

## The Middle East Conflict in Outline

### Origins of the Conflict

- 2.1 The modern Middle East conflict between Israel and neighbouring Arab states could be said to have begun in 1897 when Theodor Hertzl convened the First World Zionist Congress in Basel, Switzerland. With Jews facing increased discrimination and pogroms in Europe and Russia, Dr Hertzl called for the creation of a Jewish homeland in Palestine.
- 2.2 During the First World War, British officials in the Middle East promised independence to the Arabs in return for their support against Turkey. The 1916 Anglo-French (Sykes-Picot) Agreement broke this promise and the region was divided into spheres of influence between France and Britain. Meanwhile, the campaign for a Jewish homeland continued, culminating in the Balfour Declaration of 2 November 1917, which stated that Britain viewed with favour the establishment in Palestine of a national home for the Jewish people. The Declaration, in the form of a letter from the British Foreign Secretary, Lord Balfour, was addressed to Baron Rothschild, a leader of British Jewry, following consideration in the Cabinet.<sup>1</sup> The Declaration also indicated that, in supporting such an aim:

... nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or

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<sup>1</sup> Historical material in this Chapter has been drawn from a number of sources, particularly—The BBC World Service website: [www.bbc.co.uk/worldservice/middleeast](http://www.bbc.co.uk/worldservice/middleeast); the Avalon Project, Yale Law School website: [www.yale.edu/lawweb/avalon/mideast/](http://www.yale.edu/lawweb/avalon/mideast/); M Ong, Department of the Parliamentary Library, Current Issues Brief No. 6, 2000-01, *The Middle East Crisis: Losing Control?*, 5 December 2000; L Joffe, *Keesing's Guide to the Mid-East Peace Process*, Catermill Publishing, London, 1996; and *The Palestinian-Israeli Peace Agreement: A Documentary Record*, published by the Institute for Palestine Studies, Washington DC, 1993.

the rights and political status enjoyed by Jews in any other country.<sup>2</sup>

2.3 Before the end of the war, therefore, Britain had given undertakings to both Arab and Jewish peoples concerning Ottoman territories in the Middle East. However, these undertakings fell short of promising a sovereign state in Palestine to either.<sup>3</sup>

2.4 After the First World War, the 1919 King-Crane Commission on Syria and Palestine (appointed by President Wilson of the United States to report to the peace conference) acknowledged the Balfour Declaration, but also stated that a national homeland for the Jewish people was not equivalent to making Palestine into a Jewish State. According to the Commission, such a state could not be achieved without the 'gravest trespass' on the civil and religious rights of the other existing communities. Further, the Commission reported that:

The Zionists look forward to a practically complete dispossession of the present non-Jewish inhabitants of Palestine by various forms of purchase ... [and that]...the non-Jewish population of Palestine— nearly nine tenths of the whole—are emphatically against the entire Zionist program.<sup>4</sup>

2.5 The Commission also recommended allowing only limited Jewish immigration to the territory of Palestine.<sup>5</sup>

## The British Mandate

2.6 The Supreme Court of the League of Nations, meeting in San Remo, considered the mandates for Mesopotamia, Syria and Palestine (formerly part of the Turkish Empire) in April 1920.<sup>6</sup> The Mandate for Palestine was

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2 Yale Law School website: [www.yale.edu/lawweb/avalon/balfour/htm](http://www.yale.edu/lawweb/avalon/balfour/htm)

3 *Britain and the Arab-Israeli Conflict*, HMSO, London, 1993, p. 5. For 400 years, the Ottoman Empire had used neither the name 'Palestine' nor administrative divisions corresponding to those which would form the boundaries of the British Mandate.

4 Quotations are drawn from Recommendation 5 of the Commission's report, 28 August 1919. The report, however, remained largely of academic interest, since neither the European powers nor the United States gave it serious consideration.

5 King-Crane Commission, Recommendation 5.

6 The League of Nations was established in 1920, following the defeat of the central European powers and the disintegration of the Ottoman Empire. In accordance with the decisions of the San Remo conference in April of that year, Britain received mandates for the territory of Palestine, the Kingdom of Iraq and the Emirate of Transjordan. France received mandates for Syria and the Lebanon (*Britain and the Arab-Israeli Conflict*, HMSO, London 1993, pp. 6-7.)

assigned to Britain by the Council of the League of Nations on 24 July 1922. The mandates for Syria and Palestine came into force simultaneously on 29 September 1922.

- 2.7 In the preamble to the Palestine mandate document, the principles of the Balfour Declaration stated above were re-affirmed, in addition to a statement recognising the historical connection of the Jewish people with Palestine and the grounds for reconstituting their national home in that land. Article 4 of the Mandate for Palestine provided that 'an appropriate Jewish agency' be established to advise and cooperate with the Administration of Palestine in 'matters affecting the Jewish national home and the interests of the Jewish population in Palestine and to assist and take part in the development of the country'. At that time, Arabs owned around 98 per cent of the land of British-Mandate Palestine and constituted approximately 92 per cent of the population.<sup>7</sup>
- 2.8 However, unlike the case with other Arab mandates, the Mandate for Palestine lacked a plan for independence. Hence, according to some analysts, the Mandate can be (and has been) interpreted as appearing to promise the same or similar outcomes to Arab and Jewish peoples alike.<sup>8</sup>
- 2.9 Between the two World Wars, the Zionist Congress attempted to foster an eventual Jewish majority by advancing the cause of Jewish immigration to British-Mandate Palestine. Conflict between the Arabs, the Jewish settlers and the British administration led to the formation of the Jewish Haganah 'self-defence unit' and groups such as the underground militia Irgun Zvaei Leumi and the Stern Gang (Lehi). Persecution of Jews in Germany and across Western and Eastern Europe, resulted in significant numbers of Jewish migrants entering Palestine, both legally and illegally.
- 2.10 The British Government's White Paper of 1939 severely restricted Jewish immigration to Palestine, largely out of deference to Arab protests.<sup>9</sup> However, during World War 2 some refugees from Nazi persecution managed to reach Palestine. After the War, some 100,000 survivors of the Nazi concentration camps entered Palestine.<sup>10</sup>

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7 Ong, op. cit., p. 2.

8 Joffe, op. cit., p. 9.

9 Encyclopaedia Britannica, 'Balfour Declaration', p. 832, states that the White Paper recommended a limit of 75,000 further migrants to Palestine, with an end to immigration by 1944.

10 Joffe, op. cit. p.14. See also references in *SBS World Guide*, 7<sup>th</sup> edition, p. 367.

## Early Peace Plans

- 2.11 The first plans for peace between Israel and neighbouring Arab states began during the period of British-Mandate Palestine, before the State of Israel was declared and before the eruption of full-scale war in 1948. While these preliminary, and largely British, proposals ultimately failed to be implemented, they did establish several themes which still persist today, such as the idea of separate states for Jewish and Arab peoples in Palestine.<sup>11</sup>
- 2.12 After World War 2, Palestinian Arabs and the new Arab League of Independent States rejected British partition plans. As details of the Nazi concentrations camps emerged, the Jewish underground, impatient with the Mandate, turned to violence. In 1946, the King David Hotel in Jerusalem was the target of a bomb attack, resulting in a large number of deaths.
- 2.13 In 1947, Britain decided to surrender the Mandate for Palestine, and referred the issue to the newly-formed United Nations Organisation (UN). The UN General Assembly (UNGA) established the Special Committee on Palestine (UNSCOP), which proposed two alternative plans for Palestine. The majority plan proposed two states, one Jewish and the other Arab, with economic union. A minority plan proposed a federal state. UNGA Resolution 181 of 29 November 1947 adopted the majority plan by 33 votes (including Australia's) to 13, with 10 abstentions. This proposal divided the Mandated territory into six parts, three of which became the new State of Israel, while three (including the enclave of Jaffa) were assigned to Arab Palestine. The city of Jerusalem, with sites holy to Judaism, Christianity and Islam, was to be made an international zone administered by the UN.
- 2.14 The neighbouring Arab states, and the Arabs in Palestine, did not accept Resolution 181. Violent clashes erupted between the protagonists in Palestine, and an estimated 400,000 Arabs sought refuge in neighbouring countries. Among the worst incidents were an Arab bombing in Jerusalem which killed 55 people, and Irgun's raid on the Arab village of Deir Yassin, which killed 254.<sup>12</sup> The British Mandate ended on 14 May 1948, and Mr David Ben-Gurion proclaimed the State of Israel. British authorities departed as Arab League armies invaded Israel.

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11 For example, the Peel Commission report of 1937, which proposed partition of Palestine into Jewish and Arab areas.

12 Ong, op. cit., p. 3 and *SBS World Guide*, loc. cit.

## The First Arab-Israeli War

- 2.15 The first Arab-Israeli war (known in Israel as the 'War of Independence') lasted until July 1949. Israel repelled the invading armies of the Arab League—Egypt, Transjordan, Syria, Iraq and Lebanon—and annexed large tracts of land adjacent to its initial territory. Jordan absorbed the West Bank and East Jerusalem, and Egypt assumed control of the Gaza Strip.
- 2.16 As a result of the first Arab-Israeli war, large numbers of Arabs in the former Palestine were expelled or fled their territory. According to UN sources, the estimated number of displaced Palestinians (726,000) by the end of the first war represented around two thirds of the then Palestinian population.<sup>13</sup> This large-scale exodus of most of the Arab Palestinian population meant that those Arabs who remained in the new State of Israel became a minority, whereas they had previously constituted a majority.
- 2.17 On 11 December 1948, UNGA Resolution 194, which has been re-affirmed each year since then, highlighted the problem of the Palestinian refugees, and resolved that:
- ... refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practical date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.<sup>14</sup>
- 2.18 A more detailed discussion of the issue of Palestinian refugees and the 'right of return' is provided in Chapters 3 and 7 of this report.
- 2.19 Armistice agreements were signed with the defeated Arab states, but UN-sponsored talks collapsed over the issue of the Palestinian refugees, and Arab opposition to Israel grew.

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13 UN, *Report of the Special Representative's Mission to the Occupied Territories*, 15 September 1967, Report No. A/6797.

14 UNGA 194 (III), paragraph 11, *Palestine—Progress Report of the United Nations Mediator*.

## Arab-Israeli Relations after 1948

- 2.20 Between 1948 and 1973, five wars were fought between Israel and its Arab neighbours. The Suez Crisis of 1956 resulted in war between Egypt and allies Britain and France. Israel fought an eight-day war with Egypt in support of Britain and France, during which Israel invaded the Sinai Peninsula. Pressure from the UN forced Israel to withdraw. UN Emergency Forces (UNEF) were stationed in Gaza and Sharm el-Sheikh.
- 2.21 The changing demarcation of Israel's borders with its neighbours since 1948 is illustrated by the series of maps in Appendix D.

### The 1967 war

- 2.22 Prompted by President Nasser's pan-Arab stance and closure of the Straits of Tiran to Israeli shipping, as well as fedayeen raids from Gaza, Israel launched the Six-Day War of 1967 against Egypt, Syria and Jordan. Following decisive military victories, Israel captured Sinai and Gaza (from Egypt), the West Bank and East Jerusalem (from Jordan) and the Golan Heights (from Syria). In September, the Arab League summit in Khartoum rejected formal peace agreements with Israel. On 22 November 1967, UN Security Council Resolution 242 called for peace talks between Israel and the former combatants, and affirmed the requirement for Israel to withdraw from the territories occupied during the conflict. Israel accepted Resolution 242 as a basis for further discussions, as did all the parties except Syria and the PLO (Palestinian Liberation Organisation), but did not implement the requirement for withdrawal from occupied territories.<sup>15</sup>
- 2.23 As a result of its victories, Israel now controlled territories which it believed afforded security against future attack.
- 2.24 Then followed several years of PLO guerrilla attacks on Israel from Egypt and Jordan, the 'War of Attrition'. In October 1973, Egypt and Syria attacked Israel during the Jewish religious festival of Yom Kippur. After initially losing ground, Israel recovered and agreed to a cease-fire after pressure from the Soviet Union. Arab states imposed an oil embargo on Israel's western allies.

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15 The Palestinian National Council, the Palestinian Parliament in exile, was established in 1964 with the aim of mounting an armed struggle to liberate Palestine. To this end, the Council founded the PLO, which in January 1965 launched its first raid into Israel. As part of the Oslo process, the destruction of Israel was removed from the PLO's charter in October 1998. Yasser Arafat has led the PLO since 1969, and his Al-Fatah group is still a leading force within the organisation.

- 2.25 In 'Operation Litani', Israel invaded Lebanon and then withdrew in 1978. A further invasion 1982 was followed by Israeli withdrawal to a self-proclaimed security zone in southern Lebanon.

## The Intifada of 1987

- 2.26 Sparked by rioting in Jabalya refugee camp, Gaza, in December 1987, a Palestinian Intifada (uprising) quickly spread to the West Bank in a general uprising against Israeli rule in the occupied territories. The Intifada lasted for more than four years, resulting in the deaths of more than 1,400 Palestinians and almost 300 Israelis.<sup>16</sup>
- 2.27 Quite apart from the enormous loss of life, the Intifada imposed a heavy financial burden on Israel as the occupying authority and led to international condemnation of the methods used by the Israeli Defence Force (IDF) to quell the uprising. During the much later 'Al-Aqsa' Intifada from September 2000 onwards, the image of the Palestinian struggle was transformed by media reports of civilians, including children armed only with stones or makeshift weapons, confronting the overwhelmingly superior military strength of the IDF. International sympathy for the Palestinian cause was heightened by such images.
- 2.28 The Tunis-based PLO, despite tensions between Fatah and other factions such as the Popular Front for the Liberation of Palestine (PFLP) and Hamas, managed to exert some control over the violence. To Jewish settlers in the West Bank on the other hand, the Intifada reinforced their determination to remain, and led some radical elements to take the law into their own hands. By 1993, approximately 12,000 Palestinians were held in Israeli prisons for alleged Intifada activities. Half that number remained there by the end of 1995, and the question of their release forms a major section of the Interim Agreement.<sup>17</sup>

## The Path to Madrid and Oslo

- 2.29 While the Israeli-Palestinian issue is arguably the most crucial aspect of the broader Arab-Israeli dispute, it is just one facet of Middle East tensions. The vast array of issues impacting on the region and its politics include the tensions between the richer and poorer Arab states, internally between leadership elites and 'the street', and between ideologies—pan

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16 Joffe, *op. cit.*, pp. 29-30.

17 Joffe, *op. cit.*, p. 29.

Arabism, Islamic fundamentalism and reformist developments, for example. Overlaying all these issues has been the reality of superpower rivalry from early last century until at least the end of the Cold War.

- 2.30 It is important to understand the links between the Israeli-Palestinian disputes, the wider Arab-Israeli conflict and even global politics:

For without the end of the Cold War and without the realignment of forces represented by the Gulf War, the circumstances favouring peace may have had to wait for decades.<sup>18</sup>

- 2.31 After the first Arab-Israeli war, a number of peace conferences and plans were proposed by the international community before 1979. Under the auspices of the UN Conciliation Commission, the first of these was the Lausanne Conference of 1949, which unfortunately failed to reach an agreement. Although armistices had been signed between the warring parties, a state of war existed between Israel and all its Arab neighbours until the Israel-Egypt peace treaty of 1979. The Palestinians were not included in the Lausanne Conference.
- 2.32 Following the 1967 war, UNSC Resolution 242 became the basis for planning an eventual peace agreement. However, differing interpretations of the resolution's call for Israel's withdrawal from occupied territories remain a source of disagreement to this day.<sup>19</sup>
- 2.33 At the instigation of United States (US) President Jimmy Carter, a joint US-Soviet communique was issued in October 1977, calling for a comprehensive Arab-Israeli agreement, Israeli withdrawal from occupied territories, superpower guarantees for borders and Palestinian participation in future conferences.
- 2.34 The first Camp David discussions in September 1978 resulted in the signing of framework accords by participating leaders of Egypt, Israel and the US. The Camp David Accords proposals foreshadowed peace agreements between Israel, Egypt and Jordan as well as the establishment of an elected self-governing authority in the West Bank and Gaza Strip. The Camp David talks were followed by the signing of a formal peace treaty between Israel and Egypt on 26 March 1979, establishing the process for graduated return of the Sinai to Egypt.
- 2.35 Discussions on Palestinian autonomy began in May 1979, but became deadlocked when the PLO and then Jordan were not satisfied with the
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18 Joffe, *op. cit.*, pp. xi, 54.

19 Other peace initiatives included: the Allon Plan of 1968; the Rogers Plans of 1969 and 1970; the Geneva Peace Conference of December 1973; the First and the Second Sinai Agreements; and the (first) Camp David Accords of 1978.



terms. After Israel's formal annexation of East Jerusalem on 30 July 1980, Egypt-Israeli meetings on autonomy collapsed, and Israel's settlement policy continued. Egyptian President Anwar Sadat was assassinated in October 1981. His successor, President Hosni Mubarak, carried out the terms of the Camp David Accords and the peace treaty.<sup>20</sup>

## The Gulf War

- 2.36 The Gulf War<sup>21</sup> was fought between Iraq and a coalition of 13 nations under the UN umbrella, although the lead role was taken by the US. The coalition included several Arab states—mainly Egypt, Saudi Arabia and Syria. Israel, Iran, Jordan and the PLO did not join the UN coalition.
- 2.37 In July 1990, President Saddam Hussein had accused Kuwait (over which Iraq had claimed sovereignty in 1961) of exceeding OPEC oil production quotas and thereby reducing prices. He had also accused Kuwait of stealing oil worth some US\$2.4 billion from the giant Rumailah oilfield which straddles the two countries, and demanded compensation in addition to cancellation of billions of dollars in loans Kuwait had made to Iraq during the Iran-Iraq war. When Arab mediation efforts failed, Iraqi troops invaded Kuwait in August 1990.
- 2.38 Using high technology weapons and limited ground operations, the coalition succeeded in defeating Saddam's invading forces and, in February 1991, the final stages of the war were halted pending a cease-fire agreement. Saddam Hussein's troops were forced to withdraw from Kuwait. Although there are no absolutely reliable statistics on casualties, large numbers of Iraqi soldiers and civilians were killed during the conflict, whereas the coalition losses were comparatively slight.<sup>22</sup>
- 2.39 While the prime cause of the invasion was ostensibly the oil dispute between Iraq and Kuwait, the Gulf War served as a catalyst for the Madrid peace initiative in the context of its implications for wider Middle East peace and security. This strategic and political reality was recognised in the cooperative efforts of the US, Britain, the USSR and France to prepare for the Madrid Peace Conference, which began in November 1991.
- 2.40 Meanwhile, in Iraq, the uprisings of Kurds in the north and Shi'ites in the south, had failed after initial successes. The UN subsequently established

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20 Joffe, *op. cit.*, p. 64.

21 Sometimes referred to as the 'Second Gulf War', to distinguish it from the war fought between Iran and Iraq between 1979 and 1988.

22 Various sources give estimates in the order of well over 30,000 Iraqi soldiers and 20,000 Iraqi civilians killed, and the deaths of approximately 300 coalition soldiers.

'no-fly' zones in the north and south of Iraq patrolled by US, British and French warplanes in an attempt to protect these minority groups and to bolster international efforts to curtail Iraq's weapons capabilities.

## The Madrid Peace Conference

- 2.41 The current peace process began with the Madrid Conference in October 1991, which was co-sponsored by the US and the USSR. There were two tracks in the negotiations:
- A bilateral track (also known as the Washington peace talks) consisting of four separate sets of negotiations between Israel and its neighbours—Syria, Lebanon, Jordan and the Palestinians; and
  - A multilateral track, which became five separate forums each focusing on a key issue: water resources, environment, arms control, refugees, economic development.<sup>23</sup>
- 2.42 The international community was represented at the Madrid Conference by observers, including the UN, the Arab League, Japan and Norway. However, the peace process became deadlocked after nearly two years of negotiations.<sup>24</sup> In the words of an Australian Parliamentary Delegation to the region in 1998:

The Madrid meetings failed because of disagreement between Israel, which insisted on bilateral agreements between itself and the Arab parties, and the Arab countries ... which wanted a comprehensive multilateral agreement. The meetings did, however, amount to a de facto recognition of the state of Israel by the Arab world as a whole, as distinct from the recognition which had been accorded by individual countries such as Egypt and Jordan.<sup>25</sup>

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23 The principle of multilateral talks on region-wide issues was established at the Madrid Peace Conference of October 1991. In theory, multilateral discussions were to proceed simultaneously with (but separately from) bilateral talks. In practice, success or failure in one track inevitably affected progress in the other. For useful background information, see Joffe, *op. cit.*, Chapter 11.

24 Key documents of the Madrid Peace Process have been published in *The Palestinian-Israeli Peace Agreement: A Documentary Record*, produced by the Institute for Palestine Studies, Washington DC, 1993.

25 *Report of a Visit to Syria, Lebanon, Jordan and Israel, 5-21 June 1998*, p.5.

## Oslo and the 1993 'Declaration of Principles'

- 2.43 After the stalled Madrid/Washington peace process, a new phase began following secret negotiations between Israel and the PLO (then based in Tunis) through channels in Norway and Egypt. These negotiations represented a significant breakthrough, in that Israel for the first time recognised the PLO as the representatives of the Palestinians.
- 2.44 On 13 September 1993, the PLO and the State of Israel signed the 'Declaration of Principles on Interim Self-Government Arrangements' (DOP) in Washington DC, preceded by an exchange of letters of mutual recognition.<sup>26</sup> The letters exchanged between PLO Chairman Arafat, Israeli Prime Minister Rabin and Norwegian Foreign Minister Holst on 9 September 1993 included confirmation of the right to exist of the State of Israel, renunciation of terrorism and affirmation that articles in the Palestinian Covenant, which denied Israel's right to exist, were 'inoperative and no longer valid'.<sup>27</sup> The two sides agreed on a framework for Israeli-Palestinian negotiations with the aim, inter alia, of establishing an interim self-government authority, an elected Council for the Palestinian people in the West Bank and the Gaza Strip, and a transition period not exceeding five years leading to a permanent settlement based on UNSC Resolutions 242 (1967) and 338 (1973).<sup>28</sup>
- 2.45 Under the terms of the Declaration, the proposed interim self-governing arrangements were to be implemented in three phases:
- immediate Palestinian self-rule in Jericho and Gaza; followed by
  - 'early empowerment' for Palestinians in the rest of the West Bank; and an
  - Interim Agreement, preparing for the election of a Palestinian Council.<sup>29</sup>
- 2.46 The Declaration marked the beginning of a new era in Palestinian-Israeli relations, and also represented the culmination of many years of confrontation and compromise.
- 2.47 Important progress was also achieved on the Israel-Jordan track. Just one day after the signing of the Interim Agreement, Israel and Jordan signed a

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26 Institute for Palestine Studies, op. cit., pp. 1-12.

27 ibid, pp. 12, 13.

28 Following lengthy and difficult negotiations on the implementation of the DOP, Israel and the PLO took a major step on 4 May 1994 in Cairo, by concluding an accord on Palestinian self-rule in Gaza and Jericho. The Palestine National Authority (known as the Palestinian Authority or the PA) was established, for which elections were held in January 1996.

29 Joffe, op. cit. p. 82.

substantive Common Agenda mapping out their agreed approach to the peace process.<sup>30</sup>

## The Interim Agreement (Oslo 2)

- 2.48 On 28 September 1995, in Washington DC, Israel and the PLO signed an Interim Agreement. Israel agreed to a timetable for withdrawal from 70 per cent of the West Bank in three stages. For logistic purposes, the West Bank was divided into three areas, designated 'A' (major cities), 'B' (towns and villages) and 'C' (Jewish settlements and unpopulated areas of 'strategic importance'). Other provisions of the Agreement included arrangements for elections to a Palestinian Council, with an 'Executive Authority'. The Israeli Civil Administration was to be dissolved once the Council was established.
- 2.49 The Agreement's Annex III (Protocol Concerning Civil Affairs) provided that the Civil Administration's powers would be transferred to the planned Palestinian Council in Areas 'A' and 'B'.<sup>31</sup> In effect, Palestinians would thus ultimately gain self-government over most of the West Bank in all major aspects other than foreign relations.
- 2.50 The third stage of the Agreement envisaged 'final status' negotiations to deal with the contentious issues of the settlements, Jerusalem, permanent borders and autonomy for an eventual Palestinian entity, and refugees. Pre-conditions for commencing 'final status' talks between the parties included release by Israel of Palestinian political prisoners and deletion from the Palestinian Charter of clauses which called for the destruction of Israel. Final status discussions began on schedule in May 1996, although the original timetable was not achieved (completion by 4 May 1999).

## The Other Occupied Territories

- 2.51 While the main focus of attention has been the Israeli-Palestinian conflict, equally protracted regional disputes have emerged in the aftermath of the various Arab-Israeli wars. Although Sinai was returned to Egypt from 1979, and Israel unilaterally withdrew from southern Lebanon in May

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30 US State Department Fact Sheet on the Middle East Peace Process, published at the Online Newshour website: [www.pbs.org/newshour/bb/middle\\_east/peace\\_background.html](http://www.pbs.org/newshour/bb/middle_east/peace_background.html), May 2001.

31 See Appendix 1 of the Annex, Israeli Ministry of Foreign Affairs website: [www.israel-mfa.gov.il/mfa/go.asp?MFAH000c0](http://www.israel-mfa.gov.il/mfa/go.asp?MFAH000c0)

2000, the more difficult problems remain in the form of annexed east Jerusalem and the occupied Golan Heights.

- 2.52 Even the abrupt withdrawal of Israeli forces from the 10-mile 'security zone' has not been without difficulties. UN Secretary-General Kofi Annan accused Israel and Lebanon's Hezbollah guerillas of violating agreements on the Israeli-Lebanese border,<sup>32</sup> and was particularly dismayed by Israel's bombing of Syrian positions in Lebanon.<sup>33</sup>
- 2.53 While the Israel-Syria track appeared to be deadlocked at various times during the last decade, Syria gained substantially from its pro-western shift during the Gulf War. As a result of US intervention, Syria and Israel resumed negotiations on the Golan Heights in mid March 1995.<sup>34</sup> In 1994, then Prime Minister Rabin proposed a phased withdrawal from Golan in exchange for diplomatic relations and internationally-guaranteed demilitarisation of the Golan Heights. Mr Rabin's assassination the following year and the election of Binyamin Netanyahu as Prime Minister halted progress on these talks.<sup>35</sup> Secret meetings between Israel and Syria were held towards the end of 1997, but Syria continued to insist on 'up front' undertakings which guaranteed the return of the Golan Heights to the lines occupied before the outbreak of the 1967 war. Israel, on the other hand, faced the challenge of securing domestic support for the steps which would have to be taken to achieve a peace settlement.<sup>36</sup>
- 2.54 It seems clear that achievement of a just and lasting peace settlement between Syria and Israel would be more likely if both parties were confident that the negotiations recognised both the historical claims of Syrians in the occupied Golan Heights as well as Israel's security concerns and the importance to both Israel and Syria of vital water resources.<sup>37</sup>

## East Jerusalem

- 2.55 From 1948 to 1967, a 'Green Line' divided West Jerusalem under Israeli control from East Jerusalem under Jordanian control. The latter included

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32 The UN mapped out the 'blue line' between Israel and Lebanon in June 2000 after the Israeli withdrawal from southern Lebanon. Both Lebanon and Hezbollah insist that the Shebaa Farms area, occupied by Israel since 1967, is part of Lebanon, while the UN maps show it as part of Syria.

33 *The Age*, 18 April 2001, p. 11.

34 Israel annexed the strategically important Golan Heights area on Syria's south-western border in 1981.

35 *The CQ Researcher*, Congressional Quarterly Inc., 'Middle East Conflict', 6 April 2001, p. 285.

36 DFAT, Submission, p. 965.

37 Australian Arabic Communities Council, Submission, pp. 1122-23 and Transcript, p. 297; AIJAC, Submission, pp. 728-31 and Transcript, p. 114.

the walled Old City and within it important Christian sites and the Temple Mount which contains the Western ('wailing wall')—the most sacred Jewish site—as well as the Al-Aqsa Mosque and the Dome of the Rock sacred to Muslims. Because Jerusalem was excluded from Oslo 2, the situation of East Jerusalem remains as it was at the end of the 1967 war: the area annexed by Israel to the municipality of Jerusalem immediately after the war, and now known as East Jerusalem, had a mainly Arab population and most of the land was owned by Palestinian families.<sup>38</sup>

- 2.56 Israeli settlement activity in East Jerusalem is a particularly sensitive issue in relation to the Israeli-Palestinian peace process.<sup>39</sup>

## **Final Status Negotiations (Israeli-Palestinian Track)**

- 2.57 As DFAT explained in a submission, the most complex issues surrounding the Israeli-Palestinian conflict remain to be resolved:

These included the Palestinians' place in the international community, the status of Jerusalem, settlements, border delineation, the future of Palestinian refugees throughout the region (particularly in Lebanon), and such vexed and vital questions as the allocation of water resources.<sup>40</sup>

- 2.58 Similarly, the Australia/Israel and Jewish Affairs Council (AIJAC) acknowledged in its submission that there is no question that the gaps between the parties on negotiations for a final status agreement remain very wide, and that the issues involved are undoubtedly very complex.<sup>41</sup> Both sides in the Israeli-Palestinian conflict claim that the record of adherence to prior agreements has been either grudging, incomplete or entirely lacking.<sup>42</sup>

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38 Amnesty International, 'Israel and the Occupied Territories', submitted by Mr Ali Kazak, General Palestinian Delegation, Submission, pp. 374, 377-78 and 395.

39 DFAT, Transcript, p. 357. DFAT provided updated information on settlement activity in the West Bank in Submission 61E (pp. 2483-84).

40 DFAT, Submission, p. 965; see also General Palestinian Delegation, Submission, p. 2389 and World Vision Australia, Submission, pp. 1441-43.

41 AIJAC, Submission, p. 727.

42 See, for example, AIJAC (Submission, pp. 739-741) and the General Palestinian Delegation (Transcript, pp. 573-74).

## Israeli Settlements

2.59 One controversial aspect of the Israeli-Palestinian dispute is the existence and expansion of Israeli settlements, particularly in the West Bank and East Jerusalem. Indeed, the latest Egypt-Jordan peace proposal of March/April 2001 included important confidence-building measures for a total and immediate freeze on all settlement activities, including those in East Jerusalem. Accurate, non-biased statistics are difficult to verify. However, according to sources such as *The Economist*, during the seven-year Oslo process, the number of settler houses and flats grew by 52 per cent, swelling the settler population in the West Bank and Gaza from 115,000 in 1993 to 200,000 in 2000. These figures do not include the 180,000 settlers who live in occupied East Jerusalem:

With the removal of the army from cities, settlements became the Palestinians' first-hand experience of the occupation [said] Menachem Klein, an Israeli political scientist who served as an adviser to Ehud Barak's government. "And what they saw was their expansion on every hilltop".<sup>43</sup>

2.60 Some commentators contend that settlements 'occupy no more than 1.5 per cent of the territories'.<sup>44</sup>

2.61 Confirming that there is conflicting information about the extent of Jewish settlement-related activity in the West Bank and Gaza, DFAT indicated that (at September 2000) settlement activity was on-going. Building and construction appeared to be concentrated on 'thickening' the existing settlements, as well as ensuring improved access between the settlements and Israel:

Almost all interlocutors agreed that the Barak government ... continued with the construction of bypass roads intended to link settlements with Israel. The construction has been particularly evident in the Shomron area, around the settlement of Ariel, in the West Bank. In addition to physical infrastructure, the Israeli Government continues to provide settlers with considerable subsidies and financial support.<sup>45</sup>

2.62 Confiscation of land and demolition by the IDF of Palestinian houses in the West Bank has repeatedly inflamed tensions in the occupied territories. According to the Palestinians, Israeli claims that the dwellings

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43 *The Economist*, 'Israeli Settlements and the Palestinian Uprising', 28 April 2001, p. 45. See also General Palestinian Delegation, Submission, pp. 2385-90.

44 Yossi Klein Halevi, *The Age*, 23 June 2001.

45 DFAT, Submission 61E, pp. 2483-84.

were unauthorised constructions are false, arguing that the houses were removed in order to facilitate construction of further ring roads linking the Israeli settlements.<sup>46</sup> Without a freeze on Israeli settlement activity, the hard-line Palestinian elements seem determined to continue the armed rebellion.<sup>47</sup>

- 2.63 Palestinian militants have justified attacks on settlers as a way of deterring ordinary Israelis from settling on land that the Palestinians see as their future state. The strategy appears to be succeeding: demand for new apartments in Har Homa declined markedly as the uprising continued. However, although the fighting may deter buyers, it does not appear to have stopped construction.<sup>48</sup> Palestinians have consistently claimed for many years that militant Jewish settlers have incited violence and have attacked Palestinian civilians and property with little fear of punishment from the Israeli security forces.<sup>49</sup>

## Refugees

- 2.64 The issue of Palestinian refugees is a major focus for disagreement in the Arab-Israeli conflict. The first Arab-Israeli war of 1948-49 led to dispossession of a majority of Palestine's Arab population. As stated above, UNGA Resolution 194 of 1948 provided the refugees with an entitlement to return to their homes in what had become Israel. The first Israeli government under Prime Minister David Ben-Gurion did allow a few thousand to return under 'family reunification', but negotiations on implementing Resolution 194 foundered at the Lausanne Conference.
- 2.65 UNGA Resolution 301 of 1949 established the UN Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA). Since 1950, UNRWA has educated and cared for Palestinian refugees in purpose-built camps in Jordan, Syria, Lebanon, the West Bank and Gaza. As discussed in Chapter 7 of this report, statistics on the numbers of refugees vary enormously. However, the UNRWA website indicates that there are 3.8 million registered refugees, not including the displaced persons who fled during and after the 1967 war. If the numbers of unregistered

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46 Ali Kazak, Submission, pp. 366-515, citing Amnesty International's report entitled 'Israel and the Occupied Territories - Demolition and Dispossession: the destruction of Palestinian Homes', December 1999.

47 For a discussion of the Palestinian perspective on the settlements, see Exhibit 10.21 presented by Mr Ali Kazak—*The Israeli Settlements from the Perspective of International Law*, Al-Haq Institute, Ramallah, 2000.

48 *The Economist*, loc. cit. and 'Stop building, please', 12 May 2001, p. 15.

49 Ali Kazak, Submission, pp. 2389-90; Australian Arabic Communities Council, Submission, p. 1134.



refugees are added, the total would be far higher and is difficult to estimate.<sup>50</sup>

- 2.66 There remains a wide conceptual gulf between the Israeli and Palestinian views on the issue of refugees. In broad terms, the Palestinians remain committed to the 'right of return' to land previously owned, including in Israel proper. The Israeli view does not accept any such 'right' in relation to return to what is now Israel, and varying interpretations have been made by the parties of the wording and intentions of UNGA Resolution 194 of 1948 and UNSC Resolution 242 of 1967, including issues of compensation.<sup>51</sup> As World Vision Australia (WVA) has argued:

The Palestinian refugees constitute the largest refugee population in the world today, a result of the 1948 and 1967 wars. Whilst the Oslo Accords set aside this contentious issue, it is impossible for the Palestinian authorities to ignore the refugees and exiles, their right of return and compensation. This is a fact that must be acknowledged by Israel and the international community, both of whom must bear the huge cost of this program.<sup>52</sup>

- 2.67 In evidence, DFAT referred to Donna Arz't's controversial book entitled *Refugees into Citizens*, published in 1997 by the Council on Foreign Relations Press. In the book, the author proposed that 75,000 refugees should be accepted into Israel proper, provided that surrounding Arab states accept their existing refugee populations and Western countries also agree to accept substantial numbers of refugees as migrants.<sup>53</sup>
- 2.68 Further discussion of the situation of the Palestinian refugees is contained in Chapters 3 and 7 of this report.

## The future of Jerusalem

- 2.69 The future of Jerusalem is the most contentious issue of the Arab-Israeli conflict, and the one which has often derailed peace negotiations. All three monotheistic faiths have profound ties to Jerusalem.
- 2.70 The mention of Jerusalem in the Qur'an under the name of the al-Masjid al-Aqsa (the Farthest Mosque) made the whole city a holy place for

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50 See UNRWA website: [www.un.org/unrwa/news/index.html](http://www.un.org/unrwa/news/index.html), as well as Joffe, op. cit., pp. 403-404 and Ong, op. cit., p. 17.

51 DFAT, Transcript, p. 18; Uniting Church in Australia (Victoria), Transcript, 24 July 2000, pp. 89, 92; World Vision Australia, Transcript, 25 July 2000, p. 157; Executive Council of Australian Jewry, Transcript, 26 July 2000, p. 253-54.

52 WVA, Submission, pp. 1450-51.

53 DFAT, Transcript, p. 14.

Muslims. The most significant sites are the al-Aqsa Mosque, the Dome of the Rock (Sakhra) and al-Buraq, a part of the western wall of the al-Haram al-Sharif, which adjoins the Jewish Wailing Wall. Numerous other mosques are found within the confines of the Old City.

- 2.71 For Jews, Jerusalem is a symbol of a nation that was ostracised, exiled and massacred, and the site of important sanctuaries and holy places—for example, the Temple Mount, the Wailing Wall, the Mount of Olives and Mount Zion.
- 2.72 Over the centuries, various Christian communities settled in Jerusalem and consecrated the places associated with the life and teachings of Christ. Important sanctuaries and places of worship include the Basilica of the Holy Sepulchre, the Gardens of Gethsemane, the Via Dolorosa and the Stations of the Cross.
- 2.73 The policy of Israeli governments since 1967—Labor, Likud and coalition—has been to maintain a unified Jerusalem, to integrate its Arab population and to insulate it from the Palestinian-populated West Bank. Many Israelis argue that, despite its holiness to Islam (and Christianity), Jerusalem has always held a secondary status in those religions, after Mecca and Medina (or Rome and Constantinople). However, some Israelis do not acknowledge that (East) Jerusalem has for decades been the political and spiritual centre of the Palestinian national movement as well as the geographical, cultural and economic link between the northern and southern parts of the West Bank and between the West Bank and the Gaza Strip.<sup>54</sup> Similarly, some Palestinians do not accept the right of Jewish people to celebrate their faith at sites of religious significance to Jews in cities such as Hebron and others.
- 2.74 From any perspective, however, it can be concluded that Jerusalem must become a model for a constructive peace between Israel and its neighbours, and a source of hope for Israel and Palestine in particular. As Mr Faisal Husseini of the PLO has stated:
- Jerusalem can act either as a sun that will infuse the entire Middle East with its warmth, or as a black hole that will swallow up and turn into oblivion all our hopes for peace and a better world.<sup>55</sup>
- 2.75 At the time of writing, Jerusalem's future remains extremely problematic, with a plethora of proposals containing many variants and compromises. At the Camp David (2) discussions in July 2000, for example, Prime
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54 Exhibit 22, *Jerusalem: Points of Friction and Beyond*, Moshe Ma'oz and Sari Nusseibeh (eds.), Kluwer Law International, The Netherlands, 2000, pp. 2-3.

55 Cited in Exhibit 22, p. 10.

Minister Barak reportedly made a surprising (to Israelis) offer to President Arafat on Jerusalem. Although the details remain sketchy, it appears that he proposed to allow the Palestinians partial sovereignty over certain Arab parts of the city. To Israelis, this was revolutionary, trampling on the principle that Jerusalem is Israel's eternal, unified capital. Mr Arafat, however, had promised Palestinians that he would not retract from sovereignty over all of Arab East Jerusalem.<sup>56</sup>

## An eventual Palestinian state?

- 2.76 The issue of borders is not only bound up inextricably with that of the settlements, but is also important for achieving an eventual Palestinian entity. To Palestinian opponents of Oslo 2, any minimalist cluster of non-contiguous Palestinian blocs would be unsustainable and weak. A further complication is the issue of a corridor connecting Gaza to the West Bank, as agreed to in the Declaration of Principles. A physical link would mean severing the geographical integrity of Israel, which few Israelis would accept.
- 2.77 Palestinian threats to declare a State of Palestine on 13 September 2000 in the absence of progress with final status negotiations did not eventuate. As DFAT explained in evidence, the Palestinian Central Council met on 9 and 10 September and decided to defer a unilateral declaration of independence.<sup>57</sup>
- 2.78 The Palestinian Authority's Finance Minister, Mr Maher al-Masri, reported in April this year that Israel's virtual blockade of the territories has cost the Palestinians billions of dollars and sent unemployment soaring above 50 per cent. The UN reportedly estimated that one in three Palestinians is now living below the poverty line.<sup>58</sup>

## The 'Al-Aqsa' Intifada

- 2.79 On 28 September 2000, the then leader of Israel's Likud party, Mr Ariel Sharon, made a controversial visit to the al-Aqsa Mosque, in East Jerusalem. That visit sparked an uprising of Palestinians and forceful retaliation by the IDF, Israelis arguing that the violence was an orchestrated campaign by Mr Arafat. International sympathy increasingly

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56 *The Economist*, 21 October 2001, p. 28.

57 DFAT, Transcript, 14 September 2000, p. 350.

58 Editorial, *The Sydney Morning Herald*, 10 April 2001.

swung towards the Palestinians following media reports of the imbalance in weaponry used and television pictures of the mounting civilian (Palestinian) casualties.<sup>59</sup> Other television pictures were equally horrible—for example, the murder of two Israeli soldiers at a Palestinian police station. The UN Security Council later condemned the excessive use of force, but did not mention Israel by name. International human rights organisations such as Amnesty International and Human Rights Watch were less reluctant.<sup>60</sup>

2.80 Mr Sharon has consistently said that he will make no concessions while the violence continues, and has in any event withdrawn the extensive land for peace proposals Mr Barak offered at Camp David. While there is no military solution in the Middle East, there is no obvious diplomatic one either:

When one side tires, or both, talks will resume—but not from the point where they ended last July [2000]. Perhaps that really was the sort of opportunity that comes along only once every 50 years or so.<sup>61</sup>

2.81 Former US Senator George Mitchell was appointed to lead a fact-finding mission to the occupied territories and Israel in October 2000, shortly after the violence erupted. The mission made its delayed second visit to the area in March 2001 in order to examine the causes of the violence and ways of preventing a recurrence. The Commission's preliminary findings in early May 2001 were described as 'fair and balanced' by Foreign Minister Shimon Peres and have to a large extent been accepted by Palestinians. Mr Sharon, however, rejected the widely-leaked report's call for a halt to expansion of settlements.

2.82 The report strongly criticised the failure of the PA to control its security forces, urged the PA to curb the actions of terrorists, and did not support the Palestinian proposals for an international (UN) protection force.<sup>62</sup> Following release of the report, President Bush announced on 22 May 2001

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59 The most potent image was the French Television broadcast on 30 September 2000 of the killing by intensive Israeli gunfire in Gaza of a young Palestinian boy, Muhammed al-Durah, who was taking shelter with his father.

60 For example, Amnesty International, Media Advisory: 'Israel/Occupied Territories - Amnesty International's Fourth Delegation, 5 January 2001'; and an earlier report entitled 'Israel and the Occupied Territories: Excessive Use of Lethal Force', was published by Amnesty International on 19 October 2000.

61 *The Economist*, 'In and out of Gaza', 21 April 2001, p. 13. See also *The Australian*, 4 May 2001, p. 10.

62 BBC World Service, [[www.news.bbc.co.uk](http://www.news.bbc.co.uk)] 'Team to probe Middle East violence', 7 November 2000 and 'Committee seeks to calm Mid-East', 21 March 2001; AAP newswire (story nos. 3067 and 5016), 22 March and 7 May 2001 respectively.

the appointment of a special envoy—Mr William Burns, the US Ambassador to Jordan—to lead a new attempt to end the violence and to bring the parties back to the negotiations. The main recommendations of Mitchell Commission's report were:

- An immediate cease-fire and renunciation of terrorism;
- Agreement on confidence-building measures;
- Resumption of discussions on security issues;
- Cessation of construction of Jewish settlements in the occupied territories; and
- Lifting of Israel's economic restrictions on the Palestinian-controlled areas.<sup>63</sup>

2.83 The latest reports available at the time of writing suggest that at least 680 people have died as a result of the Intifada in seven months—515 Palestinians, 147 Israelis, 14 Arab Israelis, two Romanians and one German. Thousands of civilians have been injured.<sup>64</sup>

2.84 Following sustained criticism from Israel that President Arafat and the PA were not doing enough to curb attacks on Israeli citizens and mortar shelling of the settlements, the PA's executive dissolved the 'Resistance Committees' of Fatah which had been set up at the start of the Intifada. Another of Mr Arafat's responses involved the arrest by Palestinian police of one of the main Hamas leaders, Abdel Aziz Rantissi, for his criticisms and threats against the PA.<sup>65</sup>

## Sharm el-Sheikh and Taba

2.85 Following the second Camp David accords agreed in July 2000, and the earlier Wye River Memorandum of 23 October 1998,<sup>66</sup> the prospects for peace in the region appeared to be gaining momentum.

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63 *The Australian*, 23 May 2001, p. 21. The US-led Commission reported its findings to the Israeli Government, the Palestinian Authority and the UN Secretary-General in May 2001. Soon after, Mr Arafat called for a further summit at Sharm el-Sheikh to discuss the findings, which strongly criticised both sides.

64 *The Economist*, 4 November 2000, p. 55; *The Sunday Age*, 20 May 2001, p.17; *The Australian*, 13 August 2001, p. 7. Other estimates of the number of fatalities have been even higher.

65 As reported by *The Canberra Times* on 30 April 2001, Rantissi declared at a large rally in Jabalya camp in Gaza that Hamas was opposed to the latest Egypt/Jordan cease-fire proposal.

66 Signed in Washington by Binyamin Netanyahu and Yasser Arafat. The Memorandum confirmed the principle of 'land for peace', proposed further transfers to Palestinian control of 13 per cent of Area C, recognised cooperative security arrangements and the amendment of

- 2.86 Egypt was the first Arab state to sign a formal peace treaty with Israel (in 1979) and in October 2000 hosted a conference in Sharm el-Sheikh on the Red Sea coast at which a ceasefire accord was reached between President Arafat and then-Prime Minister Barak in the presence of President Hosni Mubarak and the King of Jordan. The discussions had been instigated by UN Secretary-General, Kofi Annan.
- 2.87 A Memorandum was signed in Sharm el-Sheikh on 4 September 1999 by Israel and the PLO, witnessed by Egypt, the US and Jordan. The Memorandum made commitments to resumption of 'permanent status' discussions, release of Palestinian prisoners, 'safe passage' arrangements, certain Hebron issues and preparations for a Gaza sea port. As one analyst observed at the time:
- What powered the momentum towards resolving the 50-year old conflict was not the details of the many agreements that were reached, breached and stitched up again. It was not the fact that—as it certainly seemed after July's summit at Camp David—only a few points of difference remained between the Israeli and Palestinian leaders. ... The feeling of inevitability arose more from a sense that Middle Eastern peace was part of an emerging post Cold War global agenda ... .
- To the rest of the world, it appeared that a particularly troublesome region was at last being steered towards calmer waters. To Middle Easterners, and particularly to Arabs, the global agenda looked more like an American one.<sup>67</sup>
- 2.88 Just prior to the Israeli Prime Ministerial elections in early February 2001, intensive talks between Israeli and Palestinian negotiators took place at Taba in Egypt.

## The Arab Summit

- 2.89 In response to the mounting tensions and violence in the Occupied Territories and Israel and the increasing fragility of relations between Israel, Syria and Lebanon, the members of the Arab League met in Amman, Jordan for an Arab Summit in March 2001.
- 2.90 The 'Summit of Accord and Agreement' was intended to revive the League as a political force, regularly convened, to which the world would

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the PLO Charter, and required immediate resumption of the 'permanent status' negotiations envisaged in Oslo 2 (the Interim Agreement of 28 September 1995).

67 *The Economist*, 21 October 2000, p. 27.

have cause to listen. Despite the best efforts of Jordan and Egypt, the meeting, according to some analysts, served instead as a showcase for all the Middle East's most retrograde and self-destructive instincts:

These countries, as the UN Secretary-General, Kofi Annan, bravely if too obliquely suggested, have domestic problems that cry out for attention; repressive political systems, overmanned bureaucracies, atrophied economies and massive unemployment feed the restiveness in the streets that they collectively fear. Individually, some governments are trying to modernise. Together, they remain capable of uniting only in the vilification of Israel.<sup>68</sup>

- 2.91 A communiqué issued at the conclusion of the Summit called for revival of an Arab economic boycott of Israel, condemned Israel's 'continuing aggression' against the Palestinians, supported international protection for Palestinian civilians and threatened to sever ties with any country which recognised Jerusalem as the capital of Israel or decided to move its embassy there from Tel Aviv.<sup>69</sup>

## Further Developments

- 2.92 As a further complication, the Middle East peace process was severely damaged, not only by the unrelenting 'al-Aqsa' Intifada, but also by uncertainties generated by political leadership changes in the region and the US. The resignation of Prime Minister Barak and calling of elections after increasingly difficult problems in maintaining the coalition, resulted in victory for the Likud Party's Ariel Sharon. Israel's new Prime Minister had consistently rejected the compromises discussed between Mr Barak and the Palestinians, and advocated a policy of refusing to resume discussions until the uprising ceased.
- 2.93 In the US, the feverish negotiations hosted in the dying months of the Clinton administration gave way initially to an arguably less pro-active stance under President George W Bush.<sup>70</sup> US special envoy Dennis Ross described the collapse of talks in January 2001—shortly before the Israeli elections—as a major lost opportunity for the Palestinians and their leadership. During the talks, President Clinton had obtained the

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68 'Chorus of Hate', *The Times*, London, 29 March 2001. See also *The Economist*, 31 March 2001, p. 39.

69 AAP newswire (story nos. 2761 and 2865), 28 and 29 March 2001, respectively.

70 *The Economist*, 'Hopeless in Gaza', 21 April 2001, p. 39.

agreement of Mr Barak, but not Mr Arafat, to substantial concessions from Israel<sup>71</sup>

- 2.94 In other developments, Syria withdrew some of its 35,000 troops from the Beirut area of Lebanon in June 2001, although the full extent of the disengagement was not clear at the time of writing. The troops were reported as being re-stationed in what was described as 'defensive lines in eastern Lebanon'. Increasing discontent about Syria's continued military presence in Lebanon had been voiced by both Christian and non-Christian community leaders in Lebanon. The troop re-deployments will apparently not affect the situation of hundreds of Syrian intelligence officers who remain in Lebanon, nor the thousands of Syrian labourers working in various parts of the country.<sup>72</sup>

### **The joint Egypt-Jordan proposals for a cease-fire**

- 2.95 In response to the escalating violence in the West Bank, Gaza and Israel itself, Egypt and Jordan developed proposals for a peace plan for the territories. This initiative emerged when Middle East tensions were heightened by the Israeli bombing raid on a Syrian radar position deep inside Lebanon in April 2001.<sup>73</sup>
- 2.96 The Egypt-Jordan plan urged the adoption of confidence-building measures, including a halt to Israel's settlement activities, lifting of the blockade and resumption of negotiations for a final settlement. In early May 2001 after the Israeli Foreign Minister's discussions of the plan with President Bush in Washington, Mr Peres indicated that Israel anticipated resumption of bilateral discussions with the Palestinians and welcomed the US as facilitator, not mediator.<sup>74</sup> Nevertheless, the violence continued and indeed escalated, with tensions mounting during the sombre Palestinian memorial day of 'Al-Nakba', or 'catastrophe', which marks the exodus of Palestinians in the 1948-49 Arab-Israeli war and the creation of the state of Israel in May of that year. Tensions mounted steadily in the following months, reaching crisis proportions with a series of attacks and

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71 Media reports earlier this year indicated that the Clinton peace plan envisaged Palestinian control over Gaza and around 95 per cent of the West Bank and the Palestinian parts of Jerusalem, in return for relinquishing 'right of return' for Palestinians to Israel: *The Canberra Times*, 4 and 8 January 2001; *The Australian*, 11 May 2001.

72 BBC news, [http://news.bbc.co.uk/1/hi/english/world/middle\\_east/1706011.stm](http://news.bbc.co.uk/1/hi/english/world/middle_east/1706011.stm) 'Syrian Army Leaves Beirut', 17 June 2001; *The Canberra Times*, 16 June 2001, p. 15. The divisiveness within Lebanon of Syria's military presence was made evident during large rallies in recent months by both Christian and rival Muslim groups.

73 Widely reported in the media, for example, *The Sydney Morning Herald*, 17 April 2001, p. 7.

74 *The Canberra Times*, 28 April 2001, 'Peres on peace mission' and AAP newswire, 4 May 2001 (story no. 1990).



reprisals throughout the West Bank and Gaza in July 2001. Hebron has remained a critical flashpoint.<sup>75</sup>

- 2.97 As reported in *The Economist* in June 2001, a survey commissioned by the West Bank's Birzeit University revealed a hardening of Palestinians' attitudes: 78 per cent of respondents indicated that they wanted the Intifada to continue; 74 per cent supported the suicide operations inside Israel; and the combined support for Hamas and Islamic Jihad had outstripped support for Fatah.<sup>76</sup>
- 2.98 In what the international community saw as a major setback for regional peace and security, the Arab League's Foreign Ministers meeting in Cairo called for a cessation of all Arab political contacts with Israel as long as the attacks against Palestinians and the blockades continued. This announcement was in response to Israel's use of warplanes in May 2001 to bomb targets in the occupied territories for the first time since 1967.<sup>77</sup>
- 2.99 In Damascus on 7 May 2001, Pope John Paul II became the first pope to enter a mosque, and urged mutual respect and peace between Christians, Muslims and Jews in the Middle East. Reported remarks made on the occasion by President Bashar al-Assad reignited controversy, however.<sup>78</sup>
- 2.100 At the end of May, US 'shuttle diplomacy' was about to resume with a visit to the region by special envoy William Burns, when two bomb attacks in Jerusalem followed earlier explosions in Nablus and Hadera. On the divisive issue of the Israeli settlements, Mr Sharon was reported to have pledged that no new land would be confiscated. However, he indicated that construction would continue within existing settlements. The Palestinians called for the adoption of the Mitchell report's proposals as a whole, and for an international summit to devise a practical mechanism for implementing them.<sup>79</sup>
- 2.101 In an apparent attempt to re-assert Russia's influence as co-sponsor of the MEPP, President Putin launched a new Russian initiative in May 2001 to

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75 Reuters newswire, 16 May 2001, story no. 8237; *The Australian*, 16 May 2001, p. 9; *The Sunday Age*, 20 May 2001, p.17; *The Canberra Times*, 21 and 23 July 2001.

76 *The Economist*, 16 June 2001, p. 50.

77 *The Canberra Times*, 21 May 2001, pp. 1 and 7; *The Australian*, 22 May 2001, 'Pressure on Israel over tide of killing'.

78 AAP newswire, 'Violence flares as Sharon rejects settlement freeze', 7 May 2001; *The Economist*, 12 May 2001, p. 48.

79 AAP newswire, 24 and 27 May 2001, story nos. 0531 and 3511. *The Economist*, 26 May 2001, p. 49.

break the deadlock in the Middle East, holding discussions with President Arafat following telephone conversations with Prime Minister Sharon.<sup>80</sup>

- 2.102 At the time of writing, intense US mediation efforts by CIA director, Mr George Tenet, resulted in agreement between the Palestinians and the Israelis on a 'working plan' for ending the eight months of violence.<sup>81</sup> During Kofi Annan's visit to the region in June 2001, there were reports of a rift between Mr Sharon and Mr Peres regarding proposed next steps following the fragile cease-fire agreed between the Palestinian and Israeli authorities. Mr Peres favours continued contact with President Arafat and the PA, while Mr Sharon insists that there can be no peace negotiations while the violence continues.<sup>82</sup>
- 2.103 During a visit to Washington in June 2001, Mr Sharon is reported to have outlined less generous proposals than his predecessor for a Palestinian state comprising 56 per cent of the West Bank and Gaza, but excluding any part of Jerusalem and insisting on Israeli retention of key parts of the Jordan valley as a security zone. The proposal has been rejected by the Palestinian chief negotiator, Mr Saeb Ereket.<sup>83</sup> Meanwhile, the US Secretary of State met with Israeli and Palestinian leaders during his visit to the region in the wake of further civilian deaths during the fragile truce negotiated by Mr Tenet. Mr Powell is reported to have raised the prospect of deployment of international monitors to observe implementation of the various stages of the peace plan proposed by the Mitchell Commission.<sup>84</sup>
- 2.104 Chapter 3 examines the Middle East conflict in the context of Australia's contribution to the peace negotiations on a number of levels, and Australia's stance on key 'final status' issues.

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80 AFP newswire, 30 May 2001, story no. 7421.

81 *The Australian*, 14 June 2001, p. 8; AAP newswire, 14 June 2001 (story no. 8468).

82 AFP and AP newswires, 'In Sign of Cabinet Crack, Sharon Clashes with Peres', 17 June 2001 and 'Progress, Complaints, Violence in Cease-fire Implementation', 18 June 2001, respectively.

83 *The Age*, 29 June 2001, p. 11.

84 Reuters newswire, 29 June 2001 (story no. 0627).