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**A European perspective for Israel**

**A key to solving the Middle East conflict**

In the years to come, the European Union will be faced by two key challenges: its expansion by up to 13 new member states, and the reform (consolidation) of its institutions, which are to be overhauled under the European Convention. One of the most urgent reforms, given new global challenges in the wake of September 11, 2001, will be an institutional and political rebalancing of the Common Foreign and Security Policy (CFSP). In this context, the Middle East and the Mediterranean region will undoubtedly play the most important role, after the Balkans, in an EU future common foreign policy.

The basic conditions for an effective EU policy on the Middle East have undoubtedly deteriorated since the renewed outbreak of the bloody conflict between Israelis and Palestinians, and the accompanying heightened tensions in the region as a whole. At the same time, however, this constitutes an increased challenge, with the EU needing to move away from its previous approach of predominantly reacting to crises as they unfold, instead adopting a future-oriented strategy combining short-term crisis-intervention measures with a long-term conflict-solving perspective. In so doing, account must be taken of regional facts on the ground, but also and above all of Europe's basic underlying interests: to combat and prevent Islamic terrorism; to block efforts to acquire weapons of mass destruction and ballistic missile in the region; to prevent uncontrolled flows of refugees and the spread of drugs; to have access to guaranteed energy supplies; to apply a sustainable approach to the environment and resources; and to uphold human rights, pluralism and democracy.

The Middle East conflict between Israelis and Arabs is one of the major causes of these tendencies, but it is far from being the only reason for them. However, in recent decades it has led to all of the region's countries putting security questions before economic necessities and urgently needed social and political reforms. In this sense it is partially responsible for the fact that regional cooperation in the area lags behind that in other parts of the world, thereby impacting on EU efforts to contribute to regional integration in the framework of the Barcelona Process. The recent outbreak of violence in what is commonly known as the Second Intifada, the continuing tension on the Israel-Lebanon border despite Israel's withdrawal from Southern Lebanon and the increasing danger of an escalation towards war in the entire region, which is also being played out against the backdrop of Iraq's and Iran's efforts to acquire weapons of mass destruction, are all factors which should lead the EU to rethink its conventional approach to conflict prevention in the form of offers of regional cooperation, which in practical terms generates small-scale response only, and then largely because of the accompanying financial assistance.

In such rethinking, despite the unfavorable circumstances it is of the utmost importance to maintain the vision of a peaceful and stable Middle East. Europe is particularly well suited to such an approach, even if – or perhaps precisely because – compared to the United States, it does not have the same scope of influence, but at the same time it also does not (or at least not primarily) pursue interests which are predominantly based on power politics. In the meantime, the EU has developed ties with the entire southern

Mediterranean region through a dense network of assistance, association agreements, political dialogue mechanisms, and not least the Barcelona Process.

Despite this, its influence – gauged relative to these facts and structures – on the Middle East conflict and the parties to the conflict is far from satisfactory. The reasons for this state of affairs primarily result from the fact that EU member states' interests continue to diverge, and hence it is impossible for them to formulate and implement far-reaching goals, as well as the unclear division of labor with the United States in the Middle East conflict. The vision of a peaceful and stable Middle East is not something which can be conjured up through Council declarations and grandiloquent speechmaking, however much Europe may provide a striking example of such an approach. It must be backed up by bold designs for future scenarios as well as down-to-earth proposals for action.

However, the reason why Europe, in the form of the European Union, can play a credible role in the Middle East conflict is precisely because, given its history and its current institutional setup, it is a perfect example of how to solve conflicts peacefully and establish peace. The long – indeed, one might say long-drawn-out – history of European integration following World War II has shown that peace and reconciliation can be achieved even between those known as arch-enemies stretching back over many centuries.

It is obvious, of course, that an enormous gulf separates the Middle East from such a condition, which in Mideastern eyes resembles something approaching paradise. It similarly goes without saying that Europe cannot be – and does not aspire to be – a blueprint for other parts of the world. Rather, when it comes specifically to the Middle East, what it would like to do is to show ways of getting out of what appears to be an insoluble situation. This also includes the frightening fact that it was only after two world wars and previously unimaginable destruction that Europe managed to break out of the cycle of violence and counter-violence.

Perhaps very practical ideas might result from an examination of European development. For example, just as European unification began after World War II with very modest cooperation in the coal and steel industry, so in the Middle East cooperation could start in the areas of water and energy supplies, environmental protection and tourism. More specialist information programs should be organized in these fields for participants from the Middle East, in which the historical dimension of European unification would also be given due consideration. Experiences with programs involving transborder cooperation examining different European examples, with participants from Israel, the Palestinian territories, Jordan and Egypt, have shown that even under the current difficult conditions, such programs are possible if they are not charged with political demands. To use the most modest denominator: even without a coherent common foreign and security policy, the EU – just by existing – in its currently configuration constitutes an influential factor in any solution of the Middle East conflict.

There is no denying the fact that in the future, this status will increasingly depend on Europe's ability to speak with a single voice in matters involving foreign and security policies, and to take unequivocal decisions. Europe's weakness in the Middle East conflict is first and foremost rooted in the uneven – indeed, downright contradictory – image offered by the member states. France is viewed as somewhat “pro-Arab”, while Germany, given its past, is always seen as being on Israel's side. The ability to make influential statements about the Middle East also, as well as to contribute to a solution of the conflict, must be seen within the overall context of the EU's decision-making mechanisms. In any case, given the present constellation of world politics, in which Europe is a vigorous critic of American unilateralism, effective EU involvement in the Middle East conflict is an unmistakable signal that Europe is also capable of making a contribution to solving a conflict in what in the future (post-EU expansion) will be its own “backyard” – a conflict which in the medium term will greatly affect European interests.

## **I. The foundations for strengthening an effective EU Middle East policy**

### ***1. Rational division of labor with the USA***

The growing levels of exasperation between America and Europe also impact on the Middle East – or to put it another way, in part they actually originate in the different evaluations of the situation there. The main contradiction – and one that is particularly striking when it comes to the Middle East – has been neatly summed up by American political commentator Robert Kagan, who has pointed out that in rejecting power politics, Europe “has become dependent on America's willingness to use its military might to deter or defeat those around the world who still believe in power politics”. What cannot be denied, however, is that when it comes to the Middle East, fundamental differences can be identified relative to evaluating the situation in this part of the world. These differences are reflected both within the societies in question, and in the setting of foreign policy goals.

Under these circumstances, how can any rational division of labor be achieved with regard to the Middle East conflict?

First of all, there is a perfectly good starting position for such a division of labor if the existing asymmetries were to be combined in a way that would make sense: Arab-Palestinian trust in Europe, Israeli trust in America on the one hand, and the military strength of the USA and the economic presence of the EU on the other. This combination might prove a winning one above all if there were a prospect of international intervention in the Middle East conflict. It would, of course, presuppose both sides agreeing on the aims and means of any such intervention. At the present time, this prospect is a remote one, even if there is agreement about the most basic issue – a two-state solution to the conflict.

One recommendation would therefore be for a start to be made immediately on a focused dialogue, to take place on different levels, concerning a

practicable division of labor between America and Europe which would not make do simply with discussing the myriad peace plans on the books – which would inevitably involve generalities – but would actually work out guidelines for hands-on action. In the process, the Europeans should not allow themselves to be discouraged by the unilateralism of the present American administration, and they should conduct this dialogue on both the highest levels (foreign ministers, security advisers) as well as the level of diplomats, think tanks, etc. In the light of the dissonances referred to above, dialogue between societies would appear particularly important, in particular – from the European side – with Jewish-American organizations, where given the developments in the Middle East and in Europe a dramatic hardening of positions can be identified.

For psychological and tactical reasons, this dialogue must above all focus on American interests as well, not only in respect of the financial burden of a possible solution to the conflict (a “Marshall Plan for the Middle East”), but also with a view to the long-term support that would be required for any lasting peace. Here the Balkan region, where the Europeans are having to assume ever greater responsibility, could be an instructive example. Finally, one element of European influence that should not be underestimated lies in the fact that American proposals of mediation have no chance of being accepted by the Arab-Palestinian side unless they have Europe’s complete and wholehearted backing.

## ***2. Reshaping the Barcelona Process***

The foundations of the “Euro-Mediterranean Partnership” (EMP) were laid in 1995 in the Spanish port city of Barcelona. The EMP is modeled on the successful CSCE process (Conference for Security and Cooperation in Europe) between East and West. Following this example, it seeks to organize the EU’s relations with the 12 partner states south and east of the Mediterranean in three different areas or “bundles”:

- political and security issues
- economic ties
- relationships between societies and human rights

The only area where it has been possible to achieve relative success is that of economic ties, where a number of association agreements have been concluded. Overall, the Barcelona Process has been less successful in generating Middle Eastern regional dynamism than in establishing bilateral (economic) ties between the EU and the countries bordering on the Mediterranean.

This does not mean, however, that Barcelona was a complete failure and hence should be consigned to the scrap heap of history. Rather, the conclusion to be drawn from the last seven years is that those elements which have prospects of success should be strengthened, rather than insisting on pursuing initiatives and maintaining structures which can be shown not to be of any marked utility. This applies especially to regional cooperation, which

most partner countries have very clearly accepted in a very hesitant and largely rhetorical fashion only. Only the most rudimentary bases for any such cooperation exist in the region, given the very marked efforts currently underway to achieve or consolidate sovereignty, the numerous domestic and international conflicts, and its limited comparative advantages. Instead of aiming at artificial structures, which would inevitably remain foreign bodies and simply swallow vast amounts of funding, the focus should be on a pragmatic approach – a “step-by-step” policy – just as in the history of European unification. With respect to the Middle East conflict specifically, even before September 2000 it was clear that actual regional cooperation would only become possible after the conflict has been solved.

Given these conditions, it would seem to make more sense to offer programs that are tailored for partners who are willing to undertake cooperation in the non-political sphere as well – programs which have no pretensions to including the entire Barcelona spectrum. The EU offers a splendid platform for such programs between individual states, social groups or professional associations, precisely because it has shown through its efforts so far in the Barcelona Process that when it comes to trying to encourage regional cooperation, it means business – perhaps the only body that does. It might also be possible to shift the emphasis to sub-regional groupings, which could then in the form of concentric circles provide a basis for long-term cooperation throughout the entire region. When it comes to regional cooperation, the same applies as to solving the Middle East conflict, albeit in far more dramatic circumstances: only if the parties involved are genuinely interested will there be a successful outcome. As a result, the EU should not be afraid to abandon the illusion of a uniform Middle East, instead promoting all those countries and forces which are making progress towards peace, democracy and human rights.

### ***3. Clearly defined conditions for the parties to the conflict***

If the EU wishes not only to be taken seriously in the Middle East conflict, but also to play a significant role, the first thing it needs to do is to reach agreement about clearly defined conditions for the parties to the conflict (including Syria and Lebanon). However, these conditions must not only be worded in an extremely clear fashion, leaving no room whatsoever for different interpretations: they must also be realistic and involve inflexible consequences in the case of non-compliance. The parties to the conflict must know what awaits them, and be aware of the fact that the Europeans mean business.

What, however, are the EU's possibilities of bringing influence to bear on the parties to the conflict in order to induce them to reach a peaceful solution, as outlined by the European Council in its various declarations, based largely – like all proposals which are capable of being negotiated – on the most important UN resolutions on this issue (especially 242 and 338)?

First of all, the EU can bring influence to bear on diplomatic negotiations and mediation through its foreign and security policy chiefs. This applies in particular to what is known as the “Quartet”, as has already basically happened. In addition, assuming that there is a uniform position within the Union, through its member states it can influence the voting in the UN General Assembly and – even more importantly – in the Security Council in favor of one side or the other. However, the possibilities arising out of conventions, financial assistance and the application of international legal norms are more effective and influential. These include the following:

- the clauses and provisions which are stipulated or have been negotiated in the association agreements with Israel and the Palestinian Autonomous Authority, as well as in the negotiations with Syria and Lebanon, in particularly on peace policy, democratization and upholding human rights
- Israel’s participation as the only non-European state in the EU’s R&D program
- the possibilities of bringing influence to bear as a result of the PA’s major financial dependence on EU resources, especially the monthly budgetary assistance of 10 million euros provided since November 2000
- the possibility which exists in accordance with international law and in conjunction with the USA of combating terrorist organizations such as Hamas, Hizbollah and others, and taking steps against countries (Syria, Lebanon) which harbor and/or support them.

This list only hints at the range of possibilities. The following steps would be required in order to organize and apply them:

- coming up with a uniform position by EU member states as to what conditions are to be laid down or what possible sanctions should be considered
- working out a program of “conditional cooperation” which would be coordinated in terms of timing and content, as well as the sanctions provided for in the case of non-compliance
- confidential talks with the parties to the conflict to be held by a high-level EU delegation led by the High Representative, emphasizing the serious nature of the EU program and giving the parties the possibility and time to react accordingly
- officially sending the list of demands to the parties to the conflict and immediate implementation of the steps stipulated in the list.

An overall EU strategy in the Middle East conflict cannot, of course, be limited to a rather laconic “negative list” of this kind; it must be accompanied by a determination to undertake more extensive “interference” and the creation of positive incentives.

#### ***4. For international intervention***

The bloody confrontation between Israelis and Palestinians has led to ever more vociferous calls for international (including “robust” military) intervention – including in Israel itself, which to date has energetically rejected any such calls. The course of the conflict so far has made it clear that without massive intervention from outside, in the foreseeable future peace will not reign again, let alone any durable solution being achieved. Hence international intervention in one form or another constitutes part of practically all existing peace plans, and more and more experts both in and outside the Middle East region are focusing on evaluating international experience in this area and working on “blueprints” for the “Middle East case”. Apart from contemporary experiences such as the Balkans and East Timor, the historical development of the Middle East region itself also offers a starting point, since ultimately most of the region’s states came into existence within their present-day borders as a result of “international interference”: after World War I, the victorious western powers drew the borders in the Middle East, thereby creating the foundations for a “Jewish homeland”; after World War II it was the United Nations which by means of its partition decision wished to make possible both a Jewish and an Arab-Palestinian state in the British Mandate territory of Palestine. Developments since then have affected the way that the parties to the conflict feel about the possibility of international intervention: while the Palestinians (and their Arab allies) rejected the UN Partition decision in 1947/48, today they refer to the relevant UN resolutions and ask the international community to intervene in order to implement them. Conversely, while Israel owes its existence to the international community, it subsequently felt that it was put at a disadvantage as a result of the numerous UN resolutions which it considered to be rewards for Arab attempts at aggression.

The attitudes of both sides to the conflict are obviously crucial to the success of any international intervention, and here the two sides differ fundamentally, in particular with regard to Europe’s involvement:

- the Palestinians support outside intervention because they anticipate that this will bring about the end of Israeli occupation, the evacuation of the Jewish settlements, and the creation of the foundations for their own state on the basis of the 1967 borders in accordance with the relevant UN resolutions. On a short-term basis they hope that this would protect them from Israeli “aggression” and – at least in democratic circles – guarantee a democratic and constitutional structure for their future state. For the Palestinians a UN-led peacekeeping force with massive European participation would be the ideal solution.
- to this very day, Israel has rejected any international intervention in the conflict, citing such bad experiences as Lebanon (in the 1980s), Somalia (1990s) and Bosnia (Srebrenica). More particularly, it refuses to envisage a UN mandate for the Middle East, especially because in Israel’s eyes the UNIFIL peacekeeping force has been a failure and to this very day has failed to take any effective measures against the provocations of the fundamentalist Hizbollah on Israel’s northern border. Other factors include the many condemnations of Israel passed by various UN committees, which are viewed as one-sided. Despite this background, in security circles and think tanks more and more attention



is being given to the possibility of international intervention. From the Israeli point of view, the only option here would be a US-led operation, in which the Europeans, because of their supposedly pro-Palestinian attitude, would play a subordinate role only.

Given these premises, for the moment it is hard to imagine the EU playing a role in the case of any international intervention. However, its credibility with the parties to the conflict stands and falls with its willingness to take part, including carrying out robust military operations, and being prepared for such a scenario. The most important factor here is an unambiguous political desire to take part in a solution to the conflict in the Mediterranean, accepting even arduous conditions irrespective of the consequences and, not least, making appropriate military resources available as swiftly as possible in the form of the planned rapid deployment force. Only then could there possibly be any expectation of the parties to the conflict and their allies accepting the EU as a full member of an international operation. In considering this scenario, it would be wise not to attach overmuch importance to current Israeli distrust, nor to the sometimes overstated Palestinian expectations. It must be remembered that when it comes to German involvement, it will be necessary to take account of the historically charged German-Israeli relationship. In this connection it is irrelevant whether the EU would participate under a UN mandate, an operation led by the USA, or in conjunction with the “Quartet”.

A number of options would come into play if the EU were prepared and ready for action in the Middle East:

- providing unarmed observers to accompany military measures by other (US) troops, in order first to bring about a ceasefire as a prerequisite for peace negotiations; a small group of EU observers is already acting informally in parts of the West Bank, and the EU played a decisive role in resolving the “Church of the Nativity” situation in Bethlehem
- deploying armed forces in buffer zones (which would have to be created) between the parties to the conflict; this could also apply to Israel’s border with Lebanon, in order to defuse the tension there
- setting up a (democratic) interim administration in the Palestinian areas, combined with a “robust” military operation along the lines of the Kosovo model; in this case, however (in contrast to Kosovo), the desired final status (two-state solution) would have to be clearly defined, because otherwise the international peacekeeping force could easily become the target of both parties to the conflict

A massive (military) operation of this kind outside Europe would be a new phenomenon in the history of the EU. However, the Middle East is not just any crisis-racked region of the world: it is the area closest to Europe’s borders, whose persistent instability could seriously undermine Europe’s ability that will be needed in the years to come to concentrate on the problems of expansion and consolidation.

## **II. Envisaging bold visions for solving the conflict**

The events since the outbreak of the second “intifada” in September 2000 which, unlike the first “intifada” has long since become a mini-war, have made two things obvious:

- Israelis again feel massively threatened in their existence as a country and even physically, after the apparent possibility during the seven years of the Oslo peace process that they would be accepted – if not integrated – in the Middle East
- on the other hand, the Arabs/Palestinians see their suspicions to have been vindicated that basically, Israel has not seriously given up the idea of a Greater Israel between the Jordan and the Mediterranean.

Even if these two ways of looking at things can for the time being “only” be viewed as the result of mental sensitivities because of the desperate situation on both sides – murderous suicide attacks on the civilian population on the one side, and occupation and military attacks on the other side – they are nevertheless threatening to harden and acquire the status of a fundamental consensus on the part of their particular camp. The longer the deadly conflict lasts, the more these points of view will evolve into maxims of political action. And it can already be asserted that the rifts between the two camps, which were never properly surmounted, have widened into a yawning chasm – with what may well be irreparable consequences.

### **1. A “new Middle East” or an “old Europe”?**

International intervention – however large-scale – can only have any prospects of lasting success if it is associated with long-term prospects for the future. This is illustrated (hopefully) in the positive sense by the example of the Balkans, and in the (probably) negative sense by the example of Afghanistan. In the first case it is the prospect of at some time or other belonging to the European community of nations which leads – normally to the sound of gritted teeth – to concessions over issues of minority and human rights, political pluralism and opening up in the economic sphere; in the second case, there is a looming danger of a return to the old trench warfare, because after liberating the country from the Taliban regime, the Americans turned their attention to other arenas and it was asking too much of the Europeans to maintain a permanent presence.

For the Middle East too, it may be said that international intervention can only be successful in the long run if it can offer the parties to the conflict incentives for a secure future. In the case of the Palestinians, this goal can be defined relatively easily; for most of them, their national dream would come true if they were to be given a territorially homogeneous independent state which enjoyed democratic legitimacy, even if it would of course for a long time have to rely on major financial support from outside sources. In the case of Israel, things are more complicated: the State does exist, and in military terms too there is no way that it can be put at risk for an indefinite period, and yet paradoxically, the Israelis – in contrast to the Palestinians who are currently still “stateless” – do not feel that their existence as a people is assured. On the one hand, this has

to do with their centuries-old experience of persecution and murder, culminating in the Holocaust, but above all with the fact that they have remained till today a “foreign body” in the Middle East, not really accepted by their neighbors. The seven relatively peaceful years between the Oslo Agreement (1993) and the outbreak of the Second Intifada (2000) only partially camouflaged over this reality. With the renewed flare-up of brutal violence, visions of a “new Middle East” in which Israel would play the role of an economic driving force for its neighbors has been banished indefinitely to the realm of wishful thinking and pipe dreams.

It is possible that these were always pipe dreams, because to the struggle over the land there must also be added a completely different socio-economic development in Israel and its Arab neighbors, which shines the spotlight on the Jewish state as a “structural foreign body” in the region. Despite the economic crisis that has affected Israel over the last two years as a result of the conflict, it is still an industrialized country with a highly developed high-tech sector, whose per capita income (US \$15,000) is several times that of its Arab neighbors (between \$3,500 in Syria and \$4,300 in Lebanon). In addition, it is a functioning democracy – despite growing concerns in this area – with a pluralistic political system, a free press and a flourishing civil society. In the meantime, developments in the Arab world have proceeded in a different direction, as confirmed in a report by an Arab team of academics published in the autumn of 2002 as part of the UN Human Development Report. According to the study, the Arab world compares unfavorably with most other parts of the world:

- in the Human Development Index, the Arab countries rank higher than Black Africa and South Asia, but lower than East Asia and Latin America
- in the list of seven of the world’s regions, the Arab states rank lowest on the “freedom scale”; “the wave of democratization in Latin America and East Asia in the 1980s and in Eastern Europe and Central Asia in the 1990s scarcely got as far as the Arab countries”
- in the last twenty years, gross domestic product increased annually by just 0.5 per cent: only in Black Africa were things even worse
- at 38.7%, illiteracy levels are higher than in Black Africa, child mortality is alarmingly high, women’s participation in politics and the economy is lower than anywhere else except for Black Africa
- investments in research at development – just 0.5% of GDP – are far lower than the world average.

Given these facts and figures, only in the distant future will Israel’s genuine integration in its geographical surroundings – even if it were politically possible – become conceivable. Even if a political solution to the conflict is found, resistance to this would be anticipated from the Arab side, as demonstrated at the major Middle East economic conferences in the second half of the 1990s: apart from military domination, the Arab states were fearful – following a peace treaty – of Israel’s economic domination of the region. Without entirely renouncing the long-term goal of achieving some form of integration in the Middle East, for the next few decades Israel will therefore have to look for ties with one of the major blocs if it wishes to avoid being sidelined into dangerous

isolation. Its options are limited to just two possibilities: the USA and Europe. The Jewish state's ties with the USA are influenced by a shared common security interest, further heightened since September 11, 2001, something of an emphasis on the American way of life, and a strong Jewish Diaspora which is larger than the total number of Jews living in Israel. Especially in the current conflictual situation, the security issue and close arms ties between the two countries have become even more important, which explains why – apart from America's greater "understanding" for Israel's situation – the American option will remain indispensable for a long time. On the other hand, America is a long way away, and an "American bloc" is concentrated on the western hemisphere, in particular Canada and Mexico. The USA's interest in the Middle East basically involves oil, and if other (geographical or alternative) sources are located, then in the long term this interest might decline.

Hence the American option in no way excludes a European perspective for Israel – quite the reverse: not only can these two be reconciled, but for an extended period they may usefully complement each other, until a final decision is on the agenda. Until that day, however, the Europeans should in dialogue with Israel work out a perspective which does not sidestep a clearly defined target concerning the Jewish State's position, at the end of the day, in the context of the expanding Union and its external relations. This is definitely in Europe's own best interests, because without the slightest shadow of a doubt the key to solving the Middle East conflict, which impacts so enormously on European interests, is largely to be found in Jerusalem. It is simply a question of taking away the Israelis' fear of their future in an overwhelmingly hostile environment and enabling them from a position of strength to make those concessions to the Palestinians (and Syrians) which are vital to a solution of the conflict. In 2000, under Prime Minister Ehud Barak, a solution was nearly reached in both cases, and the corresponding blueprints – based on the proposals from the 2000 Camp David negotiations and the 2001 Taba negotiations – are still on the table: a Palestinian state in Gaza and on 95% of the West Bank with East Jerusalem as its capital, combined with an exchange of territory between three major Jewish settlement blocs along the "Green Line" and Israeli national territory in the Negev, as well as the evacuation of all the remaining Jewish settlements. What has changed since the outbreak of the Second Intifada is above all the enormous loss of faith which is threatening to develop on the Israeli side in particular into the biggest impediment to a peace agreement (something which of course also applies vice versa to the Palestinians, so that a European strategy must also be designed to show them the advantages of an Israel which is "relaxed" because it feels secure).

## ***2. A European perspective for Israel***

In this situation Europe, in the form of the European Union, is in demand – and despite the weaknesses of the EU's international negotiating capacity, the conditions are not as bad as sometimes the Israeli media's undeniably malicious spiteful commentaries would seem to imply. For the European

perspective for Israel already exists – to a greater extent than either side is often aware:

- with a 40% share, the EU is Israel's biggest economic partner
- with the Association Agreement which was concluded in 1995 and came into force in 2000, and with Israel's participation as the only non-European country in the Union's R&D program
- in the wake of the expansion decided on in Copenhagen, in mid-2004 the EU will also come geographically closer in the form of Cyprus
- Israel is a member of the (Western) European regional grouping both of the UN and of the Inter-Parliamentary Union (because of the Arab-Islamic boycott in its "natural" setting)
- it enjoys observer status at the Council of Europe
- Israeli teams take part in European competitions, making European football popular in the country, for example
- Israeli singers take part in the Eurovision Song Contest

On this basis a strategy could be developed which – in conjunction with American security guarantees – could smooth Israel's path towards a peaceful and secure future and thus bring about the conditions for a peaceful solution to the conflict in the Middle East. However, such a strategy will only have a chance of succeeding if it dialectically eliminates the fateful linking of progress in the peace process with coming ever closer to Europe, insofar as this very rapprochement increases the incentive to achieve a peaceful solution to the conflict.

In an initial stage enhanced closeness with Europe could comprise the following components, which are not only not mutually exclusive, but at the same time could pave the way to the boldest vision – Israel's accession to the European Union:

- special status for Israel relative to the European Union
- bringing into being regional entities which go further than the Barcelona Process but are below the threshold of full membership

### *Special status for Israel*

In December 1994, the European Council in Essen decided to offer Israel privileged status in respect of its ties with the EU. Not much has happened since then – something which the Europeans ascribed above all to the strained relationships during the term of office of Prime Minister Benjamin Netanyahu (1996-1999), and since 2000 to Israel's hard-line response to the Intifada. Today, people in the EU Commission prefer not to remember the Essen decision, and many are of the (unofficial) opinion that the coming into force of the Association Agreement signaled a special status – something which would then also apply to those Arab countries bordering on the Mediterranean which have concluded such agreements with the EU. Of course, such an interpretation would make a mockery of the term "special status". On the other hand, the Israelis are also not taking any initiatives in order to breathe any life into the concept, although ironically at the time of writing, Netanyahu as foreign minister was arguing openly for Israeli

accession to the EU. It is only on a non-governmental level that such attempts have been made, such as the bilateral (German-Israeli) experts' group set up by the Friedrich-Ebert-Stiftung at the beginning of 2000 at the suggestion of the German Chancellery. The group's Israeli members included representatives of the Foreign Affairs and Finance Ministries, the Bank of Israel and other institutions. However, following the outbreak of the Second Intifada and the change of government in Israel, the group discontinued its activities at the beginning of 2001. In parallel, an "Israel-EU Forum" was set up at Tel Aviv University, also with FES support, headed by Israel's former ambassador to Germany, Avi Primor, with the goal of drawing up proposals in order to achieve special status. The various experts' groups submitted their recommendations in mid-2002. Among other things, these were also guided by the model of the "European Economic Area" and Switzerland's relationship with the EU:<sup>1</sup>

- mutual recognition of standards, if necessary also unilateral application of European norms by Israel
- cumulative rules of origin, not only (as previously) with the countries of the Barcelona process, but also with the EU states and the candidates for accession
- participation on an equal footing in public invitations for tenders
- (unilateral) application by Israel of the criteria of the stability pact and of parts of the "acquis communautaire"
- linkage with the Euro (if necessary, also unilaterally)
- bringing the social welfare system into line with European standards
- participating in the European Space Agency, the European Research Fund and CERN, the Nuclear Research Center.

Application of these recommendations would in practice provide the basis for a special status, which would be all the more readily achieved the more the expanded EU in the future were to resemble a loose structure, perhaps even in the form of a "multi-speed Europe". It is for this reason that Israel is eagerly awaiting further developments over the Turkish question, which might perhaps determine the Union's future character and its external borders.

### *Beyond Barcelona*

The question of any special status arises for Israel – as decided in Essen – primarily on a bilateral level, but an expanded arena in the form of new regional groupings could also be envisaged, which might in their totality be awarded a special status in their relationship with the EU. Such a status would have to go far beyond the fundamentals of the Barcelona Process, and hence logically could also only include those EMP members which have achieved an appropriate level of development and have both the democratic structure and the political will to achieve close-knit ties with the EU. In all, these criteria are met by just four of the twelve southern EMP members: Malta, Cyprus, Turkey and, just possibly, Israel. The first two are due to accede to the EU in 2004,

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<sup>1</sup> *Israel's Way to the European Union, Documentation of the Israel-EU Forum at Tel-Aviv University from its Establishment in Spring 2000 until June 2002*, Tel Aviv 2002, 165 pp.

and in Copenhagen a date was finally offered to Turkey for the start of accession negotiations. This would mean that Israel would remain behind in the EMP together with eight Arab states bordering on the Mediterranean, resulting in the country's complete isolation. Hence if Israel were to be granted special status, the question would arise as to the future of Barcelona. The following lines might be considered: Israel would be excluded from the EMP, and the Barcelona Process would be expanded to include all the member states of the Arab League, which at the same time would have the advantage of also including the wealthy Gulf States.<sup>2</sup> Israel's interest in what will happen to Turkey can be explained first and foremost by the fact that Ankara is the Jewish State's only ally in the Middle East, and the question of orientation in respect of the EU could also determine whether or not this alliance will continue to exist – i.e., if rejection by Brussels were to strengthen Turkey's Islamic-Mideast leanings. But Turkey is also important for Israel's European prospects because initiating accession negotiations with Ankara would decide the topic, so hotly debated in Europe, of the EU's cultural and geographic borders – relative to Israel too.

However, given the intense resistance in Europe to such overloading (as many see it) of the Community's ability to act (a state of affairs which might come about as early as 2004 with the accession of ten new members), both sides – the EU as well as accession "hopefuls" – should start thinking early on about creative solutions, for their mutual advantage. Such a solution might involve the granting of special status to a clearly defined group of countries, for an extended transition period. This special status would contain all the elements described above. Members of this group could include the following: the two candidates for the next round, Romania and Bulgaria; the remaining Balkan states (Croatia, Serbia-Montenegro, Albania, Macedonia and Kosovo), and also Turkey and Israel. The advantages for both sides are manifest: the EU would gain time, enabling it to tackle the serious problems associated with consolidation and institutional reforms, and allowing it to prepare the accession "hopefuls" for possible membership in a relaxed fashion. The "Balkan-Levant" group (or in more politically correct terms, the "South-East Europe/Eastern Mediterranean Group") would have the advantages of extensive access to Europe, and could also take its time in dispelling the reservations that exist in many countries (primarily Israel and Turkey) against EU membership. But above all, there would be no automatic expectation of accession, since both sides could live with the so-called "Swiss model".

There might be resistance from the other accession hopefuls, above all Bulgaria and Romania, since they have received relatively clear promises. Apart from the fact that ultimately the direction is determined by the EU, an eastward geographical "shift" could be envisaged, with Israel being assigned to a "Eurasian grouping", which would also enjoy a special status as expressed by Commission President Romano Prodi: "We could share everything but institutions." This group could comprise Russia, the Ukraine, and Turkey, as well as additional East European and Caucasian countries,

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<sup>2</sup> Lecture by Bundestag member Christoph Zöpel, chairman of the SPD Parliamentary Party Middle East discussion group, at an FES conference on Iraq held in Berlin on January 30, 2003.

and also Israel. However, other than the fact that the political reservations would not be so marked and there would be no conflict over land, for Israel this would not represent any great achievement, since in economic and social terms it would also be more or less a foreign body in this setting too.

A possible variant on these two models would involve reviving the old spirit of the Levant in the Eastern Mediterranean; in this region, once typified by multicultural diversity and lively trading, remnants of this tradition can still be found, even if the century of nationalism with its wars, expulsions and violent acquisition of land had devastating consequences for co-existence between peoples. What might be imagined – were Turkey not to join the EU – would be a sub-regional grouping, consisting initially of the two EU members, Greece and Cyprus, plus Turkey and Israel, which would be linked with each other by means of a special agreement along the lines of some special status. After a peace settlement, ultimately achieved through international intervention and close European ties with Israel, membership would also be open to the most progressive Arab countries in the Eastern Mediterranean area of the newly constituted “Levant”: Lebanon, a democratic Palestine and Jordan, and later – after successful reforms – Syria and Egypt as well, with the likelihood of a “ripple effect” being generated in broader parts of the region. A prerequisite for this would be giving up the Barcelona idea, according to which all the countries along the southern shores of the Mediterranean are to be lumped together. The same would apply to linkage between the peace process and closer ties with the EU. Given the current state of affairs, all of this doubtless sounds very “pie in the sky”, but without bold visions, grounded in a sober assessment of Europe’s own negotiating abilities, there will be no progress. Jean Monnet, Europe’s founding father, is the best example of how the two can be combined.

### **3. Israel to join the European Union?**

An even bolder vision would be to imagine Israel as a full member of the European Union. The first time that this idea was publicly postulated from an Israeli point of view was in a contribution to the influential daily *Ha’aretz* on October 3, 2001. Academics Yosef Gorni and Aaron Seidenberg start by defining Israel as a “Euromediterranean society”, which is predominantly influenced by Europe both demographically and culturally. They then conclude “that Europe should assume responsibility for Israel by it becoming affiliated with the EU and NATO, on the basis of a deal with the Arab world: establishment of a Palestinian state, a binational settlement in Jerusalem as the capital of both states, plus widely distributed regional aid to solve the water problem and the refugee question. Such a settlement would offer Israel existential security as a minority in the region, making it easier for it to make territorial and political concessions. In this way, the Palestinians would be protected against the danger of expansion on the part of the Zionist State.” The authors refer further to the connection between the Jewish-Arab conflict and the “war on terror”, which would lead to Europe considering this an acceptable strategy.



The above briefly outlines the crux of political thinking about Israeli membership of the EU: rather than progress in the peace process being a prerequisite for closer ties with the EU, prospects of accession would enhance willingness to achieve peace – just as in the Balkans this prospect contributed not inconsiderably to democratization, respect for human and minority rights, and economic openness. As an EU member (possibility in conjunction with NATO membership), Israel's security and existence would be permanently secured, and it would even appear likely that from this secure position, it would be far more capable of establishing good relations with its Arab neighbors. In a variation on the vision of a new Middle East, one could even imagine Israel acting as a bridge between Europe and the Middle East. It would be necessary to hold intensive talks with the Arab countries about this strategy, highlighting the advantages of such a solution for them also, as depicted in Gorni and Seidenberg's article. With the EU's acceptance of Cyprus and its willingness in principle to offer Turkey talks on accession, the argument that Israel cannot be part of Europe for geographical reasons falls by the wayside. Ultimately, this debate would have to take into account the verdict of the German-Israeli historian Dan Diner to the effect that Israel "may not be *in* Europe, but it is *of* Europe".

Apart from the political and geographical arguments which could be advanced from the European point of view against Israel being a member of the EU, the question also arises about the entirely "normal" conditions for any such accession. The findings of the Tel Aviv University experts' group are unequivocal on this point: from practically every point of view Israel ranks above the level of the ten countries that are about to join the EU, and it is extremely well prepared to accept large amounts of the "acquis communautaire". Its per capita income of \$15,000 is far above that of these other countries, with the exception of Cyprus (two years ago it was \$17,000). Because of the violent conflict and high levels of military spending, the country's economic development has gone into reverse, leading to high levels of unemployment (10.4%) and inflation (6.5%) – although these figures still put it on a par with the average performance of the candidate countries. Nevertheless, in principle Israel has a healthy economic structure (as recently confirmed by the International Monetary Fund), with a highly developed high-tech sector and a low proportion of its population engaged in agriculture, commensurate with Western European figures. As far as its national debt is concerned, in recent years Israeli governments have voluntarily undertaken to apply the Maastricht criteria. They were successful in doing so until 2002, when outside circumstances led to the country's national debt rising to 3.9% of GDP. This means that Israel is in good company, together with Germany and France, which are tackling fairly minor problems. If we take the country's relatively small population (6.6 million) and its educational level, which is above the OECD average, then considered in economic terms Israel can easily be "absorbed" compared with all the countries due to join the EU. It would probably even be a net contributor, particularly if the peace process and hence economic development were to get off the ground again.

#### **4. "Before we run off to Europe"**

This was the title of a commentary in Israel's *Yediot Ahronot* popular newspaper on January 5, 2003, discussing the debate triggered in the wake of the Gorni/Seidenberg article about possible membership of the EU. Referring to Foreign Minister Benjamin Netanyahu's initiative to try and attain such membership, the piece says, among other things: "Here are a few of the side effects which would result from Israel's joining the EU. First of all, the Right of Return (for Jews worldwide, W.V.) would have to be scrapped, as would the country's Jewish character... If Israel were to join the EU, the country would be flooded with foreign workers... And what will happen if every Israeli can work in any EU state without a special permit?... Another important side effect involves human rights. Do we really want all of our governmental institutions to be subject to a European court of justice? The EU is striving to achieve a common foreign policy. In some cases it presents itself as an antithesis to the USA. Implementing Netanyahu's initiative would therefore confront us with a major dilemma: should we support European initiatives which are rejected by the USA, or do we endorse American initiatives and thereby risk damaging our ties with the EU? These side effects should be fully discussed before expressing support for Israel joining the EU."

This relatively sober analysis puts in a nutshell how the "little man" feels about the issue: today, Israeli public opinion is characterized by almost neurotic hostility towards Europe. This is of course primarily the result of increasing European criticism of Israel's hard-line actions in the Palestinian territories, and is further reinforced by the never entirely dispelled suspicion of antisemitism, which is confirmed by the increasingly numerous attacks on Jewish individuals and institutions in Europe. Of all Israeli newspapers it was the left-wing liberal daily newspaper *Ha'aretz*, which normally has a very open-minded attitude to European affairs, that on December 12, 2002 published a harsh verdict on its op-ed page: "Broad sections of the European population view Israel as a brutal, racist colonial entity that is light years away from the "New Europe"... In European eyes, Israel under Sharon's leadership can be expected to carry out ethnic cleaning, meaning that it is not worthy of being admitted to the European Union. As long as this view is prevalent in the European institutions ... the dream of joining the European club will remain a fantasy."

It would indeed seem that, for the moment, there is no majority on either side in favor of Israel joining the EU. It is therefore even more astonishing that in the last two years, the Jewish state's political and intellectual elite has engaged in a lively debate about ties with Europe, a debate which is increasingly also reflected in the Israeli media, which are not otherwise particularly renowned for a cosmopolitan approach. Some amazingly sophisticated arguments are advanced in this debate, with the most detailed information being provided. An example of this is the argument to the effect that the Jews' right of return to their state would be endangered in the case of EU membership. This is countered by the fact that Germany has a similar instrument to deal with the integration of "Aussiedler" – people from an ethnically German background – who have moved to Germany from the former Soviet Union. When fears are expressed that Israel might be flooded

by foreign workers, the unadorned facts are presented: that after the various expansions of the past, the EU has never been descended on by migrants from the acceding countries – rather, the majority are from non-member states, such as the Turks in Germany or Algerians in France. It is also pointed out that Israel currently has 300,000 “foreign workers”, the majority of whom are not from EU countries or candidates for accession, with the limited exception of Romania. What is considered more likely, on the other hand, is something of a security problem if all European passport holders could enter Israel. In another field– restructuring the welfare state and reforming the social security system – Israel has for years been following European models, and as it is the foundations of this system are of European origin.

While most problems can be solved relatively easily within the framework of the “acquis communautaire”, there are nevertheless two outstanding key points which would hinder EU accession: the question of security and human rights, and the problem of Israel’s “Jewish character”.

The security of the State (and hence of the Jewish people) constitutes the country’s supreme doctrine. Since in formal terms Israel is still in a state of war with a number of Arab countries, and ever since its establishment in 1948 it has been subject to permanent terrorist attacks of varying levels of intensity, a “security culture” has developed which cannot be reconciled with the European understanding of the rule of law and human rights. The most conspicuous examples of this are the “targeted killings” of terrorists, which have been carried out in increased numbers since the outbreak of the Second Intifada, in which more and more innocent people become victims; what is known as “administrative detention”, enabling suspects to be detained for months or, in isolated cases, even for years without any judgment by a court; and lastly, the use of certain forms of torture, subject to restrictions laid down by the Supreme Court, in order to prevent terrorist attacks. The advocates of EU membership argue that these are transient phenomena which will automatically vanish in the wake of a peace process revived by EU prospects. Certainly, doubts might well be in order here, because – as the past has demonstrated – even peace negotiations do not stop extremist forces from carrying out attacks, and indeed it must be feared that after the conclusion of a peace treaty these will continue to take place. In this respect a “gray area” would probably have to be counted on for an extended period, at the end of which Israel would have to decide between its security doctrine and the security of being within the bosom of the European family of nations.

By all appearances, the “Jewish character” of the State would appear to be an even trickier issue, because ultimately this constitutes the origins of the Zionist movement and the fulfilling of the age-old dream of returning to the Promised Land. Connected with this – although in no way intended by the Zionist founders of the State – is an excessive degree of influence by religion on the State and society, which cannot be reconciled with European norms (no civil marriage, no right of divorce for women, citizenship only for the children of Jewish mothers, etc.). In this area, however, independent of any European perspective, a lively discussion has been underway for a considerable time not only over the separation of State and religion, but also over the issue of a

“state for all its citizens”. This discussion is strengthened by the normative force of facts on the ground, primarily as reflected in demographic developments: more and more people in Israel (both with and without Israeli citizenship) are non-Jews. This applies first and foremost to the Arab minority (20%), which is increasingly striving for minority rights and autonomy, instead of integration. Expert circles are therefore studying European examples in this area, such as South Tyrol or Hungary, and this debate has also reached the media. Another large group which according to diverse estimates includes several hundred thousand people, are the non-Jewish relatives of immigrants from the former Soviet Union. Their rights were first made a central theme by a political party (the left-wing liberal Meretz) in the electoral campaign at the beginning of this year. Another group, which has even fewer rights because most of them have illegal status in Israel, comprises the estimated 300,000 foreign workers, who have been undergoing a similar process to that which previously took place in Europe: they bring their families over, have children, and would never dream of returning to their countries of origin. Their rights too – above all the goal of being legalized – are the subject of a debate conducted by a number of civil rights organizations. Thus for years a lively and wide-ranging public discussion has been under way about the character of the State, and in a number of think tanks people are looking for ways to find a compromise between a “Jewish state” and a “state of all its citizens”. Such a compromise would appear to be perfectly conceivable, and might involve Israel in the future being just as Jewish as Spain or Italy are Catholic, for example. If you add to this the fact that, in contrast to prevailing beliefs, the influence of religious circles has actually shrunk in recent years, then the question of the character of the state and civil rights should not be an insurmountable problem for EU accession.

In any case, accession would only be an option in a longer time frame, and hence there would be sufficient time for domestic reforms. But the 2004 expansion will not only bring the EU geographically nearer: several hundred thousand Israelis whose families come from the East European acceding countries would then have a right to a European passport (which practically 300,000 already hold today), and in order to get a foothold in Europe many Israeli companies are already establishing themselves in Cyprus– close to home, but still within the EU. Cyprus might in fact become a good example of how European prospects can have a salutary effect on peaceful solutions to conflicts: the peace plan presented by the UN involves boundary drawing, withdrawal from occupied areas, evacuation of settlers and even a right of return for refugees. This sounds very familiar in the Middle East context. Nevertheless, the European perspective for Israel remains a bold vision – but it is not unthinkable.