

## Israel and Palestine, Spanish Cooperation and Peace Building

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First of all, I want to thank you the organizers for inviting me, it's a great  
pleasure to be here and it has been a very interesting morning.

Also allow me to recognize something that I recall when several years ago at  
the Madrid plus 15 Conference, the Israeli and the Palestinian delegation had  
an opportunity for an audience with His Majesty King Juan Carlos and in my  
conversation that I was privileged to have with king Juan Carlos, I recall that  
he said that he as king of Spain is also king of Jerusalem and as a Jerusalem  
resident I am his subject.

And here, let me start by saying I am Israeli and I am here as a representative  
of Israeli Jewish people. I am a proud Israeli. I love my country and that's why  
it pains me so much what is going on here and it's also the reason for my  
involvement for more than 35 years in trying to reach Israeli - Palestinian  
peace. I am going to touch on a few other points raised by all the previous  
speakers. It's essential to understand that we know that there is only one  
solution to the Israeli Palestinian conflict. It's a conflict between two national  
movements, for one piece of territory. So they receive that each one of these  
movements are proving throughout history their willingness to fight, to kill,

and to die to have a territorial expression of their identity. That's why we are fighting about, each one of us want a piece of land we can call our own, where we are the bosses of our own destiny and we are proving our willingness to use violence in order to have that and both sides have been killing each other on this land for a piece of their identity for the last 100 years.

We are right now in what might be the final chapter for a period of time of a negotiation, of a chance for negotiated end to this conflict. We have 11 weeks left, the clock is ticking of a time period that was allocated by Secretary of State John Kerry and President Obama with the agreement of President Abbas and Prime Minister Netanyahu and their respective governments, to try and reach a negotiated end to this agreement. What they are trying to work out now is to put on the table a piece of paper that will enable enough substance in quantity and quality to be there as a framework of agreement in order to conclude a permanent comprehensive peace agreement by the end of the year.

Those negotiations will continue beyond the end of April deadline, if, the framework that the Americans are working on and putting down on the table contains enough substance for the sides to continue. We know, we all know, what a prospective Israeli Palestinian agreement looks like, we all know what are the concessions each side is going to have to make in order to have a final agreement, an end of conflict, and an end of claims. There is no rocket science to this anymore, we've been negotiating for more than 20 years, we know what the issues are, we know what the solution are, we know what it looks like and so does President Abbas, and so does Prime Minister Netanyahu.

In my view, because we know so little about what's actually going on behind the closed doors, we know very little what's happening in the negotiation taking place, not bilaterally between Israel and Palestine, but bilaterally between US and Israelis, and between US and Palestinians, this new Israeli -



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Palestinian negotiation going on right now, it is between the Americans and Israelis, and the American and the Palestinians to try to find the bridging proposals which will enable the continuation of the process toward an agreement. We don't yet know what the substance of those talks are and what in fact that framework agreement will contain, although they are helping so called leaks over the past weeks and months. I would suggest to all of us to ignore everything that has been written about what those agreements contain because the people who are writing those articles in the newspapers and reporting on the TV and radio have no idea themselves. They might be based on talking to politicians, but those politicians have no idea themselves either. They are out of the room, I don't know a single politician who can say to a journalist I don't know. I know many journalists who call and ask me for information; when I tell them I don't know, I add to them, just write what you want because you make it up as it goes along, anyway.

We saw a great example just this past week when two very prominent Israeli journalists one from Haaretz newspaper and one from Chinatown News reported that President Obama had withdrawn the support to Secretary of State Kerry, and the agreement that Kerry put down on the table be amorphous, non committal, a statement to principals that the two sides can disagree to. It took a matter of hours before the White House denied that.

So I would repeat, we don't know what's going on in this negotiation, everything that has been written in my view, is false, we don't know when the Americans put down something substantial on the table and what the parties agree, and when the Americans in the lead tell us what's in that document. Until then, we are in a cloud and while we are in that cloud it seems quite apparent to me that there are two decision makers who are struggling; President Abbas and Prime Minister Netanyahu.

I know both of them and I think that both of them do not need advisors to tell them what to do, they know very well what are issues, they know very

well what are the difficulties and accepting the necessary concessions to reach peace and I think that each of them is struggling because a piece of our own national collective memory and narrative is at stake on the table, because the concession that are necessary to create two states for two people's solution requires each side to step over web lines that they've have put down on the ground for years.

We are at a moment of truth; this is the moment of truth. If we fail to reach a negotiated end to this conflict, if the negotiations after April fail ... I suggest everyone to read my column in Jerusalem Post, every Thursday I have a column which just last night I worked the scenario that Bassem delivered here.

I'll tell you; this has not been reported but, last week Tzipi Livni, the Head of the Israeli negotiating team asked for a private face to face meeting with one of the world's experts of the ICC. She wanted to know what Israel face if in fact the Palestinian would go to the ICC. And she was given a much closed scenario, not exactly the one that Bassem gave because I think it's much simpler, and this is what the expert told Tzipi Livni. The Palestinians as a signatory to the Rome statutes won't take Israel to the ICC, it will be able to on a simple case of building elements for Israeli civilians in territories occupied in 1967, be able to get an indictment from the ICC against Israeli leaders and military officers and at that point once an indictment is issued by the ICC without any trial, without any conviction, for the arrest of those Israeli leaders and officers won't be able to step one foot outside of Israel.

Every country in the world which is a signatory to the Rome statutes will be obligated by international law to arrest those Israeli leaders and officers and turn them over to the ICC. That of course is a scenario...

Sorry, may be some money should be earmarked from Spanish cooperation to build a bigger prison ...



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I don't think we need a bigger prison, but I think it's easy to talk about these scenarios, but these scenarios are going to have consequences on both sides of the border. Israel won't retaliate and the Palestinian people will suffer, there's no doubt about that, and it's not the leaders who will suffer it's the common people who always suffer. There might be that the Palestinians are ready to accept the challenges that standing up for their rights would entail.

It will boomerang on Israel, there's no doubt about it, Israel will suffer the consequences, but Israel is much stronger as a nation than the Palestinian people which are under occupation. So we should discuss these ideas out casually there will be new consequences for real people.

The one condition I would say for the Palestinians to be able to stand up to the challenge for taking responsibility for their destiny in that way is ensuring that we won't go back to violence. The one guaranteed scenario for derailing any Palestinian initiative to take Israel to Court would be the return of violence to Palestine. Palestine will lose its moral high ground the minute the peaceful territories explode into violence again, and we will return to scenarios of suicide bombing and terrorism against the Israeli public.

That's the moment when the strategy that Tom Friedman called the 3<sup>rd</sup> Intifada is derailed and Palestine loses once again. So this whole strategy of international non-violence resistance thru legality is at risk, if there is a loss of Palestinian control over society.

But, I want to go back to the 1<sup>st</sup> scenario because that's the scenario that we want to succeed. In my mind, despite what *Samam* said about leadership problems in Israel, perhaps about leadership in Palestine, there are no two better leaders than the current leaders of Israel and Palestine to bring us to peace. Mahmoud Abbas is the last of the founding fathers of the Palestinian national movement, as such, he has the moral legitimacy, if not the political legitimacy today, to deliver the independent state of Palestine to the

Palestinian people with the concessions he will have to undertake, very difficult ones.

And Prime Minister Netanyahu as the leader of the right wing in Israel is the best possible Israeli leader to make the concessions Israel needs to make, territorially and otherwise. You have to understand and I know this is difficult to grasp, but for Israelis, all Israelis, including myself, our historical heritage land is not the beaches of Tel Aviv, but the hilltops and the valleys of Judea and Samaria, the West bank. When we open up the Torah and we read that Torah every day in synagogue and we pray to God 3 times a day, not 5 times like the Muslims, 3 times is sufficient for us. We are recording our historical memory of the hilltops and the valleys of the land of the prophets, which is the hilltops and the valleys of the West Bank. So, although these are territories that Israel occupied in 1967 in our historic collective religious memory, this is part of our land as well. But we like the Palestinians to understand and know that if we want a piece of land we can call our own if we want a territorial expression of our identity, we can't have it all.

Let's be realistic, this is going to take place with probably 4% of the territory of the West Bank. There's a potential agreement on the table, not easy, but it's there on the table. We need the support of the international community both sides to provide the insurances that peace will in fact be peace, we have had 25 years of failed peacemaking. Let's be sober about what has happened here. We have signed agreement in September of 1993, we have signed 6 agreements between us, Israel and the PLO signed 6 agreements, every single one of those agreements has been bridged by both sides, significant bridges by both sides. Let's be sober about this, this is not a situation of one side wanting peace and the other not wanting peace, both sides declaring they want peace, both sides have failed to implement their obligations and commitments under treaties.

And because of that we have the reality of the situation on the ground today where there's no trust, but completely mistrust, it's worse than no trust. We

believe that the other side actually has no intention to implement what they say they are going to implement, which makes making peace all that much more difficult. Signature is not good enough; we have to learn the lessons from the failures.

We have to understand that violence and peace don't go together that when we make a commitment to end the conflict thru diplomacy it has to remain at the diplomatic level. We have to understand that building settlements is also being survivors. We have to understand that terrorism is not acceptable in any form by states, by institutions, by people.

We need to build into the agreement that shows us that guarantee that the implementation is done over time by performance with third party monitors serving as judges to determine whether or not the parties implemented their obligation under the treaty.

This is not kumbaya days of sitting round the campfire and singing songs. These are decisions that have consequences for the life and death of real people. It's not a simple matter, it's very serious.

So therefore, one, it's very frustrating because those of us who would like to rally the troops and get out and call everyone to demonstrate for peace, know that you can't get people to get out to the streets to demonstrate for something they don't believe is possible.

A majority of Israelis and the majority of Palestinians want peace. If it were a real possibility they would be on the streets. But a majority of Israelis and a majority of Palestinians don't believe that's possible. And that's why they are not on the streets today, not because they don't want it, not because there is not an Israeli peace camp, there is, not because there is not a Palestinian peace camp, there is. But a majority of us simply don't believe it's possible. You can't get people to demonstrate for something they don't believe it's possible.



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So it's very frustrating for us who are sitting here waiting for that piece of paper to be put down on the table, but that's what we have to do and when it's put down there then we have to rally the troops and get out and say yes, even if it means that we are going to have to make concessions that are hard for us to accept, because every other alternative is so much worse. The moment of truth.