

Palestinian Statehood and Peace in the Middle East

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Abstract

The Palestinian issue lies at the heart of the Arab - Israeli conflict, which has been going on for decades. The Madrid conference offered a historic opportunity for arriving at a just and lasting peace in the Middle East, based on international legitimacy and the principle of land for peace. Yet, 9 years after Madrid, peace is still far away. Negotiations at the Israeli - Syrian and the Israeli - Lebanese tracks are frozen while the Israeli - Palestinian negotiations are faltering. The Palestinian Authority accepted the Interim Agreement as an interim step towards a final peace treaty between Israelis and Palestinians. It is interim in nature and should therefore be applied as such by the concerned parties. That is, "neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations." Yet, in reality, Israel has and continues to violate and manipulate the Interim Agreement by creating de facto realities on the ground, which have severely fragmented the West Bank and Gaza Strip. This will not only affect the outcome of the final status negotiations, but also will render a future sustainable Palestinian entity unattainable and, more immediately cause intolerable hardship and suffering.

The ongoing fragmentation of Palestinian land and communities into disconnected cantons combined with the frequent collective punishment of closures, house demolitions, withdrawal of identify cards, and the confiscation of private property will only impose a physically unsustainable and brittle peace. A lasting peace can only be based on United Nations Resolutions 242 and 338, in which a fully sovereign Palestinian state will be established on the whole stretch of Palestinian land occupied by Israel in 1967, neighboring a secure and independent Israeli state. In this respect, the international community is required to secure such an outcome and only then can the currently stalled peace process be set back on track.

Introduction

The twentieth century witnessed dramatic geopolitical changes especially in the Middle East, where state boundaries, which were carved essentially by superpowers, are a major source of conflict. The case of Palestine is a striking example. In 1923, the borders of mandate Palestine were defined to include an area of 27000 sq.km. In 1948, a UN partition plan was proposed to divide Palestine into a Jewish and Arab state. The Arabs rejected the partition plan on the ground that Jews who represented at that time 7 % of the total population cannot be entitled to such a large proportion of historic Palestine. War erupted and the result was that Israel in 1948 had control over 78 % of mandate Palestine. In 1967, Israel took the West Bank and Gaza. The West Bank including East Jerusalem covers an area of 5,845 km², while Gaza strip covers an area of 365 km².

Soon after its occupation in 1967, Israel seized control over the West Bank and Gaza. Since that time, Israel has either confiscated or declared as closed areas over 55% of the West Bank and 22% of the Gaza Strip, thereby placing it out of Palestinian reach. Palestinians are allowed to use less than 15% of their water resources. Israel has continued to expand Jewish colonies and their infrastructure on illegally confiscated Palestinian (mainly agricultural) land. Furthermore, a devastated Palestinian economy is still controlled largely by Israel, as is access to medical facilities and educational institutions.

Figure 1: Location of the West Bank and Gaza Strip.

To revert this unjust situation, the Palestinian people, by and large, accepted the discourse of peaceful negotiations based on the grounds outlined in the Madrid Conference of 1991. The guiding principles of these negotiations were 'Land for Peace' and the United Nations Resolutions 242 and 338.

Likewise, the Oslo II Interim Agreement was accepted by the Palestinian Authority as an interim step towards a final peace treaty with Israel. It is interim in nature and should therefore be applied as such by the concerned parties. That is, "neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations." Yet, in reality, Israel has and continues to violate and manipulate the Interim Agreement by creating *de facto* realities on the ground, which have severely fragmented the West Bank and Gaza Strip.

Although the peace process is providing increased opportunities for Palestinian self-determination, the fact also remains that Palestine is not only underdeveloped but also still occupied. All land outside towns and villages, about 60 percent of the total land area in the West Bank, is still under Israeli control and more than 20 percent of the land in the Gaza Strip continues to be held by Israeli coloniess. The "Oslo II" agreement, signed in Washington D.C. in September of 1995, sets out the interim stage for Palestinian Autonomy in the West Bank and Gaza, pending "final status negotiations" to begin in May 1996. However, the agreement gives Palestinians full control only over the major

towns of the West Bank ("Area A": Jenin, Tulkarem, Nablus, Ramallah, and Bethlehem), with Hebron receiving a different status because of the security problems in the city. Gaza and Jericho were negotiated in the first phase of the Oslo peace process implemented in May of 1994. Villages are designed as "Area B," under "joint supervision" by Israeli and Palestinian forces. All land outside of these areas is considered "Area C," which remains under Israeli control, though it may be ceded to the Palestinian Authority gradually by interim negotiation, or following a "final status" peace settlement (Figure 2).

THE PEOPLE OF PALESTINE

The overall Palestinian population is estimated at 7.4 million, of which 4 millions are living in their homeland while 3.4 millions are refugees who have been scattered and living under harsh conditions in neighboring Arab countries and elsewhere (Figure 2). The right of refugees to return to their homes is internationally recognized by the world and was adapted in the U. N resolution 194. The refugees are waiting for solution to their problem that existed since 1948.

The political changes and the successive Israeli-Arab wars of 1948 and 1967 have greatly affected the distribution of the population living in the West Bank and Gaza Strip. In 1997, the Palestinians conducted their first population census, as they were prevented from doing so previously while under occupation. It was found that 2.89 million Palestinians live in Palestine, of which 1.87 million live in the West Bank and East Jerusalem and 1.02 million live in the Gaza Strip (PCBS, 1998). Approximately 33.4% of the total West Bank population live in urban areas and the remaining 66.6% are distributed over more than 540 villages and hamlets, and 18 refugee camps.

Figure 2: Distribution of Palestinians and refugees living in Palestine and neighboring countries.

The following discussion outlines the demographic characteristics of the Palestinians in the West Bank and Gaza. The issue of high population growth rate has not received the attention it deserves from the Palestinian side as the political conflict since 1948 demanded a demographic race with Israel. Presently, the new political reality has reduced the necessity for such a race and the previous population values which were rooted in the Palestinian society need to be reconsidered.

Population density is usually defined as the total population of a country divided by the total area of that country. However, in the Palestinian case, population density needs to take into account political considerations and restriction on land use. This is necessary because not *all* the area is available for exploitation by the Palestinians and thus density needs to be looked at with greater detail.

□ Israel

Area of Israel = 20,000 km²
Israeli Population = 5,840,000
Population Density = 292 person/km²

□ **West Bank**

Area of the West Bank = 5,845 km²
West Bank Population = 1,869,818
Population Density = 320 person/km²

□ **Area A + Area B**

Area = 2338.0 km²
Palestinian Population = 1,706,722
Population Density = 730.0 person/km²

□ **Area C**

Area C = West Bank area - Area A - Area B = 3507.0 km²
Colonist Population in Area C (including East Jerusalem)= 350000
Population Density in Area C = 99.8 person/km²

Area of Colonies' built up area = 108.4 km²
Area of Military Bases = 38.7 km²
Area of East Jerusalem = 71 km²
No Man's Land = 50 km²

□ **Jerusalem**

Palestinian Built-up Area in Jerusalem District = 36.5 km²
Palestinian Population = 328,601
Population Density = 9002 persons/ km²

□ **Gaza Strip**

Gaza Area = 365 km²
Area under Palestinian control = 277.4 km²
Palestinian Population = 950,000
Palestinian population density = 3430 persons/ km²

Area of Colonies = 8.9 km²
Population Colonists = 6,000
Military Bases = 1.8 km²

Yellow Area = 16.5 km²
 Security Zone = 58.2 km²

Breakdown of demographic variables in the West Bank

District name	Built Up Area km ²	District Area km ²	Population	Built Up Density Person/km ²	District Density Person/km ²
Jenin	38	573	203026	5315	355
Tulkarm	27	245	134110	4895	547
Tubas	6	366	36609	6122	100
Nablus	43	613	261340	6143	426
Qalqiliya	13	174	72007	5505	413
Ariha (Jericho)	10	609	32713	3198	54
Salfit	10	202	48538	4672	240
Ramallah	52	849	213582	4100	252
Alquds (Jerusalem)	37	354	328601	8998	929
Bethlehem	36	607	137286	3804	226
Al Khalil (Hebron)	95	1067	405664	4269	380
Total	368	5659	1873476	5097	331

The size of the total Palestinian built up area in the West Bank reaches no more than 368 km², which is equivalent to 6.49 % of the total area of the West Bank. Slide 1 shows the size of the Palestinian built up areas in each district, and a comparison of the built up area to the district area is illustrated in Slide 2, notice the difference.

Israeli Colonies

Since the early 1970's, Israel has pursued a policy of settling Jewish immigrants in Palestine in an attempt to change its demographic character. Presently, there are 18 Israeli colonies in the Gaza Strip housing an estimated 6,000 Israeli colonists, and over 200 in the West Bank with a population of more than 350,000 colonists; 170,000 of whom reside in East Jerusalem. Colonies are distributed all over the West Bank, however, they are primarily condensed around Jerusalem and in the Jordan Valley (Figure 8). Building colonies and attempting to change the demography in any occupied area is in direct violation to international laws. Specifically, it violates the Fourth Geneva Convention, Article 49, item 6, which states that: "The occupying power shall not deport or transfer part of its own civilian population into the territory it occupies."

Figure 8: Israeli colonies and by-pass road distribution throughout the West Bank.

The Labor and Likud Israeli governments have maintained progressive expansions of these colonists. To achieve this goal, they have confiscated Palestinian land, demolished their houses, and uprooted thousands of trees. Since the signing of the Declaration of

Principles in 1993, more than 252388 dunums of land have been confiscated, over 558 houses demolished and many more demolition orders handed out, and 72990 trees have been uprooted. The reasons given for these activities include: building without a permit, the Absentee Law (which states that land not in use for three continuous years is subject to Israeli confiscation), and security purposes.

Building colonies is usually compounded by construction of a series of by-pass roads. These are built for the use of Israeli settlers, to link Israeli colonies to each other and with Israel, and to avoid contact with Palestinians.

The construction of by-pass roads commonly occurs along the perimeter of Palestinian built-up areas. A 75 m “safety zone” on either side of these roads restricts Palestinians from any type of construction activity. These practices have fragmented both land and people. The resulting enclaves of Palestinian populations rapidly become overcrowded due to their inability to expand from natural population growth. This leads to over-use and eventual depletion of natural resources. This situation is very serious within the major cities of the West Bank (Figure 8), where by-pass roads form boundaries that limit the expansion and development of the Palestinian communities, and further disconnect Palestinian communities from each other.

Bypass roads’ length and buffer area in the West Bank.

	Existing bypass roads	Planned bypass roads	Total
Total length	315.4 km	261.9 km	557.3 km
Area of the 150m buffer zone	47.5 km ²	39.6 km ²	87.1 km ²
Area Percentage	0.84 %	0.70 %	1.54 %

Area of W.B = 5659 km²

With the safety buffer zone they enjoy, the construction of these by-pass roads requires the confiscation and destruction of approximately 87 km² of Palestinian land, most of which is agricultural.

Israel is asking the United States for US\$ 1.2 billion to implement the Wye agreement (AL-Quds Daily, 1998). This money will be allocated to expand Israeli colonies and construct new by-pass roads. The Israeli Civil Administration has already planned around 10 by-pass roads that are to be constructed as part of the implementation of the interim agreement.

Israel has also declared 48 nature reserves in the West Bank, with a total area of 33,070 hectares. These are largely not based on ecological grounds as most of them are located in one ecological region: the Eastern Slopes (Figure 6). Many of these reserves contain colonies and military bases. These too serve to reserve the land for Israeli development.

Figure 6: Israeli nature reserves with respect to West Bank eco-regions.

The ongoing fragmentation of Palestinian land and communities into disconnected cantons combined with the frequent collective punishment of closures, house demolitions, withdrawal of identify cards, and the confiscation of private property will only impose a physically unsustainable and brittle peace. The table below shows annual Israeli violation in the West Bank after the signing of Oslo accord in September 1993 to February 2000.

Year	Land Confiscated (dunum)	Uprooted Trees	Houses Demolished
September 1993	20062	500	57
1994	29,574	4535	29
1995	1300	2500	14
1996	31734	1050	12
1997	73161	23685	290
1998	60085	25350	107
1999	27012	14003	48
February 2000	9460	1367	1
Total 1993- 2000	252388	72990	558

THE SOVEREIGNTY QUESTION

The West Bank and Gaza Strip were occupied by the Israeli forces in 1967 and remained under occupation for approximately 30 years. Israel strictly controlled all aspects of life through selective laws taken from previous Turkish, British, and Jordanian rulers in addition to 1,500 military orders used to tighten its control. The Middle East Peace Process, started in October 1991, was the turning point of the Palestinian-Israeli conflict. After long negotiations, it was agreed that the Israeli forces would re-deploy from parts of the West Bank and Gaza Strip. First redeployment was from Jericho and Gaza, followed by a second redeployment from major cities in the West Bank. These were conducted in the interim period of the agreement pending the final status negotiations.

The Interim agreements have divided the lands of Palestine into three classifications: areas A, B, and C (Figure 3). The Israeli military withdrew from lands classified as area A, and complete autonomy over administrative and security issues was assumed by the Palestinian Authority. This marked the first time that a Palestinian government retained sovereignty over any of their land. However, this area comprises a mere 3% of the West Bank and 78% of the Gaza Strip. In area B, the Palestinians have full control over civil society except that Israel continues to have overriding responsibility for security. These areas constitute 24% of the West Bank and comprise most of the Palestinian towns and villages. Area C covers the area which falls outside areas A and B (73% of the West Bank). In this area, the Palestinian Authority provides civil services, however, Israel retains full control over land, security, people and natural resources. The majority of Palestinian agricultural land lies in these areas.

Figure 3: Re-deployment map following Oslo II and Hebron Agreements.

The recent Wye Plantation Memorandum of October 1998 has come out with a new interim agreement between the Palestinians and Israel. Further redeployment from the West Bank was to take place within a few days after signing the agreement. The land will be turned over to Palestinian control, giving the Palestinians hegemony over about 40 percent of the West Bank (Table 1). The new redeployments will be conducted in three phases. After completion of the third phase, area A will be approximately 18.2% of the West Bank, area B will be 21.8%, and the remaining areas will continue to be area C (Wye River Memorandum, 1998). These percentages, however, do not necessarily reflect the true situation on the ground. According to Palestinian calculations the percentages take into account all of the land of the West Bank and Gaza Strip as enclosed by the Green Line boundary, whereas the Israelis do not consider land currently designated as a colony, by-pass road, or closed military area as part of these calculations.

Table 1: Second withdrawal according to Wye Memorandum.

Sovereignty on land is one of the key elements for any nation to achieve sustainable development and sound environmental management. The case of Palestine is different than other nations as it passes from occupation to liberation over periods and phases. After more than seven years since the start of the Peace Process, complete sovereignty over land is not yet achieved. Without the ability to regulate land use over a contiguous piece of land natural ecosystems can not be maintained, the status of the environment can not be properly monitored, and environmental protection can not be implemented. The division of Palestine's land into areas A, B, and C has produced two different and parallel planning schemes: one Israeli, to serve the Israeli settlers living in the West Bank and Gaza Strip, and the other Palestinian, to serve the Palestinian people. The plans of the Israeli authority, the controlling power in the area, have systematically hindered the development of the Palestinians and damaged the environment in the process.

Physical Fragmentation of Palestinian Communities

In the Palestinian society, which is predominately agricultural, the loss of land is similar to the loss of life. Agriculture contributes approximately 12% to the Palestinian Gross National Product and employs 15% of the work force. The confiscation of land by Israel has not only led to the loss of income, but has also led to the dissolution of Palestinian agricultural society, its culture, traditions and family systems. It has furthermore, forced many Palestinian farmers to rely upon day labor inside Israel.

The DOP, which was signed in 1993, called for an Interim period of 5 years during which the representatives of the Palestinian people and the Israeli government will initiate negotiations over the final status, which include Jerusalem, refugees, colonies, borders and water. It was also agreed upon that neither party should initiate any action during the interim period that might jeopardize the outcome of final status negotiations. According to the Oslo Interim Agreements, Palestinians have now control over 78 % of the Gaza

strip and 3 % of the West Bank (Maps 3 and 4). The jagged distribution of yellow and blue areas in the Gaza strip and areas A, B, C, H1 and H2 has partitioned the West Bank and Gaza into isolated cantons, which are physically separated from each other. A special case here is Hebron City, where 15 % of the city area has been designated as area H2 to cater for the 400 Jewish settlers.

Israeli by-pass roads further fragment Palestinian communities. It is worth mentioning that the by-pass roads so far built in the West Bank exceed 315 kilometers in length while the planned roads are estimated at 262 kilometers. With the safety buffer zone they enjoy, the construction of these by-pass roads requires the confiscation and destruction of approximately 87 km² of Palestinian land, mostly of which is agricultural. A cross examination of the overall geographic extension of both the existing and planned by-pass roads reveals that Israel is using by-pass roads to unilaterally re-draw the geopolitical map of the region prior to final status negotiations.

Presently, there are 18 Jewish colonies in the Gaza Strip housing an estimated 6,000 Israeli colonists and 200 or so in the West Bank with a population of approximately 350,000, of whom over 170,000 reside in East Jerusalem. The geographical distribution of Israeli colonies in the Palestinian territories severely restricts the growth of Palestinian communities. In most cases, colonies either surround Palestinian communities and, therefore, prevent their natural growth, or they confiscate huge tracts of Palestinian land, ensuring that the land is available for future expansion of colonies.

Jerusalem

Jerusalem is a holy city for Moslems, Christians, and Jews where all believers should be guaranteed unrestricted freedom of worship. There is a need to maintain the unique identity of Jerusalem as a religious and cultural patrimony for all mankind. The international community has repeatedly declared that the Israeli actions and decisions in the parts of Jerusalem which were occupied in 1967 are, under international law, null and void.

The issue of Jerusalem was postponed until the final status negotiations which have been stalled since their initiation in May 1996. However, in the meantime, the Israeli government has not stopped its unilateral practices in Jerusalem by which it creates *de facto* realities on the ground as shown in Map 5.

These *de facto* realities are clearly affecting the outcome of the negotiations on the final status of Jerusalem, to favor Israel, an action that is in total violation to United Nations' resolutions, particularly 298 and 242, as well as standing Palestinian-Israeli Oslo Agreements. Most recently, the Israeli Jerusalem Municipality approval of the new Jewish colony of E-1 located adjacent to Ma'ale Adumim colony, the initiation of a colony in the Ras al-Amoud neighborhood of Jerusalem and the continued construction of Har Homa colony on Jabal Abu Ghneim have all created more explosive realities on the ground (Map 6).

Measures leading to strong demographic shifts have been staged by Israel in order to create an exclusive Jewish population in Jerusalem. De-development strategies have

been adopted to restrict expansion of the city's Palestinian communities. In this process, infrastructure and services for this group of residents, by the Israeli Jerusalem Municipality, have become inadequate and do not provide a healthy living environment. Overcrowding has become the norm and the pressure on Jerusalem's land and natural resources has been devastating as well. Palestinian houses built without a license have been or are threatened to be demolished by the Israeli government. Presently, over 2,800 houses in East Jerusalem alone are slated for demolition by the Israeli Jerusalem Municipality. To further the Jerusalem Municipality's efforts to cleanse East Jerusalem of its Palestinian residents, a policy of canceling the Identity Cards of Palestinian Jerusalemites has been put into practice. This policy has led to the withdrawal of approximately 3,800 ID,s between 1967-1996. In 1996 alone, 689 Palestinians from Jerusalem were deprived of their ID's. An additional 358 were confiscated in the early part of 1997. These figures do not include the approximately 10,000 Palestinian infants born in Jerusalem whom the Israeli Ministry of Interior have declined to register in their parents identity cards.

Israeli Proposed Final Status Maps

The Allon Plus map was published in the Israeli press during mid-1997 and devised by the Israeli Inner Ministerial Cabinet. According to this plan, Israel will retain under its control over 55% of the West Bank and return to the Palestinian only 45% of their land. The implementation of this plan will bring a catastrophe to the Palestinian people and seriously threaten their existence. The 45% of the West Bank land which will be returned to the Palestinian Authority not only deprives Palestinians of most of their agricultural and natural grazing lands, it fragments Palestine into 9 disconnected entities. It also deprives Palestinians the Eastern Slopes and the fertile and water-rich Jordan Valley and border areas.

The implementation of this plan requires the eviction and demolition of thousands of Palestinian houses in the West Bank in order to empty the land of its native inhabitants. This measure, which is presently in process, is creating a new wave of Palestinian refugees and uprooted peoples. It will have a detrimental impact on the sustainability of the development of the Palestinian economic sectors and render the Palestinian aspiration of a Palestinian state an unattainable dream.

The Security Interests map was submitted for Israeli cabinet discussion by the Israeli Defense Forces (IDF) Planning Branch nearly one year ago. An initial version of this map was prepared at the request of the late Prime Minister Rabin during the Taba talks in September 1995. Similar to the Allon Plus map, this map leaves 40-45% of West Bank land to the Palestinian Authority and divides it into three disconnected areas separated by colonies and areas under IDF control. According to Israeli Minister of Defense Yitzhak Mordechai unspecified 'special arrangements' would be made for the approximately 45 of the 196 West Bank Israeli colonies remaining in the Palestinian Authority areas.

The Sharon map, presented several months ago to Palestinian negotiator Abu Mazen, Jordan's Crown Prince Hassan and US National Security Council Advisor Sandy Berger,

allows for the Israeli annexation of between 64-70% of the West Bank. All Israeli colonies would be included in a specially devised security zone and additional areas would be slated for their expansion.

The Hydrostrategic map, published in the Israel *Ma'arev* newspaper on 4 December 1997, outlines Israel's strategic groundwater interests. A large portion of the West Bank, mainly the Jordan Valley and the Eastern Slopes, are not even designated on the map and thus presumed to be completely under Israeli control. Although 18.8% of the land is designated for water extraction by Palestinians, it is not stated whether or not Israeli imposed pumping quotas and drilling depths would be lifted.

Implications of the Strategic Combined Map

Common areas between the above described maps are represented in a strategic combined map made public on 4 December 1997. This map serves as a clear indication of the so-called 'red lines' which Israel intends not to cross.

Accordingly, 60.5% of the West Bank is to be placed under Israeli control, 39.5% is to be designed for the Palestinian Authority. This 39.5% is divided into three separate and distinct cantons. The Jordan Valley, the 'food basket' of the West Bank, is completely out of Palestinian reach, as are the Eastern Slopes which serve as natural grazing areas and host hundreds of endemic flora and fauna species.

Palestinian society is predominately agricultural with agriculture contributing approximately 24% to the Palestinian Gross National Product. Such a final status arrangement would not only led to the loss of income, but also to the dissolution of Palestinian agricultural society, its ancient culture, traditions and family systems. It will furthermore, force Palestinian farmers to convert to become dependent upon day labor inside Israel even more so than they are presently. Therefore, the further fragmentation and loss of land will weaken the Palestinian economy, making it increasingly dependent upon Israel.

No free and unencumbered access is provided between the southern canton and the northern two cantons. Furthermore, there is no land connection from these cantons into Jerusalem, nor is there any land available for the natural growth and expansion of Palestinian East Jerusalem. In fact, according to this plan the Greater Jerusalem vicinity which is under Israeli control is expanded to consume ??% of the Ramallah district and ??% of the Bethlehem district.

Absolutely no sustainable and integrated development of Palestinian infrastructure could take place, essentially rendering a Palestinian state physically unattainable. For example, a national electricity grid would be impossible to maintain; the West Bank higher education system would practically be shut down due to travel restrictions; environmental protection planning could not be implemented; and the right to adequate health care

would be stripped away as the most advanced Palestinian hospitals are located in East Jerusalem.

In regard to the issue of water, under such a final status situation Palestinians would not only be left with their water rights undefined and therefore, in essence, non-existent, they would not have access to enough water for domestic, agricultural or industrial uses. Again, this proposed scheme deprives Palestinians of their own natural resources which are crucial to building a sustainable future. For example, Palestinians would have no physical access to the Jordan River Basin even though they are riparians of this international water system. Under the Johnston Plan of 1955, 150 MCM annually should be supplied to West Bank Palestinians.

The vast majority of West Bank Palestinian wells fall within the areas designated for Israeli control, according to the strategic combined map. It is expected that those wells remaining in Palestinian controlled areas may continue to be subject to current Israeli imposed drilling restrictions. Specifically, the Israeli Mekorot Water Company does not permit Palestinian wells to exceed 300 meters in depth, while Israeli wells are allowed to reach 1,000 meters in depth and in some cases up to 2,000 meters. All of the approximately 58 Israeli groundwater wells which serve Israeli colonies will remain under Israeli control, as even those located in areas to be returned to the Palestinians lie within the boundaries of Israeli colonies.

However and perhaps most importantly, it is critical to point out that such a final status proposal directly contradicts the Oslo II Interim Agreement, as well as international resolutions, namely United Nations Resolutions 242 and 338. According to the Interim Agreement, the West Bank has been divided into three main areas A, B and C. Three phases of Israeli troop redeployment are to be carried out, leaving the Palestinian Authority in control of ??% of the West Bank. Whereas, if final status negotiations are entered into now, Palestinians would receive a maximum of ??% of the West Bank. That is, much of Areas B&C which are to be handed back to the Palestinian Authority would instead be placed under complete Israeli control.

The Current Political Situation and Prospects for the Future

The Palestinian-Israeli peace accords came at a time when the Palestinian people had high hopes for their emancipation and national liberation. That feeling of optimism carried on despite several setbacks to the peace process. Yet, and as political events unveiled, the dream started to go sour. The "politics of power" would call on more and more concessions from the Palestinians and the line delineating minimum demands kept going lower and lower. From Oslo II, to the Hebron agreement, to the Wye River Memo, to the Sharm El-Sheikh Memo, Palestinians got less and less while Israel was able to regress in its commitments.

According to Oslo II:

- The interim period should have ended before May 4, 1996. The Israelis should have redeployed from all of the West Bank and Gaza excluding the issues of the permanent status negotiations (i.e. Jerusalem and the colonies). The Palestinian State should have been declared in May 1998.
- No issues of the interim period should have been deferred to the final status negotiations (paragraph 6 of the preamble, Israeli-Palestinian Interim Agreement on the West Bank and The Gaza Strip). The Sharm El-Sheikh Memorandum rescheduled the final redeployments of the interim period to be concurrent with the final status talks.
- Normal and smooth movement of people, vehicles, and goods within the West Bank and between the West Bank and the Gaza Strip was supposed to be secured without obstacles. (Article I, Annex I, Israeli-Palestinian Interim Agreement on the West Bank and The Gaza Strip). However checkpoints have become a daily feature in the life of ordinary Palestinians.
- The Planning and Zoning of Area C where to be transferred to Palestinian jurisdiction “except for issues that will be negotiated in the permanent status negotiation, during the further redeployment phases, to be completed with 18 months from the date of the inauguration of the Council.”(Article 27, Appendix I, Annex III: Protocol Concerning Civil Affairs, Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip). But in fact land confiscation, house demolition, and tree uprooting continue.
- The release of prisoners was delayed so much that many ended up being released just a few weeks before the end of their prison sentence. In fact the Israelis even tried to bargain the release of some criminal convicts rather than political prisoners.
- All the agreements reaffirm in one way or another that both sides should refrain from unilateral steps that prejudice the status of the West Bank and Gaza. Yet the growth of Jewish colonies has continued at an unprecedented pace.

Statistics show that Israeli encroachments on Palestinian rights rose significantly after the signing of the Oslo II agreement in September of 1995. Prior to the agreement, the violations were scattered and relatively low compared to those after it. The graph shows a sharp rise in lands confiscated starting from the last quarter of 1996. It seems that after signing the agreements and examining the performance of the Palestinian Authority, the Israelis felt they have nothing to fear and that they can go about creating facts on the ground with impunity. Even those who were misled to thinking that it was Netanyahu’s government that forestall the peace, even those, realized that the Barak government was no better. In fact, Israeli sources have confirmed that the Barak government has approved the construction of housing units at a quicker pace than that of his predecessor. This, if anything, shows that Israeli governments feel at ease in dictating their version of peace.

The logic of “might makes right” cannot make a just and lasting peace. If this peace is to be a comprehensive and sustainable peace, it must rise up to the Palestinian’s legitimate claim of self-determination, national independence, and equitable distribution of economic dividends.

A Recipe for a Lasting Peace

The ongoing fragmentation of Palestinian land and communities into disconnected cantons combined with the frequent collective punishment of closures, house demolitions, withdrawal of identify cards, and the confiscation of private property will only impose a physically unsustainable and brittle peace.

A lasting peace can only be based on United Nations Resolutions 242 and 338, in which a fully sovereign Palestinian state will be established on the whole stretch of Palestinian land occupied by Israel in 1967, neighboring a secure and independent Israeli state. In this respect, the international community is required to secure such an outcome and only then can the currently stalled peace process will be set back on track. More immediately, the international community is asked to intervene and lift the immediate hardships of the Palestinian people, imposed upon them by means of collective punishment..

The major challenges in Palestine at this stage are not a direct result of the content of the Oslo II Interim Agreement. Rather, they are a result of Israeli non-compliance with and partial implementation of the Agreement itself. A renewed commitment by Israel to the full and immediate implementation of the Agreement is absolutely necessary to restore Palestine's geographical integrity. By halting the confiscation of land and the expansion of Israeli colonies, by ceasing further construction of by-pass roads, by eliminating the restrictions on their use by Palestinians, Israel would not only begin to fulfill its obligation to a just and comprehensive settlement, but also demonstrate its foresight and wisdom by safeguarding the sustainable future of Palestine and its peoples.

In order to reach a political environment conducive for a sustainable final status agreement of the Israeli-Palestinian conflict, both parties not only need to implement the terms and spirit of the Oslo II Interim Agreement, they also should maintain a high level of consultation on issues left to final status negotiations such as Jerusalem, water, Israeli colonies, and Palestinian refugees. These requirements are the recipe to a lasting and comprehensive peace process, without which tension will remain in the area and the peace process may fall into real jeopardy. The violation of the above two principles for a lasting peace agreements have, however, become the norm and the Israeli appetite for a genuine peace has disappeared. Unless the international community exerts pressure on Israel to abide with the standing agreements, it will be impossible to put the stalled peace process back on the right track.

If such a situation is to continue beyond the intended interim period, maintaining the stability and the environmentally sustainable and progressive economy required for an independent Palestinian state will be impose. This will not only deny the right of Palestinians to self-determination, but also directly contradict international resolutions, namely United Nations Resolutions 242 and 338 which are the essence of the peace process begun in Madrid in 1991.

In sum, regardless of the titles of the agreements to be signed between the Palestinian Authority and Israel, these agreements should not violate the terms of the international conventions, such as Fourth Geneva Convention, and the inalienable rights of the Palestinian people stated by the many United Nations resolutions, especially 242 and 338. Unless these agreements respect Palestinian rights which have been violated throughout the past 50 years, they will be unable to deliver a sustainable and lasting peace.

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