

## The Geneva Accord:

### A U.S.-Led Multilateral Peace Masked As a Bilateral Deal

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#### Brief Analysis

**D**espite its billing as an alternative blueprint for Middle East peace, the draft Geneva Accord for a permanent status agreement produced by an Israeli opposition parliamentarian and a Palestinian confidant of Yasir Arafatis not primarily a bilateral Israeli-Palestinian peace deal. Rather, its main innovation is the comprehensive and, in some cases, perpetual role it envisages for the international community (with the United States at the lead) in implementing, enforcing, and maintaining even the knottiest details of the putative peace arrangement.

#### The Details of Geneva

The publicly available draft text of the Geneva Accord (e.g., as published on the website of the Israeli daily Haaretz) is a 17-article, 44-page, 9,737-word document that, inter alia, provides agreement on the following:

- Territory: Israeli withdrawal to the 1967 borders, modified in accordance with symmetrical land swaps.
- Settlements: The transfer to Palestinian title and sovereignty of all Jewish settlements not in Israeli sovereign territory and the forced relocation of all Jewish settlers to said territory.
- Refugees: A menu of options regarding the permanent place of residence for individual Palestinians, with none returning to Israel without Israel's sovereign approval; also, a complicated, two-tiered system of compensation for property and refugeehood.
- Jerusalem: Recognition of two capitals in two separate sovereign spaces within a unitary city.

But the available text of the Accord is not complete. Missing items, which may not have been negotiated yet, include:

- articles on water, economic relations, and legal cooperation;
- maps, including those showing the border demarcation and the division of sovereignty in Jerusalem;
- details of the structure, procedures and modalities of the numerous international institutions that will implement, monitor, verify, and guarantee the peace accord; and
- the all-important annex defining the description of Palestine as a non-militarized state, with a strong security force. Security arrangements and limitations on Palestinian weaponry will be among the most important and potentially

contentious issues in any peace deal, given the post-September 2000 collapse of the former and the proven ingenuity of the Palestinian Authority (PA) at circumventing the latter.

### An International Solution

Even with all of these lacunae, the Accord is clear on at least one critical point: the view that peace is contingent on the role of third parties. Indeed, the extent to which the drafters rely on third countries, international organizations, and newly formed institutions to implement and guarantee peace is stunning. The Accord envisions three sets of international bodies:

- To oversee the Accord as a whole, the drafters propose an Implementation and Verification Group (IVG) headed by a Contact Group and managed by a Special Representative, who would serve as the IVG's principal executive. A Multilateral Force (MF) of unspecified size and armament but with detailed military and security responsibilities would be an integral part of the IVG.
- To oversee Jerusalem-specific articles, the drafters propose a politically oriented International Group, a security-focused Multinational Presence for the Haram al-Sharif/Temple Mount, and an Old City Police Unit to work alongside special Israeli and Palestinian police detachments.
- To oversee the disposition of Palestinian refugees, the drafters propose an International Commission and various subcommittees.

These are powerful bodies. Indeed, for peace to take hold under the Accord, Israel and the future state of Palestine would have to surrender considerable sovereign powers to these institutions, sometimes in perpetuity. The IVG or the MF, in urgent matters, the Special Representative would serve as the final arbiter on numerous items large and small: ensuring the evacuation of Jewish settlers and the transfer of settlements to Palestinian sovereignty; maintaining a Gaza-West Bank corridor for Palestinian transit; monitoring the legality of Israeli operations within Israel's two West Bank early-warning stations; providing shuttle service for Jewish pilgrims to Rachel's Tomb and Joseph's Tomb; and protect[ing] the territorial integrity of the state of Palestine (from whom is left unsaid). Indeed, if the Geneva Accord has a single guiding principle, it is that Israelis and Palestinians should resolve their problems by handing them over to someone else. This explains why the text even without annexes contains no fewer than forty-nine references to the IVG and thirty-four to the MF.

Of all third parties, none is more central to the Accord than the United States. Other than Israel and Palestine, no country is referenced as frequently or called on to perform as many specialized functions. The United States is envisioned as a charter member of both the IVG and the refugee commission. The accord also implies that the United States will play a major role in the MF and all Jerusalem-related bodies; at the very least, U.S. participation in the IVG gives it supervisory responsibility for these other bodies. In addition, the United States is charged with leading two special trilateral committees, one on overall counterterrorism cooperation and another focusing on intelligence sharing for counterterrorism efforts in Jerusalem. Overall, the Accord references U.S. participation no fewer than 123 times, whether directly or through mention of the bodies in which the United States is slated to be a charter member.

### Implications for U.S. Policy

Although the validity and appropriateness of compromises reached at Geneva must be determined by Israelis and Palestinians, the extensive U.S. role envisaged in implementing and guaranteeing these compromises makes the Accord a U.S. policy concern. Indeed, the breathtaking scope of internationalization called for in the Accord has special implications for Washington. For the first time in history, Arab and Israeli negotiators have defined an extensive set of responsibilities and obligations for the United States including military and intelligence duties without U.S. knowledge, let alone agreement. (Although Washington was not party to the original Oslo

negotiations, those accords did not envision any special U.S. role.) Moreover, the Geneva negotiators do not seem to believe that peace is possible without an active, robust, and perpetual on-the-ground role for the United States. The preamble to the Accord goes so far as to define the agreement as the realization of . . . President Bush's speech of June 24, 2002.

Under normal circumstances, Washington should not offer detailed public reactions to track-two or even track-one-a-half initiatives, because such attention can lend respectability to bad ideas or throw a spotlight on promising ideas before they are ready. But the Geneva Accord is in a different category. Historically, unofficial diplomacy has played an important role in the Israeli-Palestinian arena, and the Accord has received significant support from high-level PA officials, prominent and aspiring leaders of Israel's opposition parties, and several Arab and European allies. Given these facts, the Bush administration response to Geneva needs to be more than just a reaffirmation of U.S. commitment to the Quartet process. Specifically, Washington needs to set the record straight on two issues: the process (i.e., whether the United States could conceivably agree to be bound by the obligations of a peace agreement that it did not play a role in negotiating) and the substance (i.e., whether the United States could endorse the sort of extensive role envisioned for it in the Accord). In order to preserve its own interests in Israeli-Palestinian diplomacy and ensure that aspiring local peacemakers do not operate on false assumptions about U.S. policy, the administration should clarify its views immediately. Although the United States should always be ready to play a substantial role in support of a secure Middle East peace, the Geneva Accord forces Washington to consider whether that role should extend to serving as the de facto trustee of a new state of Palestine and, in certain important respects, of Israel, too.

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