

## Briefing: The Palestinian bid for statehood

تحليل: خطط طموحة لتحسين البنية التحتية للنقل والتجارة في الأرض الفلسطينية المحتلة

RAMALLAH, 13 September 2011 (IRIN) - Palestinian president Mahmoud Abbas will lodge a proposal with the UN this month seeking recognition of an independent Palestinian state in the West Bank, Gaza Strip and East Jerusalem - occupied by Israel since the 1967 Six Day War - after the breakdown of negotiations between Israel and the Palestinians.

The precise mechanics of how the proposal will be lodged and which body - the UN General Assembly, the UN Security Council, or both - will vote on it, remain unclear. An adviser to Abbas said he was not sure what the process would look like. The Palestinians could aim for a vote in the UN General Assembly when it convenes next week, since the US has threatened to veto a resolution for Palestinian statehood in the Security Council.

Abbas says the Palestinians chose September for three reasons:

1. Successful completion of Palestinian Prime Minister Salam Fayyad's ambitious two-year state-building plan, including Palestinian Authority (PA) reforms and institution-building in [preparation for statehood](#);
2. US President Barack Obama's [statement](#) at the UN General Assembly on 23 September 2010 in which he hoped a Palestinian state would have arisen by September 2011;
3. Support for establishing a Palestinian state by this date among the Quartet (UN, USA, European Union and Russia).

IRIN asked three different observers/officials - Israeli Deputy Foreign Minister Danny Ayalon; Hebrew University international humanitarian law expert Yuval Shany; and Nabil Abu Rudeinah, an adviser to president Abbas - to comment on key issues.

### Danny Ayalon, Israeli deputy foreign minister

**Q: Why has Palestinian president Mahmoud Abbas made his decision to go the UN this September, seeking recognition of a Palestinian state?**

A: Abbas's decision to go to the UN is strategic and not tactical. Abbas made many demands of Israel during the past two and half years and each time Israel met these demands. However, Abbas refused to even sit in the same room with members of the Israeli government. This was to avoid having to enter negotiations which would have entailed concessions.

Abbas took President Obama's comments [his September 2010 speech] out of context; the US president clearly stated that he would welcome a Palestinian state that arose as a result of negotiations between the parties. This is clearly not the case, and Abbas has cherry-picked comments for his own purpose rather than meeting the expectations of the Palestinians enunciated in the very same speech.

The Quartet has said on many occasions that it calls for a return to negotiations and one of its most recent statements stated clearly that "unilateral actions by either party cannot prejudice the outcome of negotiations and will not be recognized by the international community."

To truly support President Obama's vision and the wishes of the international community, the Palestinians should come and sit at the negotiating table with Israel and resolve the conflict through a two-states-for-two-peoples solution.

**Q: Is the PA now fully prepared for statehood?**

A: No. It fails to meet the international standards for sovereignty. It does not have established borders, is beholden to the international community for its economy, and has not sufficiently proven that it is "peace-loving".

If we look at the most recent example of South Sudan, the 193rd member state of the UN, this is the correct paradigm for membership. The South Sudanese only applied for membership after a negotiated solution with its neighbours, not before. This is the correct order.

**Q: Would negotiations between the PA and Israel - which cover final status issues - continue after the UN's potential recognition of a Palestinian state?**

A: This could prove very difficult. The Palestinians have breached all their obligations and signed agreements, if they unilaterally declare a state. If the Palestinians feel that the international community can serve as a "rubber stamp" for the maximalist demands then they will have no incentive to compromise on any of the core issues.

A unilaterally declared Palestinian state will essentially tear up existing agreements and could be a death knell for the peace process.

**Q: Would security coordination between the PA and Israel continue, even after the UN's potential recognition of a Palestinian state?**

A: Security coordination is in the best interests of both Israel and the Palestinians. However, we may have no choice but to re-evaluate our position on all agreements and understandings if the Palestinians breach their obligations.

Q: What will be the status of the [Oslo Accords](#) if a Palestinian state is recognized?

A: A unilateral declaration of independence is a fundamental breach of the Oslo Accords and other signed agreements, and could render them null and void. Article 31 of the Declaration of Principles, otherwise known as the Oslo Accords, stated that: "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 negotiation."

This is just one of many reasons why we are calling on governments around the world not to support such a fundamental breach, and support a negotiated peaceful agreement.

**Q: Would the humanitarian needs of the Palestinian population be better met under a functioning Palestinian state?**

A: In the last two years, Israel has assisted the Palestinian economy to rise consistently 8-9 percent per year. Unemployment is down, tourism is up and the quality of life is vastly improved. All this [ <http://www.irinnews.org/report.aspx?reportid=93374> ] could be jeopardized by the Palestinian leadership and they know this very well.

**Yuval Shany, chair in Public International Law, Hebrew University**

**Q: Why has Palestinian president Mahmoud Abbas made his decision to go the UN this September, seeking recognition of a Palestinian state?**

A: My sense is that the Palestinians have made a strategic choice to internationalize the conflict - perhaps because they have little faith in bilateral negotiations with Israel. Palestinian statehood opens up some avenues for advancing such a goal - for example, asking the International Criminal Court to investigate Israeli military operations in the occupied [Palestinian] territory, inviting UN rapporteurs to visit the area, and perhaps even attempting to invite peacekeepers to the area. Options could include UN or Arab League peacekeepers.

**Q: Is the PA now fully prepared for statehood?**

A: It is no less prepared than many other new states - East Timor, South Sudan, etc.

**Q: If a Palestinian state is recognized, do you think Israel's military occupation of the West Bank will continue?**

A: Yes.

**Q: Would negotiations between the PA and Israel - which cover final status issues - continue after the UN's potential recognition of a Palestinian state?**

A: There is no legal impediment to continued negotiations.

**Q: Would security coordination between the PA and Israel continue after the UN's potential recognition of a Palestinian state?**

A: This depends to some extent on Israel's reaction to the Palestinian application. A decision to terminate the Oslo Accords may jeopardize the existing arrangements.

**Q: What will be status of the Oslo Accords if a Palestinian state is recognized?**

A: The current status of the Accords is already uncertain. It will be harder to maintain their relevancy after a Palestinian state emerges. Israel may exercise its right to revoke the agreements formally.

**Q: If a decision to terminate the Oslo Accords was taken, what legal status would Israeli military personnel and civilians in the West Bank have in the absence of the Accords? Could Israel potentially assume more control over the West Bank if the current [Area A, B and C arrangement](#) were cancelled?**

A: The situation will revert - legally speaking - to the pre-Oslo period. Israel would base its presence directly on occupation law.

**Q: Would recognition of a Palestinian state affect UN operations in the area? Would the obstacles to delivering humanitarian aid remain the same, if the Israeli occupation remains?**

A: UN operations would continue, but may face more obstacles if cooperation between the parties is reduced. The [humanitarian] situation for the Palestinians could become [more difficult](#), at least in the short-term.

**Q: Would the humanitarian needs of the Palestinian population be better met under a functioning Palestinian state?**

A: Hard to say. It is likely that deterioration in Israel-Palestinian relations (and also US-Palestinian relations) may have adverse economic consequences for the Palestinians at least in the short term. There could also be security tensions... If a formal vote does not go before the UN General Assembly until October, the process may take a few months to unfold.

**Nabil Abu Rudeinah, adviser to president Abbas**

**Q: Why has Palestinian president Mahmoud Abbas made his decision to go the UN this September, seeking recognition of a Palestinian state?**

A: The Americans failed to provide us or the Israelis a platform for negotiations. They failed to stop or cease the settlement activities.

Abu Mazen's [Abbas's] position, as well as the Palestinian leadership, has always been that we are ready for negotiations on this clear basis - 1967 borders with an agreed [land] swap, with a cessation of settlements. For this, we are ready to come back to negotiations.

Last year Obama said [in his 23 September 2010 speech] that he hoped he would see a Palestinian state as a new member of the UN.

As long as negotiations are not there, this is the only option we have to protect our people and our interests. We cannot keep this stalemate any more than this. That is why the UN is the only place that we can assert our rights.

The Israelis are refusing to return to the negotiating table, even on the reference which Obama mentioned in [his speech in May](#) - borders of 1967.

The Quartet failed several times to issue a statement that puts our perspective on negotiations; the Americans failed to cease [Israeli] settlement activities, and that's why we are obliged to go to the UN - it's a Palestinian and an Arab decision.

Our problem is not with the Americans, even though they are threatening to use their veto [against a Palestinian bid for statehood]. Our problem is with the Israelis. The Americans are unable to force Israel to return to negotiations.

**Q: White House Middle East envoys Dennis Ross and David Hale met president Abbas in Ramallah on 7 September. What potential implications were outlined by the US that could result from a request to the UN for recognition of a Palestinian state?**

A: They said they do not want us to go to the [UN] Security Council.

They said that [Quartet representative Tony] Blair is trying to prepare a statement and Abu Mazen [Abbas] told them that once we see that statement we will give our thoughts about it, but it is too late. We are not looking for any confrontation with the US, despite what Congress has mentioned.

**Q: Do you think the US will withhold funding to the PA if you limit the proposal for statehood to a vote before the UN General Assembly, and how would that affect the PA budget?**

A: Maybe. So far the [US] Congress is threatening; our relation with the [US] administration is continuing, but we have to wait and see what might happen after September.

The financial situation is very difficult. Over the last six years many donors and countries stopped funding the PA. The Americans said Congress will boycott us. I do not know if the Europeans and the Arabs will follow, but the issue is not just about money; the main issue is our rights.

Many Arab states have stopped funding the PA, but yesterday [8 September] [the Kuwaitis](#) paid.

Occupation must end after 63 years. The Israelis should withdraw and the Americans should change their policy towards Israel and the Middle East. We do not want to isolate Israel, or to confront the Americans. We want to implement what we did in Camp David and Annapolis and the speech of Obama - a state on the lines of 1967 and an agreed swap. If the Israelis are willing, we are ready.

The US administration says Congress would put obstacles [up] to [prevent] funding the PA, but it's unclear if the US administration would stop its funding, and if the issue will reflect negatively on the PA, on the Americans, on Israel and the donors.

The Palestinian issue is the core issue of the Middle East. Nobody can ignore it - not the Americans, not the Europeans, not the Arabs, not even the Israelis.

We do not want to confront anybody. We want the occupation to end. We want our state to be built, and we are ready. We need the Americans to change their policy and we urge them not to obstruct our approach to the UN. We are not going to confront the Americans or isolate Israel or delegitimize Israel. We are willing and ready to live side-by-side with an Israeli state.

**Q: Is the PA now fully prepared for statehood at the end of the Palestinian Reform and Development Plan?**

A: We were prepared 20 years ago. We are maybe the only stable country in the Middle East. The only problem is the occupation. This is what the Americans and the Israelis must understand. Without solving this issue with a just solution, the whole Middle East will be in an unstable situation and the extremist movement will grow.

**Q: What about the disconnect between the PA and the government in the Gaza Strip?**

A: There is no government in Gaza. The PA pays 57 percent of its budget to Gaza - for electricity, water, fuel, and we pay for 77,000 [PA] employees in Gaza.

We signed an agreement [between Fatah and Hamas] in Cairo [specifying] that we need an independent government to prepare for elections next May. Our contacts are continuing with them on different issues, and the only problem is forming the government. We are still committed to the agreement and we are ready for elections, including foreign observers to supervise the elections, as we did the last two times.

They [Hamas-led government in Gaza] are doing a very good job on security by preventing anybody from firing against Israel.

“ The West Bank is occupied - Areas A, B, and C. We do not have any real authority. We do not have anything to lose. ”

**Q: Would negotiations between the PA and Israel - which cover final status issues - continue after the UN's potential recognition of a Palestinian state?**

A: We will immediately return to negotiate, because the land within the 1967 borders will be an "occupied land" not "disputed land", and every single settlement will be illegal - it is enough for us to come back to negotiations. This is the purpose of our going to the UN, to determine that this is "occupied land", not "disputed land" as the Israelis are saying.

**Q: Would security coordination between the PA and Israel continue, even after the UN's potential recognition of a Palestinian state?**

A: As president Abbas said many times, the security will continue, the cooperation will continue. We will not allow any violence. We will not allow any confrontations with the Israelis as long as we [Abbas administration] are in the Muqata [presidential office in Ramallah].

If President Abbas and the Palestinian leadership decide something else after September, it's a different story. For example, president Abbas could decide to resign if he fails. Who will control the security apparatus?

The Israelis and the Americans should understand that stability means they should come to an agreement with us; otherwise troubles will continue in the Middle East and extremism will grow.

This is why we are going to the UN. President Abbas will address the world and tell them this is the situation. We are ready for negotiations; our state is ready; and as long as there are no negotiations and Israel continues its settlement activities, we have no option but to come to the UN. And after that we are ready for negotiations [with Israel] on the final-status issues.

**Q: What will be the status of the Oslo Accords if a Palestinian state is recognized?**

A: The PA is committed to Oslo. It is up to the Israelis. The West Bank is occupied - Areas A, B, and C. We do not have any real authority. We do not have anything to lose.

If Israel decides to cancel Oslo they will have to face the reality. There will not be any PA; there will not be any security branches taking decisions from us [Abbas administration]. Let them face in the West Bank what they face in Gaza and what they are going to face everywhere, in Lebanon and in Syria. Let them take care of security. Let them take care of the people.

PA is responsible for the Palestinians in the West Bank and Gaza and takes its decisions from the PLO [Palestine Liberation Organization]. If the Israelis cancel Oslo the Palestinian leadership will convene and take the right decision.

**Q: Would the humanitarian needs of the Palestinian population be better met under a functioning Palestinian state?**

A: The humanitarian situation is terrible in the West Bank and Gaza. If you cross the bridge [from the West Bank to Jordan; the West Bank's only international crossing point under Israeli control] you can see hundreds of people waiting. Go and see the kind of humiliation they face. Go to any [checkpoint](#), like Qalandiya and see what happens.

The humanitarian situation is worsening. Humiliation is continuing, and that is what the president is going to tell the UN and the world. We cannot accept this situation or continue to foster it. The occupation should end.

If the world is going to support the Israelis and the Americans, let them face the reality. You see what is happening in the Arab world. The Arab revolutions are continuing.

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