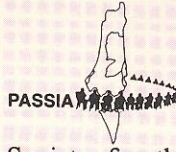


*DIPLOMACY
& CONFLICT
RESOLUTION
in the Middle East*



PASSIA

Palestinian Academic Society for the Study of International Affairs



The Palestinian Academic Society for the Study of International Affairs (PASSIA) was founded in March 1987 by a group of Palestinian academics and intellectuals in Jerusalem - Al-Quds Al-Sharif.

PASSIA is a Palestinian non-profit institution with a financially and legally independent status. It is not affiliated with any government, political party or organization.

PASSIA seeks to present the Palestinian Question in its national, Arab and international contexts through academic research, dialogue and publication.

PASSIA endeavours that research undertaken under its auspices be specialized, scientific and objective and that its symposia and workshops, whether international or intra-Palestinian, be open, self-critical and conducted in a spirit of harmony and cooperation.

PASSIA's projects include a series of seminars on Diplomacy and Conflict Resolution, Strategic Studies and Security, the European Union, Education on Democracy and Foreign Policies of Arabs States. This seminar program provides a much needed focus inside Palestine for training Palestinian graduates in international affairs with lectures and discussions held by the highest quality Palestinian and foreign specialists.

PASSIA's involvement in the question of Jerusalem remains extensive. It hosts regular workshops which address different but inter-connected problems concerning the Holy City such as access to information, holy sites, Israeli settlements, and viable future municipal arrangements as capital for the two States.

PASSIA cooperates and coordinates with other Palestinian institutions both inside and outside Palestine in its persistent efforts to ensure a wider understanding of Palestinian issues.

PASSIA, by providing a forum for the free expression and analysis of a plurality of Palestinian perspectives and methodology, strives to develop and clarify its own and others' understanding of international relations as they affect the Palestinian struggle for justice and peace.

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TRAINING & EDUCATION IN INTERNATIONAL AFFAIRS



Seminar 1997

*Diplomacy and
Conflict Resolution
in the Middle East*

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PASSIA seeks to present the Palestine Question in its national, Arab and international contexts through academic research, dialogue and publication.

With its *Education and Training in International Affairs* program, PASSIA has pioneered educational seminars for Palestinian graduates. This seminar program provides a much needed focus inside Palestine for training Palestinian graduates and mid-career professionals in the field of international affairs with lecturers and workshops held by the highest quality Palestinian and foreign specialists. Where possible, fellowships or study visits abroad are awarded to the most outstanding seminar participants.

Cover Photo: Courtesy of Mr. Ahmed Qrei'a (Abu Ala'), Palestinian Chief Negotiator and Speaker of the Palestinian Legislative Council.

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Introduction

PASSIA's seminar on *Diplomacy and Conflict Resolution in the Middle East* was part of PASSIA's annual *Training and Education in International Affairs* program.

The Seminar 1997 aimed to train Palestinian graduates in the concepts, terminology and methodology of diplomacy and conflict resolution in general, and their practical implication within the political settings of the Middle East in particular. It is part of PASSIA's endeavor to meet the needs of the Palestinian community for formal education, training and practical experience in areas that are receiving increasing attention as Palestinians define and address their own political and economic needs.

PASSIA hopes that this seminar will assist Palestinians to continue the process of state-building and to enhance relations and understanding with others in the international community.

The first part of the following report contains the lectures and presentations given during the seminar as well as a summary of the subsequent discussions. The second part includes background research done by the participants as part of their preparation for the seminar while the third part contains a selection of their Essays on Diplomacy and Conflict Resolution that were assigned at the end of the seminar.

In the appendices, one can find information about the lecture program, the lecturers, the Palestinian participants, and a list of relevant reading material.

PASSIA would like to take this opportunity to express its deep appreciation to those whose kind support made this seminar program possible.

We also thank most warmly the guest lecturers from Europe and the US, and all the local and regional scholars whose lectures and expertise contributed greatly to the success of the seminar.

Last but not least, the PASSIA team would like to thank the Palestinian participants for their commitment and enthusiasm to learn about Arab states' foreign policies.

Jerusalem, April 1997
The PASSIA Academic Committee

Seminar Program

1. Preparation

PASSIA consulted with Palestinian and European scholars in order to plan and implement the seminar. Consultation began in November 1996 and PASSIA advertised the proposed seminar in the local press, *Al Quds* and *Al-Ayyam*, during the month of December 1996. Notification was also given to national institutions such as universities, research centers, and institutions of the Palestinian National Authority. No fees for undertaking the course is required by the participants.

2. Participant Selection Procedure

PASSIA formed a Committee specifically for the preparatory stage of the seminar. Its members were: Dr. Mahdi Abdul Hadi, Dr. Joel Peters and Deniz Altayli. PASSIA received applications from all over the Palestinian Territories and applicants were invited for interviews. Dr. Joel Peters from the University of Reading, UK, conducted the interviews over the period from 19th to 22nd January 1997 at PASSIA in Jerusalem. Fifteen of the interviewees were selected to participate in the seminar, as well as four reserves.

3. Reading Period

The lecturers provided a list of reference materials covering the topics addressed in the seminar. Required reading material was photocopied and distributed to the participants at the beginning of February 1997 in order that they could familiarize themselves with the concepts of the seminar beforehand. Each participant received a reading package including assorted articles and essays amounting to approx. 300 pages.

During the seminar, the lecturers distributed further material related to their subjects, and additional recommended reading material was available for the participants at the PASSIA library. The reading period included the preparation of a background paper, whereby each of the participants was assigned a specific topic about which to collect the required information.

4. Lecture Program

From 3rd to 15th March 1997 a series of lectures, workshops and simulations was given by Palestinian scholars and foreign experts. In addition, representatives from the diplomatic corps in Jerusalem and Tel Aviv were giving presentations on certain topics. The participants themselves presented their background research papers that they prepared as part of the one-month preparatory reading period.

5. *Writing Assignments*

Participants were required to write two essays in English. The first assignment was to be a background paper for which the participants were asked to collect information on the purpose and structures of international organizations and major areas of international conflict. The assignment was to be submitted at the beginning of the lecture period and had to be presented in a lecture not exceeding ten minutes during the first couple of days of the seminar. The assignments centered around subjects such as international/multilateral organizations (e.g. NATO, UN, OSCE, EU, Arab League), international treaties, conflicts in the Middle East, contemporary conflicts in the world (e.g. Bosnia, Cyprus), the changing global agenda (North-South and East-West dimensions), and the role of the US in Middle Eastern conflict resolution.

The second assignment given to the participants was a more sophisticated essay containing a thesis, stringent argumentation and thorough research on topics taken from the fields of diplomacy, negotiations and conflict resolution methods elaborating further on topics tackled in the seminar. It was required for submission by the middle of April 1997. Seminar lecturers had compiled a list of suggested titles for these essays and participants selected one each for analysis.

Participants who performed all required tasks were handed a certification stating their successful participation in the seminar program.

6. *Publication*

PASSIA recorded all sessions and discussions of the seminar. This seminar report contains minutes of all the lectures and summaries of the workshops and discussions, as well as the participants' presentations in the seminar.

We included all the first assignments handed in as to acknowledge the efforts the participants made. We included the main body of text after English editing and adapting it to the format of this publication. We did not, however, change any of the content even though we are well aware that there are considerable differences in quality; the reader might judge about this.

After reviewing the second essays, the PASSIA Academic Committee included a selection, covering each of the main fields of the seminar, for publication. Also here, the essays were edited, adapted to format and sometimes shortened, but the content was not corrected.

7. *Advanced Studies*

Based on their performance during the seminar, the PASSIA Academic Committee nominated the two most outstanding candidates from among those seminar participants who fulfilled all requirements, Safa' Abu Asab and Adnan A. Joulani, for two fellowships to study towards a MA in International Studies at the University of Reading, UK. Ms. Ailie Saunders of PASSIA's partner institute RUSI (Royal United Services Institute for Defence Studies), London, will facilitate the nominees' stay in the UK and be at their disposition whenever they may seek advice or assistance. Furthermore, another outstanding fellow, Husam Shakhshir, was enabled to take part in the International Leadership Academy (ILA) 1997 in Amman, Jordan, organized by the United Nations University. The Leadership Program seeks to enhance the commitment of leaders and potential leaders to UN values; participants have the chance to learn directly from important successful leaders, regional and global.

PART ONE:

Lectures & Discussions

Welcoming Address

Dr. Mahdi Abdul Hadi,
Head of PASSIA, Jerusalem

Allow me to welcome you on your first day at the PASSIA seminar on '*Diplomacy and Conflict Resolution*'. I have heard from PASSIA's partners in this seminar, Ailie Saunders from the Royal United Services Institute for Defense Studies and Dr. Joel Peters from Reading University, about your high qualifications and your commitment, as well as your interest in becoming PASSIA fellows.

This seminar comes as a part of PASSIA's series of seminars in international affairs, in which we focus on training and educating Palestinian graduates on specific topics through intensive workshops and writing assignments, providing them with all the tools necessary to meet with and benefit from high caliber lecturers, experts and diplomats. PASSIA's dedication in these endeavors is part of the collective responsibility of Palestinian non-governmental organizations in building a democratic independent state.

I hope that one day you will become members of the Palestinian diplomatic core and I would like to emphasize how important it is for you to use this opportunity to deepen your knowledge about these topics and also your attachment to Palestine. You should be proud of being a people with a just cause, namely the united struggle to build a better future in our homeland. Having said that, it should be noted that we are an integral part of the Arab World and our national movement went through three stages. The first stage was the international phase, which goes back to World War I. The second phase was the Arabization of the Palestinian cause, or the Pan-Arab phase, which started with the end of World War II. The third phase was the Palestinization of the cause beginning in the early 1960's.

Allow me here to introduce some ideas as an introduction to this seminar. Last night, I read an article about the late Egyptian president Jamal Abdul Nasser. The author quoted Abdul Nasser saying,

"...why somebody like me in the days of my early youth, without reading or studying anything about Palestine, rushed to demonstrate in the streets in a nameless village in Egypt against the Balfour Declaration of 1917 and against the Zionist plans of Judaized Palestine. I never saw Palestine, I knew nothing about the Palestinians, yet as an Arab, I raised my voice, I ran in the streets, I shouted against the Balfour

Declaration. Maybe you can say this is because Palestine belongs to the Arab Nation, and Palestinians are part of the Arab people. But there is another thing ... although I did demonstrate because of my passion as an Arab nationalist to support my Arab brothers, the Palestinians, today I add to that another reason, why I went to the demonstration. I discovered this reason when I went to a military school in Cairo and studied the issue of security in the region and international affairs. I realized that you cannot isolate or separate Palestine from its regional Arab context. I was defending Egypt when I was demonstrating in support of the Palestinians.”

My point here, my dear fellows, is that you too will discover during the course of this seminar how deep-rooted you, as Palestinians, are in the Arab World in terms of history, culture, economy and security. The late President Abdul Nasser wrote in his famous monograph, *'The Philosophy of the Revolt'*, that he considered himself as being part of three overlapping circles: the first being the Arab dimension, the second the African, and the third the universal. This seminar will focus on the Arab dimension in terms of the evolution of the Arab states and their position, interests and needs, as well as where they meet and differ and why they sometimes fight each other. The question is: How do you see yourself within that concept of the three circles? Are you a Palestinian first, an Arab second, and a Muslim or Christian last, or what? Some may say: I am a Jerusalemite first because I was born in Jerusalem, I belong to a very holy city, I live in the center of the world and it is the closest spot to heaven. Only then, I will look for an identity, Palestinian or Arab, and within that context I will identify my religion as Muslim or Christian.

I am not expecting you to go that far now. I am asking you to build your relationships with each other as one Palestinian team, working together as colleagues and friends, committed to learning and benefiting from this opportunity and trying your best to meet the challenges set by the lecturers or diplomats. I want to encourage you to have confidence and faith in yourselves and to never, never, lie to yourselves. The truth is the light that will guide you to a better understanding in this political game of diplomacy and conflict resolution. I am happy to inform you that PASSIA managed to invite highly qualified diplomats and academics: Americans, Europeans, Israelis, Canadians, Arabs and Palestinians. I hope we will maintain this endeavor in other seminars and I wish you all the best.



Opening Remarks

HE Thierry Bechet, Head of the Representative Office
of the European Commission, Jerusalem

I do not want to make a big speech, but maybe I should start off by telling you why I am here. I am not an academic, but as you know Europe is very close to Palestine. That is the main reason why I am here, as a symbol of this closeness of Europe to the Palestinian people. We, the Europeans, are here as your 'brothers', we try to be active in the region, and we have many people working on the ground. The feeling in Brussels and all over Europe is that this is a very high priority. My presence here is a token of this friendship, a symbol of the commitment of the Europeans to the Palestinian cause. We will have more time during the seminar to discuss these ideas and this partnership.

The focus of the seminar is a technical approach to conflict resolution, to negotiations and so on, but there is a much broader picture. Nowadays, it is not only the problem itself, and it is not only the technical questions of how to resolve it. There are also the broader more general issues, the so-called *New World Order* that consists of many shaping factors such as public opinion, NGOs, the media, international institutions and so on. We have to ask what the interests of the parties are. And there are not just political interests: there is also the question of 'face saving', of domestic constituencies and so on. You see how this point relates to the subject of the seminar.

I think it is a very good idea to invite both sides to lecture in the seminar, e.g., Ron Pundik, whom you title as a moderate, but you must not forget that, on his side, he is not considered a moderate, but a liberal extremist. Do not forget the real extremists on both sides.

I think this indeed is an important time for such a seminar to take place. The next six months will be crucial for the region, thus we need to engage ourselves in dealing with these issues. This interim period is regarded as a confidence building period. We need to be pessimistic in our analysis and optimistic in our action.

The final status negotiations will offer the possibility to build a Palestinian state. I do not view the partnership with the EU as a form of political patronization because of the political maturity of the Palestinian people: here, we find a feeling for democracy, openness, and civil society, which are all important features of the place in which one lives. Let me add that the notion of a state is different now from what it was in the 18th century: the notion of sovereignty, the notion of security, the concept of 'human security' have all totally changed. You will not have to go through all the painful experiences that other states had to go through. You can start right from the beginning by creating an open society with horizontal networking and different kinds of balancing authorities at every level.



A. Theoretical Background: Diplomacy and Conflict Resolution

The Diplomatic System - Role and Function of Diplomacy

Dr. Raymond Cohen, Head of the International Affairs Department,
Hebrew University, Jerusalem

Attempting to talk about diplomacy in an hour is like visiting Jerusalem in a day, so these will just be some preliminary remarks, and I hope Dr. Adam James will go further into the details.

Diplomacy lies at the heart of international relations. It can be considered the master-mechanism of international affairs, a system for managing relations between states. Diplomacy acts like the control tower of an international airport that directs and controls the flow of traffic and maintains the order through its radar system, its regulations, and its instructions. The diplomatic system works in the same way: it orders the international system and allows international society to function more or less smoothly through a system of laws and norms of behavior. The international society is bound together by diplomacy that maintains order, prevents collisions, and permits the conduct of business and affairs between states.

Often the concepts of foreign policy and diplomacy become entangled or are confused. Whereas foreign policy concerns the substance, the content of one state's relations with other states or actors, that is, its goals, values and interests and how to translate these into trade, treaties and actions, diplomacy concerns the process. Diplomacy is the instrument, the key mechanism by which states conduct relations across borders; it is the means to achieve the objectives of foreign policy.

Question: Can diplomacy be described as the art of how to deal with the other side?

Answer: Yes, diplomacy is conducted by a corps of trained diplomats that have certain skills. In diplomacy, it is the diplomats, that is, the professionals and not the politicians who play a key role.

Question: Why are foreign policy and diplomacy, which are both carried out by the foreign ministry, regarded as being so different?

Answer: The idea since the beginning of Western diplomacy in France in the 17th century has been that there should be cohesive and coordinated foreign policy, and that the foreign minister is responsible for this coordination and cohesion. As a result, there has been a unified chain of command in the diplomatic service, according to which the diplomat serves as an agent who, with no set of objectives of his own, is duty-bound to do the best to serve the interests of his state, just as a lawyer is expected to represent the interests of his client.

In order to understand the meaning of diplomacy better, let us look at its history. Diplomacy had its cradle in the Near East, in Mesopotamia, at least as far back as 2500 BC. A mechanism to conduct the affairs between the city states of that time, such as trade, alliances and fighting was needed, as well as representatives that could travel to each other's capital and meet and conduct affairs as soon as contact

between states was established. In order to conduct these affairs, archives, protocol, the institution of messengers and a rudimentary law developed between the city states. The diplomat was considered the representative of the state's sovereign; the moment states had affairs in common, they had to have representatives and rules in order to settle their affairs with one another.

What were and remain the tasks of diplomacy? The first task has always been to negotiate agreements, originally those related to trade, diplomacy, war and alliances. Nowadays, in an interdependent world, diplomacy's tasks are related to the whole spectrum of international relations, as there are many points of contact among states such as tourism, trade, finance, treaties, telecommunications, etc.

Negotiations are at the heart of diplomacy because they are a 'magical process' in which two parties that do not have mutual interests finally reach a mutual beneficial agreement - in contrast to war, where we have a one-sided, non-legitimate outcome. The outcome of negotiations is based on mutual consent; negotiations can thus be considered as a method of joint decision-making. They are the only way to achieve change on the basis of consent, and therefore legitimacy, and they are therefore at the heart of the peaceful conduct of international affairs. Some writers, such as the famous Howard Nicholson, say that diplomacy is almost synonymous to negotiations.

The second important role of diplomacy is that of communication. Diplomacy serves the transmission of positions, views, opinions, and policies in an accurate and acceptable way. There exists an elaborate system of communication through documents, papers, forms of speech, gestures, etc. States communicate extensively to inform others, to coordinate their positions, to mobilize support, and to justify or to disqualify other positions. This generally works quite well because all states have an interest in being considered equal and therefore in upholding the rules.

The third role of diplomacy is the acquisition of information. Even though today there are many sources of information, the diplomat as a professional observer that has access to authoritative information is important.

The fourth role is that of staking out legal positions. The diplomat is the lawyer for his state's position and makes legal claims on behalf of his country.

The fifth role is that of representing the sovereign. This is of special importance nowadays, in a time of newly emerging states that seek international recognition. The diplomat as a symbol of his national community is honored and given full recognition. Protocol is so important in diplomatic relations; it ensures that business is conducted without unnecessary arguments or difficulties.

Discussion

Question: What kind of policy is behind the appointment of diplomats?

Answer: In established states, there is usually a well-functioning mechanism for appointing diplomats; political appointments are less important. In new states, loyalty to the regime, of course, is most important. There must be absolute confidence in the ruler's representatives abroad. This is illustrated by the dismissal not long ago of Oren Shahor, one of the Israeli representatives in the talks with the Palestinians because he was accused of having leaked information. Now, whether or not the accusations were true is not so important; the important thing is that Netanyahu no longer had any confidence in his representative. It is crucial for the ruler to have confidence in his diplomats. In the case of the Palestinians, I naturally assume that all the representatives are very close and loyal to the Palestinian Authority.

Question: You said that diplomacy is a system for managing relations among states. Is it then applicable at all to the Palestinian-Israeli case or can it only function between two states?

Answer: Indeed, the negotiations between Israel and the Palestinians are somewhat special because Palestine is not yet a state. According to the definition a diplomat is always the representative of a state, but in terms of function, there are many bodies that act as diplomats. The Palestinian representatives act as if they were diplomats, and their function is the same.

Today, states conduct business with many entities other than states that have quasi-diplomatic functions, such as ai [amnesty international], Greenpeace, multinational companies, the EU representatives, or private citizens acting as diplomats in secret negotiations (e.g., Hirschfeld and Pundik in the Oslo talks), etc. This has been the case since the Middle Ages when churches and guilds, for example, sent their representatives to negotiate with states. Today, there is no longer a clear distinction between representatives of states and non-governmental organizations, etc.

Question: I want to ask a question about the diplomat as a person. Is it best that he be a person from inside or from outside the system? Is it preferable for a diplomat to have a military background?

Answer: There has been a long and ongoing debate as to whether generals should or should not become diplomats. In general, military personnel are held in suspicion, because it is assumed that they have the tendency to impose solutions and that they prefer one-sided decision-making. Today, however, a lot of these people are involved in peace-keeping missions or arms reduction talks. Many generals, therefore, have to have diplomatic skills. Often, they also have the confidence of the authorities. Throughout history, they often played a great role as diplomats. For example, one of the most distinguished American diplomats was Vernon Walter.

In addition, not only foreign ministries send out representatives. On a negotiating team, you will find representatives of all the ministries with an interest in the matter. The foreign ministry is mainly left with the task of coordination, the representation of the national perspective, and the provision of local knowledge and communication skills.

Question: For me, diplomacy has always been associated with peace. Is that an accurate point of view?

Answer: On the one hand, diplomacy is a peaceful way of communication, but this does not mean that the conduct of diplomacy rules out war or that war automatically ends diplomatic relations. For example, Syria and Israel are involved in a diplomatic process at the same time as violence is used to foster political goals.

Question: Is espionage justified by the diplomat's task of acquiring information for his country?

Answer: Diplomats legitimately collect information. The difference between diplomats and spies should be stressed and is emphasized by diplomats themselves. It is in the interest of the states not to confuse the two fields. If a diplomat is accused of being a spy, he is useless in the host state and may as well go home.

Question: What about the flexibility of an ambassador to open up a secret channel or to sign an agreement on his own?

Answer: There are all kinds of channels through which negotiations are conducted and often local staff, such as the ambassador, are included in the negotiation team; they are sometimes even the head of the team. Also, there is a lot of flexibility to set

up channels. If there is a will, there is a way. A lot of negotiations have been conducted informally in the form of pre-negotiations, and it is here that ambassadors often play their part.

Question: To me, it seems that the diplomat is quite limited by his foreign ministry and by the short period for which he is sent to a host country. It seems that he is only a tool, used to implement the ministry's foreign policy.

Answer: This, to a certain degree, is true, and often leads to frustration. Diplomats are employees that are bound by regulations. They are instruments that negotiate on the basis of instructions. Of course, the more competent they become, the more influence they possess.



Diplomatic Law, Methods and Immunities

Dr. Alan James, Professor of International Relations, Keele University, UK

Diplomacy is conducted within the legal framework of international law. Therefore, let us look first at international law, then at diplomatic law as a part thereof.

International Law

It is remarkable that states can coexist without a central government or legislature and that, generally speaking, they accept a body of law providing the legal criteria for conduct in the international arena. This law comes from custom and from treaties. As is the case in Britain, where law, which has developed over time, is based on custom, in the international sphere the customary rules of international society are the basis on which states operate. In addition, there is a growing number of treaties regulating all kinds of subjects. This codification process is a rather recent development, which began after World War II. While customary law is binding for all the states, treaties are only binding for the signatories.

Is this really law? The central characteristic of law - the binding - is fulfilled by international law. This has to be distinguished from the observance and enforcement of international law. States accept that international law binds them; they do not argue about this fact and if they dispute a certain law, they argue only about the interpretation of its content. States occasionally do not observe international law when it is not in their interest, although they know that they are legally obliged to obey it. Only when rules are accepted can they be broken.

Generally speaking, international law does not suffer as a result of not being centrally enforced. States consider it wise to obey the law because it is based on the principle of the mutuality of interests, interconnecting duties and rights. Hence, states themselves will suffer if the law is broken. As they want to rely on the rules in the future, they usually obey them. The second reason for states observing the law is that other states are generally capable of making them obey their obligations, and, in the event of transgressions, can take serious measures, such as initiating a campaign against the offending state's representative in international institutions or cutting monetary aid, etc. The third reason is that states usually care a great deal about their reputation and are sensitive to insults or perceived insults. Consequently, international law is generally observed.

What is the function of international law? International law sets a normative framework for behavior in the international sphere. It regulates the methods of doing

things lawfully, e.g., how to create a treaty. It also sets the rules for what must be done, what must not be done and what may be done, i.e., the legal freedom.

Diplomatic Law

Diplomatic law is a part of international law. For a long time it was customary, but with the emergence of a large number of new states in the 50's and 60's, it was felt that there was a need to codify the norms concerning the conduct of diplomatic relations and diplomatic institutions. This was done in the 1961 Vienna Convention on Diplomatic Relations, which serves as the basis of diplomatic law and regulates the privileges and communities of diplomatic institutions and diplomats. The Vienna Convention has been signed and ratified by almost every state in the world. Furthermore, the view of lawyers and experts in this domain is that it has become customary law and thus binds all states.

The key articles of the Vienna Convention are the following:

- the premises of the diplomatic mission are inviolable (Article 22);
- the official correspondence and the diplomatic bag are inviolable (Article 27);
- the diplomat is not liable to arrest or detention (Article 29);
- the diplomat is immune from criminal jurisdiction and most civil jurisdiction (Article 31);
- the diplomat is exempt from taxation and customs duties (Articles 34 and 36);
- the family of the diplomat also benefits from Articles 29-36 (Article 37).

The idea of diplomatic immunity and privilege is to enable the diplomat to carry out his work efficiently in the absence of pressure from the host state. Of course, the principle of the mutuality of obligations is applicable, so that host governments have a great interest in respecting the immunity and privileges of the diplomats sent to their country.

I will give a few examples to illustrate the impact of these articles. In the late 1970's, during the events of the Iranian revolution, a group of students took over the US Embassy in Tehran and held its staff hostage for 444 days. The fact that not a single state, including the ones sympathetic to the new regime, supported this action shows that it was considered a breach of a basic principle, namely the inviolability of embassy premises. It was also condemned unanimously by the International Court of Justice in The Hague.

Another example that illustrates the importance of the inviolability of the diplomatic premises, persons and baggage and the respect for this inviolability, even in difficult situations, is the case of the Libyan Embassy in London. When a British police-woman was shot at from within the embassy premises and killed in 1984, negotiations with the embassy staff, who at the time considered themselves a 'popular committee', were held for an entire week until they agreed to leave the premises voluntarily. The embassy was not stormed by the British police.

The third example concerns a Nigerian government official who, following the military coup in Nigeria, fled to live in London, from where he was subsequently abducted. A few days after the abduction, a Nigerian diplomat appeared at the airport with several large crates and attempted to leave Britain. As the crates did not bear a diplomatic seal they were opened and the former official was found unconscious in one of them. The accompanying diplomat claimed diplomatic immunity in order to avoid arrest. This, however, was not accepted as he was not accredited to Britain and immunity applies to accredited personnel only. He was taken to court, accused of abusing diplomatic immunity and sent to prison.

The Vienna Convention sets the legal framework within which diplomats act. Even when states are at war with each other, diplomacy can be pursued. This was illus-

trated during the Iran-Iraq war, when diplomatic relations were upheld for quite a while despite the fact that the two countries were at war. Although, nowadays, there are many diplomats all over the world, diplomatic conduct functions quite well. The rules, in general, are obeyed, because they are in the best interests of all the various states.

Discussion

Question: With regard to the enforcement of international law, what is the role of the veto in the Security Council? Doesn't it allow some states to stand above international law?

Answer: For most of the time, international law does not need to be 'enforced', as states act on its basis out of self-interest. But when some specific threats or kinds of pressure are needed, these may be supplied by states acting individually or collectively. Inasmuch as the use of the veto may prevent the Security Council from taking action on behalf of the UN in a matter of peace and security, the veto may to that extent obstruct the collective enforcement of international law. But that does not mean that a state judged to be in breach of international law is somehow exempt from the requirements of the law. On the contrary, it is still bound by it. And there is no reason why - if the necessary political will is present - states should not, either individually or collectively (in a forum other than the Security Council) take action against the offending state.

Question: What is the international legal situation concerning embassy asylum? Does the host state have the right to arrest somebody who resorts to seeking asylum in a foreign embassy?

Answer: You have touched on a very important and controversial matter. The case of people seeking asylum in an embassy was not mentioned in the Vienna Convention of 1961 as no agreement was reached during the negotiations concerning the right to asylum or the obligations of the host state. Now, the receiving state is obliged to help the person seeking asylum to leave the country safely but of course, only in cases of political asylum. Providing asylum is, however, considered a nuisance by the embassy staff, especially as embassies are not designed to allow people to live there. Thus, embassies will try to prevent people from entering easily as, once inside, it is difficult to throw them out. As I said, there are no clear agreed upon rules concerning embassy asylum, except for in the Latin American countries.

Question: Is there immunity for private citizens, for example, for those individuals that play an important role in mediation or negotiations? Can they be granted immunity?

Answer: Yes, states can do anything they want and they will usually offer their representatives support and protection. Other conventions regarding the immunity of NGOs and special missions, etc., already exist. In a case such as that of the private negotiators in Oslo, the states concerned would agree upon these matters.

Question: Is the diplomat totally immune even if he commits a crime? What about the case of the Nigerian diplomat?

Answer: If the diplomat had been accredited to Britain, Britain could have asked Nigeria to waive his immunity, but it would have then been Nigeria's decision to do so and make him subject to British legal prosecution. If Nigeria had decided not to do so, then Britain could have declared the person *persona non grata* so that he would have been obliged to leave the country within 48 hours.

Question: Do the same privileges concerning immunity apply to honorary consuls?

Answer: There is a special convention regarding this. Probably, immunity will only cover his official acts. There are different levels of immunity relating to the different

levels of missions and diplomatic functions.

Question: I think that law always needs an enforcing authority or a power to be applied. Is this not the role of the Security Council?

Answer: No, international law is not observed because of some authority but because of the principle of mutuality and the interests of all the states concerned.

Question: What is the role of international law in the case of a treaty between two states that has not been respected by one side?

Answer: Usually, in such a case, the protesting state's legal advisors would make a claim on behalf of the state and the two states would then try to find a solution, e.g., by negotiation or, if both states agree, by arbitration. If this does not resolve the conflict, the complaining state is entitled to retaliation.

Question: What is the connection between sanctions and UN resolutions and international law?

Answer: The UN has in some cases over the years imposed sanctions on states. This is done through UN Security Council resolutions that normally cite the broken legal norms in their preamble. So, the UN sanctions are based on and justified by international law, as was the case in the sanctions against Libya in connection with the Lockerbie disaster. But as I pointed out earlier, it is not only this kind of enforcement that makes states abide by international law, the adherence to which is in the interest of all the states in a functioning international society.



The Art and Practice of Diplomacy

Dr. Alan James

The Art of Diplomacy

Can we really talk about the 'art' of diplomacy? This would imply that certain kinds of skills can lead to certain results. Diplomacy is about state interests, and if the interests of one state are opposed to those of the other, then charm and skills do not suffice. The diplomat is defending the interests of the state, and the winning side is dependent not only on skills but on many other factors.

However, being a good diplomat requires certain personal qualities such as patience, as a diplomat has to put up with other diplomats and to socialize inside the community. The diplomat is always 'on duty', always the representative of his state. He has to master the art of gossip. He often has to participate in extremely difficult negotiations about details and items that are sometimes never realized. He needs to be sensitive to cultural differences and to possess a tolerance for social and quasi-social gatherings. He also has to accept that he is a tool, meaning he has to defend his country's line at all times and to accept and follow his government's instructions. Only at a high level is he able to influence his country's policies himself. Thus, it takes a special person to be a diplomat. The fact remains that the result of negotiations will not be determined by the diplomat's skill, but mainly by the underlying interests of the state.

The Practice of Diplomacy

Diplomacy, which means official contact between states, can take place at different levels according to the relationship between the states involved. Possible stages in the development and diminution of diplomatic relations and contact include the following:

- (1) The *emergence of a sovereign state*, meaning a territorial entity with a constitution separate from other constitutions, is the precondition for the establishment of diplomatic relations. The driving force in the development of new states since World War II has been de-colonization.
- (2) Once the sovereign state has emerged the question of *recognition* emerges. Any new state, before it can enter into diplomatic relations with other states, has first to be recognized by these other states. This is a unilateral act by the recognizing state; often, however, it happens at the same time as the establishment of diplomatic relations, which is a bilateral act, but it does not have to be so.
- (3) For example, it is possible to establish *consular relations* before establishing diplomatic relations.
- (4) The crucial stage is when states establish *diplomatic relations*. This occurs when two states in effect say that they are willing to talk to each other at an official level. It is always a formal, bilateral decision to enter into diplomatic relations. It is of extreme importance to establish diplomatic relations because they allow permanent, easy and free communication between the two states, meaning that states can communicate with one another at any time without the slightest difficulty: this is why international relations in general function so smoothly. There are various ways in which states can maintain diplomatic relations with each other. According to the sending state's interests in business and trade, its strategic interests, and the number of residents, etc., in the host state, the level of the diplomatic mission will differ. (See points 5 to 11.) Thus, the existence of diplomatic relations between two states does not rely on one state having an embassy in the other.
- (5) One possibility is to have a *non-resident mission*, which means that diplomats are accredited to the host state in order to facilitate communication, but reside in another state in order to save resources. Many African states, for example, have a resident mission in one of the European states while their ambassador is also accredited to the other European states.
- (6) Very common nowadays are *special missions*, which are appointed to settle or to negotiate a specific matter.
- (7) There are *three categories of resident missions*: a mission headed by an ambassador (an embassy), a mission headed by an envoy or a minister (a legation), or a mission headed by a *chargé d'affaires*. The second and third types of mission are rare nowadays because the sending states all want to be represented and therefore treated at the highest level.
- (8) Thus, the *resident ambassadorial mission* is nowadays the prevalent means of representation so usually, when two states are in diplomatic relations, each has a resident ambassador in the other state.
- (9) In order to show a country's displeasure with the host country's actions, various diplomatic measures can be taken by the sending state according to the gravity of the problem. The sending state, for example, can *temporarily withdraw the head of mission*, an action referred to as calling the ambassador for consultations.
- (10) In theory, *the level of the head of mission can be downgraded*, but this is very rarely done.
- (11) The next possibility is the *withdrawal of the mission*, which can be temporary or permanent, but this does not necessarily mean a break in diplomatic relations.
- (12) The most severe step is the *breach of diplomatic relations*. This used to be quite uncommon and states only took such a step upon declaring war, but since World War II it has become quite common, especially during the Cold War period. The problem is that, once again, the sending state itself loses the opportunity for easy,

official talks with the host state, which entails the danger of a further deterioration of relations.

- (13) Thus, in a case where there are no diplomatic relations or they have been broken, states can still use a *protecting power* to protect their nationals or an *interests section* in order to allow communication between the two states. In this case, a third state would represent the sending state's interests or allow the establishment of an interest section in a friendly embassy. The US, for example, has an interest section in the Swiss embassy in Cuba to conduct communication with the Cubans. This underlines the importance of having easy access to communication, even when very strained mutual relations exist.
- (14) Other, but rare forms of contact include the *conduct of diplomatic functions by a consular officer*.
- (15) A second rare form of contact is the *conduct of intermittent diplomatic contact* which could be direct or indirect and, for example, take place in a third state's capital.
- (16) A total *absence of diplomatic contact* is a further possibility.

What is the importance of diplomatic relations? States are entities that as such cannot talk to each other and cannot have direct relations, thus contact is only possible through accredited representatives. Diplomacy serves as the communication system of international society. Communication between states is much easier when it is through diplomatic relations, as opposed to through the back door.

The head of a mission is always accredited by the head of state. (In order to exemplify the question of accreditation, letters from the Queen of England to the American President concerning the appointment of a new ambassador to the US were displayed and explained.)

Discussion

Question: Palestine has missions at different levels in other countries. What status do they have? Do the representatives have the same privileges and diplomatic immunity as other ambassadors?

Answer: Actually, I myself would like to know more about the status of the Palestinian representatives. The Vienna Convention regulates the relations between states. The general view is that Palestine is not a state, thus the Convention cannot be applied directly. 'Normal' diplomatic immunity doesn't apply automatically to the Palestinian representatives, but practically it might exist, depending on whether the host state chooses to extend immunity to the Palestinian representatives. Remember, the host state can extend immunity as it wishes. It also has the right to decide whether it considers the Palestinian representative an ambassador, as is common in most Arab states.

Why is this so important? It is important because the host state has to know how to treat foreign diplomats. Following the Napoleonic Wars, the 'Residence Rule' was introduced to ease matters of protocol. According to the rule, ambassadors were seated at official occasions according to their date of arrival in the country. In earlier times, ambassadors had been seated and treated according to the relative position of their state in terms of its level of decline or rise, which caused a lot of problems.

Now, how this applies to Palestine is the question. There must be some special arrangements on how to treat Palestine's representatives, because it is not an acknowledged state and thus, does not really fit in to any one category. Palestinian representatives are generally treated today as if they were representatives of an acknowledged state. This shows the flexibility of diplomacy that allows life to catch up with theory.

Question: Why do states sometimes have an embassy and a consulate in the same host state?

Answer: The purpose of a consulate differs from that of an embassy. The main purpose of a consulate is to assist the nationals of the sending state, e.g., with marriages, visas, and trade matters, etc. Therefore, the embassy is usually in the capital of the host state, where foreign policy is made, whereas a consulate would be situated in an industrial or coastal city, according to the agreement between the two states. Today, it is common to have a consular section at the embassy. If the interests of the sending state demand it, there can even be more than one consulate in the host state. An example of this was the creation of the United Arab Republic in 1958, when the foreign embassies in Damascus closed down or were changed to consulates because Cairo was then considered the capital of the whole entity.



The Structure and Role of a Foreign Ministry and of Diplomatic Missions

HE Richard Dalton, British Consul General, Jerusalem

I will talk about the structure of the British Foreign Office as an example of a foreign ministry as well as about the structure and tasks of an embassy.

Let me start with the key objectives of British foreign policy and therefore the main tasks of a British mission. Those tasks include the protection of security for the nation and its nationals, prosperity, that is pursuing trade policy and promoting a climate for investment, etc., as well as the preservation of stability and order, which is a fabric that requires continued maintenance and communication.

What is the role of the diplomat? In Britain, the diplomat is acting on behalf of the Queen as the head of state, represented by the foreign minister. The diplomat obeys orders from above, from the foreign ministry; he is the servant of the public represented by the elected government. In a case where he disagrees with the orders of his government, he can argue and maybe convince the minister of his standpoint; if not, he has to accept the order or to resign. But, on the other hand, he can also influence the orders that are given because the political decisions depend on his preparatory work. He informs his government about the current situation and prepares options for political decisions. But, of course, this always has to fit in with the overall policy of the government. In an unclear situation, it is always his duty to seek instructions from above.

The diplomatic service has functions in different fields such as economic foreign policy implementation, trade services, foreign policy implementation, management/administration of the mission, control of entry to the UK (visa service), defense policy, consular duties, administration of overseas aid, promotion of educational and cultural relations, communication, and external broadcasting.

Protocol can be seen as the good manners in international relations. Its function is to ensure that people who need access to officials of the host or sending state get this access and it allows the apt treatment of misunderstandings, special events, etc.

The structure of a typical embassy or, in the case of the Commonwealth countries, a high commission, is as follows: the mission is led by an ambassador (high commissioner) with a personal assistant and his deputy, the counselor, with his personal assistant. The embassy has four main sections: the consular section providing the link

for visitors of the home country, the management section, the chancery or political section and the commercial section promoting business between the two states, as well as different support services, such as secretarial and security staff. About 25% of the work is political work aimed at understanding the society and government of the host state and its main political currents. In small embassies, these sections do not exist and the diplomat himself has to be up-to-date in all fields and understand the full range of diplomatic work.

Discussion

Question: From what we have heard so far, the life of a diplomat is terribly hectic and has a lot of disadvantages. Would you agree?

Answer: It is a 24-hour job. You have to be available 24 hours a day, seven days a week although, of course, usually you do not work that long. Also, there is what we call a 'mobility obligation', meaning that you have to go anywhere you are sent whether you like it or not. But the work is rewarding: you have a lot of change, not only because you change the country you are working in, but also because you change the department and therefore the field of work.

Question: Diplomats need certain skills. Are these a natural talent, or can they be learned?

Answer: Now, the question of nature or nurture: you do need certain personal characteristics to be a good diplomat, such as integrity, flexibility, adaptability, and no extremist views. The recruitment in Great Britain looks for these abilities, not for a special education. (But, of course, a higher education is a pre-condition.) Then, the diplomats are trained on the job (learning by doing) and in special training sessions for particular missions. So, if you want, both nurture and nature are important in the making of a good diplomat.

Question: Is a diplomat representing a small or poor country treated differently than one representing an important, influential one?

Answer: Formally, all ambassadors are equal and only distinguished by the rule of seniority. But, in the competition concerning access to the important people in the host country, those countries that have more significance to the host state naturally have an advantage. This access, however, also depends on the ability of the diplomat.

Question: We learned that a diplomat is mainly a tool of the government to implement its foreign policy. Isn't your work frustrating sometimes?

Answer: In the Middle East, this is unfortunately true. We share in the frustrations of the Middle East peace process. Also, as a representative of a middle rank power such as Great Britain you need to be most effective. Sometimes, there are no or little achievements and this is indeed frustrating. But it also depends on the department in which you work. For example, working in a commercial section can be very satisfying.

Question: What advice would you give to Palestinian diplomats?

Answer: In Palestine, it seems to me, the relationships between the PLO/Palestinian Authority and the representatives often are more on a personal level. I think the Palestinian diplomats are doing quite a good job even though they certainly lack staff and resources and there is not the same level of exact guidance from above as in other nations. They have a difficult stand because they do not have a foreign ministry and therefore, it is hard to conduct a cohesive foreign policy.

Question: What is the relationship between the different foreign representatives in Palestine?

Answer: There is wide cooperation on aid and economic assistance to the Palestinians. For example, regular meetings take place on the issue of institution-building. There is only very limited conflict between the representatives, mainly concerning particular political issues.

Question: I heard something about a 'consular lunch'. What is this?

Answer: The consular lunch is a special feature of international life. Here, in Jerusalem, the Consul Generals meet regularly at this opportunity to discuss current affairs on the issue of Jerusalem. For example, they have a unified position on the status of Jerusalem in that the issue is not settled, in that occupation and annexation are opposed to international law, and in that the Israeli settlement policy in East Jerusalem contravenes the Geneva Convention.

Question: Can you give an evaluation of British foreign policy towards the Palestinians?

Answer: Great Britain has a special role in the Palestine Question. We are not only interested in stability in the region and in a successful and peaceful resolution of the conflict. We also acknowledge our special responsibility, but we cannot turn the clock back. We recognize the right of the Palestinian people to self-determination and we think that Palestinian political activities in East Jerusalem are legitimate.

Question: What about the recognition of a Palestinian state?

Answer: We would recognize a Palestinian state immediately if it came as a result of the peace process negotiations. However, we could not accept a preemption of results by the Palestinians. We acknowledge the right to self-determination, but it must come through negotiations, not through unilateral acts.

Question: What was the real reason for the Balfour Declaration in 1917?

Answer: There were three main factors that led to the Balfour Declaration: World War I, the influence of the Zionist leaders in London and the sympathy for the idea of a Jewish homeland. I stress, it was the sympathy for a homeland, not for a Jewish state.

Question: I want to ask something about another field of British policy. How did Great Britain get out of the beef crisis?

Answer: The beef crisis is not only a serious crisis for the British, but for the EU as a whole. We are, at this time, not out of the crisis by any means. There is still a ban on the export of British beef. The whole subject involves a problem of judgment concerning human safety.

Question: What is the relationship between Great Britain and Saudi Arabia? What do you think about the raping and killing of foreigners in Saudi Arabia?

Answer: First of all, we have a close and good relationship with Saudi Arabia and we are engaged in trade. Concerning the question of fundamental values, we want states that have signed international treaties on human rights to apply these standards and live up to their undertakings. Both positions are known to the Saudi Arabian government.

Question: How do you see the future of Northern Ireland?

Answer: We can only reach a solution through negotiations. The major obstacle at the moment is the IRA's breach of the cease-fire and the renewed use of violence. Northern Ireland is in a free association with the UK; it is not forced to be in this union, but the majority supports it.

Question: Why does Israel have so much political influence? Is it because the Israeli diplomats are so good?

Answer: Israeli diplomats and the Israeli government are very effective in putting across their ideas. It is a very effective system.

Question: When you compare them to Palestinian diplomats, who is more convincing?

Answer: As I said, Palestinian diplomats are highly valued, but the problem is that there are not so many of them due to the lack of resources. You see, most international decision-makers want to remain friends with both parties. But in reality, the truth is not always in the middle, even if there is a desire to be balanced. This is the current situation. There is no balanced attitude, there is much more sympathy for the Palestinian positions. However, we think that sanctions against Israel would not be useful at this point.



Summitry

Dr. Alan James

First, I want to relate summitry to the broader picture. Today, there is a lot of summitry, but this has not always been the case. In 1919, the first big collective summit was held in Paris, but only after World War II did summitry really proliferate. Examples of summitry as collective summits are the opening sessions of the UN General Assembly or the Commonwealth summits that take place every couple of years. In general, summitry concerns the meeting of two or three leaders. A classical example would be the meeting in Yalta.

Why are there so many summits?

- Summitry has become possible through the development of technology and transport facilities.
- With everyone talking about democracy throughout the world, it is assumed that the elected leaders should be involved in big decisions, that they should be seen making important decisions.
- Summitry can be useful at the domestic political level, in order to gather domestic support.
- Finally, the joy of travel as an employment privilege should also not be forgotten.

Summitry is an example of the 'open diplomacy' of the 20th century. The request that diplomacy should be open was made by Woodrow Wilson in his 14 points since he believed that it was the practice of secret diplomacy that led to the World War I. He did not, however, rule out the possibility of coming to secret agreements; the negotiations themselves should not be in public. Thus, what he was talking about was 'open covenants arrived at secretly'. Diplomats insist that negotiations can only be successful when they are confidential. The important change is that nowadays, results are usually published.

What are the advantages and disadvantages of summitry? The advantages are that summits offer the possibility to establish good personal relations between leaders. They can also be a very visible sign of a rapprochement or good intentions, as was the case with Sadat's visit to Jerusalem. They offer the opportunity to settle major problems quickly. The disadvantages are that bad relations or antipathy between the leaders may reflect upon the relations between the two countries. Thus, sometimes it seems preferable for the leaders to keep out of such meetings. Also, the symbolism may be greater than intended or misinterpreted by one side, as was the case with the Nixon summit in China in 1972. It might also be that problems are indeed settled too hastily and mistakes are made, as happened in the arms reduction negotiations

between Kissinger and the Soviets. Leaders may not prepare for the meeting thoroughly or be sufficiently briefed.

What are the implications for diplomacy and diplomats? The claim that diplomats have been downgraded and lost their function due to increasing summitry is going too far, and it overestimates the influence of diplomats in the past. Often their former role is glamorized. In fact, due to other developments, the role of the diplomat has even increased in importance. Faster forms of communication, for example, allow the diplomat to have more influence in the foreign office. As a result of the improvement in transportation, diplomats are nowadays called home more often to report about certain situations and their input concerning foreign policy has consequently increased. Also, diplomats have an important preparatory role in summitry. Thus, it can be concluded that the importance of summitry has brought a dramatic change to the diplomatic scene but it has not overturned the role of diplomats.

The functions of a diplomatic mission are mentioned in Article 3 of the 1961 Vienna Convention on Diplomatic Relations. The main functions are representation, protection (of interests and nationals), negotiation, reporting and promotion of friendly relations. Has summitry taken over these functions? Most of these functions have not been taken over by summitry, and diplomats still have an important task in the permanent representation of their country, in the promotion of friendly relations and in reporting to their ministry. Only they are responsible for protecting the country's nationals in the host country. Most negotiations, in addition to the preparatory work for summits, are carried out by diplomats, who are also responsible for the implementation of summit results.

A further point that should be added is communication. Diplomats serve as the 'voice boxes' of their countries and enable states to communicate with one another. It is important that this not only happens at summit meetings, but is an ongoing function that can best be fulfilled by a resident mission. This is especially important when messages have to be passed from one state to the other. With the help of diplomats this can be done at the appropriate level and with the apt honor but while still transmitting the country's feelings on the matter.

Today, many important matters are dealt with at a multilateral level and in international forums, such as the UN, the Arab League, the NATO, the OAU, etc. At the UN, for example, the permanent representative has a different job than the ambassador in a mission: his task is not only to represent his country, but also to defend his country's interest through lobbying in the different forums of the organization. He spends most of his time involved in negotiating, reporting, and promoting friendly relations. He is not accredited to a state but to the organization.

In conclusion, it can be said that the old system of diplomacy is still the backbone of international relations and that the embassies have not lost their importance in representing the state's interests in the host state. Bilateral relations are still at the heart of inter-state business. Summitry, in this context, acts as an occasional addition, a 'firework in the sky'.

Discussion

Question: Does the diplomat have the authority to sign treaties?

Answer: Yes, the ambassador has the power to sign treaties. However, he needs to be given specific authorization by his country to do so, and almost always, treaties are ratified by parliament, which has the ability to overturn the ambassador's signature. More important than the signature are the negotiations and the input that leads to the agreement, and here, once again, the ambassador can have quite an impact.

Question: It seems to me that the diplomat is more involved in implementing foreign policy than in influencing it.

Answer: It is true that diplomats mainly implement foreign policy, but they still have a considerable measure of influence. They are part of a larger mechanism that, in the end, leads to foreign policy formation. Actually, the American policy of containment was formulated by the then American ambassador to Moscow.

Question: We have been talking a great deal about the functions and privileges of diplomats. What are the dangers of being a diplomat?

Answer: Being a diplomat is not without its dangers. Diplomats, for example, are often prospective targets for terrorists, and although they are usually protected by the host state's police and all kinds of electronic devices they are sometimes the victims of attacks. A perfect example is the ongoing case of the Japanese Embassy in Peru.

Question: The Vienna Convention is over 35 years old. Have any new functions for diplomatic missions developed over this period?

Answer: Actually, the functions have not changed very much, although responsibility for communication could be added, as I explained earlier. On the other hand, the life-style of diplomats has changed a lot. Today, diplomats are traveling more and there is a greater need for protection.

Question: The US Ambassador to Israel is Jewish, the Israeli Ambassador to Jordan is a scholar in Arab studies and the Israeli Ambassador to Uganda has a military background. Can we come to the conclusion that the ambassador is usually chosen according to the prevailing interests in the host state?

Answer: The appointment policy differs from country to country. In most European countries, ambassadors are chosen according to their diplomatic training, whereas in the US, ambassadors are mainly political appointees. A military person may have other qualifications that account for him being sent to a specific country; it cannot be automatically assumed that the sending state has a military interest in the host country. For specific military tasks, military *attachés* are sent to the host state as part of the mission.

Question: American diplomats to the Middle East are often criticized at home because they become attached to the Arab cause, wouldn't you agree?

Answer: Yes, it happens that in many instances, in different part of the world, diplomats become 'infected' by the local point of view, or by what can be called 'localitis'. The problem, then, is that their reports may be discredited at home. This may also be the case when diplomats marry a national of the host state.



Theories of International Conflict

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In this lecture, I want to convince you that theory is important and that, in fact, you cannot do any serious work without it; there is a need for generalizing and systematizing in order to make the complexity of the world understandable. So, theory is not only abstraction but a method that assists in the understanding and decoding of complex problems. Now, I will talk to you about theories of conflict, and later, we will go into the theories of conflict resolution. The assumption is that if we do not understand the cause of conflicts, we cannot understand how they can be resolved, because the type of conflict resolution depends very much on the type of conflict.

So what I am talking about today includes the following:

- the universal ubiquity of conflicts;
- the role of conflict analysis in political and social sciences, the classification and specification of the conflict phenomenon, and conflict analysis as distinct from other aspects of international relations;
- main schools of thought concerning the causes of conflict;
- a critique of these theories of causes of conflict;
- some empirical evidence from history.

Let me start with the first point, the *ubiquity of conflict*, or the fact that conflict is a widespread phenomenon in political and social life. Conflict is a tangible part of everyday life. Wars, for example, which are a violent conflict, divide or define time for us and shape our way of thinking. We always talk about 'before the war' and 'after the war,' the pre-Gulf War period or the post-Gulf War period, pre-1967 or post-1967, or the pre-*nakba* or post-*nakba* period. The great turning points in history were provided by these struggles among political rivals, which have reordered the international system and propelled history in new and unexpected directions. There is always the question of which state will govern, as well as which ideas and values will predominate, thereby determining the ethos of succeeding ages and shaping the future. The outcomes of these wars affect the economic, social and ideological structures of individual societies as well as those of the international system. Very few events have this quality, and although war is only one aspect of conflict, which is much broader, its effects make the study of conflict very important.

There is another aspect. I want you to correct a common misconception. When people think about conflict, they usually think of it as something negative, which is not always the case. The Chinese, for example, think about crisis and conflict in a very positive way. Crisis is thought of as a situation of birth, as an announcement of a new beginning, of a new life.

Due to the ubiquity and complexity of conflict, the different social sciences are occupied in the analysis of conflict and its causes. Thus, you have psychological theories of conflict, social theories of conflict, economic theories of conflict and of course, political science's theories of conflicts. And each of us has his or her own theory of conflict because conflict is so widespread that we cannot avoid it. It is difficult for me to give this lecture because there is such a huge amount of literature dealing with the issue, which I will try to systematize, synthesize and present to you in a coherent form. In this lecture, I want to emphasize the international dimension, and the focus will be on international relations and political sciences.

Let me now talk about the first aspect, which is known in the literature as the problem of *level of analysis*, e.g., micro/macro in economics and the actor/global structure in international relations. When you talk about the foreign policy of Arab states, you are talking about conflict, but when analyzing foreign policy the focus is not on the level of interaction - cooperation or conflict - but mostly on the actor level, on the determinants of foreign policy. Now, in addition to this actor level, there is the level of regional dynamics, and in the discipline of international relations we have a huge debate between these two. Theories try to explain these dynamics with terms such as agents, structure and causality. Often, the structure, the context that one lives in, determines the actions of the agent so that he does not have much choice or freedom when deciding how to act.

One of the main influential theories now says that the structure of the international system is anarchic, there being no central authority. As a result, all countries have to behave in the same way because they are all worried about their survival, irrespec-

tive of whether they are a Muslim or Christian, developed or under-developed country. The idea is that you have things coming from above, determining and conditioning everything that you have to do. But when you actually deal with foreign policy, you tend to neglect these structural aspects, because as we say, you open the 'black box', you look at the domestic factors, personality factors, the level of development, etc., so you tend to emphasize the agent or actor factors.

Between these two levels of actor and global structure there is a third level that comes into play: the level of interaction analysis. Now, we are really coming to our subject - interaction. If you take social life and political life as a continuum, you have 'total harmony' at one end and 'total conflict' at the other. We have reached the conclusion that these two extremes hardly exist in social life. Even in a total war, which is the maximum level of conflict, you still have some cooperation among the proponents, for example concerning prisoners of war. Or, there is, for example, the tacit cooperation between Syria and Israel in Lebanon, each side accepting the other side's main spheres in which it does not interfere. Despite the tremendous hostility among the two countries, you still have some measure of cooperation. Actually, most interaction takes place in between the two extremes in a limited field that is actually closer to conflict than to harmony.

Again, when dealing with the foreign policy of a country, you are basing yourself on what country 'A' thinks. Why is, for example, the US doing what it does? How does the health of Mr. Yeltsin influence the negotiations about the NATO membership of the Eastern European states? You are focusing on one country, or one individual, in contrast with the structure of the whole system. What is important about conflict is that it gives us the third level of analysis, which is the interaction between the actor level and the structure.

So let me talk about conflict interaction. There are some classifications that we have to take into consideration, and I will try to give you some background. First, there is inter-state conflict and intra-state conflict or domestic conflict. Then, there is violent conflict and non-violent conflict, which - even without taking into account the other kinds of typologies - leads us straight away to four types of conflict, which are as follows:

- (1) *Intra-state, non-violent conflict*: this kind of conflict exists in all democracies, and is part of normal democratic behavior. This does not mean that examples of such kind of conflict are non-violent, nor that they are unimportant. They can even change history. Examples are the conflicts in Canada or Belgium between the different ethnic groups that demanded separation and independence or the peaceful strife for power in elections.
- (2) *Intra-state, violent conflict*: civil wars, for example, in Algeria, in Basque country, in Egypt or in Afghanistan are conflicts of this type, although often this is not really clear, for example, in the case of Lebanon. The reason is that in politics you do not have cases of either/or, but you move according to a continuum of 'more or less'. This is also true concerning the involvement of outside forces.
- (3) *Inter-state, non-violent conflict*: examples of this type of conflict are the Cold War, trade wars, and the Syrian-Israeli relationship since 1973.
- (4) *Inter-state, violent conflict*: this is the typical type of war. But here also we have to distinguish between low and high intensity wars (according to the amount of arms used and the number of casualties), and short-term and long-term wars (according to their length). All of these types of conflict are based on one basic distinction: the dichotomy between 'us' and 'them', and this is actually the basis for the definition of conflict.

Let us now talk about the *causes of conflicts*. Here, we have many different schools of thought. I want to talk about the three main schools, and first of all I want to divide them into two main dimensions: the ones that put emphasis on subjective factors and the ones that put emphasis on the objective factors. The subjective ones favor a psychological approach. In fact, in the 1950's, in UNESCO, there was a huge discussion about this approach saying that wars start in people's minds, that the basis of conflict is mainly psychological while the resolution is psychological therapy. Therefore, once you have solved the psychological problem, you have solved the conflict. Sadat saw the Arab-Israeli conflict in such a way and tried to resolve it by coming to Jerusalem and speaking in front of the Knesset. Thus, conflict is mainly seen as the result of the fact that people look at each other in the wrong way. If I think that you don't like me I will interpret your actions as being against me and I will end up being antagonized and react in a hostile way, so mutual misconceptions will continue to exist until we are finally in a state of conflict. In this case, conflict is defined as the opposition of will and attitude. This is an example at the individual level, but there are also examples at the collective level. Sadat was actually crossing the line between the individual and the collective level.

Now, at the collective level, we have, for example, Samuel Huntington's theory on *The Clash of Civilizations*, which was published in 1993. With the end of the Cold War, he says, the New World Order will be dominated by a much bloodier war between the West, on the one hand, and between Islam and Confucianism on the other. He bases all this analysis on cultural terms, on the fact that these are groups that think and perceive history differently. The clash between them is inevitable. Similarly, all ethnic wars or conflicts have subjective factors. Although I am categorizing, there is usually more than one factor that determines a conflict. The important thing about these subjective theories of conflict is that, usually, the different sides demonize each other. We have the phenomenon of the mirror image, meaning that each side perceives itself as entirely white and the other side as entirely black. Thus, people who follow the subjective school of conflict theory concentrate on bringing people together when they try to resolve conflicts.

Now, the *objective school of conflict* does not deny the subjective factors, but it does not accept that they form the basis of conflict. There are two main schools of thought: political theory and economic theory. Conflict is defined as a question of real issues that divide people, and these real issues have to be settled by finding appropriate formulas. According to these schools, conflict is a competition for scarce resources, which do not have to be material; they can also be 'intangibles', such as prestige or leadership. Again, I want to stress that the fact they are not tangible does not mean that they are unimportant.

Political explanations of conflict dominate today's literature. Let us have a look at the two main political theories of conflict: the *realist/neo-realist theories* of international relations. By simplifying, we can say that they start from the following point: the international system is an anarchical system, which does not have a central political authority. We live in a state of anarchy, and as a result of this anarchy, every individual and every state needs to defend itself. Eventually, therefore, you reach a security dilemma, an inevitable state of conflict. You do not have a choice in this; it is a structural theory. Peace, then, is like a truce. In this respect, a French thinker, Raymond Aron, defined history as a march to madness. Peace is like a truce that does not last, a breathing-phase before going to war again, before going into the next cycle. History is perceived as being cyclical. Tollenby, one of the greatest historians of the 20th century, looked at history since the ancient Greeks and found that there was a major war almost every century. Thus, the time dimension is very important.

So, what is the basis of this cyclical history of war? I want to explain to you the theory of world leadership, the basis of which is the following: because of the anarchy that exists in the international system, you have from time to time the rise of major powers that try to control the system and define the rules according to which everybody has to work. But then, due to the so-called 'law of uneven development', at a certain point, the power becomes exhausted and starts to decline and you have a challenger. The war comes at the point where the holder of power faces the challenger in order to decide who will be the future leader. We have lots of historical analysis and empirical evidence to prove this, such as Germany's bid for hegemony in Europe. The basis of this uneven development can be better understood by comparing it to 'life' as a process of being born, growing up, rising to maturity and becoming old and weak, before finally being replaced by somebody else. This is why we talk about the 'cyclical' theory of leadership. Why does an old leader weaken and decline and another one rise to take his place? The answer is because the existing leader has overstretched himself - we talk about strategic overstretch - and he is not using many of his resources efficiently, which allows another country, with a better management of resources, to become stronger and conquer the leadership. A good example is the Yemeni war from 1962 to 1967: although it took place during a period of Egyptian hegemony in the region, the Egyptian economic power was in decline, which prevented the Egyptians from effectively asserting control. This Egyptian economic overstretching then became more obvious in the defeat of the War of 1967. In much of today's literature, economic factors are often named as the reason behind the decline of regional leadership. Thus, the leader's legitimacy declines when his assets, such as his economic power or intangibles, become less. It is possible, however, for a weakening power to rise again. This becomes clear when we look at Germany, which suffered a terrible defeat in both world wars, but which is today one of the most influential powers in Europe if we concentrate on the economic field.

All of us know that conflict is not a function of political differences only but also of economic ones. In fact, some well-established theories emphasize economic bases as the most important - or even only - causes of conflict. Among the *economic theories* the most well-known and influential are the Marxist theories. Among these, the most developed one is Lenin's explanation of conflict in its violent form, i.e., war, or what Lenin called 'inter-imperialist wars'.

In *Imperialism, the Highest Stage of Capitalism* (written before World War I but only published in 1917), Lenin affirmed a correlation, a cause-and effect relationship, between advanced capitalism and war. According to Lenin, capitalism had become very advanced by the beginning of the 20th century, not only at the industrial level but also through financial concentration and the development of trusts. As a result of this continuous advance of capitalism, imperialist competition becomes more ferocious. Every capitalist country rushes to solve economic problems and to secure as many resources and markets as possible. The result of this rush is an inevitable collision, i.e., inter-imperialist wars. This is how Lenin explained the coming of World War I in 1914.

Whatever we think about Marxism and Capitalism, Lenin's theory is important because it has had a huge impact on social scientists in the Third World and also in the West. Since the works of the Egyptian Marxist Samir Amin are relatively known here, I will concentrate on the four-volume study of the evolution of the world system since the 15th century by Immanuel Wallerstein, Professor of Sociology at the University of New York, and head of its F. Brandel Center.

Wallerstein's basic thesis is that there are core countries or dominant powers that simultaneously try to achieve dominance in all fields such as agriculture, finance and

industry. For them, the most important thing is to shape the rules in these areas. This idea has been expanded by Chase-Dunn, a lecturer at John Hopkins University, who states that dominant powers try to extend their economic power to the political domain.

All the economic theories thus have their base in Lenin, but they add sophistication to the theory and add to the data through empirical research. There might be psychological or ideological barriers to accepting the economic theory, but it should be acknowledged that most conflicts have economic roots. Economic factors are crucial in conflict theories and one does not have to be a Marxist to acknowledge this.

Summarizing political and economic theories of conflict, it can be said that countries go through uneven development, which leads to changes in the distribution of power. The power holders become challenged by the second runners and this leads to conflict, often in the form of war.

Question: In my opinion, the economic theories do not explain very well why conflict arises because they do not consider psychological factors.

Answer: These theories concentrate on one single cause for explanatory reasons. In reality, conflicts always have more than one cause. Actually, scholars from the Third World have been challenging these theories because the focus of most research has been on European powers. This gives me the opportunity to talk about another theory of conflict. These scholars say that the structures in the Third World are different and that one has to look at many factors at once. They introduced the concept of 'social protracted conflict' for a multidimensional conflict that has a historic base, which has led to a special type of 'abnormal society' where different communities live separated but intermingled. Therefore, the focus of research should be on the social structure, not on diplomatic history. Factors to be studied in this kind of conflict are economy (classes), identity (religion, culture, ideology) and political factors of state-formation.

In light of this theory, a discussion is taking place as to whether the Arab-Israeli conflict is over. This conflict embraces two basic aspects that need to be resolved: the need for peace treaties in the region and the question of mutual recognition between Israel and the Arab states. These issues have almost been settled, therefore, the conflict as we knew it is over, although there is still another face - the Palestinian-Israeli dimension. This has become a chronic, protracted conflict, which might never be resolved or, at the very least, will take a long time to be resolved. In such a case it might be more apt to talk about conflict management rather than conflict resolution. The "reality" then is much more complex in the Third World than many of the established monocausal theories assume. In fact, history seems to indicate a multi-causal basis of conflict.

Empirical research about the causes of international conflicts conducted by a Canadian researcher covering the time period 1648-1989 showed the most important sources of conflict were the following:

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| • territory | 25,5% |
| • ideology | 14% |
| • commerce, colonial competition | 13% |
| • sympathy issues | 10% |
| • state creation, consolidation | 8% |

The territorial dimension was by far the most important in the beginning but declined over time, although, throughout the period covered and along with state creation, it always remained the most important cause of conflict. In the period after World War

II, the two dimensions increased to more than 50% due to the de-colonization processes in the Third World.

In conclusion, it can be said that we cannot escape the historical fact that state-making has almost always been associated with war-making. It is probable that the struggle for state-making and the consequent fragmentation will continue in the 21st century, while an increase in social protracted conflict is to be expected.

Discussion

Question: What about revolutions? How do they fit into the classifications?

Answer: Revolutions are generally considered domestic conflicts. Only the external effects of such internal wars are interesting for international relations specialists.

Question: But what, then, about the Palestinian revolution?

Answer: The Palestinian revolution is not a revolution in political terms. It is considered an anti-colonial war or struggle, and therefore it is an international conflict.

Question: Can we say that the conflict going on in Yugoslavia is a social protracted conflict?

Answer: Yes. Here, the concepts of identity and of religion play a major role, which makes the conflict hard to resolve.

I have taken most of the time assigned for these lectures to give you an overview of conflict diagnoses and causes, of conflict types and bases. I wanted you to have a brief idea about a huge amount of literature relating to different social sciences, different ideological visions, and different geographical areas (East, West and South). Once we understand the conflict phenomenon, its different typologies and multiple causes, we will be able to comprehend the enormous literature on conflict-management and conflict resolution.



Theories of Conflict Management/Conflict Resolution

Dr. Bahgat Korany

The most important condition for being able to find adequate means to resolve or manage a conflict is the correct analysis of the causes. A conflict is a situation where you have subjectively or objectively incompatible wills between two parties with each of the parties trying to impose a unilateral solution to the problem. Each of the parties will continue to do so as long as the cost-benefit ration is not too negative. It is assumed that the characteristics of the parties are selfishness and rationality, but the cost-benefit ratio is often difficult to evaluate in social protracted conflicts because of their multi-dimensional nature. Also, after the end of the Cold War, the rules have become ambiguous, and the formerly clear categories, the conceptual basis has disappeared. There is now a debate about new global rules going on, evident in the articles of Huntington (*The Clash of Civilizations*) and Fukuyama (*The End of History*).

There is also a global trend of decline in military conflict caused by the proliferation of legal means to settle conflicts and the rise in international regimes, that is norms, rules and procedures that govern the relations between countries, as well as the decline in bellicosity, the idea that you can decide conflict by war.

Talking about conflict resolution, a clear distinction should be made between managing, that is controlling and de-escalating conflicts, and resolving, that is ending conflicts by terminating the underlying causes. The five major ways of settling conflicts are as follows:

- (1) *negotiations*, which can be direct or indirect, multi- or bilateral, formal or informal, open or secret, but there is always the need for the will to negotiate, an agenda, preparedness and a perspective;
- (2) *fact finding*, which is usually done in cases of technical issues, for example in the Israeli-Egyptian conflict concerning Taba;
- (3) *third-party intervention* by an international/regional organization, individuals or NGOs;
- (4) *conciliation*;
- (5) *peaceful settlement of disputes* according to the statute of the International Court of Justice and the UN Charter. This can involve arbitration, bilateral commissions or other means; the condition is that the parties commit themselves to accept the judgment of such an institution.

The approach to be chosen depends on the type and phase of the conflict. In social protracted conflicts, third party intervention and mediation is especially important. Often, outside help is needed to bring the two parties together. Mediation encompasses three major blocs: the parties (with their special objectives), the decision to mediate (from the side of the parties and the side of the mediator) and the techniques and strategies of mediation. In order to predict the outcome of such mediation, the determinants of each bloc have to be analyzed. Mediation will only be successful when a formula is found that can be accepted by all the parties and when the right or "ripe" moment for mediation is reached. This is often the case in a situation of a deadlock between two parties, when both wish to get out of a stalemate that is very expensive to maintain, or when a catastrophe can be clearly seen ahead.

Question: What is the difference between a mediator and a facilitator?

Answer: It is mainly a semantic difference. In general, a facilitator may offer his Good Offices, but becomes less involved in the issue itself. A mediator is part of the negotiations, making proposals, etc.



"Ripeness" and the Resolution of Conflict

Dr. Joel Peters, Lecturer, University of Reading

I would like to start by raising a couple of questions about the concept of 'ripeness' that will allow us to understand the meaning and the use of this term in the study of negotiation and conflict resolution. Ripeness essentially deals with defining the right moment for mediating and resolving a conflict. At what moment in time can we determine whether the conditions are suitable for bringing the parties to a conflict together to resolve their differences? Is it the case that some conflicts are so complex that they are just too difficult to resolve and will never ripen? Of course there is an implicit assumption when talking about the idea of 'ripeness' that conflicts somehow can be managed, that they can be resolved through the efforts of concerned parties. The question then is when is the appropriate time for a third party to intervene? What kind of conditions are necessary in order to become involved?

There are certainly clear conditions for successful mediation by a third party. It is absolutely necessary that both sides have the will to make peace. In the US, for example, there is a debate as to whether Warren Christopher's efforts to mediate between Syria and Israel throughout the last months were wasted because the two parties did not have the will to peacefully resolve the conflict; that is to say that the conditions were not ripe for third party intervention. This, however, leads us back to the question of how to identify and be certain that the conditions of a conflict are conducive to its resolution.

Conflicts often need to be resolved and one cannot simply sit on the sidelines and wait for 'ripeness' to suddenly occur. Thus, the next questions to be raised are what brings the parties to the table and how can one create the conditions to ripen the conflict so that it may be resolved? William Zartmann, one of the leading writers on negotiation, refers to the "hurting stalemate," which affects both sides. In this situation the continuation of the conflict, of the *status quo*, is of no benefit to either side. The Israeli-Palestinian peace process, the Oslo Accords, which President Yasser Arafat often refers to as the "peace of the brave," can also be seen as 'a peace of the weary': this is a peace process that has emerged following the mutual realization by the two sides that the cost of not finding a solution is too high.

There are three levels of analysis - the domestic, the regional and the international environment - that have to be taken into account when trying to assess the ripeness of a conflict. For example, at the time of the Madrid Conference in 1991, none of the parties really wanted to take part in the negotiations or lead them to success, and they only attended the conference due to pressure from the US. Whilst international and regional conditions demanded that efforts be directed to resolving the Arab-Israeli conflict, there remained a wide gap in the positions of the parties, which displayed little real desire to resolve their differences. All these different levels have to be taken into account when trying to assess the ripeness of a conflict.

However, the Madrid Conference and the subsequent meetings in Washington should not be seen as useless. Negotiation is more than a bargaining process: it is also a learning process that involves a change in perceptions. The aim of negotiations is to transform conflicting outcomes into shared, cooperative outcomes. This means that in a ripe situation, the concerned parties have already changed their outlook on the conflict; most importantly, they have understood that a negotiated settlement is the best outcome for both sides.

Now, when we are talking about ripeness as a policy option, we have to ask: how can ripeness be identified? How can the conditions be created, and how can they be ripened and pushed on the domestic level? What are the mechanisms that create a new environment that is conducive to conflict resolution? In order to reach a situation of ripeness, one has to 're-frame the conditions' so that the parties can see that reaching a negotiated settlement will be mutually beneficial. So, one does not have to wait for things to happen, but can create these conditions. There is a tragic element involved in this, however, in that in most cases, the hurting stalemate is a precondition for the parties to see the need to negotiate and resolve their differences.

One can see this, in a sense, when you look at the Arab-Israeli peace process. In the Madrid talks, it just did not make sense for the Palestinians to be subsumed under the Jordanian delegation. Moreover, the restrictions placed on the Palestinian representatives were a hindrance to the negotiations because the Palestinians always had to wait for their orders from Tunis. Thus, the Israelis eventually learned that they had to accept the PLO as a direct partner in negotiations if they wanted them to move forward. Now, obviously this should have happened much earlier, but it did not

because the conditions internationally, regionally and domestically were not ripe. But when the parties were ready, they re-framed conditions, they created back-channels and mechanisms to enter serious negotiations. What was needed was to create diplomatic space, a diplomatic environment that would allow the parties to work together.

The general idea of the Oslo Accords is a gradual process, the idea of phases and stages. If you look at the agreements closely, you see that they are in many respects very similar to the Camp David Accords. So why did the PLO reject the Camp David Accords in 1979? The answer is that at the time the conditions were not conducive. One also has to see that it was a learning process and that only changed perceptions made it possible to bring things 'off the shelf'. The conditions at that time for Israel and Egypt were ripe at the international and the domestic level: here, a perceptual factor also comes into play. Egypt, after the October War, felt its power was equal to that of Israel's and, as a result, agreed to come to the table. The Americans at first were very skeptical, but they quickly realized that the conditions were conducive, and promptly became involved.

Now, with regard to Israel and Jordan, one can say that they could have made peace many years earlier. The two countries have for many years been engaged in some sort of cooperative relations, but only in the 90's did the conditions become ripe enough at a domestic, regional and international level for them to sign a full peace treaty. Much of the agreement was ready, so-to-speak, for a long time, sitting there at the side and waiting for other processes to develop at a regional level.

On the Israeli-Syrian track, one of the questions is whether the new US Secretary of State Madeleine Albright is prepared like her predecessor to travel back and forth between Syria and Israel in order to try and create a conducive environment, to create the conditions, a framework, to enable negotiations to recommence between the two sides. This is the same in the Israeli-Palestinian context: should the negotiations be pushed, or should one just leave things as they are and wait for the right moment to occur, when they will take place anyway? There are moments in which one has to re-frame the issues. The Hebron Agreement, in a sense, has re-framed the issue and created a learning process between the Palestinians and the new Likud-led Israeli government, which prior to Hebron had no experience of negotiating face-to-face with the Palestinians. Ripeness is not only a matter of the right moment; one has to create the conditions for ripeness at the three mentioned levels, to try to create the framework, the perceptual environment that allows perceptions to change. This leads to the idea that we can manage conflicts.

Discussion

Question: What I understood is that for a conflict to be resolved, ripeness is needed. You also said that Madeleine Albright was supposed to create conditions of ripeness. Now, what are the conditions of ripeness - that both parties are finally ready to talk to each other? Every time there is a crisis, the whole process appears about to collapse. This means that this peace process is not based on ripeness. Yes, the parties talk to each other, but the perceptions have not changed, and everything is still the same. I believe that this process has been imposed on parties that are not yet ready to deal with it.

Answer: I would say that what actually led to the Madrid Conference was the perception of the necessity, especially at the international level, of the need to try and resolve the Arab-Israeli conflict.

Question: One reason for ripeness on the Palestinian-Israeli track that comes to mind is the war in Kuwait. Iraq's power was perceived by the Palestinians as literally the last possibility to confront the Israelis.

Question: There should be a clear distinction between creating conditions and imposing a settlement or imposing the outcome of the peace process. This might lead to a short-term solution, but in the long run, it will create many more conflicts.

Question: I think that in the Palestinian-Israeli conflict, the international environment was the decisive factor in bringing the parties together. The regional environment following the Gulf War, the changes that took place after the end of the Cold War, the US interests in the Middle East and the emergence of the idea of a 'New World Order', were the decisive factors in bringing Arabs and Israelis together in Madrid.

Question: I think the Madrid Conference was an absolutely necessary factor in the ripeness of the conflict. The Gulf War, the *Intifada*, the end of the Cold War and the collapse of the Soviet Union made the conference a necessity. It helped to create suitable conditions for peace in the Middle East by bringing the parties to the negotiation table and allowing the formation of committees, etc.

Question: When we [the Palestinians] went to Madrid, we had already reached the moment of ripeness. This does not mean that we really wanted the negotiations, but we were convinced that they were our only option and that we had to accept the situation as it was, i.e., we had to fight for what remained: Yaffa was not coming back. On the regional level, we could not count on Arab help, we could no longer believe that the Arab World would come to the rescue of the Palestinians and free them. Domestically, we were burned out, and we could not go on with the struggle much longer. This is what you call ripeness! But we did not create these conditions. It was like this and we reached the point where we were convinced that it was time. We knew that if we were to wait any longer, we would end up with nothing. Is this what you call ripeness?

Question: The question relates to the identification of the conditions for solving a conflict by the concerned parties and the identification of those conditions at an early stage. The critical problem is identifying the 'ripe' moment.

Question: I think ripeness is a vague concept. However, the most important thing as far as I am concerned is that for ripeness to occur, the two parties must be convinced that there should be a settlement of the conflict. When parties enter negotiations, there is always a high risk that they will fail; successful settlement is not guaranteed. Therefore, the importance of negotiations and especially the role of a mediator in negotiations has a great deal to do with re-framing perceptions.

Question: The role of mediation is to get the parties together. I think that the Israelis and the Palestinians wanted to talk to one another but were in need of help to bring them together and allow this to happen.

Question: I think the Palestinians embarked on the peace process and went to Madrid because they had no other choice. They were desperate; they had no power. The Palestinians had suffered for five years during the *Intifada*; they were just at the brink of losing everything, and they were unable to continue to endure such a terrible existence. But global public opinion shifted during the *Intifada* and the Palestinians gained a great deal of sympathy, which gave the Palestine Question a positive push.



Mediation and Conflict Resolution: The Role of Third Parties

Dr. Charles Hauss, Professor, Public and International Affairs Department,
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During the following workshop we will learn about conflict resolution in theory and practice and, especially, of the role of third parties in conflict resolution. Talking about conflict resolution, I will tackle the following main points: Why is a cooperative approach to conflict resolution better? When is the right time for intervening? What are the principles for understanding conflict? What are the practices of third party intervention? What are the factors affecting the outcome?

Why Cooperate? - The New World Situation

When we look at the Arab-Israeli conflict today, we have to realize that it is part of a broader context, of a new reality of global interdependence. There are five characteristics that make conflict in this new reality different to how it was before:

- There are increased stakes involved in today's conflicts, exemplified by the proliferation of nuclear weapons, environmental problems, such as global warming, etc. Problems have terrible potential consequences.
- All problems are nowadays on a global or at least a trans-national scale.
- There are a lot of overlapping problems.
- Power exercised over the other side rarely if ever works.
- The rates of change are accelerating; the world is changing faster and faster, and information is spread quickly. This new world is confusing. There is no easy way of looking at it. But this means also, that problems cannot be solved in the same way that we are used to. We have arrived at a stage today where we cannot continue like before and we need to find ways of solving conflict more cooperatively or, as Warren Christopher put it:

"We cannot careen from crisis to crisis. We must have a new diplomacy that can anticipate and prevent crises ... rather than simply manage them."

Centrality of Modes of Thinking and Subjective Factors

Exercise 1: The subjective and objective elements of conflict

'Discuss in a small group for five minutes why the Arab-Israeli conflict has been so hard to resolve'. Factors mentioned were as follows:

US, USSR role	Belief
Inequality	Mistrust
Dominance	Only way
Territory	Ill Will
Coexistence	Subordination
Win - lose concept	Arrogance
Territory	Fear
Two peoples	Hatred
Religion	Blame
(Division of) Arab World	Psychological factors
History	Too late
Realities	Fear
...	...

'Discuss in the same group an interpersonal conflict, for example, a personal relationship that has fallen apart or problems with your parents'. Factors mentioned were as follows:

Power	Perceptions
Age	Fear
Resources	Mistrust
Experience	Arrogance
Wisdom	Satisfaction
Interests	Ambitions
Custom	Communications
Education	Tolerance
New behavior from outside	Stubbornness
Law	Awareness
...	Misunderstanding
	Pride
	Expectations
	...

Looking at the resemblance between the answers given in exercise one and two, it becomes clear that on the left side, real problems between the two parties involved have been listed; they comprise objective factors or realities. On the right side, psychological factors have been listed. It is amazing, that in an international and an interpersonal conflict, these factors do not differ a great deal. A conflict consists of both kind of factors. The right-hand column, the psychological factors, or modes of thinking, however, influence and worsen the objective factors of conflict. Objective factors or realities usually cannot be changed easily. The only things that can be changed, or where progress is at least easier, are the subjective factors.

The problem of the complexity of today's world and the mode of thinking is exemplified by two statements made by Albert Einstein: "You can never solve a problem at the level you created it," and, "The unleashed power of the atom has changed everything save our modes of thinking and thus we drift toward unparalleled catastrophe." There is a need, then, to bring in line the 'modes of thinking' with the new reality.

Exercise 2: The nine dots problem

'Connect the nine dots (arranged in a square) with four connected straight lines without lifting the pencil from the paper or retracing any of the lines'.

Most people fail to solve this problem because they impose a condition on themselves which is not stated: namely, that they can draw the lines only within the square created by the dots, or that lines must begin and end on dots. Once people understand that this is not a condition, the problem is much easier to solve. The exercise shows that sometimes you put restrictions on yourself that are not necessarily given by the situation. To find a solution to the problem you have to leave the constrictions that you put on yourself.

Principles of Conflict Resolution

In most conflicts, the main problem is not to find an intellectual solution to the issue, but how to reach agreement on the solution package. Therefore, the negotiation process, the process of conflict resolution is important. The following rules that should be observed for successful conflict resolution have been proposed by Roger Fisher in his book *Getting to Yes: Negotiating Agreement Without Giving In* (London, 1991) for a business environment:

- Do not assume trust, or, as former US president Reagan put it, “trust but verify.”
- Seek common interests. Look for the goals that you share and tackle these issues first. In the Israeli-Palestinian conflict, these could be issues of transportation and infrastructure. Start with issues that can be solved, as this allows a process of confidence-building to begin.
- Separate people from issues. Personal antagonisms make conflicts harder and block negotiations. You need to step back from personal feelings.
- Focus on principles rather than specific demands. An agreement should first build on principles, not on details.
- Treat the other side with respect. This was done by Arafat in the negotiations with the Israelis and indeed led to the Israeli recognition of his role.
- Put yourself in the other side’s shoes. This is not a question of sympathizing with the other side, but of understanding its needs and the reasons why it is taking a certain position. For example, in the case of the Israeli obsession with security, the legacy of the Holocaust is an important factor. If Palestinians are conscious of this, it will make it easier for them to understand Israeli needs, but this does not have to mean that they accept them.
- Take the initiative. If you want to resolve the conflict, you need to be constructive. You have to ask yourself, what can/do to change the situation.
- Assume it will take time and that there will be setbacks. Whatever strategy you choose, it will not work without setbacks.

Conflicts in international relations are often more complicated and more difficult to resolve because there are real as well as perceived imbalances in power. However, the principles mentioned apply equally as well. It is vital, first of all, to get things started. There are two approaches to conflict resolution, track 1 being the interaction of state officials, track two the diplomacy by non-officials. It should be kept in mind, however, that no approach works 100% and that not a single action, but only a multi-level approach can be successful. The most important condition for conflict resolution is to be constructive: you have to respect the ones that disrespect you. This puts them into a very difficult and uneasy situation so that they have to respond.

Timing of Conflict Resolution

What are the different stages of peace and conflict? (See *Appendix A: Stages of Peace and Conflict*) When does it make sense to apply mechanisms of conflict resolution and what are these mechanisms?

It is obvious that you should work on the conflict to resolve it during its early stages while tensions are still rising: in this part of the curve, you have the greatest leverage. Early options of conflict resolution can be preventive diplomacy, monitoring of a situation, the establishing of so-called ‘trip wires’ and crisis or even coercive diplomacy. As a conflict reaches its climax, it becomes much more difficult to resolve. Then, you have to wait for ripeness, a stalemate. At this stage, it is most important to reach a cease-fire to prevent the loss of human lives and to provide humanitarian relief. Often, the reaching of a hurting stalemate alone is not enough, and there is need for leaders who are open to change at the same time. Coercive diplomacy might be applied. Probably third parties will be needed to resolve the conflict in a later stage. But the most important condition is the political will of the parties involved to resolve the conflict.

Mechanisms applied in the context of conflict resolution might range from preventive diplomacy, to coercive diplomacy and humanitarian intervention, to peacemaking and peacekeeping. In any case, it is important to apply the appropriate mechanism

according to the phase of the conflict. The aims of intervention at all times should be to reduce escalation and to help both parties to recognize the benefits of restraint and de-escalation. Confidence building is critical at all stages.

Conflict resolution has three main goals:

- to provide humanitarian relief;
- to stop the fighting;
- to end the conflict permanently.

In this respect, problems of humanitarian relief were discussed, such as the sometimes counterproductive effect of stabilizing a situation, the problem of media attention, the problems related to directing aid and the long-term effects of humanitarian aid.

A lesson that should be learned from earlier conflicts is that it is always better to tackle a conflict early. This is rarely done because we have a tendency to avoid conflict, to not address it early enough because it is an awkward issue to tackle or because one party has a stake in preserving the *status quo* and in not tackling the conflict. This is an issue that should not be forgotten in the Palestinian context and especially in the dealings of a future Palestinian state with conflicts arising with the outside world.

Processes of Conflict Resolution

There are different processes that can be started in order to resolve conflict:

- *negotiations* between the parties to the conflict;
- *mediation*, i.e. third party intervention. Conditions that have to be fulfilled by a third party are impartiality and the fact of being respected by the conflicting parties. The problem in international relations is that these requirements are rarely satisfied. The US, for example, is a mediator in the Middle East with the necessary resources, but it is not considered impartial;
- *arbitration*.

There are promising examples of successful third party intervention, such as in the case of the OSCE intervention in Macedonia or the NDI (National Democratic Institute, Carter Center) election monitoring in North Korea. This kind of non-governmental intervention has become a growth industry, for example, in the US.

Factors Affecting the Outcome

There are several factors of a conflict that affect the outcome of conflict resolution processes, such as the following:

- the depth of the antagonism;
- the positions taken by the two sides;
- the role of other actors;
- the quality of the third parties, if used;
- the changing global climate; and
- the political will.

Conclusion

The peaceful resolution of conflict does not always work. Actually, it has a poor track record. But there have been some successes at all levels in recent years. And, most importantly, all the alternatives are worse.



B. Negotiations: Concepts and Practical Implications in the Middle East

Assymmetric Negotiations (I): The Middle East Peace Process

Moderated by Dr. Joel Peters

This session took the form of a roundtable discussion dealing with the issue of asymmetric negotiations in general and the Israeli-Palestinian negotiations in particular. As an introduction to the discussion, *Dr. Joel Peters* explained some fundamental concepts of power relations and negotiations:

When we look at the Arab-Israeli conflict, we have to distinguish two levels: the *interstate conflict* between Israel and the Arab states and the *intra-communal conflict*, i.e., the conflict between the two peoples. In terms of the negotiated processes in Madrid, the second level, the Palestinian dimension, was absent; there were only negotiations between Israel and the Arab states. The Oslo process, then, brought the conflict back to the intra-communal level of the 1920's, to the question of how two peoples can live together. The War of 1967 had been an interstate conflict; for example, Security Council Resolution 242 mentions the Palestinian people only as a refugee problem, and otherwise focuses on states, borders, etc. - which actually was the reason for its rejection by the Palestinians at that time. In the Oslo process, the major issue was the communal problem, the search for a solution to the problem of how Israelis and Palestinians can live together.

The question we want to look at now, is whether you can have negotiations in a situation of unequal power like the one between the Palestinians and the Israelis. We have learned that in diplomacy, there is a need for the acceptance of fundamental norms and of the 'other' as an equal partner. These norms are generally observed because they are useful to all the states; they exist because states have a common interest in a well-functioning diplomatic system. In negotiations, the condition is the rational desire of both parties to reach an outcome together. The question is if the system can function in an unequal power relationship. How will parties then get to the table? Why should the stronger power negotiate at all?

This question was discussed most vigorously by participants, most of whom doubted that negotiations in such a situation could be successful. They felt that the stronger power would impose its rules and dominate the negotiations. They accepted the idea that in order for parties to get to the negotiation table, there is a need for common interests, such as peace. They remarked, however, that in order for negotiations to be successful, there is a need for equality, or at least the genuine acceptance of a peaceful approach to conflict resolution and recognition of the other side.

One participant mentioned the example of the Camp David Accords. He said it was clear that there had not been equality in power between Israel and Egypt: the Egyptian army had been defeated, and its economy was crippled; the Israeli army, meanwhile, had been newly equipped, and Israel could count on US backing. However, power is also a matter of perceptions: after 1973, both Israel and Egypt felt

strong and victorious, and both were supported by a superpower. Only because of this feeling of strength were they ready to embark on negotiations.

This example led to a discussion about the question as to whether the Palestinians, in 1993, felt that they had won the 'war', the *Intifada*, and consequently engaged in negotiations whilst in a strong position. It was mentioned that to the vast majority of the Palestinians, it seemed that although they had won the war, they were still in a very weak position due to the serious problems inside the PLO following the Gulf War, the strength of Hamas, and the dominance of Jordan. They had, however, achieved some success inasmuch as their negotiators were acknowledged as Palestinians, while the Palestinian problem was once again on the global agenda. It was also mentioned that Israel had a strong interest in coming to the negotiation table: it was eager to gain Arab recognition and to reach peace settlements with its neighbors.

It can be concluded that in order to come to the negotiation table, an interest in a negotiated settlement, unlike equality, is a basic necessity: reality shows that negotiations often take place between the victor and the vanquished and that outcomes are often imposed. The opposite side of the coin is that the weaker side is not powerless; it also has assets to bring into the negotiations. In the Israeli-Palestinian negotiations, for example, it is amazing how much the Palestinians, as a group without support or a functioning bureaucracy, have managed to get out of Israel; also remarkable is the extent to which they have succeeded in filling the holes not mentioned in the accords, e.g., by having their own stamps, driving licenses, etc. Power is much more than just military force; it should be seen as something that you have and that the other side needs.

Equality in power is not an objective fact, but a matter of perceptions. Interesting in this respect is Netanyahu's election campaign in which he sought support from the Israelis, using the slogan that "we want to negotiate from a position of strength." His attempts to gain support were successful because the general perception at the time was that Labor was negotiating from a position of weakness. There was a mirror of perceptions in both societies; the Palestinian opponents to the peace process also rejected the process because they considered the Palestinians to be in a position of weakness.

The second round of discussion centered around the figure of Netanyahu and the strength or weakness of the Palestinians. Most participants still felt that the Israelis effectively had the power and, therefore, Netanyahu was talking from a position of strength and would always be talking from a position of strength: even under Peres and Labor, no real effort to achieve peace had been made. On the other hand, it was mentioned that only two months after his election victory, Netanyahu had been obliged to meet Arafat, whom he had never previously acknowledged. This shows the force of reality.

Again, the effects of the *Intifada* on the position of the Palestinians were discussed. It was said that the *Intifada* had not strengthened the PLO, but only Hamas. It was remarked that through the negotiations, the Palestinians had become stronger: they had been globally recognized, while their identity had been acknowledged. Israel, on its part, had been forced to admit that the occupation could not continue. Moreover, the PLO had gained recognition as the official representative of the Palestinian people.

The discussion was interrupted to re-think the basic notions of strength and weakness, about which, it appeared, nobody was clear. It was decided that one of the major problems is that power is not clearly defined, being a social phenomenon that involves much more than military might. The peace process itself was described as a

king of “social power,” from which people cannot escape. As mentioned earlier, Oslo closed the circle of the Israeli-Palestinian conflict, bringing the problem back to the communal relationship and the question of coexistence. It was perceived by the Palestinians the same way as by the Israeli right-wing, i.e., as the starting point of a Palestinian state. What has been achieved through the Oslo process is that the Palestinians have been acknowledged as partners. Oslo is the reason why, now, three to four years later, there is an Israeli debate about a Palestinian state. These are social processes that evolved as a result of the negotiations. For the same reasons, Netanyahu had to talk to Arafat; he had to meet him. We are now in a phase of re-defining the relationship. It is these social dynamics that negotiations are all about.



Asymmetric Negotiations (II): Diplomacy and Conflict Resolution in the Gulf

Ailie Saunders, Head of the Middle East Program, RUSI, London

Looking at the two main fields of international conflict in the Middle East during the last two decades, the Iran-Iraq and the Arab-Israeli problem, we can find important parallels. Both conflicts are to some degree about the definition of borders and the repercussions of the projection of power; they both involve major asymmetries between the conflicting parties. As Joel Peters has covered this aspect for the Arab-Israeli conflict, I now want to speak about the asymmetries in the Iran-Iraq conflict.

One can say that in the Gulf region, an inversion in the balance of power between the major adversaries took place in the period from the first to the second Gulf War. Iran and Iraq have been, over the past 17 years, inherently asymmetric in terms of their regional standing and power. Iran started off, at least on paper, as the stronger of the two countries; it later became the weaker, mainly because of its isolation. At the beginning of the first Gulf War, Iran had a population of 50 million and was heavily equipped with US military machinery, whereas Iraq had only a much smaller population of 15 million and little arms. This was because the Iranian revolution had spread fear throughout the Gulf, which had a negative impact on the traditional cultural conflict between the Sunni and Shiite communities; the Iraqis were able to use this fact in their propaganda, which enabled them to gather support in the form of arms supplies, financial, technical, and logistical assistance via, and from, the smaller Gulf states and members of the international community. The balance of power, therefore, shifted in its favor. Iran was not totally isolated, but its supporters, for example, Syria and arms suppliers such as China and North Korea, were neither neighbors nor the kind of allies that would easily extend the sort of economic assistance Iran needed (and which Iraq already received). But Iran also had a policy of maintaining its economic independence, by strictly limiting its borrowing from abroad.

Iran was later defeated as a result of its economic isolation and attacks on its oil infrastructure, which made it difficult to export its oil. Ayatollah Khomeini, as a charismatic, uniting figure, was able to draw wide support from among the Iranian population, as well as from among the masses abroad, in declaring the Iran-Iraq war a war against the US and capitalism and imperialism as such. At the same time, Iran was able to manage its affairs in a way that decreased its dependence on any external partner. It did this, for example, by adapting budget costs to the level of oil revenues and by exchanging oil for military goods from Syria, the Soviet Union and China. But

in the end, this could not compensate for the effects of the devastation to its oil industry.

The problem that led to the Iran-Iraq War was essentially a territorial dispute over the Shat Al-Arab, the waterway that lies on the border between the two countries. A temporary resolution of the dispute was found in the Algiers Agreement of 1975. But this was abrogated by Saddam Hussein, which prompted a prolonged period of tension between Iraq and the new revolutionary regime in Iran, until Hussein launched a major attack across the border into Iran itself. After Iraq's initial attack, the war developed - in the years 1982-4 - into Iraqi attacks on Iranian oil platforms and a stale-mated trench warfare. This escalated into the use of Scud missiles by both sides in what became known as the war of the cities; meanwhile the Iraqi pipeline through Syria was cut off. In 1986, the war was deadlocked and Iran decided to invest many more lives in human wave attacks against Iraq. The same year, the drop in oil prices, which resulted from the Saudis' expansion of their oil production and exports, had a devastating effect on Iran, which could not expand its oil exports because of Iraqi attacks and the destruction of much of its oil industry.

Iran, which was becoming increasingly weak, tried to minimize some of its asymmetry with Iraq by developing its relations with the superpowers and playing one off against the other, though not always consistently or successfully. For the US, Iran's strategic location between Russia and the Gulf gave it an important geopolitical significance. With the revolution, however, the US lost its ally in the Middle East. In 1984/85, as a result of Iranian policies, the relationship between the two countries took on a new twist, with the US becoming more actively involved in its support for Iraq. The American hostage crisis, Iranian involvement in terrorism, the Lebanese Civil War and the Iran-Contra affair all contributed to Iran being seen as an aggressive force by the US, which as a result started to support Iraq more actively. By contrast, at the outset of the Iran-Iraq War, Iran's ideological stance was against the Soviet Union and Communism. Iran supported the Afghan rebels in their struggle, but meanwhile accepted Russian army supplies. So it compromised on its ideological stance in order to gain access to military equipment that would help it in the war. But Soviet concern regarding the repercussions of the Iranian revolution for its own people led it to supply Scud missiles to the Iraqis from 1982. When the war was deadlocked, Iran approached the Russians for military equipment, but was unable to secure the kind of contracts it wanted and received little economic support. In 1987, with its position in the war worsening, Iran made a more conciliatory approach towards the Soviet Union, decreasing both its aid to the Afghan rebels and its rhetoric. As a result, it was able to achieve greater Soviet support of its case in the UN Security Council.

Iran effectively adopted a policy of successfully playing off one superpower against the other. Besides the ideological differences between Iran and both powers, it has been able to secure US as well as Soviet Union support by avoiding direct confrontation with either one and by generating power from their rivalry in the region.

Today, the US and Russia are no longer the main rivals in the region. Instead, Iran and Iraq have managed to play a similar game in their policies towards the US and the Europeans in the Gulf in reaction to the policies of containment. Yet to resolve their differences with each other, they will continue to play off the US against the Europeans in order to gain support for their respective causes, as a way of dealing with the asymmetry, which is less, now, with each other, than with the US and the international community.



Israeli-Palestinian Negotiations Since Oslo

Roundtable Discussion Moderated by Dr. Joel Peters

This session was a roundtable discussion centering around the subject of negotiations in general, the problem of secret negotiations in the Israeli-Palestinian context, and the current state of the peace process.

After applying the theoretic concepts of pre-negotiations and ripeness to the Israeli-Palestinian negotiations, the discussion quickly developed around topics of day-to-day politics, such as King Hussein's letter to Netanyahu concerning Israel's settlement policy, and its intentions and importance for the Palestinians and the larger Arab public. Another subject was the ambiguity of the US policy towards settlement activity, as indicated by the veto against the Security Council resolution on this issue, on the one hand, and the American will to participate in the meeting in Gaza on the other. [The meeting was called for by Arafat in mid-March to enable him to explain his position on the Israeli settlement policy and to search for a common stand with representatives of the EU and other states.]

Some of the participants felt that the recent situation in the region had nothing to with what they had learned about conflict resolution. They were encouraged, however, to look at the processes, not the results: the day-to-day events on the Palestinian-Israeli scene were viewed as a living database that exemplified all the different concepts of conflict resolution and diplomacy.

The discussion then came back to the question of secret negotiations. To the participants, it seemed obvious that another Oslo channel was needed to allow progress to be made in the negotiations, but it was also mentioned that if the Oslo accords had been arrived at openly, they could have been discussed much more in public; moreover, grave mistakes might have been prevented. It was doubted that it would now be acceptable, during such secret negotiations, for the academics involved to hide their activities from the government and for government officials to hide their activities from the public.

Dr. Joel Peters elaborated on the notion of secrecy: After World War I, Wilson proclaimed in his 'Fourteen Points' that agreements between states should be "open agreements arrived at openly." His belief resulted from the bad image that secret diplomacy had at that time - think of the consequences of the Balfour Declaration or the Sykes-Picot Agreement. He later realized, however, that the important fact was that the agreements - and not so much the process of arriving at them - be open ("open agreements arrived at secretly"). His realization corresponded with the idea, published by de Tocqueville in the 17th century, that "democracies do not do diplomacy well."

Thus, today, we are back to secret negotiations and open results. The problem with this is that we do not know what might be going on at this moment in talks between Israel and the Arab states. The example was given of Nixon's breakthrough with China, which was only possible without the prior knowledge of the US Congress. Likewise, the Egyptian-Israeli peace process at the end of the 70's, including Sadat's famous speech during which he said that he would go even to Jerusalem in the search for peace, had been preceded by a series of secret meetings between the two sides in Romania and other places.

Somebody asked about the pre-negotiation period. In respect to the Oslo Accords, what had been known all the time was that there were meetings between Israelis and Palestinians on an academic level where ideas were exchanged. Contacts had

been going on for years on an unofficial, but open level. In summer 1993, there were five back-channels functioning. The interesting question is the one as to why this back-channel delivered whilst the others did not. One factor was the role, or rather the absence, of the media. Due to the absence of the media, Oslo provided the teams with space to work problems out. The negotiations did not become just another theater providing good pictures and dramatic scenes for the media, as was the case in Washington. Such 'track II' diplomacy provides an enormous advantage in allowing negotiators to use this space to speak to each other frankly without regard to publicity and political statements to the public.

Another point that I want to make here about diplomacy concerns the perceptual environment of international relations. Diplomacy involves communication between states, which means speaking to each other, but it also means non-verbal communication. The problem Jordan has at the moment, for example, is one of perception. Dore Gold had gone to Jordan two days before the tunnel in Jerusalem was opened, which made it seem as if Jordan knew about the opening in advance. When Netanyahu came back from Amman, he ordered that the building at Jabal Abu Ghneim should commence. The Jordanians were furious because again, it looked as if they had known in advance. Thus, in the letter that King Hussein sent to Netanyahu he was actually not talking to the Israeli Prime Minister; it was a message to the Israeli public and to the US, in addition to the Arabs, that he was not involved in Netanyahu's game.

The following discussion first centered around the question of who makes diplomacy, and the topic of 'timing'. The participants did not believe that the opening of the tunnel and the commencement of building in Har Homa happened by accident after the visits to Jordan. These acts were considered part of Israel's policy to rule and divide. It was recalled, however, that Netanyahu did not have an interest in undermining King Hussein's position, as the Jordanian monarch was Israel's only regional ally at the time. The timing had not been intended, but was a stupid mistake by Netanyahu.

Dr. Joel Peters again stressed the fundamental difference between Oslo and other examples of secret diplomacy: The importance of the meeting between Abu Ala' and Uri Savir was that it was the first officially sanctioned meeting between the PLO and an Israeli official. There had been contacts before the aforementioned meeting, but the gap between the positions of the two sides was too wide. Therefore, there was a need for space to allow creativity to bridge these gaps. It is important to stress that academics and track II meetings do not, alone, lead to peace agreements, but this channel was accepted because it provided the necessary space for the politicians to find solutions.



Israeli-Palestinian Negotiations Since Oslo: New Approaches to Conflict – Multilaterals and Conflict Resolution in the Middle East

Dr. Joel Peters

Talking about the peace process, the multilateral negotiations are often forgotten because the media and the public concentrate on the much more spectacular bilateral talks involving high-ranking officials and heads of states. The multilateral talks involve five working groups, which deal with the following:

- arms control;
- the environment;
- water;
- refugees;
- economic development.

They involve Israel, the Arab states, and the wider community, but not Libya, Iran, and Iraq. They have been boycotted by Syria and Lebanon, whose leaders have stressed that first, bilateral problems have to be settled and peace has to be made, and only then can normalization take place and the fruits of peace be harvested. In November 1996, the Palestinians boycotted the talks, excluding the group on refugees, to put pressure on the bilateral talks.

What is the concept of the multilateral talks? The idea is that, in a post Cold War environment, security and economic development have become new notions; they are beyond the capacity of the single state. The state is not an island: the idea of sovereignty has changed, and it is clear that security can be enhanced by regional cooperation. The idea of the multilaterals is one of 'functional cooperation': peace in the region will be maintained through the intertwining of the states. By creating regional structures from which all states profit, the stakes in upholding these structures become very high. The economic integration of the EU is a perfect example.

What has been achieved after five years of multilateral talks? First of all, it needs to be stressed that the situation is fundamentally different today to what it was five years ago: the Palestinian-Israeli conflict is no longer the main moving factor of politics in the region. This does not mean, however, that the conflict is solved or that there might not be rising tension and violence in the transition period.

Secondly, the multilaterals have created a diplomatic space in which problems can be dealt with over a relatively long period of time. (One of the problems faced by the parties involved in this process is that everybody expects it to collapse soon, and therefore, they are under pressure to achieve results as quickly as possible.) The multilaterals offer a space for diplomatic debates and constructive, regional, long-term thinking, for agenda setting, for small steps towards a common decision-making process on a regional basis, and for the building of 'patterns of dialogue' through constant communication that can help to bridge contrary positions in crisis situations. The dialogue serves as a measure of confidence building.

An example of the success of the multilaterals was the proposal for the Middle East Development Bank in Summer 1995. This was a 'regional idea' coming out of the multilaterals that was presented by a joint delegation of Palestinians, Israelis, Egyptians, and Jordanians in Europe. The multilaterals serve as an environment from which ideas such as this one can be fed back into the wider process.

In functional meetings, shared problems can be solved. Often this is done by bringing in experts. In many cases, politics disappear in the face of 'technical' problems, e.g., the oil spill in the Gulf of Aqaba that does not stop at the borders and can only be resolved jointly, or various water desalination projects. In these cases, a mechanism of communication and a broader regional framework can be established to solve such problems. Does this mean normalization? To a certain point, yes, because it involves the interaction of the Israelis with the other teams; it creates an atmosphere of continued interaction, and it brings the participants in such talks closer together. Hence, there is the possibility for new regional dynamics; this does not necessarily mean the implementation of the 'New Middle East' à la Peres, but there is an opportunity for a different, more peaceful, more integrated Middle East.

Discussion

Question: What are the different roles of academics and government representatives in the multilaterals?

Answer: The multilaterals serve as a framework, a context to bring together technical experts. The multilateral talks on arms control, for example, have not been taking place on an official level for a long time, but they have been going on as academic conferences. It is hoped that some of the results will spill over to the governmental level. Another example is a conference that was held in London on Middle Eastern financial markets with the participation of experts and business people that have an impact on official thinking

Question: But what are the actual results of the multilaterals; what are their tangible outcomes?

Answer: The answer depends very much on your definition of 'tangible outcomes'. I think the most important outcome has been the creation of a space for on-going consultations and long-term perspectives for shared problems in the region. The first material outcomes have included, among others, the agreement on an environmental code of conduct, the establishment of the REDWG secretariat in Amman, and a joint desalination project. Other projects just need more time to become implemented. One of the main problems is that you cannot push the outcomes of the multilaterals too far forward; they have to be feasible according to the current state of the bilateral relations. And then there are problems that *have to* be resolved in the multilaterals, the most obvious example being the refugee talks.

Question: The Palestinians froze their participation in the multilaterals. Israel does not seek a peaceful settlement with the Palestinians. As long as this is so, normalization through the multilaterals should not proceed.

Answer: I think it was wrong to break up the multilaterals. I understand all the reasons for the Palestinian boycott of the talks - and the reason for it has to be sought in the Hebron context - but the result was not productive; the Palestinians were not even able to influence the Hebron negotiations through it. Yes, the core problem is political, but conflict resolution and the notion of security have been redefined in the post Cold War period. Security for a single state only can no longer be reached. The existence of forums for discussion, giving room to talk and think together, is important.

Question: I want to make a few comments: I think the Arab boycott was the Palestinians' last available tool to exert pressure against Israel. Now, they are left alone while the conflict continues. The comparison with the relation between France and Germany does not make much sense because the starting positions of Israel and the

Palestinians were so unequal. I think economics and politics cannot be separated, thus, we will not profit from these talks. First, the political problems have to be solved, and the nations that have been ignored for such a long time, like Palestine and Jordan, have to be developed. Last but not least, I want to ask you: where is the Middle East in the New World Order?



Negotiating Intractable Issues: Jerusalem

Dr. Mahdi Abdul Hadi

Talking about Jerusalem, I want to focus on the following three points: the importance of the question of Jerusalem and its various dimensions, the different phases of negotiations concerning Jerusalem, and the question of where we are today in terms of negotiations.

Let me begin by summarizing the main issues that make the question of Jerusalem so important. The first issue is that the question of Jerusalem is a national one, embracing a land that is the homeland of a people whose basic national rights - namely freedom and self-determination - are being denied. For Palestinians, Jerusalem is the people's capital, the people's national address. So many Palestinians died in its defense in the face of so many conquerors, yet its protection remains their greatest national cause.

The second issue involves the question of sovereignty. There are many new interpretations of sovereignty, but in this instance, the actual state of sovereignty is related to the philosophy, context and outcomes of the Palestinian/Arab-Israeli conflict. Arab sovereignty in the remainder of the Palestinian homeland must include the right to govern, to reside and to move freely in Jerusalem.

The third issue is the centrality of Jerusalem. The largest Palestinian city, Jerusalem is the center of all the important components of Palestinian daily life: culture, education, health-care, business and tourism. All cities, towns and villages are connected through the activities that take place in Jerusalem, the place in which both the geographic and demographic integrity of the Palestinian homeland are centralized; this, despite all Israeli attempts to ensure its isolation from the rest of the Palestinian Territories.

The fourth issue is that Jerusalem is an Arab Christian-Islamic city. It has a Christian identity embodied in the Christian faith, in Jesus and his life and in the Christian Holy Places. It also has an Islamic identity, embodied in Islamic ideology, in the fact that Jerusalem was the first *qibla*, the point to which Muslims direct themselves when in prayer, and the site of the famous nocturnal journey of the Prophet Mohammed, mentioned in the Holy Quran. Its Arab identity, meanwhile, is embodied in the Arab culture, heritage, buildings, Christian and Islamic Holy Places and the harmonious co-existence of Muslims and Christians, which goes back to the seventh century.

The fifth issue is the question of different intertwined symbolic dimensions. As a historical city, Jerusalem has many holy, political, central, national and geographical dimensions, and many different demographic constituencies with their different institutions. It belongs to all believers, all of whom need free access and the right to reside as citizens under a fair and just administration and democratic rule. And finally, it is a central issue in the Palestinian-Israeli conflict. One cannot simply separate these issues from each other.

Let us now look at the different phases of negotiations of Jerusalem. In order to understand the first phase, that lasted from 1967 to the early 1980's, one should study carefully the minutes of the early meetings between the then Israeli Minister of Defense, Moshe Dayan and Palestinian notables and mayors. The following is taken from a conversation that took place between Dayan and Palestinian advocate Aziz Shahadeh and Mayor of Nablus Hamdi Kana'an on April 16 1968:

In one of his questions, Dayan asked: "Do you, the Palestinians, with or without Jordan, want to conclude a separate peace with Israel, without committing yourselves to Egypt or Syria?" The second question was: "There will be no change in the status of Jerusalem. It is possible to solve the question of the Holy Places and religious institutions?"

The Palestinians replied: "We must not extend a hand to the Israelis unless we are willing to extend the other hand to the Arab states. If we became secessionists and separated from King Hussein with the Arab agreement, there would be no settlement and we would not gain anything." Other Palestinians added: "Without solving the Jerusalem issue in all its dimensions, instead of limiting it to the Holy Places or institutions, there will be no settlement."

During that phase, people in the Occupied Palestinian Territories, including the Jerusalemites, were waiting for a solution to come from outside. The 'inside' leadership that had emerged, made up of notables, members of the large and wealthy families, and the elected mayors, were reluctant to accept any responsibility for negotiations. This was not only because of their weak constituencies or because they represented only one third of the Palestinian people, or even because the PLO, the 'outside' leadership, would not allow them to hold independent meetings and negotiations with the Israelis; it was because, in this phase, the conflict was an Arab-Israeli one that was still in the very early stages of becoming Palestinized. No Palestinian leader, whether from the inside or outside, was prepared to consider separate negotiations with Israel without an Arab umbrella, nor to separate the question of Jerusalem from its context and limit it to the Holy Places and institutions.

The Israeli strategy from day one of the occupation was annexation, assimilation and the Judaization of Jerusalem. Israel's strategy soon became clear in the official statements of the Israeli leaders, the Israeli Knesset's decision to annex East Jerusalem and the Israeli policies and practices of confiscating land, building settlements, and moving Israeli people and institutions to the eastern part of the city that was occupied in 1967. The Western part had already been Judaized between 1948 and 1967, despite Palestinian property rights and the non-acceptance and non-recognition by all countries, including the US, of changes to the status of Jerusalem or Israeli attempts to have it as accepted as the capital of Israel.

During the *Intifada*, the *status quo* was changed, and a new civil society began to develop under a new generation of Palestinians, represented by local activists, professionals, and the unified leadership of the *Intifada*. The seat of authority of the *Intifada* evolved in Gaza, moved to Nablus, and then settled in Jerusalem - only after this last move was it finally recognized and approved of by all Palestinians.

It should be noted that although the Israelis had made several attempts to invite the outside leaders to enter a dialogue since as early as 1986, there had been little progress. The Intifada, however, brought a revolution in Palestinian minds: we realized that we had to fight for and negotiate on what remained, i.e., about 22% of Palestine. We realized that we had to accept a two-state solution arrived at through negotiations. Therefore, during the Intifada negotiations with Israelis were continuous.

For example, a Palestinian-Israeli meeting was scheduled to take place on 2 August 1990 at the Notre Dame Palace Hotel, with a view to signing a declaration that accepted the use of negotiations as a tool to reach coexistence. But on the same day, Iraq entered Kuwait and the two delegations went to the meeting place, not to sign the declaration, but to declare their new positions. The Israelis, on their part, went to declare 'divorce' as expressed clearly in an article in *Ha'aretz* by Yossi Sarid from Meretz: "I am going back to my sealed room. I don't want to see, to hear, to talk. I am afraid." The Palestinians, meanwhile, went to tell everybody, "Yes, we are part of the Arab World, which is divided, and which reflects its division on us. Some of us are against the invasion, others would like to see Arab conciliation and interference in this conflict, while a third group supports Saddam, as is clear in the streets of Nablus and Gaza."

When the opportunity to go to Madrid arose, the local leadership convinced the PLO to send a delegation enveloping Haidar Abdul Shafi and Faisal Husseini. The negotiations revealed a new Palestinian face to the world and led to global acceptance of the PLO as a reliable partner. The local leadership, meanwhile, presented the plan for PISGA (Palestinian Interim Self Government Authority). Then, the negotiations in Washington began. They were a nightmare for the PLO, because it was unable to control them directly. Thus, it opened five secret channels in different locations and with different intermediaries to conduct negotiations with the Israelis, accepting among others the setting offered by Terje Larson. The position of the Palestinians at that time was to demand a Palestinian state in the West Bank and Gaza with Jerusalem as its capital, but the Israelis convinced them to talk about things that both parties could actually deliver. In spite of the ongoing conflict, we were able to reach a stage of mutual recognition and to finally accept each other as a partner in the peace process.

Now, what about Jerusalem in the negotiations? What can, and what cannot, be sacrificed? On which issues is it possible to compromise? In 1948, Jerusalem was divided and West Jerusalem became under Israeli control. In 1967, East Jerusalem also found itself under Israeli rule when it was occupied by Israel. It is clear, today, that by postponing the issue of Jerusalem to the end of the current negotiations, there will remain nothing to discuss. But I now want to present the different scenarios for Jerusalem, envisioned by the various sides, and the different dimensions involved.

At the moment, there are three main scenarios for Jerusalem: a closed, a divided or an open city. Among both Palestinians and Israelis, there exists a preference for an open city, a physically undivided city for two peoples and three faiths. But I want to stress that there is still no agreement on anything, and the road between the discussion of ideas and scenarios and reaching agreement on a mutually acceptable solution promises to be a long and laborious one.

Peres, for example, envisioned a Jerusalem with the three major dimensions of religion, politics and civil affairs, with the first providing for the governing of the holy sites by the religious leaders, the second for Jerusalem being the Israeli capital, and the third for having two separate municipalities in the city. The Abu Mazen-Beilin document, as a second example, provides for the expansion, renaming and sharing of the city.

What are the dimensions that have to be taken into consideration when talking about a solution for Jerusalem? What kind of goods are on the table, waiting to be negotiated upon?

- (1) *The geographic and demographic component.* Before the War of 1967, West Jerusalem covered an area of 53 km² and had 195,000 inhabitants, while East

Jerusalem covered 6 km² and had 75,000 inhabitants. When Israel seized all of Jerusalem in 1967, and subsequently announced the 'unification' of the city, a modern myth was born; in fact, Jerusalem has been forcibly turned into a Jewish city through the illegal Judaization of Arab East Jerusalem. As of today, 28 settlements and neighborhoods have been added to the city. There are 330,000 Israelis in West Jerusalem and 150,000 Jewish settlers in the eastern side. Some 160,000 Palestinians live in East Jerusalem, with an additional 50,000 Palestinian Jerusalemites residing in the suburbs of Jerusalem, having been driven outside the city's boundaries.

The Israeli authorities have proceeded with their de-population policy in a series of waves. The 1968 Master Plan for Jerusalem envisioned expansion in three phases: the first phase was the construction of buildings on former no-man's-land, to eliminate the physical barriers that marked the two parts of the city; the second phase was to divide and encircle the immediate periphery, mainly neighboring Arab villages, with Jewish settlements; while the third phase was the building of a belt of outlying settlements in order to secure control over 'Greater Jerusalem'. Over the years, 34% of East Jerusalem has been expropriated, while 56% has been designated 'green land', which is effectively the same as confiscation, meaning that all that is left today for the Palestinians is 14%. Israeli policies succeeded in bringing the population ratio to the level of 72% Jews to 28% Palestinians.

- (2) *The national and political component.* Historically, Jerusalem has been part of Palestine, and Palestinian heritage is deeply rooted in the city. Jerusalem is related to the land and people of Palestine, and to their Muslim-Christian beliefs and holy places. Jerusalem is of great importance to all Palestinians, not only as a holy city but also as the political, geographic, economic and cultural center of Palestine. It is the capital of the Palestinian people; it is the symbol of Palestinian national identity and of the inalienable rights of the Palestinian people. Its Arab roots go back 5,000 years to the time when the city of Arab Yabous (Jerusalem) was founded. Jerusalem is thus identified with Arab culture, heritage, architecture and significant monuments, and there is an agreement on the urgent need and duty to preserve these sites, as well as Jerusalem as a historic city. Against the background of centuries of Muslim rule and the uninterrupted Arab presence in the city, no one can justify the policies and practices of 27 years of Israeli occupation and ignore almost 1,400 years of Arab Muslim-Christian rule.
- (3) *The religious component.* The religious claims of the three monotheistic religions to Jerusalem are each unique, with their own special attributes and form of attachment to different places in the city. Jerusalem's holiness complicates any attempt to solve the Jerusalem question and is often used or manipulated to attain non-religious goals. Yet, the meaning of religious attachment to the city was and remains a major concern. As well as its Jewish heritage, Jerusalem is a city of Arab, Islamic and Christian heritage. Its Islamic identity derives from the fact that it was the site of Prophet Mohammed's nocturnal journey, *Isra' and Mi'raj*, the original *qibla* for Muslims, and the site of Islam's third holiest shrine, *Al-Aqsa Mosque*. The Ummayyad Caliph Mu'awiyah linked his own personal identity with Jerusalem, calling himself Caliph of Beit Al-Maqdis. Thus, it is part of the Islamic faith. It is also the site of the Holy Sepulcher, other important churches, and the Mount of Olives.

Limiting the problem to the holy sites is not appropriate; the right to live and to practice one's religion in the city must be guaranteed. This is what an open city must provide for. We have all learned from the experience of sharing religious sites, such as the Abraham Mosque in Hebron; exclusivity, however, is also not

an answer. We need to understand the other's religion in order to be able to reach an agreement. Religion has to be seen in the context of the land, the people and their rights.

- (4) *The Legal Component.* Since the implementation of the article contained in the 1948 Partition Plan (UN Resolution 181) on the question of Jerusalem was suspended, the nature, limits and scope of international, regional and local legislation and administrative by-laws that govern the city have been determined by the creation of facts on the grounds by the occupier. Today, the struggle over Jerusalem is still basically a struggle over property and who controls it.

There is no legitimacy or license under international law or international resolutions passed since the beginning of the century, including UN Resolutions 242 and 338, that allows Israel to take over Arab land in Occupied Arab East Jerusalem. International law prohibits the annexation of territory by force. East Jerusalem is regarded as occupied territory and Israel's activities in this part of the city (such as settlement construction, Israeli population transfer and annexation) are considered illegal and null and void. Moreover, certain articles of UN Resolution 194 relating to compensation and the right of return are still being twisted by Israel in regard to Arab properties in West Jerusalem that were confiscated by Israel in 1948. In the course of the War of 1948, some 64,000-80,000 Palestinians were forcibly driven out of West Jerusalem and its immediate vicinity and all the property left behind was declared 'absentee property'. It should be noted that immediately prior to the war, 40% of property in West Jerusalem belonged to Palestinians and 34% to the Waqf, churches and government of Palestine, while a mere 26% belonged to Jews.

- (5) *Security and equality.* The security concerns of both sides must be recognized. This does not just mean military security. I am talking about the need for mutual recognition and the sharing of responsibilities. There should not be exclusive access for one people at the expense of the other. But, the question of equality should be seen as a general principle rather than in every detail; equality can, in many cases, be reached through reconciliation and by widespread acceptance of the principle that people are equal under one law. Welfare and social services have to be supplied according to equal principles. And, most importantly, there should be equal residence and citizen rights.

- (6) *Institutions:* When, in the course of the June War of 1967, Jerusalem was occupied in its entirety by Israeli forces, many of its Arab inhabitants were evicted and their property seized or demolished. When East Jerusalem was annexed and subjected to Israeli law, Palestinians refused to accept Israeli sovereignty over the city, choosing instead to resist by means such as stressing the illegitimacy of the occupation, refusing to join the West Jerusalem municipality and trying to preserve the Arab character of the city. The chapters of Palestinian resistance in Jerusalem can be traced back to the very beginning of its occupation in June 1967 when Sheikh Abdul Hamid Al-Sayeh, the Chief Judge of the Sharia Court of Appeal (Jerusalem), issued an Islamic *fatwa* that clearly supported the refusal of the Moslem community to be governed by Jewish/Israeli law.

This resulted in the preservation of Palestinian commercial and other major institutions, including the Arab Electricity Company. Although the Arab municipality in Arab Jerusalem had been dissolved and closed, its premises having been forcibly seized by the Israelis, while the control of public services had been taken over by the Israeli municipality in West Jerusalem, Arab neighborhoods continued to exist as separate communities and the Palestinians refused to become Israeli citizens,

thereby boycotting municipal elections. The Palestinians succeeded in maintaining key institutions such as medical centers and hospitals, the *Sharia* courts, societies, tourist offices, intra-city transportation networks, as well as centers and forums providing scientific, cultural and educational research, information and services.

Jerusalem is not united, it is occupied, and the borders between both parts of the city have not disappeared; the physical borders of the past have merely been replaced by the psychological, invisible borders of the present. Meanwhile, the presence of settlers who seek to de-stabilize existing Palestinian society from within has introduced an insidious new threat. Palestinian security needs can only be met by putting an end to the Israeli occupation and by recognizing and guaranteeing Palestinian self-determination and the right to self-defense against external aggression or internal subversion.

- (7) *Settlements*: There is a need for an immediate end to all settlement activity and confiscation of land in Jerusalem. The question of settlement is not limited to Jerusalem; it covers all the Occupied Palestinian Territories. Nowadays, 13 settlements surround Jerusalem and isolate it from the rest of the of the Occupied Palestinian Territories. When the final status talks deal with the question of settlements, they should include those 13 settlements as well as they are undoubtedly illegal and a major obstacle in the path of peace.
- (8) *Economy*: The economic damage inflicted upon the Palestinians under occupation needs to be rectified. Jerusalem's economy is part of the economy of Palestinian society; it enjoys, however, special advantages due to the city's status as a center of tourism and pilgrimage. Jerusalem could become the economic center of Palestine once the closure is lifted.

The Future of Jerusalem

The problem of Jerusalem will not be solved unless the rights of *both* peoples, Israeli and Palestinian, are recognized, and the occupation of East Jerusalem comes to an end. The collective rights of only one population, the Israelis, are illegitimate. The authority that currently rules the entire city is also illegitimate. This has to be acknowledged by replacing the current system with a new one, based on sharing the city: what is needed is the establishment of *two* capitals, *two* sovereignties, and *two* municipalities, allowing both peoples to live independently next to each other in an open and free city: 'Separate and share!' Both Israelis and Palestinians must be allowed to run their own affairs independently, to function independently, to make their decisions independently, and to take responsibility for their respective societies' daily life and concerns. This is the key to coexistence. On this basis, we then can cooperate and coordinate on issues with which we are both concerned, such as water and electricity. It must be possible for me, as a *Palestinian*, to address my own authority on any matter and turn to my own elected *Palestinian* leadership. I am a *Palestinian* citizen in *Palestinian* Jerusalem governed and guided by *Palestinian* policies, laws and by-laws. To achieve this aim and to end hostilities, military occupation and confrontation in the Holy City, peace has to be given a chance, starting with mutual recognition of each other and the rights of both peoples. We should not postpone this crucial issue any longer. Let us start living together, separate but equal, in our city of Jerusalem; let us, together, share its goods, preserve its holy places and historical monuments, and develop the city's economy. Let us work together for a better future!



Arab-Israeli Negotiations (I): Israel and Egypt (Camp David)

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In talking about the Egyptian-Israeli peace negotiations and the Camp David Agreement, I want to begin with the question of why and how it all began. I then want to talk about the following points: the nature of the peace between Egypt and Israel, the peace treaty and the Palestinians, the Syrian position and the fruits of peace for Egypt.

Motives for the Camp David Negotiations

When analyzing the peace negotiations and the treaty between Egypt and Israel, we should start by discussing the motives that the Egyptians had in launching the negotiations with the Israelis. These motives were mainly of an economic nature: the Egyptian economy was going through a very difficult period, especially in the late 1970's. The Egyptian people, at that time, had to struggle very hard to make ends meet, and even bread was in short supply. This triggered the search for peace, at a time when the Israelis were ready to discuss a peace treaty. Camp David has been widely criticized but there is one fact - and this is my own personal opinion - that we should not forget: with Camp David, we gained our land back. All the rest is just ink on paper.

After Camp David, Egypt initiated a long-term national project to develop the Sinai Peninsula in all its aspects, from agriculture and water resources management to irrigation and sewage systems. In the frame of this project, that is supposed to come to completion in the year 2017, about 300,000 acres of land should be made available for farming, while about five million Egyptians will hopefully be relocated to the Sinai peninsula. This project will lead to the development of a totally autarkic area in the Northern Sinai that exports its products to other parts of Egypt and possibly to the world. The Southern Sinai, on the other hand, has a high tourist potential. At the moment, studies are being carried in regard to mining projects in this area. What I want to say is that we came out of Camp David with a new wheat basket for Egypt. The development plans for the Sinai Peninsula are in total accordance with Egyptian traditions. The Egyptians like to live and work in their own country. They went to work in the Gulf countries, but decided to come back to work in Egypt, even for lower wages. With Camp David, the whole Sinai came back under Egyptian control, even though it had to stay demilitarized.

As I said, the economic motives were the main reasons for the Egyptians to engage in the Camp David negotiations. Egypt, at that time, had to struggle with a high debt burden, and its infrastructure was very weak. Until 1981, only about 2% of the national income was spent on infrastructure. (From 1981 until today, about 180 million Egyptian Pounds have been spent on infrastructure.) The confrontation with Israel was costly: the military budget used up a large proportion of the national income, especially as relations with the Soviet Union were deteriorating and the US could dictate arms prices. Peace seemed the only way to get rid of this burden - which does not mean that we did not seek a real peace.

The Peace Treaty Between Egypt and Israel

We were able to reach the stage of negotiating a peace agreement following mediation efforts from various regional players, e.g., Morocco. Some of the preliminary negotiations were taking place in secret under the patronage of King Hassan of Morocco. But the breakthrough occurred after American mediation; former US Presi-

dent Carter was the first American president to launch a peace initiative in the Middle East. The real breaking point was Sadat's visit to Jerusalem.

By the way, I want to tell you that the Camp David negotiations really complicated the position of the Syrians and the Palestinians in their subsequent negotiations with the Israelis, due to the fact that the Israelis were able to profit from their negotiation experience with the Egyptians. When speaking of Areas A, B and C under Camp David, we speak of areas that are completely different, in many respects, to Areas A, B and C under Oslo. Area C in the Sinai, for example, is under the complete sovereignty of the Egyptians, but demilitarized; Area C in the Palestinian Territories, in contrast, is under Israel's complete control.

What, now, is the content of the peace treaty? [Treaty of Peace Between the Arab Republic of Egypt and the State of Israel, 26 March 1979].

Article I

- (1) The state of war between the Parties will be terminated and peace will be established between them [...].
- (2) Israel will withdraw all its armed forces and civilians from the Sinai behind the international boundary between Egypt and mandated Palestine, [...], and Egypt will resume the exercise of its full sovereignty over the Sinai.
- (3) [...], the Parties will establish normal and friendly relations, in accordance with Article III (3).

Article II

The permanent boundary between Egypt and Israel is the recognized international boundary between Egypt and the former mandated territory of Palestine, [...]. Each will respect the territorial integrity of the other, including their territorial waters and airspace.

Article III

- (1) The parties will apply between them the provisions of the Charter of the United Nations and the principles of international law governing relations among states in time of peace. In particular:
 - a. They recognize and will respect each other's sovereignty, territorial integrity and political independence.
 - b. They recognize and will respect each other's right to live in peace within their secure and recognized boundaries.
 - c. They will refrain from the threat or the use of force, directly or indirectly, against each other and will settle all disputes between them by peaceful means.
- (2) [...]
- (3) The parties agree that the normal relationship established between them will include full recognition, diplomatic, economic and cultural relations, termination of economic boycotts and discriminatory barriers to the free movement of people and goods, [...].

Article IV

- (1) [...], agreed security arrangements will be established including limited force zones in Egyptian and Israeli territory, and United Nations forces and observers, [...].
- (2) The Parties agree to the stationing of United Nations personnel [...].
- (3) A Joint Commission will be established to facilitate the implementation of the Treaty, [...].
- (4) The security arrangements provided for [...] may at the request of either party be reviewed and amended by mutual agreement of the Parties.

Article V

- (1) Ships of Israel, and cargoes destined for or coming from Israel, shall enjoy the right of free passage through the Suez Canal [...].
- (2) [...]

Article VI

- (1) This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter of the United Nations.

- (2) The Parties undertake to fulfill in good faith their obligations under this Treaty, without regard to action or inaction of any other party and independently of any instrument external to this Treaty.
- (3) [...]
- (4) The Parties undertake not to enter into any obligation in conflict with this Treaty.
- (5) Subject to Article 103 of the United Nations Charter, in the event of a conflict between the obligations of the Parties under the present Treaty and any of their other obligations, the obligations under this Treaty will be binding and implemented.

Article VII

- (1) Disputes arising out of the applications or interpretation of this Treaty shall be resolved by negotiations.
- (2) Any such disputes that cannot be settled by negotiations shall be resolved by conciliation or submitted to arbitration.

Article VIII

The Parties agree to establish a claims commission for the mutual settlement of all financial claims.

Article IX

[...]

Now, what has been achieved and what has not? It is obvious that normalization has not taken place. We signed the peace treaty in 1979, but we were not as keen on normalization as other Arab states are today. Israeli politicians say that there is no real peace with Egypt, and that the Egyptians took back their land while laughing at the Israelis, because they got what they wanted whereas the latter did not. We Egyptians have our own point of view about normalization at this time. Some people support the dialogue with Israeli intellectuals and academics. Others say that until the Palestinian people secure at least their basic rights, we cannot start a normalization process with Israel. There is no living peace: for example, there is almost no trade between Israel and Egypt. There was an Israeli project to import gas from Qatar, but the project was stopped when Ariel Sharon became minister of infrastructure. Economically speaking, it would make far more sense for Israel to import gas from Egypt, and I think that we will, eventually, be approached again in relation to this project. We have the gas, but we are not selling it. We could, however, sell it to another country, for example, Turkey.

Question: Was Israel's desire to guarantee its share, in the form of a joint project, the reason why Egypt was not able to sell the gas to the PNA?

Answer: No, we make a clear distinction between our relations with the PNA and those with Israel. It is a matter of identity. We can sell our gas to the Palestinians as we please. We do not interfere with Israeli trade relations with other countries; it is, therefore, quite logical that Israel cannot dictate how and what we sell to the PNA or the shape of our relations.

The Fruits of Peace for Egypt

Now, let me come back to the peace treaty. Egypt regained the Sinai, and I have already talked about the development project that followed. The fourth article of the treaty provides for the Sinai being divided into three areas, A, B, and C, with different arrangements concerning security and a military presence, as well as for a demilitarized strip inside Israel.

Question: But this is not control over the Sinai!

Answer: Yes, it is; Egypt has sovereignty over the Sinai. It is not military control that defines sovereignty. Look, for example, at Japan, at how it has prospered and its current standing in the world, even though it was demilitarized after World War II.

Egypt, now, is going through a process of transformation. This has only been possible on the basis of peace. Everything is being reconstructed in the most up-to-date manner: the telephone system, the sewage system, etc. Currently there is an underground system being built in Cairo for the six million people that commute to the city each day. New cities have been built, and Egypt is one of the world's leading tourist destinations. Moreover, according to the statistics of the World Bank and the IMF, it has a high economic potential. Some 70 billion Egyptian Pounds are being spent on development projects all over Egypt.

Question: But it seems that the Egyptian citizens have not really profited from all this.

Answer: We are talking about 60 million people, so I think it will take a while for the benefits to trickle down. We depend on peace to further reduce our military spending. If we are able to redirect these funds to other areas, it will make things much better for the Egyptian people.

The Peace Treaty and the Palestinians

In the peace negotiations, we have not neglected the Palestinian cause. Have a look at what is mentioned in the Camp David Agreement: total autonomy for the Palestinians in the whole of the West Bank and the Gaza Strip, and Jerusalem as an integrated part of the Arab occupied territories, thus being subject to all forthcoming agreements on the Palestinian Territories. If Egypt had been supported by the other Arab states during the negotiations at Camp David, the results, of course, would have been much better. But the division in the Arab World at that time was as bad as the one after the Second Gulf War. If we had not gone to Camp David in the 70's, we would now be discussing the terms of withdrawal from the Sinai. If the Arab World had joined Camp David, then the whole story, including the present situation on the Golan Heights, would have been much different.

Question: But I think that at that time the Palestinian people were not ready for peace with Israel. We all had this belief in Pan-Arabism and armed struggle was a part of the Arab mentality. Superpower support, meanwhile, was divided between the Arabs and Israel. There was no shift towards peace with Israel.

Answer: The real question, therefore, is not whether Egypt should or should not have gone to the peace talks, rather if it could have coordinated with the rest of the Arab World in order to strengthen its position.

The Peace Treaty and the Syrians

Let me compare the situation of the Golan and the Sinai. The Sinai covers an area of approximately 61,000 km², whereas the territory of the Golan is only about 1,800 km². The Sinai can be seen as a buffer zone: it has a strategic depth that is further underlined by the water barrier of the Suez Canal. The Sinai Peninsula has only three passages. The Southern Sinai is mountainous terrain, which does not allow for the passage of freight carriers or armored personnel carriers. Consequently, by merely controlling the three narrow passages of the Sinai, one can, in effect, assert control over the whole Sinai region. According to this point of view, the Sinai effectively serves as a buffer zone between Israel and Egypt.

The Golan Heights are a totally different issue. From the Heights, it is easy to control the Israeli terrain below. Any short-range artillery stationed on the Golan can easily hit Israeli targets, which is what most worries the Israelis. If you intended to threaten Israel with artillery from the Sinai, you would need long-range missiles in order to reach Israeli targets.

The second point is that it is much easier to reach the Golan Heights from the Syrian side than from the Israeli side. On the Golan, you also find the main water channels that flow into Lake Tiberias, which provide a crucial source of water for Israel. These are the points that dominate the Israeli view of the Golan issue. The Heights are perceived as 'ruling' the north of Israel and being easy to reach from the Syrian side; they are, after all, only 60 kilometers away from Damascus. In the Sinai, it would take a minimum of two days to mobilize and dispatch Egyptian forces to the peninsula. Therefore, the Sinai can function as a buffer zone, but the Golan Heights cannot.

Of course, the Syrians have their own point of view regarding this issue. Security arrangements, as were allowed for in the Israeli-Egyptian treaty, are not applicable on the Golan Heights. If the Syrian forces were to be stationed at a distance of 50 km from the Golan, they would find themselves right on the outskirts of Damascus! I am convinced that the Israelis will withdraw from the Golan Heights at some point, but Prime Minister Netanyahu cannot negotiate on all tracks at the same time. One Israeli told me: "If you want to know from where Israel is ready to withdraw and from where it is not, you should look at where the Israelis bury their dead." There is not a single person buried on the Golan Heights.

Discussion

Question: What is your opinion about the differences between the methods employed by Israel to put pressure on Egypt and the Palestinian Authority during negotiations? You said that Israel learned a lot from the negotiations with the Egyptians. What can we, the Palestinians, learn from the Egyptians' experience?

Answer: The Palestinian-Egyptian coordination is not just a shallow affair; it is really much more than that, and it has reached something like a real partnership. The reason for this is the fact that the relationship is not just based on agreements, but on an identity, as I have already explained. The Palestinians have suffered from the beginning of this century, therefore, the kind of pressure exerted upon them is incomparable to that exerted upon Egypt. The extent of the Israeli measures against the Palestinians is exemplified by the Israeli decision to start building a new settlement in Arab East Jerusalem (Jabal Abu Ghneim). Thus, you cannot compare the situation of the Palestinians with that of the Egyptians. We were always in a position whereby we could have stopped a process whenever we felt it to be necessary. The position of the Palestinian people is much weaker.

Question: Do you think that Sadat committed a big mistake when going for a separate peace without the Palestinians. Was he too self-assured?

Answer: This has not been a separate peace. And you have to see that the decision-making process in Egypt had passed through a lot of changes from the era of Abdul Nasser to that of Sadat. Abdul Nasser had a charismatic personality that can hardly be assessed according to today's standards. Sadat had a vision, and he wanted to implement it, but he was not in a position to do so alone. The president nowadays is no longer a decision maker, but a 'decision chooser'. He makes a choice among the different possibilities presented to him by his support system. So, Sadat did not take

the decision on his own. But, in answer to your question, yes, he was too self-assured when it came to his opinion about Egypt's standing in the Arab World.

Question: Was it this failure to assess the situation properly that led to his assassination? And, if Palestinian-Israeli negotiations had already begun at that time, do you think Sadat would be alive today?

Answer: I do not think that Camp David was the main cause of Sadat's assassination. The era witnessed the rise of fundamentalist Islamic movements that interpreted Islam according to their needs. They were strongly opposed to the idea of peace with Israel, and they based their opposition on religious grounds. This psychological or religious barrier to peace with Israel remains until today amongst a large portion of the people.

Question: What is your evaluation of Egypt's role in the Palestinian-Israeli negotiations? Do you negotiate on behalf of the Palestinians?

Answer: We do not negotiate on behalf of the Palestinians; we acknowledge that there is a Palestinian identity and a Palestinian negotiating team, and we negotiate on behalf of ourselves. During the early stages of the negotiations, there was a need for the Palestinians to consult with us to learn from our experience of negotiating with Israel. We are totally in support of Palestinian rights; we are against settlements, against the Judaization of Jerusalem, and against anything that might hinder the attainment of Palestinian rights. But our main interest is not in this region: it is, at the moment, in security and our border arrangements with Sudan and Libya, not to mention our domestic situation.

Question: It sometimes appears as if Egypt is governed by chaos. What were the tools used by the Egyptians in their negotiations with Israel?

Answer: It was simple for us because we were the largest Arab country confronting Israel. Egypt had participated in all the wars that had taken place in the region. Ours is a stable country that enjoys a high degree of homogeneity, with 90% of the population being Sunni Muslims and the remaining 10% Coptic Christians. The people are able to bear a lot. Egypt is a respected country with good relations with other Muslim countries. We are a state with many strong points, but, of course, there are weak points, too.

Question: What do we, the Palestinians, really have to give to the Israelis? What do we have to offer in a peace agreement?

Answer: I think we all over-estimate the Israelis; they need peace too, but they want it according to their design. The price of confrontation is very high, and they are no longer able to carry this economic burden. Israel wishes to become the Hong Kong of the region, but it realizes that economic development is dependent on the existence of peace.

Question: Can we say that Israel was looking for an ally in the region to be used as a key to economic access to the region? Were there any secret arrangements concerning this in the treaty?

Answer: There were no secret articles in the treaty. And, supposing that there were, I do not think that they would have remained secret for 17 years. No, there are no secret arrangements, but there are a lot of problems and different opinions.

Question: Egypt lost its leadership position in the Arab World as a result of Camp David, but it received compensation in the form of economic progress. What was Israel's strategic goal in the negotiations with Egypt?

Answer: Israel's main goal was to minimize security pressures. Israel had a real interest in peace and stability in the region, partly because it wanted to go ahead with its policy of internal economic reforms, which required both stability and resources.

Question: What can Egypt do to exert pressure upon Israel? Is there something that Egypt can use but has not used until now?

Answer: There is no doubt that Egypt has the means to assert pressure on Israel. A simple evaluation of the Israeli-Egyptian relations would show the Israelis that there is discontent on the Egyptian side. The Egyptians, as a result of this discontent, are reluctant to establish further relations with the Israelis.

Question: Why were the Palestinians not invited to Camp David?

Answer: I understand that the feelings of the Palestinians were hurt. The PLO, at that time, was considered a terrorist organization. Perhaps Sadat also feared that including the PLO in the talks would lead to difficulties. Therefore, the PLO was not officially invited to take part in the negotiations, but Edward Sa'id and Ibrahim Abu Lughod, who were members of the PNC at the time, served as advisors.



Arab-Israeli Negotiations (II): Israel and Syria

Dr. Ziad Abu Amr, PLC Member, Gaza Constituency,
and Professor of Political Science, Birzeit University

This presentation will be less an academically structured lecture than a discussion because I want to leave plenty of room for your questions on the subject. In my presentation, however, I want to focus on the Israeli-Syrian negotiations and the main interests of the two parties. In order to facilitate this, I first want to analyze the determinants of Syrian foreign policy and its role in the Arab World and the broader context.

Determinants of Syrian Foreign Policy

The ideological self-image of Syria has evolved over time. Twenty-five years ago, Syria's approach to politics was much more nationalist than it is today. Now, the notion of a Greater Syria, which was the underlying objective shaping Syria's politics, is weaker but not totally absent. It affects the relations with the Palestinians, not least of all because it is contradictory to the Palestinian nationalism represented by the PLO. In the Syrian view, the PLO should be under Syrian control and Palestinian nationalism should merely be a part of regional nationalism. This attitude does not simply spring out of a romantic Pan-Arab vision; it is also a consequence of the real effects of Palestinian and regional politics on the Syrian situation and on Syrian politics. Syria perceives itself as the patron of Arab nationalism, its only true proponent since Abdul Nasser - the core nationalist country. This self-image as the leader of the Pan-Arab movement is recognized by most other Arab states.

Internationally, Syria is keen on not being singled out as the region's saboteur state. It plays a role as a host for opposition groups and maintains control over the situation in South Lebanon, but engages, on the other hand, in negotiations and even joint actions with the US (as in the Second Gulf War). Due to its strategic importance and stand in the Arab World, Syria has a considerable margin of maneuverability. It can get away with behavior that other states dislike and is even treated with respect by the US and the EU, despite being regarded as a state that promotes terrorism.

Regionally, Syria has good relations with many countries, including Iran. It is able to use these relations to its advantage, for example, in order to consolidate its own standing vis-à-vis Israel or Iraq, or with regard to its domestic Islamic opposition, because such relations are depicted as proof of the government being a good Arab, Muslim regime. But the regional balance is delicate.

The internal Syrian situation is the most important determinant of its foreign policies; it is also the most delicate subject, and it is not easy to determine the extent to which it affects foreign policy decisions. President Asad is part of a minority group, the Alawites; they enjoy a privileged position, but this is likely to decline with the end of Asad's reign. The most acute problem at the moment is the question of succession. Connected with the privileges enjoyed by the Alawites is the unfair division of resources among the country's population segments. There has been a change in the demographic structure with a rise in the Alawite presence in Damascus, but its impact is not yet clear. With regard to the economy, there is a careful and limited process of privatization, but this is revealing many difficulties related to corruption and its effect on the centers of power.

Let me now come to the Syrian-Israeli negotiations. How do the aforementioned factors influence the relations with Israel? Is it true that the Golan is the last of Syria's concerns as some Israeli circles say? Does Syria need to fix its problems of succession and the internal political situation first, before being able to embark on further negotiations with Israel?

Syrian-Israeli Negotiations

What are the critical outstanding issues that the two countries need to resolve, and which side has the greater interest in finding solutions?

- (1) Syria has a strong interest in Israeli withdrawal from the Golan Heights - which has become an even more complicated issue since Netanyahu assumed power. Under Labor, an agreement on the Golan had been negotiated and was almost ready for signing, but the new government wants to negotiate all over again. This issue also involves the scope of the envisioned withdrawal. The Golan, for Syria, is a matter of pride and nationalism. Asad, as the self-proclaimed leader of Pan-Arabism and as the one who always attacked Sadat for surrendering cannot compromise on the basic issue of Israeli withdrawal from the Golan, although he might be able to compromise on certain details. What are the other issues related to this? First of all, there is a need for security arrangements for the post-withdrawal period. Israel has an interest in arrangements that are not dependent on the continuation of the current Syrian regime; it wishes to protect its interests, even in the event of a new government and the civil strife that could result from the succession process. Thus, there is a need for demilitarized zones beyond the Golan Heights themselves; the question to be negotiated is if they should be designated equally or proportionally. This also involves the question of the quantity and quality of armament allowed in the area.
- (2) Other important topics for the Israelis are the Syrian-Iranian alliance entailing the support for 'terrorist' groups in Lebanon, as well as the Israeli interest in maintaining its nuclear monopoly in the region; the arrangements in Lebanon concerning the nature and the size of the Syrian presence and its future role in the country; and the Syrian attitude towards Palestinian opposition groups in Syria - such as the PFLP, DFLP, PFLP-GC, Hamas and Islamic Jihad.
- (3) For both countries, the water question is a critical one that needs to be discussed.
- (4) The normalization of relations that Israel insists should follow a peace agreement will be difficult for Asad to accept, but in the event of an Israeli withdrawal and a fair agreement, gradual normalization will be possible. Even if the government

does not control or block the normalization process, there is no reason for the Syrian regime to fear that it will proceed too quickly, as they believe it did with regard to Egypt and Jordan.

(5) Syria up until now refuses to participate in multilateral negotiations or regional conferences concerning issues relating to the refugees, the environment, etc., because it first wants to settle the basic issues through bilateral negotiations. The multilaterals, however, are not meaningful without Syria's participation.

(6) Another issue Israel is interested in is the situation and future of the Jews left in Syria.

It is clear that neither of the two parties is in a hurry to continue with negotiations. Israel is far more interested in preserving the *status quo* concerning the Golan Heights or in changing the balance of power in its favor. This is clearly apparent in the Israeli proposals of a one-sided withdrawal or a 'Lebanon first' option, which cannot be taken seriously. Time will work in favor of Israel as Syria's power appears destined to decline.

There is, however, a relation between the different 'tracks'. When the Syrian track deteriorates, it has a negative influence on the Jordanian and Palestinian track. Hence, Syria's power is in its ability to cause problems in Lebanon and to disrupt the Israeli-Jordanian and Israeli-Palestinian relations. Syria has a 'power to sabotage'. Israel is much stronger in everything concerning weaponry, but Syria has been able, through Asad's careful brinkmanship, to create a kind of parity and deterrent by its power of sabotage and by securing Arab support of its position. None of the sides today really thinks of attacking the other, despite all the talk about war or preparations for war.

Discussion

Question: You said that Syria has become less nationalist; now, who has become more nationalist in comparison?

Answer: No, you misunderstood. Syria has become less nationalist compared to its own stand earlier. The position it took, for example, during the Second Gulf War, was not a nationalist position.

Question: Why does Syria host Palestinian opposition groups?

Answer: They serve as a playing card for Syria in its relations with Israel. There is the possibility that these groups would have to leave the country if Syria signed a peace treaty with Israel; at the very least, they would not be able to continue with their political activities.

Question: What are Syria's interests in the region?

Answer: Syria's main interest at the moment is not to be forgotten or become isolated as this would weaken the Syrian position.

Question: How do you see the situation in Lebanon at the moment?

Answer: There exists a trade-off in Lebanon. The Lebanese, at the moment, accept an oppressive regime that provides them with security. The Syrians have not taken permission from the Lebanese; however, in Lebanon, there is no consensus that Syria should leave. Some people are interested in seeing a continued Syrian presence.

Question: What are the Syrian interests in Lebanon?

Answer: Syria has a strategic interest in Lebanon because of its problematic relations with Israel, and it considers Lebanon its backyard. It also has economic interests in Lebanon such as the work opportunities provided there for Syrian migrant workers.

Question: You said that Syria is seeking Arab unity. Is this so because Syria is weak?

Answer: No. Arab unity is not high on the Syrian agenda. Such talk is part of the political culture, of the flying discourse, of the propaganda to legitimize the system.

Question: What about the talk of war between Syria and Israel?

Answer: Such a war could be a tactical war to foster negotiations. But the situation is too sensitive; no one has an interest in a war at this time, as it could easily get out of control.

Question: How does Syria manage to have good relations with many countries, and even with countries that are enemies with one another?

Answer: This is because Syria has a central role in the region as it is strategically important to so many countries: Iran, the US, Palestinian groups, etc. Another reason for its good relations is the expertise of the Syrian leadership.

Question: How do you see the US role in the Syrian-Israeli peace process?

Answer: The US is pressuring Syria at the moment to return to the negotiation table, but Syria does not have to yield to American pressure.

Question: Is there hope for a quick Syrian-Iraqi reconciliation?

Answer: I would say, no. A rapprochement in this adverse situation can only be temporary, a tactical move.

Question: In this seminar, we have talked a lot about ripeness and the hurting stalemate that is needed to overcome deadlocks in negotiations. Where is the hurting stalemate on the Syrian-Israeli track or, how could it be induced?

Answer: A feeling of urgency would be needed, but neither side feels this at the present time. The Gulf War induced a US peace initiative, but the fact remains, that for the last 25 years, the *status quo* - a situation of stability - has continued to exist. There is no urgent necessity to move away from it. Maybe this will only change in the face of a disaster.

Question: What would be a scenario for future negotiations?

Answer: As I said, negotiations will only resume if there is a drastic deterioration in a certain field. An unexpected event could trigger a new situation conducive to negotiations. This could be in Palestine or in South Lebanon, for example.

Question: What about the domestic political situation in Syria - the assassination of Asad's son a few years ago and the bus bombing last year? Isn't it very tense at the moment and is this not going to reflect on the negotiations?

Answer: It has never been verified that Basil Asad was assassinated, but it is likely. And this, of course, weakens the Alawite dynasty in Syria. Concerning the bus bombing last year, nobody knows for sure who or what was responsible. There are three possibilities: Israel and its friends in Southern Lebanon as a reaction by proxy to guerrilla activities; Syrian Islamists, which I consider rather unlikely; or an internal power struggle. But it can be seen as a sign of a deteriorating internal situation. How this situation will affect the Syrian-Israeli negotiations, however, is not easy to determine.



Arab-Israeli Negotiations (III): Israel and Palestine Oslo - the Conflict, the Mediators and the Breakthrough

Dr. Mahdi Abdul Hadi

During the last ten decades, the Arab-Israeli conflict went through various interconnected and interdependent phases. They may be classified according to three major eras: the international, the Arab and the Palestinian era. Although they each represent a certain period, they overlap in terms of dates, places, proposed solution (political and military) and respective outcomes. The evolution of the conflict throughout these three eras shows that each left its mark and influenced the other in terms of players, mediators and issues of concern. None can be studied independently or separated from the others since each stage of the conflict evolved over time and led, eventually, to some kind of result, which influenced the development of stages yet to come. Moreover, what may be viewed as a breakthrough at any one stage in any of the eras has to be seen as a product of preceding events. Thus, although the history of the Arab-Israeli conflict and the success or failure of its main players and mediators must be read against the background of the respective circumstances, it can ultimately only be understood in its overall context.

In order to understand the full meaning of what is widely chronicled as the “breakthrough” at Oslo in October 1992, there is a need to trace and study certain events as they occurred during the three eras. Particular consideration must be given to the political environment, the mediators, the proposed solutions and the outcomes.

The International Era

The political environment of the time included the re-awakening or “renaissance” of the Arab national movement and the birth of the Zionist movement, both of which faced three major, contradicting political documents: the first was the Hussein-MacMahon Correspondence of 1915, in which the British invited the Arabs to become allies against the Turks and offered in return to help them establish their sovereign independent Arab states; the second was the Sykes-Picot Treaty of 1916, which outlined the new colonial map of the Middle East as drawn up jointly by the British and the French; and the third was the Balfour Declaration of 1917, in which the British government declared its support for the establishment of a Jewish homeland in Palestine.

At the doorsteps of the Versailles Peace Conference in 1919 we saw the British officer Thomas Edward Lawrence adopt the role of a mediator and attempt to satisfy both sides’ aspirations by drafting the Faisal-Weizmann Agreement, which related to certain aspects of Arab-Jewish cooperation. The Arabs, including the Palestinians, did not recognize nor accept the concept or the content of the document. The Palestinians argued that since Faisal spoke no English and Weizmann no Arabic, the document reflected Lawrence’s “interpretation” in accordance with British “wishful thinking,” and was merely an attempt to close the gap between the three contradicting political documents.

The Versailles Peace Conference was an international forum for both the Arab and Jewish leaders to present their cases, while the 14 points the US president had called for - including the right to self-determination - were not applied. As the British and French governments held the mandates in the Arab territories for several decades, the international era was dominated by third party involvement.

The Arab Era

As an outcome of World War II the geopolitical map of the Middle East was redefined. The Palestinians emphasized their Arab roots and their status as an integral part of the Arab nation with all its aspirations. The creation of a central Arab political address was realized with the establishment of the Arab League in 1945. At the same time, the central Jewish-Zionist political decision-making apparatus moved from London to Washington, and thus, the center of influence and alliances was shifted. Soon after, a series of events - the UN Partition Plan for Palestine of 1947, the subsequent first Arab-Israeli war of 1948, and the establishment of the Israeli state - led to the uprooting and expulsion of the Palestinian people and their search for refuge in the neighboring Arab countries.

The mediators, their proposals and ideas for resolving the conflict, and the manner in which they were introduced during this era were not very different from those of the previous period, although they had been somewhat adjusted to the new balance of power in terms of intervention, interpretation and reasoning.

The binational state thesis, for example, which had previously been discussed between Jewish, British and Palestinian intellectuals, was now (July 1947) presented by King Abdallah to the UN Commission as a collective Arab position. Similarly, the plan to partition Palestine, originally proposed by the Peel Commission in 1937 and developed by the Woodhead Commission in 1938, was now presented in the Partition Plan of Resolution 181, passed by the UN General Assembly. Thirdly, the proposed annexation of the Arab part of Palestine to the Jordanian state, which had been discussed most intensively between King Abdallah and Zionist leaders in August 1946, was now brought up by the Swedish UN mediator Count Folke Bernadotte. Finally, the question of Jerusalem was continuously addressed as a key component of any future political settlement, with many proposals that essentially promoted a special status for the city. The real novelty in this era was the shift in priorities, which put the issues of borders, refugees and direct negotiations towards mutual recognition at the top of the agenda.

The outcome was the emergence of the phenomenon of political assassination that became characteristic of the first phase of the Arab era.¹

The Palestinian Era

The Palestinization of the Arab-Israeli Conflict was accelerated by the Israeli occupation of the remainder of Palestine in the course of the 1967 June War. The Palestinian era reached its peak with the signing of the Declaration of Principles (DoP) in Washington DC on 13 September 1993.

This era witnessed many political phases with numerous attempts to build a bridge between and by the two peoples immediately concerned: Palestinians and Israelis. More than 30 years have left a long record of contacts, dialogue, confrontation and, more recently, numerous meetings between individuals and groups from both sides, sometimes with the presence of a third party.

¹ In Jerusalem, Fawzi Darwish Al-Husseini was murdered by a fellow Palestinian in 1946, as a warning not to accept the concept of a bi-national state; the principal mediator, Count Folke Bernadotte of Sweden was killed by the Zionist Stern Gang on 17 September 1948; in Egypt, Prime Minister Mahmoud Fahmi Nakrashi was assassinated on 28 December 1948; in Amman, Lebanese Prime Minister Riad Al-Souh was murdered on 16 July 1951 and only four days later, on 20 July 1951, King Abdallah, the Jordanian monarch, was assassinated at Al-Aqsa Mosque in Jerusalem.

The first phase (1967-1970) was determined by the shock of the Arab defeat, the fear of the unknown future, the absence of leadership and the total military occupation. The Palestinians 'inside' responded with a policy of non-cooperation with the occupiers, while waiting for a solution to come from outside, either internationally (UN Security Council Resolution 242 of 1967), regionally (Arab Summit, Khartoum, August 1962) or PLO (*Al-Muqawamah Al-Filastiniyah*).

However, none of the outside players delivered a solution, while inside, the Palestinian society was crippled by the lack of an economy, health, welfare or education services and institutional development. The Israeli policy, from as early as 1967, had three main aims as described by Moshe Dayan, then Defense Minister. The aims were as follows:

- (1) to maintain daily contact between the Palestinians and the Arab World to divert the Palestinian focus from Israel to outside;
- (2) to use the Palestinians to pass political messages to Cairo and Amman;
- (3) to initiate direct contact with the Palestinians, hoping that they will accept to accommodate themselves to the Israeli reality.

However, the Palestinian position was that they "must not extend a hand to the Israelis unless 'we' are willing to extend another hand to the Arab states. If 'we' became secessionists and separated from the Arabs there would be no settlement, and 'we' would not gain anything."

In the second phase (1970-1982), the Palestinians 'inside' adopted a new policy: steadfastness (*sumud*), i.e., keeping their civil society functioning and developing institutions² and their leadership. This phase was characterized by the loss of power and status of local notables and old families, the rise of a national front, the formation of the National Guidance Committee, and acceptance of the challenges of confrontation but with a willingness to negotiate and to exercise the right to govern. The 'outside' leaders voiced their desire for a peaceful solution based on coexistence and mutual recognition. But this new development in Palestinian thinking and planning was faced with many sacrifices and the assassination of PLO leaders³, which brought the Palestinians to a phase of isolation.

The third phase (1982-87) witnessed Israel's invasion of Lebanon, followed by the Palestinian resistance movement's exodus. The Israelis hoped that these two events had cleared the way to reach a political settlement with 'moderate' Palestinians inside the territories. The Israeli plan was "an autonomy" based on the Jordan Option. The Jordanians called for the exchange of "land for peace" to be negotiated within the context of an international conference with PLO participation (11 February 1985). A series of contact, dialogue, drafted joint statements, documents and declarations occurred during this phase. Examples are Shimon Peres' meetings with 'inside' activists, the encounters of Uri Avineri and Mattiyahu Peled with 'outside' leaders, including Chairman Arafat, and the academic dialogue between Abba Eban and Walid Khalidi.

The major results of these meetings were:

- (1) The Abba Eban-Siniora 'declaration' acknowledging the destiny of the Jewish and Palestinian people to live side by side in one land, jointly calling for negotiations and the repudiation of violence and terrorism.

² The establishment of the Higher Council for education in 1977 as well as new universities.

³ PLO representatives in London, Paris, Brussels and Portugal were assassinated in 87, 87, 81, 83 respectively.

- (2) The Moshe Amirav-Faisal Hussein draft document, the importance of which Mahmoud Abbas later described as follows:

"[it]... prepared a suitable base for dialogue and contact and compiled ideas on which we (Palestinians and Israeli negotiators) could build and which assisted us in reaching what we achieved on 13 September 1993."

- (3) Guidelines for a political settlement drafted by King Hussein and Peres, dated April 1987.

All three initiatives failed to achieve a breakthrough for various reasons, and it became clear that

"despite the long debate in Israel over the advantages of the Palestinian and the Jordanian options, the question was not whether to reach a settlement with one or the other, but rather what form of Jordanian-Palestinian combination would be the counterpart for an eventual final settlement."⁴

At the time of the fourth phase (1987-90), the Palestinians in the Occupied Palestinian Territories had reached a stage of desperation and anger, which made them feel they had nothing to lose. They decided (a) to change the *status quo*, i.e., to end Israeli occupation, and (b) to build a new society in the OPT, based on self-reliance, and to direct it towards freedom, independence and statehood. This new phase of resistance was introduced with what became known as the *Intifada*.

The three main characteristics of the *Intifada* were as follows:

- no fear of direct confrontation with the military occupiers;
- the Palestinization of the OPT;
- the elaboration of a political settlement based on a two-state solution.

Several mediators rushed to the scene with many ideas on how to bring the two sides - the occupier and the occupied - together in a peace conference:

- An Egyptian initiative in January 1988 called for a six-month truce and a freeze on settlement activities;
- US Secretary of State George Shultz added to the Egyptian idea in March 1988 by suggesting that negotiations be held along the provisions laid down in the Camp David Accords, and that Palestinian self-rule be achieved by February 1989;
- Mikhail Gorbachov encouraged PLO leader Yasser Arafat to recognize Israel's right to exist;
- The 'inside' Palestinian leadership favored two initiatives: a) issuing a declaration of independence and b) forming a provisional government-in-exile; meanwhile, the 'outside' PLO leadership expressed its readiness to sit down with Israel if Israel, in turn, agreed to withdraw from the OPT.

On 2 August 1990 delegations from the Palestinian and Israeli mainstream met in Jerusalem to sign a joint statement, which included mutual recognition and a call for direct negotiations towards a settlement of the conflict. However, the Gulf Crisis halted their work. At the same time, the world witnessed the fall of the Soviet Union, the Arab World dividing over the issue of the Gulf War, and Israel remaining the strongest military arsenal in the Middle East while the PLO had no military power, or Arab financial or political support.

⁴ Asher Susser, 'Jordan, the PLO and the Palestine Question', in *Jordan and the Middle East 1948-1988*, edited by J. Nevo and I. Pappe, Essex: Frank Cass and Co. Ltd., 1994, p. 227.

The Palestinians 'inside' faced land confiscation, settlement building and, from the beginning of the *Intifada*, four years of social and economic suffering. Their options were limited when "they were called upon to accept a reality that was not yet legally in force." This reality, the commencement of negotiations, was introduced by US President George Bush on 6 March 1991. The US formula to the Madrid Conference was based on the implementation of a) UN Security Council Resolutions 242 and 338; b) the principle of land for peace; c) the legitimate rights of the Palestinian people; and d) security and peace for the state of Israel.

The Israelis made it clear that their participation in Madrid was conditional on the following elements regarding the Palestinian participation: no to Jerusalemites, no to PLO members, no to an independent Palestinian delegation, no to the Palestinian flag and no to a Palestinian state.

The Palestinians realized that they could not deter those who were invited to go, nor change or amend the terms of reference; nor could they afford to stay outside the negotiation tunnel. Thus, they accepted the challenge to enter the dark tunnel, confident that they would be able to change the conditions and influence other parties based on the mechanism of the *Intifada*, "changing the *status quo* in the process and establishing new realities." In Madrid, they were acknowledged and perhaps for the first time, the world showed concern for what they had to say. "Look at Hanan Ashrawi - the moment they saw this messenger, they began to listen to the message."⁵

The Palestinian delegation to Madrid was not elected but nominated by the PLO 'outside' leadership in Tunis. Some classified the delegates as representatives of regional affiliations, e.g., a village, a tribe, a political faction or a profession. Others maintained that their selection was the result of PLO recognition of their long years of suffering under occupation.

In Washington, the talks were of the nature of a diplomatic game, which in itself created special problems for a 'people' acting in the role of a 'nation-state'. After 22 months of Washington negotiations, the Israelis presented their version of a transitional phase: the old autonomy plan, starting with the gradual transfer of 12 technical civil departments from Israeli to Palestinian hands, but without any mention of authority transfer, military withdrawal, or recognition of Palestinian rights to the land, water, Jerusalem, and nothing on the question of sovereignty. In addition, the Israeli plan limited Palestinian rule to only one third of the OPT, meaning all authority would remain in Israeli hands, including borders, continued settlement activities, etc. The Palestinians developed and presented a "political document," later known as PISGA (Palestinian Interim Self-Government Authority), confirming the Palestinian demand to freeze all settlements, guarantee the geographic integrity of the OPT, and to hold democratic elections. These two documents - the Israeli Autonomy Plan and PISGA - were the only ones trying to close the gap between the two sides that emerged without the interference of a third party, or the influence of a mediator.

The Oslo Channel

Following nine months of negotiations in Madrid, five rounds of talks at the US State Department and the exchange of numerous documents outlining the totally different positions of both the Palestinian and Israeli side, and after it became obvious that neither the mediators nor the US could successfully influence the talks in one way or another, the negotiations had seemingly reached a deadlock. Throughout this period,

⁵ Quoted in Kirsten Urban, *Conflict Resolution - Assumptions Behind the Approach*, Jerusalem: PASSIA, 1992: p. 12.

both the Israeli government and the PLO were very much concerned with the role, performance and future of the Palestinian delegation, though for different reasons.

Israeli Prime Minister Yitzhak Shamir was extremely worried that the PLO would infiltrate its members into the Palestinian delegation, as he had constantly opposed any attempt of the PLO to become even partly involved and had gone so far as to outlaw any contact between members of the Palestinian delegation with the outside PLO. The gravity of this attitude became clear when Shamir dismissed Minister of Science Eizer Weizmann from his cabinet after the latter established contact with the PLO representative to Switzerland, Mr. Nabil Rimlawi.⁶ Shamir was interested in maintaining the umbrella of a joint Palestinian-Jordanian delegation. He sent verbal messages to Amman suggesting joint economic and tourist projects in the Red Sea area (Aqaba-Eilat), anticipating the implementation of the old Likud plan for a Jordanian role on the West Bank that leaves the "Jordanian option" open to interpretation. Amman listened but took neither the emissaries nor their messages seriously.⁷

Meanwhile, PLO chairman Arafat tried to balance the Likud's plans by opening various back-channels with the Labor Party. Among these attempts was his encouraging Faisal Hussein to meet with Peres, Ephraim Sneh and others. After the fall of Shamir, newly-elected Prime Minister Yitzhak Rabin took office, formed a new government, and resumed negotiations with the Palestinian delegation in Washington. Throughout nine rounds of talks in Washington, the Palestinian delegation remained loyal to Arafat and the PLO leadership and refused to bypass them. Arafat saw the delegation as a 'Trojan horse' and encouraged Faisal Hussein and Hanan Ashrawi to convince Washington of the need for the PLO to take part in direct talks. However, Washington's advice was not to rush things, nor to jump to later phases, as, according to the US, the PLO's role was yet to come.

On day one of the Washington negotiations, Arafat had sent two emissaries to establish direct contact with the Palestinian delegation (Akram Haniyyeh and Dr. Nabil Sha'ath), since it was his nightmare that the Palestinian delegation (*Al-Wafd*) would turn into a substitute leadership. His famous quotation, "They want Yasser Arafat to be a male bee, i.e., deliver once and die," speaks for itself. Arafat's ongoing fear was that the negotiation process would not be governed by desires but by results and, despite the loyalty of the delegates to the PLO and to his leadership, he realized that those who delivered were likely to become future leaders. There were several indications of such an unwelcome development. For example, it was the Jerusalemite leader Faisal Hussein, who, in his capacity as the head of the Palestinian delegation to the peace talks, exchanged official correspondence with US Secretary of State James Baker, who was officially received at the US State Department, and who, before the end of the eighth round of talks, was received by President George Bush at the White House.⁸

The situation Arafat faced at this time resembles the episode of Chaim Weizmann, the leader of the world Zionist movement, and Ben Gurion, then leader of the Jewish Agency 'inside' Palestine, in 1948: following Israel's declaration of independence and the establishment of the Jewish state, the 'outside' leader Weizmann became the

⁶ PM Shamir reportedly was furious about this move of Weizmann as well as his writing a letter to Chairman Arafat, conveyed by Dr. Ahmad Tibi. Both acts were seen by Shamir as the reason that contributed to Chairman Arafat's decision to accept the Baker Plan. See *Ha'aretz*, 31 December 1989.

⁷ At the suggestion of Teddy Kollek, Mayor of Jerusalem, Shamir received several Palestinian businessmen in his office, encouraging them to pass his verbal messages to officials in Jordan.

⁸ It is worth noting that Faisal Hussein's audience with President George Bush was preceded by Teddy Kollek's meeting with the President at the White House, only a few days before.

symbol of the state and its head, but it was Ben Gurion who formed the government and ruled as Prime Minister.

With this background in mind, Chairman Arafat and the PLO leadership in Tunis saw that the official negotiations taking place between 20 people in Washington would lead to nowhere. Recalling the experience of Vietnam, Algiers and Camp David, Arafat and his inner cabinet were convinced that other channels must be opened. The PLO badly needed the peace talks to progress in order to maintain its legitimacy as the official representative and leadership of the Palestinian people, especially in view of an increasing opposition steered by the radicals in Damascus and the Islamic trends of Hamas and Jihad Islami, and in order to face King Hussein whose popularity was rapidly growing⁹. To take any further step forward in the peace process was furthermore crucial in order to contain the already recognized 'inside' Palestinian leaders, and to grab the possibility of establishing direct secret contacts with Israel. The opening of new channels besides the official talks in Washington was encouraged by the Israeli Knesset decision to lift the ban on contact with the PLO, although Arafat was left wondering why the lifting of the ban coincided with the deportation of 400 Islamic leaders from the OPT.¹⁰

On the other hand, Rabin and his inner cabinet thought along similar lines and gradually realized that the Palestinian delegation itself was not capable of signing an agreement with Israel nor of governing any interim regime, and that it lacked legitimacy as it was not elected by the community but chosen by Israel in back-door coordination with the US and the PLO. Furthermore, the Israeli side comprehended two other crucial aspects: a) that any agreement would require a strong and highly legitimate Palestinian authority in order to gain acceptance and in order for its security and police forces to be able to control the OPT; and b) that Israel's only alternative to dealing with the PLO as a legitimate political representative was the Islamic movement and its leadership. This, however, would imply the transformation of the political conflict into a religious one - something the Rabin-Peres government could not afford.

Thus, at this stage, numerous other channels of contact between the Palestinians and the Israelis were opened besides the official talks in Washington. Indeed, at least two of them contributed major elements to the final text of the accords, as did the ten rounds of formal negotiations at the State Department in Washington, held between November 1991 and June 1993.¹¹ One of these channels was, again, the 'inside', i.e., Faisal Husseini's and Hanan Ashrawi's contacts with and through Washington, ordered by and directly reported to Arafat, but without the knowledge of any other member of the delegation or of any other PLO leader in Tunis. Another channel was the indirect contact with and through Cairo of Arafat himself and members of his inner cabinet.¹² A third channel was proposed by PLO Executive Committee member and head of the Palestinian negotiation committee, Mahmoud Abbas (Abu Mazen), who suggested to open a back-channel contact with and through the Russians in Moscow in order to balance the Washington track. The Russians made a great effort to convince the Israelis of the need for their intervention, but Foreign Minister Shimon Peres' answer was, "What is already available is enough."¹³

⁹ Mohammed Hassanen Haikal, *Secret Channels: The Inside Story of Arab-Israeli Peace Negotiations* London: Harper Collins Publishers, 1996, p. 434

¹⁰ Mamdouh Nofal, *The Story of the Oslo Agreement*. Amman, 1995, p.46.

¹¹ See Rashid Khalidi. 'A Palestinian View of the Accord with Israel', *Current History*, February 1994, pp. 62-66.

¹² Mohammed Hassanen Haikal, *Secret Channels: The Inside Story of Arab-Israeli Peace Negotiations* London: HarperCollins Publishers, 1996, p. 434.

¹³ Mahmoud Abbas, *The Road to Oslo*. Beirut, 1994, p. 151.

At a time when the talks had seemingly come to a deadlock and the two parties urgently needed to break out of their domestic constraints and to deliver some kind of an interim arrangement, an intermediary appeared who introduced an issue that addressed a major concern of both sides, despite their different motivations. Terje Larson, founder of the Norwegian Institute for Applied Sciences, who at the time was working on a project to alleviate Gaza's chronic social problems, suggested to focus on "Gaza first" as an initial step towards a comprehensive agreement. Gaza was of particular interest to the Israelis and Palestinians. Peres' thinking had centered for years on the notion of Israeli withdrawal from the Gaza Strip¹⁴, and Rabin had repeatedly expressed in public speeches the wish that Gaza would disappear from the map and "sink in the sea." On the other hand, Chairman Arafat and most PLO leaders were very much aware of and seriously concerned with Gaza's daily cry for freedom and the need to rid the area of the Israeli occupation. As far back as in 1974, at the Rabat Arab Summit where the PLO was recognized by the Arab leaders as the sole legitimate representative of the Palestinian people, Egypt's President Anwar Sadat and Arafat had mentioned Jericho as a possible base for PLO authority and talked about the need to have a strong PLO presence in Gaza as well.¹⁵

Terje Larson, the Norwegian intermediary, suggested that Israeli Labor politician Yossi Beilin, who considered Gaza one of Israel's biggest political and military problems in need of an immediate solution¹⁶, should meet Faisal Hussein and discuss the issue. The meeting between the two took place shortly before the June 1992 Israeli elections, but a second meeting did not materialize after Beilin became Peres' Deputy Minister in the Rabin government and Faisal Hussein received too much public and media attention. The fact that Arafat would not welcome such a contact with the 'inside' leaders was clear to the Israelis, who were aware of the conflict and mutual fear defining the Palestinian inside-outside leadership relations at that time.

Yossi Beilin took the initiative to overcome this situation by giving the green light to one of his academic colleagues, Professor Yair Hirschfeld of Haifa University, to contact Ahmad Qrei'a (Abu Ala'), the PLO's financial expert, at the multilateral meetings on 3-4 December 1992, in London. Palestinian delegation members Faisal Hussein and Hanan Ashrawi, together with the PLO representative in London, Afif Safieh, encouraged Qrei'a to meet Hirschfeld and arranged the first encounter. Meanwhile, Terje Larsen persuaded Hirschfeld to attend the meeting. PLO leaders in Tunis viewed this meeting as a watershed, marking the beginning of direct and secret negotiations between the PLO and Israel. The 'outside' leadership was extremely concerned that the Palestinian 'inside' delegation, i.e., Faisal Hussein, Hanan Ashrawi, Haidar Abdul Shafi and others would not learn more about the development of this channel. Abu Ala' later revealed that whenever Hirschfeld, during the various stages of the talks, made attempts to approach Hussein, Ashrawi or any other Palestinian activist from inside the territories to pass a message or to comment on an issue, the PLO threatened to freeze the contacts or halt the talks. The PLO inner cabinet that supervised this back-channel consisted of Chairman Arafat, Abu Mazen and Abu Ala', while Peres, with his close advisors¹⁷, and Beilin, with his academic team¹⁸, negoti-

¹⁴ Jane Corbin. *Gaza First - The Secret Norway Channel to Peace Between Israel and the PLO*, 1994, p. 55.

¹⁵ Discussion with former Jordanian Prime Minister Zeid Rifa'i in Amman during a seminar in Kronberg, Germany, March 1996.

¹⁶ Mohammed Hassan Haikal, *Secret Channels: The Inside Story of Arab-Israeli Peace Negotiations* London: HarperCollins Publishers, 1996, p. 435.

¹⁷ Uri Savir, Peres's Press Spokesman and later Director General of the Israeli Foreign Ministry, and Avi Gill, Peres's Policy Advisor

¹⁸ Yair Hirschfeld and Ron Pundik.

ated on the Israeli side. Both parties were keen to maintain the high level of secrecy of this channel and the Norwegian mediator committed himself to take full responsibility for facilitating the meetings but without intervening in the substance of the talks.

The two leaderships both faced domestic constraints and feared a political storm that would shake their foundations. In this regard, the Palestinians faced two crises. The first arose when the Palestinian delegation's leading figures, namely Faisal Husseini, Hanan Ashrawi and Sa'eb Erekat, resigned due to differences with Arafat in terms of tactics and strategies and because of the absence of a centralized body to coordinate and govern the negotiation process. Additionally, they suspected the existence of another negotiation channel undermining their own efforts behind their backs. The second crisis emerged when three PLO leaders (Abu Mazen, Yasser Abed Rabbo and Mahmoud Darwish) resigned due to differences with Chairman Arafat regarding the handling of the PLO's financial affairs and the possible bankruptcy of its institutions. Chairman Arafat contained the first storm by accepting the establishment of a higher coordinating body to supervise the negotiations and allowing the participation of leaders from the inside. With regard to the second storm, he managed to abort this by disclosing the news of the successful developments on the Oslo track to the resigning PLO leaders. They withdrew their resignations with the exception of Mahmoud Darwish, whose move was followed by others such as PLO Executive Committee member Shafiq Al-Hout, the PLO representative in Beirut.¹⁹

On the Israeli side, there was the case of Mr. Dare'i of the Shas Party who was - after being convicted of bribery by the Israeli High Court - asked to resign, or otherwise be dismissed from office by the Prime Minister. This episode resulted in the Shas Party's withdrawal from the government, which in turn shook and weakened the coalition government, leaving it dependent on the Arab vote in the Knesset. At the same time, rumors of alleged secret negotiations taking place between Israel and Jordan stirred more dissension within Israeli ranks. Moreover, the rumors served as an invitation to Hamas, Jihad Islami and other Islamic organizations on both banks of the Jordan River to coordinate positions and prepare strategies to face any outcome of the alleged Jordanian-Israeli talks.

The Israeli agenda for the breakthrough was made up of three components, as Foreign Minister Peres put it:

- (1) a partial staged Israeli withdrawal from Palestinian territories, beginning with Gaza as an opening gambit;
- (2) postponing difficult and complicated issues to the future, i.e., a later round of talks, when the final status of the OPT would be decided upon - thus, leaving the future of the West Bank and Gaza Strip, for the time being, enveloped in fog; and
- (3) building a strong foundation of economic cooperation.²⁰

This concept allowed Israel to make the future of Palestinian autonomy with 'Gaza-Jericho first' dependent on the future balance of power and on the ability of the Palestinians to develop towards an independent Palestinian state - or otherwise to face transformation into a scattered 'bantustan' with Israeli *de facto* - if not *de jure* - sovereignty²¹. By postponing the most difficult issues - including Jerusalem, refugees, settlements, borders, security, relations and cooperation with other neighbors - to the final status talks, the Israelis made it clear that they considered Oslo a test,

¹⁹ Mamdouh Nofal, *The Story of the Oslo Agreement*. Amman, 1995, pp. 111-114.

²⁰ Jane Corbin, *Gaza First - The Secret Norway Channel to Peace between Israel and the PLO*. 1994, p. 57

²¹ Michel Warschawsky, 'How the Intifada Led to the Oslo Agreement', *News From Within*, January 1994, p. 6.

i.e., an interim phase, during each stage of which they would insist on the fulfillment of certain guarantees before moving any further.

The Palestinian agenda, on the other hand, was determined by a) the notion that reaching an agreement would mean a historical breakthrough in terms of mutual recognition. This recognition could take the form of a declaration of principles or of a framework agreement similar to the Camp David accords; b) the importance of the 'Gaza-Jericho first' formula as an incentive to market the proposed declaration of principles by establishing an official, recognized PLO authority on Palestinian soil; c) the realization that separating the difficult issues from those that could be agreed upon more easily would make way for needed compromises; and d) the realization that a Palestinian-Israeli agreement would open the door for other agreements with Syria, Lebanon and Jordan. For the Palestinians, Oslo was thus a means to establish an official and recognized PLO authority in part of their homeland. Another incentive for the acceptance of the historic reconciliation with the Israelis was the recognition of the OPT "as a single territorial unit whose integrity will be preserved during the interim period."²²

The Norwegian intermediaries contributed a great deal to what the world witnessed as the first ever historic handshake between top Israeli and Palestinian leaders on the lawn of the White House on 13 September 1993. The substance of the DoP was the exchange of land for peace and limited Palestinian self-rule during a transitional phase, until the final status talks on the remaining major issues would provide for a permanent settlement. In fact, this understanding was consistent with the basic principles of the initial Madrid Peace Conference, the invitation to which - dated 18 October 1991 - read as follows:

"The aim of Israeli-Palestinian negotiations within the current Middle East peace process is, among other things, to establish a Palestinian interim self-government authority, to elect a council for the Palestinian people in the West Bank and Gaza Strip, for the transitional period not exceeding five years, leading to a permanent settlement based on Security Council Resolutions 242 and 338. It is understood that the interim arrangements are an integral part of the whole peace process and that the negotiations on the permanent status will lead to the implementation of Security Council Resolutions 242 and 338."²³

Conclusion

The Oslo 'breakthrough' provided one of many opportunities to build a just and lasting settlement of the Palestinian-Israeli conflict but it seems that too many people are prisoners of past ideologies, principles and positions and do not realize the importance of looking forward to the future. Furthermore, they tend to underestimate the power and options of the other side. The major lesson to be learnt from the Oslo experience is that it needs more than the will and courage and more than pressure and constraints to force legitimate leaders to reach political agreements to put an end to deep-rooted historical conflicts.

The Oslo accords were signed between the PLO, the sole, legitimate leadership of the Palestinian people and the embodiment of Palestinian aspirations, and the elected Israeli government, headed by the Labor Party. The Oslo blueprint delivered mutual recognition and conformed to the common interest in minimizing the role of Islamic groups and extremist bodies on both sides. However, the agreement to build a relationship on the principle of land for peace, reiterated in the subsequent Gaza-

²² DoP, Article 4 'Jurisdiction'.

²³ *Journal of Palestine Studies*, No. 2 (Winter 1992).

Jericho Autonomy Agreement signed 4 May 1994 in Cairo, was designed according to Rabin's and Peres' plan to leave the OPT in stages or throughout testing periods.

Today, three years after Oslo, there is a Palestinian Authority with an elected legislative council governing the autonomous areas of the Zone A category, coordinating with Israeli security forces in the territory falling in the Zone B category, while most of the OPT - Zone C - remains under Israel's full control. The Palestinians, after accepting the transitional phase as an opportunity to establish their civil society and institutions and to build bridges of trust, understanding and cooperation with the other side, are now facing a new dilemma. It took them two decades of steadfastness under occupation, five years of challenging the occupiers, during the *Intifada*, and three years of long and painful negotiations in Madrid, Washington and Moscow to bring about the historic signing of the DoP, the reconciliation document signed with the Israeli Labor Party, representing half of the Israeli society.

Following the assassination of Yitzhak Rabin on 4 November 1995 by a Jewish extremist, and, six months later, with the defeat of the Labor Party, the rise of the right-wing Likud Party and the direct election of Benjamin Netanyahu as the new Prime Minister, the Palestinians realized that not even half of the Israeli society accepts a political settlement on the basis of the land-for-peace formula. It took Mr. Netanyahu 100 days in office to evoke a storm in both societies as well as in the region as a whole. The angry Palestinian outburst in September 1996 - in response to the Likud government's policies and practices - brought the Palestinian-Israeli conflict to yet another crossroads, with no clear indication of what lay ahead.

Against the background of the formula of Mr. Netanyahu to contain the problems in the Gaza Strip through economic scenarios while sharing, not leaving, the West Bank - rejected by the Palestinians as unacceptable - it was again the Norwegians who mediated. On the recommendation of his advisor Dore Gold, Netanyahu had invited Terje Larson, UN Special Coordinator for the Occupied Territories to his office on 14 August 1996, and asked him and his wife, Muna Juul, to host a series of quiet top-level Palestinian-Israeli meetings in a bid to reach an agreement with Arafat. Arafat welcomed the idea as it meant he would have his personal direct channel for a new chapter of PLO-Likud relations.²⁴

The Norwegian mediation led to the first official public meeting between Chairman Arafat and the Likud Party's leader and Israeli Prime Minister, Benjamin Netanyahu, in Beit Hanoun/Gaza, where we witnessed the second historic handshake on 4 September 1996 - almost three years after Oslo. The main goal of the meeting at Beit Hanoun was to resume the halted bilateral talks and to arrange for the implementation of the provisions of the Interim Agreement, signed with the previous government.

The confidential note for the records of the Palestinian-Israeli meeting of 4 September, put together by the Norwegian intermediaries at their residency in Tel Aviv, states the following:

"In meetings held today, Israel and the PLO are reactivating the negotiations at all levels. To this end, the two parties agreed that the Steering and Monitoring Committee will monitor and steer the implementation of the interim agreement and will deal with all outstanding commitments and issues, while giving immediate priority to the following: closure, Hebron, special security issues, including Gaza Airport. The Steering Committee will convene on Thursday, 5 September 1996. As work on these issues is going on, the parties will also start working on all other outstanding issues. This will facilitate the

²⁴ *Jerusalem Post*, 2 September 1996.

negotiations on permanent status, as well, at the earliest possible date. Both Israel and the PLO are interested in reaching tangible results on the ground. Neither has any interest in the process of negotiation for its own sake. (Possible differences between both sides will be discussed between Mr. Arafat and Mr. Netanyahu.)”²⁵

The nature, scope and results of the meetings from 1967 until 1990 can be summed up as follows: they helped in exploring opinions and ideas in the search for short and long-term solutions and illustrated the various reactions of the local communities to the respective suggestions and outcomes of these meetings. They also helped to shape the Palestinian leadership and to coordinate among various figures and schools of thought, and they contributed to the promotion of a national leadership, although, on the other hand, they divided the people into moderates, independents, extremists and loyalists, into mainstream and opposition, inside and outside, thus preventing the emergence of a real national alliance. Finally, they paved the way for others to enter new rounds of negotiations by exposing preconditions and offering starting points for future meetings, based on the achievements and failures of all the procedures and attempts to resolve the conflict that occurred previous to Oslo.

The role of the external parties involved in the Oslo phase has been that of assisting the two sides directly involved in the conflict in taking up their new positions and in reshaping their relationship, while, at the same time, scoring points and striking alliances on their own behalves.

It is true that the role of leaders is to lead, to bring about agreements, and to gain and maintain the consent of their people, but leaders with the required commitment and vision are not always available; and if they are, they may not have enough time to fulfill their dreams.



Arab-Israeli Negotiations (IV): Israel and Jordan

HE Dr. Jawad Anani, Director, Anani Center for Studies, Amman,
and Member of the Senate Council, Jordan

This is the first time that I have been to Jerusalem since 1967 and I have to admit that I was scared to come here. But let me explain why I am here: I will be speaking about the Jordanian-Israeli negotiations and I can do this with an inside view as I was a member of the Jordanian delegation to Madrid, to the first nine rounds of negotiations in Washington and to the multilaterals dealing with refugee questions, and last but not least I was the minister responsible for the Jordanian-Israeli peace treaty. For me, the most important experience in all these negotiations was the human dimension involved in such meetings. I learned that you cannot overestimate the importance of human feelings and the chemistry between persons and teams in such negotiations.

In the Madrid and Washington negotiations, there was a dichotomy in the approach of the Israelis: they dealt with the Jordanian delegation, although they were negotiating over Palestinian issues. This was the consequence of the conditions they had imposed on the Palestinian representatives; the Israelis would not accept an autonomous Palestinian delegation, nor one that included PLO members, Jerusalemites, or Diaspora Palestinians. They robbed the Palestinians of any legal representation in the negotiations. Haidar Abdul Shafi, for example, did not sign the agreements as a legal

²⁵ Private paper of a Palestinian negotiator.

representative. On the other hand, the Israelis realized that there was a need to find a legally empowered and responsible representative.

Thus, the first part of the Israeli-Jordanian negotiations centered on the question of how to cope with the Palestinian dimension. One of the problems was that the joint Palestinian-Jordanian delegation comprised the same number of representatives as the Israeli team, even though the Jordanian delegation, on its own, should have equaled the Israeli one. 'Diplomatic arithmetic' led to the agreement that negotiations would take place on two tracks according to the issues concerned: in the case of a 'Palestinian issue', the joint delegation would consist of nine Palestinians and two Jordanians, whereas in the case of a 'Jordanian issue', it would be the other way around. A substantial amount of 'corridor diplomacy' was employed to allow this decision to be reached.

For the Palestinian delegates, it was most important to be treated as equal by the Israeli side and to assert their independence from Jordan, to show that there were two different entities represented in the delegation. Thus, symbolism became especially important.

The negotiations themselves were rather amusing: there was no chairman for the sessions, no agreed upon minutes, and all we produced were non-papers. This was the result of an American approach, which tries to circumvent some of the inherent problems of negotiations that can block them in an early stage - such as choosing the chair. Flexibility was meant to allow the dynamics of the process to become a self-runner.

In the beginning, the two sides would talk to each other only in the negotiation room; outside, there was no communication at all as both sides considered the other to be the enemy. This mood prevailed throughout the first two rounds, and the ice was only broken as a result of an (other) American idea to set up two different coffee tables outside the conference room, with basic ingredients missing on one table but available on the other, so that the two sides were forced to talk to each other. Hence, a slow rapprochement between the sides began, and this later involved contacts on a more personal level.

What were the major issues involved in the Israeli-Jordanian negotiations?

- *Territory*: Israel captured 360 km² of Jordanian territory (which is about the size of the Gaza Strip) in a creeping occupation from 1970 onwards. The question was whether UN Resolution 242 would apply to this territory as the occupation took place after the resolution was passed. But, as the text of the resolution reads 'withdrawal from occupied territories' (as opposed to 'withdrawal from *the* occupied territories'), it can be assumed that Resolution 242 refers to any territory occupied by Israel, notwithstanding the fact that there have been no acknowledged boundaries between Jordan and Israel, only cease-fire lines. Israel agreed to return land to Jordan.
- *Water*: The most difficult issue was the water question. The 1953 Johnson Plan that provided for the division of the Yarmuk waters between Jordan (300 million m³), Syria (40 million m³) and Israel (25) was at that time rejected by the Arab states. A division of the Yarmuk waters was agreed upon at the 1964 Arab Summit, but this became baseless with the 1967 Israeli occupation of the Jordan River Valley. Today, Syria gets a share of about 90 million m³ of the Yarmuk water, and Israel about 25 million m³ (after the peace treaty). The main problem is that Israel is not willing to share the water of the Jordan River as it considers Lake Tiberias its only supply of drinking water.

- *Refugees*: The total number of Palestinian refugees is not easy to determine. If all who left what is now called 'Israel proper' were included, there would be about five million refugees. But it is also a matter of subjective perception and self-definition. According to UNRWA statistics, there are about 1.2 million Palestinian refugees in Jordan. What distinguishes these refugees from refugees in other countries of the region is that 95% of them have become Jordanian citizens.

Jordan thinks that the refugee question should be solved according to the rules of international law, but Israel rejects the application of UN Resolution 194. The refugee question is a complicated matter, partly because 80-90% of the refugees in Jordan do not even want to return. Thus, it becomes a matter of compensation involving questions relating to who will compensate and how much will be paid. In the Jordanian-Israeli peace treaty, no special arrangements were made concerning the refugee issue because the subject had already been postponed to the final status talks by the Israeli-Palestinian agreements. Jordan, hence, could not proceed with the solving of the refugee issues; it could not take over the responsibility, but Jordan and Egypt will join in the discussion in the context of the final status negotiations.

The Israeli condition for the talks with the Jordanians was that they take place in the frame of negotiations leading to a peace treaty. Jordan agreed to this due to its desire to solve the burning issues first. Now, we are at a stage in the negotiations where we need to agree on an approach to solving the pending issues with the Palestinians. Looking at the future of Jordanian-Palestinian relations, it is most important to understand that the strengthening of both parties vis-à-vis Israel will only succeed when the relations between Jordan and the Palestinians are strengthened.

The final status negotiations will center around the following questions affecting Jordan: water, borders (and especially the rectifying of the borders between Jordan and the Palestinians), and Jerusalem. You might wonder why Jordanians interfere in the Jerusalem issue. There are several reasons for this. Jerusalem is a symbol and a sign on the road of history. It has been lost and annexed under Jordanian rule. We want to make sure that it will be taken care of by the Palestinians and not by the Israelis. At least 60% of the Jordanians are of Palestinian origin, and about 20% of the remainder also have Palestinian blood in their veins - and they are proud of it! Why are we fighting each other? What we need are proper arrangements that will enable us to deal with one another.

There is also a need for cooperation in the economic field. Our economies have always developed in a parallel manner, although, during the last two years, there has been a slight improvement in the Jordanian economy while the Palestinian economy has gone into a sharp decline. Today, the Palestinian economy is totally controlled by Israel; Israel dominates Palestinian trade, territory and labor. A political disengagement is worth very little without an economic disengagement.

Discussion

Question: You have already spoken about the question of Jerusalem. But what is the detailed Jordanian position on its status? Can you elaborate on this, please?

Answer: The Jordanian position on Jerusalem is very clear. King Hussein wants all the land occupied by Israel to be returned to the Palestinians and for it to be under Palestinian sovereignty. Concerning the Holy Sites, sovereignty should be for God, i.e., there should be a kind of joint administration consisting of the religious leaders

or an international regime. At exactly the same moment that Jerusalem is returned to the Palestinians, Jordan's role will end.

Question: Don't you think that the Jordanian-Israeli peace treaty weakens the position of the Palestinians?

Answer: I think we should accept that we, as Arabs, are not united. It is impossible that a united Arab delegation would ever sign a peace treaty with Israel because each Arab country has a different agenda and different interests. There would always be states such as Syria blocking the negotiations. There is no perfect solution. But, in the end, you are right. We should have cooperated much better with the Palestinians.

Question: Why should the Palestinians trust Jordan's claim that it will return Jerusalem to the Palestinians, taking into account everything that has happened between the two peoples?

Answer: There are no guarantees. But what would be the use for Jordan to rule over the Holy Sites? What leverage would Jordan have over them?

Comment: The Jordanian religious custody over the Holy Sites has not weakened Palestinian claims to the whole city of East Jerusalem.

Answer: But the fact of the matter is that since 1967, Jordan has maintained custody of the Holy Places, and if we had left our positions, e.g., in the administration or in the courts, these places would have been lost to the Israelis. It has to be ensured that they are returned to the Palestinians.

Question: I have two questions. After the signing of the peace treaty between Jordan and Israel, there was a crisis in the Jordanian-Palestinian relationship. How can we improve this relation? Also, concerning Har Homa, what is the Jordanian position on this issue, and what action is being taken in Jordan with regard to Israeli settlement activity?

Answer: First, concerning the question on Israeli settlements, three times now Israeli officials have visited Jordan and, the very next day, announced a decision. This made it look as if there had been an agreement or coordination between Jordan and Israel. Jordan has to make its position very clear: we have nothing to do with this, and we are against all Israeli settlement activity, including that at Jabal Abu Ghneim.

Concerning your question on the Jordanian-Palestinian relationship, we need confidence building measures. Trust has to be built between the leaders, and in order to achieve this, they need to talk to each other. King Hussein is not completely free in what he does. He is a strong leader, but he has to listen to the different factions in his society. The Jordanian 'Likud', for example, which has a strong lobby, seeks complete disentanglement from Palestinian issues.

Question: I want to come back to the Jerusalem question. Why is Jerusalem mentioned at all in the Jordanian-Israeli peace treaty?

Answer: The peace treaty acknowledges the Jordanian custody of the Islamic Holy Sites in Jerusalem. This is partly the result of a misunderstanding between Palestinians and Jordanians who did not talk to each other, for example, at the 1995 Casa-blanca Summit. We should not engage in petty disputes, but work together to salvage Jerusalem!



First and Second Track Diplomacy: From Madrid to Oslo

Dr. Ron Pundik, Executive Director, Economic Cooperation Foundation, Tel Aviv

I want to give you a historian's perspective on the negotiations leading to the Oslo agreements enriched with some personal ingredients that I can provide having been a part of the Oslo team.

The Oslo process did not start in Oslo, but a long time before that. It was mainly Yair Hirschfeld who, from the beginning of the 1980's, established contacts with Palestinian political figures and the business community. Hirschfeld was acting as a private individual, and he never had an official status in these contacts. He had quite a close relationship with members of the Palestinian leadership, on the one hand, and members of the Labor Party, especially Yossi Beilin, on the other, and at the end of the 80's, he acted as a catalyst for the first meetings between the Labor doves and the local Palestinian leadership. What I am underlining here is that 'Oslo' was not planned from the academic ivory tower, but has always been connected to the political and diplomatic track.

The 1991 Madrid Peace Conference brought an important result: the peace process was back on the agenda (even though there were only face-saving efforts on the Israeli side), and two official channels for negotiations were created: the bilateral and the multilateral talks. On all sides, great expectations arose, but nothing moved in the first few months of negotiations in Washington. The Israeli government at that time was only interested in dragging its feet and in creating a new situation on the ground through its settlement policies. Shamir had been forced into the process by Baker. The situation in Israel and the Palestinian Territories, with the ongoing and increasingly violent *Intifada* involving attacks against Israeli civilians, finally led to the vote against the Shamir government.

In June/July 1992, the new Labor government under Yizhak Rabin was formed. It was not an easy time, with Rabin and Peres fighting a 'political knife struggle' against each other and being on non-speaking terms. Nevertheless, Peres was appointed foreign minister and Yossi Beilin his deputy. Rabin considered the bilateral tracks to be of equal importance as Israel's relations with the US, and they were therefore conducted by the prime minister's office. The multilaterals were left to Peres; he was, so-to-speak, left with the less important track and the cocktail parties. Beilin, meanwhile, became the head of the Israeli steering committee in the multilateral negotiations.

Hirschfeld and I were in a strange situation. In spite of the change in government, we were not nominated for any official position. Yet, we maintained our good relationship with the Palestinian leadership, which was something that the government lacked. On the official track, Rabin kept Eliakim Rubinstein as the head of the Israeli negotiation team in Washington. With the two 'icebergs', Rubinstein and Abdul Shafi in Washington, nothing was likely to progress. Rabin had promised in the elections to come up with an agreement with the Palestinians within six to nine months, but he insisted that the restrictive conditions placed on the Palestinian delegates were enforced, and he did not make any substantial policy changes with regard to the different issues discussed by the two sides.

At the same time, as a kind of 'track two' negotiations, Hirschfeld and I had frequent meetings with the Jerusalemite leadership: Faisal Husseini, Hanan Ashrawi, Sari Nusseibeh, and Ziad Abu Zayyad. Shimon Peres and Yossi Beilin were on our weekly meeting list, together with other Israeli politicians and officials. Through these sets of

contacts, we arranged for the two secret direct meetings between Hussein and Peres in December '92 and January '93, as a first step to solving the Marj a-Zuhur deportees problem, which had caused the freezing of all bi- or multilateral negotiations.

The clear message that we received from Ashrawi and Hussein was that they felt crippled, that the official team could not deliver, and that the PLO should be, directly or indirectly, part of the negotiations. The Israeli position on this was a clear 'no' to a meeting, and 'no' to any further discussion of the issue of negotiations with the PLO. The PLO was considered a terrorist organization, and therefore, contacts with its members were prohibited by law.

We were much more effective in dealing with the multilaterals, where we were able to arrange secret and productive meetings between the two sides, for example, in order to pave the way for an understanding on certain water issues. The most important thing for us was to foster the official negotiations and to maintain our level of credibility with both sides. It seems that we succeeded in this.

On 30 November 30 1992, we had another meeting with Hanan Ashrawi at her home in Ramallah, where she pointed out that there was an immediate need for involving the PLO in the official negotiations. She also suggested that we, being very active in the field of Israeli-Palestinian economic cooperation and other multilateral issues, should go and meet Abu Ala, the PLO minister of economy and *de facto* team leader in the multilaterals. Our decision at this point was not to report on this to Beilin. Our goal was to talk to a PLO official to see whether there was a chance for an agreement in case the Israelis were ready to talk to the PLO. Thus, there was a need for an opportunity for Hirschfeld, or the two of us, to visit Europe at the same time as Abu Ala. The opportunity soon came with the invitation to a forum on water issues in Zurich. Hirschfeld flew to London, where Abu Ala arrived to lead, behind the scenes, the Palestinian team for the multilateral steering committee. This historic yet unnoticed meeting took place in the lobby of a hotel on 3 December 1992. Abu Ala arrived together with Afif Safieh, the PLO representative to Britain.

This was a long shot in the dark! In order not to force him into accepting responsibility, Beilin, who was by chance also in London at the same time, was not informed that the meeting was going to take place. He was, however, informed by Hirschfeld right afterwards about the encouraging results. He was very enthusiastic and did not rule out further meetings. A second meeting with Abu Ala and Afif Safieh took place later the same day, and the results were conveyed by me to Beilin. Hirschfeld used the twilight zone in the Israeli law that left the possibility for journalists and academics to meet with PLO officials.

Why Oslo? In London, Hirschfeld had met Terje Larsen, the head of FAFO, our Norwegian partner for a joint Israeli-Palestinian-Norwegian project proposal on the Palestinian labor market in Israel, and we were supposed to present him with our proposal for Norwegian funding. At that time, Larsen's organization was active in the West Bank and Gaza where it was executing a socio-economic survey within the Palestinian community. He was visiting the area frequently and maintained good relations with Palestinian leaders as well as with PLO officials including Abu Ala. Similar to Hirschfeld and myself, he was involved in political activities, well connected with his country's leadership, but not an active politician. During his visits to Israel, and while meeting with us and with Beilin, he offered - with the blessing of the Norwegian Foreign Ministry - to act as a facilitator by conveying messages and creating a secret channel between Israel and the Palestinians. At that time, in mid-1992, other Europeans also approached us and proposed to help in a similar manner.

Hirschfeld knew that if we wanted to continue meeting with Abu Ala, we would have to be assisted by a facilitator, and the Norwegians were perfectly suited for this task. Beyond the fact that we felt very comfortable with Larsen, something which should not be underestimated, we knew that the Norwegians are unbiased, independent, honest brokers, wealthy, and that they have no self interest in the conflict. Although we had a plan to use our foreign passports and travel directly to Tunis, we wanted to secure the option of a facilitator. One should take into consideration the fact that we knew that if the creation of a secret channel was to materialize, we were in need of financial resources. As our organization is independent and refuses to accept any funding from Israeli governmental sources, and other resources were not available at the time, we had practically no choice but to approach somebody like Larsen.

Hirschfeld informed Larsen about the possibility of creating a channel, and Larsen reacted immediately and offered his assistance. A few weeks later he informed us that he had arranged the first meeting of what would later become known as the Oslo secret channel. We accepted the Norwegian invitation for a so-called 'FAFO seminar' with the participation of a Norwegian team, a Palestinian team led by Abu Ala, and an Israeli team consisting of Hirschfeld and myself.

In the early hours of 20 January 1993, the Knesset passed the law revoking the former ban on contacts with the PLO. We learned the news at the airport on the way to Norway. Only Beilin knew of our plan to meet PLO officials. To be honest, we were not at all sure whether the Palestinians would come to Oslo. After violent Islamic Jihad and Hamas activities at the end of 1992, some 400 Hamas and Islamic Jihad leading figures had been deported to South Lebanon, and there had been a clear-cut decision by the PLO to freeze all contacts with Israel and stop its participation in all official tracks, which included both the multi- and bi-lateral negotiations. But the Palestinians came to Oslo. On the morning of 21 January 1993, at a villa south of Oslo, the 'seminar' was opened. It was then that we met for the first time the PLO delegation nominated by Arafat, which included Abu Ala, Hassan Asfour, and Dr. Maher Al-Kurd. After lunch, the Norwegian 'disappeared' and we, Israelis and Palestinians, were left together to try and find the way to solve 100 years of conflict. The Norwegians played an important role as facilitators; they did not intervene with mediation efforts or proposals, but were committed to the process, not only in their capacity as financiers but also in spirit.

The first meeting was both successful and encouraging. We saw it as a clear PLO message that there was a desire for peace, co-existence and future cooperation with Israel. Among other things, Abu Ala said in this meeting that the official channel in Washington in its current configuration was a dead-end. He suggested that we study together the option of the 'Gaza first' plan, as a basis for the beginning of a settlement. He emphasized the importance of economic cooperation, proposing that we studied the idea of joint free zones and other joint infrastructure projects, and he mentioned the necessity of jointly combating terrorism. Our task was to carry this message to the Israeli government, and to convince it of the advantages that could be gained by dealing directly with the PLO.

The following month we had our second meeting. As the situation was now becoming very serious, Beilin informed Peres of the channel and the meetings; Peres waited before going to inform Rabin and allowed the contacts to proceed at an unofficial and deniable level. The Palestinians, on the other hand, did not know who was informed on the Israeli side. But Abu Ala and Abu Mazen realized the importance of these contacts and decided, after only a very short period of time, to focus the Palestinian efforts on this track.

The goal of the meetings was to arrive at a first draft of a declaration of principles. The approach used during the first five months of intensive meetings with PLO representatives was completely different from the approach in Washington. In Oslo, we agreed upon having a dialogue about reality, not about dreams; a dialogue in which each side tried to understand the other, putting aside the traditional zero-sum game attitude. We started to draft a paper that was already trying to take into account the red lines of the two sides, rather than anachronistic opening positions. We started with a common draft embracing all the points agreed upon. As this was a channel that, for both sides, was deniable and without obligations, we had the opportunity to discuss everything. With time, a chemistry developed that built on the idea: 'Let's put the past aside; we cannot make a better past, but we can, perhaps, make a better future.' The so called 'Oslo spirit' started to emerge and we were all looking for a win-win solution.

In Washington, the situation was impossible. There, everything was loaded with symbolism; big delegations were having public fights, records were open, and the Palestinian side was bound by instructions from Tunis and by local pressure from the West Bank and Gaza. The asymmetry of the two parties did not allow substantial negotiations. In Oslo, it was just the opposite. We would sit by the fireside, have long chats in the woods and drink and eat together. There was definitely no feeling of 'occupier' and 'occupied'.

The first draft of the DoP was ready in May 1993. At that time, Rabin was already on board. In April, upon being informed of the progress that had been made by Peres, he said that we could go on with Oslo, but only on condition that we would have to convince the PLO to allow the Palestinian team to come back to the official negotiations in Washington. Peres and Rabin, as a result of the dialogue between them, which at that time was mainly related to Oslo, were able to develop a good professional working relationship, and they began to talk about other matters of state. They both understood that there was a chance to bring peace to the Middle East, and that they were able to complement each other: Peres was the one with the vision, and Rabin provided the pragmatic, systematic, practical, and technical approach that could make the vision come true. Before long, they began to jointly develop orders for the negotiation team in Oslo.

At this time, the PLO demanded an elevation of the Israeli team up to an official level. Rabin and Peres decided to send Uri Savir, the Director General of the Foreign Ministry with us to the next meeting in order to evaluate the situation. Savir was totally surprised about the channel. There had been no leaks on either side - the thing that we feared most because a single leak could have ruined everything. The May meeting was dramatic. It was the first meeting between PLO representatives and an Israeli official sent by the prime minister to discuss a political agreement. Savir was not only a professional diplomat but also a very talented negotiator, and it was not long before he acknowledged that the Oslo channel could be the track for a historic breakthrough. In the next meeting, Joel Singer, who later became the legal adviser to the Foreign Ministry, took part. We were now a team of four led by Savir. The idea was to involve Israeli officials, but no members of government in order to keep open a door for retreat. Up to this point, more than four months of negotiations had taken place with their ups and downs, but always without outside pressure, journalists or the public. We knew that we had to proceed fast as leaks were becoming more and more probable.

On 20 August 20 1993, the DoP was signed in Oslo. On 30 September, the same paper was signed in Washington in front of the world. One dramatic change had been made; the treaty was no longer signed by the Israeli and the Palestinian delegations, but by the Government of Israel and the PLO. Recognition of the PLO, which would be

responsible for implementing the agreement, became important. Hence, new negotiations about mutual recognition took place and letters of recognition were exchanged immediately prior to the signing of the DoP in Washington. The Oslo Agreement was a watershed; it was the first step towards reconciliation and co-existence.

Discussion

Question: I would like to know more about the setup and support for the Israeli team in the Oslo channel. What motivated you to take part in the secret channel, how much freedom to negotiate did you have, who paid your costs and to what extent was the Israeli secret service involved?

Answer: As to our motives, we, as academics with long established contacts on both sides, found ourselves at a junction between the two societies, which provided us with an opportunity to offer ideas and serve as a catalyst for Israeli and Palestinian relations. The input of the Israeli government was minimal at the beginning, when only Yossi Beilin knew about the contacts, but it increased when Peres became involved in March/April. It finally reached a peak when Peres and Rabin were both on board; in fact, the two men actually dictated parts of the agreement. Concerning financing, all expenses were paid by FAFO. Neither Mossad nor Shabak were involved until the very last stage.

Question: What is your outlook on the peace process?

Answer: This might surprise you, but I think that the situation is very good. By and large, we have a sound process, and it is getting stronger on the ground. It will, undoubtedly, have to pass through far more difficult times. Of course, we have serious problems, but we have to keep things in perspective: remember, it is the Likud that is now leaving Area C! Even if we are only talking about 2% of the total area, Likud is leaving and this goes against all Likud ideology.

Question: Does the failure of Labor in the last elections mean that the peace process has failed?

Answer: No, on the contrary; the electorate voted in favor of the peace process! Of course, security and peace are better than peace with less security.

Question: What has been the role of the US in the secret talks?

Answer: The Americans were kept in the picture from the very first meeting, and they always received status reports. But they did not take these meetings seriously.

Question: Was it really by accident that the law forbidding contacts with the PLO was abolished the night before you flew to Oslo?

Answer: Of course, we had worked towards that goal. But we did not know it would happen. We read about it on the plane!

Question: Are you willing to play a similar role in the negotiations with Syria?

Answer: We do not want to impose ourselves. It makes only sense, when we can contribute something, then, we may get involved. We had a dominant role, for example, in the drafting of the Beilin-Abu Mazen document.



Negotiating Economic Agreements: A Palestinian Perspective

Samir Huleileh, Ministry of Trade, PNA

I have been part of the Palestinian team to the multilateral talks on economic development since 1991 and to the bilateral talks with the EU and the EFTA since October 1993. In this presentation, I want to focus on the Paris Agreements, which were negotiated for about six months and later upgraded and amended by the Oslo Agreements, the Taba Agreement and the Joint Economic Protocol. There was (and is) a need to restructure all economic and trade relations between the Palestinians and Israel and between the Palestinians and the whole region because the Palestinian economy, including most Palestinian trade, has been totally dominated by Israel.

The first major problem that we encountered in the negotiations was the lack of technical capacity. The Palestinian representatives all came from the academic field and had very little practical experience. For example, we were not able to find a single individual who was specialized in customs. We had no knowledge about all the important details, no database and no reliable statistics. Hence, during the first two to three months, we simply came to the negotiation table and asked hundreds of questions in order to fully understand the issues and to be able to develop our own agenda for the upcoming negotiations.

The second problem was that we lacked knowledge of the overall situation, of the comprehensive nature of all the matters involved. We did not have negotiation experience, and we had to learn all our negotiation skills in the multilaterals. The Israeli team, on the other side, consisted of representatives of the different ministries, all of whom were very knowledgeable with regard to the details and technical aspects of the negotiations.

Another problem was that of the mandate or authorization. In the beginning, we were not authorized to negotiate; we were only allowed to ask and learn. Later, we faced the problem of not being able to alter agreements that had been initiated by a higher authority at a previous stage. This relates directly to the question of the leadership's trust and confidence in the technical team. If there is no trust, the negotiating team becomes a group of mere messengers. We did not enjoy the full confidence of the Authority, and every two weeks or so, we were obliged to go to Tunis to report on the progress of the negotiations and to receive instructions.

Following the negotiations, the next major hurdle was the implementation of agreements. In many instances, Israeli ministries that had not been involved in the negotiations were not willing to accept or to implement certain agreements. Take the case of the agreement on the free movement of goods and labor: security personnel had not been involved in the negotiation process and, consequently, refused to work together in implementing the deal. On the Palestinian side, members of the negotiation team were later appointed to various ministries to provide them with the manpower able to understand, explain and implement the agreements.

Israeli attitudes in the negotiations changed dramatically after the bombing attacks. Due to security pressures, the wording of an agreement was changed again and again. There was one paragraph in the Paris Agreement that was changed 80 times!

The economic protocol between Israel and the Palestinians was signed on 29 April 1994. The preamble of the Paris Protocol states that this agreement is meant to be the groundwork for the development of a Palestinian economy and that the Palestini-

ans ought to have the right to develop a decision-making process on their own. It was to cover the whole interim period but in two different phases. Thus, there was no need to re-negotiate and in Taba, only minor amendments to the original text were made. This was the reason why the agreement was not included in 'Gaza-Jericho first' and why it was signed separately. The Joint Economic Council is to update the agreement every six months within the given frame to adapt it to the new situation. This dynamic aspect is an important ingredient that is missing in the other Israeli-Palestinian agreements.

In the beginning, the main negotiator for the Israeli side was the IDF, but the Palestinians were successful in their attempts to bring the concerned civilian officials to the negotiation table. The Israeli team consisted mainly of 'technocrats'. Still, some of them had serious problems with accepting Palestinians as equal partners, although six months into the negotiations there were relatively good relations between the two sides. We learned to respect each other and even became friends. The climate is very important in such negotiations.

Discussion

Question: What fields does the Paris Agreement cover?

Answer: Every economic matter in which both parties are involved had to be settled in the protocol.

Question: Why did the Israelis accept your approach? Why did they have the patience to sit and listen and answer your questions for over two months?

Answer: The Israelis found this learning process acceptable because it was necessary. We were very fair and straightforward in this. It was a genuine approach, and that was respected by the Israelis.

Question: What was your priority in these negotiations, the political or the technical issues?

Answer: Although our starting point was always related to highly political questions, we soon realized that we were only able to solve the technical questions at that stage. Thus, we resolved the technical questions, which represented real progress.

Question: Would you negotiate with the Israelis again?

Answer: Yes, but only with a clear mandate.

Question: You said earlier that the spirit of the Israeli side in these negotiations made it much easier. Isn't the lack of spirit the major impediment towards a political agreement?

Answer: Yes, this is the problem when you negotiate with an occupier. Many Israelis cried after signing the agreement because they felt they had lost something. Other Israelis, for example businessmen from Tel Aviv, did not feel this way; they did not have any experience with Palestinians, they did not care about the occupation, but they had an interest in the business opportunities they expected from the agreement. This will be a major problem in further negotiations with the Israelis.

Negotiations in such a context also act as 'rehabilitation programs'. They involve a human dimension, the need to listen to the other side and to understand its problems and sorrows. Now, it appears that we have to enter new negotiations with a new government.

Question: You said that it was hard to find Palestinians with practical experience. I find this hard to believe.

Answer: Yes, it is true. The problem was to find Palestinians that had practical experience *and* a good knowledge of the current economic system.

Question: What is your judgment of the agreement? Does it fulfill the wish for an independent Palestinian economy?

Answer: The agreement, indeed, opens the way for an economic breakthrough with Israel. But of course, the framework is given: the interim agreements, the economic imbalance, etc.

Question: Have there been many violations of the agreement?

Answer: The agreement has not been fully implemented, particularly with regard to the free movement of goods. Violations have also occurred under the pretext of security considerations.

Question: I have heard that experts judge the agreements to be bad. What did you really achieve in Paris?

Answer: I think that we achieved the best possible compromise. The only viable alternatives were the full separation of the two economies or a free trade agreement (as agreed upon in Paris). You have to be careful not to confuse the problems related to implementation or that result from the closure with the basic idea and concept of the agreement.

Question: Why did the European leadership not get involved in the details of the negotiations? I think that the Palestinian team could have used their help.

Answer: There were consultations with the political leadership on the framework of the negotiations and the agreement, and I think this was useful. But their mandate did not allow them to interfere in detailed questions

Question: What were the major problems in the multilateral talks?

Answer: Actually, the bulk of the problems were personal: who is leading the team, and who dominates decision-making, etc.



Negotiating Economic Agreements: A European Perspective

Geoffrey Haley, Representative Office of the European Commission, Jerusalem

Let me just start with a couple of remarks before I open the discussion. I think it will be most useful if I answer the questions that *you* have instead of me thinking about what might be interesting to you. Although I have not participated in the Barcelona negotiations, I have been a very close observer, and I have some experience from multilateral talks *within* the EU.

In the EU, we have a lot of practice in multilateral talks. Our experience is that agreements are not static, neither in the negotiation phase nor in their implementation. Agreements, in most cases, serve as a framework that will be filled and influenced by the new political context. An important issue in negotiations is the question of 'ownership': you have to convince the other side that, actually, they have been the owner of the idea or, at least, that they can become the owner of the idea because they can benefit from its results. This involves publicity; the people concerned must feel that

they are the owners of the decision. We have also discovered that the production of papers and agendas becomes very important in such negotiations, and in this, the Europeans are very good.

The Barcelona process and the rewards that are expected have motivated the Israelis to continue economic negotiations. We have to see that negotiating an agreement is not only an end, but also a journey. The important fact is that it always offers a possibility to come back to the process and to talk to each other. But of course, these negotiations are also limited by set boundaries: they take place inside an 'envelope' decided upon by the political context. The issues that the Palestinians are allowed to negotiate on, for example, are very restrained: for example, Article 9 of the Oslo II Agreement states that the PLO can negotiate on behalf of the Legislative Council in the fields of economic agreements, regional development and education.

The Brussels approach to the multilaterals that Samir Huleileh talked about was that we, as Europeans, should act very carefully and concentrate mainly on attempting to influence the atmosphere and allow a process of confidence building. We have been invited in as technical advisors and have done a study on the Palestinian economic situation to provide some background for the negotiations, but we have not interfered directly in the process. In the Barcelona negotiations, it is different; here, the EU is involved directly and committed to finding solutions to the problems on a bilateral level.

The problem of the process within the EU is that, first, an issue has to be discussed among 15 states, who then have to give the mandates for signing before ratifying the agreement according to different procedures. This often leads to the dilemma of not being able to meet deadlines. But, all in all, I think, the Barcelona agreements are quite a success. The effectiveness of the Europeans has been surprising in these negotiations, especially when one considers that it has been the first real opportunity for the EU to arrive at a joint foreign policy.

Discussion

Question: What are the rewards for the EU as opposed to the ones for the Palestinians in these agreements?

Answer: This is not a zero-sum question. Freer trade allows more gains for every side involved because of the possibility for specialization. Thus, mutual gains are to be expected from the agreement.

Question: Yes, but what, in effect, is offered to the Palestinians?

Answer: In general, the Palestinians now have free access to European markets. There are, however, certain barriers, particularly with regard to agricultural goods. These will be reviewed later. Today, Palestinian products are sold in Europe under Israeli names, but the Palestinians have already been designated their own quotas in relation to the export of potatoes, strawberries, flowers, etc., to the EU, and they have completely free access for their industrial goods, e.g., garments.

Question: What is your experience with the Palestinian negotiation team?

Answer: I think there was a major improvement in the economic knowledge and expertise of the Palestinian team between Paris and Brussels. Their main problem is not a matter of skill, but the lack of trust put in them. They have been only messengers, not negotiators. This has been true for the Israeli side as well, by the way, and it made it very difficult to negotiate.

Question: When I look at what is happening now, I see that Palestinian products cannot compete, even here in Palestine. They are so expensive due to all the costs resulting from the hardships of occupation. Do you think that we should protect our goods in our market?

Answer: No, I am against a protectionist policy and closed markets. A national economy has to learn how to survive in an open world economy. Of course, we need to help the Palestinian entrepreneurs to compete on the global market, but this cannot be achieved through protectionism. The Palestinian market is much too small for a closed economy to survive.

Question: Were the Palestinians involved at all in the drafting of the protocol? Why has there not been a ratification process, as has been the case in the other countries?

Answer: The zero draft of the protocol, that was essentially the same for all our Mediterranean partners, although there were some special regulations relating to the specific problems of the Palestinians, went to Abu Ala and was amended by the Palestinian side. As I said in the beginning, according to the DoP, it is the PLO, not the PNA, that has the power to negotiate economic agreements for the Palestinians. Therefore, PNA or PLC ratification of the Paris or the Barcelona protocols was not necessary.



Workshop: The Process of Conflict Resolution Through Diplomatic Negotiations – Strategy and Tactics, Skills and Styles

Dr. Paul W. Meerts, Deputy Director, Clingendael
– Netherlands Institute of International Relations

During the next day and a half, I want to discuss conflict resolution through diplomatic negotiations. This will also be exemplified by a Security Council simulation concerned with a problem in Southern Arabia. In this simulation, we will be experiencing the process of negotiating ourselves.

Looking at the actual setting here, we see that negotiations take place in a situation of unequal power. Israel, as a strong power, has an interest in bilateral negotiations; it uses 'Salami-tactics' to divide the negotiation partners. The Palestinians, on the other hand, have an interest in bilateral negotiations. They need the multilaterals to enhance their power with the help of allies and by packaging different issues together.

The conflict to be dealt with in the Security Council simulation is fictional, but very close to reality. It is about friction between different tribes in Yemen that lead to violent incidents at the Yemeni-Saudi border. We, as the Security Council, will try to negotiate a resolution concerning the issue. Each participant will represent one state in the Security Council, and we will start with polarized positions. I want to remind you that in negotiating it is not *which* positions are being taken that is important, but *why* they are being taken, that is, what the real interests of the other side are. Motives should not always be laid open. We will try to confront theory and practice: what we have learned about negotiations versus the outcome of the simulation. In this first session, however, we will start with some preparatory exercises and learn about negotiation approaches, techniques, strategies and procedures. You can find a lot of the exercises, additional reading material and graphics in the two booklets that have been distributed.²⁶

²⁶ Workbook on International Negotiation and Workbook and Reader on International Conflict Management. Netherlands Institute of International Relations 'Clingendael'.

Exercise 1: Negotiation Process

Please write down, individually, a definition of international negotiations. Then, within ten minutes, find a common definition in a group of four to five participants.

What you have done right now is an example of a negotiation process. Some of you used the following approach: first, everybody presented his point of view, then, you looked for common points, and in the end, you drafted a common statement. This approach is called a *synergetic approach*. In order to come to a joint text, it is best to first leave problematic aspects open and put them into brackets, not finalizing everything at once. In a second round of negotiations, there might be the opportunity for compromises or win-win solutions by packaging these disputed aspects.

Other groups used a different approach, trying to get to a *synthesis* of all the view points proposed by embracing all the points mentioned in a 'brain-storming' session. In this case, usually, you will reach a rather vague declaration. Or you can try and go for *compromises* - a lose-win solution, but often not a bad solution and preferable to lose-lose solutions.

Another important point in negotiations is the *procedures* of decision-making. The technique used has a direct impact on the substance and on the strength of the agreement or its prevention. Possible decision-making procedures are consensus, majority vote, minority protection (veto).

As you might have already noticed during this exercise, in reality, one of the major problems in negotiations is the *restriction of time* in trying to solve a problem. Another problem is that of the negotiation *management*: who will take the initiative, the chair, etc.? The chair is always in an ambiguous position. On the one hand, he cannot defend extreme interests, on the other hand, he can take the initiative and influence the agenda, and therefore compensate for a lack of power. Before starting negotiations, a chair and a rapporteur have to be designated.

In his book *Getting to Yes*, Roger Fisher stresses that in negotiations, you should try to concentrate on the real needs or *interests* of the other side. Its positions might shift quickly, but its interests will basically stay the same. It is assumed, that during the course of the negotiations, trust will build up between the parties. Often, however, the opposite is the case as hidden agendas become obvious, people feel insulted, etc. When the process comes to a *crisis*, it might fail, but the crisis might also provide an opportunity to solve the problem. Often such a crisis is needed to enter the 'real' negotiations. By avoiding crises, solutions may be prevented, too. In different cultures, the phenomenon of crisis is perceived in different ways. While the Germans, for example, tend to avoid crises, in the US they are seen as useful and fruitful.

Exercise 2: Perceptions and Reality

An overhead depicting a long and complicated sentence was shown for a few seconds. The exercise asked participants to determine how many *F*'s could be found in the sentence. Answers varied from three to six *F*'s. The exercise showed that people see the world differently, depending on what it is that they concentrate upon. In most cases, there is not only one truth to an issue; you have to work with uncertainty, ambiguity and relativity.

Let us come back to negotiations. The main *elements of negotiations* are: the actors, (be it people or states), having common or opposing interests and using different tactics and strategies, the process and its procedures, and, possibly, a solution.

Concerning the parties in negotiations, their *approach* can be distributive bargaining, which correlates with a zero-sum or non-cooperative win-lose approach. Or they can go for integrative bargaining, correlating with a variable-sum approach allowing a range of behavior from cooperation to distribution.

Most important are the *interests* of the parties involved in negotiations as well as the interest in negotiations as such. In this respect, the question as to whether there is an alternative to negotiations, also called BATNA ('best alternative to a negotiated agreement'), is decisive. In a situation where two parties have complementary interests, there is no need for negotiations; they just have to search for a coordination strategy. More problematic, however, is a case in which two parties have identical, but mutually exclusive interests. Here, negotiations will be difficult. Alternatives to negotiations can be 'fight' or 'flight'.

The parties can use different *strategies and tactics* in the negotiation process, ranging from avoidance, over accommodation, compromise, and competition to collaboration (or cooperation). Their behavior will depend on the stakes, their relative power, interest interdependence and the quality of the relationship.

Exercise 3: Conflict Situations and Handling Modes

Find the best behavioral options (to avoid, collaborate (cooperate), compete, compromise or to accommodate) for a person or party in five different conflict situations.

The strategy chosen varies according to the situation. It depends, as stated above, on the relative power position of the parties, the stakes involved in the outcome, the competitiveness of the interests of the parties and the communications practice between the parties.

Exercise 4: Thomas-Kilmann Exercise

Consider situations in which you find your wishes differing from those of another person. How do you usually respond to such situations? Given were pairs of statements relating to possible behavioral responses (ranging also from competing to accommodating) in conflict situations. The participants had to choose the statement that they considered most appropriate in the situations described.

The aggregated scores acquired by the group (and for the female and the male members of the group) were as follows:

	whole group	female	male
avoidance:	7.1	6.2	8.3
accommodation:	4.4	4.4	4.5
compromise:	7.3	7.4	7.2
competition:	5.3	5.4	5.2
collab. (cooperation):	6.4	6.6	6.0.

It is striking that the whole group scored highest on compromise, avoidance and collaboration and lowest on accommodation - which can be seen as progressing on a win-win line. The female group members scored highest on compromise and collaboration, whereas the males scored highest on compromise and avoidance. Compared with other groups doing this exercise, it is interesting to note that Israelis and Jordanians scored much higher on competition. In Germany, a gap was remarkable in Eastern and Western male and female approaches: whereas Western females and Eastern males scored highest on accommodation, Western males and Eastern

females scored highest on competition. Thus, it can be concluded that cultural and societal background is very important in the approach towards negotiations.

Before starting the *negotiation process* itself, a chair has to be selected and an agenda has to be put up. The agenda is very important as it determines the content of the meeting and ranks and groups the different issues. The agenda setting involves a serious problem inasmuch as the most important issues are often scheduled for the beginning of the session, and as they involve the biggest controversies, they are likely not to be resolved easily. This might lead to the result of not reaching any agreement at all. Thus, the opposite approach is sometimes more promising: start with the smaller questions and attempt to find common ground before proceeding to the tough questions. It is useful to link different issues together in order to get to win-win solutions.

During the first negotiation phase, it is important to gather information and to explore the other side's stands and interests. During the negotiations, a bargaining process takes place; the most successful approach is to create common zones by packaging deals. The *power* of a party in this process, that is, its capacity to determine or substantially influence the outcome of the process is based on two factors. The first is its structural power stemming from its position of (in)dependence, its resources, and 'management' of its own society, i.e., the fact of being backed by the state's society. The second important factor relates to the question of whether or not this structural power can be projected in the negotiation process. After the bargaining process, decisions have to be taken down, implemented and verified.



Simulation Exercise: UN Security Council on the Crisis in Southern Arabia

Dr. Paul W. Meerts

The participants were provided with material on the following fictional case. Each of the participants had to represent one of the current members of the Security Council (with the exception of Guinea-Bissau). Participants were then given specific instructions about the positions of their countries as well as general information about the countries involved in the conflict. The aim of the simulation was to negotiate a resolution concerning the following crisis in a given time frame (two half days):

The Republic of Yemen and the Kingdom of Saudi Arabia face a new crisis at their shared border. This happens against the background of long ongoing animosities between the two states. The 1995 Memorandum of Understanding provided for an end to the fighting at the border (in connection with ending the Yemenite Civil War in which Saudi Arabia had been engaged in an effort to destabilize the central government), but still did not define the border between the two countries. The Taif Agreement, that provides for the leasing of three Yemeni provinces to Saudi Arabia, has to be re-negotiated every 20 years. It has not been re-negotiated since 1994.

In the latest (fictional!) developments, several tribes supported by Saudi Arabia have revolted against the central government in Sanaa, aiming at establishing an independent state in the North-Eastern part of Yemen. The Yemenite government has sent troops to the region to prevent the Saudis from continuing their support for the rebellious tribes. Near the Western border of the Sultanate of Oman, a Saudi Army unit and a Yemenite Army unit exchanged fire and consequently, heavy fighting

broke out. Several soldiers on both sides were killed. At the same time, Yemenite Army units cracked down on the rebels, causing a flood of refugees to enter Oman.

Saudi Arabia and Yemen accuse each other of violating human rights and of trying to occupy foreign territory, which is suspected of having large oil deposits. Yemen accuses Saudi Arabia of supporting Yemeni rebels in order to break up Yemen. Furthermore, it is well-known that Saudi Arabia seeks to build an oil terminal at the Hadramaut capital of Mukalla in order to diminish the vulnerability of Saudi oil exports at the entrance to the Gulf and the Red Sea.

The permanent representative of Egypt, being worried about a possible distortion of the delicate balance of power in the Arab Peninsula, convenes the Security Council with the support of the chair (Japan). He calls upon the Council to adopt a resolution to condemn the violation of human rights and to convince the parties involved to stop the fighting. At the request of Egypt, international agencies should send humanitarian aid to the region, while a peacekeeping force should be formed to maintain the peace. The Security Council meets in order to try to adopt a resolution on the crisis.

The Council consists of five permanent members - the veto powers China, France, Russia, the UK, and the US - and ten non-permanent members, currently comprising Chile, Costa Rica, Kenya, South Korea, Egypt, Guinea Bissau, Japan, Poland, Portugal, and Sweden. A Council resolution can be adopted when 9 out of 15 votes are in favor of the resolution *and* there is no veto (of a permanent member) against it. In procedural matters, the veto cannot be used.

The first task for the participants was to become acquainted with their country's position and, after 90 minutes, to come up with a first statement, of no more than three minutes length, on their stand concerning the crisis on the basis of their mandate. They should also find out about possible coalition partners for the following negotiations, first becoming aware of their own priorities and then tracking down the other delegations' stands on these issues.

Before getting into the first session of the Security Council, the *role of the chair* was explained to the participants. The chair's tasks are to:

- set the objectives for the meeting;
- draw up an agenda and a time frame;
- summarize interventions;
- draw sub-conclusions;
- propose solutions;
- cut off interventions;
- question the merit of interventions;
- introduce recesses;
- have informal talks with a limited number of parties;
- remain neutral (deal with the dilemma of national vs. collective interests);
- and show a business-like behavior instead of 'emoting - blaming - irritating'.

Another hint given to the participants was to avoid getting into voting at an early stage and instead to try to first create a joint draft, by putting issues that were still unclear into brackets and leaving them for a second round of negotiations. The resolution, or parts of it, should only be voted upon at the end.

After the first round of interventions made by the participants on behalf of their countries, the basic issues relating to the conflict as well as proposed solutions were drawn together and grouped under headings, in order to allow a more focused discussion later. They were grouped as follows:

(1) *Security issues*

- cease-fire
- peacekeeping (who, context, financing)
- disarmament of tribes
- withdrawal of troops
- demilitarized zones
- weapons embargo
- observers/fact finding

(2) *Economic issues*

- sanctions
- oil exploration and exploitation
- compensation
- harbor/pipeline issue
- migrant workers
- involvement of World Bank

(3) *Humanitarian affairs*

- humanitarian aid
- refugees
- human rights violations
- individual versus minority rights
- evacuation

(4) *Diplomatic problems*

- bilateral talks
- mediation (where, who, when, agenda)
- condemnation
- territorial integrity/sovereignty/autonomy

A draft resolution should have been reached within about two hours. The first decision taken by the chair was to go into recession for 15 minutes. After the break, negotiations started. The participants adopted the above list, without any changes, as an agenda for the Council session in order not to waste time discussing ranking or grouping. The participants then proceeded by discussing each point separately and voting on it to get an idea of the general disposition prevailing in the Council.

The discussion centered on topics relating to the field of security. It was finally agreed that there should be a call for an immediate cease-fire; peace troops, observers and a fact-finding mission should be sent to the region; and, after considering the fact-finding mission's appraisal of the situation, the sides should withdraw their troops and demilitarized zones should be established. There was no agreement about whether the Yemeni tribes should be disarmed.

Closing the session, the participants were reminded of the tactic of 'packaging deals'; they were encouraged to look for integrated win-win solutions instead of bargaining about each topic separately. The rapporteur was encouraged to prepare a preliminary resolution as a tangible basis from which to go on with the discussion.

In the next session, the task for the participants was to finalize the resolution by re-reading it, commenting on it, clarifying the points on which no agreement had been reached and negotiating them and, in the end, taking down the final version.

RESOLUTION X

Adopted by the Security Council at its (xx) meeting on 15 March 1997

The Security Council,

Having considered the report of the Secretary-General on the fact-finding mission to the inflicted area dated 15 March 1997,

Welcoming the efforts of the Secretary-General, his Special Envoy and the League of Arab States,

Stressing the importance of Saudi Arabia's and Yemen's right to sovereignty over their territory,

Deeply concerned over the situation in the Arabian Peninsula especially regarding humanitarian violations,

After intensive discussion of the crisis:

- (1) *Calls for* an immediate cease-fire in the region;
- (2) *Calls for* sending a United Nations fact-finding mission to the region to report on the situation;



PASSIA Seminar 1997 on Diplomacy and Conflict Resolution. Participants and Lecturers.



Dr. Mahdi Abdul Hadi, Head of PASSIA, Jerusalem Welcoming Address.



HE Thierry Bechet, Representative of the European Commission, Jerusalem.
Opening Remarks at the PASSIA Seminar on Diplomacy and Conflict Resolution.



The Participants with Dr. Joel Peters, University of reading, UK (center)



Dr. Ron Pundik, Director, Economic Cooperation Foundation, Tel Aviv, and Israeli Negotiator in Oslo, lecturing on "From Madrid to Oslo".



HE Richard Dalton, British Consul General, Jerusalem lecturing on "The Structure and Role of a Foreign Ministry and Diplomatic Missions".



Geoffrey Haley, European Commission Representative Office, Jerusalem, and Samir Huleileh, PNA Ministry of Trade, on "Negotiating Economic Agreements".



Dr. Paul W. Meerts, Deputy Director, Netherlands Institute of international Relations (Clingendael), The Hague, on "Diplomatic Negotiations".

- (3) *Requests* the Secretary-General to send peace observers to monitor the implementation of the cease-fire and report to the Security Council on the necessity of sending peacekeeping troops to the area;
- (4) *Calls for* the withdrawal of troops upon receiving the fact-finding mission's progress report;
- (5) *Calls for* the compensation of the inflicted party in light of the fact-finding mission's progress report;
- (6) *Stresses* the importance of enhancing economic cooperation between the parties and invites them to consider building an oil terminal in the Hadramaut capital of Mukalla, as well as enabling the return of Yemeni migrant workers to their workplaces in Saudi Arabia;
- (7) *Urges* the World Bank to contribute in building peace in the region;
- (8) *Affirms* the urgent need for sending humanitarian aid to the inflicted area through the Red Crescent;
- (9) *Strongly deploras* the civilian casualties and human rights violations taking place and hence requests the Secretary-General to send an investigation committee to the region;
- (10) *Requests* the parties involved to hold bilateral talks under the auspices of the United Nations;
- (11) *Decides* to remain actively seized of the matter.

Dr. Meerts evaluated the resolution as being a quite good and rather substantial document. The negotiation process revealed the difficulties in getting to a joint version, even in a technically simple situation such as the one given. It showed the importance of exploring the other sides' interests and of not proceeding too fast in the beginning. It also became clear that when the text of a draft resolution was at hand, the process was much smoother. The fact that the participants immediately started to vote on the resolution point by point prevented them from looking for more integrative solutions by making package deals. The process also exposed the problem of time restriction and the need to take breaks in order to allow for informal conversations and to enable the participants to recover.

Concerning the resolution itself, it should be noticed that in the preamble, the scenario should be laid out. This is also the place to reaffirm former resolutions relating to the subject. Then, in the operative paragraphs, a standpoint should be formulated and, possibly, solutions to the problem proposed. The resolution negotiated here is a very substantial one, and in this, it is actually not very realistic. Usually, resolutions are much more vague.

Afterwards, research findings relating to the *effectiveness of a negotiator* were discussed. A good negotiator should be hard rather than lenient. Concerning the power balance, he should try to dominate the discussion rather than become subdued; he should, however, be able to uphold a jovial, personal climate rather than a formal or hostile one. Concerning flexibility, he should explore rather than repeat. Unskilled negotiators tend to be either tough all along the line or very soft all along the line.

Exercise 5: Profile of the Negotiator

The participants were asked to honestly evaluate their own negotiation behavior in the Security Council session and then to present their own negotiation profile to a group of three to comment on it. Thus, they had the opportunity not only to get to a more substantial self-evaluation, but also to a mirror image, the evaluation through others.

Research results show that skilled negotiators avoid irritations and use little of their time for counter proposals, defense or attack of the other's position; they avoid behavioral labeling and are able to tell people in a diplomatic way when they feel insulted. They listen actively and frequently test for understanding. They ask questions in order to check assumptions, to summarize the other party's position, and to up-

hold the atmosphere. They only use few arguments to back each case they advance, which means that they set priorities and only present the best arguments.

Negotiations between representatives of different countries are naturally influenced by cultural differences and their reflection in negotiation behavior. In research conducted in the 60's and 70's in IBM branches all over the world (except the socialist countries), countries were ranked in five dimensions of culture. The dimensions in which cultural differences were measured were: *power distance*, that is the extent to which the less powerful members of society accept that power is distributed unequally; *individualism*, that is whether people look after themselves and their immediate family only or rather belong to in-groups (families, clans or organizations) who look after them in exchange for loyalty; *Confucian dynamism*, that is the extent to which a society exhibits a pragmatic future-oriented perspective rather than a conventional historic or short term point of view; *masculinity*, that is the fact that the dominant values in society are achievement and success rather than caring for others and quality of life; and, finally, *uncertainty avoidance*, that is the extent to which people feel threatened by uncertainty and ambiguity and try to avoid these situations. Examples of negotiation styles resulting from different cultural backgrounds and possible cross-cultural misunderstandings were discussed.

Exercise 6: Individual Negotiation Styles

The participants had to choose between different statements, each relating to different styles of problem solving. According to their choices, they were graded according to their dominant value orientation: *action*, which means that they are rather result-oriented, productive, efficient, responsible, pragmatic, impatient, quick, and energetic; *process*, which means that they are fact-oriented, care about procedures, planning, organizing, testing and details, and that they are systematic, logical, patient, and cautious; *idea*, which means that they care about concepts, innovation, opportunities, designs, potentials and that they are imaginative, charismatic, difficult to understand and provocative; or *people*, which means that they care about people, needs, motivations, cooperation, sensitivity and that they are spontaneous, empathetic, warm, and sensitive. Usually, people score high on two styles, and low on two others. People that score evenly in all four dimensions, are good, flexible partners in a team.

Exercise 7: Problem Solution

To wrap up the workshop, a final exercise was conducted. The group was split in two and each half was sent to a different room. The two groups were given seemingly contradictory instructions: each person had to choose a partner belonging to the other group and convince him to come with him to his room. The exercise exemplified that in order to resolve the problem, there was need for a creative result. Only in a fully integrative solution would everybody be able to fulfill his task; only when the partners trusted each other, so that one of them would first go with the other and rely on the other coming with him later, would they all be able to succeed.



C. Diplomacy and Conflict Resolution in the Middle East

Diplomatic History of the Middle East

Dr. Sami Musallam, Director of the Office of the President, Jericho

The subject of the diplomatic history of the Middle East is a very broad topic and in order to cover it adequately I would need much more time than allocated for this lecture; it could itself be the subject for a whole seminar. I want to concentrate here on the period after 1948, but let me give you a little information concerning what happened before 1948 and about the concept of the 'Middle East'.

The concept of the Middle East or Near East is a Western concept, developed from the viewpoint of the British Foreign Office. If we look at the region from the viewpoint of the Indian Foreign Office, for example, we would say West Asia, not the Middle East. This is not only a geographical, but also a conceptual difference. Today, the Middle East - according to the British definition - contains the Arab Orient, Egypt, Sudan, Iran, Turkey, Afghanistan and the Arab peninsula. North Africa is not included in this concept. The Near East encompasses the same territory but excludes Iran and Afghanistan. This geographic concept embraces the perception of the region being an island, isolated from its natural habitat, the Asian continent. It gives the impression that we are orientated towards the West. It is thus contradictory to the actual Arab-Islamic history where our political, religious, and cultural historical relations were at least balanced between the Mediterranean basin and the Asian continent. So, here I would rather use the concept that we are Asian and Mediterranean; this leaves us with the task of defining our relations with the Western World as well as with the Asian continent. For us, if we want to define the Middle East, it includes all the members of the Arab League, even the Comores. And I want to refer to this region in its Asian and Mediterranean context.

The most important event of diplomatic history in the Middle East before 1948 was the breaking up of the Ottoman Empire into three colonial imperial regions with France controlling North Africa, Syria and Lebanon, Great Britain assuming control over Egypt, Palestine, Iraq and the Arab peninsula and Italy controlling Libya. With the breaking up of the unified political system of Ottoman rule into tripartite domination, a process of development of regional parties and policies set in. Within the spheres of influence of the colonial powers there was still freedom of movement, so that, for example Moroccans could easily go to Syria and *vice versa*. From Ottoman rule to the colonial system, Arab unity thus was transferred to a lower, regional level. This, in addition to the intellectual and social developments, provides the background against which the diplomacy of the time has to be seen.

In order to understand the events before 1948, one has to take into account that the political decision-making process in the region's countries was not independent but took place under the dictation of colonial or mandatory officials. There always existed, however, a local ruling elite of big families - such as the Hashemites, the Mohammed Ali-dynasty, the Wahhabites etc. - that had different political strategies. After the end of World War II, there was a rush of diplomatic activity under the rallying cry of independence, the struggle to shed the yoke of European domination in favor of Arab unity. But at the same time, a development concept other than that of Arab unity was pro-

pounded by a new generation of educated elites: the concept of social and economic development according to the Western, capitalist style. This happened as a function and a result of the higher level of education offered by private foreign and missionary schools, through collaboration with the occupation administrations and through mutual influences between Western and Arab thinkers. Incidentally, it was not a new phenomenon; since the mid 19th century, Western ideas had been translated and absorbed into Arab culture and thinking and constituted an important factor in the period of the 'Arab awakening'.

For the post-1948 period, I want to make two generalizations that have been the driving force behind all diplomatic history in the Middle East. The first one is that all diplomatic activity has been related to the Palestine Question. The other side of this coin is Israel. Israeli policies in the Middle East have equally been the driving force (or the stumbling block, depending on how you want to see it) of diplomatic history in the region. The second generalization is that the concept of Arab unity and the struggle to arrive at it has, on the one hand, been a result of a common identity, whereas on the other, it has also been an answer to the Palestine Question. In every turning point in Middle Eastern history, Palestine was the reason for Arab political and diplomatic activity.

The 1948 *nakba* (the catastrophe) and the War of 1967 were not only catastrophes for the Palestinians; they were also Pan-Arab catastrophes, and the psychological and social ramifications of losing Palestine - the heart of the land mass that is called the Arab World, and the joining point between three continents - were felt by every man on the street in every Arab country. Moreover, as a result of the first *nakba*, the political movements in the Arab countries took independent courses, which led to a 'mushrooming' of Arab countries and a fragmentation of Arab unity into independent political systems, which developed different political courses. There was no unified vision or common plan of action regarding the Palestine Question, the question of Arab unity, the relations with the West or the East or the question of economic development, including the questions of whether the public or the private sector should dominate the economy, or if socialism, capitalism or state capitalism was the appropriate approach to development.

The Arab League was founded, in my opinion, as a ceiling - imposed by Great Britain, as the foreign dominating power - to absorb and limit Arab aspirations of unity. The British, as a preparation to their leaving the region, wanted to ensure that the Arab League would be the framework for Arab unity. Another example is the formation of the ICO (Islamic Conference Organization) in 1969. This organization was formed as an answer to the Palestine Question, and, more concretely, to the fire in Al-Aqsa Mosque, and to quell Nasserism, i.e., to 'straight-jacket' Pan-Arab feelings. The whole text of the ICO's basic law is about Palestine and Jerusalem; all the bodies established were designed to further the issue of Jerusalem. Of course, today, these two organizations have changed in regard to their functions, their aspirations, and their results. Here, I am talking about the motivations that were behind their establishment; you will find these motivations reflected in the organizations' early statements and resolutions.

For analytical purposes we may group the major topics in Middle Eastern diplomatic history since 1948 (the Palestinian *nakba*) according to ten titles or themes. These are, of course, not exclusive, but I think they can highlight events in the area and refresh the memories of students of Middle Eastern politics. The ten themes are as follows:

- (1) inter-Arab feuds and unions;
- (2) the water question;
- (3) the tripartite invasion of Egypt (Suez Canal crisis);

- (4) the War of 1967;
- (5) the Lebanese Civil War beginning in 1976;
- (6) the 1982 Israeli siege of Beirut and the departure of the PLO;
- (7) the War of the Camps;
- (8) the Iranian revolution and the Iran-Iraq War;
- (9) the second Gulf War;
- (10) the Palestinian and Middle East peace process.

Thus, if we go through this period since 1948, we can and may elaborate upon these topics in more detail. For the sake of brevity, we will mention them in the form of points as follows:

- The continuation of the 1948 War as the Pan-Arab *nakba*; the Palestinian refugee problem; the fragmentation of Arab unity into independent political systems and the development of these independent political units on independent courses; inter-Arab feuds because of the absence of a unified vision or plan of action on the Palestine problem, on Arab unity, on relations with the West (US) and the East (USSR) and on economic development.
- The Non-Aligned Movement and its Five Principles of Bandung.
- The development of the regional groupings: CENTO (Central Treaty Organization, encompassing Great Britain, Iran, Turkey and Pakistan, and supported by the US, also known as the Baghdad Pact), SEATO (South East Asian Treaty Organization); demonstrations and counter-movement to CENTO in the Arab World.
- *Fedayeen* activities in Gaza; nationalization of the Suez Canal and tripartite aggression by the UK, France and Israel against Egypt.
- Water question: Johnston Plan.
- Lebanese issue of 1958, US landing and change of government and president in Lebanon.
- Jordanization of the army in Jordan: Clubb Pasha affair; Suleiman Nabulsi government; change of government and the end of infant democratic movement in the Hashemite Union (as answer to the United Arab Republic).
- Revolution in Iraq; repercussions in the Middle East: end of CENTO, apparent failure of US-Western diplomacy, and rising tide of Soviet diplomacy and presence; repression of Communist and Marxist ideological trends in the area despite improved relations between existing Arab regimes and USSR.
- Arab Union: Egypt and Syria, and later Iraq and Yemen; the Aref brothers period.
- Independence movements in North Africa: Morocco, Tunisia (1956) and Algerian revolution; popular sympathy, solidarity and anti-French feeling all over the Arab World; quiet Libyan independence under the Senusi dynasty.
- Developments in the oil states: Gulf States under British protection and military presence; migration of Arab, and mainly Palestinian work-force to Gulf countries, first to Kuwait, then to Saudi Arabia and other Gulf countries; Oman closed to outside world; Saudi Arabia getting richer through oil, self-assertion in Arab politics; obstacle in face of spread of Nasserism; Saudi conflict with Abdul Nasser first politically, then militarily in North Yemen; change of monarchs in Saudi Arabia to alleviate political pressure and changing internal conditions and to face Arab (Abdul Nasser) criticism; South Yemen under British rule, war of resistance.
- Breaking up of Egyptian-Syrian unity, Arab conciliation with the driving force of Abdul Nasser and Faisal, beginning of Arab meetings (summits) on a regular basis and, in 1964, formation of PLO by Arab Summit.

- On the Palestinian scene: dispersion and refugee status; open and hidden 'persecution' of Palestinians everywhere; formation of Pan-Arab parties, such as PAM, Nasserism, PPS, Moslem Brotherhood, Communist parties and formation of an independent Palestinian line: Fateh; the establishment of the PLO as an answer by the Arab states to the independent political line of Fateh, in order to control the Palestinian liberation movement.
- Diversion of Jordan water, tributaries.
- The 1967 war, An-Naksa, has often been translated into saving Arab regimes and therefore into victory, but led to the loss of Arab self-esteem due to the devastating defeat; Fateh-Fedayeen as the answer to An-Naksa; Battle of Al-Karameh and regaining of Arab self-esteem.
- Palestine Question becomes central to UN activities; Security Council Resolution 242; formation of ICO.
- In September 1970: Jordanian-Palestinian conflict; Arab-Israeli-American intervention on the side of Jordan.
- 1973: October War; important role of the UN Security Council; Resolution 338.
- 1974 Arab Summit: PLO recognized as sole legitimate representative of the Palestinian people; increased PLO role on international scene and beginning of European acceptance of PLO.
- Increased role of EEC (European Economic Community) in Middle East; discovery of oil as a strategic weapon; Arab Gulf countries experience economic boom; Euro-Arab dialogue as a function of the improved image of the PLO; the EEC Venice Declaration in support of Palestinian rights; the rising economic power of Saudi Arabia and other Gulf countries; demise of the Euro-Arab dialogue on the question of PLO chairmanship of the dialogue; European (and indirectly US) pressure on the PLO to accept Resolution 242; Beirut as a center of diplomatic activities.
- The Lebanese Civil War leads to ethnic cleansing, family cleavages, organization of new parties, spread of militia activity and the breaking up of a functioning Lebanese administration; the PLO contributes to the unity of the country by protecting the economy and providing security; PLO-Syrian conflicts in 1976.
- Inter-Arab pressures; Riyadh Conference; first official contacts between PLO and US administration, letter of thanks from then US Secretary of State Henry Kissinger to Chairman Arafat; international mediation efforts to solve the Middle East conflict, such as the Soviet-American statement (1978) and the American-Israeli counter-statement; continuous Israeli air raids on PLO camps in Lebanon; loss of Palestinian refugee camp in Tel Az-Zaatar; international sympathy for plight of Palestinians and condemnation of Lebanese militias and indirectly of the Syrian role.
- Victory of Iranian Revolution hailed in the Middle East and condemned in the West; Iraq-Iran War with the Arab states on the side of Iraq and Western indirect help to Iraq; Iraqi perseverance and Iranian collapse; Khomeini's statement of 'myrrh to be drunk'; after the war: Iraq has great economic difficulties and is not able to repay its debts, which Kuwait refuses to pardon.
- Efforts for peaceful conflict resolution after the October War such as the Palestinian National Council's (PNC) Ten-Point Program and acceptance of Security Council Resolution 242; Geneva peace conference; Sadat's invitation and unilateral move to make peace with Israel announced parallel to Egyptian-Libyan conflict and Egyptian threats to overrun Libya; Arafat's conflict resolution methods to solve Egyptian-Libyan conflict; Sadat announces trip to Jerusalem in presence of Arafat; Arafat does not know of the initiative; problems on Palestinian scene; assassination of Sadat by extremist Islam-oriented soldiers.

- Siege and war in Lebanon; Palestinian steadfastness; Israeli losses in the war and PLO departure from Lebanon to Tunis; Israeli occupation of Lebanon and Beirut and massacres in the Sabra and Shatila refugee camps; with the PLO in Tunis, diplomatic activities shift to North Africa, *coup d'état* in PLO with Syrian help and siege of PLO in Tripoli; Israeli-Syrian collaboration against PLO/Arafat; indecisive decision from the Soviet side to support Arafat, but total support from the GDR (German Democratic Republic).
- First Camps War waged by Amal against Palestinian refugee camps with support of Syria, Second Camps War with support of Syria; fall of Sabra and Shatila and of the PLO troops commander in Shatila, Ali Abu Tok; 6,000 Palestinian cadres imprisoned in Syrian jails; PLO receives international sympathy.
- The Second Gulf War proves the victory of Arab economic power over Arab military power in the international alliance against Iraq led by the US; Arabs are split into two camps: the popular feeling is in favor of Iraq, the Arab official position against it; UN role and sanctions as function of US domination; defeat of Iraq; Arab rift remains: destruction of Arab solidarity and heavy price paid by PLO/Palestinian people for their solidarity with and hope in Iraq.
- The peace process: the PLO adopts the 1988 Declaration of Independence; Bush initiative; Madrid Conference; talks in Washington and on the Oslo track leading to the Declaration of Principles (DoP) in 1993 and the Cairo Agreement in May 1994; return of the PLO to Palestine; Israeli withdrawal from Jericho area and the Gaza Strip, and re-deployment outside the major towns and villages of the West Bank; developments on the PNA side, such as elections, nation and state building, etc.

Discussion

Question: Some people say, and one can also get the impression from what you have said, that wherever the PLO goes, it corrupts and destroys everything. How do you view this statement?

Answer: I have written an article on 'Arab Leadership', which will appear in one of PASSIA's upcoming publications, that will answer your question. It also explains why there has always been conflict between the PLO and the Arab regimes. The PLO's conception of authority has always been contradictory to that of the Arab regimes.

Furthermore, the founders of all the important movements that were embraced by the Arab masses, such as the Pan-Arab Movement or the religious fundamentalist movements, were Palestinians. Palestinians have also been in the highest echelons of the Arab parties, for example, in the (Syrian) Ba'ath Party. In fact, the regime in South Yemen was an offshoot of the Pan-Arab Movement, which evolved in the Mashreq region. Nasserism has been spread by Palestinians and Lebanese. The Muslim Brotherhood was founded in Egypt, but the majority of its different groups developed in Jordan and Palestine, then moved to the Gulf. Fateh attracted so much popular support that the other organizations collapsed; the Ba'ath Party in Syria and Iraq, for example, existed only in name. All these movements felt that they had been robbed of their mass support by Fateh, and this is why there has always been conflict between Fateh and these movements.

Also, Arafat has always been accepted as a Palestinian and Arab leader, as a revolutionary leader in the region and the world, and as an international leader. Equally important, he was accepted by the masses as the only viable Muslim leader after the death of Abdul Nasser. Assad was not accepted as such; feeling this pressure, he converted in the 70's to Sunni Islam hoping to become recognized. The other Arab leaders were also not accepted as leaders of the Muslim nation (*umma*).

Question: What about the role of the PLO in Lebanon?

Answer: In Lebanon, there has always been an intra-Lebanese problem, not a problem created by the PLO. The Lebanese community is split into different denominations; the distribution of positions in the state is done on a factional, religious basis. Now, with the rising number and influence of Muslims, the balance of power became disproportionate. The Palestinians, generally, are religious, but not extremist, and the Palestinian liberation movement is a secular movement. In Lebanon, the Lebanese joined the PLO organizations on all levels and many of them, whilst being trained by the PLO, developed secular ideas. But the main factor accounting for the loss of the political balance in Lebanon was the change in the demographic structure. This social fabric of the conflict is rarely discussed. The PLO acted as a unifying factor for the country and, through the presence of PLO troops all over Lebanon, actually prohibited the split of Lebanon. For example, the Lebanese banks and other social and economic institutions had been protected by the Palestinian Force 17; in the PLO controlled zones, one had no fear of being hijacked, etc. Thus, the PLO filled a political vacuum; this, however, was interpreted by some Lebanese forces, such as the Phalangists, as being Palestinian occupation of Lebanon.

Question: How do you see the current and future PLO-Jordan relation?

Answer: There has always been a PLO-Jordan love-hate relationship. The PLO, of course, is in favor of a Palestinian independent course. After independence, we should have a referendum on the nature of the Palestinian-Jordanian relation. Officially, the PNC has taken a decision in favor of a confederation with Jordan, and this decision is binding. But in order for there to be a confederation, there first have to be independent states: a Palestinian state, and a Jordanian state.

Question: What do you think about Palestinian diplomacy abroad?

Answer: I think that Palestinian diplomacy has improved a lot. Today, in the Western countries, the PNA does not have embassies, but according to Article 7 of the Cairo Agreement, is represented by the PLO, especially with regard to economic affairs. There are different levels of PLO representation abroad: quasi-diplomatic, diplomatic and information missions, the UN Representative of Palestine (since 1988) and representatives with observer status in all UN organizations. We have a wide net of representations in all continents. We are very well represented in all African, Asian and Islamic countries. We cover all the European countries without exception, the US and Canada. We have yet to upgrade our presence in central and southern American and Caribbean countries.

Question: What exactly did you mean when you said that the PLO was an answer to Fateh?

Answer: Fateh was formed in 1956 in Kuwait, Saudi Arabia and Qatar by a number of Palestinians, mainly from the Gaza Strip, as a Palestinian organization with one goal: to liberate Palestine. Interference in Arab affairs was not its aim. But the Arab states did not like the idea of an underground independent movement not being under their control. The leaders of Egypt, Syria, Lebanon and Jordan in particular wanted to control and lead the movement. They took the first opportunity that appeared and founded an Arab-led organization at the first Arab summit in Alexandria in 1964, namely the PLO. Since then, there has been an ongoing conflict between the Palestinians and the Arab regimes about the question of leadership in the liberation movement and on the Palestinian scene.



Security in the Middle East

Dr. Zakaria Al-Qaq, Director, IPCRI

I want to thank you, Mahdi, for inviting me to speak at PASSIA about security issues in the Middle East, although this is a very tough subject - speaking about security has never been easy in this region. It is a very complex issue. Today, I want to speak about the following dimensions of security: its historical or Arab context, the strategic aspects as an integral part of security analysis, and the issue of Palestinian security.

The Historical Context of Security

The present security layout in the Middle East began to develop in the region by 1918, when Sir Winston Churchill, then minister of the British colonies, began to draw up a configuration for the region and thereby created a state east of the River Jordan that was to function as a buffer state. The creation of this state sprang out of security concerns. It became the Emirate of East Jordan, then the Hashemite Kingdom of Jordan.

During the early 1920's, the Iraqi revolution broke out. When the revolt started, British leaders began to formulate the necessity of separating Iraq from Syria, in order to maintain the security balance in the whole region. In the 1950's the CENTO pact was established between the US, Turkey, Israel, and Iran but without the involvement of any Arab state. Abdul Nasser strongly opposed this pact. Another approach to regional security was the Baghdad Pact, which included Iraq.

Before the Islamic revolution in Iran, the Shah - as far as the US was concerned - was the key to guaranteed regional security. Thus, the US was prepared to turn a blind eye to what the Shah was doing domestically, for example, concerning human rights issues. Ex-US President Carter is quoted as having said about the Shah: "We know he is a son of a bitch, but he was our son of a bitch." The Iranian revolution influenced other revolutionary movements in the region, such as the ones in Saudi Arabia and Kuwait, and the idea of an Islamic economy appeared.

The dispute over who would be the future leader in the region led, eventually, to the eight-year-long Iran-Iraq War, which reflected on the structure of the whole region. With the rise of political Islam in the Shi'ite movement, a new security situation emerged. The Shi'ite leaders were not satisfied with ruling the religious dimension of life but wanted to dominate all its aspects, in accordance with their interpretation of Islam as both a religious and political system.

During the early years of the Iran-Iraq War, the Gulf Cooperation Council (GCC) was created, as I see it, as a defense pact. It claims to embrace all the countries adjacent to the Arab Gulf (or Persian Gulf), but in reality does not, as it excludes Iraq. This pact is primarily built on a military basis. It played an important role during the Second Gulf War, when Iraq was looking for access to the sea to allow it to export its oil.

Currently, there is no joint Arab security policy. It seems, however, that quite a big portion of the problems facing the Arab countries are positioned in the southern areas - for example, in Sudan, in Saudi Arabia, in Lebanon or in Yemen. The biggest challenge at the moment is that posed by the politics - and the potentially explosive outcome - of the blockade against Iraq.

Strategic Weapons

Nuclear weapons are used in the Middle East (as everywhere) as an element of a strategy of deterrence; their proliferation has been very restricted, and one of the reasons for this is the high cost of their development. It is not only nuclear weapons,

however, but also the peaceful use of nuclear energy that poses a threat to the environment. In Dimona (Southern Israel), for example, there is evidence that the nuclear reactor is falling apart. Israel's collective memory of the Holocaust has toyed with the brains of the Israeli people and led to a philosophy of war. The Israelis are obsessed with security. In the Israeli military strategy, traditional weapons are used in actual fighting whereas nuclear weapons are used for deterrence - with the hydrogen bomb being such a special kind of weapon. In the Second Gulf War, where only traditional weapons were used in fighting, the strategic weapons in the background were meant only as a deterrent: the preventive use of such weapons would only make sense if all the enemy's nuclear weapons could be destroyed at once. Therefore, these modern weapons are a 'last resort'. In many cases, such as during the *Intifada*, the close proximity of the enemy made their use impossible.

Israel opposes the proliferation of nuclear weapons in the region; it has an interest in preventing a multi-polar nuclear system. The main danger of such a multi-polar system would be that in the case of an emergency, the fact that several states possessed nuclear weapons would make a nuclear attack more probable than in a situation in which only two superpowers had nuclear weapons, as it is easier for two states to come to a peaceful agreement than it is for several. But Israel also tries to maintain its superiority in the region by preventing other states from developing nuclear weapons. That is why, in 1981, Israel attacked a nuclear plant in Iraq. This preemptive strike was a model strike that completely and surgically obliterated the reactor, so as to set an example for the region.

During the Second Gulf War, there were clear signs from both the US and Israel that non-conventional arms would be the answer if Iraq made use of its arsenal of chemical weaponry. Saddam Hussein understood the message and only initiated some minor strikes against Israel without provoking a serious act of retaliation from the Israeli side.

Egypt succeeded during the War of Attrition in exhausting the Israeli army. In spite of the fact that it was clear that Israel had the nuclear capability to easily beat Egypt, it was unable to use it because such a step would not have been justified under any circumstances; such was the situation during the Lebanese Civil War and the Palestinian *Intifada*. Hence, the use of such weapons is extremely limited due to the large degree of harm they can inflict. The owning of such weapons does not give the state unlimited power as might be thought - it might not be able to use its weapons and be forced to stand helpless when confronted by guerrilla attacks. This has a lot to do with the difficulty in handling nuclear weapons in a region in which the spread of the nuclear fallout cannot be restricted to a specific area.

Nuclear weapons do not serve as a stabilizing factor because they encourage other states to try to obtain the same or even better weapon systems, which often provokes an arms race in the region. The Egyptian position concerning the nuclear nonproliferation treaty stems from these considerations.

The Middle East is in a transition phase. Some thinkers, especially Israeli thinkers such as Shai Feldman, characterize the concept of the New Middle East as one of a secular region with moderate, pragmatic leaders regulating their conflicts through negotiations. These moderate systems are led by the *petit bourgeoisie*, who are middle-class and growth oriented. Parts of this New Middle East include or will include Lebanon, Egypt, Jordan, the PNA, Syria and Israel. They oppose the Old Middle East, where the fundamentalist regimes reign with an iron fist, such as in Iran, Iraq and Libya. There will be a battle between the Old and the New Middle East; if won by the Old Middle East, the whole region will return to a circle of suppression and terror.

But the fight between secular regimes and religious fundamentalism is also brewing in the New Middle East as the cases of Egypt, Jordan or Hamas in Palestine show. When talking about security in the Middle East, these conflicts, which relate to the nature of the New Middle East and its social-economic order, including the position of Israel, must be considered.

Another new factor in the region is the fear that with the collapse of the Soviet Union, the easy proliferation of nuclear material will be one of the upcoming major threats because it includes the danger of the development of nuclear armed Islamists, or the 'Islamic bomb'. Pakistan, for example, tries to obtain nuclear weapons to deter India and as a means to enhance Pakistani leadership in the Islamic World.

Palestinian Security

My view is that the Oslo agreement was so heavily loaded with security items that many analysts would like to characterize it as a security agreement rather than a political one. The past few years have confirmed to us that it was one-sided rather than balanced between the two parties; the security relation between Israel and the Palestinians can safely be characterized as a relation of supremacy and subordination. The Oslo agreement emphasizes that the role of the Palestinian security forces is to act against all kinds of Palestinian violence and terrorism by arresting and trying every suspicious Palestinian, but that does not go beyond maintaining public order.

The most obvious characteristic of Palestinian security is its prolific nature. The number of security apparatuses is steadily increasing, and no one would like to have to take on the task of describing their individual functions. They also lack clear terms of reference, but it is well known that they are all linked to President Arafat. The main task of the Palestinian security apparatuses is to work as a police force and, in doing this, to resolve tribal problems and to pursue crimes related to drugs and prostitution. But they sometimes have to carry out 'unfinished business'. For example, they are often obliged to deal with the large number of collaborators who used to work with Israel, the irony being that while many collaborators were forced to run to Israel for protection, others were recruited, in one way or another, to different Palestinian security organizations. This is because they already had vast experience in gathering information and are familiar with the terrain and the objectives, i.e., to keep the Palestinian opposition, whether secular or Islamic, subdued.

Another phenomenon concerns the large number of Fateh activities that have been recruited into certain security apparatuses, now to such an extent that practically every member of these organizations is also a member of Fateh. This strategy of recruitment led the majority of the Palestinians to view those activists who allowed themselves to be recruited as mere tools in the hands of the Authority, no longer able to play an active role in civil society. It is clear, therefore, that whether intentionally or unintentionally, the Fateh movement - by accepting the role of a police force - has lost its major role in civil society.



UN Peacekeeping and the Arab-Israeli Conflict

Dr. Alan James

When the UN was established in 1945, the key players were the victorious states of World War II; only peace loving states were invited to join, and Germany and Japan were considered enemy states. The alliance was based on the assumption that the victorious states would continue to work together to guarantee peace and security in the world. The arrangements providing for the keeping or restoration of peace can be found in Chapter VI of the UN Charter, which is concerned with the peaceful settlement of disputes (through the means of mediation, good offices, arbitration, etc.) and Chapter VII, which allows for the use of force in case of a threat to or the breach of peace. These provisions could only have been effective if the victor states had, indeed, worked together towards peace, but this did not happen due to the developments in the global arena. The veto was used by the superpowers to prevent the implementation of Security Council decisions that were adverse to their policies. Thus, the veto became a symbol of the Cold War and the gap between the US and the Soviet Union. On the one hand, it prevented the UN from breaking apart, as each one of them was able to preserve its vital interests, on the other hand, peace enforcement and effective decisions in the security field were made impossible. There was only one exception to this when, during the Korean crisis, decisions were reached due to the Russian boycott of the Security Council. Consequently, the UN became mainly a forum for propaganda speeches and mutual denunciation.

This lecture will deal with the different instruments used in the context of peace and security. Here, peace-keeping, peace-enforcement and peace-implementation have to be distinguished. How did the concept of peace-keeping develop? During the 1956 Suez Crisis, the US and the Soviet Union found themselves in an uneasy alliance. They both thought that Britain and France were wrong and thus, they both put pressure on them to stop the aggression against Egypt. In this context, the idea was born that international forces might be needed to assist in maintaining peace. Thus, a UN emergency force was sent to Egypt (ca. 6,000 troops) to oversee the withdrawal of the British, French and Israeli troops that then stayed over ten years to watch the borders. The idea of 'peacekeeping' as a non-coercive means was born.

What are the means mentioned in the UN Charter to help keep the peace? Chapter VI offers assistance to parties who attempt to keep the peace. This assistance involves preventive measures or measures of peace-keeping, which are always impartial, non-threatening and non-coercive. If the parties are not willing to accept these measures, they cannot be implemented. Chapter VIII applies in cases of a threat to international peace and security and allows measures of peace-enforcement or peace-implementation. Peace-enforcement means that the UN engages as a partial and threatening force in a war or in warlike activities. This means that on the side of the states offering troops, there must be the willingness to use force and to accept possible casualties. Peace-implementation might also be threatening but it is impartial; it might include measures such as the watching of a buffer zone or the control of disarmament agreements.

What are the characteristics of peace-keeping?

- The personnel involved are mainly military personnel, whether they act as a peace-keeping force or as observers.
- The values or principles on which a peace-keeping mission is based are impartiality and non-aggressiveness.

- The functions of a peace-keeping mission are to defuse a crisis, to keep the situation calm, or/and to help in settling the dispute. The conditions for such a mission include the existence of a cease-fire and the cooperation of the parties involved. Then, confidence building measures, such as buffer zones, disarmament or arms limitations, etc., can be applied. The idea is to restore trust among the conflicting parties through outside help.
- In order for a peacekeeping mission to be successful, the context is important; there must be cooperation between the parties, the hosts, the authorizing body and the contributors (of troops and money).

The following list includes all peacekeeping missions that have taken place in the Arab-Israeli context:

(1)	UNTSO	principally 1948-73; from 1973 generally in a supplementary role (all Arab-Israeli borders)
(2)	UNEF I	1956-67 (Egypt-Israel)
(3)	UNOGIL	1958 (Lebanon-Syria)
(4)	UNEF II	1973-79 (Egypt-Israel)
(5)	UNDOF	from 1974 (Israel-Syria)
(6)	UNIFIL	from 1978 (Israel-Lebanon, PLO, Amal, Hizbullah)
(7)	Sinai Field mission	1976-82 (Egypt-Israel); US mission
(8)	MNF I	1982 (Israel-PLO in Lebanon)
(9)	MNF II	1982-84 (Lebanese Christian-Muslim militias)
(10)	MFO	from 1982 (Egypt-Israel), non-UN body

Nowadays, and especially after the missions to Somalia and Cambodia, there is a general disillusion with peacekeeping. It is not the concept that is wrong; the problem is that these missions can only function in an environment of cooperation and not against the will of the involved parties. In Somalia, for example, they have been employed in unsuitable situations, where these conditions did not exist. A good example of a successful peacekeeping mission is the one on the Golan Heights, which has prevented conflict ever since its installment.



The Role of the United States in the Middle East

Dr. Charles Hauss

First, participants were asked to say what came to mind when they thought about the US. The answers were as follows:

power	interests	New World Order
leadership	peace sponsor	wealth / American dream
veto	pro-Israel	anti-terrorism
hegemony	(no) culture	freedom
contra	racism	Clinton
big		

The focus of this lecture will be the US attitude towards the Middle East and especially the Palestinian-Israeli conflict. But first, I want to mention two phenomena concerning changes in the US and in the global sphere; both have to do with the American dream. The first one is the victory of the idea of a free market or capitalism and therefore the widening gap between poor and rich, which is to be expected worldwide. And the second one is the spread of American (non) culture all over the world.

Concerning the role of the US in the Middle East, the following aspects seem important to me: the historical leaning of the US towards Israel, the decision-making process in the field of foreign policy, the question of influence and power of the US, the tension between values and interests, the changing role of the US in the Middle East, the role of a peace facilitator and attitudes towards Islam.

There are several reasons why the US has historically been pro-Israel. The most important ones are the appreciation of Israel's democratic society and the horror of the Holocaust, which led to the belief that the Jews need a safe homeland, and that the US had to protect them in order to make up for the lack of help they received during the Third Reich. Another factor is the prevalence of Eurocentrism in the US society, which accepted Israelis but not Arabs as equals. Americans just did not see Palestinians and their problems and needs. With the passing of time, there has been, in general, a rising awareness about the Third World, but this has not changed the US position on Israel due to the intermingling of the conflict with the Cold War. The American fear of Communism as well as Pan-Arabism as a base for Communist expansion led to a search for stable and reliable allies in the region, and Israel was willing to be such an ally.

In conflict resolution, an intervening third party should be impartial. The US is not an impartial party, but biased towards Israel. The US also believes in the absolute necessity of constancy in the Middle East region. This is because the US is interested in easy access to oil and in stability in a region that has great strategic importance. With the *Intifada*, attitudes towards Israel started changing slightly and the Palestinian perspective came into view. And then, with the 1992 elections, more open-minded people came to the foreign office. The US remains a dishonest broker, but it has changed slightly for the better.

Before I come to the Jewish lobby in the US, I want to stress that in every society there are different groups that influence foreign policy, but also that to most of these groups domestic issues are more important than foreign policy questions. In order for the groups to get their point of view through, there is always a need for compromise. Jews make up about 4% of the American population. Most of them are not interested in Israel, but there is a small minority that cares passionately, is wealthy, well-educated, very well organized, for example in AIPAC (American Israeli Political Action Committee) or in the Association of Community Presidents, etc., and has a huge lobbying apparatus in Washington. The influence of this minority is, however, declining due to incidents such as the *Intifada* and the peace process and a widening split in the American Jewish community over Israeli politics.



Conflict Resolution and the Arab-Israeli Conflict

A Roundtable Discussion Moderated by Dr. Charles Hauss and Dr. Joel Peters

This session took the form of an open discussion, centering around the question of how the seminar (up to this point) had changed the participants' perspective on the issues of conflict and diplomacy and the peace process. Participants were also asked if they had any new questions or input resulting from their conversations with friends and family over the weekend concerning the topics of the seminar.

Many participants stressed that the seminar had provided them with an entirely new insight into politics and had helped them to analyze political life better. They added

that such concepts as conflict resolution (versus conflict management), the meaning and the different categories of conflict, the concept of ripeness, the role of mediators and the complexity of diplomacy had become far more transparent. The seminar had helped them to improve their understanding of news as reported by the media, as it had allowed them to become more familiar with the underlying concepts and political terminology. Moreover, the seminar had led to a deeper interest in the subjects tackled, and some participants stated their intention to delve even deeper into certain political issues to discover, for example, why the strategies of conflict resolution presented often do not work in reality or what really happened during the Gulf Crisis.

Concerning the Arab-Israeli peace process, it was repeatedly mentioned that its complexity had become more transparent and that a lot of new aspects and angles had been introduced. The understanding of negotiation processes in general and the role of the Palestinian negotiators in particular had been enhanced. The lack of preparedness of the Palestinian team came under harsh criticism: the lack of knowledge with regard to relevant technical data as well as the lack of negotiation skills and of an understanding of the principles of conflict-resolution was illustrated by various examples from the Israeli-Palestinian negotiations, and participants emphasized that these failings had undoubtedly contributed to the unequal positions of the two sides.

One factor mentioned as causing this unpreparedness of the Palestinian negotiating team was that it was pushed into the negotiations, into the 'theater' prepared by the Israelis after the Second Gulf War, without having been able to take the time to revise its long-lived strategy of armed struggle and to change its ideological into a more pragmatic and technical approach. But it was also stressed that there was no other way than following the Oslo path and embarking on further negotiations: the decision to engage in dialogue was considered as the only possible means to put an end to a situation, which had begun with the Palestinian rejection of the UN Partition Plan, whereby the Palestinians were constantly losing more ground. But in this respect, participants questioned why the Oslo agreements had been ratified by the Israeli parliament but not by a representative body on the Palestinian side. It was felt that an open decision-making process, according to which experts could go to the administration's offices, be heard by decision makers and take part in negotiations, would help to enhance the Palestinian position.

Other points mentioned were that the seminar had helped the participants to comprehend the 'Western mentality' or the Western interpretation of political processes, and to understand the process of reaching UN resolutions as well as their meaning. Still, uneasiness remained with regard to the role of the UN Security Council and the position of the US on the Middle East, as illustrated by its latest veto relating to the issue of Jabal Abu Ghneim. When trying to find a solution for Jerusalem and communicating the idea of understanding the other side's needs as a prerequisite for successful conflict resolution in conversations with friends, participants discovered that they encountered difficulties whilst explaining to others what they believed they had understood. They realized that there was still a lot of 'homework' and studying for them to do.



“Ripeness” and the Second Gulf War

Ailie Saunders, Head of the Middle East Program, RUSI, London

I want to look at the most recent Gulf crisis, or the Iraq-Kuwait war. We will try to apply the lessons that we have learned from ripeness in relation to the Arab-Israeli war to the Gulf crisis - which still has not been resolved. There are two main theories on ripeness, the one developed by Zartman and the other by Haass, concerning the right moment for the negotiation and resolution of a conflict. Now, I want to look at three major stages of the Gulf crisis, the first being the situation just prior to the Iraqi invasion of Kuwait, the second the situation just prior to ‘Operation Desert Storm’, and the third the situation five years on. In going through the theoretical postulations and relating them to the three stages, you will see that there is a subtle shift taking place in the ripeness of the Gulf crisis and that today, we have moved somewhat closer to ripeness and to the possibility to find a solution than we were able to just a few years ago.

Zartman’s Theory on Ripeness

Zartman defines ripeness as a mutually hurting stalemate. This stalemate can be brought about through one of the following four processes:

- the collapse of power structures governing original relations;
- the elimination of other alternatives to conflict resolution;
- the equalization of power between adversaries; or
- the identification of a resolving formula.

Haass’s Theory on Ripeness

Whereas Zartman stresses the importance of power structures, Richard Haass focuses more on the agreement itself, on the conditions to reach the agreement and to make it work. In his view, there has to be the following:

- a mutual perception of the need for an agreement;
- the agreement has to contain compromises, but these have to allow the leadership to convince their constituencies;
- shared acceptance of the negotiating procedure.

Now, when we look at the Iraq-Kuwait crisis just before the invasion, we find that the central players were Saddam Hussein and the Al-Sabah family, and the issue was that Kuwait was unwilling to cut back on the oil that it was producing at a time when Iraq felt itself to be in considerable economic difficulties. Iraq justified its threat to invade on the basis of self-defense, arguing that its sovereignty was being eroded by Kuwait’s oil policy and its negative repercussions for the Iraqi economy.

The situation, therefore, was not really a mutually hurting stalemate, because it did not hurt Kuwait, but Kuwait was militarily much weaker than Iraq. The stalemate, however, was hurting Iraq; it was not receiving the needed funds for reconstruction of the country, although militarily, it was quite strong. Were other alternatives for conflict resolution eliminated? No, because Iraq still retained the option - which it used - of invading Kuwait. Was the power between the adversaries equalized? No, as I said, Iraq was militarily much stronger. There was no identification of a resolving formula, no mutual perception of the need for an agreement. Moreover, there was no compromise and therefore, leaders could not convince their constituencies of any. There were some attempts to mediate between the two sides by the Europeans, the Russians and the US, which was doing two contradictory things: on the one hand, it was trying to convince Saddam Hussein that any military attack would meet with a serious response, although

on the other, because no one thought at that stage that Hussein was really going to invade Kuwait, it was unable to be convincing about what the response might be.

If we look at the situation immediately prior to the 'Desert Storm' and apply the theories of Zartman and Haass again, we find an inversion of the power structure: Iraq was militarily weaker. But the mutually hurting stalemate was not reached. There was no perception of the need for an agreement because Iraq would not withdraw from Kuwait. There were, therefore, no compromises and the US and the coalition had to force Iraq out of Kuwait.

Two events that have occurred since 'Operation Desert Storm' relate directly to the Gulf crisis. One event took place in October 1994, when the US reacted to Iraqi deployment close to the Kuwaiti border. This had international support because of the perceived threat to the Kurds. By contrast, in 1996, the attack in the area of Arbil was a clear threat to the Kurds. But there was much less international support for US actions because there was minimal consultation with the allies, even the UK, as well as those in the Gulf. Iraqi actions were seen to be an internal affair, conducted with the support of one of the Kurdish groups, and not an external threat. In general, there was a feeling in the region that Hussein's operation in the north did not merit the kind of US response it elicited. In addition, there was concern in the region that the US could possibly repeat policies it was conducting towards Iraq towards other countries in the region, such as Iran, which could have repercussions for the security of the Gulf states.

If we look at the situation that developed after Hussein's incursion into the north, we find that the Gulf conflict has shifted in such a way that Zartman and Haass's theories would shed a different light on the ripeness of the conflict. In part this has developed from the lack of support for US actions last autumn, which put the US in a weaker position. But at the same time the economic deterioration in Iraq, the incursions by the Iranians and Turks in the north, and problems within Hussein's family, have shown an erosion of Hussein's ability to maintain his power base, both internally and against external threats. What we seemed to have, therefore, was a mutually hurting stalemate. But the situation has changed, since the beginning of the year, following the implementation of UN Security Council Resolution 986, which has enabled Saddam to gain access to more money.

In some ways, if we look at Zartman and Haass's theories again, Hussein is now in a stronger position; there is less of a mutually hurting stalemate because he can export his oil but more of an equalization of political power structures. Does this bring us closer to resolving the conflict? Possibly, but not sufficiently. The US still insists that Iraq has to meet all the requirements as a prerequisite to the lifting of sanctions. So there is still no acceptance of the negotiating procedure or of how to formulate an alternative means of reintegrating Iraq into the international community. The problem is that there is not really anyone to mediate between the US and Iraq. There is no party that could offer a structural framework of set incentives for both parties. So, in this case we have to look for alternative forms of mediation; Malcolm Rifkind, for example, set up the idea of the 'Organization for the Cooperation of the Middle East', based on the idea of the OSCE, as a kind of inclusive talking shop that promotes dialogue and thus can be seen as a confidence building measure, but it does not offer solutions to the crisis. The problem is, there are no effective mediation techniques in such a situation and we are letting the situation drift, which is dangerous

Discussion

Question: I would like to ask about the ongoing UN sanctions and the coalition against Iraq. Is Saddam Hussein still seen as a threat to peace in the region and in the world?

Answer: Yes, it is believed that he is still a threat. We have information that suggests he is a very unpredictable political leader and a very dangerous military player in the region, which he proved when he invaded Iran and Kuwait. He has not complied with the demands to destroy missiles in front of the UN inspection team, and there is still the issue of the biological and chemical weapon program. Iraq's nuclear weapons program is alarming; before the Gulf War it was thought that Iraq might have nuclear weapons in about ten years, but it then became clear that it was more like three or four years. There is quite a lot of evidence to indicate that there are storehouses containing, for example, medical materials, that have not been distributed and are being withheld from the Iraqi people and given to key players in the political environment who are loyal to Hussein. Meanwhile, you could argue that by not complying with the UN resolutions during these five years, Iraq has lost about US\$100 billion. All this suggests that Hussein is not de-prioritizing his military weapons program, particularly because he is still importing military weapons at a time when he should be devoting all resources to the economy. The fear now is that Resolution 986 enables him to divert even more money to the military program.

Question: What about his family, the two sons that he kicked out and shot and so on?

Answer: The political situation is not stable, but it is surprisingly resistant to pressures and shows few signs of weakening sufficiently for Saddam to be replaced. On the contrary, if anything, Saddam will be in a better position to reinforce his alliances under UN Security Council Resolution 986, because he will have additional funds he will be able to free up for his own purposes.

Question: Firstly, with regard to all this power that Iraq is supposed to have, maybe this raises the question of why the Gulf War even started. Secondly, Israel has nuclear power, so why didn't people go to Israel and say, "Now, remove this and destroy that"? Thirdly, from where is Iraq importing arms? It is importing arms from the West, not only from the Soviet Union. These three questions make me wonder if it was really the invasion of Kuwait that led to the Gulf War; I think this is a fair question to ask. Maybe, the US also wanted to get rid of the nuclear capacities as a lesson, for example, for Iran, or for anyone in the region who was thinking of developing nuclear weapons.

Answer: No, because when the US was entering the war, it was still not known that Iraq was so close to having nuclear weapons. US relations with Iraq at that time were quite friendly. The problem is the complex security structure in the Gulf region. There are three main powers now: Iran, Iraq and Saudi Arabia. It is necessary to maintain a balance between all three. There is a basic problem in arming one country in order to counterbalance the others and there is no political agreement on a security structure, a balance or an acknowledgment of leadership in order to deter future conflict.

Question: I think you did a good job in rephrasing the Gulf crisis in terms of it not being mainly an Iraqi-Kuwaiti conflict but rather an Iraqi-Western or Iraqi-American conflict, adding the factor of the US-Israeli relationship. Unfortunately, what I understood from you and also from many of the Western approaches to a solution, is that the best solution would be the ousting of Saddam Hussein. Because they say, looking at Zartman's theory, that by ousting Saddam Hussein, there will be a collapse of power structures, there will be an equalization of powers between Iraq and Kuwait and there will be the possibility for other solutions. Unfortunately, there has been no real attempt to try to solve this problem with the help of Saddam Hussein. I think he has learned his lesson very well, so we should return his sovereignty and allow him to rebuild his country. However, he should be told that if he attacks another state's sovereignty again, he will suffer the same consequences as he did in 1991.

This is the only way to alleviate the suffering of the Iraqi people and to end this conflict. The problem is that the West is single-minded in its thinking.

Answer: No, I think that is part of the problem. It is not single-minded. There is a division of opinion in the Western sphere: France, Britain and the US all have different approaches. Even in the US, there are different opinions, but the US in general does not believe that Hussein has changed. So therefore, the only way the Americans can see a resolution to the conflict is to remove Saddam Hussein or to make him comply. Other people like the French are completely the opposite. They say that he has met most of the conditions. We are never going to get rid of him and therefore, we should work with him politically and try to contain the worst of the military dangers. So, this approach aims at limiting the damage he can do to other people.

Question: I think instead of limiting the military import we should stop the export of weapons by those countries that have the power over the development and production of weapons. This is the only way to stop war, not only in the region but in the whole world. The problem is that this does not meet with the interests of those countries because a large proportion of their GNP relies on the export of weapons.

Question: I want to comment on what Saddam Hussein did before the Second Gulf War in 1990. He was ready to destroy all his biological and chemical weapons and even renounce his nuclear program if Israel was willing to do the same. Although the Americans welcomed the move, they still preferred military action against Iraq.



Peace-Enforcement in the Gulf Crisis

Ailie Saunders

In the Gulf Crisis, in a period of four months only, 12 resolutions according to Chapter VII of the UN Charter were adopted. There have been several reasons for this massive increase in Security Council resolutions. The end of the Cold war brought a spirit of cooperation and thus the possibility for resolutions to be passed without one of the superpowers using its veto. The US pushed for UN authorization of the use of force in order to gather domestic support for its envisioned actions against Iraq. The other powers wanted to prevent unilateral US actions and to set a framework within which they could control these actions. With the ongoing crisis, it became a self-propelling process; an ever-increasing number of resolutions needed to be passed to qualify the ones taken earlier.

During the crisis, three kinds of resolutions were passed, relating to the fields of sanctions, the use of force or the question of humanitarian relief. Concerning sanctions, the first resolutions passed were Resolutions 660 and 661, which blocked funds and banned trade except for medical supplies and food shipments for humanitarian purposes. But it soon became clear that there was an enforcement problem at the Iranian and Turkish borders. Resolution 665 furthermore called for naval enforcement of the embargo and Resolution 670 for an air embargo. But the effect of the sanctions remained negligible; and the sanctions were exploited successfully by Saddam Hussein in propaganda to unite his people. After fighting began, there was a shift in the sanctions. Resolution 687 called for compliance with new demands, in particular the elimination of long-range missiles and weapons of mass destruction, before sanctions could be lifted. Resolutions 706 and 712 allowed oil exports in case of compliance with Resolution 687, but was rejected by Iraq. In 1995, a new food-for-oil agreement was negotiated under French mediation; the basis for the current oil-for-food resolu-

tion, 986. In general, there were four main objectives of the sanctions: initially, to put pressure on Iraq to leave Kuwait, and to allow for the transfer of humanitarian supplies; then, after the Gulf War, to act as leverage for Iraq to fulfill the requirements of all the other resolutions, in particular those regarding the prevention of Iraq's access to materials for its weapons programs. At the same time, UN Security Council Resolution 986 established a mechanism to relieve the long-term suffering of the Iraqi people, which at the same time enabled some contribution towards UN costs.

Security Council Resolution 660 laid the basis not only for sanctions but also for the use of military force according to Chapter VII of the UN Charter. It considered Iraq's actions as a threat to international peace and security according to Article 39 of the UN Charter. Resolution 678 authorized the use of 'all necessary means' against Iraq. It remained ambiguous and vague, however, in order to prevent a veto. With this resolution, the way for legitimate action under the provisions of Chapter VII was open and a military force under UN legitimization could be sent into the area. It remained unclear for a long time, however, what the final objectives of this mission would be. Resolution 687 laid out the future setting, calling for the control of weapons, the demarcation of borders and the payment of compensation.

In the humanitarian field, Resolutions 664 and 667 related to the hostage crisis, Resolution 674 to compensation payments and Resolution 688 to the installation of a no-flight-zone in order to safeguard the Kurds from military harassment as well as humanitarian relief for the Kurdish population. This resolution also laid the groundwork for the later military intervention by the US.

Assessing the success and scope of the UN resolutions concerning the Gulf crisis, you can see that, in the course of the events, a shift in the approach of the resolutions from deterrence to actual military action became visible. Sanctions proved to be an inefficient way to achieve original goals, i.e., to get Iraq out of Kuwait and then to enforce its compliance with the other resolutions. Most resolutions were kept ambiguous in order to gather UN support and to prevent the use of the veto. The resolutions in the humanitarian field had only a very limited scope; here, a supplementary cohesive policy should have been developed. Humanitarian concerns were, however, used to justify the use of military force.

Discussion

Question: What happened to the Iraqi representative to the UN during the Gulf Crisis? Was he suspended? And what were the effects of the sanctions against Iraq on the members of the coalition?

Answer: No, the Iraqi representative was not suspended; in fact, he was very active during this period lobbying for his country's cause in the UN organizations and forums.

The sanctions brought economic problems, mainly for Jordan and Turkey. The Gulf States offered some compensation but were not very successful in really relieving the problems. For the other parties involved, the sanctions mainly meant a re-deploying of their resources, which did not have a dramatic effect on their economies.

Question: Is it true that the vast amount of resolutions passed during the Gulf Crisis belittle the standing of the Security Council?

Answer: No, the Council gave the legal authorization for the actions to be taken, but it is still a political organ. There were so many resolutions due to the reasons I have already mentioned; as I said, most of the resolutions were developments of earlier resolutions.

Question: Can we consider the first resolution that the Security Council passed to allow the use of force against Iraq a declaration of war? How many such declarations of war has the UN announced during its history?

Answer: *De jure*, this is not a declaration of war; *de facto*, however it amounts to a declaration of war if you want it to. During UN history, there have only been the resolutions sanctioning military intervention in the case of Korea in 1950 and in the Gulf in 1991/92. However, about half a dozen other sanctions have been enforced militarily.

Question: Why and how did the concepts of peacekeeping and peace-implementing emerge as they are not explicitly foreseen in the UN Charter?

Answer: Only in rare cases is peace-enforcement according to Chapter VII of the UN Charter possible. Not only has there to be a consensus in the Security Council, which has for a long time been hindered by the Cold War, but also it has to be a clear case of country 'A' invading country 'B'. In Bosnia, for example, the situation was not so clear. The problem is that such a force can only be used for certain purposes, such as to ensure borders or oversee a cease-fire; to ensure the safe repatriation of refugees or the fairness of elections is simply too difficult a task. Furthermore, there was no effective peace enforcement due to the fear of casualties on the side of the Council members.

Question: Is there a peacekeeping force stationed in Kuwait today?

Answer: At the moment, there is a UN force at the border between Kuwait and Iraq and there are US forces deployed in Saudi Arabia.

Question: You said the veto protects minorities, but doesn't it lead to a bad image of the Security Council?

Answer: To make this clear, the veto protects the minority position in the Security Council. For about 30 years, it mainly protected the Soviet Union and, I would say, it thus prevented the break-up of the UN organization during the Cold War.



The Gulf Crisis Five Years On: Third Party Disputes as Catalysts to Conflict Resolution

Ailie Saunders

Talking about third party intervention, you first need to be clear about how narrowly or broadly you define this. In the case of the Gulf Crisis or the current situation in the Gulf, I want to look at it in a broader sense because there is a whole range of players that have an impact on the dispute, the differences or the conflict. I want to look at the third parties involved and their relations with the disputing party or with one another. So, what we have to do in the beginning is to find out who the central players are. This can be very confusing. We have Iraq on the one hand, but who do we have on the other? The UN or the US? It must be acknowledged that, whether you like it or not, the only other effective main player at the moment is the US.

Let us have a look at the several categories of third parties that are involved in the conflict. The first one is countries. So, if you look at third party players as countries that have disputes with the players or with another third party involved in the conflict, who would you come up with? Countries that have a role in the conflict today are Jordan, Turkey (being in dispute with the US), France, Russia, China, Iran, Gulf countries, Israel, PLO and Saudi Arabia. All these players are affecting the dispute; they all have an impact on the US or on Iraq. In addition to that, there are institutions involved, such

as the UN Security Council, the Arab League, OPEC and the EU.

The third point I want to look at relates to the different conflicts that are taking place in the Gulf region today. In Iraq, we can speak about social protracted conflict between the different groups. Other social protracted conflicts include the one between the Saudi opposition and the King, the Kurdish conflict (involving KDP, PKK, PUK), and the conflict between the Turkish Islamists and the secular government. And talking about security, the Arab-Israeli conflict is important, too.

Let us look at the Gulf Crisis from the different angles. There have been some disputes among third parties and the main players that served as catalysts to conflict resolution; others, however, are impediments to the solution of the conflict. Among recent disputes that served as catalysts to resolve one of the many crises with Saddam, was the French problem with the US and its intervention in northern Iraq last year. This enabled the French to step in as more objective mediators with the Iraqis to persuade them to step down from continuing a confrontational stance with the US. Later they were able to persuade the Iraqis that it was in their best interests to accept the implementation of UN Security Council Resolution 986, because there would be no quick fix to the lifting of sanctions and therefore no alternative in the short-term to agreeing to the oil-for-food deal. Another incident when a third party dispute may have helped in at least drawing attention to an unresolved problem in Iraq, was that between the KDP and the PUK. The KDP, by inviting Saddam to move into the north, highlighted weaknesses in US policy towards northern Iraq and invigorated a more concerted effort by all parties to pressure the Kurds to reach a cease-fire.

But there are also disputes that act as impediments to conflict resolution. An example of this is the scope that the dispute between the Kurds in northern Iraq has given to the involvement of outside players such as Turkey and Iran, which have not contributed to the resolution of Kurdish differences. More generally, the differences in policy between the French and the US may serve to divide the coalition partners and therefore weaken any cohesive policy towards Iraq, enabling Saddam Hussein to play one party off against another. Another conflict that has undermined the US position in the region is the targeting of US forces in the Gulf by extremist elements, using bombings as a means of voicing their opposition to the Western presence. Any reduction of the US presence in the region, in the light of such bombings, could have an impact on the US ability to protect against any further attacks by Iraq, against Kuwait or Saudi Arabia.

You might put some of these events in different categories. There are no hard and fast rules about the roles of third parties. When you enter a conflict as a third party trying to contribute to the resolution of a dispute, you should take into account the following factors before diving in: the objectives of the main parties involved in the conflict; the interests and motivations of the parties involved and of those who may become involved; the ability of third parties to have an influence on the problem; the timing of the conflict, i.e., whether it is nearing the stage of ripeness, and the people who should be involved if the third parties are impeding rather than contributing to the resolution of a problem.

The main roles of a third party in a conflict should be to calm the crisis, to resolve deadlocks, i.e., to move intractable issues in a mutually hurting stalemate, and maybe even to help in resolving the conflict.

What are the main objectives in trying to resolve the Gulf conflict? The problem is that we, and by that I mean the international community, are not absolutely sure what some of our main objectives are. Are we trying to get the Iraqis to comply with the UN resolutions? Does that actually resolve the issue of the threat to Iraq's neighbors? Or is the only remedy to encourage Hussein's overthrow, by suggesting that sanctions will never

be lifted while Hussein is in place, as seems to be the thinking of the Americans? Saddam still is a military threat to the region; no one can actually judge what he will do next, whom he is going to attack. He is not reliable; one cannot trust him. Thus, we have two major options or possible scenarios for the Gulf, one with and one without Saddam Hussein. What are the main threats in either case and who could serve as a mediator?

Scenario 1: In this scenario, Saddam Hussein stays as the Iraqi leader, and therefore, because we cannot read his intentions, the potential threat to Iraq's neighbors remains. Thus, the main policy will be to try to keep him to comply with the resolutions, and that is likely to entail some kind of US pressure. But at the same time, it may not be beneficial in the long run to isolate Saddam Hussein. So we have to find means of assimilating him back into regional politics, irrespective of how little the Americans and the British like the idea. Now, who are the players that you can influence? You will have to work on Kuwait and on the GCC here to get Saddam Hussein back into regional politics. Or, you could try to integrate Iraq in a security agreement connected with the Arab-Israeli conflict, try to incorporate it in a kind of political institution similar to the Syrian track of the peace negotiations, so that it will be included somehow in a regional peace agreement with Israel. Another idea, that no one likes, is Malcolm Rifkind's idea of the OCME (Organization for Cooperation in the Middle East), but again that also depends on influencing the GCC for it to be considered credible. The people within the Israeli-Arab dispute that could do this part best would be the Palestinians and the Jordanians. So, this scenario encompasses a parallel process according to which Iraq would gain international confidence by abiding by UN resolutions on the one hand, while it would be assimilated into the region on the other.

Scenario 2: Saddam Hussein disappears somehow. We assume that he does not have a reliable successor, that there is a pretty anarchical situation. The threat remains because all the weaponry is still in place. The US will not interfere in anything close to a civil war. It is probable then, that there will be a fragmentation or cantonization of Iraq with the Kurds dominating the North and the Shiites dominating the South, with Iran and Turkey pulling the strings. The Russians and the EU may influence Iran, while the US, the EU and NATO may influence Turkey. In this case it is not clear, however, if the third parties will be impediments or catalysts for conflict resolution.



Foreign Policy and Diplomacy of New / Small States

Miljan Majhen, Counselor, Embassy of the Republic of Slovenia, Tel Aviv

I will talk about Slovenia as an example of a new small state. I only want to give a brief lecture providing you with some facts about Slovenia's geographic setting and its recent history, and then would like to invite you to ask me questions about my country. Slovenia lies in Central Europe; its neighboring states are Italy, Austria, Hungary, and Croatia. It covers an area of about 20,000 square kilometers and has a population of about two million people. It is the most developed as well as the most Western and export oriented part of former Yugoslavia.

Slovenia has traditionally been the most open and democratic part of Yugoslavia. The main reason for the split was the heightening Serbian nationalism from the beginning of the 80's and the anti-democratic attitude of the Serbian regime. Tensions rose to a peak in 1989. In May 1989, intellectuals issued a declaration in which they called for independence. In April 1990, the first democratic elections in Slovenia since World War II were held. The opposition parties gained 55% of the votes in these elections.

As a federal republic, the Yugoslavian constitution always gave great authority to the republics. There were only a few areas of common policy, such as foreign policy, the military and currency. Slovenia proposed to upgrade the constitution and to transform Yugoslavia into a confederation, but this was rejected by the Serbian side. In 1990, a referendum for independence was held in Slovenia, in which 89% of the eligible voters participated and 90% of the votes were in favor of independence. Thus, on 25 June 1991, independence was declared. A ten-day war followed with the Yugoslavian army trying to close the border whilst being fought by the Slovenian militia and police. The EU troika came to Croatia and mediated an agreement with the Yugoslavian republic. On 8 July, a three-month postponement of independence and the withdrawal of Yugoslavian troops was agreed upon; thus, independence became a reality on 8 October 1991.

The first aim of foreign policy then was to obtain recognition from other states. In 1991, Slovenia was already recognized by ten countries. In 1992, there was a wave of recognition and Slovenia was able to enter several important international organizations such as the CSCE, the WHO and the UN. The current most important foreign policy aims are to become a member of the EU and of NATO, in addition to ensuring official recognition of our borders with neighboring states. In this respect, negotiations on non-defined points are presently going on with Croatia. In order to build Slovenia's foreign policy, it was first necessary to build its foreign policy institutions. The foreign ministry was developed out of the former Slovenian agency that was responsible for cooperation with the neighboring regions. In June 1991, the Law of Foreign Affairs was enacted.

Slovenia today has about 40 missions all over the world, including over 30 embassies, six consulates and three missions at the UN. The large number of missions is due to the perceived need for friendly relations with the countries of the world, and the need to communicate and pursue personal relations. In this, the neighboring states, the US, the EU member states, and the permanent members of the Security Council have priority, and an attempt is made to have representations in each of the continents. In 1994, an embassy was opened in Israel. Since then, trade between Israel and Slovenia has developed from a volume of US\$ 2 million to US\$ 45-50 million. But the huge number of missions also entails a lot of infrastructure problems: salaries, cars, equipment, communication systems and rents all have to be financed.

In order to enter the Slovenian foreign service one must possess a high school diploma, be fluent in two world languages and be no more than 30 years of age at the time of admission. In 1996, the union of diplomats in Slovenia was founded. Its aims are to protect the profession and to get rid of political influence. The professionalism in diplomacy should always be conserved. Therefore, in Slovenia, diplomats are not allowed to have a politically influential position. Diplomats have to work for their government; they cannot be neutral because they have to obey the orders of the government. But they should not be political appointees.

Slovenia is proud of its post-independence achievements: it has become a member of important global organizations, and its GDP has risen to about US\$10,000 per capita. It has become an associated member of the EU and filed an application for full membership. It is cooperating with NATO in the frame of 'Partnership for Peace'. It has become a member of EFTA and CEFTA. The EU is its main trade partner, and 70% of its trade is with EU member countries.

Discussion

Question: What is the role of the 'new bloc' of the Eastern European countries in the European structure?

Answer: There remains a curtain between East and West in Europe when you look at the economic level. The former members of the Warsaw Pact wish to join the EU and NATO; they are struggling for the values and freedoms of the Western World, such as democracy. The actual problem is that the economic gap between West and East is widening as there is no 'Marshall Plan' to help the Eastern European countries in improving their situation.

Question: You said that former Yugoslavia had already been a federal state. Was this helpful in Slovenia's strife for independence?

Answer: In former Yugoslavia, there had been six republics and two autonomous areas. Yes, this was very helpful in the dissolution process. But still, a lot of work had to be done, such as building up a new, stable currency.

Question: Has Slovenia recognized Palestine?

Answer: Actually, the PNA has never asked to be recognized by Slovenia. Thus, this has not happened yet. Palestinians traveling to Slovenia still need a visa.

Question: Why does Slovenia have an embassy in Israel? How big is the share of Israel in Slovenia's overall trade?

Answer: Israel is a politically important state in the Middle East. It also has a developed high tech industry, a field in which Slovenia is especially interested.

Question: Where did the funds needed to build up the new nation come from?

Answer: There was an enormous level of economic development. In 1990, the GDP was about US\$8,000 per capita, but this dropped to US\$6,000 at the time of Slovenia's independence because approximately 40% of its trade - the part that had been conducted within Yugoslavia - had been lost. The GDP has now risen to more than US\$10,000. Slovenia's main sources of income are services (57% of GDP) and industry (37%). Agriculture contributes less than 5% to the GDP.

Question: It would be good if states like yours could help persuade Israel that new states are not dangerous.

Answer: Yes, but it is obvious that new states as such do not present a danger.

Question: What were the real reasons for Slovenia's declaration of independence?

Answer: The base was the gap in the state of development in democracy and in the economic field between Slovenia and the other republics. In the 1980's, Serbian nationalism rose; Milosevic tried systematically to suppress democratic developments. He feared Slovenia's openness towards the West, e.g., its open borders with Italy. Slovenia feared that with rising Serbian nationalism it would lose its independence, for example in the cultural field. Slovenia has had its own language for centuries and has always placed great importance on education and culture, books being the most precious item in the country.

Question: You talked about the institutions that you had to build in the field of foreign policy. In more general terms, what is more important, to have the state first and then to build the institutions or the other way around?

Answer: This is a little bit like the question concerning the egg and the chicken. You cannot see this in an exclusive manner. You need both in order to become a state; you need to build the societal base and you need the international recognition.

Question: What were the sources of self-confidence the Slovenians were drawing upon when they declared independence? What kind of advice could you give to a people striving for a state, striving for independence?

Answer: Each nation looks for its identity. Now, the Palestinian case is very different from the Slovenian one and so I do not really want to give advice. I think, in Slovenia, we were quite successful in avoiding bloodshed, for example, in comparison with Bosnia, where about 200,000 people have been killed while one million refugees have been forced out of their homes. National identity should be sought without hurting others.

Question: How did your president come to power?

Answer: Slovenia is a parliamentary democracy. In the 1990 elections, 90 members of parliament were elected for the first time. Then, we had elections in 1992 and again in 1996. The prime minister is the head of the government; the president is elected directly by the people, but he performs only representative functions. Currently, five of the members of parliament are women.

Question: How have your relations with Yugoslavia developed?

Answer: We have been recognized by Croatia, Macedonia, and Bosnia-Herzegowina and have normal relations with these states of the former federation. The recognition by the Federal Republic of Yugoslavia took place in 1996, but we have not yet established diplomatic relations. However, business and trade is taking place; business relations have been established by businessmen themselves.

Question: What is the main difficulty in your job as a diplomat?

Answer: A difficulty that I face here is that there is no Slovenian community. This has, of course, its good sides - there is no interference or special demands - and its bad sides, such as feeling lonesome from time to time. Up to now, I have been very busy setting up the embassy and getting settled myself.

Question: I have two rather unrelated questions. What has been the Slovenian role in the Bosnian war? And what has been the role of women in the struggle for independence?

Answer: Slovenia has been eager not to play a role in the Bosnian conflict. It has no will to interfere in this development.

Women participated in the referendum and participate in elections the same way as men do. In Slovenia, women constitute half of the work force; they have equal rights and receive the same pay, but this also poses serious problems. Nowadays, for example, the birth rate is only 1.8 children per family, which is not enough to maintain the present population figure.

Question: You said that Slovenia has accepted all the international agreements of former Yugoslavia. What about trade agreements with other countries?

Answer: Actually, with regard to trade, we were in a lucky position because we were ready to deliver. Thus, for example, concerning trade with the EU, we received almost the totality of the quotas formerly reserved for Yugoslavia.

Question: Can Tito be seen as the common denominator in Yugoslavia?

Answer: Yugoslavia was first established after World War I, then became the Yugoslavian republic under Communist rule after World War II. Often, it is assumed that Tito's greatest achievement was to create brotherhood between the republics, but in

reality, it was force rather than skillful engineering that held these peoples together; sometimes, the cost of this was death.

Question: In your eyes, what is the difference between a diplomat and a politician?

Answer: This is a very difficult question. Let me tell you the difference between a diplomat and a soldier instead: the soldier gives his life for his country whereas the diplomat gives his liver for his country.

Question: Why have you become a diplomat?

Answer: It has something to do destiny. For a long time, I worked in governmental institutions in Slovenia. When independence came, the government needed people that spoke foreign languages, had experience abroad and in various fields and were open-minded.

Question: As a diplomat, do you enjoy a lot of privileges?

Answer: I do enjoy diplomatic privileges; these are necessary in order to be able to fulfill the job. But to be frank, a businessman belonging to a successful company enjoys many more privileges and earns far more money than I do.



Wrap-up of the Seminar

Moderated by Dr. Joel Peters

In the first round, the participants were asked to assess the seminar and comment on the importance of the subjects discussed and their practical applicability in daily life. The participants' contributions were as follows:

- In my workplace, Israelis and Palestinians get together, and there are often problems between them. I think I can apply some of the techniques and ideas on conflict resolution discussed in this seminar to overcome these obstacles.
- Through the practical exercises in the seminar, I found out that conflict resolution is much more difficult than I had expected after reading the reading material. I learned a lot during the exercises and discussions.
- I found the subject of the seminar very interesting. I am now thinking about changing my future plans in order to work in or study more about this field.
- During the seminar, I found out that I did not know as much about negotiations and conflict resolution as I had thought I would in the beginning. Now, I think, I have a more systematic approach and I understand more about the underlying principles of negotiations.
- During the seminar, it became evident to me, that we, the Palestinians, always use the notion of 'conflict', but we do not have a clear concept of this term. Now, I am better informed as to what it is all about.
- As a professional trainer, it is very important for me to understand the concepts taught in the seminar: the negotiation process, techniques and skills of negotiations, etc., in order to be able to teach them to others.
- For me, the most interesting aspect of the seminar was that I was able to get to know a lot of people, especially young Palestinians from all over the country, and to understand how they think.

- The setting of the seminar was unique. I appreciated the fact that there was a lot of room for discussions and practical exercises.
- I hope to become involved in the negotiations on Jerusalem and to be able to help the Palestinian people. The tools I learned in the seminar will be useful in this. But I still need to find out about how to break a deadlock and how to remove obstacles in negotiations.
- I found it very useful that, in the seminar, we always learned about different approaches towards a problem. Actually, my future career plans have changed due to the seminar.
- I have already done an evaluation of the seminar on my own. I found that the information provided was excellent and, through the active learning techniques used, my learning and thinking capacities have developed. I found it very positive that we were able to establish close contact with the lecturers and discuss all kinds of subjects with them. During this seminar, I have experienced conflict resolution as a process; it was a 'living experience' of the subject.
- I really have lived the experience of this seminar. For the last two weeks, I have 'lived' the subject and I have had long discussions about the topics at home and with friends. I found the seminar excellent; it provided me with a different perception of reality. It might well be a turning point as I have now started to ask myself again: what will I do with my life? I have become very interested in the subject, and I want to explore it further.
- I got to know a lot of new people. I have learned that it is possible to have a firm stand and still listen to others. I have also learned that I need to ask myself a lot of questions, that I have to think things over and to listen to different opinions. The seminar has also enhanced my self-esteem. Here, we had the opportunity to express ourselves freely; this was an entirely different learning experience from the one at university.
- I benefited from the seminar mainly in two fields: first, I made new friends, all of whom have a high level of education, and second, I now understand the importance of diplomacy. This is very important for us as a people, for whom the conflict is so close. We are in need of tools in order to analyze the conflict, to find solutions, and to prepare ourselves for negotiations.
- I actually had a hard time during the seminar; I spent every night thinking things over. I found it very interesting to meet people, such as Ron Pundik and Sami Musallam, who talked to us about the unofficial, the inside view. I also discovered that I need to read more. There is still another aspect: the seminar made me very hopeful with regard to Palestinian women. For me, it was the first time I had met such well-educated, intelligent, and politically aware women. This gives me hope for the future.
- I think after the seminar, I will be more professional in my work and use a more academic approach. I now have a better understanding of what is happening around me, the meaning of terms used in the newspapers, etc.
- For me, this has been one of the longest study sessions. There was pressure to work hard. In our spare time, in the hotel, we were re-thinking everything, and we often discussed certain issues for many hours. I found it very important to exchange standpoints and arguments.

Dr. Joel Peters then gave a brief summary of the seminar: The study field of negotiations, conflict resolution and diplomacy is a rather new science, but it is about one of the oldest professions, which can be traced back as far as Peloponnesian Wars. It is the complexity of the modern world that has created the need for a new approach to international relations, of which diplomacy is the master mechanism. At one level, and this is the classical one, they take place between the leaders of the world and the states' official representatives, the diplomats. At another level, the relations are far more heterogeneous and other agencies come into play: NGOs, other ministries, private individuals, etc. There are many sorts of different levels of diplomacy.

Also, the notions of conflict, conflict resolution and security have changed. We now have a different concept of security, which not only relates to what you might call 'hard security', but also to other concepts related to the society, the environment, migration, the type of regime, etc. Today, the legalistic definition of sovereignty, a 350-year-old concept, is no longer adequate. The idea of total autonomy or national separateness is no longer applicable in the era of the internet. We need to think about new concepts, and we need to think about creative mechanisms to overcome the practical problems of negotiations: to overcome deadlocks, to bridge gaps, to resolve conflicts, etc. We should not forget that we have to include the societal and personal level in order to resolve conflicts between peoples and states.

In the past two weeks, our views and opinions have been challenged on a daily basis by the incidents in the political field. These incidents highlight the complexity of the process, the different levels involved, the signals diplomacy can send and the different dimensions of conflict. We should not forget that already in 1993, we had a serious deadlock in Washington where it looked as if the peace process had come to an end. But at the same time, the Oslo negotiations were going on. Conflict resolution takes place at different levels and involves different actors.

Negotiations are a process of learning. Therefore, the questions concerning missed opportunities, as to whether, already at this or that point of time, the Palestinians should have accepted this or that solution, are somewhat irrelevant. And, with all that is happening at the moment, we should bear in mind that it is not the headlines of the day that are the most critical issues. Conflict resolution is a learning process at an individual, societal, and international level.

In conclusion, let me just say, in one sentence, that this has been a very good seminar and the credit for this success lies with the efforts of all the participants. You have all been prepared to challenge ideas, respond when challenged by difficult and at times painful questions and above all work together as a group.



Background Research

A. International Organizations and the World Order: Maintaining Peace and International Security

The United Nations (I): History and Organizational Structure

Mohammed Nasser

Introduction

Since the end of World War I the nations of the world have increased their efforts to prevent wars and to maintain international peace and security. In 1919, the 28th President of the US, Woodrow Wilson, suggested the establishment of the League of Nations, the main objectives of which were to prevent wars and to slow down the arms race, as well as to maintain peace and security in general. The League succeeded in its attempts to resolve disputes between small nations, but failed to do the same in disputes involving larger nations. In 1939, Japan and Germany withdrew from the League, and its role was terminated by the beginning of World War II. Nevertheless, the world's efforts towards peace and security continued.

On 1 January 1942, 25 nations from the Atlantic Confederacy signed the Atlantic Charter, while another 21 states later adhered to it. The 50 member states of the UN formally subscribed to the purposes and principles contained in the charter. Poland also signed the declaration later, and is considered the 51st original member state. In 1943, China, the US, the USSR and the UK as the four most powerful governments took it upon themselves to come up with a draft for the UN Charter. In a conference that took place in San Francisco from 25 April to 26 June 1945, the four governments drew up and signed the UN Charter, and the UN officially came into existence on 24 October 1945.

Structure and Organization

Due to the great number of issues that the UN had to tackle, it assigned different responsibilities to the following organs:

- General Assembly
- Security Council
- Economic and Social Council
- Trusteeship Council
- International Court of Justice
- Secretariat

The General Assembly

The General Assembly, comprised of 185 member states and located in the UN headquarters in New York, is the main deliberative organ of the UN. Although the Assembly has the right to discuss and make recommendations on all matters within the scope of the Charter, it does not have the power to compel its member states to take any kind of action, despite the fact that its recommendations carry the weight of the world opinion. In addition, the Assembly may not make recommendations concerning disputes or situations that are being dealt with by the Security Council.

The regular annual session of the Assembly begins on the third Tuesday in September and continues until the third week of December. In recent years, the Assembly has also convened throughout the year.

At the beginning of its regular sessions the Assembly elects the non-permanent members of the Security Council and the elective members of the Trusteeship Council, in addition to a new president, vice presidents and the chairmen of the Assembly's six main committees. To ensure equitable geographical representation the presidency of the Assembly rotates each year among the following five groups of states: African; Asian; Eastern European; Latin American and Caribbean; and Western European and other states. In coordination with the Security Council, it elects the judges of the International Court of Justice and appoints the new secretary-general.

The Assembly reaches decisions in two ways. In approving decisions on important matters, such as those relating to peace and security, the admission of new members and budgetary matters, a two-third majority vote is required. Decisions on other questions are reached according to the simple majority voting process. Because of the large number of issues that the Assembly has to deal with it has established four kinds of committees, each with a number of sub-committees, to deal with specialized matters. The committees are as follows:

Main Committees: Political and Security Committee; Economic and Financial Committee; Social, Humanitarian and Cultural Committee; Trusteeship Committee; Administrative and Budgetary Committee; Legal Committee.

Procedural Committees: General Committee, to carry out the preparation work for matters on the Assembly agenda and to assist the president in conducting the work of the Assembly; Credentials Committees, to examine and report on the credentials of representatives.

Standing Committees: Advisory Committee for Administrative and Budgetary Questions; Distributions Committee (both committees are appointed on the basis of broad geographical distribution).

Ad Hoc Committees: Such committees (and other bodies) are appointed by the Assembly as may be required from time to time for special purposes.

The Security Council

The Security Council is of no lesser importance than the Assembly. It consists of 15 member states, five of whom are permanent members and have the right to object to any decision using their veto. The five permanent members are China, France, the Russian Federation, the US and the UK. The other ten members are elected for two-year terms by the General Assembly, which takes into consideration the contribution of different members to the maintenance of international peace and security in addition to the equitable geographic distribution when electing new members.

Any UN member can participate in the Council's discussion but without having the right to vote. If any elected or permanent member has a part in the dispute he can also participate in the discussion but, once again, without having the right to vote.

Council decisions require an affirmative vote by seven members to be passed. On substantive questions, decisions are approved if no permanent member casts a veto. The only exception to this rule is that, with regard to measures relating to a threat to peace, the involved parties must refrain from voting.

Committees: To facilitate its work, the Council has standing and ad hoc committees to assist it in its work. They are as follows: Committee of Experts, which examines the rules of procedure and matters entrusted to it by the Council; New Members Admission Committee; Military Staff Committee, established in accordance with Article 47 of the Charter.

The Economic and Social Council

The Economic and Social Council consists of 54 members, elected by the General Assembly for three-year terms. Any UN member can participate in the discussions of The Economic and Social Council on any matter of a particular concern to that member but without having the right to vote.

The Council meets at least twice a year. Special sessions are summoned at the request of the majority of the members of the Council or of the General Assembly, the Security Council or the Trusteeship Council.

The Council is responsible, under the authority of the General Assembly, for promoting the economic and social purposes of the UN. It initiates and carries out studies and reports on international economic, social, cultural, educational, health and related matters.

The Council has the following commissions and sub-commissions to report and make recommendations:

Functional Commissions: Economic and Employment; Transport and Communication.

Regional Economic Commissions: Economic Commission in Europe; Economic Commission in Asia and Far East.

Standing Committees: Committee on Consultation with Inter-Governmental Agencies; Agenda Committee; Committee on Consultation with Non-Governmental Organizations.

Special Bodies: United Nations International Children's Emergency fund (UNICEF); United Nations Educational Scientific and Culture Organization (UNESCO); Food and Agriculture Organization (FAO); The World Health Organization (WHO)

Trusteeship Council

The Trusteeship Council includes both members that are responsible for administering trust territories and others that are not. All its members are elected for three-year terms by the General Assembly. The Council meets in two regular sessions each year, although special sessions may be held upon the decision of the Trusteeship Council itself, or at the request of another UN organ.

The Council, which functions under the authority of the General Assembly, considers reports submitted by the administering authorities of the various trust territories, with whom it also examines any requests relating to the territory under their trusteeship. In strategic areas the Trusteeship Council assists the Security Council in carrying out trusteeship functions relating to political, economic, social and educational matters. Council decisions are taken according to the simple majority vote process.

The International Court of Justice

The International Court of Justice is the principal organ of the UN. It began its operations in 1946 when it replaced the permanent Court of International Justice, which had been in operation since 1922.

The Court has a dual role: to settle in accordance with international law the legal disputes submitted to it by states; and to give an advisory opinion on legal questions referred to by duly authorized international organs and agencies.

The court is composed of 15 judges elected to nine-year terms of office by the UN General Assembly and Security Council. It may not include more than one judge of any nationality. Elections are held every three years for one third of the seats, and retiring judges may be re-elected. The members of the Court do not represent their governments but are independent magistrates.

Since 1946 the court has delivered 60 judgments and 23 advisory opinions.

The Secretariat

The chief administrative officer of the UN is the secretary-general, who is appointed by the General Assembly on the recommendation of the Security Council for a five-year term. Under Article 99 of the UN Charter the secretary-general is required to submit an annual report to the General Assembly on the work of the organization as a whole.

He appoints the staff of the Secretariat. The Secretariat includes the Executive Office of the Secretary-General and the following departments, each supervised by an assistant secretary-general: Executive Office of the Secretary-General; Department of Security Council Affairs; Department of Economic Affairs; Department of Social Affairs; Department of Trusteeship and Information from Non-Self-Governing Territories; Department of Public Information; Legal Department; Conference and General Services; Administrative and Financial Services.

Conclusion

It is clear, when looking at the history and structure of the UN, that the main objectives of the nations of the world have been the same since the establishment of the UN in 1945, with an emphasis on human rights, peace and security, world justice and the development of the overall standard of living. Unfortunately, none of the UN member states have the power to compel other member states to take any kind of action, nor to force other states to carry out the decisions of the various UN organs, so such decisions, despite all the discussion and voting that precedes them, basically have very little meaning.



The United Nations (II): Decision-Making Process

Abeer Mashni

In this paper, I will give you a brief introduction to the different methods of decision-taking in the UN General Assembly and the Security Council.

The General Assembly, which may be considered the central organ of the UN, consists of all UN members. It is assisted in its work by six committees. General Assembly decisions are not legally binding on governments unless they relate to the application of enforcement measures in accordance with Chapter VII of the UN Charter (threats to the peace, breaches of the peace and acts of aggression). The work of the UN derives from the decisions expressed in resolutions adopted by the Assem-

bly. Decisions on important questions, such as those on peace and security, the admission of new members and budgetary matters, require a two-thirds majority vote. Decisions on other questions are reached by a simple majority vote. These decisions may be adopted without a formal vote.

The Security Council consists of 15 members, five of whom are permanent, while the others are elected by the General Assembly for two-year terms. Each Council member has one vote. Decisions on procedural matters are validated by an affirmative vote of nine of the 15 members. Decisions on substantive matters, meanwhile, require the votes of all five permanent members; this is why the permanent members are said to possess the 'vote power'.

When a complaint concerning a threat to peace is brought before the Council, it will work to end the dispute by issuing cease-fire directives, or by sending peacekeeping forces to the region. It could also decide to apply economic sanctions or collective military action against the aggressor.

Most UN decisions take the form of resolutions, which usually consist of two parts: the preamble and an operative section. The preamble is designed to explain the purpose of the resolution, and it often refers to earlier decisions. The operative section takes the form of a request for action, an endorsement of a situation or a statement of opinion. Drafts of resolutions are usually prepared according to general instructions from the national capitals. The Secretariat may be consulted on legal or other aspects of the text and on its drafting.

Without the support of major influential countries, such as the five permanent members, a resolution will find itself in difficulties; taking into account the attitudes of major powers before submitting a draft resolution is therefore very important. For many middle and small powers, it is of vital importance that the major powers accept a share of the responsibility for certain issues; they undoubtedly think to themselves, 'Why should we assume the responsibilities, both financial and political, for decisions that have little chance of being implemented for lack of major power support?'

The next step is to approach either directly, or with the help of close allies, as many delegations as possible from amongst potential supporters. Also, it is considered desirable to have the support of a representative group of co-sponsors. The next step is for the draft resolution to be given to the Secretariat for translation, editing and official circulation. Once it has been formally submitted to the Secretariat, it is circulated in the working languages (French, Spanish, English and Russian) to all participants. Changes to the draft can then be introduced. These are often necessary due to translation difficulties or problems with the content of a resolution, which can sometimes offend the customs or beliefs held by certain delegations; it should be noted that the same words may have different political meanings in the various parts of the world.

The final stage in the decision-making process is the voting. The voting for or against a resolution reflects the positions already developed in the debate and in informal discussions. There are two kinds of voting: a roll-call vote, in which each delegation is asked to indicate its vote orally, and in which the order of voting is determined according to chance: the chairman simply picks a slip of paper with a country's name out of a box containing the names of all members. The more usual procedure of voting involves a show of hands, although not all the hands rise at the same time when a vote is called: some delegates wait to see how their allies or enemies are voting or how the majority is voting before rising their hands to vote. Any member who makes a mistake or is absent at the time of a vote cannot have the voting record change, but he may have his real intention entered into the official record of the proceedings.

Some resolutions are referred to long after they have been passed, while others die immediately or gradually lose their significance and are then forgotten or ignored. Resolutions designed to establish and develop specific UN programs have been useful and led to constructive results, but resolutions involving policy recommendations to governments are often less effective. In the decision-making process, timing is very important. A resolution or suggestion that is presented too early may arouse more opposition than if it had been presented at a later stage.

Not all UN decisions are taken in the form of resolutions, but most decisions are expressed in a formal manner through the Security Council meetings. These meetings end with a summary from the chair, which is generally considered as reflecting the consensus of opinion of the Council members.

The UN represents the 'New World Order' vision of the powers that won World War II. In the draft of the UN Charter, they expressed their belief that their alliance could continue into the post-war era, and that they would be able to guarantee world peace. This was a reasonable claim at that time, but we know now that although the UN was important during the Cold War, there is today mounting pressure, by the member states themselves, in the media and amongst academics, to make sweeping reforms within the UN.

Discussion of such reforms usually center around four major areas, including the Security Council and the General Assembly. The permanent members of the Security Council are satisfied with its present structure. Moreover, they are in a position to reject any changes to the structure, which many claim are needed to keep up with the developments in world affairs. The majority of member states, however, are dissatisfied. Most UN members seem to favor an expansion of the Council from its present 15 members, but one that does not involve an increase in the representation of the European and developed countries. They demand, instead, that new members from other geographic regions and from the Third World should be included.

One of the reasons for the dissatisfaction with the role of the General Assembly is that the quality of its work has deteriorated in recent years. Its agenda is not managed properly because of the large number of items to be discussed in a considerably short time (either in plenary or committee meetings during the fall session). The General Assembly has an extremely important function, namely the consideration and approval of the organization's budget.

The General Assembly should recognize that there is a need for it to meet throughout the year, since the present system, whereby all its work is squeezed into the three months between the third week in September and the Christmas-New year holiday, is totally inadequate. It could also improve its efficiency by reducing the number of its committees. Finally, the General Assembly, instead of picking its president on the basis of geographic rotation, should seek a knowledgeable, experienced president who can lead the General Assembly more efficiently.

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The Arab League (I): History and Organizational Structure

Ghada Terawi

The League of Arab States came into being towards the end of World War II, formally on 22 March 1945, with the signing of a pact by seven states: Egypt, Iraq, Syria, Saudi Arabia, Lebanon, Yemen and Transjordan. Two main factors had been responsible for the birth of the Arab League, namely Arab nationalism and British occupation.

During World War I (1914-1918) Britain used the concept of Arab nationalism to gain the support of the Arab states, which were then under Ottoman rule. Britain, thus, was able to weaken the Turkish Ottoman Empire, which dominated the Middle East for centuries. However, during this period, no concrete form of Arab unity evolved. Britain used the same strategy during World War II, when it supported the Arab states and encouraged the creation of Arab unity. The British Foreign Secretary declared in 1941:

"It seems to me both natural and right that the cultural and economic ties between the Arab countries, and the political ties too, should be strengthened. His Majesty's Government for their part will give their full support to any scheme that commands general approval."

At around the same time, a number of Arab states proposed different initiatives regarding Arab unity. Iraq, in January 1943 and during the rule of Prime Minister Nuri Al-Said, proposed the creation of an Arab League, that would include Iraq and Greater Syria (Syria, Lebanon, Palestine and Transjordan).

In April 1943, King Abdallah of Transjordan called for a conference to determine the kind of government that should rule Greater Syria. One month previously, Nahas Pasha, the Prime Minister of Egypt, had called on the Arab States to hold a conference to discuss the concept of Arab unity. Many proposals were made regarding the form Arab unity should take, including the following:

- a *unitary state*, a body with central authority over all Arab states;
- a *federation state*, an assembly of states with executive authority over federal issues;
- a *loose confederation*, which supports the creation of a union that does not have executive authority over members, the main concept being cooperation and coordination between member states.

The outcome of the discussions that took place during the drafting of the Pact of the League of Arab States was the adaptation of only those proposals that could be realistically applied according to the existing state of inter-Arab relations. The loose confederation was favored by most of the Arab States and the Pact was adopted and signed on 22 March 1945.

The Pact established a regional political organization, which aimed at ensuring cooperation between sovereign states, whilst calling for the respect of the different states' independence and sovereignty. It also issued some rules and regulations. For example, if two or more independent members of the Arab League were to form a separate political union, they would lose their individual representation in the League and be treated as a single state. Another rule said that non-member Arab states would be allowed to participate in the work designed for the Arab League committees.

During the Seventh Arab Summit Conference, which took place in Rabat in 1974, the PLO was recognized as the 'sole legitimate representative of the Palestinian people'. As a result, in 1976 Palestine became a 'special case' member of the Arab League.

The Structure

- (1) *The Council*, is considered the supreme political organ of the League. Each independent state has a single vote. States are represented at the Council meetings by their foreign ministers or ambassadors. They meet in ordinary sessions twice a year, in March and September. Whenever the need arises, an extraordinary session may be convened upon the request of member states. The appointment of the secretary-general is made according to a two-third majority vote, while the decision to expel a member requires the vote of all members except the one under consideration.
- (2) *The Permanent Secretariat*, consists of a secretary-general, assistant secretaries and officials. The secretary-general, who is elected by the council by a two-third majority, will appoint the assistant secretaries and the officials, with the approval of the Council. The secretary-general must submit the League's draft budget to the Council prior to the beginning of each fiscal year. The role of the secretary-general exceeds the administrative duties. His role includes some political dimensions, inasmuch as he has the right to draw the attention of the Council to any questions that may arise regarding relationships and disputes between member states.

The *Committees*, which are permanent, are meant to assist the Council in its activities. The committees are as follows: Political Committee; Communications Committee; Social Committee; Legal Committee; Information Committee; Petroleum Experts Committee; Health Committee; Financial and Administrative Committee. The committees use the simple majority vote system to come to decisions, and meetings are held during the regular sessions of the League Council, as well as at other times.

Today, the Arab League members include the PLO and the following states: Algeria, Bahrain, the Comores, Djibouti, Egypt, Iraq, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, the UAE and Yemen. Esmat Abdul Majeed is the current secretary-general of the League, which is based in Egypt.



The Arab League (II): Decision-Making Process and Regional Conflict Resolution

Husam Shakhshir

Introduction

The Arab League came into existence on 22 March 1945, when seven Arab states signed the Arab League Pact. The creation of the League was the result of Arab efforts to achieve unity and independence and to work together in the name of the common good of all the Arab countries. It was hoped that, through the League, the Arab countries would be able to guarantee an improvement in their political and economic status, the security of their future, and the realization of many of their other hopes and aspirations.¹

The Arab League Pact gave the League's Council the authority to resolve conflicts and solve regional disputes. Article 5 specifically refers to the Council's function as an organ of mediation, conciliation and arbitration in disputes that present a threat to peace, while Article 6 deals with its role in the case of aggression against a member state.²

Arbitration

As previously mentioned, Article 5 of the Pact refers to the Council's role as an organ of arbitration. Arbitration, however, is only an option when the parties to a dispute are League members and choose to refer to it. In such cases the states involved 'shall not participate in the deliberations and decisions of the Council.' Significantly, arbitration decisions are taken by majority vote and are enforceable and obligatory. The Council's jurisdiction in cases of arbitration is limited in both substance and in form. The dispute, for example, must not 'concern a state's independence, sovereignty, or territorial integrity.'³ Only once in the history of the League did member states ever have recourse to arbitration. This occurred in May 1949 in a dispute between Syria and Lebanon over a minor territorial violation.⁴ Although most inter-member disputes were of a mixed nature, involving both legal and political aspects, the parties to such disputes invariably sought to have them regarded as being of a predominantly political nature, which would allow them to be solved by diplomatic negotiation. Moreover, the parties to the conflict were further influenced by the fact that the composition of the Council, as a political body, was not in keeping with an ability to satisfactorily provide the services of an arbiter.⁵

Mediation and Reconciliation

The Council can play a mediation role in all disputes that threaten to lead to war although, more recently, it has played a more active role in all disputes, regardless of their nature. The Council is duty bound to make the same efforts as a mediator, irrespective of whether the dispute is between two sovereign states, two parties in the same state, of a member state with a third state.

The Council can act as a mediator in all disputes that affect a state's sovereignty and independence or territorial integrity, provided that the dispute is one that threatens to lead to war. Its decisions are not binding on the parties to a dispute.⁶ In the Syria-UAR dispute of 1961, the Council abstained from pronouncing upon the claims put forward by the parties, but instead, attempted to conciliate between them. The Council followed the same conciliatory approach in connection with the Lebanese complaints of indirect aggression in 1958.

Only on two occasions has the Council not followed the conciliatory approach but, on the contrary, adopted hard measures against one of the disputant parties. The first instance involved Jordan and its decision to annex the West Bank in 1950. The member states took the view that Jordan had violated the basic policy of the League, which was that unification would lead to the conclusion of a separate peace with Israel. Its actions were contradictory to the resolution of 24 March 1947, which mentioned that the purpose of all the League's efforts with regard to the Palestine Question was the eventual achievement of a Palestinian independent state.⁷ The second incident concerned the Kuwait-Iraqi dispute of 1961, when the Council rejected Iraq's territorial claim upon Kuwait's independence.

Fact Finding

Most of the missions undertaken by the special subsidiary organs established by the Council were in fact entrusted with the dual function of fact-finding and conciliation. Examples of missions that undertook this double role of fact-finder and conciliator include those established in connection with the Lebanon crisis in 1958, the Yemen situation in 1962, and the Moroccan-Algerian dispute in 1963.⁸

Arab League's Collective Security

The collective security function of the League was first established under the Pact and subsequently developed and institutionalized in the 1950 Collective Security Pact.

In the case of aggression or threats of aggression by one state against a member state, the state that has been attacked or threatened with aggression may demand the immediate convocation of the Council. The Council is empowered to take decisions about measures necessary to repulse an aggression.⁹

Conclusion

The purposes of the League are defined: to strengthen the relations between the member states, to coordinate their policies, and to safeguard their independence and sovereignty. If we review the history of the Arab League since it was founded in 1945, we can see that, with regard to regional conflict resolution, the League has achieved satisfactory results in several regional disputes that occurred prior to 1967. In doing this it was empowered and supported by the ideology of Arab nationalism, which at that time was flourishing. After the Arab-Israeli War of 1967, however, Arab nationalism began to decline, which had negative repercussions on the activities of the Arab League.

In the case of a dispute between a League member with a third non-member party, it could be said that, in general, the League has constantly failed to protect its members since its creation.

Notes

1. Pogany, I., *The Arab League*, pp. 5.
2. Hassouna, H., *The League of Arab States and Regional Disputes* pp. 364.
3. Pogany, I., *The Arab League*, pp. 12.
4. Hassouna, H., *The League of Arab States and Regional Disputes* pp. 368.
5. Hassouna, H., *The League of Arab States and Regional Disputes* pp. 368.
6. Pogany, I., *The Arab League*, pp. 12.
7. Hassouna, H., *The League of Arab States and Regional Disputes* pp. 756.
8. Hassouna, H., *The League of Arab States and Regional Disputes* pp. 367.
9. Pogany, I., *The Arab League*, pp. 13.



The North Atlantic Treaty Organization (NATO): Organization, Decision-Making, Important Treaties

Atef Talal Abu Seif

The North Atlantic Treaty Organization (NATO) was established by the 1949 Washington Treaty signed by the foreign ministers of the 12 member states: Belgium, Canada, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, the UK and the US. Greece and Turkey acceded to the Treaty in 1952, Germany in 1955, and Spain in 1982.

Before pursuing my introduction of NATO, I would like to trace briefly the development of the concept of forming an alliance between Europe and the North American states. The first step in establishing this alliance started in 1948 when Belgium, France, Luxembourg, the Netherlands and the UK signed the Brussels Treaty, in order to build up a common defense system. This step reflected the Europeans' fear of the USSR with its continuing expansionism and use of coercion and force to impose its communist views on governments whenever the opportunity to do so occurred. The Soviet Union, meanwhile, expressed its intention to maintain its own military forces at full strength. The Western European countries needed to strengthen their unity in order to face the new emerging threats imposed by the reform of the Eastern bloc dominated by communist Russia, which never hid its intention of preaching its communism in the heart of Western Europe.

A few months after the signing of the Brussels Treaty, and sharing the same fears and reservations about the Russian ideology of communism, Canada, the US and various European countries entered negotiations to finalize the aforementioned Washington Treaty, signed in Washington DC on 4 April 1949, and NATO was subsequently born.

It is very important to define NATO according to its articles in order to obtain a very clear view of this organization. NATO is a multinational, intergovernmental association of free independent states. The North Atlantic Alliance, meanwhile, is a defensive alliance based on political and military cooperation among independent member states in accordance with Article 51 of the UN Charter.

It is stated in the preamble of the Treaty that its members are committed to safeguarding the freedom, common heritage and civilization of their peoples, based on the principles of democracy, individual liberty and the rule of law. In Article 4 of the Treaty, it is stated that whenever one member state's territorial integrity or political independence or security is threatened, NATO member states are committed to the defense of one another in such a way that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all.

Decision-Making Process

NATO has no supranational authority or independent policy-making function. Decisions taken by NATO are therefore decisions taken by all its member states. By the same token, NATO can only implement a course of action if all member states are in agreement.

Decisions are taken with the common consent of all member states. Thus all NATO bodies are made up of representatives of the member states, who are obliged to represent their particular country's point of view and, at the same time, convey the positions of their allies to their own authorities. Logically, efforts within the decision-making process are designed to find common ground wherever possible. However if an agreement cannot be reached, individual member countries are free to pursue their own preferred course of action, but every effort is made to ensure that major differences of approach are resolved in a manner that protects common security interests.

The most important of the NATO bodies is the North Atlantic Council, which meets once a week at permanent representative or ambassadorial level, twice a year at foreign minister level and whenever necessary at head of state/government level. The Defense Planning Committee, meanwhile, meets at defense minister level. The following list includes other NATO agencies and/or organizations: Advisory Group for Aerospace Research Development (AGARD); Military Agency for Standardization (MAS); Military Committee Meteorological Group (MCMG); NATO Consultation, Command and Control Agency (NCCA); NATO Electronic Warfare Advisory Committee (NEWAC).

NATO plays a useful role in enforcing peace in Europe where it uses its forces to complement existing agreements to keep the peace. For example, NATO supported UN peacekeeping efforts in former Yugoslavia in 1992 until the successful conclusion of the peace agreement in December 1995 and the deployment of the NATO-led Implementation Force.

NATO's Future

NATO's policy-makers recognized the fact that they should adjust its structures and policies to the new circumstances of the 90's in general, and the fall of the Soviet Union in particular. The first of NATO's transformations was launched at the Head of

States meeting, held in London in July 1990, and enforced by decisions taken in Rome in November 1991 and in Brussels in January 1994.

Of the adjustments to NATO's structures and policies, the establishment of close security links with the states of central and eastern Europe and those of the former Soviet Union, leading to the establishment of the North Atlantic Cooperation Council, is probably the most remarkable.

During the coming few years, the policy-makers in the West will have to address the long-term issue of whether NATO itself should continue to exist and if so, for what, since the causes behind its establishment no longer exist. Created to meet the extraordinary circumstances of the late 40's, the alliance served its task admirably. But with the Cold War 'over', indeed, with Russian and Ukrainian leaders occasionally declaring that they would like to join, the calls to replace NATO by something else, more general, more political and less American, are not surprising. The US nowadays tries to defend the continuity of NATO in order to keep its leadership of this transatlantic partnership. But the question remains: What organizational forms will Europe and the US assume as they move into the 21st century? Will what the new American Secretary of State called in an article, "the two banks of the Atlantic," be one entity, or at least a military one? Will the whole of Europe, be it East, West or central, join the old-fashioned NATO? If so, will there remain a need for the existence of the EU and other regional European organizations? These are the issues that NATO's members must address at the earliest possible opportunity.

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The European Union: Important Treaties and Decision-Making Process

Ghada Sanwar

Background

World War II (1939-1949) devastated the European economy. The Europeans hoped that the reconstruction of their countries would result in an agreement to create a unified Europe. Due to several important events, the most important being the end of the Cold War, the need to pool European resources in order to improve the economic situation of the European countries and preserve peace and solidarity became even greater. The European Union represents a desire for peace and cooperation among sovereign European states.

Important Treaties

(1) European Coal and Steel Community (ECSC) - 18 April 1951

The idea behind this agreement was to diminish the antagonism between France and West Germany by creating a common authority to regulate the coal and steel industry in the two countries. The following states - the so-called 'Six' - joined the ECSC: Germany, France, Italy, Holland, Belgium and Luxembourg. The ECSC was the first step towards establishing a supranational authority in Europe. However, the progress towards greater European integration remained limited in two economic activities, i.e., coal and steel.

(2) Treaty Establishing the European Community - Rome, 25 March 1957

The Six agreed to examine the possibilities for further economic integration. This resulted in the Treaty of Rome, which established the European Community (EC). The EC included the following member states in 1957: the Six, which increased to 15 member states in 1995: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, Sweden and the UK.

Objectives: The main objective of establishing the EC was to eliminate the barriers that divided Europe by strengthening the unity of its countries' economies, setting up a common commercial policy, and confirming the solidarity that binds Europe and the overseas countries; in other words, pooling Europe's resources to preserve and strengthen peace and liberty.

According to the Treaty, the following are just some of the tasks and activities of the EC:

- establishing a common market and an economic and monetary union;
- the abolition of obstacles to the free movement of goods, persons, services and capital between member states;
- a common policy in the fields of transport, agriculture and fisheries;
- a policy in the sphere of the environment and development cooperation;
- a contribution to the various fields such as research and technological development, health protection and education.

(3) The Maastricht Treaty on European Union - Maastricht, February 1992

The objectives of the treaty are as follows: the establishment of economic and monetary union leading to a common European currency (ECU) by 1999 at the latest, by lifting barriers to free movement of capital and by establishing the European Monetary Institute and a European Central Bank, which would be responsible for a single monetary policy; the expansion of the Community into a political union with a common foreign and security policy.

Decision-Making Process

Decision-making in the EU is divided between the supranational institutions (the European Commission and the European Parliament) and the governments of the member states, represented by their ministers at the Council of Ministers.

(1) The European Council

The European Council is made up of the heads of government and has an important role in planning the grand strategy of the Union. It does not, however, take decisions on behalf of the Union. Before a decision is made, the dossier has to go through a complicated procedure and pass through different stages in the three main institutions of the EU, which are the Commission, the Council of Ministers and the Parliament.

(2) The Commission

The Commission seeks to uphold the interests of the Union as a whole. Before the negotiation process begins, an initiative must be worked into a proposal by one of the 24 directorates of the Commission. The author of the Commission proposal is chosen according to the policy area. The proposal is then sent to the concerned cabinet for further discussion. Only after its approval by the commissioners can the proposal be sent to the Council and the Parliament as an official Commission proposal.

(3) The Council of Ministers

Three stages are to be identified in the decision-making process of the Council. A first discussion of the Commission proposal takes place in the Council Working Group particular to the policy area. The Council asks for the advice of the Parliament

and meanwhile prepares its own standpoint. At this stage, technical modalities and the opinions of the member states are discussed. The proposal then goes to the ambassadorial level: the COREPER (Comitee des Representants Permanents), which is not only the highest civil service level but also politicized to a large degree. COREPER I deals with the more technical dossiers, while COREPER II manages the most politically sensitive dossiers and the financial issues. If the ambassadors are in total agreement, the proposal goes to the Council of Ministers and is classified as 'A-point'; if not, it is placed on the Council's agenda as a 'B-point'.

It is at the Council of Ministers, where the ministers state their national positions, that the decisions of the EU are made. If the ministers see an 'A-point' issue on the agenda, it will be almost automatically approved with no further discussion. But if the issue is marked 'B-point', meaning 'for discussion', it will have to be solved at the political level. It is important to mention that a Commission proposal can only be amended by a unanimous decision. In contrast, an *in toto* acceptance of the proposal can be arrived at by majority vote. Politically sensitive problems for which no agreement has been reached are discussed in the European Council, comprising the heads of government.

(4) The European Parliament

The European Parliament has only a passive function in regard to policy making: it can only amend or veto. After the Commission proposal is sent to the Parliament, one of the European parliamentarians writes a report or prepares amendments, which will be discussed in the appropriate commission. To be implemented, the report has to be approved in the plenary session.

The European Parliament introduces its amendments to the Council, which has the right to disregard them but only by unanimous decision. Nevertheless, the Parliament has the final say on the Union budget, which is prepared by the Commission, and on whether to approve it or reject it. This also applies to different areas such as the internal market, aspects of the environmental policy, research and technology, consumer protection, public health, and cultural cooperation. Furthermore, the Parliament has the right to question the Commission, Council and Foreign Ministers. It can also dismiss the Commission with a vote of censure supported by a two-third majority.



OSCE: Organization, Decision-Making Process, Important Treaties

Safa' Abu Assab

Introduction

Despite the fact that the world is on the threshold of the 21st century, many countries are still suffering from different forms of conflicts and disputes. Divisions and wars are a cause of instability and insecurity in many parts of the world. In an endeavor to escape the fatalities of war, conflict resolution through peaceful means has been a major approach of European countries in handling disputes in the last two decades. The Organization for Security and Cooperation in Europe (OSCE), is an organization consisting of 55 states whose relations are based on the principles of peaceful co-existence and democratic values. The OSCE has a comprehensive approach to security and peace, solidly established on military confidence, social justice, democracy, and the rule of law, respect for human rights and the protection of minorities. In other words, this organization is oriented to solving crises and armed conflicts between its state members through peaceful means and cooperation.

Historical Background of the OSCE

The history of the OSCE, its structures and bodies accurately reflect the political developments that have fundamentally changed European politics in the last 20 years. Due to the tension caused by the Cold War, there was not much progress made in the meetings held in Belgrade (1977-1978) and Madrid (1980-1983). With the advent of the Perestroika, new avenues came into existence, including the removal of the iron curtain. It should be noted, however, the war in former Yugoslavia and the collapse of the former Soviet Union also led to many new challenges.

To trace the history of the OSCE, we have to go back to the Final Act of Helsinki (1975) where the participating states came up with the *Declaration of Principles Guiding Relations Between Participating States*. The declaration emphasized the sovereignty of each state, non-interaction in internal affairs and mutual respect in every field. The follow-up rounds in Vienna from 1986-1989 were a great success since the states adopted a document containing many fundamental new elements, specifically in connection to the human dimension, confidence and security building measures and disarmament in respect to conventional weapons.

The Paris Charter was even more of a success than Vienna. The main issue of discussion in Paris was democracy and the establishment of two main political bodies: firstly, the OSCE Council (ministerial council), and secondly, the Committee of Senior Officials (senior council). It is worth mentioning in this context that the adoption of the new name, i.e., Organization for Security and Cooperation (OSCE), as opposed to Conference for Security and Cooperation in Europe, was a clear indication of the institutionalization of the organization.

Interlocking Institutions

Europe has many interlocking institutions such as NATO, WEU, and OSCE, all of which were founded in order to allow progress to be made along the path of collective security. These institutions cooperate, to a large extent, on the basis of common security approaches. There have, however, been extensive efforts to lessen the intermingling or duplication of their activities.

The OSCE is the most comprehensive of the aforementioned institutions. The fact that it does not have any military resources at its disposal does not undermine its role, since decisions are reached according to the principle of consensus. NATO, meanwhile, is the only security organization that has operational military units.

Conflict Prevention and Crisis Management

The OSCE follows certain measures in dealing with conflict prevention and crisis management. Its role is very similar to that of diplomats. The measures that are being undertaken by the OSCE with regard to conflict prevention and crisis management can be summed up as follows:

- the application of early warning and preventive measures in situations that could develop into genuine crises, including armed conflict;
- measures of political crisis management, which serve to avoid any deterioration of the situation and to create the conditions for a peaceful solution of a dispute;
- an agreement to establish a consultation mechanism for urgent situations;
- peacekeeping measures, designed to supplement the process whereby political solutions are sought.

Confidence and Security Building Measures (CSBMs)

The OSCE is considered a pioneer in the field of promoting confidence and security building measures (CSBMs). The reason for the OSCE's promotion of the CSBMs ap-

proach lies in the fact that security and cooperation cannot exist on the ground if there is no mutual confidence between the two parties involved in a conflict. Thus, both confidence and security building measures go hand in hand. The area of application of the CSBMs includes all of Europe, from the Atlantic to the Urals and the sea and air adjacent thereto. The cooperation between the participating states extends to the development of military emergency mechanisms, which means that participating states are usually well-informed about the military activities of their neighboring countries. Nevertheless, if a country is involved in unusual military activities, the OSCE member states have the right to express their own insecurity and receive any relevant information within 48 hours.

Conclusion

The OSCE is an excellent example of an organization that has gone a long way from the vicious circle of armed conflicts and regional wars. The European countries have taken many steps in redefining their objectives and policies following two extremely destructive world wars. The OSCE is therefore one very important model to be taken into account when considering the issues of conflict prevention and resolution throughout the world.



B. Conflicts and Conflict Resolution

The Changing Global Agenda (I): East-West Dimension

Areej Ibrahim Daibas

Certain major events that took place this century undoubtedly led to dramatic changes for many peoples of the world. Examples include World War I, the Bolshevik Revolution, World War II (the bloodiest war in the history of mankind) and the division of the allies of the world into two camps: the Eastern bloc led by the former USSR and the Western bloc, led mainly by the US, whose power and political input continues to increase. The Cold War that resulted from this division was marked by intensive efforts by the former USSR and the US and its allies to change the geopolitical alignment in their favor. It was inevitably accompanied by armed conflict, an arms race and crisis escalation, which made it impossible to settle conflicts or to resolve acute problems. The overall situation also made it impossible for the UN and many other regional organizations to function effectively, and efforts to find solutions to the many problems that began to pile up in a divided world had to be postponed.

The rapid changes of recent years, however, changed the whole picture. The winds of change blew with what became known as Perestroika or the Glasnost in the USSR and led to a gradual dismantling of the USSR and many Eastern European states. The unification of Germany brought hope that the democratization of international relations and free market policies and strategies would be accelerated. Instead, the whole geopolitical set-up was affected in a most radical way that disrupted the global balance. As a result the world is now facing a complex and inherently contradictory situation. On the one hand, it has been presented with new opportunities to build a new world order, while on the other hand, it faces new challenges and problems.

The problems of the Eastern European countries became those of Western Europe in particular and the Western world in general. Problems such as massive immigration to Western Europe, nationalist aspirations, ethnic and minority problems, such as those that occurred in the former Yugoslavia, are but a few examples of current issues that demand urgent attention.

If we return to the end of World War II and the change in the geopolitical set-up, we will come face to face with the idea that heads the global political agenda, i.e., the building of a new world order. The New World Order is dominated by the West in general and the US - the sole superpower in the international arena following the fall of the former USSR - in particular. In the New World Order, there exist conflicting economic, political and strategic interests, although they no longer spark armed conflict. These interests are reflected in the economic competition between the US and both Japan and the European Union. Each party wishes to enforce its stand in areas of special interest, including the Middle East region. Many regional accords were signed in this respect, such as the Euro-Mediterranean Agreements on Trade and Cooperation, which are designed to protect the interests of EU member states and their Mediterranean partners. The conflict has thus shifted from a bilateral one to one with a wider multilateral scope.

With the former USSR out of its way, the US assumed its role as world leader in the New World Order and attempted to resolve many existing conflicts, regardless of the extent to which its solutions effectively dealt with the real sources of conflict and the peculiarities of each case and the parties involved. The US leadership made it clear, by its actions in the Second Gulf War and its interference in former Yugoslavia, that in solving problems it preferred military might to mediation.

The political strength of the US continues to increase due to the weakness of the UN and its inability to assume an effective role as a universal body; the organization must undoubtedly undergo major reforms if it is to play its proper role on the political scene.

The Consequences for the Middle East

Following the end of the Gulf War, changes in our region made possible a peace process between Israel and the Arab states on the one hand and Israel and the Palestinians on the other. The historic handshake between Rabin and Arafat on the White House lawn is unquestionably the most significant of all the victories the US has achieved since becoming the sole leader of the New World Order.

Long before the disintegration of the former USSR, most Arab states had changed their alliances and approached the US for help such as loans, aid, and arms, which enabled the US to impose its will on the peoples of the region. With regard to the EU, its decision to fund the Middle East peace process is a clear indication of its interest in the region.

Although joint efforts made it possible to prevent a further escalation of nuclear confrontation and to take practical steps that aimed at controlling and reducing nuclear arms, many difficult global problems still await a solution. Such problems include the preservation of the ecological system, the development of civil society, the contradiction between the individual and society and between individuals and power, and the corruption and other weakness that exist in the political system. Even more disturbing is the moral degradation of individuals and the loss of spiritual values so necessary for normal living in accord with the needs of human nature.

The success of the New World Order is dependent on its ability to escape the dichotomy of socialism versus capitalism. Although it should be based on the recognition of

the diversity and profound interdependence of the world and its people, as it stands today, the New World Order is based on the interests of one power only, namely the US. This has led - and could continue to lead - to sad and dangerous results, including new divisions and forms of conflict. The West is trying, for example, to create new enemies to replace the 'danger of socialism' and to present the East-West conflict as a conflict between Islam and Christianity, between backwardness and progress and between dictatorship and democracy. This helps to provoke tension, confrontations and instability and serves only the interests of arms traders and producers. The Gulf War was the result of a wish to destroy Iraq as an important regional power; it was also intended to serve as a lesson for other ambitious regional powers such as Iran, Sudan and Pakistan.

Conclusion

The Cold War divided the world into two blocs - one Eastern, one Western - for many decades. Its demise allowed a wave of optimism to spread throughout Eastern European states, the former USSR republics and the whole world in general. For many countries, democracy, independence, a free market and last but not least security were finally on the horizon. Despite the fact that some years have now passed since the end of the Cold War, bitter ethnic and nationalist conflicts still exist in many parts of the globe. The uni-polar New World Order promised new values and important cooperation in the fields of culture and humanities, yet, a new system of values cannot be imposed. Reform of the UN and a greater Security Council role both deserve strong support; without it, the UN will be unable to fulfill its role as a universal organization that aims at making the peoples of the world realize that the common good, involving democracy, self-government, and the advancement of culture is in their own personal and national interests. Such changes will allow humanity to progress whilst looking forward to a better, fairer, more stable new world order.



The Changing Global Agenda (II): North-South Dimension

Adnan A. Joulani

The North-South conflict is a result of the unequal mutual dependence, especially between the center in the North (or the industrialized countries in Western Europe, North America and Japan) and the periphery in the South (or the underdeveloped countries). This unequal mutual dependence is caused by the inability of the less developed states to grow independently due to the inequality of their trade relations with the more developed countries. I find it important to emphasize that this paper is not about the history of the North-South conflict, but about the most recent global changes in general and the North-South dimension in particular.

The year 1989 marked a turning point on the global agenda because it was the year in which the old bi-polar order finally ended. The Soviet Union collapsed, the socialist bloc disintegrated, East and West Germany were united and the Cold War ended. Globalism was the term that would accompany the New World Order, which emerged at the end of the Cold War.

Researchers and political scientists argue that the establishment and structure of the New World Order depended on two factors: variable interaction and variable indices within the international community.

Variable Interaction

The international system is more complex than simple interaction between states and governments over political and security aspects related to the survival of states and

their regional welfare. It represents a society of states that interact in the spheres of diplomatic, economic and social exchange. The different members of the international community have increased in number and complexity and include regional and international organizations, multinational companies, elites of all nationalities, religious and ethnic groups and the international media. In general, parliamentary democracies have been the most favored form of rule.

Variable Indices

Variable indices within the international community can be summarized as follows:

- *Collapse of ideology:* The end of the polarization of capitalism and communism brought with it a decrease in the ideological imperatives of international relations. Although competing models of liberalism and religion are likely to play an ideological role, they are unlikely to lead to confrontation.
- *The emergence of a global economic market:* The relationship between the US, the EU and Japan can be characterized by increased competition and increasing interdependence. The relationship between the global partnership and tripartite competition might be termed a 'zero sum' game inasmuch as one side's gains will be the others' loss.
- *Increasing competition within the military spheres.*
- *Democracy and nationalism:* Intolerable pressure could be placed upon democratic models, particularly in the Third World and the former Socialist bloc, which may open the door for extremist nationalism.
- *Cultural pluralism.*
- *Human rights, democracy and environment:* The North's prioritizing of these will not be automatically reflected in the South, which faces other pressing problems.
- *The role of the middle class within international relations in promoting growth and development:* The South's adoption of cultural pluralism and an internationalist position will act as a conduit between national communities and the new global community.
- *Population movement:* Population movement will continue, from the South to the North, the old Socialist bloc to the West, as well as from afflicted states to neighboring states as a result of natural disasters, famine, and localized conflicts. The probable results will be an escalation of tribal and ethnic violence.
- *Globalization of science versus nationalization of technology:* Science and technology, rather than ideology, will become the major driving force of international relations and this will lead to nationalist policies concerning technology and its transfer to the South.

Emergent Structures

The role and power of the state will undergo great changes. In the coming decades, the power structures will be the product of economic strengths and weaknesses. Power, then, will be intimately connected to the following:

- scientific and technological abilities
- economic policy
- managerial capability
- social organization
- education and training facilities

Meanwhile, the possession of land and natural resources will become less significant in the assessment of economic strength and power. In the era of the information revolution, cultural strengths will also assume an increased role in determining power relationships. Advanced cultures, capable of absorbing not only their own subcultures but also alien cultural norms will be an important source of national power.

The new world map will be based on economic groupings consisting of several political individual states, and regional blocs will come to assume far more importance than individual nations. The structure of the emerging global community will emerge from the dynamism of relations between the global partnership and bilateral ties. Relations between the North and South will be subsumed into a global partnership. Relations between the US, Europe and Japan will be characterized by cooperation and competition and a strengthening of regional blocs in the coming decades.

Financial markets will operate irrespective of other concerns, be they technological, scientific or environmental. Meanwhile, the military dimension will form its own system. Global and regional interests could contradict each other, and it will become increasingly necessary to formulate a means of cooperation between regional orders that preserves global concerns. A period of intense commercial competition is likely.

The emergent world order will be characterized by a coexistence of uni-polarity and various multi-polarities. The US, as the only superpower, will continue to dominate militarily, while Japan will become a similarly uncontested pole within financial markets. Meanwhile, a multiplicity of poles will dominate the political arena. The US, Russia, Germany, Japan, and the UK will retain an upper hand, but a number of other states like India, Indonesia, Brazil, Mexico, Nigeria and Egypt will also have important roles to play.



Contemporary Conflicts (I): Bosnia

Osama Kawasmi

Despite the approach of the 21st century, and regardless of the existence of the New World Order, the people of certain states are still suffering from hunger, humiliation and even 'ethnic cleansing'. Before the eyes of the entire European community, the UN and all who claim to support democracy and independence, the Bosnians were exposed to severe violations of their basic human rights (torture, destruction, massacre, bloodshed, and the ugliest physical and psychological violation of all, rape). The daily reports of violence shocked the Palestinians, as they did the peoples of the civilized world. Meanwhile, the governments continued to watch the bloodshed and listen to the screaming of women and children but with cold blood and dead hearts.

It is necessary to return to the history of the region to see the hidden reasons behind such a conflict. Bosnia is one of the six states of the former Federal Republic of Yugoslavia that was declared in 1963, the other states being Croatia, Herzegovina, Montenegro, Macedonia, and Serbia. The former Yugoslavia, politically independent since 1918, has a population of 20 million persons living on 256,000 km².

Bosnia, with a population of five million, extends between the Adriatic Sea and the Sav River and covers an area of ca. 51,129 km². The majority of Bosnians are Moslem. The area is rich in fertile agricultural land, mineral resources, timber and water. The Slovenes living in Bosnia suffered from the religious struggle between the Catholic and Orthodox movements until the 12th century. In 1391 the Ottomans conquered North Bosnia; by 1482 their empire had extended to Herzegovina in the south. The Bosnian Moslems, were surrounded by Croats, Serbs and Slovenes, who established their first

kingdom in 1918. Moslems who preserved their nationality and identity lived on the margins of Yugoslavian political life until the beginning of World War II.

In 1943 Bosnia witnessed the birth of a new era when Tito declared the Federal Republic of Yugoslavia. In 1971 he finally accepted the existence and rights of the Bosnian Moslems, and he subsequently declared them equal to other Yugoslavs. Tito, who was able to control the political situation in the region, died in 1980. A few years after his death, the conflict between the Serbs, Croats and Bosnians reached a head, and various forms of violence were practiced as part of a campaign of ethnic cleansing. The aggression was not only against Islam, as it seemed according to the majority of observers and the media; there was also a hidden conflict between the Catholic and the Orthodox.

The crisis in early 1991, which ultimately led to war, was qualitatively different than any previous Yugoslavian false alarm. Firstly, it was obvious that the federal government of Premier Ante Markovic had no chance of success: subverting the government was practically the only issue on which all the republics could agree. Secondly, the breakdown of the monolithic Yugoslavian communist structure removed the country's spine with one stroke. The military, which understood this only too well, sponsored its own communist movement. But in every republic, leaders were elected on a nationalist platform (including in Bosnia where the voting usually divided according to ethnic lines). Leaders were expected to provide results; despite their ties with the communist past, they certainly did not owe their allegiance to the center. The 'recycling' of communists into nationalists has a long tradition in the Balkans, a fact of which everyone in the West should have been aware prior to 1991.

Due to the fact that Yugoslavia was such a complex country, with a multitude of problems and so many internal players, no institution, from the UN to NATO, or from the CSCE to the EC, was able to contain the war. Yugoslavia presented a wide range of ethnic, religious and territorial problems, which were aggravated by the general decay that had been generated by communism throughout Eastern Europe.

The case of Yugoslavia is proof that no coordinated European security policy exists, while no instruments for its future coordination are in place. In addition, the 'complementarity' of current security structures, so cleverly advanced by many observers and politicians, is a myth. Yet, the conflict in the Balkans had one positive outcome, inasmuch as troops - provided mainly by NATO - were sent into Bosnia to police a negotiated settlement. So, in a peculiar way, Western Europe was brought to its senses by the sheer logic of the crisis. America's input into the continent's security remains as necessary as ever, while Western Europe itself cannot disentangle itself from the problems looming further East. Every Western politician likes to state that 'security is indivisible.' What a pity that it took the tragedy of Yugoslavia to underline this unremarkable conclusion.



Contemporary Conflicts (II): Cyprus

Hana Amin Daoudi

Introduction

Cyprus, the 'island of Aphrodite and love', is the third largest island in the Mediterranean with an area of 9,251 km². It lies in the eastern part of the Mediterranean, some 60 kilometers off Turkey and 90 kilometers west of Lebanon. Although regarded as a major contributor to its development, the geographical location of Cyprus has rendered it prey to numerous conquerors including the Egyptians, the Venetians (1489-1571), the Ottomans (1571-1871) and the British (1878-1960), to name but a few.

The island is the homeland of two distinct ethnic groups: the Greek Cypriots (who speak Greek, are Orthodox Christians and share the culture of their motherland Greece) and the Turkish Cypriots (who speak Turkish, are Moslems and share the culture of their motherland Turkey). By the end of 1992, the island consisted of 80% Greek Cypriots and 18.6% Turkish Cypriots. The remaining 1.4% of the population belonged to the Maronite, Armenian or Latin Church (Necatigil, 1993, 2).

The absence of co-existence between the Turkish Cypriots and the Greek Cypriots turned the island into a problematic area, which has witnessed long years of bloodshed; the 'Cyprus conflict' has been on the UN's agenda for 33 years and will probably keep the international community busy for some time to come. The fact that each side relates its own version of history and is consistent in its retelling of events has contributed to an already complex question.

This paper aims to shed some light on the island's history, with a special emphasis on the major events that led to the 'Cyprus conflict', the UN peacemaking efforts, the stance of the two communities and the impediments that block the achievement of a mutually acceptable solution.

Historical Preview

The Ottoman rule over Cyprus ended in 1878 with the Anglo/Turkish Convention of Defensive Alliance, according to which Turkey leased the island to Great Britain in return for the latter's support of the Ottoman Empire against the Russian Empire. Great Britain was supposed to occupy and rule the island, not to legally possess it. But when Turkey entered World War I on the side of Germany, Great Britain unilaterally annexed the island. Turkey did not recognize the annexation of November 1914 until the Treaty of Lausanne in 1923. Two years later, in 1925, Cyprus was declared a 'crown colony' (Necatigil, 1993, 3-5).

The Treaty of Lausanne triggered condemnation by the Greek Cypriots who complained that it disregarded the wishes and interests of the Greek inhabitants of Cyprus, and who demanded incorporation of the Island with Greece. The Greek Cypriots launched an anti-colonial struggle immediately following the declaration, and the Greek Cypriots' uprising of 1931 marked the very early stages of their struggle for *Enosis* (union of the island with Greece).

On 15 January 1950, an overwhelming majority of Greek Cypriots (95.7%) expressed their support for *Enosis* during the '*Enosis* plebiscite', which was held in various churches by the Greek Cypriot Orthodox Church. During the same year, the newly elected Archbishop Makarios followed a very active policy against the British colonial rule and decided to take the Cyprus question to the UN, demanding the right to self-determination, which he hoped would lead to the union with Greece. In this context, and under the patronage of the Greek Orthodox Church and the influence of George Grivas (a right-wing Greek army colonel), Makarios established an underground organization called EOKA in 1953, which subsequently embarked on a series of terrorist activities against the British.

It is important to note that during the early stages of the British/Greek Cypriot clashes, Turkey did not want to interfere in what it felt to be an internal Cypriot affair. Nevertheless, it was encouraged to take action by Great Britain, as well as out of its concern for the safety of the Turkish Cypriots who were all potential victims of EOKA. The situation remained as such, with the Greek Cypriots determined to bypass Turkish participation in any talks over the future of the island, until 1958 when Britain announced the Macmillan Plan, foreseeing a partnership between the island's communities as well as between the governments of Britain, Turkey and Greece. Deter-

mined to block the Macmillan Plan, Makarios informed Britain about his readiness to accept independence with guarantees for the Turkish minority.

The Greek and Turkish governments then held intensive negotiations in Zurich, during which they agreed upon the establishment of an independent state. On 11 February 1959, the Greek and Turkish officials initialed the following three documents (later known as the 'Zurich Agreement'), which formed the basis of the London Agreement signed on 19 February 1959 by the Prime Ministers of Greece, Turkey and Great Britain):

- a draft basic structure of the Republic of Cyprus;
- a draft treaty of guarantee between the Republic of Cyprus on one part and Greece, Turkey and Great Britain on the other, whereby the three countries were given the right to take joint or even unilateral action for the purpose of re-establishing the state of affairs created by the treaty;
- a draft treaty of alliance between Cyprus, Greece and Turkey, whereby the three countries were given the right to station contingents of their own forces on the island.

On 16 August 1960, Cyprus was declared an independent sovereign republic comprised of two ethnic communities, which had the status of co-founders and equal partners. The Constitution was designed to allow for a delicate power sharing mechanism and 'contained checks and balances' in order to ensure the co-existence of the two communities on the island without one community dominating the other or encroaching upon its rights (Necatigil, 1993, 16-17). In effect, this partnership lasted for only three years.

According to the Turkish Cypriots, the major crisis started in November 1963 when Makarios submitted 13 points of amendment to the Constitution. The Turkish Cypriots rejected Makarios's proposals, which they claimed were all part of a pre-conceived plan, known as the 'Akritas Plan'. The plan, through a series of international and internal tactics, aimed at realizing the ultimate goal of *Enosis*. Once implemented, Makarios's proposals would deprive the Turkish Cypriots of the status of 'equal partner of the Republic'.

On their part, the Greek Cypriots emphasized the Constitution's unworkability and argued that Makarios's proposals aimed at facilitating the smooth functioning of the state, which was hampered by the Turkish Cypriots' series of impediments. The period between November and December 1963 witnessed a series of armed clashes between the two communities, which eventually terminated their partnership, and the Turkish Cypriots lost their representation in the governmental and parliamentary systems. The division of the island, which was enforced by the 'green line', drawn on 27 December 1963 by the joint Turkish/Greek and British Truce Forces as a cease-fire line, divided Nicosia into Turkish and Greek quarters.

In 1968, under the auspices of the UN, the two sides held three rounds of inter-communal talks, which ended in 1971 with the two leaders blaming each other for the deadlock. It should be noted that the UN peacekeeping force in Cyprus, UNFICYP, that was deployed on the island in line with UN Resolution 186 of 4 March 1964 was unable to put an end to the bloodshed, which eventually ended in 1974. This was the year in which the two sides reached an agreement, known as the 'Vienna Agreement', according to which there was a voluntary movement (regrouping) of populations between the two sides of the island.

By adopting the stand of a stonewaller, Makarios disappointed the new Greek government of officers that came into power on 21 April 1967 after conducting a military

coup in Athens and overthrowing the then President of Greece, Papandreou. Pressured by the US and its allies in NATO, the new government was determined to promote a rapid settlement of the Cyprus problem. The aim was to seek a solution through direct negotiations with Turkey and then have it imposed on the Greek Cypriot President. The President risked harming his relations with the Greek military government when he rejected the suggestion that it should have a final say in resolving the Cyprus problem (Clerides, vol.3, 3). The same applied in July 1974, when Papandreou accused the Greek government of financing EOKA B's activities (another underground organization, which was created by Grivas in August 1971 for the purpose of achieving *Enosis*).

Based on the above-mentioned developments, on 15 July 1974 the National Guard, led by the Greek mainland officers, staged a *coup d'état* and overthrew the Makarios government. The aim was to set up a government that would unite the island with Greece. In addition to the 103 villages that the Turkish Cypriots had lost in 1963, another 33 Turkish Cypriot villages were occupied by the Greek Cypriot troops while 2,000 Turkish Cypriots were killed.

The news of the Greek *coup d'état* led to great concern in Turkey. Upon receiving negative responses from Greece and Britain to its pleas for a joint operation and as allowed for by its right of intervention (Treaty of Guarantees, Art. IV, 2), the Turkish army launched a 'peace operation' on 20 July 1974. The operation aimed at maintaining the independence of Cyprus and protecting the Turkish Cypriot people from annihilation by the Greek Cypriots, who were as keen as ever to realize *Enosis*. Confronted with the resumption of massacres against the Turkish Cypriots and the Greek Cypriot leadership's stalling policy, Turkey launched a second peace operation on 14 August 1974. This was terminated only two days later, on 16 August, the Turkish forces having reached Famagusta on the east and Lefke on the west. The Turkish policy was to gain enough territory to guarantee the safety of the Turkish Cypriot population.

The Greek Cypriots, however, relate a different story. According to them, the problem started after 1974 with the *coup d'état* and the Turkish 'invasion'. They argue that Turkey used the coup of July as a pretext to invade Cyprus with the aim of realizing its partition plan.

The years 1975 till 1991 witnessed numerous rounds of UN sponsored inter-communal talks in New York, Vienna, London and Geneva, none of which enabled the two sides to come to an overall agreement concerning the Cyprus question. The Turkish Cypriots accused the Greek Cypriots of preferring propaganda and the exploitation of international fora to serious negotiations on a mutually acceptable solution. They also attacked the Greek Cypriots for what they referred to as 'intentional ignorance' of the UN resolutions, and a determination to achieve *Enosis*. As for the Greek Cypriots, they accused the Turkish Cypriots of seeking the island's partition and violating the Greek Cypriots' human rights and freedoms through surrounding them and plundering their cultural heritage in Northern Cyprus. Finally, both sides accused each other of blocking inter-communal talks as part of an effort to gain much needed time to impose additional facts on the ground. Nevertheless, the two sides, at least on paper, agreed on certain criteria that resulted from two high level meetings (the Denktas/Makarios meeting of 1977 and the Denktas/Kyprianou meeting of 1979). These criteria served as the basis of all subsequent UN resolutions pertaining to the conflict, the general content of which was as follows:

'To establish a federal republic of Cyprus that would comprise of the two politically equal communities, be independent, sovereign and have territorial integrity, would not be aligned and finally exclude union in whole or in part with any other country and any form of partition or secession.' (Sozen, 1995)

Going though each and every round of lengthy inter-communal talks is way beyond the scope of this paper. However, it is important to note the following event as it had an undeniable impact on the Cyprus question. The date 15 November 1983 marked the proclamation of the independence of the Turkish Republic of Northern Cyprus (TRNC), which the Turkish Cypriots stressed was 'the key to a federal settlement based on bi-communal partnership in a bi-zonal federal system.' (Denktas, 121-123)

Since 1983, the Turkish Cypriots have been living in their self-declared republic, which has all the characteristics and organs of a small nation state but is not recognized by the international community, except by Turkey. As such, Cyprus was divided into two states: the Greek Cypriot state, recognized as the *de jure* state of the entire island, although, in fact, it has sovereignty over the southern parts only, or some two-thirds of the island's territory; and the TRNC, which has *de facto* sovereignty over one-third of the island in the north. Unlike their Greek Cypriot counterparts, the Turkish Cypriots live under difficult economic conditions, and Turkey's economic aid is not sufficient to improve the TRNC's strangled economy.

Conclusion

There seem to be fundamental impediments to solving the protracted Cyprus problem:

- (1) Although both sides settled for a federal solution on paper (the 1977/1979 high-level meetings), each side envisions completely different structures when it comes to defining a federation. The Greek Cypriots want a unitary federation in which their predominant vote will decide all the major actions of the state. As such, they speak about 'a federation with a strong central government and two weak semi-autonomous provinces.' On their part, the Turkish Cypriots want a federation that is actually a loose one or a confederation - 'a federation with a weak government and two strong federated states.'
- (2) Since the two positions are incompatible, both sides find the current *status quo* to be preferable to a negotiated solution, from which they might not get what they want.
- (3) The lack of direct communication between the two sides makes it impossible to resolve any differences between them. (Sozen, 1995)
- (4) The two sides are not pragmatic and insist on basing their respective solutions on their predecessors' dreams.
- (5) There is an acute lack of trust. This is something that was pinpointed by the UN Secretary-General in 1992, who emphasized that there was a "deep crisis of confidence between the two sides," and proposed eight measures of confidence-building measures (CBM) (Zaim, 1993). These, unfortunately, did not win the two sides' approval.

Unless the two sides compensate for the lack of trust and master the art of empathy, the Cyprus problem will possibly remain on the UN's agenda for many years to come.



Main UN Resolutions on the Arab-Israeli Conflict

Walid Al-Salhi

Preface

During the current century the Middle East area has witnessed many disputes and crises between Arab countries and Israel, known more recently as the Arab-Israeli conflict. The international community, through international diplomacy, has tried to solve this conflict by implementing many projects, proposals and agreements. One of the leading international players in the conflict has been the UN, which, since its establishment and through its institutions, special agencies and resolutions, has

been an active player in the international diplomatic arena. Its resolutions and their implementation, in addition to the agreements that were signed between Israel and the Arab states and parties, were all intended to achieve a comprehensive peace for all those involved in the conflict.

In spite of the success of some international diplomatic efforts - such as the signing of the Camp David Accord between Egypt and Israel in 1978 and the Israeli-Jordanian Accord in 1994 - no comprehensive agreements have been reached between Israel and Syria and Lebanon. This was due mainly to the disagreement over borders, the Golan and security zones.

Regarding the Palestinian-Israeli dispute, we are now approaching the final status negotiations, which were due to begin in May 1996 according to the Washington Agreement of 28 September 1995 that followed the Madrid Conference, the Oslo negotiations and the Gaza-Jericho Accord of 4 May 1995. The Washington Agreement was based on UN Resolutions 242 and 338, which are considered the most important of all UN resolutions relating to the Arab-Israeli conflict. The implementation of the articles of the Washington Agreement is proving extremely difficult due to the sensitivity of the permanent status issues, which are as follows: Jerusalem, settlements, refugees, the right of return, self-determination, borders and security. The problem has been aggravated by Israel's attempts to achieve facts on the ground during the delays in the implementation of the various agreements.

Introduction

Before looking at the main UN resolutions pertaining to the Arab-Israeli conflict, it is important to note that between 1947 and 1991, some 1,020 resolutions on the subject were issued by the various institutions and specialized agencies of the UN. The large number of resolutions is an excellent indication of the complexity of the conflict, which undoubtedly requires international diplomatic efforts to allow it to reach a satisfactory conclusion.

The following are the five most important UN resolutions dealing with the subject of the Arab-Israeli conflict (as generally accepted):

- (1) *UN General Assembly Resolution 181: Partition Plan for Palestine* (29 November 1947)

Causes:

As a result of the tension and disorder that prevailed in Palestine during the Mandate period because of the Arab resistance, the UN found itself face to face with a Palestinian-Israeli conflict that needed to be solved. The UN, although newly founded, realized that it had to accept at least partial responsibility for finding a solution. The Partition Plan was considered the most widely acceptable solution and form of compromise by the majority of international organizations, including the UN. According to the Partition Plan, two states would be established - one Jewish, one Arab - while Jerusalem and Bethlehem would come under international jurisdiction. The partition idea first appeared in the 1937 report of the British Royal Bill Committee. It was subsequently introduced once again during the 1947 conference in London that was attended by Egypt, Iraq, Saudi Arabia, Yemen, Transjordan and commissions acting on behalf of the Arabs of Palestine and the Jewish Agency.

As a result of the circumstances that followed World War II and those connected to the establishment of the UN, Britain declared on 26 February 1947 its intention to terminate its mandate. Following a request by the British government on 2 April 1947, the UN General Assembly held a special session to discuss the issue. During the special session, it was decided to establish a committee, whose report later stated that the

members had given their unanimous approval to the idea of a resolution calling for the termination of the British Mandate and an interim agreement leading to independence. The committee was divided, however, into a group that presented a project to partition Palestine into two states, one Arab and the other Jewish and a group that proposed the establishment of a federal state with Jerusalem as its capital.

The core of the resolution :

The resolution to partition Palestine was passed by a vote of 33 for, 13 against and 10 abstentions. The resolution sought the approval of Britain, the UN member states and the inhabitants of Palestine, all of which were asked to accept the partition of Palestine into a Jewish state and an Arab state having economic unity between them. The British used the occasion to declare their intention to end their mandate in August 1948.

The resolution, in addition to asking the Security Council to implement the agreements mentioned in the Partition Plan in coordination with a committee sent to Palestine for this purpose, also warned against every attempt by either party to impose additional, contradicting facts on the ground, which it made clear would be regarded as a threat to peace and an act of aggression. It also asked the Trusteeship Council to fulfill its obligations with regard to the partition project.

The project partitioned Palestine into six separate areas, of which three were set aside for the Jewish state, (50% of the land of Palestine), while the other three parts (43% of the land of Palestine) were set aside for an Arab state. Jerusalem and the adjacent areas were described as an international sector and placed under the administration of the UN (6.5%).

Looking at Resolution 181:

Resolution 181 not only allowed the Jews to take legal possession of land but also to establish their state and have direct sovereignty over an independent political entity. Consequently, Israel declared its intention to establish the state of Israel at midnight on 14 May 1948. It then began its struggle to gather recognition of the new state, either in the form of dual recognition, for example by the US, Guatemala and the former Soviet Union or through collective recognition, an example being the UN's official acceptance of Israel as its 95th member on 11 May 1949.

The Partition Plan, which was intended to solve the Palestine problem, was not carried out as intended; no separate Palestinian state was established, and instead, the West Bank was later annexed to Jordan while Gaza was placed under Egyptian administration. Moreover, it was impossible for Jerusalem to be placed under international trusteeship as the borders between the two entities were not clearly defined.

Summary:

The balance between Arabs and Jews that had been sought in the Partition Plan was never achieved. Moreover, the international community was not prepared to concern itself with the goals and principles of the resolution and considered the Palestinians that fled the land not as victims of the resolution but simply as refugees.

(2) UN General Assembly Resolution 194 (11 December 1948)

The core of the resolution:

The resolution emphasized the right of Palestinians to choose either to return to their land or to accept compensation, adding that those who returned should be compensated for any damages or losses, while those who chose not to return should receive payment for their land in addition to compensation for any damages or losses.

Included in the text was a proposal for the establishment of a committee consisting of representatives from the US, France and Turkey. The committee was to facilitate

the return of refugees, the paying of compensation, the economical development of the region and the internationalization of Jerusalem. It was also supposed to guarantee the protection of the holy places and access to them. The text was primarily concerned with guaranteeing peace between the Arabs and Jews. In spite of holding three conferences in Beirut, Lausanne and Paris, the committee failed to properly execute its tasks, especially the internationalization of Jerusalem, which the Jews objected to. The committee was consequently canceled by the UN.

(3) *UN Resolution 242: Endorsement of the principles of international peace in the Middle East (22 November 1967)*

The situation that preceded resolution 242 :

The invasion of Egypt by Israeli forces in the early 50's was considered a violation of the armistice agreement between Egypt and Israel dated 24 February 1949. Following the incident, the tension increased, despite the decisions taken by the Security Council in the years 1951, 1954 and 1956. Resolution 997, which was issued in an extraordinary session on 2 February 1956, asked France and the UK to withdraw from the Suez area and to accept a cease-fire, while asking Israel to withdraw behind the armistice lines.

The Israelis, who refused to yield to the restraints of international peace and the requirements of international law, continued with their expansion and military activities and caused more tension in the region. Finally, the War of 1967 led to the birth of Resolution 242, adopted by the Security Council on 22 November 1967, which provided for frames and principles of compromise between Israel and the Arab states, the withdrawal from occupied territories and the solving of the refugee problem. During the June War, the Soviet Union, Arab states and some of the Third World countries asked the Security Council to not only seek a cease-fire, but also to ask Israel to withdraw from Arab territories and to consider any refusal to do so a form of aggression.

The theory of conditional withdrawal:

But why did the Security Council and the General Assembly refrain from asking Israel to withdraw from the Arab lands without conditions as the Arab states and the Soviet Union wanted? The Security Council convened on 9 November 1967 following Egypt's demand to discuss Israel's insistence on remaining in the areas that were occupied in Egypt, Syria and Jordan during the June War of 1967. The meetings continued until 22 November. Numerous solutions were proposed and there was continuous discussion between the concerned parties with an emphasis on the necessity of coming to some form of agreement to achieve peace.

The core of resolution 242 :

The Security Council expresses anxiety over the dangerous situation in the Middle East; it emphasizes its refusal of the principle of the taking over of territories through war and the need for every state to live in security. It emphasizes that the implementation of the principles of the UN Charter require the setting up of a durable and rightful peace in the Middle East, based on the following principles:

- withdrawal of Israeli forces from territories occupied in the last conflict;
- termination of all aggression and state of war;
- respect and recognition of sovereignty;
- regional unity and political independence of every state in the region and the right of such states to live in peace within secured and recognized borders.

The Council also emphasized the need for the following: guarantees relating to free navigation through water paths and the non-violation of territories and political independence of every state in the region, the realization of a rightful compromise for the refugee problem, and the appointment of a special UN representative for the Middle

East. The General Secretary was asked to inform the Council about the progress of the special representative's efforts.

The June War of 1967 resulted in an entirely new relationship between the Arabs and Israelis. Despite the unwillingness of the Arabs to compromise, they found themselves with no other solution and began to accept the idea of terminating the conflict on condition that Israel agreed to a withdrawal from the occupied Arab lands. It was the diplomacy of words that was responsible for eloquently formulating the *de facto* willingness to compromise in Resolution 242. The decision-makers responsible for formulating the said resolution employed words and idioms so skillfully that it would be difficult to find their match in any other agreement or international resolution. Idioms, many of which are ambiguous, seem to have been chosen according to their ability to convince each party that the resulting formulation satisfied his wishes to the fullest extent. The following are merely a few examples: '...just and lasting peace, '...secured and recognized borders', and '...for achieving a just settlement of the refugees problem'. The biggest difficulty that faced those responsible for the wording of Resolution 242 concerned the problematic issue of actually formulating the extent of the withdrawal from the occupied territories.

(4) *UN Resolution 338: Request for a cease-fire and implementation of Resolution 242 with all its parts* (22 October 1973)

Core of the resolution:

The Security Council asks all parties to the war for a complete and immediate cease-fire and the termination of all military acts. It asks them to implement Resolution 242 with all its parts. Negotiations are to begin at the time of the cease-fire between the concerned parties, under supervision, for the purpose of establishing a just and lasting peace in the Middle East.

Causes for the issue of Resolution 338:

The military action that took place on 1 October 1973 was intended to make Israel change its attitude towards the Arab states. Egypt and Syria began an attack on 6 October against the Israeli forces in the Sinai and on the Golan and were able to regain territory in these areas. The military action continued and came to an end only on 28 October through Resolution 338, which requested an end to the fighting and the implementation of Resolution 242.

The resolution and attempts to reach a settlement:

The attempts to settle the Arab-Israeli conflict entered a new stage with Resolution 338, which was characterized by the desire of the warring parties for a peaceful settlement and their readiness to make concessions, despite all that had taken place with regard to the implementation of Resolution 242, the effect of the Soviet-American *détente*.

The resolution and the issue of holding negotiations under ('suitable') supervision:

What was required was a new diplomatic formula for implementing Resolution 242, comprising three types of diplomacy - traditional diplomacy, superpower diplomacy, and UN diplomacy - in order to settle the Israeli-Arab conflict.

(5) *UN Resolution 425: Requesting Israel to stop military operations against Lebanon and to withdraw its forces from Lebanese territory* (19 March 1978)

Causes of the issuance of the resolution:

While quietness prevailed on the Israeli-Arab fronts in Sinai and Jordan and on the Golan under Resolution 338, the south of Lebanon remained an area of military activities between Israel and the resistance because of the special situation in Lebanon. The Security Council issued Resolution 425 to restore the situation as it had been under

the armistice agreement between the two parties of 1949. Because the situation in South Lebanon was considered a threat to peace, the General Secretary of the UN, Kurt Waldheim, decided to put an area in South Lebanon under international supervision.

Conclusion

We sincerely hope that decision makers in the UN, through the means of international diplomacy, can ensure that those principles and slogans the UN raised for the realization of comprehensive, lasting and durable peace will be honored, and that a true and just peace will prevail in the region.

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The USA and Conflict Resolution in the Middle East (I): The Arab-Israeli Conflict

Ahmad Mashal

American intervention in the Middle East is not new, but it has intensified as a result of the collapse of the Soviet Union, which shattered the Cold War alliance. America's interest goes back to the early days of 1947 when the US supported the UN plan to partition Palestine and the establishment of a homeland for the Jewish people in the land of Palestine. Since then Israel has been the main US ally, particularly in the Middle East. Through this paper I will try to review the American position on the Middle East as it relates to the Arab-Israeli conflict.

US interest in the Middle East not only resulted from the sympathy it felt for the Jews following the Holocaust; rather, it was also the result of the US-Russian conflict that had spread all over the world, with the US and Russia having alliances in all the continents. The US viewed Israel as a very democratic, liberal society, located in a region that was pro-Soviet Union; it also saw it as a potential market for American products.

In the 1950s and 1960s, following the discovery of oil in the region, the interest increased and Israel became an important American foreign policy issue. Oil is the soul of industry, business, power and influence in the world, and the US had to take a more active role in Middle Eastern affairs.

The Americans have tried to mediate between the Palestinians and Israelis to help overcome the ongoing resistance by Arab governments to engage in direct negotiations with Israel. An increase in the differences between the US and the Soviet Union has affected their positions in the region: in all international events the US supports the Israeli position while the Soviet Union supports the Arab position, which is why some countries, such as Egypt, decided to go to the Soviet Union for arms.

There are, however, some examples of Soviet-US cooperation. Following the 1956 French, British and Israeli attack on Egypt, in response to the nationalization of the Suez Canal by Jamal Abdul Nasser, the Americans cooperated with the Russians in the UN Security Council against America's allies (Britain, France and Israel). The three were thus forced to end their military adventure.

During the June War of 1967, Israel took the West Bank and East Jerusalem from Jordan, the Gaza Strip and the Sinai from Egypt, and the Golan Heights from Syria. Despite the hostilities in the region, American diplomacy enabled peace talks between the Arabs and Israelis to continue, which led to the 1979 peace treaty between Israel and Egypt based on UN Resolution 242 (withdrawal from territories occupied in the recent conflict, etc.).

“From the end of the peace treaty in 1979, US mediation initiatives focused primarily on Egypt, with Jordan and Syria accorded much less attention. During the 16 months leading up to the signing of the peace treaty on March 26, 1979, American negotiators directly participated in Egyptian-Israeli talks in Cairo; in Jerusalem; at Leeds Castle in England; at Camp David in Maryland; in Washington DC; and in President Carter’s presidential shuttle to Egypt and Israel in early March 1979.”¹

America’s foreign policy with regard to the Arab-Israeli conflict was always rejected by the Syrians, who also supported the isolation of Egypt from inter-Arab affairs due to its peace treaty with Israel. Syria was attacked by Israel during the Israeli invasion in Lebanon 1982, but as result of the intensive American mediations led by Ambassador Habib and Secretary of State Shultz, Israel and Lebanon were able to come to an agreement.

“Beginning in the last half of the 80’s, however, American diplomats once again resumed Arab-Israeli mediation efforts in earnest. Events in the region had pulled American attention back toward Arab-Israeli issues: the Palestinian uprising beginning in December 1987, the establishment and later suspension of the US-PLO dialogue from December 1988 to June 1990, the Israeli proposal in May 1989 for Palestinian elections, the dramatically weakened role of the Soviet Union in the region, and the enhanced stature and prestige of the US after the Gulf War.”²

The US believes that peace will be not complete without agreements between Israel and the neighboring Arab countries (Syria, Lebanon, Jordan and the Palestinians) but it was clear that the climate for peacemaking after camp David until the 1990’s was floundering. A breakthrough came in October 1993 when Israelis and Arabs sat together around one table at the international peace conference in Madrid. It was moving to see bitter enemies work out their differences in an atmosphere created by the US and the Soviet Union (as the sponsors of the conference).

Negotiations continued in the form of a series of bilateral and multilateral talks in Madrid and Washington, but the real breakthrough came after the Madrid Conference when, in September 1993, the Prime Minister of Israel, Yitzhak Rabin and the PLO Chief Yasser Arafat shook hands on the White House lawn. This historic event followed the signing of the Israeli-PLO Declaration of Principles and months of secret negotiations, both in Oslo and elsewhere. Through their agreements with Israel, the Palestinians are now able to govern themselves in the most densely populated areas of the West Bank and Gaza. Jordan signed its peace treaty with Israel in October 1994. It then became the second Arab country to have full diplomatic relations with Israel.

The US will continue it’s efforts in the Middle East, not only because of its special political and economical interests in the region, but also because of the special relationship it has with Israel and its desire to ensure Israel’s security and well-being. In addition, the US will continue to make attempts to prevent the proliferation of weapons of mass destruction, in order to protect its position as the leader of the globe, or the police of the world in the New World Order.

Notes

(1) and (2) Stein, Kenneth et al. *Making Peace Among Arabs and Israelis*. October 1991, 9-10.



The USA and Conflict Resolution in the Middle East (II): The Gulf Crisis

Amal Jado

I would like to start my presentation by saying that 'the objective justifies the means' is very applicable to the Gulf Crisis. The basic idea that kept recurring through most of the reading material that we were supposed to have read before starting this course was the use of diplomacy and conflict resolution techniques in bringing about peace and an end to conflicts. The case I wish to deal with - the Gulf War - is unique inasmuch as diplomacy was never used as a form of conflict resolution, and in the course of my presentation, I will try to explain the reasons for its absence from the scene.

When Iraq invaded Kuwait on 2 August 1990, two major responses were evoked from the industrial powers: economic sanctions of unique severity, and the threat of war. From the very beginning, the US moved quickly to ensure that sanctions could not be effective and to bar any diplomatic initiative. Washington restricted its own contacts with Iraq to delivery of an ultimatum demanding immediate and total capitulation to US force; this is what President Bush called "going the extra mile to achieve a peaceful solution." The US reply to the question of why it had restricted its basic stand to the two responses was as follows: '....we should guarantee the implementation of international law and the UN charter in addition to our historic mission to punish anyone who dares to violate these sacred principles.' The American vision of the New World Order was undoubtedly a major reason for the American decision.

Diplomatic options were, however, offered by one side, namely Iraq. They were proposed by Saddam Hussein, but only after he fully understood the type of forces he was up against. The following are some of his proposals:

- On 12 August, Iraq proposed a settlement linking its withdrawal from Kuwait to withdrawal from other occupied Arab lands: Syria and Israel from Lebanon, and Israel from the Occupied Territories. The offer was rejected by the US.
- On 23 August, Iraq offered to withdraw from Kuwait in return for the lifting of sanctions, full Iraqi control of the Rumailah oil field (which extended two miles into Kuwaiti territory), and guaranteed Iraqi access to the Gulf. Iraq also proposed negotiations on an oil agreement satisfactory to both nations' national security interests. This proposal was also rejected.
- On 3 January, the US disclosed an Iraqi offer to 'withdraw from Kuwait if the US pledges not to attack as soldiers are pulled out, if foreign troops leave the region, and if there is an agreement on the Palestinian problem and on the banning of all weapons of mass destruction in the region.'
- It is worth mentioning that on 14 January, France made an effort to avoid war when it proposed that the Security Council call for 'a rapid and massive withdrawal' from Kuwait along with a statement that Council members would bring their 'active contribution' to a settlement to the Palestinian problem in an international conference.

Apart from its endeavors to bolster its own influence and power, the US had two crucial regional reasons for not wishing to use diplomatic approaches. The first was the Arab-Israeli conflict. There has long been a broad international consensus on the need for a political settlement of this conflict. The US and Israel, however, have constantly opposed the idea. The Bush administration peace offer at the time of the Gulf conflict rejected negotiations with the PLO, banned the establishment of a Palestinian state, refused any change of status of the Occupied Territories and called for

'free elections' under Israeli military rule (with the greater part of the Palestinian leadership rotting in prison camps).

Not surprisingly, the official US position is kept carefully under wraps and diplomacy is not always a policy option. It is for this reason that the US opposed the idea of holding international conferences in the past, including during the Gulf War period, when it had absolutely no desire to solve the Palestine problem.

The second reason concerns weapons of mass destruction, which is an issue that must be considered on a regional basis. In April 1990, Saddam offered to destroy his chemical and biological weapons if Israel agreed to destroy its nuclear weapons. The US State Department welcomed Saddam's offer to destroy his own arsenal, but rejected the link 'to other issues or weapons systems.' Acknowledgment of the existence of Israeli nuclear weapons would raise the question of why all US aid to Israel is not illegal under congressional legislation of the 70's that bars aid to any country engaged in clandestine nuclear weapons development.

The principle guiding US policy has been that the energy resources of the Gulf region and the enormous profits reaped must remain under the effective control of the US. Thus, as far as the Americans are concerned the idea of a new 'Hitler' is totally unacceptable.

Another major reason why the US did not consider diplomatic options was the division in the Arab World. By and large, support for the US military initiative tended to decline as the influence of the public increased. Thus, the US realized that it must strike fast since the diplomacy process promised to be far too lengthy.

Finally, the US decision to use diplomacy is always determined by the goals that are sought. If the goal had been to ensure Iraq's withdrawal from Kuwait, settle regional issues, and move towards a better world, then Washington would have followed the peaceful means prescribed by international law: sanctions and diplomacy. On the other hand, if the goal had been to strengthen the mercenary-enforcer role and establish the rule of force, then the US administration policy of narrowing the options to capitulation was based on a certain kind of chilling logic.



PART THREE:

Essays on Diplomacy and Conflict Resolution

Following the seminar, the participants were given a second writing assignment - an essay on a topic related to the subjects discussed in the seminar - involving more sophisticated research than the first paper and an elaboration of the participant's own views on the matter. The topics were taken from the fields of diplomacy, negotiations and conflict resolution methods. The following papers were handed in:

A. Diplomacy

- The Most Important Functions of International Diplomacy (Mohammed Nassar)
- What Personal Skills Should a Diplomat Possess? (Osama Qawasmi)
- 'A Diplomat is an Honest Man Sent Abroad to Lie for the Good of His Country.' Is This A Fair Comment? (Safa' Abu Assab)
- What Role Have Diplomats Played in Helping to Resolve the Arab-Israeli Conflict? (Adnan A. Joulani)

B. Negotiations

- The Strengths and Weaknesses of Bilateral Negotiations (*Husam Shakhshir*)
- The Strengths and Weaknesses of Multilateral Negotiations (*Walid al-Salhi*)
- Do States Negotiate Only Once They Have Reached the "Hurting" Stage? (*Ghada T. Terawi*)
- How to Overcome Deadlocks in Negotiations (*Hana A. Daoudi*)

C. Conflicts and Conflict Resolution

- The Importance of Secret Diplomacy for the Resolution of the Arab-Israeli Conflict (*Amal A. Jado*)
- The Role of the United Nations in Maintaining International Peace (*Abeer Mashni*)
- The Role of the United Nations in the Gulf War, 1990/91 (*Areej I. Daibas*)
- Third Party Mediation is Essential in Order to bring About Peace Between Israel and its Arab Neighbors (*Ahmad Mashal*)
- The Role of Third Parties in the Palestinian-Israeli Negotiations Since Oslo (*Atef Abu Seif*)

The PASSIA Academic Committee reviewed the papers, and the following were chosen for publication, covering each of the main areas of the seminar:

A. Diplomacy

'A Diplomat is an Honest Man Sent Abroad to Lie for the Good of His Country.' Is This a Fair Comment ?

Safa' Abu Assab

Nowadays it is not unusual to encounter, upon opening the pages of a newspaper or switching on a television or radio, a heading or story concerned with a diplomatic process. No matter how positively or negatively we might view diplomacy, it is a basic necessity of everyday living for the simple reason that without it states would be unable to organize their relationships with each other. In fact, diplomacy could be compared to a control tower, used to maintain order. Nevertheless, many people still regard diplomacy as being dishonorable and superficial, which leads to the following question: Why does diplomacy, in spite of its deceitful nature, continue to attract the devotion of its practitioners and the constant attention of scholars and the mass media all over the world?

In short, foreign policy sets the goals and objectives while diplomacy is the means to achieve them. In other words, foreign policy is the substance and diplomacy is the process. Any country that forms diplomatic relations with other countries obtains benefits from such relations; were this not the case, there would be no need for diplomatic relations to be established. The diplomat and his mission are representatives of their country, whose main role is to preserve their government's interests abroad. Yet, the fact that a diplomat is always on duty means his profession, in addition to being unique and complex, is often completely misunderstood. To call a diplomat an honest man sent abroad to lie for the good of his own country accurately addresses the paradox of any diplomat's life. Moreover, only upon coming to terms with this paradox will a diplomat be capable of fulfilling his duties.

To begin with, it is important to take a look at the origin and history of diplomacy. Abba Eban explains that 'diplomacy' as a word is relatively young and is based on the Greek *diplomata* meaning 'folded documents'. The word 'diplomacy' first entered the English dictionary at the end of the 18th century (see Eban, p.332). This does not, however, negate the fact that diplomacy existed long before that. In fact, diplomacy is as old as man himself. Many years ago, before the word diplomat appeared in everyday conversation, a person who performed the duties of a diplomat was referred to as a herald, messenger, orator, and more recently negotiator. The word diplomat may be modern but the system whereby groups seek agreements with other groups whom they regard alien to themselves is as old as social history. For example, tribes would often send a messenger to an enemy tribe to convince it of the need for a truce. If the messenger was killed, then the first tribe would automatically assume that securing a peace treaty was no longer a possibility.

The ancient Near East is generally accepted as the cradle of diplomacy, the evolution of which began in Mesopotamia. The Syrian negotiators or state traders of ancient times were diplomats inasmuch as they used to represent their country in trade. Although diplomatic processes are found in all civilizations, it is generally accepted that modern diplomatic traditions were mainly influenced by Greece. For diplomacy to flourish, the conditions of fragmentation, pluralism, and formal equality of status must all exist. Only when such conditions are present do nations have a fair chance of achieving goals of persuasion, inducement, threat or deterrence without resorting to mere physical domination and war. The ancient Greeks lived in a multi-state system; hence,

it is only logical that they should have come up with a complex diplomatic tradition (see Eban, p. 334).

Diplomats in ancient Greece were not so different from those of today, for the supreme ethic of diplomacy has always been *raison d'état*, which means that diplomats were single-minded in defending their nation's interests against all others. Eban introduces Machiavelli's definition of diplomacy in which he separates the morality of power from individual ethics as follows:

"For where the very safety of the country depends on the resolution to be taken, no consideration of justice or injustice, humanity or cruelty, nor of glory or of shame should be allowed to prevail, but putting all other consideration aside, the only question should be what will save the power and the liberty of the country." (see Eban, p. 338)

Machiavelli thus emphasizes that the actions of a diplomat could be considered sinful in a religious social context, whereas they could be accepted and even praised when carried out in the name of the state. Throughout the ages, statesmen were unable to deny that it is difficult to uphold uncompromising morality in a world of competing sovereignties (see Eban, p. 338).

One only needs to look to Israeli Prime Minister Benyamin Netanyahu, who often tends to make contradictory statements, to find a perfect example. On the one hand, he reiterates that he supports peace and wishes to save the peace process, while on the other hand, he insists on building new settlements, including the one at Har Homa; his actions are undeniably contrary to the spirit of peace since they are a violation of the Oslo Accords that dictate a halt to all settlement building.

Diplomats never hesitate to use every possible means to fulfill their government's goals, even if it involves the use of lying, deception, cheating, and maneuvering. But if their lying is carried too far they often gain the kind of reputation, both at home and abroad, that hinders their performance in the future.

It is necessary to consider the drastic transformation that has shaped modern diplomacy in trying to understand the reasons that force diplomats to adopt the habit of lying while serving their country abroad. The first point that Eban mentions is the reticence and privacy that has been prevalent in negotiations throughout succeeding ages. Other reasons include the intrusion of the media into every phase and level of the negotiating process (see Eban, p. 345).

In general, it could be said that the common traits of a diplomat such as reticence, discretion, universal professional solidarity, a strong insistence on immunity, and a capacity to transcend the passions and prejudices of domestic politics have recently begun to lose their sparkle.

The modern diplomat, due to high technology, is suffering from the duality of his role. First he has carry out two tasks simultaneously: to excel in his business with his partners in the country he is sent to, and to excel in gathering public support both at home and worldwide. How could the modern diplomat maintain his credibility in order to satisfy all the different parties concerned without resorting to lying?

Even Woodrow Wilson, as Eban indicates, after declaring his fidelity to 'open covenants', locked himself in a room in Paris with the leaders of Britain, France, and Italy where they held a peace conference more secretive in its procedures than any other of the time. If a well-known pioneer in open diplomacy turned his back to it for the sake of the good of his country, what should we expect from the others?

Open diplomacy has undoubtedly assumed a better reputation than secret diplomacy due to the widespread idea that anything of an honest nature should be capable of

surviving instant exposure to public opinion, while anything kept in secret must be incapable of standing up to public scrutiny. Those who support such a theory often fail to take into consideration the dangers that open diplomacy imposes on the diplomats involved.

If a negotiator, for example, declares his fixed position on the case in question before entering the negotiation room, then he is likely to fall into the trap of open diplomacy whereby he leaves the room with a completely different standpoint than the one he had originally espoused. In such a situation the diplomat/negotiator finds himself in a very humiliating position, since the public is likely to interpret his change of mind as a sign of his failed credibility. It should be noted, however, that some diplomats do this intentionally in order to give the impression that they have compromised with regard to certain issues, and there are those who would say that these are the true diplomats.

We now move on to another issue associated with the phenomenon of lying amongst diplomats, i.e., the use of rhetoric. The words spoken by a diplomat can have grave repercussions and even, in extreme cases, lead to war. So much importance is given to the words uttered by a diplomat that in many instances, words act as a justification for the diplomat's lies. To clarify this point Eban recounts the story of Neville Chamberlain's fateful words, which he uttered in 1938 when describing Czechoslovakia as "a far away country about which [they (the British)] know nothing" which, in his view, made Hitler's conquest even more inevitable (see Eban, p. 391). It has been hypothetically established that it is wise for statesmen and diplomats to leave an escape clause in their international warnings. Such escape clauses may give the impression that a diplomat is not honest, although the truth of the matter is that the diplomat is 'better off' as a liar who serves his country well.

Summits also help diplomats become professional liars. A useful part of the new trend in open/modern diplomacy, they succeed in bringing enemies together. It is their short duration, however, usually of just a few days, that is the cause of the problems for those involved; very few diplomats can solve serious and chronic problems in a single meeting or even in a few hectic days. The summits, nonetheless, are useful - at least as far as the diplomats taking part are concerned - as they often allow the diplomat, who is usually enthusiastic to gain all the credit by implying that success is just around the corner, to state that there has been a breakthrough or that the negotiations were a success when, in all probability, the central issues were delayed. In most instances, those same central issues are left for another diplomat to solve, and so the circle continues.

In conclusion, it is fair to say that there is a lot of truth to the saying that a diplomat is an honest man who is sent abroad to lie for the good of his own country. The diplomat is merely a representative of his country and the governing system, and the 'domination contest' that exists between nations is not determined by the personal qualities of diplomats, but by the power of the countries they represent. Thus, no matter how honest or virtuous a diplomat is he must serve his government, irrespective of whether its policies are right or wrong. The loyalty of the diplomat determines that he must often lie to preserve his country's interests; were he to refuse to submit to this basic principle, his only alternative would be to become something far worse than a liar - a traitor. In the unfair world of diplomacy where very few choices exist, the choice between lying and becoming a traitor is not a very hard one for the majority of diplomats to make.

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What Role Have Diplomats Played in Helping Resolve the Arab-Israeli Conflict?

Adnan A. Joulani

Introduction

For many years, the Arab-Israeli conflict has remained one of the most persistent and explosive international problems in the contemporary international arena. It is not, however, for a lack of attempts to resolve it that the conflict has gone on for so long. Since its initiation, hardly a year has elapsed without some kind of effort or initiative to contribute to the reduction or even ending of both the conflict and the mistrust and misunderstanding that exists between the Arabs and their Israeli neighbors.

Almost all of these efforts involved intermediaries. The following is a brief summary of the role played by the different mediators who were involved in attempting to solve the Arab-Israeli conflict, which began in 1948 with the declaration of the state of Israel:

- The day before Israel proclaimed its independence, the United Nations appointed a mediator, Count Folke Bernadotte of Sweden. Bernadotte, following his assassination, was succeeded by Dr. Ralph Bunche of the US. It was Dr. Bunche who brought about the armistice agreements between Israel and Egypt, Lebanon, Jordan, and Syria in February, March, April and July of 1949 respectively.
- The UN Palestine Conciliation Commission was engaged in intensive negotiations between 1949-1951.
- President Eisenhower commissioned secret emissary Robert Anderson to mediate between Egypt and Israel in 1955-1956.
- US Secretary of State William Rogers mediated an agreement for an Egyptian-Israeli cease-fire in 1970, while the UN-appointed Special Representative Gunnar Jarring and the African heads of state attempted to mediate in 1971. The Jarring mission enabled Egypt to make a major concession - to accept the principle of a peace treaty without much loss of face.
- Henry Kissinger helped to bring about Egyptian-Israeli and Syrian-Israeli disengagement agreements in 1974 following the War of 1973. On 1 September 1975, due mainly to his efforts, Egypt and Israel signed an interim agreement on the Sinai.
- American mediation under President Jimmy Carter's direction led to the Camp David Accords of September 1978 and to the signing of the Egyptian-Israeli Peace Treaty on 26 March 1979.
- After the Gulf War, American mediation led to the Madrid Peace Conference, which amounted to a major breakthrough in the conflict between Israel and the Arabs.
- Superb mediation by Norwegian diplomat Terje Larson resulted in the conclusion of the Declaration of Principles agreement. The DoP was followed by the 1994 peace agreement between Jordan and Israel.

The aforementioned are not the only examples of attempts to mediate in the Arab-Israeli conflict. There were numerous other attempts by governments, organizations, and private individuals, all of whom, in their own significant way, sought to promote peace, reduce border strife, or resolve specific issues such as problems relating to water development projects, the denial of navigation rights, the exchange and treatment of prisoners, and property matters. A partial list of such intermediaries would include UN Secretary General Dag Hammarskjöld, the UN Truce Supervision Organization, the International Committee of the Red Cross, US Special Ambassador

Eric Johnston, President Tito of Yugoslavia, Dom Mintoff of Malta, King Hassan of Morocco, President Ceaucescu of Romania, the American Quaker representative Elmore Jackson, British MP Maurice Orbach, and the French Jewish painter and intellectual Mark Halter.

Saadia Touval defined a successful mediator as one who is believed to have contributed to the abatement or resolution of a conflict, by helping to bring about an agreement between the adversaries to reduce or eliminate hostile behavior in their mutual relations. Successful mediation may also (but need not necessarily) resolve issues that were in dispute, change the images or attitudes of the adversary, or eliminate the basic sources of the conflict.

Before undertaking this assignment, I believed that all of the endeavors to resolve the Arab-Israeli conflict, with the exception of those relating to peace between Egypt and Israel, had been total failures. Although the Arab-Israeli conflict remains unresolved, given Touval's definition of a successful mediator, I now believe that most of the peacemaking efforts listed above succeeded in some way or another, and that the diplomats or mediators involved had some kind of success given the circumstances and the scope of the protracted conflict that they were trying to resolve..

Roots of the Arab-Israeli Conflict

The latter part of the 19th and early part of the 20th century witnessed a dramatic growth in both Arab and Jewish nationalism. Arab nationalism sought independent Arab states free from Turkish and later British and French control, while Jewish nationalism sought a homeland for the Jews. Both were destined to collide over the territory of Palestine.

During World War I Great Britain made contradictory promises to both Arabs and Jews in support of their national aspirations. In the Balfour Declaration, a letter on 2 November 1917 from Lord Balfour, the British Foreign Secretary, to Lord Rothschild, the British Government announced that it viewed 'with favor the establishment in Palestine of a national home for the Jewish people ...' It went on to say, however, '... it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine ...' The British militarily occupied Palestine during 1917-1918, and by agreement between the allied powers Palestine was placed under the mandate of the British.

The Jews interpreted the Balfour Declaration as a step towards a Jewish state. The Arabs, on the other hand, viewed it as a step towards creating a Jewish national home within Palestine. These differences and resentment of continued Jewish immigration and settlement in Palestine provoked riots in 1920-21, 1929, 1933 and 1936-38. A Royal Commission chaired by Lord Peel was appointed in 1936 in response to the Arab revolt of the same year. Its report in 1937 contended that the Arabs' desire for national independence and their opposition to the establishment of a Jewish national home in Palestine were the principal causes of the rioting, and recommended the partition of Palestine into separate Arab and Jewish states. The Peel Commission plan was opposed by the Arabs and the Jews and was never adopted. Following the failure of the Peel plan, the British Government released the 'White Paper' on May 17, 1939, in which it announced its stand: support for the creation of an independent Palestinian state within ten years.

The acts of genocide carried out against European Jews during World War II promoted Jews to immigrate to Palestine in ever greater numbers, particularly after the end of the war in 1945. This immigration led to conflicts between the Arab and Jewish communities and gave rise to increased violence and civil strife.

In August 1947 the majority of a UN Special Committee on Palestine recommended a plan of partition with economic union. On 29 November 1947 the UN approved a partition plan that was accepted by the Jewish Agency and rejected by the Arab states. UN approval of this plan led to the rapid growth of violence. Despite this accelerated collapse of order, the Security Council refused to take action on the recommendations of the General Assembly concerning implementation of the plan. Instead it appealed to 'all governments and peoples ... to take all possible action to prevent or reduce such disorders ...' or to 'cease acts of violence immediately.'

The British Mandate was terminated at midnight on 4 May 1948. The Jewish community immediately proclaimed the State of Israel within the territorial boundaries of the partition plan and the new state was quickly recognized by a number of states, including the US and the Soviet Union. Almost immediately Egypt, Syria, Transjordan, Lebanon, and other Arab states intervened 'to restore law and order and to prevent disturbances prevailing in Palestine from spreading into their territories and to check further bloodshed.' The first Arab-Israeli war had begun.

History and Evaluation of the Role of Diplomats in Resolving the Arab-Israeli Conflict

(1) British Proposals and Diplomats

Great Britain, it is believed, was the creator of the Arab-Israeli conflict. During World War I Great Britain made promises to both Arabs and Jews and those promises were interpreted in contradictory ways. Although Great Britain created the roots of the conflict by favoring and working on the establishment of a national home for the Jewish people in Palestine, it did not intend to renege on the rights of the non-Jewish people already there. The Peel Commission, the Woodhead Commission, the White Paper and several other resolution proposals first aimed at getting the Jews and Arabs to live in harmony, but then recommended the partition of Palestine into separate Arab and Jewish states. All British proposals were rejected by either or both sides.

The failure of the British proposals can be attributed to various factors; some are related to the British mediators themselves while others are related to the circumstances that prevailed (absence of a ripe situation for intervention). The Arabs viewed Britain and its representatives as the cause of their misfortune. They were alarmed by the influx of Jewish immigrants and blamed the British for their arrival. Moreover, they considered British proposals as attempts to absorb their frustration and resentment. The Jews, on the other hand, at certain times questioned the resolve of the British to fulfill the Balfour Declaration and accused Britain of reneging on its promises. British mediators were therefore viewed with suspicion by both Arabs and Jews.

(2) UN Role and Diplomacy

Bernadotte: The first major effort to find a resolution to the Arab-Israeli conflict following the termination of the British Mandate and the proclamation of Israel's independence was a UN initiative. In May 1948 the General Assembly adopted a resolution authorizing the appointment of a UN mediator in Palestine. Count Folke Bernadotte of Sweden, then Vice-President of the International Red Cross, was appointed on 20 May as the UN Mediator.

Bernadotte failed to resolve the conflict but did help to bring about a truce in the fighting. The Security Council called for a four-week cease-fire, which went into effect on 11 June 1948. Bernadotte failed to convince the Arab states to extend the cease-fire, and following the resumption of hostilities, Israel secured substantially greater territory than it was allotted under the 1949 Partition Plan. A Security Council resolu-

tion of 15 July 1948 determined that 'the situation in Palestine constitutes a threat to the peace' and ordered the governments concerned 'to desist from further military action.' Both sides complied with the resolution, and another uneasy cease-fire began on 18 July 1948.

Bernadotte's mediation ended in tragedy. He was assassinated by Jewish extremists in Jerusalem on 17 September 1948. His mediation efforts also failed. Both his proposals for a comprehensive settlement were rejected by the parties concerned and failed to win the support of the international community. His attempts to accomplish a more limited goal - the demilitarization of Jerusalem - also came to nothing. The only accomplishments to which Bernadotte contributed were the two periods of truce during June and July 1948.

The failure of Bernadotte's mission can be attributed to a multitude of factors, some of which were beyond his control or influence. Yet his own mistakes were significant. It is difficult to avoid the impression that had there been fewer of them, his mission might not have resulted in so total a failure. Bernadotte lacked several qualities that might have helped him. He was neither well-informed about the Arab-Jewish conflict nor about inter-Arab politics. He also lacked the personal charm, tact, and persuasive ability that can be so helpful to mediators. His staff also shared some responsibility for his mistakes.

Another reason for his failure was his lack of resources. The UN's inability to implement its resolutions on Palestine between November 1947 and May 1948 and its failure to prevent the invasion of Palestine by the armies of member states greatly weakened respect for the organization and its officials in the Middle East. Therefore, he possessed no resources that could have enabled him to provide incentives or to threaten punishment.

Bunche: After Bernadotte was assassinated, Dr. Ralph J. Bunche, a UN official of American nationality, was appointed acting UN Mediator. Dr. Bunche is credited with bringing about the armistice agreements between Israel and Egypt, Lebanon, Jordan, and Syria in February, March, April and July of 1949 respectively. Bunche stands out among the intermediaries as highly successful and abundantly praised. In recognition of his work, he was awarded the Nobel Peace Prize in 1950.

Bunche, however, also represented the UN, and his mission was hindered by the fact that he faced the same problems and the same parties as Bernadotte's mission had faced before him. Yet, he was considered to be more successful than Bernadotte. It was not his fault that his accomplishments did not endure, and that the armistice agreements were not followed by peace.

Bunche was highly knowledgeable about the conflict in all its many details, and he became familiar with all the ideas and proposals to solve it. His personal attributes greatly facilitated his work. He was creative, articulate, and possessed remarkable drafting skills.

The Conciliation Commission: In December 1948 the General Assembly established the Conciliation Commission for Palestine, which was charged with assisting the parties to achieve a final settlement, preparing a proposal for an international regime for the Jerusalem area, and facilitating the repatriation, resettlement, and economic and social rehabilitation of the refugees who fled during the first Arab-Israeli war. Endeavors of the UN Palestine Conciliation Commission ended in total failure, and it was unable to accomplish even one of its assigned tasks.

1956 War: In July 1956 Egypt nationalized the Suez Canal Company. France and Britain informed the Security Council that the Egyptian action constituted a threat to peace and security. On 29 October the Israeli army invaded the Sinai racing to the Canal and the south. The Israeli strike was supported by a joint French-British airborne attack on the Canal area, allegedly to restore the security of the area.

Because of the negative votes of France and Great Britain, both permanent members of the Council, the Security Council was unable to reach agreement on a resolution calling for an immediate cease-fire in the second Arab-Israeli war. This inability to reach agreement set the stage for a subsequent Council vote on 31 October to summon the first Emergency Session of the General Assembly under the machinery of the 'Uniting for Peace Resolution'. The Assembly adopted a series of resolutions calling for a cease-fire and return to the armistice lines and creating the UN Emergency Force in the Middle East (UNEF). Though disturbed by repeated violations, the 1956 cease-fire and UNEF presence contributed to preventing the outbreak of major hostilities for over ten years.

1967 War: In May and June 1967 an escalating series of threats and counter threats led to the third or 'Six-Day' Arab-Israeli war. On 5 June 1967, the Israeli air-force attacked Egyptian military airfields. The war quickly enlarged to include Syrian, Jordanian, and other Arab forces, but within six days Israel had occupied large areas of territory including the Gaza Strip, the Sinai, the Golan Heights, East Jerusalem, and the West Bank.

After the outbreak of fighting the Security Council passed a series of resolutions from June 6 through June 12 calling for a cease-fire. Shortly thereafter a cease-fire went into effect. During 1967 the General Assembly and the Security Council also passed several resolutions concerning humanitarian assistance to civilians and prisoners of war and calling on Israel not to take unilateral measures to alter the status of the city of Jerusalem. The Security Council later reemphasized, in both 1968 and 1969, its call to Israel not to take measures to change the status of Jerusalem.

UN Resolution 242 and the Jarring Mission: On 22 November 1967, after prolonged diplomatic efforts, the Security Council unanimously adopted Resolution 242 affirming a package basis for settlement of the Arab-Israeli conflict. The resolution affirmed 'that the fulfillment of Charter principles required the establishment of a just and lasting peace', which should include 'withdrawal of Israel armed forces from territories occupied in the recent conflict and 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 boundaries free from threats or acts of force.' It also requested 'the Secretary-General to designate a Special Representative to ...maintain contacts with the states concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with ... this resolution.'

Secretary-General U Thant then appointed Dr. Gunner Jarring, Swedish Ambassador to the Soviet Union, as his special representative. Initial efforts of Dr. Jarring and subsequent bilateral Soviet-US and four-power British-French-Soviet-US talks failed to produce an agreement within the framework of Resolution 242 that was acceptable to both Arabs and Israelis.

In January and February of 1971 an exchange of views between Egypt, Israel and Jordan through Ambassador Jarring was very significant. Although it indicated substantial continuing disagreement over the interpretation of Resolution 242, particularly whether it required territorial withdrawal from all the occupied territories or a ne-

gotiated withdrawal to 'secure and recognized boundaries,' Egypt for the first time indicated willingness to enter into a peace agreement with Israel if other differences could be resolved.

A basic handicap for Jarring was that he represented the UN, an organization with little influence, no resources or power of its own, and declining prestige. But the failure of the Jarring mission cannot be blamed merely on the weakness of the UN or the inadequacy of his tactics. The most important single reason for his failure stemmed from the structure of the conflict, which had come to overlap in part the East-West struggle; the superpowers hindered the mission rather than helped it.

In spite of its failure, the Jarring mission did make a difference. Although it could not bring about a settlement, it did produce some side effects that had a bearing on the evolution of the conflict and upon the efforts to reach a settlement. The Jarring initiative also enabled Egypt to make a major concession - accepting the principle of a peace treaty without much loss of face.

Conclusion: Almost any action taken by the UN came slowly, was certain to represent a compromise, and was afterwards subject to diverse interpretations. The UN from its inception has been intimately concerned with the Palestine Question, and the UN has adopted an extensive series of resolutions concerning the Middle East. An official UN body (the United Nations Relief and Work Agency) still has the primary responsibility for providing essential services for the Palestinian refugees. The UN observers still maintain a watch along the cease-fire lines. In all, there have been at least a dozen UN agencies, commissions, and special offices created to deal with various aspects of the Palestine Question since 1947.

The UN also devised Resolution 242, which spelled out the basic guidelines for a comprehensive Middle East peace. Resolution 242 remains the most complete official policy statement of the UN on a Middle East settlement.

(3) *US Role and Diplomacy*

The US began to play a role in the Arab-Israeli conflict as early as the 1930's when an Anglo-American investigation committee was formed. Nonetheless, it could be said that prior to World War II, the US had primarily cultural, philanthropic and economic interests in the Middle East, and it relegated strategic interests to the British and French empires and largely stayed out of Middle Eastern affairs.

After World War II the US government began addressing the issue of homeless and economically dependent Palestinians driven from their land. The US governments provided economic aid to the refugees in order to preserve the political stability of the existing Arab regimes, ease the burden on the Arab governments, and dampen the discontent and hostility among the homeless Palestinians in the refugee camps in Lebanon, Syria and Jordan. In 1963, 1965 and 1971, the US developed specific proposals to solve the refugee problem by resettlement and integration into the region, but the Arabs rejected all the proposals because they failed to treat the political aspects of the problem.

William P. Rogers: Fearing that prolonged Israeli occupation of the territories seized in the Six-Day War would lead to legitimization of the *de facto* borders, President Jamal Abdul Nasser of Egypt announced in the spring of 1969 that the cease-fire with Israel was no longer valid, and thereupon Egyptian armed forces began a 'war of attrition' against Israeli defenses along the Suez Canal.

The US became a principal intermediary in the Arab-Israeli conflict in the early summer of 1970. In June, US Secretary of State William P. Rogers negotiated an 'at least' 90-day cease-fire between Israel, Egypt, and Jordan, which went into effect on August 7. Under the terms of the agreement between Israel and Egypt, both sides were to 'stop all incursions and all firing, on the ground and in the air, across the cease-fire line,' and to 'refrain from changing the military *status quo* within zones extending 50 kilometers to the east and the west of the cease-fire line.'

The US intervened in the Arab-Israeli conflict because it hoped that reducing the Egyptian-Israeli conflict would weaken Soviet influence and strengthen the American position in Egypt and other Arab states. US Secretary of State William Rogers succeeded in mediating an agreement for an Egyptian-Israeli cease-fire and for the resumption of the Jarring negotiations in 1970, but his attempt to secure the disengagement of the Egyptian and Israeli forces along the Suez Canal in 1971 was in vain. Rogers also contributed to convincing both sides that they had come to a hurting stalemate and that the policies they were pursuing could not be implemented much longer.

Kissinger, 1973-75: At 2:00 p.m. on the afternoon of 6 October 1973, the Jewish High Holy Day of Yom Kippur, Egyptian and Syrian armies attacked Israeli military forces along the Suez Canal and in the Golan Heights. As Israeli forces counterattacked and the situation deteriorated, Secretary General Brezhnev of the USSR invited US Secretary of State Henry Kissinger to meet him in Moscow for urgent consultations. As a result of the discussions, the US and the Soviet Union agreed on a draft Security Council resolution calling for an immediate cease-fire, immediate implementation of Resolution 242 of 1967, and immediate negotiation between the parties. The resolution was adopted by the Security Council on October 22. During the following week, the Security Council passed three additional resolutions confirming the cease-fire, urging that the forces of the two sides be returned to the positions they had occupied when the cease-fire became effective, strengthening the body of the UN observers to supervise the cease-fire, and establishing a new UN emergency force.

Subsequent diplomatic activities centered on mediation efforts by Secretary Kissinger. Within 23 months his mediation led to the conclusion of five agreements: the cease-fire between Egypt and Israel, the agreement to convene the Geneva conference, the disengagement agreements between Egypt and Israel and Syria and Israel in 1974, and on September 1, 1975, an Egyptian-Israeli interim agreement on the Sinai. Kissinger was called a miracle worker and was admired because he succeeded where others failed: in negotiating agreements that led to a significant abatement of the Arab-Israeli conflict. Kissinger's achievements have been attributed largely to his skillful diplomacy and more specifically, to his consummate practice of the art of mediation. Both his admirers and critics alike agree that he was the moving spirit in the negotiations.

Carter, 1977-1979: The Camp David Accords and the Egyptian-Israeli Peace Treaty: Crowning the endeavors for resolving the Arab-Israeli conflict was the American mediation under President Jimmy Carter's direction, which led to the Camp David Accords in September 1978 and to the signing of the Egyptian-Israeli Peace Treaty on 26 March 1979. The Egyptian-Israeli Peace Treaty will remain a historical landmark because it was the first time after many decades of conflict that an Arab state made peace with Israel. I think mediation was exceptionally successful in this case because the President of the US himself was personally and intensively involved in the negotiations, certainly to a far greater extent than any previous president.

After the Gulf War, American mediation led to the Madrid Peace Conference, which amounted to a major breakthrough in the conflict between Israel and the Arabs.

(4) Terje Larson and Others

Superb mediation by Norwegian diplomat Terje Larson resulted in the signing of the DoP agreement. The DoP, which was signed on 13 September 1993 at the White House in Washington, planted the seeds of peace between Israel and the Palestinians. Today, diplomats of all nationalities continue to make efforts to help the Palestinians and Israelis find their way towards permanent and lasting peace.

Conclusion

Almost every effort to resolve the Arab-Israeli conflict involved intermediaries. A successful intermediary is one who is believed to have contributed to the abatement or resolution of a conflict, by helping to bring about an agreement between the adversaries to reduce or eliminate hostile behavior in their mutual relations. Successful mediation may also (but need not necessarily) resolve issues that were in dispute, change the images or attitudes of the adversary, or eliminate the basic sources of the conflict.

The above definition of a successful mediator proves that most of the peacemaking efforts listed above succeeded in some way or another, and that the diplomats or mediators involved experienced various levels of success, given the circumstances and the scope of the protracted conflict that they were trying to resolve.

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B. Negotiations

Do States Negotiate Only Once They Have Reached the 'Hurting' Stage?

Ghada Tawfik Terawi

Conflict has occurred ever since the creation of the human race. In ancient times, people were often forced to fight for their very existence: for simple things such as food and shelter. As nation states began to evolve, so too did the conflicts between these states. The point at which nation states started to feel the threat to its existence is referred to as the 'hurting' stage. In defining the meaning of 'hurt', we can say that it is the act of causing injury, offense or distress; it is something that wounds the feelings, causes harm and damage.

Wars tend to be fought between neighboring countries. Although neighbors often share similar cultures, they are also likely to have competing claims for land and other resources, for control over people with shared ethnicity, and for relative dominance in their region. The fight between India and Pakistan over Kashmir is a perfect example of such a case.

In addition, some governments have the resources and the desire to project their power and influence to parts of the world far away from their base territory. As an example, superpower competition during the Cold War was a major reason for long-distance intervention and caused many regional conflicts to escalate. The Soviet support of Egypt in the 1950's and the American support of Israel is an illustrative example.

According to my point of view, those points mentioned above are the main causes of conflict in the world. There are also many other reasons, although covering them all in detail is far beyond the scope of this paper. Thus, I will concentrate more on the results of conflicts between states and the tools used to reach settlement and peace.

The tendency of states to feel that they are in a hurting stage depends on how they perceive the concept itself. Are they hurt economically, politically or psychologically? The political structure of each state also determines its understanding of the 'hurting' stage.

With regard to those countries that were occupied, colonization established within each territory a political order and the administrative hierarchy to run it. The ultimate basis of this political order was force, there being no other way that a small group of foreign rulers could establish control over an alien; moreover, this force needed to be continuously and directly applied. At the time of the colonization, negotiations were never an option. The colonists were the ones in control, and they would not consider entering negotiations with people who, in their eyes, were inferior and incapable of taking decisions.

Gradually, due to the passage of time and the introduction of the concepts of democracy and the right of peoples to self-determination, states began to care more about their legitimacy and credibility in the eyes of their people. For example, in February 1958 the attempt of the French government to legislate reforms concerning the administration of Algeria and the civil and electoral status of Algerians led to bitter opposition from the local population, adding to the continuation of the war in Algeria, which proved very costly for the French government. Such political instability paved the

way for the French to negotiate with the Algerian people over their right to independence and self-determination.

On the other hand, the British case was somewhat different from that of the French. The sharpest clash of all between democracy and empire building overseas arose when the maintenance of control over the colonies required unpopular measures at home, and especially when they included compulsory military service and a large number of casualties. For Britain, minor confrontations, for example in Kenya in the 1950's, could be dealt with. But once it became clear that anti-colonial movements enjoyed substantial support, the British government committed itself to ending conscription at home, while making arrangements for the transfer of power.

With regard to the Arab oil embargo against the European countries, the embargo had a significant effect on the energy policies of the Western European states and the European Community, and the search for energy security became a major area of concern in European capitals after 1973. The embargo also had a significant impact on the formal European position regarding the Arab-Israeli conflict; nine European states met in Brussels in 1973 and passed a resolution calling for negotiations on the Israeli occupation and realizing the rights of the Palestinian people.

The Brussels Declaration of 1973 marked the beginning of a European-Arab dialogue between the EC and the Arab World. This followed the emergence of the 'hurting' stage, which made both sides realize the importance and the essentially of each other. Adding to that, both sides were willing to reach some kind of a compromise to end the crisis.

The structure of the international system plays an important role in getting states together to negotiate. During the Cold War the external influence of the big powers on the Third World states affected their performance in both internal and regional conflicts. For example, when Biafra declared its independence from Nigeria in 1967, the unity of the state was re-established with the aid of arms purchased from different sources, mainly the USSR and the UK.

Nevertheless, after the collapse of the Soviet Union, new sentiments started to emerge, such as globalization of the economy, regionalism and interdependence. These new trends influenced relations between states, which started to seek peace and negotiations rather than war. They started to care more about economic benefits and less about territorial gains and expansion. For example, the failure of Soviet communism and the collapse of the Soviet state left the Russian high command with serious problems. Strategically, the forces that Russia inherited from the USSR were inadequately configured and deployed for the new security situation. Internally, the economic disintegration of the USSR has radically reduced military spending. As a result, Russia has accepted the idea of forming cooperative relations with the US.

The US is also facing internal economic difficulties regarding military spending. Hence, both sides are willing to negotiate on issues relating to economic cooperation. In general, the direct use of force for economic or political gain is generally too costly and risky for modern great powers.

On the other hand, some argue that Israel started to negotiate with the Arabs and adopted the concept of 'land for peace' in order to benefit economically, inasmuch as it would be more beneficial for Israel to establish economic relations with its Arab neighbors than to gain more territory. Also, with the eruption of the *Intifada*, Israel was forced to allocate a lot of resources to contain the uprising. At the same time, the PLO started to collapse economically after losing the financial support it used to receive from the Gulf countries. Both sides were economically 'hurt', and they had to find an

alternative other than the use of violence to solve the conflict. Negotiations and peaceful talks were the only solution. In addition, a Middle East common market was a concept that gained the support of both sides, the Arabs and the Israelis. A common market would result in shared economic interests, a high degree of mutual interdependence and cooperation.

The structure of each state may in some way determine how it perceives the 'hurting' stage. Military regimes for example have a distinctive set of military attitudes towards politics and political issues. They see the army as a tool to gain power and on which it relies in order to keep this power. They may perceive the hurting stage as the threat of destruction of their military power. A clear example is the civil war in Nicaragua, where a communist military regime felt threatened by the armed contras who were supported by the US. After a long battle, the Nicaraguan government finally realized that the only alternative was negotiations with the contras. Talks were held and the crisis was solved democratically.

An additional example involved Abdul Nasser of Egypt, who pursued a very hard-line policy with regard to the Israelis. The terrible defeat in the June War of 1967 and the War of Attrition with Israel along the Suez Canal in 1969-70 both underscored the growing doubt about the ability of the Middle Eastern states to successfully take on Israel and its allies, which led to Abdul Nasser's acceptance of the Rogers Plan in August 1970.

Civilian governments have a different definition. Their main political tasks are to restore the economy, to achieve self-sufficiency in food production, to stamp out corruption, and to create national unity. Such governments tend to look at losses from a different perspective. The best examples are the Gulf countries, which would be highly unlikely to think of military options, choosing instead to go for diplomatic means and negotiations in solving conflicts.

From a traditional viewpoint, states gave priority to military security to ensure their survival. Nowadays, however, states are considering new dimensions of security. National security has become more complicated as threats shift from military to economic power. Today, economic issues involve large elements of mutual advantage that can be achieved only through cooperation.

Here we reach the conclusion that a 'hurting' stage for a state is often connected to economic, as opposed to military clashes. We can use as an example the economic war between the US and Japan. For the Americans, the Japanese economic power is a greater national challenge than the one that used to be posed by the Soviet military strength. Although the Japanese economic growth challenges the US, it also offers certain benefits to the American people, for example, by providing a greater choice for the American consumer; this ability to choose, however, is naturally perceived by the American government as a real threat to its industrial sector.

Note, for example, the crisis that occurred regarding the issue of cars. The US threatened to increase the taxes payable on Japanese cars and as a result Japan threatened to increase taxes on American products. The two states eventually used diplomatic means and negotiations in order to reach a solution that was acceptable to both sides.

The moral purpose for the existence of political institutions relates to their obligation to provide security, in other words, to keep people safe and to provide them with reasonable opportunities to enjoy whatever benefits the resources of the world can offer. Military defeats cost the Arab states huge losses in lives, the destruction of equipment, political setbacks and damage to national prestige, while threatening

their regimes. At the same time, Israel cannot afford to lose a single war when to lose a war could mean an end to the very existence of the Israeli state.

Some argue that the 'hurting' stage can deliberately be used to reach an agreement regarding certain issues. In other words, the use of force can be a policy option used to reach peaceful settlement. For example, the Egyptian war of 1973 was used as a tool to pressure the Israelis into taking part in peace talks. Sadat was more concerned at that time with the economic growth of his country, which was devastated from an economical point of view, and economic reforms were more vital to him than ideology.

A final point that cannot be ignored is the role of mediators, who often take it upon themselves to decide when a crisis becomes a 'hurting' stage in a conflict. Mediators come in many forms. Some are representatives of powerful states, with access to many resources that can be used in encouraging and enforcing settlements. Mediators provide incentives, assurances and guarantees to the adversaries, in order to increase their willingness to come together and negotiate. As an illustration, the oil embargo imposed after the War of 1973 made the US consider the preservation of the oil supply line from the Middle East to the West one of its most important national interests. President Carter regarded this mission as a basic principle of the American foreign policy. As a result, he played a very important role in getting Egypt and Israel to resolve their differences and conclude a peaceful settlement.

In conclusion, I would say that the political solution will in most cases be more satisfactory and beneficial. Unfortunately, this fact is not always taken into account and in most cases, it is widely accepted only after a nation has suffered severe losses in lives and capital. Moreover, the preparation for war and the reliance on military means of defense can also have an extremely negative impact on the economic and political well-being of citizens. The end of the Cold War and the growing economic interdependence should encourage us, therefore, to consider not only the avoidance of mutual destruction, but also the promotion of universal prosperity.



How To Overcome Deadlocks In Negotiations

Hana Daoudi

Introduction

In a world divided by nationalism and ideology and lacking in political or moral consensus, negotiations aiming at compromise between different interests is the fundamental tool of statecraft. By negotiations, nations often succeed in removing dangerous points of friction and reaching agreements.

Since the roots of conflict are often examined and rectified during negotiations, negotiations can be described as a form of conflict resolution. On the other hand, the fact that negotiations involve the defense of opposing positions means that negotiations can also be described as a form of social conflict. (Pruit, 1981, pp. 6-7) Based on the second concept, this essay aims at shedding light on the most frequent means for overcoming deadlocks in negotiations. This will be preceded by a brief review of the factors affecting the negotiation process.

The conclusion will follow a selected case study, the negotiations between the Greek Cypriots and the Turkish Cypriots. The conflict is considered relevant to any study of negotiations as a form of social conflict and, in particular, to studies related to the role of third parties in overcoming stalemated negotiations.

The Negotiation Process

(1) Defining Negotiations

For the purpose of this essay, negotiation is defined as a “process of combining conflicting positions into a common position, under a decision rule of unanimity, a phenomenon in which the outcome is determined by the process” (Markhof, 1989, p. 242). The essential element of the process is important because it posits a determining dynamic, not merely an assortment of scattered actions or tactics.

(2) Factors affecting negotiations

Negotiations are governed by intrinsic factors that at any given stage may help push them ahead, move them back a few stages or result in their total collapse. Among the most important factors are the disparity of power, the two parties' vital interests and perceptions, the support of superpowers, mutual recognition (Lall, 1966), public opinion and the media. (Aggestam, 1996)

How to Overcome Deadlocks in Negotiations

(1) Third party intervention

The intervention of impartial third parties in international negotiations has only recently begun to receive frequent attention. Following is a brief summary of the most frequent forms of intervention:

Mediation: Mediation is a ‘process of conflict management, related to but distinct from the parties' own efforts, where the disputing parties or their representatives seek the assistance or accept an offer to help from an individual, group, state or organization to change, affect or influence their perceptions or behavior without resorting to physical force or invoking the authority of the law.’ (Bercovitch and Rubin, 1992, p.7)

It is important to differentiate between pure mediation and power mediation. The former involves the intervention of a skilled and experienced intermediary who attempts to facilitate a negotiated settlement to the dispute on a set of specific substantive issues. The mediator combines individual meetings involving each party's representatives and joint negotiating sessions, and uses reasoning, persuasion, the control of information and the suggestion of alternatives to assist the two parties in finding an acceptable agreement. Power mediation, meanwhile, builds on these functions, ‘but also includes the use of leverage or coercion by the third party in the form of promised rewards or threatened punishments.’ Power mediation often leads to settlements that have future implications for the third party as a provider of continuing benefits and/or guarantor of the agreement. (Bercovitch, 1996, pp. 241-242)

Mediation is likely to be used when ‘(a) a dispute is long, drawn out or complex, (b) the parties' own conflict management efforts have reached an impasse, (c) neither party is prepared to countenance further costs or loss of life, and (d) both parties are prepared to cooperate to break their stalemate.’ (Bercovitch and Rubin, 1992, p.8)

A mediator can choose among a wide range of strategies, which Touval and Zartman classify under three main categories: communication-facilitation, formulation and manipulation strategies. (Bercovitch and Rubin, 1992, p.16) A mediator can also propose solutions for overcoming deadlocks. Although they contribute to the mediator's success, the three above-mentioned strategies are not the only factors involved. For mediation is ‘contingent on context’ and is directly related to the overall context in which it occurs. As such, the nature of the mediator (rank, identity and relationship with the parties), the nature of the parties as well as that of the dispute and the mediator's possession or control of some valued resources determine the extent of the mediator's influence and success. (Bercovitch, 1991, pp.14-16)

Consultation: Third party consultation involves interventions, often in the form of problem solving workshops, in which a team of consultants (unlike mediation which involves credible and competent intermediaries) works with the parties to improve communication, diagnose underlying relationship issues and facilitate the search for creative resolutions. It is important to note that in the case of problem solving, the third parties do not advance solutions; rather they help the two parties 'locate a mutually accepted solution to the controversy.'

Since the parties or their representatives talk freely to one another, problem solving is often the approach taken first, especially when relations with the other party are valued and there is a perceived common ground. However, a full problem solving discussion is not always practical because of the realities of divergent interests. Pruitt and Rubin, pp. 139-140).

Conciliation: Conciliation involves a trusted third party providing an informal communication link between the two parties for the purpose of identifying the major issues, lowering tension and encouraging them to move toward direct interaction. Once again, the third party does not propose alternatives for settling the dispute (Bercovitch, 1996).

Arbitration: Arbitration involves a legitimate and authoritative third party providing a binding judgment to the parties that is reached by considering the merits of the opposing positions and imposing a settlement deemed to be fair and just. Submission to forms of arbitration, in addition to compliance with the outcomes, is largely voluntary, which is why it is not resorted to unless approved of by the disputing parties, particularly as it usually carries penalties for noncompliance (Bercovitch, 1996).

Peacekeeping: This form of third party intervention involves the provision of military personnel by an outside party (often the UN) to supervise and monitor a cease-fire between the disputing parties. The peacekeeping forces may also engage in a variety of humanitarian activities in addition to their basic function of securing peace. Although third party personnel often engage in day-to-day mediating activities with regards to particular incidents, their role is not designed to move the parties toward a political settlement.

A contingency model of third party intervention: There is unfortunately no agreed upon typology for classifying third party intervention and terms are often used interchangeably, thus obscuring the unique strengths and limitations of these different types of intervention and limiting the possibilities for coordinated action that is tailored to suit the circumstances.

Based on: (a) the assumption that a social conflict involves a mixture of objective and subjective factors that must be addressed in parallel, and (b) the 'stage model of escalation', which divides conflict escalation to four stages (discussion, polarization, segregation and destruction), an initial contingency model was developed. It stresses the importance of sequencing and coordinating different types of third party intervention in any given conflict as follows:

In stage one (discussion), the two parties tend to enjoy a relatively good relationship in terms of trust, perceptions and commitment. The quality of communication between the parties is therefore regarded as the key issue of concern. The prescribed intervention for the first stage would be that of conciliation in order to facilitate clear and open communication on interests and related issues.

As the parties move toward the second stage (polarization), relationship issues become the focus of concern as trust and respect are threatened and distorted perceptions begin to emerge. In such cases, consultation is considered the most appropriate

type of intervention since it deals with relationship issues, such as mistrust, and consequently paves the way for direct negotiations. In some cases, however, the prevalence of the particular substantive issues that led to the escalation of the conflict blocks any attempt to have them settled through consultation; this creates the need for pure mediation to follow consultation, in order to improve relationships and settle interests.

During the third stage (segregation) 'defensive competition and hostility' dominate the attitudes of the two parties, who tend to perceive the conflict as threatening their basic needs, such as those of 'security and identity'. At this point, arbitration would be the appropriate choice to put an end to what may seem like a vicious circle of unanimity. If rejected by either or both parties, power mediation can be resorted to as 'a midway between arbitration and pure mediation' in order to influence the parties toward agreement through inducing costs or providing inducements such as development aid. 'The result of this power is that the mediator is able to go beyond persuasion to coerce the parties toward a settlement that will temporarily halt the escalatory spiral.'

In the final stage (destruction), the conflict escalates to the point where the parties attempt to destroy each other, often through the use of violence. The appropriate third party strategy is that of peacekeeping so as to assist in the separation of the parties and the control of violence. As in stage three, this could be followed by consultation to improve the relationship and provide a comprehensive analysis of the conflict. Since it is more difficult to de-escalate the conflict in stage four than in stage three, more intensive problem solving sessions are required. (Bercovitch, 1996, pp. 242-249)

(2) The Use of the Media

The media is used and manipulated by the negotiating parties. Where the parties 'exhibit polarized positions and a low political willingness to negotiate,' the media is often used to expose the negotiating positions. (Aggestam, 1996, p.7) In such cases, parties prefer publicity and negotiating through the media to table negotiations because they simply do not want to negotiate, or in order to use the negotiation table to learn more about their counterpart's strengths and weaknesses. Furthermore, political leaders may use the media in order to test the other side's reaction to their new ideas and proposals, i.e., to 'fly kites', or to prepare the public opinion and mobilize its support for an agreement. Such 'trial balloons' may also measure the extent of the domestic support for an eventual agreement. (Aggestam, 1996, p.8)

(3) Secret Negotiations

In sensitive and difficult negotiations where there are vital national security or economic interests at stake, secret negotiations may be fundamental either initially (during the pre-negotiation phase) or as an additional track during official negotiations, for only then can the two sides give 'assurances and commitments that are essential for the parties to negotiate in good faith.' Another purpose of secrecy is to limit domestic influence on the negotiations, especially when negotiations involve 'a radical departure from previous policies and where the domestic opposition is presumed to be powerful.' (Aggestam, 1996, pp. 9-10) The aforementioned conditions were behind the creation of the Oslo secret channel (1993 negotiations between Israel and the PLO), which served as a 'back channel' and was used to resolve the deadlock that hampered the progress of the official channel in Washington.

(4) The Continual Threefold Choice

The continual threefold choice is based on a 'rudimentary system of analysis', which subsumes all the negotiators' decisions under three basic choices: the available terms, no agreement, or further bargaining. It is the third choice and the strategies used by negotiators involved in this choice that are of relevance to this essay, since the decision to make this choice usually means more than just a postponement of

the choice between available terms and no agreement; it is a decision to make additional efforts to overcome the deadlock in the peace process.

Upon making the choice to take part in further bargaining, a party makes every effort to strengthen its own negotiation stand through improving the available terms in a manner that serves its interests, whilst weakening that of the opponent. The latter must be made to believe that the estimated consequences of no agreement are worse than the terms being offered by the other party, which in most instances will force him to reject no agreement and desist from further bargaining.

Inducing the opponent to want agreement: Where areas of non-competitive interests exist, a party works on 'sweetening' the available terms without 'cutting into its own interests'. Where there are only competitive areas, the need for package deals becomes more eminent. The 'parliamentarian logrolling' at the UN, where one delegate may induce another to vote in his favor by promising to vote for some resolution in return, is a popular example of package deals.

Dissuading the opponent from further bargaining: The decision to resort to threats and warnings is one way to make 'no agreement' appear increasingly disadvantageous to the opponent. If the expected gains from agreement do not provide a sufficient incentive, the party may resort to the threat of exclusion. (Ikke, pp. 59-60, 68-72)

The Case of Cyprus

The negotiation process between the Turkish Cypriots and the Greek Cypriots, described by some observers as a 'history of repeated frustrations,' proves that negotiations through third parties can 'hardly be considered as a substitute for the intensive give and take of bargaining direct negotiations between the parties can often produce.' (Raman) In line with Zartman's 'formula-detail' approach to the negotiation process, what is meant by 'the absence of the give and take concept' is the absence of a formula for an agreement and the Greek Cypriots' determination to deny the claims or even the existence of the Turkish Cypriots, both of which are behind the prevailing deadlock in the negotiation process. As such, it is little wonder that Cyprus never succeeded in building a unified nation as stipulated in the constitution (1960).

Absence of a common basis for settlement

The two parties remain at odds with regard to what constitutes a reasonable common ground for reaching a solution. Nevertheless, at present, the following points stand out as the basis of the controversial settlement to the Cyprus question:

- the Treaty of Alliance and the Treaty of Guarantee that were signed by the two sides on 19 February 1959 as part of the 'London -Zurich Agreement';
- the set of points, considered as guidelines for a Cyprus agreement, as set forward during the two high level meetings of 1977 (between Denktas and Makarios) and 1979 (between Denktas and Kypriano) stressing a bi-zonal, bi-communal federation
- the 'set of ideas' advanced by the UN Secretary General (3 April 1992) stressing a bi-communal, bi-zonal federation as the basis for any future solution of the Cyprus Question.

The Turkish Cypriots insist that the mentioned elements form the basis for any future settlement and refuse to concede on two issues: the Turkish Cypriots' vested rights as political equals and co-founders of the Republic of Cyprus, as stated in the London-Zurich Agreement; and the guarantee system, which creates a balance between Turkey and Greece and thus protects Turkey's geopolitical interest in the island.

On their part, the Greek Cypriots call for a bi-regional confederation and emphasize the accession of the island to the EU as a catalyst for the stipulated solution, some-

thing that is strongly rejected by the Turkish Cypriots. Not only do the 1959 treaties prohibit the island from joining any union to which both motherlands are not members, but once Cyprus becomes a member of the EU, the Treaty of Guarantee will no longer be effective and what has been agreed upon as bi-zonality will be in violation of EU law, thus paving the way for the Greek Cypriots' return to the northern part of the island. This, of course, will turn the Turkish Cypriots into a minority on the island.

The nature of the two sides' aims

In his book *My Deposition*, Clerides (President of the Greek Cypriots) summarizes the two sides' aims as follows: 'Just as the Greek Cypriot preoccupation was that Cyprus should be a Greek Cypriot state, with a protected Turkish Cypriot minority, the Turkish preoccupation was to defeat any such effort and to maintain the partnership concept, which in their opinion the Zurich-London Agreement created between the two communities.' (Clerides, vol. 3, p.105)

The role of third parties

Mediation: In 1965, in order to help the two sides reach an agreement, the UN Secretary-General appointed Mr. Tuomioy of Finland and later Dr. Galo Plaza of Ecuador as mediators. The latter's mission was abruptly terminated after his reports and proposals were rejected by Turkey and the Turkish Cypriots as a threat to their existence. The two governments argued that Dr. Galo's proposals would eventually amount to *Enosis* (union of the island with Greece). Dr. Plaza was the last mediator to be involved in the Cyprus problem, the Turkish Cypriots having refused to resort to this form of third party intervention in order to avoid partiality.

Good Offices: The UN's 'mission of good offices' is accepted by both sides as an impartial facilitator. As such, it does not advance any proposals. Instead, its role is limited to bringing about conditions conducive to substantial negotiations. Nevertheless, the lack of a clear understanding of the situation among the Security Council's members created a major obstacle to a future solution in 1964, when the Security Council acknowledged the Greek Cypriot's administration as the legitimate government of Cyprus.

Secret Talks: Based on the fact that both the Greek and the Turkish Cypriots have strong ties with their respective motherlands and since making concessions seems to be difficult for both sides (territorial concessions by the Turkish Cypriots and constitutional concessions by the Greek Cypriots), secret talks including Turkey, Greece, the two communities and the US, as a superpower, could be considered a reasonable option in trying to reach a settlement.

Conclusion

The Cyprus Question proves that it takes more than mastering the art of negotiations to succeed in overcoming the deadlock in the negotiation process. The absence of what can be described as the minimal requirements for successful negotiations is likely to prevent the disputing parties from reaching a satisfactory solution.

According to analysts, the possibility of settling an issue depends on two factors:

- (1) Negotiators must have the political will and skill to reach an agreement. Political will can be defined as 'a factor in negotiations, based on the negotiators' perceptions of the environment, their relative bargaining power, and their expectation of the value of the agreement that may be reached.' (Rangarajan, 1985, p. 208).
- (2) The subject must be susceptible to settlement through compromise. If one side wants what the other cannot concede, even in part, then 'no amount of talk will make either party yield.' (Duchacker and Thompson, 1960, p.517).

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C. Conflicts and Conflict Resolution

The Role of the United Nations in Maintaining International Peace

Abeer Mashni

The theory of collective security rests on the assumption that all nations share a primary interest in maintaining peace, which must be viewed as indivisible, and threats to peace anywhere must be treated as the concern of all members of the international system. Furthermore, all members must agree in advance to react promptly and effectively against threats to peace even if the collective action is directed against members with which they are friendly.

There are several methods of attempting to settle international disputes, which include the following:

- no action by the disputing parties, allowing the dispute to remain unsettled over a period of time;
- settlement through the parties' own initiative, using negotiations or other peaceful means of their choice;
- intervention by an international agency to facilitate peaceful settlement;
- collective action by an international agency to restore order after international peace has been breached or threatened;
- coercive self-help, including recourse to war between the parties;
- intervention by other states to promote or secure their interests. A principle reason for founding the League of Nations and the United Nations was to eliminate the recourse to war.

I will briefly examine the law of the UN Charter as it relates to the peaceful settlement of disputes, prohibitions on the use of force by states, exceptions to these prohibitions, and the authority of the UN to use force. This will serve as an introduction to a description and assessment of the UN's role in maintaining international peace and security.

In the peaceful settlement of disputes the Charter requires that 'all members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.' Later the Charter is more specific about the peaceful means that should be employed when it states: 'The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.' The Charter then obligates parties, if they fail to settle the matter by the means specified, to refer it to the Security Council, the General Assembly or the International Court of Justice, which was established in the hope that it would become a primary institution for the peaceful settlement of disputes between states.

Prohibitions on the use of force by states is the second way to settle a dispute peacefully. Article 2(4) of the Charter states: 'All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations.' The Security Council, also, is directed by the Charter to 'determine the existence of any threat to the peace, breach of the peace, or act of aggression and to make recommendations or decide on measures to restore international peace and security.' This means that there is 'no necessary identity between what is legally prohibited by Article 2(4) and what the Council seeks to control in the discharge of its responsibilities.'

It should be noted that the Charter lists self-defense, humanitarian intervention, 'modernization' and self-determination as exceptions to the prohibitions on the use of force.

As for the authority of the UN to use force, the Council is authorized under Chapter VII of the Charter to determine the existence of any threat to peace, or act of aggression, and to make recommendations and decisions as to whether economic or even military sanctions should be employed. Any decision of the Council is binding upon member states under Article 25 of the Charter. At the same time the five permanent members of the Council are able, through the veto power, to prevent any enforcement action of which they disapprove.

Case Studies in Collective Security and Peacekeeping

To respond effectively to collective security challenges, the UN needs to outline clearly the conditions under which it would initiate peacekeeping operations. The failure of several current UN operations, such as those in Bosnia and Somalia, reveals that the peacekeeping methods devised during the Cold War do not correspond with the peacemaking role of the organization.

A number of recent operations illustrate both the challenges and the limits of UN peacekeeping activities. The case of Cambodia is an illustration of traditional peacekeeping operations. The UN operation in Cambodia was able to successfully monitor and enforce a cease-fire, repatriate significant numbers of refugees, and hold national elections, but, on the other hand, was less successful in creating new governing institutions in that country.

The UN has had limited success in dealing with ethnic, religious, and nationalist conflicts, such as those in the former Yugoslavia. UN peacekeeping forces in Bosnia have provided humanitarian assistance rather than attempting to restrain the fighters, and therefore the organization has been criticized for policies that are perceived as sanctioning 'ethnic cleansing' and 'aiding in the slaughter of civilians'. However, the failure to stop the bloodshed is not totally due to the UN, but to the fact that govern-

ments, especially those in Europe, are unwilling to pay the price in lives and money required to end those conflicts.

The UN intervention in Somalia is another example of the challenges that the UN confronts when dealing with internal conflict. In that country, the efforts of the UN to separate warring clans and to build new civil institutions have exposed the organization's weaknesses in this area. The same thing can be said about Angola and Haiti. Attempts to resolve the civil war in Angola and the strife in Haiti have broken down during the past year. Angolans have resumed their conflict and the Haitian military have turned to their former defiance of the UN.

Despite the successful UN response to the Iraqi attack of Kuwait, which raised the organization's credibility, the UN still encounters many difficulties in dealing with conflicts in other parts of the world. The UN and the permanent members of the Security Council must create an effective institutional capacity to plan, organize, carry out and lead military operations.

A General Assessment of the United Nations Practice

Given the world situation from 1945 until the 1990's, the principle of collective security is probably unworkable and unrealistic. The strength of nationalism and sovereignty of each state prevent automatic collective responses by states whose interests are not promoted by stopping aggression wherever it may occur. National rivalries and competing alliance systems prevent universal responses to threats to international peace. Until international peace becomes the *primary* goal of the foreign policies of the world's nations, collective security will remain an unattainable solution. The Security Council has imposed economic sanctions in several situations but with limited effect.

In the face of the collective-security stalemate, the UN has used new methods for dealing with a limited range of threatening situations. Military forces have been utilized, not to defeat aggressors, but to keep or restore peace, generally without recourse to arms, at the invitation of a host country on whose soil they are stationed. In most of these situations the presence of observer or military corps, supplemented by the preventive diplomacy efforts of the Secretary-General or his representatives, have acted to stabilize crisis conditions. The financial costs have threatened the UN with bankruptcy, but the positive benefits may be immeasurable.

Since 1988 new applications and modifications of the peacekeeping technique have put a huge strain on the system and raised questions concerning its future. More new peacekeeping missions (including some of the largest and most expensive) were initiated in a six-year interval than in the previous 40 years. In the years 1992-93, the number of peacekeeping personnel increased six-fold to approximately 70,000, and the annual costs rose to more than \$3 billion, which is three times the regular UN budget. Proposals to establish a peacekeeping revolving fund were not implemented.

During this same period the sources of peacekeeping personnel and the mandates of peacekeeping missions were modified and expanded. Instead of insulating the areas of conflict from major power involvement, forces from the permanent members of the Security Council participated in missions in Yugoslavia, Cambodia, Somalia, and the Western Sahara. Contrary to earlier practice, half of the recent peacekeeping operations have been involved in internal conflicts. New roles have included the supervision of elections, the overseeing of transitions to new governments, the supervision and delivery of humanitarian assistance, the verification of troop withdrawals, surveillance over the demobilization and disarming of irregular forces, the

protection of refugees, the establishment and training of police forces, and (most extremely) the use of force against factions that threaten law and order.

As for the role of the UN in the area of specific settlement of disputes, it leaves a lot to be desired. Many of the conflicts that develop are not submitted to the UN but are handled through other means. This reluctance to use UN channels may result from a desire by the parties to maintain their freedom of action as well as a lack of confidence in UN processes. Patterns of national behavior stemming from feelings of nationalism and sovereign rights stand against the use of international channels for conflict resolution. The ability to resist international resolution is demonstrated by the substantial number of unresolved issues that remain on the agendas of UN organs for prolonged periods of time. Weak proposals for responding to threats to peace are also a negative element in the UN record and result from the absence of adequate means of enforcement and the necessity to compromise among competing national interests.

On the other hand, and in the light of its inherent weaknesses, the role of the UN in conflict resolution is surprisingly encouraging. Of more than 200 disputes considered by the Council and the Assembly, only 10% remain as long-term problems defying final solution. This success has been due to the flexibility of the organs in seeking a variety of means for conflict resolution, peculiarly adapted to the circumstances of each dispute. In prolonged disputes the influence of the UN has generally been able to prevent escalation or to stabilize the situation at a minimum level of conflict. The substantial number of disputes submitted to the UN reflects a need and the willingness of some parties to rely on UN contributions to seeking solutions to the problems. Small states have been particularly willing to request UN aid in conflict resolution.

While the flexibility of UN agencies has had a positive effect on the accomplishments of the organization in dispute settlement or control, the attitudes and the policies of the members are the most critical factors. In a world of sovereign states, which are the final repositories of power, the behavior of those states will determine the spread or containment of conflict. States may defy international pressure, as in the case of South Africa, or they may be willing to seek accommodation through negotiation or through the UN, or they may work for the strengthening of international means for assuring world order.

Constraints on UN Effectiveness

The UN, in carrying out its duties, is seriously constrained by the following factors:

- lack of adequate financing;
- severe management problems such as bureaucratic waste;
- lack of coordination among the many agencies, committees and programs of the organization.

Reform of Collective Security Mechanisms

The most important recommendations for improving the effectiveness of the UN are as follows:

- A full-time internal secretariat should be created as part of the efforts to restructure the Secretariat.
- The financial elements of the UN should be reformed. The UN is under financial constraints and it is owed over \$2 billion by its member states. Thus it is crucial that all countries pay their assessed UN dues on time and in full, and interest should be charged on late payments. In addition, a revolving peacekeeping fund should be created.

- The Security Council should be restructured and include new state members. The Security Council is designed for the world of the 1940's, and it must now operate according to the new world environment of the 1990's. The Military Staff Committee should also be reinvigorated so that it can take over the responsibility for planning UN military operations.
- The President of the General Assembly should be elected in a more reasonable manner, instead of being decided upon according to the principle of rotation among the regional groups.
- We cannot ignore the role of the US and the Clinton administration in supporting the reform of the UN organs. The US, as a great power, should pay its annual assessments on time rather than nine months after they are due, and it must play a more suitable leadership role in the UN decision-making process.

The challenge for the UN member states is to develop a common cause so that the international community can progress toward reaching a consensus with regard to reforming the UN system. Member governments must commit themselves to providing the UN with adequate capabilities, and enabling the UN agencies to function efficiently.

The UN must play a more effective role in preventing the destruction caused by war. Conventional armaments pose a great threat to regional peace and security as they become increasingly destructive and easier to obtain and maintain. Consequently, the UN must confront the challenge of reacting to potential conflicts before they turn violent. This involves enhancing the UN capacities and effectiveness in preventive diplomacy, in controlling the sale of conventional military weapons, and in stopping the spread of chemical, biological, and nuclear weapons.

Global security requires social and economic conditions that can serve as a basis for peace. Social and economic problems that stem from the human suffering caused by poverty, hunger, disease, and the denial of basic human rights have given birth to conflicts in many countries. The civil conflicts produced by social and economic distress present great security problems, which pose great difficulties to the UN. These difficulties illustrate the problems of the UN in dealing with internal conflicts. For example, UN institutions such as the High Commission for Refugees have proved ill-equipped to respond to the internal displacement of people. The UN has done a great deal to establish internal human rights standards, but it has failed to implement them. It must therefore strengthen the observance of these standards by expanding its machinery for monitoring and putting pressure on states that violate the standards to which they are committed as a member of the UN.

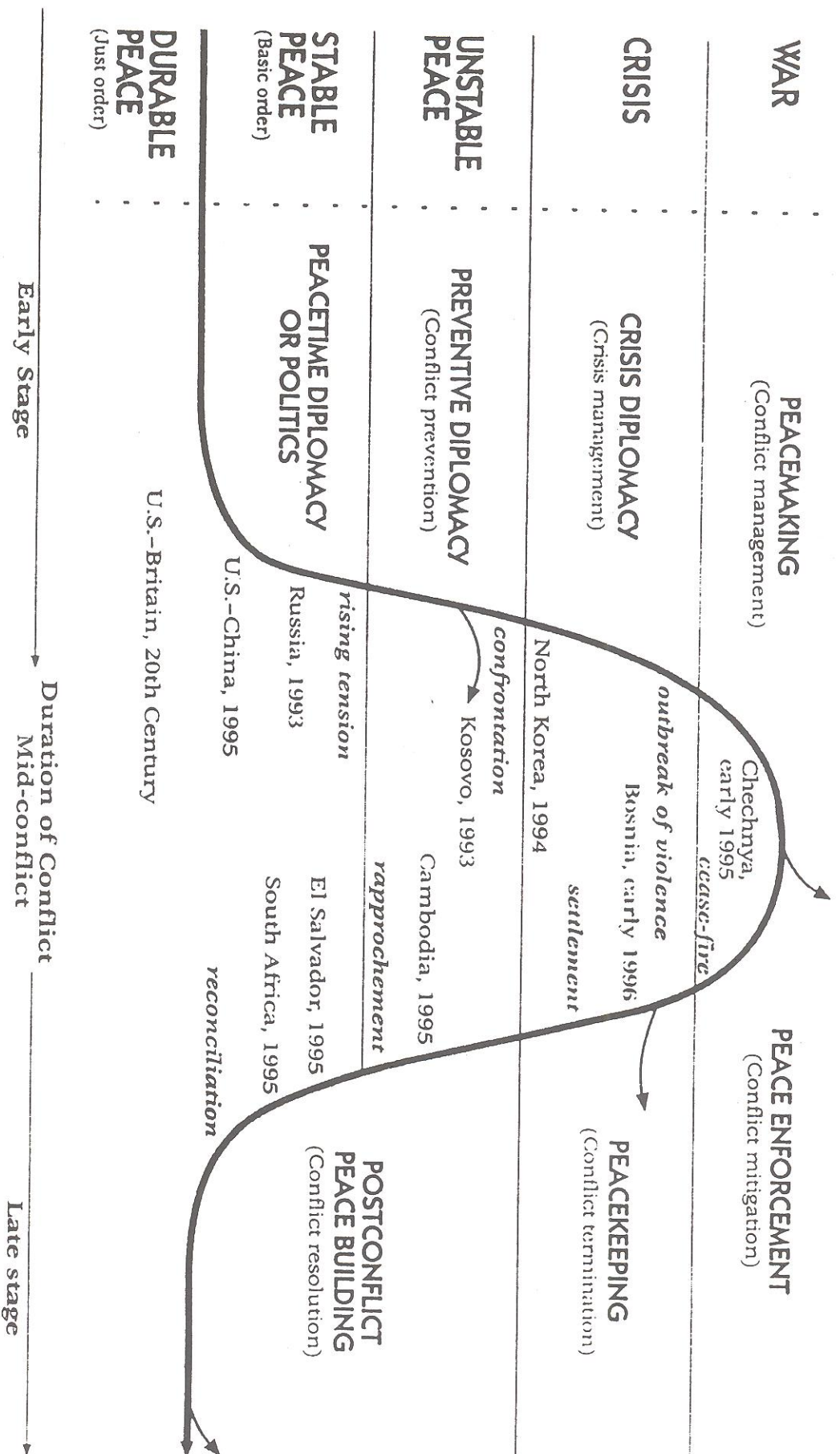
References

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- Coate, A. Roger. *US Policy and the Future of The United Nations*. New York: The 20th Century Fund Press, 1994.
- Damrosch, F. I. *Enforcing Restraints*. New York: Council on Foreign Relations Press, 1993.
- Goodrich, Leland. *The United Nations in a Changing World*. Washington: Library of Congress, 1977.
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Appendix A

Stages of Peace and Conflict



Appendix B

Lecture Program

DAY ONE: Monday, March 3rd

- 8.30-9:15 Registration and Group Photographs
- 9:15-10:15 Welcoming Address
Dr. Mahdi Abdul Hadi, *Head of PASSIA, Jerusalem*
 Opening Remarks
H.E. Thierry Bechet, *EU Representative, Jerusalem*
- 10:30-11:30 The Diplomatic System - Role and Function of Diplomacy
Dr. Raymond Cohen, *Head of the International Affairs Department, Hebrew University, Jerusalem*
- 11.30-12.45 Diplomatic Law, Methods and Immunity
Dr. Alan James, *Professor of International Relations, Keele University, UK*
- 14:00-15:30 The Art and Practice of Diplomacy
Dr. Alan James
- 15:45-17:00 International Organisations and the World Order: Maintaining Peace & Security
Participants (I)

DAY TWO: Tuesday, March 4th

- 9:00-10:30 Summitry
Dr. Alan James
- 10.45-12.15 'Ripeness' and the Resolution of Conflict
Dr. Joel Peters, *Lecturer in International Relations, University of Reading;*
 'Ripeness' and The Second Gulf War
Ailie Saunders, *Head of the Middle East Programme, RUSI, London*
- 13.30-15.00 International Conflict: Causes of War, Inter- vs. Intra-State Conflicts, Conflict Management
Dr. Bahgat Korany, *Professor of Political Science, Montreal University*
- 15.15-17.00 Conflicts and Conflict Resolution
Participants (II)

DAY THREE: Wednesday, March 5th

- 9:00-10:30 UN Peace-keeping and the Arab-Israeli Conflict: An Overview
Dr. Alan James
 Peace Enforcement in the Gulf Crisis
Ailie Saunders
- 10.45-12.15 Foreign Policy and Diplomacy of New/Small States
Miljan Majhen, *Counsellor, Embassy of the Republic of Slovenia, Tel Aviv*
- 13.30-15.00 Theories of Conflict Resolution
Dr. Bahgat Korany
- 15.15-17.00 Structure and Role of a Foreign Ministry and of Diplomatic Missions
H.E. Richard Dalton, *British Consul General, Jerusalem*

DAY FOUR: Thursday, March 6th

- 9:00-10:30 Mediation & Conflict Resolution: The Role of Third Parties
Dr. Charles Hauss, *Professor, Public and International Affairs Department, George Mason University, Washington DC*
- 10.45-12.15 The Role of Third Parties (contd.) / Overcoming Deadlocks
Dr. Charles Hauss
- 13.30-15.00 Packaging Agreements, De-Escalation and Confidence-Building
Dr. Charles Hauss
- 15.15-16.00 The Gulf Crisis 5 Years On: Third Party Disputes as Catalysts to Conflict Resolution
Ailie Saunders
- 16.00- 17.00 Conflicts and Conflict Resolution
Participants (III)

DAY FIVE: Friday, March 7th

- 9:00-10:30 Asymmetric Negotiations (I): Middle East Peace Process
Dr. Joel Peters
- 10.45-12.15 Asymmetric Negotiations (II): Diplomacy, Conflict and Conflict Resolution in the Gulf (Comparison between Iran-Iraq War and Gulf Crisis)
Ailie Saunders
- 13.30-15.00 Negotiating Intractable Issues: Jerusalem
Dr. Mahdi Abdul Hadi
- 15.15-17.00 The Role of the United States in the Middle East
Dr. Charles Hauss

DAYS SIX & SEVEN: Sat./Sun. March 8-9: Weekend - Off

DAY EIGHT: Monday, March 10th

- 9:00-10:30 Conflict Resolution and the Arab-Israeli Conflict
Dr. Charles Hauss / Dr. Joel Peters
- 10.45-12.15 Diplomatic History of the Middle East
Dr. Sami Mussalam, *Head of the President's Office, Jericho*
- 13.30-15.00 Arab-Israeli Negotiations (I): Israel and Egypt
H.E. Ahmad Kamal, *Egyptian Diplomat, Tel Aviv*
- 15.15-17.00 Security in the Middle East
Zakaria al-Qaq, *Director of IPCRI, Jerusalem*

DAY NINE: Tuesday, March 11th

- 9:00-10:30 Arab-Israeli Negotiations (II): Israel and Syria
Dr. Ziad Abu Amr, *PLC Member, Gaza Constituency, Professor of Political Science, Birzeit University*
- 10.45-12.15 Arab-Israeli Negotiations (III): Israel and Palestine
Dr. Mahdi Abdul Hadi
- 13.30-15.00 Arab-Israeli Negotiations (IV): Israel and Jordan
H.E. Dr. Jawad Anani, *Director, Anani Centre for Studies; Member of the Senate Council, Amman*

- 15.15-17.00 First and Second Track Diplomacy: From Madrid to Oslo
Dr. Ron Pundik, *Director, Economic Cooperation Foundation, Tel Aviv*

DAY TEN: Wednesday, March 12th

- 9:00-10:30 Israeli-Palestinian Negotiations Since Oslo
Dr. Joel Peters
- 10.45-12.15 Israeli-Palestinian Negotiations Since Oslo: New Approaches to Conflict: Multilaterals and Conflict Resolution in the Middle East
Dr. Joel Peters
- 13.30-15.00 *Video: The Oslo Process*
- 15.15-17.00 Negotiating Economic Agreements: A Palestinian Perspective
Mr. Samir Huleileh, *Ministry of Trade, PNA*
Negotiating Economic Agreements: A European Perspective
Geoffrey Haley, *European Commission Representative Office, Jerusalem*

DAY ELEVEN: Thursday, March 13th
DAY OFF - PASSIA premises open

DAY TWELVE: Friday, March 14th

Dr. Paul Meerts, *Deputy Director, Clingendael - Netherlands Institute of International Relations*

- 9:00-10.00 The Process of Conflict Resolution Through Diplomatic Negotiations
- 10.00-10:45 Modes of Conflict
- 11.15-12.15 Strategy & Tactics, Skills & Styles
- 13.30-14.15 Simulation Exercise: UN Security Council Session (I)
- 14.15-14.30 Coffee Break
- 14.30-15.15 Multilateral Diplomatic Negotiations
- 15.15-15.30 Coffee Break
- 15.30-17.00 Simulation Exercise: UN Security Council Session (II)

DAY THIRTEEN: Saturday, March 15th

Dr. Paul W. Meerts

- 9:00-10.45 Simulation Exercise: UN Security Council Session (III)
- 11.15-13.00 Debriefing the Simulation, Intercultural & Conflict Management Aspects, Wrap-up of the Workshop
- 13.30-14.30 Wrap-up of the Seminar
Dr. Joel Peters

Appendix C

Lecturers

DR. ZIAD ABU AMR

PLC Member, Gaza Constituency; Professor of Political Science, Birzeit University

H.E. DR. JAWAD ANANI

Director, Anani Centre for Studies, Amman; Member of the Senate Council, Amman, Jordan

H.E. THIERRY BECHET

Head of the Representative Office of the European Commission, Jerusalem

DR. RAYMOND COHEN

Head of the International Affairs Department, Hebrew University, Jerusalem

H.E. RICHARD DALTON

Consul General, British Consulate General, Jerusalem

DR. MAHDI ABDUL HADI

Head of PASSIA

DR. CHARLES HAUSS

Professor at the Public and International Affairs Department, George Mason University, Washington DC; Visiting Research Fellow at University of Reading, UK

MR. GEOFFREY HALEY

Representative Office of the European Commission, Jerusalem

MR. SAMIR HULEILEH

Ministry of Trade, PNA, Dahiet al-Barid

DR. ALAN JAMES

Professor of International Relations, Keele University, UK

H.E. AHMAD KAMAL

Diplomat, Embassy of Egypt, Tel Aviv

DR. BAHGAT KORANY

Professor of Political Science, University of Montreal

MR. MILJAN MAJHEN

Counsellor, Embassy of the Republic of Slovenia, Tel Aviv

DR. PAUL W. MEERTS

Deputy Director, Clingendael - The Netherlands Institute of International Relations, The Hague

DR. SAMI MUSALLAM

Director, Office of the President, Jericho

DR. JOEL PETERS

Lecturer in International Relations, University of Reading, UK; Visiting Fellow at the Harry S. Truman Institute, Hebrew University, Jerusalem

DR. RON PUNDIK

Executive Director, Economic Cooperation Foundation, Tel Aviv

DR. ZAKARIA AL-QAQ

Director, IPCRI, Jerusalem

MS. AILIE SAUNDERS

Head of the Middle East Programme at the Royal United Services Institute for Defence Studies (RUSI), London

Appendix D

Palestinian Participants

ABU-ASSAB, Safa'

- *1976, Jerusalem; living in Jerusalem
- B.A. English Language and Literature, BZU
- ---
- *OSCE: Organisation, Decision-Making Process, Important Treaties*
- *'A diplomat is an honest man sent abroad to lie for the good of his country'. Is this a fair comment?*

ABU SEIF, Atef

- *1973, Jabalia; living and working in Gaza
- B.A. English Language & Literature, BZU
- Head of Section, Dept. of Israeli Affairs, MOPIC, Gaza; previously: Research & Translation Dept., Ministry of Agriculture, Gaza
- *NATO : Organisation, Decision-Making Process, Important Treaties*
- *Have Third Parties Helped or Hindered the Peace Process in the Middle East?*

DAIBAS, Areej Ibrahim

- *1972, Jerusalem; living and working in Jerusalem
- B.A. Modern Languages (German/French), Yarmouk University, Jordan
- Tour Operator, German Dept., Near East Tourist Agency
- *The Changing Global Agenda (I): East-West Dimension (Post Cold War)*
- *The Role of the United Nations in Maintaining International Peace*

DAOUDI, Hana Amin

- *1974, Lebanon; living in Al Bireh/Ramallah, working in Jerusalem
- B.A. Business Administration, University of Jordan.
- Executive Secretary/Information Officer, Turkish Consulate General, Jerusalem
- *Contemporary Conflicts (I): Cyprus*
- *How Can a Deadlock in Negotiations be Overcome?*

JADO, Amal Azmi

- *1972, Bethlehem; living and working in Bethlehem
- B.A. English Language, Bethlehem University
- Administrative Assistant & Coordinator for Youth Dept.'s Activities, Al-Liqa' Centre for Religious and Heritage Studies in the Holy Land, Bethlehem.
- *USA & Conflict Resolution in the Middle East: Gulf Crisis*
- *How Important is Secret Diplomacy for the Resolution of the Arab-Israeli Conflict?*

JOULANI, Adnan Ayyoub

- *1970, Jerusalem; living and working in Jerusalem
- B.Sc. Biomedical Engineering, Louisiana Techn. University
- Foreign Press Coordinator, Orient House, Jerusalem; previously, Translator / Reporter, Palestine Media Review, Jerusalem; and Field Worker / Translator, Jerusalem Media Production, Jerusalem.
- *The Changing Global Agenda (II): North-South Dimension (Third World)*
- *What Role Have Diplomats Played in Helping Resolve the Arab-Israeli Conflict?*

KAWASMEH, Osama Fayez

- *1970, Hebron; living in Hebron and working in Ramallah
- B.Sc. Electronics/Telecommunication, Warsaw University, Poland
- Engineer, Ministry of Post and Telecommunications, Ramallah; previously, Engineer, Jerusalem Co., A-Ram.
- *Contemporary Conflicts (II): Bosnia*
- *What Personal Skills Should a Diplomat Possess?*

MASHAL, Ahmad

- *1967, Jerusalem; living in Jerusalem and working in Tel Aviv
- B.Sc. Civil Engineering, BPI, Austria; Postgraduate Diploma, TV for Development, King Alfred College, Southampton University.
- Freelance Producer, German TV ZDF; previously: Manager, Jerusalem Media Production, Jerusalem
- *USA & Conflict Resolution in the Middle East: Arab-Israeli Conflict*
- *'Third party mediation is essential in order to bring about peace between Israel and its neighbors. Discuss.*

MASHNI, Abeer

- *1971, Jerusalem; living in Jerusalem and working in Ramallah
- B.A. English Literature, Bethlehem University
- Translator/Educational Training Assistant, Center for Democracy and Workers' Rights, Ramallah; previously: English Teacher, Dar el-Ulum High School, Ramallah
- *UN: Decision-Making Process (incl. Difference between UN General Assembly and Security Council)*
- *The Role of the United Nations in Maintaining International Peace*

NASSAR, Mohammad Abdel Rahman

- *1962, Dura/Hebron; living and working in Hebron
- B.A. English Language, Hebron University
- English Teacher, Karma Basic School
- *UN: History and Organisational Structure*
- *The Most Important Functions of Diplomacy in the International System*

SALHI, Walid Marzouq

- *1965, Palestine; living in Nablus and working in Jericho
- B.A. Psychology, An-Najah National University, Nablus
- Officer/Instructor Political Orientation Dept., Preventive Security Headquarters, Jericho; previously: School Instructor, Saudi Arabian Embassy, Moscow; and Student Affairs Coordinator, Palestinian Embassy in Moscow
- *Main UN Resolutions on the Arab-Israeli Conflict*
- *The Strengths and Weaknesses of Multilateral Negotiations*

SANWAR, Ghada Beshar

- *1972, Syria; living and working in Gaza
- B.A. German, French & Arabic, Ain Shams/Alsun, Faculty of Languages, Cairo
- Head of Department "Minister's Office", MOPIC, Gaza; previously: Youth Department and Public Relations, PRCS, Cairo
- *EU: CFSP, Decision-Making Process, Important Treaties*
- ---

SHAKHSHIR, Husam Na'im

- *1958, Nablus; living and working in Nablus
- B.A. Middle Eastern Studies, BZU; M.A. Middle Eastern History, American University, Cairo.
- Field Officer, ICRC, Nablus; previously: History Teacher, BZU
- *The Arab League: Decision-Making Process, Regional Conflict Resolution*
- *The Strengths and Weaknesses of Bilateral Negotiations*

TERAWI, Ghada Tawfik

- *1972, Beirut; living and working in Gaza
- B.A. Political Science/International Relations, American University in Cairo.
- Head of Section, Ministry of Planning & International Cooperation, previously: Prod. Master & Stylist, Image Film Production, Gaza; and Reporting Assistant, Al Majalah Magazine, Cairo
- *Arab League: History and Organisational Structure*
- *Do States Negotiate Only Once They Have Reached The Hurting Stage?*

Appendix E

Reading Material

A: General Reading

Aggestam, Karin. *Two Track Diplomacy: Negotiations Between Israel and the PLO Through Open and Secret Channels*. Jerusalem: The Hebrew University, 1996. Pp. 1-38.

Aggestam, K. "Reframing International Conflicts", in *PARADIGMS: The Kent Journal of International Relations*. Vol.: 9, 2, Winter 1995.

Bercovitch, Jacob. Ed. *Mediation in International Relations*. St. Martins Press, 1992. P. 1-248.

Berridge, G.R. *Diplomacy: Theory and Practice*. Prentice Hall Publications. 1995. Pp. 32-96.

Feltham, R.G. *Diplomatic Handbook*. London, N.Y.: Longman, 5th Ed., 1988. Pp. 1-176.

Haass, Richard. "Ripeness and Settlement of International Disputes". *Survival -The IISS Quarterly*, no. 30/1988: pp. 232-51.

Holsti, K.J. *International Politics*. Prentice Hall International Editions, 6th ed., 1992. Pp. 132-56, 348-80.

Pendergast, William. "Managing the Negotiations Agenda", in *Negotiations Journal*, April 1996: pp. 137-43.

Qandt, William B. *Peace Process: American Diplomacy and the Arab-Israeli Conflict since 1967*. Washington DC: Brookings Institute, 1993. Pp. 255-331.

Sofer, Sasson. "Old and New Diplomacy: A Debate Revisited", in *Review of International Studies*, 14:3. 1988: pp. 195-211.

Stein, J.G. *Getting to the Table: The Process of International Pre-Negotiation*. Baltimore: John Hopkins University Press, 1989. Pp. 174-205.

Stein, Kenneth. et. al. *Making Peace among Arabs and Israelis*. United States Institute of Peace, October 1991. Pp. 1-36.

Zartman, William. *The Practical Negotiator*. New Haven/London: Yale University Press, 1982. Pp. 32-96.

B: Reading Material for Individual Background Research

• Bosnia Conflict :

Blank, Stephen J., ed. *Yugoslavia's Wars: The Problem from Hell*. U.S. Army War College, Strategic Studies Institute, Roundtable Re-port, 1995. (ISL¹)

Eyal, Jonathan. *Europe and Yugoslavia: Lessons from a Failure*. London: RUSI, Whitehall Paper Series, 1993. (ISL)

Glitman, Maynard. "US Policy in Bosnia: Rethinking a Flawed Approach", in *Survival - The IISS Quarterly*, Winter 1996/97: pp. 45-55. (ISL)

Neville Jones, Pauline. "Dayton, IFOR and Alliance Relations in Bosnia", in *Survival -The IISS Quarterly*, Winter 1996/97: pp. 45-55. (ISL)

¹ ISL : In Seminar Library (at PASSIA)

- **Cyprus Conflict:**

Epstein, Mark A. "The Cyprus Dispute", in *Perspective on Negotiations*, Foreign Service Institute, US Department of State, 1986: Pp. 99-149. (ISL)

- **USA and Conflict Resolution in the Middle East: Gulf Crisis:**

Haim Bersheeth et.al., ed. *The Gulf War and the New World Order*. London: Zed Books Ltd.. Pp. 11-26. (ISL)

- **NATO:**

The NATO web site on the Internet: www.nato.int

- **OSCE:**

The OSCE web site on the Internet: www.fsk.ethz.ch/osce/

- **United Nations:**

The UN web site on the Internet: www.un.org.

- **The Arab League:**

Hassouna, Hussein. *The League of Arab States and Regional Disputes*. OCEANA publications, 1975. Pp. 3-19, 255-69. (ISL)

Pogany, Istvam. *The Arab League and Peace Keeping in Lebanon*. Avebury Publications, 1987. Pp. 1-22. (ISL)

- **The European Union:**

Jan Bal, Leendert. *Decision Making and Negotiations in the European Union*. University of Leicester: Center for the Study of Diplomacy, 1995. (ISL)

EU information on the Internet: www.tufts.edu

- **The Changing Global Agenda: North-South Conflict:**

Yassin, Abdul Moneim. "After the Cold War: The International System between Chaos and Stability", in *The Arab Strategic Report 1993*. Cairo: Al-Ahram Center for Political and Strategic Studies. Pp. 12-38. (ISL)

Yassin, Essaid. "Future Mapping of the New Global Order", in *The Arab Strategic Report 1993*. Cairo: Al-Ahram Center for Political and Strategic Studies. Pp. 2-10. (ISL)

C: Further Recommended Reading Material

Axelrod, Robert, *The Evolution of Cooperation*. New York: Basic Books, 1984. Still the best book on how the prisoner's dilemma, game theory and the like can lead to cooperation.

Ball, Nicole with Tammy Halevy, *Making Peace Work: The Role of the International Development Community*. Washington: Overseas Department Council/John Hopkins University Press, 1996. The most far-reaching book on the role that the development community can play - and may well have to play - in resolving conflict.

Damrosh, Lori Fisler, ed. *Enforcing Restraint: Collective Intervention in Internal Conflicts*. New York: Council on Foreign Relations, 1993. A good reader on cases and concepts of intervention since the end of the Cold War.

Diehl, Paul F., *International Peacekeeping*. Baltimore: John Hopkins University Press, 1994. A good overview of the peacekeeping process emphasizing its limitations.

Fisher, Robert and William Ury, *Getting to Yes: Negotiating Agreement Without Giving In*. 2nd. ed. London: Penguin, 1991. The best-known 'how to' manual for win-win conflict resolution.

Hauss, Charles, *Beyond Confrontation: Transforming the New World Order?* Westport Conn: Praeger, 1996. One of the few books that sketches out a general theory of conflict resolution and tests it with concrete examples from the interpersonal, organizational, and international levels.

Klare, Michael and Daniel Thomas, eds., *World Security: Challenges for a New Century*. New York: St. Martin's, 1995. The best available anthology on security and other international problems in the post-Cold War environment.

Kriesberg, Louis and Stuart J. Thorson, eds., *Timing the De-escalation of International Conflicts*. Syracuse NY: Syracuse University Press, 1991. Like most anthologies, this does not hang together very well, but then neither does the concept of either timing or ripeness.

Lund, Michael S., *Preventing Violent Conflicts: A Strategy for Preventive Diplomacy*. Washington: US Institute for Peace, 1996. From the US government's semi-official peace research institute, the most systematic book on preventive diplomacy.

Matthews, Jessica T., *Foreign Affairs*. January/February 1997. pp. 50-66. The best piece yet written on NGOs by the woman who is most responsible for promoting the idea of environmental security and who has a significant influence on the more progressive side of the Clinton administration and the US foreign policy establishment in general.

Mayall, James. *The New Interventionism: UN Experience in Cambodia, Former Yugoslavia and Somalia*. Cambridge: Cambridge University Press, 1996.

Pruitt, Dean G. and Peter J. Carnevale, *Negotiation in Social Conflict*. Pacific Grove Calif: Brooks-Cole, 1993. The best textbook from the perspective of social psychology which may - or may not - have a lot of relevance to international relations.

Ramsbottom, Oliver and Tom Woodhouse, *Humanitarian Intervention in Contemporary Conflict*. Cambridge: Polity Press, 1996. The most recent and most complete assessment of the subject.