

P/S Mr Hard

Aug. 1975

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THE MIDDLE EAST

The attached documents prepared by NENAD comprise the preliminary work essential to the consideration in OD early in September of our future attitude towards Palestinian self-determination and the question of a closer dialogue with the PLO. The Department will be submitting a draft paper for OD in due course. They will also be submitting a draft passage for inclusion in the Secretary of State's speech in the General Debate at the UN on 26 September. The Department are holding in reserve a longer draft of a possible comprehensive statement on our attitude towards all aspects of the Middle East problem which could be used later in the year as a kind of Harrogate Mark II if and when it is thought appropriate to make a major re-statement of HMG's position. I have seen both these drafts and agree with them.

2. I am sure that the Secretary of State should include a substantive passage on the Middle East in his General Debate speech. I also think it would be useful, subject to the state of play over the Camp David negotiations, for HMG's position on all the aspects of the problem to be set out at a reasonably early opportunity ie perhaps before the end of this year. It is in our national interest to have a firm policy platform on this question. I was AUS responsible for the Middle East during the last Conservative administration. I have not forgotten the benefits which flowed to us from Harrogate Mark I in terms of our relations with the Arabs and their friends. Admittedly the Israelis reacted adversely, but the timing and content of Harrogate did not create a crisis in our relations with the US. On the credit side, it protected us against out-flanking movements by the French and secured our relations with the Arab world to the extent that our oil supplies were unscathed throughout the bitter crisis of the autumn of 1973. I am not saying that we are under particular pressure from the Arabs at present to re-state our policy. But provided we could do so without precipitating a gratuitous row with the Americans - this would be largely a question of timing in the light of /the

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the evolution of American thinking during the next two or three months - I believe that such a restatement would be a very valuable insurance of our interests against a worsening of the general situation. It is worth noting that French outflanking activities designed to curry favour with the Arabs even at the expense of the rest of the EEC are more pronounced now than they were in the early 1970s.

3. As regards the present exercise on the Palestinians, the Department has done an excellent job both on the question of self-determination and on the historical background. I must be one of the few people left in Government Service who was an officer of the Palestine Government under the Mandate. I can say without any "Foreign Office Arabist" prejudice that the Palestinian right to self-determination is on its merits better founded than that of many other Arab states which have already secured this right. Over the past thirty years or so, I have served in seven different Arab countries. There is no question in my mind that the Palestinians at the time of the expiry of the Mandate in 1948 were far more homogenous and nationally conscious than many of the other peoples of Arab states which secured their independence in the period between the end of the First World War and the end of the 1950s. For example, Arab Palestine was a much clearer candidate for national statehood than Iraq which is a patchwork of Kurds, Turks and Arabs and could easily have been divided into two or three independent states. The same is true of Jordan which originated out of the fortunes of war in 1919 as a ragbag of disparate elements. The same is true of the Sudan where the population is divided between Moslems of partial Arab descent in the north and pure black Africans with absolutely no relationship to Arabs in the south. It is no exaggeration to say that the only Arab country in which I have served which has perhaps a better claim to national statehood than the Palestinians is Egypt, probably the oldest nation state in the world. As the Department has pointed out, if it had not been for the complication of the Balfour Declaration, the Palestinians would have moved smoothly from the Mandate to independent statehood, probably earlier than Iraq, Syria and the Lebanon and with better reason than Jordan, or rather Trans-Jordan.

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4. Hence, as the Department again has pointed out, the argument is now political rather than one of merit. The Israelis will of course react very violently to any recognition of an Arab Paletine identity since this undercuts the whole basis of Zionism. The Americans seem to be moving in the general direction of recognition of the Palestinians and are only inhibited by their relationship with Israel and by the other argument which we should give weight to.

5. This other argument is of course the refusal of the PLO to recognise the existence of the State of Israel. I believe that, if the PLO can be brought to make an absolutely unequivocal statement of willingness to recognise Israel within the boundaries foreshadowed in Resolution 242, this will be a step forward of a magnitude which would make international endorsement of the Palestinian right to self-determination a small price to pay.

6. Since the adoption of Resolution 242 in November 1967, there have been three veils between Israel and the fundamental question whether or not the Israelis are prepared to withdraw from the Occupied Territories including East Jerusalem in exchange for peace. The first veil was the Arab refusal to enter into direct negotiations ie after all the parties talk to each other and reach agreement: why should we be the exceptions? This effectively blocked progress throughout the early 1970s. It has been removed by Sadat's Jerusalem visit and the subsequent negotiations. The second veil has been the Palestinian refusal to recognise the existence of the State of Israel, ie how can we be expected to deal with murderers who are resolved on our destruction? If this could be removed, there would only be one veil left, namely the Israeli argument that withdrawal would be incompatible with Israeli security. This could be met without impossible difficulty through the nature of a peace treaty plus multilateral and bilateral guarantees. We would then be down to the hard bedrock of willingness on the Arab side to conclude peace as against Israeli willingness or unwillingness to withdraw.

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7. After dealing with the problem on and off for nearly 35 years, I cannot claim any great optimism, but I believe that there might be a chance of progress if we can reach that bedrock position, and the Palestinian recognition of Israel would represent one of the most significant laps on this journey.

8. Tactically therefore, it is important that we make up our minds in advance of the possible Security Council debate in the fourth week of August. I believe that we should vote in favour of a resolution containing these propositions - self-determination for the Palestinian in response for unequivocal Palestinian acceptance of Resolution 242 provided that the detailed wording is right. I suspect that the Americans are going to work hard to reach a similar position, at worst an abstention. It would obviously suit us to delay the debate until the Security Council have reached a decision. But, if we cannot, the one thing we must not do is to argue in the Security Council that we need more time to consider the question, thus justifying an abstention. To the Arabs and to the rest of the world it would seem wholly incredible that the authors of the Balfour Declaration, the subsequent mandatory power, permanent member of the Security Council, which has been closely involved with Middle Eastern affairs since 1945 could possibly need another two or three weeks to consider such an issue. By the same token, we would look extremely foolish if we abstained on a resolution in August and then came round to the position represented by the resolution in September.


A D Parsons

8 August 1979

cc P.S.
P.S./L.P.S.
P.S./P.U.S.

PALESTINIAN SELF-DETERMINATION

1. The principle of the right of peoples to self-determination is enshrined in the United Nations Charter (Article 1 (ii)). It is enunciated also in the two Human Rights Covenants both of which the UK has ratified. However, there is no internationally accepted definition of what constitutes a "people" entitled to exercise this right. The right of the Palestinians to self-determination depends specifically on whether they constitute a people in this sense.
2. An account of the history of the Palestinian Arabs is annexed. "Palestine" has never enjoyed political independence as a single geo-political unit even in biblical times. But it has regularly been treated as a separate and identifiable administrative unit whose inhabitants, the ancestors of the present Palestinian Arabs, were distinct from, though linked by language and culture to their Syrian and other neighbours.
3. The Palestinian claim to recognition as a people with a legitimate right to self-determination is based on:
 - i) the existence of a long-standing geographical entity known as Palestine, recognised as separate by the creation of a separate mandate following the First World War, in the same sense as there was a British mandate for Iraq (which never existed previously as a nation-state).
 - ii) the acquisition of political independence by the Arabic-speaking people of the other parts of the old Ottoman Empire

/(Iraq,

(Iraq, Syria, Lebanon, Jordan); the Palestinian claim is comparable to that of their fellow Arabs.

(iii) their existence as a relatively homogeneous people (far more so for example than the Iraqis) with a common ethnic and social background distinct from, though related to, that of the other Arabs;

(iv) a strong and persisting sense of specifically Palestinian identity amongst these people, clearly recognised by their neighbours and preventing their assimilation into other Arab countries. (Israelis argue that assimilation has been prevented by the refusal of other Arab countries to allow the Palestinian issue to die; this is only part of the truth since even the wealthy and successful Palestinian in Lebanon, Syria or Jordan continues to regard Palestine as his home, and himself as nationally distinct from his temporary hosts).

(v) common political aspirations amongst the majority of Palestinians and to some extent an acknowledged political leadership.

Against this it is argued by Israel:

(i) Pan-Arab nationalism is based on the unity of the Arabic-speaking people. If the Arabs of Palestine and the Arabs of Jordan are one, then the Palestinian element has no separate right to self-determination.

/(ii)

(ii) The Arabs themselves failed to set up a Palestinian State after 1948 on those parts of Palestine not occupied by Israel; the Jordanians claimed the West Bank for themselves (against other Arab opposition). The international community gave de facto recognition to this Jordanian claim while Britain gave it de jure recognition.

(iii) Israel already exists within Palestine as an independent State recognised by the United Nations; no second, Arab/Palestinian, State could co-exist with Israel in peace.

5. There is no clear definition in international law of what constitutes a people in the sense of the UN Charter. But Palestinian Arabs have a strong claim on the basis of the factors set out in paragraph 3 above. If the claim is accepted, they should enjoy the right of self-determination and with it the possibility of establishing an independent state. We have already gone halfway towards accepting this by accepting their right to a "land of their own, not necessarily an independent state" in 1970, and more recently, with the Nine, to a "homeland". We and the European Nine also refer to the Palestinian Arabs as a "people", as do the United States. There is even one reference to the "legitimate rights of the Palestinian people" within the Camp David documents, though reference is more generally made to "the inhabitants of the West Bank and Gaza" in the body of those documents. Mr Begin on the other hand always refers to the Palestinians as "the Arabs of Eretz Israel".

6. The Palestinian claim to self-determination is accepted by all Arab states, despite the conflicting attitudes taken in the past towards the West Bank by Jordan and the other Arabs. It is also endorsed by the great majority of the membership of the UN and an increasing number of Western countries, including a majority of the Nine. We and the Americans have recognised that the Palestinians must participate in the determination of their own future and that no lasting settlement will be possible unless their aspirations can be met in a way that will satisfy the majority of them.

7. Against this is set the determination of the Government of Israel not to accept the creation of a Palestinian Arab State and their claim that the problem is an artificial one: it should be dealt with by a combination of assimilation and re-settlement of Palestinians elsewhere in the Arab world, particularly in Jordan, and the return of a limited number of refugees to the West Bank and perhaps even to Israel proper. The United States, though accepting the existence of the Palestinians as a people and the need for them to play a part in determining the nature of a settlement, are inhibited by their wish to retain the confidence of the Government of Israel to continue negotiating toward a settlement. They have also expressed reservations about the possible creation of a new and possibly radical state in the area.

8. The right to self-determination must be closely linked to a determination of the territorial extent which Arab Palestine might occupy. It must be set clearly in the context of an unequivocal Palestinian acceptance of Israel's right to exist in peace within

secure and recognised boundaries. In practice, the Palestinians would have to renounce any claims to the area occupied by Israel before 1967 and accept as the permanent boundaries of their country the Occupied Territories of the West Bank and the Gaza strip. The practical difficulties, given the size of the Palestinian diaspora, the political and guerilla background of its leadership and the narrow limits of the territory which they might secure, are immense. If the principle of self-determination were accepted, these difficulties would have to be met. But the argument for denying in principle that the Palestinians are a people with the right to self-determination is difficult to sustain.

THE PALESTINIAN ARABS HISTORICAL BACKGROUND

1. The term "Palestinians" is used to describe the Arabic-speaking pre-1948 holders of Palestinian nationality and their descendants. The boundaries of Palestine, for this purpose, are those of the British mandate, excluding Transjordan (now the Kingdom of Jordan). This area included the present state of Israel, Gaza and the West Bank of the Jordan. The majority of Palestinians now live outside the area. This paper examines the historical origins and present circumstances of the Palestinians.

Origins

2. The ethnic origins of the Palestinians go back to the largely semitic tribes who co-existed with the Jews in Palestine until the expulsion of the latter by the Romans in 135AD. Each invasion of the area, by Greeks, Romans, Arabs, Crusaders and Egyptian Mamelukes, until Ottoman Turk rule was finally established in 1517, brought a fresh admixture of blood. The Arabs who conquered Palestine from the Arabian peninsula in the seventh century implanted the Arabic language (already widespread in the area) and Islamic religion (although a significant Christian minority has persisted). Although a recognisable geographical area, Palestine was never an independent political entity after the Roman conquest. However successive overlords treated the country as a separate and identifiable administrative unit or units though its borders varied from time to time. At the same time it was also seen as part of a larger

Arabic-speaking area (Greater Syria), covering present-day Syria, Palestine, Lebanon and parts of Iraq.

The rise of Palestinian consciousness

3. After the ending of Ottoman rule, by a combination of Arab rebellion and British forces during the First World War, the future of Palestine became the subject of controversy because of conflicting promises given by the British government: to the Zionists, in the 1917 Balfour Declaration, to facilitate "the establishment in Palestine of a national home for the Jewish people".... it being clearly understood that nothing should be done which may prejudice the civil and religious rights of existing non-Jewish communities"; and to the leaders of the Arab rebellion to support independence in the Arabic-speaking part of the Ottoman Empire. It was and is disputed whether the latter promise included Palestine, whose population shared in the growing feeling of Arab nationalism.

4. The period immediately before and after the granting to Britain of the Mandate in 1922 saw the beginnings of a specifically Palestinian nationalism. The Arabic-speaking population numbered then some 600,000 and the Jewish population about 80,000. Jewish immigration, already increasing, was to be officially encouraged by the Mandatory, since the Balfour Declaration was incorporated in the Mandate. But under the Mandate system the Mandatory was also committed to furthering the development of the indigenous people of the territory, it being generally understood that they should eventually be allowed to determine their own future. The Palestinian leadership quickly came to the view that it was only the Balfour Declaration and its incorporation in the Mandate which prevented

from attaining a similar measure of independence to that which neighbouring Arab communities were receiving. From 1920 onward, Jewish immigration increased, and with it Arab hostility to the Mandate and to the Jews, coupled with violent demonstrations and demands for independence.

5. Experience of operating the Mandate demonstrated to successive British Governments that their obligations to the Jews and to the Palestinian Arabs were irreconcilable. But various plans to resolve the conflicting claims, including the UN partition plan of 1947, were rejected by one or both sides. Britain relinquished the Mandate on 16 May 1948 and the state of Israel came into existence, being immediately recognised by the United States and the Soviet Union. War followed between the Jews and the Palestinian Arabs, aided by the Arab League. The result was a considerable extension of Israeli territory beyond that envisaged by the UN partition plan, and the occupation of the remaining area of mandated Palestine by the Egyptians (the Gaza Strip) and the Jordanians (the West Bank). Jordan formally annexed the West Bank in 1950, but this was recognised only by Britain and Pakistan. Jordan extended freely Jordanian citizenship to all Palestinian inhabitants of the area, but even those who accepted still feel themselves to be "Palestinian" rather than "Jordanian".

6. The United Nations estimated at the end of 1948 that some 725,000 Palestinian Arabs had been displaced from the territory now occupied by Israel. Most went into refugee camps on the West West Bank, in Jordan proper, and in the Gaza Strip. The Arabs maintain that these people were driven out by the Israelis; the

Israelis say that they fled of their own accord and unnecessarily. Certainly Israel enacted legislation which effectively made impossible their return. UN General Assembly Resolution 194 of 1948, for which Britain voted, stated that the 1948 refugees choosing to do so had the right to return to their homes.

7. The Arab States had in 1945 appointed a representative of Palestine to the Arab League. With the 1948 dispersal, the Palestinian Arab cause was largely taken over by the Arab League. The Palestinians themselves lacked effective leadership but national consciousness remained strong and indeed continued to increase, particularly in the refugee camps. On a rhetorical level there was full agreement between the Arab League States and the refugees that a solution which denied the Palestinians a separate identity and the right to repatriation was unacceptable; this was seen to involve the destruction of the State of Israel and Arab Palestinian leaders spoke of "driving the Jews into the sea". On a more realistic level many Palestinians and some moderate Arab governments would have settled for the recovery of even a part of the territory lost to the Palestinians in 1948. In the event disunity among the Arab states prevented effective action on behalf of the Palestinians. But the demand for proper representation of the "Palestinian Entity" led eventually to the establishment, in 1964, of the Palestine Liberation Organisation by a decision of the Arab Summit in Cairo. This was accompanied, as Palestinian militant nationalism continued to increase among the generation brought up in the camps, by the rise of Fedayeen (commando) armed resistance.

8. The June 1967 war, when Israel occupied the West Bank and Gaza, gave added impetus to the exiled Palestinian nationalist movement. The most reliable estimates suggest that 180,000 Palestinians became refugees for the second time from these areas, and a further 260,000 fled from their homes. Most again went to Jordan. This further influx created new support in Jordan and elsewhere for the Palestinian cause. Fedayeen activity was stepped up and the leader of the Al Fatah group, Yasser Arafat, was in 1969 elected leader of the PLO. Under his leadership, Palestinian cohesion increased and Arafat took a seat at the Arab Summit in Rabat in 1969 as the leader of a revitalised Palestinian political movement which was recognised at the highest level by other Arab leaders. The movement was weakened by the conflict with the host government in Jordan in 1970-71, as a result of which the Fedayeen were expelled, mostly to Lebanon. The PLO has nevertheless been responsible for keeping the Palestinian Arab cause in the forefront of Arab politics. In recent years the PLO, now recognised by all Arab States including Jordan as the sole legitimate representative of the Palestinian people, has been successful on the wider international stage, achieving observer status at the UN in 1974, and establishing representative offices in some 70 countries throughout the world.

9. While the 1967 war gave a major impetus to militant Palestinian operations, it also transformed Arab objectives in relation to the State of Israel. The Arab frontline States accepted Resolution 242 as the basis for a negotiated peace which would endorse the right of Israel to live in peace within secure and recognised borders as the

price for its withdrawal from the 1967 Occupied Territories. The PLO never formally accepted this basis for negotiation and the PLO covenant looks to the establishment of a secular state throughout Palestine, and the end of the Israeli and Zionist State.

The Palestinians Today

10. There are no absolutely reliable figures, but the number of Palestinians today is generally put at around 4 million, as follows:

Israel	610,000
Occupied West Bank	690,000
Occupied Gaza Strip	400,000
Jordan	1,000,000
Lebanon	400,000
Syria	250,000
Egypt	50,000
Iraq	100,000
Kuwait	300,000
Saudi Arabia	120,000
Other Arab States	80,000
Elsewhere	40,000+

11. Those who remained in Israel are now Israeli citizens. Their economic conditions are reasonably good but they feel discriminated against and treated as second-class citizens. Those in the West Bank and Gaza, while also relatively prosperous, are deeply resentful of Israeli rule. Since 1967, nationalist feeling in the Occupied Territories has greatly increased. In the diaspora, there is a basic division between the more enterprising, who have settled successfully in various Arab countries or even further afield, and those who have remained in the refugee camps. But all retain their sense of Palestinian identity and share

Palestinian political aspirations. There are still some half a million registered 1948 refugees living in camps run by the UN Relief and Works Agency around Israel's 1948 borders. Nationalist militancy has found its most prolific breeding ground there.

Palestinian Views

12. All the Palestinians, whether in Israel, the Occupied Territories, the refugee camps or comfortably settled elsewhere, retain a very strong sense of corporate national identity, which distinguishes them from Jordanians, Syrians, Lebanese or any other group in the Arab world, and prevents their assimilation. They are united by a distinctive dialect of Arabic and a common ethnic, cultural and social background, strengthened by a tenacious, extended family system and very deep roots in particular areas of Palestine. But above all, they are bound together by a common view of themselves and their cause and universally obsessed with the need for the restitution of their national rights. Even those who have no desire to return to Palestine (which may be a majority of the diaspora) feel a need for a Palestinian homeland to which they can owe ultimate allegiance and whose passport they could carry.

Leadership

13. In many ways the Palestinians are the most capable of all Arabs (they dominate the governmental, educational and business sectors of several Gulf States) but they have always lacked effective political leaders. A principal reason for this was the

inability of the mandatory authority, because of the central problem of the Jewish-Arab conflict, to bring about the constitutional progress which would have allowed effective Arab political institutions to develop. Since 1967 those remaining in Israel and the Occupied Territories have again lacked the opportunity to develop the political institutions which could have thrown up effective leaders. Those outside, frustrated by the impotence of the Arab States to further their case, have increasingly turned to the militants to keep their cause alive. The result is that the PLO, a political umbrella organisation embracing many mainly guerrilla groupings of widely differing views, has gained a pre-eminent position. There is no doubt that it enjoys the support of the broad majority of Palestinians, not because they identify with all its leaders, policies and actions, but as the only organisation which has effectively kept the Palestinian cause before the international community. Their support is not based simply on fear.

14. The Palestinians have always, with Arab support, wanted what they see as justice, ie the full restitution of their national rights over the whole of Palestine. The result is that they have since the beginning of the Mandate consistently rejected what has been an offer, and have come to be seen as extreme and negative. The PLO covenant, its founding charter, calls for example for the liberation of the whole of Palestine by armed struggle and declares the establishment of Israel to be null and void. The PLO leadership has always refused to acknowledge unequivocally Israel's right to exist. But in private most Palestinians, including the mainstream PLO leadership, have for some time been prepared to accept Israel as a fact and settle

for an independent Arab Palestine on those parts of Palestine which have not been part of Israel since 1948 (some, particularly on the West Bank, might accept some form of federated status for this area with Jordan). But they will not say so publicly until they have some sort of guarantee that this concession, which they regard as the only card in their hand, will lead to real progress.