

DRAFT PRE-PROPOSAL

Israeli/Palestinian Prisoner Exchange/Release:

Searching for common ground Searching for Common Ground among the Victims' Organizations in Israel

מעוצב:ממורכז



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Suggested Partners:

Interdisciplinary Center (IDC), Herzliya

The Peres Center for Peace

The Institute of Conflict Analysis and Resolution, George Mason University

Executive Summary

This proposal seeks to address one of the most sensitive issues that for years have generated profound cleavages within Israel and across the divide with the Palestinian: the cost and nature of prisoner release or exchange. Seen as a humanitarian matter, a confidence building measure or a submission to terror and a bad precedent for the future, several governments in Israel and the split Palestinian leaders have been unable to reach an agreement. . This issue is so basic and painful because it touches two of the most fundamental human rights of both sides. One side's right for life and security and the other's right for freedom and dignity. Engaging civil society in a facilitated dialogue about future alternatives for addressing this recurrent problem may modestly contribute towards shared solutions.

Put in a wider context, the Israeli-Palestinian case is one of the longest, most complex, and violent conflict in modern times, with many tangible and non-tangible components. Beyond the national aspirations of both sides and the territorial aspects, this protracted dispute contains religious, cultural, psychological and personal aspects that has made extremely difficult to be mediated by a third party. On the other hand, official contacts of both sides at the governmental level did not bear fruit. In addition of lacking decisive leadership it is important to recognize that the conflict is not just between two opposed regimes but it is a deeper one, engaging people versus people. Hence, this proposal has the challenge to involve relevant groups of civil society and search for common ground in one of the most divisive issues in Israel

Within Israel, organizations representing parents, brothers and children of casualties of war and terror have been taking different sides on the issue of prisoner exchange, now aggravated by Hamas now holding Gilad Shalit prisoner for more than ~~three~~ four years. We are confident that with a real and genuine human encounter of the two painful parties we could find common concerns, highlighting sensitivity and understanding. Reaching consensus on this issue can ultimately lead to the creation of agreed formulations for future scenarios and perhaps could serve as innovative ideas for present negotiations

In order to reach a consensus in this issue we selected for this proposed ~~workshop~~ workshop ~~two organizations that have been often polarized in their agendas:~~ three organizations of relatives of victims of war and terror. The first 2 organizations (the Three Fathers and Almagor) have a quite similar agenda on how to address this issue, whereas the latter organization (The Parents Circle) has a totally different agenda which is almost polarized to the first two. "The Three Fathers", is a rather small but very ~~influenial~~ influential organization that was founded by three bereaved ~~fathers~~ fathers (Yossi Tzur, Yossi Mendelevich, Ron Kerman) who lost there sons/daughters in a terror attack on a public bus number 37 that took place in Haifa on the 5th of March 2003. In recent years "The Three fathers" led a successful civil and legal campaign to recognize Israeli terror victims together with Israeli fallen soldiers as Israeli

מעוצב: כתב עילי

מעוצב: ללא קו תחתון

מעוצב: גופן: מודגש, גופן עבור עברית
ושפות אחרות: מודגש

casualties of war. This long public struggle led to the establishment of a committee headed by retired Supreme Court Justice Yaakov Tirkel that recommended the government to change the status of Israeli victims of terror and to compare it to the status of Israeli fallen soldiers. Since 2005, as a result of another campaign led by this organization, every memorial day, the Israeli national TV channel screens the names and photos of those who were murdered in Terrorist acts.

"Almagor", the Organization of Terror Victims in Israel. This body has two main goals: First, providing assistance to families of terror victims in many aspects: the creation of representative and organizational framework for victims of terrorism, providing social services to families affected, memorial activities, information and research on victims of terrorism. Second, and most important in this matter, it aims to lead the local and international legal battle against terrorist organizations, with emphasis on resistance to the release of security prisoners. On the agenda of the organization on this subject one can learn from the text that appears on the organization:

"... Anyone who deals with the release of terrorists, regardless if he is an ordinary citizen or one of the governmental authorities, must see before him the people behind the numbers. People who were murdered by those released terrorists in past various transactions or gestures. He must learn from past experience: Granting forgiveness for convicted terrorists, allowing them to return to their homes has been proven as a terrible and bloody mistake. These terrorists return to their evil ways after they used their time in prison to learn from the experience of others. They return once again to harm Israeli citizens and soldiers. We must realize that the further release of terrorists is actually providing the option for additional attacks, and strike us again and again ... "

"Israeli- Palestinian Bereaved Families for Peace"/The Parents Circle, is an organization composed of several hundred members, Israelis and Palestinians who have lost their loved ones in the armed conflict. The organization's goal is to help victims deal with the pain and loss through dialogue and discourse with those who experienced it from the other side of the border. On the agenda of the organization one can learn from the text presented on the website:

"... We believe that violence, hostility and bereavement are a growing threat to Israeli society, as well as Palestinian society and the other nations of the region. We believe in and work towards stopping the hostility and violence as well as promoting political agreement - agreed by the two political parties, through conciliation, dialogue, mutual consideration and respect for the legitimate needs of both sides. "

Besides the ongoing work of reconciliation and dialogue sessions that take place between the parties, the organization publishes articles and position papers on the relevant topics and facilitates educational seminars in Israel and abroad to promote its message.

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Despite the huge gap in ideologies and channels of action of the two organizations, we believe that each organization shares important and often compatible needs and concerns, and may have the willingness to enter a facilitated process on the issue in question (see details in the body of work, in Hebrew). Moreover, if the initiative is to be successful, it will be possible to hand the resulting conclusions and decisions to the relevant governing bodies in Israel and the Palestinian Authority.

This pre-proposal is based on a seminar paper that Matan Safran wrote in Prof. Kaufman's class on Citizen's Diplomacy. The first part focuses on assessing the issue of prisoner exchange/release, firstly in general terms and within the framework of the Israeli - Palestinian conflict. This part investigates the two sides' motives, attitudes, and the way they address the issue, shedding light on the two organizations in question: "Almagor" and "Forum of Bereaved Families". Although highlighting confronted positions, a deeper understanding of their perceived concerns, fears, motivations and needs can generate the understanding that may lead to forward looking shared visions.

The second part focuses on the prognosis of the conflict and scenarios that may happen if the process will not succeed: Continuing deadlock in the relations between the parties that will lead to more suffering, worsening violence and hostilities. Such deterioration can contribute to violent outbursts and major confrontations as well as paralyze chances in advancing a peace process, focusing on final status issues while disregarding confidence-building measures. In this part, one can also find detailed information about the interests of each party and what is the best alternative out of the negotiations for each side (BATNA).

In the third part, the significant and important part of the proposal, I'll tried to sketch the outlines (as well as casting content) of the interactive problem solving workshop (ISPW) for conflict

transformation that could be adapted and applied together with representatives of two mentioned organizations. in question. Here there is an attempt to deepen into a realistic face, operational and academic practice of conflict resolution. This workshop might pave the way to an actual implementation plan, which may lead to a paradigm shift towards innovative proposal for settling this painful issue. Such suggestions coming from a most affected part of civil society can impact both at the public opinion level as well as potential governmental policy changes.

This approach has been used several years ago in workshops with Palestinians and Israeli participants. The main contribution, as shown in the Appendix (an op-ed published by Prof. Manuel Hassassian and Edy Kaufman) shows a paradigm shift from the **past deadly deeds** of the prisoners to the highest **future priority** of reducing to a minimum or even halt potential violent acts perpetuated by those released. The organizers do not necessarily suggest any outcome for the proposed activity; the potential agreements have to be reached by the participants themselves. The appendix is included also as evidence of potential “out of the box” consensus. The estimated duration of the process is a minimal eighteen months and will involve conflict transformation training co-facilitators from the two organizations, the participation of an estimated 16-20 “Partners in Conflict” in several three to five day workshop, establishing a network of dialogue and an potential action plan coordinated by representatives of both organizations.