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| **:: Background to Geneva** |  |

Dr Jubeh began by making a few opening remarks about the Geneva Accords. Firstly he said that the agreement is distinctive because it has attracted so much media attention. This makes it different from other recent proposals. There is a political vacuum in Palestine that has existed since the Intifada broke out, if not before and the Accords attracted attention because they offered hope of a new direction, a way out of the current chaos.

Dr Jubeh stressed that the Geneva document represents a compromise and not a Palestinian position as such. Therefore it is unfair to criticize the negotiators for failing to produce a deal which conforms to the goals of any particular faction or the Palestinian nation as a whole. It is the result of talks with the Israelis and inevitably there will be some compromises; the Palestinians will be unable to get everything they want, just as the Israelis had to make concessions.

All the main topics in the agreement had already been agreed upon separately in past discussions between the PLO and the Government of Israel, or between representatives of the factions and unofficial negotiators on the Israeli side. The negotiators did not break any genuinely new ground; their achievement was in combining all these points into a single document.

The starting point for the Accords was the Taba negotiations in 2001. They provided the scope and framework for the agreement, and the negotiators filled in the remaining details. Often it was a question of language. For example with regards to the crisis over Haram al-Sharif, Israel was prepared to accept Palestinian “control” over the site but not “sovereignty”.

The Moratinos document was not particularly significant. It was only one of many papers that the negotiators looked at, at the start of the negotiations. In his opinion this particular non-paper was merely a neutral summary of the positions the PLO and Israel had reached by the end of Taba and hence did not add anything new.

Dr Jubeh listed the following key points which served as the “red lines” for the negotiations. They were;

1. They were aiming for a 2-state solution
2. The 1967 borders were the basis for negotiations
3. No Palestinian living within the '67 borders would be under Israeli sovereignty and vice versa
4. Jerusalem to be the capital of two states
5. By the end of negotiations all issues must be “closed”, i.e. agreed upon.
6. Each side must recognize the validity of the claims being made by the other
7. It must be a final agreement, that is, no further claims will be allowed after it

Among the most difficult issues, which constituted most of the negotiation time, was firstly the question of the refugees. The status of Jerusalem was much less problematic especially as the negotiators were coming from a secular perspective. On the refugees it was eventually possible to develop a wording that both sides could accept.

The second major area of contention was Israel 's demand that the Palestinians recognize the “Jewish character of Israel ”. For the Palestinian negotiators this was a strange demand, which they were unhappy about firstly because no other country requires others to “recognize its character”, and secondly because of concerns about Israel 's large non-Jewish minority. What will be the fate of Arabs living in the Galilee and elsewhere, under this agreement?

With regards to Jerusalem there were problems regarding a number of secondary issues although the principle of dividing the city was accepted at the start as mentioned above. For instance the exact boundaries of Israeli settlements located within the municipal boundaries of the city were disputed. Further disagreements arose over the fate of the Beit Safafa neighborhood, Road no.1 and the Jaffa Gate.

The precise details of the land swap and the fate of Palestinian prisoners in Israeli jails were the other major areas of difficulty. In the case of the former, this was partly resolved by reducing the amount of territory to be swapped to 2.2%. However the Palestinians were unhappy that they were not able to get good quality land in exchange for the settlement blocs.

As for prisoners, Israel wanted to keep some of the prisoners it currently holds even after a peace deal was signed. Clearly this was unacceptable to the Palestinian negotiating team who argued that these were political prisoners held during a conflict situation and hence should be released when peace is declared. Eventually the Israelis agreed that all prisoners would be released within 30 months of an agreement.

All other issues were resolved relatively speedily, and were based largely on what had already been agreed at past peace talks.

Dr Jubeh commented on reports that parts of the agreement had not been published. He stated that these “conspiracy theories” were untrue and that all parts of the agreement had been published, as far as he knew as someone who had participated in the negotiations from the start. He also said that the negotiators were aware of the problem of misinterpretation (as with the Oslo agreement) but stressed that it is impossible to achieve total clarity.

Dr Jubeh then went on to discuss the Taba negotiations. He said that Arafat had made a fundamental mistake about the talks, believing that when they broke down they would restart after a few weeks or months. However this was not the case, as Barak was already facing defeat in the elections and tried to use the talks to boost his support. According to Dr Jubeh much time was wasted during the negotiations because of Barak's manipulation.

According to Dr Jubeh the aims of the two sides during the Geneva Accords negotiations were as follows;

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|       For the Israelis – |
|   | * They were looking for a way to rebuild the shattered peace camp and for a role in Israeli society. They wanted to rekindle their political fortunes and build an opposition to Sharon . According to Dr Jubeh this is a legitimate aim and “we were happy to build a platform for the Israeli Left”.
* There were also concerns about the demographic dimensions of the conflict, i.e. the growth of the Palestinian population relative to the Israeli one. The Israelis wanted to find a partner to pursue an acceptable form of “separation”.
* More and more Israelis have begun to see the moral, psychological, social, economic costs of the occupation. They are worried that the social fabric of Israeli society is being permanently damaged by Israel 's actions in the OPTs and they are eager to end the occupation before permanent damage is done.
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|       For the Palestinians – |
|   | * The Palestinians wanted to show that there is a partner for peace, despite what Barak and Sharon have claimed. An agreement is possible and the Palestinian people are prepared to negotiate.
* Most of the Palestinians who participated in the talks were not convinced that the Intifada is a positive thing. They were concerned about the deterioration in the conditions of Palestinians – all areas of life have been affected. Coupled with the failures of the leadership, the Palestinians are in a weak negotiating position.
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Dr Jubeh said that the Palestinians who participated in the Geneva initiative had expected criticism and in fact he claimed that support was higher than anticipated. Much of the criticism was based on misreading of the Accords, sometimes deliberately he felt. If people actually engaged with the text of the agreement and read its contents, they will be able to form a more informed opinion.

He also claimed that he and his colleagues had benefited from not being part of the political mainstream. The people involved were not the key players (“we were not the Abu's”), and even though Yasir Abed Rabbo's name is associated with the agreement, he had very little to do with the actual negotiations. Some of the key players in the PA, despite claiming support for the negotiators during the talks, have now started to publicly condemn the Accords for opportunistic reasons.

Dr Jubeh admitted that there was still much work to be done. The agreement had been marketed abroad, but not in Palestine . Not enough effort has gone into engaging with the grassroots and trying to win their support.

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| **:: Discussion** |  |

Dr Jubeh was asked if he agreed with the suggestion that the Accords were “only for peace activists in Europe and elsewhere” and not of real concern to people in Israel/Palestine. He responded by saying that the Accords had already produced reactions in Israel . Sharon , he said, was one of the first to react to the agreement, and his current policies and plans are influenced by it.

Dr Jubeh said that the Geneva Accords represent a possibility, an answer to the current conflict and the hopelessness, even if not a wholly satisfactory one. Of course the realities on the ground must be taken into account, but the agreement is a good starting point.

Another participant asked if the Israeli team had negotiated amongst themselves before starting bilateral talks. If this was the case, why did the Palestinians not do this; why didn't they try to build a consensus for an agreement and then start negotiations. In response to this Dr Jubeh said that they had talked amongst themselves before talking to the Israelis, but that they did not engage in a debate with the public. He said that few members of the group were suited to trying to build a popular movement behind the agreement.

In addition he said that has often been the case in the past that Palestinians have not wanted to engage in debate about the details of a possible agreement with Israel . They have preferred to hide behind slogans and broad principles like the “right of return” without discussing what those principles actually entail in practical terms.

One of the participants added to this by saying that Palestinian rhetoric is still modeled on the pre-1988 era, before the explicit endorsement of the two-state approach by the PNC. Palestinians need to assess their demands and determine whether their calls for the refugees to return are compatible with the demand for a separate Palestinian state. This is a fundamental question that needs to be addresses. What is it that the Palestinians are asking for now?

Another point raised was that it is important to distinguish between “wishful thinking” and the realities on the ground. This was phrased by someone else as the difference between what is achievable and what is morally/legally right. For Dr Jubeh the Geneva agreement is the best deal the Palestinians are going to get. He asserted that the agreement that is eventually reached with the Israelis will be the Geneva Accords, even if not in name. The substance of the Accords will be the basis of peace in the future.

A comparison was made between Oslo and the Geneva Agreement. One of the participants argued that the negotiators were naïve to think that the Accords were complete, and that all issues had been closed. This is similar to the claims made during the Oslo period; everything has been agreed in principle and it is simply a question of sorting out minor practicalities. In reality of course the Oslo agreement dragged on with round after round of further discussion and talks, often bogged down in semantics, There is no reason to suppose that this will not be the case with the Geneva document.

A few further points were also raised;

* Some participants argued that until a better strategic balance is achieved we cannot hope to get a fair deal out of the Israelis. Only after a change in leadership, or a strengthening of Palestinian society can negotiations properly begin.
* It was noted that references to Israel 's guilt regarding the expulsion of the refugees in 1948 (and after) were omitted from the agreement, unlike the Clinton Parameters of 2000 which specifically allowed for Israeli recognition of their role in the “Nakba”. There is still a “psychological” barrier to be overcome – getting Israelis to acknowledge their role in Palestinian suffering.
* A general point was made that the agreement deals, like Oslo before it, with what is visible only; things that are “invisible” like the refugees are not properly addressed, if at all.

A final point that Dr Jubeh made, was regarding the future prospects for the Geneva Accords. He said that the Arab League is keen to revitalize its own peace plan and there is an effort to incorporate the Geneva document as part of an amended Arab plan. This is perhaps a sign that there is hope for the agreement, and a future for it.

The EU envoy Ambassador Moratinos, produced a “non-paper” after the Taba talks, summarizing the positions of both sides