

The Israel-Arab Reader



*A Documentary History of the
Middle East Conflict*

SIXTH REVISED EDITION

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**UN General Assembly: Resolution 303,
On the Internationalization of Jerusalem
(December 9, 1949)**

*The General Assembly,
Having regard to its resolution 181 (II) of 29 November 1947 and 194
(III) of 11 December 1948,
Having studied the reports of the United Nations Conciliation Commis-
sion for Palestine set up under the latter resolution,*

I. DECIDES

In relation to Jerusalem,

*Believing that the principles underlying its previous resolutions concern-
ing this matter, and in particular its resolution of 29 November 1947,
represent a just and equitable settlement of the question,*

1. To restate, therefore, its intention that Jerusalem should be placed under a permanent international regime, which should envisage appropriate guarantees for the protection of the Holy Places, both within and outside Jerusalem and to confirm specifically the following provisions of General Assembly resolution 181 (II):

(1) The City of Jerusalem shall be established as a *corpus separatum* under a special international régime and shall be administered by the United Nations; (2) The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority . . . ; and (3) The City of Jerusalem shall include 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, as indicated on the attached sketch-map; (*map not reproduced: Ed.*)

2. To request for this purpose that the Trusteeship Council at its next session, whether special or regular, complete the preparation of the Statute of Jerusalem, omitting the now inapplicable provisions, such as articles 32

and 39, and, without prejudice to the fundamental principles of the international régime for Jerusalem set forth in General Assembly resolution 181 (II) introducing therein amendments in the direction of its greater democratization, approve the Statute, and proceed immediately with its implementation. The Trusteeship Council shall not allow any actions taken by any interested Government or Governments to divert it from adopting and implementing the Statute of Jerusalem;

II.

Calls upon the States concerned, to make formal undertakings, at an early date and in the light of their obligations as Members of the United Nations, that they will approach these matters with good will, and be guided by the terms of the present resolution.

UN Security Council: Resolution 242
(November 22, 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 Israel armed forces from territories occupied in the recent conflict;

(ii) Termination of all claims or states of belligerency and respect for and acknowledgment 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.

UN Security Council: Resolution 338
(October 22, 1973)

The Security Council

1. Calls upon all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than twelve hours after the moment of the adoption of this decision, in the positions they now occupy;

2. Calls upon the 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.

The Likud Party: Platform (March 1977)

The Right of the Jewish People to the Land of Israel (Eretz Israel)

a. The right of the Jewish people to the land of Israel is eternal and indisputable and is linked with the right to security and peace; therefore, Judaea and Samaria will not be handed to any foreign administration; between the Sea and the Jordan there will only be Israeli sovereignty.

b. A plan which relinquishes parts of western Eretz Israel, undermines our right to the country, unavoidably leads to the establishment of a "Palestinian State," jeopardizes the security of the Jewish population, endangers the existence of the State of Israel, and frustrates any prospect of peace.

Genuine Peace—Our Central Objective

a. The Likud government will place its aspirations for peace at the top of its priorities and will spare no effort to promote peace. The Likud will act as a genuine partner at peace treaty negotiations with our neighbors, as is customary among the nations. The Likud government will attend the Geneva Conference. . . .

d. The Likud government's peace initiative will be positive. Directly or through a friendly state, Israel will invite her neighbors to hold direct negotiations, in order to sign peace agreements without pre-conditions.

on either side and without any solution formula invented by outsiders ("invented outside").

At the negotiations each party will be free to make any proposals it deems fit.

Settlement

Settlement, both urban and rural, in all parts of the Land of Israel is the focal point of the Zionist effort to redeem the country, to maintain vital security areas and serves as a reservoir of strength and inspiration for the renewal of the pioneering spirit. The Likud government will call on the younger generation in Israel and the dispersions to settle and help every group and individual in the task of inhabiting and cultivating the wasteland, while taking care not to dispossess anyone.

Arab Terror Organizations

The PLO is no national liberation organization but an organization of assassins, which the Arab countries use as a political and military tool, while also serving the interests of Soviet imperialism, to stir up the area. Its aim is to liquidate the State of Israel, set up an Arab country instead and make the Land of Israel part of the Arab world. The Likud government will strive to eliminate these murderous organizations in order to prevent them from carrying out their bloody deeds.

PLO: Six-Point Program (December 4, 1977)*

In the wake of Sadat's treasonous visit to the Zionist entity, all factions of the Palestinian Resistance Movement have decided to make a practical answer to this step. On this basis, they met and issued the following document:

We, all factions of the PLO, announce the following:

FIRST: We call for the formation of a "Steadfastness and Confrontation Front" composed of Libya, Algeria, Iraq, Democratic Yemen, Syria and the PLO, to oppose all capitulationist solutions planned by imperialism, Zionism and their Arab tools.

SECOND: We fully condemn any Arab party in the Tripoli Summit which rejects the formation of this Front, and we announce this.

THIRD: We reaffirm our rejection of Security Council resolutions 242 and 338.

FOURTH: We reaffirm our rejection of all international conferences based on these two resolutions, including the Geneva Conference.

FIFTH: To strive for the realization of the Palestinian people's rights to return and self-determination within the context of an independent Palestinian national state on any part of Palestinian land, without reconciliation, recognition or negotiations, as an interim aim of the Palestinian Revolution.

SIXTH: To apply the measures related to the political boycott of the Sadat regime.

In the name of all the factions, we ratify this unificatory document.

Signed by leaders of the PLO's constituent organizations in Tripoli, Libya.

U.S. Letter of Assurances to the Palestinians (October 18, 1991)

The Palestinian decision to attend a peace conference to launch direct negotiations with Israel represents an important step in the search for a comprehensive, just and lasting peace in the region. The United States has long believed that Palestinian participation is critical to the success of our efforts.

In the context of the process on which we are embarking, we want to respond to your requests for certain assurances related to this process. These assurances constitute U.S. understandings and intentions concerning the conference and ensuring negotiations.

These assurances are consistent with United States policy and do not undermine or contradict United Nations Security Council Resolutions 242 and 338. Moreover, there will be no assurances provided to one party that are not known to all the others. By this we can foster a sense of confidence and minimize chances for misunderstandings.

As President Bush stated in his March 6, 1991, address to Congress, the United States continues to believe firmly that a comprehensive peace must be grounded in United Nations Security Council Resolutions 242 and 338 and the principle of territory for peace. Such an outcome must also provide for security and recognition for all states in the region, including Israel, and for the legitimate political rights of the Palestinian people. Anything else, the President noted, would fail the twin tests of fairness and security.

The process we are trying to create offers Palestinians a way to achieve these objectives. The United States believes that there should be an end to the Israeli occupation which can occur only through genuine and meaningful negotiations. The United States also believes that this process should create a new relationship of mutuality where Palestinians and Israelis can respect one another's security, identity, and political rights. We believe Palestinians should gain control over political, economic and other decisions that affect their lives and fate.

Direct bilateral negotiations will begin four days after the opening of the conference; those parties who wish to attend multilateral negotiations will convene two weeks after the opening of the conference to organize those negotiations. In this regard, the United States will support Palestinian involvement in any bilateral or multilateral negotiations on refugees and in all multilateral negotiations. The conference and the negotiations that follow will be based on UN Security Council Resolutions 242 and 338. The process will proceed along two tracks through direct negotiations between Israel and Arab states and Israel and Palestinians. The United States is determined to achieve a comprehensive settlement of the Arab-Israeli conflict and will do its utmost to ensure that the process moves forward along both tracks toward this end.

In pursuit of a comprehensive settlement, all the negotiations should proceed as quickly as possible toward agreement. For its part, the United States will work for serious negotiations and will also seek to avoid prolongation and stalling by any party.

The conference will be co-sponsored by the United States and the Soviet Union. The European Community will be a participant in the conference alongside the United States and the Soviet Union and be represented by its Presidency. The conference can reconvene only with the consent of all the parties.

With regard to the role of the United Nations, the UN Secretary General will send a representative to the conference as an observer. The cosponsors will keep the Secretary General apprised of the progress of the negotiations. Agreements reached between the parties will be registered with the UN Secretariat and reported to the Security Council, and the parties will seek the Council's endorsement of such agreements. Since it is in the interest of all parties for this process to succeed, while this process is actively ongoing, the United States will not support a competing or parallel process in the United Nations Security Council.

The United States does not seek to determine who speaks for Palestinians in this process. We are seeking to launch a political negotiation process that directly involves Palestinians and offers a pathway for achieving the legitimate political rights of the Palestinian people and for participation in the determination of their future. We believe that a joint Jordanian-Palestinian delegation offers the most promising pathway toward this end.

Only Palestinians can choose their delegation members, which are not subject to veto from anyone. The United States understands that members of the delegation will be Palestinians from the territories who agree to negotiations on two tracks, in phases, and who are willing to live in peace with Israel. No party can be forced to sit with anyone it does not want to sit with.

Palestinians will be free to announce their component of the joint delegation and to make a statement during the opening of the conference. They may also raise any issue pertaining to the substance of the negotiations during the negotiations.

The United States understands how much importance Palestinians attach to the question of east Jerusalem. Thus, we want to assure you that nothing Palestinians do in choosing their delegation members in this phase of the process will affect their claim to east Jerusalem, or be prejudicial or precedential to the outcome of negotiations. It remains the firm position of the United States that Jerusalem must never again be a divided city and that its final status should be decided by negotiations. Thus, we do not recognize Israel's annexation of east Jerusalem or the extension of its municipal boundaries, and we encourage all sides to avoid unilateral acts that would exacerbate local tensions or make negotiations more difficult or pre-

empt their final outcome. It is also the United States position that a Palestinian resident in Jordan with ties to a prominent Jerusalem family would be eligible to join the Jordanian side of the delegation.

Furthermore, it is also the United States position that Palestinians of east Jerusalem should be able to participate by voting in the elections for an interim self-governing authority. The United States further believes that Palestinians from east Jerusalem and Palestinians outside the occupied territories who meet the three criteria should be able to participate in the negotiations on final status. And, the United States supports the right of Palestinians to bring any issue, including east Jerusalem, to the table.

Because the issues at stake are so complex and the emotions so deep, the United States has long maintained that a transitional period is required to break down the walls of suspicion and mistrust and lay the basis for sustainable negotiations on the final status of the occupied territories. The purpose of negotiations on transitional arrangements is to effect the peaceful and orderly transfer of authority from Israel to Palestinians. Palestinians need to achieve rapid control over political, economic, and other decisions that affect their lives and to adjust to a new situation in which Palestinians exercise authority in the West Bank and Gaza. For its part, the United States will strive from the outset and encourage all parties to adopt steps that can create an environment of confidence and mutual trust, including respect for human rights.

As you are aware with respect to negotiations between Israel and Palestinians, negotiations will be conducted in phases, beginning with talks on interim self-government arrangements. These talks will be conducted with the objective of reaching agreement within one year. Once agreed, the interim self-government arrangements will last for a period of five years. Beginning the third year of the period of interim government arrangements, negotiations will take place on permanent status. It is the aim of the United States that permanent status negotiations will be concluded by the end of the transitional period.

It has long been our position that only direct negotiations based on UN Security Council Resolutions 242 and 338 can produce a real peace. No one can dictate the outcome in advance. The United States understands that Palestinians must be free, in opening statements at the conference and in the negotiations that follow, to raise any issue of importance to them. Thus, Palestinians are free to argue for whatever outcome they believe best meets their requirements. The United States will accept any outcome agreed by the parties. In this regard and consistent with longstanding U.S. policies, confederation is not excluded as a possible outcome of negotiations on final status.

The United States has long believed that no party should take unilateral actions that seek to predetermine issues that can only be resolved through negotiations. In this regard the United States has opposed and will con-

tinue to oppose settlement activity in the territories occupied in 1967, which remains an obstacle to peace.

The United States will act as an honest broker in trying to resolve the Arab-Israeli conflict. It is our intention, together with the Soviet Union, to play the role of a driving force in this process to help the parties move forward toward a comprehensive peace. Any party will have access to the co-sponsors at any time. The United States is prepared to participate in all stages of the negotiations, with the consent of the parties to each negotiation.

These are the assurances that the United States is providing concerning the implementation of the initiative we have discussed. We are persuaded that we have a real opportunity to accomplish something very important in the peace process. And we are prepared to work hard together with you in the period ahead to build on the progress we have made. There will be difficult challenges for all parties. But with Palestinians' continued commitment and creativity, we have a real chance of moving to a peace conference and to negotiation and then on toward the broader peace that we all seek.