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NEAR EAST UNIVERSITY



**THE PALESTINE QUESTION AND THE PEACE PROCESS
IN THE MIDDLE EAST**

I hereby certify that this thesis satisfies all requirements as a candidate for the degree of Master of Arts
in International Relations

**A MASTER'S THESIS
IN
INTERNATIONAL RELATIONS**

by
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Approval of the Graduate School of Applied and Social Sciences.



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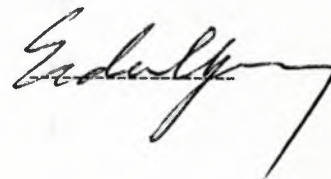
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CHAPTER I

INTRODUCTION

A new era in the history of the Middle East started at the Madrid Conference on Oct. 30, 1991, when Arabs and Israelis set around the conference table to negotiate to resolve one of the most complicated problems of this century, the Arab-Israeli Conflict, which has been one of the main problems in the world politics, for more than 48 years. Six wars, hundreds of thousands were killed or injured, more than four million "homeless" Palestinians around the world, about 2.5 million Palestinians under occupation in the West Bank and Gaza Strip facing the "state terrorism", and about 850,000 Palestinians living in Israel (as "second class" citizens). These numbers illustrate how much the problem is a catastrophe to the Palestinian people. On the other hand, the Syrian Golan Heights and Southern Lebanon are still under Israeli occupation, all these shows the complication of this conflict (See Map 1).

Nevertheless, it is a solid reality that the Arab and Israeli Leaders met in Madrid to talk about peace, and since then two agreements were signed, one between the PLO and Israel in Sept., 1993, the other between Jordan and Israel late in 1994, and on the way will be the agreements between Syria, Lebanon and Israel.

It is interesting to see Yitzhak Rabin implementing Dr. Henry Kissinger's step-by-step policy of the 70's.¹ Israel signed or will sign separate agreements with

1- During Henry Kissinger's office he used to meet the Israeli Ambassador to the US then. The Ambassador was Yitzhak Rabin and in their meetings they used to discuss the regional issues.

ISRAEL AND THE OCCUPIED TERRITORIES: 1967-94

This map illustrates the geographical context of Israel and the territories it occupied from 1967 to 1994. It shows Israel's borders with Syria to the north, Iraq and Jordan to the east, and Egypt and Saudi Arabia to the south. The Mediterranean Sea is to the west, and the Red Sea is to the south. Key features include the Golan Heights, West Bank, Gaza Strip, and Sinai Peninsula. The map also marks the UN Buffer Zone, Israel's Security Zone, and the 1967 borders. Major cities like Jerusalem, Tel Aviv, and Amman are labeled. The map highlights the 1967 borders and the 1994 withdrawal from the Sinai Peninsula.

ISRAEL AND THE OCCUPIED TERRITORIES: 1967-94

Geographical Features and Labels:

- Regions:** SYRIA, IRAQ, JORDAN, EGYPT, SAUDI ARABIA.
- Water Bodies:** Mediterranean Sea, Red Sea, Suez Canal, Gulf of Suez, Gulf of Aqaba.
- Islands:** Cyprus, Beldra Vaj.
- Key Locations:** Beirut, Damascus, Amman, Jerusalem, Tel Aviv, Port Said, Suez, Cairo, Sharm El Shiekh, Aqaba.
- Boundaries and Zones:** UN Buffer Force (since 1978), UN Buffer Zone, Israel's "Security Zone", Golan Heights, WEST BANK, Jericho (to PLO in 1994), R. Jordan (border), Sinai, Negov.
- Historical Events:** Deepest penetration, 1982, 1st phase of Sinai pullout (1975), 2nd stage of pullout (1980), Final withdrawal (April 1982) (modern border).

2

each of the Arab parties alone, by doing so of course Israel will most probably gain much more benefit than signing one agreement with all the Arabs on one side and Israel on the other. Because, it is much easy for Israel not to honour her pledges with one party separately, while the others can not interfere, than to do so against them as one party.

Because of Palestine's spiritual significance to the three great monotheistic religions of mankind, instead of being a land of peace it become a land of conflict. It continued to be an area of conflict throughout its history, forces, sometimes religious other times political tried always to control this area.

The "Palestine Question" of today is a problem of the land on which two peoples claim sovereignty of. The history of this land indicates that the first known inhabitants of Palestine were the Arab Canaanites about 2500 BC, therefore, its name was first known as Canaan or the Land of Canaan. The name Palestine was after one of the "Sea Peoples" (the Philistines) who inhabited the southern coast of Palestine and fought with Canaanites, Egyptians and later with Jews, who established their Kingdom after their exodus from Egypt about 1000 BC. Later, Palestine was under the rule of the Romans, Byzantine, Arabs, and finally the Ottomans until the first World War. After the Byzantine era Moslem Arabs and Ottomans ruled Palestine for more than 1300 years.

The population of Palestine was mostly Semitic Arabs. There were small numbers Semitic Jews. Both Arabs and Ottoman Turks accorded the Jews the right to continue to worship and to keep the Jewish spiritual link with Palestine. During the nineteenth century, the Ottomans authorised small settlements of Jewish immigrants from European countries, where anti-Jewish discrimination was increasing. At the time of British occupation in 1917, Jews formed about seven per cent of the population of Palestine, the Arabs formed the rest. The traditions, customs and language of the Arab Palestinians constituted the predominant culture of Palestine.

During the First World War, Britain and its allies looked for support against their enemies, Germany and its ally the Ottoman Empire. Since some Arab leaders at the time were seeking independence from Ottoman rule, an Anglo-Arab coalition was formed. Accordingly, understanding was reached in 1915 between the Sherif of Mecca, Sherif Hussein-Ibn-Ali acting as the spokesman for the Arabs and Sir Henry McMahon, the British High Commissioner in Egypt who negotiated for the British. The Sherif demanded recognition of independence of all Ottoman Arab territories including Palestine. McMahon, however, tried to exclude Palestine through an ambiguous reference to the extend of the area concerned, but Sherif Hussein rejected McMahon's attempt. The controversy continued until 1939 when the British Government conceded that in 1917, "They were not free to dispose of Palestine."

The Sykes-Picot agreement of 1916, the secret Anglo-French agreement on the recognition of Arab independence, had excluded independence of Palestine, and instead had specified an "International Administration."

The future of Palestine was also the subject of separate assurances given by the British Government to the World Zionist Organisation. In 1897, the organisation had declared its aim "to create for the Jewish people a home in Palestine secured by public law." Under the leadership of Theodore Herzl, the organisation considered areas in East Africa and Argentina as sites for the Jewish "national home". However, finally Palestine was chosen, claiming it as a "national home" because of ancient Jewish links with the holy land.

Then come the Balfour Declaration in 1917. In a letter sent to the World Zionist Organisation by Lord Balfour, the Foreign Secretary of the British Government, promised the Jews to establish a national home in Palestine. This declaration was probably the spark that started the flame of today's Arab-Israeli conflict.

Therefore, historically seen the question of Palestine is a conflict between two peoples one of them is "land rooted", and the other is "religious rooted"; the Palestinians are deeply rooted in the land through out history, while the Jews are mainly rooted in the "promise land" of their Bible.

It is not easy to solve the question of Palestine in a short time, yet the agreement (or the Declaration of Principles), signed between the PLO and Israel could not satisfy all the Palestinians needs. The peace they are talking about now is a sort of "forced peace", because it is not a peace based on equal conditions for both sides. The military power of Israel, the unlimited support of the US, the defeat of Iraq in the "Desert Storm", (which eliminated the factor of a powerful Iraq against Israel) and the social and economic situations in the occupied territories and Jordan after the Gulf War, all these factors left no choice for the Arabs but to accept this "Peace of Force."

This new era in the Middle East raises many questions, such as: Will the peace be restored in the region? Will the Independent Palestinian state become a reality? Will Israel withdraw from East Jerusalem? Will the settlements be dismantled? Will the Arabs and Jews live in peace? It is not an easy task to give answers to these questions or to predict the future.

In this study, as a Palestinian who lived the problem, I will try to illustrate the major way of thinking of most of the Palestinians. Although many arguments might be in contradiction with my ones, but I will try to analyse the Conflict and the peace process from a Palestinian perspective.

In this thesis, I will focus on the historical background of the Palestine question and on the peace process that started at Madrid in 1991 trying to illustrate the attempt of each party toward the settlement and I will try to highlight the hard issues facing the negotiators and circumstances around these issues in which I believe without solving them there will be no just and durable peace for this conflict. Because the signed agreement is a declaration in principle on Palestinian autonomy and not a peace treaty, also the Question of Palestine is not a problem of autonomy or a problem of refugees.² Instead it is the problem of the people, the problem of the land and the problem of the right.

2. as accepted by the whole World except Israel and the US

CHAPTER II

PALESTINE THROUGH HISTORY

Today, two peoples are claiming that Palestine should belong to them: The Jews claim that Palestine is the land promised to them in the Bible, whereas, the Arab Palestinians state their deep roots in the land through history. Therefore, since all parties used history as a weapon in this struggle, it is essential to study the history of Palestine to have a better idea about this conflict.

PREHISTORIC PERIOD

Excavations of ancient sites have produced evidence of settlement in Palestine, from the Mesolithic and Neolithic periods of the Stone Age. The Mesolithic Natufian culture, the oldest known in the region, endured from about 12,000 to 8000 BC. The oldest remains of village life, from about 7000 BC, has been found at Jericho.

Around 3500 BC a Semitic migration followed the western coast of the Arabian Peninsula leading northward and forking at the Sinaitic Peninsula to the fertile valley of the Nile, planted itself on top of the earlier Hametic population of Egypt and the amalgamation produced the Egyptians of the history.

At about the same time a parallel migration followed the eastern route northward and struck root in the Tigro-Euphrates valley, already populated by a highly civilised community, the Sumereans. The Semites entered the valley as barbarian nomads, but learned from Sumereans, the originators of the Euphrates civilisation, how to build and live in homes, how to irrigate the land and above all how to write. The Sumereans were non-Semitic people. The admixture of the two races here gave us the Babylonians, who shared with the Egyptians the honour of laying down the fundamentals of the Arabs cultural heritage.¹

1. Philip K. Hitti, History of The Arabs, p. 10.

About the middle of the third millennium BC another Semitic migration brought the Amorites into the Fertile Crescent. The component elements of the Amorites included the Canaanites (who occupied western Syria and Palestine after 2500 BC), and the coastal people called Phoenicians by the Greeks. These Phoenicians were the first people to popularise an exclusively alphabetic system of writing, comprising twenty-two signs.

About 1468 BC, Thutmose III of Egypt gained control of Palestine at the Battle of Meggido. Meggido has been a stronghold since before 3000 BC and controlled the coastal route from Asia to Africa.

The Philistines, a part of the so-called Sea Peoples, who gave their name to the entire region, failed to occupy Palestine and were stopped by the Egyptians about 1200 BC (the victory was recorded by Ramses III), but they won victory over the Canaanites and established a strong confederation of five city-states: Gaza, Ashdod, Ashkelon, Gath and Ekron on the coast. King David defeated the Philistines later, and they almost disappeared about 900-800 BC.²

During 1500-1200 BC, the Hebrews made their way into southern Syria, Palestine, and the Aramaeans (Syrians) into the North particularly Coele-Syria (Al-Biq'a). The Hebrews before any other people, revealed to the world the clear idea of one God, and their monotheism became the origin of Christian and Moslem belief.

On their way to Palestine from Egypt about 1225 BC, the Hebrews (Rachel) tribes - 12 tribes - sojourned about forty years in Sinai and Nufud. In Midian, the southern part of Sinai and the land east of it, the divine covenant was made. Moses married an Arabian woman, the daughter of a Midianite priest, a worshipper of Jehovah who instructed Moses in the new cult (system of religious worship, devotion of a person, especially a single god).

2. Ribhi Halloum, Palestine Through Documents, p.118.

Yahoo (Yahweh or Jehovah) was apparently a Midianite or North Arabian tribe deity. He was a mountain god, simple and austere. The Hebrews entered Palestine as nomads, the heritage of their tribal life from desert ancestors continued to be well marked long after they had settled among, and they became civilised by the native Canaanites.³

Jews spread more widely throughout the world of Arabic Islam. In the Maghrib a considerable part of the peasantry had been converted to Judaism before the coming of Islam, and there were still Jewish rural communities, as there were in Yemen and parts of the Fertile Crescent.⁴

THE ROMAN PERIOD (63 BC-395 AD)

The Jews established the Hasmonean dynasty for some time, after which Pompey occupied Palestine in 63 BC, and the Hasmonean state became a Roman protectorate.

Shortly after the beginning of the Christian era, Palestine was placed under the rule of Roman procurators, of whom Pontius Pilate (prefect of Judaea, 26-36 AD) is the best known. The first revolt of the Jews against the Roman administration took place in 66-73 AD, was culminated in 70 AD in Tiberius' sacking of Jerusalem and the destruction of the Temple. Another revolt, led by Bar Kokhba, took place in 132-135 AD and concluded with the expulsion of the Jews from Jerusalem. The city was subsequently reconstructed as a Roman city called Aelia Capitolina.

Judaism became widely spread for example in Yemen under the second Himyarite Kingdom. It must have found its way early into north Arabia, perhaps consequent to the conquest of Palestine and the destruction of Jerusalem by Tiberius in 70 AD (In the early part of

3. Hitti, p. 11.

4. Albert Hourani, A History of the Arab Peoples, p. 97.

the 6th century Judaism had such a hold in Yemen that the last Himyarite king, Dhu-Nuwas was a Jew. Virtually all the hundred thousand Jews in Al-Yemen have been, after 1948, transferred to Israel.)⁵

THE BYZANTINE PERIOD

When the Roman Empire split and its eastern section became the Byzantine Empire, Palestine quite naturally remained a part of the latter. Christianity itself was far from unified, and Palestine was caught in the middle between the rival patriarchies of Antioch and Alexandria.

In 611, Palestine was invaded by Persians. The Byzantine and Sasanian Empires were engaged in long wars, which lasted with intervals from 540 to 629. They were mainly fought in Syria and Iraq; for a moment the Sasanian armies came as far as the Mediterranean, occupying the great cities of Antioch and Alexandria as well as the holy city of Jerusalem, but in 620, they were driven back by the Emperor Heraclius (reigned 610-641) eventually reclaimed all his Byzantine territories, and he tried to restore harmony between the Christian sects and his state by the formulation of the Monothelite doctrine (progenitor of the Lebanese Maronites).⁶

PALESTINE UNDER ISLAM

The Muslims led by Khalid ibn-al-Walid got a sharp victory over the Byzantine army under Heraclius' brother Theodorus, at the Yarmuk valley in August 20, 636, on which one of the fairest provinces was for ever lost to the Eastern Empire.

5. Hitti, p. 61.

6. Hourani, p. 11.

After the Arab-Islamic conquest in 636 until 1098, Palestine was ruled without interruption by various Muslim dynasties. Under their regimes Jews and Christians were generally treated with tolerance (Medina Contract).

Syria was divided into four military districts, under the Caliph Omar ibn-al-Khattab, corresponding to the Roman and Byzantine provinces found at the time of the conquest. These were: Dimashq (Damascus), Hims, al-Urdun (Jordan), comprising Galilee to the Syrian desert, and Philistine (Palestine), the land south of the great plain Esdraelon (Marj ibn-A'mir).⁷

As Dhimmis (Jews and Christians), the subject peoples would enjoy the protection of the Muslims and have no military duty to perform, since they were barred by religion from service in the Muslims' army; but they would have to pay some tribute, being outside the pale of Muslim Law, they were allowed the jurisdiction of their own canon laws as administered by the respective heads of their religious communities. This state of partial autonomy, recognised later by the Sultans of the Ottoman Turks, has been retained by the Arab successor states.

From 661-750 Palestine was ruled by the Umayyad dynasty until in January, 750 it becomes under the A'bbasid rule, after the victory of the battle of Zab over Marwan, who was caught and killed later in August 5, 750.⁸

7. Hitti, p. 154.

8. In one respect there was a fundamental difference between the Umayyads and the A'bbasides: the Umayyad empire was Arab, the A'bbasid was more international. The A'bbasid was an empire of Neo-Muslims in which the Arabs formed only one of the many component races. This was, I think, one of the most important reasons in which the Umayyad dynasty lasted only for about 90 years, while the A'bbasid lasted for more than 400 years.

As one of the "protected" peoples, the Jews fared on the whole even better than the Christians. They were fewer and did not therefore present such a problem. In 985 al-Maqdisi found most of the money-changers and bankers in Syria be Jews, and most of clerks and physicians Christians. Under several caliphs, particularly al-Mu'tadid (892-902), we read of more than one Jew in the capital and the provinces assuming responsible state position.⁹

After 1043 the Fatimid possession in Syria, always loosely bound to Egypt, began rapidly to disintegrate, Palestine was often in open revolt.

The first Seljuq bands appeared in Syria shortly before 1070. In this year sultan Alp Arslan made the Arab prince of Aleppo his vassal and Alp's "general" Atsiz entered Jerusalem and wrested Palestine from Fatimid hands. As Sunnite Muslims the Seljuqs considered it their duty to extirpate the Egyptian heresy. Five years later Atsiz acquired Damascus from the same masters.

By 1098, however, Jerusalem had reverted to the Fatimids, whose strong fleet had recaptured (1089) all the coast towns, including Ascalon, Acre, Tire, as far north as Byblos (Jubayl). Alp's son Tutush was the real founder of the Syrian dynasty of Seljuqs.¹⁰

THE CRUSADES

The first call for a Christian crusade against Muslims was issued by Pope Urban II (Clermont- 1095), and among 1098 and 1291 a continuous series of military expeditions left Europe for the purpose of conquering the Holy Land, Their stated objective was Jerusalem (taken by the Seljuqs in 1070).

9. & 10. Hitti, p. 635.

After fighting the Seljuqs, Fatimids and local Arab princes, the Crusaders captured Jerusalem in 1099 and set up four separate Latin administrations: the County of Edessa, the Principality of Antioch, the County of Tripoli, and the Kingdom of Jerusalem. The last, extended east of the Dead Sea to include El-Kerak and the Arabian-Syrian trade route, south to the Gulf of Aqaba, and north along the coast from El-Arish in the Sinai to Beirut in Lebanon.

On their way southward Al-Ramlah was found deserted and it became the first Latin possession in Palestine. The Latins had in Baldwin a capable, energetic and aggressive leader. During his reign (1100-1118), the kingdom extended from the El-Aqaba, at the head of the Red Sea to Beirut. His cousin and successor Baldwin II (1118-1131) added a few towns chiefly on the Mediterranean.¹¹

Edessa fell in 1144. After a reign of 45 years the Crusaders were at bay everywhere, and they were further weakened by their own internecine dynastic disputes. The Muslim conquest was finally accomplished by the great Saladin (Salahaddin al-Ayyubi), who led a holy war (jihad) and defeated the Crusader forces, recapturing Jerusalem in 1187 at Hittin.

The victory of Hittin sealed the fate of the Frankish cause. After a week's siege Jerusalem, which had lost its garrison at Hittin, capitulated (2 October 1187). The fall of the Holy City aroused Europe. Hostilities among its rulers were buried. Fredrick Barbarrosa, emperor of Germany, Richard I Coeur de Lion, king of England, and Philip Augustus, king of France, took the cross. These three were the most powerful sovereigns of Western Europe, and with them the "third Crusade" (1189-1192) began.

11. Hitti, p. 640.

The siege of Jerusalem, considered one of the major operations of medieval times, dragged on for two years (August 27, 1189-July 12, 1191). The Franks had the advantage of a fleet and up-to-date siege catapults; the Muslims had the advantage of single command. Saladin sought but received no aid from the Caliph. Finally the garrison surrendered.

In 2 November 1192, peace was concluded on the general principle that the coast belonged to the Latins, and the interior to the Muslims and that pilgrims to the Holy City should not be molested.¹²

While the Holy City again came under Western rule by treaty in 1229, it was irretrievably lost fifteen years later in 1234 and did not pass into Christian hands until the British General Allenby took it from the Ottoman Turks in 1917 during the first world war.

The states established by the Crusaders in Syria and Palestine was finally destroyed by the Mamluks, and the expansion into Anatolia, which had become under Saljuks, was carried further by the Turkish dynasties. The last Crusaders were driven out of Acre in 1291, never again to return. For the next 250 years Palestine was largely under the control of the Mamluks of Egypt.¹³

THE OTTOMAN RULE

The Ottoman Turks had begun to encroach upon the Byzantine Empire in the 14th century. By 1400 they had captured the larger part of its territory, and the end for Byzantines came in 1453, with the fall of Constantinople. The conquerors then turned to the Arab lands to the South. Selim I (reigned 1512-1520), added both Syria and Palestine (in 1516 after the victory of Marj-Dabiq over the Mamluks) and Egypt to his holding. His son Suleiman the Magnificent (reigned 1520-1566), established an Empire that lasted until the First World War. It is he who rebuilt the walls around the old city of Jerusalem that are still standing.

12. Hitti, p. 651.

13. Hourani, p. 85.

During the 400 years of the Ottoman rule, Palestine was divided into three Sanjaqs: Gaza, Nablus and al-Quds (Jerusalem), these Sanjaqs to be changed to provinces later. Palestine did not play any important role in the Ottoman Empire other than having holy places in the holy city of Jerusalem. While some feudal Amirs, like Ahmed Pasha Aljazzar "the butcher" who defeated Napoleon at Acre in 1799, preventing the invasion of Palestine. After which Palestine was under the administration of Mohammed Ali Pasha, the Khedive of Egypt.

Starting from 1850s there were different Arab uprisings against the Ottomans took place in each of Gaza, Nablus, and Jerusalem, which took the Ottomans about 10 years to control these disturbances.

Jewish immigration to Palestine had been permitted by the Ottomans ever since their conquest, and by the mid-19th century there were numerous Jewish settlements in the region. The Jews immigrated from Russia established a community in Palestine and bought about 2000 dunums of land and established a Kibbutz (a place where they can live and plant vegetables, fruits, etc.), and brought the question for homeland to the scene.

After the first Zionist Conference held in Basle-Switzerland in 1897, where it was decided to establish for the Jews a "National Home" in Palestine, Theodore Herzl tried to affect Sultan Abdulhamid to help the Jews in this task, but the Ottoman Sultan refused and stated his famous words "*Palestine is gained by the blood of the Muslim martyrs and can be taken from Muslims only by blood.*"

Nevertheless, during the "Second Mashrutyyat",¹⁴ the Jews were given the right to settle in Palestine. According to a law declared in 1914, the minorities were given right to buy land in Palestine.

14. Second Mashrutyyat started in 1908, when Abdulhamid II was forced by *Jön Turks* (officers of *Ittihat-and-Tarakki*) to put the constitution again into implementation.

At the Zionist Conference of 1897, the Zionist scheme (to establish in Palestine a "national home" for the Jews) was launched with disregard for the rights of the indigenous Palestinians, who had been under the Ottoman rule for 400 years. Its inhabitants were mainly Arabs, and in 1895 numbered about 500,000, of whom 400,000 were Muslims, 53,000 Christians and 47,000 Jewish. The Zionist claimed to their European audience that Palestine was a "land without people" and natural home for the Jews who, they claimed, were "people without land."¹⁵

The Arab nationalist movements appeared before the First World War, in the shape of secret societies. Among these societies was al-Qahtaniyya, founded in 1909 but did not survive long because it didn't have enough support. Another society was al-Fatat, or the Young Arab Society, founded in Paris in 1909, but we don't know much about this al-Fatat. Also, much less was known about al-'Ahd, the Covenant, which was founded among 1912 and 1914 by 'Aziz 'Ali al- Misri, an Ottoman army officer. It is claimed that of 490 Arab officers in 1914 no less than 315 were members of al-'Ahd. These societies were mainly asking for autonomy for Arab provinces with the Arabic as the official language, local military service, more jobs for the Arabs in Istanbul and more governmental assistance for the Arab provinces. The Arab nationalist movement was dispersed and was re-created in 1918.¹⁶

With the breakout of World War I, Britain promised independence for the Arab lands under the Ottoman rule, including Palestine (the McMahon letters), in return for the Arab revolt against the Ottoman Turks that had entered the War on the side of Germany. However, in 1916 Britain and France signed the Sykes-Picot Agreement that divided the Arab region into zones of influence; Lebanon and Syria were assigned to France, Jordan and Iraq to Britain, and Palestine to be internationalised.

15. The Palestinian Diary 1984, p.6.

16. M. E. Yapp: The Making of the Modern Near East 1792-1923, pp. 208-211.

After the defeat of the Ottomans, on the Palestinian front by England, the victorious general, Allenby entered Jerusalem in 11 December 1917, bringing together with him the Jewish Units. Furthermore, the Ottomans lost Damascus in 30 September 1918 again to England, and Beirut to the French in 7 October 1918. After the fall of Aleppo in 26 October 1918, the Ottomans were forced to sign the cease fire of October 29, 1918.¹⁷

1917-1922 PERIOD

In 1917 the British Army and the Arab Legion entered Palestine, welcomed by the Palestinians, many of who had joined the Arab forces to fight with Britain, in return for fulfilling their part of the McMahon agreement, the Palestinians pressed for their independence. However, in London Britain switches support to the Zionists, and in the Balfour Declaration (a letter from Foreign Secretary Lord Balfour to Zionist leader Lord Rothschild) Britain pledged to use "its best endeavours to facilitate the establishment of a national home for the Jewish people in Palestine." Then the population of Palestine was 700,000, of which 574,000 were Muslims, 70,000 Christians, and 56,000 Jews.¹⁸

In 1919 the Palestinians convened their first National Conference, and declared their opposition to the Balfour Declaration. However, in April 1920 at San Remo Conference, the Allies granted Britain a mandate over Palestine, and Sir Herbert Samuel, a declared Zionist, was appointed Britain's High Commissioner in Palestine to implement the Balfour Declaration.¹⁹

17. Izzat Tannous, *The Palestinians*, pp. 53-76.

18. *The Palestine Diary*, p.7.

19. Yapp, p. 329.

1923-1944 PERIOD

With Palestine now under the British administration (Map 2), and the Balfour Declaration incorporated into the terms of the Mandate, the fifth Palestinian National Conference in 1922 rejected a British White Paper proposing a Legislative Council as a denial of Palestinian rights to independence.

By 1929 the Jewish National Fund had secured a large tract of land in northern Palestine from an absentee Lebanese landlord, and 2,546 Arab peasant families were forced off the land by Zionist settlers. Palestinian resistance to the Zionist threat continued throughout this period, notable of which was the General Strike of 1936, when the British government raised the quota for Jewish immigration into Palestine. The strike held solid for six months.

With the breakout of World War II in 1939, Britain needed help again. Consequently, it tried to find allies wherever possible, looking for Arab support, Britain published a new White Paper restricting Jewish immigration and offering again independence of Palestine within 10 years; the Arabs accepted the White Paper, but it was rejected by the Zionists.

1945-1949 PERIOD

With the World War II at an end, the Palestinians awaited the implementation of the 1939 White Paper, but President Truman's Administration, under Zionist pressure, in turn pressed Britain to allow 100,000 Jewish immigrants into Palestine. At the same time, the Zionist terrorist groups - Haganah, Irgun and Stern Gang - unleashed a bloody campaign against British troops and officials, and Palestinian civilians. The aim was to drive both the British and the Palestinians out of Palestine, and pave the way for the establishment of the Jewish state.²⁰

20. Tannous, p.379.

MAP 2
MANDATED PALESTINE



In 1947 Britain decided to withdraw from Palestine, because of the lack of resources after the War it was forced to leave the Middle East and the Balkans. The United Nations, under firm US pressure, approved a Partition Plan under which the Palestinian Arabs, who account for 70 percent of the population and owned 92 percent of the land, were allocated 47 percent of their country, while the Zionist, comprising only 30 percent of the population and owning a mere 8 percent of land were accorded 53 per cent of the country, including its most fertile regions. The obvious gross injustice of the Plan provoked the Palestinians to reject it, and to renew their call for the establishment of a single independent state; the Zionist naturally accepted the Plan as a base for later territorial expansion.

However, the Arab presence in Palestine stood in the path of the Zionist idea of an exclusion Jewish state. As a consequence, the Palestinians became the targets of a sustained and widespread terror campaign from the Zionist groups who were better trained, financed and armed than the Palestinians, who moreover lacked any firm support from neighbouring Arab governments.

Throughout Palestine the Arab communities were under threat. As an example of their fate, the Irgun terror group, led by Menachem Begin (later the Israeli Prime Minister), attacked the Arab village of Deir Yassin and massacred 254 men, women and children. The message for the Palestinians was clear, and thousands of civilians fled their homes to seek safety.

In May 1948 the last British forces withdrew from Palestine, and immediately the Zionists proclaimed the State of Israel without defining its borders. Arab armies moved to defend the Palestinians, but entered only those parts of the country designated for an Arab state in the 1947 Partition Plan.

A cease-fire was finally agreed in 1949, by which time the Zionist controlled 77 per cent of Palestine, while the rest came under Jordanian and Egyptian control. 880,000, about half the Arab population of Palestine, had by 1949 been forced from their homes to

become refugees. The UN demanded that Israel should allow the refugees to return to their homes, but the Israelis refused, even though this was a condition for the admission of Israel to the UN.²¹

1950-1968 PERIOD

The 1950s saw the Palestinian refugee camps assume an air of permanence; among 1948 and the June War of 1967 more than a million Jews were brought as Zionist settlers to Palestine, while Muslim and Christian Palestinians were denied their right to return, according to the UN resolutions and the UN Charter for human rights.

In May 1964, 420 Palestinian delegates convened in Jerusalem at a national conference, agreed on a national charter and formed the Palestine Liberation Organisation. The first operation against the Israeli targets was launched by Fatah (the PLO major fraction) on January 1, 1965, starting the armed struggle against Israel.

In June 1967, Israel attacked the Arabs on three different fronts and seized the West Bank and Gaza Strip regions of Palestine, together with East Jerusalem, Syria's Golan Heights, and the Sinai Peninsula from Egypt. All Palestine now lay under Zionist Control. In March 1968 the Israeli attack on Al-Karamah village was defeated by the Arab Army and the PLO fighters.

1969- 1982 PERIOD

The PLO gained international recognition (*de facto*) in 14 October 1974, when the UN General Assembly invited it to participate in a debate to be held in November on the Palestinian issue. The Arab Summit at Rabat- Morocco recognised the PLO as the sole legitimate representative of the Palestinian people, while the UN General Assembly adopted a

21. The Palestine Diary, p. 8.

resolution that the Palestinians had the right to self-determination, national independence, and sovereignty "inside Palestine" (see page 94). In 1975 the UN General Assembly adopted a resolution defining Zionism as a form of racism.

To crush the PLO and to weaken the Palestinian resistance, Israel launched many attacks against Palestinian communities, the major attacks of the Israeli forces included the 1968 attack on the village of Al-Karamah in Jordan, the 1978 invasion of southern Lebanon, the 1981 air raids on Palestinian refugee camps in Lebanon, and the 1982 invasion of Lebanon. The invasion of Lebanon in 1982 renewed the Zionist claim not only to Palestine, but also to southern Lebanon as well.

1983-1993 PERIOD

In November 1983 Arafat visited Cairo and met with Mubarak, this was the first official contact with Egypt since Sadat's visit to Jerusalem in 1977. Arafat was faced by opposition among the Palestinians.

In October 1985 Israel launched an air raid on the PLO headquarters in Tunisia to illustrate that their hands can reach to the PLO even though they had left Lebanon (another example of state terrorism). In November the same year in another visit to Egypt, Arafat stated that there will be no attacks on Israeli targets outside the occupied territories and renounced all shapes of terrorism.

On 8 December 1987, the great Uprising "Intifada" broke out in the West Bank and Gaza Strip its continuation for more than seven years proved that the resistance of the Palestinian people against occupation will not stop unless the occupation of their lands will come to an end. In April 1988 the Israeli commando teams assassinated the great Palestinian leader Khalil Al-Wazir "Abu Jihad" in his house in Tunis in a hopeless attempt to end the "Intifada" as he was one of its main architects.

On 1 August 1988 King Hussein declared Jordan's disengagement with the West Bank by severing legal and administrative ties with it. In November 15, 1988 the Palestinian National Council in its 18th session in Algeria declared the "Independence Document" for an Independent Palestinian State.

The Peace Process in the Middle East was launched at the Madrid Summit in Oct. 1991. As a result the Declaration of Principles (Gaza-Jericho-First Accord) was signed in Washington DC. in the White House on September 13, 1993 between the PLO and Israel.

CHAPTER III

DECLARATIONS AND AGREEMENTS

THE FIRST ZIONIST CONGRESS

As mentioned above, the Zionist idea was introduced in 1897 by an Austrian Jew, Theodore Herzl, as a solution to the world's Jewish problem. The Political Zionism is based on the premises that the Jews of the world constitute people and as people they have the right to a "national home."

Thinking of Zionism, Theodore Herzl published his book *Der Judenstaat* (The Jewish State) in Vienna in 1896. Anti-Jewish discrimination had a minor role in its inspiration, although used by Herzl as an argument in favour of his idea, the dominant mood was positive, idealistic or utopian.

It outlined the factors that he believed had created a universal Jewish problem, and offered a programme to regulate it through the establishment an independent Jewish nation on its own soil, but without the emigration of all Jews. It would have remained one more Zionist tract, if he had not pursued its object and avidity, persistence and craft. In his diary he wrote: *"I conduct the affairs of the Jews without their mandate, but I become responsible to them for what I do."*¹

To decide about this "national home", the First Zionist Congress was held in Basle-Switzerland in 1897, under the leadership of Herzl. The congress declared the following: "The aim of Zionism is to create for the Jewish people a home in Palestine secured by public law." This declaration laid down the "foundation stone" in the Palestinian Problem, although other alternatives were discussed like Argentina and some regions in Africa, but the final decision was held on Palestine.

1. According to Halloum, p. 141.

The congress contemplated the following means to the attainment of this end:

1. The promotion, on suitable lines, of the colonisation of Palestine by Jewish agricultural and industrial workers.
2. The organisation and binding together the whole of Jewry by means of appropriate institutions, local and international, in accordance with the laws of each country.
3. The strengthening and fostering of Jewish national sentiment and consciousness.
4. Preparatory steps toward obtaining government consent, where necessary, to the attainment of the aim of Zionism.

Zionist representations were made to various imperial powers, to the German Emperor in 1898, and to the Turkish Sultan in 1901. In 1903 the British Government offered the Zionists Uganda, which was accepted by the sixth Congress, but later rejected. Later the British issued the Balfour Declaration in 1917, and accepted the Mandate of Palestine from the League of Nations in which the Declaration was included.

The Zionist congresses continued annually and were largely meetings of interested non-representative individuals. Herzl offered the Ottoman Sultan help in re-organising his financial affairs and money, in return they will have assistance in Jewish settlement in Palestine. To the Emperor, Wilhelm II who visited Palestine in 1888 and again in 1898, he offered support for furthering German interests in the Near East; and similar offer was made to King Edward VII of England; and he personally promised the Pope (Pius X) to respect and exclude the holy places of Christendom in return for Vatican support, the Pope told him that the Church could not support the return of "infidel Jews" to the Holy Land. It is only from Czar did he receive, through the Minister of the Interior, a pledge of moral and material assistance with respect to the measures taken by the movement which lead to a diminution of the Jewish population in Russia.²

2. Halloum, p. 139.

HUSSEIN - McMAHON CORRESPONDENCE

The Hussein-McMahon correspondence was the agreement concluded in 1916 between Sir Henry McMahon, British High Commissioner in Egypt, and Sherif Hussein of Hijaz, Protector of the Holy Places, on behalf of the Arabs, whereby it was agreed that the Sherif will revolt against the Ottoman Turks -against the Sultan- and in return, the British Government, after the war would:

1. Recognise the independence of the Arabs in all their territories with two exceptions, namely: the territory lying west of a line extending from Damascus northward to Homs, Hama and Aleppo, which geographically denoted the "province of Lebanon." This exception was made by GB because of alleged French interests in the Lebanon. Another exception was Basra and Baghdad.
2. GB agreed to the proclamation of an "Arab Caliphate" of Islam which meant the return of the "Caliphate" to the Arabs.

Eight letters were exchanged between Sherif Hussein and Sir McMahon (four letters sent by each) starting from 1915. The letters were long and the negotiations were tedious. Ronald Storrs, the Oriental Secretary, had to travel to Hijaz three times to meet Sherif Hussein before an agreement was finally reached.

A few lines from the first letter sent by Sir McMahon to Sherif Hussein dated August 30, 1915 would summarise the agreement:

*"In earnest of this, we hereby confirm to you the declaration of Lord Kitchener as communicated to you through 'Ali Efendi' in which was manifested our desire for the independence of the Arab countries and their inhabitants and our readiness to approve an Arab Caliphate upon its proclamation."*³

3. According to Tannous, p. 61.

THE SYKES - PICOT AGREEMENT

The Sykes-Picot Agreement was concluded between the Governments of the three powers (GB - France - Russia, the Allies at World War I), in which the claims of each power to portions of the Ottoman Empire after its dismemberment, were recognised by the other two. Notes defining the Russian share were exchanged in St. Petersburg on April 26, 1916, between the Minister of Foreign Affairs (M. Bazonoff) and the French Ambassador (M. Paleologue), and in London a few weeks later between the Secretary of State for Foreign Affairs (Sir Edward Grey) and the Russian Ambassador (Count Beckendorff). Notes defining the British and French shares (the Anglo- French section of the Agreement text dealt with the future of the Arab territories) were exchanged in London on May 9 and May 16, 1916, between Sir Edward Grey and the French Ambassador (M. Paul Cambon).⁴

THE SECRET SIDE OF THE SYKES - PICOT AGREEMENT

While the British Government through its official representative in Cairo was negotiating on the possibility of an agreement with the Arabs by promising them independence in a region to include Palestine, other representatives were negotiating secretly with France and Russia for dividing control of the Asiatic parts of the Ottoman Empire after victory. In Nov. 1915, Lord Kitchener had come out to the Levant to survey the situation in Gallipoli and the strategy of the surrounding theatre of war. In planning the evacuation of Gallipoli, a proposal for landing 100,000 men at Alexandretta (Iskenderun) was considered, but rejected by the British General Staff and Admiralty mainly on strategic grounds. However, the chance that it might be adopted led the French military attaché in London to present, on behalf of his Government, a note to the Chief of the Imperial General staff containing these paragraphs:

4. Halloum, p. 189.

"Should the British Government be considering a disembarkation of troops in the gulf of Alexandria in order to cut the railway to Palestine, they will have to take into consideration not only the economic interests but also the moral and political interests of France in these countries".

"French public opinion could not be indifferent to any operation attempted in a country which it considers as destined to form part of the future Syrian state; and it would require of the France Government not only that no military operations be undertaken in this particular country without previous agreement between the Allies, but also that, should such action be taken, the greater part of the task should be entrusted to French troops and to the French generals commanding them." ⁵

The French had no troops available for such an operation. The note was a veto upon action in an area that the French regarded as their peculiar preserve. It is true that French connections with Syria (in Ottoman Empire days it was recognised to include Lebanon, Palestine, and Trans-Jordan) were stronger than those of the British. French missionaries and schools were very active. In 1913, Syrian Arab leaders had held conversations with the French Consul-General in the same exploitative manner that Prince Abdullah had approached Lord Kitchener, and had received a similar reply. However, when the war started, there was constant French suspicion that British agents were trying to undermine French influence in the area.

When the Ottomans joined the war, the French Consul-General in Beirut, George Picot, had to leave, and the consulate was sealed and placed under the protection of the US

As the major ally, France's claims to preference in parts of Syria could not be ignored. The British Foreign Minister, Sir Edward Grey, told the French Ambassador to London, Paul Cambon, on 21 October 1918, of the exchange of correspondence with Sherif Hussein, and

5. Halloum, p.193.

suggested that the two governments should arrive at an understanding with their Russian ally on their future interests in the Ottoman Empire.

George Picot was appointed French representative with Mark Sykes, at the time Secretary of the British war cabinet, to define the interests of their countries and to go to Russia to include that country's views in their agreement. The negotiation for this Tripartite (Sykes-Picot) Agreement for the partition of the Ottoman Empire started as soon as general agreement had been reached with Sherif Hussein, but neither Sir Henry McMahon nor Sherif Hussein was aware of the Agreement.

In the secret discussions with Foreign Minister Sazonov, Russia was accorded the occupation of Constantinople (Istanbul), both shores of the Bosphorus and some parts of Eastern Anatolia. French claimed Lebanon and Syria eastwards to Mosul. Palestine had inhabitants and shrines of the Greek and Russian Orthodox and Armenian churches, and Russia at first claimed a right to the area as their protector. This was countered by Sykes-Picot and the claim was withdrawn insofar as Russia, in consultation with the other allies, would only participate in deciding a form of international administration for Palestine.

The Sykes-Picot Agreement concerning the Arab Region provided for:

1. An independent Arab state or a federation of states in a part of what is now geographically known as Saudi Arabia and Yemen.
2. France to control Lebanon and Syria, Britain to control Iraq and Trans-Jordan (to establish such direct administration or control as they may desire or as they may deem fit to establish after agreement with the Arab State or Confederation of Arab States).⁶
3. Parts of Palestine to be placed under an international administration of which the form will be decided upon after consultation with Russia, and after the subsequent agreement with the other Allies and the representative of Sherif of Mecca.

6. Yapp, pp. 277-282.

Similar to the Hussein-McMahon correspondence, the Sykes-Picot Agreement did not mention the concessions to Zionism in the future disposition of Palestine. However, it is now known that before the departure of Sykes for St. Petersburg on February 27, 1916 for discussions with Sazonov, he was approached with a plan by Herbert Samuel, who had a seat in the Cabinet as President of the Local Government Board and was strongly sympathetic to Zionism.

The plan put forward by Samuel was in the form of a memorandum which Sykes thought prudent to commit to memory and destroy. Commenting on it, Sykes wrote to Samuel suggesting that if Belgium should assume the administration of Palestine it might be more acceptable to France as an alternative to the international administration that she wanted and Zionists did not. Of boundaries marked on a map attached to the memorandum he wrote:

*"By excluding Hebron and the east of the Jordan there are less to discuss with Muslims, as the Mosque of Omar then becomes the only matter of vital importance to discuss with them and further does away with any contact with the Bedouins, who never cross the river except for business. I imagine that the principal object of Zionism is the realisation of the ideal of an existing centre of nationality rather than boundaries or extent of territory. The moment I return I will let you know how things stand at Petersburg."*⁷

The Sykes-Picot Agreement was in deep contradiction with the Hussein-McMahon Correspondence, where the British Government did not respect her pledges to Sherif Hussein. Instead of gaining independence the Arabs would be subjected to a new form of colonialism led by both Great Britain and France, largely influenced by the Zionism demand of creating a national home in Palestine for the Jews, who were less than 7 percent of the population of Palestine at that time.

5. According to Halloum, p.196.

THE BALFOUR DECLARATION

The third agreement (in form of a declaration) concluded by Great Britain during the war was the Belfour Declaration, also very secretly done. It was the first of its kind in history, in which a country gives a promise to some organisation to create a national home in a land that does not belong to both.⁸

THE ORIGIN OF THE DECLARATION

The position of the Allies in the war was not a good one in 1916 and 1917, and the efforts they made to get the US involved in the war did not give fruits. Something urgent had to be done. Sir Mark Sykes, Under-secretary of the British War Cabinet, said that, probably, they could get the American Jews to use their influence in the US to secure Palestine for them. Of course, to secure Palestine was the dream of the Zionists.

The British interest in Palestine was clear but the relation between this interest and Zionism is much less obvious. There were two arguments to explain why Britain issued the Balfour Declaration, none of these arguments could give a clear answer to this question. One argument was strategic, while the other was political.

8. My opinion is that it was the declaration that gave the most harm to the people of the Middle East and from which the region is still suffering. This declaration deprived millions of the Palestinian people of their homes and homeland and caused conflicts that resulted in the killing of thousands of innocent people. It also revived old religious prejudices that had been since the Crusades, the plague of the Middle East and for centuries. This declaration produced so much spiritual and material harm to the Middle East for so long.

Those who supported the strategic argument claim that Britain wanted to have a loyal community in Palestine.⁹

The supporters of the political argument claim the followings: First, the attitudes of the Jews in Russia and the US, and the possibility that Germany might pre-empt the Entente with a similar declaration. They argued that the most powerful movement among the Jews was Zionism, and that the Jews in Russia would affect her to remain in the war, while the Jews in the US would influence her to play more active role in the war.¹⁰ Second, were personal motives. Although some ministers in the cabinet opposed Zionism, others, like Lloyd George and Balfour, plainly felt a personal interest in the success of what they saw as a great historical movement.

The political arguments were most likely to be valid. Yapp, states as follows:

"In fact, although the strategic argument was prominent in the earlier stages of the long discussion which preceded the issue of the Balfour Declaration, in the last period it was less to the fore than political arguments."

The Balfour Declaration was sent in form of a letter dated November 2, 1917, signed by Lord Balfour, British Foreign Secretary at the time, to Lord Rothschild, a British Zionist, in London. It reads as follows:

9. Yapp, *The Making of the Middle East 1792-1923* pp. 290-293. But Britain could have also achieved a loyal community with the Arabs.

10. Yapp, *The Making of the Middle East 1792-1923* pp. 290-293. Non of these arguments was valid to some extent, Russia left the war and the US did not have a remarkable change in its position.

Dear Lord Rothschild,

"I have much pleasure in conveying to you, on behalf of His Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to, and approved by, the Cabinet."

"His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in other country."

"I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation."

Yours sincerely,

Arthur James Balfour¹¹

This declaration was secretly concluded at the time when Prince Faisal and Lawrence had already occupied Aqaba at the Red Sea. The British Government was in fear that the news would cause mutiny in Faisal's army and revolutions in Syria and Iraq. They did their best to hide up the news and keep Sherif Hussein ignorant of what was secretly taking place.

It is obvious that this declaration was no side of any legality or justice and it was full of contradictions. The main observations' one can make from this declaration are:

First, the British Government gave a promise to the Jews of all nationalities scattered all over the world, a national home in Palestine, which did not belong to the British or to the Jews. They gave this promise at a time where Palestine was not even under their occupation.

11. The Palestinian Diary 1984, p. 40.

Second, the Balfour Declaration stated the following: "... this is to be done without prejudicing the rights of the non-Jewish communities in Palestine." Nevertheless, the British, could not make this possible.¹²

On February 25, 1947 Ernest Bevin, British Foreign Secretary, made a confession in the House of Commons regarding the Balfour Declaration, thirty years after the Declaration, the statement reads:

*"There is no denying the fact that the Mandate (of the League of Nations which incorporated in the Balfour Declaration) contained contradictory promises. In the first place it promised the Jews a national home and in the second place, it declared the rights and position of the Arabs must be protected. Therefore, it provided what was virtually an invasion of the country by thousands of immigrants and at the same time, said that this was not to disturb the people in possession."*¹³

The Royal Commission (the Peel Commission) in its report of 1937 said that the conflict between the Arabs and the Jews in Palestine is the "conflict of right against right," referring to the natural right of the Arabs and the right of the Jews as bestowed in the Balfour Declaration.

Also in the League of Nations, the mandate for Palestine was different than the mandate for Iraq, Trans-Jordan, Syria and Lebanon, because the League of Nations incorporated the Balfour Declaration in the Palestine Mandate, and considered it equal to the

12. Giving a "national home" for the Jews in Palestine who constituted only 7 per cent of its population, at the time of the declaration, and bringing hundreds of thousands of Jews immigrants into Palestine without prejudicing or ignoring the rights of its 93 percent indigenous non-Jewish inhabitants was not possible.

13. Tannous, p.70.

natural rights of the Palestinians. By doing this, the League of Nations wrongly and illegally considered the authors of the Balfour Declaration as the owners of Palestine and therefore had the right to give it to the others.

The Balfour Declaration was illegal as it was officially recognised in the Maugham Commission's Report of March 16, 1939. The report was signed by the Anglo-Arab Committee, set up by the Palestine Conference in London to consider whether Palestine was included in the Hussein-McMahon Correspondence or not. The report ends:

"In the opinion of the Committee it is, however, evident from these statements that His Majesty's Government were not free to dispose of Palestine without regard for the wishes and interests of all the inhabitants of Palestine." 14

THE DECLARATION TO THE SEVEN ARAB LEADERS

Another reaction to the Balfour Declaration was manifested in Cairo. A memorandum was submitted by seven Arab leaders, through the Arab Bureau in Cairo, to the British Foreign Office. In reply, a declaration was sent by the British Government that was read by an officer of the Arab Bureau to a meeting convened for the seven Arab leaders on June 16, 1918, at the Arab Bureau.

In brief, the declaration contained assurances that "the future Governments of those territories shall be based upon the principle of the consent of the governed. This policy will always be the policy of His Majesty's Government." Nevertheless, this policy of his Majesty's Government was never applied to Palestine.

14. Tannous, p.68. This clear statement cancels all rights given to the Jews by the British Government in the Balfour Declaration. However, unfortunately, this statement was made in 1939 when the harm to the Palestinian people was already done.

PRESIDENT WILSON'S STATEMENT

Woodrow Wilson, the President of the US and the member of the Supreme Allied Council, was against the Balfour Declaration, and this statement was a proof of his position.

In his address of July 4, 1918, President Wilson proclaimed:

"The settlement of every question, whether of territory, of sovereignty, of economic agreement, or political relationship, rests upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery. If that principle to be rule, and so the wishes of Palestine's population are to be decisive as to what is to be done with Palestine, then it is to be remembered that the non-Jewish population in Palestine more than nine-tenths (93%) of the whole are emphatically against the entire Zionist program. The tables show that there was no one thing upon which the population of Palestine were more agreed upon than this. To subject a people so minded to unlimited Jewish immigration, and to steady financial and social pressure to surrender the land, would be a gross violation of the principle just quoted, and the people's rights, though it is kept within the forms of law."¹⁵

As one can see, the contents of President Wilson's speech were much different from those of Mr. Balfour. Also, T. E. Lawrence strictly downed the British behaviour, in a statement he made on this subject, he said:

15. According to Tannous, p. 72.

"The British Government made the Arabs enter the war against written promises given to them which were specifically self-rule. The Arabs confide in persons and not in institutions and finding me an honest person representing my government, they demanded that I make my government honour her pledges." "Consequently I became a partner in the plot, assuring them, as much as my assurance in worth, that they will receive their prize."

"During the years we were together under fire, they were made to believe that my government, as I am, is honest, and on this belief they achieved for us good things. But naturally, instead of being proud for what we achieved together, I found my self in a bitter everlasting shame." 16

This illustrates how much this act that can be called the betrayal of GB to the Arabs a surprise and disappointed even to those whom were directly involved in the pledges and promises given to the Arabs during the war.

Furthermore, GB and France announced the Anglo-French Declaration on November 7, 1918. A part of this declaration reads:

*"The goal envisaged by France and GB in prosecuting the war set in train by German ambition is the complete and final liberation of the peoples who have so far long been oppressed by the Turks, and the setting up of national governments and administrations that shall derive their authority from the free exercise of the initiative and choice of the indigenous population."*17

This declaration was made to gain the trust of the Arabs.

16. According to Tannous, p.75.

17. According to Tannous, p.73.

SAN REMO CONFERENCE

On January 29, 1919 Prince Faisal, as representative of the Arabs, succeeded with pressure of GB to overcome a French opposition for him to participate in the Paris Peace Conference, delivered his statement for the Supreme Allied Council claiming for the independence of the Arab countries. The statement of prince Faisal faced opposition except from President Wilson who supported the statement and suggested that the Council sends a commission held a plebiscite in the region known later by the King Crane Commission. The statement of prince Faisal was debated in March, 1919 and because President Wilson the only supporter of Faisal was back in the US, the statement was rejected and later the commission was cancelled even though the commission members went to the region and made their investigations.

In September 1919 the British decided to withdraw troops from Lebanon and Syria to be replaced with French troops. Prince Faisal tried to remind the British of their promises to the Arabs, in Hussein-McMahon Correspondences of 1915, and in the Anglo-French Declaration of November, 1918, but the Prime Minister Lloyd George turned a deaf ear to Faisal and suggested that he shall go and agree with France. After the failure of GB to honour her pledges and promises given to the Arabs, Faisal went to Paris and signed the Franco-Arab Arrangement, at Versailles (the Versailles Treaty), in which France would occupy Lebanon and the coast of Syria, the Arabs may have independence in the internal part of Syria, but they would seek French assistance. Prince Faisal was accused of selling out the Arab cause.¹⁸

The Arab people rejected this arrangement. Clashes took place in many places between the Arab people and the French garrisons, and the people of Syria forced prince Faisal to proclaim independence of Syria (including Lebanon, Palestine and Trans-Jordan).

18. Tannous, pp. 80-85.

On March 8, 1920, the General Syrian Congress Proclaimed independence of Syria and proclaimed Prince Faisal King of Syria. In Iraq also they declared independence and Prince Abdullah, the second son of Sherif Hussein (later King Hussein), was proclaimed King.

The proclamation of independence in both Syria and Iraq surprised and shocked France and GB, and they immediately called for a meeting of the Supreme Council of the Allies. At this historic meeting the Allies brought to the open their real intentions they were fighting for. The Council decided to place Syria, Lebanon, Palestine, Trans-Jordan, plus Iraq under British and French mandate. Syria and Lebanon were to be under French Mandates and Palestine, Trans-Jordan and Iraq under British Mandate. In addition, the Balfour Declaration was to be incorporated in the Palestine Mandate.

The decision of the Supreme Council taken at San Remo showed the real intentions of the Allies at that moment. It was not the liberation and independence of the Arabs, but a new colonisation and control of the region to use its resources. Also this conference meant the cancellation of all pledges, promises, declarations and proclamations given or done until then.

Revolts in all the Arab World showed the reaction after the publication of the decision taken by the Supreme Allied Council at San Remo on May 5, 1920, and clashes were reported in Syria and Palestine. In Iraq, it was much more serious where clashes were warlike in character.

The Allies decision at San Remo was more than bad news to the Arabs. It was a shock. The Arabs never expected that the Allies to behave against them in this way.

On July 14, 1920, King Faisal accepted an ultimatum sent to him by France, though accepting the French Mandate over Syria and delivering the Arab garrison to the French Military Command. The Arab people of Syria rejected the ultimatum and the acceptance of King Faisal to it, as a result the French troops attacked the Arab volunteers at Maisalun on January 24, and the French occupied all Syria. The Syrian Minister of War Yusef Al-Azme was among the martyrs of Maisalun.

THE COVENANT OF THE LEAGUE OF NATIONS

The League of Nations was organised by the Allies in Geneva-Switzerland immediately after the war in 1919. It was established mainly to settle disputes between nations peacefully without going to war. Its Covenant based on president Wilson's fourteen points proclaimed in July, 1918, where democracy, freedom and self-determination of peoples were the chief objectives.

The League of Nations abolished colonialism, much in vogue before the war, where a powerful nation could conquer a weaker country and subordinate its people indefinitely. This colonial system was replaced by the "Mandatory System", whereby the League Council would mandate a civilised nation to the task of teaching an undeveloped nation until it could stand alone.

The specific articles in the covenant that pertain to the Arab people are Article 22 and Article 20. (Appendix II)

Article 22, indicates that the mandate system is a tutelage system, to replace the colonial system, and the undeveloped nations are free people and not subjugated people, and the mandatory will administer the interests of those people under mandate and not the interests of the mandatory.¹⁹

19. In fact, what happened was in contradiction of this Article, because the mandatory of the Arab countries was given to GB and France without consulting the people concerned as stipulated in this Article. As a result France was the Mandatory to administer Lebanon and Syria, while GB was the Mandatory to administer Iraq, Palestine and Trans-Jordan. In name it was tutelage and assistance, but instead it was colonisation and exploitation. In Palestine it was subjugation, displacement and expulsion.

According to Article 20, any member states of the League have undertaken any obligations inconsistent with the terms of the Covenant, must take steps to assure its release from such obligations. What happened was the opposite, in the case of Palestine, instead of GB be released from its obligations to the Jews that was inconsistent with the Covenant, the Balfour Declaration was incorporated in the Palestine Mandate.

Doesn't the history repeat itself? In the time of the League of Nations the decisions were taken to serve the interests of the powerful countries of the time even if those decisions were in contradictory with its Covenant, and today's United Nations produce resolutions and give decisions in a way that satisfies the Super Powers, even in contrary with its Charter. No chance is given to weak nations to live an honourable life if it does not serve the interests of the Super Powers.

THE PALESTINE MANDATE

One of the most important set of guidelines was in Mandatory Palestine, where Britain was required, by treaty, to implement the provisions of the Balfour Declaration of November 1917. The new order in the Middle East was not accepted by its inhabitants. There was a serious revolt against Britain in Iraq in 1920, and anti-British, as well as anti-Jewish, disturbances in Palestine in the same year. Meanwhile, France' attempt to take up its mandate in Syria was challenged, first by the Arab government that had established itself in Damascus after the Turkish retreat, then by a series of rural revolts culminating on the country-wide uprising of 1925-7. All such challenges were contained in the mandated territories.²⁰

The Palestine Mandate was issued by the League of Nations on July 24, 1922. The Mandatory of Palestine was different than those of Trans-Jordan, Syria, Lebanon and Iraq

20. Roger Owen, *State, Power & Politics in the making of The Modern Middle East* 1992, p. 10.

because the Balfour Declaration was incorporated in the Mandatory. The Palestine Mandate included many contradictions as it asked the Mandatory to secure the establishment of a national home for the Jews, and at the same time to assure the rights and position of "other sections of the population" are not prejudiced, as it is shown in the following articles of the mandate:

Article 2:

"The Mandatory shall be responsible for placing the country under political administration and economic conditions as will secure the establishment of the Jewish National Home."²¹

In Article 4 (Appendix II) the Zionist Agency was mentioned as a partner in the Administration, will co-operate with it in all economic, social and other matters. Therefore the main objective of the mandatory is not the assistance and tutelage, as it is stated in the Covenant of the League of Nations, but the establishment of a national home for the Jews.

Article 6:

"The Administration of Palestine, while ensuring that the rights and position of "other sections of the population" are not prejudiced, shall facilitate Jewish immigration under suitable conditions and encourage in co-operation with the Jewish Agency, referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes."²²

21. Tannous, p. 108. Here, the Mandatory has the right to do anything to maintain this goal, even to ruin the economy of the country if necessary to establish the Jewish National Home.

22. Tannous, p. 108. Here, the Palestinians were not mentioned as "Palestinians" or "Arabs" but as "other sections of the population", also in the Balfour Declaration they were referred as "non-Jewish population". These phrases were chosen to delittle the Arab population

Article 11:

"The Administration may arrange with the Jewish Agency mentioned in Article 4, to construct or operate, upon fair and equitable terms, any public works, services and utilities, and to develop any of the natural resources of the country, insofar as these matters are not directly undertaken by the Administration."²³

Because they did not carry out their obligations according to Article 22 of the Covenant of the League of Nations which prescribed "tutelage and assistance" and not colonialism, the Mandatory powers (GB and France) faced disturbances and revolts in all of these countries, except in Trans-Jordan where Prince Abdullah (later King) became a semi-independent ruler in 1928, assisted by a constitutional Government that administrated the internal affairs of the country. In Iraq, the disturbances were more warlike in character and single out Iraq to be the first mandated country to enjoy independence in 1932 under King Faisal, and to become the first Arab member in the League of Nations.

In Palestine, however, because of the unjust and illegal incorporation of the Balfour Declaration in the Palestine Mandate (as was mentioned above), the disturbances took a much wider scope in which later all the Arab States were involved.

of Palestine that formed the overwhelming majority of the population (93 per cent). Also the immigration of thousands of Jews was not to affect the rights and position of the Palestinians, which was an impossible task. In fact all rights were given to the 7 percent of the population, but not a single right to the indigenous 93 percent, the owners of the land.

23. Tannous, p. 108. The Administration was to co-operate with the Jewish Agency in all public works and in the development of public resources, but the Palestinians must not develop any of their lands' resources.

CHAPTER IV

RESOLUTIONS AND INITIATIVES

PALESTINE QUESTION IN THE UN

The Palestine Question was first brought before the UN in 1947. Since then the UN has increasingly involved itself in the search for a solution. In this process the UN and the international community, in the face of a continuing opposition from Israel supported by the US, came to recognise it as the core of the Middle East problem.

The degree of UN concern in dealing with the problem has not been always the same. Sometimes, it was looked upon as a problem of refugees (1947-1953), but the political dimension of the Question of Palestine was recognised but only as a part of the Middle East Conflict (1953-1974)

In the wake of October 1973 war a new approach emerged and for the first time it was included in the UN agenda as an independent item in its own right.

The PLO as the sole representative of the Palestinian people, who did not participate previously in the search for a solution, was granted for the first time because of the General Assembly Resolution 3237 (Appendix I), the observer status. Since then, and as a result of a new level of involvement by the UN and the participation of the PLO, the issue has permeated all UN General Assembly, committees, commissions and agencies' activities.

With the World War II at an end, and with increasing hostility towards the British in Palestine, from both the Arabs and the Jews, GB was searching for the way out of this problem and was seeking for the help of the West in particular the US.

In the US, the State Department's opposition to a pro-Zionist American policy, displeased president Truman, and he said in this regard: "There are some men in the State Department who held the view that the Balfour Declaration could not be carried out without

offence to the Arabs." He added: "Like most of the British diplomats, some of our diplomats also thought that the Arabs, on account of their numbers and because of the fact that they controlled such immense oil resources, should be appeased. I am sorry to say that there are some among them who were also inclined to be anti-Semitic."

Truman did not trust the State Department, and he went out for his way to keep the professional diplomats in the dark. As a result, American policy on the Palestine question was often confused.

In summer of 1945 after the Potsdam conference Truman said he had spoken the Jewish State issue in Palestine with Attlee, and added the American position on Palestine was to try to get as much Jews in Palestine as possible. In the late summer of 1945, Truman wrote to Attlee advocating the admission of 100,000 DP's (Displaced Persons) Jews as quickly as possible to Palestine.¹

A joint Anglo-American committee of inquiry about the question of the DP's and associated topics was founded. Beginning late in 1945 and continuing into the early part of 1946, the committee held hearings to all possible sides of the issue. The committee's report had two recommendations summarised in their findings: first that the 100,000 DPs be admitted to Palestine at once, and second, that Palestine become a binational state under international supervision, in which Jews and Arabs would receive equal representation.

H. W. Brands, wrote in his book *Into The Labyrinth*, regarding these recommendations: "Both could be expected to outrage the Arabs, and did the first for amounting to repeal of the 1939 White Paper, the second for denying the majoritarian principle implicit in the idea of self-determination."

1. H. W. Brands, *Into The Labyrinth: The US And The Middle East 1945-1993*, pp 20-22.

The Zionists were pleased with the part of the report related to the DPs, but they decried the report's failure to specify an independent Jewish state. David Ben-Gurion described the report as a shameful document designed to thwart Jews aspirations for a state of their own.²

After twenty-five years of mandatory the British realised that they could not find a settlement of the problem in Palestine and the United Kingdom (UK) mission to the UN declared that, having failed to find a settlement that was acceptable to both the Arabs and the Jews, His Majesty's Government had no other alternative but to submit the Palestine Question to the UN. On this base, on March 2, 1947 the UK Mission to the UN officially requested that a special session of the General Assembly should be held on the Palestine Question and to send a UN Special Commission to Palestine for investigations.

Approving the UK Mission request the Secretary General of the UN informed all member states on March 24, 1947 that the First Special Session of the General Assembly was to be held on April 28, 1947 to discuss the Palestine Question. The First Special Session was held on that assigned day, at Flushing Meadows, New York. The Palestine Question was discussed in the First Committee.

The First Committee decided to grant a hearing to the Arab High Committee (AHC), which represented the Arab people of Palestine, and a hearing to the Jewish Agency, which represented the Jews in Palestine.³ These decisions were confirmed by General Assembly resolutions on May 7, 1947.

The debate on the Palestine Question in the First Committee began on May 8, 1947. Because of the absence of David Ben-Gurion, the Chairman of the Jewish Agency, Rabbi Hillel Silver, an American Jew, addressed the Committee on behalf of the Jewish Agency.

2. Brands, p.23.

3. The Jewish Agency was the "Shadow Government" of the Jews.

Rabbi Silver made a long statement in which he criticised GB for not helping the Jews in facilitating Jewish settlement on the land, and to establish their national home. Also he accused GB for not accepting Jewish refugees from Central Europe. At the end of his statement, he asked for the establishment of a Jewish state in Palestine after which it will become a member in the UN.⁴

On May 9, 1947, Henry Cattán addressed the Committee on behalf of the AHC, in which he drew the attention to the fact that when Palestine was under the Ottoman Empire, all Muslims, Jews and Christians lived together "in harmony." He also reminded of the Hussein-McMahon Correspondence of 1916, and the pledges which GB gave to the Arabs, promising the Sherif independence of all Arab territories after the end of the war. Cattán ended his statement by saying that the Palestinians had now reached a stage of development that enabled them "to stand alone", according to the aim of mandatory, and establish their own independent government.

As a result of the discussion on May 15, 1947, under Resolution 106 (S-1), the First Committee decided to form a Special Committee, that was the UN Special Committee on Palestine (UNSCOP), and send it to Palestine for investigations and preparing a report considering these investigations suggesting a solution to the Palestine Question.

The UNSCOP was given the widest powers to investigate all questions and issues relevant to the Palestine problem in Palestine and anywhere; and they may question individuals, governments or organisations. Moreover, the Special Committee was allowed to visit the Jewish refugees in Europe.

4. After all that GB did for the Jews, starting with the Balfour Declaration, was the number of the Jews in Palestine were less than 80,000, until 1947, when it had increased up to 650,000.

The AHC boycotted the Special Committee and did not give evidence, because Palestinians have been tired of the numerous committees that had visited Palestine during the British Mandate, without giving any result. Furthermore, they could not understand the connection between the Palestine Question and the Jewish refugees in Europe. Most important was that the AHC could not understand why the Arabs who were the indigenous and overwhelming majority in Palestine and who owned most of the land of the country should not be allowed to exercise their right of self-determination as stipulated in the Charter of the UN.

Therefore, the UNSCOP took the testimonies of the Jewish Agency (on July 14, 1947), some Arab States gave a joint evidence in Lebanon (on July 17, 1947), and Trans-Jordan, who refused to give evidence with the other Arab states. Consequently, some members of the Special Committee went to Amman and heard the evidence of Samir Al-Rifai, the Prime Minister of Trans-Jordan.

In his testimony Ben-Gurion, Chairman of the Jewish Agency, again accused GB for not being helpful in the settlement of the Jews and in establishing their national home. As a self defence and in a note sent by the GB to the Special Committee, they reminded Ben-Gurion that it was Hitler and not GB who created the Jewish refugee problem and it was because of the British Army that he was now in Jerusalem giving testimony before the Committee. Furthermore, they reminded him that The Palestine Mandate imposed on the Mandatory Government specific obligations towards the indigenous Arab population who were the majority in the country. Their rights had to be preserved and that Mandatory, under the Charter of the UN, was under obligation to help them develop and attain their independence.

Having their Mission completed and their report written, the UNSCOP submitted its report on September 23, 1947 to the Ad-Hoc Committee (a committee established by the

General Assembly composed of all member states to deal with the Palestine Question and to evaluate the UNSCOP's Report).

The UNSCOP delivered a divided report with the majority favouring partition of Palestine into three sections: an Arab state, a Jewish state, and the city of Jerusalem, the last one to be under the trusteeship of the UN. The minority proposed a single federal state with Jerusalem as capital. On September 23, 1947, the debate began on these two reports in the Ad Hoc Committee.⁶

Because they wanted to end their Mandate in Palestine the British wanted the solution of the Palestine Question to be immediate, but on one condition: both the Arabs and the Jews should agree on the solution in order for any resolution to be adopted by the General Assembly.

The view of the AHC in the debate was represented by Rejai Al-Husseiny, the Chairman of the Palestine Arab delegates, in which he emphasised that the Arab Palestinians had reached a degree of development that enable them to establish their independent state, and since they were the majority of the population they expected that the UN would not impose any solution on the majority on which they would not accept. Al-Husseiny ended his statement saying that the AHC would not comment on the Special Committee Report since both solutions suggested in the report were in contradiction with the Charter of the UN.

The Jewish Agency represented by Rabbi Hillel Silver refused to accept the minority plan "because it does not give complete independence to the individual state," Silver said, and added "even the majority plan was unsatisfactory to the Jewish people, because it excluded half of Palestine and the whole of Trans-Jordan from the Jewish state. So much land the Arabs have," he said, "and yet, they deny the Jews little Palestine." But, finally Silver said that "the Jewish Agency would be willing to accept the majority plan subject to further

6. Tannous, p. 416.

constitutional and territorial discussion."

The Soviet position was well described by Ya'acov Ro'i, an Israeli expert on Soviet Middle East policy, according to Ro'i there were short-term versus long-term interests at play in Soviet considerations on the Palestine question. In the short-term, a pro-Jewish policy would serve to eject the British from Palestine, while support for the Arabs would only strengthen the British presence. A long-term goal, however, sought to eject the British altogether from the region, and that necessitated some consideration for Arab interests in hope of engaging them to this task. Thus, the long-term objective meant that the Arabs could not be ignored even as Moscow sought to achieve its short-term goal.⁷

The Soviets announced that they support a binational or a federal state in Palestine, but in case no solution will be found they will support partition. In fact, they were supporting partition, but did not say it clearly. A binational state or a federation would be Arab dominated and therefore pro-British, which they did not want. For them, the partition was the only solution and they argued that partition was in the national interests of both peoples.

The Soviets supported the partition plan and later on they were the first to accord Israel *de jure* recognition, just three days after the declaration of the state. Moreover, they permitted the emigration of some 200,000 Eastern European Jews, not only within the framework of settling DPs but even to the point of permitting Zionist groups to organise the preparations of prospective emigrants. These preparations occasionally included military training in Eastern Europe. Arms and equipment for the war were also supplied by Eastern European countries under Soviet control beginning with some 10,000 rifles and 450 machine-guns in early 1948. These were provided mainly by Czechoslovakia, with Soviet permission.⁸

7. Galia Golan, *Soviet Policies in the Middle East from World War Two to Gorbachev*, p.34.

8. Golan, p.37.

In the US, the Zionists continued to lobby the administration for support of their dream. Despite the opposition of the State Department, the Truman administration opted for partition.

In October 1947, the American representative in the UN, Herschel Johnson, announced that the US would support the majority plan, subject to minor modifications. The administration efforts to support the partition did not end with Johnson's announcement, but the White House waged a vigorous battle to gain UN approval to the majority plan. Many countries were threatened to end American aid to their countries if they vote against partition, like France, the Philippines, Haiti, Liberia, Greece and many others.

For example, David Nile, a presidential aide, enlisted financier Bernard Baruch to talk to Baruch's French banker friends; Baruch warned that a French vote against partition would mean the end of American aid to France. Baruch was bluffing, as the French might have guessed, but at a moment when Congress had yet to approve money for the Marshall Plan, Paris preferred not to take any chances. The French delegate voted for partition.⁹

On November 26, 1947, the debate began in the General Assembly on the Ad-Hoc Committee draft resolution (amended plan of partition with economic union). In fact, the UN General Assembly was not allowed to find a final and a just solution to the Palestine Question, but it was the International Court of Justice, which is a UN organisation, that should be the reference to find such a solution. This was one of the reasons why the Arabs rejected the partition plan.

9. Brands, p.27.

Regarding the coercion of the White House and the Senate James Forrestall, Secretary of Defence, wrote in his Diaries :

"The method that had been used to bring coercion and duress on other nations in the General Assembly bordered on to scandal." 10

This issue is also well described in a statement by Dr. Miller Burrows, a professor at Yale University, in his "Palestine is Our Business", where he wrote:

"The vote for the partition in the UN General Assembly on November 29, 1947, was forced through by our Government with a shameless resort to the timeworn methods of power politics. It was a shameful demonstration of the sad fact that the old morally described ways of unscrupulous pressure and diplomatic intimidation could control a body (the UN) formed for the high purpose of achieving international justice." 11

10. According to Tannous, p. 431. To secure the Jewish votes, President Truman ignored the rights of the Palestinian people and ignored all means of an honourable statesman towards an issue that would bring misery to millions of people. Isn't it now the same situation? Still the Jewish vote in the US affect the policy of its presidents.

11. According to Tannous, p. 431. Dr. Burrows touched on a very important and sensitive task that the high purpose of the formation of the UN was to achieve international justice and not to be affected by any power. Many examples can be given from the past and today's disputes on which the UN acted as if to serve the interests of this superpower or that, and did not seem to act to achieve justice and to resolve disputes between nations serving its high purpose on which it was formed.

The debate, on the Plan of Partition with Economic Union in the General Assembly, started on November 26, 1947, and lasted for three days. In the debate, the UK reaffirmed its position that His Majesty's Government would not vote for or implement any resolution adopted by the General Assembly unless it was accepted by both, the Arabs and the Jews.

The Arabs were against the Partition Plan, Egypt emphasised that not the General Assembly was not the competent organ of the UN to decide the future of Palestine, but the International Court of Justice at the Hague.

Prince Faisal of Saudi Arabia stressed that "this day is the day of the UN. The UN will this day decide either justice or tyranny, either peace or war."¹² Syria and Lebanon denounced the Plan of Partition stating that this plan will not bring peace to Palestine.

Under the extraordinary pressure put on some member states by the US and after three days of the debate the Resolution 181 (II) (Appendix I) was adopted on November 29, 1947, by 33 votes against 13, with 9 abstentions. The Arab countries declared immediately that they would never recognise the Jewish State and in a protest to the Resolution they walked out of the General Assembly. The UK was among the abstention votes, the Arab countries, Turkey, Pakistan, Afghanistan, India, Cuba and Greece voted against the Resolution.

This voting on the Resolution of the Plan of Partition illustrated the dominance of the US over the UN, and illustrated also the unjust and unworkable decision given by the General Assembly to solve a dispute in a country where the overwhelming majority of the population were against this solution.

12. Tannous, p. 433.

PLAN OF PARTITION *

Resolution 181 (II), November 29, 1947 (Appendix II)

Plan of Partition with Economic Union

Part I

Future Constitution and Government of Palestine

Part II (Map 3)

A. The Arab State

B. The Jewish State

Part III (Map 4)

C. The City of Jerusalem

Corpus Separatum

The Plan of Partition based mainly on the establishment in Palestine of two states with economic union, one for the Arabs and the other for the Jews, and to put Jerusalem under international administration.

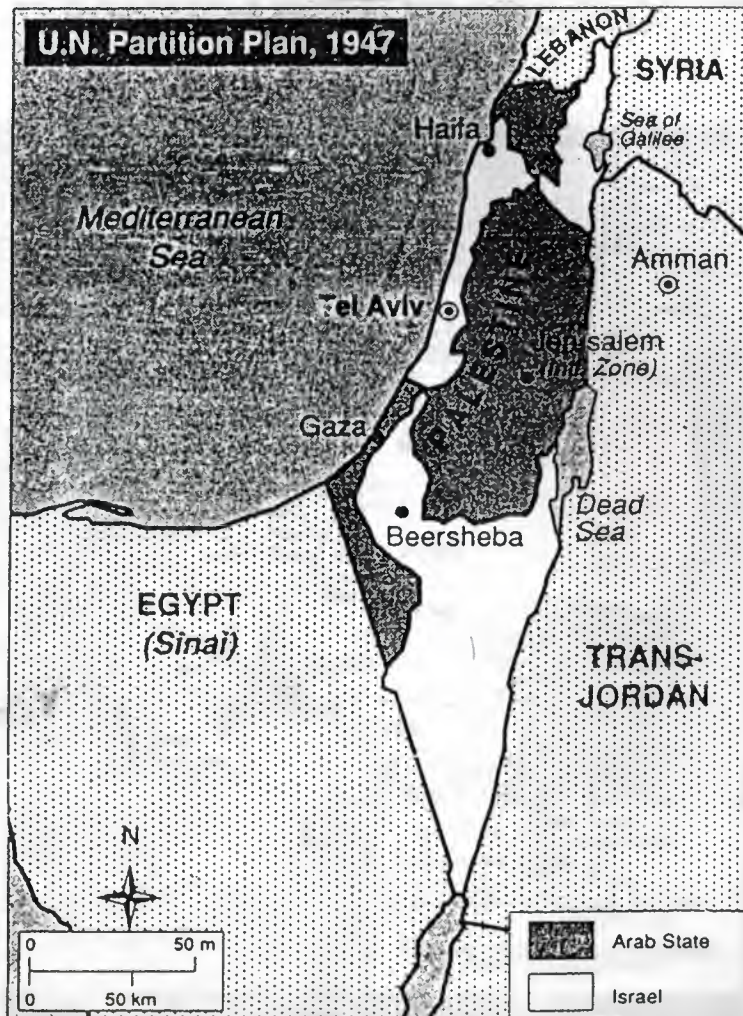
REACTIONS ON THE PARTITION

Many reasons caused the Arab Palestinians to reject this plan, and would need a separate work and investigation to clarify all these concrete reasons, but in this research it falls beyond the aim, instead only the most significant ones will be summarised. Some of these reasons may be listed as follows:

* In fact, the partition of Palestine was first suggested by the Royal Commission (Peel Commission) in 1936-1937, and when the British discovered its unworkability they quitted. After ten years, the Palestinians found themselves in front of a plan that was declared unworkable ten years before. Here it is important to justify the reasons for the Arab rejection of the Plan of Partition.



MAP 3
PLAN OF PARTITION



MAP 4

STATUS OF JERUSALEM



MAP NO 104 (W) UNITED NATIONS
NOVEMBER 1947

LV PRESENTATION 600 (W)

First, the indigenous Arab population constituted at the time of the partition more than 70 % of the whole population and owned more than 90 % of the land, but was assigned only 46 % of the land. On the other hand, the Jews who at the time of partition constituted less than 30 % of the population and owned less than 10 % of the land, were assigned 54 % of the land.

Second, the partition was arithmetically wrong because it did not take the figures and proportions of population and ownership of the land into consideration. Moreover, the Jewish State was to include the most fertile plane and the Mediterranean coast, while the Arab State was assigned mountainous and arid regions of Palestine.

Third, the UN did not have the jurisdiction to partition of countries and therefore, this resolution was illegal and unjust.

Finally, the Jewish State was to include 498,000 Jews and 497,000 Arabs, on which the state would be Jewish ruled and the one thousand difference in population made of the Arabs a minority.¹³

As a result of the Partition Plan Resolution 181 that was adopted in the General Assembly, also as a result of the termination of the British Mandatory, the last British troops withdrew from Palestine in May 1948 and immediately the Zionists proclaimed the state of Israel. The Arab armies came to protect the Palestinians but they entered only the parts of Palestine that were assigned to the Arab State according to the Plan of Partition, even the Arab countries rejected this plan! Finally a cease-fire was agreed in 1949, and by then Israel

13. These were the main factors that let the Arabs to reject the Plan of Partition. My opinion is that the rights of indigenous Arab population were totally ignored, and the resolution was illegal and unjust because it was in contradiction with the aim of mandatory and the concept of self-determination in the Charter of the UN. Although, the resolution was not just or legal, it was adopted under extraordinary Zionist pressure and the role played by President Truman and the American Senate, as was explained above.

had controlled about 77 % of Palestine (more than what was assigned to the Jewish State in the Partition Plan), and the rest of the country was under Arab control; Gaza Strip under Egyptian control, while the West Bank and East Jerusalem were under Jordanian control.¹⁴

RESOLUTIONS 242 AND 338 OF THE SC

In 1967 Israel launched a new attack on the Arabs, and succeeded to seize the West Bank and East Jerusalem from Jordan, Gaza Strip and the Sinai Peninsula from Egypt and the Golan Heights from Syria. Now all Palestine lay under the Israeli control (Map 5). The UNSC in the Resolution 242 (Appendix I) demanded Israel to withdraw to the 1949 cease-fire lines (Map 6).

Since the Resolution is the base of the Declaration of Principles signed between the PLO and Israel in 1993, it is important to study the resolution and the different interpretations.

The Resolution 242 that was sponsored by the UK and France was adopted in the Security Council on November 22, 1967, was accepted by Jordan, Egypt, Lebanon and Israel, and rejected by the PLO and Syria. The main principles of this resolution were:

- (i) Withdrawal of Israel armed forces from territories occupied in 1967;
- (ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognised boundaries, free from threats or acts of force.

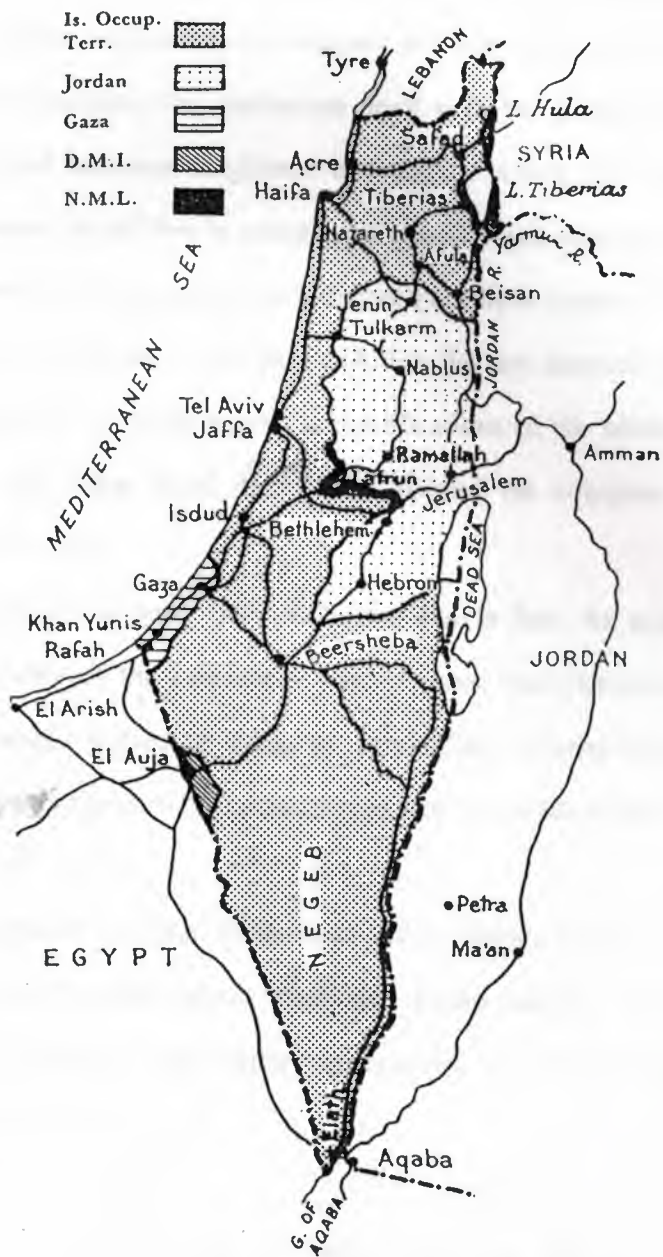
14. The Palestine Diary, p. 42.

MAP 5

PALESTINE AFTER 1967 WAR



MAP 6 CEASE-FIRE LINES 1949



Since its adoption in 1967 this resolution was all the time subjected to different arguments and different interpretations from all sides, and these differences might be the main reason for this resolution not to be implemented.

As to the Palestinians they rejected this resolution for two main reasons: First, the resolution talked about Palestinians as refugees and not as people who have rights to self-determination, and therefore, this resolution dealt with the Palestinian case as problem of refugees to be settled between neighbour countries. Second, the resolution indicated that every state in the area should live in peace within secure and recognised boundaries, but this did not anyway mean the Palestinians since they did not have a state.¹⁵

Moreover, Israel insisted that the resolution did not demand them to withdraw from all territories occupied, but it demands the modifications of the borders of 1949 with some arrangements. On the other hand, the Arabs insisted on complete withdrawal from all territories occupied in 1967.

Although, Israel accepted this resolution, but in fact, its arguments on it, and its different interpretations of the resolution was in some way rejection of it rather than an acceptance. The Israelis argued as stated by Abba Eban, Foreign Minister at the time, that "the central and primary concern of the resolution was not really withdrawal at all, but a "just and lasting peace". "¹⁶

Another argument was that, some or all the territories were not, in fact, occupied but were part of Israel as East Jerusalem. Israel also stated that the "annexation" of the West Bank by Jordan is the same as their military occupation, ignoring that this "annexation" was a union between the two nations.

15. Therefore, this resolution does not reflect even the minimum of the aims of the Palestinians to establish their state in their homeland.

16. Of course, this peace cannot be achieved with continuing occupation!

US AND RESOLUTION 242

Israel has been able to perform these "verbal acrobatics" in large part because of Washington's refusal to take a public position on its own interpretation of Resolution 242. Indeed the first (and only) time the US interpretation has received detailed, official, and public airing was late in 1969. On December 9, 1969, Secretary of State William Rogers, notably even-handed on the Arab-Israeli Conflict, remarked in an address that Resolution 242 "calls for withdrawal from occupied territories, the nonacquisition of territory by war, and recognised boundaries."

*"We believe that while recognised political boundaries must be established, and agreed upon by the parties, any changes in the pre-existing lines should be confined to insubstantial alternations required for mutual security. We do not support expansionism."*¹⁷

Other officials spoke out only when they become out of office. For instance, Dean Rusk, the Secretary of State who personally negotiated with King Hussein concerning the Resolution 242 and approved its passage, later wrote: "Resolution 242 never contemplated the movement of any significant territories to Israel." Similarly, Lord Caradon, author of the resolution, wrote in 1981, long after his retirement: "It was from the occupied territories that the Resolution called for withdrawal. The test was which territories were occupied. That was a test not possibly subject to doubt. As a matter of plain fact East Jerusalem, the West Bank, Gaza, the Golan and Sinai were occupied in the 1967 conflict, it was on withdrawal from occupied territories that the Resolution insisted."

17. Donald Neff, "The Clinton Administration and UN Resolution 242", *The Journal of Palestine Study*, vol. XXIII, 2, winter 1994, p. 26.

Even Henry Kissinger told the same story. In his memoirs, he wrote "Jordan's acquiescence in Resolution 242 had been obtained in 1967 by promise of our UN Ambassador Arthur Goldberg that under its terms we would work for the return of the West Bank to Jordan with minor boundary rectification that we were prepared to use our influence to obtain a role for Jordan in Jerusalem." 18

Despite such authoritative statements and the persuasive evidence of the 1978 State Department study on the meaning of Resolution 242, Israel and its supporters have maintained for well over a quarter century that the Resolution does not say, or does not mean, what was clearly written. Arthur Goldberg, an avowed Zionist, later went so far so to claim that he and other officials had never supported the idea of minor and reciprocal changes. 19

RESOLUTION 338

This Resolution aimed especially at the cease-fire of the 1973 war between Syria, Egypt on one side and Israel on the other. Also it called for the immediate implementation of the SC Resolution 242. The Resolution was adopted on October 21, 1973, and it reads:

The Security Council,

1. Calls upon all parties to the present fighting to cease all fighting and to terminate all military activities immediately, no later than 12 hours after the movement of the adoption of this decision, in the positions they now occupy.
2. Calls upon the parties concerned to start immediately after the cease-fire the implementation of Security Council Resolution 242 (1967) in all of its parts.

18. According to Neff, p.26.

19. It is clear now that actually there were no misunderstanding but misinterpretation by Israel and its supporters of the Resolution in an effort to justify the Israeli occupation.

3. Decides that, immediately and concurrently with the cease-fire, negotiations shall start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

Drafted and sponsored by USA and USSR jointly. Adopted unanimously (China abstained).

Accepted by Egypt, Syria, Israel.²⁰

Here it is worth to notice that Syria that rejected the Resolution 242 before, now by accepting this resolution, which aims at the implementation of 242, automatically has accepted 242 as well. Nevertheless, none of these two resolutions were implemented except for the cease-fire part.

PEACE INITIATIVES (1972-1993)

Since 1972 and until the Madrid Summit of 1991 all peace initiatives, introduced to the region to solve the Middle East Conflict, were subjected to rejection and refusal from all or one of the parties concerned. This was mainly because of several reasons: First, the ignorance of the rights of the Palestinian People to self-determination and independence (Reagan Peace Plan of 1982). Second, the Israeli opposition supported by the US to some of these initiatives because of no real intention to solve this problem (Breznev Plan of 1972). Third, unworkability of the initiative to solve the core of the Conflict (Camp David Agreement of 1979). And fourth, the wrong timing for conducting a peace initiative (Fez Peace Plan of 1982). We shall study and comment on some of the important initiatives that took place in this period.

20. The Palestinian Diary, p. 43.

BREZNEV PEACE PLAN

On September 16, 1972, the six points Middle East Peace Plan proposed by Soviet President Leonid I. Breznev at the Kremlin (Appendix II) was published by the official Tass News Agency:

*"As we are profoundly convinced, a just and lasting peace in the Middle East can and must be based on the following principles, which accord both with the general norms of international law and the specific decisions of the UN Security Council and General Assembly pertaining to that problem."*²¹

This plan put forwards two important ideas:

First, the withdrawal of Israel from all territories it occupied in the 1967 war including east Jerusalem.

Second, the establishment of an independent Palestinian state, and the recognition of safe borders of all states in the region including the Palestinian state.

The Soviets proposed this plan to have an active role in the Middle East politics by attracting the Arabs to their side. Because of strong opposition from Israel and the US²² this plan was never given the chance to survive.

CAMP DAVID

The Peace Treaty between Egypt and Israel was signed in Camp David in March 1979 under the sponsorship of the US. According to this treaty the (demilitarised) Sinai Peninsula was returned to Egypt in return for peace, diplomatic relations and normalisation of the relations between Egypt and Israel. There are two important sides of this treaty:

21. Halloum, p. 229.

22. Mainly because of their ignorance to the right of self-determination and statehood of the Palestinians.

First, it was the first peace treaty signed between Israel and an Arab country, (the largest and the strongest one) since the establishment of the Jewish State. Second, as for the Palestinians this treaty was a catastrophe since the aim of the Carter Administration was to deal with Palestine Question as a problem of refugees.

As for the Palestinian side of the treaty, the two sides (Egypt and Israel) were expected to try to set up an "Administration Council" for the autonomy of the West Bank and Gaza Strip, but the treaty never mentioned the settlements in these regions and never mentioned the possibility in the future of the establishment of a Palestinian state or the sovereignty of the Palestinian people over their homeland.

In his testimony before the House Subcommittee on Europe and the Middle East in June 12, 1978, Harold H. Saunders, the Assistant Secretary of State, outlined the US interests in the Middle East and the importance of these interests to achieve peace in the Middle East, and later in his testimony, Saunders said:

"In our view the future of the West Bank and Gaza lies in close association with Jordan and that an independent Palestinian state harbouring irredentism feeling in this truncated territory would not be a realistic or durable solution." ²³

Saunders put very clearly the policy of the US, toward the Question of Palestine and the Palestinians, is no more than a policy toward a problem of refugees to be settled between neighbour countries (Jordan, Syria, Egypt, Lebanon and Israel.)²⁴ This was mainly why the Camp David failed to match the essential needs of the Palestinian people and of course, failed to find a solution for the Palestine Question.

23. Edward W. Said, The Question of Palestine, p. 189.

24. Not a policy toward a people of inalienable right for self-determination and statehood.

Camp David was a good achievement for the Israelis who could eliminate the Arabs major power against them from the conflict, and finding a huge market that would consume most of their products. Also Camp David was an achievement for its architect Dr. Henry Kissinger who said, when he met King Faisal in Riyadh during his first visit to Saudi Arabia, *"I arranged détente with Russia. I opened the door to China. I brought the peace to the Middle East. I hate failure. I have never failed. I shall not fail."* 25

Three years after his statement to King Faisal, Anwar al-Sadat endeavoured to go it alone, and prove, with the blessings of the new Carter Administration, that his mentor Henry, had made no empty boast. Kissinger succeeded in his "step-by-step" policy to divide the Middle East Conflict and open the way to separate negotiations between Israel and the Arab countries. Sadat was influenced by Kissinger, and he did not pay any attention to the main Arab cause, all he wanted was to share Israel a good view in the West especially in the US, and to share her aids and Western support and open his country economically and politically. 26

25. According to Alfred M. Lilienthal, *The Zionist Connection*, p. 678.

26. Unfortunately, instead of improving the economical situation in his country, Sadat paved the way for the West, especially the US, to destroy the domestic industry and productivity, and the Egyptians become increasingly more poor because of the heavy loans their country was under. I have been told by an Egyptian diplomat in Ankara, whom I met in 1986, that the Western policy in Egypt worked on weakening the domestic industry and agricultural productivity by making the government instead of supporting the local products to import from outside on the bases that it would cost less. By doing this the local industry and agriculture would never improve.

Moreover, "according to the Carter Administration, Edward Said writes, the highest priority was reserved for setting up military convergence favourable to the US and optimally unfavourable to the radicals, the nationalists, the popular movements, that saw things differently. The net result, Said adds, is that for their compliance, Egypt and Israel have become completely dependent clients of the US arms industry." ²⁷

VENICE DECLARATION

In an initiative to solve the Palestine Question the European Council issued a declaration on the Middle East (Appendix II) in Venice on June 13, 1980. The Declaration started:

"The nine members of the EEC consider that the traditional ties which link Europe to the Middle East oblige them to play a special role and work in a more concrete way towards peace." "The nine countries base themselves on Security Council Resolutions 242 and 338, as well as, on the speech made on their behalf by the Irish Foreign Minister on September 25, 1979 at the 34th UN General Assembly."²⁸

The Declaration advocated two principles universally accepted by the international community:

- (i) The right to existence and to security of all states in the region, including Israel; and,
- (ii) Justice for all the peoples, which implies recognition of the legitimate rights of the Palestinian people. All the countries in the area are entitled to live in peace within secure recognised and guaranteed borders.

27. Said, p. 190.

28. The Palestine Diary, p. 46.

The Venice Declaration included also the following:

"A just solution must finally be found to the Palestinian problem, which is not simply one of refugees. The Palestinian people, which is conscious of existing as such, must be placed in a position, by an appropriate process defined within the framework of the comprehensive settlement to exercise fully its right to self-determination."²⁹

So far, from the Palestinian point of view, since the beginning of the Palestine Question this initiative was the most reasonable initiative to solve this question. Although, there was no mentioning of an independent Palestinian state, but it was the first time that an initiative on this scale recognised the right of self-determination of the Palestinians, and defined the Israeli settlements as "illegal" and as an "obstacle" in the way of finding a solution to the Middle East Conflict. Furthermore, to declare that the status of Jerusalem would not be allowed to be subjected to any changes, which means that East Jerusalem should be returned to the Arab Palestinians.

Again, because of Israeli rejection to this initiative supported by the US, this initiative also did not have a chance to survive.

29. The Palestine Diary, p. 46.

REAGAN PEACE PLAN

The Israeli invasion of Lebanon in 1982, in which the PLO fighters together with the Lebanese National Resistance Movement had to face the most modern army in the region and the most sophisticated war machines and technology for more than eighty days in the longest Arab-Israeli war, aimed at the destruction of the PLO military power to weaken the position of the PLO as the representative against increasing support of the world to the Palestine question. Also, the invasion was to protect the settlements, in the northern part of the occupied territories, from guerrilla attacks of both Palestinians and Lebanese.³⁰

As a result of this invasion the PLO fighters together with the leaders were evacuated from Beirut in August 1982, thus losing a stronghold and ending twelve years of armed struggle against Israel from Lebanon.

In September 1, 1982 Ronald Reagan, in a televised address to the American people and to the World announced his Peace Plan (Appendix II) toward a solution to the Middle East Conflict. In his Plan Reagan stated that the root causes of the Arab-Israeli Conflict could be resolved after the war in Lebanon, he said:

"... The war in Lebanon has demonstrated many things, but two consequences are key to the peace process:

First, the military losses of the PLO have not dimensioned the yearning of the Palestinian people for a just solution to their claims; and second, while Israel's military successes in Lebanon have demonstrated that its armed forces are second to none in the region, they alone cannot bring just and lasting peace to Israel and her neighbours."³¹

Israel claims that the aim was to prevent the attacks from South Lebanon to North Israel.

Halloum, p. 227.

The Reagan Peace Plan can be summarised in the following:

1. The Peace Plan based on the Camp David Agreement.
2. A five-years transition period to transfer the authorities to the Palestinians.
3. This transfer of authorities should not interfere with Israel's security requirements.
4. The US is not in the favour of a divided Jerusalem.
5. Freezing of the settlements during the transition period.
6. The US does support and does not see a permanent solution by the establishment of a Palestinian state. Furthermore, US does not support permanent Israeli control of the West Bank and Gaza.
7. The best solution is a Palestinian self-government in association with Jordan.³²

Now, as the PLO was defeated in Lebanon loosing its military power, evacuated from Beirut, thus loosing its stronghold in Lebanon, it was the best time for further weaken the PLO position and try to eliminate its function as the representative of the Palestinian people, Reagan introduced his peace plan without giving any role to the PLO.

Moreover, President Reagan put out very clearly that the US will not allow the establishment of an independent Palestinian state, which is an open contradiction to the right of self-determination of people stated in the Charter of the UN. Consequently, according to the peace plan, that was basically a modified Camp David, -in which we explained before how the Camp David was unable to solve the Palestinian Question- the Palestinians would have autonomy which enable them to run their daily life affairs but would never have sovereignty over their homeland.

Another factor that shows us how unworkable this Plan was, is the status of the settlements in the West Bank and Gaza. According to the plan, only freezing of the

32. Halloum, p. 228.

settlements were suggested without mentioning whether these settlements would be dismantled as happened in Sinai, or would remain as an obstacle in front of peace.

Finally, the final status of Jerusalem was said to be discussed through negotiations, but also Reagan stated that the US didn't want a divided Jerusalem which means that the sovereignty of the Holy City would remain in Israeli hands.³³ So what important thing other than sovereignty would be discussed.

FEZ PEACE PLAN

After the Israeli invasion to Lebanon in 1982, and only few days after the announcement of Reagan's Peace Plan, the Arab League met in Fez-Morocco to deal with the situation emerged after the invasion and the Reagan Plan. The Arab Summit declared a resolution to solve the Arab-Israeli Conflict. This eight points plan demands the followings:

1. The Israeli withdrawal from the Arab territories occupied in 1967 including Jerusalem.
2. Dismantling the settlements which have been established in the territories occupied in 1967.
3. Insuring the free practice of religious rituals for all three religions in the Sacred Places.
4. Emphasising the Palestinian people's right to self-determination and national rights under the leadership of the PLO, the sole legitimate representative of the Palestinian people.
5. The West Bank and Gaza Strip should be under the Patronage of the UN for not more than six months time.
6. Establishing the independent Palestinian State with Jerusalem being the capital.

33. Halloum, pp. 227-229.

7. The UNSC should guarantee peace for all countries in the area, the Independent Palestinian State included.

8. The UNSC has to guarantee the implementations of the above mentioned Resolutions.³⁴

The Fez Plan was a reasonable plan to resolve the Arab-Israeli Conflict, but it came at a wrong time because:

First, only few days after the declaration of Reagan Plan in which the President of the US stated very clearly that they were against the establishment of an independent Palestinian state, and the Arabs knew very well that without agreement or support of the US no success would be achieved in any effort to solve this conflict.

Second, with the PLO military power eliminated after the invasion, and Israel was the victorious side, how would the Arabs force Israel to accept the dismantling of settlements and the establishment of an independent Palestinian state. Would the UN (who never in the history of this conflict forced Israel to implement any resolution) now force Israel to accept or to implement the Resolutions of an Arab Summit? Of course this was not possible.

The Fez Plan, I think, was nothing but to honour the PLO after its heroic fighting against Israel in Lebanon, to please the Arab public opinion, especially in the occupied territories, feeling guilty because they left the PLO fighting alone in Lebanon, and to assure that there will be no violent actions in their countries as a protest to what had happened in Lebanon.

34. Halloum, p.215.

GAZA-JERICHO-FIRST

With the Gulf War at an end in February 1991, the US followed an accelerated diplomacy toward a resolution of the Arab-Israeli Conflict. James Baker, Secretary of State, spent more time shuttling among Middle East capitals, than any American secretary of state since Henry Kissinger (eight trips in 1991 alone) as the US brought Arabs and Israelis around a table for a historic meeting at the Madrid conference in October 30, 1991.

James Baker was the first American high-level official to negotiate directly with the Palestinians, however, the events leading to suspension of the US-PLO dialogue in June 1990 might have been avoided had James Baker better read the signs. Had he recognised that Shamir could not be moved without arm-twisting; had he realised that much of Israel outside Shamir's circle was ready for compromise if the US appeared serious; had he recognised the growing desperation among Palestinians, the peace process might have moved along somewhat more rapidly. He lost more than a year or two on the calendar and missed more than an opportunity. Baker concentrated so much on the process of policy-making because of his wariness about making a political mistake.³⁵

According to Kathleen Christison "any assessment of James Baker's accomplishments in the Palestinian-Israeli arena must be mixed. On the one hand, his achievement in bringing all parties to the conflict together in a comprehensive peace conference for the first time since Israel's creation was a major break-through. On the other hand, his accomplishments are diminished by a failure of vision and an imperfect understanding of both Arabs and Israelis." "Baker's unsympathetic view of Israel did not translate to sympathy for the Palestinians."³⁶

35 & 36. Kathleen Christison, "Splitting The Difference: The Palestinian-Israeli Policy of James Baker", *Journal of Palestine Studies* XXIV, no. 1 (Autumn 1994), pp. 39-50. Kathleen Christison is a Middle East political analyst and writes on Palestinian issues.

Since the Madrid conference in 1991, more than eleven meetings were held between the Arabs and Israelis besides secret meetings between PLO and Israel until the seventeen articles Declaration of Principles Accord - Gaza-Jericho-First - was signed in the White House in Washington DC. on September 13, 1993 by Yaser Arafat on the behalf of the Palestinians and Yitzhak Rabin on the behalf of the State of Israel.

The process formally began when the PLO and Israel recognised each other. It took them days of dickering. Finally, Arafat sent Rabin a letter recognising Israel's right to exist, renouncing violence and declaring "inoperative and no longer valid" parts of the 1964 Palestinian National Covenant that call for the destruction of Israel. In a separate letter to the Norwegian intermediary, Johan Joergen Holst, Arafat advocated "the normalisation of life" in the occupied territories (in effect calling off the Intifada).

Appearing before the reporters, Rabin read Arafat's letter impassively and sent back a cold terse reply recognising the PLO and agreeing to negotiate with it. Rabin erased the word "sincerely" above his signature.³⁷

Here are some important parts of both letters:

"Mr. Prime Minister...

The PLO recognises the right of the State of Israel to exist in peace and security...renounces the use of terrorism and other acts of violence..."

Yasir Arafat

³⁷. Facts on File, Vol. 53, No. 2755, September 16, 1993, p. 678.

"Mr. Chairman...

The Government of Israel has decided to recognise the PLO as the representative of the Palestinian people..."

Yitzhak Rabin³⁸

In return for this announcement, Israel declared its recognition of the PLO as the representative of the Palestinian people, but did not recognise the right of the Palestinian people to self-determination. So is it worth to put down the struggle of the Palestinian people in return for this recognition?

This simply shows that a great pressure was applied on Arafat to enter the peace process, which, I believe, is a "forced peace". The Agreement specifies that within six months, plan will be made to withdraw Israeli occupation forces from Palestinian population centres in Gaza Strip and the small West Bank city of Jericho. Then after another four months, elections are to be held, and Palestinian autonomy should be extended across the West Bank.

This Agreement will be discussed in details in the next chapter.

38. Newsweek, September 20, 1993, p. 8-9. Definitely, this is not the case, because the struggle against the occupiers is honourable fighting but killing innocent people by the occupiers is rather a shape of State Terrorism.

39. Rafael Moses M.D., "Violent Behaviour: A view from Israel", *Mind & Human Interaction*, vol. 4, no. 3, August 1993, p. 135.

CHAPTER V

THE PEACE PROCESS

As we have mentioned before, the Palestine Question that constitutes the core of the Arab-Israeli Conflict goes back to the First Zionist Congress of 1898 when the Zionist Organisation decided that the "national home" of the World Jews should be established in Palestine, and the "foundation stone", of one of the most complicated problems in this century, was laid with the Balfour Declaration of 1917, a promise given by the British Government to the Zionist Organisation. This problem took the priority in the agenda of all Arab countries' meetings, and came to the international platform in 1947 when it was first brought before the UN by the Government of the UK to find a solution for this problem.

For about fifty years now, the Palestine Question constituted an important task in almost every regional and international platform, numerous initiatives and resolutions were introduced to solve this complicated conflict but without any real fruit. The main reason for not finding a solution for more than forty-five years was the rejection of Israel supported by the US to all these resolutions and to recognise the right of self-determination of the Palestinian people. Finally, with the Gulf War at an end in 1991, the American administration launched the Peace Process to settle the Arab-Israeli Conflict and with Israel accepting to negotiate with the PLO and with the PLO recognising Israel's right to exist in peace, the Declaration of Principles - Gaza-Jericho-First - agreement was signed between the PLO and Israel in Washington DC. in 1993. Now, what were the circumstances that led to such an agreement, after more than forty-five years of conflict and continuous state of war.

There should be some new situations that led to the current changes in the policies of all sides. Since the Palestine Question is our concern in this study, so let us have a look at the circumstances that led to such changes.

THE US POSITION

The "New World Order" was first introduced by Presidents Gorbachev and Bush based on two main principles: equal rights of all nations and rejection of aggression by any country against another. These principles should apply for all nations of the World and any case of disputes. After the strong action against Iraq in the Gulf Crisis, under the leadership of the US, the Americans found themselves in front of hard criticism from their allies and the whole world with Israel still occupying lands of three Arab countries and no measure of enforcement was taken against the Jewish State to end its occupation. So, the US wanted to prove that the New World Order, which they introduced, will apply as well to the Arab-Israeli Conflict. Besides, Israel has become a heavy load on the US' shoulders both politically and economically, therefore, they decided that it is the right time to launch the peace process.¹

THE PLO POSITION

As for the Palestinians, the PLO found itself isolated with no real function or effect after the Gulf War, because the support they gave to Saddam Hussein was too much exaggerated by the Western media, (their support was only by linking the situation of occupying Kuwait and the occupation of Israel to Arab lands). Also, with more than 400,000 Palestinians forced out of the Gulf countries (after more than forty years of working and helping in the development of these countries which brought the problem of unemployment to a maximum in both the occupied territories and in Jordan, where the majority of the Palestinians live), and with the social and economic situations of the Palestinians inside the occupied territories, facing killing and torture from the occupation forces, were getting worse, and because Arafat thought, under these conditions, that he had no choice either he

Moreover, the peace process is a good material to use inside the US for the elections.

will enter the peace process or the PLO will have no role to play, he decided to participate in this process under the conditions implied on him.

THE ISRAELI POSITION

With increasing pressure from the world community, especially, from the US to end the state of war between Israel and its Arab neighbours, and with the Intifada continuing, which represents the increasing resistance of the Palestinians, and the emerge of Hamas and Islamic Jihad groups which gather support of quite large part of the Palestinians and call for Islamic war against the Jews and the destruction of their state, Israel decided to negotiate with the PLO and to enter the peace process. Another factor that led to the participation of Israel in the peace process, was that on the long run they want to enter to the huge market of Arab and Islamic countries that they couldn't enter before to export their products and technology.

THE PEACE PROCESS

The Peace Process in the Middle East started in Madrid in October 1991, continued throughout 1992. The talks attended by Palestinian-Jordanian, Lebanese, Syrian and Israeli delegations, were divided into bilateral and multilateral rounds. At the bilateral rounds, held in the US State Department buildings in Washington, separate Israeli teams held talks with the four Arab delegations. By the end of the year no real progress had been made at any of the bilateral rounds and commentators were generally pessimistic about the future of the peace process. The outlook of Middle Eastern analysis had been noticeably different midway through the year. The defeat of Yitzhak Shamir's hard-line Likud government, at the hands of Yitzhak Rabin's Labour Party in Israel's June general election, had injected fresh sense of optimism into the flagging peace process.

Labour party achieved victory after promising to offer Palestinians "autonomy" and to freeze settlement building activity in the "occupied territories" (Licud's determination to press ahead with settlement building, despite the strong public disapproval of the US government, had proved to be a major obstacle to progress at Washington bilaterals). However, within a few months, the optimism engendered by the Labour victory had faded. The defeat of the US President George Bush in November elections was regarded, particularly by the Arabs, as a blow to the peace process. Bush and his former Secretary of State James Baker were widely credited with having brought Israel and its Arab neighbours to the negotiating table and with having maintained the momentum of the process. With Clinton regarded as pro-Israel, his victory in the elections cast an air of uncertainty over the negotiations.

A more serious threat to the future of the peace process occurred when Israel ordered the mass expulsion of over 400 Palestinians in December 1992, all alleged to be sympathisers of the Hamas group, from the occupied territories. Israel had taken the action, in response to the killing of five security personnel by Hamas. The Israeli action provoked widespread international criticism, heightened by the Lebanese government's refusal to allow deportees to enter Lebanon proper (a position arrived at co-ordination with the PLO). The four Arab delegations withdrew from the Washington bilateral negotiations in protest at the deportations. However, when the negotiations started again in April the deportees were still in Lebanon.²

GAZA-JERICHO-FIRST

After 11 rounds of bilateral negotiations in Washington, and after several months of secret talks between the PLO officials and Israel, sponsored by the Norwegian government in Oslo and Tunisia, the Declaration of Principles (Appendix II) was signed in Washington in

Keesing's Record of World Events, September 1993, p. R143.

September 13, 1993. This declaration set out the principles that are to govern Israel-Palestinian relations for an interim period of five years, until the implementation of a permanent status agreement. The Accord provided an Israeli withdrawal from the Gaza Strip and the West Bank town of Jericho (Map 7), the transfer of authority in the two areas, from Israel to the Palestinians, and a lesser degree of self-rule in the rest of the West Bank.³

Announcement of the Agreement

On August 30, 1993 Israeli Foreign Minister Shimon Peres announced a preliminary accord on Palestinian self-rule in occupied territories, reached in secret talks in Norway and Tunisia between the PLO and the Israeli government. The accord was finalised at secret meeting in Oslo-Norway between Shimon Peres, Mahmoud Abbas (Abu Mazin), a member of the Executive Committee of the PLO, and Johan Joergen Holst, the late Norwegian Foreign Minister. During 1993 Holst, Peres, Abbas and other PLO officials including Abu Ala (Economy "Minister" of the PLO), had held numerous secret meetings in Norway, Tunisia (President Zine al-Abidin Ben Ali apparently being the only Arab leader aware of the secret talks) and other undisclosed European locations. The meetings had run parallel to the four-track Middle East peace talks that had begun in Madrid in November 1991, but which had remained in a state of deadlock during nine subsequent rounds. News of the agreement completely overshadowed the 11th round of peace talks, which took place in Washington during the first two weeks of September; no progress was reported at the talks.⁴

3. Watson, Russel and Bartholet, Jeffery, "They've Got a Deal," Newsweek, Sept. 20, 1993, pp. 8-13.

4. Facts on File, Vol. 53, No. 2753, Sept. 2, 1993, pp. 645-677.

MAP 7

GAZA-JERICHO-FIRST



Mutual Recognition

On September 10 the PLO and Israel exchanged letters formally recognising each other. The terms of mutual recognition were agreed after last-minute talks between PLO, Israeli and Norwegian officials in Paris on Sept. 8.

In his letter to Israeli Prime Minister Yitzhak Rabin, Arafat confirmed the following PLO commitments:

- (i) recognition of the right of Israel to exist in peace and security;
- (ii) acceptance of UN Security Council Resolutions 242 (1967) and 338 (1973);
- (iii) the resolution of issues related to "permanent status" through negotiation;
- (iv) renunciation of terrorism and assumption of responsibility for "all PLO elements and personnel in order to assure their compliance"; and
- (v) agreement to amend those articles of the Palestinian Covenant (the PLO founding charter) which denied Israel's right to exist.

In a second letter to Holst, Arafat confirmed that after the signing of the Accord, he would "encourage" Palestinians in the occupied territories "to take part in the steps leading to the normalisation of life". This was a clear commitment by Arafat to call a halt to the Intifada.

As was mentioned before, in his letter to Arafat, Rabin said that the government of Israel "decided to recognise the PLO as the representative of the Palestinian people and to begin negotiations with the PLO within the Middle East peace process."

After exchanging letters of mutual recognition, the PLO-Israeli agreement, officially entitled a Declaration of Principles (DOP), was signed in Washington on September 13, 1993 by Mahmoud Abbas, on the behalf of the PLO, and Shimon Peres, on the behalf of the Israeli government, in front of 3000 guests in the White House.⁵

5. Keesing's Record of World Events, Sept. 1993, pp. 39658-39662.

Outlines of the Accord

The self-rule accord provided for the establishment of interim Palestinian self-government, first in the Gaza Strip and the West Bank town of Jericho and later in the rest of the West Bank (excluding Jewish settlements). Internationally supervised elections for an interim Palestinian council to administer limited Palestinian self-rule would be held in the occupied territories, including Jerusalem (the part of Jerusalem occupied in 1967), within nine months after the formal signing of the accord.

The council would have some legislative authority, and taxation, health, education, welfare, culture, tourism and the establishment of a police force would devolve to Palestinian control. The Israeli military would retain authority for overall security, although its forces would be pulled back from Palestinian population centres, and it would supervise all border crossings.

Negotiations on sensitive issues of the final status of Jerusalem and the rights of Palestinian refugees and Jewish settlers were to be taken up when talks convened on permanent arrangements for the occupied Palestinian territories. Such talks were scheduled to begin no later than two years after the signing of the self-rule accord. The interim council would cease to exist at the end of the transitional period, which was last no longer than five years. The accord also reaffirmed that the Israeli-Palestinian negotiations sought to achieve "a permanent settlement based on UN Security Council Resolutions 242 and 338" that had called for the exchange of captured land for peace.⁶

Reactions on the Accord

The reaction to the accord was mixed among Palestinians inside the occupied territories. Although thousands of people in East Jerusalem, Gaza Strip, Jericho and other

6. Facts on File, Vol. 53, No. 2755, Sept. 16, 1993, pp. 677-685.

West Bank towns filled the streets and squares in festive to salute the accord that they hoped would lead to statehood, the majority of the Palestinians were against the accord (The PLO factions other than Fatah had opposed the accord together with Hamas, and Islamic Jihad groups). The residents of Palestinian refugee camps in Jordan, Syria and Lebanon also protested the accord. The Palestinian refugees who in 1948 had fled their homes in what was now Israel had felt betrayed by the accord, it was reported Sept. 10.⁷ because it fall too short to meet their demands of self-determination and statehood. Even the senior PLO officials like Farouk Kaddoumi (PLO's "Foreign Minister"), who should be the counterpart of Shimon Peres protested the accord and didn't go to Washington to sign instead of Mahmoud Abbas, Khalid and Hani al-Hasan (cofounders of Fatah) also protested the accord. All the Palestinians living in the refugee camps in Jordan, Syria and Lebanon demonstrated against the accord. Roughly, the supporters of the accord among Palestinians were not more than 40%.

The reaction in Israel was approximately the same as that of the Palestinians. In the West Bank settlers demonstrated against the accord and asked for general disobedience, while a poll published Sept. 11 in the newspaper Yediot Ahronot indicated that 57% of Israelis approved of the self-rule agreement while 41% opposed the plan. However, the poll also showed that 68% of Israelis believed that the accord should be submitted to a referendum, a proposal favoured by the opposition Likud party, Yitzhak Shamir had announced that "if borders is going to be changed then the people should be asked".⁸

7. Facts On File, Sept. 16, 1993, p. 684. It was only the supporters of Fatah who supported the accord, and not even all of them. This means that the majority of the Palestinians were against the accord.

8. Abu-Amr, Ziad, "The View From Palestine: In the wake of the agreement", *Journal of Palestine Studies*, Vol. XXIII, No. 2 Winter 1994, pp. 75-83.

The Arab countries supported the accord. Jordan was the first to endorse the plan - Sept. 4, Oman, Saudi Arabia and the four other members of the Gulf Co-operation Council, Kuwait, Qatar, United Arab Emirates and Bahrain- Sept. 5, had agreed to support the PLO-Israeli plan in the context of a "just, lasting and comprehensive peace settlement."⁹

The PLO had enjoyed the continual backing of Egypt, which had been involved in shaping the text of the draft accord, it was reported Sept. 7. Algeria Sept. 8 endorsed the plan. Syria Sept. 5 withheld formal endorsement of the plan but said that it honoured the Palestinians' right to decide their own future. Tunisia also backed the accord, while Iraq, Libya and Sudan opposed it, it was reported Sept. 9.

In some of the Agreed Minutes, to the DOP on Interim self-government Arrangement, the followings were agreed upon:

1. The jurisdiction of the elected Council in the West Bank and Gaza Strip was not to include Jerusalem, settlements, military areas and Israelis.
2. Subsequent to the Israeli withdrawal from these territories, Israel will continue to be responsible for the external security, and for the internal security and public order of settlements and Israelis. Israel military forces and civilians may continue to use roads freely within the Gaza Strip and the Jericho area.

In the Fall 1995, the PLO and the Israeli Government signed an agreement on which they fixed a timetable for the re deployment of the Israeli Forces in the cities of Jenin, Nablus, Tulkarem, Kalkilya, Ramallah and Bethlehem, also from 450 towns and villages in the West Bank, which leaves almost no Israeli Forces in the Palestinian population centers according to the DOP accord. By the end of December 1995 The re deployment of Israeli Forces in the West Bank was completed (except special arrangements for the city of Hebron). After the

9. Facts On File, Sept. 16, 1993, p. 684.

conclusion of the re deployment a date was assigned for the elections of the Council and the head of the Excessive Authority of the Council (i.e. January 20, 1996), with approximately eighteen months of delay from the assigned date in the DOP accord.¹⁰

Here it is important to notice that even the Israeli Forces do not exist anymore in the population areas, but practically, occupation will not come to an end as far as their will be settlements and Israelis, since the Israeli armed forces will be free to use the roads in Gaza and the West Bank area. Therefore, they will possibly be roaming around all the time, and since they are responsible of the public order and security of the settlers and Israelis then they would arrest Palestinians or take any other measure claiming that it is essential for their security and it is difficult to interfere because of such a right given above. A good example of this was a statement of Shimon Peres, after Islamic Jihad killed three Israeli soldiers in a revenge attack for Israel killing one of their leaders in Gaza, Peres said: "Nothing prevents us from carrying out military operations against Hamas and Islamic Jihad members in Gaza." The message to Arafat was clear; either you get tough or we will do the job for you. Recently they arrested more than 2000 Palestinians accusing them of being members of these groups, and this will continue no doubt because they have been given a free hand in this aspect.

All these doubts about the credibility of Israel whether they want to withdraw completely from the West Bank and empty the settlements will be better understood when the permanent status negotiations, that should start no later than May 1996 (according to the DOP Accord ¹¹), come to an end.

10 &11. Israel Information Service Gophar, Information Division-Israel Foreign Ministry-Jerusalem.

CONCLUSION

When the Peace Process was launched at the Madrid Summit in October 1991 the eye of the peoples of the World and especially the peoples of the Middle East turned to the Summit with great hope for a just and a lasting peace in the region. Especially, after the strong action against Iraq in the Gulf Crisis, led by the US, and after the emergence of the so-called New World Order, people in the Middle East thought that the US would not act with double standard and the prolonged Israeli occupation would come at an end.

The Palestinian people, were looking forward the historical meeting of the Arabs and Israelis with much more hope to end their misery. Also the Israelis suffered from the continuous state of war. Rabin, in his speech in front of the audience in the ceremony of signing the DOP Accord in the White House, mentioned the sufferings of the Israelis, while Arafat did mentioned nothing of the sufferings of his people in his speech in the ceremony. This was surprising, because I think that all pains and sufferings because of this conflict should not be forgotten, not for the sake of war but for the sake of making peace, a just and a durable peace.

Indeed the Madrid Conference was historic, it brought the Arabs and the Israelis face-to-face around the negotiating table, after more than forty years of continuous state of war, to bring about peace, and paved the way to the agreement signed in Washington in September 1993 between the PLO and Israel.

This Agreement was an achievement in the way of a solution to the Palestine Question. In this agreement for the first time the Israelis officially recognised the Palestinian people and their political and legitimate rights, and the Israeli recognition of the PLO, which signed the agreement on behalf of the Palestinians, was a recognition of the political character of the Palestinian people and the agreement also gave the Palestinians the opportunity to actualise the idea of a "Palestinian entity."

The agreement stipulated the withdrawal of Israeli forces from Gaza Strip and Jericho after twenty-six years of occupation and this seemed to put an end to the ideological claims that the West Bank and Gaza Strip are parts of "Eretz Yisrael" the Land of Israel, and it treats the West Bank and Gaza Strip as one territorial unit. The agreement indicates the international supervision of the elections of the Palestinian Council during the interim period that emphasised that the Palestinian issue is an international rather than being an internal Israeli concern.

All these factors made the DOP Agreement a significant one. On the other hand, it had some "negative sides" that made it unsatisfactory to the majority of the Palestinians. These "negative sides" could be summarised as follows:

First, It is not a peace treaty but a declaration of principles, and therefore it is open to multiple interpretations. Almost every item in the agreement needs negotiation with Israel.

Second, The Agreement failed to address Israel as an occupied power and to imply recognition of the existence of two separate entities in Palestine, which in a way or another gives legitimacy to Israel having altered the status of the territories occupied in 1967.

Third, The Agreement postponed the major topics like the status of Jerusalem, the settlements and the refugees to the final-status negotiations. It excluded Jerusalem from the jurisdiction of the Council to be elected thus, no guarantees were given that Israel will not alter the status of Jerusalem during the interim period, similarly it did not mention the halting of the settlement activities during the interim period.

Fourth, The Agreement did not mention the right of the Palestinian people to self-determination, which enables Israel to reject any attempt to establish an independent Palestinian state.

Fifth, we can raise questions about the credibility of Israel towards the agreement, because Rabin stated later in 1993 that "No dates in the agreement are sacred" for Israel; the partial withdrawal from Gaza Strip and Jericho was delayed, the elections were to be held

not later than July 13, 1994, but instead the elections will be held on January 20, 1996 (i.e. after 18 months) and the last date to complete withdrawal was supposed to be on July 1, 1995 but that also delayed about six months. Therefore, we may ask why the whole agreement would become sacred for Israel?

Finally, the Agreement indicates that the ultimate solution is based on UNSC Resolution 242 and 338, in which many think that this is a good achievement that Israel recognised these Resolutions "on the bases of their interpretation", and this would bring about peace.

In fact, these Resolutions alone would not solve the problem, because Resolution 242, involves two main ideas :

- (i) Withdrawal of Israeli forces from territories occupied in 1967, and
- (ii) Sovereignty, territorial integrity and political independence of every state in the region and their right to live in peace within secure boundaries.

Resolution 338, involves two main ideas:

- (i) Immediate implementation of UNSC Resolution 242, and
- (ii) Immediate negotiations between all parties after the cease-fire to establish a just and lasting peace in the Middle East.

Both Resolutions considered the conflict between the existing states and failed to mention the right of the Palestinian people to self-determination and statehood. So, if these rights are not recognised by Israel then these Resolutions can not be the bases for a just and durable solution, because the Palestine Question is not a problem of refugees.

As Professor Eugene V. Rostow, one of the framers of UN Resolution 242 and a former under-secretary of state in the Johnson administration, stresses the idea that the notion of a Palestinian state was specifically addressed and rejected by the framers of

Resolution 242, which promises Israel "secure and recognised boundaries."¹²

Moreover, the agreement was not approved by any constitutional legitimate Palestinian body, even Arafat was unable to convene the Palestine National Council (PNC) which shows that the majority of the Palestinians were against the agreement and Arafat took the decision alone without support from his people. While in Israel, the Knesset endorsed the agreement on September 23, 1993. So, if the majority is against the agreement then no body can implement it on the people by force.

Edward Said wrote in an article in Al-Ahram (an Egyptian weekly newspaper) the following:

*"Our two assets are the capacity to speak out, and to organise courageously in resistance: these served us well in the Intifada." "They must be marshalled in as widespread a way as possible so that Arafat and the Israelis, who have invested so unwisely in him, realise that the real future for two people in one land must be a different, more equitable and just one."*¹³

Indeed, the peace process should continue, but in order to achieve a just and comprehensive peace in the region, both the Palestinians and Israelis should have equal rights to existence in peace and self-determination.

On the Israeli side, the main opposition to the peace process is represented by the conservative attitudes of some circles inside Israel and the people in the settlements. They consider the signed DOP Accord with the Palestinians as a failure of Israeli leaders because they are giving "Yertz Israel", the Land of Israel, to the Palestinians, and therefore, they said,

Herbert M. Levine, *World Politics Debated*, p. 164.

Edward Said, "Two Peoples in One Land", *Al-Ahram* 22-28 December 1994. p. 13.

that will lead to the creation of the Palestinian state of which they consider as a great danger to the State of Israel.¹⁴

These attitudes were so strong that they led to the assassination of Isaac Rabin, in a peace rally in Tel Aviv, late in November 1995, the first Israeli leader to be killed by a Jew. Although this important event did not prevent Israel from continuing the peace process, but it demonstrates an important fact, that is the opposition to the peace process is of a considerable weight not only among the Palestinians, but also among the Israelis as well.

Rafael Moses and Rena Moses-Hrushovski, "The PLO-Israeli Handshake : A view from Israel", *Mind & Human Interaction*, vol. 5, no. 2, May 1994, p. 45-50.

Three main obstacles stand in front of a just and lasting peace in the Middle East, on which this agreement failed to handle. These are:

- (i) The right of the Palestinian people to self-determination and statehood,
- (ii) The status of Jerusalem, and
- (iii) The settlements.

Let us consider these three concepts and try to analyse and comment very briefly on them, in order to be able to answer the questions raised in chapter I.

self-determination

The right to self-determination of peoples of the World should be reserved and no power, for any reason, shall ignore this right. The self-determination of the Palestinian people was ignored for the last five decades, and it is still ignored by both the US and Israel.

The first article of the Charter of the UN indicated the right of people to self-determination. It reads:

The purposes of the UN are:

"1. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;"

The first article of the International Covenant on Civil and Political Rights, and of the International Covenant on Economic, Social and Cultural Rights reads:

"1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and development."

Therefore, the right of people to self-determination exists as a crucial element in contemporary international life and recognised as such by the political world community. To a appreciable extent this situation is the product of the role of the UN itself in shaping concepts and practice in international law.

Regarding the right of self-determination of the Palestinian people, in 1970, the UN General Assembly, reasserting previous demands for Israeli withdrawal from territories occupied in 1967, for the observance of the right of return of refugees, and for the cessation of violation of human rights, underlined the central position of the Palestine issue in the Middle East situation, declaring that it:

"Recognises that the people of Palestine are entitled to equal rights and self-determination, in accordance with the Charter of the UN:

Declares that full respect for the inalienable rights of the people of Palestine is an indispensable element in the establishment of a just and lasting peace in the Middle East."

Similar resolutions were passed by the General Assembly in 1971, 1972 and 1975 to affirm the right of the people of Palestine to self-determination. In 1975, the UN General Assembly established the Committee, on the Exercise of the Inalienable Rights of the Palestinian People with mandate, to prepare recommendation designed to enable the Palestinian people to exercise their inalienable rights including:

- (i) The right to self-determination without external interference.
- (ii) The right to national independence and sovereignty.

The Committee's reports and recommendations came before the Security Council in 1976, when a draft resolution was presented declaring that the Council:

"Affirms the inalienable rights of the Palestinian people to self-determination, including the right to national independence and sovereignty in Palestine, in accordance with the Charter of the United Nations".

Unfortunately, this resolution didn't pass because of the veto by a permanent member of the Council (the US). Since president Wilson, who accepted the right of self-determination

(see page 36), all American Administrations had ignored this right. Also it was ignored by the Israelis. In the DOP agreement there was no mention of this right, only self-rule and not self-determination was accepted by Israel.

Therefore, to achieve a just and a lasting peace, the right of self-determination of the Palestinian people has to be recognised. Here, it is worthy to refer to a statement by President Woodrow Wilson in this regard when he says:

"We believe these fundamental things:

First, that every people has a right to the sovereignty under which they shall live ..."

"No peace can last, or ought to be last, which does not recognise and accept the principle that governments derive all their just powers from the consent of the governed, and that no right anywhere exists to hand people about from sovereignty to sovereignty as if they were property." 15

The Status of Jerusalem

The division of Jerusalem was confirmed by an Israel-Jordan cease-fire agreement of 10 November 1948. The de facto division of the city was further formalised by an Israel-Jordan Armistice Agreement of April 3, 1949. This Agreement has no effect on the Partition Resolution's provisions for internationalisation of Jerusalem. Israel's assurances in regard of the implementation of resolutions 181 (II) and 194 (III) (Appendix I) were specifically

5. The Right of self-determination of the Palestinians, UN publications, New York 1979,

7.

mentioned in the General Assembly's resolution admitting Israel to the UN. Nevertheless, the Knesset proclaimed Jerusalem the capital of Israel on January 23, 1950 and by 1951 Israeli ministries moved into Jerusalem.

The Israeli occupation of East Jerusalem in June 1967 brought serious repercussion for the status of Jerusalem. With West Jerusalem already declared by Israel as its capital, the Israeli actions immediately following Israel's victory were a clear indication of Israel's intention to hold the entire city.

Since then Israel had taken many measures to alter the status of Jerusalem, despite the condemnation of the Security Council in numerous resolutions and calling Israel to stop altering the status of Jerusalem and declared that such changes were invalid and would not affect the status of the city, these were declared especially in resolutions: 252 of 21 May 1968 and 267 of 3 July 1969.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People in 1976, considered the question of the status of Jerusalem. In part of its report it states:

"... It was felt in the Committee that any solution of the delicate problem of Jerusalem should be sought within the framework of the inalienable rights of the Palestinian people and the religious characteristics of the city ..." 16

The Committee thus appears to take view that the question of the future status of Jerusalem would have to be approached in the framework of an overall Middle East settlement, in which the establishment of an independent Palestinian entity would be a central element.

Since 1950 Israel continued to confiscate lands of the Arab population of Jerusalem, under the "law of absentee lands", and when Jerusalem was annexed by Israel on July 30,

. The Status of Jerusalem, UN publications, New York 1981, p. 38.

1980, in order to prevent the Arab inhabitants of claiming for their lands confiscated in West Jerusalem, Israel modified the above mentioned law by considering the Arabs of East Jerusalem as absents regarding to the West sector of the city. By increasing the lands of Jerusalem from 6000 dunums in 1967 to 72000 dunums.¹⁷ Also, by including settlements inside the borders of the city, Ma'ale Adumim in the East, Beit Shemesh in the West and Ghush Etzion in the South, and by opening roads connecting these settlements and confiscating more lands from the West Bank, Israel is trying to create a new status of the city that would make negotiations of the final settlements regarding Jerusalem very difficult, if not impossible. This might be why negotiations about the status of Jerusalem are postponed.

The Israelis are repeating all the time that Jerusalem is the capital of Israel for ever, and that sovereignty on the city is out of discussion. Even Rabin, in his speech during the ceremony of signing the DOP, said that he came from "the ancient capital of the Jews", Jerusalem.

The Settlements

The settlements' issue is a complicated one and may need a separate research to cover the details of this problem, which might affect the future of the peace in Palestine and the whole Middle East if not solved. Therefore, here it would be enough to consider this issue briefly and try to analyse the main feature of it.

To construct settlements the Israelis are confiscating land of Palestinians in the towns and villages or "state lands." The method they use is simple, the armed forces erect

7. Iyad Abdel-Khaliq, "The Dangers of Roadway No. 6", Falestine Althawra, 4th April 1993, No. 932, p. 15. Dunum is 1000 m².

boundary markers or a barbed wire fence, which define the area to be seized. Military Order No. 388 (Ghor Valley) authorises the military governor to declare any area to be a closed area, then he (the governor), or his representatives inform leaders of the village that own the land that it is forbidden to enter the closed area.

Also, the Israelis used to destroy homes and crops of Palestinians to construct settlements. The destruction of Palestinian homes and crops, started right after the 1967 war with seizure of 20,000 dunums of cultivated land in Latrun salient belonging to three villages (Beit Nuba, Yalu and Imwas) which were completely destroyed. Now the colonies of Mevo Horon and Canada Park rest on the ruins of these villages. ¹⁸

The settlements in the West Bank constitute about 35-40% of the total area, and all these settlements are placed in a way that together with the roads connecting them divide the West Bank into small Palestinian cantons. The aim of such a configuration is to prevent communication between Arab cities and towns, and by surrounding those cities and towns their expansion will be restricted. (Maps 8, 9 & 10)

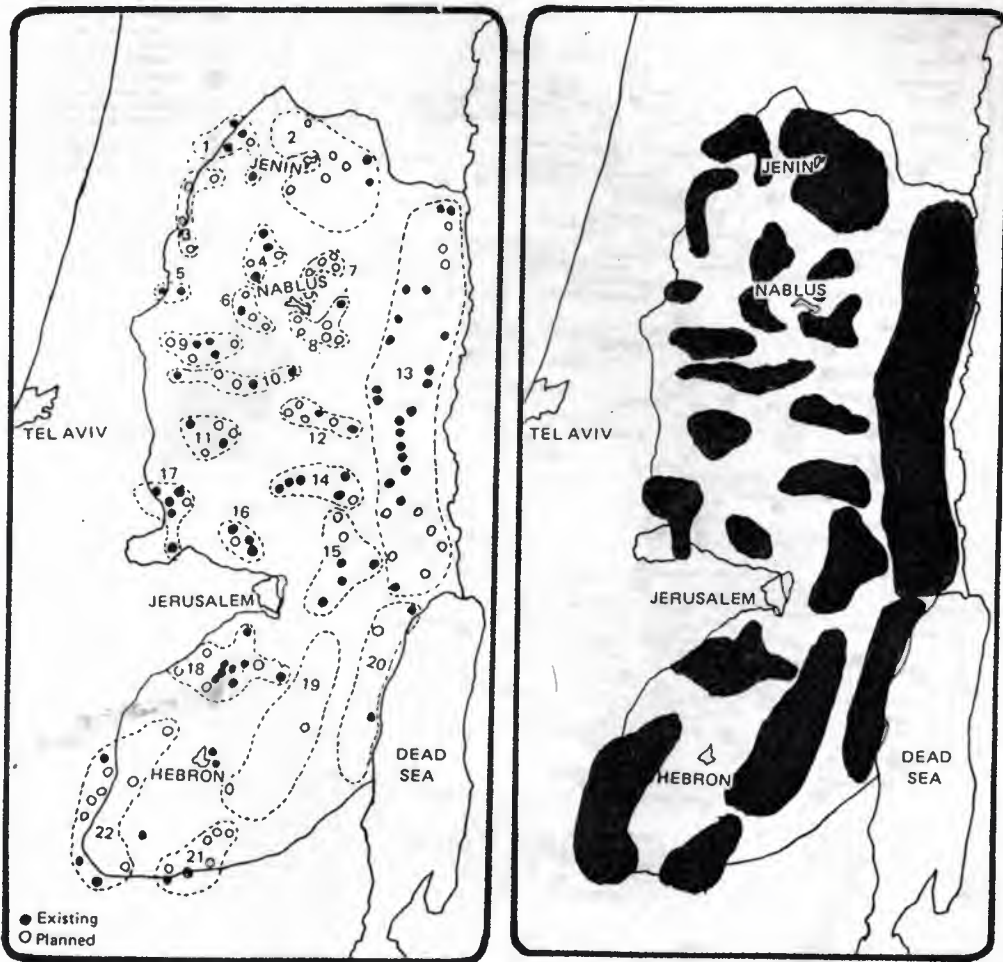
There are now about 300,000 settlers in Gaza Strip and the West Bank (including East Jerusalem). So, with about 40% of the land under the control of the Jews and by dividing the Arab population into small cantons surrounded by colonies, this would be a real obstacle in front of restoring peace in the occupied territories, which also means that there will be no Palestinian sovereignty over these territories.

The status of the settlements was also postponed to the final status negotiations and nothing was mentioned about stopping the settlement activities in the DOP even during the interim period. This illustrates the Israeli intention to keep these settlements instead of

18. Ibrahim Matter, "Israeli Settlements in the West Bank and Gaza Strip", *The Journal of Palestine Studies*, Vol. XI, No. 1, Autumn 1981, p. 100.

MAP 8

ISRAELI WEST BANK SETTLEMENTS IN PERSPECTIVE (EXCLUDING JERUSALEM)



Settlement blocs on the left-hand map are numbered as follows: 1. Reihan; 2. North Samaria; 3. West; 4. Shavei Shomron; 5. Salit; 6. Kedumim; 7. Tirza; 8. Elon Moreh; 9. Karnei Shomron; 10. Ariel; 11. Halamish; 12. Shilo; 13. Jordan Valley; 14. Beit El; 15. Ma'ale Adumim; 16. Givon; 17. Modim; 18. Gush Etzion; 19. Judean Desert; 20. North Dead Sea; 21. Yatir Bloc; 22. Mount Hebron.

MAP 9

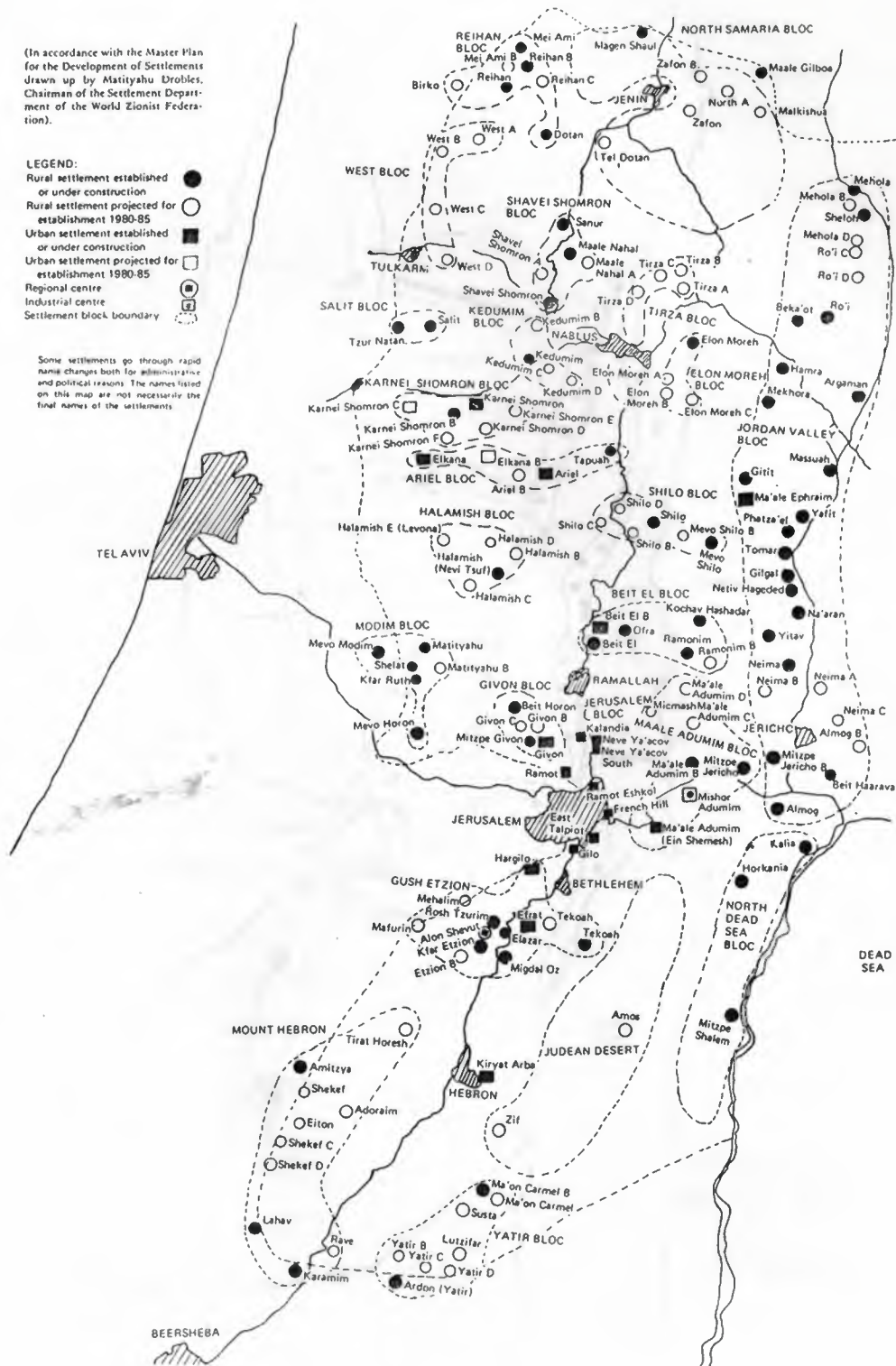
SETTLEMENTS OF THE WEST BANK

(In accordance with the Master Plan for the Development of Settlements drawn up by Matityahu Drobles, Chairman of the Settlement Department of the World Zionist Federation).

LEGEND:

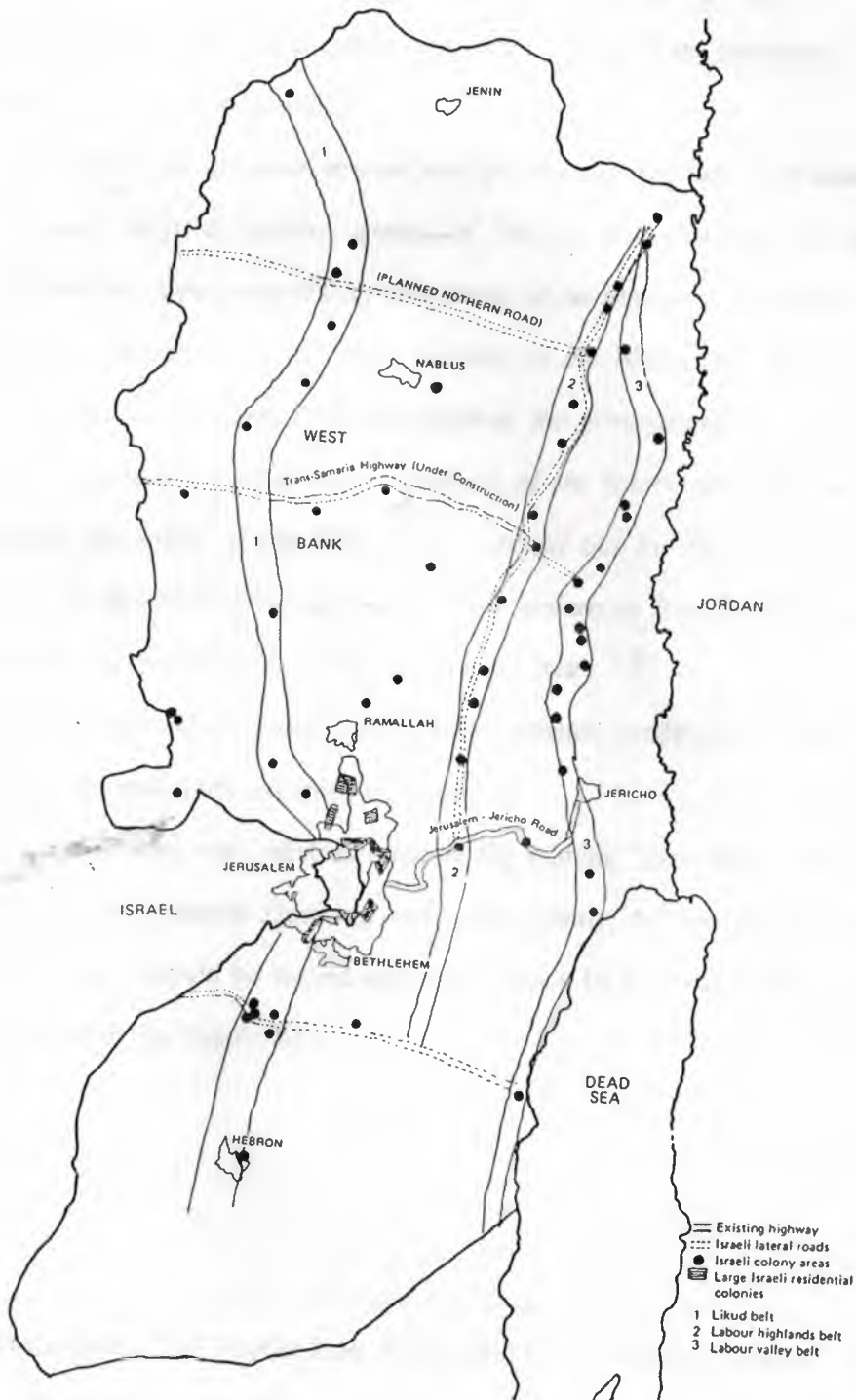
- Rural settlement established or under construction (solid black circle)
- Rural settlement projected for establishment 1980-85 (open circle)
- Urban settlement established or under construction (solid black square)
- Urban settlement projected for establishment 1980-85 (open square)
- Regional centre (circle with a dot)
- Industrial centre (square with a dot)
- Settlement block boundary (dashed line)

Some settlements go through rapid name changes both for administrative and political reasons. The names listed on this map are not necessarily the final names of the settlements.



MAP 10

ROADS AND MAJOR SETTLEMENT BELTS IN THE WEST BANK



dismantling them, which may pave the way in front of some incidents like the Ramadan massacre of 1994 in the Ibrahimi Mosque in Hebron.

Senator George McGovern (former president of the Middle East Council 1986-1991), in his banquet address to the annual conference of the Middle East Institute in Washington, DC. Oct. 4, 1991, stated the followings:

"Some facts, however, are not well known to Americans. For example, in the Gaza Strip, a seething ghetto of 700,000 Palestinians, the Israeli government has appropriated over two-thirds of the land and one-third of the water to the benefit of 2,500 Israeli settlers. In the West Bank, where Israeli settlers comprise 5 percent of the population, the government has laid claim of more than half the land and 35 percent of the water. An additional 35 percent of the water of the West Bank is piped out for the use of Israeli citizens. The discrimination against the Palestinians in Israel is shocking to us who have been supporters of Israel over the years." 19

This shows how much the existence of the settlements would create many problems to the peace making process in the occupied territories.

These are the three main obstacles facing the coming "final status" negotiations for final settlement of the Palestine Question and consequently, to the Middle East Conflict. Therefore, these topics should be solved and agreed upon by both sides before one can say the peace is restored in the Middle East.

. George McGovern, "US Middle East Policy and the Israeli Settlements", The Middle East Policy Council Publication 1991, p. 2.

Resolution No. 181 (II) of 29 November 1947

RECOMMENDING A SPECIAL COMMISSION TO INVESTIGATE THE SITUATION IN PALESTINE

A

The General Assembly,

Having had before it the report of the Secretary-General on the subject of the situation in Palestine and having heard the report of the Special Committee on the Situation with regard to the Eastern Question in Palestine, and

Noting that the Special Committee has recommended that the United Nations should establish a Commission to investigate the situation in Palestine and to report to the General Assembly on the basis of its findings and recommendations,

Deciding to establish a Special Commission and instructing it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem, and

Deciding to establish a Special Committee to assist the Special Commission in its work, and to report to the General Assembly on the basis of its findings and recommendations,

Noting that the Special Committee has recommended that the United Nations should establish a Commission to investigate the situation in Palestine and to report to the General Assembly on the basis of its findings and recommendations,

Deciding to establish a Special Committee to assist the Special Commission in its work, and to report to the General Assembly on the basis of its findings and recommendations,

Noting that the Special Committee has recommended that the United Nations should establish a Commission to investigate the situation in Palestine and to report to the General Assembly on the basis of its findings and recommendations,

Deciding to establish a Special Committee to assist the Special Commission in its work, and to report to the General Assembly on the basis of its findings and recommendations,

Noting that the Special Committee has recommended that the United Nations should establish a Commission to investigate the situation in Palestine and to report to the General Assembly on the basis of its findings and recommendations,

Deciding to establish a Special Committee to assist the Special Commission in its work, and to report to the General Assembly on the basis of its findings and recommendations,

Resolution No. 181 (II) of 29 November 1947

RECOMMENDING A PARTITION PLAN FOR PALESTINE

A

The General assembly,

Having met in special session at the request of the mandatory Power to constitute and instruct a Special Committee to prepare for the consideration of the question of the future Government of Palestine at the second regular session;

Having constituted a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem, and

Having received and examined the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of the Special Committee,

Considers that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

Takes note of the declaration by the mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

Recommends to the United Kingdom, as the mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future Government of Palestine, of the Plan of Partition with Economic Union set out below;

Request that:

- (a) The Security Council take the necessary measures as provided for in the plan for its implementation;
- (b) The Security Council consider, if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as Provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;
- (c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by the settlement envisaged by this resolution;

(d) The Trusteeship Council be informed of the responsibilities envisaged for it in this plan;

Calls upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this plan into effect;

Appeals to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations, and

Authorizes the Secretary-General to reimburse travel and subsistence expenses of the members of the Commission referred to in part I, Section B paragraph I below, on such basis and in such form as he may determine most appropriate in the circumstances, and to provide the Commission with the necessary staff to assist in carrying out the functions assigned to the Commission by the General Assembly.

B

The General Assembly,

Authorizes the Secretary-General to draw from the Working Capital Fund a sum not to exceed 2,000,000 dollars for the purposes set forth in the last paragraph of the resolution on the future government of Palestine.

Resolution No. 194 (III) of 11 December 1948

*ESTABLISHING A U.N. CONCILIATION COMMISSION
1. REVOLVING THAT JERUSALEM SHOULD BE PLACED
UNDER A PERMANENT INTERNATIONAL REGIME,
AND RESOLVING THAT THE REFUGEES SHOULD BE
PERMITTED TO RETURN TO THEIR HOMES*

The General Assembly,

Having considered further the situation in Palestine,

1. Expresses deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and

Extends its tanks to the Acting Mediator and his stand for their continued efforts and devotion to duty in Palestine;

2. Establishes a Conciliation Commission consisting of three States Members of the United Nations which shall have the following functions;
 - a) To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by resolution 186 (S-2) of the General Assembly of 14 May 1948;
 - b) To Carry out the specific function and directives given it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;
 - c) To undertake upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;
3. Decides that a Committee of the Assembly, consisting of China, the United States of America, shall present , before the end of the first part of the present session of the General Assembly, for the approval of the assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;
4. Request the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earlier possible date;

5. Calls upon the Government and authorities concerned to extend the scope of negotiations provided for in the Security Council's resolution of 16 November 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;
 6. Instructs the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all question outstanding between them;
 7. Resolves that the Holy Places including Nazareth religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposals for a permanent international regime for the territory of Jerusalem, should include recommendations, concerning the Holy Places in that territory that with regard to the Holy places in the rest Palestine the Commission should call upon the political authorities of the area concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;
 8. Resolves that, in view of its association with three world religions the Jerusalem area including the present municipality of Jerusalem plus the surrounding villages and towns the most eastern of which shall be Abu Dis; The most southern Bethlehem ; The western, Ein Karim(including also the built - up area of Motsa); And the most northern Shu'fat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;
- Requests the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date :
- Instructs the commission to present to the fourth regular session of the General Assembly datelined proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area ;
- The Conciliation Commission is authorities to appoint a United Nations representative, who shall co. - operate with the local authorities with respect to the interim administration of Jerusalem area;
9. Resolves that; pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by the road; rail or air should be accorded to all inhabitants of Palestine;

Instructs the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. Instructs the Conciliation Commission to seek arrangements among the governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;

11. Resolves that the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the governments or authorities responsible;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic social rehabilitation of refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. Authorities the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolutions;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards for the protection of the staff and premises of the Commission;

13. Instructs the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations.

14. Calls upon all Governments and authorities concerned to cooperate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;

15. Requests the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the resolution.

Resolution No. 3237 of 21 November 1974

Observer status for the Palestine Liberation Organization

The General Assembly,

Having considered the question of Palestine,

Taking into consideration the universality of the United Nations prescribed in the Charter,

Recalling into resolution 3102 (XVIII) of 12 December 1973,

Taking into account Economic and Social Council resolution 1835 (LVI) of 17 May 1974 and 1980 (LVI) of May 1974,

Noting that the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, the World Population Conference and the World Food Conference have in effect invited the Palestine Liberation Organization to participate in their respective deliberations,

Noting also that the Third United Nations Conference on the Law of the Sea has invited the Palestine Liberation Organization to participate in its deliberation as an observer,

1. Invites the Palestine Liberation Organization to participate in the sessions and the work of the General Assembly in the capacity of observer;
2. Invites the Palestine Liberation Organization to participate in the session and the work of all international conference convened under the auspices of the General Assembly in the capacity of observer;
3. Considers that the Palestine Liberation Organization is entitled to participate as an observer in the session and the work of all international conference convened under the auspices of other organs of the United Nations;
4. Requests the Secretary General to take the necessary steps for the implementation of the present resolution.

Resolution 242

The Resolution 242 that was sponsored by the UK and France was adopted in the Security Council on November 22, 1967, was accepted by Jordan, Egypt, Lebanon and Israel, and rejected by the PLO and Syria. It reads as follows:

The Security Council,

expressing its continuing concern with the grave situation in the Middle East,

emphasising the inadmissibility of the acquisition of territory by war and the need to work for

just and lasting peace in which every state in the area can live in security,

emphasising further that all member states in their acceptance of the Charter of the United

Nations have undertaken a commitment to act according to Article 2 of the Charter.

Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle

East that should include the application of both the following principles:

- i) Withdrawal of Israel armed forces from territories occupied in the recent conflict; *
- ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every state in the area and their right to live in peace within secure and recognised boundaries free from threats or acts of force;

Affirms further the necessity

- iii) For guaranteeing freedom of navigation through international waterways in the area;
- iv) For achieving a just settlement of the refugee problem;
- v) For guaranteeing the territorial inviolability and political independence of every state in the area, through measures including the establishment of demilitarised zones;

The official French text refers to withdrawal 'des territoires'

3. Requests the Secretary General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the states concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution.

4. Requests the Secretary General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

PLAN OF PARTITION

Resolution (183/G), November 29, 1947

Plan of Partition with Economic Union

Part I

General Commission and Government of Palestine

Part II

The Arab State

The Jewish State

Part III

The City of Jerusalem

Corpus Separatum

Annexes of the Plan of Partition with Economic Union

Annex I to Resolution 181 (II), 1947 **APPENDIX II**

(PLANS, ACCORDS & MISCELLANEOUS)

General Commission and Government of Palestine

1. Termination of Mandate from June 1948 to August 1, 1948

2. ~~Plan of Partition with Economic Union~~ 1947

3. Independence of Arab and Jewish States and the Special International Regime for the City of Jerusalem as set forth in Part III of the plan. This plan is to be in force from the date of the termination of the mandate of the Mandatory Power has been terminated, and in any case no later than October 1, 1948. The boundaries of the Arab State and the City of Jerusalem shall be as specified in Part II and III below.

PLAN OF PARTITION

Resolution 181 (II) November 29, 1947

Plan of Partition with Economic Union

Part I

Future Constitution and Government of Palestine

Part II

1. The Arab State

2. The Jewish State

Part III

1. The City of Jerusalem

Corpus Separatum

Deadlines of the Plan of Partition with Economic Union

As found in Resolution 181 (II), 29th November 1947

Part I

Future Constitution and Government of Palestine:

1. Termination of Mandate - not later than August 1, 1948.
2. Partition - not later than February 1, 1948.
3. Independence-Arab and Jewish States and the Special International Regime for the City of Jerusalem set forth in Part III of this plan, shall come into existence of Palestine, two months after the evacuation of the armed forces of the Mandatory Power has been completed; and in any case not later than October 1, 1948. The boundaries of the Arab State and the City of Jerusalem shall be as described in Part II and III below.

Steps Preparatory to Independence:

1. A commission of five members, from five member states, will be selected to administer Palestine during the interval. The five states elected were Bolivia, Czechoslovakia, Denmark, Panama, and the Philippines. This commission had to issue laws and regulations and establish in each state a provisional council of government who, under the auspices of the commission, should have full authority to administer the state until the commission of five makes its final report to the next regular session of the General Assembly and to the Security Council simultaneously.

Declaration

A declaration shall be made to the UN by the provisional government of each proposed state before independence. It shall contain, inter alia, the following clauses:

General Provision

Laws of the States - No law or regulation shall conflict or interfere with the laws of the state or this resolution or prevail over them.

Chapter I

Holy Places, Religious Buildings and Sites:

All Holy Places, etc., shall not be denied to all worshippers or impaired. They must be preserved. Special rules must be made for the Holy Places, etc.

Chapter II

Religious and Minority Rights

Freedom of Conscience and free exercise of worship. No discrimination between people. All are equal under the law.

Chapter III

Citizenship, International Convention and Financial Obligations

All these items were fully described in the resolution.

Chapter IV

Miscellaneous Provisions

As members of the UN, each state has the right to complain to the General Secretary in case of an infraction or danger. Any dispute may be referred to the International Court of Justice, at The Hague.

Economic Union and Transit

This undertaking shall be drafted by a Commission provided by Section B, Paragraph I. The objectives of this Union are many some of them:

Custom union,

Joint currency system,

Joint economic development,

Free entrance of a citizen of one state to the other or to the Jerusalem zone without discrimination,

Formation of joint economic board.

Assets

Divide all moveable assets between the two states and the Jerusalem Zone. Immoveable assets shall become the property of the government of each state.

Admission to Membership in the UN

When each state becomes independent and declared an independent state, it should be eligible to become a member of the UN.

II

Map showing the boundaries of the Arab state, Jewish State and the Jerusalem Zone -
the Separatum.

Part III

A. Special Regime for Jarusalem

A Corpus Separatum under a special international regime that shall be designated to discharge the responsibility of the Administrating Authority on behalf of the UN.

B. Boundaries

As found on the map.

C. Statute of the City Zone

The Trusteeship Council will provide the Statute with the co-operation of the inhabitants of the Special Regime. The Trusteeship Council shall appoint the Governor who will not be a citizen of either state. The Governor assisted by a staff, will administer the Jerusalem Zone. The staff shall be chosen from the residents of the City of Jerusalem and of Palestine without discrimination.

D. Local Autonomy:

The Special Regime of the City of Jerusalem shall enjoy local autonomy.

E. Citizenship:

All residents are ipso facto citizens.

Articles 20 & 22 of the League of Nation

Article 20

The Members of the League of Nations severally agree that this Covenant is accepted as an authorizing all obligations or undertakings that are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

Article 22

Article 22 the part affecting the Arab world, read as follows:

those colonies and territories which because of the late war have ceased to be under the sovereignty of the states that formally governed them and which are inhabited by people not able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performances of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or geographical position, can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as mandatory on behalf of the League.

Certain communities formerly belonging to the Ottoman Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative advice and assistance by a Mandatory until such a time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Article 4 (of the Mandatory of Palestine)

an appropriate Jewish Agency shall be recognised as a public body for the purpose of
ing and co-operating with the Administration of Palestine in such economic, social and
r matters as may affect the establishment of the Jewish National Home and the interest of
ewish population in Palestine..."

ne Zionist Organisation, so long as its organisation and constitution are in the opinion of
Mandatory appropriate, shall be recognised as such agency. It shall take steps in
ultation with His Britannic Majesty's Government to secure co-operation of all Jews who
o assist in the establishment of the Jewish National Home."

Breznev Peace Plan

First, the principle of inadmissibility of seizure of foreign lands through aggression must be strictly observed. This means that all territories occupied by Israel since 1967 (the Golan Heights, the West Bank of the Jordan River and the Gaza Sector, the lands of Lebanon) must be returned to the Arabs. The borders between Israel and its Arab neighbours must be declared inviolable."

Second, the inalienable right of the Arab people of Palestine to self-determination, to the creation of their independent state on the Palestinian lands, which will be freed from Israeli occupation -on the West Bank of the Jordan River and in Gaza Sector- must be ensured in practice. The Palestinian refugees must be granted an opportunity envisaged by the UN provisions to return to their homes or get appropriate compensation for the property they left."

Third, the eastern part of Jerusalem, which was occupied by Israel in 1967 and where one of the main Muslim holy shrines is situated, must be returned to the Arabs and become an inseparable part of the Palestinian State. Free access of believers to the holy shrines of the three religions must be ensured in the whole of Jerusalem."

Fourth, the right of all states in that area to safe and independent existence and development must be ensured certainly with the observance of full reciprocity, as it is impossible to ensure the security of some people, while flouting the security of others."

Fifth, an end must be put to the state of war, and peace must be established between the Arab States and Israel. And this means that all sides in the conflict, including Israel and the Palestinian State, must commit themselves to mutually respect each other's sovereignty, independence and territorial integrity, and resolve disputes cropping up through peaceful means, through talks."

Sixth, international guarantees for settlement must be drawn up and adopted, and the role of guarantors could be assumed, let us say by the permanent members of the UN Security Council or by the UN Security Council as a whole."

Venice Declaration

"The nine members of the EEC consider that the traditional ties which link Europe to the Middle East oblige them to play a special role and work in a more concrete way towards peace. The nine countries base themselves on Security Council Resolutions 242 and 338, as well as on the speech made on their behalf by the Irish Foreign Minister on September 25, 1979 at the 34th UN General Assembly.

The time has come to promote the implementation of the two principles universally accepted by the international community: the right to existence and to security of all states in the region, including Israel, and justice for all the peoples, which implies recognition of the legitimate rights of the Palestinian people. All the countries in the area are entitled to live in peace within secure recognised and guaranteed borders. The nine declare that they are prepared to participate within the framework of a comprehensive settlement in a system of concrete and binding international guarantees.

A just solution must finally be found to the Palestinian problem, which is not simply one of refugees. The Palestinian people, which is conscious of existing as such, must be placed in a position, by an appropriate process defined within the framework of the comprehensive settlement to exercise fully its right to self-determination.

The achievement of these objectives requires the involvement of all the parties concerned in the peace settlement, which the nine are endeavouring to promote in keeping with the principles above. This applies to all parties concerned, and thus the Palestinian people and the PLO, which will have to be associated with the negotiations. The nine stress that they will not accept any unilateral initiative designed to change the status of Jerusalem. They stress the need for Israel to end the territorial occupation that it has maintained since the conflict of 1967, as it has done for part of Sinai.

The nine consider that the Israeli settlements constitute a serious obstacle to the peace process and are illegal under international law.

The nine have decided to make the necessary contacts with all the parties concerned. The objective of these contacts would be to ascertain the position of the various parties with respect to the principles set out in this declaration and in the light of the results of this consultation process to determine the form which such an initiative on their part could take."

Reagan Peace Plan

On September 1, 1982 Ronald Reagan, in a televised address to the American people and to the World announced his Peace Plan toward a solution to the Middle East Conflict. In his address Reagan stated that the root causes of the Arab-Israeli Conflict should be resolved after the war in Lebanon, he said:

"... The war in Lebanon has demonstrated many things, but two consequences are key to the peace process:

"First, the military losses of the PLO have not diminished the yearning of the Palestinian people for a just solution to their claims ; and second, while Israel's military successes in Lebanon have demonstrated that its armed forces are second to none in the region, they alone cannot bring just and lasting peace to Israel and her neighbours."

"The question now is how to reconcile Israel's legitimate security concerns with the legitimate rights of the Palestinians. And that answer can only come at the negotiating table. Each party must recognise that the outcome must be acceptable to all and that true peace will require compromises by all."

"So, tonight I am calling for a fresh start. This is the moment for all those directly concerned to get involved -or lend their support- to a workable basis for peace."

"The Camp David Agreement remains the foundation of our policy. Its language provides all parties with the leeway they needed for successful negotiations."

"The time has come for a new realism on the part of all the peoples of the Middle East. The State of Israel is an accomplished fact; it deserves unchallenged legitimacy within the community of nations."

"But Israel's legitimacy has thus far been denied by every Arab state except Egypt. Israel exists ; it has a right to exist in peace behind secure and defensible borders ; and it has a right to demand of its neighbours that they recognise these facts."

"The war in Lebanon has demonstrated another reality in the region. The departure of the Palestinians from Beirut dramatises more than ever the homelessness of the Palestinian people, Palestinians feel strongly that their cause is more than a question of refugees. I agree. The Camp David Agreement recognised that fact when it spoke about the legitimate rights of the Palestinian people and their just requirements."

" ... These are our general goals. What are the specific new American positions, and why are we taking them?"

"... First, as outlined in Camp David Accords, there must be a period of time during which the Palestinian inhabitants of the West Bank and Gaza will have full autonomy over their own affairs. Due consideration must be given to the principles of self-government by the inhabitants of the territories and to the legitimate security concerns of the parties involved."

"The purpose of the five-years period of transition which would begin after free elections for a self governing Palestinian authority is to prove to the Palestinians that they can manage their own affairs, and that such Palestinian autonomy poses no threat to Israel's security."

"The US will not support the use of any additional land for the purpose of settlements during the transition period."

"I want to make the American position clearly understood; the purpose of this transition period is the peaceful and orderly transfer of domestic authority from Israel to the Palestinian inhabitants of the West Bank and Gaza. At the same time, such a transfer must not interfere with Israel's security requirements."

"Beyond the transition period, as we look to the future of the West Bank and Gaza, it is clear to me that the peace cannot be achieved by the formation of an independent Palestinian state in those territories. Nor is it achievable on the basis of Israeli sovereignty or permanent control over the West Bank and Gaza."

"So the US will not support the establishment of an independent Palestinian state in the West Bank and Gaza, and we will not support annexation or permanent control by Israel."

"There is, however, another way to peace. The final status of these lands must, of course, be reached through the give-and-take of negotiations. But it is the firm view of the US that self-government by the Palestinians of the West Bank and Gaza in association with Jordan offers the best chance for a durable, just and lasting peace."

"We base our approach squarely on the principle that the Arab-Israeli Conflict should be resolved through negotiations involving an exchange of territory for peace. This exchange is enshrined in UNSC resolution 242, which is, in turn, incorporated in all its parts in the Camp David Agreements."

"UN Resolution 242 remains wholly valid as the foundation stone of America's Middle East effort."

"It is the US' position that -in return for peace- the withdrawal provision of resolution 242 applies to all fronts, including the West Bank and Gaza."

"Finally, we remain convinced that Jerusalem must remain undivided, but its final status should be decided through negotiations..."

Declaration of Principles on Interim Self-Government Arrangements

the text of the Declaration of Principles of government for the Palestinians in the West Bank and Jericho that was signed Sept. 13 at the White House. The text was furnished by the Israeli Foreign Ministry.

Government of the State of Israel and the PLO (Palestine Liberation Organization) team (in the Palestinian delegation to the Middle East Peace Conference) (the 'Palestinian Delegation'), on behalf of the Palestinian people, agree that it is time to end decades of confrontation and conflict, to recognize mutual legitimate and political rights, to live in peaceful coexistence and mutual security and achieve a just, lasting and comprehensive peace settlement and historic reconciliation through the agreed political process. The two sides agree to the following:

NEGOTIATIONS

Israel-Palestinian negotiations within the framework of the East-West peace process is, among other things, to establish a Palestinian Interim Self-Government Authority, the elected Council (the 'Interim Council') for the Palestinian people in the West Bank and Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement in accordance with UN Security Council Resolutions 242 and 338. It is agreed that the interim arrangements are an integral part of the whole peace process and that the achievement of the permanent status will lead to the implementation of Security Council Resolutions 242

FOR THE INTERIM PERIOD

The framework for the interim period is set forth in the Declaration of Principles.

The Palestinian people in the West Bank and Gaza Strip may govern themselves according to the principles, direct free and general political elections to be held for the Council under agreed international observation, while the interim arrangements will ensure public order.

The interim period will be concluded on the exact mode of the elections in accordance with the provisions of Annex I, with the goal of holding elections no later than nine months after the entry into force of the Declaration of Principles.

The interim Council will constitute a significant interim step toward the realization of the legitimate aspirations of the Palestinian people and their just demands.

The Council will cover West Bank and Gaza Strip, except for issues that will be reserved for permanent status negotiations. The two sides agree to the West Bank and Gaza Strip as a single entity whose integrity will be preserved during the interim period.

TRANSITIONAL PERIOD AND PERMANENT STATUS

The transitional period will begin upon the entry into force of the Declaration of Principles in the Gaza Strip and Jericho area.

These negotiations will commence as soon as possible, but no later than the beginning of the transitional period between the Israeli and the Palestinian people.

It is agreed that these negotiations shall cover the following: Jerusalem, refugees, security arrangements, borders, relations with other neighbours, and other issues

of common interest.

4. The two parties agree that the outcome of the permanent status negotiations should not be prejudiced or preempted by agreements reached for the interim period.

Article VI

PREPARATORY TRANSFER OF POWERS AND RESPONSIBILITIES

1. Upon the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and the Jericho area, a transfer of authority from the Israeli military government and its Civil Administration to the authorized Palestinians for this task, as detailed herein, will be of preparatory nature until the inauguration of the Council.

2. Immediately after the entry into force of this Declaration of Principles and the withdrawal from the Gaza Strip and Jericho area, with the view to promoting economic development in the West Bank and Gaza Strip, authority will be transferred to the Palestinians on the following spheres: Education and culture, health, social welfare, direct taxation and tourism. The Palestinian side will commence in building the Palestinian police force, as agreed upon. Pending the inauguration of the Council, the two parties may negotiate the transfer of additional powers and responsibilities, as agreed upon.

Article VII

INTERIM AGREEMENT

1. The Israel and Palestinian delegations will negotiate an agreement on the interim period (the 'Interim Agreement').

2. The interim Agreement shall specify, among other things, the structure of the Council, the number of its members, and the transfer of the powers and responsibilities from the Israeli military government and its Civil Administration to the Council. The interim Agreement shall also specify the Council's executive authority, legislative authority in accordance with Article IX below, and the independent Palestinian judicial organs.

3. The interim Agreement shall include arrangements to be implemented upon the inauguration of the Council for the assumption by the Council of all of the powers and responsibilities transferred previously in accordance with Article VI above.

4. In order to enable the Council to promote economic growth, upon its inauguration, the Council will establish, among other things a Palestinian Electricity Authority a Gaza Sea Port Authority a Palestinian Development Bank, a Palestinian export Promotion Board, a Palestinian Environmental Authority, a Palestinian Land Authority and Palestinian Water Administration Authority and any other Authorities agreed upon, in accordance with the interim Agreement that will specify their powers and responsibilities.

5. After inauguration of the Council the Civil Administration will be dissolved and Israel military government will be withdrawal.

Article VIII

PUBLIC ORDER AND SECURITY

In order to guarantee public order and internal security for the Palestinians of the West Bank and the Gaza Strip, the council will establish a strong police force, while Israel will continue to carry the responsibility for defending against external threats, as well as the responsibility for overall security of Israel for the purpose of safeguarding their internal security and public order.

Article IX

LAWS AND MILITARY ORDERS

1. The council will be empowered to legislate, in accordance with the interim agreement, within all authorities transferred to it.

2. Both parties will review jointly laws and orders presently in force in remaining spheres.

Article X

JOINT ISRAELI-PALESTINIAN LIAISON COMMITTEE

In order to provide for a smooth implementation of this Declaration of Principles and any subsequent agreements pertaining to the interim period, upon the entry into force of this Declaration of Principles, a Joint Israel Palestinian Liaison Committee will be established in order to deal with issues requiring coordination, other issues of common interest and disputes.

Article XI

ISRAELI-PALESTINIAN COOPERATION IN ECONOMIC FIELDS

Recognizing the mutual benefit of cooperation in promoting the development of the West Bank, the Gaza Strip and Israel upon the entry into force of this Declaration Committee will be established in order to develop and implement in a cooperative manner the programs identified in the protocols attached as Annex III and Annex IV.

Article XII

LIAISON AND COOPERATION WITH JORDAN AND EGYPT

The two parties will invite the government of Jordan and Egypt to participate in establishing future liaison and cooperation arrangements between the Government of Israel and the Palestinian representatives, on one hand, and the governments of Jordan and Egypt on the other hand to promote cooperation between them. These arrangements will include the constitution of a Continuing committee that will decide by agreement on the modalities of admission of persons displaced from the West Bank and the Gaza Strip in 1967, together with necessary measures to prevent disruption and disorder. Other matters of common concern will be dealt with by this committee.

Article XIII

REDEPLOYMENT OF ISRAELI FORCES

1. After the entry into force of this Declaration of Principles, and not later than eve of elections for the Council, a redeployment of Israeli military forces in the West Bank and the Gaza Strip will take place, in addition withdrawal of Israeli forces carried out in accordance with article XIV.

2. In redeploying its military forces, Israel will guided by the principle that its military forces should be deployed outside populated areas.

3. Further redeployments to specified locations will be gradually implemented commensurate with the assumption of responsibility for public order and internal security by the Palestinian police force pursuant to Article VIII above.

Article XIV

ISRAELI WITHDRAWAL FROM THE GAZA STRIP AND JERICHO AREA

Israel will withdraw from the Gaza Strip and Jericho area, as detailed in the protocol attached as Annex II.

Article XV

RESOLUTION OF DISPUTES

1. Disputes arising out of the application or interpretation of this Declaration of Principles, or any subsequent agreements pertaining to the interim period, shall be resolved by negotiations through the Joint Liaison Committee to be established pursuant to Article X above.

2. Disputes which cannot be settled by negotiations may be resolved by a mechanism conciliation to be agreed upon by the parties.

3. The parties may agree to submit to arbitration disputes relating to the interim period which cannot be settled through conciliation. To this end upon the agreement of both parties will establish an Arbitration Committee.

Article XVI

ISRAELI-PALESTINIAN COOPERATION CONCERNING REGIONAL PROGRAMS

Both parties view the multilateral working groups

appropriate instrument for promoting a 'Marshall Plan' for the West Bank and Gaza Strip as indicated in the Declaration as Annex IV.

II GENERAL PROVISIONS

The Declaration Principles will enter into force one month after its signing.

The Protocols annexed to this Declaration of Principles and Agreed Minutes pertaining thereto shall be considered as an integral part hereof. Done at Washington, D.C. this 13th day of September 1993.

For the Government of Israel
Shimon Peres
(Foreign Minister)
For the PLO
Mahmoud Abbas
Minister of National and International Affairs
(Department)
Witnessed By:
The United States of America
Warren M. Christopher
(Secretary of State)
The Russian Federation
Andrei V. Kozyrev
(Foreign Minister)

III ON THE MODE AND CONDITIONS OF

The residents of Jerusalem who live there will have the right to participate in the election process, according to the agreement between the two sides.

The election agreement should cover, among other things, the following issues:

1. The mode of elections;
2. The mode of the agreed supervision and international monitoring and their personal composition; and
3. The regulations regarding election campaign, including agreed arrangements for the organizing of the campaign, and the possibility of licensing a radio and TV station.
4. The status of displaced Palestinians who were expelled on 4th June 1967 will not be prejudiced and they will be able to participate in the election process for practical reasons.

IV ON WITHDRAWAL OF ISRAELI FORCES FROM THE GAZA STRIP AND JERICHO AREA

The two sides will conclude and sign within two months the date of entry into force of this Declaration of Principles, an agreement on the withdrawal of Israeli military forces from the Gaza Strip area subsequent to the Israeli withdrawal. The agreement will implement an accelerated and scheduled withdrawal of Israeli military forces from the Gaza Strip area beginning immediately with the signing of the Declaration of Principles and to be completed within a period not exceeding four months after the signing of the agreement.

The agreement will include, among other things:

1. Arrangements for a smooth and peaceful transfer of power from the Israeli military government and its administration to the Palestinian representatives.
2. The powers and responsibilities of the Palestinian Authority in these areas except: external security, Israel's foreign relations and other matters.

3. Arrangements for the assumption of internal security by the Palestinian police force.
4. The recruitment of police officers locally and from Jordanian passport and Palestinian citizens not sued by Egypt. Those who will participate in the Palestinian police force coming from abroad will be trained as police and police officers.

5. The presence of international or foreign presence,

as agreed upon.

c. Establishment of a joint Palestinian-Israeli Coordination and Cooperation Committee for mutual security purposes.

f. An economic development and establishment of an Emergency Fund to encourage foreign investment, and financial and economic support. Both sides will coordinate and cooperate jointly and unilaterally with regional and international parties to support these aims.

g. Arrangements for safe passage for persons and transportation between the Gaza Strip and Jericho area.

4. The above agreement will include arrangements for coordination between both parties regarding passages:

- a. Gaza-Egypt; and
- b. Jericho-Jordan.

5. The offices responsible for carrying out the powers and responsibilities of the Palestinian authority under this Annex II and Article VI of the Declaration of Principles will be located in the Gaza Strip and the Jericho area pending the inauguration of the Council.

6. Other than these agreed arrangements, the status of the Gaza Strip and Jericho area will continue to be an integral part of the West Bank and Gaza Strip, and will not be changed in the interim period.

ANNEX III PROTOCOL ON ISRAELI-PALESTINIAN COOPERATION IN ECONOMIC AND DEVELOPMENT PROGRAMS

The two sides agree to establish an Israeli-Palestinian continuing Committee for Economic Cooperation, focusing other things, on the following:

1. Cooperation in the field of water, including a Water Development Program prepared by experts from both sides, which will also specify the mode of cooperation in the management of water sources in the West Bank and Gaza Strip, and will include proposals for studies and plans on water rights of each party, as well as on the equitable utilization of joint water resource for implementation in and beyond the interim period.

2. Cooperation in the field of water of electricity, including an Electricity Development Program, which will specify the mode of cooperation for the production, maintenance, purchase and sale of electricity resources.

3. Cooperation in the field of energy, including an Energy Development Program, which will provide for the exploitation of oil and gas for industrial purposes, particularly in the Gaza Strip and in the Negev, and will encourage further joint exploitation of other energy resources. This Program may also provide for the construction of a petrochemical industrial complex in the Gaza Strip and the construction of oil and gas pipelines.

4. Cooperation in the field of finance, including a Financial Development and Action Program for the encouragement of international investment in the West bank and the Gaza Strip, and in Israel, as well as the establishment a Palestinian Development Bank.

5. Cooperation in the field of transport and communications, including a Program, which will define guidelines for the establishment of Gaza Sea Port Area, and will provide for the establishing of transport and communications lines to form the West Bank and the Gaza Strip to Israel and to other countries. In addition, this program will provide for carrying out the necessary construction of roads, railways, communications lines, etc.

6. Cooperation in the field of trade, including studies, and Trade Promotion Programs, which will encourage local, regional and interregional trade, as well as a feasibility study of creating free-trade zones in the Gaza Strip and in Israel, mutual access to these zones, and cooperation in other areas related to trade and commerce.

7. Cooperation in the field of industry, including Industrial Development Programs, which will provide for the establishment of joint Israeli-Palestinian Industrial Research and Development Centers, will promote Palestinian-Israeli joint ventures, and provide guidelines for cooperation in the textile, food, pharmaceutical, electronics, diamonds, computer and science-based industries.

8. A program cooperation in, and regulation of, labour relations, and cooperation in social welfare issues.

9. A Human Resources Development and Cooperation Plan, providing for joint Israeli-Palestinian workshops and seminars, and for the establishment of joint vocational training centers, research institutes and data banks.

10. An Environmental Protection Plan, providing for joint and/or coordinated measures in this sphere.

11. A program for developing coordination and cooperation in the field of cooperation in the field of communication and media.

12. Any other programs of mutual interest.

ANNEX IV PROTOCOL ON ISRAELI-PALESTINIAN COOPERATION CONCERNING REGIONAL DEVELOPMENT PROGRAMS

1. The two sides will cooperate in the context of the multilateral peace efforts in promoting a Development Program for the region, including the West Bank and Gaza Strip, to be initiated by the G-7 [Group of seven]. The parties request the G-7 to seek the participation in this program of other interested states, such as members of the Organization for Economic Cooperation and Development, regional Arab States and institutions, as well as members of the private sector.

2. The Development Program will consist of two elements:

a) an Economic Development Program for the West Bank and the Gaza Strip.

b) a Regional Economic Development Program.

A. The Economic Development Program for the West Bank and the Gaza Strip will consist of the following elements:

(1) A Social Rehabilitation Program, including a Housing and Construction Program.

(2) A Small and Medium Business Plan.

(3) An Infrastructure Development Program (water, electricity, transportation and communications, etc.)

(4) A Human Resources Plan.

(5) Other Programs.

B. The regional Economic Development Program may consist of following elements:

(1) The establishment of a Middle East Development Fund, as a first step, and a Middle East Development Bank, as a second step.

(2) The development of a joint Israeli-Palestinian-Jordanian plan for coordinated exploitation of the Dead Sea area.

(3) The Mediterranean Sea (Gaza)-Dead Sea Canal.

(4) Regional desalinization and other water-development projects.

(5) A regional plan for agricultural development, including a coordinated regional effort for the prevention of desertification.

(6) Interconnection of electric city grids.

(7) Regional cooperation for the transfer, distribution and industrial exploitation of gas, oil and other energy resources.

(8) A Regional Tourism, Transportation and Telecommunications Development Plan.


(9) Regional cooperation in other spheres.

3. The two sides will encourage the multilateral working groups, and will coordinate towards its success. The two parties will encourage intersessional activities, as well as pre-feasibility and feasibility studies, within the various multilateral working groups.

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