA's President Yasser Arafat seemed committed to continuing with the process, despite their strong reservations about it and lack of trust in one another. Nevertheless, it is unclear how committed both men were to meeting each other's minimum requirements for a peace deal, and whether they could, with the passage of time, have built enough trust to achieve a permanent-status agreement. The lesson here is that trust between leaders may be highly desirable, but is not absolutely essential if the leaders on both sides desire progress.

It does not necessarily follow from the progress made by Rabin and Arafat that a measure of trust is *never* an essential condition if Israeli and Palestinian leaders are to make the concessions required for a final, comprehensive deal. But the assassination of Rabin in 1995 meant that the proposition of trust being critical to such a deal was never put to the test.

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<sup>1</sup> For the text, see Yale Law School (2008), 'Israel-Palestine Liberation Organization Agreement: 1993', [http://avalon.law.yale.edu/20th\\_century/isrplo.asp](http://avalon.law.yale.edu/20th_century/isrplo.asp). For a discussion of Oslo and incrementalism, see Mitchell, G. J. and Sachar, A. (2017), *A Path to Peace*, Simon & Schuster, pp. 69–70.

*Leadership was a crucial factor in the early success and then semi-stagnation of the Oslo process*

Rabin's assassination led eventually to the election of Benjamin Netanyahu as Israel's prime minister in 1996. Netanyahu did not share Rabin's commitment to the peace process, or to the two-state solution perceived by many as its likely eventual outcome. It took intervention from the US administration to enable even small steps forward (in the form of the Hebron and Wye agreements) during Netanyahu's premiership.

More than one lesson could be drawn from this post-Rabin period in which the Oslo approach was followed. One is that, in such circumstances, a third party can play a valuable 'holding' role to prevent the process from collapsing until circumstances change. Another possible lesson is that if a third party wishes to produce significant progress, it needs to involve itself much more actively than the Bill Clinton administration did.

During the premierships of both Rabin and Netanyahu, lack of confidence on each side in the sincerity of the other, combined with the incremental approach of Oslo and its deliberate vagueness, led both Israel and the Palestinians to continue with policies that undermined mutual trust still further. Israel continued with the 'creation of facts', particularly the building and expansion of settlements. Meanwhile, the Palestinians did not act as vigorously as they could have done to suppress armed struggle, including terrorism (Arafat seemed to see violence as a source of potential pressure on Israel). The Palestinians also failed to reform the PA, a system both politically and economically dysfunctional.

One of the lessons that emerges from this experience is that leaders cannot expect to reach agreements and implement them successfully if they play a double game. Rather, they need to develop a partnership that is based on a shared desire to achieve a win-win outcome, and that can withstand hostility from sections of the public on both sides. Practical measures that show understanding of the other side's concerns can help to create the necessary sense of common purpose.

In the event, however, the impact of the confidence-destroying developments during the Oslo years heavily outweighed the benefits of the confidence-building measures for which the process provided. On the Israeli side, incrementalism gave politicians opposed to the Oslo process the opportunity in effect to promote their agendas and to organize themselves to win the next election. Meanwhile, the Oslo process's supporters in government felt compelled to devote much of their efforts to domestic constituency management rather than to peacebuilding. All this suggests another lesson: that a necessary (albeit insufficient) condition for the success of an incremental approach is firm and continuous management, with the proactive support of third parties if required. However, such management inevitably consumes a great deal of energy on the part of all concerned, energy that would be better spent on negotiations. This suggests that closing a deal promptly and presenting it to the public on both sides may work better than negotiating over an extended period. (As we will see in respect of the Camp David summit, however, a crucial factor with either approach is how well it is handled: even a single summit requires thorough preparation and judicious management of the event itself.)

While it ultimately failed, the incrementalism built into the Oslo process was designed, with the best of intentions, to overcome the initial lack of trust not just between the leaders but also between the two peoples. Ordinary Israelis and Palestinians had been traumatized by decades of conflict and bloodshed, and had been indoctrinated by

their respective leaders' discourses of demonization and dehumanization of the other. The psychology and history of the two peoples constrained the ability of their leaders to mobilize a critical mass of support for the concessions required to achieve peace.

As already noted, Oslo II was supposed to have been superseded by a permanent-status agreement. However, this never happened, and what should have been a temporary situation has therefore been allowed to persist indefinitely. One of the most pernicious consequences of this state of affairs, from the point of view of prospects for a permanent peace, has been what is sometimes termed the 'outsourcing of the occupation', in which the PA takes responsibility for protecting Israel's security as well as its own.<sup>2</sup>

This is a situation with which Israel has been able to live, at relatively low political cost to its leaders. The international community has also seemed able to manage this admittedly uncomfortable status quo with a combination of rhetoric and financial assistance for the Palestinians. However, the situation has perpetuated the asymmetric nature of the conflict, which makes fruitful negotiations extremely difficult. Unless the international community is ready to introduce a system of incentives and disincentives that encourage both sides to move continuously and consistently down the path towards peace, and that deter those acts which hinder peace, reaching an agreement will be virtually impossible.

While the Oslo process did not achieve its ultimate goal, its initial years showed what can be achieved if political will exists. In a short time, Israel and the PLO moved from a state of hostility to one of mutual recognition, with dialogue on all levels, security cooperation, an active pro-peace civil society on both sides, economic development (however flawed) for the Palestinians, and the positive involvement of the international community.

### The Camp David approach, 2000

Prime Minister Ehud Barak (1999–2001) was unwilling to continue the incrementalism of the Oslo process. Instead he sought an all-or-nothing negotiation with President Arafat, by means of a single summit with US mediation.<sup>3</sup> The drawbacks of an incremental approach were by now evident, and Barak's confident, 'can do' personality in any case disposed him to look for a quick win, even if the agreement so reached was likely to be imperfect. (Some of those involved in the Oslo process appear to have believed that, with time, a 'perfect' peace deal could have been reached.) In addition, Barak's governmental coalition was crumbling and he needed a success in order to prevent its collapse. (Akram Hanieh, one of Arafat's closest advisers, recalled that this was a constant refrain from President Clinton's team at Camp David.<sup>4</sup>)

However, despite the general merits of a comprehensive approach, it did not succeed at Camp David. There were several reasons for this.

<sup>2</sup> Gordon, N. (2008), 'Outsourcing the Occupation', chapter in *Israel's Occupation*, University of California Press, <http://oxfordindex.oup.com/view/10.1525/california/9780520255302.003.0008>.

<sup>3</sup> Malley, R. and Agha, H. (2001), 'Camp David: The Tragedy of Errors', *New York Review of Books*, 9 August 2001, <http://www.nybooks.com/articles/2001/08/09/camp-david-the-tragedy-of-errors/>.

<sup>4</sup> Hanieh, A. (2001), 'The Camp David Papers', *Journal of Palestine Studies*, Vol. 30, No. 2 (Winter 2001), p. 81, <http://www.palestine-studies.org/sites/default/files/jps-articles/jps.2001.30.2.75.pdf>.

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For one thing, Arafat did not share Barak’s enthusiasm for the process, feeling it to be rushed and fearing a trap.<sup>5</sup> President Clinton did what he could to reassure Arafat, but Barak himself did nothing to this end. Moreover, Barak had already undermined what confidence Arafat might have had in him by trying first for an agreement with Syria, only turning to the Palestinian track when it was clear that no such agreement was going to materialize. In these circumstances, Arafat came to Camp David in a defensive state of mind and unwilling to offer proposals himself. He also had little faith in the US, the sole third party involved in the negotiation. One conclusion that can be drawn from the US determination to press ahead in these circumstances is that a negotiation in which one party is participating with great reluctance is unlikely to produce an agreement.

For his part, Barak also had little trust in Arafat. Indeed, part of the attraction for Barak of the comprehensive approach may have been that it did not seem to rely on trust. But even if trust was not absolutely necessary, a minimum level of rapport or personal chemistry is always a vital commodity in such delicate negotiations; this was entirely lacking between the two men, who barely met at all at Camp David.

Another major problem with the negotiations at Camp David (and afterwards) was the absence of clear ‘red lines’ on specific issues. Barak’s readiness to go well beyond his initial negotiating positions invited Arafat to assume that there was likely to be a better offer, and hence to refrain from accepting whatever the current offer was. The lesson from this failure in communications is that strategic red lines should be very clear – and that if they are not, mediators should ensure that they *are* made clear (the US failed to do this at Camp David).

There was, however, a fundamental failure on Arafat’s part as well: he could have tested Barak’s proposals by offering counterproposals of his own, but chose not to do so. This was most probably because Arafat feared that the strength of opposition to any agreement on issues as sensitive as Jerusalem and refugees would lead to his having to suppress resistance from Hamas and Palestinian Islamic Jihad (PIJ) – in other words, he feared that it would lead to a Palestinian civil war.<sup>6</sup> Arafat may also have feared for his own life. (Hanieh recalls Arafat’s rhetorical question to Clinton: ‘Do you want to attend my funeral?’<sup>7</sup>)

Arafat might also have been bolder at Camp David had he received encouragement from his fellow Arab leaders, especially regarding permanent-status proposals for Jerusalem. But he received no such encouragement. (Hanieh is clear that the US team contacted Arab leaders only belatedly, and that those who responded tended to support Arafat’s refusal to compromise.<sup>8</sup>) Clinton could have helped construct the ‘tight international envelope’ that leading Israeli negotiator Shlomo Ben-Ami believed could have provided the necessary support; however, for whatever reason, Clinton did not do so. This experience suggests that while regional leaders may be able to play a valuable supporting role in Israeli–Palestinian negotiations, they may need encouragement and mobilization in advance.

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<sup>5</sup> Ibid; and Malley and Agha (2001), ‘Camp David: The Tragedy of Errors’.

<sup>6</sup> Ben-Ami, S. (2005), *Scars of War, Wounds of Peace: the Israeli-Arab Tragedy*, Weidenfeld & Nicolson, p. 280.

<sup>7</sup> Hanieh (2001), ‘The Camp David Papers’.

<sup>8</sup> Ibid.

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After Camp David, Arafat's standing among the Palestinian public grew, with 68 per cent of Palestinians polled believing that his position at the summit (i.e. not accepting Barak's 'offer') was 'just right'.<sup>9</sup> Without any countervailing support for compromise from fellow Arab leaders or from the rest of the international community, this must have inclined Arafat to refrain from considering further concessions.

Barak appears to have been serious about getting to a permanent-status agreement at Camp David and was prepared to make what he called a 'generous offer' to get it. However, he did not manage to convince the other parties in his coalition that his proposals were sound. Without sufficient backing from his own government, his position was easily undermined by events such as Ariel Sharon's visit to the Haram al-Sharif/Temple Mount and the outbreak of the Second Intifada.

All the same, negotiations continued, leading to the landmark 'Clinton Parameters' of December 2000, with further progress made at Taba in Egypt in January 2001. But against a backdrop of violence, and with President Clinton's term ending and Barak clearly about to lose elections, the prospects of clinching a deal were negligible.

A lesson here is that leaders who fail to maintain a critical mass of support for their negotiating position cannot bring peace talks to a successful conclusion. Another lesson is that timing is crucial: had a deal been reached at Camp David – something that would have required a much more forthcoming and proactive stance on Arafat's part, and greater clarity on Barak's – there would have been time to begin implementation with Clinton's support.

One damaging feature of the aftermath of the Camp David summit was Barak's determination (in which Clinton acquiesced) that Arafat should get the blame for the summit's failure. Once this narrative had gained traction, the notion that there was 'no Palestinian partner for peace' enabled Sharon, Barak's successor, and later Netanyahu to avoid substantive negotiations. A lesson from this experience is that leaders sincerely seeking peace should refrain from demonizing the other party, and should always leave room for a return to the negotiating table. Third parties should recognize when counterproductive posturing is taking place and do their best to discourage it.

## The Arab Peace Initiative

In part a response to criticisms that the Arab states had failed to support Arafat at Camp David, the Arab Peace Initiative (API) was endorsed by the Arab League summit in Beirut in March 2002.<sup>10</sup> The API offered Israel an end to the Arab–Israeli conflict, comprehensive peace and normal relations. In exchange, it called on Israel to withdraw fully from the territories it had occupied since 1967, to accept an independent Palestinian state in the West Bank and Gaza, and to agree 'a just solution' to the Palestinian refugee problem.<sup>11</sup> The solution to the refugee problem

<sup>9</sup> Palestinian Center for Policy and Survey Research (2000), 'Joint Palestinian–Israeli Public Opinion Poll 1 – July 2000', <http://www.pcpsr.org/en/node/461>.

<sup>10</sup> AbuZayyad, Z. (2007), 'The Arab Peace Initiative', editorial, *Palestine-Israel Journal*, Vol. 14, No. 4. On Crown Prince (later King) Abdullah's central role in the formulation of the initiative, see Friedman, T. L. (2002), 'An Intriguing Signal from the Saudi Crown Prince', *New York Times*, 17 February 2002, <https://www.nytimes.com/2002/02/17/opinion/an-intriguing-signal-from-the-saudi-crown-prince.html>.

<sup>11</sup> AFP (2002), 'Text of Arab peace initiative adopted at Beirut summit', 28 March 2002, [http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/empa/dv/1\\_arab-initiative-beirut/\\_1\\_arab-initiative-beirut\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/empa/dv/1_arab-initiative-beirut/_1_arab-initiative-beirut_en.pdf).

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was ‘to be agreed upon in accordance with UN General Assembly Resolution 194’. This formulation was problematic for Israel, given that the resolution was the basis for the Palestinians’ claim to a right of return for refugees.

Yet whatever its shortcomings in Israeli eyes, the API could have served as the basis for renewed Israeli–Palestinian negotiations, had Prime Minister Sharon being willing to explore its potential. Instead, he chose to regard it as an unacceptable take-it-or-leave-it offer. At the same time, the Arab leaders who had agreed the API did nothing to correct Sharon’s characterization of it. For its part, the US administration of George W. Bush either did not understand the possibilities that the API offered or (for whatever reason) refused to acknowledge them. Moreover, the launch of the API took place in the midst of the Second Intifada, which included a series of major terrorist attacks against Israeli civilians that greatly reduced Israeli receptivity to talk of peace and the concessions it might entail.

The lesson from the API is that peace initiatives require energetic ‘marketing’ and committed backers if they are to gain traction. This may require sustained sponsorship from the wider international community.

At a meeting in April 2013 hosted by US Secretary of State John Kerry, the Arab League reaffirmed the Arab states’ interest in peace by accepting the idea of a two-state solution with mutually agreed land swaps – thus modifying the demands that the API made of Israel.<sup>12</sup> But the promotion of the API still lacked the vigour that the situation, and the enormous potential of the initiative, demanded. The Arab states reaffirmed their commitment to the API at their summit in April 2018.

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## The Roadmap to Peace

The Roadmap to Peace was drafted by ‘the Quartet’ (the US, the UN, Russia and the EU) in the summer of 2002 but was not officially announced until April 2003. It resembled the Oslo process in envisaging transitional arrangements and negotiations leading to a permanent-status agreement by a set date. However, the Roadmap added two additional elements. First, it was to be ‘performance-based’, with Israelis and Palestinians simultaneously taking specified steps to restore mutual confidence. Second, it outlined the ultimate destination of a two-state solution – although the Roadmap did not contain any guarantee that that destination would be reached; nor did it say who was responsible for ensuring the process’s success.

The structure and content of the Roadmap mattered much less, though, than the way in which it was handled by the US administration. With President Bush preoccupied by Afghanistan and Iraq, the Roadmap was not a high priority for him. Moreover, when Sharon sought to eviscerate the Roadmap by stripping it of substance, Bush allowed him to do so. The other three members of the Quartet made no protest. This, combined with continued violence, rendered the Roadmap a dead letter. In terms of lessons, there is one here for international sponsors of Israeli–Palestinian peacemaking, namely that they should defend the core elements of any proposals they put forward, or risk seeing them collapse.

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<sup>12</sup> S. Daniel Abraham Center for Middle East Peace (undated), ‘Arab Peace Initiative’, <http://www.centerpeace.org/explore/arab-peace-initiative/>.



## The Geneva Accord

The Geneva Accord, published in October 2003, was an unofficial document produced by former senior Israeli and Palestinian officials and representatives of civil society. It provided a detailed blueprint for a peace agreement, building on the Clinton Parameters.

The main contribution of the Accord was to demonstrate that, through negotiations, solutions could be found for all the issues dividing Israelis and Palestinians. Another, very different, lesson can also be drawn from the experience of the Geneva Accord: namely, that however carefully drafted a peace plan might be, it will go nowhere if it is not embraced by the respective leaders on both sides. (Arafat supported the Accord, perhaps tactically, knowing that his bluff would not be called; Sharon rejected it.)

## Unilateral withdrawal: Gaza disengagement

Rather than follow the Roadmap, Sharon produced a unilateral disengagement plan in coordination with the US in 2004. The plan was unilateral because, in Sharon's view, there was no Palestinian partner for peace. It involved the unilateral Israeli withdrawal from all settlements and military installations in Gaza, and from four settlements in the West Bank. In a letter to Bush, Sharon declared that the plan could 'stimulate positive changes within the Palestinian Authority that might create the necessary conditions for the resumption of direct negotiations'.<sup>13</sup> While unilateral withdrawal was presented as a contribution to peacemaking, in reality it was anything but. Rather, the intention behind it was to deflect US and domestic pressure for talks with the Palestinians. In an interview with the *Haaretz* newspaper, Dov Weisglass, one of Sharon's closest advisers, made it clear that the objective of the disengagement plan was to 'freeze' the peace process.<sup>14</sup>

For their part, the PA's leaders (while naturally not opposing the idea of Israeli withdrawal) complained of a lack of coordination. They took the view that, had there been coordination with the PA or, better still, some negotiation over the terms of the withdrawal, the outcome could have been a positive one. The lesson here is that unilateral steps may or may not be helpful in principle, but are much more likely to be effective if there is some coordination with the other side.

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<sup>13</sup> Israel Ministry of Foreign Affairs (2004), 'Exchange of letters between PM Sharon and President Bush', 14 April 2004, <http://www.mfa.gov.il/mfa/foreignpolicy/peace/mfadocuments/pages/exchange%20of%20letters%20sharon-bush%2014-apr-2004.aspx>.

<sup>14</sup> Shavit, A. (2004), 'Top PM Aide: Gaza Plan Aims to Freeze the Peace Process', *Haaretz*, 6 October 2004, <https://www.haaretz.com/1.4710372>.

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## Abbas and Olmert at Annapolis and after

The Bush administration convened an Israeli–Palestinian peace conference at Annapolis in the US in November 2007. In a joint statement issued at the conference, PA President Mahmoud Abbas and Prime Minister Ehud Olmert of Israel committed themselves to implementing their obligations under the Roadmap ‘until they reach a peace treaty’.<sup>15</sup>

The two leaders continued their talks privately thereafter, with their last meeting taking place on 16 September 2008. By the time of that final meeting, the two leaders had (according to Olmert’s memoirs) agreed on a number of key principles regarding security, Jerusalem, refugees and border adjustments with land swaps. (Abbas confirmed most of Olmert’s account in an interview.<sup>16</sup>)

*One lesson that can be drawn from the Olmert–Abbas talks is that negotiations need a process in which both parties know exactly what they are being offered or asked to accept*

Olmert’s offer to Abbas during their final encounter seems to have been the most far-reaching ever made by an Israeli prime minister to a Palestinian leader. It was not, however, good enough (or at least not clear enough), as far as Abbas was concerned. In an interview in November 2015, Abbas admitted that he had not accepted Olmert’s offer. He made it clear, however, that what he had objected to was not a peace deal *per se*, but the way in which the process was conducted – specifically, that he was asked to agree to Olmert’s sketch map of borders without being allowed to take away a copy to study.<sup>17</sup> One lesson that can be drawn from the Olmert–Abbas talks is that negotiations need a process in which both parties know exactly what they are being offered or asked to accept. (This also applied to Camp David 2000.) Another is that this process can be usefully supported or facilitated by a third party (which the US did not do after Annapolis).

While Abbas’s concerns about what he was being asked to accept – and the way in which he was being asked to do so – may have been understandable, he may also have been anxious about the potential consequences for his own position. For one thing, the talks were opposed by Hamas and other militant groups. Abbas may have felt that an agreement with Olmert would scupper any chances of securing the eventual participation of Hamas in a reconciliation government. Equally, he may have feared that rivals within his own Fatah movement would challenge his leadership by exploiting the concessions he would have had to make to reach an agreement with Olmert. And he probably also feared that Olmert, then under investigation for corruption, would not remain for long as prime minister and hence would not be able to lead the implementation of any agreement reached.

As far as a potential third-party role was concerned, both leaders appear to have hoped that, as their talks continued, the Bush administration would come forward with bridging proposals. If that was the case, they did not convey this hope to the US with sufficient urgency. Little was to be expected from the US administration by September 2008, as it was in its final months, but Olmert or Abbas (or both) could have asked for help much sooner. Two lessons for third parties may be drawn from the Olmert–Abbas

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<sup>15</sup> Israel Ministry of Foreign Affairs (2007), ‘The Annapolis Conference’, 27 November 2007, <http://www.mfa.gov.il/mfa/aboutisrael/history/pages/the%20annapolis%20conference%2027-nov-2007.aspx>.

<sup>16</sup> Bronner, E. (2011), ‘Olmert Memoir Cites Near Deal for Mideast Peace’, *New York Times*, 27 January 2011, <http://www.nytimes.com/2011/01/28/world/middleeast/28mideast.html>.

<sup>17</sup> i24NEWS (2015), ‘Abbas says he rejected Olmert peace offer in 2008 over unseen map’, 19 November 2015, <https://www.i24news.tv/en/news/israel/diplomacy-defense/92894-151119-abbas-says-he-rejected-olmert-peace-offer-in-2008-over-unseen-map>.

negotiations. First, if the sides feel they need third-party intervention, they should make this clear to the third party or parties in question in good time. Second, the third parties should be proactive and spot when their intervention might be needed.

Eventually, the Olmert–Abbas negotiations were brought to an end by external circumstances: the Gaza war of 2008–09 and Olmert’s resignation. (Olmert remained in office until March 2009, but was clearly a lame duck once he had announced his resignation in July 2008.) Israeli elections in early 2009 brought Netanyahu in again as prime minister, but he rejected the idea of renewing negotiations at the point where they had left off. Moreover, Netanyahu took several months to endorse the concept of a Palestinian state; and when he did so, he made it clear that a ‘fundamental prerequisite’ would be Palestinian recognition of Israel as the nation state of the Jewish people.<sup>18</sup>

### The Kerry initiative, 2013–14

The talks sponsored by US Secretary of State Kerry ran from July 2013 to April 2014, which Kerry set as the deadline. The aim of the talks was to be a comprehensive agreement. PLO negotiator Nabil Shaath declared that the Palestinians insisted on a permanent settlement and would not accept ‘temporary’ solutions. (Abbas has since said similar things.) The lesson here is this: as bad experiences with interim, partial, temporary or (solely) ‘economic’ solutions have caused the Palestinians to reject any further such arrangements, only a comprehensive settlement is now possible, in terms of agreements at the national political level.

As part of Kerry’s initiative, there were to be confidence-building measures in support of the negotiations: Israel was to release Palestinian prisoners, in four tranches; and the Palestinians agreed to put on hold their proposed applications for membership of international bodies. But confidence-destroying measures also took place: Israel refused to release the fourth tranche of prisoners, and the expansion of settlements continued. In response to Israel’s failure to release the prisoners, Abbas signed letters seeking Palestine’s accession to 15 UN and other international bodies, a move that was followed in turn by Israeli measures against the PA.

Regarding the third-party role in the initiative, the US administration provided a mix of facilitation and mediation, led by Special Envoy Martin Indyk. But according to the Palestinians, Israel prevented Indyk from attending most of the negotiating sessions. Abbas called on the US to take a more proactive rather than merely ‘supervisory’ role. Indeed, the US did not use its clout with both sides to push them to come to an agreement. In his speech of December 2016, Kerry implicitly admitted as much: the language is about exhortation, encouragement and assistance rather than the use of US leverage.<sup>19</sup>

The talks ended without agreement. The main reason, perhaps, was that neither side felt obliged to do as Kerry wanted: there were clearly no penalties for not doing so. President Barack Obama allowed Kerry to run the process and gave him public

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<sup>18</sup> Israel Ministry of Foreign Affairs (2009), ‘Address by PM Netanyahu at Bar-Ilan University’, 14 June 2009, [http://mfa.gov.il/MFA/PressRoom/2009/Pages/Address\\_PM\\_Netanyahu\\_Bar-Ilan\\_University\\_14-Jun-2009.aspx](http://mfa.gov.il/MFA/PressRoom/2009/Pages/Address_PM_Netanyahu_Bar-Ilan_University_14-Jun-2009.aspx).

<sup>19</sup> U.S. Department of State (2016), ‘Remarks on Middle East Peace’, Secretary of State John Kerry, 28 December 2016, <https://2009-2017.state.gov/secretary/remarks/2016/12/266119.htm>.

support, but at no point did he make it clear to the parties that he would use the power and prestige of his office to reward or punish their behaviour. An important lesson that emerges from the Kerry initiative is that without the commitment of the president of the US to an effort facilitated by the US administration, the Israelis and Palestinians will feel free to do as they wish, constrained only by the desire not to get the blame for the failure of peace efforts.

According to Michael Herzog (who took part in the talks), the ground rules laid down by the US team were not clear; nor were the US's messages, which the two sides understood differently. According to Herzog, the Kerry talks also undermined the secret, back-channel talks (the so-called 'London track') which were taking place in parallel and which were more likely to succeed.<sup>20</sup> (A senior member of the Palestinian team in the back-channel talks has told the authors the same thing.)

For his part, Netanyahu faced opposition to the talks from within his own government. In December 2013, Likud ministers promoted a bill to annex the Jordan Valley. The bill was intended to counter a US proposal that the Jordan Valley and border crossings into Jordan be placed under Palestinian control, with border security provided by Israeli forces and the US. In January 2014, hardliners in Netanyahu's coalition threatened to withdraw from the government if he accepted the 1967 borders as a baseline for talks. He may have felt this as a constraint on his negotiating flexibility or as a useful pretext to take a tough line in the talks. There was opposition to the talks on the Palestinian side as well ( Hamas and PIJ called for a third intifada instead), although it is not clear to what extent Abbas felt constrained by this. All this suggests that determined and single-minded leadership is needed at the top, on both sides, to deal with the inevitable opposition to any peace process.

Neither side would accept the other's conditions for the continuation of the talks beyond the original deadline of the end of April 2014. Just before the deadline was reached, Fatah and Hamas announced that they would form a unity government and hold new elections – presumably because Abbas had realized that he would not be able to get a deal with Netanyahu and that he therefore had nothing to lose by pursuing intra-Palestinian reconciliation, which is always popular with the Palestinian public. Netanyahu refused to negotiate with a government backed by Hamas.

One lesson that can be drawn from the response of Abbas and Netanyahu to the Kerry initiative is that there is always a temptation for leaders to concentrate on managing their own constituencies or to retreat to their respective domestic comfort zones, unless put under pressure to do otherwise.

Kerry continued informal peace efforts thereafter. Obama maintained his reluctance to get involved. According to one account: 'The White House told Kerry that President Obama wanted to let Netanyahu and [Palestinian President Mahmoud] Abbas stew in their own juices.'<sup>21</sup> For his part, Netanyahu appeared to be playing for time with Kerry while pursuing the secret London track with the involvement and cooperation of Isaac Herzog, leader of the opposition Zionist Union.

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<sup>20</sup> Herzog, M. (2017), 'Inside the Black Box of Israeli-Palestinian Talks', *The American Interest*, 27 February 2017, <https://www.the-american-interest.com/2017/02/27/inside-the-black-box-of-israeli-palestinian-talks/>.

<sup>21</sup> Ravid, B. (2017), 'Netanyahu Offered Opposition Leader to Push Together for Regional Peace – and Then Backtracked', *Haaretz*, 5 March 2017, <https://www.haaretz.com/israel-news/.premium.MAGAZINE-netanyahu-s-peace-plan-which-he-abandoned-for-political-survival-1.5444836>.

*Leaders are risk-averse about their retention of power, and those who try to maintain broader support than is necessary for a ‘critical mass’ will never be successful in advancing peace*

In domestic political terms, Netanyahu should have been able to pursue either the London track or the Kerry initiative. Had he been willing to include the Zionist Union (with 24 seats in the Knesset) in his coalition, he would likely have lost HaBayit HaYehudi (eight seats) and perhaps Yisrael Beiteinu (five seats) too, as well as some from his own party. But he could probably still have retained a majority. And two out of three Israelis, according to a Peace Index poll published in August 2016, remained supportive of peace negotiations with the PA.<sup>22</sup>

So the political risk for Netanyahu was not as great as he seems to have feared. The lessons from Netanyahu’s posture at this stage are that leaders are risk-averse about their retention of power, and that those who try to maintain broader support than is necessary for a ‘critical mass’ (in the Israeli case, a Knesset majority and majority support among the public) will never be successful in advancing peace.

### A third-party-only effort: the international conference approach

In January 2017, France convened an international conference in Paris ‘intended to preserve the two-state solution and create incentives that would move the parties closer to direct negotiations’.<sup>23</sup> While the conference usefully reiterated some of the basic principles of Israeli–Palestinian peacemaking and got the 70 states represented there to endorse these in public, it never stood a chance of generating momentum. After it became clear that the Israelis would not attend, neither they nor the Palestinians were invited to participate; the two sides were invited only to hear the conclusions.

Two lessons emerge from the Paris conference. First, the international community cannot lead the process of achieving a two-state solution if it is unable to secure the participation of the parties. Second, and more positively, at certain stages of the process, it may be useful for the international community to reaffirm its consensus view of the framework within which negotiations should take place.

## Conclusions

Attempts to resolve the conflict between the Israeli and Palestinian peoples have employed a variety of approaches over the past quarter of a century. These different approaches offer valuable lessons for those engaging in future attempts to end the conflict.

Perhaps the most important lesson is that leadership is crucial to the success of peace efforts. Leaders on both sides have to be committed to peace and prepared to make the concessions necessary to reach agreement. In order to bring negotiations to a successful conclusion, they need to secure their domestic base in terms of political allies and a majority of the public. But leaders who try to maintain support that is broader than the necessary ‘critical mass’ will never be able to make bold moves for peace.

<sup>22</sup> Tel Aviv University (2016), ‘The Peace Index – August 2016’, [http://www.peaceindex.org/files/Peace\\_Index\\_Data\\_August\\_2016-Eng.pdf](http://www.peaceindex.org/files/Peace_Index_Data_August_2016-Eng.pdf).

<sup>23</sup> al-Omari, G. (2017), ‘Tempering Expectations for the Paris Conference’, The Washington Institute, 13 January 2017, <http://www.washingtoninstitute.org/policy-analysis/view/tempering-expectations-for-the-paris-conference>.

The structure of any peace process is also important. One of the factors to be considered is whether it should be incremental or should seek to reach a deal in one go. An incremental process may look attractive, as it offers the opportunity to build confidence between the parties before moving on to the more difficult issues. However, such processes have been shown to be vulnerable to disruption by extremists, whose actions may well destroy confidence more effectively than supporters of peace are able to build it. Closing a deal in one go and putting it promptly to the public on both sides would inevitably create short-term turbulence, but would probably produce a better outcome than a protracted process. However, such a ‘big bang’ approach requires careful preparation beforehand, as well as firm orchestration during the event itself.

No future Israeli–Palestinian peace talks are likely to succeed without effective support from the international community, which can also mitigate the deterioration in relations which occurs during periods of stagnation consequent upon insufficiently committed leadership on either or both sides. The Arab states represent a particularly important group of third parties, as they can offer a comprehensive, regional peace agreement, including acceptance for Israel by the Arab world as a whole. However, Arab leaders need to promote their proposals more effectively than they have done to date.

Lastly, during periods of stagnation it is also of great importance to maintain and sustain the peace camps in both societies, and to foster some level of ongoing dialogue between them. This would keep the peace discourse alive in both Israeli and Palestinian societies. It could serve as a foundation to support and promote a peace process and subsequent peace agreements, if and when these take place and are agreed.

In this context, it is important for Israel’s leaders to recognize clearly that their country’s central conflict is with the Palestinians, not with the Arab states (or Iran).

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Cover image: US President Bill Clinton, Israeli Prime Minister Ehud Barak and Palestinian leader Yasser Arafat are shown here at Camp David in the US in July 2000.

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