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Final-Status Issues for Israeli-Palestinian Negotiations: Challenges and Complexities

Introduction

Israel is committed to the peace negotiations with the Palestinians and hopes they are successful. The issues confronting them, however, go to the heart of Israel's security concerns. Any successful effort will require direct negotiations between the two parties without outside coercion. Below is an overall analysis of five key final-status issues – security, borders, refugees, Jerusalem, and mutual recognition. Over the coming months, we will discuss each in greater depth in separate issue briefs.

Security

Israel's primary concern is ensuring that any agreement preserves its ability to defend itself. Three factors dominate:

- **Terrorism and rocket fire:** Palestinians have launched many thousands of rockets into Israel following its 2005 withdrawal from Gaza. Israel will seek to ensure that any West Bank withdrawal will not lead to similar attacks.
- **Security against conventional and asymmetrical attack:** Historically, the West Bank has provided Israel strategic depth – i.e., a territorial buffer. Border adjustments and special security arrangements are critical to ensuring that the Israel Defense Forces maintain its ability to counter such threats.
- **Requirement for self-defense:** Self-reliance is an Israeli core strategic value, reinforced by the historic unreliability of outside forces such as U.N. peacekeepers. Israel will insist that any agreement enable Israel to provide for its own defense.

Borders

Israel seeks secure, defensible borders that also take into account changing demographic realities.

- **Security adjustments:** What security arrangements will be required to enable Israel to withdraw from additional parts of the West Bank? It is important to understand the severe problems that Israel will face. For example, Ben Gurion International Airport is less than three miles from the West Bank – and will need assured mechanisms to prevent terrorists from aiming shoulder-launched rockets at aircraft arriving or departing.
- **Demographic realities:** Nearly 80 percent of Israelis living in the West Bank live in communities adjacent to the pre-1967 line that constitute about 5 percent of the West Bank. Presidents Clinton, Bush and Obama have recognized that demographic realities preclude a return to the pre-1967 lines. Israelis have previously examined the possibility of ceding land

within pre-1967 Israel to compensate for land in the West Bank that would be incorporated into Israel.

Refugees

Palestinian negotiators have demanded Israel accept the “right of return” of Palestinian refugees and their descendants to Israel.

- **Return to a Palestinian state:** The goal of the peace process is the end of the Israeli-Palestinian conflict based on a two state solution – Israel as the nation-state of the Jewish people and the state of Palestine as the homeland for the Palestinians. As such, the Palestinian refugee issue should be resolved through compensation and the “right of return” of Palestinians to the state of Palestine, not Israel.

Jerusalem

The united city of Jerusalem is Israel’s capital. Jerusalem is a complex issue for practical, security, religious and historical reasons. It arguably remains the most emotional and difficult issue to resolve.

- **The capital city:** Jerusalem is the historic, current and future capital of the state of Israel and the spiritual capital of the Jewish people.
- **Freedom of access to the holy places:** Jerusalem is not only Judaism’s holiest city, but also the third holiest city in Islam and the birthplace of Christianity. Freedom of access to the holy places has been guaranteed by Israel to members of different religions ever since the reunification of the city in 1967, and must be preserved in any final agreement.
- **“East Jerusalem”:** The Palestinians demand a capital in what they refer to as “East Jerusalem,” which they define as the parts of the city occupied by Jordan from 1948 to 1967. This encompasses the entire Old City of Jerusalem, including the Jewish Quarter and the Western Wall, as well as other Jewish neighborhoods.

Mutual Recognition, End of Conflict and Claims

The recognition of Israel as the nation-state of the Jewish people and the recognition of an independent Palestinian state are fundamental to any peace agreement.

- **Mutual recognition:** President Obama has stated that mutual recognition is key to ending the conflict. “It will be very clear what the nature of that agreement is: There will be a sovereign Palestinian state, [and] a sovereign Jewish state of Israel,” Obama said.
- **Jewish state:** Israeli leaders are demanding Palestinian recognition of Israel as the nation-state of the Jewish people in order to demonstrate that the Palestinians’ goal is no longer to challenge Israel’s existence or its Jewish character.
- **End of conflict and claims:** The conclusion of a peace agreement must result in a formal end of conflict and end of all claims that Israel, the Palestinians and the international community accept. It cannot result in unending attempts to undermine Israel, its legitimacy, or its security.