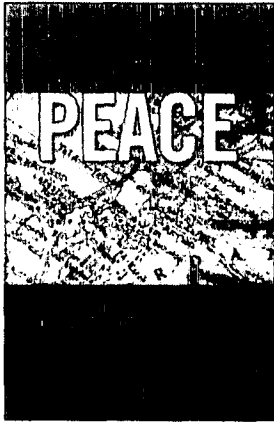


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“This study reasserts America’s crucial role in the Middle East peace process and provides a solid framework from which American policymakers and mediators can work to facilitate a comprehensive Arab-Israeli peace settlement.”

—**Senator George J. Mitchell**, Special Envoy for Middle East Peace, offering advance praise for *Negotiating Arab-Israeli Peace* (United States Institute of Peace Press: 2008)

“LESSONS LEARNED”:
THE SEPTEMBER 2010 RESUMPTION OF PEACE TALKS

1. Arab-Israeli peace is a vital American national interest.

The administration has done an excellent job framing the issue, explaining why it is important for our national security, and affirming the interconnectedness of this conflict with other problems in the region. For the most part, the administration has followed the priority set forth by the president, though on the question of Syria and prospects for Syrian-Israeli peace, progress on engagement - including return a U.S. ambassador - has fallen short of expectations.

2. U.S. policy must be made in Washington.

The early push for a settlements freeze demonstrated a strong measure of independence and signaled that Washington would not allow its policy to become too dependent on Israeli interests and perspectives. But in recent months, there have been troubling signs. Although the “proximity talks” were championed by Washington, and the Palestinians reportedly put offers and ideas on the table (as we had asked), the administration then appeared to abandon that format in favor of Netanyahu’s preference for direct negotiations. If the switch occurred only because it suited Israel’s interest, this would be a mistake.

3. The United States must not only exploit openings but also actively encourage, seek out, and create opportunities for peacemaking.

Since the first 18 months were devoted to “process” and monitoring “behaviors,” the true test for the administration now is how to turn the procedural opening of direct talks into a substantive breakthrough. In a sense, this summer’s proximity talks were a trial run. But Washington did not act as expected, that is, it appears the administration did not require Israel to lay out its positions, as Palestinians reportedly had done. Now is the time to get beyond procedural questions and do more than ensure compliance with commitments. The U.S. should use the direct talks as a vehicle for putting forward novel and dramatic ideas - as terms of reference, parameters or bridging proposals - that can break what is likely to become a diplomatic stalemate.

4. Move beyond incrementalism to endgame solutions.

Beginning with the Washington summit, it will be up to the United States to ensure that the negotiations focus on strong terms of reference or negotiating parameters on the core issues – this cannot be left to the parties. The challenge is to move the debate to the end-game and then channel the parties toward agreed outcomes and tradeoffs. It would be a huge mistake to fall

back on the tired mantra that “the U.S. cannot want peace more than the parties,” or that “it is up to the parties to reach a negotiated settlement.” They have proven in the past that they can only go so far in face-to-face talks.

One of the keys to shifting the debate to the end-game is to engage Arab states more intensively. Asking for steps to back up Abbas and the PA is important, but equally important is choreographing how Arab states will respond to Israeli measures with gestures of their own---not to ask them for up-front actions, but to entice them to take reciprocal actions and to sustain our engagement even in the face of hesitancy or recalcitrance. We should also be talking with regional actors about the broader questions of a new regional architecture for economic and security cooperation, as was done after Madrid, but has long since petered out.

5. Ensure compliance through monitoring.

The administration deserves credit for tenaciously monitoring the actions of the parties and trying to hold their feet to the fire—whether on settlements, actions in Jerusalem, incitement, security cooperation or other issues. But an even greater challenge may be looming after the Washington summit, when the partial settlement freeze must be renewed. Also, domestic pressure will build on both sides to take steps that undermine trust. It is vital for the administration to think through additional scenarios and the consequences we can bring to bear when behaviors fall short of what is required.

6. Use presidential assets, but wisely.

The administration has done an excellent job managing the president’s role up to now. President Obama has not been over-exposed, and neither has he been absent. But with renewed talks comes the likelihood that the focus will soon turn to the core issues—Jerusalem, borders, refugees, etc.—and when it does, the president will not only need to demonstrate his resolve and his support for the Secretary and the Special Envoy, but he will likely need to get personally involved in brokering compromises on the thorniest questions.

7. Build a diverse, experienced team. A dysfunctional process should not be tolerated.

The record so far has been mixed. American diplomats in the field are apparently being used to communicate with Palestinians, but not with Israel. Moreover, Israel has continued its old habit of “shopping” for favorable channels, in this case outside the Special Envoy’s direct chain. This should not be tolerated.

The Special Envoy has a team with strong skills and diverse experience. But there is a perception that White House political advisers have become too involved at critical moments. At a minimum, it does not make sense for political advisers to take the lead in communicating the administration’s messages and views to the parties or the public.

Senator Mitchell brings prestige and experience to the task, but there is a sense that the “team” is too cloistered and that the Envoy himself is averse to addressing the U.S. and regional media—where much of the discourse is dominated by the parties and their respective advocates.

Finally, it does not appear the administration has activated a “back-room” operation, as our study proposed, to think through every possible angle for addressing the core issues. All too often,

when administrations have reached the moment when it was possible to put forward bridging proposals, they hadn't done their homework. The U.S. was caught unprepared and opportunities were missed.

8. Accrue and use domestic capital.

The administration has deftly built a strong, bipartisan coalition to support its peacemaking efforts. In a highly charged, increasingly partisan political environment the administration has done well in its outreach to various constituencies here in the U.S.—and especially with the Congress. For example, on the settlements question, President Obama has more latitude than any president in 20 years.

9. Better a policy without an envoy, than an envoy without a policy.

The appointment of Senator Mitchell put the administration on solid footing from day one. It was a smart choice, and struck a good balance between stature and experience. His appointment also signaled that the president and the secretary wanted to take bold action, but that patience and determination would also be hallmarks of our policy.

Still, it has taken a long time to develop a sustainable strategy, with U.S. policy appearing to be stuck for long periods on procedural or tactical matters. The best use of an envoy is to promote a strong policy.

10. Use diplomatic tools judiciously. Assurances must be used carefully, and should not be allowed to hamstring our policy.

If these negotiations progress, it is inevitable that Israel will demand security and other assurances from Washington, some of which may be beyond the scope of our ability to provide. Equally, Palestinians are likely to ask for compensation for limitations on their sovereignty, and these may go beyond what we or our partners are capable of providing. In our role as broker and guarantor, it will be vital that we not allow assurances to one party to undermine what is promised to the other party or to contradict what is included in an agreement.

Ambassador Daniel Kurtzer & Scott Lasensky, Ph.D.

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B6