



RESEARCH PAPER 01/08
24 JANUARY 2001

Developments in the Middle East Peace Process 1991-2000

This paper examines the historical background to the Arab-Israeli conflict and details the current peace process, which began with the Madrid Conference in 1991.

Recent developments, including the Camp David summit in July 2000 and the subsequent outbreak of violence in the region, are covered in the companion Library Research Paper 01/09, *The Middle East Crisis: Camp David, the 'Al-Aqsa Intifada' and the Prospects for the Peace Process*, of 24 January 2001. It is intended that the forthcoming Israeli prime ministerial elections should be the subject of a separate Library Research Paper shortly.

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Summary of main points

- Tension between Israel and its Arab neighbours dominated the Middle East during the latter half of the twentieth century and frequently escalated into armed conflict. During the Arab-Israeli wars of 1967 and 1973, Israel captured territory from Syria, Jordan and Egypt. In 1982 Israel intervened in Lebanon and established a security zone along the joint border. By 1990 no Arab state, with the exception of Egypt, had recognised Israel.
- Efforts to resolve these issues and establish a comprehensive and lasting peace in the Middle East made a breakthrough in 1991 with the convening of an international conference in Madrid. Although highly symbolic, little concrete progress ensued.
- In August 1993 it emerged that secret negotiations between Palestinians and Israelis had yielded agreement on mutual recognition and the establishment of interim Palestinian self-rule in the West Bank and Gaza Strip. Negotiations between Syria and Israel also showed signs of progress, but became deadlocked over the issue of borders.
- A series of interim agreements between Israelis and Palestinians resulted in the hand-over of around 40 per cent of the West Bank to complete or partial Palestinian control, but the process was hampered by frequent disagreements and the assassination of Israeli Prime Minister Rabin in 1995.
- In 1999 the election of Ehud Barak as Israeli Prime Minister raised hopes of further progress in the peace process. Israel completed a unilateral withdrawal from southern Lebanon in April 2000, but talks with Syria remained deadlocked.
- By mid-2000 attention turned to the remaining issues on the Israeli-Palestinian track, such as the status of Jerusalem, the Palestinian refugees, and the borders and territory of a future Palestinian state.
- A summit at Camp David in July 2000 succeeded in narrowing the gaps between the two sides, but important differences remained, particularly over Jerusalem. In September violence erupted in the Palestinian territories, leaving several hundred dead and thousands injured, most of them Palestinians. These and other developments are covered in the companion Library Research Paper 01/09, *The Middle East Crisis: Camp David, the 'Al-Aqsa Intifada' and the Prospects for the Peace Process*, of 24 January 2001

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I Historical Background

The Arab-Israeli conflict dominated the geopolitical landscape of the Middle East during the latter half of the twentieth century. The problems at the heart of the conflict are immensely complex and emotive, interweaving religious, political, economic and environmental issues.¹

Tension between Israel and its Arab neighbours has escalated into armed conflict on a number of occasions. The 1948-1949 Arab-Israeli War, which followed the proclamation of the State of Israel, led to the exodus of hundreds of thousands of Palestinians to other countries in the region and sowed the seeds for future confrontation. The wars of 1967 and 1973 saw Israel acquire additional territories, including the Golan Heights (from Syria), the West Bank of the River Jordan and East Jerusalem (from Jordan), and the Gaza Strip and Sinai peninsula (from Egypt), resulting in a further outflow of refugees. In 1978 and again in 1982 Israeli forces became embroiled in the civil war in Lebanon. Following a partial withdrawal Israel established a self-styled 'security zone' in southern Lebanon primarily to prevent guerrilla attacks on northern Israel.

Prior to 1991 diplomatic efforts to resolve the various strands of the Arab-Israeli conflict had met with varying degrees of success. In 1978 Israel and Egypt concluded a peace agreement at Camp David under which the Sinai was returned gradually to Egyptian control, and Egypt became the first Arab government to recognise the State of Israel. Despite a series of initiatives during the 1980s, however, the other disputed issues of the West Bank and Gaza, the Golan, and southern Lebanon remained unresolved.

A. The Palestinians, the West Bank and Gaza

Between 1922 and the Israeli declaration of independence in 1948 the territory of what was then called Palestine was administered by the United Kingdom under a League of Nations mandate. Palestine, along with neighbouring Arab territories, had been under Ottoman rule since the 16th Century, before British forces occupied it during 1917 and 1918.

The population at the time was predominantly Arab, with a small, but increasing Jewish minority.² During the latter decades of the nineteenth century, anti-Jewish pogroms in Europe and in Russia had led growing numbers of diaspora Jews to seek refuge in the southern Levant. Such emigration was encouraged by the Jewish Zionist movement, which sought the establishment of an autonomous Jewish state in the historic homeland of

¹ Language has become an important tool for all sides in the conflict, with certain words and phrases becoming imbued with particular meaning or significance. Any use of such words or phrases in this paper should not be taken as an endorsement or criticism of the parties' positions.

² In 1918 there were approximately 700,000 Arabs (611,000 Muslims, 70,000 Christians, and 7,000 Druze) and 60,000 Jews. Justin McCarthy, *The Population of Palestine: Population History and Statistics of the Late Ottoman Period and the Mandate*, New York, 1990, p.26

Palestine. Local Arab leaders, initially sympathetic to the Jews' plight, welcomed the influx, although the limited level of integration between the two communities and the purchase of Arab land by the Zionists was to lead to a gradual souring of relations.

Guarded backing for the Zionist cause came from the British government, which sought to rally Jewish support for the Allied powers during World War I and to secure the strategically vital Suez Canal. The British stance was made public in late 1917 in a letter from the Foreign Secretary, Arthur Balfour, (called the Balfour Declaration) in which he declared that the British government viewed "with favour the establishment in Palestine of a national home for the Jewish people". The letter also pledged that nothing should be done to "prejudice the civil and religious rights of the existing non-Jewish communities in Palestine". The proposal received the endorsement of the principal Allied powers and was incorporated subsequently into the terms of the League of Nations Mandate, despite considerable Arab misgivings.³

During the Mandate period, Jewish immigration to Palestine gathered pace under a British-administered quota system. The Jewish section of the population increased from around 8 per cent in 1918 to 18 per cent by 1931 and to 30 per cent by 1939.⁴ Opposition to the arrivals helped generate a common 'Palestinian' identity that had previously been poorly defined within the local Arab population. Resentment on both sides at perceived British partiality in favour of the other led to a series of clashes and Arab revolts during the late 1920s and 1930s, which left several thousand people dead.

With the onset of the Second World War, relations between Arabs, Jews and the British deteriorated further, exacerbated by the further influx of Jews fleeing the extreme repression of Nazi Germany. By the end of the war, an estimated 6 million Jews in Nazi-occupied Europe – over one-third of the world's Jewish population – had lost their lives in the Holocaust. The unprecedented scale of the genocide, coupled with the urgent need to resettle thousands of Holocaust survivors, intensified international sympathy for the establishment of a Jewish homeland in Palestine.

In Palestine itself, the civil conflict had continued to escalate, as Zionist forces, bolstered by men with military training from service in the Allied armies, mounted a campaign of attacks on British targets in Palestine. British reprisals intensified the conflict.

The deteriorating situation led the British government to acknowledge in early 1947 that it was no longer able to maintain the Mandate, and the United Nations General Assembly was asked to propose a solution to the issue. A partition plan was devised whereby Palestine would be divided into seven sections, albeit united economically: three sections

³ In addition to concerns over Jewish immigration, Arab nationalists were frustrated at the Allied Powers' failure to grant independence for Syria, Lebanon, Palestine and Iraq.

⁴ Justin McCarthy, *The Population of Palestine: Population History and Statistics of the Late Ottoman Period and the Mandate*, New York, 1990, p.35-36

would be allocated to the Jews and three to the Palestinian Arabs, with the seventh, Jerusalem, to be administered as a neutral and demilitarised *corpus separatum* (separate entity) by a UN-sponsored administration.⁵

The Jewish Zionist leadership, which had anticipated a considerably less favourable outcome, declared its acceptance of the plan, while the Arabs rejected it outright and refused to recognise the validity of the UN decision. In their view, the plan was biased in favour of the Jews who constituted one-third of Palestine's population, yet would be granted over half the territory, including areas with significant Arab populations.

By early 1948 the UN plan had stalled and the violence had escalated further. In May of that year, Britain formally relinquished the Mandate and Jewish leaders met to proclaim the State of Israel, a move that was recognised swiftly by the United States and the Soviet Union.⁶ During the ensuing conflict of 1948-49, the neighbouring Arab states – which refused to recognise the Jewish state's right to exist – intervened militarily, but were repelled by the newly formed Israel Defense Forces (IDF).

In an episode known to the Palestinians as *al-Nakba* (the 'Catastrophe') hundreds of thousands of Palestinian Arabs fled Palestine to seek refuge in Jordan and Lebanon. The reasons for, and the scale of, the Arab exodus have since become hotly debated issues. UN statistics from 1950 placed the number of Palestinian refugees at around 957,000.⁷ The Israeli leadership insisted the number was significantly smaller and claimed that many Palestinians had left voluntarily or under orders from their leaders. Arab leaders maintained that most had been terrorised and expelled as part of a premeditated Israeli operation, citing as an example the killing of up to 100 Arab civilians in the village of Deir Yasin.

In December 1948 the UN General Assembly passed Resolution 194 on the situation in Palestine, resolving that those refugees "wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return."⁸ The Palestinian insistence on a "right of return" for the refugees, which Israel has refused to accept, has still to be satisfactorily addressed as part of the final status negotiations.⁹

⁵ As set out in UN General Assembly Resolution 181 of 29 November 1947. The full text is available on the UN web site at <http://www.un.org/Depts/dpa/ngo/top10.htm>

⁶ The British government recognised Israel and Jordan in April 1950. However, it refused to recognise either state's sovereignty over Jerusalem, arguing that the city should remain under international administration.

⁷ See Rosemary Hollis, 'Still Waiting', *The World Today*, Vol.56 No.6, June 2000, p.21

⁸ See Appendix 6 for the full text of General Assembly Resolution 194 (III), 11 December 1948

⁹ See Chapter II A(ii) of Library Research Paper 01/09, *The Middle East Crisis: Camp David, the 'Al-Aqsa Intifada' and the Prospects for the Peace Process*, of 24 January 2001 for more detail on the refugee issue.

Around 150,000 Palestinian Arabs remained in the new Jewish state and were granted Israeli citizenship.¹⁰ An armistice agreement was signed in 1949, and the following year Jordan formally annexed the area of pre-1947 Palestine that had not been captured by the Israelis (i.e. the West Bank and East Jerusalem).¹¹

The new Israeli government embarked on a massive programme of immigration, attracting a huge influx of Jews from around the world. Some were seeking to participate in the formation of the new Jewish State; others were expelled from countries such as Iraq or were fleeing persecution. In the three years from 1948 to 1951 the Jewish population of Israel doubled in size.¹²

Conflict flared again during the Six-Day War of June 1967 as Israel, citing an imminent threat from its Arab neighbours, mounted a highly effective military campaign. Israeli forces captured significant areas of Arab territory, leaving Israel in possession of the Golan Heights, the Sinai peninsula, the West Bank, East Jerusalem and the Gaza Strip¹³ The latter three areas contained significant Palestinian populations, which numbered around two million in total.

The UN Security Council responded by passing Resolution 242, stressing the “inadmissibility of the acquisition of territory by war”. It called for Israel to withdraw “from territories occupied” during the conflict, in return for a comprehensive peace treaty and recognition of Israel’s right to exist.¹⁴

In October 1973, on the Jewish holy day of Yom Kippur, Egyptian and Syrian forces launched attacks on Israel in a bid to reclaim the Sinai and Golan, but were repelled by the IDF. The Security Council adopted Resolution 338, in which it reiterated the principles set out in Resolution 242. The wording of Resolutions 242 and 338 was to become the subject of dispute between Israel and the Arab states, with the former insisting that the resolution required the withdrawal from *some*, not *all*, of the Occupied Territories.

¹⁰ This population has become known as Israeli Arabs (the Israeli government’s term) or Palestinian-Israelis (as they describe themselves). The term “Israeli Arab” is used in this paper for the sake of convenience. It is used to distinguish the Palestinian inhabitants in Israel proper from those of East Jerusalem, the West Bank and the Gaza Strip, who came under Israeli military occupation after 1967.

¹¹ Jordan continued to claim sovereignty over the West Bank during the post-1967 Israeli military occupation, before King Hussein of Jordan formally relinquished legal and administrative control in 1988 in favour of the Palestinians.

¹² By 1961 the official census showed the population of Israel had reached 2,260,700, of whom 230,000 were Arabs. By 1972 there were over three million Jews in Israel. *Europa Regional Survey: The Middle East and North Africa 2000*, 46th Edition, p.609.

¹³ The Gaza Strip is a narrow piece of land wedged between Israel proper, Egypt and the Mediterranean. It was an administrative province under the British Mandate of Palestine, but was transferred to Egypt as part of the 1949 Armistice Agreement.

¹⁴ The full text of UN Security Council Resolutions 242 and 338 are included as Appendices 4 and 5 respectively.

The issue of the territories was to prove contentious within Israel itself. Some argued that they provided a bargaining chip to be exchanged for a peace settlement in the region, while others believed the territories were the birthright of the Jewish nation and should therefore be retained through the expropriation of Palestinian land and the construction of Jewish settlements. There were also security concerns: Israel sought to establish a buffer zone against neighbours that had proved hostile in the past and had refused to recognise its right to exist.

The 1967 conflict had a major impact on the Palestinian population in exile. During the fighting, some 200-300,000 Palestinians fled the West Bank and Gaza, one third of whom were refugees from the 1948 conflict who were moving for a second time.¹⁵ The growth of this increasingly militant refugee population in neighbouring Arab states led to the emergence of a number of radical Palestinian militia groups dedicated to the destruction of Israel. A spate of cross-border raids, international hijackings, assassinations and attacks on civilians ensued, including the killing of Israeli athletes at the 1972 Munich Olympics. Many of the groups involved were affiliated to the Palestine Liberation Organisation (PLO), an umbrella organisation headed by Yasser Arafat.¹⁶ The PLO subsequently emerged as the dominant force on the Palestinian political scene, despite repeated Israeli attempts to destroy it.

By contrast, the Palestinian population in the West Bank and Gaza had remained relatively quiescent during the 1970s and early 1980s. However, in December 1987 a popular uprising, the *intifada*, erupted in the Palestinian territories, fuelled by resentment of twenty years of Israeli rule and anger at the confiscation of Palestinian land for the construction of Jewish settlements. A six-year campaign of violent demonstrations and civil disobedience ensued, coupled with the establishment of limited political and administrative structures to govern the West Bank and Gaza. Israel reacted forcibly to the uprising, imprisoning around 90,000 Palestinians. It is believed that over one thousand Palestinians died and many thousands more were injured, mostly in clashes with Israeli forces, although around 350 were killed by fellow Palestinians for alleged collaboration. Around 80 Israeli civilians and around 65 members of the Israeli security forces also died during the violence.¹⁷

The Israeli clampdown managed to contain the *intifada*, but did little to resolve the underlying tensions in the Palestinian territories. The episode won sympathy for the Palestinian cause both in Israel and abroad and made it clear that the Israeli presence in the West Bank and Gaza would come at a price.

¹⁵ Rosemary Hollis, 'Still Waiting', *The World Today*, June 2000, p.21

¹⁶ Mr Arafat was the head of Fatah, the largest group within the PLO. In 1974 the Arab League recognised the PLO as the sole and legitimate representative of the Palestinian people.

¹⁷ Figures from the Israeli human rights organisation B'Tselem, quoted in Benny Morris, *Righteous Victims: A History of the Zionist-Arab Conflict 1881-1999*, London, 1999, p.595-6. The Palestinians insist the death toll was higher, whereas the IDF claims it was lower.

From the Palestinian perspective, the dominant position of the secular PLO in Palestinian society was coming under threat from more militant rivals based in the territories, in particular from Islamist groups such as Hamas¹⁸ and Islamic Jihad. Over the previous decade, opinion within the increasingly moderate PLO leadership had undergone a gradual shift in favour of a two-state solution that envisaged the establishment of a Palestinian state in the West Bank and Gaza alongside the State of Israel. Such a compromise was rejected by Hamas and Islamic Jihad, which opposed any negotiations or contact with Israel.¹⁹

The possibility of a Palestinian state on the West Bank caused considerable consternation in Israel, where many believed the West Bank could instead be handed back to Jordan. However, in July 1988 King Hussein declared he was severing Jordan's theoretical administrative and judicial links with the West Bank "in deference to the will of the PLO", thereby effectively abrogating his country's annexation of the territory in 1950.²⁰ This paved the way in November 1988 for a symbolic declaration by the PLO of an independent Palestinian state in the West Bank and Gaza, with Jerusalem (Al-Quds in Arabic) as its capital. Fifty-two states moved to recognise the Palestinian 'state', including the Soviet Union, China and India.

The following year, in a bid to create the necessary conditions for dialogue with Israel, Mr Arafat issued a series of statements, renouncing terrorism and recognising Israel's right to exist, thereby securing US recognition of the PLO and laying the initial groundwork for the Madrid process that was to follow (see Chapter II).

B. The Golan Heights

The Golan Heights form a strategically important plateau that rises in the north-east to over 2800 metres on Mount Hermon.²¹ With an area of 1,710 square kilometres, the Golan overlooks the Galilee region of northern Israel to the west, while the eastern flank looks out across the southern Syrian plain to Damascus. The area is a key source of water for the region, encompassing the headwaters of the Jordan River, which feed into Lake Tiberias (the Sea of Galilee, known in Hebrew as the Kinneret).

The Heights were captured by Israeli forces during the June 1967 conflict and Jewish settlement construction began shortly afterwards. The area was again the scene of intense fighting during the conflict of October 1973. The experience of the latter conflict, during

¹⁸ Hamas is the Arabic acronym of Harakat al Muqawama al Islami, or Movement of Islamic Resistance. It is active in a broad range of spheres including social, political and military. Its armed wing is named Izz al Din Qassam.

¹⁹ An earlier attempt to address the Palestinian issue as part of the 1979 Egyptian-Israeli peace treaty failed to gain the support of the PLO and consequently foundered.

²⁰ See Benny Morris, *Righteous Victims: A History of the Zionist-Arab Conflict 1881-1999*, London, 1999, p.604

²¹ The area of the Golan Heights is shown on the map of Israel in Appendix 1.

which a surprise attack by Syrian forces almost broke through the Israeli defences on the Golan and out into Galilee, reinforced the view in Israel that retention of the Heights was of crucial importance to the country's defence. Israel has developed extensive intelligence gathering facilities on Mount Hermon, which are capable of monitoring military movements and communications deep inside Syria.

A US-mediated disengagement agreement was signed in 1974, leaving Israel in control of approximately 70 per cent of Golan. The civilian population of 32,000 is roughly balanced between Jewish settlers and Syrian nationals who remained after the 1967 conflict. In 1981 the Knesset enacted the Golan Annexation Law for the part of the Golan under Israeli control, a move that was not recognised by the international community.²²

At the centre of the current dispute over the Golan is the issue of which border Israel should withdraw to, in the event of its pulling back from occupied Syrian territory. An international border was demarcated in 1923 between Syria and what was then Palestine, and this runs within metres of the eastern shore of Lake Tiberias. During the fighting in 1948 Syrian forces captured several small pockets to the west of the 1923 border. These pockets, which became a demilitarised zone under the 1949 Armistice Agreement, were gradually populated by Syrian and Israeli civilians. As a result, an effective line of partition emerged to the west of the 1923 border. Although the 1923 international border and the 1967 line of partition demarcate largely the same area, the crucial difference is that the 1967 line gave Syria direct access to the eastern shore of Lake Tiberias. Syria has long argued that any Israeli withdrawal must lead to a return to this line, often referred to as "the line of June 4, 1967", and not to the 1923 international border.²³

C. Southern Lebanon

Israeli forces first entered Lebanon in 1978 in a bid to destroy the substantial PLO guerrilla presence there. The PLO had been expelled from Jordan during the 'Black September' of 1970, after it had come into conflict with the Jordanian government. Many of the fighters transferred to Lebanon, from where they continued to mount attacks on Israeli targets. International condemnation of the Israeli intervention led to the adoption by the UN Security Council of Resolution 425, calling for an immediate cessation of the Israeli military action and full withdrawal.²⁴ Israel subsequently pulled out, but again moved into Lebanon in 1982 in a concerted attempt to destroy the Palestinian guerrilla contingent. Although the bulk of the PLO was expelled from Lebanon in 1982-83, Israeli forces soon found themselves embroiled in a conflict with indigenous Shia Muslim guerrilla groups, such as the Syrian and Iranian-backed Hizbollah movement ('The Party of God').

²² With the exception of Micronesia.

²³ The Syrian-Israeli track is covered in greater detail in Section VI below.

²⁴ The full text of UN Security Council Resolution 425 is included as Appendix 8

In 1985, following the election of a new Israeli government, the IDF carried out a gradual withdrawal to southern Lebanon, where it established a 'security zone'. The zone, measuring between ten and twenty kilometres in depth on the Lebanese side of the joint border, was created primarily to prevent guerrilla attacks on Israeli towns and villages in the Galilee region. Israel established a militia, the South Lebanese Army (SLA), to assist the IDF in policing the zone, which was to prove to be a source of tension in the region.

Israel and Syria, anxious to avoid a direct clash with each other, used Lebanon as a surrogate arena for their rivalry. In spite of the presence of a small United Nations force (the UN Interim Force in Lebanon – UNIFIL²⁵), IDF and SLA troops engaged in frequent clashes with Hizbollah guerrillas as both sides launched raids and reprisals on targets across southern Lebanon and northern Israel. There was a constant danger of escalation, raising fears that the fighting might draw in the sizeable Syrian forces stationed in eastern Lebanon.²⁶

²⁵ UNIFIL was established in 1978 to confirm Israel's withdrawal from Lebanon.

²⁶ Syrian forces were deployed as part of the 1989 Taif agreement, which ended the Lebanese civil war.

II The Madrid Process

A. The Madrid Conference (October 1991)

The Madrid process, which was launched in autumn 1991, aimed to build a comprehensive and lasting peace in the Middle East. The groundbreaking conference brought together representatives of all the main parties to the conflict, and was facilitated by a fundamental transformation in the geopolitical situation both in the region and internationally. Firstly, with the end of the Cold War, Moscow and Washington no longer viewed the Middle East as an arena for superpower rivalry, while the decline in Soviet power led to a reduction in the supply of arms and aid to the Arab states. A second factor was the Gulf conflict in 1990/1991 and the related US decision to propose a Middle East peace conference. This initiative, aimed in part at undermining Iraq's attempt to link an Iraqi withdrawal from Kuwait to an Israeli withdrawal from the Occupied Territories, proved crucial in securing Arab participation in the international coalition that liberated Kuwait. A third related factor was the decline in fortunes of the PLO, whose support for Iraq during the Gulf conflict had led to a sharp drop in Arab political and financial backing.

Co-sponsored by the United States and Soviet Union, the Madrid conference sought to initiate a process of direct negotiations involving Israel and Lebanon, Syria, Jordan and the Palestinians. The Israeli government was opposed to direct talks with the PLO, which it viewed as a terrorist organisation dedicated to the destruction of the Jewish state. Therefore, a formula was devised whereby the PLO would not participate formally in the talks. Instead, Palestinian representatives took part as members of a joint Jordanian-Palestinian negotiating team.

Underlying the process was an acceptance by all sides that any lasting settlement would have as its basis the principle of 'land for peace', as enshrined in UN Security Council Resolutions 242 of 1967 and 338 of 1973.²⁷ Israel would hand over territory captured from its neighbours in return for a comprehensive peace settlement in the region and recognition of its right to exist.

The decision by Syria in particular to enter into bilateral negotiations with Israel represented a major break with the past insistence that the Arab states should conduct negotiations only as part of a joint collaborative venture. Syria feared that separate negotiations or tracks would allow Israel to play the Arab states off against one another, a fear that some believe has been borne out by subsequent developments.

²⁷ The full texts of UN Security Council Resolutions 242 and 338 are included as Appendices 4 and 5 respectively.

The initial phase of the process in late October 1991 comprised a three-day conference, which fed into a series of bilateral and multilateral negotiations. The bilateral track began on 3 November 1991 with three distinct sets of negotiations between Israel on the one hand, and Syria, Lebanon and the joint Jordanian-Palestinian delegation on the other. The multilateral track, which commenced in May 1992, aimed to build confidence and improve regional co-operation by focusing on five key areas of common interest: water resources, the environment, arms control, refugees and economic development. Syria refused to participate in the multilateral negotiations, believing they would contribute to the normalisation of Israel's standing in the region before the other aspects of the conflict had been resolved.

The Madrid process represented an important symbolic step forward, although little substantial progress ensued during 1992 on either the bilateral or multilateral tracks due to boycotts and procedural disputes. The parties' residual suspicion and mistrust hindered efforts to build confidence.

B. Post-Madrid Developments

In the wake of the Madrid conference, there were signs that Israeli domestic political opinion, previously opposed to direct contact with the PLO, was undergoing a gradual shift. In January 1993 the Israeli parliament, the Knesset, voted to repeal a law banning contact between individual Israelis and members of the PLO, although official dialogue remained outlawed. This change was brought on by the recognition that the PLO had moderated its position and was willing to abandon its armed struggle in favour of a negotiated solution that recognised Israel's right to exist. Concern over the rise of militant Islamist groups, such as Hamas and Islamic Jihad, which were opposed to any contact with Israel, may also have been a factor.

The formation of a Labour-led coalition government under Yitzhak Rabin after the Israeli elections of June 1992 raised hopes of progress, although negotiations during the autumn and winter failed to make significant headway as the security situation deteriorated in the region. Following a series of attacks on Israelis by the armed wing of Hamas, the Israeli government deported 415 alleged Hamas supporters to Lebanon. The move provoked strong international condemnation and led to further unrest in the West Bank and Gaza.

III The Israeli-Palestinian Track and the Oslo Process

A. The ‘Declaration of Principles’ (September 1993)

During 1993 a major breakthrough in the peace process took place away from public view at secret bilateral negotiations between Israeli and the Palestinian officials in Oslo. It was revealed in August 1993 that months of talks, assisted by the mediation of the Norwegian government, had produced agreement on mutual recognition by Israel and the PLO and the introduction of Palestinian self-government in the West Bank and Gaza.²⁸

An exchange of letters between Mr Arafat and Mr Rabin granting mutual recognition took place on 9 September 1993.²⁹ This was followed on 13 September 1993 by the signing in Washington of an agreement on the establishment of Palestinian self-government in the West Bank and the Gaza Strip. The agreement, known as the ‘Declaration of Principles’, set out the framework and timetable for the transition to Palestinian self-rule, which would last for an interim five-year period.³⁰ Talks on a permanent settlement to address other more complex issues, such as borders, the establishment of a Palestinian state and the status of Jerusalem and the Israeli settlements, were to begin no later than the third year of that period.

The ‘Declaration of Principles’ entered into force on 13 October 1993, with the establishment of an Israeli-PLO liaison committee to oversee implementation. The first phase in the transition timetable foresaw the establishment of self-government in most of the Gaza Strip and the West Bank town of Jericho. The structures for Palestinian self-rule would include a Palestinian Authority (PA³¹), chaired by Yasser Arafat and based in Gaza City, and an elected Legislative Council. The Palestinians were to be granted authority over education and culture, health, social welfare, direct taxation and tourism. Responsibility for foreign relations would remain in Israeli hands, although the PA would have the authority to conclude economic, cultural, scientific and educational agreements with third countries. The precise delineation of powers and responsibilities during the interim period was to be finalised as part of a later ‘Interim Agreement’.

²⁸ For more detail on the build-up to the Madrid process and the Declaration of Principles see Library Research Paper 93/117, *Prospects for Peace in the Middle East*, 13 December 1993.

²⁹ In his letter, Mr Arafat stated that the PLO recognised the right of Israel to exist in peace and security and renounced the use of terrorism. He also affirmed that the articles in the Palestinian Covenant that denied Israel’s right to exist were now “inoperative and no longer valid.” Mr Rabin responded the following day by declaring that Israel recognised the PLO as the representative of the Palestinian people. The full text of the letters on Israeli-PLO recognition are available on the Israeli Ministry of Foreign Affairs web site at <http://www.israel.org/mfa/go.asp?MFAH00pz0>

³⁰ The full text of the ‘Declaration of Principles’ is available on the Israeli MFA web site at <http://www.israel.org/mfa/go.asp?MFAH00q00>

³¹ Often referred to by Palestinians as the Palestinian National Authority or PNA.

An accord on the mechanics of the transfer of Gaza and Jericho was to be concluded within two months and Israel was to withdraw from these areas by 13 April 1994. A newly formed Palestinian police force under PA control was to assume responsibility for public order and internal security, although Israel would retain control over external security.

Reaction to the 'Declaration of Principles' was mixed. Prime Minister Rabin secured Knesset ratification of the agreement, despite strong opposition from the right-wing Likud and other parties. Mr Arafat also faced dissent from rival factions within the Palestinian liberation movement, but obtained backing for the agreement from the PLO Central Council. At a regional level, Jordan indicated its support for the agreement, but Syria, which had sought a united Arab approach to negotiations with Israel, refrained from comment.³²

B. The 'Gaza-Jericho Agreement' (May 1994)

The timetable for the establishment of Palestinian self-rule proved to be overly ambitious and it was not until 4 May 1994 that the further agreement on implementation, the 'Agreement on the Gaza Strip and the Jericho Area', was signed in Cairo.³³ As a result of the delay, it was agreed that the five-year interim period of self-rule would end on 4 May 1999.

Under the terms of the agreement, the Israeli military government and its civil administration in the Palestinian territories transferred control of Gaza³⁴ and Jericho to the PA. Israeli forces carried out an accelerated redeployment from these areas, transferring responsibility for public order and internal security to the 9,000-strong Palestinian police force. Israel retained authority over the rest of the West Bank and the areas of Jewish settlements, pending agreement on further phased redeployments.

In accordance with earlier agreements, Israel and the Palestinians signed an additional accord on 29 August 1994, putting into effect the transfer of authority in the spheres of education and culture, health, social welfare, tourism and taxation.³⁵

Reaction to these two agreements among Palestinians revealed increasing opposition to the peace process. Political factions that had previously been supportive of the process began to question Mr Arafat's leadership, arguing that the autonomy granted by Israel was significantly less than they had envisaged.

³² For more information on the Syrian position, see Chapter VII.

³³ The full text of the 'Agreement on the Gaza Strip and the Jericho Area' is available on the Israeli MFA web site at <http://www.israel.org/mfa/go.asp?MFAH00q20>

³⁴ With the exception of around one third of the Strip, containing Jewish settlements and a military installation area along the Gaza-Egyptian border, which was to remain under Israeli control.

³⁵ The full text of the 'Agreement on Preparatory Transfer of Powers and Responsibilities' is available on the Israeli MFA web site at <http://www.israel.org/mfa/go.asp?MFAH00q90>

Earlier, in May 1994, a team of international observers had been deployed to the West Bank town of Hebron after the shooting of 29 Palestinians by an Israeli gunman during Friday prayers. The observer force, known as the Temporary International Presence in the City of Hebron (TIPH) and comprising staff from Italy, Denmark and Norway, was withdrawn in August due to disagreements between the PLO and the Israeli government over extending its mandate. It was subsequently re-established in February 1997 with personnel from Norway, Italy, Denmark, Sweden, Switzerland and Turkey, following the agreement on a partial Israeli redeployment from Hebron.³⁶

During 1994 there were signs of an improvement in Israel's relations with its neighbours. President Assad of Syria reasserted his willingness to work towards peace, and on 26 October 1994 Jordan and Israel concluded a formal peace treaty, defining the border between the two countries and normalising relations.³⁷

By the autumn of 1994, however, relations between the fledgling PA and the Israeli government began to deteriorate following renewed settlement construction by Israel and a series of attacks on Israeli military and civilian targets by Hamas and Islamic Jihad. Mr Rabin responded to the attacks by closing the borders with the West Bank and Gaza, leading to a delay in talks on the next phase of Israeli redeployments and weakening the fragile Palestinian economy.

C. The 'Interim Agreement' (September 1995)

During 1995 fresh negotiations took place, aimed at reaching agreement on the expansion of Palestinian self-rule. A protocol was signed on 27 August 1995, under which additional powers were transferred to the Palestinian Authority in the following spheres: labour, trade and industry, gas and petrol, insurance, postal services, statistics, agriculture, and local government.³⁸

Further talks culminated in the signing of an 'Interim Agreement on the West Bank and the Gaza Strip' on 28 September 1995.³⁹ Under the terms of the agreement, which incorporated and superseded the earlier agreements, Israel undertook to withdraw from a further six West Bank towns (Bethlehem, Jenin, Kalkilya, Nablus, Ramallah and Tulkarem), with a further partial withdrawal from Hebron within six months. Once implemented, the agreement gave the PA two areas that contained most of the Palestinian population on the West Bank, but less than one third of the territory.⁴⁰ Three further phases

³⁶ See Section IV D below on the Hebron Agreement. For more detail on TIPH and its mandate, see <http://www.tiph.org/>

³⁷ The full text of the 'Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan', is available on the Israeli MFA web site at <http://www.israel.org/mfa/go.asp?MFAH00pa0>

³⁸ The full text of the 'Protocol on further Transfer of Powers and Responsibilities', is available at <http://www.israel.org/mfa/go.asp?MFAH00ru0>

³⁹ The full text of the 'Interim Agreement' is available at <http://www.israel.org/mfa/go.asp?MFAH00qa0>

⁴⁰ *The Economist*, 30 September 1995

of redeployments were due to take place at intervals of six months, although the extent of the withdrawals remained undetermined.

As specified in the 'Declaration of Principles', the agreement contained detailed provisions for the mechanics of the transition to Palestinian self-rule. It divided the West Bank into three areas, giving Israel and the PA varying degrees of overlapping control and jurisdiction:⁴¹

- **Area A** covered the main towns of Jenin, Nablus, Tulkarem, Kalkilya, Ramallah, Bethlehem and Jericho and contained around 26 per cent of the Palestinian population. Within this area the PA was given full responsibility for internal security and public order as well as full responsibility for civil affairs.
- **Area B** comprised most Palestinian towns and villages in the West Bank and contained around 70 per cent of the Palestinian population. As with Area A, the PA assumed full civil authority and had responsibility for maintaining public order, while Israel retained overriding security responsibility.
- **Area C** covered the remaining lightly populated areas of the West Bank, sites of strategic importance (mainly in the Jordan Valley), and the Jewish settlements. Within these areas Israel retained full responsibility for security and public order, and jurisdiction over civil matters relating to territory. The PA assumed responsibility for all other civil spheres.

The Israeli Civil Administration that had previously exercised authority in the areas now under Palestinian self-rule was dissolved, while the Israeli military government under the Ministry of Defence's Office of Co-ordination and Liaison (MATAK), retained responsibility for administering some civil functions in Area C.

A framework was also agreed for the election of a Palestinian executive president⁴² and an 82-member Palestinian Legislative Council. Pending the inauguration of the Council, executive and legislative authority was to be exercised by the 24-member PA. Israel also agreed to a three-phase release of Palestinian prisoners and detainees.⁴³

⁴¹ A map of the West Bank as of January 2000 is included as Appendix 3.

⁴² The title 'president' was the subject of some discussion, as the Arabic word 'ra'ees' can be translated as 'chairman', 'head' or 'president'. For the sake of consistency, this paper will use the term 'president'.

⁴³ Israeli concerns over security meant the list of those to be released was carefully defined. The categories to be released included all female detainees, those that had served more than two thirds of their sentence, and those convicted of either non-security related offences or security offences that did not involve fatalities or serious injury.

IV The Post-Rabin Era

A. The Assassination of Prime Minister Rabin

In Israel elements to the right of the political spectrum had become increasingly strident in their criticism to their government's approach, with some advocating violence to halt the peace process. On 4 November 1995 Israeli Prime Minister Yitzhak Rabin was assassinated in Tel-Aviv by Yigal Amir, an Israeli student opposed to the hand-over of territory to the Palestinians. The assassination shocked Israeli society deeply and provoked condemnation of those within Israeli politics who had advocated violence to halt the process. Foreign Minister Shimon Peres formally assumed the post of prime minister.

B. Developments in the Peace Process

In spite of the assassination, the planned Israeli withdrawals from the West Bank were concluded in December 1995. The Palestinian legislative and presidential elections also took place as scheduled in January 1996. Mr Arafat was elected president with 88.2 per cent of the vote, while his Fatah movement won 55 of the 88 seats in the Palestinian Council.⁴⁴ International observers declared the elections to be generally free and fair, although some irregularities were reported. Members and supporters of Fatah secured most of the prominent posts in Mr Arafat's cabinet, prompting complaints from opponents that Fatah was intent on dominating the political scene and weakening the influence and powers of oversight of the new Council.

With regard to the peace process as a whole, the new Israeli Prime Minister, Mr Peres, favoured a different approach to that of his predecessor. Under Mr Rabin slow but significant progress was made on the Syrian track, but the main focus had been the negotiations with the Palestinians. Mr Peres, who had previously not been privy to the detail of the negotiations with Syria, decided to shift attention from the Palestinian to the Syrian track, with the aim of reaching agreement on a peace settlement within six months.⁴⁵ To achieve this goal, Mr Peres decided against bringing forward the Israeli elections from October 1996. Three rounds of intensive Syrian-Israeli talks ensued at the Wye Plantation in Maryland before sustained domestic pressure led Mr Peres to reverse his previous decision and call early elections. The Israeli delegation announced in March 1996 that it was suspending its participation in the negotiations, with the intention of reopening talks once elections had been held.

⁴⁴ The full results are listed on the web at <http://www.agora.stm.it/elections/palestine.htm>

⁴⁵ See Chapter VII A for more detail on the negotiations between Israel and Syria.

C. The Israeli Elections of May 1996

In early January 1996 the Israeli secret service, Mossad, assassinated Yahya Ayyash, a leading operative within Hamas, which was observing an informal cease-fire at the time. The attack prompted a wave of reprisal suicide bombings in Jerusalem, Ashkelon and Tel-Aviv during late February, which left over fifty Israeli civilians dead. The Israeli government responded by postponing the planned withdrawal from the West Bank town of Hebron.

The bombings undermined support for both the peace process and for Mr Peres, who saw his popularity in the polls begin to ebb away. Tension also mounted in southern Lebanon after a series of Hizbollah attacks on Israeli targets. There was speculation that the upsurge in raids by Hizbollah was linked to frustration in Damascus at the suspension of the peace talks and the revelation that Israel and Turkey had signed a military co-operation agreement. Israeli forces responded with a sustained two-week campaign of air and artillery attacks on targets across Lebanon that ended on 26 April 1996. The campaign, code-named Operation 'Grapes of Wrath', initially won significant support among Jewish Israelis. However, the death of over one hundred Lebanese civilians in what Israel insisted was an inadvertent artillery strike on a UN compound prompted strong international condemnation and damaged Israel's relationship with its Arab neighbours. The deaths also alienated the sizeable Israeli Arab electorate, a factor that was to play a key role in the election.⁴⁶ A cease-fire agreement was signed on 26 April 1996, under which Israel and Hizbollah agreed not to attack civilians or civilian settlements and infrastructure.

The election was close, with no single party winning an overall majority in the Knesset. The crucial result, though, came in the newly instituted prime ministerial election, in which the opposition Likud leader, Binyamin Netanyahu, secured a narrow victory over Mr Peres with 50.49 per cent of the vote.

Israel's Arab neighbours reacted with caution, then dismay: Mr Netanyahu had stood on a platform of 'peace with security', saying that he would retain the Golan and oppose the establishment of a Palestinian state. He also suggested he might renege on some of Israel's existing agreements with the PA. Further tension was caused by an Israeli decision to open a tunnel exit under the Islamic shrines on Jerusalem's disputed Temple Mount, a move deemed highly provocative by the Palestinians. Rioting ensued in the West Bank and the situation began to spiral out of control as Palestinian police clashed with Israeli troops. American mediation helped to secure a cease-fire, but relations between the two sides remained fraught. By late 1996 the peace process was widely perceived to be in crisis, given the Israeli government's resistance to the planned partial withdrawal from Hebron and the announcement of further settlement construction on the West Bank.

⁴⁶ Around 16 per cent of the Israeli electorate are Israeli Arabs.

D. The ‘Hebron Agreement’ (January 1997)

Strong international pressure on Israel to resume negotiations led to a revised agreement on a partial Israeli withdrawal from Hebron in January 1997.⁴⁷ Essentially the same as the defunct 1996 agreement on Hebron, it provided for the effective partition of the town. Israeli forces would withdraw from 80 per cent, but would retain control of the Jewish settlement with its 400 settlers in the remaining 20 per cent. The agreement left the PA with full control of 2.8 per cent of the West Bank (Area A), and with civil authority over a further 25 per cent (Area B).⁴⁸

In an appended ‘Note for the Record’ Israel agreed to release an unspecified number of Palestinian prisoners and to open a ‘safe-passage’ transit route between Gaza and the West Bank. The Palestinians undertook to address Israeli security concerns by dismantling Hamas and Islamic Jihad terrorist infrastructure in PA-controlled areas. Mr Arafat also agreed to complete the revision of the Palestinian Covenant to ensure the total removal of all articles relating to the destruction of Israel.

The Israeli cabinet approved the agreement after a long and bitter debate, during which Mr Netanyahu warned that a failure to pass the accord would result in the dissolution of the governing coalition and the formation of a government of national unity with Labour.

Attention then turned to the next phase of Israeli redeployments from the West Bank. The Hebron agreement included Letters of Assurance, which stated that further withdrawals, required under the 1995 Interim Agreement, would be carried out in three stages between March 1997 and August 1998, a year later than originally specified. The first stage involved the partial withdrawal from Hebron, but it was nineteen months before agreement was reached on the extent of the second stage.

Palestinian hopes for a substantial Israeli withdrawal from up to 30 per cent of territory were dampened by Mr Netanyahu’s insistence that Israel would consider withdrawing only from a further 9.5 per cent. The two sides also disagreed over the total area that should be handed over to the Palestinians in advance of final status negotiations. Mr Arafat believed the PA should be granted control of 90 per cent of the West Bank, while Mr Netanyahu said Israel would only withdraw from 50 per cent, keeping the Jordan Valley, the desert east of Jerusalem and other “specified military locations”⁴⁹.

In the months that followed, disputes over security and the Palestinian Covenant undermined efforts to push forward the peace process. Particular controversy surrounded the Israeli decision to complete the ring of settlements around East Jerusalem by starting

⁴⁷ The full text of the ‘Protocol concerning the redeployment in Hebron’ is available on the Israeli MFA web site at <http://www.israel-mfa.gov.il/mfa/go.asp?MFAH00q10>

⁴⁸ *Financial Times*, 17 October 1998

⁴⁹ *Independent*, 15 January 1997

construction at a new site, Har Homa. Following a wave of Hamas bomb attacks in July 1997, Israel repeated its charge that the PA was reneging on its security commitments. The Palestinians countered with the accusation that the Israelis were seeking to deflect attention from the debate over redeployments.

Some commentators held Mr Netanyahu primarily responsible for the subsequent deadlock in negotiations, although others believed it was inevitable that the initial euphoria surrounding the 1993 agreement would be overtaken by a realisation of the complexities involved.⁵⁰

The situation deteriorated further in September 1997, when Israel made a failed bid to assassinate a senior Hamas official, Khaled Mashal, in the Jordanian capital, Amman. The three Israeli Mossad agents involved were then arrested by the Jordanian authorities. In exchange for their release, King Hussein insisted that Israel free the spiritual leader of Hamas, Sheikh Ahmed Yassin, and over twenty other Hamas operatives.

During early 1998 the US Government attempted to push forward negotiations with a proposal for an Israeli withdrawal from 13.1 per cent of the West Bank and a reduction in settlement construction.⁵¹ The proposal included a complex formula for the hand-over of territory, with each redeployment phase remaining conditional on the PA's implementation of security pledges, including a ban on "incitement" within PA areas. Failure on the part of the PA to honour its obligations would bring the process of redeployment to a halt.⁵²

The plan was approved by the PA but rejected by the Israelis, who continued to insist on a withdrawal from no more than a further 9.5 per cent of the West Bank. This refusal prompted warnings from US Secretary of State Madeleine Albright that the United States would have to "re-examine" its approach and "take a different tack".⁵³ The threat fuelled speculation that Washington was preparing to blame Israel publicly for the failure to advance the peace process.⁵⁴

By July 1998 there were signs of progress as the Israeli Government agreed to hand over 13 per cent of the West Bank on condition that three per cent be set aside as a nature reserve. Subsequent meetings in Washington led to a breakthrough on 29 September when Mr Arafat agreed to the Israeli proposal, paving the way for a summit to be held at the Wye River plantation in Maryland in early October 1998.

⁵⁰ See for example, Neill Lochery, *The Difficult Road to Peace*, Reading, 1999

⁵¹ *Scotsman*, 26 January 1998

⁵² *Middle East International*, 10 April 1998

⁵³ *Financial Times*, 7 May 1998

⁵⁴ *ibid.*

E. The ‘Wye River Memorandum’ (October 1998)

The decision to hold negotiations at the remote Wye Plantation in Maryland was widely perceived to be the last chance to revive the deadlocked peace process and to maintain momentum towards a final settlement. The involvement of President Clinton was taken as an indication of the importance attached to the process by the United States, which feared that failure could mean the end for the Oslo accords.⁵⁵

The negotiations appeared on several occasions to be on the verge of collapse, particularly after a Hamas bomb attack on a bus station in southern Israel that left sixty people injured. Under heavy diplomatic pressure from the US, both sides remained at the talks, supported by the unexpected participation of King Hussein of Jordan, who had been receiving treatment for cancer in Minnesota.⁵⁶

An agreement, known as the Wye River Memorandum, was eventually signed on 23 October 1998. It comprised two main elements, namely an Israeli undertaking on the next phase of withdrawals from the West Bank, and commitments from the PA to combat terrorism. Israel agreed to transfer to the Palestinian side a total of 13 per cent of Area C (with Israeli security control and joint civil control). Of the 13 per cent, one per cent was to be transferred to Area A (with complete Palestinian control), and twelve per cent to Area B (under PA civil and public order control, but Israeli security control). Furthermore, the PA agreed to designate three per cent of the territory transferred to Area B as Green Areas and/or Nature Reserves. In addition, 14.2 per cent of the existing Area B would become Area A, under full Palestinian control. Upon implementation, the Palestinians would have full or partial control of 40 per cent of the West Bank and Gaza. A committee was established to address the issue of the proposed third stage of redeployment as agreed in the letters of reassurance attached to the earlier Hebron agreement.

To counter Israeli concerns over security, the Palestinians

agreed to take all measures necessary in order to prevent acts of terrorism, crime and hostilities directed against the Israeli side, against individuals falling under the Israeli side’s authority and against their property.

Israel insisted that the Palestinian side adhere to a policy of “zero tolerance for terror and violence” by outlawing and combating terrorist organisations and their infrastructure.⁵⁷

⁵⁵ *Financial Times*, 19 October 1998

⁵⁶ King Hussein died shortly afterwards in February 1999 and was succeeded by his son, Abdullah.

⁵⁷ The full text of the ‘Wye River Memorandum’ of 23 October 1998 is available on the Israeli MFA web site at <http://www.israel.org/peace/wye.html>

The agreement also called for the establishment of a number of joint committees to ensure security co-operation, with a key role for the CIA in overseeing Palestinian efforts to eliminate terrorist organisations and prevent the smuggling of weaponry into PA-controlled areas. The Israeli redeployment from the West Bank was linked to progress made by the PA in implementing its responsibilities for security and a complex timetable for implementation was drawn up.

To defuse the dispute over the Palestinian Covenant, it was agreed that the PLO Executive Committee and the PLO Central Council would reaffirm the details of the 1993 letter concerning the nullification of all articles calling for the destruction of the State of Israel. Furthermore, President Clinton agreed to address a joint meeting of the Palestine National Council, the PLO Central Council and Palestinian heads of ministries where they would reaffirm their support for the peace process and for the nullification of the relevant clauses in the covenant.

Other elements in the memorandum covered prisoner releases, further negotiations on economic co-operation, safe passage for Palestinians between the West Bank and Gaza, and the construction of a seaport and an airport in Gaza. Both sides also pledged to refrain from initiating or taking any steps that would alter the status of the West Bank and the Gaza Strip, although this fell short of the Palestinians' demand for a freeze on settlement construction.

There was a mixed reaction to the agreement both in Israel and amongst the Palestinians. During demonstrations to denounce the accord, members of the Israeli far right accused Mr Netanyahu of being a traitor, and several members of the governing coalition threatened to bring down the Government as soon as possible. However, a no-confidence motion tabled by the right-wing Moledet party on 26 October 1998 failed by 21 votes to eight. Israeli opinion polls showed a 74 per cent approval rating for the agreement.⁵⁸

F. Disputes over Implementation

The prospects for implementation initially appeared bleak after a series of disputes and an Islamic Jihad suicide bomb attack in Jerusalem on 6 November 1998. Nonetheless, Mr Netanyahu managed to secure the approval of the Israeli cabinet by 7 votes to 5, with several abstentions, despite fierce opposition to the agreement from some members of the governing coalition. The initial redeployment from two per cent of the West Bank took place on 19 and 20 November around the northern West Bank town of Jenin.

Further controversy emerged, however, over the release of 250 of the planned 750 Palestinian prisoners by the Israeli authorities. The PA objected to the fact that 150 were common criminals rather than political prisoners, although the Wye agreement did not specify which categories were to be released.

⁵⁸ *Independent*, 26 October 1998

Following an attack on two Israelis near Ramallah, the Israeli cabinet announced on 2 December 1998 that it was suspending all further withdrawals, stating that the process would only resume once the PA had agreed to a series of conditions. These included the renunciation of any plans to declare an independent Palestinian state in May 1999 and a halt to all incitements to violence.⁵⁹ The chief Palestinian negotiator, Saeb Erekat, said the PA categorically rejected the terms, which he called “completely unacceptable” and not part of the Wye accord.

In a bid to keep the process on track, President Clinton travelled to Israel and Gaza to fulfil his pledge to address the Palestinian parliament and confirm the revocation of all anti-Israel clauses in the Palestinian Covenant. Talks with Mr Netanyahu made little progress in resolving the impasse, and on 20 December the Israeli cabinet voted to suspend implementation of the Wye accord until the PA had complied with its demands.

The following day Mr Netanyahu sought a vote in the Knesset calling for a halt to the peace process, although it soon became clear that parliamentary support for the governing coalition was waning fast. Last ditch efforts to prevent the collapse of the coalition failed. Later that day, the Knesset voted to dissolve itself and call a poll for 17 May 1999, effectively freezing the peace process until after the elections.

The Israeli decision to hold elections on 17 May 1999 had implications for Mr Arafat’s pledge to issue a unilateral declaration of independence on 4 May, the date marking the end of the five-year transitional period agreed in the 1993 Declaration of Principles.

Mr Arafat opted to delay the planned declaration, under pressure from Washington and Arab Governments. He may have calculated that a premature move would undermine the PA’s international standing and deal a potentially fatal blow to the peace process. Palestinian critics of Mr Arafat question whether he ever intended to proceed, seeing the threat as a tactic to undermine domestic criticism that the PA was failing to stand up to Israeli demands.

G. The Election of Prime Minister Barak (May 1999)

On 17 May 1999 pre-term prime ministerial and parliamentary elections were held in Israel, following the break-up of the governing coalition of Prime Minister Binyamin Netanyahu.⁶⁰ The prime ministerial vote showed a decisive victory for the social democratic Avoda (Labour) candidate, Ehud Barak, over the incumbent conservative Likud (Consolidation) candidate, Mr Netanyahu. 56.1 per cent voted in favour of Mr Barak against 43.9 per cent for Mr Netanyahu.

⁵⁹ BBC News web site at <http://news/bbc.co.uk/>, 3 December 1999

⁶⁰ Both prime minister and parliament are elected for a four-year term.

The results in the 120-seat parliament, the Knesset, were less clear-cut.⁶¹ The proportional-representation voting system resulted in 16 party groups gaining seats. The two main groups in the previous parliament, Labour and Likud, suffered a significant drop in support. Labour fell from 34 seats in 1996 to 23 seats in 1999, although the creation of an electoral alliance with Gesher and Meimad, under the name 'One Israel', gave it a total of 26 seats. Likud, deprived of its 1996 electoral alliance with Tsomet and Gesher, dropped from 32 seats to 19, while the ultra-orthodox Shas Party, which draws support from the Sephardic community, increased its number of seats from ten to 17, placing it only slightly behind Likud as the main opposition in the Knesset.

Mr Barak's victory was welcomed widely in the United States and Europe, where political leaders expressed hope that it would lead to a resumption of the stalled peace process. Arab leaders also declared themselves to be cautiously optimistic at the prospects for peace. The chief Palestinian negotiator, Saeb Erekat, said the elections proved "that the Israeli people have chosen peace."⁶² The Palestinian mission at the UN declared that the result represented "a clear mandate for serious changes in policy with regard to the Middle East peace process", but cautioned that Mr Barak would have to demonstrate his commitment to the process. It noted that the "relief felt by the Palestinian side at the result ... has more to do with who lost rather than who won."⁶³

H. Post-Election Developments

A lengthy process of political negotiations ensued, as Mr Barak sought to build a broad coalition that would allow him to pursue a comprehensive peace settlement with Syria, Lebanon and the Palestinians. Agreement was eventually reached in early July 1999 on the formation of a new government, which would command the support of seven parties and 73 members of the Knesset. The coalition included Mr Barak's One Israel alliance (26 seats), Shas (17 seats), the secular, left-wing Meretz party (10), the Centre party of former defence minister Yitzhak Mordechai (6), the Russian immigrant Yisrael B'Aliya party (6), the orthodox National Religious Party (5) and United Torah Judaism (5). The division of cabinet posts returned David Levy as Foreign Minister, the post he had held in Mr Netanyahu's administration, while Mr Barak also secured control of the defence portfolio.

⁶¹ The full list of results can be found in Appendix 7.

⁶² BBC News web site at <http://news.bbc.co.uk>, 18 May 1999

⁶³ *Palestine & the UN*, Vol 4, Issue 6, Mid-June 1999

V The Israeli-Palestinian Track in 1999 and 2000

During the election campaign Mr Barak had pledged to push forward the stalled peace process, an aim that he reiterated upon attaining office. During the swearing in of his cabinet, Mr Barak alluded to the importance he attached to domestic issues, such as the introduction of secular reforms, but stressed that “nothing is more important in my view than that supreme mission putting an end to the 100-year conflict in the Middle East.”⁶⁴ He declared that peace with the Syrians, the Egyptians, the Jordanians and the Palestinians was equally important, saying: “If we don’t place peace on all four pillars, peace will be unstable.”⁶⁵

Nonetheless, there were doubts as to whether such an ambitious agenda would be feasible, not least due to the potential domestic opposition within Israel to any withdrawal from the occupied territories. The PA leadership also expressed concern that the new government would place more emphasis on the Syrian and Lebanese tracks at the expense of the Palestinians, given Mr Barak’s campaign pledge to withdraw from Lebanon within one year.

A. Implementation of the ‘Wye Memorandum’

Prior to the election, Mr Barak had promised to implement the stalled Wye accord as soon as possible, to enable the much-delayed final status negotiations to begin. Once in office, though, Mr Barak’s officials began to suggest that some aspects of the Wye redeployments could be combined with the final status talks. Mr Barak was concerned that vital political capital could be expended in unnecessary redeployments, before the difficult issues of Jerusalem and the settlements came on to the agenda. He insisted that he would only make changes to Wye with the consent of the Palestinians, but warned that, if such consent were not forthcoming, Israel would carry out the agreement to the letter. Such a move would have left the Palestinians with no say over the nature of the redeployments, or over which prisoners were to be released, as the latter issue had not been incorporated into the text of the Wye agreement.⁶⁶

The proposal met with strong opposition from the PA leadership, which was anxious to secure some concrete concessions from the Israelis to prove to its domestic audience that the peace process could yield results. The PA insisted that Israel implement the Wye accord in full, seeing it as a ‘litmus test’ of the new government’s intentions.⁶⁷ Israeli officials accused the PA of a lack of flexibility.

⁶⁴ *Guardian*, 7 July 1999

⁶⁵ *ibid.*

⁶⁶ *Observer*, 5 September 1999

⁶⁷ ‘New Government, New Agenda for Israel’, *RIIA Briefing Paper*, New Series No.5, August 1999

B. The ‘Sharm el-Sheikh Memorandum’ (September 1999)

Following the intervention of US Secretary of State Albright, a revised version of the Wye accord was signed on 4 September 1999 at the Egyptian resort of Sharm el-Sheikh.⁶⁸ The agreement, which provided a new timetable for Israeli redeployments from the West Bank, also opened the way for the launch of permanent status negotiations.

The main obstacle to agreement was the issue of prisoner releases. Mr Arafat was anxious to avoid the ambiguities of the original Wye accord, which did not specify the categories of prisoners to be freed. In the event, the two sides agreed on the release of 350 prisoners, including some who had participated in anti-Israeli attacks or killed Palestinian collaborators, but excluding any who had been convicted of killing Israelis.

On 5 September 1999 the Israeli cabinet approved the deal by 21 votes to 2. The two opponents were the interior minister, Natan Sharansky, and the construction and housing minister, Yitzhak Levy. The Knesset voted on 8 September by 54 to 23 votes in favour of the agreement with 2 abstentions. Mr Barak, who technically did not need to secure the Knesset’s approval to proceed, called on Israelis to “treat the Palestinians as equal partners”, saying: “Our values of equality, freedom of choice, and democracy...stand in contradiction to controlling millions of Palestinians against their will.”⁶⁹

Palestinian and Israeli rejectionists criticised the revised agreement: the spiritual leader of Hamas, Sheikh Yassin, called the accord “another sellout” by Mr Arafat, while the council of Jewish settlers claimed the agreement “weakens Israel and makes peace more remote”.⁷⁰ Two Hamas car bombs exploded in Tiberias and Haifa shortly after the agreement was signed, seriously wounding one Israeli.

Further negotiations yielded an agreement on new travel arrangements for Palestinians. The southern spur of the new system came into operation in late October 1999, enabling movement between the Erez crossing in northern Gaza and Tarkumiyeh near Hebron in the West Bank. Under the old system, a select few Palestinian officials were entitled to ‘VIP’ passes, permitting transit by car through Israel, while the majority of Palestinians had to apply for travel permits by means of a time-consuming and often fruitless process. The new arrangement allowed drivers of cars and buses to apply for a magnetic pass for travel along the designated route. The opening of a second route to the north between Gaza and the central West Bank town of Ramallah, originally planned for early 2000, was delayed. Implementation of an agreement on the construction of port facilities in Gaza City, a move that would reduce the Palestinians’ dependence on Israel for its trade, was also postponed.

⁶⁸ The full text of the ‘Sharm el-Sheikh Memorandum’ is available on the Israeli Ministry of Foreign Affairs web site at <http://www.israel.org/mfa/go.asp?MFAH0fxv0>

⁶⁹ *Daily Telegraph*, 9 September 1999

⁷⁰ *Guardian*, 6 September 1999

C. Final Status Negotiations

On 13 September 1999 the permanent status negotiations, adjourned since 1996, reopened with a ceremonial meeting between Foreign Minister David Levy and the Secretary General of the PLO Executive Committee, Mahmoud Abbas (also known as Abu Mazen). The aim was to reach a final status agreement that addressed all the outstanding issues of the Israeli-Palestinian conflict, including the status of Jerusalem and the Israeli settlements on the West Bank, the future of the Palestinian refugee population, the division of water resources and the demarcation of borders between a future Palestinian state and Israel. An intensive round of talks began on 8 November 1999 in the West Bank town of Ramallah, despite the explosion the day before of three pipe bombs in the Israeli town of Netanya that injured 32 civilians. The identity of the perpetrators remained unclear: Hamas distanced itself from the attack, saying it was no longer targeting non-combatants.

The initial goal of the negotiators was to agree a framework on how the final status talks process would be conducted. To this end, Mr Barak set a deadline of February 2000 for establishing a framework, with a final agreement on a permanent status accord to be reached by 13 September 2000.

There was, however, considerable scepticism as to whether the complex issues involved could be resolved within so short a timeframe. Former Prime Minister Shimon Peres predicted in September 1999 that the process would take “roughly two years” and recommended that discussion of the status of Jerusalem be deferred until both sides were approaching agreement on the other issues.⁷¹

Both sides had set out their basic positions in advance of the negotiations. Following his election victory, Mr Barak stressed that certain matters were not up for discussion, establishing a set of ‘red lines’ that were not open to compromise:

We will move quickly toward separation from the Palestinians within four security red lines: a united Jerusalem under our sovereignty as the capital of Israel for eternity, period; under no conditions will we return to the 1967 borders; no foreign army west of the Jordan River; and most of the settlers in Judaea and Samaria will be in settlement blocs under our sovereignty.⁷²

⁷¹ *Jerusalem Post International Edition*, 14 September 1999

⁷² BBC News web site at <http://news.bbc.co.uk>, 18 May 1999

Mahmoud Abbas outlined the Palestinian leadership's fundamental position in September 1999:

We aspire to live within the borders of an independent Palestinian state in the June 4, 1967 boundaries, with holy Jerusalem as its capital, and to achieve a just solution to the Palestinian refugee problem in accordance with UN General Assembly Resolution 194 and to dismantle the Israeli settlements in accordance with Security Council Resolution 465.⁷³

The talks made little headway before the Palestinians announced in early December 1999 that they were withdrawing in protest at continued Israeli settlement construction. Mr Barak responded to the threat by declaring a freeze on further construction, but the process remained deadlocked, hampered by disputes over the next phase of Israeli withdrawals under the Sharm el-Sheikh Memorandum.

Over the next few months, however, Israeli attention was to shift away from the Palestinian negotiations towards the Syrian and Lebanese tracks as Mr Barak sought a breakthrough in negotiations over the Golan that would clear the way for an Israeli withdrawal from southern Lebanon.

⁷³ *Jerusalem Post International Edition*, 14 September 1999. See Appendix 6 for the text of General Assembly Resolution 194 (III).

VI Syria and Lebanon

One of Mr Barak's key pledges during the 1999 election campaign was to secure a withdrawal of Israeli forces from southern Lebanon within one year of entering office. However, as Mr Barak acknowledged, no regional peace settlement would be complete without Syrian participation, not least because many observers believed an orderly Israeli withdrawal from the security zone would require the consent of Damascus, which had around 30,000 troops in Lebanon and wielded considerable influence in Beirut. Furthermore, a peace treaty between Israel and Syria was considered to be crucial strategically, because it would isolate Iran and Iraq as the only countries in the region that rejected both Israel and the peace process. The Syrian leadership viewed Israel's desire to withdraw from Lebanon as a vital bargaining tool to secure the return of the Golan Heights, which Israel had captured from Syria in 1967.⁷⁴

In a break with the practice of Mr Rabin and Mr Peres of pursuing one track of negotiations at a time, Mr Barak indicated his intention to proceed simultaneously on all tracks. At a press conference in Washington in July 1999, Mr Barak declared:

It is our intention to move the process forward simultaneously on all tracks: bilateral [with] the Palestinians, the Syrians and the Lebanese, as well as the multilateral. We will leave no stone unturned in our efforts to reinvigorate the process.⁷⁵

A. Negotiations with Syria (1993-1999)

Prior to 1993, the main stumbling block to negotiations was Israel's refusal to accept Syria's precondition that it agree in principle to handover all the occupied territory and withdraw to the borders of 4 June 1967. President Assad of Syria was anxious to avoid any ambiguities that could lead to misunderstandings later in the process: "Before entering into negotiation, he likes to know where he is going and what the end result will be."⁷⁶

The first important breakthrough came in August 1993 when US Secretary of State Warren Christopher reportedly transmitted a secret verbal undertaking from Mr Rabin to Damascus, indicating the Israeli Prime Minister would be ready, in principle, to withdraw completely from the Golan.⁷⁷ Mr Rabin proposed that, in return, the initial withdrawal be limited in scope and be followed by a five-year period to assess Syrian intentions. Furthermore, he insisted that any withdrawal should be dependent on the conclusion of a

⁷⁴ The background to the issues surrounding the Golan and southern Lebanon are covered in Chapter I B & C.

⁷⁵ Helena Cobban, *The Israeli-Syrian Peace Talks: 1991-1996 and Beyond*, Washington, 1999, p.7

⁷⁶ Patrick Seale, "The Syria-Israel Negotiations: Who is Telling the Truth?", *Journal of Palestine Studies* XXIX, No.2 (Winter 2000), p.66

⁷⁷ Helena Cobban, *The Israeli-Syrian Peace Talks: 1991-1996 and Beyond*, Washington, 1999, pp.48-52

peace treaty and full diplomatic relations with Syria and the establishment of elaborate security arrangements to be monitored by an international presence. He also called for a demonstration of Syrian resolve to rein in Hizbollah in Lebanon and to expel from Damascus those Palestinian factions that were opposed to the Oslo accords.

There has been some debate as to Mr Rabin's willingness to follow through on his commitments, with some believing it was a ploy to mollify the anticipated Syrian opposition to the Oslo agreement with the Palestinians later that month.⁷⁸ Mr Rabin was greatly concerned about the possible domestic reaction to the proposal, were it to become public, and he took steps to ensure that only a restricted circle within the leadership was aware of the offer.

Mr Assad did not reject the Israeli proposal outright. He did refuse the concept of establishing full diplomatic relations immediately, but accepted the general equation of "full withdrawal for full peace".⁷⁹ He also sought clarification of two points that remain in dispute today. He asked if Mr Rabin intended withdrawing to the Palestine-Syria international border of 1923 or to the border of 4 June 1967. Although the two boundaries demarcate largely the same area, there is one crucial difference: the 1967 border grants Syria access to the north eastern shores of Lake Tiberias, whereas the earlier border does not.⁸⁰ The second point of clarification was whether or not Israel laid claim to any territory that had been part of Syria prior to the 1967 conflict.

After some delay Mr Rabin responded to Mr Assad's queries in mid 1994, again insisting on the utmost secrecy, but apparently acknowledging that Israel would recognise the 1967 border and that it had no claims to Syrian territory. Having secured these reassurances Mr Assad approved the commencement of full negotiations, which continued during 1995. Following the assassination of Mr Rabin in late 1995, Mr Peres sought to push the process forward, but progress was halted by the decision to hold early elections in June of 1996, in which Mr Peres was defeated.

Subsequent efforts to restart the process under Mr Netanyahu were hampered by disputes over the basis for the negotiations. Syria said the talks should pick up at the point at which they had been suspended in March 1996, whereas Israel insisted negotiations should start afresh without preconditions. According to press reports, limited back-channel contacts continued during Mr Netanyahu's tenure, but little progress was made, due to his refusal to countenance a withdrawal from all of the Heights.⁸¹

⁷⁸ See for example, Helena Cobban, *The Israeli-Syrian Peace Talks: 1991-1996 and Beyond*, Washington, 1999, p.50-51

⁷⁹ Patrick Seale, "The Syria-Israel Negotiations: Who is Telling the Truth?", *Journal of Palestine Studies* XXIX, No.2 (Winter 2000), p.66

⁸⁰ See page 13 for more detail on the background to the border demarcation issue.

⁸¹ *The Economist*, 24 July 1999

B. Negotiations under Barak (1999-2000)

In the months after the May 1999 Israeli elections there were signs of a thawing in relations, with both Mr Barak and Mr Assad making unprecedented comments in praise of one another.⁸² There were reports that Mr Assad, whose health was failing, had placed pressure on Syrian-based Palestinian groups opposed to the peace process to call a halt to their armed struggle against Israel.⁸³ Although most of the groups, such as the DFLP and the PFLP,⁸⁴ posed only a marginal security threat, the move was seen as a symbolic gesture to reassure Israeli public opinion.

In theory it appeared that a deal between Israel and Syria could be reached relatively easily. Yossi Beilin, who is seen as one of the key architects of the Oslo accords, stated in early July 1999 that peace negotiations with Syria and the Palestinians could be concluded within

... one to two years... The Syrians have said that 70-80 per cent of the problem had been solved and, if that is the case, then I think we don't need much time for that.⁸⁵

Yet analysts warned that the border issue would remain difficult to resolve, particularly in light of Mr Barak's election pledge not to allow Syria access to Lake Tiberias. He declared repeatedly during the campaign that: "No Syrian soldiers will splash their feet in the Kinneret",⁸⁶ underlining the Israeli view that Damascus would be amenable to a more flexible interpretation of the border issue than its public statements suggested. Mr Barak also promised that any peace deal would be subject to a referendum, making it even harder for him to renege on his campaign pledge to retain control of the lake shore. In any event, the powerful Golan Lobby was expected to put up strong opposition to any evacuation of the 17,000 Jewish settlers on the Heights.

⁸² President Assad said that Mr Barak seemed to be "a strong and honest man" and Prime Minister Barak said Mr Assad's legacy was a "strong, independent, self-confident Syria – a Syria, which I believe is very important for the stability of the Middle East." *The Financial Times*, 24 June 1999

⁸³ *Financial Times*, 20 July 1999

⁸⁴ Popular Front for the Liberation of Palestine (PFLP) and Democratic Front for the Liberation of Palestine (DFLP)

⁸⁵ *Independent*, 9 July 1999

⁸⁶ *The Economist*, 1 April 2000

C. The Sheperdstown Talks

On 8 December 1999, after a concerted US diplomatic effort, President Clinton announced that Syria and Israel had agreed to resume talks at the point “where they left off” in 1996. He added:

These negotiations will be high-level, comprehensive and conducted with the aim of reaching an agreement as soon as possible. Peace has long been within our sight. Today, it is within our grasp and we must seize it.⁸⁷

The two sides also appeared optimistic that negotiations would lead to a peace settlement. Intensive negotiations involving Prime Minister Barak and Syrian Foreign Minister Farouq al-Shara began on 5 January 2000 in Sheperdstown, West Virginia. Four committees were established to discuss borders, security, normalisation of relations and the sharing of water resources, although there were disagreements over which issues should take priority. There were few signs of personal warmth between the two teams of negotiators, which was interpreted by some Israelis as an indication that Syria was not ready for peace.

After five days, the negotiations ended without any sign of a breakthrough, although it was agreed that the talks would resume on 19 January. It was then announced on 17 January that the talks had been suspended indefinitely, although both sides seemed anxious to keep open the possibility of a resumption in the coming months.

During February, however, fighting in Lebanon escalated sharply as Hizbollah stepped up attacks on the IDF and its SLA allies, prompting claims from Israel that Syria was encouraging violence as a means of putting pressure on Israel at the negotiating table. In the space of a fortnight five IDF soldiers were killed. Israeli forces responded by bombarding the Lebanese power grid. Officials indicated the bombardment was meant as a clear message to Hizbollah, Lebanon and Syria that Israel would not tolerate further attacks on its troops. Both sides accused the other of reneging on the so-called ‘April Understandings’ – the rules of engagement drawn up after the Grapes of Wrath operation in 1996 – under which they had agreed not to fire from or at civilian areas.

The prospects for peace took another blow in early March as the Knesset approved the first reading of an opposition bill that would require a referendum on the Golan to be passed by more than 50 per cent of all eligible voters, rather than a majority of votes cast. Consequently, even on a high turnout of 80 per cent, more than 60 per cent of those voting would have to vote in favour, making it highly unlikely that any peace treaty would be approved. The Knesset vote highlighted the growing splits in Mr Barak’s coalition, as Shas, Yisrael B’Aliya and the National Religious Party all voted with the opposition. Israeli opinion polls also showed high levels of opposition to a withdrawal.

⁸⁷ *The Times*, 9 December 1999

Later in March President Clinton and President Assad held a summit in Geneva in a bid to put the negotiations back on track. The central focus of the talks was the dispute over the border and access to Lake Tiberias. It became apparent that Mr Barak was unwilling to agree to Syrian sovereignty over the lake shore, but that he was prepared to hand over control of the Al-Hamma springs to the south-east of the lake, on the Israeli side of the 1923 'international' border. Syria dismissed the proposal as unacceptable, pointing out that the springs were, in fact, located on the Syrian side of the 4 June 1967 border and were therefore due to be handed over regardless.

There were also reported to be differences over the Israeli early warning station on Mount Hermon and the timetable for withdrawal. To overcome Syrian objections to the stationing of any Israeli forces on the Golan after the withdrawal, there were suggestions that the early warning station could be manned by third parties.

D. The Death of President Assad

President Hafez al-Assad died on 10 June 2000 at the age of 69. The parliament moved immediately to clear the way for his son, Bashar al-Assad, to take over as president. Following his nomination and approval by parliament, Mr Assad received overwhelming backing in a popular referendum on 10 July. The succession proceeded smoothly, with the only sign of dissent coming from his deceased father's exiled brother, Rifaat al-Assad, who commanded little support in the country.

In his inaugural address, the new President admitted that economic progress under his father had been uneven and referred to the need for market reform, transparency and dialogue.⁸⁸ Mr Assad signalled his willingness to resume negotiations with Israel, but insisted that there would be no change to his father's negotiating position. Some commentators concluded that the new president would require time to consolidate his power base before he would be in a strong enough position to enter into talks with Israel.

No resumption of talks ensued during 2000, although a number of proposals were put forward that may pave the way for future negotiations. Patrick Seale, a British expert on Syria, put forward a proposal that would grant Syria authority over a strip of shoreline on Lake Tiberias, giving it access to the lake for swimming and fishing. The waters would remain under Israeli authority, while the UN would be given authority over land north-east of the lake and would regulate joint Israeli and Syrian access.⁸⁹

Both sides have kept open the possibility of resuming talks. In June 2000 Syrian Foreign Minister Shara said Syria was "looking forward to resuming the peace talks... from where they ended. It is obvious the June 4, 1967 line is the basis on which we can never

⁸⁸ *Financial Times*, 18 July 2000

⁸⁹ *The Jerusalem Post International Edition*, 30 June 2000

compromise.”⁹⁰ Nonetheless, there were signs that the new Syrian President was willing to deal constructively with the issues of access to Lake Tiberias. According to a Syrian official:

There are two main issues. One is territory and the other is water. The land is a non-negotiable issue. Bashar, like his father, will keep demanding that we have access to the lake but he will make a compromise: he will not demand the right to draw water from the lake.⁹¹

An Israeli official responded by saying: “Israel is not the one who halted negotiations, and if Syria is interested in renewing them, they certainly know how to do so.”⁹²

E. The Israeli-Lebanese Track

Unlike Judaea and Samaria (the West Bank), which occupy a special place in the Israeli national consciousness, there is no similar emotional attachment to southern Lebanon. From the Israeli point of view, the issue was predominantly one of ensuring the security of the northern border and preventing further Hizbollah rocket attacks on the northern Galilee region.

By the early 1990s, however, the Israeli ‘security zone’ in southern Lebanon was becoming increasingly expensive in both financial and human terms. The cost of maintaining the zone amounted to some US\$50 million a year, with a further US\$7 million allocated to pay for the SLA.⁹³ In addition, public support for the zone began to fall sharply after a substantial rise in the Israeli casualty rate that was widely attributed to improvements in Hizbollah’s intelligence and organisational capabilities. During 1997 a total of 39 Israelis were killed in action in Lebanon and another 73 died when two troop-carrying helicopters collided.

Mr Barak’s campaign pledge to withdraw by July 2000 provoked considerable debate in Israel as to how best this could be achieved. A unilateral pullback without an overall peace deal with Syria and Lebanon was considered highly problematic. An Israeli intelligence assessment made public in November 1999 warned that Syria might respond to a unilateral withdrawal by encouraging Hizbollah to step up attacks on Israeli forces, potentially leading to direct military confrontation between Israel and Syria.⁹⁴

Any attempt to deal directly with the Lebanese government without addressing Syria’s demands over the Golan was also considered likely to fail, given Damascus’s influence in Beirut. In early 1998 Prime Minister Netanyahu had offered to withdraw on condition

⁹⁰ *The Jerusalem Post International Edition*, 30 June 2000

⁹¹ *Guardian*, 17 June 2000

⁹² *The Jerusalem Post International Edition*, 30 June 2000

⁹³ *Middle East International*, 10 April 1998

⁹⁴ *Ma’ariv* newspaper from *BBC Monitoring*, 20 November 1999

that Lebanon agree to deploy its army into the vacated areas to prevent Hizbollah from operating right up to the border. Both Beirut and Damascus rejected the deal, stating that any withdrawal had to be unconditional, although the Lebanese government had initially appeared more receptive to the idea. Nonetheless, Lebanese officials warned that a unilateral withdrawal that failed to address issues such as the status of Palestinian refugees in Lebanon would not bring peace.⁹⁵

Fighting in southern Lebanon flared on several occasions during 2000, as Israel responded to Hizbollah attacks with a series of raids, including an attack on the Lebanese power grid. Israeli forces began to scale back infantry and special-forces operations in the zone in favour of lower risk artillery and air strikes, in an effort to reduce casualties among their own troops.

F. The Israeli Withdrawal

Despite Mr Barak's apparent preference for the Lebanese issue to be settled as part of a wider deal with Syria on the Golan, it became clear during the early part of 2000 that negotiations with Damascus were making little progress. As a result, Israel was faced with the prospect of withdrawing unilaterally from Lebanon.

Fears among SLA members about their post-withdrawal situation led to a collapse in morale during early May 2000. As a result, Israel was forced to bring forward its timetable for withdrawal to 24 May when it became apparent that the SLA was disintegrating. A spokesman for the UN observer force in Lebanon (UNIFIL) observed: "Once the SLA collapsed, Israel's own troops were naked, they had no choice but to withdraw rapidly."⁹⁶

Hizbollah units moved into the evacuated areas, but kept a low profile. Lebanese Prime Minister Selim al-Hoss declared that the government would guarantee the security of residents in the south. Lebanese police and plain-clothed security officials were deployed in the south during May and June 2000, but Mr al-Hoss ruled out an army deployment until the UN had verified the Israeli withdrawal.⁹⁷

Initially, around 7,000 civilians and former-SLA members sought refuge in Israel, some perhaps fearful of revelations of their involvement in the human rights abuses that took place in the zone, particularly at the Khiam detention centre.⁹⁸ A few SLA members were granted Israeli citizenship, while others may be transferred to third countries, such as the

⁹⁵ *Al-Ahram Weekly*, 18-24 November 1999

⁹⁶ *Middle East International*, 2 June 2000, p.4

⁹⁷ *The Jerusalem Post International Edition*, 2 June 2000

⁹⁸ For further information, see *Amnesty International Annual Report 2000: Israel and the Occupied Territories*, from <http://www.web.amnesty.org/web/ar2000web.nsf/ar2000>

United States.⁹⁹ The restricted nature of Hizbollah reprisals against SLA members has since encouraged some to return to Lebanon.

The issue of border demarcation took time to resolve, primarily due to differences between British and French maps that demarcated the boundary during the 1920s. One remaining area of contention is the tract of land on the flank of Mount Hermon known as Sheba'a Farms, which Israel captured during the 1967 conflict with Syria. The Beirut government claims the area is Lebanese territory. The UN has declared that discussion of the issue should wait until the Golan reverts to Syrian control as part of a future peace agreement with Israel.

UNIFIL troops began deploying into the vacated border zone in late July 2000, and Lebanese forces followed in early August, although the Lebanese authorities left the immediate border area in the hands of Hizbollah. The situation on the border remained calm until late September when the upsurge in violence in the West Bank and Gaza threatened to spill over into Lebanon. On 7 October Hizbollah forces carried out a complex operation in the disputed Sheba'a Farms sector, firing rockets at Israeli positions and capturing three soldiers out on patrol. Israel responded with a heavy bombardment and resumed its incursions into Lebanese airspace. The incident prompted a warning from the UN Secretary-General that, unless the Lebanese government took effective control of the vacated area, "there is a danger that Lebanon may once again be an arena, albeit not necessarily the only one, of conflict between others."¹⁰⁰

⁹⁹ *The Jerusalem Post International Edition*, 2 June 2000

¹⁰⁰ 'Interim report of the Secretary-General on the United Nations Interim Force in Lebanon', S/2000/1049, 31 October 2000

VII Towards Camp David

By mid-2000, nearly nine years on from the Madrid summit of 1991, the prospects for the peace process appeared mixed. The death of Mr Assad in June seemed to remove any chance of an imminent break-through in the suspended Israeli-Syrian negotiations. With regard to Lebanon, the Israeli unilateral withdrawal helped stabilise the common border, but there was little prospect of a final peace treaty and the potential for further tension remained.

The main hope for progress seemed to reside with the Israeli-Palestinian track, as negotiators turned to the long-delayed final status issues. A summit meeting on 3 February 2000 between Mr Arafat and Mr Barak failed to resolve a dispute over the next phase of withdrawals and the deadline of 13 February passed without agreement on the framework for the final status talks.

In a bid to break the deadlock, negotiations were held in the United States during March and April 2000. Talks also took place in Stockholm and Lisbon between the Israeli Internal Security Minister, Shlomo Ben-Ami and the Speaker of the Palestinian Legislative Council, Ahmed Qurie (also known as Abu Ala). Press reports suggested that both sides had made a number of concessions during the talks, with Israel offering to withdraw from up to 90 per cent of the West Bank.¹⁰¹ The Palestinians effectively discarded their position that Israel must return all land seized in 1967 and agreed in principle to the annexation by Israel of the largest settlements on the West Bank (Giv'at Ze'ev, Ma'ale Adumim and Gush Etzion) and the settlements around East Jerusalem.¹⁰² By way of compensation, the Palestinians suggested that Israel hand over a comparable amount of territory, potentially in the Galilee region. The Palestinians also suggested they would be willing to recognise Israeli sovereignty over the Jewish quarter of the Old City and the Western Wall (the Wailing Wall).

Following the Israeli withdrawal from Lebanon, the United States sought to re-focus the agenda on bridging the remaining gaps between the Israelis and Palestinians. A summit was convened in July 2000 at the US presidential retreat of Camp David, but in spite of significant movement on issues such as Jerusalem, a comprehensive settlement remained out of reach.

During August analysts warned of a possible resumption of violence, as frustration grew among Palestinians at the lack of progress. The following month a visit by Israeli opposition leader Ariel Sharon to the Islamic holy site on Jerusalem's disputed Temple Mount was followed by a wave of Palestinian demonstrations, both in Israel and across

¹⁰¹ The issue of percentages has emerged as the subject of some dispute. Palestinian negotiators argued that the Israeli offer of 90 per cent of the West Bank in fact amounted to little more than 60 per cent as it included part of the Dead Sea and excluded annexed areas of Jerusalem and proposed Israeli army buffer zones.

¹⁰² *Financial Times*, 31 August 2000 and *The Irish Times*, 1 June 2000

the Palestinian territories. The situation spiralled rapidly out of control and the death toll began to mount as Israeli troops clashed on an almost daily basis with stone-throwing demonstrators and armed militia fighters.

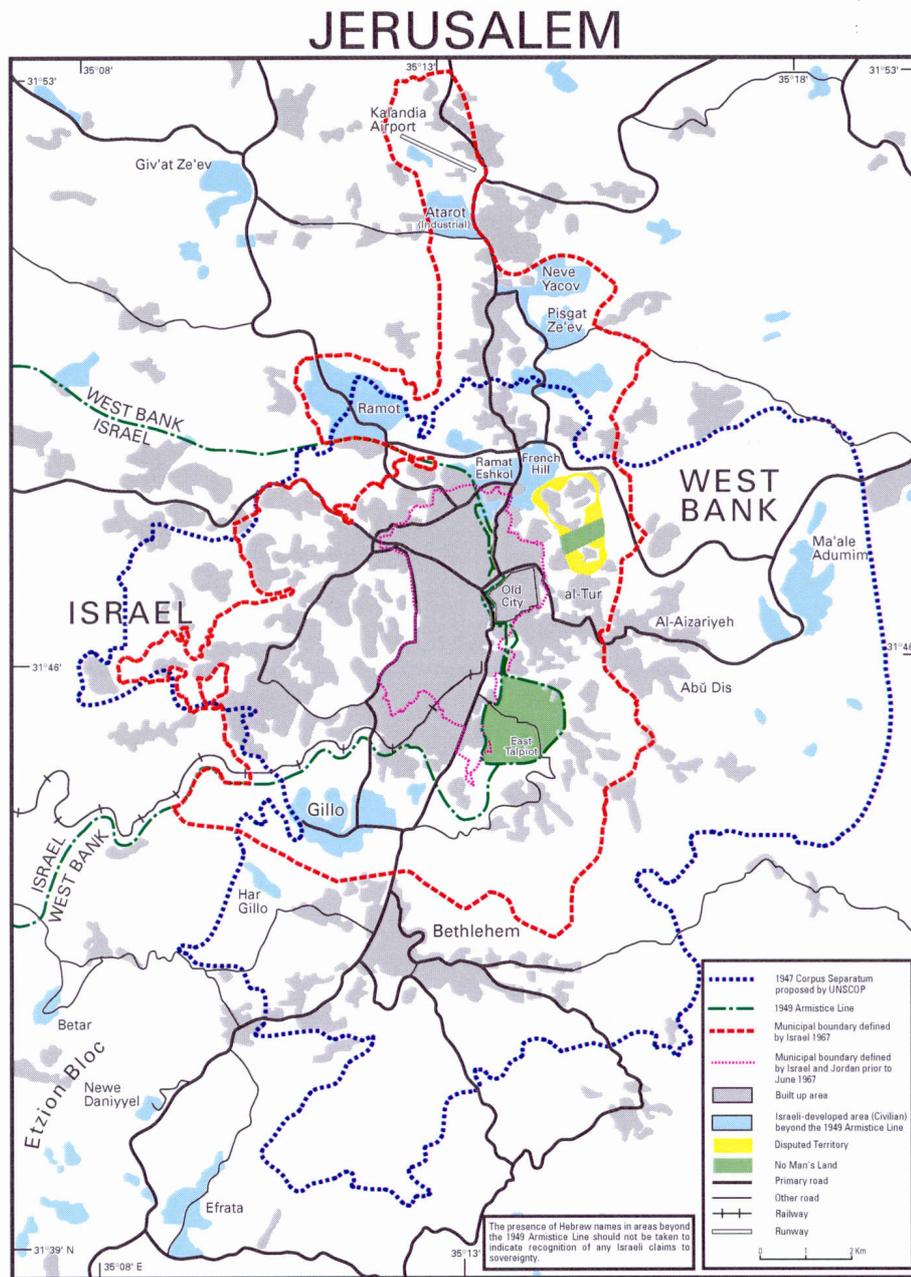
By mid-January 2001 over 350 people (310 of them Palestinian) had been killed and several thousand injured, leaving the peace process in a state of crisis. These issues and other developments are the subject of the companion Library Research Paper 01/09, *The Middle East Crisis: Camp David, the 'Al-Aqsa Intifada' and the Prospects for the Peace Process*, of 24 January 2001.

Appendix 1: Map of Israel and the Occupied Territories



N.B. The map denotes the Israeli 'Security Zone' in southern Lebanon, from which Israel withdrew in April 2000.

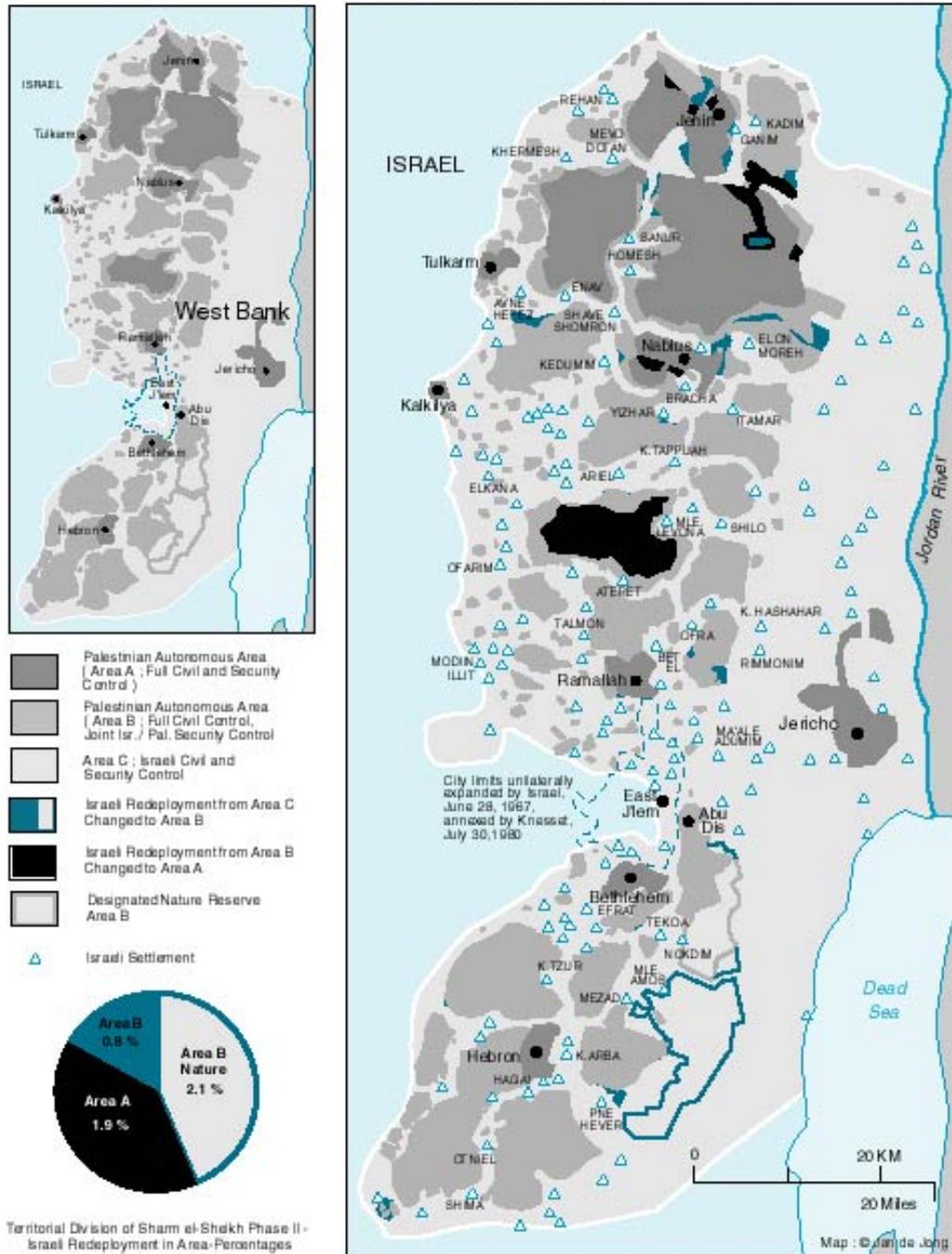
Appendix 2: Map of Jerusalem



Users should note that this map has been designed for briefing purposes only and it should not be used for determining the precise location of places or features. This map should not be considered an authority on the delimitation of international boundaries nor on the spelling of place and feature names. Maps produced by Military Survey (UK) are not to be taken as necessarily representing the views of the UK government on boundaries or political status. © Crown copyright 2000

Appendix 3: Map of the West Bank (January 2000)

The West Bank After the Second Israeli Redeployment According to the Sharm el-Sheikh Memorandum (January 2000)



Map reproduced by kind permission of the Foundation for Middle East Peace and Jan de Jong.

Appendix 4: UN Security Council Resolution 242

Resolution 242 (1967) of 22 November 1967

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,

Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. *Affirms* that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:
 - (i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;
 - (ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;
2. *Affirms* further the necessity
 - (a) For guaranteeing freedom of navigation through international waterways in the area;
 - (b) For achieving a just settlement of the refugee problem;
 - (c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;
3. *Requests* the Secretary General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;
4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

(Adopted unanimously.)

Appendix 5: UN Security Council Resolution 338

Resolution 338 (1973) of 22 October 1973

The Security Council,

1. *Calls upon* all parties to present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions after the moment of the adoption of this decision, in the positions they now occupy;
2. *Calls upon* all parties concerned to start immediately after the cease-fire the implementation of Security Council Resolution 242 (1967) in all of its parts;
3. *Decides* that, immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

(Adopted by 14 votes to one. One member (China) did not participate in the voting.)

Appendix 6: UN General Assembly Resolution 194 (III)

Resolution 194 (111) of 11 December 1948

The General Assembly,

Having considered further the situation in Palestine,

1. *Expresses* its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and

Extends its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;

2. *Establishes* a Conciliation Commission consisting of three States members of the United Nations which shall have the following functions:
 - a). To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by resolution 186 (S-2) of the General Assembly of 14 May 1948;
 - b). To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;
 - c). To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;
3. *Decides* that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present, before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;
4. *Requests* the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;

5. *Calls upon* the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 1/ and to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;
6. *Instructs* the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them;
7. *Resolves* that the Holy Places - including Nazareth - religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposals for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;
8. *Resolves* that, in view of its association with three world religions, the Jerusalem area, including the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethlehem; the most western, Ein Karim (including also the built-up area of Motsa); and the most northern, Shu'fat, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;

Requests the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;

Instructs the Conciliation Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;

The Conciliation Commission is authorized to appoint a United Nations representative, who shall co-operate with the local authorities with respect to the interim administration of the Jerusalem area;

9. *Resolves* that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;

Instructs the Conciliation Commission to report immediately to the Security Council, for appropriate action by that organ, any attempt by any party to impede such access;

10. *Instructs* the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;
11. *Resolves* that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable 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;

Instructs the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. *Authorizes* the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The authorities responsible for maintaining order in Jerusalem will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards to the protection of the staff and premises of the Commission;

13. *Instructs* the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;
14. *Calls upon* all Governments and authorities concerned to co-operate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;
15. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.

Appendix 7: Knesset Election Results (May 1996 & May 1999)

Knesset Election Results - 29 May 1996 and 17 May 1999

| Parties and Groups | | 1996 | | 1999 | |
|-------------------------------|-------------------|-------|-------|------|-------|
| | | % | Seats | % | Seats |
| One Israel (Yisrael Akhat) | Labour (Avoda) | 27.5 | 34 | 20.2 | 23 |
| | Gesher | -* | - | | 2 |
| | Meimad | - | - | | 1 |
| Likud | Likud | 25.8* | 32 | 14.1 | 19 |
| Shas | Shas | 8.7 | 10 | 13.0 | 17 |
| Meretz | Meretz | 7.5 | 9 | 7.6 | 10 |
| Yisrael Ba'aliyah | Yisrael Ba'aliyah | 5.8 | 7 | 5.1 | 6 |
| Shinui | Shinui | - | - | 5.0 | 6 |
| ha-Merkaz | ha-Merkaz | - | - | 5.0 | 6 |
| Mafdal | Mafdal | 8.1 | 9 | 4.2 | 5 |
| Yahadut Hatorah | Yahadut Hatorah | 3.3 | 4 | 3.7 | 5 |
| United Arab List | United Arab List | 3.0 | 4 | 3.4 | 5 |
| ha-Ikhud ha-Leumi | Moledet | 2.4 | 2 | 3.0 | 2 |
| | Herut | - | - | | 1 |
| | Tekuma | - | - | | 1 |
| Hadash | Hadash | 4.4 | 5 | 2.6 | 3 |
| Yisrael Beiteinu | Yisrael Beiteinu | - | - | 2.6 | 4 |
| Balad | Balad | - | - | 1.9 | 2 |
| Am Ekhad | Am Ekhad | - | - | 1.9 | 2 |

* For the 1996 election Likud, Gesher and Tsomet formed a formal electoral alliance prior to voting.

Sources: Knesset web site at <http://www.knesset.gov.il> and Elections around the World web site at <http://www.agora.stm.it>

Appendix 8: UN Security Council Resolution 425

Resolution 425 (1978) of 19 March 1978

The Security Council,

Taking note of the letters from the Permanent Representative of Lebanon and from the Permanent Representative of Israel,

Having heard the statements of the Permanent Representatives of Lebanon and Israel,

Gravely concerned at the deterioration of the situation in the Middle East and its consequences to the maintenance of international peace,

Convinced that the present situation impedes the achievement of a just peace in the Middle East,

1. *Calls* for strict respect for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;
2. *Calls upon* Israel immediately to cease its military action against Lebanese territorial integrity and withdraw forthwith its forces from all Lebanese territory;
3. *Decides*, in the light of the request of the Government of Lebanon, to establish immediately under its authority a United Nations interim force for Southern Lebanon for the purpose of confirming the withdrawal of Israeli forces, restoring international peace and security and assisting the Government of Lebanon in ensuring the return of its effective authority in the area, the force to be composed of personnel drawn from Member States;
4. *Requests* the Secretary-General to report to the Council within twenty-four hours on the implementation of the present resolution.

Adopted by 12 votes to none, with two abstentions (Czechoslovakia, Union of Soviet Socialist Republics)