



The Way Forward in the Middle East

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Speaker: Dr. M. Nasser Al-Kidwa, Chairman of the Yasser Arafat Foundation, Member of the Central Council of the Palestinian Liberation Organization, Member of the Central Council of Fatah

TERJE RØD-LARSEN: Good afternoon everybody. May I ask for your attention please? Good afternoon and welcome to the International Peace Institute. I am Terje Rød-Larsen, the President of IPI, and thank you all for joining us with such a massive presence, I would say, this morning. And I think it speaks volumes about the popularity of our speaker today.

The topic of today's talk is "The Way Forward in the Middle East," and I am really very delighted to welcome our speaker, my dear friend, Dr. Nasser Al-Kidwa.

Besides being, as you all know, a legendary diplomat here at Turtle Bay, Nasser holds a very distinguished place in Palestinian politics. He is Chairman of the Yasser Arafat foundation. He is a member of the Central Council of the PLO, and he is a member of the Central Council of Fatah. As I'm sure all of you know, he also served as Foreign Minister of the Palestinian Authority, and for a number of years as Permanent

Observer to the United Nations, which so many of you, including myself, very fondly remember.

Nasser is, I believe, particularly well placed to comment on the difficult challenges which are facing the Middle East today, and also to offer suggestions on the way forward. And now, I am very much indeed looking forward to his presentation in just a moment.

Our meeting today comes at a particularly crucial time for the Middle East, and I would say, the wider world. We are faced with a changed Israeli-Palestinian dynamic, a changed intra-Palestinian dynamic and a changed intra-Israeli dynamic and, in many ways, a fundamentally changed regional environment and, indeed, I would say, the global environment.

And when I'm using such grand words it's because the Middle East conflicts, in plural, but in particular the Palestinian-Israeli conflict, have a completely different character than, I'd say, any other bloody conflict across the globe, because this is not only a local conflict. All the conflicts there have a regional dimension, and all the different local conflicts in that region have global implications, which make them incomparable to any other conflict, because indeed, if there is a major war in the Middle East, it will have gross economic consequences, to put it very understatedly, for the global economy; it will have huge consequences for political constellations and security constellations across the globe. And this is, I think, also one of the reasons why we have such a massive turnout here today, because the Middle East issue

hits at the very core of the issues which are on the agenda in the building behind my back here today.

So, Nasser, we are now very excited to hear your views on the situation and also to hear your words, if there is, indeed, a possibility, as dark as it looks, to find a way forward in the Middle East.

Before I give you the floor, I will remind everybody that this meeting is on the record. Nasser, again, many thanks for being with us, the floor is yours.

NASSER AL-KIDWA: Good afternoon ladies and gentlemen, and let me begin by thanking the IPI and specifically Terje Rød-Larsen, for giving me this wonderful opportunity to meet with so many friends, very familiar faces that, you know, reenergize me a little bit and hopefully will make my performance a little bit better.

Terje, in spite of all the skirmishes we had before, this, I think, will enable us to start anew, very positively, so thank you again for the opportunity.

Let me begin with a statement that is obvious, and on which, hopefully, we can agree, all of us – I hope so, at least – that the so-called Middle East peace process, or the Palestinian-Israeli peace process that started in Oslo, has not achieved its ultimate goal, has not achieved a final peaceful settlement between the two sides and, thus, didn't lead to the establishment of comprehensive peace in the Middle East. Are we in agreement? Good.

Now, to start the disagreement, we go to the question: why? What is the reason for that? In my opinion, there has been structural deficiency with that so-called peace process. In my opinion, there are three basic problems with it: number one, the absence of an *a priori* agreement on the shape or the form of the final settlement. Even when there appears to be some kind of consensus about the two-state solution, we still, did not define the final outcome as we should have. And of course, this fact made negotiations, even on small detailed issues, very difficult, and on the ground it led to a situation where the two sides worked almost automatically against each other.

The second reason is that it was left to the parties, the whole thing was left to the parties, and the slogan then was “it’s up to the parties to decide,” a very bizarre invention that was exclusive for the Middle East or the Palestinian-Israeli conflict. That meant that the third-party role was very limited; that meant that international law was neutralized; and that meant the absence of any clear terms of reference.

Now, with a balance of power that is completely in one direction, and with the inability of many politicians, and I would argue on the Israeli side specifically, to deliver certain things without such third-party intervention or without the international community intervention, one, of course, can expect what kind of results will be achieved.

And the third was to permit or to allow the continuation of the antithesis of just peace, the antithesis of a final peace

settlement on the ground, namely the continuation of the colonization of the land, the continuation of the settlement activities, the transfer of settlers from Israel proper to the occupied territory, and the establishment of even separate systems of life: one for the settlers and the other for the inhabitants of the occupied territory; the attempt to change the demographic composition, the legal status of this territory and, of course, that includes Jerusalem.

So, when you are in this kind of situation and you are the stronger party, by far the stronger party, you want to make sure that the other party will fail, because this is the only way for you to continue with the colonization, to continue taking additional land and to absorb that additional land and to do also the other aspects.

Failure, on one hand, led to the rise of Islamic, of political Islam, of forces, that are, far too – more extreme in the Palestinian arena, reaching the point of the exploding of violence, suicide bombings, etcetera, etcetera. And then, of course, came Mr. Sharon and his attempt to reverse all results of Oslo and finally getting rid of, or removing the Palestinian leadership. You will remember that there was a formal decision by the Israeli government to remove Arafat with whatever explanation that might be given.

Now there have been some attempts to get out of this frame. President Clinton, for instance, tried and he put together a very serious set of parameters. Unfortunately, this did not lead to

the desirable results, I think, basically because of the fact that the Israeli government then was on its way out. President Bush pushed forward the idea of the Palestinian state, but I personally believe that he did that in a rather vague way, and then later on in Annapolis, although there were talks about reaching a final settlement agreement, there was this bizarre concept of shelved agreement, that we reach agreement and we don't implement it, we go back to implement the first part of the roadmap, something I have never understood, at least on a personal basis.

Then there was the attempt by Prime Minister Olmert and President Abbas, where there have been some serious discussions about the Palestinian state and about the parameters of the possible peaceful settlement. Nevertheless, this, unfortunately, was not formalized. Now the Palestinian side is trying to get the resumption of negotiations from the point where those talks ended and, of course, the Israeli side argue that this was not anything formal and that it was basically without the direct contribution of the Israeli institutions.

So where are we now? Is the two-state solution still valid? I think the good news here, at least from my perspective, is yes, it is still valid. The bad news, nevertheless, is that it will not be valid for a long time. The available time, unfortunately, is very limited, is very short. The worse news than that is that actually there are no other solutions. There are no substitute solutions, although smart guys on both sides believe that there are. On one side, for instance, on the Israeli side, some people believe that a semi-

entity, semi-state, on part of the Palestinian land could be a solution, some kind of cantons within a kind of political system could be a solution. There are talks about a Jordanian alternative or Jordanian direct participation in administrating the situation, the Palestinian territory; there are talks about economic peace, all, of course with the idea of getting rid of the Gaza strip completely.

Now, all these, I think, are a hoax. This is the kind of thinking that will never succeed.

On the other hand, on the other side, the Palestinian side, many people believe that the democratic state, the bi-national state, is the solution. So if we cannot achieve a two-state solution, we can achieve two, or bi-national states. Again, pretty amazing thinking.

Now, it might be that down the road in 30 years, 20, 30 years – after all, the Palestinian people are not going to disappear – we might reach some kind of this situation. But for now, there is no substitute. It will be only a chaotic situation. It will be a painful situation. There will be a lot of violence, a lot of blood, something that, hopefully, will not be the result that we, all of us, are going to see.

So if it is so, then what is needed? What is required? Of course, the reversal of the three problems that I, from my point of view mentioned as the problems – the solution would be then, logically, the reversal of these three problems: namely, to agree on the form of the final settlement, to have very serious international engagement that would clarify the terms of reference,

and thirdly, the cessation of all settlement activities, including in Jerusalem.

Now the Obama administration – let me confess here that I am biased in favor of this administration, not necessarily as a Palestinian, but as just a human being who looks at the situation and, again, I think shares with so many others the hope that it will make a difference on many fronts. That administration started with, frankly, a great, great beginning. There was a clear determination to get engaged and to actually reach concrete solutions. There was an early beginning. The second day of the administration, the President announced the appointment of a special envoy and there were, of course, excellent positions, very mature positions. We saw, for instance, or we heard the statement in Cairo, President Obama's statement in Cairo, and then came the very important position that insisted on the complete cessation of settlement activities.

Now, it didn't work. Let me make it, nevertheless, clear that the problem was not the position. The position was the very correct one. The problem was a lack of enough political determination to impose that, as one of the basic requirements for moving ahead in a serious way.

Obviously, the administration lost the first round with Mr. Netanyahu, and on the other hand, the Palestinian side upheld that position not only, by the way, for tactical reasons, not only because we climbed the tree, but because of a real conviction that this is the problem, this is the crux of all problems, and that if we

do that, then you will have the road open for some serious progress.

In any case, after that we got stuck. We got stuck and, again, we started hearing some really dangerous things, dangerous talks about the inability of achieving the big things, so maybe now we go for small steps, we go for improving the economic conditions of the Palestinian people. We go with co-existence, modus vivendi with Hamas in Gaza coupled with our good relationship with the Palestinian Authority, that would then provide the necessary stability, or that we need to give up on the whole thing and try, maybe, the Syrian track, which by the way, I hope this would be the case and it would succeed, but not as a substitute, of course. What we need to see is some serious work on all tracks, including the Syrian one.

We hear that the Palestinians, frankly, are the problem because there is this disagreement, there is this spilt between the West Bank and Gaza Strip. Of course, we recognize our responsibility in this regard, and we accept the necessity for ending that, especially when the time comes for the actual establishment of the Palestinian state. But to allow the Israeli side to escape their responsibilities with the pretext of the situation in Gaza is, of course, something that is very, very wrong.

All the problems with Israel now do not have anything directly related to Gaza. We are talking about the problems in the West Bank, beginning with Jerusalem, and of course borders,

settlements, external borders, security situation, etcetera, etcetera.

So, we know then, if you agree with me, we know, at least theoretically, how we should proceed. But we know also that it looks like we are not going to get everything that is needed for the right beginning.

So, is there a possibility of a transitional step by this administration, reaching back again to what is needed to be done? I'm not sure, because what the administration is proposing these days – actually, two things: one, a set of steps to be taken by the Israeli side. They call it confidence-building measures, that include removing some major roadblocks, redeployment of Israeli forces from additional Palestinian areas, releasing of a number of prisoners, allowing construction material to Gaza – things of that sort – a set of steps to be taken by the Israelis. And the administration is proposing also the new idea of holding proximity talks between the two sides, the Israelis and the Palestinians.

Is this good enough? Frankly, it depends on the goal of the administration. If the goal is to give the appearance of success, albeit small success, limited success, then we will not go very far; if the goal is to try to circumvent the problem that the administration has been facing with regard to the settlement activities, and that what we are trying to do now is to take the transitional step for awhile, going back to what we should do, then the answer will be maybe. Maybe.

My personal position is this, with regard to the two proposals: the first proposal, I would say that, of course, these are important things for the average Palestinians. If these steps are to take place they will improve the living conditions of the Palestinian people in the West Bank, there is no doubt, and of course in Gaza, if that includes the construction material to be allowed.

But, it is very important for the Palestinian side not to touch these. These should be considered as American suggestions made to the Israeli side, and it should be dealt with as such.

If we touch these, if we start any kind of discussion with the Israelis, then Israel will transform this into a full-fledged negotiating process that is a substitute to the real political negotiations that have to take place.

When the political decision is taken by Israel, then, of course, implementation is a different matter, and of course, there will always be a need for coordinated implementations of such steps.

The second proposal, that is proximity talks, I have to admit that I don't understand it fully. I don't understand what it will lead to. Nevertheless, this is the United States, and of course, it's very difficult for anybody to tell them "No, no, you cannot talk to us and then talk to the Israelis," or vice versa. However, if we are to have this proposal as a serious thing, we still need to have a clear political basis for such proximity talks – not as comprehensive as what could have been achieved for direct negotiations had we, all

of us, dealt with the situation differently. But at least something that would indicate clearly that we are going in the right direction, and that next step will be resumption of the direct negotiations with the definition of the end result and with the appropriate terms of reference.

What one would think of is something like Senator Mitchell announcing, *a priori*, that he is going to conduct these negotiations on all permanent status issues, including Jerusalem. He might want to say that he wants to start with the borders and that he believes the United States believes that borders should be along the 1967 line, with possibly agreed-upon alterations or exchanges through negotiations. He might want to reiterate the American position vis-à-vis settlement activities and vis-à-vis Jerusalem as well.

Something of this sort, some kind of political basis that, again, would indicate that we are going in the right direction – because if we don't do that, if we don't have this, the Senator will not be able to begin discussing things like Jerusalem with Mr. Netanyahu. So we want to make sure that this will be something serious and it will be a transitional step in the right direction leading to a situation that I have been trying to describe.

Just a small word here: why have we witnessed this American backpedaling on the settlement activities? Now, in my opinion I think it's basically the Israeli government and, of course, Mr. Netanyahu that resisted that very much, successfully so. But at the same time, I don't want to absolve any other party from

responsibilities, ourselves included. I think that we should have engaged that administration in maybe a slightly different way, maybe coming up with innovative ideas, but always in the same direction, of course. I don't want this to be misunderstood. But as a new administration that has been making all the right noise, maybe we should have been a little bit more active and more positive.

The Europeans, I think, should have done a little bit more, although the statement adopted by the Council of Ministers is something that is most welcome, and I think could be very useful, but nevertheless we want to see actions and insistence to transform such positions into positions that are adapted by the Quartet as a whole, a position that is accepted, at least partly, by the United States.

Well, the Russians probably could have done a little bit more, and others as well, so maybe there is some blame to be shared by everybody in addition to the main portion that, obviously, lies on the shoulders of Mr. Netanyahu.

With regard to the internal situation, the Palestinian internal situation, first the government, the Palestinian government. I think that the government has been doing a fine job. It achieved very important results, including results in the security field and in the field of improving the living conditions of the Palestinian people. Furthermore, the program adapted by the government, building the institutions of the state and ending

occupation, clearly is coinciding with the noise made by the administration about the two-year period after which a Palestinian state should be achieved, and in my opinion, there is nothing wrong about that, actually. It's welcome and I think it's even useful.

This government, one has to remind everyone, is the government of the President, and by the way, there are 12 ministers that belong to Fatah.

Now, having said all that, I think, at the same time, that exaggeration by outside forces, by some foreign parties, exaggeration with regard to the political content of the program which, by the way, does not reflect the position of the Prime Minister nor the position of the government, is not something useful. This political program is no substitute for finding the proper political context. It can't be a substitute, and attempts to push things in that direction could only harm the government and, frankly, even theoretically, not only are not acceptable, but cannot be implemented. The whole notion that you can build successfully in a complete way the institutions of the state under occupation, or even under active colonization, so that these institutions will end occupation, is a very bizarre notion, frankly.

And the UN, specifically, you speak a lot about both post-conflict building, about many such correct, theoretical notions, so if you try to think about it, that the Palestinian side were exceptionally, fulfilling the tasks of post-conflict, while still in the midst of that conflict, and as I said under even active colonization.

Things do not work this way. To work seriously is good and is needed. To try to improve the living conditions of the Palestinian people is fine. To build our institutions or re-build our institutions after those were destroyed by the Israelis is also necessary. So there is no quarrel at all with all this.

But then, to stretch all this into a completely different area and suggest that this is the way, there is no need for a political context now, it's something, as I said, neither in the political program nor as something that is being raised by any Palestinian party.

With regard to Fatah, very quickly, I just want to refer to the fact that the organization finally succeeded in convening its sixth conference, leading to a new leadership that is younger, more active, more capable of doing things. That, in turn, contributed in a serious way in building the national democratic trend in Palestine, making it stronger and strengthening that trend, frankly, compared with the political Islam in Palestine, if not faced with political Islam in Palestine, and that adds to the importance of Fatah, as well as the national democratic trend in general.

There is some very good potential for Fatah. We haven't achieved many things in real life in a practical way, but the potential, I think, is there after the sixth conference and I think we will see some serious improvement.

The third and last point in this part is, of course, Hamas, national dialogue and reconciliation. Just a few quick comments in this regard. First, that internal problems within Hamas are

increasing. This is not, by the way, good news, even for the other side. For us, Fatah actually, it would have been much better had the situation remained coherent because that would make agreement, of course, much easier.

So there are such problems internally. The situation in Gaza is becoming horrible, more so by the day if not by the hour, and I think the international community really has to do something about it and to do it quickly.

Then I have to refer also to the appearance of more and more Salafi jihadists groups in Gaza, and this is another reason why internal problems within Hamas is not necessarily good news. It is a new phenomenon that poses some serious difficulties and problems for everybody.

The third is probably our strategies. It's still a bit hesitant and a maybe bit vague. The main reason for that is that there is no internal consensus until now. There is no internal consensus whether reconciliation with Hamas is at all possible or not. So we need to achieve that consensus quickly. I am among those who believe that in any case, we have to try, and I'll come to that in a minute.

The fourth comment here is about the role of Egypt. Egypt, of course, has been trying to play a very constructive role with regard to the internal Palestinian dialogue, and we, of course, appreciate that. We all heard about the Egyptian paper for reconciliation. Unfortunately, it was signed only by one side and Hamas didn't sign it.

I think for all practical purposes the document is not that alive at this point. This is not to say or to suggest that the reconciliation is dead, far from it. As I said, I think that we have to give it a try.

Let me give you very quickly how I see that. It's basically, I think what we need to have is an in-depth national dialogue as broad as possible on a set of principles that would constitute the basis of a political system. I don't want to say a new political system, but practically, it will be so, to have a dialogue on the tenets of that system, leading to a power-sharing agreement, not only with regard to the structures of authority, but also with regard to the PLO, leading to national elections, leading to a government which is a different level; the political program of which, the political program of government, has to respond positively to the positions of the international community, because this government has to be part of the international system. But it's a different level than the first level, that is, a set of principles or the tenets on the basis of which a common, new political system could be achieved.

Obviously, the ceiling of the positions are not the same. For instance, let's take the issue of violence, for instance. To me, the principle, the basic principle, the minimum on which there should be Palestinian agreement is that all parties have to comply with the principles of international humanitarian law. There are no buts and ifs in this regard, i.e., no targeting of civilians in Israel – very clear.

Now, for the government, dealing with this aspect will be slightly different. It will go a step forward, calling for complete cessation of any violent activities, on a bilateral basis. That is something that should be common and shared by the two sides, but obviously, we are not talking about the same level with regard to how far positions would go.

We need to try this. We need to try this. If you ask me what is the percentage of success? I would tell you it's 50-50. There are forces within Hamas that would go for something like this gladly, and there are forces probably that would do both. We need the participation of everybody, regionally as well as internationally, to do something like that, because if we succeed, we will have changed political Islam and Palestine. It would be something historic. It will have this different version plus the national democratic trend in Palestine. Probably we can expect a situation that is completely different.

And if we don't succeed, we would have had such broad national dialogue, we would have at least vindicated ourselves in front of the Palestinian people.

Nevertheless, that needs commitment from the top, and a very active role to be played. And that needs also different Israeli policies with regard to Gaza – through pressure, of course. And let me here say that Israeli policies generally, for quite a long time now – it is not after Hamas waged its coup d'état – for quite a long time the Israeli policies vis-à-vis Gaza have been always centered on one item – separation – you separate from the West Bank and

you separate Gaza, of course, from Israel. You just try to get rid of it. It's not a very rational kind of thinking, because at the end of the day, Gaza is not going to disappear.

Okay, you separate and then what? How can you control this situation forever, and if you don't control it, what would be the ensuing results?

But nevertheless, it has been always like that, and that has to change. That has to change beginning with, of course, ending the seize imposed on Gaza. That, in turn, would create completely different dynamics within this small area, small territory, but nevertheless extremely important territory because, I believe, that we are not going to have a real Palestinian state without Gaza, beginning with the idea that without Gaza it will be a landlocked state – between whom and whom? – Israel and Jordan, and you can of course try to imagine the impact on Israel on such a kind of very limited, small landlocked entity.

The Palestinian nationality and Palestinian statehood requires the reunification of the Palestinian territory and requires the reunification of the Palestinian territory, and requires the reunification of the Palestinian political movement.

I hope that I didn't take much of your time but, again, thank you very much and, by the way, my wife can stop complaining now about the fact that she doesn't even know what I think about things now, since she's here, she heard me, and I hope that she agrees with me. Thank you very much.

[APPLAUSE]

RØD-LARSEN:

Thank you very much Nasser, for what may be termed as a Nasser Al-Kidwa-brand speech, namely, candid, comprehensive, lucid, very well structured, and very logical.

What I hear you saying, I think, in a nutshell, is that you are still a believer in the two-state solution. You don't believe, of course, in a non-state solution and economic peace, and you do not believe in the one-state solution as an alternative, at least for the time being, as you put it, which gives a base, I think for a discussion here.

What I'm also hearing you saying is that we need third parties for this conflict. If you leave the parties alone to it, there will be no resolution.

And what also I'm hearing you saying is that proximity talks is not a very good idea. I put it a little bit more bluntly than you did. And to me, actually, when I hear the words "proximity talks", I start thinking about Ralph Bunche and that was in the early '50s, and it's a bit odd to speak about it these days. That's a kind of personal comment.

And what I also hear you saying about the Obama administration, I think I heard you saying it about the UN as well, and about the Europeans, is that, yes, they are very good to talk the talk, but they can't walk the walk. And here there is a kind of paradox because you are saying on one side, we need the third party, but they all should get speech prizes but not peace prizes, because they're not doing anything. And I think here is a lot of food for thought.

One additional remark, reconciliation between Hamas and Fatah, and to me this is a bit of a paradox, because I mean, if there is reconciliation without Hamas adhering to the principles of the Quartet, then immediately the Obama administration would have to withdraw from the talks, because Congress will never allow them to sit at the table with Hamas. And I think it would be even more difficult for the Israelis to move to the table, and it would give them the perfect excuse not to go to the table.

I'm just making an observation here, and asking for a comment.

And then, Nasser, I can't resist before I open the floor – you referred to skirmishes we had in the past, and I think I can reveal to all of you, yes, indeed we had a few skirmishes – not that many actually – but we always went out for dinner afterwards and discussed it and found out that we actually agree on those things.

AL-KIDWA: ... excellent wine.

RØD-LARSEN: You shouldn't reveal everything. And I can't resist mentioning one particular episode because at the end of my tenure as the Special Coordinator in the Occupied Territory, I went to Kofi Annan and I said, "Look, I mean, the situation in Gaza is incredibly dangerous and we just have to speak up." So I remember, I spoke to Khaled about it – Shafi – who is a very prominent Gazan, being here in New York. We spoke a lot about it at the time. So I told Kofi Annan, I said I'm going to be at the Security Council and I think we just have to speak up.

And I remember the very words – it was a long time since I read my briefing, but I remember the very words I used – I said, Gaza is descending into anarchy, chaos and gangland. And, Nasser, you took the floor immediately afterwards at the stakeout, and you came down on me like a ton of bricks. And I was basically, not formally, but de facto, I was more or less declared *persona non grata* for a few months.

So I'd like to ask you for a comment now, in hindsight. And I remember you referred to our very good friend Raghida, at the back of the room here, she came to me and said, "What the hell are you guys quarreling about? You completely agree." Nasser, may I ask for one comment before we open the floor?

AL-KIDWA: You know, Terje is skillful, as always. Of course we did disagree strongly, but it was not about this part. It was about the ...

RØD-LARSEN: See what a brilliant diplomat he is.

AL-KIDWA: ... other parts of his statement. And besides, we had nothing to do as a mission about this stupid declaration that was made. Actually, we saved the day by distributing almost immediately an official press release denouncing the comments that were made back home. So of course, as I told you, it wasn't exactly the same story, but this is exactly Terje Rød-Larsen. Can you beat him?

RØD-LARSEN: And this is Nasser Al-Kidwa – can you beat him? I open the floor. Could you please state your name and your affiliation?

EDITH LEDERER: Edith Lederer from the Associated Press. It's very nice to see you back here after quite a few years.

AL-KIDWA: Thank you.

LEDERER: We like your successor, but we also miss you.

AL-KIDWA: You like me more, say it straight.

RØD-LARSEN: I like you too.

[LAUGHING]

LEDERER: There've been all sorts of rumors circulating around about your own possible future in the next Palestinian elections, possibly as a successor to Mahmoud Abbas, possibly in some other role. I wonder if you could tell us how big a role you see yourself possibly playing in the future of Palestine and a Palestinian state?

RØD-LARSEN: Thank you very much. I had actually planned to take a few questions before I gave the floor to Nasser again. But I think we now have heard a very candid speech, and we've heard now a very candid question. Does the Permanent Observer want to take the floor as well on this issue?

Well, I think we should take two more questions and then you can respond.

AL-KIDWA: Well, I can't think of the answer.

Rød-Larsen: There is a young lady at the very back of the room, if you could provide her with a microphone.

SHAMINA DE GONZAGA: Thank you. Shamina de Gonzaga, World Council of Peoples for the UN. Thank you for your presentation. I was wondering if you could tell me if I'm correct in perceiving that the majority of policy makers on both sides, meaning both in Palestine and in Israel, are people who have been involved for a lot of time, for a long time, for many decades. And given, especially the very strong youth population in Palestine, I'm wondering if there are

efforts to involve a new generation of leaders in conceiving the future of your nation. Thank you.

RØD-LARSEN: I think there is also somebody straight across from you with the microphone who wants to take the floor. It's actually Raghida Dergham, if I ...

RAGHIDA DERGHAM: Thank you very much. Welcome back Nasser. I actually understood your position on proximity talks differently from how Terje understood it, and I thought you were saying this is not rejected as long as it's clear. So, my question to you is that, has Mitchell come to you alone as the American envoy? Or has he given the impression that the other partners in the Quartet are part of this suggestion of the proximity talks? What is your impression about that? And we hear that some people, some quarters, want to come to the Security Council with the Palestinian issue, Arab and Palestinian – is it time that you should come to the Security Council and is Ban Ki-moon forward enough on the political issue and the political expressions needed for you as you are now at a crossroads? Thank you.

RØD-LARSEN: Thank you very much for three excellent questions. Nasser, you have the floor.

AL-KIDWA: Yes, thank you. First, let me go back to the first point raised by Terje with regard to Hamas and its possible participation in government, which would then lead automatically to sanctions by the administration and, of course, similar strong negative position by Israel.

I did not propose at all the participation of Hamas in the government. Actually, I spoke of broad, in-depth national dialogue, on a set of principles, on the basis of which a new political system could be built, leading to a power-sharing agreement, leading to national elections. That's something which is purely the business of the Palestinian people. Of course, major powers, important players will have to swallow the idea, albeit reluctantly, but nevertheless, the minimum would be not to oppose it strongly. But it's basically still within the Palestinian domain.

The issue of government comes only after, and what kind of government, what kind of program the government must have. Clearly I said also that this government has to be part of the international system. It has to respond positively to the position of the international community. If Hamas would accept that as a step necessary for the participation in the government, good. If not, then it could designate people. If not, we can go back to the idea of technocratic government or anything of the sort. But then, this is not going to be hanging in the air. That was not possible at all, given the fact that we didn't accomplish the first part in the past.

So it's a two-level approach, if you wish, and the two are completely distinct. They are not the same thing. Tenets of our common political system – democracy in compliance with international humanitarian law upholding the national goal as the establishment of a Palestinian state with Jerusalem as its capital,

along the lines of 1967 – things like that, that are different from the political program of a government.

So it's kind of a new idea that was not tried before. Before we either went straight to trying to agree on the political program. The result couldn't have been positive. Or, at times, we ignored the political substance all together. I think we did something like that in Mecca, and of course, something of the sort cannot continue for long. It is unsustainable. You need to have a political basis for any agreement.

I think I'm enthusiastic, frankly, about the idea. I think it deserves trying and it is, again, for the tenth time, it's different from talking about the government and its political program.

On the question about my political role, let me say this: first, president Abbas publicly said – several times, by the way – that he doesn't intend to become a candidate in the next elections. Of course, at the same time, there is a big question about when this next election will take place given the position of Hamas against convening the elections.

On the other hand, our side, of course, believes that convening elections without Gaza would be kind of an institutionalization of the split, and this is something that we don't want to do. So, I guess we are not faced now, not at least, in the immediate future, with a situation whereby we have to answer questions.

And secondly, I think it's part of the Arab tradition not to talk about the future when it involves specific persons that we

respect and that we like. It has always been like that. We believe in God, we believe in destiny, and it's not something that is done frequently.

Now, I know that it doesn't sound that way to you, to all of you, to the western mentality, but we are like that. We are part of the Orient, and honestly, we don't like to discuss things about succession and about who will do what. And it's not only personally that we don't like to do that, but we also, politically, don't like to do so.

So I'm afraid that I'm not going to give you any satisfying answer, neither with regard to me, personally, nor with regard to any other colleague of mine sitting now in the Central Committee or any other place. But I can tell you that I'm still engaged – kicking a little bit, don't talk much, maybe for my own sake, but nevertheless trying to do my share, my small share of the job.

The question, if I understand properly, about the new generations renovating the blood and opening maybe some veins for new ideas and innovative thinking – of course, it's something that is essential. We probably scored some records in keeping our old generation figures. The Israelis probably did worse than us. Simon Peres is still around, and who knows, maybe he'll become Prime Minister even, so you never know what happens in this part of the world.

But let me, nevertheless, indicate that there has been such change, that is also called renovation, a new generation. Believe it or not, I belong to this new generation. Now, I'm in my 50s and I

don't think that it should have been that way. We should have brought with us people in their 40s and maybe younger, but at least the process was started, the door was open and hopefully, this process will accelerate in the near future.

On the issue of the proposal of proximity talks, Raghida, I think you are right – what I said was not exactly what was understood by Terje. Or let me correct myself – he understood it correctly, but then he said what he wanted to say. That's a different story. So, yes, I was saying that it was not something easy or something understood for any party to say to the United States in the circumstances, we don't want even proximity talks.

That is not very rational, frankly. But at the same time, we have to be very clear with that restriction, that if you want something useful, something transitional that would take you, take us all, to the right place, such talks will have to be conducted on a basis of something clear. It should have its declared basis – simple, not very complicated; limited, of course, in scope, because of the nature of the whole thing. Obviously, Senator Mitchell or the administration doesn't want to start from square one again, looking for a comprehensive definition of the final outcome or a comprehensive political basis. But, nevertheless, something that will make these proximity talks useful. That is basically my point.

Now, did Senator Mitchell come and make such a proposal on behalf of the administration or the Quartet as a whole? I think it was on behalf of the administration, so I don't want to talk on behalf of anyone, but I think he briefed members of the Quartet

before coming, in Brussels. I, personally, was a bit – very uncomfortable with the fact that maybe other parties did not stress the political content enough. So, of course they were aware of what was happening, but I don't think that he was acting on behalf of the Quartet.

With regard to the point of the Security Council, of course, my problem with the way that negotiations were conducted by the Palestinian side before, was precisely the fact that it was not coupled with the use of available cards of strength, including upholding international law, including using important things such as the advisor opinion of the International Court of Justice, such as other vehicles; including upholding Security Council resolutions and trying to use the available international mechanism; so on and so forth. Nevertheless, I also understand the limitation.

For us or for anyone else to get a Security Council resolution that would then specify the parameters of the solution is something that needs a lot of preparation and needs the acceptance of not only the United States, but also other important players.

It will take a lot of time and a lot of effort, and it should not be seen as a substitute for the peace process. It should come in the context of the peace process. I think the person who came closest to this was Mr. Solana when he proposed something like this.

Now, if the Palestinian side thinks that it alone can achieve even more in the Security Council unilaterally, for instance, such

as recognition of the state or anything of the sort, with a heavy heart, I can confess to you that it's not possible. I still know the place a little bit. I know the rules a little bit, so there are things that cannot happen this way.

But legislating the parameters of the peaceful settlement, or putting the political basis for such settlement by the Security Council would be, of course, a fantastic thing to happen.

Alternatively, at least you should have that done by the Quartet. Alternatively, less still, you could have that done by the United States alone with even the more severe limitation on such things for the United States. But these are the different levels. We need a political basis in any case, and that is more important than the vehicle itself. To do that, you need consensus. Which vehicle you use, you need consensus. Otherwise you are going to use, to try to go to the Security Council to achieve other things. For instance, if you want to go the Security Council to reiterate the position of the Council on settlements, for instance –that's a different matter. You might succeed in that. But as part of serious proceedings related to a process, of course you need consensus.

Rød-Larsen: Thank you very much, once again, for very frank and I'd say very illuminating answers and comments. I think we hear you loud and clear, also on the succession issue. He's intriguing, isn't he?

Shall we take three more questions? At the very back of the room I think is the representative of Al-Arabiya.

TALAL AL-HAJ: Thank you. Welcome back ...

AL-KIDWA: At least not Al-Jazeera. Go ahead.

TALAL AL-HAJ: Good to see you, Nasser. By the way, we like you both, you and Dr. Riyadh, but your jokes were better when you were here.

AL-KIDWA: Only jokes?

AL-HAJ: More racier. By the way, I just wanted to get your views on the latest controversy concerning the apology of Hamas, or non-apology, or whatever. There was a report given by Hamas to the Human Rights Council representative in Gaza, which was later leaked to the press and we saw an apology there for killing civilians. What do you think of that apology? What do you think of Fatah's demand for an apology by Hamas for killing Palestinians, and the whole issue of the United Nations receiving, even accepting to receive a report from Hamas, while at the same time content that the PLO is the only representative, legitimate representative of the Palestinian people?

And on the issue of a Security Council issuing something, you yourself worked on, I think it was 1480, which transferred the roadmap into a resolution. You worked very hard with the Russians and you got it through – but where did that get you in the end? I mean is a Security Council resolution the way to go forward?

RØD-LARSEN: Thank you for a very, very good question. I see Al-Jazeera's hand coming up here as well.

AL-KIDWA: Otherwise we'll get into trouble.

RØD-LARSEN: Let's take a couple more questions. Al-Jazeera?

KHALED DAWOUD: Actually – thank you very much Mr. Al-Kidwa, for this presentation. It's a follow-up as well on the issue of Goldstone. I mean, from

your experience – and you just said we should use other alternatives, including the ICJ and – how do you think the Palestinian side should move forward with the Goldstone report, and whether they should basically accept the report that Hamas has produced and included in the report that's being presented to the United Nations, instead of just denying receiving anything. Thank you.

RØD-LARSEN: A terrific question. I think we'll take a couple more. Go ahead, it's on the left hand side down there – I think it's the representative of a very prominent NGO who is raising her hand.

YVONNE TERLINGEN: Thank you very much, Yvonne Terlingen from Amnesty International. Just in the same vein, we were very pleased to see in the letter by your successor that you pay a lot of attention to the need for accountability, and particularly, we were pleased to see about a linkage that you're drawing between accountability, peace and justice. We agree that they go hand in hand and that you cannot have one without the other.

Now, we have noted, of course, that a little bit at a last moment, a committee, an independent, investigative committee has been established. We are very glad to see that it has been established. And I wonder whether you could tell us a little bit about what is meant with that investigative commission to look into allegations of violations of international humanitarian law conducting its work in the most efficient and timely manner. What sort of efficiency and timeliness do you have in mind? And how

does it relate with what has happened in Gaza on the part of Hamas? Thank you.

RØD-LARSEN: Thank you very much. Once again, excellent questions. I think we'll go for two more if there are any other ... that's enough? Then you have about 12 minutes to make your concluding remarks. Thank you.

AL-KIDWA: Well, I think that the three questions are related, to say the least. They are focused on the Goldstone report, Hamas' reaction, what we intend to do and how the authority sees all – the whole thing.

Of course, we do believe in accountability and we think that achieving peace and justice requires also at least a degree of accountability, and we, of course, look at any violations of international law, international humanitarian law, in a very serious way, and we do aspire for creating a whole culture among the Palestinian people and among the political, Palestinian political movement, in that direction.

And as such, we think that the movement shown by Hamas in the document you are talking about is encouraging. Actually, I was saying a little while ago that I believe that compliance with international humanitarian law must be one of the basic principles on the basis of which we can have a common political system that would enable us to live together.

So, obviously, you feel that there is this kind of movement and that is something we, of course, welcome. We look forward to achieving an even clearer position, one that cannot be construed in one way or another, but only in the right way.

Now, that document, unfortunately, was given from Hamas, bypassing the legitimate representatives of Palestinian and international organizations. It was given to a representative of the Human Rights Council in Gaza, something that was not correct. It was wrong by both sides, actually – by Hamas to try to do that and by that representative to receive the document. Anything of this sort should go to the Palestinian Authority. And on my part, I think I can tell you that I don't find any difficulty in something like that. But I believe that the Secretary General made a clear position in this regard, and I understand that that part will be rectified, and in the future I think the UN generally will have to be more careful.

Now, the Palestinian Authority established a committee headed by the former chief justice and a number of very respected legal experts. Obviously, we want to conduct the requested investigation in a way that is transparent, that meets the international standard, and we will be trying also to use the good offices and the support of the Arab League in this regard, so another subcommittee might be established through discussion and consultations with many parties, a committee that can actually be on the ground and conduct the necessary investigations in a real way, in a material way.

And, of course, the door will be open also for people in Gaza, including representatives of Hamas, to share in this process and to contribute to this. The important thing is to have a credible investigation, responding positively to the request made in the

report and in the General Assembly resolution, and to reach clear results. More importantly, in a way that helps the creation of this new culture and new thinking and new understanding of things because that is, I think, the most important thing to be achieved.

At the same time, I have to say that what the Israeli side did, of course, was not remotely corresponding to the request made in the report and by the General Assembly. We need to see real investigation, a serious one, that takes into consideration many of the findings of the Goldstone Commission, and the recommendations made in that report. I know, of course, that this is very difficult for Israel to do, but I think that the Israeli government has to face the reality and has to take measures, concrete measures, so that it might start a process of overcoming a culture of committing crimes, committing violations, serious violations of international humanitarian law with impunity. We need to end this culture and start a process towards creating a different and new culture.

I think that covers the three questions. I apologize, maybe I didn't hear well parts of those questions, but I hope that what I said was enough for those who asked the questions. Thank you.

- RØD-LARSEN:** Thank you very much. Once again, Nasser ...
- AL-HAJ:** [INAUDIBLE COMMENTS / OFF MIKE]
- AL-KIDWA:** This part I didn't hear well and I'm not sure that I understood what ...
- AL-HAJ:** There was a resolution which transformed the roadmap ...
- AL-KIDWA:** Yes, 1515.

AL-HAJ: [INAUDIBLE] ... in getting that through the Security Council, but that didn't bear any fruit. I mean going back to the Security Council, if you have the whole roadmap, which we want to implement parts of it here and there, in a resolution, what hasn't been implemented, what good does it do us to go back to the Security Council to ask Israel to stop the settlement activities, for example?

AL-KIDWA: First, that, of course, reminds me of some of the suggestions that after all, what's the use of anything done by the United Nations? That's not true, of course. At least, with regard to the Palestinian question, I think those resolutions prevented possibly a much worse situation. And they constituted, have constituted always, a continuing pressuring mechanism on Israel to avoid repeating the same violations of international law.

To put it simply, if any party cannot implement the law, that does not make the law less important. It remains very important, and the time will come when you have the means to implement the law. I think it's more complex than that also, in a positive way.

Now, to answer your question specifically with regard to the issue of the settlements, the Israeli strategy was to try to legitimize the illegal over a period of time, basically with the help of the United States, precisely by blocking any action in the Security Council that invokes Geneva Conventions, the fourth Geneva Convention.

I think, over the years, I mean, they succeeded now – we have witnessed several years now without such reaffirmation, and

the Israelis started to feel that maybe they have succeeded in this process of legitimization. Now, if you add to that the deterioration in the political language used in the framework of the peace process, and using terms such as unilateral acts instead of illegal acts, acts that are not useful to the peace process – stuff like that, and then you can conclude that the Israelis, of course, are feeling more and more confident that legitimization is going on.

So now, if the Council comes and says “No, wait a minute, you are wrong,” again, it is illegal. That will create a completely different scene, if psychologically it will be a different situation from an Israeli point of view. But I believe also practically it would be a different thing.

Now, you refer to 1515 and adoption of the resolution and asked the question what was the use of all this? I’ll give you purely personal position. The problem is with the roadmap. Now Terje will get angry a little bit.

RØD-LARSEN: It’s too late for me to ...

AL-KIDWA: What is this? If anybody can understand this in the right way, please explain to me. So you are – okay, you got the affirmation or the support of the Security Council for that document, that everybody understands it in his or her way, whether this is successive or this is parallel, or whether this comes before or that one comes before, 14 Israeli reservations – this is precisely what I meant when I spoke of a clear terms of reference, clear terms of reference.

Now, I have other problems with the roadmap. I don't think that it's time for this. Nevertheless, it was a stop-gap for possible further deterioration and it was, in that sense, maybe helpful for awhile. But at some time, now specifically, we need to move beyond that, and when things are clear, whether they are adopted by the Quartet, or preferably, by the Security Council, of course they would make a difference and that would be a huge difference, of course. Thank you.

RØD-LARSEN:

Thank you once again. And thank you for spending time with us here today, and also I'm particularly grateful that you, as usual, have been so outspoken. I'm proud to have had you here, a great humanitarian, a man of peace, and I think all of us are with you when I wish you good luck with tackling all the challenges ahead of you, and I think I also have all of us with you, when I say also for tackling possible future positions.

Thank you very much, Nasser. I hope we can have you here again in due course, maybe to speak also in different capacities.

Thank you so much everybody. And may I also say that Nasser is going to spend a couple of days here in New York, and I'm quite sure that the Permanent Observer will facilitate if you want to have bilateral chats with him. Thank you so much again.