

The EU, the Middle East Quartet and (In)effective Multilateralism

Nathalie Tocci

Series editors:

John Peterson, University of Edinburgh (john@peterberg.org)

Gunilla Herolf, Stockholm International Peace Research Institute (herolf@sipri.org)

Nadia Klein, University of Cologne (nadia.klein@uni-koeln.de)

Wolfgang Wessels, University of Cologne (wessels@uni-koeln.de)



The EU, the Middle East Quartet and (In)effective Multilateralism

Abstract

In the past, mediation of the Arab-Israeli conflict was unilateral in character and dominated by the United States (US). In the 21st century, time seemed ripe for a reshuffle of Middle East mediation. In 2002, the “Middle East Quartet” was created, constituted by the European Union, Russia, the United Nations (UN) and the US. A decade later, has the Quartet affirmed itself as an effective multilateral forum, and has the EU contributed to the realization of this goal? Alas, the Quartet has not affirmed itself as either a genuinely multilateral or effective mediation forum . Its activities have reflected either the EU’s unsuccessful attempts to frame American initiatives within a multilateral setting, or the US’s successful attempts at providing a multilateral cover for unilateral actions. The Quartet is not without value. But to play a useful role, it should be enlarged and reshaped as a forum to establish a renewed international consensus on the Arab-Israeli conflict.

Nathalie Tocci
Email: n.tocci@iai.it

<http://www.mercury-fp7.net/>

ISSN 2079-9225

Table of contents

Introduction.....	3
The Middle East Quartet as a Case of Crystallizing Multilateralism	3
Reviewing the Quartet’s Actions...and Inactions.....	6
Promoting Palestinian Reform.....	7
The Roadmap.....	8
Disengagement.....	9
The Quartet’s Conditions on Hamas.....	11
The West Bank First Policy and the Office of the Quartet Representative.....	13
The Quartet as a Case of (In)effective (Uni)multilateralism?.....	15
Multilateral in Name, Unilateral in Practice.....	15
An Ineffective Cure to Middle East Mediation?.....	19
Divergent Objectives Behind a Multilateral Veil.....	23
Conclusions	26
References.....	28

The EU, the Middle East Quartet and (In)effective Multilateralism

Introduction

In the past, mediation of the protracted Arab-Israeli conflict was exclusively unilateral in character, being dominated by the United States. With the outbreak of the second intifada in 2000, time seemed to be ripe for a substantial reshuffle of Middle East mediation. In 2002, what became known as the “Middle East Quartet” came into being, constituted by the European Union, Russia, the United Nations and the United States. In principle, this new format reflected the exigencies of effective mediation in a new context. Over the course of the 1990s, the EU had emerged as a principle donor to the occupied Palestinian territory (OPT) and the nascent Palestinian Authority (PA). Russia, not only remained a major power and UN Security Council (UNSC) permanent member, but also enjoyed historically close ties to the Arab world and, more recently, an organic bond to the large Russian community in Israel. The United Nations brought with it international legitimacy. And few doubted that the US continued to be a vital player, the only one with the clout to substantially alter the parties’ negotiating stances.

A decade has passed since the establishment of the Quartet, making an assessment of its workings a timely undertaking. In this context, this article explores the Quartet as a case of a crystallizing multilateral mediation focusing on two questions. First, can the Quartet be regarded as a case of ‘effective multilateralism’? Has it been genuinely multilateral? Has it been effective? Second, the Quartet came into being around the same time as the EU proclaimed, for the first time, the goal of ‘effective multilateralism’ in its 2003 Security Strategy (European Council 2003). This was no coincidence.¹ In view of this, how can we assess the EU’s performance as an actor in the Middle East Quartet? Has the EU contributed to the Quartet as a case of effective multilateralism?

The Middle East Quartet as a Case of Crystallizing Multilateralism

The Middle East Quartet emerged from a foreign ministers meeting in Madrid in April 2002. Present at the gathering were US Secretary of State Colin Powell, EU High Representative for the Common Foreign and Security Policy (CFSP) Javier Solana, Spanish Minister of Foreign Affairs Ana Palacio, UN Secretary General (UNSG) Kofi Annan and Russian Minister of Foreign Affairs Sergei Lavrov (Musu 2007).

¹ Conversation with senior EU official, May 2011.

The birth of Quartet reflected the exigencies of the early twenty-first century. At the time, the second Palestinian intifada was at its height, featuring widespread Israeli military incursions into the OPT and repeated Palestinian suicide bombings. The peace process was in tatters. Following the collapse of negotiations at Camp David II in the summer of 2000 and Taba in January 2001, successive attempts to break out of the cycle of violence and restore dialogue between the parties came to no avail. The 2000 Mitchell report recommendations and the 2001 Tenet security workplan remained on paper. Violence raged on the ground. In those tragic months of 2000-2001, the EU Special Representative for the Middle East Peace Process, the Special Representative of the UNSG and the Russian Ambassador to Israel frequently met in Tel Aviv to seek ways to respond jointly to the unfolding crisis.² Their common thinking and purpose was that of finding a way to reignite the peace process and the US's role in it: in the words of a former UN senior official: 'a roadmap to the roadmap'.³ Albeit reluctant at first, the US Ambassador to Israel ultimately came round, not only to seeing the urgency of re-sparking a political process, but also of doing so with the support of the US's international partners in the region. The establishment of the Quartet one year later –in April 2002– was then almost accidental. In Madrid, Secretary of State Colin Powell met with his EU, UN and Russian counterparts, who had been meeting regularly, at lower levels, for one year on the ground. The Secretary of State saw the potential benefits of broadening international support for US initiatives in the conflict. The Quartet had officially come into being.

What became known as the Quartet thus included four actors: the United States, the European Union, Russia and the United Nations. Its aim was to create a multilateral framework aimed at an Israeli-Palestinian negotiated solution based on UN Security Council (UNSC) resolutions 242 (1968) and 338 (1973), alongside the "land for peace" principle enshrined in the Oslo process. More concretely, the stated aim of the Quartet was to support the establishment of two states, Israel and Palestine, living side by side within secure and recognized borders, as affirmed by UNSC resolution 1397 and endorsed by US President George W. Bush. The Quartet also explicitly lent its political backing to the Saudi peace initiative – later endorsed by the Arab League and now known as the Arab Peace Initiative – which foresaw a full normalization of Israel's relations with the Arab world alongside a comprehensive Arab-Israeli peace, including, not only Israel-Palestine, but also Syria and Lebanon. The Middle East Quartet, therefore, did not aim at supplanting the US-led Middle East peace process. Less still, did it aim at reversing the principles of the peace process launched at the 1991 Madrid conference and pursued in the 1990s through the Oslo peace process. It rather aimed at instilling new momentum in the moribund peace

² Conversation with former senior UN official, May 2011.

³ Conversation with former senior UN official, May 2011.

process by complementing American mediation with the support of three critical players: the EU, the UN and Russia.

Viewed from this angle, the Quartet had a watertight rationale. In the twenty-first century, the logic of a closed-three party game featuring the two conflict parties –Israel and the Palestinian Liberation Organization (PLO)– and one mediator –the US– seemed wanting. The US continued to bring with it the strategic leverage, not only over the Palestinians, but above all over Israel. But George W. Bush’s first administration had little interest in the Israeli-Palestinian conflict, immersed, as it was, in its “Global War on Terror” and in garnering momentum for its planned attack on Iraq. With the Clinton administration gone and the intifada in full swing, the days of American monopoly over Middle East mediation appeared over.

The European Union, for its part, had become the most important donor to the PA over the course of the 1990s. But as tirelessly reminded by Palestinians, the EU was ‘a payer but not a player’.⁴ Indeed the Union watched the unfolding drama in the Middle East with extreme concern and unending declarations, but was well aware that it could do precious little to unblock the impasse on its own. The EU, while not in the driver’s seat, was an economic pillar of the peace process and was politically motivated to support American mediation. The EU’s upgraded political role was desired particularly by the Palestinians, who, at the time, believed that it could counterbalance the pro-Israel bias in American foreign policy (Yorke 1999). The complementarities between the US and the EU in Middle East peace-making thus seemed evident. Russia and the United Nations played a more secondary, but nonetheless important, role. The UN, as the repository of international law, brought with it international legitimacy, adding weight to a peace process aimed at respecting at least three UNSC resolutions (i.e., 242, 338 and 1397) (Prendergast 2006). The UN’s involvement was welcomed by the Arab world and the developing world more broadly. Russia, while not the superpower it once was, had been a co-sponsor of the Madrid conference, is a UNSC permanent member and continues to enjoy close ties to the Arab world (and particularly to Syria). Since the collapse of the Soviet Union, it has also progressively strengthened its relations with Israel, not least due to the presence of over one million Russian citizens in the country. In view of this, the Quartet was applauded by many at the time as an effective multilateralization of Middle East mediation.

More precisely, the Quartet represented a case of ‘crystallizing multilateralism’ (Peterson et al 2009). Unlike international organizations, the Quartet has remained deliberately

⁴ A phrase often repeated by Palestinian officials, academics and civil society leaders in meetings in Jerusalem, Ramallah and Gaza City since 2002.

uninstitutionalized and flexible. Yet it is not an ad hoc gathering of actors. Since 2002, its representatives have met regularly focusing on a single issue, have issued a series of joint statements and have conducted a number of key initiatives. The Quartet is endorsed by the UN Security Council (UNSC resolution 1435, September 2002). The Quartet has also nominated high-level personalities of the likes of James Wolfensohn and Tony Blair to act on its behalf, and has developed an operational capability to support their missions. Comparable to other “contact groups” or “group of friends” active in other conflict settings, the Quartet has thus crystallized as a multilateral endeavour, without transforming itself into an international organization or having any prospects of doing so.

Notwithstanding, the Quartet was and is multilateral in theory. It includes more than three actors (i.e., four), which are brought together on a voluntary basis, on the grounds of the shared principle of promoting a two-state solution to the Middle East conflict. The Quartet fits the definition of ‘three or more actors engaging in (more or less) institutionalised and voluntary cooperation governed by norms or rules that apply (more or less) equally to all’ (Bouchard and Peterson 2010). To be fair, the Quartet was (and is) a strange creature. It includes two states, one international organization, represented however by the UN Secretary General and Secretariat, and one *sui generis* international entity: the EU. True to its peculiarities, the EU was represented by three actors, the Commissioner for External Relations, the CFSP High Representative, and the Presidency of the EU. It is only in the post-Lisbon Treaty world that a rationalization has taken place in EU representation, with High Representative for the CFSP/Vice President of the Commission Catherine Ashton representing the EU in the Quartet. According to Keohane (1990: 732), multilateralism should be limited to cooperation among states, meaning that the Quartet would not fit the bill. But the twenty-first century has called into question this state-centric reasoning, insofar as problems (and solutions to them) are recognized as deriving from (and thus requiring responses by) states and non-state actors alike (Klabbers 2005: 382). In the dark days of 2002, the Quartet – its peculiarities notwithstanding – seemed to represent the ideal N-group to resolve the thorny Middle East conflict.

Reviewing the Quartet’s Actions...and Inactions

The Quartet thus emerged almost a decade ago and, at the time, held the promise of an effective multilateralization of the Middle East peace process. Unsurprisingly, the EU, which in 2003, made clear its ambition to promote ‘effective multilateralism’, was a principal driver and advocate behind this endeavour. A decade down the line, what has the Quartet done and what role has the EU played in it?

Promoting Palestinian Reform

Almost upon its inception, the Quartet immersed itself in the question of Palestinian reform. In its July 2002 joint statement, the Quartet declared: 'Consistent with President Bush's June 24 statement, the UN, EU and Russia express their strong support for the goal of achieving a final Israeli-Palestinian settlement, which, with intensive effort on security and reform by all, could be reached within three years from now'. The Quartet took the cue from the US, and President Bush's 24 June call for Palestinian reform. The US was thus immediately confirmed as *primus inter pares* in the Quartet, which supported and made its own Washington's push for the PA's reform.

To do so, the Quartet based itself on the 100-day reform programme published by the PA in early 2002 and established an International Task Force on Palestinian Reform under its aegis. Beyond the Quartet's representatives, the Task Force included also other major donors to the PA, namely Canada, Japan, Norway, the International Monetary Fund and the World Bank. It also met regularly with the Arab League's Follow-up Committee, consisting of Egypt, Jordan, Saudi Arabia, Lebanon and Syria. The Task Force established seven working groups on the multiple aspects of PNA reform, notably on financial accountability, civil society, local government, elections, judicial reform, administrative reform and the market economy. The principal goals of the working groups were the eradication of corruption, the decentralization of power through a greater independence of the judiciary, the strengthening of local government and of civil society, the preparation for free and fair elections, and an effective and transparent regulatory framework to spur private sector development.

Within this endeavour, the EU played a prime role. As and when President Bush started humming the tune of Palestinian reform, in a not-so-veiled attempt to oust President Arafat, the EU, rather than contrasting Washington head-on, endorsed its line, while concomitantly trying to modify it. The EU appropriated the language of Palestinian reform, but recast it in a broader (and less personalized) framework. Rather than pressing for regime change and the removal of Arafat, the EU focused on the broader problematique of Palestinian reform. The EU's aim in pursuing Palestinian reform was both direct and indirect. On the one hand, the EU was directly interested in engaging the Quartet on Palestinian reform. Indeed, the Commission had been focusing on Palestinian reform before the widespread Israeli and American interest in the question. The first EU-sponsored attempt to highlight the deficiencies of the PA came in 1999, with the publication of the Rocard-Siegmán Report (Sayigh and Shikaki 1999). By 2001, the EU had started conditioning its financial assistance to the PA, drawing from the recommendations of the Rocard-Siegmán Report, the

Palestinian Legislative Council (PLC), Palestinian NGOs and PNA officials. These recommendations included ratifying and enacting the Basic Law and the Law on the Independence of the Judiciary, establishing a Constitutional Court and a High Judicial Council, abolishing State Security Courts, holding elections, redistributing competences within the executive, ensuring the transparency of public finances and restructuring municipalities, the civil service and the security sector. On the other hand, the EU hoped that by working on Palestinian reform, the Quartet would indirectly induce a re-launch of the peace process by reengaging the US (and thus Israel) in it.

The EU's approach was largely endorsed by the Quartet. Rather than the US's single-minded focus on removing Arafat and creating the post of prime minister (as a means to dilute President Arafat's power), the Quartet adopted the EU's more comprehensive understanding of Palestinian reform (Emerson and Tocci 2002). The seven working groups established under the aegis of the Quartet were a reflection of this. The European Commission chaired, either alone or jointly with other donors, several working groups. A further area of considerable interest and discussion by the Quartet was that of security sector reform. Indeed the reform of the fragmented security services under Arafat at the time was perhaps the thorniest question of Palestinian reform. Yet largely reflecting the EU's lack of competence on this issue (which has partly been reversed since then, with the launch in 2007 of the EUPOL-COPPS mission in the West Bank), the Quartet did not establish a specific working group on security sector reform. The United States, alongside Egypt, Jordan, and, of course, Israel, retained a monopoly over this issue.

The Roadmap

Alongside the Quartet's technical work on Palestinian reform, members of the Quartet engaged in a major diplomatic endeavour between 2002 and 2004: the "Roadmap". Work on the Roadmap began in the summer of 2002, and a first version of the document was published in September of that year. After several iterations, the final version of the document was published in April 2003, and was subsequently endorsed by UNSC resolution 1515 in November 2003.

The Roadmap and the work on Palestinian reform were intertwined. Insofar as the indirect aim of Palestinian reform was that of reigniting the peace process and the US's mediation of it, the Roadmap provided the diplomatic framework to achieve this (Emerson and Tocci 2002). The Roadmap foresaw three phases of implementation aimed at establishing a Palestinian state in three years:

I. cessation of violence, Palestinian reform, including security sector reform, settlement freeze, Israeli withdrawal to the pre-intifada (28 September 2000) lines ‘as the security situation improves’, and Palestinian elections.

II. creation of a Palestinian state with provisional borders.

III. Israeli-Palestinian negotiations leading to a permanent status solution.

The principles of the roadmap included reciprocal steps undertaken by Israelis and Palestinians in the security, political, economic, humanitarian and institutional domains, and, no less important, steps that were intended to be ‘performance-based’, i.e., based on actual implementation. By inserting Palestinian reform in phase 1, and directly working on this task, the Quartet aimed at putting the Roadmap immediately in action by inducing Israel’s reciprocal steps and thus re-launching the peace process.

As per the case of reform, the Roadmap endorsed some elements of Washington’s strategy, epitomized by President Bush’s 24 June 2002 speech, while ignoring others (Emerson and Tocci 2002). Specifically, the Roadmap accepted the notion that Palestinian reform was a precondition for final status negotiations, but refused to focus on regime or leadership change in the PA. The Roadmap also insisted on reciprocity/parallelism in the first phase. Hence, alongside Palestinian security reform, the Roadmap foresaw a parallel cessation of Israeli settlement activity and withdrawal to the pre-28 September 2000 positions. Finally, the Roadmap introduced the novel idea of a state with provisional borders.

As on Palestinian reform, the EU was in the lead within the Quartet also on the Roadmap (Douma 2006). The first text of the Roadmap was drafted by the Danish Presidency of the EU in August 2002, inspired, in turn, by German Foreign Minister Joschka Fischer’s April 2002 “seven point plan” to achieve a peace settlement (Asseburg 2003). The idea was that of operationalizing President Bush’s vision of two-states, through a three-year process leading to the establishment of a Palestinian state in 2005. Once again, the concept and strategy was that of taking the cue from the United States, but moulding it according to the EU’s own aims and logic.

Disengagement

Months and years passed, and the parties remained stuck on the first phase of the Roadmap. Progress in restarting the peace process was nowhere in sight. The Palestinians had made some steps forward on their reform commitments in the Roadmap. Yet Palestinian violence, Israeli settlement construction and Israeli military presence and incursions in the OPT continued. Pressure was mounting on Israel in particular. In response, the Sharon government seized the opportunity to kill two birds with a stone by

proposing a unilateral disengagement from the Gaza Strip. On the one hand, the disengagement plan was premised on unilateralism (as opposed to a negotiated agreement) and relieved Israel of the costs of direct occupation of the Strip. Indeed, not only did Gaza not have the same degree of political and religious symbolism of the West Bank and East Jerusalem, but also the Israeli security establishment was fully mobilized to protect a mere 8,500 Jewish settlers amongst 1.5 million Palestinians crammed in a narrow 40 km strip. On the other hand, disengagement was presented as a critical Israeli move towards peace, while distracting attention from Israel's ongoing construction of settlements and the separation barrier in the West Bank. No matter the details of the plan and the other actions that Israel pursued, it was difficult to contrast a home-grown Israeli push for dismantling settlements in the OPT.

The Quartet endorsed Israel's disengagement plan in its 9 May 2005 statement: 'The Quartet stresses the importance of full and complete Israeli withdrawal from Gaza in a manner consistent with the Roadmap as an important step paving the way toward realizing the vision of two democratic states'... while emphasizing that 'no party should take unilateral actions that prejudice final status issues'. In other words, just like the Quartet's initiatives on Palestinian reform and the Roadmap had taken the cue from Washington (namely, Bush's 2002 speech), the Quartet now reacted to an Israeli move. The logic was the same. Rather than contrasting the move *tout court*, the Quartet embraced it, while attempting to mould it to its liking. Precisely, the Quartet endorsed what it approved from the disengagement plan – i.e., the withdrawal of settlements from the Gaza Strip – but refuted (or rather ignored) what it did not – i.e., its unilateral character. The declared intention, as argued by a Commission official, was that of casting disengagement within the framework of the Roadmap.⁵ Viewing disengagement as an opportunity to be seized, the Quartet appointed a "Special Envoy for the Gaza Disengagement", James Wolfensohn. The former president of the World Bank and his team on the ground, including representatives from all four Quartet members, was mandated to work on the non-security related aspects of disengagement, namely the disposition of assets, passages between the West Bank and Gaza, access and trade to and from the Gaza Strip, and the revival of Palestinian economy. In this light, Wolfensohn played a critical role in securing the November 2005 Agreement on Movement and Access (AMA).

Unlike the cases of Palestinian reform and the Roadmap however, on disengagement, the US was in the lead. The EU played an important role in casting disengagement within the framework of the Quartet. The EU also staffed and financed the Office of the Quartet Envoy for Disengagement. However, the Envoy himself was ultimately sidelined when the major

⁵ Conversation with the author. Brussels, November 2005.

breakthrough of the AMA was brokered. When push came to shove, it was Secretary of State Condoleezza Rice who balked in the limelight of the AMA's diplomatic success. The EU, instead, played an important role as implementor of the AMA (EMHRN 2009). Its decision to deploy the EUBAM Rafah mission on the border between Gaza and Egypt in 2006 was an integral part of the functioning of the agreement. However, EUBAM-Rafah was not used to induce a proper functioning of the AMA. On the contrary, EUBAM, which required Israeli cooperation at the Kerem Shalom crossing, in practice acquiesced in the frequent closure of Rafah. The closure of the Rafah crossing increased dramatically after 10 June 2006 – two weeks prior to the capture of Israeli Corporal Gilad Shalit – when Israel halted its cooperation at Kerem Shalom. With EU monitors unable to reach Rafah, the crossing was closed 85 percent of the time between June 2006 and June 2007. The closure of the Rafah crossing had serious implications for the access of Palestinians to healthcare, academic opportunities and employment abroad, for the separation of families, for commerce and business, and in terms of fuelling a general sense of entrapment amongst the civilian population of the Gaza Strip.⁶ EUBAM cannot be held primarily responsible for the closure of the Rafah crossing. Yet by remaining part of the AMA arrangement despite the frequent closure of Rafah up until June 2007 (and its permanent closure thereafter), the EU acquiesced in the collective punishment caused by the closure (Gisha and Physicians for Human Rights 2009).

The Quartet's Conditions on Hamas

All the Quartet initiatives reviewed above – Palestinian reform, the Roadmap, and Disengagement – were reactions to US and Israeli impulses, aimed at steering these in directions which the Quartet (and in particular the EU) viewed as more conducive to peace. In 2006 this changed. When it came to the international response to the January 2006 Palestinian legislative elections, the Quartet itself was in the lead, defining what became known as the Quartet's conditions on Hamas. The precursor to the Quartet's conditions were two statements, on 20 September and 28 December 2005. In its September statement, the Quartet did not prejudge participation in the elections, but pointed out the incompatibility between participating in elections and possessing armed militias. More explicitly, in December, the Quartet, while welcoming the elections as a landmark in Palestinian democracy, called on all participants to 'renounce violence, recognize Israel's right to exist, and disarm', adding that the future PA should not 'contain members who are not committed to these principles'. Immediately after Hamas' landslide electoral victory, on 30 January, the Quartet reaffirmed its position: 'It is the view of the Quartet that all members of a future Palestinian government must be committed to non-violence, recognition of Israel,

⁶ Interview with Gisha, Tel Aviv, March 2009.

and acceptance of previous agreement and obligations, including the Roadmap'. In addition, the Quartet introduced the notion of aid conditionality linked to these principles. In the same statement, it posited that it was 'inevitable that future assistance to a new government would be reviewed by donors against the government's commitment to the principles of non-violence, recognition of Israel, and acceptance of previous agreements and obligations'.

The Quartet did not stop here. Having set out the principles and presented the notion of conditionality, it also judged the PA's performance. A mere two days after the adoption of the new Palestinian government's programme on 28 March (and thus based on the PA's words rather than deeds), the Quartet declared: 'there inevitably will be an effect on direct assistance to that government and its ministries'. The Quartet adjudicated on the need for negative conditionality, be this in the form of boycotts, sanctions or withdrawal of assistance to the PA. With the green light from the Quartet, three of the four Quartet members engaged in negative conditionality on the Hamas government. The European Union, the United States and the United Nations Secretariat (particularly after UNSG's Annan's end of office in 2007) all boycotted the Hamas government, refusing contact with its representatives. In addition, the US, and, above all, the EU, opted for a maximalist interpretation of what no cooperation with Hamas meant, sanctioning the government by withdrawing its assistance to (and through) it. In addition, the international community froze international bank transactions in the OPT following the US Congress' Palestinian Anti-Terrorism Act.⁷ Alongside them, Israel refused to transfer Palestinian tax revenues to the PA, arrested dozens of Hamas ministers and parliamentarians, and restricted their movement within and to/from the OPT, in practice making Palestinian governance impossible (Tocci 2007a).

Sanctions and boycotts sting. But when it comes to an occupied territory lacking a recognized and independent state, sanctions and boycotts are lethal. Indeed two months after the suspension of contacts with, and aid and tax revenues to the Hamas government, the PA was on the brink (Office of the Special Envoy for Disengagement 2006; United Nations 2006; Oxfam 2007). A collapse of the Authority was not in the interest of the Quartet, committed as it was to a two-state solution, of which the PA was the embryo. Less still was it in the interest of Israel, which, as occupying power, would have had to reengage in the costly task of administering directly the OPT. Finding a way out was imperative. Here again, the Quartet took the lead. In its 9 May 2006 statement, it called for a Temporary International Mechanism (TIM) aimed at resuming direct assistance to the Palestinians, while by-passing the Hamas government. Beginning in August 2006, through the TIM the international community provided social allowances to civil servants and pensioners, direct

⁷ 'Palestinian Anti-Terrorism Act of 2006', <http://www.govtrack.us/congress/bill.xpd?bill=h109-4681>

financial and material support to the health, education, water and social sectors, as well as funds to pay fuel bills (EMHRN 2009).

Unlike in the cases of Palestinian reform and the Roadmap, when it came to the Quartet's approach to Hamas, Washington, rather than Brussels (Moscow or New York) was in the lead (de Soto 2007). The Bush administration was behind the Quartet's push for the principles and conditionality on Hamas. Likewise, it was the Bush administration that pressed, a mere two days after the adoption of the Hamas government's programme in March 2006, for sanctions and boycotts. The EU, more or less willingly, followed. The EU followed the Quartet's idea of conditional engagement with the new Palestinian government (Council 2006). In view of the inclusion of Hamas on the EU terrorist list since 2003, some form of EU conditionality was necessary. For normal diplomatic contacts to take place and to cooperate with Hamas financially and politically, Hamas would have had to be removed from the terrorist list, and to do so it would have had to demonstrate its disavowal of terrorism. Yet the EU, following Washington's lead in the Quartet, went much further both in terms of its demands on Hamas as well as its response to Hamas' non-compliance. As far as the demands are concerned, the EU General Affairs Council, like the Quartet, did not simply call upon Hamas to renounce violence. It also urged Hamas to recognize Israel's right to exist and accept previous agreements signed between Israel and the PLO (of which Hamas is not part). As far as the response goes, the EU, like the US, but unlike Quartet member Russia,⁸ boycotted and sanctioned the new PA. Only in May 2006, when the PA, in which the Union had invested so much, was on the verge of collapse, did the EU mobilize within the Quartet to approve the TIM. It was also the EU, that upon the TIM's approval, managed and channelled the lion's share of international assistance to the Palestinians through it. Indeed, the TIM, alongside growing humanitarian needs, led to a surge in EU aid to the OPT. Commission and member state aid rose from €500 million in 2005 to almost €700 million in 2006 and €1 billion in late 2007 (Commission 2008).

The West Bank First Policy and the Office of the Quartet Representative

The Quartet's approach to Hamas has remained unchanged since 2006. Its assessment of the PA was negative in March 2007, when the rival Palestinian factions – Hamas and Fateh – under Saudi mediation, brokered a National Unity Government (NUG) (Tocci 2007a). The NUG, facing persisting international isolation and sanctions, lasted a mere three months. It collapsed in June 2007, when intra-Palestinian violence culminated in the political separation of the West Bank from the Gaza Strip, with Fateh in control of the former and Hamas of the latter. Since then, the Quartet, ignoring the uneasy truth that the Fateh-led PA

⁸ Upon its electoral victory in January 2006, Russian Foreign Minister Sergei Lavrov met Hamas political bureau chief Khaled Meshal in Moscow.

lacked democratic legitimacy and accountability, embraced the new Authority in the West Bank as the 'legitimate Palestinian Authority'. It continued to boycott and sanction the Hamas-led government in the Gaza Strip (21 June 2010 statement). This approach crystallized in what became known (but officially denied) as "West Bank first": the idea that the international community should cast its attention to the West Bank, building institutions and making the West Bank a more decent place to live in. This should have induced Palestinians in the Gaza Strip to revolt against Hamas and reintegrate under the Fateh-led PA.

To accomplish this (unspelt) task, the Quartet appointed a new Representative: former British Prime Minister Tony Blair. Blair, unlike Wolfensohn before him, was not based in the region but rather in London. He has travelled to the region (relatively) frequently however.⁹ Blair's mandate was that of mobilizing international assistance, securing international support for governance needs, and promoting economic development, capacity building and 'transformative change' in Palestine.¹⁰ In principle, Blair's mandate did not cover only the West Bank. In practice it mainly did, supporting Salam Fayyad's Reform and Development Plan, presented at the Paris donor conference in December 2007. Since 2007, the Quartet has repeatedly voiced its concerns for the economic and humanitarian situation in the Gaza Strip. The Office of the Quartet Representative has also worked to promote marginal improvements on access to Gaza so as to facilitate reconstruction (after Operation Cast Lead), humanitarian assistance and a modicum of economic activity. But the Quartet has done nothing to induce reconciliation between Hamas and Fateh and to contribute to a balanced development strategy for the OPT. Its activities related to easing of movement restrictions, private sector development, East Jerusalem, the rule of law, tourism and PNA financing have essentially concerned the West Bank-based government rather than Gaza.

As in the case of disengagement and conditionality on Hamas, the EU, rather than the driver and advocate of the West Bank first policy within the Quartet, was its principal implementor. The political push, again, came from Washington. The EU implemented this approach, through its copious assistance to the PA (via its financial mechanism approved in the fall of 2007 – Pegase), its CSDP mission EUPOL-COPPS, and by staffing and financing the Office of the Quartet Representative.

⁹ The Quartet representative has offices in both London and Jerusalem.

¹⁰ Being a former head of state, Blair, while not playing an explicitly political role, has been able to regularly interact with Israeli and Palestinian leaders on the ground. Conversation with Office of the Quartet Representative officials, May 2011.

The Quartet as a Case of (In)effective (Uni)multilateralism?

Over the last decade, the Quartet has affirmed itself as the official international forum for resolving the Middle East conflict, issuing regular statements and conducting a series of initiatives. In its first two initiatives – related to Palestinian reform and the Roadmap – the EU was in the political lead within the Quartet, taking the cue from Washington’s unilateral moves outside the Quartet in support of a two-state solution premised on a reformed Palestinian Authority. The EU latched on to President Bush’s June 2002 speech, attempting to operationalize it within the context of the Quartet. At a time when Washington showed little interest in the Israeli-Palestinian conflict, the EU’s aim was that of reigniting the peace process and the US mediation of it. By 2005-2006, this trend was reversed. With the disengagement plan, the Quartet once again reacted and attempted to mould an impulse coming from outside: this time from Israel. Yet the political drive within the Quartet now came from Washington. The second Bush administration was far more engaged in Middle East mediation. It endorsed Sharon’s disengagement plan, attempting to cast it within the framework of the peace process. The EU (and the other Quartet members) followed suit. The last two initiatives, related to Hamas and the West Bank, were home-grown within the Quartet. Here again, the political drive came from the US, keen to ensure that its hardline stance towards Hamas became enshrined in (and legitimized by) a broader multilateral forum: the Quartet. In these last three initiatives – disengagement, Hamas conditionality and West Bank first – the EU played a critical role. But the Union was no longer the political driving seat. It was rather the key implementor of these initiatives. Not only did the Union fund and staff the offices of the Quartet’s Special Envoys. As the principal donor to the OPT, the Quartet’s approaches towards Hamas and, later, the West Bank, hinged on the EU’s full cooperation.

Having reviewed the Quartet’s initiatives over the last decade and the EU’s role in them, let us turn to an assessment. To what extent can the Quartet’s actions (and inactions) be viewed as truly multilateral and effective? Insofar as effective multilateralism is a key goal of the EU’s Common Foreign and Security Policy, addressing this question is of critical relevance to the European Union.

Multilateral in Name, Unilateral in Practice

In the early twenty-first century, with the collapse of the Oslo process and the eruption of the “Global War on Terror”, the era of unilateral American mediation seemed over. A decade later, has the Quartet affirmed itself as a genuine multilateral endeavour to promote peace in the Middle East? Formally, it has. The role between the four Quartet partners has not been equal, with the US and the EU adopting a more proactive role than the UN and

Russia. But all actors have endorsed and engaged in the Quartet's initiatives reviewed above. However, scratching beneath the surface, the extent to which mediation in the Middle East has become truly multilateral is highly questionable. As put unflatteringly by Arab League Secretary General Amr Moussa, the Quartet ought to be understood as a 'Quartet *sans trio*' (Patten 2006, 109).

Not only has the US been *primus inter pares* within the Quartet, but the Quartet's early activities entirely revolved around engaging Washington rather than multilateralizing Middle East mediation. This was a time in which the "ABC" ("anything but Clinton") mantra was trumpeted in Washington. Indeed, in the early years of the George W. Bush administration, American interest in engaging in the Israeli-Palestinian peace process was close to nil. The Quartet, and notably the EU within it, twisted and turned in order to reignite American interest in mediation. The Quartet's first official statement on 10 April 2002 highlighted the US's primacy amongst the four: 'The UN, EU and Russia express their strong support for Secretary of State Powell's mission'. Immediately, thereafter, the Quartet's early efforts regarding Palestinian reform and the Roadmap were as much (if no more) aimed at Washington than at the conflict parties. The vagueness of many of the conditions of Palestinian reform and commitments in the Roadmap were testimony to the fact that the prime purpose of these initiatives was to "baby-sit" the peace process, i.e., maintain the semblance of a diplomatic process alive while waiting for the principal mediator – the US – to return from Iraq and reengage in Israeli-Palestinian mediation.¹¹ Never did the Quartet aspire to replace the US as the official mediator of the Middle East conflict. Never did it aim at truly multilateralizing mediation. In 2002-2005, a large share of the Quartet's *raison d'être* was simply that of inducing the Bush administration to reengage in Middle East peace-making. Yet for the US in those years, the Quartet was paradoxically a useful means to give the impression that it was engaging in the peace process without substantively committing to it.¹²

This changed with the second Bush administration, without, however, altering the dynamics of the Quartet (de Soto 2007). Since 2005-6, the US reengaged in the Israeli-Palestinian conflict. In so doing, its approach towards the Quartet changed, but not in a manner that supported a true multilateralization of mediation.

On the one hand, the United States engaged more actively in the Quartet, but viewed it, not as a means to multilateralize mediation, but rather as a forum to legitimize its own unilateral

¹¹ Remarks by Khalil Shikaki at a track-two conference on the Israeli-Palestinian conflict in September 2003, Athens.

¹² Conversation with US-based analyst, June 2011.

efforts in the conflict.¹³ Particularly after the height of America's unilateral moment – i.e., the 2003 war in Iraq – the Quartet served as a forum for the Bush administration (and the State Department in particular) to convey the message that the United States was still committed to multilateralism. Hence, rather than the Quartet (and the EU within it) achieving its unspelt intent of moulding American action to its liking, the US, after 2005-6, successfully used the Quartet to legitimize its own (unilateral) preferences.

In 2005, the Quartet's endorsement of Sharon's disengagement plan reflected the Bush administration's support for the plan.¹⁴ In the best of interpretations, disengagement was a spectacular *fuite en avant*: Sharon's leapfrogging of the Roadmap to its second phase. The Quartet scrambled to set conditions that cast disengagement within the framework of the Roadmap. But despite Sharon's carefree neglect of these conditions, the Quartet, under the US's strong impulse, continued to back disengagement and established an apposite Office to support it. James Wolfensohn was, in fact, initially meant to act as the US envoy on disengagement. It was only upon a concerted insistence by the UNSG and the EU, that Secretary of State Condoleezza Rice accepted that he should be the Quartet's Envoy. As discussed above, Wolfensohn painfully cobbled together the November 2005 AMA. But not only did Secretary of State Rice step in at the eleventh hour, elbowing aside the Quartet Envoy. She also unilaterally brokered last minute changes to the agreement as the Quartet watched on the sidelines.

Even starker is the way in which the US persuaded the Quartet to endorse its unilateral preferences regarding Hamas. As argued by the former UNSG representative Alvaro de Soto (2007), the Quartet could have been used as the ideal forum for the international community to follow a 'common but differentiated approach' towards the new Palestinian government. Two Quartet members – the US and the EU – had domestic constraints in dealing with Hamas, having listed the movement as a terrorist organization. Yet the other two Quartet members – the UN and Russia – did not. The Quartet could have represented the ideal means to engage in diplomatic constructive ambiguity: concomitantly exerting pressure on Hamas without cutting all ties to it. But rather than pursuing this track, the US

¹³ Conversation with US-based analyst, June 2011.

¹⁴ The US's support for the disengagement plan was reflected in President Bush's "letter of assurances" to Israeli Prime Minister Sharon in April 2004 suggesting that, in the framework of a final settlement, the US would be ready to accept vital concessions such as the annexation of key settlements in the West Bank ('In light of new realities on the ground, including already existing major Israeli populations centers, it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949') and the denial of the right of return to Palestinian refugees ('a just, fair and realistic framework for a solution to the Palestinian refugee issue as part of any final status agreement will need to be found through the establishment of a Palestinian state, and the settling of Palestinian refugees there, rather than in Israel'). See <http://www.mfa.gov.il/MFA/Peace+Process/Reference+Documents/Exchange+of+letters+Sharon-Bush+14-Apr-2004.htm>

led the Quartet to toe its line. As candidly reported by de Soto (2007: 18), the US did not limit itself to talking its Quartet partners into the merits of its approach. It went as far as threatening to review the US contribution to the UN budget lest the Quartet followed its approach. In this context, de Soto (2007) dubbed the Quartet as a 'contact group' or 'group of friends' not of the conflict parties, but rather of the US.

Finally, the appointment of Tony Blair as Quartet Representative in 2007 also highlighted the US's unilateral instincts. At first sight, the former British prime minister may have been seen as a unilateral European rather than American victory, or, at the very least, as a bilateral EU-US joint effort within the multilateral Quartet. In fact, Tony Blair, while very close to the Bush administration, was viewed with scepticism in many European quarters (in view of his role in the Iraq war). More so, Russia was deeply opposed to the former British leader, in view of the cooling of British-Russian relations after the November 2006 Litvinenko affair.¹⁵ The appointment of Tony Blair was, in fact, a unilateral American choice. The Bush administration proceeded without consultation with its Quartet partners, failing also to communicate with the EU. Contacts took place largely between London and Washington, highlighting as much a failure in transatlantic as in British-EU communication (Moller and Hanelt 2007).

On the other hand, the mediation efforts that have taken place since 2006 excluded the Quartet. The Quartet was a bystander in the concrete mediation efforts that took place, conducted first and foremost by the US, but also by non-Quartet members such as Egypt, Saudi Arabia and Turkey. In the May 2007, the Quartet 'welcomed' the bilateral summits between Israeli Prime Minister Ehud Olmert and Palestinian President Mahmoud Abbas, but played no role in them. Likewise, Quartet members were present at the November 2007 Annapolis conference (alongside dozens of other actors, from the "moderate" Arab countries to Syria). But neither did the Quartet play a role in bringing the conflict parties together in Annapolis, nor did it mediate between them in the negotiations that ensued. What became known as the Annapolis process – between November 2007 and the Israeli military offensive on the Gaza Strip in December 2008 – was an all-American show: a last ditch attempt by President Bush to deliver on the protracted Middle East conflict. The same can be said of the attempted resumption of Israeli-Palestinian negotiations between March and September 2010.¹⁶ The Quartet warmly welcomed US President Barack Obama and

¹⁵ On 1 November 2006 former KGB and FSB spy Aleksandr Litvinenko was hospitalized in what was established as a case of radioactive poisoning, that resulted in his death on 23 November. The British investigation into his death led to a request to Russia for the extradition of Andrey Lugovoy, whom the UK authorities accused of Litvinenko's murder. Russia refused, contributing to the cooling of Russian-British relations.

¹⁶ The effort failed in September 2010 when the Netanyahu government in Israel refused to extend the moratorium on settlement construction in the West Bank and Palestinian President Abbas refused to continue

his Special Envoy George Mitchell's efforts to re-launch negotiations in 2010, first through proximity talks and then through direct negotiations. Here again, Washington was in the lead and never indicated its intention to broaden mediation to its fellow Quartet members.

Perhaps even more striking than the US's persisting primacy in mediation, is the fact that other mediation activities in the Arab-Israeli conflict have been conducted unilaterally by non-Quartet members. Here we can cite the mediation effort conducted by Saudi Arabia to broker a Palestinian National Unity Government in March 2007; the Egyptian-mediated ceasefire between Israel and Hamas between June and December 2008; Turkey's mediation efforts between Israel and Syria between March and December 2008; and post-Mubarak Egypt's mediation of a Palestinian national reconciliation in April 2011. In all these instances of Middle East mediation, the Quartet took note and welcomed, but was entirely absent from frontline developments.

An Ineffective Cure to Middle East Mediation?

The Quartet may not have become a genuinely multilateral forum for the mediation of the Middle East conflict. But has it been effective? And effective with respect to what? The EU's goal to promote effective multilateralism has, embedded within it, a fundamental ambiguity. What precisely is supposed to be effective? Are the methods, procedures and lines of communication within the multilateral forum supposed to be effective, or should multilateralism be effective vis-à-vis the substantive policy goal it has set out for itself? In what follows we shall assess effectiveness with respect to the content of the policy goal itself, i.e., in this case, the contribution to promoting a two state solution in Israel-Palestine.

Here again, the answer is unambiguously negative. Over the last decade. The Quartet's activism and paperwork has been impressive. Yet, as aptly put by former European Commissioner Chris Patten (2006), its work has been largely 'virtual'. With Israel's occupation deepening, violence following its internal logic of ups and downs, and the PA being kept alive by foreign funds, the Quartet's work has been at best theoretical. At worst, it has been counterproductive, widening the gap, already present during the Oslo years, between the international diplomatic process and facts on the ground.

As discussed at length above, the Quartet's debut was on the thorny question of Palestinian reform. As revealed over the course of the 1990s, the internal governance of the PA was wanting. Yet neither did the Quartet effectively respond to this problem, nor was reform the most pressing challenge in the evolving spiral of the second intifada. On the one hand, the

the proximity talks.

Quartet's focus on reform failed to engender a genuine transformation of the PA. True, under the Quartet's supervision, the PA consolidated its budget lines into a Single Treasury Account, created a Palestinian audit system, ratified the Law on the Independence of the Judiciary, passed a Basic law, established the post of Prime Minister, and conducted local elections. But on the whole, results were disappointing. Reforms on paper often failed to translate into effective changes on the ground (Tocci 2007b). The PA remained dominated by the so-called 'old guard' (Shikaki 2002). Precious little was done to induce reconciliation between the Palestinian factions, in retrospect ushering the way for the deep political split between the Hamas-led Gaza Strip and Fateh-led West Bank five years later (between 2007-2011) (Tocci 2007a). The Quartet may not have been able to prevent all these outcomes. But the strong political colouring of the Quartet's reform work in 2002-4 by President Bush's insistence on the removal of Arafat impaired its ability to work effectively on this dossier. On the other hand, all the focus on Palestinian reform was, in many ways, a red herring in the broader dynamics of the Israeli-Palestinian conflict. A well-functioning and democratic PA is no doubt a fundamental element of a Palestinian-Israeli final status agreement. But not only was (and is) such a settlement far from sight. In the dark days of 2002-2003, in which the few certainties of the peace process had dramatically unravelled, the Quartet's single-minded focus on Palestinian reform was a distraction from the most pressing developments on the ground – the cycle of violence, the humanitarian crisis and the eroding prospect of a viable Palestinian state.

Similar critiques can be made of the Quartet's work on the Roadmap. The Roadmap had many of the necessary elements for progress towards a just solution of the Israel-Palestinian conflict: end of violence, freeze of settlement activity and Israeli military withdrawal, reform of Palestinian governance, security cooperation, commitment to a two-state solution and birth of a sovereign Palestinian state. However, the Roadmap never took off the ground (Nabulsi 2004). The problem, simply put, was, on the one hand, that the Roadmap's phases lacked clear conditions with measurable benchmarks, and on the other, that the Quartet failed to put in place adequate mechanisms to monitor progress and, above all, ensure (or induce) compliance. Alongside this, whereas the Palestinian side accepted the Roadmap without preconditions, the Israeli government accepted it with 14 reservations, endorsed by the US, which created an entirely different Roadmap eroding its key principles of parallelism, monitoring and a clear endgame. As discussed above, the primary aim of the Quartet's efforts was a reengagement of the US in mediation, and, with it, effective pressure on the conflict parties to move back into the peace process. Notwithstanding its limited aims, the Quartet's efforts failed to solicit American commitment. The war in Iraq did not go as planned and throughout President Bush's first mandate, American interest in the Israeli-Palestinian conflict was close to nil. In turn, the Roadmap

remained on paper as the parties never moved beyond its fateful first phase. As stated by former UN Secretary General Kofi Annan (2006): ‘we must admit our own weaknesses, and we have been too hesitant in emphasizing those very elements that most distinguish the roadmap from the Oslo process – parallelism, monitoring, and clear end goals. It is no surprise that today we find ourselves once again deadlocked’.

As the decade progressed, the ineffectiveness of the Quartet persisted. The persisting ineffectiveness of the Quartet was evident in its efforts regarding disengagement. Wolfensohn’s mandate to revitalize the Palestinian economy through, *inter alia*, the implementation of the AMA on issues such as the opening of the Gaza airport, seaports and the corridor between the West Bank and Gaza, remained unfilled. Following the election of Hamas and the Quartet and Israel’s policy towards it, the Envoy resigned, well aware that the accomplishment of his mandate had been transformed from difficult to impossible.

Ineffectiveness also characterized the Quartet’s policy towards Hamas. The principles imposed by the Quartet on Hamas failed to deliver. Neither did the Quartet induce Hamas’s “moderation” through its formal renunciation of violence or disavowal of its Charter. Nor did it trigger Hamas’s weakening (let alone its defeat). Years passed and Hamas remained in control first of the OPT and, after June 2007, of the Gaza Strip. The Quartet’s tough line on Hamas did have an impact however. It hindered Palestinian good governance and democracy. After May 2006, the rising levels of international (and EU) assistance, beyond leading to a paralysed PA and a deepening humanitarian crisis, also entailed also the de-development of the governance structures of the would-be Palestinian state. Far from leading to Palestinian capacity-building, the TIM in 2006-2007 paradoxically led to the contrary.¹⁷ The TIM contributed to reversing the few steps forward made in PA governance in 2002-5. The by-passing of official institutions with the exception of the Presidency led to a re-centralization of power in the hands of Abbas and generated an increasingly unaccountable and opaque management of available PA funds, despite progress made on both counts in the three previous years. The effects of political and economic de-development were starkest in Gaza, where Israel’s increasing closures post-disengagement alongside the absence of a functioning PA, pushed the Gaza Strip into chaos and lawlessness, with the emergence of mafia-style gangs and al-Qaeda-like cells, which flourished from 2006 up until the Hamas take-over in June 2007 (ICG 2007; ICG 2008). The Quartet’s stance on Hamas also harmed the prospects for intra-Palestinian reconciliation. It

¹⁷ When announcing the non-renewal of his mandate, the Quartet Envoy for Disengagement James Wolfensohn pleaded against a Quartet policy which would in practice reverse the steps forward made in PA governance and de-responsibilize both the Hamas administration and Israel as far as its international law obligations were concerned. As noted by an EU official, the Quartet’s conditionality and the ensuing TIM did precisely the opposite of what was called for by the Quartet Envoy. Interview with EU official, March 2009.

put the spanner in the works of the short-lived NUG in the spring of 2007 and of intra-Palestinian reconciliation since then. It is precisely an implicit admission of this failure that has underpinned the EU and the UN's cautiously favourable response to the intra-Palestinian agreement reached in April 2011.¹⁸ It is also a recognition of this failure that has led the Office of the Quartet Representative's to interpret the Quartet's approach to Hamas as goals rather than preconditions (beginning with the threshold benchmark of the end of violence as a basis for negotiations), against which the PA would be judged on the grounds of its specific composition and, above all, its actions.¹⁹ The US itself, while being far more constrained both legally and, above all, politically in its policy towards Hamas than the other Quartet partners, may also become more prone to accepting that other partners (i.e., the EU and the UN) adopt a somewhat revised line towards the new Palestinian government.²⁰

Alongside a lack of effectiveness in pursuing its declared objectives, the Quartet also began losing international credibility. The Quartet's stance towards Hamas, and consequently its approach towards the West Bank, culminating in the appointment of Tony Blair as the Quartet's Representative, marked the steady decline in the Quartet's credibility, particularly in the eyes of the Arab world. The concept of the Quartet "principles" on Hamas was sound. But when the Quartet transformed these principles into preconditions – which were almost designed to be rejected, thus justifying a no-engagement policy with Hamas – the credibility of the Quartet fell. Furthermore, some form of Quartet conditionality on Hamas would have probably been endorsed, not only by the Arab world, but possibly also by Hamas itself. Had the Quartet insisted solely on the renunciation of violence – not only in words, but above all in deeds – its conditionality may have retained widespread international legitimacy and its goal of peace in the Middle East could have been better served. Unlike the condition on violence, the other two principles rested on far shakier political and legal grounds. Hamas was called on to recognize Israel, despite the fact that only states (or at most the PLO as the legal representative of the Palestinians, of which Hamas is not part, and which has recognized Israel) recognize other states and that the borders by which Israel would be recognized are undefined. Likewise, it is the PLO that has negotiated and signed previous agreements with Israel, and Hamas has accepted that it would be the PLO that would continue to perform this role.

The situation worsened after 2007. The Quartet, having called for reconciliation between Fateh and Hamas, refused to alter its stance towards the PA following the NUG agreement in March 2007. Although Hamas, through the March 2007 Mecca agreement manifested a

¹⁸ 'Europe More Open than US on Palestinian Reconciliation Deal', *al Jazeera*, 24 April 2011, <http://www.aljazeera.com/News/2011/April/29%20n/Europe%20More%20Open%20than%20US%20on%20Palestinian%20Reconciliation%20Deal.htm>

¹⁹ Conversation with officials of the Office of the Quartet Representative Tony Blair, May 2011.

²⁰ Conversation with US-based analyst, June 2011

visible readiness to moderate its positions²¹ (albeit not complying fully with the Quartet's conditions), the US's blunt refusal to acknowledge this shift was followed by the Quartet (de Soto 2007). Thereafter, the Quartet continued to display the somewhat paradoxical position, on the one hand, of bemoaning the economic and humanitarian situation in the Gaza Strip as well as the ongoing political split between the rival Palestinian factions, while, on the other hand, doing little to reverse its position that had contributed to that outcome. The work of its Special Representative Blair heightened the Quartet's credibility problem, both because of the West Bank first policy that he has pursued, but also because of the image that Blair himself has in the Arab world, given his association with the war in Iraq (Moller and Hanelt 2007). Paradoxically, Tony Blair, a quintessentially political figure, has engaged in a seemingly technical job (the development of the OPT) which is, however, embedded in a broader political approach (the West bank first policy) that has lost international credibility.²²

Divergent Objectives Behind a Multilateral Veil

In view of the above, former UNSG Representative Alvaro de Soto's overall assessment of the Quartet was scathing: 'The Quartet has become a sideshow: because it is as much about managing transatlantic relations as anything else, it is only partly about the Middle East, it isn't a very apt mechanism for solving the Israeli-Palestinian conflict, and other members don't necessarily use it for that purpose' (de Soto 2007). Despite its potential as the ideal N-group to multilateralize mediation of the protracted Arab-Israeli conflict, the Quartet has failed both to represent a genuine multilateral endeavour and to pursue effective policies in relation to the conflict. Why? Different, and at times contrasting, objectives both within the Quartet and outside it go far in explaining the Quartet's weaknesses.

As for the internal dynamics of the Quartet, while it is true that in principle the four Quartet partners shared the same goal of promoting a negotiated two-state solution, in practice they were driven by different specific interests and objectives.

Beginning with the US, Washington was never committed to the objective of multilateralizing mediation in the Middle East. This was as true in the early 2000s, when the Bush

²¹ In particular by agreeing to 'respect' (rather than 'accept') previous agreements and publicly acknowledging the existence of the State of Israel and committing to the two-state solution on several occasions. See Text of Mecca Accord for Palestinian coalition government, *Haaretz*, 8 February 2007; and Conol Urquhard (2007) ' Hamas official accepts Israel but stops short of recognition', *The Guardian*, 11 January; Orly Halpern (2007) 'Experts Question wisdom of boycotting Hamas', *Forward*, 9 February.

²² Conversation with US-based analyst, June 2011.

administration preferred to leave Israel alone to deal with the conflict, as it has been since then, when the US has engaged in mediation outside the contours of the Quartet – from the Annapolis talks in 2007 to the proximity talks in 2010. What the US has cherished is rather the objective of establishing an international multilateral framework that would share the blame for the failure of peacemaking and the responsibility for supporting – financially, politically and legally – any eventual success. Furthermore, particularly for the State Department in the early 2000s, the Quartet was viewed as an ideal channel to prove American commitment to multilateralism, restore cooperation with the EU (Mandel 2003) as well as give the impression of US engagement on the thorny Middle Eastern dossier. In American eyes, such a multilateral framework should be deliberately informal and uninstitutionalized. This would have the double advantage of providing multilateral legitimacy to the peace process, without casting the peace process within the “straightjacket” of international law. It is in this light that we can see the rather odd choice of selecting the UN Secretary General rather than the United Nations Security Council as the representative of the UN in the Quartet, insofar as the latter would have inevitably given the Quartet a degree of formality which the US loathed to accept (UNSC 2007).²³ An interesting example highlighting this function of the Quartet was in February 2011, when the US vetoed a UNSC resolution condemning Israeli settlements in the OPT, while calling for such condemnation by the Quartet instead. The Quartet was viewed as a convenient means to provide the impression of multilateral action, without the baggage of international law that comes with it.²⁴

For the EU, the political calculation was different. In the early 2000s, the EU was eager to acquire a political role in the Middle East Peace Process (Musu 2007; Musu 2010). Over the previous decade, its economic support for the PA had consistently grown, but was yet to translate into tangible political influence. Initially, the EU attempted to unilaterally step into the quagmire of Middle East mediation. After the failure of the Camp David II negotiations, the EU pursued several tracks to deepen its political role. CFSP High Representative Solana participated in the Sharm-el-Sheikh peace summit in October 2000 and in the Mitchell Committee thereafter, and conducted uninterrupted diplomatic activity alongside the EU’s Special Representative for the Middle East Peace Process at the time, Miguel Moratinos. Yet all these EU diplomatic efforts came to no avail in 2000-2002. Not only did they not deliver; they also failed to translate into EU influence on the conflict parties. Epitomizing this lack of influence was Israel’s denial to EU representatives to visit the besieged Palestinian leader Yasser Arafat in his compound in Ramallah in the spring of

²³ Indeed the UNSG is not mandated to speak on behalf of UNSC or the UN as a whole.

²⁴ Barak Ravid ‘U.S. pushing Palestinians to drop UN resolution on settlement construction’, *Ha’aretz*, 17 February 2011.

2002. As failure sunk in, the EU's strategy U-turned. EU actors abandoned the idea of seeking a political role independently of the US, but sought such role in coordination with it. Irrespective of the deep political divide between the EU and the US on the Israeli-Palestinian conflict in those years, the EU consensus crystallized on the conviction that without Washington, there was no scope for a meaningful European role in the peace process. As discussed at length above, the EU's prime objective became that of influencing, not the conflict parties, but the US. As years went by, the hope that the proverbial EU tail would wag the US dog proved a chimera. The opposite was true. Hence, while the EU moved out of a strictly economic role in the conflict, its political/security actions – EUBAM-Rafah and EUPOL-COPPS – were conducted within the framework of US-led initiatives within the Quartet – disengagement and West Bank first, respectively. Notwithstanding, the EU's conviction that its ability to influence the US is greater within rather than outside the Quartet, has induced it to remain within the group to this day.

Russia and the United Nations also engaged in the Quartet in order to assert (or reassert) their political influence. Participation in the Quartet served Moscow's (and Vladimir Putin's) objective of reasserting Russia as a power in world affairs and improving relations with the Muslim world.²⁵ Alongside membership of the UNSC, the G8 (and, later, the G20), participation in the Quartet added to the panoply of international trophies which Russia could flaunt to prove its global power. Likewise for the UN, participation in the Quartet was viewed as a means to regain a mediation role in the conflict, which was lost after the 1949 UN-mediated armistice agreement. As the repository of international law and with a large development role in the OPT, participating in the Quartet was seen as a necessary political complement to the UN's legal and economic role. However, unlike the EU, these two Quartet members did not have an articulate view as to how the Quartet would fulfil their political ambitions in relation to the conflict. Their calculus was far simpler. Being invited into the prestigious multilateral grouping was sufficient. Regardless of the Quartet's eventual positions and achievements in the conflict, participating in it served the purpose of asserting internationally their political status. Indeed, within the Quartet, Russia and the UN's role has been fairly passive. They have either accepted the US's line, or maintained distinct positions (e.g., Russia's position vis-à-vis Hamas) without, however, attempting to persuade the US and the Quartet to follow their line (de Soto 2007).

Beyond its internal dynamics, also external factors have underpinned the Quartet's weaknesses, hindering both its genuinely multilateral nature and its effectiveness. The conflict parties, for very different reasons are deeply sceptical of multilateralism when it comes to the Middle East Peace Process (Musu 2007). Israel abhors multilateralism,

²⁵ Conversation with Russian analyst, June 2011.

believing either in unilateralism (e.g., its withdrawals from Lebanon in 2000 and Gaza in 2005) or bilateralism through exclusive US mediation (e.g. the peace treaties with Egypt and Jordan, brokered by the US). Multilateralism is viewed as being quintessentially against Israeli interests, given the less favourable attitude towards Israel of the EU, the UN, Russia and other third parties, compared to that of the US and, of course, of Israel itself. Indeed, Israel has never officially recognized the Quartet. The first meetings between all Quartet representatives and Israeli (and Palestinian) representatives took place in 2011.²⁶ The Palestinians would, in theory, applaud greater international involvement in mediation. Yet experience has taught them that Washington is ultimately the only game in town as far as the peace process is concerned. Attitudes have differed within the Palestinian camp, but all have concurred that the US represents the only third party with any political clout in the conflict. For the PLO and the PA, the US represents the only mediator that can deliver by pressuring Israel. Hence, warming up to the US, fulfilling its demands and thus acting as an impeccable “partner for peace” is seen as the most effective political strategy. Palestinian opponents of the US-sponsored peace process – first and foremost Hamas – have little hope in the US, but view other third parties as having neither the capability nor the will to stir the US towards a different course. Hence, Palestinians either favour bilateralism with US mediation (the PLO) or rest their hopes in their own unilateral actions (Hamas). In both cases, political realism dictates Palestinian positions, based on the conviction that multilateralism is a lofty goal which Palestinians, as the weaker party in the conflict, cannot afford to invest in.

Conclusions

A decade after its establishment, the Middle East Quartet has not affirmed itself either as a genuinely multilateral or as an effective mediation forum in the Arab-Israeli conflict. Its representatives have met regularly, have issued joint statements and have pursued a set of initiatives. But these have tended to reflect either the EU's unsuccessful attempts to frame American initiatives within a multilateral setting, or the US's successful attempts at providing a multilateral cover for its unilateral actions. No Quartet member has been committed to the goal of rendering the Quartet the mediator of the Israeli-Arab conflict. Moreover, neither, the EU, nor, for that matter, the UNSG and Russia, have succeeded in transforming the Quartet into a multilateral forum in which they have influenced American policy in the Middle East by acquiring a seat at the table. However, the reverse has been true, with the US effectively using the Quartet to legitimize its own foreign policy. This process has not been cost-free. By legitimizing American foreign policy, the Quartet members have risked de-legitimizing

²⁶ Conversation with senior EU official, May 2011.

themselves. Yet once these actors had reached the high-table, dragging them away from it has become difficult.²⁷ Hence, despite these liabilities, the Quartet has persisted. The Quartet's initiatives have not had a visible impact on the peace process. Furthermore, the few and far between mediation activities that have been conducted have taken place beyond the confines of the Quartet, either by the US alone, or by other third parties. Different and in many respects contrasting objectives by the Quartet members and the conflict parties underpin these failures.

Such a damning assessment of the Quartet as an effective multilateral mediation forum begs the question: should we be judging the Quartet according to different benchmarks? If not, do we risk throwing the baby out with the bathwater? Some have argued that rather than viewing the Quartet as a multilateral mediation forum, it should rather be seen as a 'multilateral control framework', a consultation mechanism, or as a 'forum for transatlantic coordination on the Middle East' (Moller and Hanelt 2007; Musu 2010). Furthermore, its effectiveness may be assessed not simply in terms of its contribution to a two-state solution, but also of its efforts at reengaging the US in the peace process, setting the record in reaction to developments on the ground, and establishing the contours of a solution. Indeed one can argue that without the Quartet, the parties' unilateral actions and the US's unilateral mediation would have lacked any form of multilateral control and consultation. An interesting example of this was in 2004, when in his exchange of letters with Prime Minister Sharon, US President Bush suggested an acceptance of 'realities on the ground'. The Quartet immediately reacted in May, disavowing unilateral initiatives as a way forward in the peace process.²⁸ The Quartet can certainly be viewed as a useful multilateral framework in which the EU and the US, alongside the UN and Russia can act, react and interact (rather than mediate) on the thorny Middle East dossier. This is certainly a worthy asset.

Yet this article has pointed out how, as it stands, the Quartet has gone beyond this. By engaging in policy-making and adopting political positions beyond those clearly enshrined in international law, the Quartet's balance sheet has been negative: it has failed to engage in effective multilateral mediation, while providing a multilateral fig leaf for dynamics that have remained quintessentially unilateral (and at most bilateral) in character, and which have rarely served the goal of promoting peace in the Middle East. As argued by a former senior UN official, the Quartet could play a useful role as a 'contact group' on the Middle East peace process.²⁹ It could act as a forum to establish a renewed international consensus regarding the way forward in the Arab-Israeli conflict, a laboratory to test international

²⁷ Conversation with former senior UN official, May 2011.

²⁸ Conversation with a senior EU official, May 2011.

²⁹ Conversation with the author, May 2011.

positions that could ultimately find expression through the United Nations.³⁰ This would entail stepping back from policy formulation as such, and limiting itself to serving as a regular multilateral consultation mechanism to maximize synergies in the foreign policies of its members. In this respect and in the context of a gradual move away from *pax americana* in the Middle East, one could also see the value of extending the Quartet to others, such as Egypt, Saudi Arabia, Qatar and Turkey, which have played a role in the peace process. If the purpose of the Quartet is reviewed to render this forum genuinely multilateral and effective in promoting a solution to the protracted Arab-Israeli conflict, then its ideal N-group may well need to be rethought as well.

References

- Annan, K. (2006) 'Report of the Secretary General on the Middle East', 11 December, S/2006956, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/651/88/PDF/N0665188.pdf?OpenElement>
- Asseburg, M. (2003) 'From declarations to implementation? The three dimensions of European policy towards the conflict', in M. Ortega (ed.), *The EU and Crisis Management in the Middle East*, Chaillot Paper, No. 62, Paris, EUISS
- Bouchard, C. and Peterson, J. (2010), 'Conceptualising Multilateralism- Can we all just get along?', *MERCURY e-paper*, No. 1, February 2010
- Council of Ministers (2006) *Conclusions on the Middle East*, 13 November 2006
- De Soto, A. (2007) 'End of Mission Report', *The Guardian*, <http://www.guardian.co.uk/frontpage/story/0,,2101676.00.html>
- Douma, W. (2006) 'Israel and the Palestinian Authority', in S. Blockmans and A. Lazowski (ed.), *The European Union and its Neighbours A legal Appraisal of the EU's Policies of Stabilisation, Partnership and Integration*, The Hague, Asser Press
- Emerson, M. and Tocci, N. (2002), *The Rubik Cube of the Wider Middle East*, Brussels, CEPS
- Euro-Mediterranean Human Rights Network (2009), *Active but Acquiescent: EU Response to the Israeli Military Intervention in the Gaza Strip*, Copenhagen, EMHRN
- European Commission (2008), *European Neighbourhood Policy – The Occupied Palestinian Territory*, MEMO/08/213, Brussels, 3 April 2008, <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/08/213&format=HTML&aged=0&language=EN&guiLanguage=en>
- European Council (2003), *A Secure Europe in a Better World. European Security Strategy*, Brussels, 12 December 2003, <http://ue.eu.int/pressdata/EN/reports/78367.pdf>
- Gisha and Physicians for Human Rights (2009), *Rafah: Who holds the keys?*, March 2009

³⁰ Conversation with US-based analyst, June 2011.

- International Crisis Group (2007), *After Mecca: Engaging Hamas*, February 2007, <http://www.crisisgroup.org/home/index.cfm?id=1271&l=1>
- International Crisis Group (2008), *After Gaza*, August 2008, <http://www.crisisgroup.org/home/index.cfm?id=1271&l=1>
- Keohane, R. (1990), 'Multilateralism: an agenda for research', *International Journal*, Vol. 45
- Klabbers, M. (2005), 'Two concepts of international organizations', *International Organizations Law Review*, Vol. 2
- Mandel, D. (2003), 'Four part disharmony: the Quartet maps peace', *Middle East Quarterly*, Summer
- Middle East Quartet (2002a), Joint Statement by the "Quartet", 10 April 2002
- Middle East Quartet (2002b), Joint Statement by the "Quartet", 16 July 2002
- Middle East Quartet (2004), Statement on Israeli-Palestinian Peace Process, 4 May 2004
- Middle East Quartet (2005a), Statement by the Middle East Quartet, 9 May 2005
- Middle East Quartet (2005b), Quartet statement on Palestinian Legislative Council Elections, 28 December 2005
- Middle East Quartet (2006a), Quartet statement on Palestinian elections, 30 January 2006
- Middle East Quartet (2006b), Quartet statement on the New Palestinian government, 30 March 2006
- Middle East Quartet (2007), Statement by Middle East Quartet, 21 March 2007
- Middle East Quartet (2007), Statement by Middle East Quartet, 27 June 2007
- Middle East Quartet (2010), Statement by Middle East Quartet, 21 June 2010
- Möller, A. and Hanelt, C. P. (2007), 'Tony Blair needs a Plan. Suggestions for the Working Agenda of the New Representative of the Middle East Quartet', *CAP Aktuell*, No. 10, July, Berlin, Bertelsmann
- Musu, C. (2010), 'The EU Strategy for the Middle East Peace Process in the Post-9/11 Era', in *European Union Policy towards the Arab-Israeli Peace Process: The Quicksands of Politics*, Basingstoke, Palgrave Macmillan
- Musu, C. (2007), 'The Madrid Quartet: An Effective Instrument of Multilateralism?', *ISA*, 48th Annual Convention, Chicago, 28 February
- Nabulsi, K. (2004), 'The Peace Process and the Palestinians: A Road Map to Mars', *International Affairs*, Vol. 80, No. 2
- Office of the Special Envoy for Disengagement (2006), *Periodic Report*, April 2006
- Oxfam (2007), 'Poverty in Palestine: the human cost of the financial boycott', *Briefing Note*, April 2007, http://www.oxfam.org/en/files/bn070413_palestinian_aid_boycott.pdf/download
- Patten, C. (2006), *Not Quite the Diplomat*, London, Penguin Books

Prendergast, K. (2006), 'Interview with Sir Kieran Prendergast, Former UN Under-Secretary-General for Political Affairs', *The Fletcher Forum of World Affairs*, Vol. 30, No. 1, <http://fletcher.tufts.edu/forum/archives/pdfs/30-1pdfs/prendergast.pdf>

Sayigh, Y. and Shikaki, K. (1999), *Strengthening Palestinian Public Institutions*, Task Force Report, Council of Foreign Relations, New York

UNSC (2007), 'The Middle East 1947-2007: Sixty Years of Security Council Engagement with the Israel/Palestine Question', Security Council Report, Special Research Report, No. 4, 17 December 2007

Shikaki, K. (2002), 'Palestinians Divided', *Foreign Affairs*, Vol. 81.1, January/February 2002

Tocci, N. (2007a), 'What Went Wrong? The Impact of Western Policies towards Hamas & Hizbollah', *CEPS Policy Brief*, No. 135, July 2007, Brussels, http://shop.ceps.eu/BookDetail.php?item_id=1523

Tocci, N. (2007b), 'The Widening Gap between Rhetoric and Reality in the Israeli-Palestinian Conflict', in N.Tocci, *The EU and Conflict Resolution*, London, Routledge

United Nations (2006), *Assessment of the Future Humanitarian Risks in the occupied Palestinian territory*, 11 April 2006

Yorke, V. (1999), *The European Union and the Israeli-Palestinian Peace Process*, London, Saferwood