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By Inès Abdel Razek
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The Ruse of the Middle East Peace Process



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Introduction

Thirty years ago, representatives of the Israeli government and the Palestine Liberation Organization (PLO) met in Madrid to begin bilateral negotiations. The so-called Middle East Peace Process (PPOM) conceived at that meeting, and supposedly aimed at achieving a future of peace and justice in the territory located between the Mediterranean Sea and the

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Jordan River, has instead consolidated a disastrous reality for the Palestinian people: the permanent occupation by a military and nuclear power with an [ever-expanding colonization](#) project.

Over the past 30 years, the ppom's main Western backers, namely the United States and the European Union, have repeatedly put forward [political initiatives](#) under the guise of "peacebuilding" rather than pushing for a solution to end decades of exile, subjugation and occupation. More recently, in 2020, former US President Donald Trump unveiled the plan called [Peace for Prosperity](#), which ultimately guaranteed Israel's interests through a series [of normalization agreements](#) with several Arab states. However, the fundamental issues at stake – the defence of the rights of the Palestinian people in the face of continued military occupation and exile – have remained absent from Western agendas.

This paper aims to expose the critical reasons why the very framework of direct bilateral negotiations, which is based on the theory of liberal negotiation – and which underpins the PPOM between Israelis and Palestinians – is totally incoherent and doomed to failure. The report argues that, in fact, the PPOM has only served to consolidate Israel's colonial settlement enterprise and [entrench its domination](#) over the Palestinian population. And in the end it offers recommendations on how the international community can support the Palestinian people in their struggle for liberation through a framework that goes beyond negotiations and "peace talks."

The theory of liberal negotiation in a context of military occupation

Liberal negotiation has dominated American foreign policy in the post-Cold War era. In this context, the PPOM was presented as the definitive example of solving intractable political crises. However, applying the liberal bargaining model in the context of the liberation struggle under military occupation is problematic, and ultimately leads to failure.

1. El PPOM carece de términos de referencia mutuos y no se basa en la buena fe

Para que cualquier negociación pueda alcanzar una solución justa, es necesario que exista un interés mutuo en alcanzar un acuerdo entre dos partes iguales. Esto se conoce como

“negociar de buena fe” y requiere una base comúnmente acordada para alcanzar un resultado.

Al cursar la invitación a los dirigentes palestinos e israelíes para asistir a la conferencia de Madrid en 1991, EE.UU. dejó claro que estaba dispuesto a ayudarles a alcanzar un acuerdo basado en la [Resolución 242 del Consejo de Seguridad de la ONU](#). Esta resolución estableció los parámetros para una “solución de dos estados” y los términos de referencia para las negociaciones bilaterales entre israelíes y palestinos.

El gobierno israelí sólo aceptó sentarse a la mesa de negociaciones con la OLP por dos razones. En primer lugar, se debió al impulso generado por la resistencia palestina durante la Primera Intifada, que puso la lucha palestina por la autodeterminación en el mapa mundial y obligó a Israel a responder. Como dijo infamemente el ex Primer Ministro israelí [Yitzhak Rabin](#): “Sólo podía quebrar un número limitado de huesos.”

En segundo lugar, Israel estaba bajo la presión del ex Presidente estadounidense George Bush, que [había retenido 10.000 millones de dólares](#) en garantías de préstamos que Israel buscaba para absorber a decenas de miles de colonos judíos soviéticos (que al final serían asentados principalmente en las colonias de Cisjordania). Fue una de las únicas veces que EE.UU. ejerció una presión condicionada sobre Israel, a cambio de simplemente presentarse a la mesa de negociación.

Durante los 20 meses posteriores a Madrid, palestinos e israelíes celebraron nueve rondas de conversaciones en Washington, D.C. En enero de 1993 fueron puestas en marcha conversaciones secretas en Oslo al estancarse las negociaciones formales. Al día de hoy, los Acuerdos de Oslo, que incluyen la Declaración de Principios sobre Acuerdos de Autogobierno Provisional de 1993 (Oslo I) –con la [carta de reconocimiento](#) entre Israel y la OLP como preámbulo– y el Acuerdo Provisional Israelí-Palestino de 1995 (Oslo II), son el único [resultado documentado](#) que existe de las negociaciones bilaterales.

Sin embargo, desde el inicio de las conversaciones en 1991 hasta la firma de los Acuerdos de Oslo y lo que siguió, ya era evidente que la solución de dos Estados [no era la base](#) sobre la que trabajaban los representantes israelíes. Por el contrario, estaba claro que preveían una forma limitada de autonomía palestina, como quedó demostrado en el [Plan](#)

[Allon](#) de 1967 y en el [Plan Drobles](#) de 1978, los cuales sentaron las bases para la empresa de colonización. Rabin afirmó esta visión en [su discurso de 1995 ante la Knesset](#) con respecto a los Acuerdos de Oslo: al tiempo que promovía el marco de la solución de dos Estados, anunció que la “solución permanente” incluiría “el establecimiento de bloques de colonias en Judea y Samaria.”

En efecto, hasta el día de hoy, Israel no ha reconocido la existencia del pueblo palestino como grupo nacional, lo que implicaría reconocer su derecho a la autodeterminación. En la carta de reconocimiento de 1993, mientras que la OLP reconoció “el derecho a la existencia del Estado de Israel” y aceptó la Resolución 242 a pesar de su vaguedad respecto a la Nakba, los derechos de la población refugiada y el estatus de Jerusalén, Israel sólo reconoció a la OLP como “representante legítimo del pueblo palestino.”

Además, el proceso de negociación no tuvo como base las normas internacionales de derechos humanos, y los Acuerdos de Oslo no hicieron referencia al Derecho Internacional. Como resultado, Israel cuidadosamente evitó cualquier término de referencia que pudiera hacerle responsable de la violación de los derechos fundamentales de la población palestina. Hasta hoy, Israel nunca ha reconocido que Cisjordania y Gaza estén ocupadas; por el contrario, afirma que son “[territorios en disputa](#)”, y rechaza así la aplicación del [4° Convenio de Ginebra](#).

En este marco, la Autoridad Nacional Palestina (ANP), nacida de los Acuerdos de Oslo, fue diseñada específicamente para desempeñar un papel de contrainsurgencia en [la pacificación y el control](#) de los palestinos en lugar de conducirlos hacia la libertad y la soberanía. La OLP cambió así la lucha de liberación palestina por una forma limitada de autogobierno dentro del territorio nacional, [completamente sitiado](#) por Israel y [dependiente](#) de él. Lo que pretendía ser un proceso político por el que el pueblo palestino aseguraría su liberación a través de negociaciones bilaterales, se ha convertido de hecho en un mecanismo para afianzar la ocupación militar de Israel a través de una clase dirigente palestina [comprometida con el mantenimiento del statu quo](#), dispuesta a aplastar cualquier forma de resistencia que perturbe su limitado poder.

Como dijo [Edward Said](#) en 1993: “Para su descrédito, Oslo hizo muy poco para [cambiar la situación](#). [El ex Presidente de la AP, Yasser] Arafat y su menguado número de partidarios

se convirtieron en ejecutores de la seguridad israelí, mientras que la población palestina tiene que soportar la humillación de unas ‘tierras natales’ horribles y no contiguas que constituyen aproximadamente el 10% de Cisjordania y el 60% de Gaza.”

Said no sólo describió la mala fe de los israelíes, sino que también reconoció que la OLP había capitulado ante una autonomía diluida. Mientras la comunidad internacional y la AP siguen lamentando que la “solución de los dos Estados” está muriendo, o de hecho [ya ha muerto](#), la opción de un Estado palestino nunca existió, para empezar; el marco de las negociaciones [se encargó de eso](#).

2. Las negociaciones del PPOM son desequilibradas y sin un calendario claro

Desde el principio quedó claro que Israel nunca estuvo dispuesto a aceptar la Resolución 242 como base para el resultado del PPOM. Es decir, la [Declaración de Principios](#) de los Acuerdos de Oslo fue diseñada para desarrollar primero las conversaciones sobre el acuerdo para un autogobierno provisional de cinco años y, una vez establecido ese acuerdo, la Resolución 242 podría constituir la base para alcanzar un acuerdo final sobre el estatus de las cuestiones fundamentales: agua, población refugiada y Jerusalén. Pero el marco sólo establecía directrices generales para las futuras negociaciones, sin prever un mecanismo para el caso de que fracasara el periodo provisional.

With no clear timetable or incentive for Israel to give in on any of the "final status" issues, Israel focused on taking advantage of the interim period, lengthening the negotiations as a permanent process. This has allowed Israel to continue [building illegal settlements](#), even during the [Oslo negotiation period](#). In terms of the liberal negotiating model, Israel understood that its 'best alternative to a negotiated settlement' – what it could maintain or gain if negotiations failed or never concluded – was superior to any offer that both Palestinians and intermediaries could make.

For their part, Palestinian negotiators were ill-equipped and ill-prepared to ensure compliance with any of their demands. Khalil Tafakji, a renowned Palestinian cartographer who made "the maps speak," [recounts in his book](#) that Arafat and Palestinian negotiators invited him as a technician during the Oslo negotiation period in 1993. Tafakji explains how he tried to expose the reality of the negotiations to them: "I don't know if

anyone promised them that they would have a state, but I speak to them from the maps, and if we look at the maps, there is no Palestinian state [...] they have nothing."

As he recalls, his assessment, along with that of other experts, was dismissed by the Palestinian leadership, who went ahead with the signing of the agreement without taking into account the Tafakji maps that showed the brazen Israeli colonial expansion. In the end, Tafakji was right: the Oslo Accords further fragmented Palestinian territory into areas A, B and C, facilitating Israel's hegemony.

In 2011, Al Jazeera revealed [more than 1,600 secret documents](#) about negotiations between 1999 and 2010. The documents confirmed that Palestinian negotiators made numerous concessions without any transparency, consultation or endorsement by the Palestinian people. As one of the negotiators who helped [leak the documents](#) recalled: "The 'peace negotiations' were a deceptive farce in which biased terms were unilaterally imposed by Israel and systematically backed by the US and the EU."

Despite having expired in 1999, and despite numerous [hollow threats from the PLO](#) to rescind them, the Oslo Accords remain the only existing framework that dictates the political, institutional and economic dynamics between the Palestinian leadership and Israel.

3. The PPOM lacks an honest broker or accountability mechanism

The US assumed the role of intermediary in the PPOM, even though it could not be an honest third party due to its prolonged and inordinate military and diplomatic support for Israel. Not only has the US [failed to hold Israel accountable](#) for its persistent and grave violations of international law – including humanitarian and human rights law – and for its [war crimes in Gaza](#), but it has repeatedly used its [veto power](#) in the UN Security Council to prevent others from doing so.

For more than a century, as Rashid Khalidi details [in his latest book](#), Western support for Zionism and Israel has been characterized by a number of shared approaches. Since the Balfour Declaration of 1917, Western powers have actively refused to recognize the Palestinians as a people with national rights, while supporting the Zionist movement.

Regarding post-Oslo U.S. foreign policy, former Egyptian Foreign Minister Nabil Fahmy [recalled in 2019](#) that the administration of former President Bill Clinton "blurred the distinction between American and Israeli interests and priorities." And he quoted Dennis Ross, the U.S. negotiator during Oslo, who said that "the main goal was to ensure that Israel's interests were served."

Even Bush, when clinging to the loan guarantee as a means of pressuring Israel in 1991, also reaffirmed the commitment to maintain Israel's "qualitative military advantage" and an "undivided Jerusalem," and did not object to the advance of the colonization enterprise. Overall, the US has never failed [to fund and support](#) Israel's military apparatus and to ensure its regional dominance. Currently, that funding amounts to about [\\$3.8 billion](#) annually.

The existence of an open process without a solid anchor in international law, without a clear and equitable outcome for the Palestinian side, and without an impartial intermediary or accountability mechanism, has ultimately served Israel's interests and done little to protect the Palestinian people.

Maintaining the PPOM to Entrench Systemic Domination over the Palestinian People

Keeping the PPOM in place has enabled Israel and its allies to subjugate the Palestinian population and its current leaders, and to continue to develop their colonial settlement agenda with impunity. To ensure that this situation is perpetuated in the context of the PPOM, Israel employs three strategies: the creation of *fait accompli* on the ground, narrative manipulation to blame the victims, and intimidation by the international community.

1. Impose a fait accompli policy

The Oslo Accords have allowed Israel to advance unhindered in its colonization enterprise through the expansion of settlements and the theft of Palestinian land. The project of settler colonialism and its infrastructure have allowed Israel to consolidate its control and at the same time progressively suffocate and fragment the Palestinian population, thus making effective the doctrine of "[the maximum of land with the minimum of Arabs](#)". This

includes separating Jerusalem from the West Bank, forcibly displacing the Palestinian population, and encouraging settler population growth. To implement this, Israel has deployed tactics such as creating military and firing zones on Palestinian land, banning Palestinian rural communities from accessing their agricultural land and water sources, destroying their homes, building the Apartheid Wall and imposing a total blockade on Gaza.

By creating these facts on the ground, Israel became adept at the policy of "fait accompli," creating realities on the ground that seem irreversible. Indeed, as Israeli Defense Minister Benny Gantz recently stated, after PA President Mahmoud Abbas gave Israel an ultimatum to withdraw from the territories occupied in 1967: "[No one is going anywhere.](#)" It is therefore unimaginable – indeed, absurd – to expect Palestinians to negotiate their freedom and fundamental rights while Israel continues to colonize and entrench apartheid as a fait accompli.

2. Manipulating the narrative and blaming the victims

Israel also dominates the tactic of narrative manipulation and has managed to blame the Palestinians for the failure of the negotiations and the violence inflicted on them. Indeed, former Israeli Foreign Minister Abba Eban said in 1973 that "[Arabs never miss an opportunity](#) to miss an opportunity." The phrase has since become an anti-Palestinian slogan — common in Israel and its allies — for which the Palestinians are held responsible for always rejecting all peace offers.

Esta narrativa también ha sido adoptada por los nuevos aliados de Israel en el Golfo para justificar la firma de acuerdos de normalización. Se dice que en 2018 el líder de Arabia Saudita Mohammed Bin Salman [dijo](#): “En las últimas décadas los dirigentes palestinos han perdido una oportunidad tras otra y han rechazado todas las propuestas de paz que se les hicieron. Ya es hora de que acepten las propuestas y accedan a volver a la mesa de negociaciones o se callen y dejen de quejarse.”

Esta forma de culpar a las víctimas no resiste el examen de los hechos. A lo largo de varias décadas y varias cumbres y mesas redondas, la OLP [aceptó muchos compromisos y](#)

[propuestas](#). Lo hizo sobre la base de la solución de dos estados según la Resolución 242. Israel, en cambio, nunca se comprometió a nada.

La supuesta culpa Palestina sigue dominando el discurso occidental, especialmente en torno al fracaso de los Acuerdos de Camp David de 2000: se suele creer que Arafat rechazó allí una oferta muy generosa del ex Primer Ministro israelí Ehud Barak. Sin embargo, tal y como [relataron los negociadores](#) en 2001: “en sentido estricto, nunca hubo una oferta israelí. Decididos a preservar su posición en caso de fracaso, los israelíes siempre se detuvieron un paso antes –si no varios– de una propuesta.”

In addition to its bad faith and violations of existing agreements and international law, Israel systematically condemns any attempt by the Palestinian people to defend their rights, and labels any effort to do so outside the failed framework of bilateral negotiations as "[unilateral measures](#)" that [would "harm peace."](#)

3. Intimidating the international community

Israel not only harasses the Palestinian people for any attempt to defend their rights, but also the international community whenever it protests against its violations of Palestinian rights. Indeed, Israel has waged a [widespread campaign](#) to delegitimize the struggle of the Palestinian people for their rights and to evade responsibility for their violations. On the one hand, it has done so by equating the Palestinian struggle with anti-Semitism, as well as criminalizing solidarity movements and individuals; on the other hand, it [has falsely accused Palestinian human rights groups of](#) terrorism.

In December 2019, Israel's ambassador to the UN, Danny Danon, accused the International Criminal Court (ICC) of capitulating to Palestinian "[diplomatic terrorism](#)" because it decided to investigate Israel's possible war crimes in Palestine. During Israel's latest attack on Gaza in May 2021, the international community denounced its disproportionate use of force. In response, Israel accused the Chinese government and [Pakistan's foreign minister of "blatant anti-Semitism."](#) He also [rebuked the French ambassador to](#) Israel because France's foreign minister claimed that Israel was "at risk" of becoming an apartheid state; and pressured an American university to [remove a graduate student from](#) the course she was teaching for criticizing Israel in her class.

The US is also implicated in this *bullying*. Their [unconditional support](#) for Israel has helped to thwart any attempt by the international community to hold Israel accountable for its violations of international law. From 1972 to December 2019, in the UN Security Council alone, the US has [vetoed 44 resolutions](#) purporting to condemn Israel's illegal actions. This has contributed to the [culture of impunity](#) under which Israel operates today.

Lip service to the alleged peace process, negotiations and the "two-state solution" only serves to cover up Israel's violations and reject as unilateral any measure to hold it accountable. The trap of bilateral negotiations has allowed Israel to ["shrink the conflict"](#) by pushing economic or "concrete" measures that have only deepened the PA's dependence on Israeli hegemony, and thus facilitated apartheid and the colonization enterprise.

Breaking the CYCLE of PPM negotiations

It is high time for the international community to recognize that the Palestinian people will not give up their inalienable rights, rooted in the universal values of freedom, justice and dignity. Fundamentally, the international community must recognize that without a radical change in the existing correlation of forces, any attempt to bring the parties to the negotiating table will only perpetuate Israel's ethno-nationalist agenda and the continued dispossession of the Palestinian people.

To break this cycle, the international community must:

- Recognize that the framing of the PPOM is inappropriate, and focus instead on a political process focused on the fulfillment of the human rights of all. For the Palestinian people, this includes the right to self-determination and return, as well as security in the face of continued Israeli violations.
- Support the efforts of the Palestinian people to transform their political system – as in the recent [Unity Intifada](#)– to [build consensus](#) among all sectors of society, as a path to Palestinian liberation.
- In this sense, support the Palestinians in the [reactivation and transformation of the PLO](#) as a liberation movement with a diplomatic presence throughout the world. This includes supporting the renunciation of the Oslo Accords and the removal of the PA as the political representative of the Palestinian people.

- Hold Israel accountable for its gross violations of International Humanitarian Law and International Human Rights Law. This must be done by ending military aid to Israel, trade in goods and services from Israeli settlements – and pressuring other states and entities to do so – supporting the ICC's investigation into Israeli war crimes and calling for an end to the blockade of Gaza.
- Reject the assimilation of criticism of [Israel](#) with anti-Semitism. This includes rejecting Israel's attempts to accuse civil society organizations working to defend Palestinian rights [of terrorism](#), and pressuring it to revoke such allegations.
- Reject normalization agreements between Israel and Arab states that seek to maintain Israel's [qualitative military advantage](#) in the region.

Inès Abdel Razek is Head of Advocacy at the Palestine Institute for Public Diplomacy (PIPD), an independent Palestinian organization. He is also a member of the Al-Shabaka think-tank and the advisory board of the social enterprise BuildPalestine. Twitter: [@InesAbdelrazek](#)

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