

Questions and Answers

ON NEGOTIATIONS AND INTERNATIONALIZATION

On November 15, 1988, the Palestine Liberation Organization (PLO) declared independence of the State of Palestine on all Palestinian land occupied by Israel in 1967, which constitutes 22 percent of historic Palestine. This was a historic, difficult and very painful compromise following decades of Palestinian internal discussion. On the same date, the PLO committed itself to upholding all UN resolutions, thus accepting the two-state solution.

In 1993, the PLO reaffirmed its historic compromise by signing the Declaration of Principles and interim agreements (known as the Oslo Accords) by virtue of which it recognized the State of Israel. This was followed by a process of negotiations to reach a final status agreement on permanent status issues, including on borders, Jerusalem, and refugees, which was to be concluded by 1999. However, these negotiations failed to reach an agreement due to Israel's refusal to accept basic tenants of international law and Palestinian national rights. To date, Palestinians in the West Bank, including East Jerusalem, and the Gaza Strip remain under continued Israeli belligerent military and colonial occupation, and the interim period of five years has in fact lasted for the past 23 years.

1. What are the main reasons behind the failure of more than 20 years of negotiations?

- I. Israel has never endorsed the two-state solution as an official government policy and was not willing to accept a historical compromise on the basis of the two state solution on the 1967 border and to recognize the full scope of Palestinian rights under international law. Instead it always negotiated on the basis of its imposed facts on the group, in particular the settlement enterprise, and sought to maintain its occupation and system of control by means of an agreement rather than accept an genuinely independent Palestinian state. Since the signing of the Oslo Accords, Israel has tripled the number of illegal Israeli settlers from 200,000 to over 600,000. Israel continues to expand its colonial settlement enterprise, its attempts to Judaize Occupied Jerusalem, and to oppress the people of Palestine through various illegal policies, including its support of settlers and tacit support of settler violence.
- II. A bilateral process between a powerful occupying power and a people under occupation has proven to be a failed formula. The international community has yet to assume its responsibility to maintain a mechanism of accountability or ensure that Israel upholds basic tenants of international law. This recurring disregard for holding Israel accountable for its continued violations of international human rights law and humanitarian law and for failing to ensure that negotiations are based on clear terms of reference grounded in international law and UN resolutions is upheld by the paradigm of bilateral negotiations under the auspices of the U.S without active involvement from the international community.

III. Israel refuses to comply with international law. It has also failed to fulfill or honor its obligations under signed agreements. Israel considers the peace process a mutually exclusive objective from ending its military occupation of Palestine and to achieve a just and lasting peace between Palestine and Israel.

2. Is the Palestinian leadership against negotiations?

No. Negotiations are necessary to reach a final status agreement and to define the future relations between Israelis and Palestinians. However, Israel has used negotiations as a smokescreen to further colonize Palestine with more colonial settlements. The State of Palestine is committed to any and all serious initiatives to negotiate a just and lasting peace, but it is not committed to any proposals to legitimize Israeli occupation or to cultivate Israel's culture of impunity. It is time for the international community to hold Israel accountable rather than using negotiations to disguise its inaction and failure to assume its responsibility toward the land and people of Palestine.

3. What is needed for any future negotiations to succeed?

For any negotiations to succeed, it is fundamental to establish a timeframe with clear terms of reference within a framework of international law and in line with UN resolutions, actively monitored by the international community through the UN Security Council. Also, the previously signed interim agreements should be fully implemented immediately to create the right environment that propels a final status agreement. This includes the release of Palestinian prisoners detained before the signing of the Oslo Accords, a full cessation of Israeli settlement activities, transfer of Area "C" to Palestinian control and jurisdiction, and an Israeli commitment to the vision of a sovereign and independent Palestinian state on the 1967 borders.

4. When did the last round of negotiations ("The Kerry Initiative") end?

By the end of July 2013, US Secretary of State John Kerry launched a new initiative for the resumption of negotiations between Israel and Palestine. It was intended to be over a 9-month during which the Israeli negotiators refused to present comprehensive positions on Israel's vision for a two-state solution and even refused to present a map with Israel's borders.

In April 2014, a few weeks before the end of this 9-month period, the Israeli government left the negotiating table, stating that the announcement of a Palestinian national consensus government, precluded Israel's cooperation to negotiate.

5. Did the last round of negotiations stop Israeli crimes and violations?

No. On the contrary, Israeli crimes and violations against Palestinians significantly increased during this round of negotiations between 30 July 2013 and 29 April 2014. These violations included the advancement, including construction, of over 55,000 illegal settlement units, the demolition of over 500 Palestinian homes and structures, the killing of 61 Palestinians, the injuring of over 1,000 Palestinians, and tacit support of over 650 Israeli settler attacks against Palestinians. In fact, many of these violations took place on the eve of almost every round of negotiations.

6. Do Palestinians consider that the chances to achieve a just and lasting peace through bilateral negotiations with Israel are over?

We have done everything possible to advance U.S.-sponsored bilateral negotiations with Israel. However, due to Israeli policies to strengthen its belligerent occupation and colonization of Palestine with full international impunity, negotiations efforts have failed. The international community's insistence to advance failed negotiations formulas have been fruitless. Israeli violations coupled with the international community's lack of action have proven that statements such as "*the only way to achieve peace is through bilateral negotiations between the parties*" merely perpetuate the systematic Israeli violation of Palestinian rights.

7. What are Palestinians expecting from an international conference?

Any initiative should honor the long-overdue inalienable rights of the Palestinian people. This includes ending the Israeli occupation and a fully independent State of Palestine with East Jerusalem as its capital, and a just and agreed upon resolution to the Palestinian refugee question in accordance with UNGA 194. An international conference should open a political horizon in order to solve all final status issues.

8. Is the support for a multilateral framework for negotiations part of Palestine's internationalization strategy?

Since the beginning of Palestine's international campaign to gain recognition and access international organizations in 2010, Palestine has been clear in presenting the internationalization strategy as its main tool to shift the inequitable power dynamic between Israel and Palestine. In an effort to remedy the failed bilateral negotiations process, the Palestinian leadership has requested that the international community intervene, including through an international peace conference.

9. Doesn't the Palestinian internationalization strategy, in light of accession to the Rome Statute and engaging the Security Council, contradict negotiations with Israel?

The Palestinian right to self-determination has never been up to negotiations. Palestine's internationalization strategy aims to correct the failed bilateral track and strengthen negotiations with the involvement of the international community to realize the long-overdue inalienable rights of the Palestinian people. The international community is obliged to ensure these rights are protected and realized by ending the Israeli occupation of the State of Palestine. It is a right that has awaited implementation for nearly seven decades.