

Conference Call with Dr. Einat Wilf

Omri Ceren: Thank you for that. Thank you Dr. Einat Wilf for joining us this morning and thank all of you. I know it's early on the East Coast, especially early on the West Coast where some of you are dialed in from. But we wanted to get folks together to begin unpacking some of the developments that have happened over the last 24 hours, really. The, last night, or at least late Tuesday Ramallah time, the Associated Press filed a report from Ramallah, saying that Abbas had issued a hastily convened press conference and that he had committed to "immediately joining" at that time it was unknown whether it would be 15 bodies, 15 conventions, but some level of international institutions. There was speculation overnight about what the consequences for that would be. We discovered early this morning Eastern time that the 15 entities, etc. that he had committed – signed off on were in fact international conventions. Literally in the last couple of minutes it appears that they've submitted those. So this is a fast-developing story and we wanted to make sure that people had the information that they needed as early as possible to begin writing and analyzing what's going on. To help us do that today, we have Dr. Einat Wilf. She's a senior fellow with the Jewish People Policy Institute. She's an adjunct fellow at WINEP here in town. And we will do this as we always do. We'll have an introduction and then we will go to your questions and answers. Those can either be submitted by email to press@theisraelproject.org, press@theisraelproject.org, or we've already got a couple in response to the invite. On that note, I will hand it over to Dr. Wilf.

Dr. Wilf: Hi, good afternoon or good morning to you. So this is indeed a fast-developing story. We've just learned that the Palestinian Foreign Minister Riyad Al-Maliki and Saeb Erekat, the head of the negotiation team, they met with Robert Serry, the special envoy to the Middle East, the United Nations Secretary General. They also met with the Swiss and Dutch representatives who are responsible for conventions that are stationed in Geneva and The Hague. And they basically submitted their request to join these 15 conventions. And now the question is 'What does this mean?' So the interesting thing is supposedly when countries submit requests to join the convention, that means that they have every intention to approve them domestically, to implement them domestically. We're talking about the convention on the elimination of all forms of discriminations against women – which is a very important one – one about the rights of the child, persons with disabilities. So of course if one wanted to be very optimistic, wanted...one wanted to look only on the bright side, this would be a purely domestic Palestinian element, by which they want to signal their desire to build a state that is entirely a part of the international system, that is part of all the conventions, and that submits itself to all the conventions and abides by all the rules. But of course I think that would be a very, very beneficial and optimistic interpretation. This is, in my view, the first step. It's a first shot, a very moderate shot at this point. It's still not the heavy guns. It's not the International Criminal Court. But it's a first modest shot that signals to Israel that the Palestinians are ready to essentially wage battle in a whole variety of United Nations bodies. For example, they can use any one of these conventions, not for domestic reasons but actually to highlight Israeli issues. So they

might bring questions on persons of disabilities or children or women, and they might bring issue against Israel and how it treats Palestinian women or children or persons with disabilities. So I don't think this is about Palestinian domestic state building. If this had been the case, I don't think anyone would have taken any issue with it and it would not have been also a step that is taken as a retaliatory step against the perception of the breakdown of the negotiations. And this is basically a first shot that says to Israel 'We are renewing the war. We're renewing the battle field of the United Nations.' And we really need to understand the broader context, which is this is the new mode of warfare against Israel that is taking place. Violent forms at this point have been put aside, not because the Palestinians or the Arab world has adopted pacifism as their reigning ideology but for very practical reasons: violence has failed them. It has failed to achieve their goals. In many ways it has backfired. It has undermined their credibility, it has undermined sympathy for their goal. So this new mode of warfare, even though it is non-violent in its means, and we should see it in the broader context of the boycott, divestment, and sanction movement, the legal warfare movement, this is part of a broader strategy to undermine, delegitimize, isolate Israel in every possible arena, without using violence. I would say even though the means are not violent, it doesn't say anything about the end. We tend to assume that if the means are not violent, the ends are therefore positive or noble, and I would say absolutely no connection. The means right now are not violent, again not because of pacifism; simply because of the failure of violence. So these are the new means, but the ends remain the same ends as they have always been, which is to present Israel, and especially the Zionism as the foundational idea of Israel, as not-legitimate, and this is merely one more arena where this is taking place. So let me start with that and I'm happy to take any questions.

Omri Ceren: Operator, if we could give the instructions for queuing up please....We've had a bunch of questions come in that revolve in a general sense around the idea of Palestinian sovereignty -- how this affects it, what it may say about it. So I want to drill down into them in a couple of ways. The first question we have actually isn't directly related to the treaties, but it's a question about the ways that the Palestinians are dependent on Israel. Which is to say, for instance, the Palestinians are dependent on Israeli security systems, and in fact Israeli security personnel to maintain the peace. They're dependent on Israel for energy. To what degree does that on face lack of sovereignty impact their ability to operate in international forums or to ascend to international conventions?

Dr. Wilf: That in itself does not impact, I mean the extent to which they relate or depend on some services on connections with Israel has absolutely no relation for their standing in the UN or UN bodies. What I will say is I've had recently meetings with quite a few diplomats and they're maintaining a very interesting position, which is: Yes, their country has voted to accept Palestine as a non-member state of the United Nations and therefore its various bodies, but it does not recognize an independent sovereign state of Palestine. It's a very fine diplomatic line, which many countries, especially Western countries, are careful to maintain. But I think the more the Palestinians will push their standing in a whole

variety of bodies, maintaining that line for Western countries I think is going to become increasingly difficult.

Omri Ceren: So that actually gets directly into a second flavor of this question that we've gotten now twice, which is: Inasmuch as the Palestinians appear to a greater or lesser extent to be a ward of the international community -- which is to say that the West Bank economy is floated with Western money and so on -- to what degree does...do the pretenses of statehood get undermined by this, these conditions of dependency?

Dr. Wilf: The pretenses of statehood, and that's actually I would say an accurate way of defining it, right now -- again, especially the Western which you could say are the important factors here -- Western countries are trying to maintain the difference between recognizing a sovereign state of Palestine and allowing it to play with certain elements of sovereignty, certain elements of semi-statehood such as the non-membership in the U.N. or in U.N. bodies. And there's a question also...and the thing is that the Palestinians are also playing with it and benefiting from it, because such as the submission of these conventions or being a non-member state of the UN allows them to play with being a state or almost a state, but without the responsibilities. A key example, one that I work on a lot is the question, for example, of the descendants of the refugees. The descendants of the refugees, there are several millions of them living in Gaza and the West Bank. If Palestine were to be recognized as a state, and if the Palestinians were to go all the way with their claim that they are a state, no one could accept the idea that a person living in Ramallah or living in Gaza is a refugee from Palestine. You could not argue that this is the state of Palestine and to the same time argue that someone living there is a refugee from Palestine, unless you went with the claim that Israel is Palestine. But if you do accept the two-state solution, no one would be able to live with that argument. The Palestinians are still able to hold the [inaudible] stick on both ends by playing the fact that they're kind of playing being a state on the international arena, but not going the extra mile where they accept the responsibility of being a state, such as, for example, maintaining that those descendants of refugees who are living in their area are not refugees from Palestine. So the issue of dependence on Israel is a part of it, but I would say the bigger part of it is that both the Palestinians as well as the Western countries find it convenient to draw this very fine line between the elements of playing state in the international community as compared to actually being a recognized sovereign state.

Omri Ceren: We have a couple questions in the queue. I want to take one more question by email that is, and I promise, the last one that we'll have on sovereignty and then we'll go to the queue. This question came in a couple of forms but it basically asks, of what does it, what you referenced earlier that the treaties that have been picked out seem to be aimed as much at Israel as domestic institution-building? There's at least a couple categories that people have already begun talking about -- treaties that the Palestinians are unlikely to enforce; for instance, the anti-corruption treaty seems like one that would be difficult for them to wrap their arms around. But there's another category of treaty that they seem unable to enforce and the one

that people are talking about, that two people are talking about, are the treaties about the rights of women and the treaties about the rights of children. Take a hypothetical where Hamas or Palestinian Islamic Jihad continue to use openly child soldiers in violation of the treaty regarding the rights of children. What are the implications from a legal perspective if the Palestinian Authority is unable to enforce those treaties within its territory? Does it get at larger questions of statehood?

Dr. Wilf: So, for example, we'll take the Convention on the Elimination of All Forms of Discrimination Against Women, known as CEDAW. That convention, all Arab countries, for example, are signatories to that convention, but all of them have so many local loopholes that international bodies question their commitment to that convention. But it's not as if as a result of that, the sovereignty of Arab countries is questioned. It's not as if any Arab country as a result of that is no longer considered sovereign. That's just part of how the U.N. works, I mean the other countries might raise questions, but it does not for a moment undermine or question the sovereignty if a country, even though it's a signatory, fails to enforce it domestically. Basically, it is a voluntary system. It is a system of goodwill, so the Palestinians will now be part of that goodwill voluntary system. They will, supposedly, have to begin to report to various U.N. bodies on what progress they're making in terms of how they treat women, or children, or persons with disabilities. But there's never a questioning of the country, or its legitimacy, or its sovereignty, if it fails to enforce it. It's more about countries showing goodwill on progressing towards full implementation of the spirit and letter of these conventions. So I think it would actually be very interesting to watch how much these conventions will serve for the Palestinians to play as a member of the United Nations and as a state or a non-member state of the United Nations and how much will be, basically, to needle Israel. Again, I would be deeply surprised if this turns out to be mostly about a domestic agenda; hugely surprised and happily surprised, I guess. And I would say that ultimately this would be about needling Israel much more than about institution-building in the West Bank and Gaza.

Omri Ceren: On that let's go to the queue please, operator.

Question: Hi, thanks. Einat, I wonder, I guess this is a two-part question. One, what do you think Israel's response will be, either immediately to the depositing of these papers with Robert Serry or at what point might they respond. And also, does in some way this move by President Abbas actually sort of help Prime Minister Netanyahu and the Israelis, in terms of the perennial blame-game, because now both sides seem to have violated their commitments under the nine-month timetable?

Dr. Wilf: So I'll take the second question, not that the blame game is very important in my view, it's much more in my view a game than blame, but yes, you're absolutely right that it puts the Palestinians officially in clear violation of the understandings that were achieved about these negotiations. I don't know to what extent this will serve anyone but that's what it's going to be used for. Perhaps what the Israeli response is, I don't know, my guess is that Israel will not be

quick to completely kind of go all out, I don't know, with new building constructions or anything of the sort. But, my guess is that it will highlight the extent to which this is a major violation and maybe begin to look to opportunities to which this can backfire at the Palestinians in the United Nations body. I think there will also be an effort on behalf of Israel to organize itself for this new kind of warfare or battlefield, because if the Palestinians will use it to begin to lay claims against Israel in a whole variety of bodies and a whole variety of issues, this will become a dominant issue for Israel and something that they will have to put a lot of manpower to it -- foreign affairs, legal people, on combating these various issues.

Question: Hi Dr. Wilf, thank you very much for taking this phone call and thank you Omri and TIP for putting it together. You've said a few times now that you think it has nothing to do with a domestic agenda; meaning, Palestinian institution-building, but I wonder if it might be part, or how much of it might be part of an internal Palestinian squabble or maneuvering. I mean I'm thinking is this one way for Abbas to send off certain contenders, namely Mohammed Dahlan, or, I mean, do you think it has no effect on the internal Palestinian scene?

Dr. Wilf: I don't think, I really don't look, see this being used as a domestic element, not even on the Hamas-Fatah issues or the internal Palestinian Authority stuff. But it is a way to demonstrate, domestically, that Abbas is taking steps, which again from the Palestinian perspective, are considered combative steps; they're not considered the state-building steps, so it is considered, as something to say, okay, Israel has not released all prisoners, we are not taking this lying down, we are taking steps. And because violence has been discredited, if let's say you try to compare it to Arafat building his people, army, arming them during the negotiations in Camp David in expectations of their failure, and then the beginning of the Second Intifada, then this is the non-violent parallel of it. Kind of as we were preparing for the breakdown -- this, these talks, we are preparing our non-violent weapons for our new kind of warfare. My people right now don't have the stomach for a violent campaign. It has no legitimacy -- not domestically, not internationally, so these are the weapons I have now and I'm basically beginning to use them. So I think this almost entirely an outside move. Maybe it served domestically to strengthen him as, again, a fighter for the Palestinian cause, someone who's not taking kind of things from Israel lying down. But it's only at that level, in my opinion.

Omri Ceren: On that note, I think we are out of time and thank you again Dr. Wilf for joining this morning. Thank you everybody who was on the call. As always, if you have more questions or concerns, feel free to ping us at press@theisraelproject.org, press@theisraelproject.org and have a good day everybody.