



IPCRI-KAS Negotiation Support Team (NST) Meeting
23-24 May 2008
Nazareth
Activity Report

Meeting Objectives

The objectives of the current NST meeting were different for each team. The Jerusalem team set out to develop the set of options formulated at our previous NST meeting, deepening both the level of detail and analysis for each of the seven options for dividing sovereignty over the Temple Mount/Haram al-Sharif and the Old City. The Culture of Peace group set out to broaden its analysis on the means available to the Israeli and Palestinian governments to create cultures of peace among both peoples and to widen its “toolbox” of concrete steps, which will form the basis of its recommendations to the negotiators.

Because the water group was meeting for the first time, its objectives were similar to those of the Jerusalem and Culture of Peace groups in their first meetings: to map out all the specific issues involved in resolving the water issue, to identify areas of agreement, areas of disagreement, and areas requiring more research.

The objectives of all three teams are a part of the wider objectives of the negotiation support teams project: to help Israeli and Palestinian negotiators and decision makers reach agreement on a detailed settlement to the conflict by providing them with model agreements, compendiums that make existing research more accessible, policy papers and special reports that the negotiators and decision makers themselves commission.

Summary of Meeting Discussions

A summary of the discussions for each of the three groups are presented below. When conclusions were reached, they are stated, but many of the important questions that remain to be answered are included as well.

The Jerusalem Group

Introduction

The Jerusalem group brought together Israelis and Palestinians to discuss the different possible models for the division of sovereignty in Jerusalem’s Old City. In its previous

meeting, the possibilities discussed were god sovereignty, external sovereignty, divided sovereignty, joint sovereignty, and no sovereignty, or suspended sovereignty.

The purpose of this meeting was to investigate the different options and the issues that might result from each. It was agreed that the Haram al-Sharif and the Kotel areas should be dealt with separately from the rest of the old city, and discussion of these two areas follows. Models discussed include divided sovereignty, suspended sovereignty, external sovereignty, and joint sovereignty. These models and the group's conclusions are reviewed below.

The Haram al-Sharif and the Kotel Areas

Why deal with this issue separately?

- The Haram al-Sharif and the Kotel areas have tremendous importance to the Islamic world and the Jewish community.
- Any agreement that does not take into account the interests of either side is bound to fail.
- There is general agreement on both sides to respect the right of the other to their own holy sites. If it is the case that both sides are in agreement of who gets what when it comes to these two all important areas, the final settlement of these areas should not be hung up by the inability to reach agreement on other more difficult issues.
- Matters of real estate must be dealt with separately from religious sites.

Issues

- What are the exact boundaries of the Haram al-Sharif and the Kotel? Does that include the underground tunnels that run along the western wall and under Arab neighborhoods? If so, is this fair to the Muslim quarter?
- What about security? Who will have authority on the Haram al-Sharif and over the Kotel?
- Would Israelis be willing to give sovereignty of the Haram al-Sharif to Palestinians? They are forbidden by religious law to enter it, but it would still be highly unpopular.
- It seems that there would have to be a trade-off. Israelis would have to be willing to give up sovereignty of the Haram al-Sharif. Palestinians would have to give up the right of return. Would either side be willing to make that trade off?

Solution

- Sovereignty of the Haram al-Sharif goes to the Palestinian authority, but under that pretense that it be open to the wider Islamic world. Sovereignty over the Kotel remains with Israel.

Divided Sovereignty

What would it mean?

- Sovereignty over the Old City would be split between Israel and Palestine.
- Who gets what? It is generally agreed that the Palestinians would receive the Muslim quarter and the Christian quarter since the shops and homes are mostly Arab, and the Israelis would hold the Jewish quarter. The Armenian quarter is a difficult issue to solve. It is unlikely that Israelis would accept an agreement where they lose the Jaffa gate, but many of the residents and merchants of the Armenian quarter are Arab.

Issues

- The Armenian quarter. Who gets it, or where should it be divided?
- Is it wrong to distribute parts of the city without those who live there? Perhaps Christians, Armenians, and other parties who would be affected should be present for any decision on division of the city.
- What will the divisions look like? Will we have soft borders or hard, physical borders?
 - If there are soft borders, issues like smuggling can arise. Also, how does one know what sovereignty applies? There is also a higher security risk if the borders are soft.
 - What would hard borders look like? Physical walls might be seen as a crime against Jerusalem, culturally and architecturally. Would they be filters, and if so who would secure them? Any type of hard border would hurt tourism and the ability of anyone to travel to holy sites in other quarters.
- Who would handle the infrastructure of the city? Should there be two managing bodies? Can infrastructure be dealt with by two separate bodies or is it best left to one body? What would such a body look like?
- Security Issues are inherent. Should security be left to an international party? Maybe an international security force could never work when it comes to the Old City.
- What does sovereignty mean? It seems that there needs to be coordination between the two sovereignties when it comes to excavation, building, and economic regulations. How would this be regulated? Would there be an Old City body, and if so would that body have power over the sovereign nation?
- Do we follow the Clinton parameters?
- Can Jerusalem be divided or is it one living entity?

Suspended Sovereignty

What would it mean

- To prevent the issue of sovereignty in the Old City from obstructing agreements on a larger scale, don't assign sovereignty to any party for a period of time, say ten years. In the mean time, authority stays where it is now de facto. This applies to the Haram al-Sharif and the Kotel.
- After a period of time, the solution to sovereignty might become more apparent.
- In the mean time, a larger peace agreement can be found.

Issues

- Are we putting this issue on the back burner and putting it off when it ought to be decided?
- Is the current authority of the Haram al-Sharif and the Kotel sufficient?
- What about the rest of the Old City? Who will have authority over those areas?
- Perhaps the Muslim world would not accept suspended authority. They might see it as a way that they are being left out of the deal.
- Who would enforce security over the Old City? Israeli security must be addressed in any successful solution.

External Sovereignty

What would it mean

- A third party, separate from Israel and Palestine, would have control of the Old City of Jerusalem.

- This party would most likely be in the form of an international body, be it the United Nations or a Council of Nations.
- The whole issue of who has sovereignty over what would be avoided.
- The Old City would be much more accessible to civilians and tourists.

Issues

- Not acceptable to either Israelis or Palestinians.
- Hard to define the final arrangement of how the city would be run.
- Are international bodies capable of running the city, or will they run when there is trouble, like in Lebanon?
- Neither side has much confidence because neither side wants to give up their sovereignty.

Joint Sovereignty

What would it mean

- The Old City would not be divided.
- The Old City would be in control of Palestinians and Israelis. It would be a bubble zone.

Issues

- How would the city be run?
- Would one group dominate the other?
- Would Israelis accept giving up authority?

The Culture of Peace Group

Introduction

The Culture of Peace group brought together prominent Israelis and Palestinians with experience in governmental, non-governmental, and academic sectors to expand on the ideas discussed in the February 2008 meeting. The February meeting produced a set of definitions and recommendations for use by Israeli and Palestinian negotiators.

The group in this second meeting recognized the strong foundation presented by the work produced in February and sought to create concrete steps for fostering a culture of peace. This document lists the most important and most focused upon points, concerns and questions raised by participants. All points are culled from the full meeting transcript.

Assumptions

- Of the five underlying Assumptions underlying the group's work, one was added and one modified: *the majority of both publics have to accept the final status agreement, and any agreement must have finality for the issues decided upon.*

Stages of a Culture of Peace

- The various projects forwarding a culture of peace fall within three different stages of the peace agreement process. These "time-zones" have been attributed with roughly estimated lengths of duration for discussion purposes.
 - Stage 1, first 6 months: Begins with the signing of an agreement and ends with the ratification/approval of the agreement. The goal of this period of time is to create hope for peace, which will serve the goal of achieving ratification.
 - Stage 2, second 30 months: Beginning from the ratification/approval of the agreement to the successful implementation of the factors of the agreement.
 - Stage 3, ongoing: The continuing cultural changes and processes, which will continue far beyond the implementation of the physical aspects of the agreement.
- Within each of the stages fall concrete actions constructed under a framework of seven components of building a culture of peace. Under each component are a number of "means" for working on a culture of peace, for example, through symbolic acts, provision of knowledge, cultural exchanges, etc. The framework of these components and means, as well as the concrete steps brainstormed by the group, can be found in the accompanying chart (Appendix I).

Key Thoughts

- One of the biggest obstacles to a culture of peace is a lack of trust between the two peoples.
- The lack of trust is founded upon a lack of knowledge about the other.
- Creating a culture of peace is truly a psychological and cultural shift, which is based primarily on an expansion of knowledge and shared cultural understanding of "the other."
- While there is much interfaith dialogue occurring there is a large disconnect between these interactions and the public. Furthermore, there is concern as to how extensive of a reach the government sponsored clergy actually have over the two populations, as this section of the clergy are often seen with a level of mistrust.
- We must ensure that we treat a culture of peace as a means and an ends.
- Other ideas, such as the creation of a Ministry of Peace must be an ends and not a goal.
- People to People projects must address some of the fundamental obstacles to their work. From the government end however, there must be support beyond simply funding, they must actively support and be involved in the projects.

The Water Group

Introduction

The following sections summarize the work of the water team. As opposed to the previous summaries, which are organized by subject, this summary has a chronological organization.

Session 1: Friday 23 May

This was the first meeting of the Water Negotiation Support Team. The group introduced themselves including their background and current work. The group discussed and set out a work plan for the two days of meetings. The group agreed they should first identify the major water issues that will need to be dealt with in any final status agreement (FSA). They would follow this initial definition of the major issues with a detailed discussion of each of the issues to identify the major problems and elements that need to be dealt with. The group agreed to

propose solutions to the issues and look at the different options to resolve any conflicts or problems.

The group discussed and identified the major water issues that will need to be dealt with in any final status agreement. The group defined these as:

1. The amount of water available
2. Quality of the water
3. Water laws and rights
4. Additional sources of water
5. Division of the available water
6. How to manage water resources
7. The pricing of water
8. Issues which were still uncertain and which could affect a final status agreement of water such as the final decision on borders between Israel and Palestine.

Session 3. Friday May 23

The group prioritized the major water issues in same order as presented above. The group noted that the issue of borders is one whose resolution as part of a FSA is a prerequisite for solving other issues. However, as the remit of the group was not to discuss the issue of borders, the group decided to discuss this last.

The group decided to discuss each issue in further detail in turn over the remaining sessions allocating around 30 minutes for each issue.

- (i) The group discussed issue 1: The amount of water available.

This group defined the amount of water available according to:

- a. cross-border transboundary sources (including the Jordan River and the mountain, eastern and coastal aquifers); and non-trans-boundary sources

The group discussed the contentious issues involved in determining the amount of water available and the different views on this. They also discussed competing Israeli and Palestinian claims to water resources and noted that the amount of water resources available has to be considered together with water quality issues in any FSA.

Session 4: Friday May 23

- (i) The group discussed issue 2: the quality of the water in further detail. The discussions focused on the issues of:
 - a. water pollution especially of the Mountain Aquifer, the need for pollution to be stopped by all parties and means by which this can be achieved (e.g. setting and enforcing water quality standards); and
 - b. the need for good standards of waste water treatment and how this could be achieved.. The group noted that international donor participation and funding would be important to achieve these goals.

- (ii) The group discussed issue 3: Water law and rights in further detail. The discussions focused on the issues of:
 - a. uncertainties/lack of clarity and different interpretations of international water law;
 - b. the need for government's to consider the social aspects of water rights;
 - c. consideration of the economic dimensions of water rights;
 - d. the effect that future scenarios might have on FSA and the need for negotiators to develop scenarios and use them to inform the negotiations; and
 - e. human rights for water and how these should be taken into account.

Session 5: Saturday 24 May

- (i) The group discussed issue 4: Additional sources of water.

Discussions focused on the different options for additional sources of water including treated wastewater, desalinated water and water imports. The group considered the current situation of these additional sources, the viability for their use in the future, how and to what extent they could be used, the impact that their development and use could have on the water situation and where they should fit as part of a FSA.

- (ii) The group discussed issue 5: The division of water

The group noted that water quality would have to be taken into account in the division of water. The group agreed that water should be divided first according to basic human needs and then for all other uses. The group's discussions included how to define basic human needs, the Palestinian needs for development, possible political difficulties for both parties resulting from any division, the role of economics and basic supply/demand to determine the division of water and the role of property rights.

Session 6: Saturday 24 May

- (i) The group discussed issue 6: How to manage the water resources

The group's initial focus for discussion was the Joint Water Commission (JWC) initiated by the Oslo agreement. The group identified a number of weaknesses and deficiencies of this mechanism especially in terms of sovereignty and enforcement mechanisms. The group's discussion then focused on how to establish and ensure good operational joint water management. This included issues such as renaming the committee, creating a new structure, and power sharing and enforcement mechanisms. The group noted that although the division of water was a prerequisite to truly operational joint water management, work on establishing a joint water management committee with new parameters for its operation could be commenced as soon as possible..

- (ii) The group discussed issues 7 and 8: the Pricing of Water, and Borders

The discussions focused on the use of pricing to improve the quality, quantity and efficiency of water use. The group agreed that pricing should be taken into account in the division of water and that pricing in one state can affect that in the other. The group agreed that the issue of the setting of borders would be a pre-requisite for the resolution of many water issues. The group discussed adverse factors that may arise in the short or long term that could affect any water negotiations or a FSA.

Session 7: Saturday May 24

The facilitator presented draft texts designed to provide workable solutions for problems facing the two parties based on the discussions recorded above. The group went through these, made changes and agreed the texts. The group looked at the "mind map" summaries of the discussions prepared by Rhiannon McHugh. They then agreed that the common statements and summaries of discussion would be circulated to them after the meeting and that they would serve as the basis for the next meeting of the group. The group agreed that the next meeting would be held within three months and noted Professor Eilon Adar's offer to host the next meeting in Sde Boker.

They agreed on the manner in which they would present their work to the final summary session of the weekend with all participants and thanked each other for the constructive discussions and work produced.

Meeting Outcomes & Analysis

By and large, the May NST meeting was a success. The Jerusalem group managed to map out the possible options for dealing with issues of sovereignty, management and administration and security with regard to peace agreements for the Old City of Jerusalem and the future status of the Temple Mount/Haram al-Sharif.

The Culture of Peace group, as shown in Appendix I, generated a large quantity of concrete steps for creating a culture of peace, which will soon be formulated into a set of options for the negotiating teams. The water group succeeded in mapping out areas of discussion and agreement for a final status agreement and are ready to begin reviewing the details that will allow them to make concrete suggestions on the division of water resources between Israel and Palestine.

Although improvements in attendance must still be made, the turn-out for the meeting was much higher than that of the February NST meeting. IPCRI planned for the inevitable last-minute cancellations and will increase its cancellation ratio for the next NST meeting in August.

Appendix I: Culture of Peace Concrete Steps

Components	Means	Concrete Steps
Creating Hope		
	Opening Channels	
	Encounters and contact	Student encounters
		Exposure for dialogue groups and peace endeavors
	Government commitment to the peace agreement	Public statements by leaders on both sides in response to transgressions
	Conciliatory rhetoric and acts	Change terms like "terrorists" "Judea" and "Samaria"
		Training for religious leaders
	Symbolic Acts	Film or a play that will present what Israel and Palestine will look like after the conflict
		Imagining peace: short story or short film competition
	Opening Channels	Educational movies about peace
Perceived Security		
	Encounters and contact	Short exchanges populations (for a short time - swap)
	Opening institutions	Joint security training and operations
	Opening channels	Consociationalism - including minority or fringe in the government by means of power sharing
	Stop incitement	Transformation of platforms that promote the conflict
Support for Peace		
	Opening Channels	Radio for Peace
		Encourage exchanging editorials and op-eds
		Inviting guests on tv
		Translation of media
		Peace journalism (training for conflict-sensitive reporting)
	Encounters and contact	Exchange of speakers (by sectors)
	Creating symbols	Flags of both countries on both sides
		Putting pictures of both sides that portray peace - new images on a daily basis

		Peace anthem
		Day of peace
		Routines of meetings between leaders (many types and many levels), academics
		Twinning cities
	Opening Institutions	Government spokesperson's office to endorse peace
	Symbolic acts	Ministries of education declare the development of peace education as a top priority
	Symbolic acts	Award giving for books that contribute well to the improvement of relations (maybe through PM's office)
	Symbolic acts	Books and magazine in hebrew and arabic
	Encounters and contact	Visits and ceremonies between religious leaders (rabbis, muftis and patriarchs)
		Religious leaders: common declarations, newsletters, statements, comments on events, declaring support for peace
	Creating Encounters	Organizing seminars with spoilers
Develop Sensitivity to the Other's Needs and Goals		
	Providing knowledge	Visits to families neighborhoods
		Meetings between governors of different municipalities
		Reality tours
		Establishing academic degrees in conflict resolution and joint programs
	Opening Institution	Reconciliation and justice committee
	Symbolic Acts	Incubator for joint projects
		Honor the holy and historical places of the other side (cemeteries, holy places)
		Rebuild mosques
Respect for the other side's human rights		

	Opening institutions	Joint training and courses for human rights
		Re-education for both security forces to be sensitive to human rights
Creating a common vision		
	Revising narratives and myth	Cleaning textbooks for negative stereotypes and deligitimizing of the other
		Delete misinformation and moral judgments in curriculum
		Declare a uniting theme of peace in education
		Implement peace education
		Teacher training on addressing issues honestly and objectively - incorporated into teacher training
		Monitoring/empowerment mechanism for teachers
		Support groups for teachers to support their work - joint monthly meetings, including curriculum designers
	Encounters & contact	Exchange of teachers
	Providing knowledge	Learn the other's language (implemented from first grade)
	Opening institutions	Ministries of peace or governmental department coordinating all these efforts
	Providing knowledge	Market common vision of peace agreement (tv, newspapers, radio, education system, streets)
Recognizing and trusting the other side		
	Stop incitement, demonization, illegitimization	Creating a committee with international participation to monitor the media and books
	Opening Institutions	Open Institute for Peace
		Open museum for peace
		Research cooperation
	Providing knowledge	Publishing brochures about the other side and disseminate them through government institutions
		Encouraging tourism for both sides

	Exchange of culture	Translating books
		Organizing festivals and exhibitions
		Organize joint events
		Exchange of artists
	Symbolic Acts	Reporting religious holidays in each other's media (calendars)
	Revising narratives & myths	Develop a common history and teach it at schools
		Creating a joint or shared narrative
		Creating multiple narratives with analytical tools
		Update textbooks with historiography
	Providing Knowledge	Joint television programs for various ages
		Creating a peace channel