

TWO STATES IN ONE SPACE

A New framework for resolving the Israeli-Palestinian conflict
January 2014

Objective: To put forward and examine new ideas for the most central and contentious issues surrounding the Israeli Palestinian conflict. Aiming at a detailed and creative alternative framework for resolving the conflict based on two states, side by side but working within a framework, which would answer the current realities and the needs of both peoples. The ideas and concepts developed in this project will be used to stir a public debate in both societies at the grassroots level as well as at the level of the decision makers with a hope of creating the foundation and the opportunity to break the current deadlock.

Outcomes: Each of the working groups will produce working papers and policy papers that will be published and extensively circulated. These papers will serve a growing and already engaged Israeli and Palestinian grassroots organizations that is closely linked with the project. The working papers, policy recommendations, topic briefs will be used by these groups for lobbying and advocacy among decision makers and the public on both sides

Project duration: 10 months

WHY THIS PROJECT?

The Israeli-Palestinian conflict is one of the longest lasting conflicts in the world. Despite intermittent attempts at negotiations, to date the only peace process between the parties with a tangible outcome were the negotiations resulting in the Oslo Accords. In the two decades since these accords, the Oslo Accords' vision for a 'two states for two people' has been the only solution seriously investigated by the international community. However, since the 1990s, there has been no peace, no resolution, but many changes on the ground. The Oslo Accords no longer provide a pragmatic solution as new realities on the ground leave less room for the path conceived back then.

This conflict also has dangerous potential for global impact; there is a potential that the national conflict, if it remains unresolved, can transform into a religious one, causing further segregation and fractionalization between and within the groups. Such situations have escalated into violent conflict in the Balkans and South America. Thus, resolving the Israel-Palestine conflict is of vital importance, first and foremost to the people most affected, the Jews and Arabs living in the region, but also the international community as well.

Following three years of deadlock, in July 2013, following massive efforts by American Secretary of State, John Kerry, the Israeli government and the Palestinian authority agreed to re-enter negotiations. At the same time, the European Union has issued unprecedented regulations that are the first sanction-like regulations issued by Israel's main trade partner. Concurrent with these

political developments, the continued upheaval in the Arab world is making the situation in the region highly volatile and the need for a success around the negotiation table is critical. If these negotiation talks fail, the impact could have international repercussions and can cause political and violent turmoil to spread further in the region.

Despite Secretary of State John Kerry's success in getting both parties to agree to speak, in the run-up to the negotiations, public statements made by Palestinian President and Israeli Prime Minister Netanyahu demonstrate that the two leaders and their governments are thinking along parallel lines that do not converge and that reaching a compromise will be extremely difficult. To pursue the negotiations, the Palestinian side will not agree to less than 22% of historical Palestine. The West Bank and Gaza, in full. Their national position is that they already made a major territorial concession by giving up all of 'historical Palestine'. The Israeli perspective however has hundreds of thousands of Israeli settlers living within the West Bank. What Israel calls Judea and Samaria. So Israel wants to start negotiations with deciding which areas beyond the Green Line can be appropriated or swapped. Since one side's starting point is the end point of the other side, the traditional platform for a two-state solution must be reassessed to fit the current political and social realities, otherwise the discussions are bound to fail. Thus, re-examining the peace process and how we approach resolving the Israeli-Palestinian conflict is required. IPCRI believes that it is more important to come to the solution that is most feasible, rather than to continue pushing for a solution that has been unsuccessful for decades.

The 'two states' formula is still the best solution to answer both peoples' desire for self-determination. Other solutions, mainly a one-state or one bi-national state require the two nations to forgo their national aspirations; even in less complex conflicts, this is a very difficult undertaking that can cause a situation to quickly deteriorate, as the world has witnessed in the Balkans.

Both Israelis and Palestinians have demonstrated a level of dedication, commitment, and emotional attachment to all of the land of Israel/Palestine (Eretz Israel/Falasteen). Over 90% of the most holy and important and religious Jewish sites are located in the West Bank/Judea and Samaria. 100% of the Palestinian refugees came from towns and villages in what is today Israel proper. Therefore, a solution of two separated states that would include walls, barriers, a lack of freedom of movement for both Palestinians and Israelis, would clearly not answer the basic need of freedom of movement and access for Israelis and Palestinians in all of the land. It would also prevent normalized relations between Israel with the rest of the Middle East. Thus this solution is not likely to produce a just, viable and sustainable solution. This means that the current two-state solution will likely fail in the long run.

Thinking creatively, expanding and re-examining the boundaries of a strategy that has failed for over twenty years is very much needed. It has actually begun at the grassroots level both in Palestine and in Israel. A growing understanding on both sides of the conflict that the separation paradigm does not offer the answer to the needs of both people has made the ground ripe for new ideas.

A new framework is required. One that can answer the needs of both people. Namely, self-determination and a nation state, on the one hand, and access and freedom of movement in all of the land, on the other. "Two states in One Space". A new framework between the sovereign State of Israel and the sovereign State of Palestine can provide Palestinians with self-determination, an end to the occupation, a place to practice their individual and collective rights and aspirations, freedom of movement and an acceptable answer to the plight of the refugees. A framework that also provides Israel with a guaranteed Jewish state with a Jewish majority, national security, and acceptance in the region and access to Jewish holy sites. Such framework will provide both

peoples with access to the full land they are both attached to culturally and politically, from the Jordan River to the Mediterranean.

Such a new framework can gain support from people on both sides despite where they lie along the political spectrum because it answers both sides' need for self-determination and their connection to the land of Israel/Palestine. The concept has already been well received in the Palestinian territories by representatives from various P.A. ministries, civil society leaders, members of the negotiation team, and young grassroots movements. In Israel, the idea has been received by people affiliated with political parties from the far right to far left (including Likud) and civil society leaders (including senior members of the settler movement and peace NGOs.) This new framework for peace promotes people to re-examine their positions, something that has been lacking on both sides. Among the international community, various diplomats, most notably Egypt and some EU member states have expressed their interest in this alternative solution. Among this heterogeneous group of representatives and stakeholders from both societies, IPCRI has identified a strong willingness and motivation to examine a confederation for Israel-Palestine. For the past several months IPCRI management has also been involved in a grassroots initiative that includes two separate but coordinated Israeli and Palestinian groups. Thus the "Two States in One Space" project already has the basic popular foundations to which it will be able to feed its ideas and get them spread wider.

Relevance: The relevance of the project is that we are currently in the midst of a peace process where it increasingly appears that the only goal of both parties is not to be blamed for the failure. The fact that from July, when the talks were launched, the parties have met less than 20 times is indicative that there is not a serious process going on. Technical teams have not been appointed; directorates of negotiations have not been established; thus the necessary ingredients to demonstrate a serious process are not in place. Thus, though no one can be certain it appears that the talks are destined for failure. There is still expectation of an American plan that will be put on the table sometime around January but that too does not give rise to hope. There are also signs that the US may be preparing to lower its level of involvement in the region. Thus we are on the way to a period of instability in a region that is unstable. Putting forward a new and fresh vision by the project, supported by two separate yet coordinated Israeli and Palestinian groups, has the potential for a positive contribution, lowering the chances for violence and getting public support for a different idea. Still very much a two state solution but also one that does not entail what may be unpayable prices but rather turning the de facto situation in the West Bank vis a vis settlers to a de jure one in return for a not insignificant yet tolerable return of refugees and an acceptable resolution of the right of return.

Similar initiatives: As far as IPCRI is aware there is no such research project currently being undertaken. There is a popular, grassroots initiative that IPCRI is a founding member of and closely involved in. The Israelis group is being coordinated by Mr. Meron Rapoport, a journalist; and on the Palestinian side, the group is coordinated by Mr. Awni Mashni. These groups are fully aware of the project and some of the members are expected to take part in the working groups that will be established.

International cooperation: The project is currently being discussed with the New America Foundation's Middle East Task Force and there is a good chance for a partnership there. In such a case the NAF will assist in raising additional funds for the project. In addition, we have received an oral confirmation by Ambassador Senen Florensa, President of the Executive Committee of IEMED – European Institute of the Mediterranean, that the Institute as well as the EuroMeSCO network of political research institute would like to be involved in the project and will assist in raising additional funds for the research. Thus we believe that the project will launch with a strong

foundation of organizations and groups that could enhance the chances of outputs of the highest quality and for these outputs to have a real impact on public debate and on the decision makers all around.

Cross cutting issues (gender perspective, fight against corruption, etc.): IPCRI's executive management is gender balanced and hold this principle as a guiding principle in all IPCRI's activities wherever possible. When recruiting members for the Steering Committees and working groups, special care will be taken to ensure, as best possible, equal gender representation on both. Affairs of women will be taken into account during the discussions of the working groups.'

On the issue of anti-corruption, IPCRI will continue to maintain the highest standards of governance as determined by IPCRI's policies and procedures.

Sustainability: The sustainability of this project is, from the outset, quite ideal. The fact that this project is in coordination with a grassroots initiative that is both Palestinian and Israeli ensures that the material that the project develops will be used even after the project has ended. Even if the project does not get further funding the first working groups that the project is going to establish are the most contentious, central and interesting for resolving the conflict and thus the project will set out on a "hardest first" and not hardest for last. There are no running costs incurred with the project. Finally, the biggest hope is that the outcome of the project will have a lasting and highly valuable impact on societies on both sides as they will impact public discourse and hopefully table new and innovative ideas as to how to break the deadlock that Israeli and Palestinians are in and contribute to a sustainable and just resolution of one of the longest conflicts in the world.

WHAT WILL THE PROJECT ACHIEVE?

Project Goals: The goal of the project is to contribute to a just solution to the Palestinian Israeli conflict. The purpose is to provide in depth analysis of the Permanent Status issues to come up with a new framework for a two state solution for the Israeli Palestinian conflict.

Expected outcome:

- A refined framework for a two state solution that replace the separation paradigm and take into account the needs of the two people, particularly in the context of the 4 working groups.

Expected output:

1. One comprehensive paper for each of the working groups
2. Outreach material, printed and online using social media tools
3. Public debate at the grass root level
4. Lobby decision makers, specifically the negotiation teams, the public and the international community.

Overall objective: To provide detailed analysis and innovative concepts that break through the separation paradigm based on two states, Israel and Palestine, living side by side but working within a framework that ensures freedom of movement and access in the region while answering Palestinian calls for a just solution and Israel's needs for a safe and secure one. The concepts developed in this project will be the basis for a new roadmap to peace that replace the separation paradigm with that of increased sharing. The concepts, position and research papers, articles, lectures and conferences that will be the outputs of this project will serve as tools for lobbying and

advocacy towards decision makers and the general public, stirring public debate and providing an opportunity to break the current deadlock.

Activities: Topical working groups will be set up to examine key issues. These are issues that have been examined for many years by many teams and groups and their findings and papers will be a starting point for the working groups. The issues that have not been examined and which are most important for this project relate to issues of two states that enable freedom of movement and access. Therefore the first working groups that will be set up will focus on the issues of Governance; Economic Union, Resources, Environment and Social Wellbeing; Residence, Citizenship and Collective Rights; and The Right of Return and the Law of Return. A steering committee will also be set up to coordinate and oversee the work of all the working groups that will examine individual issues. The working groups will consist of experts from both sides and different political affiliations as well as international experts in their respective fields. The steering committee will consist of two members from each workgroup and will be chaired by the Israeli and Palestinian co-Directors of IPCRI. IPCRI staff of postgraduate interns will provide the background research and information for the working groups.

The working group topics will be:

1. Governance and Common Institutions

How will both states and the joint political structure be governed? What bodies and institutions need to be established? What will be governed separately and what jointly? What are the overseeing mechanisms? What are the conflict resolution mechanisms? What will be the role of municipal governance structures? What will be the legal mechanisms and rule of law?

2. Residence, Citizenship, Collective Rights and Freedom of Movement

The rights of Palestinians and Jews in Palestine. The rights of Jews and Palestinians in Israel. How will citizenship and residence rights be determined? What rights will refugees and settlers have? Which laws will people live under? What collective rights are relevant to each national group and how do we guarantee collective rights to minorities in both states? A specific focus will be given in this group also to the Palestinian/Arab citizens of Israel.

3. The Right of Return and the Immigration

How can the Palestinian right of return be realized? To where will a return be permitted? Who will be allowed to return, how many and to where? How will the returnees who are allowed to settle in Israel be dealt with and cared for? Who will finance the return? Restitution and/or compensation of property? How will returning to the homeland by Jews and by Palestinians be dealt with in the longer run? How can Israel remain as a safe haven for persecuted Jews?

4. Jerusalem and Holy Sites

How will Jerusalem be governed? What will be its municipal boundaries? A joint municipality? Two capitals? How will the holy basin and the old city be governed? How will all the holy sites be governed? How will freedom of access to all holy sites be guaranteed and protected?

These 4 groups are already funded. This proposal seeks funding for the next two and very important groups (group 5 and 6):

5. Security

Who will be in charge of security? What are the implications of an open space with freedom of movement on security? How can they be dealt with? How will the confederation cover internal and external security threats?

6. Economic Union, Resources, the Environment and a Social Wellbeing

What would a road map towards an economic union look like? What mechanisms will allow the Palestinian economy to develop and close the economic gap between Israelis and Palestinians? How will resources such as water, land and energy be managed? Who will own what? How will the resources be developed and equally shared?

7. Borders

Where will the borders lie? What will the borders mean? How will the internal and external borders be managed and guarded? Who will have responsibility for what border?

8. Reconciliation

What steps will ensure reconciliation? Truth and reconciliation committees. Educating for peace and acceptance. Combating incitement on both sides.

9. The region

What steps would lead towards better integration in the region? Would it be beneficial to expand the joint framework beyond Israel and Palestine to include Jordan as proposed in the past?

Outcome and target groups: There are several expected results of the project. With the increasing scepticism towards the ongoing peace talks between Israel and Palestine there will be a strong need to keep the notion of a possible positive resolution to the conflict. If the idea that the separation paradigm, which does not take into account settlers and refugees by either side, cannot be implemented then an alternative will be necessary to avoid or at least to mitigate the chances for a renewed eruption of violence.

Each group will produce working papers and policy papers on each of their related issues. Analysis of the problems and challenges, comparative analysis and suggested ideas and courses of action will be put forward. Thus at least 4 comprehensive papers will be produced with additional policy papers for each group.

The fact that this project is going to work hand in hand with a grassroots movement that already exists on the Israeli and the Palestinian sides makes the chances that this project will be able to feed these grassroots movements that have the intention to lobby and advocate both on the political/leadership level as well as on the popular one. Thus the project will provide in depth analysis of the issues and ideas as to how best to tackle them that will be used on all levels of society on both sides. This will help facilitate a much needed public debate and an advocacy campaign with fresh ideas that have yet been discussed on both sides of the conflict that do not slip into the usual pitfalls and obstacles but actually have the potential of getting significant public support on both sides that will then trickle up to the leadership of both nations.

The project will also sever the international community. Over the past two years IPCRI's executive management has met with dozens of diplomats, including heads of missions in Israel and in Palestine. The overall sentiment in all meetings is lack of faith in the possibility of a separation of Israel and Palestine. When presenting the concept of the Two States in One Space IPCRI

continuously get positive (if sceptical) reactions, usually saying that the concept makes more sense than any other but raising the question if buy in could be achieved. Thus, an articulated plan or option would also feed into the international community and contribute even more to the public debate and to putting the possibility of this type of solution on the table.

The general vision as well as the specific position papers, articles, recommendations and lectures will be made publicly available in print and online. The material will be used to actively lobby decision makers, the public, and specifically the negotiation teams. The reports from each working group will provide answers to challenging issues facing a resolution to the conflict, and will consequently revive the peace process with a new and creative approach.

IPCRI will also communicate the plan online to a wider public using social media tools such as info-graphics and short videos. This will build popular support for peace on the basis of a confederation.

The target groups will therefore be the Israelis and the Palestinians as well as the international community. On both sides of the conflict the project will target civil society as well as government and decision makers. In the international community, the project will target the diplomatic corps and the foreign governments operating in the region.

General Timeline:

- Month 1-2: Preparation of background papers for each working group and selection of expert participants for the working groups.
- Month 3: Official 2 day launch with all working group members.
- Months 3-9: up to 10 meetings of every workgroup and up to 10 meetings of the steering committee. These meetings will develop a draft plan of how the new framework will meet challenges currently facing a viable resolution.
- Month 10: Editing and distributing the final plan and outreach materials.

WHY IPCRI?

IPCRI is the only joint Israeli-Palestinian think tank in the world. Since 1988 IPCRI has engaged thousands of experts, officials, academics, activists and the general public in advocating for peace. IPCRI develops and promotes for solutions that both Palestinians and Israelis can support and that will provide a just and sustainable solution to both sides in the conflict. IPCRI has developed a vast network in Israel and the Palestinian territories, as well as abroad. Being action-oriented, IPCRI does not only develop ideas and plans, but also actively cultivates a support-base to advance a solution to the conflict through our grassroots and high-level projects targeting the Israeli and Palestinian societies.

As a joint think tank we have connections to both societies and politicians and thus have the leverage to push for both sides to listen and support our policy recommendations. Many of IPCRI's ideas have been used as a basis for previous agreements, including the Oslo Accords. When IPCRI initiated the first unofficial talks between Israeli officials and senior PLO members, the idea of a Palestinian state was only a dream; nevertheless five years later, the Oslo accords were established. However, we believe that we must not linger in nostalgia but answer the needs of our

present day and continue challenging Israelis and Palestinians to resolve this conflict. At present, we believe that a confederation might be a dream that can become reality because this plan is closer to the vast majority of Palestinian and Israeli hearts than any other plan.