

# Stalled Arab Peace Initiative Reaffirmed

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## ABOUT THE AUTHORS



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Brief Analysis

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## If it is to be a catalyst for action, the API will require a more direct approach with Israel.

**Post-publication update:** Secretary of State John Kerry hailed the move of the Arab League delegation as “a very big step forward.” In Israel, the reaction was more mixed. Israeli prime minister Binyamin Netanyahu made his first visit to the Foreign Ministry since also assuming the position of foreign minister in the new government. In his remarks, he stated that peace with the Palestinians was important so that Israel could avoid being a “binational state.” Yet he made no reference to the Arab League statement. Other officials, on background, termed it a “suggestion” and asserted that Israeli-Palestinian talks should be based on no preconditions. However, two cabinet ministers did offer support: Justice Minister Tzipi Livni said, “It is important for the Palestinians to know that they have the support of the Arab world for a negotiated peace agreement that ends the conflict,” adding “it’s imperative for the Israeli public to know that peace with the Palestinians means peace with the entire Arab world.” Science Minister Yaakov Peri, a member of Yair Lapid’s “There Is a Future” Party and former head of the Shin Bet, expressed support that the landswap idea could restore prospects for peace and enable Israel to retain settlement blocs.

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Blair House was the setting on April 29 for a meeting between an Arab League panel, Secretary of State John Kerry, and Vice President Joe Biden. Qatari prime minister Hamad bin Jassim al-Thani, who leads the Arab League API follow-up committee, headed the Arab League delegation; league secretary-general Nabil el-Araby, as well as the foreign ministers of Egypt, Bahrain, and Jordan, the Lebanese ambassador to Washington Antoine Chedid, and a representative of the Palestinian Authority (PA) joined him. Saudi Arabia was represented by Adel Jubair, its ambassador to Washington (it is unclear whether Saudi foreign minister Saud al-Faisal was absent due to ill-health or longstanding friction with Qatar). All parties reaffirmed their support of the API along with land exchange, or “landswaps,” as part of a final peace agreement between Israel and the Palestinians.

Al-Thani stated that the Arabs would support “comparable, mutually agreed, and minor” landswaps. The concept of

landswaps is one that Yasser Arafat accepted on behalf of the Palestinians in the 1990s; he recognized that while any final deal would not mark a return to the precise boundaries that existed before the 1967 war, the equivalent of such lines could be achieved through a land exchange -- whereby Israel would yield land within the pre-1967 lines and thus retain some West Bank settlements adjacent to the boundary. As early as 1969, the U.S. Rogers Plan articulated that "While recognized political boundaries must be established, and agreed upon by the parties, any change in the preexisting lines should not reflect the weight of conquest and should be confined to insubstantial alterations required for mutual security." Thus, even if the idea of landswaps is not new, the Arab League could now provide political cover for Palestinians willing to explore more innovative ideas. The Qatari statement brings the Arabs closer to the two-state vision articulated by President Obama in May 2011 when he called explicitly for landswaps -- with the pre-1967 lines as a baseline rather than the endpoint -- as part of a deal with Israel.

To date, Secretary Kerry has made three trips to Israel and the West Bank to explore resumption of peace talks and reaffirmation of the API, which he views as vital to moving forward with Israeli-Palestinian peace efforts. Moreover, U.S. senior officials hope that the API will foster revival of direct negotiations between Israel and the Palestinians and ensure that Arab states are more supportive of the PA. Nevertheless, Qatar, although heading yesterday's delegation, has been funding Hamas, the group challenging the PA. While Qatar has provided \$400 million worth of construction materials to Hamas in Gaza via Egypt, the PA has had financial problems. It is known that some of the disruption of aid to the PA was due to money withheld by the United States and tax receipts not transferred by the Palestinians. Yet the PA has also had a shortfall of aid due to the paucity of Arab contributions. In January, Palestinian prime minister Salam Fayyad acknowledged the disrupted U.S. and Israeli funding, but added, "The financing problem that we've had in the last few years is solely due to some Arab donors not fulfilling their pledge of support in accordance with Arab League resolutions." It is believed that Kerry also discussed with the Arab leaders the possibility of big employment -- private and public sector projects -- for West Bank Palestinians.

## Origins of the API

**T**he Arab Peace Initiative was first proposed at an Arab summit in Beirut in March 2002. At its core, it declared that the twenty-two Arab states would engage in "normal relations" with Israel if Israel agreed to a Palestinian state and to "full Israeli withdrawal from all the Arab territories occupied since June 1967" -- i.e., the West Bank, East Jerusalem, Gaza, and the Golan Heights. (API makes special reference to full withdrawal from the Golan.) The API also stipulates the "achievement of a just solution to the Palestinian refugee problem to be agreed upon in accordance with UN General Assembly Resolution 194." In contrast to Security Council resolutions, General Assembly resolutions are always nonbinding, yet Palestinians often invoke the passage in Resolution 194 whereby residents who favored peace with Israel could return to their homes as "right of return," even through this term is not explicitly used. The mention of "agreed upon" in the API wording is sometimes whispered by Arab officials as suggesting that Israel would have a veto on refugee return, but this is never spelled out in any Arab document.

The original version of the API was somewhat different. In a February 2002 interview by New York Times columnist Thomas Friedman, Saudi crown prince Abdullah called for "full normalization of relations" in return for a "full withdrawal." He did not discuss the refugee issue. At the same time, on the favorable side, it should be pointed out that either variation was in marked contrast to the 1967 Arab Summit in Khartoum, which mandated no negotiations, no recognition, and no peace with Israel. Given all the friction between Israel and the Palestinians and the upheaval in the Arab world since 2002, it is interesting that the API is still extant.

## Why the API is stalled

**D**espite its image as a foundational contribution to the Roadmap for Peace (2003) and the Annapolis Conference (2008), the API has failed to translate into an effective mechanism for Arab-Israeli peace.

Arabs blamed the Bush administration and Israeli government for API's lack of success, saying that they failed to take it seriously. Israelis were stung that the API had its inception on the same day an Israeli hotel was blown up during Passover, killing civilians -- a tragedy that was not even mentioned at the Beirut Arab League summit. Israeli prime minister Ehud Olmert did indeed praise the API, while Ariel Sharon and Binyamin Netanyahu have been more hesitant in their support due to the reference to Resolution 194 and the call for full withdrawal on all fronts to the pre-1967 lines. At present, Israelis cannot foresee the feasibility, let alone the desirability, of withdrawing from the Golan Heights while civil war decimates Syria. Israel complains that the Arab League has never even sent a full delegation to Israel to discuss the API. And, of course, the regional upheaval in the Mideast that began in early 2011 has pushed the API further back in priorities since the early post-9/11 days. Moreover, the recent Arab League summit in March did not mention the idea of "normal relations," but did call for full withdrawal in return for peace. The summit opposed the idea that "Israel declare itself a Jewish state" and the Qatari leadership announced a contribution of \$250 million toward a billion-dollar fund so that Jerusalem could retain its "Arab and Islamic identity."

## How the API could be more effective

**A** few steps can be taken to make the API more effective. First is the issue of sequencing: the implication that Israel would need to withdraw from everywhere before the API can be enacted. As such, every step in this withdrawal would be hard fought in Israel. For the initiative to work, Israel and the Arab world must each take steps in response to the other, in parallel so to speak. A back-loaded approach will not reinforce the fragile progress between the parties, and a front-loaded approach is equally unrealistic. Even though it is likely that Washington will want the Arab states to take interim steps, doing this formally could increase the likelihood of Arab demands on Israel and a move away from bilateral negotiations.

Second is the issue of creating more clarity and flexibility in the API's terms. Given the chaos in Syria, it is hard to believe any Arab leader would expect Israel to withdraw from the Golan -- at least not now. Furthermore, it would be helpful if the Arabs would clarify that while all Palestinians could go to a Palestinian state, Israel would have the sovereign right whether to admit refugees into Israel.

Finally, a hopeful passage of the API says that if its terms are fulfilled, Arab League states would "consider the Arab-Israeli conflict ended, and enter into a peace agreement with Israel, and provide security for all the states of the region." It is legitimate to ask Arab states -- even those who already have peace agreements with Israel -- to discuss with Israel now how it views "security for all states in the region" in the event that Israel accepts the API.

## Conclusion

**A** shifting regional environment will not make it easy for Kerry to engage the Arabs, given their other priorities. In principle, Kerry is correct in assessing that the political cover of Arab states could be helpful to Israelis and Palestinians. For the API to be a catalyst for action, however, it needs a different approach than has been tried before now: a more direct approach with Israel.

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