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ISRAEL PULSE

US, international community should take lead on two-state solution

Ami Ayalon and Gilead Sher / May 6, 2015

If the new Israeli government does not back a two-state solution, it will make the United States' job of defending Israel "a lot tougher," warned Undersecretary of State for Political Affairs Wendy Sherman April 27. Achieving a two-state solution, however, will require a new paradigm that allows all stakeholders — Israelis, Palestinians, the United States and the international community — to take independent steps that advance a "reality" of two states. Independent movement is the key: It can negate the opposition of those who do not cooperate, while at the same time one side's actions are not contingent on what the other does or does not do.

The peace process over which Presidents Bill Clinton, George W. Bush and Barack Obama presided was flawed. It was predicated on the belief that direct negotiations were the only way to reach an Israeli-Palestinian agreement. It limited the US role to a mere convener, facilitating a dialogue between the parties, and made direct negotiations the goal, rather than the means for attaining a permanent agreement. This approach failed, and its failure gave excuses to rejectionists and extremists on both sides, allowing each to blame the other, while destroying the belief within the respective societies (and elsewhere) that an accord was possible in the foreseeable future.

Israeli Prime Minister Benjamin Netanyahu's election eve repudiation of the two-state solution, which he later walked back, further undermined belief. It underscores the necessity of pursuing an Israeli-Palestinian agreement, but not via the failed, direct negotiations-only approach, especially when the likelihood of the new Israeli government's cooperation is low. In fact, Sherman was referring to that very statement by Netanyahu when she issued the US warning.

Netanyahu's position on this issue is ambiguous and elusive, leaving little hope, and almost zero trust, that the new Israeli government will honestly negotiate an agreement on two states. His zigzagging prior to and following the March 17 elections was cynical and disrespectful.

Yet, the new Knesset, despite allowing Netanyahu to form a right-wing coalition, has a clear majority of members who support a two-state solution. The same applies to the majority of Israelis who have consistently preferred a Jewish democratic Israel alongside an independent Palestinian state. That is in Israel's best interest. The last

three US administrations have also viewed a two-state solution as being in America's interest. Its absence strengthens radical factions in the region and weakens US standing internationally, making it difficult to form an effective, pragmatic Sunni axis against radical Islam.

Under the new paradigm we propose, each of the four stakeholders — the United States, international community, Israelis and Palestinians — contributes to the creation of a two-state reality by taking its own, independent steps. The United States must take the first one — setting forth the parameters of the endgame. These were first drafted by President Clinton and subsequently refined in various fora, including the Bush-Quartet road map, the 2002 Arab League Initiative and, most recently, Secretary of State John Kerry's document summary of US insights from last year's negotiations.

These parameters are acceptable to the vast majority of the international community and to the majority of Israelis and Palestinians. To summarize, they entail borders based on the 1967 lines with equitable land swaps to allow Israel to keep the large settlement blocs; a demilitarized Palestinian state; adequate security arrangements; rehabilitation of the Palestinian refugees within the Palestinian state and in third countries; and an arrangement that allows the Jerusalem area to encompass two capitals, with freedom of worship and free access to the holy places.

The United Nations should then adopt the US parameters. Thereafter, the international community, led by the United States, could evaluate whether an independent step taken by either party moves us closer to the reality of two states, as defined in the parameters, and is thereby constructive, or takes us further away. It should establish a carrot-and-stick regime that encourages the parties to take constructive steps and deters them from destructive ones.

The Palestinian leadership, for their part, should seek UN recognition for a state, apply for full UN membership and establish a long-term truce with Hamas that allows for the rehabilitation and reconstruction of Gaza while preventing its rearming. These are constructive measures, while suing Israel in the International Criminal Court in The Hague or renewing violence are destructive steps.

Netanyahu should heed the warning from Washington and sign on to this new approach. Israel's constructive independent steps should include declaring it has no claim of sovereignty over areas beyond the West Bank security fence as well as halting settlement activity outside the settlement blocs and preparing for the relocation of the settlers who currently live there. Expanding settlements outside the large blocs is a destructive step.

This new approach does not in any way rule out a simultaneous regional dialogue within the scope of the Arab Peace Initiative or bilateral Israeli-Palestinian negotiations. After a paradigm shift from the negotiations-only approach toward a full agreement to independent steps toward a two-state reality, each party will be responsible for its own actions. Such a shift would make it much more difficult for any of the players to maintain a dishonest position by espousing rhetoric in support of a two-state solution while taking actions that do not. Most important, this new

approach could create movement toward that elusive, though vital goal, advancing US, international, Israeli and Palestinian interests.

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