

# Appendices

## Appendix A – Research agenda sent to all interviewees



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### Research Agenda

#### Aims:

- To evaluate how key stakeholders in the Israel-Palestine Conflict discuss alternatives in the pre-negotiation stage, and how they establish the two-state formula as a basis for negotiations for a final settlement agreement.
- To understand how Hamas' control of Gaza is perceived by negotiators, and how that is reflected within the pre-negotiation stage.
- To evaluate how conflict resolution approaches to the Israel-Palestine conflict should be updated in response.

#### Methodology:

- Structured interviews using a standardised interview protocol, with approximately 30 members of negotiating teams of selected stakeholders in the Israel-Palestine Conflict, past and present.
- Qualitative comparative analysis.

### Declaration

I will not disclose the identity of any interviewees under any circumstances.

## Appendix B - Interview protocol with marked updates

*[Later additions are in bold]*

Before the official negotiation process got underway, and the parties start narrowing down the parameters of the two-state solution.

1. Did you discuss alternatives to the two-state formula within the office of [interviewee affiliation]? Such as: two-state plus, a federal state, a binational state etc.
  - What level? Why did it stay at that level? **Did you do any scenario planning?**
2. Did you discuss alternatives to the two-state formula with other actors? Such as: the PLO, the EU, the NSU, Israel or the US
  - With who? Why did you move forward with the two-state formula?
  - **How did you react to Saeb Erekat bringing up the binational state option?**

While you were working with [interviewee affiliation/context], Hamas took control of Gaza, introducing a strong security dilemma since President Abbas could no longer guarantee peace.

3. Did you see Hamas as a necessary participant of any comprehensive peace treaty between Palestinians and Israelis?
  - Nuts and bolts of security? How was Hamas' control of Gaza reconciled? Shelf agreement?
  - **How was that security dilemma reconciled?**

## Appendix C - Example transcript showing coding for behaviour by theme (Interview #3, 2016)

Interview #3 – 08/12/16 11:00 – interview length 26:26

[Coding for theme is shown by highlighted colours]

Interviewer – The EU was represented in the quartet by the High Representative and with special representative, did that result in a dual approach?

Interviewee - No the approach was unified, also because you are right to say that obviously the high representative sat in the quartet at the time at the top level along with, what we called, the principles, but it is also true that the high representative had also been represented to a senior civil service level by a special representative or special envoy throughout the period you are mentioning, so from 2008-2010 was Marc Otte, then..... then.... So why I am mentioning this period is to show that there was continuity between this top civil service place and this top civil service place obviously ensured on a daily basis that the relation with the quartet itself would be yet another platform, a very important one, to project European policy, so that in fact was basically the other way round, it was another opportunity, more than that, to project EU policy and I sat myself many times in crisis meetings at my level and several levels and I'm pretty sure about that, that served to project, rather than represented a potential venue for departing from traditional EU policy, or appropriate EU policy.

Interviewer - During your experience, did you ever see people like Marc Otte in a position like George Mitchell, in a mediator role, rather than an advisory role?

Interviewee - No, the straightforward answer is no, but then there is another reflection that needs to be done, what does it mean to mediate, I mean, mediate for mediation you would need negotiation going on, if you at the top level, otherwise you are mediating to establish the framework to negotiate, in other words you are always mediating, in other words you don't need to be George Mitchell to perform a mediation role, and I'm not attributing this, I'm not working any longer for the EU, I'm working for NATO just for you to know, but the differences that you are, well you get another example, the united nations, the nations never really had a role throughout history of the middle east peace process, never really had a proposal or prominent role into negotiation, but they have mediated and they have achieved also relatively important results in many many different systems, but nobody recalls, especially in academia, or really is called the mediation role of the UN, and that goes the same for the EU, there are a number of things that when you are in the Quartet, that you go with the importance of the Quartet itself, that you do it in a concerted and coordinated way, so it would be the EU going through a certain interlocutor and it would be the US to go and talk to another interlocutor, and it would be the UN to go and talk to another interlocutor, and that's the importance of the quartet. As translated into practice during my time of course it could have been more effective, of course the results were, you know, not really visible at the top level, it was clear that the middle east peace process is still there, or many are asking is there a process at all, but those venue, those tools, those mediation, including those done by the EU, allowed a continual pursuance of the final objective, not met indeed.

Interviewer - So outside the negotiations, you were mediating for the framework most of the time?

Interviewee - Correct

Interviewer - So that's what I'm interested in, pre-negotiation, and as you say, most of what you were doing was pre-negotiations. Did you discuss the alternatives to the 2 state solution within your office?

Interviewee - **The straightforward answer, no. More advanced answer, we discussed but not more than a coffee discussion**, because the policy framework of the EU was based on the two-state solution and

because we all, all, my fellows colleagues, my bosses, my special envoy, we all agreed that the 2 state solution is the way to go, we genuinely agreed on that, probably also after conversation discussing the other possible alternatives, we genuinely agreed that that was the only viable option for demographic reason, for political reason, for negotiation feasibility reason, for a number of other reasons that maybe, I'm not going to elaborate here now, it would take a couple of hours only for that, but yes informally, but the answer has always been no, our policy is the one that is good, and also, should we have talked in different way, we could have tried to propose to the Arabs and to council and the member states an alternative way, but we didn't.

Interviewer - Did you ever have any sort of discussions with representatives from any of the other actors about any of these alternatives?

Interviewee - I think that with international actors, so not the two parties, everybody knew and knows that the 2 state solution was the best way forward so, but again, coffee type conversations, informal conversations, but whether the other solutions actually evidently each one of the other officers in the quartet had tried to explore the feasibility of these other options informally but no member of the quartet seemed to have bought it, so we were all in agreement that the 2 state solution was the objective, it was probably different from the parties, especially for the Palestinians side obviously, and also some section of the Israeli political spectrum where these options, and now I give you my opinion, I had the impression that these options have always been used as a political tactic or as the political leverage, depends what side you are talking to, rather than as a real option, the alternative one, the one state, the binational state and all of that, because at the end, all the parties were aware that one of the parties would not accept it, namely the Israelis, and also for the Palestinians was not the option because it doesn't grant real self-determination, the very reason why the Palestinians began their struggle, so that was the status of things, so was a political chip used inside pre-negotiation talks, anything else.

Interviewer - So obviously if it's a political chip being used, was there any scenario planning if one of the parties were to try and stick behind that? Did anyone think about how the EU should respond to that and create some type of policy?

Interviewee - In fact, the proof behind the fact that they were only a political chip is that there was never scenario planning I have seen or I have access to, so that reinforced my opinion, that it was only to reinforce a certain political narrative, not that I know is the straightforward answer.

Interviewer - Correct me if I'm wrong but you said one of the member of the quartet had explored those other options

Interviewee - No no I said all of the other quartet members, were explored informally in the way we did, but it was immediately obvious that for political negotiation reason, that was not the way to go, because it did not fulfil the ultimate ambition of both parties

Interviewer - So, the other focus of my research is how Hamas fit into the negotiations post 2007, because obviously as you were working at the office of the special representative, Hamas was in control from that period of a large portion of territory that would be covered by the agreement, so I want to ask, did you see Hamas as a necessary participant of any comprehensive peace treaty between Palestinians and Israelis?

Interviewee - No, we never seen Hamas as a third, or yet another participant to the agreement, we seen Hamas as in control of part of the Palestinian territory, and there we have to distinguish very well between formal conversation and information conversation, on this issue there has been conversation, especially in the EU circle, not necessary our office only, on the fact that Hamas was, is, considered by the EU the US the UN, as a terrorist organisation, so for the EU that meant tantamount not to talk to Hamas, so I couldn't talk to Hamas in that capacity, and that very soon, we realised it was all to be

[unintelligible], when you do diplomacy the inability to talk cause of the unwillingness to talk to one of the actors is a political statement in itself but then in the medium run, not to speak about the long run, it becomes a huge limitation and I think that many of us perceived that as a limitation, this doesn't mean that we thought that Hamas was the good guys, we were aware about what Hamas ideological [unintelligible] but, but, we are speaking about a party that was not only in control of territory but also enjoyed quite some popular support, and there were elections before that and so that has been perceived as a limitation and I think that for obvious reasons, we weren't really able to welcome it, also because there is also a relation, still today, between Hamas and the PLO which is obviously a relation that is based on confrontation antagonism and more, so it was indeed sensitive to take, so if you measured the level of hurdles, the first one would be our own, that Hamas was on the terrorist list, do you talk to terrorists and if yes how? The second one, if you talk to terrorists, if you overcome the first hurdle, then how do you talk to terrorist without compromising your relation with the moderate Palestinian population and leadership which represent that moderate Palestinian population, these were very difficult questions to answer, and you can imagine these questions were cross-cutting questions throughout the timeline of my service for special representative and the policy [unintelligible], meaning there were discussion of this type on these issues were taking place while things were happening, while military operations were going on, while pre-negotiation talks were going on and so during my time in service, I think we never got the right opportunity, the right window of opportunity for really tackling the issue and sitting down properly and really saying how do we tackle that, but we were aware that this was an issue.

Interviewer - So, obviously you never tackled the issue and never engaged in Hamas directly, but how was the 2 state solution conceived then, as some of the territory was in control of Hamas as I said, was it as you said that you never really got down to that issue or did someone see it as a shelf agreement to be implemented later, or what was the structure?

Interviewee - No, in fact, we tackled the issue of the two territories, with the two representation if you want, to reconciliation, and a Palestinian reconciliation that would see then Hamas renouncing their, or adhering to the 3 so-called quartet principles, and that reconciliation, though, I'm sorry I should have said that before, and in that context the inability to talk to Hamas became a consistent limitation, now advantage of the Quartet being that the UN talked to Hamas, silently, because the UN, not at political level, technical level, but there were talks, you can find this on the internet, but the fact that the quartet itself did not want to talk to Hamas unless Hamas adhered to principles which were good principles don't misunderstand me, necessary principles, but that fact then, obviously in negotiation terms represented a huge hurdle to mediate a reconciliation, because reconciliation still today is not achieve, and I'm not saying that probably we would be with the same result also with the possibility of talking to Hamas, but we hadn't a chance to try.

Interviewer - I see, but obviously you were in the office a long time, and reconciliation didn't happen and Hamas rejected the principles numerous times, so did you envisage a situation where you were never going to be able to speak to Hamas, Hamas was never going to be able to reconcile with the PLO and therefore how would you have to deal with that in the framework of the agreement that you are pushing on behalf of the quartet and the EU?

Interviewee - I think when you deal with politics, you don't do too much scenario playing, not in this context, because it becomes a matter of principle, that you stand by a two state solution, and one state is about the self-determination of the Palestinians, not the self-determination of the Palestinians under Hamas or the Palestinians under the PLO or under the PSLP, so the division of the Palestinian territory into was and I hope frankly, is still today, a red line, because you would undermine, you would crash that little grain of hope that is still in the mind of every Palestinian, whether it is a Palestinian who supports Hamas or supports Fatah.

Interviewer - So if both parties would be involved as a people, that would suggest that Hamas would be seen as a necessary participant for a final solution

Interviewee - No, not a red line to say okay fine they don't reconcile so we go for a three state solution, a red line that we are at the point where a Palestinian state should be one, now on the political participation of Hamas, that could be and has been contemplated in internal office discussion as an option but of course this implied Hamas adhered to the principles, and they were even some conversations held among colleagues on how could Hamas adhere to the principles, but the results of our simulation were always negative, meaning that Hamas, because of its politics, because of its ideological base, because of its situation at the moment, because of the political situation at that time, was not in a position to adhere to those principles.

Interviewer - Contemporarily, it doesn't seem that Hamas will ever be able to accept those principles as it is and it still enjoys quite a lot of legitimacy, so how would you respond to a proposal for a final status agreement that excludes Gaza?

Interviewee - I think that that proposal of yet another state would be a big slap in the face of 2 million people who have hope that someone one day would help them to get their own state, because it's true what you say that Hamas may enjoy a certain level of legitimacy, I don't have the latest poll, but I imagine that or at least in my time, most part of the people give their for reasons that were not ideological, it was what I what call a protest vote, vote against corruption, against perpetration of a certain political class, so I would think that those people do not deserve to be slapped in the face by the international community, at least on a level of principle and politics and value, but on another level, a more strategic level you could consider that that solution would surely leave a lot of people not content, especially in Gaza and that may not ensure the durability of the agreement, or would not ensure that lasting agreement, peace agreement, we all want, so there is also a more realpolitik reason behind it.

## Appendix D - Framework matrix summarising the results of coding for ‘behaviour’ (Author)

Actor	Interviewee #	A : external discussion	B : internal discussion	C : mandate	D : personal belief	E : strategy	F : Engaged with dilemma	G : ignored dilemma	H : mandate	I : personal belief	J : strategy	
Israel	11	There is no alternative to the 2-state solution. The alternative is only hypothetical	There is no alternative to the 2-state solution.		No transitional or alternative arrangement is possible because the Palestinians will never agree to it			Security can only be guaranteed after a long period of time and after talks. Hamas cannot be a partner and the PA cannot defeat them			You cannot guarantee security with an agreement, only de-facto demarcation	
	6	We talked about them with the US and the PLO as things that cannot be applied on the ground	Discussions inside our strategic planning branch, we looked at the federal state, international presence, an international mandate etc.		We want both states to be equal and have dignity. We also do not want to rule over another nation		We understood that the Palestinian position is not rational but it is better to have an agreement and then discuss implementation				We can show people there is an alternative to armed conflict, or at least the mainstream of people	
	9		We annually wrote security assessments, but the alternatives were never very seriously considered	We were obliged by law to look at the alternatives		We did not want to compromise Jordan or our relationship with Egypt playing with such ideas	At Annapolis, Olmert negotiated under the caveat that implementation would occur when Gaza reverts to PA control. Which is when pigs fly but allows him to offer more than the Knesset would otherwise allow. Under Netanyahu, the caveat no longer applied, but less would be offered to Abbas because he could not deliver Gaza. We did not like the use of territorial swaps because there was no prospect for reconciliation and the territory would be going to Hamas.	There was no clear mechanism that would allow Abbas to deliver peace in Gaza. We didn't have a coherent action plan, so we worked within 2.5 state solution because Gaza was left hanging			The idea was that if a plan was implemented under Netanyahu, the reality of the situation would help resolve the Gaza situation	
	10	There was no discussion of anything other than the 2-state solution	There was no discussion of anything other than the 2-state solution		We would be a performance based handover, we wanted a strategic dialogue with Arab countries to overlook the transition and reassure the Palestinians.		There would be a performance based handover, we wanted a strategic dialogue with Arab countries to overlook the transition and reassure the Palestinians.	The Palestinians did not want to discuss the Hamas issue and the Arab states would not agree to help unless we had momentum from an agreed FSA			Hamas can never be partners, there are a terrorist organisation	
	4	Not in any serious way because of their 2-state policies that funnelled us back to negotiating bilaterally on that basis. We got a realpolitik response from US and EU to help the 2-state that it would never work so don't waste time.	We did, but only had to be informally, such as the federal option or the Cyprus option, or tangentially supported by the donors. That was limited to the 2-state solution.	Our client was the PLO and we didn't work outside of the confines they set for us. We were never tasked to look at alternatives formally.			We discussed many of the issues and got input from people in Gaza	The policy of Abu Mazen was to integrate Gazans after a referendum.			The PLO doesn't have a mandate to pick and choose territory, I don't think anyone wants another interim arrangement	
NSU	5	Not really, and with Saeb, the discussion was just a range of talking point. He didn't ask us to create any scenarios.	We looked at a range of scenarios and rated them.				There was so little chance of unmitigated agreement that the strategy seemed bad. The referendum and security considerations were just talking points. We didn't get to the point of talking about transitional arrangements.		Although it was stunning to me, it wasn't my job to question the PLO			



Actor	Interviewee #	A : external discussion	B : internal discussion	C : mandate	D : personal belief	E : strategy	F : Engaged with dilemma	G : Ignored dilemma	H : mandate	I : personal belief	J : strategy
NSU	1	Discussions with the PLO leadership had to be discrete and secret. In discussion with the EU or the US the ideas would be thrown out because it was clear that these are not the PLO leadership's ideas. We did not discuss with the Israelis	At the office level we discussed the binational state (tactically and strategically), dismantling the PA, swaps with Egypt, federation with Jordan - to make sure we had thought of the implications	It wouldn't gain traction because the leadership was only invested in the 2 state solution. "It's a question of effective negotiations and for us its just mind boggling that they couldn't see it"	The PLO leadership argued that referring to other solutions would undermine the credibility and currency of the PLO in committing to the 2-state solution	Nobody had any illusions that we could do it without Hamas. We were ones of the factions pushing for reconciliation. But we knew that would never be reconciliation assumption. However, we did examine the implications of how to integrate Hamas informally.	The NSU basically accepted the PLO position of recognised representative. We were not sufficiently cognisant of the security issue for the Israelis. We basically abdicated the issue				You would have a stronger position in the negotiations with Hamas on board. Once people see tangible change, they will respond. We need to start driving momentum in the other direction.
	8	There were discussed in a few meetings, not as alternatives but as steps to put pressure on Israel	We had a look at other options in the context of a BATNA. But it was a limited circumscribed approach.	That wasn't within the mandate. It would require the management and the donors to all be comfortable.							There was a lot of naive optimism that if things are pushed in the right way, Hamas will have to adapt.
	12	It was not a matter to discuss with other parties and no one came to us with such a proposal	Principles of the mandate didn't prevent us thinking about the options	The negotiation mandate was the 2-state solution so we did not discuss what was not in the mandate.		The security dilemma would always have to be resolved by Palestinian reconciliation	Palestinian reconciliation was a matter for the Palestinians				
EU	3	Informal discussion	Informal discussion, no scenario planning	Policy framework of EU was based on the 2-state solution	Assumed to be the best option and it became a matter of principle - self-determination	The other options were not viable after discussion for demographic, political and negotiation feasibility reasons	Envisaged Palestinian reconciliation with Hamas accepting the Quartet principles	Aware of the issue, never got time to tackle it. Clearly hard to mediate reconciliation without talking to Hamas. Simulations showed that Hamas was not in a position to adhere to those principles	Policy of the EU and the quartet to not speak to Hamas unless it adhered to the 3 principles	These were good principles	An agreement would not be durable if it does not satisfy everyone
	2	We spent a long time just getting Netanyahu to publicly endorse the 2-state solution, so once everyone was operating on that basis we never deviated. Discussions of the binational state etc were not entertained by the US.	No real discussion internally	It was a broad mandate but it was a binding one.	It wasn't that we were lazy or understaffed, it was that it wasn't necessary.	One reason there was no scenario planning is that it wasn't a large team.		There was no consideration of including Hamas and the issue wasn't debated. We didn't get to that state of detail, that would be solved in implementation.			The PLO is the only recognised representative. To revise that would open a Pandora's box that would call into question everything since Madrid, that wouldn't be helpful.
US	7	No direct discussion, but it was implied as the alternative	Did not discuss and did not game out the scenarios		It was just understood that we were pursuing the 2 state solution	Exploit momentum from the Amman Process	Create a shelf agreement	The idea was to figure out Gaza later because it was contained. The core issues of negotiation could be resolved without their participation.			If you can improve the West Bank, you can create pressure for the people of Gaza to demand the same. At the moment Hamas have no incentive to participate. You have to get the train going and use the momentum. We will have more information about how to tackle Gaza once we agree on an FSA.



**Appendix E – Transcript extract from Interview #10 showing scoring for integrative complexity according to the Conceptual Integrative Complexity Scoring Manual (Baker-Brown et al., 1992)**

Interview #10 – 04/04/17 11:45 – extract

*[Score-able ideas are highlighted in yellow, key phrases are highlighted in green]*

Interviewer - The other track is that if you cannot solve the security dilemma militarily or by co-opting Hamas, did you consider alternatives to the 2 state solution?

Interviewee - The difference between all fronts that we have dealt with, the west bank is near to this place, they can launch mortars, they can launch simple rockets that would hit Herzelyia, and not since we've taken the west bank, in the last 2 or 3 decades even one incidents of mortars, artillery did occur, so that's enough, that talks for itself, you cannot change it by any agreement, you can keep it by de-facto demarcation

One dimensional rule for an issue, use of absolutes.

Score = 1

Interviewer - I agree but I'm just curious if you discussed those alternative within the Israeli administrations or with other partners? E.g. Saeb Erekat often talked about the binational state as a fall-back positon, with the PLO to start

Interviewee - There is not such a animal, for them the 2 state solution is the only one, we call it the Jewish state, they will never agree to it, but the alternative is only hypothetical question, it's not real for the Palestinians because there is no way they will ever agree,

Dismisses the possibility of alternatives, use of repeated absolute language, e.g. never, only, no way

Score = 1