

A PALESTINIAN PERSPECTIVE ON THE PEACE PROCESS

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Starting with the Madrid Peace Conference almost ten years ago, the Arab-Israeli conflict, at the doorstep of a new millennium, entered a new chapter. The end of the Cold War, which was marked by the collapse of the Soviet Union and the beginning of the perestroika era, and the 1991 Gulf War resulted in a divided Arab World and a significantly weakened Palestinian leadership. These were also the main reasons that led to the success of the US in convening all parties involved in the Middle East conflict at the Madrid Peace Conference on 30 October 1991. The conference agenda covered a huge array of issues that the US Secretary of State, James Baker, grouped into two categories: the bilateral and the multilateral track. On the bilateral track, the Palestinians, Jordanians and Syrians held direct negotiations with the Israelis, while on the multilateral track, most countries in the region, as well as Europe, Japan, Russia, Canada and the US, participated in a series of meetings aimed at drafting agreements on issues related to regional economic co-operation, environment and water, security and arms control, and the question of refugees.

ISRAEL'S POLITICS AND THE PALESTINIANS

The Israeli political scene has seen five Israeli prime ministers since the Madrid Peace Conference, each representing a certain school of thought supported by a weak, floating majority. While these subsequent Israeli governments tried to foist their ideas and strategies onto the Palestinians, Europe supported both parties financially and watched their respective political developments closely. Meanwhile, the US has moved from its prime role as a mediator to being an involved party. However, it has a confused agenda, created by its strategic alliance with Israel on the one hand and its significant interest in the Arab World and the realisation of the political and national needs of the Palestinians on the other.

At the time of the Madrid Peace Conference, Israel's Prime Minister was Yitzhak Shamir, whose formula was based on the right-wing Likud party's traditional position drafted by Menachem Begin at Camp David in 1979. According to this position, the Palestinians in the Occupied Territories were offered autonomy only, while sovereignty over their land and the possibility of recognising or even negotiating with the PLO was excluded per se. Shamir did not make a secret of the fact that he was not in a rush to conclude an agreement, stating repeatedly that he would not mind negotiating for 100 years while continuing to build and expand Jewish settlements in the Occupied Territories. The Palestinian negotiating team, meanwhile, drafted the famous PISGA (Palestinian Interim Self Governing Authority) plan, which provided a model for the transitional rule of the Occupied Territories, based on the new thinking and ideas the Intifada brought about. However, since the Israelis, the Palestinians and the US were unable to close the gap between the old Israeli autonomy plan (first proposed in the framework of Camp David) and the PISGA draft, the parties soon reached an impasse. In the Israeli elections of 1992, Yitzhak Rabin defeated Shamir. Rabin realised the importance of focusing on the national and not the religious dimension of the conflict and decided to deal directly with the PLO, and not the increasingly influential Hamas, as the representative of the Palestinians. After taking the first steps in this direction, Rabin disclosed his agenda according to which he offered the Palestinians a triangle scenario, based on a phased approach, territory

and a set of security guarantees and assurances. After a series of secret talks, the PLO accepted the Israeli formula, which was laid down in the Declaration of Principles signed on 13 September 1993 in Washington, DC. It can be said that the only real breakthrough of the Oslo Accords was the formal mutual recognition between the Palestinians and Israelis. The document stipulated a process according to which the two parties were to go through a transitional period of ongoing negotiations (including, eventually, the final status issues) to reach a permanent settlement at the end. Whether Rabin's approach would have led to the achievement of peace remains a matter of speculation as a fanatic right-wing student ended his life with several gunshots during a public rally in Tel Aviv on 4 November 1995. The assassination of Yitzhak Rabin not only marked a turning point in Israeli politics but also revealed the deep division within Israeli society. Meanwhile, it did not take the Palestinians long to realise that they had lost their partner in the peace process.

Rabin was temporarily succeeded by Shimon Peres, a Prime Minister rich in visions centring around the notion of a New Middle East, based on regional security co-operation as a conduit for regional economic co-operation. However, like his predecessors, Peres failed to meet the real needs of his Labour party, his constituency and the Palestinians, and he admitted his reluctance to deliver the 'goods' committed to, agreed upon and signed. His most fatal mistake, however, was probably the decision to bombard the village of Qana'a in Lebanon, an act that led to outrage and opposition among (potential) Arab voters, as well as the majority of the Israeli left. Another crucial mistake was Peres' giving in to the Israeli military establishment's revenge mentality in January 1996, when he gave his approval for the assassination of Yahya Ayyash, a Hamas activist known as the 'Engineer' and adored by the masses for his leading role in attacks against Israeli targets. The murder of Ayyash triggered a series of revenge attacks in the form of Islamic movement suicide-bombings carried out in various Israeli cities. This circle of violence, paired with the stalemate in the peace process, led to the fall of Peres and the rise of Benjamin Netanyahu's right-wing government.

It soon became clear that Netanyahu, the fourth Israeli prime minister since the Madrid Conference, was not a partner in the peace process nor was he interested in respecting or implementing any of the accords signed with the Palestinians to date. He succeeded in deepening the divisions within Israeli society and disappointing both the Israeli right and left. As no Israeli leader before him, he managed to provoke the neighbouring states, the Europeans and even the old ally, the US, with his vanity, lack of ethics and his vacillation on issues. His short-lived term will be recorded as a black mark in Israeli history.

On the Palestinian front, meanwhile, President Arafat was too weak externally to confront Netanyahu and too weak internally to clean the Palestinian administration (which was publicly accused of corruption, mismanagement and abuse of authority) and he began to fail in maintaining the unity of the Palestinian people. An aggravating factor was that the Palestinian opposition was also weak, limited to verbal criticisms and unable to change or affect the current political course.

Early elections took place on 17 May 1999, bringing to power Ehud Barak, the fifth Israeli Prime Minister since Madrid. Because of his military record, his obsession with the legacies of Menachem Begin (who concluded the 1979 Peace Treaty with Egypt) and of his mentor Yitzhak Rabin (who reached a peace treaty with Jordan in 1994) Barak, from the beginning, wanted to reach peace agreements with both the Palestinians and the Syrians. He offered the Palestinians a new political and security agenda, the negotiations of which were concluded in Sharm Esh-Sheikh on 4 September 1999. Ever since, Barak has claimed that he can attain an

agreement with the Palestinians, where they control only some 40 per cent of the Occupied Territories while Israel keeps the settlements in central blocs. However, his goal to reach a framework agreement on the final status issues by February 2000, seems ambitious when taking into account that the issues of Jerusalem, refugees, settlements, borders, security and external relations are yet to be addressed in a proper manner. Additionally, the Palestinian Authority (PA) currently only controls 10 per cent (Area A) of the Occupied Territories, while Israel is in full control of Areas B and C. Moreover, the Palestinian leadership has serious doubts about Barak meeting the set dates, in particular the February target date to reach the final status framework. It has lost trust that the outstanding redeployment from Palestinian territory will meet the need to maintain the integrity of the Occupied Territories, and there is much speculation about the hidden agenda behind Barak's manoeuvres between the Syrian and Palestinian tracks.

THE SYRIAN TRACK

On the Syrian track, Barak has five issues to deal with: the depth of the withdrawal; security arrangements (including the question of whether to allow for third party forces between the two sides); the borderlines; the issue of water; economic relations, as well as normalisation. During recent talks hosted by US President Clinton in Shepherdstown, West Virginia, between the Syrian Foreign Minister, Farouk Shara'a, and the Israeli Prime Minister, Ehud Barak, the Syrians made it very clear that they demand full withdrawal to the borders of 4 June 1967 and a written commitment to that end. Syria is, in principle, open to the idea of the presence of a third party military force along the border. On the less pressing issues of water and economy, both sides will have plenty of time for creative thinking, with the possibility of including Turkey in future regional co-operation schemes being very likely. There was much for Barak to digest following this first round of official talks at Shepherdstown and it seems he needs more time to work it out and sell it to the Israeli public, many of whom oppose withdrawing from the Golan Heights.

The Palestinian fear of the consequences of the Syrian track on their own cause is not based on the absence of any co-ordination between the Palestinians and Syrians or the Syrian resentment of them, as has been suggested by various sources. The main reason behind their fear is rather the fact that, in spite of official denials, if there is an evacuation of settlements on the Golan Heights and a full withdrawal, then it will be very difficult to convince Israeli public opinion to do the same in the West Bank and Gaza. It is in the Palestinian interest that the withdrawal from the West Bank and Gaza and a reasonable solution to the settlement problem come before any agreement on the Syrian track. This being the priority, the other Palestinian concern is the question of normalisation, i.e., the fear that progress on the Syrian track will open the door for the Arab Gulf countries to normalise with Israel, while the Palestinians will continue to be contained by the Israelis with no effective pressure on their government. The Syrian move to resume negotiations with Israel was driven by the interest to keep Damascus on the agenda of the Middle East peace process, to build Syrian public opinion to that end, to gain the badly needed financial support to boost economic development, and to pave the road for Assad's successor, domestically, regionally and internationally.

THE ISRAELI-PALESTINIAN NEGOTIATIONS

On the Palestinian front, there are still two schools of thought, optimistic and pessimistic, in conflict vis-à-vis the transitional and final stage, i.e., the percentage and locations of the

Israeli redeployments. The talks are under pressure from the time element to meet the target date set for a framework agreement in February 2000 (not to underestimate another important factor, that the term of US President Clinton is running out with the coming November 2000 elections).

The Palestinian-Israeli negotiations of today are evolving on four main levels. The first consists of the eye-to-eye meetings between Barak and his military-security establishment with the Palestinian trio of Arafat, Abu Mazen and Abu Ala. The second level is made up of the public meetings between the two official negotiation delegations, headed by Oded Eran, former Israeli Ambassador to Jordan, and Yasser Abed Rabbo, PA Minister of Information, respectively. A third level consists mainly of floating test balloons and passing indirect messages between Washington, Cairo, Amman, Riyadh and Rabat. The fourth level is the continuous negotiations between the two parties through secret channels, one (news of which the Israeli media recently leaked) was between the PLC Speaker, Abu Ala (Ahmed Qrei'a), and various Israeli ministers, in particular Shlomo Ben-Ami, Minister of Internal Security.

FINAL STATUS ISSUES

Jerusalem

Jerusalem remains the first and most complicated of the final status issues under consideration. Many aspects of the Jerusalem question have been discussed in recent years at various levels and through numerous channels. Over five years of debates and conferences between academics, politicians and experts from Palestine, Israel and other countries, have generated a huge number of position papers, proposals and scenarios, which provide comprehensive background information and documentation but have not brought the parties closer to a solution. One outcome of the intensive and closed discussions between Palestinians and Israelis was what became known as the Abu Mazen-Beilin plan, according to which the boundaries of the city would be expanded and its districts 're-divided', while the West Bank village of Abu Dis would be offered as the future Palestinian capital, named Al-Quds as opposed to Jerusalem. The plan, once leaked to the press, was denied and condemned by Palestinians of all streams, including Abu Mazen himself. Recently President Arafat underlined the Palestinian position after a meeting with President Clinton on 20 January 2000, by saying, "I am talking about Al-Quds Ash-Sharif when I negotiate on Jerusalem, not the village of Abu Dis."

There were many other documents drafted behind closed doors in the different talks on Jerusalem but neither side dared to put them on the table. They mainly contributed to the list of rumours, instead of assisting the informal discussions and public debates. One of the leaks from the 'secret' talks revealed that Israeli officials would, in principle, not object to officially recognising Palestinian partial autonomy in East Jerusalem, but only in stages and limited locations. Rumour has it that instead of redeploying from Abu Dis in the south, Israel might hand over the neighbourhoods of Ar-Ram, Beit Hanina and Shu'fat in the north. If this drafted plan proves true, it would mean that the principle of sharing the city of Jerusalem has been agreed upon, and the negotiations are now mainly on the how, the where, and the when. It can be said with some certainty that this would, for the time being, exclude the historic holy walled Old City. One can also say with some certainty that Israel will continue enjoying security control over all areas of the city, as well as full sovereignty over West Jerusalem. A more interesting question is whether today's East Jerusalem, which under international law is considered to be occupied territory, will be shared between the two sides or whether Palestine

will gain sovereignty over this part of the city. Another aspect in the Jerusalem negotiations is what is hoped to be achieved during the upcoming visit of the Pope. The churches-internationally supported by their respective communities and 'governments' in Rome, Athens, Paris and Moscow-are very much interested in the question of the holy sites in Jerusalem and the possibility of being granted autonomous rule over their sites, particularly in the Old City. However, the question arises whether one can or should discuss the issue of the holy places without the presence and involvement of the Muslims in Palestine and in the region?

The respective leaders of the two people, Arafat and Barak, are considering all aspects of the above, but there is no dedicated full-time team on either side that is able to bring all the factors and interests together in one creative draft. People can share ideas, but one cannot change people's faith or share their holy sites. Thus, it seems to many that the conflict over the one square kilometre of land that comprises the Old City of Jerusalem is an endless conflict.

Refugees

On the issue of refugees, the Palestinians-whomever and wherever they are-cannot continue to be separated from each other. After 100 years of conflict and over 50 years since the creation of the Palestinian refugee problem, it is high time that the world sees the implementation of United Nations Resolution 194 of 1948, which combined the issues of the Palestinian right of return and right to compensation for property and other losses. In the envisioned democratic, independent and sovereign state of Palestine with East Jerusalem as its capital, every Palestinian must have and enjoy the right of full citizenship and, therefore, the right to live and reside in Palestine, if he or she so wishes. Thus, the right of return will remain a sacred right for all Palestinians. The right of compensation for property and other losses is an equally serious matter and people are following with great interest the conclusions of the quadripartite committee-comprised of Jordan, the Palestinians, Egypt and Israel-on the displaced people of 1967, as well as the multilateral talks on refugees.

Settlements

Since the early days of the British Mandate of Palestine, Palestinians continuously demanded a halt to Jewish immigration and their fears were legitimate as Jewish immigration led gradually to the establishment of a Jewish state in Palestine. Today, the Palestinians and the majority of the world demand a freeze in settlement activities and there is a legitimate fear of what is becoming a de facto bi-national state in the Occupied Territories. The Israelis will have to decide whether they want their state to extend to over 78 per cent of Palestine, while the emerging Palestinian state will be limited to 22 per cent of historical Palestine (i.e., the West Bank and Gaza) or whether they want to keep all of Palestine, closing their eyes to Palestinian rights while creating an apartheid system like South Africa. Today, in Israel proper, there are almost six million Israelis, divided into the four main groups: religious and secular Jews, Russian immigrants and Palestinian Arabs. In the West Bank and Gaza, there are three million Palestinians, who make up one-third of the total Palestinian people and are estimated to grow to four million by 2010. If they have not achieved freedom and independence, and their aspirations for statehood are not fulfilled, they can be the 'spoiler' of any regional agreement. What people should realise are that Israel's obsessions with containing a weak Palestinian leadership and reaching out to Arab capitals in the hope of normalisation cannot be successful currently. As the recent Davos Economic International Conference has shown, most of the projects, plans and creative ideas will continue to be

wishful thinking as long as the core of the conflict, the Palestine Question, is not solved.
CONCLUSION

Decades of Israeli occupation have provided a rationale for concealment and nurtured an environment of non-transparency and tribal loyalties, which the provisions of the Palestinian-Israeli agreements on the whole have failed to transform into a fair and accountable state-building process. On such a basis, the nascent Palestinian judiciary and the Legislative Council have been unable to develop and act as an effective counterweight to the executive branch of the Palestinian Authority. Moreover, a full-fledged democratisation process, which the majority of the Palestinian people and the international community aspire to, cannot be nurtured on the basis of a limited process, based on a gradual transfer of authority and a lack of sovereignty and independence. On such a weak and shaky foundation no entity can seriously exercise the rule of law, pluralism, participation and the transfer of power through free and fair elections, nor enjoy public accountability or respect for human rights.

Therefore, it is sad to see that one matter Washington and Brussels seem to primarily be concerned with today is the need to conclude as many agreements as possible with President Arafat, for the post-Arafat era is uncertain. Everyone involved in the future talks, no matter in what capacity, should bear in mind, however, that bad treaties and bad agreements are no treaties and no agreements. The Palestinian people have resisted and struggled for such a long time against great odds and yet have maintained, if not strengthened, their national identity and aspiration for freedom and independence. They will, one day, undo the injustices done to them.