

ACHIEVING A MIDDLE EAST BREAKTHROUGH

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In a recent interview in the Washington Post, Iranian President Mahmoud Ahmadinejad made this remarkable comment about the Israeli-Palestinian conflict: "Let the Palestinian people decide their fate in a free and fair referendum, and the result, whatever it is, should be accepted."

This Iranian suggestion of a Palestinian referendum dovetails with the position of Hamas, that the PLO, headed by Palestinian President Mahmoud Abbas, should negotiate with Israel on behalf of the Palestinian people, but that any negotiated treaty must be subject to ratification by a referendum of all Palestinians, including those in the diaspora.

This emphasis of the use of a Palestinian referendum as the key to ending the Israeli-Palestinian conflict should not be dismissed as some public relations ploy. It speaks to several important Palestinian realities. One is that the PLO, to which Hamas does not belong, is not fully representative of the Palestinian people. A second is the belief that fundamental compromises on the Palestinian "right of return" will require direct expression by the people themselves.

There is also a political reality. Whatever his internal machinations, Ahmadinejad knows that the steam would go out of his ability to use the Palestinian cause for his own ends, were the Palestinian people to endorse a peace agreement. And similarly, the Hamas leadership knows that its own political legitimacy would require that it accept any peace treaty ratified by a referendum.

In both cases, this political reality has been turned to advantage. Without making any compromises in advance on issues of substance, Iran and Hamas have been able to point towards a process that opens the door to negotiations and could lead to resolving the conflict. Thus, both Ahmadinejad and Haneya have been able to take stances of moderation without appearing to shift on issues of principle. The challenge for the rest of us is to find a way to use this opportunity in the cause of genuine peace.

The most straight-forward approach is to give PLO Chairman Mahmoud Abbas what he has been asking for, a renewal of the Israeli-PLO final status talks that were last held in January of 2001, and broken off when Ariel Sharon was elected Prime Minister. This approach would sharply segregate peace negotiations from the issue of aid to the Hamas-led government of the Palestinian Authority. The aid issue would remain unchanged, and dependent on whether the government of the Palestinian Authority accepts the principles of non-violence, acceptance of previous agreements and recognition of Israel's right to exist, laid down by the Quartet. Israel would not be negotiating with the Palestinian Authority government, but with the PLO, as did Rabin, Peres, Netanyahu and Barak, when Arafat was head of the PLO.

Polls of both Israelis and Palestinians suggest that an agreement acceptable to both peoples can be found. Yet were Israeli-PLO final status talks to resume, it is unclear whether either leadership would make the hard compromises needed to reach an agreement. Knowing this, the Bush Administration has, understandably, been reluctant to repeat President Clinton's experience at Camp David in the summer of 2000.

An alternative approach, one that utilizes the referendum idea offers a way forward. Rather than traditional bilateral negotiations, the process would open with the Quartet (the US, EU, UN and Russia) putting on the table a fully drafted end-of-conflict peace treaty based on the Clinton Parameters. These parameters were accepted by Israel at the time, and are now also accepted by the PLO. Starting with the draft peace agreement, Israeli and Palestinian negotiators would be given six months to negotiate any improvements. Then, either in its original or improved form,

Israel and the PLO would have to approve or reject the agreement.

Each party would utilize its own procedures. On the Israeli side this would mean a Cabinet decision on whether to bring the treaty to a vote in the Knesset. On the Palestinian side, if the PLO accepts the treaty document it would be submitted for ratification by a referendum of the Palestinian people. This approach would provide the Palestinian people with a moment of truth, an opportunity, in Ahmadinejad's words, 'to decide their fate.'

Prior to negotiations, the Palestinians would need to enact specific procedures for calling and conducting a referendum. In addition there would have to be clarity that a treaty approved in a referendum is the law of the land, binding on all successor governments. Such steps are quite doable and would not take long to enact.

The key is to focus on bringing a balanced end-of-conflict agreement to a decisive vote of the Palestinian people. Success here would open the door for full normalization of Israel's relations with the Arab world, and possibly Iran. It is simply too important to not be tested.