

Remember Oslo?

By Hilary Wise

Amid all the brouhaha surrounding the renewal of the ‘peace process’ it’s worth remembering what emerged from another set of much-vaunted negotiations that took place 20 years ago. Greeted variously with relief, enthusiasm, scepticism and rage, the Oslo Accords should serve as a warning that little of value – for the Palestinians – is likely to be forthcoming from the current round of talks.

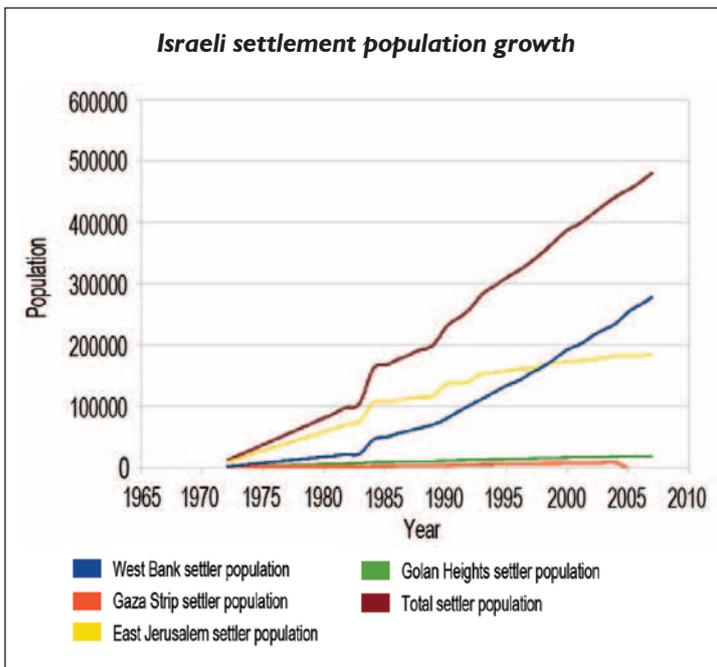
In an initial exchange of letters between Yasser Arafat and Yitzhak Rabin in September 1993, the PLO made major concessions. They recognised the “right of the state of Israel to exist in peace and security” within the pre-1967 borders, committed themselves to resolving final status issues through peaceful means and negotiations, and renounced the use of terrorism.

In return, PLO leader Arafat received a letter of just six lines from Prime Minister Rabin agreeing to “recognize the PLO as the representative of the Palestinian people and commence negotiations within the Middle East peace process.” No mention of sovereignty or security. The exchange speaks volumes about the asymmetry of power between the two participants.

A few days later a formal Declaration of Principles, or Oslo I, was signed. It established a framework for PLO-Israeli relations during an interim period, when the Palestinians in Gaza and the West Bank would establish a self-governing authority for a period of five years, at most.

Permanent status issues

It was agreed that, by 1996 at the latest, a permanent status agreement was to be concluded, leading to a complete end of the Israeli occupation and an independent Palestinian state. The “permanent status issues” were the heart of the matter: they included Jerusalem, the refugees, the settlements, and the precise borders of the two states. Negotiations were supposed to begin no later than the third year of the interim period, ie 1996, but they never even started.



President Bill Clinton with Rabin and Arafat

Oslo II, signed in 1995, divided Gaza and the West Bank into three areas, A, B, and C, the Palestinian Authority having full control only of Area A (3% of the West Bank) while Area B (25%) was to be under Palestinian civil control but Israeli security control and Area C (72%) was under full Israeli control. There were to be phased Israeli withdrawals from areas B and C, leading up to the final status agreement.

The Accords stipulated that “neither side shall initiate or take any step that will change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations.” With blatant disregard of this clause, Israel has ever since built and expanded settlements in the West Bank, including in and around East Jerusalem and (until 2005) in Gaza, thus artificially altering the status of the occupied Palestinian territory, both physically and demographically.

Since 1995, Israel has built over 50,000 settlement housing units and nearly doubled the settler population in the occupied Palestinian territory where over 500,000 settlers currently live. With this massive colonising project, Israel is in breach not only of the Oslo Accords but also of international law, and in particular the Fourth Geneva Convention and the Rome Statute of the International Criminal Court.

With Israel focussing its settlement activity on Area C, from which they should have withdrawn years ago according to the Accords, more and more Palestinians have been forced off the land, losing their ancient way of life, to seek refuge in the main Palestinian towns and cities of the West Bank.

In Jerusalem, too, Israel’s policies and practices are contrary both to the “peace” agreements it signed and to international law. These include the revocation of residency rights, the demolition of Palestinian homes, the isolation of Jerusalem from the rest of the West Bank, and the closure of Palestinian institutions in the city. Hence, far from working towards the establishment of two states living in peaceful co-existence which was the aim of the Oslo Accords, the Israelis have sought to eliminate the very possibility of a viable Palestinian state with East Jerusalem as its capital – what the Palestinians view as the cornerstone of any final status agreement.

Water agreements violated

Oslo II dealt with all aspects of the Palestinian economy, the most vital perhaps being the water supply. An Israeli-Palestinian Joint Water Committee was established to coordinate the management of water and wastewater and Israel agreed not to increase its utilisation of water resources beyond its quota without obtaining prior approval from the Palestinian side. They also agreed to prevent deterioration of water quality, to practice sustainable water use and to exchange data on the amount of water extracted from all three aquifers as well as their sustainable yield.

Israel has continuously violated its obligations and imposed restrictions on Palestinian water development. Today, the net quantity of water available to Palestinians falls far short of the quota allocated under Oslo II, despite the fact that the Palestinian population living in the West Bank has increased.

According to a 2009 World Bank report, Israel overdraws up to 1.8 times its quota, without Joint Water Committee approval. Not only has Israel prevented Palestinian access to water as per the allocated quota; it has refused to authorise permits to drill new deep wells, and for a very long period delayed the approval of waste water treatment plants. In addition, Israel has also made approval of Palestinian projects conditional on the approval of water projects in illegal Israeli settlements.

Rather than permitting Palestinian development, Israel has pushed for supplying water to Palestinians from its own system, and used that as a pretext for expanding Israeli water infrastructure in the West Bank, to serve illegal Israeli settlements.

In addition, Israel has systematically sought to prevent Palestinian access to water by destroying the Palestinian water infrastructure, e.g. by demolishing wells and rain-harvesting cisterns. These actions are in complete violation of the Oslo Accords and are criminalised under the Rome Statute of the International Criminal Court.

Power supplies denied

When it comes to electricity, Israel charges the PA some of the highest rates in the world for supplying it with electricity but continues to deny Palestinian requests for electrification of small communities in area C.

The Paris Protocol, which was part of Oslo I, ensured a Palestinian economy integrated into and dependent on the Israeli economy. (The Palestinian Authority had no choice but to accept this, because Israel made acceptance a condition for Israel's continuing to allow tens of thousands of Palestinians to work in Israel.) In practice, the Protocol was used to stifle the nascent Palestinian economy by, for example, denying the PA's authority to import goods at the Jordan River and Gaza entry points, and by refusing to recognise Palestinian standards certificates and conformity marks.

Very strict standards are imposed on the movement of Palestinian agricultural produce, even stricter than international standards, resulting in trade barriers between the two parties and between Palestinians and the rest of the world. Israel manipulates the transfer of taxes it collects on behalf of the PA, unilaterally making deductions against Palestinian revenues and frequently withholding tax revenues as a punitive measure.

Freedom of movement is of course fundamental to the economic, social and cultural life of the Palestinians. Oslo I compels both sides to "respect and preserve without obstacles, normal and smooth movement of people, vehicles and goods within the West Bank, and between the West Bank and the Gaza Strip."

Yet, over the years, Israel has pursued a policy of fragmenting the Occupied Territories through physical, legal and administrative barriers. Movement between Gaza and the West Bank has become nearly impossible for Palestinians. Since the early 1990s, West Bank ID holders have not had free access to East Jerusalem and other Palestinian areas illegally annexed by Israel. Areas west of the Wall have been declared "closed military zones" and access to the Jordan Valley is restricted to residents of the area.

Communications restricted

In the field of telecommunications, agreement was reached in Oslo on provision of services for the Occupied Territories. However, Israel generally denies the importation of essential equipment and fails to issue permits to build infrastructure in Area C, while facilitating

unauthorised Israeli mobile phone companies in Palestinian areas. Moreover, Israel continues to hinder free and unfettered Palestinian broadcasting. Recently, a number of Palestinian radio and TV stations were invaded by Israeli forces which confiscated equipment, detained employees, and closed down stations entirely.

Fishing, once a major industry in Gaza, was safeguarded under the Accords, but Israel arbitrarily limits Palestinian fishing to no more than three nautical miles from the shore as opposed to the agreed 20 mile zone. In addition, arbitrary Israeli naval enforcement has resulted in the death and injury of dozens of Palestinian fishermen.

Traditionally Palestinians have welcomed pilgrims and tourists for centuries, and under the Accords Israel is required to allow entry to all tourism professionals and buses licensed by the PA. Yet Israel permits fewer than 42 Palestinian tour guides to enter Jerusalem and Israel, while over 5,000 Israeli tour guides have access to tourist sites in Israel and the Occupied Territories, including illegal settlement sites.

Despite all these multiple and meticulously calculated violations, post-Oslo the international community (largely the US and the EU) found itself funding much of the Occupied Territories' civil infrastructure, relieving Israel of that costly obligation.

No doubt the PA found it impossible to resist combined US and Israeli pressure to attend the latest round of negotiations – who could? Israel probably feels it's good for its besmirched image to be seen "talking peace." And maybe they hope to get an embattled and exhausted PA to sign up to the Bantustan solution. If anything could ignite a third Intifada, that would be it.

