

# Palestinian Strategy and the UN

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Many questions have arisen about the wisdom of seeking United Nations recognition of the State of Palestine in September. In particular, two issues stand out:

- 1) Once recognition is obtained from the United Nations General Assembly, then what? Is there a step-2?
- 2) Is there really any long-term alternative to negotiations, given that without Israeli agreement issues such as Jerusalem and refugees cannot be resolved? Will a UN strategy lead to productive negotiations at some point in the future, or will it make resolution more difficult?

In what follows, I suggest a new approach to address these challenges: that the United Nations General Assembly re-establish UNSCOP, the UN Special Committee on Palestine, and direct that UNSCOP-2 present to the General Assembly, within six months, a fully detailed peace agreement that would resolve all of the permanent status issues of the conflict.

It will be remembered that in May of 1947 the General Assembly created UNSCOP, asking it to formulate a detailed plan for resolving the Palestine question. In four months time, UNSCOP galvanized public attention and produced its majority and minority reports. It traveled to the Middle East and received testimony from Ben Gurion and Chaim Weizman. It refused to let Menachem Begin testify. It visited the displaced persons camps in Europe. It heard from governments around the world and solicited Palestinian views. Unfortunately, in 1947 the Palestinians boycotted UNSCOP. UNSCOP unanimously recommended an end to the British Mandate, but divided on what should come next. The majority report called for two states, one Jewish and one Arab; it detailed the border and spelled out the structure of an international regime for Jerusalem. The minority report called for a federated state. UNSCOP's reported back to the General Assembly, and in November 1947, the majority report was enacted as UNGA Resolution 181, the historic Partition Resolution

To give some content to what might result from UNSCOP-2, let us imagine something similar to the four hundred page Geneva Accords, but perhaps more creative, especially with respect to refugees.

This offers two options:

1. Seeking An Imposed Solution: UNSCOP would report back to the UNGA, and the UNGA would enact a Permanent Status Resolution, one which would embody the proposed treaty agreement with its specific solutions to the key permanent status

questions. Unlike the Geneva Accords, this plan would have been created by an official United Nations body, and have been endorsed by almost all of the nations of the world through the General Assembly. Given its official status, Palestine (or the PLO) would have to say whether or not it accepted the Resolution. If Palestine accepts the new proposal, then the entire Oslo period will have come to a close. Rather than future negotiations on permanent status, the global focus will be on getting Israel to adhere to the demands of the international community. If the Palestinians have already said "Yes" and if the terms are such that the majority of Israeli citizens can accept, this will create a new situation, one never before seen in the history of the conflict. In time, supported throughout the world, it could force political transformation inside Israel.

2. Establishing a New Approach to Negotiations: Rather than an attempt at an imposed solution, the UNSCOP-2 proposal could become the basis for a new form of negotiations. On this approach, once UNSCOP-2 completes its work, Israel and Palestine would be asked to negotiate for three months, to see if they can agree on any mutually acceptable improvements to the draft treaty. After three months, the two sides would report back to the UNGA. They could ask for more time, or announce their failure to reach an agreement or, hopefully, announce an agreed text. If failure ensues, then the UNGA would have to decide. It could ask the US to resume its central role, and to offer bridging proposals. It could call on both states to hold binding referenda on a draft treaty, or perhaps it would determine that at this point in history an end-of-conflict agreement cannot be reached and that what is needed, either by agreement or by United Nations action, is a determination of the border that will separate the two states, and which will be the basis of a long-term hudna.

Whichever approach is taken, the creation of UNSCOP-2 will present a difficult dilemma for the Netanyahu government. The Israeli government will have to decide whether or not to boycott the work of the Committee. Like the Palestinians in 1947 it could decide that it is better to boycott than to provide legitimization. However, given Israel's recent experience with boycotting the Goldstone Commission, the wisdom of boycotting is indeed questionable. But clearly Israel will face an unsettling series of events. Indeed, one possible outcome of the creation, or even the proposal of UNSCOP-2, is that the Israeli government will decide that they much prefer that the Obama Administration put forward a full proposal for ending the conflict, even if this means accepting terms of reference that they have thus far resisted. If this happens, UNSCOP-2 could suspend its work, pending the results of one last effort at bilateral negotiations under US auspices.

With respect to the current question before Palestinian decision makers, whether to go to the UNGA and seek recognition in the fall, the UNSCOP-2 proposal offers three possible approaches:

1. Forget UNGA recognition. Do UNSCOP-2 as a much more powerful alternative.
2. Pursue UNGA recognition as planned, but then go to UNSCOP as Step-2.

3. Postpone UNGA recognition, making it Step-2, after UNSCOP does its work.

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