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Publisher Routledge

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European Security

Publication details, including instructions for authors and subscription information:

<http://www.informaworld.com/smpp/title~content=t713635117>

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Online publication date: 22 December 2010

To cite this Article Peters, Joel(2010) 'Europe and the Israel-Palestinian peace process: the urgency of now', *European Security*, 19: 3, 511 – 529

To link to this Article: DOI: 10.1080/09662839.2010.534135

URL: <http://dx.doi.org/10.1080/09662839.2010.534135>

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Europe and the Israel–Palestinian peace process: the urgency of now

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(Received 14 June 2010; final version received 19 October 2010)

The resolution of the Israeli–Palestinian conflict has long occupied a prominent place on the foreign agenda of the European Union (EU). Over the past 40 years, the member states of the EU have defined with increasingly coherence their approach to the resolution to the Israeli–Palestinian conflict: a commitment to Israel’s right to live in peace and security and support of the Palestinians to national self-determination. At the same time, European discourse on the Israeli–Palestinian conflict has shifted as its own internal needs and strategic concerns have changed. This changing narrative has impacted critically on the policy instruments and approach adopted by the EU to the conflict. Through an analysis of European statements and speeches, this article argues that European discourse in the 1980s and 1990s was underscored by a normative, justice-based framing. The collapse of peace process in 2000 has led to a noticeable securitization of European discourse on the conflict, one now marked by a growing sense of ‘risk, danger, and urgency’ and a fear that the conflict has begun to impact negatively on its domestic stability.

Keywords: Israel; Palestine; peace process; securitization; statehood

The resolution of the Israeli–Palestinian conflict has always been a central concern for Europe leaders and has long occupied a prominent place on the foreign policy agenda of the European Union (EU). From the early 1970s, European leaders have viewed the Middle East, and the Israeli–Palestinian conflict in particular, as ripe for EU policy coordination. A strong consensus has existed among European leaders and policy analysts over the need for European states, individually and collectively, to play a prominent and clearly defined role in the Israeli–Palestinian peace process.

Over the past 40 years, the member states of the EU have defined with increasing clarity a common position concerning the parameters of a resolution to the Israeli–Palestinian conflict, a firm support for Israel’s right to security matched by an unwavering support for the right of the Palestinians to national self-determination. A closer analysis of European discourse on the Israeli–Palestinian conflict, however, reveals this narrative has shifted as Europe’s own internal needs and strategic concerns have changed. This changing discourse, as witnessed through the statements and the speeches of EU officials, has in turn impacted critically on the policy instruments that the EU has adopted toward the conflict.

This article argues that European positioning of the Israeli–Palestinian conflict has evolved from a rights-based to an increasingly security-based framing. In the

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1970s and 1980s, European discourse toward the conflict sought to redress Europe's colonial and historical legacy, and to address its emerging self-identity as a collective actor on the global stage. It was driven by a belief that it should play a role toward the conflict that was commensurate with its global standing. Statements issued by EU pointed to Europe's historical legacy, its geographical proximity to the region and its extensive network of political, economic and cultural ties, arguing that it afforded the EU an unique and special role, independent of the USA, in affecting change in the Middle East. Lacking the foreign policy instruments to directly affect the policies and actions of the parties, however, European discourse primarily outlined a normative framing to the conflict speaking of rights and justice, opportunity and hope.

The collapse of the Oslo peace process in 2000, and the return to violence between Israel and the Palestinians, has led to a marked shift in European discourse on the conflict. The article argues that the Israeli–Palestinian has increasingly been seen as directly threatening European interests. Europe's approach been securitized by a fear that the conflict is now placing its own domestic stability and its regional security concerns under threat. The creation of a Palestinian state is now seen as imperative for securing a resolution to the Israeli–Palestinian conflict. Strategies opposed to, or preventing the emergence of a viable Palestinian state, have been regarded as inimical to European interests. An increasing sense of urgency in European statements has led to the acceptance of US leadership in the peace process and the promotion of a coordinated multilateral approach. A language of rights and justice has been replaced by a discourse underscored by risk, danger and urgency.

From Venice to Oslo

Europe's determination to carve out for itself a distinct, collective role in the Israeli–Palestinian conflict, independent of the superpowers, can be traced back to early 1970s. The first official declaration on the conflict within the framework of European Political Cooperation (EPC) was issued on 6 November 1973 in the aftermath of the Yom Kippur War. The declaration spoke of the inadmissibility of the acquisition of territories by force and called on Israel to end its occupation of Arab land. It also determined that in order to secure a just and lasting peace to the conflict, the legitimate rights of the Palestinians needed to be taken into account. Subsequent declarations and joint texts issued by the EC in the 1970s referred not just to the 'legitimate rights' of the Palestinians but also to their right 'to express a national identity', a phrase that was to become standard in all European texts on the Arab–Israeli conflict.

At the June 1977 London European Council meeting the Nine (EC member states) elaborated their position, calling for the inclusion of representatives of the Palestinian people in any future negotiations to resolve the conflict, and, in language reminiscent of the 'Balfour declaration', stated that a just and lasting solution demanded 'a homeland for the Palestinian people' (Aoun 2003, p. 291).

The Yom Kippur War also led to the launching of the Euro–Arab Dialogue (EAD) in response to the oil crisis triggered by the war. This dialog was intended by the Europeans to be a forum aimed at addressing future economic and technical cooperation between Europe and the Arab world. But it quickly became politicized by the Arab states, who sought to transform it into an arena for addressing the

Palestinian question. In statements emanating from the EAD, European states called for a halt to the construction of Israeli settlements in the occupied territories and expressed their opposition to unilateral initiatives that would change the status of Jerusalem (Allen 1978).

In June 1980, the European states outlined their vision for a lasting resolution to the Israeli–Palestinian conflict when they issued the Venice Declaration (European Council 1980). The principles outlined therein did not represent a radical departure in European thinking, but rather they crystallized positions that had evolved over the previous decade. The Declaration focused on the need for justice and the assertion of Palestinian rights. The EC deemed it imperative that a *just* (my italics) resolution be found to the Palestinian problem, and that the issue should not be viewed as simply a refugee problem. In the eyes of the Nine, any lasting solution to the conflict demanded ‘the Palestinian people be allowed to exercise fully its rights to self-determination’.

In addition to spelling out what was required for a viable solution to the Arab–Israeli conflict, the Europeans castigated Israel for its settlement policy: ‘[The EC] is deeply convinced that the Israeli settlements constitute a serious obstacle to the peace process in the Middle East. The Nine consider that these settlements, as well as modifications in population and property in the occupied Arab territories, are illegal under international law’. They also warned Israel about its policy in Jerusalem: ‘The Nine stress that they will not accept any unilateral initiative designed to change the status of Jerusalem’. The Venice Declaration also outlined the diplomatic steps needed to be taken in order to achieve a lasting resolution to the Palestinian question. Specifically, and to the anger of Israel, it called for the inclusion of the Palestine Liberation Organization (PLO) in any future negotiating process aimed at resolving the conflict.

The Venice Declaration was pivotal in the development of European thinking on the Israeli–Palestinian conflict. However, the Declaration was as much concerned with questions of European self-identity and its desire to develop a common foreign policy as it was with seeking a resolution to the conflict. The EC had responded unenthusiastically to the signing of the US brokered Camp David Accords between Israel and Egypt in September 1978 and to the subsequent Egyptian–Israeli Peace Treaty of March 1979, reiterating its view that a lasting and just peace in the Middle East could only take place within the context of a comprehensive settlement that would provide Palestinians with a homeland. In the opening paragraph, the EC spoke of Europe’s historical legacy, its geographical proximity to the region and its extensive network of political, economic and cultural ties which ‘*oblige them to play a special role*’ (my italics). Moreover, the impasse in implementing the Camp David provisions over Palestinian autonomy ‘*require(d) them to work in a more concrete way towards peace*’. With the Venice Declaration, Europe demonstrated its intention of playing a greater role, distinct from that of the USA, in the Arab–Israeli conflict.

Not surprisingly, these statements combined with the creation of the EAD, were dismissed by Israel as indicative of Europe’s appeasing the Arab world in light of its new found oil-power and wealth. Israel’s unambiguous reaction to the 6 November 1973 Declaration set the tone for subsequent Israeli responses to European initiatives and statements on the conflict. Israeli foreign minister Abba Eban referred to the Declaration as ‘oil for Europe’ not ‘peace in the Middle East’, bluntly informing the Europeans that if they wanted to contribute to a negotiated settlement they should

refrain from issuing such declarations in the future (Greilsammer and Weiler 1984, p. 136). In a statement evoking memories of Europe's past and World War II, Israel denounced the Venice Declaration:

Nothing will remain of the Venice Resolution but its bitter memory. The Resolution calls upon us, and other nations, to include in the peace process the Arab S.S. known as 'The Palestine Liberation Organization' . . . Any man of good will and any free person in Europe who would examine this document would see in it a Munich-like surrender, the second in our generation, to tyrannical extortion, and an encouragement to all the elements which aspire to defeat the peace process in the Middle East. (quoted in Pardo and Peters 2010, p. 8)

Thirty years on, the Venice Declaration remains a defining moment in Israeli discourse and in the public distrust of Europe as a potential mediator in the Arab–Israeli peace process. It signaled a low point in Israel's relations with the EU from which they have never fully recovered. Throughout the 1980s, Europe issued a stream of statements on the Israeli–Palestinian conflict reaffirming the principles outlined in the Venice Declaration. Those statements, especially following the first Palestinian *intifada* (uprising) in December 1987, became more forthright in their endorsement of the PLO as the sole legitimate representative of the Palestinian people and underlined European support for the Palestinian right to national self-determination. Israel's response to the Palestinian uprising elicited harsh criticism across Europe and attracted sympathy for the Palestinian cause. Although differences between European states remained, at the margin, over the best strategy to adopt, Europe in the 1980s developed a greater sense of unity on the Palestinian issue than on any other foreign policy issue.

This sense of common purpose did nothing to advance Europe's role in the peace process. Israel denounced Europe for the way it was making increasing demands on Israel to make concessions without making similar calls on the Arab side for reciprocal measures. It looked upon Europe's approach to the conflict as lacking real concern for Israel's well-being and security, and as simply mirroring the Arab point of view. Europe possessed little leverage over Israel, nor any influence over American policies to the conflict. Following the end of the first Gulf war in the summer of 1991, the USA turned its attention to the Arab–Israeli conflict. European hopes of participating in the diplomatic efforts to revive the peace process were short-lived. At the insistence of Israel, the European Community was excluded from any significant role. Snubbed by the USA when it chose Moscow as co-sponsor of the Madrid Conference of November 1991, Europe played only a marginal role at the conference itself and was forced to operate within the framework of the multilateral talks setup by the conference.

The Oslo years

European leaders welcomed the signing of the Oslo Accords on 13 September 1993, seeing it as a vindication of the principles and policies they had been advocating throughout the previous decade. Although it lacked the capacity to directly influence Israel and the Palestinians and excluded from the formal negotiating process, European positioning on the conflict had helped establish a normative framing for the resolution to the Israeli–Palestinian conflict. Any peace process was not simply

about the Palestinian problem. Rather the search for peace in the region demanded speaking directly *with* the Palestinian people. In terms of practice, this necessitated the inclusion of the PLO within the process. Europe saw the breakthrough between Israel and the PLO as not only creating the conditions for ending the Israeli–Palestinian conflict but as offering an opportunity for the creation of new regional cooperative structures designed to promote regional economic development, leading to a new era of cooperation and prosperity for the Middle East.

Europe became directly engaged in promoting this vision through its offer of financial support to the Palestinians and by building the institutional capacity of the Palestinians in the West Bank and Gaza. On the eve of the signing of the Declaration of Principles, the EC announced that it would be releasing an immediate aid package to the Palestinians. At the donors' conference held on 1 October 1993, the member states of the EU collectively pledged ECU500 million, spread over a period of 5 years, for the economic recovery and development needs of the Palestinian territories. This aid package amounted to nearly a quarter of total funds pledged by participants at the Washington conference and made the EU the leading donor to the Palestinians. The EU also provided funding for and monitored the January 1996 elections to the new Palestinian Legislative Council (PLC). To underline their commitment to the long-term development of the Palestinian economy, the European Commission and the PLO initialed on 10 December 1996 a Euro-Mediterranean Interim Association Agreement on Trade and Cooperation.

The Oslo Accords also led to a marked transformation in Israeli–European relations. Europe was now seen by Israel as a model for overcoming hatred and building cooperative structures for peace and stability. Shimon Peres' vision of a 'new Middle East' (Peres 1993) drew direct parallels with Europe's experience in the aftermath of World War II. This new atmosphere found expression at Essen, Germany, in December 1994, with the European heads of state declaring that: 'Israel on account of its high level of economic development should enjoy special status in its relations with the EU on the basis of reciprocity and common interest' (European Council 1994). One year later, Israel and the EU signed a new trade agreement. The EU–Israel Association Agreement (AA) was a significant upgrade of the 1975 cooperation agreement, which had governed economic ties for the previous two decades. The AA created new provisions for the liberalization of trade conditions and the movement of goods, and established a framework for an on-going political dialog at the ministerial, senior official and parliamentary level, capped by an Association Council that would meet annually (Pardo and Peters 2010, pp. 48–51).

Through its economic commitment to the Palestinians and enhanced political relationship with Israel, Europe acquired a direct and material interest in ensuring that progress was maintained in the peace process. But this renewed political engagement with Israel did not translate into any capacity to affect the political dynamic between Israel and the Palestinians. Venice still casted a dark shadow over Israel's distrust of the Europeans as an impartial mediator. The member states of the EU did not hide their frustration at their on-going marginalization from the political process. Given their political and economic power, the member states wanted to be 'players' rather than simply 'payers' in the peace process.

During the Oslo process Europe became increasingly critical of Israeli security policies and of the economic restrictions imposed on the West Bank and Gaza. Criticism reached a height during Binyamin Netanyahu's first tenure as Prime

Minister when the peace process virtually ground to a halt. For European leaders, Netanyahu's policies were at best unhelpful and at worse catastrophic. In turn, Netanyahu dismissed Europe's projection of normative power and its stress on cooperative security practices as naïve and reflective of its lack of capacity and weakness as a global security actor.

At the beginning of October 1996, the EU expressed concern at the outbreak of rioting in Gaza and the West Bank following the opening of the Hasmonean Tunnel in the Old City of Jerusalem the previous month, resulting in the deaths of 64 Palestinians and 15 Israeli soldiers. The EU essentially held Israel responsible for the outbreak of violence saying it had been 'precipitated by frustration and exasperation at the absence of any real progress in the peace process and [the EU] firmly believes that the absence of such progress is the root cause of the unrest'. The EU Council of Ministers immediately called on Israel to close the tunnel and refrain from taking unilateral steps 'likely to create mistrust about its intentions' and to cease 'all acts that might affect the Holy Places in Jerusalem'. The statement focused on the illegality of Israel's actions and on Europe's non recognition of Israel's annexation of East Jerusalem.

East Jerusalem is subject to the principles set out in the UN Security Council Resolution 242, notably the inadmissibility of the acquisition of territory by force and therefore is not under Israeli sovereignty. The Union asserts that the Fourth Geneva Convention is fully applicable to East Jerusalem, as it is to other territories under occupation. (Council of Ministers 1996)

The growing sense of European frustration at their inability to affect developments on the ground and the need to develop a more robust policy is best described by Rosemary Hollis:

It is no longer possible for Israel, or more to the point the United States, to sideline Europeans in their strategies for the region. Singly and collectively the Europeans have too much at stake in the Middle East to defer to the United States' lead, if, as latterly, it seems unable by itself to rescue the Arab-Israeli peace process from a reversion to confrontation. (Hollis 1997, p. 15)

A clear indication of Europe's desire to play an enhanced role was the appointment in October 1996 of a Special Envoy to the Peace Process, Miguel Moratinos, who had previously served as Spanish ambassador to Israel. In language evoking the Venice Declaration, Ireland's foreign minister, Dick Spring, in his capacity as head of the Troika, told delegates to the Middle East and North Africa Economic Conference, held in Cairo in November 1996, that Europe could no longer afford to stand aside and that '[The European Union] had a *responsibility* both to the region and *to itself* (my italics) to put the peace process back on track' (Spring 1996).

The appointment of a special envoy did not help the EU achieve a defined role for itself nor enable it to influence events. While the decision to appoint an envoy received considerable attention at the time, it was also greeted with much skepticism in the region. Israel saw it as yet a further sign of Europe's intent to meddle in the peace process and exert pressure on it to make concessions. The Arab states, for their part, questioned Moratinos' authority and experience to play a significant role in the region. Although they welcomed European positions and support for the Palestinian

cause as an important counterweight to the USA, they did not regard Europe as possessing sufficient capacity nor the necessary political authority to serve as an alternative mediator to the Americans. The creation of a European special envoy was ultimately more symbolic than substantive. Moratinos' mandate was vague and ill-defined. It was unclear what his specific functions would be and how his activities would complement the existing institutional mechanisms for the implementation of European policy. Nor did the US look to the EU to supplement, in any significant way, its mediation efforts. For the better part of the Oslo process, Moratinos cut a marginal figure.

During the Oslo years, European states the EU continued to reaffirm the principles that it laid out at Venice, expressing its support for Palestinian self-determination and reiterating that Israel's settlement building and policies in East Jerusalem were contrary to international law. In that respect it played an important role in reinforcing the normative framework of the peace process and laying the foundations for Palestinian statehood by supporting Palestinian institution and capacity building. But the EU had little direct leverage over the parties or influence events. Though it strove to play a more direct role in the negotiation process, its foreign policy instruments were not sufficiently developed to affect outcomes and developments. In particular, it found itself at odds with the USA who sought to exclude it from the political process. When Israel and the Palestinians met at Camp David in July 2000, the EU remained firmly on the sidelines and played no part in the proceedings.

The Barcelona process

In November 1995, the EU launched in Barcelona its own initiative in the region the 'Euro-Mediterranean Partnership' (EMP) – the 'Barcelona Process' (BP) – with the aim of redefining its relations with the Mediterranean states on its southern periphery and of developing a new framework for peaceful and cooperative relations in the Mediterranean region. While the BP built on the various Mediterranean policies developed by the EU since the 1960s, it also marked a radical departure from those policies, in that it sought to create a more integrated set of relationships than those engendered by the bilateral customs' agreements and financial protocols of the 1970s and 1980s. It sought to create a new regional framework for future relations between the EU and the poorer states of the southern Mediterranean. What the EU envisioned in Barcelona was the creation of a 'stability pact' which would situate economic development and trade relations in the broader context of Mediterranean security. Enhanced economic cooperation through the creation of a free trade zone in the Mediterranean region by 2010 would be accompanied by the development of a new set of cooperative frameworks for future political, security and civil relations (Spencer 1997).

The EU stressed that the creation of the BP was not intended as a competing framework to the peace process, but rather as a separate multilateral process, which would bolster efforts for peace in the region. Indeed, the Barcelona declaration stated that this Euro-Mediterranean initiative was not designed to replace other activities and initiatives undertaken in the interests of peace, stability and development of the region, but would contribute to their success.

The distinction between the BP and the Middle East peace process was illusory, rhetorically and in practice. Europeans saw Barcelona as a way of projecting their capacity to foster a relationship between Israel and the Arab world, independent of the efforts of the United States. They made great play of the fact that while the United States had failed in the multilateral talks, they had successfully persuaded Syria and Lebanon to participate in the BP.

The launching of the EMP was based on the assumption that a fundamental change in Israeli–Arab relations had occurred, and that the Arab states of the EMP were now prepared to accept Israel as an equal and legitimate partner. Discussions over new cooperative security structures in the Mediterranean required that the Israeli–Palestinian peace process proceed apace. However, by the time of the second ministerial meeting in Valetta, Malta, the context of the peace process had changed. Relations between Israel and the Palestinians had deteriorated rapidly, reaching a crisis point in February 1997 with the decision of the Israeli Government to start building new homes for Jewish residents in Har Homa/Jabal Abu Ghenaïm in East Jerusalem. This action brought the peace process to a total standstill and all contact between the Israeli Government and the Palestinian Authority was suspended.

Given the breakdown of the peace process, the hopes of the Valetta meeting yielding results were dashed. The Arab states were adamant that any arrangements or outcomes of the Malta meeting that might be construed as security-related cooperation with Israel be sidestepped. Preparation of documentation relating to the political and security chapters of the Barcelona Declaration was halted. For their part, European officials went out of their way to disavow any link between the BP and Middle East peace process, stressing that they did not want Malta to be dominated by the crisis in Israeli–Palestinian relations.

As it turned out, the two-day meeting was dominated by the question of the peace process and by the efforts of European officials to bring about a meeting between the President of the Palestinian Authority, Yasser Arafat, and Israel's Foreign Minister, David Levy. The fact that they met – the first high level contact between the two sides since Israel's decision to start building 2 months earlier – was heralded by Europe as reflective of its potential as a mediator in the peace process.

At Malta, the Middle East peace process and the BP became entwined. Thereafter, it became impossible for the EU to separate progress in the BP from the fortunes of the Middle East peace process (Peters 2006). This impact was most pronounced in the first basket of the BP, which aimed to build a new political security relationship in the Mediterranean and to draft a Mediterranean Charter for Peace and Stability. The EMP had become, as one European statement crudely put it, 'contaminated by the peace process' (European Commission 1998). Following Valetta, discussions over the political and security aspects of the BP came to a standstill. With the collapse of the peace process and the outbreak of al-Aqsa *intifada*, discussion of the Charter effectively disappeared from the agenda of the Barcelona meetings.

The difficulties and eventual collapse of the Arab–Israeli peace process are frequently highlighted as the main element in the failings of the BP, and in particular the lack of any real determination of the parties to draw up a security charter for the region. In its five-year review of the BP, the European Commission determined: 'Difficulties in the Middle East peace process have slowed progress and limited the extent to which full regional cooperation could develop... Willingness to cooperate

more actively with neighbours has been held back by the politics of the peace process'. It went on to conclude, somewhat bitterly: 'Deadlock and slow advances in the Middle East Peace Process, albeit separate from the BP, has a retarding effect on regional cooperation in general. These shortcomings were so substantial as to call into question the political determination of both sides to achieve the goals they set in 1995' (European Commission 2000).

The faltering Israeli–Palestinian peace process, and especially the escalation in violence during the al-Aqsa *intifada*, provided a convenient scapegoat for the failure to develop a significant dialog toward regional cooperation in the Mediterranean. That failure lies primarily in the policies and attitudes of the European states and the southern Mediterranean partners. The creation of a new Euro-Mediterranean space demanded that the Southern Mediterranean partners readjust their relations with Europe and rethink the nature of their relations with each other. This necessitated a dramatic change in their self-identity, in their domestic policies, and in their willingness to engage in cooperative security arrangements (del Sarto 2006). From the outset, there was a deep reluctance by those states to engage in a dialog on security issues and to cooperate with Israel. Nor did they view the BP as a platform for overcoming their differences with Israel and developing confidence building measures. The floundering peace process offered the Arab states the perfect opportunity and convenient justification for putting on hold a project they regarded as increasingly hazardous. Equally the EU did not invest sufficient diplomatic resources in promoting the regional aspects of the BP. In its five-year review of the BP the EU asserted that 'multilateralism is now as common as, and even prevalent over, traditional bilateral approaches'. This was more fiction than fact. European policy-makers may have spoken to the importance of creating a new cooperative security framework for the Mediterranean region. But this was not Europe's primary interest or concern. The core of the BP was the readjustment of its economic relations with its neighbors to the south through the negotiation of a new set of AAs with each country. Four years later, with the adoption of the European Neighborhood policy, the EU abandoned the principle of 'regionality' inherent in the BP, and replaced it with a 'differentiated' and 'bilateral' approach to the Mediterranean.

The al-Aqsa *intifada*

The collapse of the Oslo peace process and outbreak of the al-Aqsa *intifada* led to a sea change in European discourse on the Israeli–Palestinian conflict. During the Oslo years, European narrative on the conflict had spoken in terms of justice, rights, opportunity for the Palestinians, of its own responsibility to the region, and the role it could play in helping Israel and the Arab world to transform their relationship. The breakdown of the peace process and the outbreak of violence led to a marked shift in European framing of the conflict quickly. European discourse quickly shifted to one of risk and danger to its own strategic concerns. The resolution of the Arab–Israeli conflict was viewed as a prerequisite to regional stability in the Middle East and termed as a *strategic priority* for Europe Union (European Security Strategy 2003).

Europe's initial reaction to the escalation of violence focused on the need for the rule of law and the protection of human rights. Although European leaders

condemned Palestinian attacks on Israeli citizens and understood Israel's right to defend itself from attack they stressed that those:

legitimate security concerns must however be addressed with full respect for human rights and within the framework of the rule of law... The EU continues to strongly deplore disproportionate and indiscriminate use of force by Israel... The Union reiterates its strongly held opinion that extra-judicial killings and other violations, such as administrative detention and collective punishment, including the increasing recourse to house demolitions, are unacceptable and contrary to the rule of law (European Union 2002)

Chris Patten warned Israel that its military operations were causing colossal damage to its reputation as a democracy. He went on to accuse Israel of trampling 'the rule of law, over the Geneva conventions, over what are generally regarded as [the] acceptable norms of behaviour' (quoted in Black et al. 2002).

But Europe also spoke of the danger that the on-going violence posed for stability in the Middle East, and the rise of Islamic extremism in the region. In a statement issued following the second meeting of the Israel–EU Association Council in November 2001, the EU expressed its 'alarm' at the escalation of violence. For Europe, 'distrust, fear and resentment' was leading to the emergence of 'radical polarisation' in the Middle East. For the first time, the EU created a link between the collapse of the Israeli–Palestinian peace process and its own direct security interests and, in particular, its efforts to combat terrorism and al-Qaeda: 'The absence of any political prospects is fuelling further confrontation, playing into the hands of the extremists and endangering the international anti-terror coalition formed in response to the 11th September terrorist attacks in the United States' (European Union 2001). This was a theme that Europe increasingly emphasized in the subsequent years.

Above all, the al-Aqsa *intifada* saw a sharpening of European positioning on the need for Palestinian statehood. Europe had long supported the right of the Palestinian to national self-determination. European statements in the 1970s and 1980s spoke of the necessity for 'a homeland for the Palestinian people' and the legitimate right of the Palestinian people 'to express a national identity' and 'to self-determination'. During the Oslo years, the European statements began to express support for the idea of Palestinian statehood but they had failed to explicitly call for the creation of a Palestinian state as the desired outcome to the peace process. In the summer of 1998, in a statement issued by the Council of Ministers following the Cardiff summit meeting, the EU called on '[...] Israel to recognise the right of the Palestinians to exercise self-determination, without excluding the option of a State' (European Council 1998). One year later at the Council of Ministers meeting held in Berlin on 24–25 March 1999, the EU went a step further by reaffirming 'the unqualified Palestinian right to self-determination in the option of a state and looks forward to the early fulfillment of that right' (European Council 1999).

The failure to signal the end game to the peace process, namely the establishment of a Palestinian state in the West Bank and Gaza, was seen by many analysts as of the weaknesses of the Oslo process (Pundak 2001). At the Seville Council of Ministers meeting in June 2002, the EU detailed, for the first time its position on the solution to the conflict: 'The objective is an end to the occupation and the early establishment of a democratic, viable, peaceful and sovereign State of Palestine, on the basis of the 1967 borders, if necessary with minor adjustments agreed by the

parties. The end result should be two States living side by side within secure and recognized borders enjoying normal relations with their neighbours' (European Council 2002). The creation of a Palestinian state was a key component of the Road Map presented Israel and the Palestinians in 2003. The Road Map set out a performance-based timetable with 'phases' to build the provisional state, followed by negotiations for a final accord, which would result in the establishment of a Palestinian state. As a first step, Israel needed to withdraw to the pre-intifada lines, freeze settlement activity and ease humanitarian and living conditions of the Palestinian people. For their part, the Palestinians were required to elect a new leadership committed to the democratization of its institutions, to a written constitution, to create uniform and centralized security organs and to ending terrorism.

From this point on European statements stressed the imperative of the two-state solution. Civil society initiatives such as the Geneva Accords, aimed at bringing Israel and the Palestinians back to the negotiation table, were to be praised and supported. Strategies aimed at containing the conflict or preventing the emergence of a viable Palestinian state, were regarded as inimical to European interests. The creation of a Palestinian state became a strategic priority for Europe. Palestinian statehood was framed as security issue rather than simply seeking justice and an expression of Palestinians' legitimate right to self-determination. Palestinian statehood was now deemed a necessary condition for regional stability. It was also framed by Europe as essential for the enhancement of Israel's security, which would lead to Israel's acceptance as an equal partner in the region.

The imperative of realizing the two-state solution led to greater focus on the need for multilateralism and coordination amongst members of the international community (European Security Strategy 2003). Whereas in the past, Europe had sought to play a role independent of the USA, it now sought desisted from launching its own initiative to revive the peace process. Instead, it decided to back the US peace initiative that led to the creation of the Quartet on the Middle East (UN, EU, USA and Russia) in the summer of 2002. The EU saw its participation in the Quartet and the promotion of the Road Map as offering it greater visibility in the peace process and providing it with a tool for influencing the formulation of American policies (Musu 2010, pp. 70–76).

The breakdown of the peace process and al-Aqsa *intifada* also led to a shifting emphasis in European discourse on Israeli settlement building in the occupied territories and its policies in East Jerusalem. European statements continued to reaffirm its view that these activities were contrary to and indeed illegal under international law. In addition, the EU lent its support to the advisory ruling by the International Court of Justice (ICJ) in 2004 on the illegality of Israel's construction of the separation barrier. EU statements now focused on how Israel's policies undermined the geographical space of a two state solution. For Europe, Israel's continued settlement expansion constituted a major obstacle to peace. Its policies were seen as eroding trust, increasing Palestinian suffering and making the compromises Israel needed to make for peace more difficult, if not impossible. The construction of the separation barrier on Palestinian lands, as well as the confiscation and demolition of Palestinian homes, was not only contrary to international law but now 'threaten[ed] to make any solution based on the co-existence of two states physically impossible' (European Council 2005). A report

issued by the EU in 2006 saw Israel's actions in Jerusalem as designed deliberately to reduce the possibility of reaching a final status agreement on Jerusalem that any Palestinian could possibly accept (European Commission, 2005b). Following a tour of East Jerusalem in January 2007, Javier Solana, EU High Representative for Common Foreign and Security Policy, reported shock at the growth of settlements and the security barrier: 'every time you see the situation [it gets] worse, the wall is more extended and settlements are more extended'. Solana ended his remarks on a despairing note by hoping that: 'these new realities would not prevent a two-state solution from happening' (quoted in Haaretz 2007a).

The emergence of conditionality

Following the signing of the Oslo Accords, the EU refrained from imposing direct conditionality in the development of its relations with Israel and the Palestinians. Despite its differences with Israel over the peace process and its policies regarding Jerusalem and especially settlement building, the implementation of the terms of the 1995 EU–Israel AA was not conditioned by the EU on the assurance of progress in the peace process nor the end of the Israeli occupation. The 2004 Israel–EU Action Plan spelt out a long list of EU benefits for Israel, such as reinforced political dialog, economic and social cooperation, trade and internal market integration, cooperation in justice and in the areas of transport, energy, environment and civil society, without demanding specific Israeli action in regard to its policies on the Palestinians. Similarly the EU did not impose any conditionality in its financial assistance of the Palestinian economy or in its support for helping the Palestinian build the institutional capacity for self-government. Instead the EU has sought to create an enabling political and economic environment and to incentivize, rather than pressuring Israel and the Palestinians into investing the necessary political capital in the peace process. The focus on need to create the necessary conditions for Palestinian statehood led to a shift in this approach and the emergence of a degree of soft conditionality in its approach to Israel and the Palestinian Authority.

European states became more outspoken in their criticism of Israel, questioning Israel's true motives in building the separation fence by referring to the barrier as the 'Israel's so-called security fence'. The European vote at the UN condemning Israel's construction of the fence came within days of the Dutch foreign minister Bernard Bot's warning to Israel that further EU cooperation with Israel would depend on better cooperation from the Jewish state. At a signing ceremony marking Israel's full participation in the EU's Galileo satellite navigation project, Bot eluded that if Israel was not prepared to engage in a dialog in a satisfactory way – especially over the construction of the separation fence – then the EU would have to 'consider possible consequences'. The message was veiled, but the warning to Israel was clear.

Israeli settlements also became a source of an on-going trade dispute between Israel and the EU. Under the 1995 AA, Israeli exports to the EU became exempt from custom duties. For European states, however, this exemption did not apply to goods produced in Israeli settlements since they fell outside the territorial scope of the EU–Israel trade agreement. In January 2002, the European commissioner for external affairs Chris Patten informed the European Parliament that the EU needed to enact measures in order to 'uphold the rule of law' on this issue. In December 2004, Israel eventually bowed to European pressure by agreeing to make a clear

distinction between goods produced in Israel and those from Israeli settlements. In future goods from the settlements would no longer be marked as 'made in Israel', and thereby not eligible for preferential treatment. Ehud Olmert, then Israel's Minister for Trade justified Israel's climb down on this issue, by pointing out that the continued export of all Israeli products (not just those from the settlements) to the 25 countries of the EU had been at stake.

The issue of conditionality became most pronounced in the discussions over the upgrade of relations between Israel and the EU. In January 2007, Israel asked the EU to revisit the 1994 Essen declaration, which had determined that Israel should 'enjoy special status in its relations with the EU on the basis of reciprocity and common interest'. The EU responded positively to Israel's request. The EU–Israel Association Council meeting convened in Luxembourg on 16 June 2008 pledged to upgrade Israeli–EU relations within the framework of the European Neighborhood Policy. This would lead to enhanced diplomatic cooperation and a greater Israeli participation in European agencies, working groups and programs, with a view to Israel's integration into the European Single Market (European Union 2008). In December 2008, the EU reaffirmed in Brussels its determination to improve bilateral relations and issued a set of guidelines to strengthen political dialog structures with Israel.

By responding positively to Israel's request to formally upgrade its relations, Europe was hoping that it would serve as an additional incentive for Israel to press ahead in the negotiations with the Palestinians that had resumed following the Annapolis peace conference in November 2007. In particular, the issuing of the Brussels guidelines was deliberately aimed at bolstering support for Tzipi Livni who had replaced Ehud Olmert as head of the Kadima Party, and was spearheading those talks. In the Luxembourg statement, the EU emphasized its commitment to developing closer ties with Israel, but for the first time conditioned that support on progress in the peace process. For the EU, an enhanced relationship would 'imply a stronger involvement of the EU in the peace process and in the monitoring of the situation on the ground'. It added that 'the process of developing a closer EU–Israeli partnership *needs to be, and to be seen* (my italics), in the context of the broad range of our common interests and objectives which notably include the resolution of the Israeli–Palestinian conflict through the implementation of the two-state solution' (European Union 2008).

Two weeks after the Brussels meeting in which the EU set out the guidelines for upgrading relations, Israel launched Operation Cast Lead in response to the breakdown of the ceasefire between Israel and Hamas and missile attacks on the south of the country from Gaza. Although there was an understanding of Israel's right to self-defense and to protect its citizens, European leaders took exception at the scope and the intensity of Israel's 22-day military (re)invasion of Gaza which left over 1400 Palestinians dead and of Israel's subsequent economic blockade of Gaza.

As a result of the Gaza war, discussions about upgrading relations with Israel were put on hold by the EU. The Czech Government during its 2009 EU Presidency canceled a planned EU–Israel summit. In April 2009, Ferrero-Waldner told reporters that Israel had to support the creation of a Palestinian state and recommit to the Middle East peace process before the EU would consider forging closer ties. At the annual meeting of the EU–Israel Association Council, held in Luxembourg in June 2009, the EU restated that the process needed to be seen in the broader context

of sustained progress toward a resolution of the Israeli–Palestinian conflict and that ‘at this stage the EU proposes that the current Action Plan remain the reference document for our relations until the new instrument is adopted’ (European Union 2009).

The EU also demanded that the new Likud-led government in Israel reaffirm its support for the creation of a Palestinian state. European Commissioner for External Relations, Benita Ferrero-Waldner, informed Israel that the EU ‘as Israel’s partner and friend, expects the new Israeli Government to help implement the vision of a two-state solution. Recent activities intended to create new facts on the ground in and around Jerusalem run counter to this vision. Living up to past agreements, including those made in the context of multilateral forums, is essential’ (Ferrero-Waldner 2009). The European Parliament echoed this message in June 2009 (European Parliament 2009).

The question of European support of the Palestinians has also become conditioned on their efforts and commitment to work toward achieving a two-state solution. This became a critical issue following Hamas’ victory in January 2006 elections to the PLC. In the lead up to Palestinian elections, Javier Solana had threatened to withhold EU aid in the event of a Hamas victory, unrealistically hoping to weaken Hamas’ popularity given the PA’s dependence on EU funds. Following Hamas’ victory, the EU embraced the notion of conditional engagement. Taking its lead from the Quartet, the EU called on Hamas to disarm, renounce violence and terrorism, and recognize Israel’s right to exist. It also asked the new government to accept previous agreements between Israel and the PLO, as well as to commit to the rule of law, reform and sound fiscal management (Quartet 2006). When Hamas refused to accept those conditions, the EU withheld budgetary assistance, imposing an economic and political boycott on the Hamas-led government. Since that point, European governments have been steadfast in their support of in their economic and diplomatic boycott of Hamas. While the EU has encouraged efforts toward Palestinian reconciliation and the creation of a Palestinian national unity government, it has qualified that support by insisting that any such government adopt a platform reflecting the Quartet’s principles.

Although the EU has been highly critical of Israel’s blockade and has repeatedly called on Israel to allow the flow of humanitarian aid to reach Gaza, it has remained unwavering in its rejection of Hamas as a political partner. The EU has been unyielding in its diplomatic and economic isolation of Hamas, in the hope that it will either bring about a collapse of its popular support or a change its positions toward Israel and the idea of the two-state solution. In an effort to mitigate the economic impact of this approach, the EU has channeled its financial assistance through Temporary International Mechanism (TIM), and PEGASE (Mécánisme Palestino-Européen de Gestion de l’Aide Socio-Economique), whereby the needs-based assistance has been delivered directly to the Palestinian people. By channeling funds in this way, and thereby preventing a full-scale human crisis to develop, the EU has implicitly enabled Israel’s four-year blockade of Gaza to persist.

Transatlantic convergence

In recent years, transatlantic differences over the peace process have receded into the past. Europe increasingly sees the USA as speaking a common language and

expressing an equal concern over the Israeli–Palestinian conflict. This has resulted in Europe welcoming US leadership in the peace process, an acceptance of the strategies over the management and resolution of the conflict advocated by Washington, and a determination to backup those efforts through a re-energized role for the Quartet. President Obama’s prioritization of the Israeli–Palestinian peace process, his demand for a settlement freeze, and notably his attention on Israeli actions in East Jerusalem, and above all his sense of urgency, has received widespread backing in European circles.

The EU offered its full diplomatic support to the Annapolis peace conference of November 2007 and the subsequent mediation efforts of the USA. Although some European Governments questioned the wisdom of supporting a process that has focused solely on the West Bank (to the exclusion of Gaza), the EU has become highly invested in the peace efforts and the strategies adopted by the USA. It has underwritten that support by offering political, economic and security instruments to strengthen the political standing of President Mahmoud Abbas and Prime Minister Salam Fayyad. Over the past 3 years the EU’s has intensified its political and economic support for Salam Fayyad and especially his two-year plan aimed at building the necessary infrastructure and public institutions for Palestinian statehood (Palestine Ending the Occupation 2009). Following the Annapolis summit Salam Fayyad announced a set of proposed reforms and budgetary priorities for the Palestinian economy. To support Fayyad’s plan, international donors met in Paris in December 2007. As in the Oslo years, the EU was again the major contributor. In 2007 the EU provided €550 million in financial assistance, and when bilateral assistance from member states is included, the total European assistance to the Palestinian was close to €1 billion for that year. This financial support has been matched with a more assertive European approach with an expectation that the Palestinian Authority significant steps toward meeting their prior commitments. Catherine Ashton reminded the Palestinians that they needed to meet the ‘challenge of renewal and reform’, bluntly telling them to ‘get their house in order’. She also warned them Europe’s patience was limited and that its commitment to provide financial and material support ‘will not be open-ended’ (Ashton 2010). In addition to providing economic support to the Palestinian Authority, the EU is helping to rebuild the state’s security capacity through its participation in General Dayton’s program of training the PA’s National Security Forces and Presidential Guard battalion. It has also been working to improve law enforcement capacity in the West Bank through its support of a police training program EUPOL-COPPS (the European Union Police Mission for the Palestinian Territories).

The urgency of now

In recent years, European statements and speeches have stressed the imperative of bring the conflict to an end. For Europe, an end to the conflict has become ‘an indispensable and urgent step towards a more stable and peaceful Middle East’ (European Council 2009). Javier Solana expressed a widely held view amongst Europeans: ‘The only way out is the two-state solution . . . Maintaining the status quo is not an option. We have to act now . . . I believe that the time has come finally to bring this conflict to an end . . . But time is of essence’ (Solana 2009). European discourse on the conflict, a discourse that is now dominated by a sense of fear, threat

and urgency. Europe is increasingly looking at the conflict as constituting a direct threat to Europe's global, regional and, above all, its domestic security concerns. The daily images of the suffering and humiliation inflicted on the Palestinian population by Israeli policies are perceived as threatening the stability of many European capitals. In a widely reported speech, Javier Solana gave voice to these European fears of a spillover of the conflict: 'because of the impact it has on our direct neighborhood – and our own inner-cities' (Solana 2009).

This growing sense of urgency dominated the speech by Catherine Ashton, the newly appointed EU high representative for foreign policy, to the League of Arab States in Cairo in March 2010. Referring to the announcement of the start of proximity talks between Israel and the Palestinians, Ashton told her audience: 'these talks are urgent. Urgent because I fear for the future'. Although she saw the willingness of Israel and the Palestinians to start proximity talks as an opportunity to find a solution, Ashton was unequivocal that the EU was not interested in: 'talks for the sake of talks. We want results and genuine commitment, not a re-stating of well-known positions. We need a process that leads to outcomes'. Ashton reiterated the EU's commitment to extend financial and material assistance and to offer 'political and security guarantees to facilitate the peace process'. But she also told her audience that Europe's patience was limited and that its 'commitment will not be open-ended. We expect to see *urgent progress* (my italics) by the parties towards the creation of a Palestinian state' (Ashton 2010).

Underlying this sense of urgency has been driven that time is running out for the two-state solution, a growing fear that Israelis and Palestinians are rapidly losing faith in the idea of a two-state solution and in each other's commitment to peace. The rise in public support for Hamas, coupled with the weakness of Fatah, has led many Israelis to question the Palestinians' capacity to establish a stable political entity living peacefully beside Israel. Many Israelis have begun to see the conflict with the Palestinians as an existential struggle. For Palestinians, Israel's creation of facts on the ground – its settlement expansion, its policies in East Jerusalem, the construction and route of the separation barrier – and its moves toward unilateral measures all call into question its proclaimed support of a Palestinian state. Many Palestinians have begun to look toward a one-state solution to the conflict (Newsweek 2008). This discourse of urgency and threat mirrors an emerging discourse within certain circles in Israel and the USA. For many Israelis, including former Prime Minister Ehud Olmert, Israel's on-going occupation is placing the future Israel as democratic Jewish state under threat (Haaretz 2007b).

European concern over the weakness and inability of the Israeli and Palestinian leaderships to take the steps necessary for peace is also leading to a shift in European thinking toward the peace process and its own role. Europe has viewed its role as primarily facilitating and supporting materially any agreements reached by the two sides. But with the idea of the two-state solution seemingly slipping away, setting a time-frame for negotiations became increasingly important. In the event of a stalemate, Javier Solana has suggested that a UN Security Council: 'proclaim the adoption of the two-state solution' and set 'the parameters of borders, refugees, Jerusalem and security arrangements' (Solana 2009). The idea of dispatching a peacekeeping mission is also gaining increasing currency (Peters 2010). In particular many in Europe are beginning to challenge the underlying premise of the peace process, namely negotiations that focus solely on the Palestinian leadership in the

West Bank to the exclusion of Hamas. Although recent European statements have emphasized the need to address the situation in Gaza, the EU continues to frame Gaza as primarily a humanitarian crisis and a problem of governance, and not as a political challenge. That approach has been increasingly questioned with growing calls for the EU to engage with Hamas. (O'Donnell 2008, Patten 2010)

Although these ideas have yet to be advocated by any European member state, or by the EU as a whole, they are an indicator of an emerging discourse in Europe, and in some quarters in the USA (Scham and Abu-Irshaid 2009, Brzezinski and Solarz 2010) that the Israeli–Palestinian peace process may well demand more than the resumption of negotiations under American auspices, and that additional mechanisms are required to that end. The demand for the internationalization of the peace process, for a more assertive and independent European role, and, above all, the necessity of engaging with Hamas is likely to gain currency amongst European policy-makers and civil society. The growing sense of threat and danger to its security concerns, global regional and domestic, is leading to the emergence of a discourse of ‘a fierce urgency of now’ in Europe.

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