

**NEGOTIATING THE WYE RIVER DEAL :
IMPLICATIONS FOR THE
PEACE PROCESS**

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C E R T I F I C A T E

*Certified that the dissertation entitled - "**NEGOTIATING THE WYE RIVER DEAL : IMPLICATIONS FOR THE PEACE PROCESS**" - submitted by **VIVEK DUBEY** in partial fulfillment of the requirement for the award of the degree of **MASTER OF PHILOSOPHY**, is his original work, and has not been submitted by him either in full or in part, for the award of any other degree, of this University or any other University.*

We recommend that this dissertation be placed before the examiners for evaluation.

Prof. K.D. Kapoor
(Chairperson)

Prof. Pushpesh Pant
(Supervisor)

To

My Parents

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C O N T E N T S

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CHAPTER - 1

HISTORICAL BACKGROUND

Introduction

The Israel-Palestine conflict has seemed to be one of the most intractable conflicts ever. Any effort, therefore, at understanding the conflict would, of necessity, be predicated upon the understanding of the nature of the conflict itself. Ever since the establishment of the state of Israel in 1948, the core Arab-Israeli conflict has been over control of a relatively small piece of land. Successive attempts to negotiate a settlement of Arab-Israeli conflict did not resolve the crucial issue of establishing a Palestinian homeland, the lack of which gives rise to the 'Palestinian problem'. In fact to understand that the conflict is over a land of two peoples is to grasp the essence of the problem.

The contention in fact is over the land which both the Jews and the Arabs claim to be their own. While the Jews claim it to be their own homeland (Israel), the Arabs, their own (Palestine). To the Arabs, Palestine was an Arab land whose soil they had cultivated for generations, as such it was entitled to independence as any other Arab country. To the Jews, Israel was a Jewish land that had

been their inspiration throughout eighteen centuries of 'dispersion, dispossession and prosecution'¹; as such its destiny was to be the fulfillment of the dreams of statehood.

With the successful proclamation of the state of Israel in May 1948, Palestine seemed to have disappeared from the map of the Middle East, but the Palestinians did not disappear and the quarrel remained.

BACKGROUND TO THE PROBLEM

A brief look at events from the late 19th century onwards would reveal a host of factors responsible for the emergence of the problem in question. While the emergence of the Arab and Jewish modern nationalism, and the role of Britain in furthering the conflict account for the informal set of factors, events like the accession to power of Hitler and its consequences. Reginald's proposal for partition as a solution to the problem, Woodhead Commission's report, etc., account for the external causes.

It is significant to note that as late as 1880s, neither Israel nor Palestine had emerged as a political entity over the area

¹ Fraser, T.G. (1995): **The Arab-Israeli Conflict**; p.1

currently embracing the Israel-Palestine conflict. Instead the area consisted of parts of two administrative district of the Ottoman (Turkish) empire: the Sanjak of Jerusalem and the Vilayat of Beirut.

It is particularly important to note that from 1517 onward, the Arab lands of the Eastern Mediterranean and Egypt were part of the Ottoman empire ruled from Constantipole. However, after the siege of Vienna in 1983, it was an empire in retreat, first by the resurgent Habsburgs, then by the striving nationalities of the Balkans, and finally the expansionism of Britain and France.²

Talking of Arab nationalism, it is generally agreed upon that the starting point was the Turkish revolution of 1908, which brought the “Young Turks” to power, whose policy was to assert the Turkish character of the empire, pulling it away from what had become a partnership with Arab elites.³ From that point, certain Arabs began looking for more autonomy for their part of the empire. It was this sentiment that the British were able to tap once war broke out in 1914, though it must be noted that Arab nationalism was still in a nascent phase.

² *ibid*; p.3

³ *ibid*; p.3

At around the same time, in the 1880s, the Arab nationalism was confronted by the nationalism among the Jews, anxious to have their own homeland. This feeling got further strengthened by certain events in Russia.

Around this time, the largest number of Jews resided not in western and central Europe, but in the Russian empire, where they were restricted in their access to education and entry into professions. However, after the murder of Czar Alexander II, popular sentiment was whipped up against the Jews. The 'May Laws' of 1882 subjected the Jews to a more official form of discrimination, expelling them from towns and villages where they had been allowed to settle.⁴ As a result, while on the one hand, there was great mass Jewish migration to the US, on the other hand, for another set of people, the essence of inspiration lay elsewhere in the land of their ancestors. Out of this came the movement "Hibbat Zion" (The Love for Zion), which in the 1880s began to channel small groups of idealists to settle in Palestine. These settlements marked the beginning of the modern Jewish return to Palestine.

⁴ *ibid*; p.5

Britain's contribution in furthering the problem is no less significant. It gave assurances, albeit mutually opposing, to both the Arabs and the Jews. During the 1st World War, Britain, in order to embarrass the Turks, gave Arabs the following assurance:

"The two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, Homs, Hama and Alepp cannot be said to be purely Arab, and should be excluded from the limits demanded".⁵

While the Arabs assumed this referred to portions of what became Syria and Lebanon, the British later claimed that neither 'Palestine' nor 'Jerusalem' appeared in any of the documents. It was to become a bitter source of controversy between them.

The Jews were similarly assured by the British through the Balfour Declaration of 2nd Nov. 1917:

"His Majesty's Govt. view with favour the establishment in Palestine of a national home for the Jewish people,..... 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 any other country".⁶

⁵ Hadawi, Sami (1979): **Bitter Harvest: Palestine Between 1914-1979**; p.11

⁶ Hadawi, Sami (1988): **Palestinian Rights and Losses: A Comprehensive Study**; p.15

As later events prove, a peculiar situation arose for Britain in the form of honouring its commitments after victory over Turkey left Britain in control of Palestine, as a Mandate, for the next 30 years.

Among the external factors, the one which had a tremendous impact on the whole Israel-Palestine conflict was Adolf Hitler's accession to power in 1933. His total anathema of the Jews and the anti-semitism in Poland and Romania forced Jews to leave Europe in large numbers. Restriction on immigration into the US left Palestine as the only option. By 1936, the Jews population had grown to 370,483 in a total Palestinian population of 1,336,578.⁷

The Arabs were rather perturbed at this unwelcome development. To address the situation, the Palestine Royal Commission under Lord Peel was set up. Its most articulate member Prof. Reginald Coupland came to the conclusion that "there were two civilisations in Palestine, an Arab one which was Asian and a Jewish one which was European. As two such contrasting peoples could never develop a sense of service to single state, Coupland's solution was partition."⁸

⁷ Fraser, T.G. (1995): op cit, p.12

⁸ Quoted in ibid; p.12

However by the end of the 1937, the fast changing international situation was to have a direct impact on Britain's position vis-à-vis the partition plan. It staged a complete turnaround on its earlier position favouring partition, primarily not only because Palestine was tying down its troops but because Britain needed to secure oil of the Middle East, as well as communications to India, Australia and the Middle East.

A second commission, therefore, was set up under Sir John Woodhead with the implicit instructions to scuttle the partition plan. The Commission submitted a report that Palestine would become independent in 10 years time as a united country.

However, a significant change came about in a meeting of the executive of the Jewish Agency in Paris in August 1937 which decided to work instead for partition on the basis of the establishment of a viable Jewish state in an adequate area of Palestine.⁹

The signal was immediately picked up in Washington, and on 4 October 1937 came the President's 'Yom Kippur statement' announcing America's support for partition as the best way

⁹ *ibid*; p.33

forward. The United States had now committed itself to Jewish statehood, and to partition as the means of achieving it.

However, on 4 January 1947, the British Cabinet decided to present final proposal to the two sides which would involve a transition to independence over five years with considerable autonomy for Arab and Jewish areas. When there were rejected a week later, the problem was referred to the UN.

ROLE OF THE UN

With a view to resolving the conflict, the UN formed a UNSCOP (United Nations Special Commission on Palestine) and had as its members countries Peru, Uruguay, Guatemala, Sweden, the Netherlands, Czechoslovakia, Yugoslavia, Canada, Australia, India and Iran, and deliberately avoided major powers and Arab countries.

While the Arabs boycotted the Committee meeting, suspecting it to be unduly weighted against them, the Jews extended full co-operation.

In its recommendations, the UNSCOP stated:

“The proposed Arab state was to consist of 3 geographically separate areas in a southern coastal

strip from Rafah through Gaza; Galilee in the north; and the country's interior, including the most important towns of Nablus, Beersheba and Hebron. In contrast, the Jewish state was to be contiguous, if in places only just; most of the coastal plain, including Tel Aviv and Haifa, the Negev desert in the south and the Jesreel and Hule valleys in the north".¹⁰

There were two refinements to the plan though. While favouring political partition, the UNSCOP called for retaining economic unity of Palestine. Secondly, Jerusalem was to become a 'corpus separation', an international city under the United Nations.

Unlike the Jews, the Arabs were rather disappointed with the plan. As tension rose and violence increased, Britain did nothing to implement the partition plan before the surrender of the Mandate on 4 May 1948.

In the war that ensued, the Jews gained an upper hand. Britain's High Commissioner, Sir Alan Cunningham, left Jerusalem. The Jews later announced the Declaration of Independence of the State of Israel. Immediately after, the United States' defacto recognition followed.

¹⁰ Cattan, Henry (1988): **The Palestine Question**; p.33

Overnight, the Palestinians were rendered homeless and the struggle got prolonged.

CONFLICT RESOLUTION

Conflict is a pervasive aspect of existence. It occurs at all levels of social life: the interpersonal, intergroup, introrganisational and international. Infact the different types of conflicts necessitate different theoretical approaches to understanding conflict, as well as to resolving them.

The international arena today is marked by a number of conflicts. Incompatible objectives and conflicting policy actions between interacting states form the basis of most international conflicts. Conflict resolution, under these circumstances, acquires prime salience as it seeks to “save human life, prevent internal disorganisation of nation and restore stability in the external relations.”¹¹

On conflict resonation, Juergen Dedring says: It “refers not to the management or control of conflicts, but to their resolution, i.e. a

¹¹ Vayrynen R (1991): *To Settle or to Transform? Perspectives on the Resolution of National and International Conflicts* in Vayryven (ed.): **New Directions in Conflicts : Conflict Resolutions & Conflict Transformation**; p.1

settlement resulting in the termination of a specific confrontation or hostile relationship”.¹²

Peter Wallenstein associates conflict resolution “with a powerful research for ways of accommodating the explicit interests of the parties in conflict.”¹³

However, he maintains that conflict resolution does not mean the same as termination of conflict through victory, nor does it refer to transformation of conflict. According to him “victory means that one party dominates the other and is able to impose its order on the other. Transformation of conflict is the result of the struggle itself where the contention transforms the parties, their interests and actions”.¹⁴

Further elaborating the nuances in the meaning of conflict resolution, Wallenstein emphatically states that conflict resolution must be distinguished from a complete elimination of all incompatibilities. “Conflict resolution is a way of transcending a basic incompatibility with the parties in conflict in such a manner

¹² Juergen Dedring (1991) in *ibid*: notes, p.176

¹³ Wallenstein, Peter (1991) *The Resolution and Transformation of Int-Conflicts: A Structural Perspective*, in *ibid*; p.129

¹⁴ *ibid.*, p.129

that they (voluntarily) express their satisfaction with the outcome".¹⁵

Conflict resolution thus involves the simultaneous process of resolving outstanding issues with the parties and changing the relations between them. This obviously is a cumbersome task involving considerable political skill as well as supportive conditions in general.

SOME THEORETICAL APPROACHES

Louis Kreisberg, in his book¹⁶, suggests four models to conflict resolution, based on his understanding and interpretation of the conflicts analysed in his book. The models are:

1. Conflict mitigation: According to this model, partial settlements are often steps towards later, fuller settlements. They generally provide the basis for settling particular issues and establishing mutual confidence for more comprehensive settlements.

¹⁵ Wallenstein, Peter *Understanding Conflict Resolution: A Framework*, in Wallenstein P (ed.): **Peace Research: Achievements and Challenges**.

¹⁶ Kreisberg, Louis (1992): **Into Conflict Resolution: The US-USSR and Middle East Cases**, pp.207-210

2. Statism: This approach emphasises the role of coercion and military force and views them as a means to bring the opposing party to the negotiating table.
3. Populism: In this approach, the possible public reaction to any proposed outcome forms an integral part of the conflict resolution efforts. The drawback of this approach is that it inhibits the flexibility required for arriving at a mutually acceptable resolution.
4. Pluralism: It emphasises the role of multiplicity of characters in resolving international conflicts. Organisations like the UN and its constituent bodies, non-governmental organisations, sub-national actors like opposition parties, within adversary countries, etc. also affect the likelihood of initiatives undertaken, negotiations concluded and agreements reached.

K.J. Holsti, in an article¹⁷, puts forth his own theoretical framework for conflict resolution. His framework is listed below:

1. Avoidance or voluntary withdrawal: When the incompatibility of goals or interests is perceived by both sides after bargaining has

¹⁷ Holsti, K.J. (1966): *Resolving International Conflicts: A Taxonomy of Behavior and Some Figures on Procedures*; **Journal of Conflict Resolution**; 10(3), pp.274-281

commenced, one of the course of actions for either of or both the parties is to terminate the conflict by withdrawing from a physical or a bargaining position, or by ceasing the acts which initially caused hostile responses.

2. Forced submission or withdrawal: Such a scenario emerges when one party to a conflict decides to submit to the others demands or actions even though no violence has taken place. It is therefore a classic example of effective deterrence when only the threat of either military, diplomatic or economic, forces the other party to submission.
3. Compromise: Under this, both sides agree to a partial withdrawal of their initial objectives, positions, demands or actions. The withdrawal need not be of the same magnitude to both the parties. Often such compromises are labeled as 'sell-out' to the enemy by the opposition parties.
4. Award: A further method of conflict resolution is through arbitration or adjudication. However, most important conflicts are not resolved through this method.
5. Passive settlement: Sometimes international conflicts are not formally settled through the above mechanisms, but persist for a

long period of time until the parties involved implicitly accept a new 'status quo' as partially legitimate.

Towards the end, subsequent to the various diplomatic efforts to resolve the issue in contention as also the negotiations leading upto the Wye accord, an endeavour would be made to chart the course of the talks undertaken, and see which of the conflict resolution models did it bear ^{se}re~~m~~blance to.

CHAPTER - 2

DIPLOMATIC INITIATIVES DURING THE 1990s

The decade of 90s provided glimmers of hope of a possible solution to the Israel-Palestine conflict, spread over a period of 50 years and 5 wars. The last decade of the last millennium has been particularly eventful for the fact that serious diplomatic efforts were made for the first time with a view to ending the protracted conflict.

Quite a number of efforts were made, starting with the Madrid Peace Conference to Oslo I to Oslo II, to Herbron Protocol and then finally the Wye Memorandum I. However, the purpose of this chapter is not to revisit the various agreements for what they were worth of. Instead they will be made reference of in the passing, with the focus being on why these endeavours failed to deliver the desired results, as also the inherent flaws which, to some extent, made them unworkable.

It is worthwhile to note that the eagerness to solve the problem was not confined to the Palestinians alone, but was evident in a section of Israeli people as well. Any proposal, that too from the Israelis, to settle the issue at this stage would be considered as

nothing short of treachery, but as we shall see, in the coming pages and with the benefit of hindsight, that such initiatives only helped in setting the ball in motion.

A proposal was made in the Israeli Knesset on 1st January 1991 by two left-wing deputies, Ron Cohen of the Citizen's Rights party and Amnon Rubinstein of the Shinui Party, supported by seven members of the Labour party, led by Yossi Beiling (a former close aid of Shimon Peres), that Israel should withdraw from Gaza Strip.¹ They contended that the Gaza Strip should be handed over to the UN or to an autonomous body of Palestinians, which could be passed off as a confidence building measure to promote Israeli Palestinian dialogue².

It received an unexpectedly enthusiastic welcome from several of the smaller parties in the Knesset, which embarrassed the Labour party as it ran contrary to its official policy. Moshe Arens, the defence minister, dismissed the proposal as nonsense, but it seemed to be a flash of sanity in the darkness of non-compromise.

A little later, on 6th March 1991, President Bush of the USA in his '**New World Order**' speech suggested that Israel should trade

¹ Their argument was that as the Gaza strip was densely populated, anti-Israeli, extremely discontented, varying on active revolt, and had few meaningful historical links with Israel, the effort and difficulty of maintaining law and order were not worth the cost.

² O'Balance, Edgar (1998) : *The Palestinian Intifada*; p.96

'land for peace' which in fact upset Israeli Prime Minister Yitzhak Shamir. Meanwhile, President Bush and his Secretary of State, James Baker sought to build quickly on their success in the Gulf war by working for the Middle East peace conference. James Baker decided to solve the Israeli-Palestinian problem by convening a Middle East Peace Conference (MEPC), where the two sides would sit down together and work out a peace formula under his guidance.

At the same time, Baker also insisted that Prime Minister Yitzhak Shamir sign a communiqué to the effect that the Israeli government would not rule out the "land for peace" solution being implemented at some future date. Shamir, though refused to do so.

However, what both Baker and Shamir did agree on was the need for Israel to follow a **'twin-track' approach**, aimed at Israel opening talks with Arab countries and the Palestinians. It was vaguely left at that for the time being, as Shamir was reluctant to be prematurely hustled into anything.

It is around the same time when the Gulf War had ended with Iraq having had to bite the dust. The Gulf war had in fact made the Palestinian problem even more complex. During the war, the Palestinian leader Yasser Arafat had thrown his weight behind the

Iraqi leader, Saddam Hussein, who tried to link up his invasion of Kuwait with the cause of the deprived Palestinians. While Arafat's move may have had the effect of solidifying the Palestinians into a coherent and cohesive bloc, the move also had the effect of antagonizing the Americans as also the Arab countries, with the result that the Palestinians became an isolated lot.

In an effort to improve his image, in the aftermath of the Gulf War, and pushing a new initiative, Arafat granted an interview to a Canadian periodical "Toronto Star". He suggested "that a '*United Nations Buffer Zone*' be established between Israel and an independent Palestinian state, and that the Israeli plan for a corridor between the West Bank and the Gaza Strip should be abandoned."³

Meanwhile both Jordan and the Palestinians were trying to undo the damage they did themselves by supporting Iraq's leader during the Gulf War. Both were showing more flexible negotiating positions. Jordanians talked of a confederal link; West Bank Palestinians evinced a willingness to settle for something less than full and immediate statehood. Israel, meanwhile, seemed to be

³ *Interview with Yassir Arafat "Toronto Star", 25th March 1991*

moving in response.⁴

Mr. Baker capitalized on these two shifts and narrowed differences on two key issues:

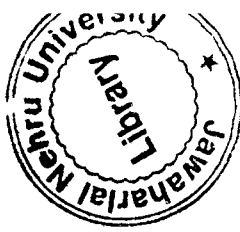
- (i) composition of the Palestinian delegation, and,
- (ii) the agenda for discussion.

A notable achievement now seemed within reach: discussion between Israel and a Jordanian Palestinian team of something more than Mr. Shamir's proposal for limited autonomy but less than the PLO's demand for an independent state.⁵

Pursuing the plan for a Middle East Peace Conference (MEPC), President Bush wrote to the Middle East leaders on 01st June 1992 to invite them to a peace conference. The Conference would be jointly chaired by the US and USSR, and attended by Israeli, a joint Jordanian-Palestinian delegation and certain Arab States. The United Nations and the European Commission would be 'silent observers'. President Bush promised the Israeli Prime Minister Yitzhak Shamir that there would be no Palestinians from East Jerusalem on the PLO representatives in the delegation. While

⁴ International Herald Tribune (Paris), 18th May 1991

⁵ *ibid.*



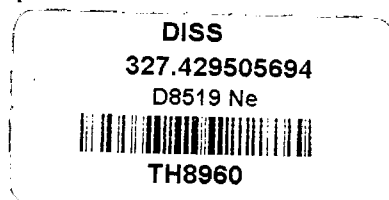
Shamir said, on 6th, that he would not attend, the PLO executive committee met in Tunis on 8th and decided that it could not accept the exclusion of representatives from East Jerusalem.⁶

Later, however, both Israel and the PLO agreed to participate in the talks. While Israel accepted the Bush plan hesitatingly and conditionally, which included a lot of 'ifs and buts'⁷, the Palestinian National Council (PNC) approved involvement in Baker conference plan on the condition that the PLO had the right to select its own delegates 'from inside and outside the homeland, including Jerusalem'.

The eagerness of the Palestinians to engage in talks was evident from "the fact that the delegates could come only from the West Bank and Gaza Strip to the exclusion of Jerusalem and the diaspora was never acknowledged as a 'binding' condition by the Palestinians, but only as a de facto arrangement that the Palestinian leadership chose to accept provisionally to facilitate the start of negotiations, and which it could break whenever national interest so

⁶ O'Balance (1998) : op cit, p.108

⁷ Shamir made it clear that his acceptance was conditional on a solution to the Palestinian representation at the talks and that Israelis could pull out if its terms were not met.



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desired”.⁸

The Middle East Peace Conference (MEPC) got underway on 31st October 1991 with the key players, the co-sponsors of the Conference, President George Bush of the USA and President Mikhail Gorbachev of the USSR, addressing Prime Minister Yitzhak Shamir of Israel, the Foreign Minister of Jordan, Syria, Lebanon and Egypt, and the Palestinian representatives.

Setting the tone for negotiations at the Conference, President Bush said: “Peace in the Middle East need not be a dream.”⁹ Echoing the sentiment, President Gorbachev stated: “The conference can succeed if no one seeks any victory for one side over the other, but all seek a shared victory over a cruel past. I’am speaking of peace, rather than merely cessation of the state of war.”¹⁰

The Middle East Peace Conference (MEPC) was one of the most significant first steps towards a solution to the vexed Israel-Palestinian problem. It was for the first time that the Israelis and the Palestinians sat across the table. “In historical terms, the greatest

⁸ Mansour, Camille (1993): *The Palestinian-Israeli Peace Negotiations : An overview and Assessment: Journal of Palestine Studies*; Vol.XXII, no.-3; p.9

⁹ *International Herald Tribune (Paris)*, 31st October 1991

¹⁰ *ibid.*

achievement of the Madrid process was to have bolstered a dynamic in Arab-Israeli relations from conflict to negotiation to, in some hopeful areas, recognition of mutual interests".¹¹

Yet, despite the initial hype and accompanying expectations from the peace initiative, nothing tangible could emerge. Infact, talks remained deadlocked and sterile throughout its eleven rounds. No doubt, the initiative in the form of the Middle East Peace Conference (MEPC) in itself represented a breakthrough in a long history of efforts to resolve the Arab Israeli conflict and the Palestinian problem. It established the principle of direct negotiations, and for the first time all the Arab parties (including the Palestinians) sat round the negotiating table. The optimism associated with the peace process in aptly demonstrated in an interview given by Nabil Shaath in 1993: "The 22 months of talks that followed also produced achievements which were neither foreseeable nor guaranteed and still remain barely acknowledged"¹²

Indeed, the Madrid peace process, both in bilateral and multilateral fora, helped to create the environment which gave birth

¹¹ Satloff, Robert (1995) : *The Path to Peace* : **Foreign Policy**; No.-100, Fall; p.110

¹² *The Oslo Agreement : An Interview with Nabil Shaath* : **Journal of Palestine Studies** (1993); no.-1; Autumn.

to the Oslo channel.

WHY MADRID FAILED?

There were quite a number of serious flaws¹³ associated with the peace process which impeded its further progress. The flaws were:

1. The Madrid terms of reference reflected Israeli condition for negotiations and amounted to humiliating concessions by the Palestinians, who were weak in the aftermath of Iraq's defeat and the collapse of the Soviet Union.
2. Despite its commitments in its letter of assurance to the Palestinians 'to act as an honest broker', the Bush administration showed little inclination to help the parties to agree. The ultimate authority of the PLO, who were barred from direct participation, detracted from the legitimacy of the Palestinian negotiators who could not make concessions.

These shortcomings procured a stalemate at the Washington talks and convinced Israeli and the PLO leaders to use the separate channel – which had already been secretly established in Norway –

¹³ Yorke, Valerie (1994): *The Middle East's slow march towards peace* : **The World Today**; Vol.50, no.-5; May; p.88

for direct talks between the PLO and Israel.

PATH TO OSLO ACCORD

The deadlocked talks had the effect of forcing the parties to do some introspection as the realization of the need for peace had dawned on them. "The PLO and Israel recognized that a first step was required on their part – reciprocal, deliberate, and public – towards reconciliation representing a commitment both by Palestinian and by Israeli leadership to peace."¹⁴

In the context, it is worthwhile to note that various international and regional factors also played their part leading upto the Oslo accord. Some of the factors are listed below:

- (a) the deadlocked Washington talks which prodded the Oslo negotiators into finding an alternative formula;
- (b) the replacement in Israel in 1992 of Shamir's government with its ideological commitment to the land of Israel by a Labour govt., whose leaders were committed to accelerating the peace process.

¹⁴ Kelman, H.C. (1992) : *How to create a Momentum for the Israeli-Palestinian Negotiations* : *Journal of Palestine Studies*; Vol.XXII, no.-1; Autumn.

- (c) the weakening of the PLO which faced financial collapse and international marginalization as a result of Arafat's support for Saddam Hussein;
- (d) the rise of Islamist groups.¹⁵

The sacred 'Oslo channel' which ultimately turned out to be a watershed in the entire peace process had a rather humble beginning. The meeting which took place in December 1992 was the result of months of efforts, but lasted only a few hours. The main actors involved in the initiative were Yair Hirschfeld, a Middle East history professor, who was in fact breaking Israeli law by talking to Ahmed Kriah head of the PLO's economics department.

At this stage, nobody believed that these endeavours would lead them to any definite results. But they did.

Immediately after meeting Kriah, Hirschfeld called a high ranking friend, Yossi Beilin, Deputy Foreign Minister and an aggressive dove.

On the other hand, Foreign Minister Shimon Peres had already tentatively explored the possibility of opening back-channel talks with the PLO with the help of Thorvald Stoltenberg, then Norway's

¹⁵ SIPRI Year Book; 1994; p. 104

Foreign Minister. ¹⁶

As it turned out, Kriah, Hirschfeld and Pundak, a history research fellow, were acquainted with the members of the Norwegian Institute for Applied Social Science (FAFO) which had sociologists and scientists studying living conditions in the West Bank and Gaza Strip. Hirschfeld contacted Terje Roed Larsen, head of the institute, who pressed his government contacts at home and came back with encouraging news. "If you need our support", Larsen told Hirschfeld, we'll get the Norwegian govt. to give you all the facilities you need." ¹⁷

The negotiators jumped at the chance. Hirschfeld and Pundak, together with the Palestinians led by Kriah, headed for Oslo in January. During the next 8 months, they met 14 times in sessions lasting two to three days.

What began as exploratory discussions between Israeli academic and political activist Yair Hirschfeld and the PLO aid Ahmad Kriah turned into serious direct negotiations between Israel and the PLO, engaging the attention of and in the later stages the direct involvement of Rabin and Arafat. The talks took place in

¹⁶ *Swimming the Oslo Channel: Time*; 13th September 1993; p.22

¹⁷ *ibid.*

secluded villas, private homes and apartments in Norway, Sweden and France, under the sponsorship of the then Norwegian Foreign Minister, Johan Jorgan Holst, and key figures in FAFO.

An important aspect of the entire talk was the conscious effort on the part of the actors to keep the talks informal, a deliberate ploy in order to stay clear of the compulsions and restrictions and the concomitant lack of manoeuvrability associated with formal/official talks. The actors stuck to the position that they were not officially representing their government but were simply “exploring issues”.

The greatest benefit of such informal private talks was that it allowed space for free exchange of ideas. Away from the glare of public scrutiny, the actors could put forward their ideas and proposals without any fear of loss of face or damage to their negotiating positions. Such a relaxed atmosphere allowed the actors to explore options that official delegation may not have even considered on principle.¹⁸

THE OSLO BREAK THROUGH

Following 8 months of secret, parallel talks in Oslo and

¹⁸

cf.: *ibid*

elsewhere, Israel and PLO unexpectedly reached an agreement in August 1993 on limited Palestinian self-govt. in Gaza and West Bank town of Jericho. The signing of the Declaration of Principles in Washington on 13 September 1993 was preceded by **mutual recognition** between the PLO and Israel – a monumental breakthrough in Israel's relations with the Palestinians and in the Middle East politics.

The Israel-PLO 1993 agreement provided for mutual recognition between the two parties and laid the principles of Palestinian interim self-govt. in the occupied territories starting with Jericho (West Bank) and the Gaza strip. The agreement comprised three letters (dated 9th Sept. 1993), and the Declaration of Principles on Interim Self-Government Arrangement on 13 Sept. 1993. The three letters covered the mutual recognition portion of the agreement, whereas the Declaration which was signed on the White House covered the principles that would govern the Palestinian interim self-govt. in Jericho and Gaza.

The *first letter* was from the PLO chairman Yasser Arafat to Israeli Prime Minister Yitzhak Rabin. In this letter, Arafat related to the PLO's recognition of the 'right of the state of Israel to exist in

peace and security', its acceptance of the UN Security Council Resolution 242¹⁹ and 338²⁰, and its commitment 'to the Middle East peace process and to a peaceful resolution to the conflict between the two sides', as well as to the settlement of all outstanding issues 'relating to permanent status' through negotiations. Furthermore, Arafat promised 'to submit to the Palestinian National Council for formal approval the necessary changes in regard to the National Covenant', namely to annul 'the provisions of the Palestinian Covenant which were inconsistent with the commitments' stipulated in the letter.²¹

The *second letter* was from Arafat to Norwegian Foreign Minister Johan Jorgan Holst, in which he embraced the PLO's declaration which encouraged and called upon 'the Palestinian people in the West Bank and Gaza strip to take part in the steps leading to the normalization of life, rejecting violence and terrorism,....'²²

The *third letter* was from Prime Minister Yitzhak Rabin to

¹⁹ See: Appendix A

²⁰ See: Appendix B.

²¹ For full text of the letter, see : *Special Document file : The peace process: Journal of Palestine Studies* (1993); Vol.XXIII, no.-1; Autumn; p.115

²² For full text of the letter, see : *ibid*; p.115

Yasser Arafat. In this letter, Rabin maintained that in light of the PLO commitments (included in Arafat's letter of 9th September 1993) the Government of Israel has decided to recognize the PLO as the representative of the Palestinian people and commence negotiations with the PLO in the Middle East process.²³

The '*mutual recognition*' part thus marked a significant step forward in the whole peace process. In a way it provided a fresh impetus to the ongoing negotiations.

Finally, the Declaration of Principles defined the principles of Palestinian interim self-government to the West Bank and the Gaza strip. The **Declaration of Principles on Interim self-government Arrangements** consisted of 17 articles and four annexures.

Article I described the primary aim of the Declaration as that of establishing a Palestinian Interim Self-Government Authority, the elected Council for the Palestinian people in the West Bank and the Gaza Strip, for transitional period not exceeding 5 years, leading to a permanent settlement based on Security Council resolutions 242 and 338.²⁴

²³ For full text of the letter, see : *ibid*; p 116

²⁴ *Text of the Declaration of Principles (DOP)* : **International Legal Materials**; Vol.XXXII, no.-6; November 1993; p.1527

Article III dealt with *elections* to the Council and the *modalities*. It described the council's election as a vital 'interim preparatory step toward the realization of the legitimate rights of the Palestinian people (of the West Bank and Gaza Strip) and their just requirements'.²⁵

Article V covered the *transitional period* and *permanent status negotiations*. It stipulated that the 'five-year transitional period would commence upon Israel's military withdrawal from the Gaza Strip and the Jericho area', and that permanent status negotiations would 'commence as soon as possible, but not later than the beginning of the third year of the interim period', and that these would cover 'remaining issues, including: Jerusalem, refugees, settlements, security agreements, borders, relations and cooperation with other neighbours, and other issues of common interest'.²⁶

Article VI considered *preparatory powers and responsibilities*. In this regard, it covered the withdrawal from the Gaza strip and the Jericho area, as well as the transfer of authority from the Israeli military govt. and its Civil Administration to the authorised

²⁵ *ibid*; p.1528

²⁶ *ibid*; pp.1528-29

Palestinians for this task.²⁷

Article VII dealt with '*interim agreement*'. It maintained that the Israeli and Palestinian delegations would negotiate an agreement on the interim period. The 'Interim Agreement' specified, among other things, 'the structure of the Council, the number of its members, and the transfer of powers and responsibilities from the Israeli military government and its Civil Administration to the Council'.²⁸

Clearly, the agreement was an important turning point in the modern history of the Israel-Palestine conflict. The agreement provided for further negotiations regarding the establishment of a lasting peace. However, many important issues were not mentioned at all, or deferred, for consideration in the future. While the omissions may have been intentional, they were of a critical nature.

Infact, "the scope of the principles, both ambiguous and limited enough to permit the parties to agree to them, inevitably contained the seeds of future difficulties".²⁹

²⁷ cf.: *ibid*; pp.1529-30

²⁸ *ibid*; p.1530

²⁹ Yorke (1994): *op cit*; p.87

FLAWS OF THE AGREEMENT

The interim agreement, though a historic one, had certain loopholes in it, which fuelled discontent and provided materials to the fundamentalists on both the sides to oppose the peace process.

Some of the loopholes are:

1. The declaration only concerns interim self-government – a first phase in a two-phase settlement – and a such leaves the most controversial question of Jewish settlements, refugees, Jerusalem and the final status of the Occupied Territories (OTs) to be negotiated in the 1996-99 period. And while the text mentions UN Security Council Resolution 242 and 338, no interpretation is offered, thereby allowing each party to continue to interpret those resolutions differently.³⁰
2. The ambiguities created strong opposition among Israeli right-wingers who saw the accord as a sell-out because its logical conclusion, they believed, would be a Palestinian state; a growing number of Arafat loyalists also criticized it because it did not include in Israeli rununciation to its claim to the OTs and has provided Israel with the time to consolidated the settlements. In

³⁰ ibid; p.87

short the Palestinians feared that the Declaration of Principles' implementation would diminish chances of gaining control over their land.³¹

3. Critically examining the Declaration of Principles, Lustick has argued that the opponents of the principles of compromise "can interrupt, stall, complicate, and even thwart it by prematurely treating the agreement as legal codex rather than a political framework. This could seem a bit puzzling since one might assume that passionate opponents of the process would unleash their radical rejection of it in order not to give implicit support to its underlying principles. Certainly many opponents of Oslo, and of other agreements mentioned above, have acted in this way.³²

The first setback to the Oslo accord was that the agreed deadline (13th December), originally called 'sacred' by the Israeli Prime Minister, passed on without any troop withdrawals from the Gaza - Jericho areas. Israel's excuse was that the security arrangement for border crossings between the Palestinian area and

³¹ ibid; p.87

³² Lustick, Ian S. (1997) : *The Oslo Agreement as an obstacle to peace*: **Journal of Palestine Studies**; Vol.XXVII, no.-1; Autumn; pp. 62-63

Jordan and Egypt had not been completed. The PLO was pressing for control of them, while Israel insisted it must take charge in order to monitor entry into Israel proper. The two other main outstanding issues were the boundaries of Jericho and the safety of Jewish settlers. Several meetings between the Palestinian and Israeli negotiating teams took place in December, but nothing was resolved.

OSLO II

The year 1995 was a year visited by both success and tragedy in the Israel-Palestinian peace process. An agreement – the **Israeli Palestinian Interim Agreement on the West Bank and Gaza strip** (also known as the Oslo II agreement) was signed between Israel and the Palestinian Authority (PA) on 28th September 1995, almost two years after the DOP on Interim Self-Government arrangements of 13 September 1993 (known as Oslo I agreement). The tragic part was that the Israeli Prime Minister Yitzhak Rubin was murdered by a Jewish extremist on 4th November. The Labour party, though, continued negotiations under his successor Shimon Peres.

Going back a little, it becomes evident that the peace talks during 1995 were marked by a number of obstacles which impeded the progress of talks. In Feb. 95 peace talks were held in Paris

between Israel and the PLO, but the talks failed to overcome obstacles blocking the expansion of Palestinian autonomy. PLO accused Israel of violating the Sept. 93 agreement by imposing collective punishment, confiscating land and restricting the passage of Palestinian on to the Israeli territory. In the same month, the leaders met at Cario to further the stalled Middle East peace process, but did not meet with any success with regard to lifting of Israel's closure of the occupied West Bank and self-ruled Gaza strip or a Jewish settlement, (Israel had closed entry to Gaza and West Bank following suicide bombings by the militant organisation Islamic Jihar). However, the leaders called for ending political violence and persevere with PLO-Israeli agreements.

After months of difficult negotiations, Arafat and Peres announced a parties deal, the *Taba Israeli-Palestinian joint statement*,³³ on 11th August 1995, at the Egyptian resort at Taba. Specifically, they achieved framework agreement on the transfer of many civilian functions of West Bank administration to the PA, the definition of many areas in which the PA would exercise self-rule, the election and composition of the Palestinian council, the release of

³³ cf. *Text of the Taba Israeli-Palestinian Joint Statement, Appendix 4 A : SIPRI Year Book; 1996; p.190.*

Palestinian rulers, and the control of water rights.

On 17 August, Israel and the PLO agreed to transfer eight civilian powers to the PA to signal the Taba statement was being translated into action. The PA gained control over agriculture, insurance, labour, local govt., postal services, oil and petrol, statistics and trade and industry.

In September 1995 yet another major step in the direction of peace in the Middle east was taken when Israel and the PLO signed an accord to extend Palestinian self-rule throughout the West Bank. The agreement signed on 28th September 1995 was the successor to the DoP, which translated the Taba Joint statement into a formal agreement.

SOME IMPORTANT PROVISIONS

The agreement created three zones on the West Bank:

Area A consisted of those zones for which the Palestinians would have full responsibility for internal security and public order as well as for civil affairs (the cities of Bethlehem, Jenin, Nablus, Qulqilya, Ramallah and Tulkarem, in addition to Jericho), and parts of the city of Hebron outside specific areas where the Israeli Army would be

responsible for security.³⁴

Area B consisted of Palestinian towns and villages on the West Bank in which the Palestinian Authority (PA) would have civil authority and be charged with maintaining order within specified hamlets in Area B.³⁵ The movement of the PA police between the towns and villages would be 'coordinated and confirmed' with Israel. Notwithstanding the powers of the Palestinian police, Israel would maintain overriding security authority.

Area C consisted of unpopulated areas of the West Bank, areas of strategic importance to Israel and Jewish settlement. Israel will retain full authority for order and security, although the Palestinians would gradually assume all civil responsibilities, economy, etc. except in the areas to be discussed in the Final Status Talks.³⁶

The Interim Agreement also established a time-table for the redeployment of the Israeli army. The first stage required the army to begin redeployment within 10 days of the signing of the agreement and to have left the six cities by 31st December 1995. The areas of

³⁴ See: *Text of the Interim Agreement, Annex I* : <<http://usinfo.state.gov/regional/nea/peace/interim.htm>>; version current on 30th June 2000.

³⁵ *ibid.*

³⁶ See: *Text of the Interim Agreement, Annex III* : *ibid*

Hebron would be vacated by late March 1996 after Israel had constructed bypass roads so that the Israeli settlers need not enter Arab areas. Civilian authority in the 450 villages in Area B would be handed over in intervals.³⁷ Further redeployments would take place in Area C at six-month interval; additional territorial jurisdictions in Area C would be transferred so that the only areas under the direct jurisdiction of the Israeli army would be those whose jurisdiction was to be determined in the Final Status Talks.

The Interim Agreement established the size of the Palestinian council at 82 members, but the number was subsequently raised to 88 members. The Council was given legislative and executives powers and would sit until May, 1999, when new elections would be held.³⁸

The PLO agreed to revoke the section of the charter of the PLO calling for the destruction of Israel within two months of the Council's inauguration, although the entire Palestinian National Council would have to make this change.³⁹

³⁷ See: *Text of the Interim Agreement, Article XIII* : ibid

³⁸ See: *Text of the Interim Agreement, Article V* : ibid

³⁹ See: *Text of the Interim Agreement, Article XXXI*: ibid

OPPOSITION TO OSLO II

Hardliners and fundamentalists on both sides objected to the agreement and accused its author of treason.⁴⁰ Hamas said the agreement meant the Palestinian would never have a state. Others criticized it for ignoring the '1948 refugees', stating that the PA's acceptance of the West Bank and the Gaza as the limits of a future Palestine amounted to acquiescence that they could never return to their homes.⁴¹

In Israel some opponents saw the deal as flawed in security terms, while others could not accept any deal involving compromises on the West Bank. Opposition leader B Netanyahu was particularly adamant in his view that the deal was deeply flawed.⁴²

The year 1997 marked yet another step in the efforts forward peace. On 15th January, 1997, the Israeli Prime Minister Benjamin Netanyahu and Palestinian leader, Yaser Arafat, signed an agreement over the status of Hebron-the **Protocol Concerning the Redeployment in Hebron** (known as Hebron Accord). The Hebron Accord specified that Israel would withdraw from most of Herbron

⁴⁰ *Israel agreed to quit West Bank* : **Guardian Weekly**, 1st October 1995

⁴¹ *Islamic group slams PLO-Israel accord*: **Financial Times**, 26th September 1995

⁴² **SIPRI Year Book 1996**; p.173

within 10 days.⁴³

Furthermore, a Note for the Record⁴⁴, prepared by the US special Middle East Coordinator Denis Ross, guaranteed continuing Israeli troop withdrawal from the West Bank. Israel agreed to carry out three stages of additional troop redeployments. The initial stage was now set for the first week of March 1997, and the other two stages were to be completed not later than mid-1998.⁴⁵ However, the size of these troops were not specified, and neither party seemed satisfied with the Accord.⁴⁶

However, fresh tension was generated between Palestinian and Israel over Israel plan to build a new Jewish neighborhood in East Jerusalem. According to this plan, known as *Har Homa Plan*, Israel was to build 6,500 Jewish housing units in an Arab sector on a hill on the eastern outskirts of Jerusalem.⁴⁷ The Palestinian held that this plan would dilute the spirit of accords over Hebron. Further the

⁴³ The accord was prepared primarily in accordance with Article VII, Annex I of the Israel-Palestinian Interim Agreement on the West Bank and Gaza Strip, known as the Oslo II agreement.

⁴⁴ See: Appendix 3A : <http://www.usis.usemb.se/regional/nea/peace/hebprot/htm#document3>; version current on 30th June 2000

⁴⁵ The time table was a compromise agreed by Arafat and Netanyahu. The PA's initial demands was for the withdrawal to be completed by September 1997 as stipulated in the Interim Agreement, while Israel proposed that it be delayed until May 1999.

⁴⁶ SIPRI Year Book 1998; p.92

⁴⁷ cf. <http://www.israel-mfa.gov.il/news/hhoma.html>; version current on 30th June 2000

Palestinians wanted this area for their future capital. Arafat tried to internationalise the issue of construction of houses in east Jerusalem which evoked strong protests from Israel. In the United Nations, the USA vetoed resolutions against Israel calling on Israel to halt a settlement construction in Arab east Jerusalem. All the developments posed as serious threat to the peace process in the Middle East and there seemed to be hardly any meeting ground between the Israelis and the Palestinians.

The peace process in the Middle East suffered a further setback in July 1997 when a pair of suspected Palestinian suicide bombers blew themselves in a crowded market in the West of Jerusalem which resulted in the death of 20 persons and injury to 150. Israel immediately imposed a total closure on the west bank and the Gaza strip. These developments gave a serious setback to the peace process.

By August, however, the United States shed its role of a reluctant mediator – involved in behind the scenes role in the peace process – and became ‘more publicly active.’⁴⁸ In September 1997, the US secretary of State, Madeline Albright visited the Middle East

⁴⁸ *US decided to spur mideast talks: International Herald Tribune (Paris), 11th August 1997.*

and made a bid to sort out differences between Israelis and the Palestinians. The American mediation led to a meeting between Israeli Prime Minister Benjamin Netanyahu and PLO leader Yasser Arafat on 08th October 1997. This was followed by fresh negotiations in November 1997 at Washington where issues like provision of an airport and seaport for the Palestinians and the construction of safe corridor between West Bank and Gaza Strip were taken up.

In January 1998, President Clinton met Israeli Prime Minister Netanyahu but failed to bring about any agreement for an Israeli withdrawal from the West Bank. While the US wanted Israel to yield more territory on the Western Bank to the Palestinians, Israel was not willing to do so on the plea of Israeli security. The Palestinians on the other hand insisted that Israel should immediately carry out two of the three troops pullbacks and implement the third withdrawal by the middle of 1998 as was required under the Hebron agreement of January 1997. The peace process was further hampered because of the insistence of Israeli Prime Minister that Arab terrorism must be curbed by the Palestinian Authority before Israel can think of vacating the area they agreed to surrender. On the other hand Arafat declared in April 1998 that irrespective of what happens to the peace negotiations, he would declare an independent

Palestinian state on 04th May 1999, as per the time-table set out in the Oslo agreement. Israeli Prime Minister held a counter threat that Israel would annex parts of West Bank if Arafat unilaterally declares an independent Palestinian state.

Thus the negotiations were virtually stalled and became deadlocked.

CHAPTER - 3

WYE RIVER NEGOTIATIONS

Quite a number of efforts were made during the month of November 1997 to ensure that the stalled peace talks could be furthered. However, the various efforts, as mentioned below, failed to revive the peace process and the deadlock continued.

Despite the setback to the peace endeavours, renewed attempts were made during the year 1998. Certain things however stand out during the year marked by hectic initiatives, proposals and counter-proposals.

One, for most part of the year, diplomatic efforts centred around the issue of further redeployment (FRD), overshadowing the other issues. "Thus, with the exception of sovereignty issues related to Gaza airport, the remaining differences blocking full implementation of Oslo II are reportedly minor and could be solved within days or weeks. The PA in effort to pressure Israel to reach on acceptable FRD compromise is currently refusing to close cases until an FRD agreement is reached."

Two, the two parties, except for a few meetings between them,

never sat together at the negotiating table to hammer out their differences. Instead, what happened was that proposal paper emerged from the United States, to which Israel reacted with its own proposals. Thus, for most part of the year, no common ground could emerge, resulting in the absence of any negotiation.

A new round of peace talks began in Washington between the Israeli and Palestinian negotiators on 2nd November 1997. At the meeting, both defined sharply contradictory goals: Israel was seeking postponement of troop withdrawal from rural areas of West Bank and accelerated talks on final status of settlement between Israel and Palestine; said talks should focus on differences over carrying out of 1995 accord calling for creation of safe-passage between the Palestinian-governed territory and West Bank and in Gaza Strip, as well as for building airport and seaport in Gaza; Palestinians insisted that troops withdrawals should go forward before final status talks begin; called on Israel to demonstrate good will by declaring halt to settlement activity in West Bank; Yasser Arafat said talks were a waste of time and that he had agreed to send negotiator only because secretary of State Madeline K Alright had asked him to do so.¹

¹ *Mood is grim as Israeli-Palestinians negotiations resume: New York Times*, 3rd November 1997

The talks thus continued for the next couple of days “without any accomplishments.”²

Thus, with the Washington meeting, from 3rd to 6th November 1997, having failed with respect to the Oslo II implementation talks and US Secretary of State Madeline Albright’s follow-up meetings with Palestinian Authority (PA) head Y Arafat and Israeli Prime Minister Benjamin Netanyahu remaining inconclusive, a “frustrated and impatient” President Clinton urged Israel to come up with a serious and credible redeployment from 10-15% of the West Bank (the bulk of which should come from the Israeli-controlled area C and not from jointly controlled area B) in advance of his meetings in Washington in December 97, with Arafat and Netanyahu.³

However, the very next day, the Israeli government leaked a further redeployment (FRD) offer under which it would withdraw from 6-8% of the West Bank around Hebron, Jinin, Nablus and Ramallah – with no specification of whether the pullback would be from area A or area B. The Israeli Right immediately said that that the plan went

² *Israeli-Palestinian talks get off to a shaky start in Washington: New York Times*, 4th November 1997

³ *US pushes Israel for ‘credible’ withdrawal plan: New York Times*, 24th November 97

too far, while for the PA it was unacceptable small, and the US declared it inadequate.

On 27 November, Prime Minister Netanyahu publicly reiterated his proposal that the three stages of FRD outlined in Oslo II should be combined into one, elaborating that this should occur after a 5 month probation period to ensure full PA compliance with Israeli security demands, provided the PA also agree to immediate accelerated negotiations on final status. Regarding the extent of the single FRD, Netanyahu stated only that Israel would require “extensive and continuous security zones”, including a buffer zone in the Jordan valley, a buffer separating east-west roads connecting the two buffer zones.⁴

Meanwhile, the Israeli cabinet gave approval in principle to ceding more territory to Palestinians before final peace settlement was reached, though the decision itself was couched in tough conditions. It insisted that Netanyahu specify which areas would be retained by Israel in a final settlement before it would discuss any concrete proposals.⁵

⁴ *Peace Monitor. Journal of Palestine Studies* (1998); Vol. XXVII, no.-3; Spring; p. 123

⁵ *Christian Science Monitor*, 30th November 1997

On the other hand, ahead of President Clinton's meeting with both Netanyahu and Arafat in Washington in January 1998, Secretary of State, Madeline Albright was busy preparing grounds for the meeting, meeting both Netanyahu and Arafat separately.

While on her way to Africa, Albright met Netanyahu in Paris on 5th December 1998 to discuss his FRD proposals.⁶ The next day, on 6th she met Arafat in Geneva. During her meetings with them, she made it clear that while she supported Netanyahu's condition regarding security, she thought his 6-8% FRD proposal amounted to too little too late. She also believed that Arafat's expectations of 70-80% were exaggerated.

She also warned both the sides that if they would not resolve the FRD issue themselves, the US would offer its own proposals.

Meanwhile pressure was mounting on Netanyahu with respect to the FRD issue. The Israeli Cabinet, on 04th January 1998, ruled that Netanyahu could not leave for his scheduled meeting with Clinton without an FRD plan being approved by the entire

⁶ *Netanyahu wants more time to act on any pullbacks: New York Times*, 6th December 1997

government.⁷ Later providing a framework for the talks and delimiting the areas to be discussed, the Israeli cabinet ruled the following:

- (a) The cabinet agreed not to carry out any FRD until the PA meets 12 page list of conditions, including extraditing PA prisoners.⁸
- (b) The cabinet approved 8 loosely defined zones in the West Bank as areas of “vital national interest” not to be returned under any deal.⁹

Thus, Netanyahu met President Clinton with his negotiating manoeuvreability severely restricted by the Israeli cabinet’s decision.

Later, in his separate meeting with Netanyahu on 20th January, and Arafat on 22nd, President Clinton offered his own FRD proposal:

- (a) A 3 staged second FRD carried out over several months from at least 10% of the West Bank as part of a packaged deal that would give Israel and the PA enough “common ground” to begin accelerated final status talks.

⁷ *Netanyahu’s hold on power is hurt as minister quits: New York Times*, 5th January 1998

⁸ *Israel announces stringent terms for withdrawal: New York Times*, 14th January 1998

⁹ *Israel set tight limits for a West Bank pullout: New York Times*, 15th January 1998

- (b) The first stage would last six weeks, would involve transfer of some land from area C to area B, and commencement of final status talks.
- (c) The third stage would last twelve weeks, would require more transfers from area C to area B, and perhaps to area A. and focus on transfer of land to area A.
- (d) The third stage would last twelve weeks, and focus on transfer of land to area A.¹⁰

In total, the proposal recommended that Israel move 11-14% from area C to area B and 10-13% from area B to area A.¹¹

Neither Netanyahu nor Arafat agreed to the plan though.¹²

However, in order to resolve the deadlock and as a follow-up to Clinton's meeting with the two leaders, Albright met Netanyahu (31st January) and Arafat (2nd February) and urged them to consider the FRD plan carefully.

¹⁰ **Journal of Palestine Studies** (1998); Vol. XXVII, no.-3; p. 124

¹¹ *Clinton proposed a West Bank plan to Israeli leader.* **New York Times**, 21st January 1998

¹² *US and Israel talk mainly of more talks:* **New York Times**, 22nd January 98

An outcome of the meeting was that both agreed to send their representatives to Washington on 10th February for further discussions.

In the Washington talks, both the Israeli and PA teams held separate follow-up talks on the peace process with State Department Special Coordinator for Arab-Israeli Negotiation Aaron Miller, and special envoy Dennis Ross. The Israeli team was led by Cabinet Secretary, Nav, and Netanyahu's foreign policy adviser Uzi Arab. The PA team was led by Local Government minister Erakat. PLO Washington representative Hassan Abdal-Rahman also attended the meeting.

Again no progress could be made at the negotiations. However, slightly modifying the earlier proposals, the State Department offered a revised version of the Clinton FRD plan, increasing the total percentage transferred to the PA to 20% but reducing the amount moved to area A to 6%.

Meanwhile, the political environment in the Gulf was getting tense by the day – as there were increasing possibilities of a US - British strike on Iraq to force it into compliance with UN inspections requirements. The US perceived the still stalled peace process

between Israel and Palestine as an obstacle to its efforts to muster a pan Arab coalition against Iraq. Apparently sensing US's feelings on the issue, Netanyahu stepped up informal contacts with the Palestinian Authority (PA) in the hopes of reaching a compromise itself. Meetings to this end included Israeli Prime Minister Benjamin Netanyahu with PA head Arafat's advisor Mahmud Abbas and Palestinian Council (PC) speaker Ahmad Qurai. Arafat met with Netanyahu adviser Yitzhak Molho, while Israel's infrastructure minister Ariel Sharon met with Abbas and Qurai.

Later, on 23rd February, Netanyahu suggested that Israel and the PA hold Camp David style talks under the US auspices to discuss "core issues". Arafat rejects the proposal, calling it a ploy to divert attention from the "real issues of peace".

On 3rd March 1998, with the purpose of thawing the deadlocked peace talks, the US came up with a revised proposal paper with respect to the FRD. The proposal narrowed down to 13.1% FRD spread over 12 weeks, concurrent with the resumption of final status talks. Other proposals contained therein were:

- (a) In the first stage, spread over five weeks, Israel would transfer 1.9% of area C (under full Israeli control) to area B (joint PA-

Israel control), 0.1% of area C to area A (full PA control), and 7% of area B to area A.

Also, PA would ban all forms of anti Israeli incitement; the PA and Israel would set up a joint committee to investigate cases of incitement; the PLO Executive committee would annul each clause of the PLO charter calling for Israel's destruction.

- (b) In the second stage, over six weeks, Israel would turn over 5% of area C to area B; the PA would give Israel a full list of police personnel; the Israeli-PA-US security committee would discuss Israeli's claims about weapon smuggling into the PA areas.
- (c) In the third stage, spread over a week's time, Israel would turn over 5% of area C to area B, 1% of area C to area A, and 5% of area B to area A.¹³

In effect, the above proposal would bring the total amount of land under full or partial PA control to 40.1%.

The very same day, i.e. on 3rd March, President Clinton, Vice-President Al Gore, Secretary of State Madeline Albright, National Security Adviser Samuel Berger, special envoy Dennis Ross, and Assistant Secretary of State Martin Indyk held a strategy session to

¹³ **Journal of Palestine Studies** (1998); Vol. XXVII, no.-4(9); p. 122

discuss “new thinking” on reviving the peace process. Though no details were released, the meeting fuelled speculation that the administration would soon publicly present the FRD proposal in an Albright speech laying blame on Israel for the deadlock. On this basis, the EU reportedly held back on a plan to have the British PM Tony Blair – the President of the EU – present a new EU formula for jump-starting the peace process when he met with Netanyahu in London on 08th March and instead sent the EU troika (the foreign ministers from the UK, Luxembourg and Austria) to Washington on 19th March to coordinate strategies with the United States.

With similar anticipation, on 10th March Arafat reportedly called for a halt to the informal PA-Israeli talks, signalling for the first time a willingness seriously to consider the 13.1% plan. By 3rd April, Arafat was encouraging Albright to publicly present the deal.

However, the Israeli cabinet rejected the proposal as “unacceptable” on 22nd March¹⁴, while Netanyahu specified on 26th March that the FRD proposal of the US would jeopardize Israeli security.¹⁵

¹⁴ *Israel tries to hush Clinton on peace proposal: New York Times*, 23rd March 1998

¹⁵ *Journal of Palestine Studies* (1998); Vol. XXVII, no.-4; Summer; p. 122

Despite the special envoy Ross's shuttle between Netanyahu and Arafat between 26th and 30th March, no progress could be made. Frustrated, the State Department warned that since no gaps were closed during Ross's tour, the "one option has always been for us to disengage from this kind of direct catalytic role".¹⁶

Meanwhile, Israel put forth its own compromise proposal involving a new classification of land— "Area-C-plus"—where the PA would control municipal affairs, but Israel would retain security control, including civil policy (the one security related function handled by the PA in area B). Netanyahu also suggested the possibility of offering a 9% FRD with an additional 2% to "area C-plus" and sent his adviser Molho to Washington to brief the US.¹⁷

In the meantime Arafat had urged Albright to publicly present its 13.1% FRD plan. The US till this time, had not made its proposal public.

The month of May saw an increase in diplomatic initiatives by the US to revive the talks. Al Gore held a series of 9 unscheduled

¹⁶ *US effort fails to end impasse in the Middle East: New York Times*, 31st March 1998

¹⁷ *ibid*; p. 123.

meetings with Arafat and Netanyahu in London¹⁸, but the London summit failed to yield a break through.

Later on 04 May, while Arafat, in his meeting with Albright “signalled general acceptance” of the US FRD proposal; Netanyahu discussed (but later did not officially offer) the C-plus option for an 11% FRD. Albright on her part refused to move from the 13.1% figure.¹⁹

At a process conference later on 05th May, Albright, for the first time, lay the blame squarely on Israel, holding its failure to compromise as the major cause of the lack of progress. She also asserted that the US proposal would not jeopardize Israeli security.²⁰

Taking a tough stand, she asked Netanyahu and Arafat to come over to Washington for talks on 11th May, specifying that acceptance of the “invitation” would require both sides to agree to the 13.1% FRD plan and to begin accelerated final status talks. Arafat immediately agreed, but Netanyahu said he would have to consult his cabinet at the next weekly session on 10th May.²¹

¹⁸ *Gore in Mideast, prods sides before talks: New York Times*, 4th May 1998

¹⁹ *Journal of Palestine Studies* (1998); Vol.XXVII, no.-4; p. 123

²⁰ *ibid.*

²¹ *US gives Israel Monday deadline to approve plan: New York Times*, 6th May 1998

Meanwhile Netanyahu asked for the postponement of the scheduled meeting on 11th May, asking for more time.²² The US, on 9th, later rescheduled the meeting for the later part of the month.²³

In the meantime, Netanyahu in his meeting with Ross, who was in the region, presented a new proposal for FRD, known as the “**escrow**” arrangement. The features were:

- (a) The proposal would allow Israel to stick to its demand for a 9% FRD while agreeing to the US’s 13.1% figure placing the remaining 4% “**in escrow**” to be handed over to the PA at some undefined future date, pending the PA’s good behaviour on Israel’s security concerns.
- (b) Israel might consider a compromise of an upto 11% FRD with as little as 2% held in reserve; the escrow amount could even be considered a third FRD, thereby complying with Oslo demands for three redeployments.²⁴

The PA however rejected the proposals, presented to it by Ross.

²² ‘No Way’ for Monday talks, an aide to Netanyahu says: **New York Times**, 9th May 1998

²³ US envoy again in Israel, sees Netanyahu and Arafat: **New York Times**, 10th May 1998

²⁴ **Journal of Palestine Studies** (1998); Vol. XXVII, no.-4; Summer; p. 124

Talks however continued. At their meeting in Washington on 17th May, Netanyahu told US special envoy Dennis Ross that Israel would be prepared to accept a phased second FRD amounting to 13.1% if the third FRD were eliminated or at most kept to a symbolic 1/2-1%.

Ross immediately flew to London to brief Secretary of State Madeline Albright on Netanyahu's latest modifications. Albright summoned PA head Yasser Arafat to London, where she asked him to consider Netanyahu's proposed "refinements". Arafat rejected the proposal for cancellation of the third FRD.²⁵

A string of secret contacts followed with a meeting between Netanyahu and Arafat adviser Mahmud Abbas as also Ross' talks with Abbas and Palestinian council speaker Ahmad Qurai.

Later, a **proposal paper**²⁶ emanated from the Israeli government, which outlined 6 points:

- (i) Israel would agree not to build new settlement or significantly expand existing settlements,

²⁵ *Rumours of Mideast deal brings denials, fuelling more rumours: New York Times*, 19th May 1998

²⁶ **Journal of Palestine Studies**, Vol. XXVIII, no.-1, p 118

- (ii) Israel would agree to handover 13% of West Bank land over 12 weeks (12% to area B and 1% to area A), linked to PA security clampdowns,
- (iii) Israel would transfer a further 14.2% from area B to area A,
- (iv) Israel would halt plans to demolish 1,800 Palestinian homes, release prisoners, and open Rafah airport and the Qurni industrial zone.
- (v) The PA would ensure that it would arrest, prosecute, and jail Palestinian 'terrorist', confiscate illegal weapons, halt anti-Israeli incitement and increase security coordination, and,
- (vi) Both sides would resume final status talks immediately.

However, when King Hussein of Jordan apprised Yasser Arafat of Netanyahu's above-mentioned proposal, Netanyahu apparently backtracked, saying he would accept the US plan of 13.1% only if

- (i) the PNC convened a full session in the PA areas to amend the PLO charter
- (ii) the third FRD would be discussed in the final status talks, not before, and,

(iii) the second FRD would be implemented during the Knessets' summer recess to reduce chances that the Israeli government would be toppled over the FRD.

A meeting ground that appeared to be emerging, once again became a mirage.

Getting frustrated that the peace talks were leading nowhere, President Clinton, on 7th July, instructed his peace team to inform Israel and the PA that they must deal directly with each other.

At the meeting between Albright and PA chief negotiators, Local Government minister Saeb Erakat and Planning Minister Nabil Shaath in Washington on 8th July 1998, the US did a significant reversal of its earlier stand. Albright told them that the United states was unable to get Israel to accept its FRD formula and also had no plans of making the proposal public. It also backed Israel's demand that the PNC be convened to abolish the PLO charter.²⁷

On 13th July, the State Department announced that some senior Israeli and PA officials had agreed to reopen direct talks but that the US would not be the host.²⁸

²⁷ *US hoping for a deal on pullback by Israelis: New York Times*, 12th July 1998

²⁸ *Journal of Palestine Studies*: op cit

Talks led by Morechai and Abbas began on 19th July at US Ambassador Edward Walker's residence in Israel. The negotiation, instead of centring on issues like FRD and PLO's anti-Israel charter, threw up a new proposal from Israel. It introduced a new category – area D – involving land returned as a “nature reserve” with no PA security control and a ban on building. No progress could be made and the talks broke down.²⁹

However, low level contacts continued during the period, undertaken more to show ongoing movement rather than in the expectation of progress. But, any prospect for accord between Israel and Palestinian dimmed further as senior Palestinian official said “they were prepared to pull out of the peace talks unless Israel showed swift willingness to consider new ideas.”³⁰

On 24th August, both Netanyahu and Arafat softened their positions on key aspects of US sponsored peace proposal³¹, thereby signalling that progress could be possible in the long-stalled Middle East peace process.

²⁹ *Israel and Palestinians meet, but agree only to meet again: New York Times*, 20th July 1998

³⁰ *Palestinians threatening to withdraw from talks: New York Times*, 3rd August 1998

³¹ *Both Netanyahu and Arafat soften stands on US plan: New York Times*, 25th August 1998

Later, Secretary of State Madeline Albright spent five days in New York meeting with Netanyahu, Arafat and other Arab officials in an intensive effort to get Israel and the PA to “lock in” a partial agreement on key issues related to FRD.

With a view to thaw the deadlocked talks, Netanyahu came up with three conditions, which were to be met to further the talks³²:

- (i) as promised, Palestinians must dismantle and destroy the terrorist machinery that otherwise would be forever at the gates of Israeli citizens.
- (ii) the 13% would be handed over in 3 months, as anti-terrorist goals were met, and, as promised, the hateful Palestinian covenant scrapped.
- (iii) 3% of 12% was critical to Israel border and water protection. No building or Palestinian focus would be allowed; the Israeli army would see to it.

On 28th September 1998, after more than 18 months of squabbling and stalemate, PM Netanyahu and President Arafat agreed to the essentials of an Israeli withdrawal from 13% of the West

³² *Listen when Netanyahu talks about a peace deal: International Herald Tribune (Paris)*, 26th September, 1998.

Bank, thereby raising prospects for an interim Middle East peace agreement.

Referring to a Washington proposal for Israel to turn over 13% of the West Bank land, and declare about a quarter of it an uninhabited 'nature preserve', Mr. Arafat said "we have accepted it."³³

But a flurry of negotiations in New York over the weekend and a meeting with Clinton failed to 'complete' the agreement. Unresolved issues included parallel Palestinian actions to insure Israeli security, steps to fight terrorism, including dismantling terrorist groups, confiscating weapons and limiting anti-Israeli speeches and propaganda.³⁴

However, an important result of the above negotiations was the 13% agreement over the West bank territory. Though it did not come as a surprise, it represented a concession by Israel. More so because Netanyahu had said Israeli could not give up more than 9% of the land on the West Bank territory for the fear that land would be used as a base for terrorist attacks.

³³ *Arafat Meeting Clinton, agrees to West Bank Idea: International Herald Tribune (Paris)*, 30th September 1998

³⁴ *Israel seeks assurances on terrorism: New York Times*, 29th September 1998

Working to close the *second part of the deal*, viz. security concessions from Palestinians, Clinton sent the Secretary of State Albright and special envoy Ross to Israel to lay the groundwork for the upcoming Washington meeting. The brief for the US mediators was to concentrate on extracting security concessions from Arafat that Mr. Netanyahu can accept.

In his Washington meeting with Arafat³⁵, Clinton emphasized the work that the Palestinian needed to do to combat terrorism as the Israelis withdrew from an additional 13% of the West Bank. Consequent upon Israel's acceptance of the FRD issue, the American attention turned to more complex and complicated details of how Palestinians could improve security and other issues like dismantling terrorist cells, confiscating some guns, and halting the "incitement" of residents, through anti-Israel speeches and propaganda.

However, not much of a headway could be made in committing the parties to a deal to their mutual satisfaction. The Secretary of State Albright even issued a new warning on 06th Oct 98, that the time for negotiating peace was running out, with both sides haggling

³⁵ *Clinton presses terrorism issue in 2nd meeting with Arafat: New York Times*, 30th September 1998

over an interim agreement, while a far more difficult subject, the permanent status of their relationship, had barely been broached.³⁶

It was under such a prevailing atmosphere that the Middle East peace conference opened on 15th October 1998. In his opening remarks at Washington, Clinton 'promised his own intense involvement to secure an agreement, and urged the Israeli and Palestinian leaders to "break the logjam" and take the risks required to provide new hope to their people.³⁷ He was opening a four-day summit between Netanyahu and Arafat.

Before proceeding further, it would be appropriate to list the contentious issues between the two, which stalled the peace process. These contentious issues were the focus of the talks during the Mideast peace conference which opened at Washington. The issues are:

- (a) Land
- (b) Security
- (c) Transfer of suspects

³⁶ *Albright gives a new warning on urgency in mideast: New York Times*, 7th October 1998

³⁷ *Clinton urges Netanyahu and Arafat to take risks: New York Times*, 16th October 1998

- (d) Revision of Palestinian Charter
- (e) Anti-Israeli incitement.

NEGOTIATIONS AT WYE

Later, the three leaders went separately by helicopter to the Wye River Conference Centre, a secluded retreat on a Chesapeake Bay estate in rural Maryland, 60 miles (90 kilometers) east of Washington. There, Clinton officially opened what was expected to be a weekend of intensive talks aimed at resolving fundamental differences on land and security.

The impending round of negotiation were however, conditioned by an important consideration. “The American officials acknowledged the fact that Mr. Arafat had to have ‘something concrete’ to point out by then³⁸ (04th May, by which date he has told he would declare a Palestinian state).

Meanwhile in an obvious toughening of Israel’s posture, Natan Sharansky, one of Netanyahu’s closest advisers in the cabinet, said in an interview that “*no date is sacred*”, and that it could take two years for a final settlement to be negotiated. “We are coming to a summit

³⁸ *ibid.*

where expectation are so high. Yet the most outstanding issues are not resolved. While what we in Israel have to give is clear, what we are to get, is not”³⁹, he said.

The main issues for the Israelis were Palestinian steps to improve security, fight the radical Islamic Hamas movement and stop public and private “incitement” of violence against the Israelis.

Netanyahu government’s seriousness and commitment towards reaching an accord in borne out by the fact that his Foreign Minister Ariel Sharon and Defence Minister Yitzhak Mordechai arrived in Washington the next day to join Sharansky, who together comprised “kitchen cabinet”. The fact was that they must agree themselves if Netanyahu had any chance of getting a deal through his cabinet.

Beginning the *second day* of negotiations, the US President Clinton launched marathon negotiations on Thursday 16 October 1998, between Israeli and Palestinian leaders, pleading with them to take the risks and make the compromise needed to revive the troubled peace process.

The goal of the negotiations being held in seclusion at a remote retreat in Eastern Maryland, was to seal a new interim peace

³⁹ *ibid.*

agreement involving further Israeli withdrawals from the West Bank and tougher Palestinian actions to halt attacks on Israelis by radical militants.

The greatest progress was made on the question of security. George J Tenet, the Director of the Central Intelligence Agency, joined the talks to help the two sides work out the American role in judging the Palestinian security services' efforts at combatting terrorism. An official of the CIA felt it was critical to begin to dispel the deep Israeli mistrust of the Palestinian security forces, "to figure out a way to validate any Palestinian claims of best efforts at fighting terrorism".⁴⁰

Notably, alongside the security issue, talks advanced on the economic front as well. They concentrated on the issue of safe passage for Palestinians from the West Bank to Gaza; the opening of an already built airport in Gaza; and how to better the lives of Palestinian whose access to jobs in Israel had been limited.

The *third day* of the negotiations failed to produce anything tangible. The talks centred on security issue. Clinton came from Washington and began an 80 minute discussion with Yasser Arafat

⁴⁰ *With prod from US, Mideast talks are moving, slowly: New York Times*, 17th October 1998

and his delegation, alongwith Albright and Ross. The issue remained unresolved through.

The talks continued into the *fourth day* despite more than 20 hours of personal engagement by President Clinton. A senior Administration official pointed out that the “continuing lack of trust among the parties” as the reason for lack of progress.

The President was joined, in his talks, by Al-Gore, alongwith Albright and Director of CIA, George Tenet. The Americans were particularly conscious that the Oslo accords were expiring on 04th May 1999, and if no solution was arrived at, it could lead to a potentially explosive situation in the region.

However, there were certain grey areas which hampered progress on security talks.⁴¹ Some of them were:

- (i) There had been talks of the CIA, which sat with both sides on a security committee, vetting cases against wanted Palestinians and deciding whether they should be tried. Normally the Palestinians answered that the person was wanted for charges

⁴¹ *Mideast meetings will be continued into another day: New York Times*, 19th October 1998

by the Palestinian authorities, and therefore may not be handed over.

- (ii) The Palestinians also wanted guarantee of prisoner releases by the Israelis, and firm guarantees that a third interim withdrawal by the Israelis from West Bank, called for under Oslo and Hebron, would take place.

On 19th October 1998, a grenade attack by radical Palestinian terrorist wounded around 60 Israelis which suddenly threatened to derail the already stalled peace process. Netanyahu and his delegation decided to use the grenade attack as a justification for dramatic negotiating ploy insisting that Israel would suspend discussion of all issues except security. The aim was to extract most specific commitment possible.

Seeking to restart the negotiations and underplay the gravity of the grenade attack, Clinton appealed to the leaders to “consider the consequence of failure and the benefits of progress”.

He presided over a 45 minute meeting of security officials and experts from the delegations, then had a one-to-one meeting with Netanyahu for about half-an-hour; then a similar meeting with

Arafat, before bringing the two leaders together for talks – their first since the two met face to face on Friday last.

However prior to their meeting, both the sides toughened their negotiating postures. Netanyahu and his “kitchen cabinet” issued a statement, in Hebrew, saying: “If the Palestinians do not fulfill their commitments on security, an agreement is impossible.”⁴² Their major grouse was: “while the Palestinians always agree to the principle, it is the specifics that are always the problem.”

The Palestinians, on the other hand, held the Israelis responsible accusing them of “stalling the peace process, having still refused to provide maps that show the precise areas of the 13% withdrawal and refusing to guarantee that a third redeployment, as called for under the Oslo accord, will take place once “final status” talks begin”.⁴³

On the *sixth day* of talks, with King Hussein of Jordan joining Clinton at the Middle East peace talks, optimism rose that some kind of settlement could be reached after 19 months of stalemate.

⁴² *Clinton struggles to achieve gains in mideast talks: New York Times*, 20th October 1998

⁴³ *ibid.*

The negotiations, on this day, centred around a few sticking points,⁴⁴ like:

1. One sticking point was Israel's demand that a list of Palestinian be put on trial for attacks against Israelis. The list included some members of the Palestinian police and self-defense forces.
2. Another dispute was the way Israel would guarantee safe passage for Palestinians between the Gaza strip and the West Bank. The Israelis were offering bus and train services, while the Palestinians were insisting that individuals be free to travel in cars.
3. The Israelis also said that they must have a firm commitment that the full PNC would meet at some point to amend the Palestinian charter, formally removing clauses that call for Israel's destruction.
4. The Palestinians wanted clear assurances that a third Israeli withdrawal from West Bank land, as required under the Oslo agreement, would take place and be of a certain percentage.

⁴⁴ *King Hussein joins talks on mideast as optimism rises: New York Times*, 21st October 1998

The *seventh day* of negotiations saw Israel threatening to walk out of the negotiations accusing the US of going back on its words, and unless the Palestinians agreed to two issues⁴⁵:

- (i) to extradite Palestinians accused of terrorism, and,
- (ii) to change their Charter to eliminate a cause calling for the destruction of Israel.

Tempers cooled down, and Israel agreed to stay following the Palestinians going over the security plan orally with Mordechai, pointing out specific steps they would take to combat terrorism in return for Israel's withdrawal from 13% more of the West Bank.⁴⁶

Meanwhile the US State Department spokesman James Rubin said the government was preparing a draft agreement that would "try to cover all the points in contention but that it might leave gaps where there are big differences between the two parties."⁴⁷

⁴⁵ *Israel threatens to back off talks at peace summit: International Herald Tribune (Paris)*, 22nd October 1998

⁴⁶ *Israel threatens to abandon talks, then backs down: New York Times*, 22nd October 1998

⁴⁷ *Israel threatens to back off talks at peace summit: International Herald Tribune (Paris)*, 22nd October 1998

The *eighth day* of negotiations saw some critical issues being resolved. Some of them were⁴⁸:

1. The Palestinians agreed to the Israeli demand that the full PNC amend the Palestinian Charter, formally removing 26 clauses calling for the destruction of Israel. They agreed to convene the Council alongwith other Palestinian institutions in the territories at the end of the three-month settlement.
2. The Palestinian demand that Israel guarantee a separate troop withdrawal from the West Bank, the third called for under the 93 and 95 Oslo accords. A commission of both sides working in parallel with the final peace talks would handle the timing and size of the third redeployment, essentially postponing the issue for now.
3. Though the Palestinian demanded the release of 3500 Palestinian prisoners arrested for security offences, Israelis agreed to release “several hundred” prisoners.

⁴⁸ *Mideast talks show progress on final obstacles: New York Times*, 23rd October 1998

Still outstanding was the exact method by which Israel would provide safe passage for Palestinians travelling between West Bank and Gaza.

What was, however, worth noticing in the day's negotiation was that it was for the first time the Americans formally proposed the draft proposal they had been talking of for months, viz. 13% FRD by Israel – with 3% to be nature reserve – spread over 12 weeks, in return for specific Palestinian steps to combat terrorism.

Consequent upon this the Americans got both sides to identify issues of utmost importance to them. For the Israelis, it was the Charter and extradition. For the Palestinians, the third redeployment and the prisoner releases.⁴⁹

However, even as midnight came and went, the deal could not be finished, and as a senior American Official cautioned that “until everything is agreed upon, nothing is agreed upon”⁵⁰.

The *ninth day* of negotiations, the last one, however turned out to be a marathon session which ended only at dawn on Friday, when the Israelis and the Palestinians struck a deal on the interim peace

⁴⁹ *ibid.*

⁵⁰ *ibid.*

agreement. On this day, the President arrived and declared the order of the day : “We are going to stay here until we finish this. We are going to finish if today, or we are not going to finish it.”⁵¹

The day also saw Netanyahu and Arafat having direct conversation, signalling that they had broken the ice. They however, still had to build on it.

Negotiations continued on through Thursday night and into Friday morning. By 6:30 a.m. they appeared sewn up. Netanyahu scheduled a news conference for 9 a.m. at Wye, to be followed by a signing ceremony at the White House at noon.

However, the final crisis came at 7 a.m. The Israeli radio announced that Mr. Netanyahu would be bringing Mr. Jonathan Pollard home. Mr Clinton insisted that the he had never promised to release the spy, but only to consider the case once again.⁵²

Tension rose. Both President Clinton and PM Netanyahu met for the next hour and a half, after which they withdrew.

⁵¹ *Mideast marathan: How 9 days of talks ended in 'the Long Night': New York Times*, 25th October 1998.

⁵² *ibid.*

At around 2 p.m. the Israeli PM relented and agreed to sign the agreement without a firm commitment about Mr. Pollard.

Thus, the historic agreement, known as the Wye River Memorandum, was signed between Israel and Palestine at the White House lawns in Washington on 24th October 1998.

IMPORTANT PROVISIONS OF WYE RIVER MEMORANDUM

1. Further Redeployments

Israel agreed to withdraw from 13.1% of the West Bank and return 14.2% to full Palestinian control, giving Arafat 40% of the territory.

The Palestinian side also agreed that it will allocate areas amounting to 3% as Green Areas or Nature Reserves.

The Israeli side will retain in these Green Areas/Nature Reserves the overriding security responsibility for the purpose of protecting Israelis and confronting the threat of terrorism.⁵³

⁵³ cf. *Text of the Wye agreement, Art. I:* <<http://www.state.gov/www/regions/nea/981023-interim-agmt.html>>, version current on, 2nd July 2000

2. Security

The Palestinians pledge 'zero tolerance' for terror and submit a detailed counter-terrorism programme to US officials, who will oversee its implementation.

The Palestinians agreed to take all measures necessary in order to prevent act of terrorism, crime and hostilities directed against the Israeli side, just as the Israeli side agreed to take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against the Palestinian side.

A work plan developed by the Palestinian side will be shared with the US and thereafter implementation will begin immediately to ensure systematic and effective combat of terrorist organizations and their infrastructure.

A US-Palestinian committee will meet to review and evaluate information pertinent to the decisions on prosecution, punishment, or other legal measures which affect the status of individuals suspected of abetting or perpetrating acts of violence and terror.⁵⁴

3. The PLO Charter

⁵⁴ cf. *Text the Wye agreement, Art. II: ibid.*

The Palestinians agree to remove all references to the destruction of Israel from the national Charter. For the purposes, the Executive Committee of the PLO and the Palestinian Control Council will reaffirm the letter of 22nd January 1998 from PLO Chairman Yasser Arafat to President Clinton concerning the nullification of the Palestinian National Charter provisions that are inconsistent with the letter exchanged between the PLO and the Government of Israel on 9-10 September 1993.⁵⁵

4. Final Status

Talks will begin on an accelerated basis within 10 days on remaining issues like national borders, the right of Palestinian refugees to return and the future of Jerusalem.

They will make a determined effort to achieve the mutual goal of reaching an agreement by 4th May, 1999.⁵⁶

5. Incitement

The Palestinians will issue a decree prohibiting all form of incitement to violence or terror, and establishing mechanisms for

⁵⁵ cf. *Text the Wye agreement*, Art. II, c, 2: *ibid.*

⁵⁶ cf. *Text the Wye agreement*, Art. IV: *ibid.*

acting systematically against all expressions or threats of violence or terror.

A US-Palestinian – Israeli committee will meet on a regular basis to monitor cases of possible incitement to violence or terror and to make recommendations and reports on how to prevent such incitement.⁵⁷

6. Trilateral Committee

In addition to the bilateral Israeli-Palestinian security cooperation, a high-ranking US-Palestinian – Israeli committee will meet as required and not less than biweekly to assess current threats, deal with any impediments to effective security cooperation and coordination, and address the steps being taken to combat terror and terrorist organization.⁵⁸

7. Safe Passage

Israel approves two routes through which Palestinian can move freely between Gaza and West Bank.⁵⁹

⁵⁷ cf. *Text the Wye agreement, Art. II, A, 3: ibid.*

⁵⁸ cf. *Text the Wye agreement, Art. II, B, 3: ibid.*

⁵⁹ *The Deal Makers: Newsweek*, 2nd November 1998

Both sides will renew negotiations on safe passage immediately. As regards the southern route, the sides will make best efforts to conclude the agreement within a week of the entry into force of the Memorandum. As regards the northern route, negotiations will continue with the goal of reaching an agreement as soon as possible.⁶⁰

⁶⁰ cf. *Text of the Wye agreement, Art. III, 3: ibid.*

CHAPTER - 4

IMPLICATIONS FOR THE PEACE PROCESS

The Wye deal resulted after a tedious 19 months of diplomatic efforts and negotiations. What resulted in definitely marked a further progress in a process that had become stalled. A step further towards the desired goal – peace in the region.

However, as had been the case with the previous agreements, even the Wye River Memorandum cannot be said to be free from inherent drawbacks. In such a context, certain questions do crop up, like : What is the possibility that this deal—the Wye River Memorandum, signed in October 1998 - will not go the way of its predecessors? What is the guarantee that the deal will not be overshadowed by the ambiguities and possible inherent flaws, as had been the case with the earlier agreements?

Any answer to the above questions can be given only after analysing the various agreements till date ; how, and whether, each was an improvement upon the previous one, and how Wye was an improvement upon, and different from, them. An assessment

regarding implications for the future peace process can be made only consequent upon the above-mentioned exercise.

FROM MADRID.....

The 1991 Middle East Peace Conference that got underway at Madrid was the first such effort toward resolving the Israel-Palestine conflict in a history of mutual antagonism and belligerence of over 50 years. It represented a breakthrough for it established the principle of direct negotiations and was the first time that all Arab parties (including the Palestinians) sat around the negotiating table. In the 22 months of talks that followed the inauguration of the peace conference, significant progress were made. The Palestinians won tacit American and Israeli acceptance of the PLO as their decision making authority and Israel's formal acquiescence in the participation of Diaspora Palestinians in the multilateral talks. "The parties also become acquainted with each other's perceptions, sensitivities, goals and 'bottom lines'"¹ To dismiss the Madrid peace process merely on account of the fact that the subsequent 11 rounds of negotiations that took place at various places failed to deliver

¹ Yorke, Valerie(1994): *The Middle East's slow march towards peace*. **The World Today**; Vol. 50, no.-5; May; p. 87.

results, would be preposterous. Infact, the Madrid process was responsible for creating a context which in turn resulted in giving rise to the Oslo channel.

TO OSLO I

The Oslo accord, formally known as the Declaration of Principles on Interim Self-Government Arrangement, formally signed on 13th September 1993, however marked a historic turning-point in the relationship between Israel and Palestine. As the name suggests, it was merely a declaration of principles, of intents; and “*not a legal codex*”.² Also, it was an interim agreement on a certain number of issues, to be followed up by discussion and negotiations on the remaining issues, leading to a final status.

The significance of the DoP emerges from the fact that it led to *mutual recognition* by the two parties, through “exchange of letters.”³ Also, it had certain clauses, which provided for scope for further negotiations in order to arrive at an improved agreement, viz.:

² Lustick, Ian S. (1997): *The Oslo Agreement as an Obstacle to Peace*: **Journal of Palestine Studies**: Vol. XXVII, no.-1; Autumn; p. 62

³ For full Text of the letter, see: *Special Document file: The Peace Process*: **Journal of Palestine Studies**: Vol XXIII, no.-1; Autumn; p.115.

1. The aim of the Israeli-Palestinian negotiations within the current mideast peace process is, among other things, to establish a *Palestinian Interim Self-Government Authority*, the elected Council for the Palestinian people in the West bank and Gaza strip, for a transitional period not exceeding 5 years, leading to a permanent settlement based on Security Council Resolutions 242 and 338.⁴
2. Jurisdiction of the Council will cover West Bank and Gaza strip territory, except for issues that will be negotiated in the permanent status negotiations.⁵
3. Permanent status negotiations will commence as soon as possible, but not later than the beginning of the 3rd year of the interim period, between the Government of Israel and the Palestinian people representatives.⁶
4. It is understood that these negotiations shall cover remaining issues, including: Jerusalem, refugees, settlements, security

⁴ See: *Text of the DoP, Article I: International Legal Materials*; No.-6; November 1993; p. 1527

⁵ See: *Text of the DoP, Article IV*: *ibid*; p. 1528

⁶ See: *Text of the DoP, Article V (2)*: *ibid*; p. 1528-29

arrangements, borders, relations and cooperation with other neighbours, and other issues of common interest.⁷

5. The two parties agree that the outcome of the permanent status negotiations should not be prejudiced or pre-empted by agreements reached for the interim period.⁸

The Oslo agreements thus represented a major breakthrough in the conflict, which was made possible by the consummate pragmatism of the leaders on both sides ; indeed *Oslo could stand as a virtual movement of pragmatism*. Both Israeli PM Yitzhak Rabin and PLO Chairman Yasser Arafat were persuaded of the political necessity of an early peace agreement and recognized that they needed each other to reach the agreement. They were not deterred by ideological dogma from making the necessary compromises as long as their fundamental interests – Israeli security and ultimate Palestinian statehood, respectively – were safeguarded.

It was infact the ambiguous nature of the DoP which made it possible for the actors to take the step forward and sign the

⁷ See: *Text of the DoP, Article V (3)*: *ibid*; p.1528-29

⁸ See: *Text of the DoP, Article V (4)*: *ibid*; p. 1528-29

agreement. The ambiguity allowed the parties to interpret the agreement in a manner which suited their interests.

Thus, for the Palestinians, some of the features created a clear opening for a Palestinian state : it established a territorial base for the Palestinian Authority (PA) in Gaza and the West Bank, and provided for the early empowerment of the PA. For the Israelis it did not explicitly prohibit the expansion of settlements (although it did rule out changes on the ground that would preempt the final status negotiations), and it did not address the question of refugees except to defer it to the final status negotiations.⁹

Another breakthrough character of the Oslo agreement, from the Palestinian perspective, was Israel's recognition of the PLO as its negotiating partner. "It was tantamount to recognition of Palestinian peoplehood with the implication that, at the end of the day, a Palestinian state would be established". From the Israeli perspective, the breakthrough character of the Oslo agreement was Palestinians' recognition of Israel's legitimacy.¹⁰

⁹ Kelman, H. C. (1998): *Building a sustainable peace: The limits of Pragmatism in the Israeli-Palestinian negotiation*: **Journal of Palestine Studies**; Vol XXVIII, No. 1; Autumn; p. 37

¹⁰ *ibid*; p, 38

The logic of the Oslo accord therefore was to move forward toward a final political outcome through a series of interim stages.

Thus, despite the flaws associated with the agreement, as enumerated in chapter 2, the agreement was widely praised as the best that could be achieved at the time. It was therefore *not a peace accord but a declaration of principles*, providing a framework for further negotiated agreement and a tight timetable for implementation.

TO OSLO II

The 1995 Oslo II accord was a step further in the peace process. The way it was named — the *Israeli Palestinian Interim Agreement on the West Bank and Gaza strip* — itself suggested that it was an improvement upon Oslo I, which was merely a Declaration of Principles.

With specific reference to the issue of redeployment, while Oslo I talked merely of Israel military's withdrawal from the Gaza strip and West Bank (Jericho area), Oslo II sought to extend Palestinian rule throughout the West Bank. It gave full control of the six main West Bank towns; Jenin, Nablus, Tulkarem, Ramallah, Qalqiliya and Bethlehem. The combined area of these towns was estimated to be

less than 4% of the West Bank's area of 5,600 sq. km.¹¹ It also allowed for the partial control of the "sensitive" city of Hebron.

The PA was also given civil authority and responsibility for "public order" in the 440 villages of the West Bank, occupying 23% of West Bank territory.

Furthermore, it divided West Bank into 3 zones—area A, B and C and charted out the modalities of withdrawal from the three zones. It also established a time frame within which the redeployment were to take place.

Another significant step taken was that the PLO agreed to revoke those clauses of the PLO charter which called for the destruction of Israel, within two months of the inauguration of the Council.¹²

TO HEBRON

Similarly, while redeployment from area A was carried out in the winter of 1996, in accordance with Oslo II, Israel failed to

¹¹ *Palestinian gains from Taba agreement: Middle East International*; 6th October 1995; p. 4

¹² See: *Text of the Interim Agreement, 1995, Article XXXI (9)*: <http://usinfo.state.gov/regional/nea/peace/interim.htm>. version current on 2nd July 2000

redeploy any troops from any section of area B or from Hebron. Also, area C remained under total Israeli control.

An agreement however was reached on 15th January 1997 known as *Protocol Concerning the Redeployment in Hebron* on the long-disputed Israeli troop redeployment from the West Bank city of Hebron. The Hebron accord specified that Israel would withdraw from most of Hebron within 10 days. Furthermore, a Note for the Record, prepared by the US special Middle East Coordinator, Dennis Ross, guaranteed continuing Israeli troop withdrawal from the West Bank.

TO WYE

Building upon the above mentioned agreements, and after a 19-months long diplomatic endeavors and negotiations, the Wye River Deal happened October 1998. It represented another landmark in a drawn out process, which was inching itself towards a final status agreement.

While in essence, the Wye River Deal was a long-overdue mechanism to implement aspects of earlier agreements notably the Interim Agreement (Oslo II) of 28 September 1995 and the Hebron Protocol of 15th January 1997 apart from the agreements on other

issues, the agreement itself surpasses its predecessors in terms of the rigours of security commitments required of the Palestinian Authority (PA).

At the microlevel, the Wye memorandum is about implementing Israeli redeployment in the West Bank – a transient aspect of the five-year interim phase. Infact, the Hebron Protocol signed in January 1997 had the precise purpose of implementing the redeployments already agreed to in Oslo II, but they were never carried out. Hence, concrete steps and a time table incorporated into the Wye Memorandum. “From the standpoints of the drafters, the agreement stands a better chance of implementation than previously not only because Arafat’s resistance to Netanyahu’s premises has been overcome, but because his adherence to specific requirements with written plans, timetables, and a US verification system has been secured.”¹³

The Wye Memorandum took the somewhat nebulous formulations of the Hebron side letters and made them concrete, amplifying and expanding upon the Palestinian “responsibilities” listed in the Note for the Record. Under the Wye agreement, the

¹³ Aruri, Nasser H.(1999): *The Wye Memorandum: Netanyahus Oslo and Unreciproal Reciprocity*: **Journal of Palestine Studies**; Vol XXVIII, no.-2; Winter; p. 18

redeployment are to take place in three installments over 12 weeks, with each installment contingent upon the PA's performance of certain tasks, its compliance subject to CIA verification.¹⁴

Thus, the first redeployment – involving 2% from area C to area B and a change of status from B to A, affecting 7.1% — will take effect only after a Palestinian “*security work plan*” has been shared with the US and implemented by the PA. The first redeployment is also pegged to a reaffirmation by the PLO Executive Committee of Arafat's letter of 22 January 1998 to President Clinton concerning the nullification of the majority of the provisions of the PLO National Charter.

The second redeployment – 5% from area C to B – is linked to the renunciation of the Charter by a combined meeting of the Palestine National Council, Central Council, PLO Executive Committee, the PA cabinet and “legislative” council, as well as to weapon collection by the PA and the completion of “anti-incitement” measures. The third redeployment, which would transfer 1% from area C to A and 5% from area C to B and reclassify 7% of area B to

¹⁴ *ibid*; p 19

A, would follow additional compliance by the PA in the area of security.

REACTIONS OF LEADERS

The Wye Memorandum was hailed by the parties concerned – the United States, Israel and the PA – as an agreement that will usher in final status talks and a solid peace. Clinton declared it “*good for Israel’s security*” and good for the political and economic well-being of the Palestinians. Netanyahu declared the day of signing as “*a day when Israel and our entire region are more secure*”. Arafat declared the agreement to be a significant step toward the realization of “*an independent nation having a lot of democracy*” and toward “*the Palestinian dream of geographic unification*” between the West Bank and Gaza.

From the remarks of the leaders, what appears to be the most striking aspect is their unanimous emphasis on security—Israel’s security. Palestinian security was of secondary importance. Netanyahu, in his remarks following the signing of the Wye Deal said:

“We are more secure today because, for the first time since the signing of the Oslo accords, we will see concrete and verifiable commitment carried out. Our Palestinian partners

will join us in fighting terrorism. They will follow a detailed and systematic plan to fight terrorists and their infrastructure; to jail killers that have so far roamed at large; to stop vitriolic incitement; and, above all, finally, after thirty-five year, to cancel the articles in the Palestinian charter which call for the destruction of Israel".¹⁵

Echoing similar sentiments, Clinton, who emphasized Palestinian willingness to accommodate these concerns, said:

"The commitment's made by the Palestinians were very strong, as strong as any we have ever seen. They include continuous security cooperation with Israel and a comprehensive plan against terrorism and its support infrastructure."¹⁶

Reiterating the same emotions, Arafat said:

"I will do everything I can do so that no Israeli mother will be worried of her son or daughter in late coming home, or any Israeli would be afraid when they heard an explosion."¹⁷

DRAWBACKS OF THE WYE AGREEMENT

However, the hype and hooplah associated with the Wye Memorandum should not force us to become complacent and slip

¹⁵ For text of the speech, see:
<http://www.state.gov/www.regions/nea/981023_signing.html> version current on 3rd July 2000

¹⁶ For text of the speech, see: *ibid.*

¹⁷ For text of the speech, see: *ibid.*

into the belief that it was the best thing to have ever happened in the Israel-Palestine conflict and that there were no drawbacks in the agreement, as had been the case with the earlier agreements.

Infact, the agreement can be said to have an unprecedented, massive asymmetry not only in details, but in the entire conception.

1. The long list of Palestinian “security actions” that is at the heart of the agreement has no Israeli counterpart. The Palestinian side must make known its policy of “*zero tolerance for terror*”, must embark on systematic and effective combat of terrorist organizations, apprehend individuals suspected of acts of violence and terror, and so on. No comparable actions are required of the Israelis with regard to violence and terror.
2. Concerning arms, the Palestinian side is compelled to “criminalize.. any importation, manufacturing or unlicensed sale, acquisition or possession of firearms, ammunition, or weapons” while the Israeli “partner” continues unchecked and unmonitored as one of the world’s leading manufacturers and exporters of weapons.
3. The Palestinians are required to convene the PLO Executive Committee, the Palestinian Central Council, the PNC, and the

heads of PA ministries to reaffirm the nullification of the Palestine National Charter. No such corresponding action is required of the Israeli cabinet, Knesset, and notables in the international Zionist movement to revoke the Law of Return, the Land Settlement Act, and other tenets of Zionism.

4. The Palestinian obligations are all binding and concrete, verified by committees, and monitoring mechanisms. In contrast, the Israeli redeployments are all subject to Palestinian compliance, to Israel's own satisfaction, with the measures stipulated.¹⁸

IMPLICATIONS FOR THE PEACE PROCESS

From the analysis undertaken in the previous pages of the various agreements that took place between Israel and Palestine till the Wye River Deal, 1998, certain trends emerge:

- (i) that each agreement was an improvement upon the previous one,
- (ii) that each agreement still left scope for further improvement, in the form of "unresolved issues", and

¹⁸ Aruri, Naseer H. (1999): op cit; p. 23-24

(iii) that each agreement had its own share of drawbacks.

The last agreement of them all – the Wye River agreement – in fact introduced “*time line*” or time frame within which the agreements were to be effected.

What, then, does the initiative in the form of Wye agreement, which itself is an extension of the earlier initiatives, hold for the future of the peace process? Any attempt at predicting the future course of action will have to take into account certain factors as constants:

- (i) that delays will invariably take place, as the language of the text provides for such a scope. For example, Netanyahu may demand, after withdrawing from 2% of the West Bank that Palestinians fulfill their obligations.
- (ii) that ‘piece-meal’ improvement will be a feature of any agreement, i.e. building upon the previous agreements, while leaving some issues for later discussions.

The following factors will also play a crucial role in determining the course of the peace process.

1. In the post-Wye phase, it is the Israelis who ultimately have to decide whether they want territorial settlement with their

Palestinian neighbour, or whether, for the sake of retaining the bulk of the land in the West Bank, they can envisage the possibility of renewed war. Given the discontent in Gaza and the West Bank, any move by the Israelis contrary to the letter and spirit of the Wye agreement would lead to an ugly scenario.

2. Any move by Israel which may implicitly or explicitly prove detrimental to Jerusalem becoming the proposed capital city of future Palestinian state would only lead to an increase in the power and influence of Hamas in the West Bank and an increase in Islamic fundamentalism.
3. From the Palestinian perspective, Yasser Arafat needs to retain American support all cost, as this is the best, if not perhaps the only means of exerting pressure on Israel for the implementation of the agreement. Toward this end, he must continue to take firm action against Hamas terrorist elements on his own soil – as laid down at Wye.¹⁹

In the light of the possible scenarios enumerated above, any deviations from the agreement arrived at Wye, in my opinion, does

¹⁹ Farley, Jonathan (1999): *The Middle East Peace Process: The Prospects for Progress after Wye?* **Round Table**; Vol 350; pp. 319-320

not augur well, either for Israel or for Palestine, or for a durable peace in the region. Thus, viewed in this context, efforts will invariably have to be made by both Israel and Palestine to keep the peace process on track. Having come thus far, after treading a path ridden with obstacles and frustration, it seems unlikely that the actors would leave the path of peace for petty, selfish gains.

CONCLUSION

Trying to chart the course of the peace talks, it becomes quite clear that the parties have come quite a long way from their initial positions. While on the one hand, the Palestinians stood by their officially stated position calling for the destruction of Israel, the Israelis, on the other hand, refused to 'recognize' the Palestinians. Also, both Israel and Palestine stuck to their initial rigid and uncompromising stand over the piece of land, which they claimed to be their own. However, the situation obtaining now is however quite different from that prevailing earlier on.

It is rather interesting to note that the conflict between the cousins has now acquired a new dimension from a belligerent and hostile attitude towards each other, consequent upon the creation of Israel in 1948 and consequent wars, to a recognition of the right of the other's existence as also the dawning of realization that peace would remain elusive to the region as long as the two parties refuse to address each others'

concerns. Thus, the level and intensity of conflict has come down by several notches.

Conflict infact demands resolution. Thus, conflict resolution depends on a recognition that the parties have atleast some interest in the conflict. Parties' interest need to be addressed and their interest in reconciliation enhanced. However, before this can take place, the parties must be brought to understand that reconciliation is not surrender, otherwise conflict resolution would have a deservedly bad name.

Infact, Peter Wallenstein associated conflict resolution with nothing but "a powerful search for ways of accommodating the explicit interests of the parties in conflict." It is a fact that initially both Israel and the Palestinians believed in incompatible objectives, and conflicting policy actions. On an analysis to find which one of the conflict resolution methods did the diplomatic initiatives bear resemblance to, it becomes clear that the 'conflict mitigation' approach as enunciated by Kriesberg, and the approach of

'compromise' put forth by Holsti, were the ones which seem to resemble the process.

Conflict Resolution thus involves the simultaneous process of resolving outstanding issues with parties and changing relations between them.

Thus, for a sustainable peace to be possible in the region, Israel should stop its belief that it must maintain control over the lives of Palestinians; and the Palestinians, overcome their belief that Israel's existence is illegitimate.

Any further negotiations should include prior commitment to a genuine two - state solution as the end point of final status negotiations, an agreement on the question of refugees, and mutual acknowledgement of the other's nationhood and humanity.

However, apart from it all, a feeling of mutual trust and respect only can ensure peace between the Israelis and the Palestinians.

Appendix A

Security Council Resolution 242

The Security Council:

‘Expressing its continued concern with the situation in the Middle East,

‘Emphasizing the inadmissibility of the acquisition of territories by war and the need to work for just and lasting peace in which every state can live in security,

‘Emphasising further that all member states in their acceptance of the Charter of the UN have undertaken a commitment to act in accordance with Article 2 of the Charter.

‘1. Affirms that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of the following principles:

‘(i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict:

‘(ii) Termination of all claims or states of belligerency and respect for the 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 recognized boundaries free from threats or acts of force,

'2. Affirms further the necessity :

'(a) For guaranteeing freedom of navigation through international waterways in the area,

'(b) For achieving a just settlement of the refugee problem:

'(c) For guaranteeing the territorial inviolability and political independence of every state in the area, through measures including the establishment of demilitarized zones,

'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,

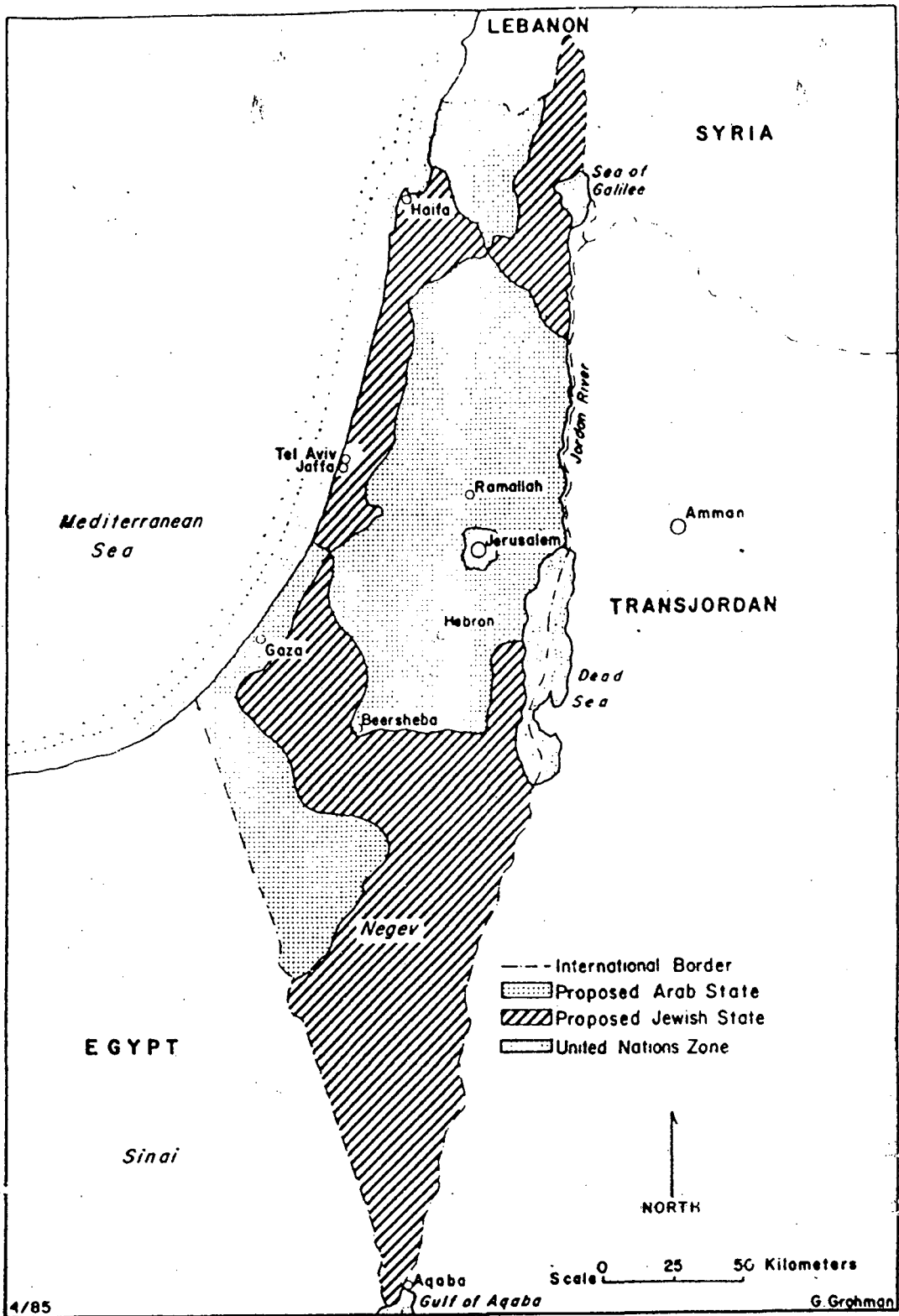
'4. Requests the Secretary-General to report to the Security Council on the Progress of the Special Representative as soon as possible'.

Appendix B

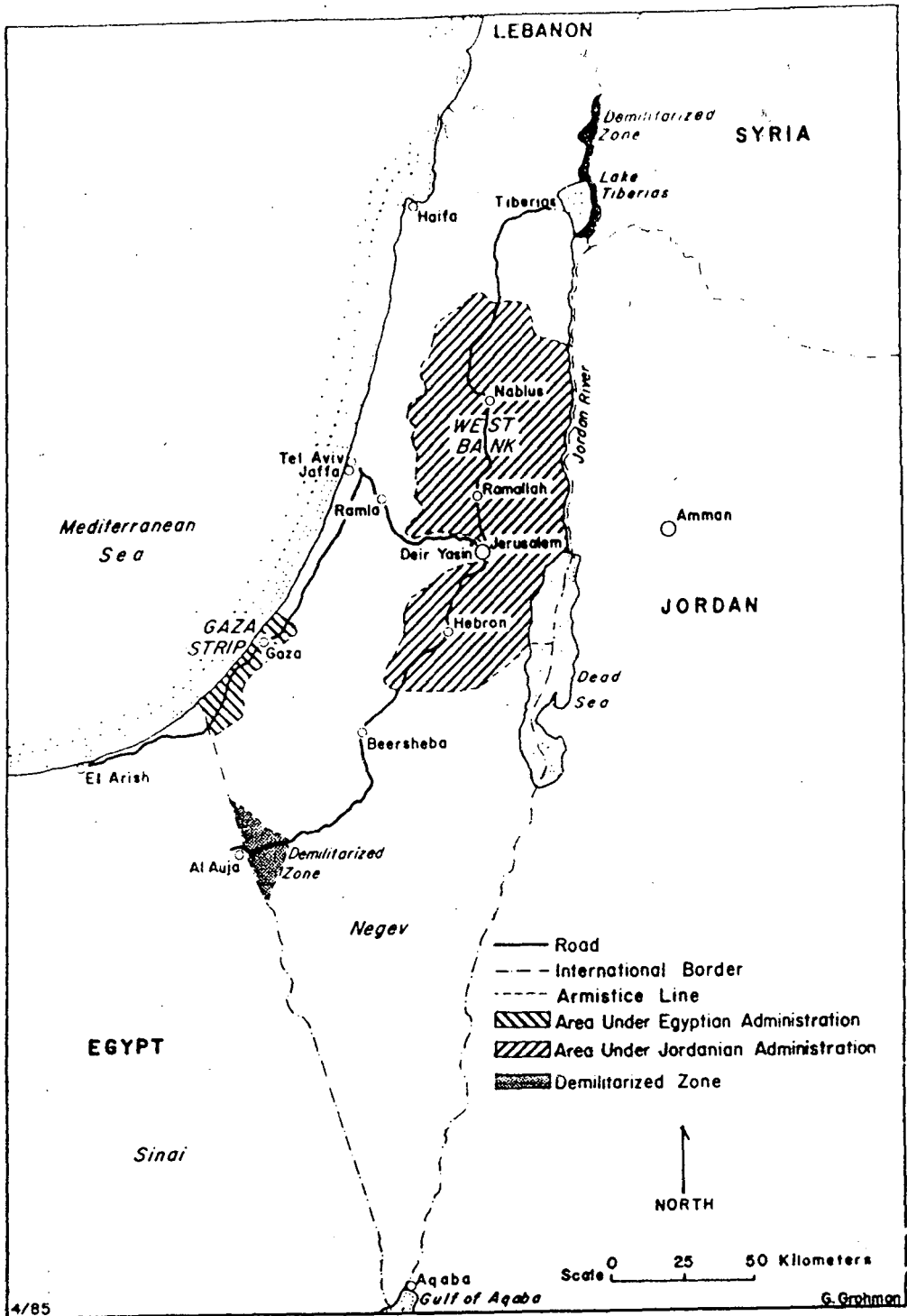
Security Council Resolution 338

The Security Council:

- '1. Calls upon all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment 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;
- '3. Decides that, immediately and concurrently with the cease-fire, negotiations shall start between the parties concerned under the appropriate auspices aimed at establishing a just and durable peace in the Middle East.'



THE 1947 UNITED NATIONS
PARTITION PROPOSAL
ON PALESTINE



PALESTINE FOLLOWING THE
ARAB-ISRAELI ARMISTICES

1949

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