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About this Series

Op-Med is an ongoing series of opinion pieces on topical issues in Mediterranean politics from a transatlantic perspective. The series brings together European, North American, and southern Mediterranean experts through the German Marshall Fund–Istituto Affari Internazionali strategic partnership. The series examines key questions surrounding the political, societal, and economic evolution of specific Mediterranean countries as well as the broader regional and international dynamics at play in the Mediterranean region as a whole.

Palestine and the UN, from Challenge to Opportunity

by *Andrea Dessì and Daniela Huber*

Pushed to the sidelines by the Arab uprisings, the Israeli-Palestinian conflict has made it back to international headlines following the recent escalation of violence in Gaza and Israel, and the granting of Palestinian observer state status at the United Nations (UN). New realities have emerged that, if managed correctly, can create a more favorable setting for the inevitable task of resuming peace negotiations. Three conditions are indispensable in order to transform these developments into an opportunity for diplomacy:

- a reconciliation between the Palestinian factions of Hamas and Fatah,
- a bold new attempt by the United States and its partners aimed at strengthening accountability mechanisms for both sides while delineating clear incentives and disincentives for resuming negotiations, and
- an effort by the United States and Europe to coordinate their activities with regional actors to increase Arab ownership of the process and help create a more

level playing field between Israelis and Palestinians.

New Realities

On the international front, the Palestinian bid at the UN has underscored the overwhelming degree of international support for a Palestinian state based on the 1967 borders. Nine states voted against (including the United States, Canada, and the Czech Republic), 138 in favor (including France, Italy, Spain, Turkey, Brazil, Russia, India, China, and South Africa), and 41 abstained (including Germany, the United Kingdom, and Australia). The most noteworthy development is the changing stance of many European states, with 14 EU countries voting in favor of the resolution, 1 against, and 12 abstentions. If one compares European votes on the Palestinian application for membership in UNESCO last year, three EU countries changed their position from abstention in 2011 to a “yes” vote in 2012 (Italy, Portugal, and Denmark), three countries (Germany, the Netherlands, and Lithuania) switched from “no” to abstention, and one country (Sweden) changed from a “no” to “yes” vote.

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The fact that key European countries changed their stance just days before the vote sent shockwaves through Israel's foreign ministry. Several explanations have been offered for this change. Firstly, European governments acknowledged the need to hand Mahmoud Abbas, president of the Palestinian Authority (PA), some semblance of a diplomatic victory given Hamas's strengthened domestic and regional position in the wake of its armed confrontation with Israel. Furthermore, European states are trying to maintain good relations with the new governments installed after the Arab uprisings and therefore many have chosen to take a more forthcoming stance on the issue of Palestinian recognition at the UN. Finally, the shift is reflective of Europe's increased concern that the conditions for a two-state solution are being undermined by Israeli actions on the ground in the Occupied Palestinian Territories (OPTs) and of the growing realization that European policies are in effect serving to sustain the status quo.

Frustrated by this, European governments are slowly considering a change of policy. Countries like Ireland, France, Finland, Denmark, and the U.K. have all proposed or supported concrete steps such as the labeling of products originating in Israeli settlements, an EU-wide ban on importing products made in Israeli settlements, or a denial of entrance into the EU to Israeli settlers involved in violent acts against Palestinians.¹ In a recent reaction to the Israeli

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¹ Andrew Rettman, "EU working on consumer labels for Israeli settlement products," *EUobserver*, September 14, 2012, <http://euobserver.com/foreign/117547>; Andrew Rettman, "EU countries consider sanctions on Israeli settlers," *EUobserver*, November 26, 2012, <http://euobserver.com/foreign/118317>.

announcement of plans to speed up settlement building and to develop the controversial E1 area that would effectively prevent the territorial continuity of any future Palestinian state, France, the U.K., and other European states are reportedly coordinating moves aimed at pressuring Israel to reverse the decision. These efforts are sending the signal that Europe's patience regarding Israel's uncompromising stance on settlement construction is beginning to wane.

Moreover, at the regional level, while U.S. and Western influence in the Arab world has suffered in the wake of the uprisings, regional states such as Turkey, Qatar, and Egypt have been demonstrating a capacity to defuse regional tensions and act as credible mediators. This is in stark contrast to the political bankruptcy of the Quartet (the negotiating forum made up of the United States, the EU, Russia, and the UN), which has proved unable to bring about any concrete results. Egypt, on the other hand, was praised for its role in brokering the release of Israeli soldier Gilad Shalit from Gaza and in negotiating the Israel-Hamas cease-fire to end the recent escalation in the Strip. Turkey was also involved in mediating the cease-fire, and recent reports indicate that Israel and Turkey have resumed direct talks to explore ways to overcome their diplomatic crisis, an eventuality that would salvage some of Turkey's diplomatic leverage in the region.² This new activism is generally welcomed by Western powers — especially given that the United States has been pushing for a greater degree of Arab/Turkish "ownership" in regional affairs. The fact that these countries enjoy good relations with both Hamas and Washington further highlights the benefits of this increased activism, given that these countries could serve as important counterweights to Iran's more subversive influence over the Islamist Palestinian resistance movement in Gaza and therefore help moderate Hamas's positions toward Fatah, Israel, and the peace process.

This leads us to the domestic level. The recent Gaza crisis appears to have set the stage for renewed reconciliation efforts between Hamas and Fatah, a necessary pre-condition for any diplomatic push on the Israeli-Palestinian conflict. Since its recent confrontation with Israel, Hamas arguably feels it has less to lose given that it would approach such an agreement from a position of strength. At the same

² Barak, Ravid, "Israel and Turkey resume talks to end diplomatic crisis," *Ha'aretz*, November 23, 2012, <http://www.haaretz.com/news/diplomacy-defense/israel-and-turkey-resume-talks-to-end-diplomatic-crisis.premium-1.480143>.

time, Hamas has a clear interest in breaking its international isolation by aligning its stance with the positions of such states as Turkey, Egypt, and Qatar instead of Iran. Fatah, on the other hand, sees reconciliation as a means to escape its regional marginalization and shore up its dwindling domestic support. It is important to note that, contrary to what happened last year, Hamas has signaled its hesitant support for Abbas's UN bid and that in the wake of the Gaza cease-fire, both Hamas and Fatah have taken concrete steps to advance reconciliation.³ While numerous agreements have been signed and never implemented since the 2007 Hamas-Fatah civil war in Gaza, new regional and international developments seem to have modified the incentive-calculus of both factions, creating a rare appetite for unity.

Israel, on its part, feels increasingly isolated following the UN vote. Furthermore, the recent confrontation with Hamas has shown that Israel cannot hope to resolve this troubled relationship solely through military means. Any government that will emerge from the upcoming January 2013 elections in Israel will have to come to terms with these regional and international trends. Moreover, at the domestic level, voices in Israel's political establishment are increasingly warning that if the two-state solution is discarded, Israel will inevitably face other more insidious challenges in the future and that at some point some form of accommodation will have to be found with Hamas.

The Way Forward

How can these new realities be transformed into an opportunity for diplomacy? On the one hand, if the international community remains passive, the status quo will at best continue, or at worst, the two-state solution will collapse altogether, bringing down the Palestinian Authority and creating a dangerous security and political vacuum in the West Bank. On the other hand, if Europe and the United States capitalize on these developments, they can help defuse tensions and create a more favorable setting for the eventual resumption of negotiations. As a first step, the EU and the United States should seriously engage in consultations in order to hash out a common position on a set of goals and ground rules to guide the negotiations as well

3 Dalia Hatuqa, "Gaza conflict brings Fatah and Hamas closer," *Al-Jazeera*, December 1, 2012, http://www.aljazeera.com/indepth/features/2012/11/2012112992821977151.html?utm_content=features&utm_campaign=features&utm_source=twitter&utm_term=rss&utm_medium=tweet.

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as agreeing on possible measures that could be employed against each of the sides in the event that these prove unwilling to abide by these guidelines. These measures should go further than the usual issuing of strongly worded declarations and include tangible actions that could serve to change the incentive calculus of both sides. Western states should also discuss assuming a more flexible approach toward Hamas, not least as a means to provide further incentives for Hamas to moderate its positions.

This should be done in coordination with Egypt, Turkey, and Qatar as well as other regional actors, given that Israel's Arab neighbors, and the Palestinians, will ultimately be those tasked with upholding any resolution to the conflict while simultaneously providing Israel with security guarantees. A "division of labor" between the EU and United States on one hand and Egypt, Turkey, and Qatar on the other could serve to create a more favorable setting for this task and the five actors should set up an informal contact group to coordinate their actions in this field.⁴ The transatlantic partners could concentrate on reassuring Israeli security concerns while working to convince Israel to assume a more forthcoming approach on such issues as

4 Nathalie Tocci, "The EU, the Middle East Quartet, and (In)effective Multilateralism," *Mercury E-paper*, No. 9, June 2011, http://www.iai.it/pdf/Mercury/Mercury-epaper_09.pdf.

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settlement construction, Hamas, and territorial concessions. This could serve as a signal to the Palestinians, reciprocating their verbal assurances that they will not pursue legal charges against Israel in the International Criminal Court (ICC) for at least six months following their granting of observer state status at the UN.

Turkey, Egypt, and Qatar, on the other hand, should redouble their efforts aimed at pulling Hamas into the fold of Palestinian politics. Hamas-Fatah reconciliation is a key component for the success of any new diplomatic effort, and this goal also enjoys overwhelming popular support among Palestinians. Turkey, Egypt, and Qatar should also go further than simply supporting reconciliation and pressure both factions to agree to a clear timetable for long-overdue elections in the West Bank and Gaza, given that the legitimacy of any Palestinian government must ultimately be enshrined in popular will.

Bold action is now required at both regional and international levels in order to transform the UN bid into a stepping stone for a renewed diplomatic engagement in the conflict. It is important to take advantage of the new developments in the Arab world and add a greater degree of regional responsibility and ownership to this diplomatic push. While the EU and the United States will no doubt continue to play a major role, thereby reassuring Israeli security concerns, regional Arab states must also be given a greater stake in coordinating and supporting Palestinian positions. The transatlantic partners, through the creation of a contact group that includes Arab states, will be able to salvage their diplomatic role in the conflict while favoring a more level playing field between Israel and the Palestinians.

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