

## Territorial Implications of the Middle East Peace Process

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### Introduction

The implementation of the first stage of the Israeli-Palestinian Declaration of Principles (DoP) has already had far-reaching territorial implications. Moves are underway to expand both the terms of the autonomy, and the areal extent within which the limited autonomy takes effect. The implementation of the accords thus far has also resulted in significant progress being made in parallel talks between Israel and Jordan, although progress has been slower on the Syrian and Lebanese fronts. The major issues at stake for each separate set of negotiations are outlined in the following discussion.

### Israel-Palestine

The nature of the autonomy, as implemented in the spring of 1994, was limited both in its territorial extent and in the degree of authority granted to the Palestinian authority. Notwithstanding this, many of the important symbols of statehood were taken on by the Palestinians, including joint control of border transit to Jordan and Egypt, the operation of an independent police force within the autonomy areas, as well as the unhindered use of the Palestinian flag and the introduction of both Palestinian travel documents and stamps.

While the official Israeli negotiating stance continues to reject the notion of an independent and sovereign Palestinian state, it is difficult for neutral observers to see the continuation of the current process leading anywhere else. In August 1994, most civil functions, notably those of education, tourism and taxation, were handed over to the Palestinians. This process of early empowerment took place throughout the West Bank, with the exception of Jerusalem. This extension of Palestinian self rule will be all the more apparent following the promised withdrawal of Israeli military forces from all major Palestinian urban centres. While this is still a long way from the *de jure* recognition of Palestinian sovereignty, the implementation of early empowerment is an important step on the path to *de facto* statehood.

The two major territorial obstacles which remain in the way of a return to the pre-1967 situation concern the Israeli settlers and Jerusalem. Each of these issues is absent from the current negotiating agenda. Israel refuses to recognise any alternative form of sovereignty over a single Jerusalem, despite Palestinian claims that East Jerusalem must become the administrative centre for a Palestinian entity. While there has been informal discussion concerning some form of functional decentralisation within a physically united city, thus enabling Jewish West Jerusalem and Palestinian East Jerusalem to manage their own municipal affairs, this does not reflect the debate taking place within governmental circles. It is highly likely that the Rabin government would lose its' tenuous support for the peace process were it to raise the issue of Jerusalem today. Public opinion surveys amongst the Israeli public indicate little support for any concessions over Jerusalem.

It is for this reason that the concept of a peace process in 'stages' is so critical. The DoP relates only to two stages - the initial autonomy in Jericho and the Gaza Strip, and the final stage which is to be discussed two years after the implementation of the first stage and implemented within five years. In reality, there have already been a series of further or 'sub'-stages. The extension of civil autonomy (early empowerment) to include other areas within the West Bank is a clear indication of this policy. The gradual extension of autonomy means that a final stage, possibly consisting of Israeli recognition of a sovereign Palestinian entity, will not come as a major shock for the Israeli public who will have already become used to the notion of separate governance and widespread autonomy.

The successful implementation of earlier stages will also allow for the development of mutual confidence-building measures (CBMs) and a slow, but gradual, mutual recognition of the real issues and concerns of the 'other' side. The pragmatic realisation by both sides that a solution to the conflict must be found has not yet resulted in any significant change in the level of mutual trust, suspicion and threat felt by one side for the other. Such normalisation is not something which can be achieved overnight, although there are signs that personal relations between individual negotiators

(not necessarily the leaders themselves) have undergone positive developments. Negotiations on the more sensitive and difficult issues, such as Jerusalem and the Israeli settlements, if and when they commence, have a greater chance of succeeding if they are based on greater mutual trust and understanding than that which exists today.

The fate of 110,000 Israeli settlers in the West Bank and Gaza Strip remains a critical issue to be solved. While approximately 60-65 percent of these settlers are to be found in locations within a relatively short distance of the old 'green line' boundary and, with some cartographic imagination, could conceivably be included within Israel under some form of boundary redemarcation or even micro-territorial exchange, the remaining settlements are dispersed throughout the interior upland areas. There is a strong correlation between the location of the settlers in specific micro-regions of the West Bank and their refusal to be evacuated under the terms of any future agreement. The hard core settlers, many of whom are convinced that their right to the land has been divinely ordained and cannot be relinquished to any 'foreign' power (in this case the Palestinians) are to be found in the interior settlements.

Many of them have stated their intention of forcefully opposing any Israeli attempt to remove them from their homes. Scenarios of violence between Israeli soldiers and settlers, reminiscent of the evacuation of the Israeli settlements in northern Sinai only a decade previously, are the last thing which the Israeli government wishes to consider at present. But the alternative scenario, enabling settlers to remain within their settlements as part of a Palestinian political entity is highly improbable for both settlers and Palestinians alike. At present, Israeli law and protection continues to apply to all Israeli settlements within the region, thus further enhancing the spatial duality which has been formed during the past twenty five years.

### **Israel-Jordan**

In July 1994, Israel and Jordan signed a declaration terminating the state of warfare between the two countries. Following the mutual resolution of a number of territorial issues, the intention is to sign a full peace agreement. The first public meeting between an Israeli head of state and Jordan's King Hussein in Washington was followed in the same week by the opening of a new border crossing between the two countries at the Red Sea coastal towns of Eilat (Israel) and Aqaba (Jordan). At the

time of writing, preparations were being made to open a further border crossing between the two countries in the Bet Shean (Beisan) area in the north. Border crossings are only open at this stage to third party nationals, not to Israelis and Jordanians themselves, but this is likely to change following the signing of a full peace agreement. The immediacy with which the first border crossing was opened and the smooth and efficient way in which travellers passed through the border from the very first day, are clear indications of what can be achieved when there is a real willingness to cooperate.

Jordan continues to demand some minor territorial changes along the joint boundary. These include small parcels of land in both the northern and southern sections of the country, most of which are at present farmed by Israeli agricultural communities. While these communities are loath to relinquish the land, this is not considered to be a major obstacle, and is likely to be solved within a short time. To the north of the West Bank, the original boundary, as determined by the Mandate authorities, was fixed to follow the flow of the River Jordan. Slight changes in the course of the river over time have led to subsequent changes in the border, although this has mostly been in Jordan's favour. In the south, along parts of the Aravah Valley, Jordan is demanding small parcels of land which, it claims, were taken by Israel as a 'territorial afterthought' during the 1967 war, aimed at straightening the boundary in Israel's favour. The formal demarcation of a boundary between the two countries will enable the implementation of a variety of joint projects, notably joint water management and consumption, environmental control, and trans-boundary tourism.

A major diplomatic coup on the part of King Hussein was the Israeli recognition of his 'special' rights with respect to the Moslem holy sites in Jerusalem, specifically the Al Aqsa and Dome of the Rock Mosques. This, in turn, has resulted in the renewal of tension between the Palestinians and Jordan, the former perceiving this move as a usurpation of Palestinian rights by the King. For Israel, this has enabled them to drive yet a further wedge between the two protagonists, thus diminishing future Palestinian attempts to claim Jerusalem as their political capital with full control over the holy sites. The future relationship, both formal and informal, between Jordan and the Palestinian entity is unclear. Based on the experience of the past twenty years, this could range from a high degree of political and economic cooperation, even a loosely defined confederation,

to a situation of open hostility. This will depend not only on the role that King Hussein aspires to regarding Jerusalem and the holy sites, but also the shifting allegiances of the Palestinian residents of Jordan itself.

### Israel-Syria

The most difficult of the remaining issues concerns Israel-Syria. Unlike the Palestinians or Jordan, Syria is perceived as constituting a strategic threat to the security of Israel. This threat - real or perceived - would be enhanced should the Syrians regain control of the Golan Heights overlooking much of Northern Israel. For their part, Israel continues to demand a Syrian declaration concerning the content of a peace agreement, but without an Israeli commitment to territorial withdrawal, Syria refuses to be drawn back into the negotiating process. Israel has stated its readiness to withdraw from parts of the Golan Heights, while retaining control over a north-south strip which overlooks the Israeli villages in the Galilee and Jordan Valley regions. Even partial withdrawal would include the evacuation of some, but not all, of the Israeli settlements in the Golan Heights. For Syria, partial withdrawal is insufficient.

The current stalemate in talks between Israel and Syria plays into Israel's hands as it continues to make progress on both the Palestinian and Jordanian fronts. The Palestinian breakthrough, followed by the Jordanian agreement, has caused major cracks in the previous show of unity displayed by the four protagonists (including Lebanon). Syria's role in the region has been weakened by the collapse of the Soviet Union and may become increasingly dependent on the United States for external support. The very fact that both the Palestinians and Jordan were able to sign agreements with Israel without direct Syrian approval is clear evidence of Syria's weakened regional position. Israel has cleverly played the various protagonists off against each other, always willing to make headway with one when negotiations with another fall down. Each of the negotiating partners is made to feel that they are 'missing the boat' by not advancing along the road to peace.

Within Israel itself, public support for a peace agreement with Syria involving territorial withdrawal from the Golan Heights, is by far the most difficult to sell. In terms of the perceived strategic threat, the Golan Heights is viewed as a piece of territory which is essential for Israel's physical survival. The ideological schism which

permeates Israeli society over the historical and religious significance of the West Bank is absent in the case of the Golan Heights. Many supporters of the peace process with the Palestinians are opposed to similar concessions being made to the Syrians if it includes territorial withdrawal. As such, the Rabin government is content to let the Syrian negotiations drag along, while progress is made on other fronts.

### Israel-Lebanon

The Lebanese question is closely tied up with that of Syria. The latter continue to retain *de facto* control over Lebanon. Although most of the military activity against Israel from Southern Lebanon emanate from the Iranian backed Hizbollah movement, their freedom of activity within this region is largely dependent on Syrian acquiescence to their continued presence. Given the 'green light' by Syria, the Lebanese government would be able to come to a speedy conclusion of any outstanding issues of contention between itself and Israel. This would include Israeli withdrawal from the self-declared security zone adjacent to Israel's northern border with south Lebanon. The actual demarcation of the international boundary is not under dispute. The deployment of Lebanese troops in this region and the withdrawal of Hizbollah forces would probably be sufficient for Israel to agree to relinquish its direct influence within this region.

The issue of military security is a crucial component in both the cases of Syria and Lebanon. It is possible that Israel may agree to continued Syrian hegemony in Lebanon in return for Israeli retention of security infrastructure in parts of the Golan Heights. The question of international peacekeeping forces will also figure prominently in the negotiations. While Israel prefers to maintain its own security network, an international force may provide the necessary buffer between opposing powers both in the Golan Heights and in southern Lebanon. In the latter case, this may simply involve permanently extending the presence of the UNIFIL forces, as well as expanding the area under their control. With Syria, if agreed, it would probably require a multi-national force similar to the one in the Sinai. This American led multinational force is not a United Nations peacekeeping force. Ever since the withdrawal of the United Nations forces in Sinai prior to the Six Day War of June 1967, Israel has not placed great trust in the ability of United Nations forces to maintain the peace. As part of the Camp David Accords between Israel and Egypt, the

former insisted on an independent, American-led, force for the Sinai region. It is likely that similar demands will be made if there is to be a buffer zone on the Golan Heights.

### **Promoting peace through joint management of resources**

Despite the many problems still to be resolved, one should not ignore some very real advances which have been made in a number of areas of common concern to all parties. Perhaps the most important of these concerns the future of the region's scarce water resources. This highly sensitive issue is relevant to each of the separate negotiations, as well as constituting a regional concern to be discussed by all the parties at the multilateral talks. Who, for instance, will decide how much of the underground aquifer can be used by Israel and how much by the Palestinians? At present, the Palestinians argue that Israel is unilaterally exploiting water which 'belongs' to the West Bank. For their part, Israel argues in return that a political boundary does not extend downwards to a water aquifer and that it is quite legitimate to exploit these water resources.

Water issues are critical with respect to Syria, Jordan and Lebanon, although to differing degrees. The water resources of the Baniyas in the Golan Heights are at present used by Israel who will not be in a hurry to relinquish control. Under an agreement with Lebanon, Israel could foreseeably enter into an arrangement to build a pipeline from the River Litani and thus gain access to an important water supply. It is not too far fetched to imagine the implementation of some of the more utopian solutions to the water problem. These could include the construction of the 'peace pipeline' from the one water surplus country in the region, Turkey. There is also talk of revitalising the idea of a Med-Dead or Red-Dead Canal - the likelihood being the latter rather than the former. This, in turn, is envisioned to provide hydro-electric power along the Aravah valley, as well as turning the region into a tourist attraction.

Tourism is a second resource issue of mutual importance, especially for Israel, Jordan, the Palestinians and Egypt. Entrepreneurial travel agencies are already trying to put together packages which will include the holy sites in Jerusalem and the Galilee, the Pyramids in Egypt and the ancient desert sites, especially Petra, in Jordan. A different type of joint venture envisioned is a 'Red Sea riviera' linking together the Jordanian port of Aqaba, the Israeli coastal town of Eilat, and the

Egyptian resort of Taba. If the first few days following the opening of the new border post between Israel and Jordan near Aqaba/Eilat are anything to go by, then it will not be hard to realise this potential to the economic benefit of all sides.

A third issue of mutual concern is environmental management. Each side to the discussions is painfully aware that environmental issues have been avoided in the past. One of the excuses often used is the state of warfare and conflict, which does not allow time or resources to be invested in environmental management. While Israel is more advanced in this respect, it too has a long way to go in meeting environmental standards common to the western world. Potential development projects, especially along the Aravah Valley between Israel and Jordan, will have to undergo strict environmental analysis before they are implemented. International agencies and foreign governments have expressed a particular interest in providing expertise and financial assistance for the promotion of joint projects aimed at environmental protection, both in the West Bank itself and along the joint boundary zones to emerge.

### **Concluding comments**

The current dynamics of the peace process have already achieved substantial gains, many of which would have been thought impossible only a year ago. On both the Palestinian and Jordanian fronts, the initial implementation of limited agreements would appear to have their own snowball effects, bringing about the expansion of autonomy and the demarcation of fixed boundaries. Solving the core issue of the conflict, the fate and political status of the Palestinians, makes it increasingly difficult for other protagonists to refuse to enter into direct negotiations with Israel. It is difficult to envision Syria and Lebanon being left behind within this overall regional process. Only one of Israel's boundaries (with Egypt) currently has the status of an agreed international boundary. This is likely to be joined by Jordan in the short-term, with the chance that both Syria and Lebanon will follow.

Whether or not a boundary will be formally demarcated between Israel and a future sovereign Palestinian entity is largely dependent on Israel finally agreeing to the establishment of a Palestinian state, or in other words the repartition of Palestine. In such an eventuality, the course of the boundary is likely to closely follow the 'green line' boundary which separated Israel from the West Bank between 1948-1967. However, the possibility of territorial redemarcation in Israel's favour should not be ruled

out. Were this to be the outstanding issue preventing the final signing of a full peace agreement, it is likely that the Palestinians would accept some territorial attrition rather than risk the non-establishment of a sovereign state.

One should not belittle the threats that still exist for the continued success of the peace process. The inability of both Israel and the Palestinian leadership to control the more extreme elements, as witnessed by almost weekly incidents of violence, could result in a slowing down of the process and, in a worst scenario, bring about changes amongst public opinion and the subsequent derailing of the process altogether. However, to most observers it would appear that this time, this most volatile of regions has taken an important step down the road to regional stability which will be difficult to reverse.

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