

Connecticut Debate Association

February 4, 2012, Glastonbury High School and Westhill High School

Resolved: The UN should accept Palestine as a member state.

Q&A: Palestinian bid for full membership at the UN

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Palestinian President Mahmoud Abbas has formally submitted a request to join the United Nations as a full member state. He said the request entailed international recognition on 1967 borders with East Jerusalem as a capital. The idea is strongly opposed by Israel and its close ally, the United States. Here is a guide to what is likely to happen and its significance.

Q. What are the Palestinians asking for?

The Palestinians, as represented by the Palestinian Authority, have long sought to establish an independent, sovereign state in the West Bank, including East Jerusalem, and Gaza - occupied by Israel since the 1967 Six Day War. However, two decades of on-and-off peace talks have failed to produce a deal. The latest round of negotiations broke down a year ago.

Late last year, Palestinian officials began pursuing a new diplomatic strategy: asking individual countries to recognise an independent Palestinian state on the 1967 borders. Now they want the UN to admit them as a full member state. Currently the Palestine Liberation Organisation (PLO) only has observer entity status. This would have political implications and allow Palestinians to join UN agencies and become party to international treaties, such as the International Criminal Court, where they could take legal action to challenge the occupation of territory by Israel.

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Q. Is this symbolic or would it change facts on the ground?

Getting UN recognition of Palestinian statehood on 1967 borders would have largely symbolic value, building on previous UN decisions. Already Security Council resolution 242, which followed the Six Day War, demanded the "withdrawal of Israeli armed forces from territories occupied in the recent conflict". Although Israel disputes the precise meaning of this, there is wide international acceptance that the pre-1967 frontiers should form the basis of a peace settlement.

The problem for the Palestinians is that Israel's Prime Minister Benjamin Netanyahu rejects these borders as a basis for negotiations. In May, when President Barack Obama called for border talks based broadly on 1967 lines, Mr Netanyahu described the idea as "unrealistic" and "indefensible". He says that new facts on the ground have been created since 1967: almost half a million Israelis live in more than 200 settlements and outposts in the West Bank and East Jerusalem. These settlements are considered illegal under international law, though Israel disputes this. Mutually agreed land swaps have been discussed in previous talks as a way to overcome this problem.

The Palestinians argue that admission of Palestine as a full member state at the UN would strengthen their hands in peace talks with Israel especially on the final status issues that divide them: the status of Jerusalem, the fate of the Jewish settlements, the precise location of the border, the right of return of Palestinian refugees, water and security. Israel says that any upgrade of the Palestinian status at the UN is a unilateral act that would pre-empt the final status talks.

Q. Why is this happening now?

The main reason is the impasse in peace talks. However, the Palestinians also argue that their UN plan fits with an agreed deadline. The Middle East Peace Quartet - the European Union, United States, Russia and UN - committed itself to the target of achieving a two-state solution to the Israel-Palestinian conflict by September 2011. Last year, US President Barack Obama also expressed a hope that this deadline would be met. The Palestinian Authority Prime Minister, Salam Fayyad, says that Palestinians have succeeded in building up state institutions and are ready for statehood. The World Bank and IMF have said the same.

Recent Arab uprisings also appear to have energised Palestinian public opinion. Officials have urged civil society groups to hold peaceful demonstrations to show their backing for the UN bids.

Q. How is this different from previous declarations?

In 1988, the late Palestinian leader, Yasser Arafat, unilaterally declared a Palestinian state on the 1967 borders. This won recognition from about 100 countries, mainly Arab, Communist and non-aligned states - several of them in Latin America. UN membership of Palestine as a sovereign state would have much greater impact as the UN is the overarching world body and a source of authority on international law.

Q. Who supports and opposes the UN option?

Recent polls suggest this course of action is supported by most ordinary Palestinians in the occupied territories. Mr Abbas's main Fatah faction backs it, although there is less enthusiasm from its political rival, Hamas, the Islamic group which governs Gaza.

After the recent Palestinian reconciliation deal, Hamas leaders accepted there was a broad consensus on the establishment of a Palestinian state within 1967 borders, though they formally still refuse to recognise Israel. They have described the appeal to the UN as carrying "great risks".

Within the wider region, the 22-member Arab League has given this approach its full backing.

The main opposition comes from Israel. "Peace can only be achieved around the negotiating table. The Palestinian attempt to impose a settlement will not bring peace," Mr Netanyahu told a joint session of the US Congress in May. Israeli officials have warned that any UN bid could terminate the peace process. They also worry that possible Palestinian accession to the ICC could lead to the pursuit of war crimes charges at the Hague and say there is potential for rising tensions to trigger violence in the West Bank. Settlers there have received Israeli military training in preparation for this scenario.

The US has joined Israel in vociferously urging the Palestinians to drop their UN bid and return to negotiations, which were previously derailed by the settlement issue. In his recent major speech on the Middle East, President Obama dismissed the Palestinian push as "symbolic actions to isolate Israel at the United Nations". The White House sent two envoys to the region to try to persuade the Palestinians to change their minds. However, Palestinian officials say the Americans presented no alternative to going to the UN.

Only nine out of 27 European Union countries have formally recognised a Palestinian state on the 1967 borders. Others are looking increasingly favourably on the idea. This is mainly because of their frustration with Mr Netanyahu's government in Israel-Palestinian peace talks and what they see as its recalcitrance over settlements. Britain, France and Germany are likely to support a General Assembly resolution only if it includes a clear roadmap back to the negotiating table.

In the coming days, both Palestinian and Israeli delegations will be on a diplomatic drive to win countries around to their point of view.

The U.N. Should Accept Palestine as a Full Member State

By [Katy Waldman, Slate](#), Posted Wednesday, Jan. 4, 2012, at 7:05 AM ET

Mustafa Barghouti, former Palestinian presidential candidate, will argue for Palestinian statehood in the Jan. 10 *Slate*/Intelligence Squared debate

Dr. Mustafa Barghouti is gentle and soft-spoken, as befits a Palestinian leader known for his commitment to nonviolence. Currently Barghouti, a medical doctor, serves as the general secretary of the [Palestinian National Initiative](#), a political party based in the West Bank that seeks to provide moderate Palestinians with an alternative to what many consider Fatah's corruption and Hamas' extremism. "Politics can drive you to wrong decisions and wrong feelings, sometimes," he told me during our phone conversation last week. Still, he cheered the ongoing efforts toward a unified Palestinian government, which in December produced a [shaky reconciliation](#) between Hamas and the PLO. He suggests that the Arab Spring helped his cause of nonviolence by demonstrating to Islamic radicals the efficacy of peaceful protest.

Quick to invoke Gandhi, Nelson Mandela, and Martin Luther King, Jr., Barghouti locates the Palestinian struggle for statehood in a broader historical arc from oppression to liberty. He defends the power of moral ideas and even expressed sympathy for the Israeli people, whom he believes suffer in their untenable role as occupiers. Barghouti will argue for Palestine's admission as a member state to the United Nations in the *Slate*/Intelligence Squared Debate on Jan. 10, where his challenge may well be to convince his opponents that the moral framework of India or South Africa applies to the Arab-Israeli conflict—and that having the ethical high ground is enough to force a peace agreement on such an inflamed region.

Here are excerpts of our conversation.

Slate: Why is this appeal to the U.N. happening now? As opposed to, say, 1993 or five years from now?

Mustafa Barghouti: It didn't happen 20 years ago for a very simple reason. After the signing of the Oslo Agreements, the Palestinians were told that this would lead to the establishment of a Palestinian state by 1999. To their great surprise, so many years later, there was no progress on final status issues. And why now? Because we've reached a very critical turning point where if Israel continues the settlement policies the whole idea of a two-state solution will be lost. Any more waiting will simply mean the end of that solution.

Slate: Why would the two-state solution be lost?

Barghouti: Because of the physical changes that are happening on the ground due to settlement building. With the settlements, the road segregation, and the building of that terrible wall—we call it the Apartheid Wall—there will be no

contiguity of the territory that should become the Palestinian state. Palestinian communities will become nothing but clusters of Bantustans separated from each other. And this would mean the creation of an apartheid system where two different laws exist for two people living on the same land and where Palestinians are deprived of all their major human rights.

Slate: But why can't you negotiate about the settlements with Israel directly?

Barghouthi: Because they've insisted on continuing the settlements. And talking to Israel while they continue the settlements is like two sides negotiating over a piece of cheese. One side, the Palestinian side, is stuck behind bars; the other side, the Israeli side, is negotiating and eating the piece of cheese at the same time. By the end there will be nothing left to negotiate about. That's one reason. The second is that we've tried negotiations for 20 years. Nobody considered that Palestinians did not make every effort they could to negotiate. And we did and the outcome was that Israel has used the negotiations only as a cover for their expansionist policy, which continues to create new facts on the ground unilaterally. And eventually it will destroy the possibility of a real Palestinian state.

Slate: So is the bid for U.N. membership something the Palestinians should have pursued earlier?

Barghouthi: In my personal opinion, yes. I think maybe we should have done it five years ago. But nevertheless, it's better late than never; This U.N. activity is helping to bring the reality on the ground here to the attention of the world. More importantly, it reestablishes the international legitimacy of Palestinian rights. International law is on our side—the International Court of Justice ruled that every Israeli settlement in the occupied territories is illegal and should be removed, that the wall itself is illegal, and that the changes made by Israel by force in East Jerusalem are illegal. The U.N. majority is on our side. It's a very strange situation: While the majority of the peoples of the world are on the Palestinian side, Israel has held a position of total impunity to international law and opinion due to support from the United States.

Slate: The other debating team warns that U.N. recognition is merely symbolic—that it won't change the "facts on the ground."

Barghouthi: Well, if it is only symbolic, why are they so much against it? In my opinion they are afraid it is exposing Israel, exposing the wrong policy, and exposing the hypocrisy of countries that claim to support democracy and human rights and self-determination everywhere but grow silent or practically complicit with Israeli actions when it comes to the Arab-Israeli conflict.

Slate: How would that exposure help everyday Palestinians?

Barghouthi: It will not, maybe, change the daily life, but it will definitely provide Palestinians with hope. It will provide a context where the illegal measures on the ground, enforced by the military power of Israel which we cannot stop, remain illegal, so it's moral power against military power. When we [joined UNESCO](#) [the cultural arm of the United Nations] we were practically creating the power of culture against the culture of power.

That's how countries in the world liberated themselves. That's how a person like Gandhi who had no military power managed to unify India and get independence. That's how Martin Luther King liberated the United States from the segregation system. It's the power of the idea, the power of culture, and the power of dignity. And that is something that maybe some military governments don't understand, but that I hope politicians would understand.

Slate: Opponents also say the move is incredibly risky, perhaps exposing the Palestinian people to retaliation from the [IDF](#) and empowering fundamentalists. There's a lot of concern, for instance, about Israel trying to deter President Abbas by withholding tax revenue from the Palestinian Authority.

Barghouthi: These acts are illegal. Israel has no right to withhold the taxes we pay ourselves, especially when it already takes a certain percentage for collecting these taxes. We're not afraid of the punishment acts and we will not be blackmailed anymore, because if Israel continues and United States continues [to cut off its aid to the Palestinians], the Palestinian Authority will collapse. And the biggest loser of this will be Israel.

What we need are better arrangements, where the grievances of the people will be met, where there will be no motivation for any violation of anyone's security. Of course, an arrangement where Palestinians receive their rights. If this injustice continues to consolidate an apartheid system which is worse than what prevailed in South Africa in the 20th century, there will be a Palestinian reaction. People will not take it. I've always said that the best security for everybody, including for Israel, is peace and democracy, where the two people are satisfied.

Slate: Last Tuesday the U.N. General Assembly passed a [resolution](#) affirming the Palestinians' right to self-determination. What happens next?

Barghouthi: We will continue the struggle. We will continue our popular nonviolent resistance. I am personally proud of the fact that we have been advocating nonviolence for 10 years. Now all the Palestinian groups adopt our approach, including Hamas. That is a great moral success for us. And we will keep struggling in the U.N.; we will go to every agency,

one after the other, and get our membership from the grassroots. They don't want to grant it to us in the Security Council? We will get it in every U.N. agency. We will go to international courts. We will continue our nonviolent resistance until we get our freedom.

Slate: I want to return for a moment to what you said about Hamas, that they've renounced violence. Can you explain that a little more?

Barghouthi: On Dec. 21 they declared their commitment to nonviolence. And they gave me this promise clearly and they declared it [publicly](#). That was the basis of our [agreement in Cairo](#).

Slate: Did they modify their 1988 [charter](#)? Do they think Israel has a right to exist?

Barghouthi: They're adopting the two-state solution; they're accepting the '67 borders for the solution, and they are accepting nonviolence and sticking to nonviolence. And that is a big change.

Slate: How did you come to found the Palestinian National Initiative?

Barghouthi: For years we'd been struggling to find our way. There was an unhealthy polarization between Fatah and Hamas and a strong silent majority in the middle that wanted an alternative. And that's how we created the Initiative back in 2002. We called it the Initiative because we believed that the Palestinians should not be reactive but proactive. And the idea was that we need a movement that struggles not only for Palestinian freedom from occupation, but for an internal strong democratic system, and social justice. These are the three main dimensions of our movement.

When we ran in presidential elections in 2005, we were astonished by the amount of support we got—just under 20 percent of the votes! We were a newly established party, but that encouraged us to continue. Today, the Initiative is a third party in Palestine but it is growing constantly. And as you have seen, it is very influential in terms of its political ideas and strategies, and in terms of being a powerful independent force that can help create the right ideas for our struggle but at the same time push for Palestinian unity.

Slate: A lot of people think the United States wouldn't support Palestine at the U.N. unless it promised not to sue Israel in the International Criminal Court. What's your reaction to that?

Barghouthi: I hope [President Mahmoud Abbas] does not accept those terms. We should pursue that line [going to the ICC] as long as Israel continues the violation. It is our right. If we don't struggle for our rights, we will not be serving anybody.

So I think we should be more determined, more daring and frank with the world. Martin Luther King, Jr. and Gandhi and Nelson Mandela were frank. Some people might not like what we do but eventually they will. And we know very well that the American Congress will be the last to change. This is not a new thing. This was the case in the South African situation. I remember a time when I was speaking on CNN and they asked me about United States policy regarding Israel. This was perhaps three and a half years ago and I said, "Look at Nelson Mandela! He is the most respected politician in the world. Every American president wants to have a photo opportunity with him." Yet when I was speaking he was still on the American Congress' list of terrorists. And after that—I don't know why but maybe that interview helped—the name was removed. But it took a recommendation from Condoleezza Rice.

The fact that the Congress is holding a very strange policy of being totally supportive of Israel regardless of the fact that Israel is violating international law is simply a reflection of the weakness of the American political system. But it should not stop us from struggling for our rights because one day even the American Congress will recognize that it was wrong.

I tell you frankly: The Israelis themselves will not be free as long as we are not free. As much as we are oppressed by this apartheid occupation system, they are also hostage to it. When we struggle for our rights as Palestinians we practically struggle for their freedom as well.

Slate: Can you say more about how you're struggling for Israeli freedom?

Barghouthi: You see, they are oppressing us, but they are hostages to the same oppressive system. Look at how fearful they are on issues of security. Why? Because they know they are doing wrong. They know they are motivating and precipitating hatred because of their acts. When they continue to occupy us, they create a strong demographic problem for themselves. It is a totally contradictory policy: From one side they are taking away our land, making us angrier, and depriving us of very basic rights—but at the same time, by grasping our land and stealing it they're creating a demographic problem, because we are not leaving! We are staying here. And gradually we are coming to equal them in numbers. By destroying the two-state solution they will create only one alternative, a [one-state solution](#), which they don't want.

So if we force them to free us—if we can manage to force them to accept a two-state solution—I hope that then they will be free themselves. I mean, they won't notice but that's what will happen. They will liberate themselves from the conflict. If they don't do so, eventually we will have to liberate them in another way, which is having democratic rights in one state.

I think history is full of examples that enslaving others does not make you free. Although it might sound a bit strange, I say and I feel in my heart that we are struggling for the future of the children of both Palestinians and Israelis. Because an oppressive system creates only anger and cannot last. Violence creates only violence. There's only one alternative to that and it's the alternative we are proposing.

Slate: How does the Palestinian push for statehood fit into the Arab Spring?

Barghouthi: The Arab Spring is great because it is finally bringing democracy to the Arab World. The Arabs have been starving for democracy, starving from corruption and oppressive systems, and they've been deprived of the right of strong solidarity with Palestinians because of despotic regimes. The more freedom there is in the Arab World, the more solidarity there will be with Palestinians.

And there is another important factor, which is that the success of democracy in the Arab world will contribute to the success of democracy in Palestine. For me, this is one of the biggest issues because we don't just want a state—we want a good state, a democratic one with equal rights, women's rights, and social justice.

Finally, the Arab Spring has been very helpful for us because it presented parties like Hamas with the power of nonviolence, which we have been advocating. I remember meeting the leaders of these movements after the success of the revolutions in [Tunisia](#) and [Egypt](#). They said, "You see, your theory is working." Of course, it's not my personal theory; but the fact that we were advocating nonviolence definitely left an impact on them. When they saw the revolutions succeeding in Tunisia and Egypt in this peaceful way, they realized what they now understand, which is the power of the people and the power of nonviolence.

Slate: Did you carry anything over into politics from your experience as a doctor?

Barghouthi: Absolutely. If you are a good doctor you have to be a good human being. And understanding the human perspective is always an advantage in my political life. I think having that aspect is very, very helpful. Because you know politics can drive you to wrong decisions and wrong feelings, sometimes. It's a tough thing. I think my background helps me remember that the human aspect is more important.

At the same time it provides, also, a certain perspective in terms of diagnosing the problems and trying to find solutions.

Slate: It helps you discriminate between causes and symptoms?

Barghouthi: In a way, if you don't overdo it, of course. Sometimes situations are coexistent.

Palestine's Bid for U.N. Membership is Dangerous and Wrong

By [Katy Waldman, Slate](#), Posted Wednesday, Jan. 4, 2012, at 3:48 PM ET

Dore Gold, formerly an Israeli ambassador to the U.N. and a foreign policy adviser to Prime Ministers Ariel Sharon and Benjamin Netanyahu, has an encyclopedic memory of the historical details that make the Arab-Israeli conflict so complicated. He remembers the carnage that ensued, in 2005, when Israeli troops last withdrew from the Gaza Strip. ("Rocket fire increased by 500 percent between 2005 and 2006," he told me.) And he disputes the notion that Israeli settlements are destroying the peace process, pointing out that they take up only 1.9 percent of the West Bank.

Gold believes that the Palestinian effort to obtain statehood through United Nations membership poses an unthinkable security risk to the Israeli people, which is why he will argue that the international community should reject Palestine's petition to join the U.N. as a member state at the [Slate/Intelligence Squared Debate](#) on [Jan. 10](#). Recently I caught up with Gold—[now president of the Jerusalem Center for Public Affairs](#)—about the Arab Spring, the problem with Hamas, and whether or not his many years around the negotiating table have tarnished his view of human nature.

Here are excerpts of our conversation.

Slate: You've [expressed reservations](#) about the Palestinian hope to carve out a state along the 1967 borders. What's a more rational starting place for negotiations about borders?

Dore Gold: First of all, let me be very specific. My objection to the Palestinian position is chiefly over the issue of borders and security. On this point, Israel has vital needs which have been expressed by the main authors of the national security doctrine, such as [Rabin](#), [Sharon](#), and [Dayan](#), since 1967. Therefore, my concern is how to protect those vital Israeli interests in any future negotiation.

Slate: What are some of those vital interests?

Gold: The fathers of Israel's security doctrine always viewed the [Jordan Valley](#) as the front line of Israel defense. When Israel withdrew unilaterally from the Gaza Strip, it learned again the importance of controlling the outer perimeter of the territory where it is waging a counterinsurgency campaign. For example, when Israel left the [Philadelphi Route](#), which was the outer perimeter of Gaza, the entire area was penetrated by massive arms smuggling, including [Grad rockets](#) from Iran.

This gave Hamas the ability to strike deep into Southern Israel, which previously it did not have. By analogy, should Israel abandon the Jordan Valley, it is very likely that major Jihadi organizations, from Southern Syria down to Yemen, would seek to smuggle weaponry into the Gaza Strip, putting Israeli civilian aviation over [Ben Gurion airport](#) and most of Israel's large cities at risk.

Slate: So Israel's biggest objection to the Palestinian bid for U.N. membership is that the borders Abbas has proposed [the 1967 lines] would leave Israelis unsafe?

Gold: The Palestinian Authority's bid for U.N. membership is part of a unilateralist course that it decided upon a few years ago. Rather than pursuing a negotiated peace, which would require the Palestinian leadership to make certain concessions, just like Israel, Mahmoud Abbas decided to lean on the international community to obtain statehood, without having to agree, for example, to demilitarization.

Borders are another issue. Israel is entitled to "secure and recognized boundaries," according to [U.N. Security Council Resolution 242](#). It is not required to withdraw to the pre-1967 line, which was never an international border, but only an armistice line, where the armies stopped in Israel's 1948 War of Independence.

Slate: Earlier this month, the General Assembly issued a [statement](#) affirming the right of the Palestinian people to self-determination. Where does this leave the Israelis? What are they thinking now?

Gold: I think the point is that any move of the Palestinians towards statehood has to be negotiated *with Israel*. Israel learned the hard way that if it just abandons territory without putting any security measures into place, it will face unbridled escalation. If you compare the number of rockets that were fired at Israel in 2005, the year we got out of Gaza, to the number of rockets fired in 2006, the year afterward, there was a 500 percent increase in rocket fire. So we cannot—Israel cannot—permit a situation to arise in the West Bank which simply replicates the chaos of what appeared in Gaza.

Slate: But if a state emerged from the U.N. proposal—in other words, if Palestinians got the borders they wanted—wouldn't there be less motivation to attack Israel?

Gold: That was part of the thinking of the Sharon government back in 2005. But alas, as I said, it doesn't seem that the 1967 line is the line that will reduce the hostility on the other side. There are other factors involved.

Slate: What *would* reduce the hostility?

Gold: The sad truth is that this is not a territorial conflict, especially as the role of Hamas on the Palestinian side grows. Even the Fatah leadership insists that Israel will have to take in the Palestinian refugees, and even evict Jewish residents from those areas, before they will talk about ending the conflict. The chief Palestinian negotiator, Saeb Erekat, [wrote](#) in the *Guardian* on Dec. 10, 2010 that there were 7 million Palestinian refugees, and that disregarding "their aspirations to return to their homeland would certainly make any peace deal signed with Israel untenable."

This is an impossible condition for Israel to ever meet, since it would fundamentally change the demographic makeup of Israel itself. Because this is the intent of the Palestinian leadership, this is why it refuses to recognize Israel as the nation-state of the Jewish people, even though the Israelis are ready to accept a Palestinian state as the nation-state of the Palestinian people. The Palestinian leadership unfortunately still hopes to preserve the option of using the Israeli Arab population and a flood of Palestinian refugees in order to convert Israel from a Jewish state into another Arab state.

Slate: Your debate opponent, Dr. Mustafa Barghouti, [says Hamas has renounced violence as a form of resistance](#) and accepted a two-state solution. Would Israel ever collaborate with a Palestinian government that included Hamas?

Gold: There's a serious problem with Hamas. Hamas has a national [charter](#) from 1988 which calls for the complete destruction of Israel. It even calls for attacking Jews anywhere in the world. If Hamas wanted to make itself into a diplomatic partner, it would have to erase that charter. It would have to accept Israel's right to exist. It would have to renounce violence and accept all previous agreements. But there is no indication that it will do this. In 2006, when Hamas won the Palestinian elections, [Mahmoud al-Zahar](#), the man who became the Hamas foreign minister in Gaza, was specifically asked if he was willing to change the Hamas charter. He said, "Not a single word." So it seems that Hamas is ideologically rigid and locked into most of its old positions, even though it had every incentive in 2006 to change.

Slate: So last week's reconciliation was an empty gesture?

Gold: I think Hamas is trying to find language that makes it easier for Abu Mazen [President Mahmoud Abbas] to work with them. But Abbas is riding a tiger here. The Hamas leadership would like to ignite an intifada in the West Bank, which while declaratively aimed at Israel, will be intended to create chaos that will bring down Fatah control of the Palestinian Authority and replace it with Hamas control. This will bolster the extremist [Muslim Brotherhood](#), Hamas' parent movement, in a number of neighboring Arab countries, like Syria and Jordan. Abbas is making a big mistake.

Slate: What actions might Israel take if the Palestinians achieved a status upgrade at the United Nations?

Gold: Well, we've already seen many actions the United States has taken in response to [the state of Palestine's [admission](#) to] UNESCO. But Israel will leave itself a number of options to adopt, in the event that the Palestinians continue down the road of unilateralism.

Slate: What might some of those options be?

Gold: I wouldn't want to try and specify.

Slate: Your debate opponents say that [Prime Minister Netanyahu](#)'s commitment to expanding the West Bank settlements shows that he is disingenuous about wanting a two-state solution.

Gold: I've always believed that the settlements are a side issue. What you have is a territorial dispute: The Palestinians have towns and villages that they're building and Israel has its towns and villages where it's building. The borders will not be decided by the rate of construction, but by an agreement that the parties reach.

Slate: The settlements aren't a strategy to change the demography of the disputed areas?

Gold: Once Israel showed, in 2005, that it was prepared to pull out 9,000 settlers from the Gaza Strip, it's hard to argue that the settlements are the main factor determining the future borders of Israel.

Slate: But if they're so insignificant, and they're the one thing keeping the Palestinians from direct negotiations, is there a point where Israel just throws up its hands and agrees to a settlement freeze?

Gold: In 1993 when the original Oslo Accord was reached between Yitzhak Rabin, the prime minister of Israel, and [Yasser Arafat](#), the chairman of the PLO, there was no settlement freeze in the agreement. And the two sides negotiated. When [Ehud Barak](#) went to Camp David and negotiated with Arafat under the Clinton administration, there was no settlement freeze. And finally when [Ehud Olmert](#) negotiated with Abu Mazen back in 2007, there was no settlement freeze.

The settlements are a red herring. The amount of territory they sit on is miniscule—only 1.9 percent of the West Bank. If you're talking about 1.9 percent, and then somebody adds a few houses, you're not undercutting the negotiations; you're just addressing the needs of the people. Meanwhile, the Palestinians want to build a whole new city, called [Rawabi](#), near Ramallah. Why not? They have needs; let them do it! Is that called a settlement?

Slate: Is the Palestinian drive for statehood a late manifestation of the Arab Spring?

Gold: The Palestinian agenda is very different from the agenda in the Arab countries. I think the actual drive for statehood, away from the context of negotiations, began in 2008, when the Palestinians saw Kosovo declare independence and seek U.N. membership. What's happening now has its roots in that development, I think, and not in the Arab Spring.

Slate: How has the Arab Spring changed things for Israel?

Gold: The Arab Spring raises a great deal of uncertainty about Israel's strategic environment. Nobody can write a guarantee to Israel that the regimes surrounding it today will be there in five years. Moreover, in Egypt's case, Israel gave back the whole Sinai Peninsula, a huge amount of territory, to create a stable peace with Egypt. Now many voices coming out of the Islamist parties are calling for altering the peace treaty.

Slate: Has working on the Arab-Israeli conflict affected your view of human nature?

Gold: I believe that people are fundamentally good. I have spent many many hours as a negotiator with Mahmoud Abbas, with Yasser Arafat, and with the entire senior Palestinian leadership. I've also been an envoy to Arab countries—Jordan, Egypt, Gulf states—and I believe that there are sometimes conflicts that are very difficult. It's not a question of a personal rapport. Nobody has solved the [Kashmir](#) problem. Nobody has solved the issue of the [Kuril Islands](#), which are Japanese but occupied by Russia. No one has solved the dispute over the [Western Sahara](#) or [Northern Cyprus](#). So you have many challenging issues and you should work together to resolve what you can. But you should not give up because you can't bridge every single issue on the negotiating agenda.

Slate: Do you think the Israeli-Palestinian conflict can be resolved?

Gold: I think the Israelis and the Palestinians have fundamental interests in surmounting these problems. But we're in a difficult period. The Muslim Brotherhood is victorious in Egypt and may come to power in Syria. That only strengthens Hamas and makes it more difficult for Fatah to make the concessions that they will need to deliver at the negotiating table in the future.

Slate: Do you consider yourself an idealist or a pragmatist?

Gold: [*Laughs*] Let's put it this way: Idealism is the gasoline of political action. But pragmatism is also very much a part of my own personal approach. You need to understand the world you're facing and try to make arrangements and take reality into account.

Slate: Prime Minister Netanyahu has stated that the most he can hope for from a corrupt United Nations is the support of a "moral minority." You were a former Israeli ambassador to the U.N. Do you share his low opinion of it?

Gold: What happened at the U.N. was a tragedy. When it was created in 1945, the initial members had to be countries that had declared war either on Nazi Germany or on imperial Japan; in essence, they were Allies. Because of the power of the democratic coalition in those early years, even countries like the Soviet Union and Saudi Arabia had to acquiesce to the values of the United States and its allies, like the [Universal Declaration of Human Rights](#). Then, during the 1960s, new members from the Third World joined, some of which were Soviet client states. The whole tenor of the U.N. changed. Many of these countries became automatic adversaries of Israel. For instance, Arab countries came to certain African states and said, "We expect your support on this issue and then we'll help you with your issues." Even though Israel has excellent relations on a bilateral basis with many countries in Asia and Africa, picking on Israel became a part of U.N. bloc politics. Are you getting all this? I'm giving you a lecture in international history.

Slate: My tape recorder is getting it! I can't type that fast.

Gold: Fine. Look, in spite of everything I'm saying, we have to continue and try to find a way to peace. It's doable but you have to learn the lessons of past failures and chart a new course. You have to reach agreements where you can.

Obstacles to Middle East peace: Borders and settlements

By Martin Asser BBC News, 2 September 2010 Last updated at 05:35 ET

The modern Israeli state was forged in the fires of the first Middle East war in 1948-1949, but from the beginning it was a state without clear borders.

The fact that complete, permanent borders still have not yet been drawn around Israel 60 years later is testimony to the rancour of its relations with neighbouring Arab states.

Jordan and Egypt have signed treaties with Israel, turning some of the 1949 ceasefire lines into state borders. But the absence of final settlements with Syria, Lebanon and the Palestinians mean most of Israel's boundaries remain potential flashpoints and the state itself is unstable.

In 1948, when British rule of Palestine ended, Israeli forces managed to push most of the Arab forces that joined the war to the former Mandate boundaries, which became temporary ceasefire lines.

The exceptions were what we now know as the West Bank, which remained under Jordanian control, and the Gaza Strip, which was controlled by Egypt.

Thus Israel came into being on 78% of the former Palestine, rather than the 55% allocated under the UN partition plan.

Parts of Israel's central region were just 15km (9 miles) wide, and strategic Jordanian-held territory overlooked the whole coastal region.

Exceptions

Fast forward to 1967, when Israel captured both the West Bank and Gaza Strip, as well as Syria's Golan Heights and Egypt's Sinai peninsula. Israeli-controlled land now stretched from the Jordan Valley in the east and the Suez Canal to the west; it completely enclosed the Sea of Galilee in the north, and gave it a foothold on the Straits of Tiran in the Red Sea.

The Sinai was exchanged for peace with Egypt in the early 1980s (at about the time Israel occupied south Lebanon, where it remained until withdrawing unilaterally in May 2000).

So it was that, more than 30 years after the foundation of Jewish state, Israel acquired its first recognised international border with an Arab neighbour.

Jordan became the second treaty holder with Israel, agreeing river borders in the north and a demarcated desert border south of the Dead Sea. The boundary between Jordan and the occupied West Bank was also agreed, but "without prejudice to the status of the territory".

Such deals are the exception, and the state of Israel and its neighbours have had to live with the insecurity of moveable boundaries and an assortment of different coloured lines ("green", "purple" and "blue").

Consolidation

Politically, the most important of the Green Lines - as the 1949 ceasefire lines were called - is the one dividing Israel from the West Bank and East Jerusalem.

Occupying the West Bank in 1967 was an important strategic gain in Israeli eyes, and successive governments have ignored the Green Line and built numerous Jewish settlements on the territory.

The settlements are illegal under international law, but Israel disputes this and has pressed ahead with its activity despite signing various agreements to curb settlement growth.

Today, more than 430,000 settlers live in the West Bank and East Jerusalem. Settlements have separate civil infrastructure to surrounding Palestinian areas and are protected by a vast military infrastructure, alongside 2.5 million Palestinians. Settlements and the area they take up cover 40% of the West Bank and there are about 100 settlements not authorised by the Israeli government in the West Bank

The land is strategically significant, but in Judaism is also religiously and historically so. The first settlers were religious Jews who remained in Hebron after celebrating Passover there in 1968. The settlement movement has become closely affiliated to Jewish religious nationalism, which claims boundaries of modern Israel based on Genesis 15:18: "God made a covenant with Abram and said, 'To your descendants I give this land, from the river of Egypt to the great river, the Euphrates'."

On both political and religious grounds, therefore, it has been extremely sensitive for Israeli politicians to dabble in land-for-peace negotiations. Prime Minister Yitzhak Rabin pushed for a two-state solution in the 1990s, and was made to pay for it with a Jewish nationalist assassin's bullet.

Successors Ehud Barak and Ariel Sharon unilaterally pulled out of south Lebanon and Gaza, respectively - both of which moves were followed by a resurgence of violent confrontation in subsequent years, discrediting that approach. Benjamin Netanyahu managed to put the brakes on Rabin's historic drive for a two-state solution in the 1990s and has been in no rush to get to the negotiating table during his second term.

State solutions

From the Arab viewpoint, the minimum acceptable territorial solution for a Palestinian-Israeli settlement is complete withdrawal from all the land occupied in 1967.

Saudi Arabia has proposed such a formula in return for Israel gaining normal diplomatic relations with all Arab countries. Israel has sought to ring-fence East Jerusalem from any territorial retreat, and it hopes to annex the largest settlement blocs on the east side of the Green Line, which house a large majority of settlers. This would involve adjustments to the Green Line, perhaps involving Israel swapping its territory for the settlements Ariel, Modiin Illit, Maale Adumim, Gush Etzion, etc. Removing thousands of hardline settlers from other smaller, more isolated outposts would be a difficult task, however, even for the most secure of Israeli governments.

Further territorial compromises (having already been squeezed into 22% of pre-1948 Palestine) could also be a bitter pill for the Palestinian faction that favours a two-state solution, the Fatah party led by Mahmoud Abbas.

Not all Palestinians, however, want a two-state solution. Hamas, which won the 2006 Palestinian parliamentary election and holds sway in Gaza, wants to avoid at all costs a negotiated deal with Israel that involves drawing permanent borders along the Green Line. Its wider aim is to establish a single, Islamic state within the whole of pre-1948 Palestine.

It believes such a state, with the return of 1948 refugees, would have an impregnable and growing Arab, Muslim majority, and would spell the end of Israel as a Jewish state.

In the long term, therefore, Israel's reluctance to accept the existing Green Line in some ways plays into the hands of militant Islamist groups such as Hamas.

Viewpoint: How not to create a Palestinian state

BBC News, 22 September 2011, last updated at 04:57 ET

Yossi Klein Halevi, an Israeli author and political commentator, argues that all the Palestinians need to do to get a state is to convince Israelis that this state does not represent a threat.

Palestinian leaders are presenting their bid for upgraded UN status as a desperate move prompted by Israeli intransigence. In asserting this they are counting on the amnesia of the international community.

Twice in the last decade Israeli leaders - Ehud Barak in 2000 and Ehud Olmert in 2008 - have accepted Palestinian statehood. Dozens of settlements would have been uprooted and others concentrated in blocs along the border, in exchange for which Palestine would have received compensatory territory from within Israel proper.

The result would have been a contiguous Palestinian state in the equivalent of the territory taken by Israel in the 1967 Six Day War, with Jerusalem as a shared capital. Palestinian leaders effectively said no. That's because the deal would have required one significant reciprocal concession: confining the return of the descendants of Palestinian refugees from the 1948 war to a Palestinian state.

Internal collapse

The main obstacle to an agreement, then, is not territory or settlements but the Palestinian insistence on the "right" to demographically destroy the Jewish state. Absurdly, the Palestinian leadership is demanding that Palestinians immigrate not only to a Palestinian state but also to a neighbouring state, Israel.

That demand, of course, would lead to the internal collapse of the Jewish state - which is precisely the goal. This is why Palestinian leaders have rejected President Barack Obama's call that they recognise Israel as the homeland of the Jewish people.

In a final agreement, Palestinians living in the diaspora will have the option of coming home to Palestine - just as Jews in their diaspora have the option of coming home to Israel. That is the essence of a two-state solution.

Also, compensation should be offered to descendants of Palestinian refugees and to descendants of the nearly one million Jews who fled or were expelled from Arab countries and came, destitute, to Israel. Those are the kinds of details that need to be worked out in negotiations. The UN vote is an attempt by Palestinian leaders to evade their side's concessions in exchange for an Israeli withdrawal.

Existential threat

A majority of Israelis recognise that ongoing occupation is devastating and that a peaceful Palestinian state is an existential need for Israel. But that same majority also fears that a Palestinian state could be an existential threat.

The Israeli nightmare is that missiles - even primitive ones - launched from the West Bank highlands onto greater Tel Aviv would end normal life in this country. Should Israel then attempt to defend itself, the international community would brand it a war criminal.

Those fears are well-founded. In 2005, Israel uprooted all its settlements in Gaza and withdrew to the international border. For many Israeli centrists, that was a test case for a possible withdrawal from the West Bank.

The results were disastrous. Thousands of missiles fell on Israeli towns and villages along the Gaza border. Finally, four years after withdrawing, the Israeli army was sent back into Gaza to stop the attacks.

The international community reacted with disproportionate outrage - including the creation of a biased UN commission of inquiry headed by Justice Richard Goldstone, who recently retracted some of his conclusions.

Deepening Israeli fears

Israel's dilemma is unique. It is, on the one hand, the only democracy that is also an occupier - a situation forced on the Jewish state by the Arab world's attempts to destroy it in 1967, but which has taken on an increasingly permanent nature.

On the other hand, Israel is the only country living under a death threat issued by some of its most powerful neighbours, like Iran. Israel is the only country expected to trade strategic assets for mere recognition of its right to exist.

Potentially, Palestinians have no greater ally in their political empowerment than the centrist majority of Israelis, who want to end the occupation. The key, then, to Palestinian empowerment is to convince Israelis that it would be safe to do so.

Palestinian leaders need to prove that Palestine won't be a stage in a long-term attempt to undermine the viability of the Jewish state - either through the demographic subversion of refugee return or through terror attacks on the Israeli heartland.

Instead of encouraging Palestinian rejectionism and fantasies of a "right of return" to the Jewish state, the international community should be asking Palestinian leaders some hard questions: Why have you rejected every offer for statehood - going back decades? And do you really expect Israeli Jews to accept an agreement that would threaten the only state in the world in which the Jewish people is sovereign?

The UN vote will only reinforce Israeli fears about a Palestinian state. The inevitable result will be to deepen the Palestinian-Israeli tragedy and distance us even further from a peaceful and mutually just solution.

Yossi Klein Halevi is a fellow at the Shalom Hartman Institute in Jerusalem. He is author of [At the Entrance to the Garden of Eden: A Jew's Search for Hope with Christians and Muslims in the Holy Land](#) (Harper Perennial, 2002).

Palestinians Consider Shift in Strategy on Statehood

By [ETHAN BRONNER, The New York Times, October 20, 2010](#)

RAMALLAH, West Bank — The [Palestinian](#) leadership, near despair about attaining a negotiated agreement with [Israel](#) on a two-state solution, is increasingly focusing on how to get international bodies and courts to declare a Palestinian state in the West Bank, Gaza and East Jerusalem.

The idea, being discussed in both formal and informal forums across the West Bank, is to appeal to the [United Nations](#), the [International Court of Justice](#) and [the signatories](#) of the [Geneva Conventions](#) for opposition to Israeli settlements and occupation and ultimately a kind of global assertion of Palestinian statehood that will tie Israel's hands.

The approach has taken on more weight as the stall in American-brokered peace talks lengthens over the issue of continued settlement building.

“We cannot go on this way,” said Hanan Ashrawi, a former peace negotiator who is a part of the inner ruling circle of the [Palestine Liberation Organization](#), which oversees the [Palestinian Authority](#). “The two-state solution is disappearing. If we cannot stop the settlements through the peace process, we have to go to the Security Council, the Human Rights Council and every international legal body.”

In an interview, she said that the P.L.O. was holding high-level discussions on these options this week.

Israeli officials reject the move as unacceptable and a violation of the 1993 Oslo accords that govern Israeli-Palestinian relations. It would also pre-empt any efforts by Israel to keep some settlements and negotiate modified borders. But the Israelis are worried. No government in the world supports their settlement policy, and they fear that a majority of countries, including some in Europe, would back the Palestinians.

The Israelis say that what is really going on is a Palestinian effort to secure a state without having to make the difficult decisions on the borders and settlements that negotiations would entail. They are pressing the Obama administration to take a firmer public stand against the new approach, but Washington has made no move to do so.

“A lot of members of the international community believe that since the Palestinians are the weaker party, if they get more support it will help them in the direct talks with us,” a senior Israeli official said. “But it works in the opposite direction. This would kill a negotiated settlement.”

[Abraham H. Foxman](#), the American national director of the [Anti-Defamation League](#), has been in Israel this week talking to its leaders. He said in an interview that all agreed on the importance of a robust American position against the Palestinian effort.

“This is part of the delegitimization campaign against Israel,” he said. “The Obama administration needs to have the same public moxie on the declaration of a pre-emptive state as it has had on Israeli settlements. All the exit doors have to be closed for the Palestinians so they have no choice but to negotiate.”

Israel and the Palestinians began the direct talks at the start of September. But a freeze on West Bank settlement construction by Israel ended four weeks later, and the Palestinians said they would not return to the table without an extension. The [Arab League](#), whose backing is crucial to the talks, [agreed](#) on Oct. 8 to give the Americans and Israelis a month to come up with a way to stop settlement construction.

The Israelis say settlement construction should be part of the mix of issues in the talks, not a precondition. Nonetheless, Prime Minister [Benjamin Netanyahu](#) is working on a second shorter building stoppage in exchange for American guarantees. One that has been discussed is an American promise to work vigorously against an external declaration of Palestinian statehood.

The Palestinians’ approach is often referred to as a unilateral declaration of statehood. But they declared their state more than 20 years ago and realize that simply restating the declaration will have little effect. Instead, they are pursuing what might better be called a multilateral declaration.

“We don’t have strong cards but we want to convince the world to take a position and gain recognition of a Palestinian state,” noted Hanna Amireh, another member of the P.L.O.’s ruling circle, in an interview in his Ramallah office. “We feel we need to go beyond the United States to the world.”

One effort under way is at the [International Criminal Court](#) in The Hague. On Wednesday, the court’s prosecutor, Luis Moreno-Ocampo, heard arguments from eight people — four on each side — on whether the Palestinian Authority could be recognized by the court in its charges against Israel’s conduct in the 2008-9 Gaza war. The court permits states only to bring cases.

[Al-Haq](#), a Palestinian legal group, repeated its standing argument that for the purposes of the court, [Palestine should be considered a state](#) because it engages in international relations and tries its own people in a legal system, and because the international legal system bears a special responsibility for Palestinians.

Arguing against was Dore Gold, a former Israeli ambassador to the United Nations, who said granting the Palestinians statehood even for the criminal court violated their treaties with Israel. He said in a telephone interview from The Hague that the underlying purpose of the Palestinians was to strengthen their case for statehood recognition.

“If they win here, the big story that will come out of this is that one of the main legal bodies in the international community, the [International Criminal Court](#), acknowledges that the Palestinian Authority already constitutes a state,” he said.

The Palestinians want the world to declare their state on the territories that Israel conquered in the 1967 war — the West Bank, East Jerusalem and Gaza. Half a million Israelis now live in those areas, and Israel could find itself, in effect, in daily violation of another member state.

Certain countries sympathetic to the Palestinians, however, might not agree to a declaration of their statehood. For instance, China, Russia and Spain are all facing independence movements within their borders. When Kosovo [declared its](#)

[independence two years ago](#), many states declined to recognize it because of the potential for setting a precedent of legitimizing secession.

If the Palestinians were to go to the [United Nations Security Council](#), they might well face an American veto. Therefore they might start in the [General Assembly](#), where there is no veto and where dozens of countries would be likely to support them.

While that would be less binding, it would also provide a kind of symmetry — dark or poetic, depending on one's perspective — with Israel. It was in the General Assembly in November 1947 that the Zionist movement achieved success through [a resolution](#) calling for the division of this land into two states, one Jewish and the other Arab. Israel has long viewed that vote as the source of its international legitimacy.

The Legal Case Against Palestinian Statehood

By David B. Rivkin Jr. and Lee A. Casey, *The Wall Street Journal*, 20 September 2011

Later this week Palestinian Authority President Mahmoud Abbas is expected to seek recognition of a Palestinian state from the United Nations. The move is opposed by the Obama administration, which has rightly called it a "distraction." Nevertheless, the PA's effort has wide support among the U.N. membership, including Security Council members Russia, China and Britain, as well as other important regional states such as Turkey. These powers should think again because putting the U.N. -- and particularly the General Assembly -- in the business of state recognition is inconsistent with international law and the U.N. Charter, and it is manifestly not in their interests.

The U.N. -- General Assembly or Security Council -- has no power to create states or to grant all-important formal "recognition" to state aspirants. The right to recognize statehood is a fundamental attribute of sovereignty and the United Nations is not a sovereign. Those who cite as precedent the General Assembly's 1947 resolution providing for the partition of Palestine misread that instrument and its legal significance.

Resolution 181 outlined a detailed (and rigorous) process whereby the British Mandate in Palestine was to end and two new states, one Jewish and one Arab, were to be established. It recommended that process to Great Britain (as the mandate-holder) and to other U.N. members. It did not create or recognize these states, nor were the proposed states granted automatic admission to the United Nations. Rather, once the two states were established as states, the resolution provided that "sympathetic consideration" should be given to their membership applications.

In the event, the Arab countries rejected partition and Israel declared (and successfully defended) its independence. Israel's statehood was recognized, in accordance with international law, by other states -- including the United States and the Soviet Union.

The Palestinian Authority, by contrast, does not meet the basic characteristics of a state necessary for such recognition. These requirements have been refined through centuries of custom and practice, and were authoritatively articulated in the 1933 Montevideo Convention on the Rights and Duties of States. As that treaty provides, to be a state an entity must have (1) a permanent population, (2) a defined territory, (3) a government, and (4) the capacity to enter into relations with other states.

As of today, the PA has neither a permanent population nor defined territory (both being the subject of ongoing if currently desultory negotiations), nor does it have a government with the capacity to enter into relations with other states. This pivotal requirement involves the ability to enter and keep international accords, which in turn posits that the "government" actually controls -- exclusive of other sovereigns -- at least some part of its population and territory. The PA does not control any part of the West Bank to the exclusion of Israeli authority, and it exercises no control at all in the Gaza Strip.

The PA does not, therefore, qualify for recognition as a state and, concomitantly, it does not qualify for U.N. membership, which is open only to states. All of this is surely understood by the PA and its backers, and is also why the administration has correctly labeled this effort as a distraction -- "stunt" being a less diplomatic but even more accurate term in these circumstances. What is unfortunate is that the Obama administration has failed to present the case against a Palestinian statehood resolution in legal rather than tactical terms, even though these arguments are obvious and would greatly reinforce the U.S. position, also providing a thoroughly neutral basis for many of our allies, particularly in Europe, to oppose Mr. Abbas's statehood bid.

The stakes in this battle are high. The PA's effort to achieve recognition by the U.N., even if legally meaningless, is not without serious consequences. To the extent that state supporters of that measure may themselves have irredentist populations or active border disputes with their neighbors -- as do Russia, China, Britain and Turkey -- they will certainly store up future trouble for themselves.

Traditionally, states rarely recognize (even if they may materially support) independence movements in other states. This is because granting such recognition may have very serious consequences, up to and including war. (The classic example here being France's recognition of the infant United States in 1778 and its immediate and inevitable entry into the War for Independence against Britain).

With respect to Israel, although it does not actually claim all of the territory on which the "State of Palestine" would be established, it is and has been engaged in difficult negotiations over that territory -- and the PA's status -- for many years. Support for U.N. recognition might not rise to the level of an act of aggression against Israel, but the U.N. Charter also forbids members to act in a "manner inconsistent with the Purposes of the United Nations." First among those purposes is maintaining international peace and security, and efforts prematurely to force recognition of a Palestinian state clearly undercut this goal. This is, in fact, a rare instance in which a measure is bad policy, bad law, and has the real potential to damage the interests of its opponents and its supporters.

Messrs. Rivkin and Casey are Washington, D.C., lawyers who served in the Justice Department during the Reagan and George H.W. Bush administrations. Mr. Rivkin is also a senior adviser to the Foundation for Defense of Democracies.

Oslo Accords

From Wikipedia, the free encyclopedia

In essence, the accords called for the withdrawal of Israeli forces from parts of the [Gaza Strip](#) and [West Bank](#), and affirmed a Palestinian right of self-government within those areas through the creation of a Palestinian Interim Self-Government Authority. Palestinian rule was to last for a five-year interim period during which "permanent status negotiations" would commence - no later than May 1996 - in order to reach a final agreement. Major issues such as [Jerusalem](#), [Palestinian refugees](#), [Israeli settlements](#), and security and borders were to be decided at these permanent status negotiations (Article V). Israel was to grant interim self-government to the Palestinians in phases.

Along with the principles, the two groups signed [Letters of Mutual Recognition](#) - the [Israeli government](#) recognized the PLO as the legitimate representative of the Palestinian people, while the PLO recognized the right of the state of Israel to exist and renounced [terrorism](#) as well as other violence, and its desire for the destruction of the Israeli state.

The aim of Israeli-Palestinian negotiations was to establish a Palestinian Interim Self-Government Authority, an elected Council, for the Palestinian people in the West Bank and the Gaza Strip, for a transitional period not exceeding five years, leading to a permanent settlement based on [United Nations Security Council Resolution 242](#), and [338](#), an integral part of the whole peace process.

In order that the Palestinians govern themselves according to [democratic](#) principles, free and general [political elections](#) would be held for the Council.

Jurisdiction of the Palestinian Council would cover the West Bank and Gaza Strip, except for issues that would be finalized in the permanent status negotiations. The two sides viewed the West Bank and Gaza as a single territorial unit.

The five-year transitional period would commence with Israeli withdrawal from the Gaza Strip and [Jericho](#) area. Permanent status negotiations would begin as soon as possible between Israel and the Palestinians. The negotiations would cover remaining issues, including: Jerusalem, Palestinian refugees, Israeli settlements, security arrangements, borders, relations and cooperation with other neighbors, and other issues of common interest.

United Nations Security Council Resolution 242

From Wikipedia, the free encyclopedia

[United Nations Security Council Resolution 242](#) (S/RES/242) was adopted unanimously by the [UN Security Council](#) on November 22, 1967, in the aftermath of the [Six Day War](#). It was adopted under Chapter VI of the [United Nations Charter](#).^[1] The resolution was sponsored by [British](#) ambassador [Lord Caradon](#) and was one of five drafts under consideration.^[2]

The preamble refers to the "inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in the Middle East in which every State in the area can live in security."

Operative Paragraph One "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 both the following principles:

(i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;

(ii) Termination of all claims or states of belligerency and respect for and acknowledgment 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." ^[31]

...

The resolution also calls for the implementation of the "[land for peace](#)" formula, calling for Israeli withdrawal from "territories" it had occupied in 1967 in exchange for peace with its neighbors. ^[21] This was an important advance at the time, considering that there were no peace treaties between any Arab state and Israel until the [Israel-Egypt Peace Treaty](#) of 1979. "Land for peace" served as the basis of the Israel-Egypt Peace Treaty, in which Israel withdrew from the [Sinai peninsula](#) (Egypt withdrew its claims to the [Gaza Strip](#) in favor of the [Palestine Liberation Organization](#)). Jordan renounced its claims regarding the [West Bank](#) in favor of the [Palestine Liberation Organization](#), and has signed the [Israel-Jordan Treaty of Peace](#) in 1994, that established the [Jordan River](#) as the boundary of Jordan.

...

The resolution advocates a "just settlement of the refugee problem". Lord Caradon said "It has been said that in the Resolution we treated Palestinians only as refugees, but this is unjustified. We provided that Israel should withdraw from occupied territories and it was together with that requirement for a restoration of Arab territory that we also called for a settlement of the refugee problem." ^[24] Upon the adoption of Resolution 242, French President [Charles de Gaulle](#) stressed this principle during a press conference on November 27, 1967 and confirmed it in his letter of January 9, 1968 to [David Ben-Gurion](#). De Gaulle cited "the pitiful condition of the Arabs who had sought refuge in Jordan and were relegated to Gaza" and stated that provided Israel withdrew her forces, it appeared it would be possible to reach a solution "within the framework of the United Nations that included the assurance of a dignified and fair future for the refugees and minorities in the Middle East." ^[32]

Alexander Orakhelashvili said that 'Just settlement' can only refer to a settlement guaranteeing the return of displaced Palestinians. He explained that it must be presumed that the Council did not adopt decisions that validated mass deportation or displacement, since expulsion or deportation are crimes against humanity or an exceptionally serious war crime. ^[33]

According to M. Avrum Ehrlich, 'Resolution 242 called for "a just solution to the refugee problem," a term covering Jewish refugees from Arab countries as stated by President Carter in 1978 at Camp David'. ^[34]

According to [John Quigley](#), however, it is clear from the context in which it was adopted, and from the statements recounted by the delegates, that Resolution 242 contemplates the Palestine Arab refugees only. ^[35]
